

CHAPTER 52: SANITARY SEWER USE

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GENERAL PROVISIONS

§ 52.01 PURPOSE.

A chapter regulating: The use of public and private sewers and drains, private sewage disposal, the installation and connection of building sewers, the discharge of waters and wastes into the public sewer system, and providing penalties for violations thereof; the levying of charges for wastewater services (use charges).

(Ord. 2132-91, passed 9-18-91)

§ 52.02 DEFINITIONS.

Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

"FEDERAL ACT." The Federal Clean Water Act (33 U.S.C. 466 et seq.) as amended, (Pub. 1. 95-217).

"ADMINISTRATOR." The Administrator of the U.S, Environmental Protection Agency.

"FEDERAL GRANT." The U.S. government participation in the financing of the construction of treatment works as provided for by Title II-Grants for Construction of Treatment Works of the Act and implementing regulations.

"STATE ACT." The Illinois Anti-Pollution Bond Act of 1970.

"DIRECTOR." the Director of the Illinois Environmental Protection Agency.

"STATE GRANT." The State of Illinois participation in the financing of the construction of treatment works as provided for by the Illinois Anti-Pollution Bond Act and for making such grants as filed with the Secretary of State of the State of Illinois.

"VILLAGE." The Village of Romeoville.

"APPROVING AUTHORITY." The President and Board of Trustees of the village.

"PERSON." Any and all persons, natural or artificial including any individual, firm, company, municipal, or private corporation, association, society, institution, enterprise, governmental agency or other entity.

"NPDES PERMIT." Any permit or equivalent document or requirements issued by the Administrator, or, where appropriated by the Director, after enactment of the Federal Clean Water Act to regulate the discharge of pollutants pursuant to Section 402 of the Federal Act.

"WASTEWATER." The spent water of a community. From this standpoint of course, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any ground water, surface water, and storm water that may be present.

"SEWAGE." Used interchangeably with "WASTEWATER." "EFFLUENT CRITERIA." Defined in any applicable "NPDES Permit".

"WATER QUALITY STANDARDS." Defined in the Water Pollution Regulations of Illinois.

"UNPOLLUTED WATER." Water quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided. "ppm." Parts per million by weight.

"MILLIGRAMS PER LITER." A unit of the concentration of water or wastewater constituent. It is 0.001 g of the constituent in 1,000 ml of water. It has replaced the unit formerly used commonly, parts per million, to which it is approximately equivalent, in reporting the results of water and wastewater analysis.

"SUSPENDED SOLIDS (SS)." Solids that either float on the surface of, or are in suspension in water, sewage, or industrial waste, and which are removable by a laboratory filtration device. Quantitative determination of suspended solids shall be made in accordance with procedures set forth in the IEPA Division of Laboratories Manual of Laboratory Methods

"BOD, BIOCHEMICAL OXYGEN DEMAND." The quantity of oxygen utilized in the biochemist oxidation of organic matter under standard laboratory procedure in five days at 20 degrees C expressed in milligrams per liter.

"pH." The logarithm (base 10) of the reciprocal of the hydrogen-ion concentration expressed by one of the procedures outlined in the IEPA Division of Laboratories Manual of Laboratory Methods.

"GARBAGE." Solid wastes from domestic and commercial preparation, cooking, and dispensing of food, and from handling, storage, and sale of food.

"PROPERLY SHREDDED GARBAGE." The wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch (1.27 centimeters) in any dimension.

"FLOATABLE OIL." Oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly treated, and wastewater does not interfere with the collection system.

"POPULATION EQUIVALENT." A term used to evaluate the impact of industrial or other waste on a treatment works or stream. One population equivalent is 1.57 gallons of sewage per day, containing 1956 pounds of BOD and 2696 pounds of suspended solids.

"SLUG." Any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than 15 minutes more than five times the average 24 hour concentration of flows during normal operation.

"INDUSTRIAL WASTE." Any solid, liquid or gaseous substance discharged, permitted to flow or escaping from any industrial, manufacturing, commercial or business establishment or process from the development, recovery or processing of any natural resource as distinct from sanitary sewage.

"MAJOR CONTRIBUTING INDUSTRY." An industrial user of the publicly owned treatment works that: has a flow of 50,000 gallons or more per average work day; has a flow greater than ten percent of the flow carried by the municipal system receiving the waste; has in its waste, a toxic pollutant in toxic amounts as defined in standards issued under Section 307(a) of the Federal Act; or is found by the permit issuing authority, in connection with the issuance of the NPDES Permit to the publicly owned treatment works receiving the waste, to have significant impact, either singly or in combination with other contributing industries, on that treatment works or upon the quality of effluent criteria from that treatment works.

"SEWER." A pipe or conduit for conveying "SEWER" or any other waste liquids, including storm, surface and, ground water drainage.

"PUBLIC SEWER." A sewer provided by or subject to the jurisdiction of the village. It shall also include sewers within or outside the village boundaries that serve one or more persons and, ultimately discharge into the village sanitary (or combined sewer system), even though those sewers may not have been constructed with village funds.

"SANITARY SEWER." A sewer that conveys sewage or industrial wastes or a combination of both, and into which storm, surface and groundwaters or polluted industrial wastes are not intentionally admitted.

"STORM SEWER." A sewer that carries storm surface and ground water drainage but excludes sewage and industrial wastes other than unpolluted cooling water.

"COMBINED SEWER." A sewer which is designed and intended to receive wastewater, storm, surface and ground water drainage.

"BUILDING SEWER." The extension from the building drain to the public sewer or other place of disposal.

"BUILDING DRAIN." That part of the lowest piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer or other approved point of discharge, beginning five feet (1.5 meters) outside the inner face of the building wall.

"STORMWATER RUNOFF." That portion of the precipitation that is drained into the sewers.

"SEWERAGE." The system of sewers and appurtenances for the collection, transportation and pumping of sewage.

"EASEMENT." An acquired legal right for the specific use of land owned by others.

"PRETREATMENT." The treatment of wastewaters from sources before introduction into the wastewater treatment works.

"WASTEWATER TREATMENT WORKS." An arrangement of devices and structures for treating wastewater, industrial wastes and sludge. Sometimes used, as synonymous with "waste treatment plant" or "wastewater treatment plant" or "pollution control plant".

"WASTEWATER FACILITIES." The structures, equipment and processes required to collect, carry away and treat domestic and industrial wastes and transport effluent to a watercourse.

"WATERCOURSE." A channel in which a flow of water occurs, either continuously or intermittently.

"NATURAL OUTLET." Any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

(Ord. 2132-91, passed 9-18-91)

SEWER USE REGULATIONS

§ 52.10 USE OF PUBLIC SEWERS REQUIRED.

(A) It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the village or in any area under the jurisdiction of said village, any human or animal excrement, garbage or other objectionable waste.

(B) It shall be unlawful to discharge to any natural outlet within the village, or in any area under the jurisdiction of said village, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

(C) Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.

(D) The owner of all the houses, buildings, or properties used for human occupancy, employment, recreation or other purpose situated within the village and abutting on any street, alley or right-of-way in which there is now located or may in the future be located any public sanitary (or combined,) sewer of the village, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter, within 90 days after date of official notice to do so, provided that said public sewer is within 100 feet (30.5 meters) of the property line.

(Ord. 2132-91, passed 9-18-91) Penalty, see § 52.99

§ 52.11 PRIVATE SEWAGE DISPOSAL.

(A) Where a public sanitary (or combined) sewer is not available under the provisions of §52.10, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this chapter.

(B) Before commencement of construction of a private sewage disposal system the owner shall first obtain a written permit signed by an authorized representative of the village. The application for such permit shall be made on a form furnished by the village, (reference Appendix #1, attached to Ordinance No. 2132-91, passed Sept. 18, 1991) which the applicant shall supplement by any plans, specifications and other information as deemed necessary by the village. A permit and inspection fee of \$100 or reimbursement of costs shall be paid to the village at the time the application is filed.

(C) A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the village. The village shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the village when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 48 hours of the receipt of written notice by the village.

(D) The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the State of Illinois Private Sewage Disposal Licensing Act and Code and with the State of Illinois Environmental Protection Agency. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than 15,000 square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

(E) At such time as a public sewer becomes available to a property served, by a private sewage disposal system, as provided in § 52.10, a direct connection shall be made to the public sewer in compliance with this chapter and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

(F) The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, and at no expense to the village.

(G) No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the local health officer.

(H) When a public sewer becomes available, the building sewer shall be connected to said sewer within 60 days and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt.

(Ord. 2132-91, passed 9-18-91)

§ 52.12 BUILDING SEWERS AND CONNECTIONS.

(A) No unauthorized person shall uncover, make any connections with, or opening into; use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Public Works Director and/or Village Manager.

(B) All disposal by any person into the sewer system is unlawful except those discharges in compliance with federal standards promulgated pursuant to the federal act and more stringent state and local standards.

(C) There shall be two classes of building sewer permits: for residential, wastewater service, and to commercial, institutional/ governmental or industrial waste service. In either case, the owner or his agent shall make application on a special form furnished by the village, (reference Appendix #1, attached to Ordinance No. 2132-91, passed Sept. 18, 1991). The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the village. A permit and inspection fee of \$50 for a residential or commercial building sewer permit shall be paid to the village at the time the application is filed. The industry, as a condition of permit authorization, must provide information describing its wastewater constituents, characteristics and type of activity.

(D) A building sewer permit will only be issued and a sewer connection shall only be allowed if it can be demonstrated that the downstream sewerage facilities, including sewers, pump stations and wastewater treatment facilities, have sufficient reserve capacity to adequately and efficiently handle the additional anticipated waste load.

(E) All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the village from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(F) A separate and independent building sewer shall be provided for every building, except that where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

(G) Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the village, to meet all requirements of this chapter. All costs to be borne by the applicant.

(H) The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the village. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society of Testing Materials, Water Pollution Control Federation Manual of Practice No. 9, and Standard Specifications for Water and Sewer Main Construction in Illinois shall apply.

(I) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by a means which is approved in accordance with division (B), and discharged to the building sewer.

(J) No person(s) shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

(K) The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code, or other applicable rules and regulations of the village, or the procedures set forth in appropriate specifications of the American Society of Testing Materials, Water Pollution Control Federation Manual of Practice No. 9, and Standard Specifications for Water and Sewer Main Construction in Illinois. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the village before installation.

(L) The applicant for the building sewer permit shall notify the village when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of a village authorized and qualified representative.

(M) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the village.

(Ord. 2132-91, passed 9-18-91) Penalty, see § 52.99

§ 52.13 USE OF THE PUBLIC SEWERS.

(A) No person shall discharge, or cause to be discharged, any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

(B) Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the village. Industrial cooling water or unpolluted process waters may be discharged on approval of the village, to a storm sewer, combined sewer or natural outlet.

(C) No person shall discharge or cause to be discharged any of the following described, waters or wastes to any public sewers:

(1) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.

(2) Any waters or wastes containing toxic or poisonous solids, liquids or gasses in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the sewage treatment plant.

(3) Any waters or wastes having a pH lower than 5.5 or having any other corrosive properties capable of causing damage or hazard to structures, equipment and personnel of the sewage works.

