NPDES Permit Number ILR40
Notice Number

National Pollutant Discharge Elimination System (NPDES)
Permit Program

Public Notice Beginning Date: September 02, 2021

Public Notice Ending Date: October 01, 2021

PUBLIC NOTICE/FACT SHEET
of
General NPDES Permit to Discharge into Waters of the United States

The Illinois Environmental Protection Agency (IEPA) has made a tentative determination to issue an NPDES general permit to discharge into the waters of the U.S. and has prepared a draft permit for discharges from small municipal separate storm sewer systems.

Permit Number ILR40

For a Comprehensive General Permit, the permitting authority issues a small MS4 general permit that includes the full set of requirements necessary to meet the MS4 permit standard "to reduce pollutant discharges from the MS4 to the maximum extent practicable (MEP), to protect water quality, and to satisfy the appropriate water quality requirements of the CWA." The general permit contains all requirements, and no additional requirements are established after permit issuance.

A General NPDES Permit is a single permit issued to cover discharges from a number of facilities in a specified geographic area which involve the same or substantially similar types of operations. The facilities must discharge the "same type of waters" which has been interpreted to mean the waste streams need not be identical but must be sufficiently similar that the same permit conditions are appropriate. A determination by the IEPA must be made that the discharge is more appropriately covered under a General Permit than under an individual NPDES Permit.

A General Permit is the equivalent of an individual NPDES Permit in terms of effluent limitations, water quality standards, monitoring and reporting requirements, and enforceability.

An applicant would be required to submit the same application information, using the same required Federal forms as for an individual NPDES Permit or submit a Notice of Intent (NOI).

The General Permit does not name any Permittees, nor does it authorize any person to discharge. The authorization to discharge under a General Permit is in a separate letter, issued to a specific applicant; the letters are issued at any time while the General Permit is in effect. The issuance of this permit will not result in the termination of any individual NPDES permits because none of the discharges to be covered by this permit are currently covered by NPDES permits.

The permittees listed on page 4 of the public notice fact sheet may be located in an area of Environmental Justice concern pursuant to Illinois EPA's Environmental Justice Public Participation Policy. More information concerning Environmental Justice may be found at http://www.epa.illinois.gov /topics/environmental-justice/index or by contacting Chris Pressnall, EJ Officer, at 217/524-1284

Coverage under this Permit

This Permit covers all areas of the State of Illinois.

Eligibility

1. This permit authorizes discharges of storm water from small municipal separate storm sewer systems (MS4s) as defined in 40 CFR 122.26(b)(16) and designated for permit authorization pursuant to 40 CFR 122.32.

2. This permit authorizes certain non-storm water discharges such as landscape irrigation water, groundwater infiltration, air conditioner condensate, and foundation drains provided they have been determined not to be substantial contributors of pollutants to a particular small MS4 applying for coverage under this permit:

3. Any municipality covered by this general permit is also granted coverage under Permit No. ILR10 for the discharge of storm water associated with construction site activities for municipal construction projects disturbing one acre or more. The permittee is granted coverage after Agency receipt of a Notice of Intent from the permittee. The Agency will provide public notification and assign a unique permit number for each project during this period. The permittee shall comply with all requirements of permit ILR10 for all such construction projects.

Limitation on Coverage

The following discharges are not authorized by the permit:

1. Storm water discharges that are mixed with non-storm water or storm water associated with industrial activity unless such discharges are:

   a. in compliance with a separate NPDES Permit; or

   b. identified by and in compliance with Part I.B.2 of this permit.

2. Storm water discharges that the Agency determines are not appropriately covered by this general permit.

Final Conditions

Length of Permit	Approximately 5 Years
Classification of Receiving Water	Varies
Discharge No(s).:	Various Locations
Type of Waste:	Storm Water Runoff

Storm Water Management Programs

The storm water management program is the most important requirement of the general permit. Each municipality must develop, implement, and enforce a storm water management program designed to reduce the discharge of pollutants from their small municipal separate storm sewer system to the maximum extent practicable (MEP), to protect water quality, and to satisfy the appropriate water quality requirements of the Illinois Pollution Control Board Rules and Regulations (35 Ill. Adm. Code, Subtitle C, Chapter 1) and the Clean Water Act. The storm water management program must include the minimum control measures described in Section IV.B of the permit. The following are excerpts from the general permit outlining the main requirements of the six minimum control measures.

Minimum Control Measures

The 6 minimum control measures to be included in your storm water management program are:

1. Public education and outreach on stormwater impacts

   The permittee must implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of storm water discharges on water bodies and the steps that the public can take to reduce pollutants in storm water runoff.

2. Public involvement/Participation

   The Permittee must:

   a. At a minimum, comply with State and local public notice requirements when implementing a public involvement/participation program.

   b. Define appropriate BMPs for this minimum control measure and measurable goals for each BMP, which must ensure the reduction of all of the pollutants of concern in your storm water discharges to the maximum extent practicable.

   c. Identify environmental justice areas within its jurisdiction and include appropriate public involvement/ participation.

3. Illicit discharge detection and elimination

   The Permittee must develop, implement and enforce a program to detect and eliminate illicit discharges into the small MS4.

4. Construction site storm water runoff control

   The Permittee must develop, implement, and enforce a program to reduce pollutants in any storm water runoff to your small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Control of storm water discharges from construction activity disturbing less than one acre must be included in your program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more or has been designated by the permitting authority.

5. Post-construction storm water management in new development and redevelopment

   The Permittee must develop, implement, and enforce a program to address storm water runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a

larger common plan of development or sale or that have been designated to protect water quality, that discharge into your small MS4. Your program must ensure that controls are in place that would protect water quality and reduce the discharge of pollutants to the maximum extent practicable. This includes ensuring long term operation and maintenance of BMPs. The new permit also emphasizes the use of green infrastructure, inclusion of storm water considerations in flood control projects, and specifies areas where infiltration for treatment of storm water is not appropriate.

6. Pollution prevention/good housekeeping for municipal operations

   The Permittee must:

   a. Develop and implement an operation and maintenance program that includes a training component and is designed to prevent and reduce the discharge of pollutants to the maximum extent practicable.

   b. Use training materials that are available from EPA, the State of Illinois, or other organizations. Your program must include employee training to prevent and reduce storm water pollution from activities such as park and open spaces maintenance, fleet and building maintenance, new construction and land disturbances, and storm water system maintenance.

   c. Minimize exposure to precipitation and provide adequate storage for fertilizers, herbicides, pesticides, chemicals, de-icing agents and other potential pollutant sources present on the site.

Monitoring, Recordkeeping and Reporting

The permit requires that municipalities must evaluate program compliance, the appropriateness of their identified best management practices, and progress towards achieving their identified measurable goals, which must include reducing the discharge of pollutants to the maximum extent practicable (MEP). This includes quarterly visual sampling for communities of less than 25,000 population and a menu of monitoring options for communities equal to or greater than 25,000 population. The permit also has detailed recordkeeping and reporting requirements.

Special Conditions

The draft permit also contains the following requirements as special conditions:

1. Prohibition against causing or contributing to violations of water quality standards.

2. If water quality violations occur, the Agency may require an individual permit.

3. Development of specific procedures to be followed when a total maximum daily load allocation is approved.

4. Permittees that perform any deicing activities must participate in any watershed group to implement control measures.

5. The permit is administratively continued after the expiration date.

6. A requirement for a permittee to apply for either an individual NPDES permit or an alternative general NPDES permit upon IEPA request.

7. Allows any owner or operator to be excluded from this permit and to request coverage under an individual permit.

8. Terminates coverage under the general permit for a discharger who receives coverage under an individual permit.

The following items have updated from the previous ILR40 Permit:

Page 2: Contents of General Permit ILR40: Page numbers updated.

Part I.B.2: Standard language updated for bullet points.

Part II.A.: Standard language updated.

Part II.B.3: Website address' updated.

Part II.B.6: Standard language updated to include an email for submittals.

Part III.C.9: Website address updated.

Part IV.B.1.a.(i-vii): New Permit language.

Part IV.B.1.(b-d): New Permit language.

Part IV.B.2.f: Website address updated.

Part IV.B.2.g.(i-iv): New Permit language.

Part IV.B.3.a.(iii-vii): New Permit language

Part IV.B.3.(b-h): New Permit language

Part IV.B.4.(c-h): New Permit language.

Part IV.B.5.b: Website address updated.

Part IV.B.5.f.(v-vi): Website address updated.

Part IV.B.5.k.(i-ii): New Permit language

Part IV.B.6.(f-m): New Permit language

Part IV.E.a: Website address updated.

Interested persons are invited to submit written comments on the draft General Permit to the IEPA at the address below. The NPDES permit number(s) must appear on each comment page. Any interested person may submit a written request for a public hearing on a draft permit, stating his or her name and address, the nature of the issues proposed to be raised and the evidence proposed to be presented with regard to those issues.

The Public Notice/Fact Sheet, draft permit, comments received, and other documents are available for inspection and may be copied at the IEPA between 9:30 a.m. and 3:30 p.m. Monday through Friday.

All comments on the draft permit and requests for hearing must be received by the IEPA by U.S. Mail, carrier mail, or hand delivered during the public notice period. If written comments or requests indicate a significant degree of public interest in the draft permit, the permitting authority may at its discretion, hold a public hearing. Public notice will be given 45 days before any public hearing. For further information call Corey Branson at 217/782-0610.

Public Notice/Fact Sheet Issued By:

Illinois Environmental Protection Agency
Division of Water Pollution Control
Permit Section, Mail Code #15
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
Phone Number: 217/782-0610

The following Permittee have submitted a renewal application:

ILR400001	Addison Township MS4
ILR400277	Addison Village MS4
ILR400278	Algonquin Village MS4
ILR400283	Aurora MS4
ILR400005	Aurora Township MS4
ILR400514	Barrington Hills Village MS4
ILR400008	Barrrington Township MS4
ILR400286	Bartlett Village MS4
ILR400287	Bartonville Village MS4
ILR400009	Batavia Township MS4
ILR400288	Batavia MS4
ILR400290	Belleville MS4
ILR400291	Bellwood MS4

ILR400528	Belvidere Township MS4
ILR400292	Bensenville Village MS4
ILR400166	Berkeley Village MS4
ILR400486	Blackberry Township MS4
ILR400013	Bloomingdale Township MS4
ILR400295	Bloomingdale Village MS4
ILR400521	Bloomington & Normal WRD - MS4
ILR400296	Bloomington MS4
ILR400532	Blount Township MS4
ILR400298	Bolingbrook Village MS4
ILR400299	Bourbonnais Village MS4
ILR400301	Bridgeview Village MS4
ILR400167	Broadview Village MS4
ILR400302	Brookfield Village MS4
ILR400303	Buffalo Grove Village MS4
ILR400170	Burnham Village MS4
ILR400304	Burr Ridge Village MS4
ILR400306	Calumet City MS4
ILR400171	Calumet Park Village MS4
ILR400696	Cambria Village MS4
ILR400483	Campton Township Hwy Dist MS4
ILR400308	Carol Stream Village MS4
ILR400309	Carpentersville Village MS4
ILR400310	Cary Village MS4
ILR400623	Channahon Village MS4
ILR400683	Cincinnati Township MS4
ILR400175	Clarendon Hills Village MS4
ILR400555	Clear Lake Township MS4
ILR400556	Coe Township MS4
ILR400317	Colona MS4
ILR400559	Cotton Hill Township MS4
ILR400319	Crest Hill, City MS4
ILR400179	Crystal Lake City MS4
ILR400546	Danville MS4
ILR400180	Darien City MS4
ILR400181	Decatur City MS4
ILR400323	Deer Park Village MS4
ILR400566	Dekalb Township MS4
ILR400039	Dorr Township MS4
ILR400040	Downers Grove Township MS4
ILR400183	Downers Grove Village MS4
ILR400701	Dunlap Village MS4
ILR400044	Dunleith Township MS4
ILR400502	DuPage County MS4
ILR400723	East Cape Girardeau Village MS4

ILR400185	East Hazel Crest Village MS4
ILR400330	East Moline MS4
ILR400491	East Skokie Drainage District
ILR400046	Ela Township MS4
ILR400047	Elgin Township MS4
ILR400048	Elk Grove Township MS4
ILR400187	Elmhurst MS4
ILR400702	Elwood Village MS4
ILR400703	Energy Village MS4
ILR400335	Evanston MS4
ILR400504	Federal Correctional Institution Pekin MS4
ILR400337	Flossmoor Village MS4
ILR400573	Forest Lake MS4
ILR400338	Forest Park Village MS4
ILR400193	Forsyth Village MS4
ILR400574	Fox Lake Hills MS4
ILR400339	Fox Lake Village MS4
ILR400194	Frankfort Village MS4
ILR400704	Freeburg Village MS4
ILR400054	Fremont Township MS4
ILR400576	Gages Lake MS4
ILR400548	Georgetown MS4
ILR400726	Germantown Hills Village MS4
ILR400196	Gilberts Village MS4
ILR400199	Glen Ellyn Village MS4
ILR400198	Glencoe Village MS4
ILR400342	Glendale Heights Village MS4
ILR400343	Glenview Village MS4
ILR400344	Glenwood Village MS4
ILR400200	Golf Village MS4
ILR400058	Grafton Township MS4
ILR400201	Grandview Village MS4
ILR400580	Grandwood Park MS4
ILR400059	Grant Township MS4
ILR400203	Green Oaks Village MS4
ILR400205	Hainesville Village MS4
ILR400061	Hampton Township MS4
ILR400062	Hanna Township MS4
ILR400347	Hanover Park Village MS4
ILR400208	Harwood Heights Village MS4
ILR400209	Hawthorn Woods Village MS4
ILR400355	Hinsdale Village MS4
ILR400068	Hollis Township MS4
ILR400728	Homer Glen Village MS4
ILR400069	Homer Township MS4

ILR400494	IL State Toll Highway Authority MS4
ILR400680	Illinois Department of Agriculture MS4
ILR400493	Illinois Department of Transportation MS4
ILR400360	Itasca Village MS4
ILR400489	Johnsburg Village MS4
ILR400361	Joliet MS4
ILR400362	Justice Village MS4
ILR400259	Kane County MS4
ILR400072	Kankakee Township MS4
ILR400363	Kankakee MS4
ILR400073	Kickapoo Township MS4
ILR400365	LaGrange Park Village MS4
ILR400216	Lake Barrington Village MS4
ILR400367	Lake Forest MS4
ILR400074	Lake Villa Township MS4
ILR400372	Lakewood Village MS4
ILR400373	Lansing Village MS4
ILR400217	Leland Grove City MS4
ILR400497	Lemont Village MS4
ILR400374	Libertyville Village MS4
ILR400635	Lily Lake Village MS4
ILR400681	Limestone Township - MS4
ILR400375	Lincolnshire Village MS4
ILR400079	Lisle Township MS4
ILR400376	Lisle Village MS4
ILR400377	Lockport MS4
ILR400378	Lombard Village MS4
ILR400219	Long Grove Village MS4
ILR400589	Long Lake MS4
ILR400380	Lynwood Village MS4
ILR400221	Machesney Park Village MS4
ILR400636	Manhattan Village MS4
ILR400710	Manteno Village MS4
ILR400381	Marquette Heights MS4
ILR400488	Mascoutah MS4
ILR400591	Mascoutah Township MS4
ILR400383	Matteson Village MS4
ILR400384	Maywood Village MS4
ILR400264	Mchenry County MS4
ILR400084	McHenry Township MS4
ILR400385	McHenry MS4
ILR400265	McLean County MS4
ILR400085	Medina Township MS4
ILR400386	Melrose Park Village MS4
ILR400226	Merrionette Park Village MS4

ILR400086	Milton Township MS4
ILR400638	Minooka Village MS4
ILR400496	Mokena Village MS4
ILR400389	Moline MS4
ILR400730	Monee Village MS4
ILR400390	Montgomery Village MS4
ILR400391	Morton Grove Village MS4
ILR400090	Morton Township MS4
ILR400394	Mount Zion Village MS4
ILR400395	Mundelein Village MS4
ILR400594	NA-AU-SAY Township MS4
ILR400092	Naperville Township MS4
ILR400396	Naperville MS4
ILR400093	New Lenox Township MS4
ILR400398	Niles Village MS4
ILR400399	Normal MS4
ILR400400	Norridge Village MS4
ILR400228	North Barrington Village MS4
ILR400403	North Pekin MS4
ILR400404	Northbrook Village MS4
ILR400405	Northfield Village MS4
ILR400406	Northlake MS4
ILR400100	Nunda Township MS4
ILR400407	Oak Brook Village MS4
ILR400408	Oak Forest MS4
ILR400410	Oak Park Village MS4
ILR400232	Oakbrook Terrace City MS4
ILR400512	Oakwood Hills Village MS4
ILR400413	Olympia Fields Village MS4
ILR400233	Orland Hills Village MS4
ILR400414	Orland Park Village MS4
ILR400104	Oswego Township MS4
ILR400416	Palatine Village MS4
ILR400418	Palos Hills MS4
ILR400420	Park City MS4
ILR400421	Park Forest Village MS4
ILR400422	Park Ridge MS4
ILR400423	Pekin MS4
ILR400424	Peoria MS4
ILR400111	Plainfield Township MS4
ILR400714	Plano MS4
ILR400484	Plato Township Hwy Dept MS4
ILR400731	Poplar Grove Village MS4
ILR400642	Port Byron Village MS4
ILR400603	Port Byron Township MS4

ILR400644	Rapids City Village MS4
ILR400732	Richmond Village MS4
ILR400428	Richton Park Village MS4
ILR400430	River Grove Village MS4
ILR400237	Riverdale Village MS4
ILR400645	Riverton Village MS4
ILR400431	Riverwoods Village MS4
ILR400646	Rochester Village MS4
ILR400607	Rock Island Arsenal MS4
ILR400268	Rock Island County MS4
ILR400432	Rock Island MS4
ILR400435	Rolling Meadows MS4
ILR400436	Romeoville Village MS4
ILR400240	Roscoe Village MS4
ILR400438	Rosemont Village MS4
ILR400608	Rosewood Heights MS4
ILR400241	Round Lake Heights Village MS4
ILR400243	Round Lake Village MS4
ILR400717	Sandwich MS4
ILR400441	Sauk Village, Village MS4
ILR400443	Schaumburg Village MS4
ILR400444	Schiller Park Village MS4
ILR400611	Scott Air Force Base MS4
ILR400612	Scott Township MS4
ILR400647	Sherman Village MS4
ILR400123	Shields Township MS4
ILR400445	Shorewood Village MS4
ILR400447	Skokie Village MS4
ILR400739	Skyway Concession MS4
ILR400448	Sleepy Hollow Village MS4
ILR400648	South Barrington Village MS4
ILR400245	South Beloit MS4
ILR400450	South Elgin Village MS4
ILR400451	South Holland Village MS4
ILR400246	Southern View Village MS4
ILR400650	Spaulding Village MS4
ILR400520	Spring Grove Village MS4
ILR400453	Springfield MS4
ILR400455	Steger Village MS4
ILR400248	Stone Park Village MS4
ILR400456	Streamwood Village MS4
ILR400136	Sugar Grove Township MS4
ILR400516	Sugar Grove Village MS4
ILR400552	Sycamore MS4
ILR400271	Tazewell County MS4