(4) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch, manure, hair and fleshing's, entrails and paper dishes, cups, milk containers, etc., either hole or ground by garbage grinders.

(5) Any water, waste, sewage, discharge or wastewater containing a concentration of 1000 mg/l COD or greater. As used in this section, "COD" denotes a bulk parameter that measures the oxygen consuming capacity of organic and inorganic matter present in water or wastewater.

(6) Any water, waste, sewage, discharge or wastewater containing which exhibits a ratio of BOD (as defined in §52.02) to COD of less than 0.3.

(D) No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the village that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or constitute a nuisance. In forming his opinion as to the acceptability of these waters, the village will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant and maximum limits established by regulatory agencies. The substances prohibited are:

- (1) Any liquid or vapor having a temperature higher than 150° Fahrenheit, (65° C);
- (2) Any waters or wastes containing toxic or poisonous materials; or oils, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32° and 150° Fahrenheit, (0° and 65° C);
- (3) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped, with a motor of three-fourths horsepower (0.76 hp metric) or greater shall be subject to review and approval of the village;
- (4) Any waters or wastes containing strong acid, iron pickling wastes or concentrated plating solution whether neutralized or not;
- (5) Any waters or wastes containing iron, chromium, copper, zinc or similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the village for such materials;
- (6) Any waters or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits which may be established by the village as necessary after treatment of the composite sewage, to meet the requirements of the state, federal or other public agencies of jurisdiction for such discharge into the receiving waters;
- (7) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the village in compliance with applicable state or federal regulations;
- (8) Any wastes or waters have a pH in excess of 9.5;
- (9) Any mercury or any of its compounds in excess of 0.05 mg/l as Hg at any time except as permitted by the village in compliance with applicable state and federal regulations;
- (10) Any cyanide in excess of 0.025 mg/l at any time except as permitted by the village in compliance with state and federal regulations; and
- (11) Materials which exert or cause:
 - (a) Unusual concentrations of inert suspended solids (such as, but not limited to filler earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to sodium chloride and sodium sulfate);
 - (b) Excessive discoloration (such as, but not limited to dye wastes and vegetable tanning solutions);
 - (c) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works;
 - (d) Unusual volume of flow or concentrations of wastes constituting "slugs" as defined herein.
- (12) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of agencies having jurisdiction over discharge to the receiving waters;
- (13) Any water or wastewater containing more than 250 mg/l total surfactants, where total surfactants are measured as the sum of (i) anionic surfactants as MBAS, (ii) nonionic surfactants as CTAS, and (iii) cationic surfactants measured as the difference between sublation residue and MBAS and CTAS values;
- (14) Any water or wastewater containing more than 300 mg/l BOD;
- (15) Any water or wastewater containing more than 350 mg/l in total of suspended solids. As used in this section, "suspended solids" shall have the meaning set forth therefor in § 51.01; and
- (16) Any water or wastewater containing any substance or material or any concentration of any substance or material, where the discharge of such substance, material or concentration thereof into any public sewer or wastewater treatment system is prohibited by regulations or rules promulgated or adopted by the Illinois Environmental Protection Agency or the United States Environmental Protection Agency.

(E) If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in division (D) of this section, and/or which are in violation of the Standards for Pretreatment provided in 40 CFR 403, June 26, 1978 and any amendments thereto, and which in the judgment of the village may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the village may:

- (1) Reject the wastes;
- (2) Require pretreatment to an acceptable condition for discharge to the public sewers;

(3) Require control over the quantities and rates of discharge; and/or

(4) Require payment to cover the added costs of handling and treating the wastes not covered, by existing taxes or sewer charges, under the provisions of division (B) of this section.

If the village permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the village, and, subject to the requirements of all applicable codes, ordinances and laws.

(F) Grease, oil, and sand interceptors shall be provided when, in the opinion of the village they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the village, and shall be located as to be readily and easily accessible for cleaning and inspection.

(G) Where preliminary treatment or flow-equalizing facilities are provided, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

(H) Each industry shall be required to install a control manhole and, when required by the village, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the village. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

(I) The owner of any property serviced by a building sewer carrying industrial wastes shall provide laboratory measurements, tests and analysis of waters and wastes to illustrate compliance with this chapter and any special conditions for discharge established by the village or regulatory agencies having jurisdiction over the discharge. The number, type and frequency of laboratory analysis to be performed by the owner shall be stipulated by the village, but no less than once per year the industry must supply a complete analysis of the constituents of the wastewater discharge to assure that compliance with the federal, state and local standards are being met. The owner shall report the results of measurements and laboratory analysis to the village at such times and in such a manner as prescribed by the village. The owner shall bear the expense of all measurement, analysis and reporting required by the village. At such times as deemed necessary the village reserves the right to take measurements and samples for analysis by an outside laboratory service.

(J) All measurements, tests and analysis of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of IEPA Division of Laboratories Manual of Laboratory Methods, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. The particular analysis involved will determine whether a 24 hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analysis are obtained from 24 hour composites of all outfalls, whereas pH's are determined from periodic grab samples.

(K) No statement contained in this section shall be construed as preventing any special agreement or arrangement between the village and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the village for treatment, subject to payment therefore, in accordance with § 52.10, hereof, by the industrial concern provided such payments are in accordance with federal and state guidelines for user charge system.

(L) (1) In order to ensure that commercial and industrial users of the village's sanitary sewer system adhere to and comply with the restrictions and prohibitions set forth in this section pertaining to prohibited discharges into the village's sanitary sewer system, and to facilitate the village's investigation of apparent or suspected violations thereof, all such existing commercial and industrial users, and all such users occupying facilities located on any non-residentially zoned property within the village or in areas receiving sewer service from the village, shall be required to annually complete and submit a discharge questionnaire (reference Appendix A, Ordinance 92-01, passed 9-5-01), provided, however, that upon the completion of and submission to the village of an initial discharge questionnaire commercial and industrial users and all such users occupying facilities located on any non-residentially zoned property within the village or in areas receiving sewer service from the village may thereafter comply with the provisions of this division by annually submitting to the village a notarized statement of any and all changes in the information requested by the discharge questionnaire, or a notarized statement that the information originally submitted in response to the initial discharge questionnaire remains true, complete and correct in all respects. Completed discharge questionnaires, statements of changes in information submitted in response to a previously filed discharge questionnaire, or statements affirming the continuing truth, completeness and correctness of information submitted in response to a previously filed discharge questionnaire, as the case may be, shall be filed by existing commercial and industrial users and all such users occupying facilities located on any non-residentially zoned property within the village or in areas receiving sewer service from the village with the Village Department of Public Works not later than January 31 of each calendar year, and all new commercial and industrial users and all such users occupying facilities located on any non-residentially zoned property within the village or in areas receiving sewer service from the village seeking to establish a new account for sanitary sewer service from the village or to establish a new connection to the village's sanitary system shall file an initial completed discharge questionnaire with the village as a condition to the establishment of such new sanitary sewer service account or connection to the village's sanitary sewer system.

(2) Any commercial or industrial user of the village's sanitary sewer system or any such users occupying facilities located on any non-residentially zoned property within the village or in areas receiving sewer service from the village that fail to complete and submit to the village an initial discharge questionnaire, an annual statement of changes in information submitted in response to a previously filed discharge questionnaire or an annual statement affirming the continuing truth, completeness and correctness of information submitted in response to a previously filed discharge questionnaire shall be in violation of the provisions of this division (1) and shall be subject to all of the applicable penalties therefor, including but expressly not limited to the revocation of all permits and approvals previously granted to the commercial or industrial user in question for the discharge of sewage or wastewater into the village sanitary sewer system.

(Ord. 2132-91, passed 9-18-91; Am. Ord. 92-01, passed 9-5-01; Am. Ord. 103-01a, passed 11-20-01; Am. Ord. 0073-02, passed 10-2-02) Penalty, see § 52.99

§ 52.14 PROTECTION OF SEWAGE WORKS FROM DAMAGE.

(A) No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

(B) Industrial and commercial users will supply annually, or upon change, all information relevant to chemicals used in conjunction with the operation and maintenance of the facility.

(Ord. 2132-91, passed 9-18-91) Penalty, see § 52.99

§ 52.15 POWERS AND AUTHORITY OF INSPECTORS.

(A) The duly authorized employees of the village, the Illinois Environmental Protection Agency, and the U.S. Environmental Protection Agency, bearing proper credentials and identification, shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this chapter. The village or his representative shall have no authority to inquire into any processes, including metallurgical, chemical, oil refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterway or facilities for waste treatment.

(B) While performing the necessary work on private properties referred to in division (A) above, duly authorized employees of the village, the Illinois Environmental Protection Agency, and the U.S. Environmental Protection Agency shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the village employees and the village shall indemnify the company against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain conditions as required in § 52.13(l).

(C) Duly authorized employees of the village bearing proper credentials and identification shall be authorized, to enter all private properties through which the village holds a duly negotiated, easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

(D) Property owners shall have the right to refuse entry to portions of their properties not subject to a public utility easement in favor of the Village, but in such an event, the Village shall have the right to file for and obtain an administrative search warrant to enter and search the premises in question.

(Ord. 2132-91, passed 9-18-91)

§ 52.16 SEWER LINE MAINTENANCE/REPLACEMENT.

(A) The property owner is responsible for the maintenance and repair of the private sewer line from their structure to the main sewer or public sewer including the tap into the main/public sewer.

(B) In the event the property owner finds it necessary to excavate the private sewer line for maintenance or replacement, that shall be the property owners responsibility.

(C) In those instances when property owners have had to excavate and as a result the sidewalk, curb and street have been dug out, the village will be responsible for the restoration of the street (surface and sub-surface) curb and sidewalk.

(D) In those instances where division (C) is involved, it is recommended tunneling under the curb and sidewalk whenever practical. Sidewalk and curb must be cut when removal is required.

(E) All work, as it is related to the replacement and/or repair of the private sewer line, shall be in conformance with the village standard construction specifications and will be inspected by a village inspector during the repair and replacement.

(Ord. 2236-93, passed 9-1-93)

§ 52.99 PENALTIES; APPEALS.

(A) Any person found to be violating any provision of this chapter except §52.14 shall be served by the village with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. The village may revoke any permit for sewage disposal as a result of any violation of any provision of this chapter.

(B) The Village may pursue the enforcement of violations of this Chapter in an action filed with the Circuit Court of the 12th Judicial Circuit, Will County Illinois, together with such other and further relief as the Village may be entitled to under this Chapter or other applicable law. In addition, the Village shall also have the right to enforce against violations of this Chapter and to obtain any other relief to which it may be entitled by means of initiating appropriate proceedings before the Village's Administrative Hearing Officer pursuant to Chapter 42A of the Village of Romeoville Code of Ordinances.

(C) Any person, firm, or corporation that violates any of the provisions of this title, or chapter, unless otherwise specified, shall be fined not less than \$250 nor more than \$1,000 for each offense.

(D) Any person violating any of the provisions of this chapter shall become liable to the village by reason of such violation.

(E) Industrial and commercial users will pay fees relevant to acceptance of flows difficult to stabilize through the processes employed for the treatment of wastewater, reasonably calculated to reflect the incremental cost to the Village of treating the flows in question.