ILR400459	Thornton Village MS4
ILR400664	Tilton Village MS4
ILR400249	Tower Lakes Village MS4
ILR400487	Union Drainage - Dist 1 - West Fork MS4
ILR400518	Union Drainage Dist - Middle Fork MS4
ILR400616	Venetian Village Association MS4
ILR400251	Venice MS4
ILR400143	Venice Township MS4
ILR400252	Vernon Hills Village MS4
ILR400144	Vernon Township MS4
ILR400463	Villa Park Village MS4
ILR400492	Wadsworth Village MS4
ILR400145	Warren Township MS4
ILR400274	Warrenville MS4
ILR400665	Washington Township MS4
ILR400501	Wauconda Village MS4
ILR400147	Wauconda Township MS4
ILR400500	Wayne Village MS4
ILR400466	West Chicago MS4
ILR400150	West Deerfield Township MS4
ILR400467	West Dundee Village MS4
ILR400490	West Skokie Drainage District MS4
ILR400468	Westchester Village MS4
ILR400469	Western Springs Village MS4
ILR400254	Westmont Village MS4
ILR400470	Wheaton MS4
ILR400471	Wheeling Village MS4
ILR400272	Will County MS4
ILR400721	Williamson County MS4
ILR400661	Williamsville Village MS4
ILR400473	Wilmette Village MS4
ILR400472	Willow Springs Village MS4
ILR400255	Willowbrook Village MS4
ILR400474	Winfield Village MS4
ILR400155	Winfield Township MS4
ILR400476	Winnetka Village MS4
ILR400477	Winthrop Harbor Village MS4
ILR400503	Wonder Lake Village MS4
ILR400478	Wood Dale MS4
ILR400499	Woodstock MS4
ILR400158	Worth Township MS4
ILR400481	Worth Village MS4
ILR400159	York Township MS4
ILR400554	Yorkville MS4
ILR400482	Zion MS4

General NPDES Permit No. ILR40

Illinois Environmental Protection Agency
Division of Water Pollution Control
1021 North Grand East
P.O. Box 19276
Springfield, Illinois 62794-9276

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

General NPDES Permit
For
Discharges from Small Municipal Separate Storm Sewer Systems

Expiration Date:

Issue Date:

Effective Date:

In compliance with the provisions of the Illinois Environmental Protection Act, the Illinois Pollution Control Board Rules and Regulations (35 Ill. Adm. Code, Subtitle C, Chapter 1) and the Clean Water Act, the following discharges may be authorized by this Permit in accordance with the conditions herein:

Discharges of only storm water from small municipal separate storm sewer systems (MS4s), as defined and limited herein. Storm water means storm water runoff, snow melt runoff, and surface runoff and drainage.

Receiving waters: Discharges may be authorized to any surface water of the State of Illinois (State).

To receive authorization to discharge under this General Permit, a discharger shall submit a Notice of Intent (NOI) as described in Part II of this Permit to the Illinois Environmental Protection Agency (Illinois EPA or Agency). Authorization, if granted, will be by letter and include a copy of this Permit. This Permit is a Comprehensive General Permit as defined by the Remand Rule.

Darin E. LeCrone, P.E.
Manager, Permit Section
Division of Water Pollution Control

BDF:CWB:20081701.cwb

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PART I. COVERAGE UNDER GENERAL PERMIT ILR40

A. Permit Area

This Permit covers all areas of the State of Illinois.

B. Eligibility

1. This Comprehensive General Permit authorizes discharges of storm water from MS4s as defined in 40 CFR 122.26 (b)(16) as designated for Permit authorizations pursuant to 40 CFR 122.32.

2. This Permit authorizes the following non-storm water discharges provided the discharge is not a substantial contributor of pollutants to the small MS4 applying for coverage under this Permit:

   - Water line and fire hydrant flushing,
   - Landscape irrigation water,
   - Diverted stream flows,
   - Rising ground waters,
   - Uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(b)(20),
   - Uncontaminated pumped ground water,
   - Discharges from potable water sources, (excluding wastewater discharges from water supply treatment plants)
   - Foundation drains,
   - Air conditioning condensate,
   - Irrigation water, (except for wastewater irrigation),
   - Springs,
   - Water from crawl space pumps,
   - Footing drains,
   - Storm sewer cleaning water,
   - Water from individual residential car washing,
   - Routine external building washdown which does not use detergents,
   - Flows from riparian habitats and wetlands,
   - Dechlorinated pH neutral swimming pool discharges,
   - Residual street wash water,
   - Discharges or flows from fire fighting activities
   - Dechlorinated water reservoir discharges, and
   - Pavement washwaters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed).

3. Any small MS4 granted coverage under this General Permit shall apply for coverage under Permit No. ILR10 for the discharge of storm water associated with construction site activities for municipal construction projects disturbing one acre or more. See EPA website on applying.

C. Limitations on Coverage

The following discharges are not authorized by this Permit:

1. Storm water discharges that are mixed with non-storm water or storm water associated with industrial activity unless such discharges are:

   a. In compliance with a separate NPDES Permit (other than General NPDES Permit No. ILR40); or

   b. Identified by and in compliance with Part I.B.2 of this Permit.

2. Storm water discharges that the Agency determines are not covered by this General Permit. This determination may include discharges identified in Part 1.B.2 or that introduce new or increased pollutant loading that may be a substantial contributor of pollutants to the receiving waters.

3. Storm water discharges to any receiving water specified under 35 Ill. Adm. Code 302.105(d) (6).

4. The following non-storm water discharges are prohibited by this Permit: concrete and wastewater from washout of concrete (unless managed by an appropriate control), drywall compound; wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials; fuels; oils; or other pollutants used in vehicle and equipment operation and maintenance; soaps, solvents or detergents; toxic or hazardous substances from a spill or other release; or any other pollutant that could cause or tend to cause water pollution.

5. Discharges from dewatering activities (including discharges from dewatering of trenches and excavations) are allowable if managed by appropriate controls as specified in a project's Storm Water Pollution Prevention Plan ("SWPPP"), erosion and sediment control plan, or Storm Water Management Program (SWMP).

D. Obtaining Authorization

In order for storm water discharges from small MS4s to be authorized to discharge under this General Permit, a permittee shall:

1. Submit a Notice of Intent for New or Renewal of General Permit for Discharges from Small Municipal Separate Storm Sewer Systems (NOI) in accordance with the requirements of Part II provided by the Agency at https://www2.illinois.gov/epa/topics/forms/water-permits/storm-water/Pages/ms4.aspx.

2. Submit a new NOI in accordance with Part II within 30 days of a change in the operator or the addition of a new operator.

Unless notified by the Agency to the contrary, a permittee submitting a complete NOI in accordance with the requirements of this Permit will be authorized to discharge storm water from their small MS4 under the terms and conditions of this Permit after the NOI is received and posted to Illinois EPA website for public notification. Authorization will be by letter and include a copy of this Permit. The Agency may deny coverage under this Permit and require submittal of an application for an individual NPDES Permit based on a review of the NOI or other information.

PART II. NOTICE OF INTENT (NOI) REQUIREMENTS

A. Deadlines for Notification

1. If a permittee has coverage under the previous General Permit No. ILR40,, the permittee shall renew Permit coverage under this Part. The permittee shall submit a new NOI within 90 days of the effective date of this reissued General Permit for storm water discharges from small MS4s to renew NPDES Permit coverage. The permittee shall comply with any new provisions of this General Permit within 180 days of the effective date of this Permit and include those new provision in the Annual Report.

2. If an MS4 is designated in writing by Illinois EPA under 40 CFR 122.32(a)(2) during the term of this General Permit, the designated MS4 shall submit an NOI to Illinois within 180 days of such notice.

3. MS4s are not prohibited from submitting an NOI after established deadlines for NOI submittals. If a late NOI is submitted, the permittees authorization is only for discharges that occur after Permit coverage is granted. Illinois EPA reserves the right to take appropriate enforcement actions against MS4s that have not submitted a timely NOI.

B. Contents of NOI

Permittees seeking coverage under this Permit shall submit the Illinois MS4 NOI form. The NOI shall be signed in accordance

with Standard Condition 11 of this Permit and shall include all the following information:

1. The street address, county, and the latitude and longitude of the municipal office for which the notification is submitted;

2. The name, address, and telephone number of the operator(s) filing the NOI for Permit coverage and the name, address, telephone number, and email address of the person(s) responsible for implementation and compliance with the MS4 Permit; and

3. The name and segment identification of the receiving water(s), whether any segments(s) is or are listed as impaired on the most recently approved list pursuant to Section 303(d) of the Clean Water Act or any currently applicable Total Maximum Daily Load (TMDL) or alternate water quality study, and the pollutants for which the segment(s) is or are impaired. The most recent 303(d) list may be found at https://www2.illinois.gov/epa/topics/water-quality/watershed-management/tmdls/pages/3o3d-list.aspx. Information regarding TMDLs may be found at https://www2.illinois.gov/epa/topics/water-quality/watershed-management/tmdls/pages/default.aspx.

The following shall be provided as an attachment to the NOI:

1. A description of the Best Management Practices (BMPs) to be implemented and the measurable goals for each of the storm water minimum control measures in paragraph IV. B. of this Permit designed to reduce the discharge of pollutants;

2. The month and year in which the permittee implemented any BMPs of the six minimum control measures, and the month and year in which the permittee will start and fully implement any new minimum control measures or indicate the frequency of the action;

3. For existing permittees, provide adequate information or justification on any BMPs from previous NOIs that could not be implemented; and

4. Identification of a local qualifying program, or any partners of the program if any.

5. For existing permittees, certification that states the permittee has implemented necessary BMPs of the six minimum control measures.

6. An electronic copy of the SWPPP

C. All required information for the NOI shall be submitted electronically and in writing to the following addresses:

Illinois Environmental Protection Agency
Division of Water Pollution Control
Permit Section, Mail Code #15
Post Office Box 19276
Springfield, Illinois 62794-9276

epa.ms4noipermit@illinois.gov

D. Shared Responsibilities

ILR40 Permit permittees may partner with other ILR40 Permit permittees to develop and implement a SWMP Each ILR40 Permit permittee shall fill out an NOI form. ILR40 Permit permittees may also submit an individual NOI in coordination with one or more other ILR40 Permit permittees. The description of the SWMP shall clearly describe which permittees are responsible for implementing each of the control measures. Each permittee shall be responsible for implementation of BMPs for the SWMP within its jurisdiction.

PART III. SPECIAL CONDITIONS

A. The Permittee's discharges, alone or in combination with other sources, shall not cause or contribute to a violation of any applicable water quality standard outlined in 35 Ill. Adm. Code 302.

B. If there is evidence indicating that the storm water discharges authorized by this Permit cause or have the reasonable potential to cause or contribute to a violation of water quality standards, the permittee may be required to obtain an individual Permit or an alternative general Permit, or the Permit may be modified to include different limitations and/or requirements.

C. If a TMDL allocation or watershed management plan is approved for any water body into which the permittee discharge, the permittee shall review the permittees SWMP to determine whether the TMDL or watershed management plan includes requirements for control of storm water discharges. If the permittee is not meeting the TMDL allocations, the permittee shall modify the permittees SWMP to implement the TMDL or watershed management plan within 12 (twelve) months of notification

by the Agency of the TMDL or watershed management plan approval. Where a TMDL or watershed management plan is approved, the permittee shall:

1. Determine whether the approved TMDL is for a pollutant likely to be found in storm water discharges from the permittees MS4.

2. Determine whether the TMDL includes a pollutant waste load allocation (WLA) or other performance requirements specifically for storm water discharge from the permittees MS4.

3. Determine whether the TMDL addresses a flow regime likely to occur during periods of storm water discharge.

4. After the determinations above have been made and if it is found that the permittees MS4 shall implement specific WLA provisions of the TMDL, assess whether the WLAs are being met through implementation of existing storm water control measures or if additional control measures are necessary.

5. Document all control measures currently being implemented or planned to be implemented to comply with TMDL waste load allocation(s). Also include a schedule of implementation for all planned controls. Document the calculations or other evidence that shows that the WLA will be met.

6. Describe and implement a monitoring program to determine whether the storm water controls are adequate to meet the WLA.

7. If the evaluation shows that additional or modified controls are necessary, describe the type and schedule for the control additions/revisions.

8. Continue requirements 4 through 7 above until monitoring from two continuous NPDES Permit cycles demonstrate that the WLAs or water quality standards are being met.

9. If an additional individual Permit or alternative general Permit includes implementation of work pursuant to an approved TMDL or alternate water quality management plan, the provisions of the individual or alternative general Permit shall supersede the conditions of Part III.C. TMDL information may be found at https://www2.illinois.gov/epa/topics/water-quality/watershed-management/tmdls/pages/default.aspx.

D. If the permittee performs any deicing activities that can cause or contribute to a violation of an applicable State chloride water quality standard, the permittee shall participate in any watershed group(s) organized to implement control measures which will reduce the chloride concentration in any receiving stream in the watershed.

E. Authorization: Owners or operators shall submit either an NOI in accordance with the requirements of this Permit or an application for an individual NPDES Permit to be authorized to discharge under this General Permit. Authorization, if granted will be by letter and include a copy of this Permit. Upon review of an NOI, the Illinois EPA may deny coverage under this Permit and require submittal of an application for an individual NPDES Permit.

1. Automatic Continuation of Expired General Permit: Except as provided in III.E.2 below, when this General Permit expires the conditions of this Permit shall be administratively continued until the earliest of the following:

   a. 150 days after the new General Permit is reissued;

   b. The Permittee submits a Notice of Termination (NOT) and that notice is approved by Illinois EPA;

   c. The Permittee is authorized for coverage under an individual Permit or the renewed or reissued General Permit;

   d. The Permittee's application for an individual Permit for a discharge or NOI for coverage under the renewed or reissued General Permit is denied by the Illinois EPA; or

   e. Illinois EPA issues a formal Permit decision not to renew or reissue this General Permit. This General Permit shall be automatically administratively continued after such formal Permit decision.

2. Duty to Reapply:

   a. If the permittee wishes to continue an activity regulated by this General Permit, the permittee shall apply for Permit coverage before the expiration of the administratively continued period specified in III.E.1 above.

   b. If the permittee reapplies in accordance with the provisions of III.E.2.a above, the conditions of this General Permit shall continue in full force and effect under the provisions of 5 ILCS 100/10-65 until the Illinois EPA makes a final determination on the application or NOI.

c. Standard Condition 2 of Attachment H is not applicable to this General Permit.

F. The Agency may require any person authorized to discharge by this Permit to apply for and obtain either an individual NPDES Permit or an alternative NPDES general Permit. Any interested person may petition the Agency to take action under this paragraph. The Agency may require any owner or operator authorized to discharge under this Permit to apply for an individual or alternative general NPDES Permit only if the owner or operator has been notified in writing that a Permit application is required. This notice shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for the owner or operator to file the application, and a statement that on the effective date of the individual NPDES Permit or the alternative general Permit as it applies to the individual permittee, coverage under this general Permit shall automatically terminate. The Agency may grant additional time to submit the application upon request of the permittee. If an owner or operator fails to submit in a timely manner an individual or alternative general NPDES Permit application required by the Agency under this paragraph, then the applicability of this Permit to the individual or alternative general NPDES permittee is automatically terminated by the date specified for application submittal.

G. Any owner or operator authorized by this Permit may request to be excluded from the coverage of this Permit by applying for an individual Permit. The owner or operator shall submit an individual application with reasons supporting the request, in accordance with the requirements of 40 CFR 122.28, to the Agency. The request will be granted by issuing an individual Permit or an alternative general Permit if the reasons cited by the owner are adequate to support the request.

H. When an individual NPDES Permit is issued to an owner or operator otherwise subject to this Permit, or the owner or operator is approved for coverage under an alternative NPDES general Permit, the applicability of this Permit to the individual NPDES permittee is automatically terminated on the issue date of the individual Permit or the date of approval for coverage under the alternative general Permit, whichever the case may be.

PART IV. STORM WATER MANAGEMENT PROGRAMS

A. Requirements

The permittee shall develop, implement, and enforce a storm water management program designed to reduce the discharge of pollutants from their MS4, to protect water quality, and to satisfy the appropriate water quality requirements of the Illinois Pollution Control Board Rules and Regulations (35 Ill. Adm. Code, Subtitle C, Chapter 1) and the Clean Water Act. The SWMP shall include the minimum control measures described in section B of this Part. For new permittees, the permittee shall develop and implement specific program requirements by the date specified in the Agency's coverage letter. The U.S. Environmental Protection Agency's National Menu of Storm Water Best Management Practices (https://www.epa.gov/npdes/national-menu-best-management-practices-bmps-stormwater) and the most recent version of the Illinois Urban Manual should be consulted regarding the selection of appropriate BMPs.

B. Minimum Control Measures

The 6 minimum control measures to be included in the permittee's storm water management program are:

1. Public Education and Outreach on Storm Water Impacts (40 CFR 122.34(b)(1))

   a. New permittees shall develop and implement elements of the storm water management program addressing the provisions listed below. Existing permittees renewing coverage under this Permit shall maintain the current program and revise if necessary within one year of Permit coverage addressing this Minimum Control Measure, updating and enhancing the storm water management programs as necessary to comply with the terms of this Section. The storm water management program shall, at a minimum:

      i. Define the goals and objectives of the Storm Water Management Program(e.g. reduction of nitrogen in discharges from the MS4, promoting pervious techniques used in the MS4, etc?);

      ii. Identify and analyze the target audience(s);

      iii. Create an appropriate message(s) based on at least three targeted residential issues and three targeted industrial/commercial issues;

      iv. Develop appropriate educational materials. The materials can utilize various media such as printed materials, billboard and mass transit advertisements, signage at select locations, radio advertisements, television advertisements, websites, etc;

      v. Determine methods and process of distribution;

      vi. Evaluate the effectiveness of the Storm Water Management Program;

      vii. Utilize public input (e.g., the opportunity for public comment, public meetings, etc.) in the development of the Storm Water Management Program ;

viii. Information on effective pollution prevention measures to minimize the discharge of pollutants from private property and activities into the storm sewer system, on the following topics:

A. Storage and disposal of fuels, oils, and similar materials used in the operation of or leaking from, vehicles and other equipment;
B. Use of soaps, solvents, or detergents used in the outdoor washing of vehicles, furniture, and other property;
C. Paint and related décor;
D. Lawn and garden care; and
E. Winter de-icing material storage and use.

ix. Information about green infrastructure strategies such as green roofs, rain gardens, rain barrels, bioswales, permeable piping, dry wells, and permeable pavement that mimic natural processes and direct storm water to areas where it can be infiltrated, evaporated, or reused; and

x. Information on the benefits and costs of such strategies and provide guidance to the public on how to implement them.

b. During the term of the Permit, the permittee shall distribute the educational materials, using whichever methods and procedures determined appropriate by the permittee, in such a way that is designed to convey the program's message to the target audience each year

c. Within one year of Permit coverage, the permittee shall assess changes in public awareness and behavior resulting from the implementation of the SWMP such as using a statistically valid survey and modify the education/outreach program accordingly. The permittee shall report on this assessment and any modifications made in the Annual Report pursuant to Part V.C.1.

d. The permittee shall assess its storm water education/outreach program annually and report on this evaluation in the Annual Report pursuant to Part V.C.1. The permittee shall adjust the educational materials and the delivery of such materials to address any shortcomings found as a result of this assessment. The assessment should include a summary of the following measurable actions, if applicable:

i. Number of educational pamphlets, brochures, or other materials produced and the percent of the MS4 population reached;

ii. Number of educational posters/placards posted to public areas;

iii. Number of presentations to homeowners' associations;

iv. Number of presentations to education groups;

v. Number of presentations to professional/commercial associates; and

vi. Other actions deemed appropriate by the permittee.