(F) Any person aggrieved by any action taken or notice issued under this Chapter 52 shall have the right to appeal the same in accordance with the procedures set forth in Section 42A.20 of this Code.

(Ord. 2132-91, passed 9-18-91; Am. Ord. 2410-96, passed 3-20-96)

CHAPTER 54 WASTEWATER PRETREATMENT

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GENERAL PROVISIONS

§ 54.001 ENACTMENT.

Pursuant to the requirements of Title 11 of the Clean Water Act Amendments and regulations promulgated thereunder, the Illinois Environmental Protection Act of 1970, as amended, and in accordance with Illinois Municipal Code, this chapter is hereby enacted by the Board of Trustees.

(Ord. 04-0108, passed 1-21-04)

§ 54.002 PURPOSE AND POLICY.

(A) This chapter sets forth uniform requirements for users of the publicly owned treatment works for the village and enables the village to comply with all applicable state and federal laws, including the Clean Water Act (33 United States Code §§ 1251 et seq.) and the General Pretreatment Regulations (40 Code of Federal Regulations Part 403). The objectives of this chapter are:

- (1) To prevent the introduction of pollutants into the publicly owned treatment works that will interfere with its operation;
- (2) To prevent the introduction of pollutants into the publicly owned treatment works that will pass through the publicly owned treatment works, inadequately treated, into receiving waters, or otherwise be incompatible with the publicly owned treatment works;
- (3) To protect both publicly owned treatment works personnel who may be affected by air, wastewater and sludge in the course of their employment and the general public;
- (4) To promote reuse and recycling of wastewater, biosolids and effluent from the publicly owned treatment works;
- (5) To provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the publicly owned treatment works; and
- (6) To enable the village to comply with its National Pollutant Discharge Elimination System permit conditions, biosolids use and disposal requirements, and any other federal or state laws to which the publicly owned treatment works is subject.

(B) This chapter shall apply to all users of the publicly owned treatment works. The chapter authorizes the issuance of wastewater discharge permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires user reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

(C) It shall be unlawful to Discharge or cause to be Discharge to the POTW, without having first complied with the terms of this Ordinance. At minimum, all Users are subject to the Prohibited Discharge Standards in Section 54.021, Change Notification in Section 54.002(C), and Hazardous Waste Notification in Section 54.089 if applicable. Spill/Slug

Control Planning may also be necessary for some Users as identified in Section 54.042.

(Ord. 04-0108, passed 1-21-04)

§ 54.003 ADMINISTRATION.

Except as otherwise provided herein, the Pretreatment Coordinator and/or the person delegated by the coordinator, or the President of the Village of Romeoville as such, shall administer, implement, and enforce the provisions of this chapter. Any powers granted to or duties imposed upon the Pretreatment Coordinator or the President of the Village of Romeoville, may be delegated by the Pretreatment Coordinator to other village personnel or agents of the village.

(Ord. 04-0108, passed 1-21-04)

§ 54.004 JURISDICTION.

This chapter shall apply to the village and to persons outside the village who are, by contract or agreement with the village, users of the village POTW, including all discharges located within the Bolingbrook service area, as defined by the Joint Wastewater Service Agreement, entered into by and between the Village of Romeoville and the Village of Bolingbrook.

(Ord. 04-0108, passed 1-21-04)

§ 54.006 ABBREVIATIONS.

The following abbreviations, when used in this chapter, shall have the designated meanings:

- (A) IAC - Illinois Administrative Code
- (B) BOD - Biochemical Oxygen Demand
- (C) BMR - Baseline Monitoring Report
- (D) CFR - Code of Federal Regulations
- (E) CIU - Categorical Industrial User
- (F) COD - Chemical Oxygen Demand
- (G) DNQ - Detected Not Quantifiable
- (H) FOG - Fats, Oils and Grease
- (I) GI - Grease Interceptor
- (J) gpd - gallons per day
- (K) IEPA - Illinois Environmental Protection Agency
- (L) IU - Industrial User
- (M) CTAS - Cobalt Thiocyanate Active Substance
- (N) mg/l - milligrams per liter
- (O) ND -Not Detected
- (P) NPDES - National Pollutant Discharge Elimination System
- (Q) NSCIU - Non-Significant Categorical Industrial User
- (R) NSRU - Non-Significant Regulated User
- (S) NUA -Non-Uniform Allocation
- (T) POTW - Publicly Owned Treatment Works
- (U) PQL - Practical Quantification Limit
- (V) PSES - Pretreatment Standards for Existing Sources
- (W) PSNS - Pretreatment Standards for New Sources
- (X) ppm - part per million
- (Y) RCRA - Resource Conservation and Recovery Act
- (Z) SIU - Significant Industrial User
- (AA) SNC - Significant Noncompliance
- (BB) SSC - Spill/Slug Control
- (CC) SWDA - Solid Waste Disposal Act

- (DD) MBAS - Methylene Blue Active Substances
(EE) TSS - Total Suspended Solids
(FF) U.S.C. - United States Code. (Ord. 04-0108, passed 1-21-04)
(GG) USEPA - U.S. Environmental Protection Agency

§ 54.005 FUNDING.

It is the intent of the village to pass all costs of the program to industrial users. The charges shall apply to those dischargers subject to the pretreatment program.

(Ord. 04-0108, passed 1-21-04)

§ 54.007 DEFINITIONS.

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this chapter, shall have the meanings hereinafter designated.

“ACT” or “THE ACT” or “CLEAN WATER ACT.” The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. §§ 1251 et seq.

“AUTHORIZED REPRESENTATIVE OF THE USER.”

(1) If the user is a corporation, by a responsible corporate officer:

(a) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

(b) The manager of one or more manufacturing, production, or operation facilities provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual Wastewater Permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) If the user is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(3) If the user is a federal, state, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(4) The individuals described in divisions (1) through (3) may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the village.

(5) If an authorization under division (4) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall environmental matters for the company, a new authorization satisfying the requirements of division (4) must be submitted to the village within 5 working days of the change in personnel.

“BATCH DISCHARGE.” A single planned or scheduled release of a known volume accumulated on site over a period of time containing one or more Pollutants.

“BEST MANAGEMENT PRACTICE (BMP).” Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 51.302 [40 CFR 403.5(a)(1) and (b)]. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage, or leaks, Biosolids or waste disposal, or drainage from raw materials storage.

“BIOCHEMICAL OXYGEN DEMAND (BOD).” The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures approved in 40 CFR 136 for five days at 20 centigrade, usually expressed as a concentration (e.g., mg/l).

“BIOSOLIDS.” The nutrient-rich organic materials resulting from the treatment of Sewage Sludge.

“BYPASS.” The intentional diversion of waste streams from any portion of an industrial user's treatment facility.

“CATEGORICAL PRETREATMENT STANDARD” or “CATEGORICAL STANDARD.” Any regulation containing pollutant discharge limits promulgated by USEPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. § 1317) which apply to a specific category of users with Categorical Pretreatment Standard Deadline.

“CHEMICAL OXYGEN DEMAND (COD).” Chemical oxidation under standard laboratory procedures as described in 40 CFR 136 usually expressed as a concentration (e.g mg/l).

“COMBINED WASTE STREAM FORMULA.” The formula set forth in 40 CFR section 403.6(e).

"COMPOSITE SAMPLE." A sample of wastewater collected based on a flow proportional or time proportional method.

"COOLING WATER." The water discharged from any use such as air conditioning, cooling or refrigeration, to which the only pollutant added is heat.

"COORDINATOR." See Pretreatment Coordinator.

"DISCHARGE PERMIT." A permit issued to a user that specifies the requirements for discharge of wastewater or the requirements for zero discharge of wastewater as appropriate.

"EXISTING SOURCE." Any building, structure, facility or installation from which there is or may be a discharge, which is not a new source.

"FATS, OIL, AND GREASE (FOG)." Any hydrocarbons, fatty acids, soaps, fats, waxes, oils and any other material that is extracted by a solvent in a method approved in 40 CFR 136.

"FLOATABLE OIL." FOG in a state such that it will separate by gravity from Wastewater by treatment in an approved Pretreatment facility.

"FLOW." Movement of a volume of wastewater per unit of time.

"GARBAGE." Solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the commercial handling, storage and sale of produce or food.

"GRAB SAMPLE." A sample that is taken from a wastestream on a onetime basis without regard to the flow in the wastestream and over a period of time not to exceed 15 minutes.

"HAULED WASTE." Wastewater that is removed from the facility which it was created in a container meant for vehicular transport for disposal elsewhere.

"INDIRECT DISCHARGE" or "DISCHARGE." The introduction of pollutants into a POTW from any non-domestic source.

"INDUSTRIAL USER (IU)." A source of indirect discharge from a non-domestic source.

"INDUSTRIAL [WASTE STREAM, WASTEWATER]." A combination of liquid and water carried wastes Discharged from any Industrial User, including the Wastewater from Pretreatment facilities and polluted Cooling Water.

"INTERFERENCE." A discharge by any user which alone or in conjunction with discharges by other sources, inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use of disposal and which is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of wastewater or sludge use or disposal by the POTW in accordance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA) and including state regulations contained in any state sludge management plan prepared pursuant to subtitle D or SWDA) the Clean Air Act, the Toxic Substance Control Act, and the Marine Protection Research and Sanctuaries Act.

"LOCAL LIMIT." A limit on discharges of a specific Pollutant developed and enforced by the Village upon Users or facilities to implement the general and specific Discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b).

"MEDICAL WASTES." Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

"MILLIGRAMS PER LITER or mg/L." A unit of the concentration of water or Wastewater constituent representing 0.001 grams of the constituent in one (1) liter of water.

"NATIONAL CATEGORICAL PRETREATMENT STANDARD," "CATEGORICAL PRETREATMENT STANDARD" or "CATEGORICAL STANDARD." Any regulation containing pollutant discharge limits promulgated by EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. 1317) which apply to a specific category of users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

"NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)." The national program for issuing, modifying, revoking and reissuing, terminating, monitoring, and enforcing permits from point sources to waters of the United States, and imposing and enforcing Pretreatment Requirements, under sections 307, 402, 318 and 405 of the Act.

"NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT (NPDES PERMIT)." A permit issued under the National Pollutant Discharge Elimination System for discharge of wastewaters to the navigable waters of the United States pursuant to the Act.

"NATURAL OUTLET." Any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

"NEW SOURCE."

(1) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307 (c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that one of the following is true:

(a) The building, structure, facility, or installation is constructed at a site which no other source is located;

(b) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or

(c) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.

(2) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of division (1)(b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.

(3) Construction of a new source as defined under this section has commenced if the owner or operator has done one of the following:

(a) Begun, or caused one of the following to begin as part of a continuous onsite construction program.

1. Any placement, assembly, or installation of facilities or equipment; or

2. Significant site preparation work including, clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

(b) Entered into a binding contractual obligation for the purchase of facilities or equipment that is intended to be used in its operation within a reasonable time. Options to purchase or contracts that can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this division.

(4) New sources shall install and have in operating condition and shall "start-up" all pollution control equipment required to meet applicable pretreatment standards before beginning to discharge. Within the shortest feasible time (not to exceed 90 days), new sources shall meet all applicable standards.

"NON-CONTACT COOLING WATER." Water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

"NON-RESIDENTIAL [SOURCE, USER]." Any partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity or their legal representatives, agents, or assigns. This definition includes all Federal, State, and local governmental entities. See definition of User.

"NON-SIGNIFICANT REGULATED USER (NSRU)." A source of Indirect Discharge from a Non-Residential Source that is regulated through a Discharge Permit issued by the Village's Pretreatment Program that the Coordinator deems as having the potential to interfere with the intent of this Ordinance, but is not classified as an SIU.

"PASS THROUGH." The discharge of pollutants that exits the POTW into waters of the United States in quantities or concentrations, which alone or in conjunction with discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).

"PERSON." Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all federal, state, and local governmental entities.

"pH." A measure of the acidity or basicity of a solution, calculated by taking the logarithm of the reciprocal of the hydrogen ion concentration expressed in standard units.

"POLLUTANT." Any dredged spoil, solid waste, incinerator residue, sewage, garbage, wastewater sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt or industrial, municipal, agricultural and industrial wastes and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor.)

"PPM." Parts per million and is equivalent to milligrams per liter when water is the solvent.

"POTW TREATMENT PLANT." The village facilities designed to provide treatment to wastewater.

"PRETREATMENT." The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to, or in lieu of, discharging or otherwise introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

"PRETREATMENT COORDINATOR." The Director of Public Works of Romeoville or designee.

"PRETREATMENT REQUIREMENTS." Any substantive or procedural requirement related to pretreatment, other than a pretreatment standard.

"PRETREATMENT STANDARDS" or "STANDARDS" That for any specified pollutant, village prohibitive discharge standards as set forth in section 300.105 (State of Illinois Pretreatment Standards) village specific limitations on discharge as set forth in section 300.110, State of Illinois Pretreatment Standards and effluent standards, or the National Categorical

Pretreatment Standards, whichever standard is most stringent.

"PROHIBITED DISCHARGE STANDARDS or PROHIBITED DISCHARGES." Absolute prohibitions against the Discharge of certain substances. These prohibitions appear in Section 54.021 of this Ordinance and 40 CFR 403.5.

"PUBLICLY-OWNED TREATMENT WORKS (POTW)." The "treatment works", as defined by section 212 of the Act, owned by the village and any devices and systems used in the conveyance, storage, treatment, recycling or reclamation of municipal sewage or industrial wastes of a liquid nature that are connected to the village POTW regardless of ownership, but does not include sewers, pipes, and other conveyances not connected to the village POTW treatment plant.

"RESIDENTIAL [SOURCE or USER]." Any single family or multi-family dwelling unit designed primarily as a place of human habitation which Discharges only domestic Wastewater to the POTW. If a Residential User operates a business out of his/her dwelling, at the discretion of the Coordinator, the introduction of Pollutants into the POTW originating from the operation of the business may be subject to regulation under this Ordinance.

"SANITARY SEWER." A sewer which is designed to carry wastewater from residences, commercial buildings, industrial plants and institutions, and to which storm, surface and ground water are not intentionally admitted.

"SANITARY WASTEWATER." See Wastewater.

"SHALL/MAY." "SHALL" is mandatory; "MAY" is permissive.

"SIGNIFICANT INDUSTRIAL USER." Any industrial user of the POTW who:

- (1) Is subject to any national categorical pretreatment standards; or
- (2) A user that:
 - (3) (a) Has an average process wastewater discharge flow of 25,000 gallons (excluding sanitary, non-contact cooling and boiler blow-down wastewater) or more per work day; or
 - (b) Has a discharge flow of process wastewater that makes up 5% or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - (c) Is designated as such by the village on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.
 - (4) Upon a finding that a user meeting the criteria in division (2) has not reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the village may at any time, on its own initiative or in response to a petition received from a user, determine that such user should not be considered a significant industrial user.

"SLUDGE." The settleable solids separated from the liquids during the wastewater treatment processes.

"SLUG" or **"SLUG LOAD."** Any discharge of water or wastewater which is non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge that could cause a violation of the prohibited discharge standards in § 54.020 of this chapter.

"STORMWATER." Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

"T." As in Cyanide-T means total.

"TAP." The connection to the sewer main through the use of a factory "wye" or "tee", a saddle connection, an Inserta tee ©, or other plumber connection (i.e. hammer tap).

"TOTAL SURFACTANTS." The sum of anionic surfactants as MBAS, nonionic surfactants as CTAS, and cationic surfactants measured as the difference between sublation residue and MBAS and CTAS values.

"TOTAL SUSPENDED SOLIDS (TSS)." Total suspended matter, expressed in milligrams per liter, that either floats on the surface of, or is in suspension in water, wastewater or other liquids and is removable by laboratory filtration, as prescribed methods in 40 CFR 136.

"TOTAL TOXIC ORGANICS." The summation of all quantifiable values greater than the practical quantitation limit for the toxic organics specified in the applicable regulation.

"UPSET." An exceptional incident in which there is unintentional and temporary noncompliance with pretreatment standards because of factors beyond the reasonable control of the industrial user. An "UPSET" does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

"UNPOLLUTED WATER." Water having a quality equal to or better than the effluent criteria in effect, or water that would not cause violation of receiving Water Quality Standards and would not be benefited by Discharge to and treatment by the POTW.

"USER." Any person or source that contributes, causes or permits the contribution of wastewater into the POTW works.

"USEPA." See Environmental Protection Agency.

"VILLAGE." The Village of Romeoville.

“WASTEWATER.” The combination of the liquid and water carried wastes from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW..

(1) Sanitary wastewater means the combination of liquid and water carried wastes discharged from toilets and other sanitary plumbing facilities.

(2) Industrial wastewater means a combination of liquid and water carried wastes discharged from any industrial user, including the wastewater from pretreatment facilities and polluted cooling water.

“WASTEWATER DISCHARGE PERMIT.” The document or documents issued to a user by the village pursuant to §§ 54.065 through 54.072 of this chapter.

“WASTEWATER TREATMENT PLANT or TREATMENT PLANT or WWTP.” The portion of the POTW which is designed to provide treatment of municipal sewage and Industrial Waste.

“WATERS OF THE STATE OF ILLINOIS.” All streams, lakes, ponds, marshes, water courses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion thereof.

“WATER QUALITY STANDARDS.” Those standards defined in the Title 35 of the Illinois, Administrative Code 35.

(Ord. 04-0108, passed 1-21-04)

GENERAL SEWER USE REQUIREMENTS

§ 54.010 APPLICABILITY.

(A) It shall be unlawful to discharge or cause to be discharged to any facility served by the village, without having first complied with the terms of this chapter.

(B) If any waters or wastes are Discharged, or are proposed to be Discharged, to the POTW which contain the substances or possess the characteristics enumerated in Section 54.021, or which are in violation of the standards for Pretreatment provided in 40 CFR 403, and any amendments thereto, or which in the judgment of the Village may have a deleterious effect upon the POTW or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Pretreatment Coordinator may reject the wastes, require Pretreatment to an acceptable condition for Discharge to the POTW, or require control over the quantities or rates of Discharge. If the Coordinator permits the Pretreatment or equalization of Wastewater flows, the design and installation of the facilities and equipment shall be subject to the review and approval of the Coordinator and subject to the requirements of all applicable codes, Ordinances, and laws.

(C)

Each User that Discharges Wastewater to the POTW shall provide Wastewater treatment and Best Management Practices as required to comply with this Ordinance and shall comply with all Categorical Pretreatment Standards, Local Limits, and the prohibitions set forth in Section 54.021 of this Ordinance within the time limitations specified by USEPA, the State, or the Pretreatment Coordinator, whichever is more stringent. (Ord. 04-0108, passed 1-21-04)

§ 54.021 PROHIBITED DISCHARGE STANDARDS.

The following general prohibitions apply to all Users of a POTW whether or not they are subject to a Categorical Pretreatment Standard or any other National, State, or local Pretreatment Standard:

(A) No user shall contribute or cause to be contributed, directly or indirectly to the village sewage works, any pollutant or wastewater contaminant that will pass through, cause interference with, inhibition of, or upset to the operation of the POTW.

(B) No user shall contribute, or cause to be discharged, either directly or indirectly, any of the following described pollutants, substances or wastewater into the POTW works:

(1) No discharger shall increase the use of potable or process water in any other way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment in order to achieve compliance with a pretreatment standard or requirement except where expressly authorized to do so by an applicable categorical pretreatment standard;

(2) Any unpolluted water including, but not limited to, uncontaminated noncontact cooling water, stormwater, surface and groundwaters, roof run-off, spill contaminant area run-off, footing drains or construction drainage except as specifically permitted by the Pretreatment Coordinator;

(3) Any solids, solid wastes, liquids or gases which by reason of their nature or quantity, are or may be sufficient, either alone or by interaction, to cause safety hazards, fire or explosion or be injurious in any other way to the facilities or personnel of the village, or to the operation of village POTW. Materials considered in this regard are those with a closed cup flashpoint of less than 140F. or 60C. using the test methods specified in 40 CFR 261.21;

(4) Any solid, solid waste or viscous substance that shall or may cause obstruction to the flow in a sewer, or other interference to the operation of the wastewater system. Prohibited materials include but are not limited to: grease, grease trap wastes, garbage with particles greater than 1/2-inch in any direction, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains or hops, paper, wood, plastics, residues from gas, tar or asphalt, residues from refining or processing of fuel or lubricating oils, mud or glass grinding or polishing waste, fatty acids or esters of fatty acids, or any material which can be disposed of as trash;

(5) Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass-through;

(6) Any wastewater containing noxious or malodorous solids, liquids, or gases, which either singly or by their interaction are capable of creating a public nuisance or hazard to life, or to interfere with, inhibit or upset any operation of POTW Works, including but not limited to, prevention of entry into sewers for their maintenance and repair;

(7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems or which necessitates the village taking special measures to counteract and/or alleviate the impact of the pollutant(s);

(8) Any wastewater having a temperature which shall inhibit biological activity in the village's POTW facilities, but in no case heat in such a quantity that the influent temperature at the sewage treatment plant to which the user discharges will exceed 40C. (104F.);

(9) Any substance or combination of substances which shall cause the village facilities to be in violation of its NPDES permit(s), or to cause the village's POTW to violate receiving stream water quality and/or general effluent discharge standards;

(10) Any substance with objectionable color that is not removed in the treatment processes, such as, but not limited to: dye waste, ink waste and vegetable tanning solutions;

(11) Any wastewater having a pH less than 5.0 or higher than 10.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment or personnel in the system. The pH limits shall be met at all times, and are not subject to averaging;

(12) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction, to injure, interfere with or upset any wastewater treatment processes or facilities, constitute a hazard to humans or animals, or to exceed limitation as set forth in the existing Act, or the Act as it may be amended;

(13) Any pollutant, including oxygen demanding pollutants, released in a discharge at a flow rate and/or concentration (including any slug load), either singly or by interaction with other pollutants which may interfere with, inhibit, or upset the POTW;

(14) Any wastewater containing any radioactive wastes or isotopes, except in accordance with village, state and federal rules governing such discharges;

(15) Any wastewater containing any organism, including viruses, considered pathogenic and/or detrimental to process organisms other than by direct excrement and any other wastes defined as medical waste;

(16) Any leachate or remediation wastewater; except at discharge points designated by the PT coordinator;

(17) All trucked or hauled wastes;

(18) Biosolids, sludges, screenings or other residues from the pretreatment of nonresidential wastes;

(19) Any wastewater causing the POTW effluent to fail a toxicity test;

(20) Any wastes containing detergents, surface active agents or other substances that may cause excessive foaming in the POTW. Wastes prohibited in this section shall not be processed or stored in such a manner that they could be discharged to the POTW;

(21) Any solid, solid waste or viscous substances that have caused an obstruction to the flow in a sewer that is eliminated by a professional service or contractor;

(22) Any substances that inhibit the use of UV for disinfection purposes;

(23) Unusual concentrations of inert suspended solids (such as, but not limited to filler earth, lime slurries and lime residues) or dissolved solids (such as, but not limited to sodium chloride and sodium sulfate); and

(Ord. 04-0108, passed 1-21-04)

§ 54.022 NATIONAL CATEGORICAL PRETREATMENT STANDARDS.