2. Public Involvement/Participation (40 CFR 122.34(b)(2))

a. New permittees shall develop and implement elements of their storm water management program addressing the provisions listed below. Existing permittees renewing coverage under this Permit shall maintain their current programs and revise if necessary within one year of Permit coverage addressing this Minimum Control Measure, updating and enhancing their storm water management programs as necessary to comply with the terms of this section.

b. At a minimum, comply with State and local public notice requirements when implementing a public involvement/ participation program;

c. Define appropriate BMPs for this minimum control measure and measurable goals for each BMP, which shall ensure the reduction of all of the pollutants of concern in the permittee's storm water discharges;

d. Provide a minimum of one public meeting annually for the public to provide input as to the adequacy of the permittee's MS4 program. This requirement may be met in conjunction with or as part of a regular council or board meeting;

e. The permittee shall identify any watershed workgroups within its jurisdiction and participate with other stakeholders in the watershed to enhance the storm water management program.

f. The permittee shall identify environmental justice areas within its jurisdiction and include appropriate public involvement/ participation. Information on environmental justice concerns may be found at: *https://www2.illinois.gov/epa/topics/environmental-justice/pages/default.aspx*. This requirement may be met in conjunction with or as part of a regular council or board meeting; and

g. Provide an annual evaluation of public involvement/participation BMPs and measurable goals. Report on this evaluation in the Annual Report pursuant to Part V.C.1. The assessment shall include a summary of the following measurable actions, if applicable:

i. Number of public forums to notify and solicit public comment on Storm Water Management Programs;

ii. Number of park or stream cleanup events;

iii. Number of training activities to educate volunteers on recognizing illicit discharges as defined in Part VI, Definitions and Acronyms below; and

iv. Any other measurable actions deemed appropriate by the permittee.

3. Illicit Discharge Detection and Elimination (IDDE) (40 CFR 122.34(b)(3))

a. New permittees shall develop and implement a program to detect, investigate, and eliminate non-storm water discharges, including illegal dumping, into its system. Existing permittees renewing coverage under this Permit shall maintain their current programs and revise if necessary, within one year of Permit coverage addressing this Minimum Control Measure, updating and enhancing their storm water management programs as necessary to comply with the terms of this Section. The IDDE program shall include the following:

i. Develop, implement, and enforce a program to detect and eliminate illicit connections or discharges into the permittee's MS4;

ii. An up-to-date storm sewer system map showing the location of all outfalls and the names and location of all waters that receive discharges from those outfalls. Existing permittees renewing coverage under this Permit shall update their storm sewer system map to include any modifications to the sewer system;

iii. Procedures for identifying priority areas within the MS4 likely to have illicit discharges and a list of all such areas;

iv. Field screening to detect illicit discharges;

v. Procedures for tracing the source of the illicit discharge;

vi. Procedures for removing the source of the discharge;

vii. Procedures for program evaluation and assessment;

viii. Procedures to identify any surface discharging private sewage disposal system that discharges into the MS4";

ix. Procedures to inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste and the requirements and mechanisms for reporting such discharges;

x. To the extent allowable under state or local law, a prohibition, through ordinance, or other regulatory mechanism, of non-storm water discharges into the permittee's storm sewer system and implement appropriate enforcement procedures and actions, including enforceable requirements for the prompt reporting to the MS4 of all releases, spills, and other unpermitted discharges to the separate storm sewer system, and a program to respond to such reports within 30 days;

xi. If identified as a significant contributor of pollutants to the permittees MS4, procedures to address the categories of non-storm water discharges listed in Section I.B.2 (discharges or flows from firefighting activities are excluded from the effective prohibition against non-storm water and need only be addressed where they are identified as significant sources of pollutants to waters of the United States); and

xii. Periodic inspections of the storm sewer outfalls in dry weather conditions for detection of non-storm water discharges and illegal dumping. The permittee may establish a prioritization plan for inspection of outfalls, placing priority on outfalls with the greatest potential for non-storm water discharges. Major/high priority outfalls shall be inspected at least annually.

b. When implementing the IDDE program, the permittee may conduct investigations, contract for investigations, coordinate with storm drain investigation activities of others, or use any combination of these approaches.

c. , if illicit connections or illicit discharges are observed related to another operator's municipal storm sewer system then the permittee shall notify the other operator within 48 hours of discovery.

d. If another MS4 operator notifies the permittee of an illegal connection or illicit discharge to the MS4 then the permittee shall remove the discharge within 48 hours of discovery.

e. Written procedures for implementing the IDDE program shall be incorporated into the SWMP document

h. Provide an annual evaluation of, IDDE BMPs and measurable goals. Report on this evaluation in the Annual Report pursuant to Part V.C.1. The assessment shall include a summary of the following measurable actions, if applicable:

i. Number of dry weather inspections conducted;

ii. Number of illicit discharges eliminated;

iii. Number of educational presentations to commercial/industrial groups regarding recognition and correction of illicit discharges; and

iv. Any other actions deemed appropriate by the permittee.

4. Construction Site Storm Water Runoff Control (40 CFR 122.34(b)(4))

New permittees shall develop and implement elements of their storm water management program addressing the provisions

listed below. Existing permittees renewing coverage under this Permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs as necessary to comply with the terms of this Section.

a. Develop, implement, and enforce a program to reduce pollutants in any storm water runoff to the permittee's small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Control of storm water discharges from construction activity disturbing less than one acre shall be included in the permittees program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more or has been designated by the permitting authority.

   At a minimum, the permittee shall develop and implement the following:

   i. An ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under State, tribal, or local law;

   ii. Erosion and Sediment Controls - The permittee shall ensure that construction activities regulated by the storm water program require the construction site owner/operator to design, install, and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants. At a minimum, such controls shall be designed, installed, and maintained to:

      A. Control storm water volume and velocity within the site to minimize soil erosion;
      B. Control storm water discharges, including both peak flow rates and total storm water volume, to minimize erosion at outlets and to minimize downstream channel and stream bank erosion;
      C. Minimize the amount of soil exposed during construction activity;
      D. Minimize the disturbance of steep slopes;
      E. Minimize sediment discharges from the site. The design, installation and maintenance of erosion and sediment controls shall address factors such as the amount, frequency, intensity and duration of precipitation, the nature of resulting storm water runoff, and soil characteristics, including the range of soil particle sizes expected to be present on the site;
      F. Provide and maintain natural buffers around surface waters, direct storm water to vegetated areas to increase sediment removal, and maximize storm water infiltration; and
      G. Minimize soil compaction and preserve topsoil.

   iii. Requirements for construction site operators to control or prohibit non-storm water discharges that would include concrete and wastewater from washout of concrete (unless managed by an appropriate control), drywall compound, wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials, fuels, oils, or other pollutants_used in vehicle and equipment operation and maintenance, soaps, solvents, or detergents, toxic or hazardous substances from a spill or other release, or any other pollutant that could cause or tend to cause water pollution;

   iv. Require all regulated construction sites to have a SWPPP that meets the requirements of Part IV of NPDES Permit No. ILR10, including management practices, controls, and other provisions at least as protective as the requirements contained in the current version of the Illinois Urban Manual, or as amended including green infrastructure techniques where appropriate and practicable;

   v. Procedures for site plan reviews which incorporate consideration of potential water quality impacts and site plan review of individual pre-construction site plans by the permittee to ensure consistency with local sediment and erosion control requirements;

   vi. Procedures for receipt and consideration of information submitted by the public; and

   vii. Site inspections and enforcement of ordinance provisions.

b. Define appropriate BMPs for this minimum control measure and measurable goals for each BMP. These measurable goals shall ensure the reduction of all of the pollutants of concern in the permittees storm water discharges.

c. The permittee shall continue to maintain an inventory of all active public and private construction sites that result in a total land disturbance of one or more acres or that result in a total land disturbance of less than one acre if part of a larger common plan or development or sale. The inventory shall be continuously updated as new projects are permitted and projects are completed. The inventory shall contain relevant contact information for each project (e.g., name, address, phone, etc.) and the ILR10 number or the area of disturbance in acres.". The permittee shall include the inventory in the Annual Report.

d. The permittee shall adequately inspect the following phases of construction at least once:

i. Prior to Land Disturbance: The permittee shall ensure all necessary erosion and sediment controls are in place

ii. During Construction: During construction, the permittee is required to conduct inspections.

e. The permittee shall track the number of inspections for the inventoried construction sites throughout the reporting period to verify that the sites are inspected at least once prior to land disturbance and once during construction. Inspection findings shall be documented and maintained for review by the Illinois EPA upon request.

f. Based on construction (?) site inspection findings, the permittee shall take all necessary follow-up actions (i.e., re-inspection, enforcement) to ensure compliance with Part IV.B.4.d.

i. The permittee shall ensure that all staff and third-party inspectors whose job duties include implementing the construction storm water program, including permitting, plan review, construction site inspections, and enforcement, are qualified and trained to conduct these activities. Qualified personnel means a person knowledgeable in the principles and practices of erosion and sediment controls measures, such as a licensed Professional Engineer (P.E.), a Certified Professional in Erosion and Sediment Control (CPESC), a Certified Erosion Sediment and Storm Water Inspector (CESSWI), a Certified Storm water Inspector (CSI) or other knowledgeable person who possesses the skills to assess conditions at the construction site that could impact storm water quality and to assess the effectiveness of any sediment and erosion control measures selected to control the quality of storm water discharges.

g. Construction Operator Education.