(A) The pretreatment requirement shall apply to all non-domestic users subject to National Categorical Pretreatment Standards, promulgated by the USEPA in accordance with Section 307(b) and (c) of the Act, currently discharging or scheduled to discharge to the village. The National Categorical Pretreatment Standards, found in 40 CFR Chapter 1, Subchapter N, Parts 405 - 471 are hereby incorporated into this chapter.

(B) Limits in Categorical Pretreatment Standards shall apply to the discharge from the process regulated by the standard or as otherwise specified by the standard. Compliance with National Categorical Pretreatment Standards is mandatory.

(1) Where a categorical pretreatment standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, Pretreatment Coordinator may impose equivalent concentration or mass limits in accordance with 40 CFR 403.6(c) unless specifically restricted by the categorical standard. These equivalent limitations calculated in accordance of the following requirements are deemed pretreatment standards. Users shall be required to comply with the equivalent limitations instead of the promulgated categorical standards from which the equivalent limitations were derived. An alternative pretreatment limit shall not be used if the alternative limit is below the analytical detection limit for any of the regulated pollutants.

(2) (a) When the limits in a Categorical Pretreatment Standard are expressed only in terms of mass of pollutant per unit production, the village may convert the limits to equivalent limitations expressed either as mass of pollutant discharged per day or effluent concentration for purposes of calculating effluent limitations applicable to individual users.

(b) The village calculating equivalent mass-per-day limitations shall calculate such limitations by multiplying the limits in the standard by the user's average rate of production. This average rate of production shall be based not upon the designed production capacity, but rather upon a reasonable measure of the user's actual long-term daily production during a representative year. For new sources, actual production shall be estimated using projected production.

(c) The village calculating equivalent concentration limitations shall calculate such limitations by dividing the mass limitations by the average daily flow rate of the user's regulated process wastewater. This average daily flow rate must be based upon a reasonable measure of the user's actual long-term average flow rate, such as the average daily flow rate during the representative year.

(3) When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, Pretreatment Coordinator shall impose an alternate limit using the combined wastestream formula in 40 CFR 403.6(e) provided that the regulation allows the wastewaters to be mixed and the user can supply the information necessary to issue an alternative limit.

(4) A user may request a variance from USEPA based on fundamentally different factors. The request must comply with the procedural and substantive provisions in 40 CFR 403.13.

(5) A user may request a net gross adjustment to a categorical pretreatment standard in accordance with 40 CFR 403.15.

(C) All users that are subject to National Categorical Pretreatment Standards are required to file reports as required in this chapter, signed by an authorized representative. These reports shall include all information that the village deems necessary to make compliance determinations.

(Ord. 04-0108, passed 1-21-04)

§ 54.023 STATE LIMITS.

All users are subject to state standards and requirements as defined in 35 IAC 307 and any future amendments or revision thereafter. .

§ 54.024 LOCAL LIMITS.

The following pollutant limits are established to protect against pass through and interference.

(A) Conventional pollutants; guidelines for discharge. The guidelines listed below are daily maximum limits.

(1) No user should discharge any wastewater containing concentrations greater than the guidelines as set forth below into any sewers that connect either directly or indirectly to the POTW works.

POLLUTANT	CONCENTRATION
Ammonia Nitrogen	50.0 mg/l
BOD	300.0 mg/l
Color	400 ADMI
FOG	100.0 mg/l
Total Surfactants	250.0 mg/l
TSS	350.0 mg/l

(2) The village reserves the right to set specific standards for all applicable pollutants above on a case-by-case basis. These standards shall be set forth in a Wastewater Discharge Permit per §§ 54.065 through 54.072.

(3) The above limits apply at the point where Wastewater is Discharged to the POTW. All concentrations of metallic substances are for total metal unless otherwise indicated. FOG shall be measured as defined in 40 CFR 136 Table 1B Parameter 41.

(4) If deemed appropriate by the Coordinator, and if POTW capacity and loading allows, alternative limits may be developed for permitted Users using the Non-Uniform Allocation methodology presented in the United States Environmental Protection Agency's "Local Limits Development Guidance" as amended from time to time. These Non-Uniform Allocation (NUA) Limits shall be written into the Permit issued to the User and shall operate in place of the Local Limit for the aforementioned Pollutants described in division (C) above.

(5) Best Management Practices (BMP)

(6) The Coordinator may develop BMPs by Ordinance or in individual Wastewater Discharge Permits to implement Local Limits and the requirements contained in Section 54.010 of this Ordinance.

(7)

(B) The village reserves the right to establish, by ordinance or in a wastewater discharge permit, mass limitations rather than concentration limitations on discharges.

(Ord. 04-0108, passed 1-21-04; Am. Ord. 07-0563, passed 7-18-07)

§ 54.025 RIGHT OF REVISION.

The village reserves the right to establish, by ordinance or in wastewater discharge permits, more stringent limitations or requirements on discharges to the POTW.

A. The Village reserves the right to establish, by ordinance or in Wastewater Discharge Permits, more stringent limitations or requirements on Discharges to the POTW consistent with the purpose of this Ordinance. The specific limitations on Discharges are derived from the Maximum Allowable Industrial Loading (MAIL) calculation. The MAILs are allocated only to those Users, at the Village's discretion, that contribute the regulated Pollutant. All remaining Users are held to either the background concentration or slightly higher than background but lower than the specific Discharge limit. In no case shall the sum of allocations exceed the MAIL.

B. The Village will maintain a reserve of the maximum allowable headworks Pollutant loading for each Pollutant for new industries or increase of Pollutant loading from existing industries. The Village will recalculate the maximum concentrations from time to time using site specific data and will consider revisions to State and Federal regulations that may impact the calculations.

(Ord. 04-0108, passed 1-21-04)

§ 54.026 SAMPLING FACILITIES.

(A) Applicability.

(1) All commercial and industrial users are required to install a monitoring manhole for each separate discharge in the building sewer in accordance with the plans and specifications approved by the village.

(2) When required by the village, a categorical industrial user shall install a large manhole or sampling chamber for the regulation location of the categorically regulated discharge in the building sewer in accordance with plans and specifications approved by the village.

(3) When required by the village, a non-categorical industrial user shall install a large manhole or sampling chamber for the regulation of a batch discharge within the building in accordance with plans and specifications approved by the village.

(B) Monitoring manhole installation.

(1) Such facilities will be installed and maintained at all times at the user's expense. The failure of a user to keep its monitoring facility in good working order shall not be grounds for the user to claim that the sample results are unrepresentative of its discharge. Installation will be consistent with the requirements of § 52.024.

(2) The manhole or chamber shall be easily accessible to authorized representatives of the village 24 hours per day, seven days per week and shall be located in dedicated easements.

(3) When required, the sampling chamber shall contain a Palmer-Bowlus or Parshall flume or equivalent, unless a weir or similar device is approved by the village, with a recording and totalizing register. Metered water supply may be used to determine wastewater flow if it is substantiated to the village that the metered water supply and wastewater quantities are approximately the same, or where an adjustment agreed to by the village is made in the metered water supply to determine wastewater flow.

(4) The sampling chamber, metering device, and documentation of the frequency of sampling, sampling methods and analysis of samples shall be subject, at any reasonable time, to inspection by the village.

(5) In the event that a suitable sampling facility does not exist, as per division (A) of this section, the "sampling facility" shall be considered to be either the nearest downstream manhole in the public sewer to the point at which the building sewer is connected or the point of process wastewater discharge.

(Ord. 04-0108, passed 1-21-04; Am. Ord. 07-0563, passed 7-18-07)

§ 54.027 MONITORING REQUIREMENTS.

A. Flow Monitoring

All Permitted Users are required to monitor flow of potable water and/or Wastewater at frequency stated in the User's Wastewater Discharge Permit. All other Users are required to flow monitor upon the request of the Village.

1. Metered water supply may be used to determine Wastewater flow if it is substantiated to the Village that the metered water supply and Wastewater quantities are approximately the same, or where an adjustment agreed to by the Pretreatment Coordinator is made in the metered water supply to determine Wastewater flow and is documented through the use of sub-meters and/or production records. In the event that the Wastewater flow cannot be substantiated at any regulated location, the User shall be required to install flow monitoring consistent with Section 51.202.
 - a. In the event the Village, or surrounding area, should suffer from a water shortage, the Village Board of Romeoville shall have the authority to suspend the provisions of the paragraph above in order to encourage water conservation. In the event that the President of the Village of Romeoville determines and declares that such water shortage exists to such an extent and degree as to constitute an emergency, then the Village President shall have the authority to suspend the provisions of the paragraph above, pending ratification by the Village Board at its next regularly scheduled meeting following the suspension by the Village President. In determining whether a water shortage exists, the Village President and Village Board may consider water shortages in the surrounding area in addition to the adequacy of the supply of the Village Water System. In the event that a future water shortage appears evident, the provisions of the paragraph above may also be suspended by the Village President or Village Board prior to the existence of an emergency.
2. Under authorization from the Village, Users may be permitted to install additional water meters on the exterior of the User's structure at the User's sole cost and expense for the purpose of measuring water not Discharged to the POTW. All Users shall register with the Village and provide information requested by the Village concerning the installation of additional water meters. The Building Official shall have the right to inspect and regulate the installation of additional water meters. The Wastewater volume Discharged to the POTW shall be determined by subtracting the volume shown on the additional water meter(s) from the total metered amount of water supplied to the premises.

B. Wastewater Discharge Sampling

A User shall pay the cost of sampling of its Discharge and the cost of analyses of its samples, whether or not the sampling and analyses are performed by the User or by the Village.

1. Sample Frequency
 - a. Any NSRUs with a Wastewater Discharge Permit shall sample their effluent and report the results to the Coordinator in a manner consistent with the requirements of the Wastewater Discharge Permit.
 - b. The sampling frequency listed in a Wastewater Discharge Permit may be modified by the Coordinator in the event that additional samples are needed to demonstrate consistent compliance.
2. Sample Collection
 - a. Samples collected to satisfy reporting requirements shall be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period as defined in the Wastewater Discharge Permit.
 - b. One or more grab samples may be required by the Coordinator in the event of an infrequent Batch Discharge or to show compliance with Pretreatment Standards, including Daily Maximum Pretreatment Standards. The Coordinator may also allow, during an infrequent Batch Discharge, multiple grab samples to be collected and composited, as appropriate, to determine compliance with Daily Maximum Pretreatment Standards. Grab samples may not be composited to determine compliance with Instantaneous Local Limits.
 - c. Samples for FOG, temperature, pH, cyanide, chromium (VI), phenols, sulfides, and volatile organic compounds shall be obtained using the number of grab samples determined by the Coordinator to assess and assure compliance with applicable Pretreatment Standards. Multiple grab samples that are individually preserved as specified in 40 CFR 136 and appropriate USEPA guidance that are collected during a 24-hour period must not be composited and must be analyzed separately to determine compliance with Instantaneous Local Limits. However, results may be averaged to determine compliance with the Pollutant's respective Daily Maximum Limit, when applicable.
 - d. To determine compliance with Daily Maximum Limits only, samples for the following Pollutants may be composited prior to the analysis as follows:
 - i. For, cyanide, chromium (VI), phenols, and sulfides: multiple grab samples may be composited in the laboratory or in the field;
 - ii. For volatile organics and FOG: multiple grab samples may only be composited in the laboratory.

- e. Composite Samples for other parameters unaffected by the compositing procedures as documented in approved USEPA methodologies may be authorized by the Coordinator, as appropriate.

(A) Applicability. At minimum, all significant industrial users are required to sample based on the frequency stated in the discharge control document. Other users are required to sample upon the request of the village.

(B) Frequency. All users with wastewater discharge permits must sample their effluent and report the results to the POTW at least twice yearly for those parameters specified in the user's permit. The village shall have the right to perform its own sampling at any time.

(C) Sample collection.

(1) Except as indicated in division (2), below, the user must collect wastewater samples using flow proportional composite collection techniques.

(2) In the event flow proportional sampling is infeasible, the Pretreatment Coordinator may authorize the use of time proportional sampling preferably collecting at least 96 aliquots during the 24-hour work day; or a minimum of four grab samples where the user demonstrates that this will provide a representative sample of the effluent being discharged. A proportional number of samples shall be collected for wastewater discharges less than 24 hours. In addition, grab samples may be required to show compliance with instantaneous discharge limits.

(Ord. 04-0108, passed 1-21-04)

§ 54.028 ANALYTICAL REQUIREMENTS.

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question.

- A. All Pollutant analyses, including sampling techniques, to be submitted as part of a Wastewater Discharge Permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136, unless otherwise specified in an applicable Categorical Pretreatment Standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the Pollutant in question, or where the USEPA determines that the Part 136 sampling and analytical techniques are inappropriate for the Pollutant in question, sampling and analyses shall be performed using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the Coordinator or other parties approved by USEPA.
- B. Analytical reports submitted to the Village must comply with the following requirements:
 - 1. The practical quantification limit (PQL) must be less than half of the effluent limit for the Pollutant being analyzed;
 - 2. The analysis method used, method detection limit (MDL), and the PQL must be listed for each Pollutant analyzed;
 - 3. Results which were not detected by the analysis must be reported as "Not Detected", or "ND", or "<[MDL]", or equal;
 - 4. Results which were detected by the analysis at or above the MDL, but the result was not quantifiable, must be reported as the concentration detected and noted in the report as "Detected Not Quantifiable", or "DNQ", or using an appropriate qualifier and footnote description; and
 - 5. If a result is detected, it must be reported. Failure to report a detected result constitutes Significant Noncompliance.
- C. As the Coordinator deems necessary, a User may be required to analyze for one or more Pollutants not listed in the Local Limits or Pretreatment Standards to satisfy the requirements of this Ordinance.

(Ord. 04-0108, passed 1-21-04)

§ 54.029 PROTECTION OF VILLAGE SAMPLING AND FLOW METERING EQUIPMENT FROM DAMAGE.

No person shall maliciously, willfully, or negligently break, damage, destroy, or tamper with any structure, appurtenance, or equipment that is owned or contracted by the village. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

(Ord. 04-0108, passed 1-21-04)

§ 54.030 - GREASE MANAGEMENT.

54.030.001 - Title.

This article shall be known and may be cited as the "Village of Romeoville Grease Management Ordinance."

54.030.002 - Enactment.

Pursuant to the requirements of Title 11 of the Clean Water Act Amendments and regulations promulgated thereunder, the Illinois Environmental Protection Act of 1970, as amended, and in accordance with Illinois Municipal Code, this chapter is hereby enacted by the Board of Trustees.

54.030.003 - Purpose and Policy.

This article establishes uniform maintenance and monitoring requirements for controlling the discharge of grease from food service facilities discharging into the village's treatment works and for regulation of grease haulers operating within the village limits. The objectives of this article are:

- (1) To prevent the introduction of excessive amounts of grease into Romeoville's treatment works.
- (2) To prevent clogging or blocking of the village's sewer lines due to grease build-up causing sanitary sewer overflows onto streets, into stormwater systems or waterways and into residences and commercial buildings, resulting in potential liability to the village.
- (3) To prevent maintenance and odor problems at wastewater pumping stations due to grease build-up.
- (4) To implement a process to recover costs for any liability incurred by the village for damage caused by grease blockages resulting in sanitary sewer overflows.
- (5) To establish fees for the recovery of costs resulting from the program established herein.
- (6) To register grease haulers operating within the Village of Romeoville.
- (7) To establish enforcement procedures for violations of this article.

54.030.004 - Administration.

Except as otherwise provided herein, the Pretreatment Coordinator shall administer, implement, and enforce the provisions of this chapter. Any powers granted to or duties imposed upon the Pretreatment Coordinator may be delegated by the Pretreatment Coordinator to other village personnel or agents of the village.

54.030.005. - Applicability.

- (a) The provisions of this article shall apply to all food service facilities discharging into the village's treatment works and to all grease haulers doing business within the Village of Romeoville.
- (b) Where there is a conflict between this article and the Illinois Building Code—Plumbing, as amended (current edition), the Illinois Building Code—Plumbing, as amended (current edition) shall be applicable.
- (c) The Village of Romeoville currently regulates the improper discharge of grease into water or wastewater pursuant to the "Village of Romeoville's Wastewater Discharge and Industrial Pretreatment Standards Technical Manual," on file in the Office of the village clerk, which has the full force and effect of an ordinance pursuant to the Village of Romeoville Code and is incorporated herein by reference. Where there is a conflict between this article and the "Village of Romeoville's Wastewater Discharge and Industrial Pretreatment Standards Technical Manual," this article shall be applicable.

54.030.006. - Definitions.

For the purposes of this article, certain abbreviations, terms, phrases, words and their derivatives shall have the following meanings:

Director means the director of the wastewater department or his or her designee.

Food service facility or *facility* means any business or food service facility which prepares and/or packages food or beverages for sale or consumption. This does not apply to private residences. Food service facilities may include, but are not limited to, food courts, food manufacturers, food packagers, restaurants, grocery stores, bakeries, lounges, meat markets, hospitals, hotels, nursing homes, churches, schools, cafeterias, delicatessens, coffee shops, concession stands and all other food service facilities not specifically listed above.

Food service facility owner or *owner* means in the case of individual food service facilities, the owner or proprietor of the food service facility. Where the facility is a franchise operation, the owner of the franchise is the responsible person or entity. Where the facility is owned by a partnership, corporation, or other type of business entity, the individual who is authorized to legally act on behalf of the business entity under Illinois State law shall be the responsible person. Where two (2) or more food service facilities share a common grease interceptor, the owner shall be the individual who owns or assumes control of the grease interceptor or the property on which the grease interceptor is located. Owner shall also mean his or her duly authorized representatives, employees or agents.

GMP inspector means a member of the staff of the village's grease management program, designated by the director to enforce the Village of Romeoville Grease Management Ordinance.

Gray water means all liquid contained in a grease interceptor that lies below the floating grease layer and above the food solids layer.

Grease means a material either liquid or solid, composed primarily of fats, oils or grease from animal or vegetable sources.

Grease hauler means a company who collects the contents of a grease interceptor or trap and transports it to an approved recycling or disposal facility.

Grease interceptor means an interceptor whose rated flow exceeds fifty (50) gpm or has a minimum storage capacity of seven hundred fifty (750) gallons or more and is a device located underground and outside of a facility. It is designed to collect, contain or remove food wastes or grease from the wastewater while allowing the balance of the liquid waste to discharge to the wastewater collection system by gravity.

Grease trap means an interceptor whose rated flow is fifty (50) gpm or less and is a device located inside a facility and/or under a sink designed to collect, contain, or remove food wastes and grease from the wastewater while allowing the balance of the liquid waste to discharge to the wastewater collection system by gravity.

Notice of violation (NOV) means a written notice informing a food service facility owner or grease hauler that a violation of the Village of Romeoville Grease Management Ordinance has occurred.

Registered hauler means a grease hauler registered with the Village of Romeoville in accordance with this article who is authorized to perform inspection, cleaning, and grease disposal for food service facilities.

Sanitary facilities mean bathrooms, bathroom fixtures, bathroom groups, hand sinks or other similar fixtures or facilities.

Treatment works mean any part of the village's wastewater system as defined in section 26-117 of the Village of Romeoville Code.

54.030.007. - Facility inspections.

- (a) *Entry.* Each facility shall allow the Pretreatment Coordinator or his or her designee's the right of entry upon real property for the purpose of inspection, observation, records examination, measurement, and sampling in accordance with the provisions of this article.
- (b) *Inspections.* The GMP inspector shall inspect food service facilities on either an unannounced or scheduled basis to verify continued compliance with the requirements of this article. The GMP inspector shall inspect all grease traps or interceptors, plumbing connections, the logbook and file, other pertinent data or take samples as necessary. The GMP inspector shall record all observations in a written report. Any deficiencies shall be noted, including but not limited to:
 - (1) Failure to properly maintain the grease interceptor or trap in accordance with the provisions of this article.
 - (2) Failure to report changes in operations, or wastewater constituents and characteristics.
 - (3) Failure to maintain logs, files, records or access for inspection or monitoring activities.
 - (4) Inability of existing grease interceptor or trap to prevent discharge of grease into the village's treatment works.
 - (5) Any other inconsistency with or violation of this article.
- (c) *Re-inspections.* The GMP inspector shall inspect any repairs, replacements or other deficiencies and shall provide written notice of compliance or noncompliance. In the event of continuing noncompliance, re-inspections will be performed.

54.030.009. - Grease traps and interceptors.

- (a) *Permit required.* Any food service facility that intends to erect, install, enlarge, alter, repair, remove, convert or replace any grease trap or interceptor is required to make application to the building official and obtain the required permit. The facility shall submit with its permit application the appropriate design criteria in accordance with the Illinois Building Code - Plumbing, as amended (current edition).
- (b) *Requirements.* All food service facilities are required to have a grease interceptor or trap properly installed in accordance with any and all applicable requirements of the Illinois Building Code—Plumbing, as amended (current edition).
 - (1) *New facilities.* On or after the effective date of the Village of Romeoville Grease Management Ordinance, food service facilities which are newly proposed or constructed, or existing food service facilities which will be expanded or renovated to include a food service facility, where such a food service facility did not previously exist, shall be required to install a grease interceptor or trap according to the requirements of the Illinois Building Code—Plumbing, as amended (current edition) and to operate and maintain the grease interceptor or trap according to the requirements contained in this article.
 - (2) *Existing facilities.* Food service facilities existing prior to the date of the Village of Romeoville Grease Management Ordinance shall be permitted to operate and maintain existing grease interceptors or traps provided their grease interceptors or traps are in good operating condition.