The permittee shall develop or utilize existing outreach tools (i.e. brochures, posters, website, plan notes, manuals, etc.) aimed at educating construction operators on appropriate selection, installation, implementation, and maintenance of storm water controls, as well as overall program compliance.

h. Provide an annual evaluation of construction site storm water control BMPs and measurable goals in the Annual Report pursuant to Part V.C.1. The assessment shall include a summary of the following measurable actions, if applicable:

i. Number of pre-construction meetings/reviews conducted by the permittee
ii. Number of site inspections conducted by the permittee
iii. Number of violations found during site inspections
iv. Number of enforcement/corrective actions taken by the permittee
v. Number of attendees training classes for contractors, developers, or others involved with the construction process.

5. Post-Construction Storm Water Management in New Development and Redevelopment (40 CFR 122.34(b)(5))

New permittees shall develop and implement elements of their storm water management program addressing the provisions listed below. Existing permittees renewing coverage under this Permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs, as necessary, to comply with the terms of this Section.

a. Develop, implement, and enforce a post-construction program for new development and redevelopment to address and minimize the volume and pollutant load of storm water runoff from projects that disturb greater than or equal to one acre, projects less than one acre that are part of a larger common plan of development or sale or that have been designated to protect water quality, that discharge into the permittee's small MS4 within the MS4's jurisdictional control. The permittee's program shall ensure that appropriate controls are in place that would protect water quality and reduce the discharge of pollutants. In addition, each permittee shall adopt strategies that incorporate the infiltration, reuse, and evapotranspiration of storm water into the project. The permittee shall also develop and implement procedures for receipt and consideration of information submitted by the public.

b. Develop and implement strategies which include a combination of structural and/or non-structural BMPs appropriate for all projects within the permittee's jurisdiction for all new development and redevelopment that disturb greater than or equal to1 acre (at a minimum) that will reduce the discharge of pollutants and the volume and velocity of storm water flow. These strategies shall include effective water quality and watershed protection elements and shall be amenable to modification due to climate change. Information on climate change can be found at https://www.epa.gov/climate-change-water-sector. When selecting BMPs to comply with requirements contained in this Part, the permittee shall adopt one or more of the following general strategies, listed in order of preference below. The proposal of a strategy shall include a rationale for not selecting an approach from among those with a higher preference.

i. Preservation of the natural features of development sites, including natural storage and infiltration characteristics;

ii. Preservation of existing natural streams, channels, and drainage ways;

iii. Minimization of new impervious surfaces;

iv. Conveyance of storm water in open vegetated channels;

v. Construction of structures that provide both quantity and quality control, with structures serving multiple sites being preferable to those serving individual sites; and

vi. Construction of structures that provide only quantity control, with structures serving multiple sites being preferable to those serving individual sites.

c. If a permittee requires new or additional approval of any development, redevelopment, linear project construction, replacement or repair on existing developed sites, or other land disturbing activity covered under this Part, the permittee shall require the person responsible for that activity to develop a long term operation and maintenance plan including the adoption of one or more of the strategies identified in Part IV.B.5.b. of this Permit.

d. Develop and implement a program to minimize the volume of storm water runoff and pollutants from public highways, streets, roads, parking lots, and sidewalks (public surfaces) through the use of BMPs that alone or in combination result in physical, chemical, or biological pollutant load reduction, increased infiltration, evapotranspiration, and reuse of storm water. The program shall include, but not be limited to the following elements:

i. Annual Training for all MS4 employees who manage or are directly involved in (or who retain others who manage or are directly involved in) the routine maintenance, repair, or replacement of public surfaces in current green infrastructure or low impact design techniques applicable to such projects; and

ii. Annual Training for all contractors retained to manage or carry out routine maintenance, repair, or replacement of public surfaces in current green infrastructure or low impact design techniques applicable to such projects. Contractors may provide training to their employees for projects which include green infrastructure or low impact design techniques.

e. Develop and implement a program to minimize the volume of storm water runoff and pollutants from existing privately owned developed property that contributes storm water to the MS4 within the MS4 jurisdictional control. Such program shall be documented and may contain the following elements:

i. Source Identification – Establish an inventory of storm water and pollutants discharged to the MS4;

ii. Implementation of appropriate BMPs to accomplish the following:

A. Education on green infrastructure BMPs;
B. Evaluation of existing flood control techniques to determine the feasibility of pollution control retrofits;
C. Evaluation of existing flood control techniques to determine potential impacts and effects due to climate change;
D. Implementation of additional controls for special events expected to generate significant pollution (fairs, parades, performances);
E. Implementation of appropriate maintenance programs, (including maintenance agreements, for structural pollution control devices or systems);
F. Management of pesticides and fertilizers; and
G. Street cleaning in targeted areas.

f. Infiltration practices should not be implemented in any of the following circumstances:

i. Areas/sites where vehicle fueling and/or maintenance occur;

ii. Areas/sites with shallow bedrock which allow movement of pollutants into the groundwater;

iii. Areas/sites near Karst features;

iv. Areas/sites where contaminants in soil or groundwater could be mobilized by infiltration of storm water;

v. Areas/sites within a delineated source water protection area for a public drinking water supply where the potential for an introduction of pollutants into the groundwater exists. Information on groundwater protection may be found at:

https://www2.illinois.gov/epa/topics/water-quality/groundwater/pages/default.aspx

vi. Areas/sites within 400 feet of a community water supply well if there is not a wellhead protection delineation area or within 200 feet of a private water supply well. Information on wellhead protection may be found at:

https://www2.illinois.gov/epa/topics/water-quality/groundwater/pages/default.aspx

g. Develop and implement an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects, public surfaces, and existing developed property as set forth above to the extent allowable under state or local law.

h. Require all regulated construction sites to have post-construction management plans that meet or exceed the requirements of Part IV.D.2.h of NPDES Permit No. ILR10 including management practices, controls, and other provisions at least as protective as the requirements contained in the current version of the Illinois Urban Manual.

i. Ensure adequate long-term operation and maintenance of BMPs.

j. Define appropriate BMPs for this minimum control measure and measurable goals for each BMP. These measurable goals shall ensure the reduction of all of the pollutants of concern in the permittees storm water discharges.

k. New permittees shall, within 3 years of obtaining Permit coverage, develop and implement a process to assess the water quality impacts in the design of all new and existing flood management projects that are associated with the permittee or that discharge to the MS4. Existing permittees renewing coverage under this Permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs as necessary to comply with the terms of this section. This process shall include consideration of controls that can be used to minimize the impacts to site water quality and hydrology while still meeting the project objectives. This will also include assessment of any potential impacts and effects on flood management projects due to climate change.

k. Provide an annual evaluation of post-construction storm water management BMPs and measurable goals in the Annual Report pursuant to Part V.C.1. The evaluation shall include the total number of the following measurable actions, if applicable:

i. Annual training conducted and
ii. BMPs implemented and the resulting percent reduction in storm water runoff and pollutants.

6. Pollution Prevention/Good Housekeeping for Municipal Operations (40 CFR 122.34(b)(6))

New permittees shall develop and implement elements of their storm water management program addressing the requirements listed below. Existing permittees renewing coverage under this Permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs as necessary to comply with the terms of this Section.

a. Develop and implement an operation and maintenance program that includes an annual training component for municipal staff and contractors and is designed to prevent and reduce the discharge of pollutants.

b. Pollution Prevention- The permittee shall design, install, implement, and maintain effective pollution prevention measures to minimize the discharge of pollutants from municipal properties, infrastructure, and operations. At a minimum, such measures shall be designed, installed, implemented, and maintained to:

i. Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters shall be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;

ii. Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, chemical storage tanks, deicing material storage facilities and temporary stockpiles, detergents, sanitary waste, and other materials present on the site to precipitation and to storm water;

iii. Minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures; and

iv. Provide regular inspection of municipal storm water management BMPs. Based on inspection findings, the permittee shall determine if repair, replacement, or maintenance measures are necessary in order to ensure the structural integrity, proper function, and treatment effectiveness of structural storm water BMPs. Necessary maintenance shall be completed as soon as conditions allow to prevent or reduce the discharge of pollutants to storm water.

c. Deicing material shall be stored in a permanent or temporary storage structure or seasonal tarping shall be utilized. If no permanent structures are owned or operated by the Permittee, new permanent deicing material storage structures shall be constructed within two years of obtaining Permit coverage. Storage structures or stockpiles shall be located and managed to minimize storm water pollutant runoff from the stockpiles or loading/unloading areas of the stockpiles. Stockpiles and loading/unloading areas should be located as far as practicable from any area storm sewer drains. Fertilizer, pesticides, or other chemicals shall be stored indoors to prevent any discharge of such chemicals within the storm water runoff.

d. Using training materials that are available from USEPA, the State of Illinois, or other organizations, the permittee's program shall include annual employee training to prevent and reduce storm water pollution from activities such as park and open space maintenance, fleet and building maintenance, operation of storage yards, snow disposal, deicing material storage handling and use on roadways, new construction and land disturbances, and storm water system maintenance procedures for proper disposal of street cleaning debris and catch basin material. In addition, training should include how flood management projects impact water quality, non-point source pollution control, green infrastructure controls, and aquatic habitat.

e. Define appropriate BMPs for this Minimum Control Measure and measurable goals for each BMP. These measurable goals shall ensure the reduction of all of the pollutants of concern in the permittees storm water discharges.