The village may require an existing facility to install a new grease interceptor or trap that complies with the requirements of the Illinois Building Code—Plumbing, as amended (current edition) or to modify or repair any noncompliant plumbing or existing grease interceptor or trap when any one (1) or more of the following conditions exist:

- a. The facility is found to be contributing grease in quantities sufficient to cause line stoppages or necessitate increased maintenance on the wastewater collection system.
- b. Grease concentrations exceed four hundred (200) mg/l on wastewater effluent as determined by sampling performed by the GMP inspector.
- c. The facility does not have a grease interceptor or trap.
- d. The facility has an irreparable or defective grease interceptor or trap.

- e. Remodeling of the food preparation or kitchen waste plumbing system is performed which requires a plumbing permit to be issued by the Village of Romeoville.
 - f. The facility is sold or undergoes a change of ownership.
 - g. The facility does not have plumbing connections to a grease interceptor or trap in compliance with the requirements of this article.
- (c) *Plumbing connections.* Grease interceptors or traps shall be installed in accordance with Illinois Building Code—Plumbing, as amended (current edition). Wastewater from sanitary facilities shall not be introduced into the grease interceptor or trap under any circumstances.
- (d) *Records maintenance.* Each food service facility shall maintain a bound logbook in which a record of all interceptor maintenance is entered. Maintenance information shall include, but not be limited to, date and time of the maintenance, estimated gallonage removed from interceptor or trap, any defects in the grease interceptor or trap, details of any repairs required and dates of repair completion, changes in operations, or wastewater constituents and characteristics, receipts from grease haulers, plumbers, parts suppliers, etc., and any other records pertaining to the interceptor. This logbook shall be made available for review upon request. Records shall be maintained for a period of three (3) years. Each facility shall provide, upon request of the GMP inspector within ten (10) days, drawings of sufficient detail to depict the plumbing layout of the facility.
- (e) *Grease interceptors.* Grease interceptors shall be designed and installed in accordance with the Illinois Building Code—Plumbing, as amended (current edition) and shall be operated and maintained as follows:
- (1) *Pumping and maintenance.* Each food service facility shall be responsible for the costs of pumping, cleaning, and maintaining its grease interceptor. All food service facilities that have grease interceptors shall utilize a registered grease hauler. Pumping services shall include the complete removal of all contents, including floating materials, gray water, bottom sludge, and solids from the interceptor. Grease interceptor cleaning shall include scraping excessive solids from the walls, floors, baffles, and all piping.

It shall be the responsibility of the grease hauler to inspect an interceptor during, or immediately after the pumping procedure to ensure that the interceptor is clean and that all fittings and fixtures inside the interceptor are in working condition and functioning properly. If the interceptor is not functioning properly, the grease hauler shall notify the owner in writing. The notice shall include a sufficient description of the malfunction.
 - (2) *Interceptor pumping frequency.* Each food service facility shall have its grease interceptor pumped according to the following criteria:
 - a. When the settled solids layer exceeds the invert of the outlet pipe (typically eight (8) inches in depth), or;
 - b. When the total volume of captured grease and solid material displaces more than twenty-five (25) percent of the capacity of the interceptor, or;
 - c. When the interceptor is not retaining or capturing oils and greases.
 - (3) *Inspection.* Grease interceptors shall be inspected by a GMP inspector as necessary to assure compliance with this article.
 - (4) *Disposal.* Wastes removed from each grease interceptor shall be disposed of at a facility permitted to receive such wastes. Grease, solid materials, or gray water removed from interceptors shall not be returned to any grease interceptor, private sewer line or to any portion of the village's treatment works, except for food service facilities that use a two (2) compartment pump truck where the compartments are fully separate with their own valve system, so there is no cross contamination between the gray water with the solids and grease. With this type of equipment, gray water may be re-introduced back into the interceptor as long as the wastewater effluent grease concentrations do not exceed four hundred (400) mg/l.
- (f) *Grease traps.* Grease traps shall be installed in accordance with the Illinois Building Code—Plumbing, as amended, (current edition) and shall meet the following criteria:
- (1) *Flow control device.* Grease traps shall be equipped with a device to control the rate of flow through the unit. The rate of flow shall not exceed the manufacturers rated capacity recommended in gallons per minute for the unit. Each food service facility is responsible for maintaining appropriate flow control devices.
 - (2) *Venting.* The flow-control device and the grease trap shall be vented in accordance with the Illinois Building Code—Plumbing, as amended (current edition). The vent shall terminate not less than six (6) inches above the flood-rim level or in accordance with the manufacturer's instructions. Each food service facility is responsible for maintaining appropriate venting of the grease trap.
 - (3) *Cleaning and maintenance.* Each food service facility shall be solely responsible for the cost of grease trap cleaning and maintenance. Each facility may contract with a registered grease hauler or it may develop a written protocol and perform its own grease trap cleaning and maintenance procedures. Cleaning and maintenance must be performed when the total volume of captured grease and solid material displaces more than twenty-five (25) percent of the total volume of the grease trap. Each facility shall determine the frequency at which their grease trap shall be cleaned, but all grease traps shall be opened, inspected, cleaned, and maintained at a minimum of once per week.
 - (4) *Inspection.* Grease traps shall be inspected by a GMP inspector as necessary to assure compliance with this article and to assure proper cleaning and maintenance is being performed.
 - (5) *Disposal.* Grease and solid materials removed from a grease trap shall be removed by a registered grease hauler unless the grease is in a solid, dry form, mixed with an oil absorbent in an enclosed bag or container, and does not exceed five (5) pounds.

- (g) *Additives.* Any chemicals, enzymes, emulsifiers, live bacteria or other grease cutters or additives, used for the purpose of grease reduction shall be approved by the GMP inspector prior to their addition to grease interceptors or traps. Applicable information concerning the composition, frequency of use and mode of action of the proposed additive shall be sent to the village together with a written statement outlining the proposed use of the additive(s). The village may request a sampling port installed by the food service facility at the facility's expense to demonstrate the additive will work. The village, upon evaluation of all of the information received, shall permit or deny the use of the additive in writing. Permission to use additives may be withdrawn by the village at any time.
- (h) *Alternative grease removal devices or technologies.* Alternative devices and technologies such as automatic grease removal systems shall be subject to written permission by the director prior to installation. Permission to use the device shall be based on demonstrated and proven removal efficiencies and reliability of operation. The village may permit these types of devices depending on manufacturer's specifications on a case-by-case basis. The food service facility may be required to furnish analytical data demonstrating grease removal effectiveness, or perform effluent monitoring. Permission to use alternative devices and technologies may be withdrawn by the village at any time.

54.030.010. - Grease interceptor and trap enforcement.

- (a) Whenever the GMP inspector determines that a grease interceptor or trap is in need of pumping, repairs, maintenance, or replacement, enforcement shall be as follows:
 - (1) *Notice of violation (NOV).* The GMP inspector conducting the inspection shall immediately notify the food service facility owner that a violation exists and issue the owner a NOV stating the nature of the violation.
 - (2) *Inspection and re-inspection.* If a grease interceptor or trap has to be re-inspected because of deficiencies found during a previous inspection, and all of the deficiencies have been corrected, there shall be no charge for the re-inspection. If all of the deficiencies have not been corrected, a re-inspection fee shall be charged to the food service facility.
 - (3) *Sampling fees.* Fees for any sampling and analysis of wastewater discharges deemed necessary for the protection of the treatment works shall be charged to the food service facility owner in the amount per sampling event.
 - (4) *Pump-out and cleaning.* A violation involving the lack of proper cleaning and maintenance of a grease trap shall require the food service facility owner to clean out the trap(s) within twenty-four (24) hours of the NOV. If interceptor pumping frequency is not being met, the owner shall be required to have the interceptor pumped out within seventy-two (72) hours of the NOV.
 - (5) *Repairs and replacement.* The food service facility owner shall be responsible for the cost and scheduling of all repairs to or replacement of its grease interceptor(s) or trap(s). Repairs and replacements required by a GMP inspector shall be completed within a reasonable time as established in written guidelines prepared by the director. The time for corrective action shall commence on the date of receipt of the NOV. Written guidelines shall include provisions for time extensions if the owner responds with an acceptable plan for rectifying the situation.
 - (6) *Noncompliance.* If the food service facility owner continues to violate the provisions set forth in this article, or fails to initiate or complete corrective action in response to a NOV, or a village approved plan to rectify a violation, the director may pursue one (1) or more of the following options at the director's sole discretion:
 - a. Pump the grease interceptor and seek reimbursement of the costs from the food service facility owner.
 - b. Assess further inspection fees as provided.
 - c. Terminate sanitary sewer service.
 - d. Refer any violation by any food service facility or, its owner for enforcement for any or all applicable remedies.

54.030.011. - Grease haulers.

- (a) *Grease hauler registration.* Any person, firm, or business desirous of collecting, pumping, or hauling grease interceptor or trap wastes from businesses located within the village limits shall be required to register with the village. It shall be unlawful for any grease hauler to clean or pump out grease interceptors or traps within the village limits without being registered.

Registrations shall be effective for a period of three (3) years. The registration required by the village shall be in addition to any other permits, registrations, or occupational licenses required by federal, state, and local agencies having lawful jurisdiction. The registration is not transferable. The director shall issue stickers to all Village of Romeoville registered grease haulers. The stickers shall be displayed in a visible location on all vehicles used to clean interceptors or traps.

- (1) *Application.* To register with the village, a grease hauler shall submit a completed application form to the director. The director shall approve, deny, or approve with conditions all applications by written notice within forty-five (45) calendar days of the village's receipt of the completed application form. The grease hauler shall be registered prior to providing grease hauling services within the village limits.

The application shall require, but not be limited to, the following information:

- a. List of all trucks or vehicles used to clean interceptors or traps, which include vehicle make, model, year, identification number, color, tank capacity, proof of insurance, and tag number.
 - b. List of all drivers or personnel used to clean interceptors or traps, including proof of valid driver's licenses.
 - c. List of all disposal sites.
- (2) *Information update.* Registered grease haulers shall update application information annually from date of issuance of registration.