f. Development of a Municipal Facility and Storm water Control Inventory. The permittee shall develop and maintain an inventory of municipally-owned or operated facilities and storm water controls, including but not limited to the following:

i. Composting facilities
ii. Equipment storage and maintenance facilities
iii. Fuel farms
iv. Hazardous waste disposal facilities
v. Hazardous waste handling and transfer facilities

vi. Incinerators
vii. Landfills

viii. Landscape maintenance on municipal property
ix. Materials storage yards

x. Pesticide storage facilities
xi. Public buildings, including schools, libraries, police stations, fire stations, municipal buildings, and similar buildings

xii. Public parking lots
xiii. Public golf courses

xiv. Public swimming pools
xv. Public works yards

xvi. Recycling facilities
xvii. Salt storage facilities

xviii. Solid waste handling and transfer facilities
xix. Street repair and maintenance sites

xx. Vehicle storage and maintenance yards
xxi. Municipally-owned and/or maintained structural storm water controls

g. Documentation. The list of municipally-owned or operated facilities and storm water controls shall be maintained and available for review by the Illinois EPA.

h. Mapping. On a map of the area covered by th MS4 Permit, the permittee shall identify where the municipally-owned or operated facilities and storm water controls are located. The map shall identify the storm water outfalls corresponding to each of the facilities as well as the receiving waters to which these facilities discharge. The permittee shall also identify the manager of each facility with contact information. The map shall be maintained and updated and be available for review by the.

i. Inspections and Visual Monitoring:

a. Quarterly visual inspections. The permittee shall perform quarterly visual inspections to ensure materials and equipment is clean and orderly, and to minimize the potential for pollutant discharge. The permittee shall look for

evidence of spills. If found, Corrective Action shall be taken immediately to prevent contact with precipitation or runoff. The quarterly inspections shall be tracked in a log for every facility, and records kept with the SWMP documents. The inspection report shall also include any identified deficiencies and the corrective actions taken to fix the deficiencies.

b. Quarterly visual observation of storm water discharges. At least once per quarter, the permittee shall visually observe the storm water discharges from the facilities (unless climate conditions preclude doing so, in which case the permittee shall evaluate the discharges four times during the wet season). Any observed problems (e.g., color, foam, sheen, turbidity) that can be associated with pollutant sources or controls shall be remedied within three days or before the next storm event, whichever is sooner. Visual observations shall be documented. The inspection report shall also include any identified deficiencies and the corrective actions taken to fix the deficiencies.

j. MS4 catch basin maintenance:

Assessment/prioritization of catch basins. The permittee shall develop a catch basin cleaning schedule.

k. Street Sweeping and Cleaning:

The permittee shall evaluate and rate all municipally-owned streets, roads, and public parking lots within their jurisdiction. The permittee shall include in the evaluation the sweeping frequency, timing, and efficiency of existing street sweeping programs. The street sweeping frequency shall be based on land use, trash, and storm water pollutant levels generated.

l. Landscape maintenance:

The permittee shall evaluate the materials used and activities performed on public spaces such as parks, schools, golf courses, easements, public rights of way, and other open spaces for pollution prevention opportunities. Maintenance activities for the turf landscaped portions may include mowing, fertilization, pesticide application, irrigation, etc. Typical pollutants include sediment, nutrients, hydrocarbons, pesticides, herbicides, organic debris, among others. The permittee shall implement measures to minimize landscaping-related pollutants.

m. Provide an annual evaluation of pollution prevention/good housekeeping for municipal operations and measurable goals in the Annual Report pursuant to Part V.C.1. The assessment shall include a summary of the following measurable actions, if applicable:

i. Annual training conducted
ii. Number of pollution prevention inspections of the permittee's facilities
iii. Street sweeping activities
iv. Catch basin cleaning activities
v. Landscape material reduction activities and material disposed of.

C. Qualifying State, County, or Local Program.

If an existing qualifying local program requires a permittee to implement one or more of the minimum control measures of Part IV. B. above, the permittee may follow that qualifying program's requirements rather than the requirements of Part IV.B. above. A qualifying local program is a local, county, or state municipal storm water management program that imposes, at a minimum, the relevant requirements of Part IV. B. Any qualifying local programs that permittees intend to follow shall be specified in their storm water management program.

D. Sharing Responsibility

a. Implementation of one or more of the minimum control measures may be shared with another entity, or the entity may fully take over the control measure. A permittee may rely on another entity only if:

i. The other entity implements the control measure;

ii. The particular control measure, or component of that measure is at least as stringent as the corresponding Permit requirement;

iii. The other entity agrees to implement any minimum control measure on the permittee's behalf. A written agreement of this obligation is required. This obligation shall be maintained as part of the description of the permittee's Storm Water Management Program. If the other entity agrees to report on the minimum control measure, the permittee shall supply the other entity with the reporting requirements contained in Part V.C of this Permit. If the other entity fails to implement the minimum control measure on the permittee's behalf, then the permittee remains liable for any discharges due to that failure to implement the minimum control measure.

E. Reviewing and Updating Storm Water Management Programs

a. Storm Water Management Program Review- The permittee shall perform an annual review of its Storm Water Management Program in conjunction with preparation of the annual report required under Part V.C. The permittee shall include in its annual report a plan for complying with any changes or new provisions in this Permit, or in any State or federal regulations. The permittee shall also include in its annual report a plan for complying with all applicable TMDL Report(s) or watershed management plan(s). Information on TMDLs may be found at:

https://www2.illinois.gov/epa/topics/water-quality/watershed-management/tmdls/pages/default.aspx

b. Storm Water Management Program Update - The permittee may modify its Storm Water Management Program during the life of the Permit in accordance with the following procedures:

i. Modifications adding (but not subtracting or replacing) components, controls, or requirements to the Storm Water Management Program may be made at any time upon written notification to the Agency;

ii. Modifications replacing an ineffective or infeasible BMP specifically identified in the Storm Water Management Program with an alternate BMP may be requested at any time. Unless denied by the Agency, modifications proposed in accordance with the criteria below shall be deemed approved and may be implemented 60 days from submittal of the request. If the request is denied, the Agency will send the permittee a written response giving a reason for the decision. The permittee's modification requests shall include the following:

(1) An analysis of why the BMP is ineffective or infeasible (including cost prohibitive);

(2) Expectations on the effectiveness of the replacement BMP; and

(3) An analysis of why the replacement BMP is expected to achieve the goals of the BMP to be replaced.

iii. Modification of any ordinances relative to the storm water management program, provided the updated ordinance is at least as stringent as the provisions stipulated in this Permit; and

iv. Modification requests or notifications shall be made in writing and signed in accordance with Standard Condition II of Attachment H.

c. Storm Water Management Program Updates Required by the Agency. Modifications requested by the Agency shall be made in writing, set forth the time schedule for permittees to develop the modifications, and offer permittees the opportunity to propose alternative program modifications to meet the objective of the requested modification. All modifications required by the Permitting Authority will be made in accordance with 40 CFR 124.5, 40 CFR 122.62, or as appropriate 40 CFR 122.63. The Agency may require modifications to the Storm Water Management Program as needed to:

i. Address impacts on receiving water quality caused, or contributed to, by discharges from the MS4;

ii. Include more stringent requirements necessary to comply with new federal or State statutory or regulatory requirements; or

iii. Include such other conditions deemed necessary by the Agency to comply with the goals and requirements of the Clean Water Act.

PART V. MONITORING, RECORDKEEPING, AND REPORTING

A. Monitoring

The permittee shall develop and implement a monitoring and assessment program to evaluate the effectiveness of the BMPs being implemented to reduce pollutant loadings and water quality impacts within 180 days of the effective date of this Permit. The program should be tailored to the size and characteristics of the MS4 and the watershed. The permittee shall provide a justification of its monitoring and assessment program in the Annual Report. By not later than 180 days after the effective date of this Permit, the permittee shall initiate an evaluation of its storm water program. The plan for monitoring/evaluation shall be described in the Annual Report. Evaluation and/or monitoring results shall be provided in the Annual Report. The monitoring and assessment program may include evaluation of BMPs and/or direct water quality monitoring as follows:

1. An evaluation of BMPs based on estimated effectiveness from published research accompanied by an inventory of the number and location of BMPs implemented as part of the permittee's program and an estimate of pollutant reduction resulting from the BMPs, or

2. Monitoring the effectiveness of storm water control measures and progress towards the MS4's goals using one or

more of the following:

a. MS4 permittees serving a population of less than 25,000 may conduct visual observations of the storm water discharge documenting color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, or other obvious indicators of storm water pollution; or

b. MS4 permittees may evaluate storm water quality and impacts using one or more of the following methods:

i. Instream monitoring in the highest level hydrological unit code segment in the MS4 area. Monitoring shall include, at a minimum, quarterly monitoring of receiving waters upstream and downstream of the MS4 discharges in the designated stream(s).

ii. Measuring pollutant concentrations over time.

iii. Sediment monitoring.

iv. Short-term extensive network monitoring. Short-term sampling at the outlets of numerous drainage areas to identify water quality issues and potential storm water impacts, and may help in ranking areas for implementation priority. Data collected simultaneously across the MS4 to help characterize the geographical distribution of pollutant sources.

v. Site-specific monitoring. High-value resources such as swimming beaches, shellfish beds, or high-priority habitats could warrant specific monitoring to assess the status of use support. Similarly, known high-priority pollutant sources or impaired water bodies with contaminated aquatic sediments, an eroding stream channel threatening property, or a stream reach with a degraded fish population could be monitored to assess impacts of storm water discharges and/or to identify improvements that result from the implementation of BMPs.

vi. Assessing physical/habitat characteristics such as stream bank erosion caused by storm water discharges.

vii. Outfall/Discharge monitoring.

viii. Sewershed-focused monitoring. Monitor for pollutants in storm water produced in different areas of the MS4. For example, identify which pollutants are present in storm water from industrial areas, commercial areas, and residential areas.

ix. BMP performance monitoring. Monitoring of individual BMP performance to provide a direct measure of the pollutant reduction efficiency of these key components of a MS4 program.

x. Collaborative watershed-scale monitoring. The permittee may choose to work collaboratively with other permittees and/or a watershed group to design and implement a watershed or sub-watershed-scale monitoring program that assesses the water quality of the water bodies and the sources of pollutants. Such programs shall include elements which assess the impacts of the permittee's storm water discharges and/or the effectiveness of the BMPs being implemented.

c. If ambient water quality monitoring under 2b above is performed, the monitoring of storm water discharges and ambient monitoring intended to gauge storm water impacts shall be performed within 48 hours of a precipitation event greater than or equal to one quarter inch in a 24-hour period. At a minimum, analysis of storm water discharges or ambient water quality shall include the following parameters: total suspended solids, total nitrogen, total phosphorous, fecal coliform, chlorides, and oil and grease. In addition, monitoring shall be performed for any other pollutants associated with storm water runoff for which the receiving water is considered impaired pursuant to the most recently approved list under Section 303(d) of the Clean Water Act.

B. Recordkeeping

The permittee shall keep records required by this Permit for 5 years after the expiration of this Permit. Records to be kept under this Part include the permittee's NOI, Storm Water Management Program, annual reports, and monitoring data. All records shall be kept onsite or locally available and shall be made accessible to the Agency for review at the time of an on-site inspection. Except as otherwise provided in this Permit, permittees shall submit records to the Agency only when specifically requested to do so. Permittees shall post their NOI, storm water management program, and annual reports on the permittee's website. The permittee shall make its records available to the public at reasonable times during regular business hours. The permittee may require a member of the public to provide advance notice, in accordance with the applicable Freedom of Information Act requirements. Storm sewer maps may be withheld for security reasons.

C. Reporting

The permittee shall submit Annual Reports to the Agency by the first day of June for each year that this Permit is in effect. If the permittee maintains a website, a copy of the Annual Report shall be posted on the website by the first day of June of each year. Each Report shall cover the period from March of the previous year through March of the current year. Annual Reports shall be maintained on the permittees' website for a period of 5 years. The Report shall include:

1. An assessment of the appropriateness and effectiveness of the permittee's identified BMPs and progress towards achieving the statutory goal of reducing the discharge of pollutants, and the permittee's identified measurable goals for each of the 6 (six) control measures;

2. The status of compliance with Permit conditions, including a description of each incidence of non-compliance with the Permit, and the permittee's plan for achieving compliance with a timeline of actions taken or to be taken;

3. Results of information collected and analyzed, including monitoring data, if any, during the reporting period;

4. A summary of the storm water activities the permittee plans to undertake during the next reporting cycle, including an implementation schedule;

5. A change in any identified BMPs or measurable goals that apply to the program elements;

6. Notice that the permittee is relying on another government entity to satisfy some of the Permit obligations (if applicable);

7. Provide an updated summary of any BMP or adaptive management strategy constructed or implemented pursuant to any approved TMDL or alternate water quality management study. Use the results of the permittees monitoring program to assess whether the WLA or other performance requirements for storm water discharges from the permittees MS4 are being met; and

8. If a qualifying local program or programs with shared responsibilities is implementing all minimum control measures on behalf of one or more entities, then the local qualifying program or programs with shared responsibilities may submit a report on behalf of itself and any entities for which it is implementing all of the minimum control measures.

The Annual Reports shall be submitted to the following office and email addresses:

Illinois Environmental Protection Agency
Division of Water Pollution Control
Compliance Assurance Section, Mail Code #19
Municipal Annual Inspection Report
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

epa.ms4annualinsp@illinois.gov

PART VI. DEFINITIONS AND ACRONYMS

All definitions contained in Section 502 of the Clean Water Act, 40 CFR 122, and 35 Ill. Adm. Code 309 shall apply to this Permit and are incorporated herein by reference. For convenience, simplified explanations of some regulatory/statutory definitions have been provided. In the event of a conflict, the definition found in the statute or regulation takes precedence.

Best Management Practices (BMPs) means structural or nonstructural controls, schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the state. BMPs also include treatment requirements, operating procedures, and practices to control runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

BMP is an acronym for "Best Management Practices."

CFR is an acronym for "Code of Federal Regulations."

Control Measure as used in this Permit refers to any Best Management Practice or other method used to prevent or reduce storm water runoff or the discharge of pollutants to waters of the State.

CWA or The Act means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub. L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483 and Pub. L. 97-117, 33 U.S.C. 1251 ET. seq.

Discharge when used without a qualifier, refers to discharge of a pollutant as defined at 40 CFR 122.2.

Environmental Justice (EJ) means the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies

Environmental Justice Area means a community with a low-income and/or minority population greater than twice the statewide average. In addition, a community may be considered a potential EJ community if the low-income and/or minority population is less than twice the state-wide average but greater than the statewide average and it has identified itself as an EJ community. If the low-income and/or minority population percentage is equal to or less than the statewide average, the community should not be considered a potential EJ community.

Flood management project means any project which is intended to control, reduce or minimize high stream flows and associated damage. This may also include projects designed to mimic or improve natural conditions in the waterway.

Green Infrastructure means wet weather management approaches and technologies that utilize, enhance or mimic the natural hydrologic cycle processes of infiltration, evapotranspiration and reuse. Green infrastructure approaches currently in use include green roofs, trees and tree boxes, rain gardens, vegetated swales, pocket wetlands, infiltration planters, porous and permeable pavements, porous piping systems, dry wells, vegetated median strips, reforestation/revegetation, rain barrels, cisterns, and protection and enhancement of riparian buffers and floodplains.

Illicit Connection means any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer.

Illicit Discharge is defined at 40 CFR 122.26(b)(2) and refers to any discharge to a municipal separate storm sewer that is not composed entirely of storm water, except discharges authorized under an NPDES Permit (other than the NPDES Permit for discharges from the MS4) and discharges resulting from fire fighting activities.

MEP is an acronym for "Maximum Extent Practicable," the technology-based discharge standard for Municipal Separate Storm Sewer Systems to reduce pollutants in storm water discharges that was established by CWA Section 402(p). A discussion of MEP as it applies to small MS4s is found at 40 CFR 122.34.

MS4 is an acronym for "Municipal Separate Storm Sewer System" and is used to refer to a Large, Medium, or Small Municipal Separate Storm Sewer System (e.g. "the Dallas MS4"). The term is used to refer to either the system operated by a single entity or a group of systems within an area that are operated by multiple entities (e.g., the Houston MS4 includes MS4s operated by the city of Houston, the Texas Department of Transportation, the Harris County Flood Control District, Harris County, and others).

Municipal Separate Storm Sewer is defined at 40 CFR 122.26(b)(8) and means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains): (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under Section 208 of the CWA that discharges to waters of the United States; (ii) Designed or used for collecting or conveying storm water; (iii) Which is not a combined sewer; and (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

NOI is an acronym for “Notice of Intent” to be covered by this Permit and is the mechanism used to “register” for coverage under a general Permit.

NPDES is an acronym for “National Pollutant Discharge Elimination System.”

Outfall is defined at 40 CFR 122.26(b) (9) and means a point source as defined by 40 CFR 122.2 at the point where a municipal separate storm sewer discharges to waters of the United States and does not include open conveyances connecting two municipal storm sewers, or pipes, tunnels or other conveyances which connect segments of the same stream or other waters of the United States and are used to convey waters of the United States.

Owner or Operator is defined at 40 CFR 122.2 and means the owner or operator of any “facility or activity” subject to regulation under the NPDES program.

Permitting Authority means the Illinois EPA.

Point Source is defined at 40 CFR 122.2 and means any discernable, confined and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

Pollutants of Concern means pollutants identified in a TMDL waste load allocation (WLA) or on the Section 303(d) list for the receiving water, and any of the pollutants for which water monitoring is required in Part V.A. of this Permit.

Qualifying Local Program is defined at 40 CFR 122.34(c) and means a local, state, or Tribal municipal storm water management

program that imposes, at a minimum, the relevant requirements of paragraph (b) of Section 122.34.

Small Municipal Separate Storm Sewer System is defined at 40 CFR 122.26(b)(16) and refers to all separate storm sewers that are owned or operated by the United States, a State [sic], city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State [sic] law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under Section 208 of the CWA that discharges to waters of the United States, but is not defined as "large" or "medium" municipal separate storm sewer system. This term includes systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings.

Storm Water is defined at 40 CFR 122.26(b) (13) and means storm water runoff, snowmelt runoff, and surface runoff and drainage.

Storm Water Management Program (SWMP) refers to a comprehensive program to manage the quality of storm water discharged from the municipal separate storm sewer system.

SWMP is an acronym for "Storm Water Management Program."

TMDL is an acronym for "Total Maximum Daily Load."

Waters (also referred to as waters of the state or receiving water) is defined at Section 301.440 of Title 35: Subtitle C: Chapter I of the Illinois Pollution Control Board Regulations and means all accumulations of water, surface and underground, natural, and artificial, public and private, or parts thereof, which are wholly or partially within, flow through, or border upon the State of Illinois, except that sewers and treatment works are not included except as specially mentioned; provided, that nothing herein contained shall authorize the use of natural or otherwise protected waters as sewers or treatment works except that in-stream aeration under Agency Permit is allowable.

"You" and "Your" as used in this Permit is intended to refer to the permittee, the operator, or the discharger as the context indicates and that party's responsibilities (e.g., the city, the country, the flood control district, the U.S. Air Force, etc.).