- (3) *Registration renewal.* An application for registration renewal shall be submitted on the appropriate renewal form at least forty-five (45) calendar days prior to the expiration date of the existing registration by each applicant wishing to provide grease hauling services in the village limits.
- (b) *Spill reporting.* Any accident, spill, or other discharge of grease, solids or gray water, which occurs within the village, shall be reported to the Village of Romeoville Wastewater Department by the grease hauler as soon as possible but not longer than twenty-four (24) hours after the incident. The grease hauler shall comply with all procedures and reporting requirements contained in federal, state and local regulations. The grease hauler shall be responsible for all clean-up procedures and costs.
- (c) *Record keeping.* Grease haulers shall retain and make available for inspection and copying, all records related to grease interceptor or trap pumping and grease disposal. A Village of Romeoville grease hauler manifest or approved form shall be required to be signed by the grease hauler certifying the accuracy of the information on the manifest. The manifest shall include, but not be limited to, name, location, date and time of the facility serviced, estimated gallonage removed from interceptor or trap, disposal times, dates, locations, and amounts. These records shall remain available for a period of at least three (3) years. The failure to provide information to the village within ten (10) days of a written request is a violation of this article.
- (d) *Vehicle inspection.* Grease haulers shall permit the village to inspect grease hauler's registered vehicles.
- (e) *Disposal.* Wastes removed from each grease interceptor or trap shall be disposed of at a grease disposal facility permitted to receive such wastes. Grease, solid materials, or gray water removed from interceptors or traps shall not be returned to any grease interceptor, trap, private sewer line, or to any portion of the village's treatment works, except for food service facilities that use a two (2) compartment pump truck where the compartments are fully separate with their own valve system, so there is no cross contamination between the gray water with the solids and grease. With this type of equipment, gray water may be re-introduced back into the interceptor as long as the wastewater effluent grease concentrations do not exceed four hundred (400) mg/l.
- (f) *Grease hauler enforcement.* Enforcement actions against grease haulers in violation of this article shall be as follows:
- (1) *Notice of violation (NOV).* A NOV will be issued to any grease hauler who is found to be in non-compliance with this article. Response to this NOV must be received by the village within ten (10) calendar days of its receipt by the grease hauler. The grease hauler will be required to describe how the violation occurred, verification that the violation has been corrected, and shall provide assurance that steps will be taken to prevent the re-occurrence of the violation.
 - (2) *Registration revocation.* Any registration issued pursuant to the provisions of this article may be modified, suspended or revoked in whole or in part during its term for cause shown including, but not limited to any one (1) of the following:
 - a. Falsification of any information;
 - b. Discharging any grease, liquid, or solid waste into a non-authorized location; or
 - c. Failing to comply with this article.

54.030.012. - Fees.

Fees associated with this article will be established pursuant to the provisions of section 51.15.

54.030.013. - Enforcement.

- (a) *Search or inspection warrant.* The director, through the village attorney, may seek to obtain a search or inspection warrant from the appropriate authority to gain access to a facility for the purposes of inspection and monitoring if such lawful entry under section 54.100.
- (b) *Referral to code enforcement board.* The director may enforce the violation of any provision of this article against an owner or grease hauler, pursuant to and in the manner provided by Section 54.130 through 54.164.
- (c) *Injunctive and other relief.* The mayor, through the village attorney, may file a petition in the name of the village in the Circuit Court of the County or such other courts as may have jurisdiction seeking the issuance of an injunction, damages, or other appropriate relief to enforce the provisions of this article or other applicable law or regulation.
- (d) *Recovery of damages.* When the discharge from a food service facility causes an obstruction, damage, or any other impairment to the treatment works, or causes any expense, fine, penalty, or damage of whatever character or nature to the village, the director shall invoice the owner for same incurred by the village. If the invoice is not paid, the director shall notify the village attorney to take such actions as shall be appropriate to seek reimbursement.
- (e) *Remedies nonexclusive.* The remedies provided for in this article are not mutually exclusive. The director may take any, all, or any combination of these actions against a noncompliant person.
- (f) *Appeal of revocation or denial of grease hauler registration.* Any revocation or denial of grease hauler registration may be appealed in accordance with section 54.130 through 54.164.. The appellate officer designated to hear these matters shall be the administrator of public works and utilities services. The grease hauler shall have fifteen (15) days from receipt of written notice of denial or revocation of the registration to file an appeal. Failure of the grease hauler to file an appeal within the fifteen (15) day time limit shall constitute acceptance of the decision to deny or revoke the registration.

54.030.014. - Additional criminal offenses.

- (a) *Damage to village property.* It is unlawful for any person to maliciously, willfully or negligently, break, damage, destroy, deface, tamper with, or remove any village property.
- (b) *Falsifying information.* Any person who knowingly makes any false statements, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this article, or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required under this article, shall, upon

conviction, be subject to a penalty in an amount not to exceed five hundred dollars (\$500.00), or by imprisonment for not more than sixty (60) days, or by both. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense.

PRETREATMENT OF WASTEWATER

§ 54.040 PRETREATMENT FACILITIES.

Any Pretreatment facility(s) necessary for compliance shall be provided and shall be properly maintained continuously in satisfactory and effective operation by the User at the User's sole cost and expense. Detailed plans and specifications describing such facilities and operating procedures shall be submitted to the Coordinator for review and approval prior to the construction and operation of such facilities. The review of such plans and specifications shall in no way relieve the User from the responsibility of modifying such facilities as necessary to comply with the provisions of this Ordinance.

All Users are required to comply with IEPA permitting requirements. A User shall file an IEPA application for a construction-operating permit prior to construction or significant modification of a Pretreatment system that has been signed-off by the Village and obtain either a permit from the IEPA or a letter indicating no permit is needed prior to the Village connection and/or Wastewater Discharge Permit(s) being issued. No sources of Non-Residential Wastewater shall be Discharged to the POTW until all permitting requirements have been satisfied. All Pretreatment facilities designated by the Coordinator shall be under the control and direction of an IEPA-certified wastewater operator even if the User is not issued an IEPA operating permit.

Any subsequent proposed modification, alteration, or change to the Pretreatment facilities or method of operation shall be submitted to the Village and IEPA for review and approval prior to the User's initiation of the changes. Users shall obtain all necessary additional construction-operating permits from IEPA and the Village for the changes prior to making said modification, alteration, or change. (Ord. 04-0108, passed 1-21-04)

§ 54.041 ADDITIONAL PRETREATMENT MEASURES.

The Village may require the additional Pretreatment measures set forth below. The Village reserves the right to make unannounced inspections of any additional Pretreatment measures during normal business hours whether or not the User has been issued an individual or general Wastewater Discharge Permit.

(A) Whenever deemed necessary, the Pretreatment Coordinator may require users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the POTW and determine the user's compliance with the requirements of this chapter.

(B) The Pretreatment Coordinator may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. A wastewater discharge permit may be issued solely for flow equalization.

(C) The Coordinator may require a User Discharging to the POTW to install and maintain facilities to limit the amount of FOG and sand entering the POTW through the procedures outlined in Section 54.081.

(D)

(E) Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter. The Coordinator may require a User with the potential to Discharge flammable substances to the POTW to install and maintain, on its property and at its own cost and expense, a combustible gas detection meter. This meter shall be approved by the Coordinator.

(F)

(Ord. 04-0108, passed 1-21-04)

§ 54.042 SPILL PREVENTION CONTAINMENT AND COUNTERMEASURES PLAN/SLUG CONTROL.

A User shall develop, implement and maintain a Spill/Slug Control Plan (SSC Plan) if the User has:

Chemicals (raw materials, chemical intermediates, wastes to be recycled, final products, or utility chemicals) that total or exceed two hundred fifty (250) gallons or five (5) 55-gallon drums at or on its site;

Prohibited Discharge Materials as defined in Section 51.302 at or on its site; or

Hazardous Waste as defined in Section 51.708 at or on its site; or

Been defined by the Pretreatment Coordinator to have a need to control Slug Discharges.

Any User that meets the above criteria shall develop and implement a SSC Plan regardless of whether or not that User is regulated by a Wastewater Discharge Permit.

The SSC Plan which is required to be submitted to the Village shall address, at a minimum, the following:

Specifics of SSC Plan:

Description of Discharge practices, including non-routine Batch Discharges;

Description of stored chemicals, including quantity, type, and number of storage containers;

Site diagram showing location of all tanks holding greater than or equal to 250 gallons or areas containing five (5) 55-gallon drums or more of raw materials, prohibited wastes, hazardous wastes, wastes to be recycled, or final product;

Procedures to prevent adverse impact from any accidental or Slug Discharge. Such procedures shall include, but are not limited to, routine inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, measures specific to slug Discharge control, worker training, building of containment structures or equipment, inventory of spill response equipment, measures for containing toxic organic Pollutants, including solvents, and measures and equipment for emergency response. Building containment structures or production equipment changes are considered procedures to prevent adverse spills. If containment structures are connected to the POTW, a shut-off valve is required and shall be left in a closed position;

Location of Notice/Signs posted in conspicuous places advising employees in English, and the language of common use at the facility, whom to call in the event of a spill, accidental Discharge of prohibited materials, Slug Discharge, or a Bypass of any part of a Pretreatment system; and

Emergency telephone number(s) (24-hour) off-site and backup telephone number(s) and other contact information (e.g. address, email address, etc.) for responsible site staff. Once a SSC Plan has been filed with the Village, any change in such information should be submitted within five (5) work days after revision.

Notification Procedure. The SSC Plan shall contain procedures for immediately notifying the Pretreatment Coordinator of any accidental or Slug Discharge, as required by Section 51.706 of this Ordinance;

Documentation. The SSC Plan shall contain a sample of the documentation maintained at the site that:

Ensures that all employees who are in a position to cause, discover, or observe such Discharge are advised of the emergency notification procedures and the training is documented with the date and time of training and the employee's signature; and

Verifies inspection and maintenance procedures to prevent adverse impacts and confirm that said procedures are being performed on a regular basis. At minimum, logs are required to verify valves in containment structures, if present, are closed.

The SSC Plan shall be submitted to the Coordinator when the Plan is required in a Wastewater Discharge Permit. Review of an SSC Plan by the Village shall not relieve the User from the responsibility to modify the User's facility or SSC Plan as necessary to meet all requirements of this Ordinance. Review by the Village does not constitute an approval of the SSC Plan and the Village and its Duly Authorized Agent(s) are not responsible for the actions of the User and any impacts the User may cause as a result of a spill or Slug Load.

At least once every two (2) years the Coordinator shall require each SIU (including CIUs) to evaluate the need to revise its SSC Plan. The Coordinator may require any User to submit, at a frequency less than two (2) years, such SSC Plan or require modification of an existing SSC Plan based on changes that have occurred at the site or in response to an incident that had the potential to impact the POTW.

In alternate years, the Coordinator shall evaluate whether each NSRU is required to file a revision to its SSC Plan based on changes that have occurred at the site or in response to an incident that had the potential to impact the POTW.

All SSC Plans shall be implemented by the User whether or not they have been reviewed by the Village.

CLOSURE PLAN

- A. Any User meeting the requirements of Section 54.082 that decides to cease or terminate any operations which classify the User as an SIU, for more than ninety (90) days, must file a written closure plan with the Village. The closure plan shall be submitted ten (10) work days prior to the initiation of the plan and shall contain, at a minimum, the following:
 1. A description of each Wastewater generating process that will cease operations for more than ninety (90) consecutive days;
 2. A description of how the facility will be closed and the extent of operations during the closure period;
 3. An inventory and estimate of the volume of all process Wastewater, chemicals, and hazardous waste on site. A description of the methods for disposal, including procedures for removing, transporting, treating, storing, or disposing of all waste and identifying all off-site waste management facilities to be used;

4. A schedule of the closure activities indicating the time required to complete each closure step; and

A schedule of additional monitoring to identify compliance with Pretreatment Standards during the closure operations.

WASTEWATER DISCHARGE PERMIT APPLICATION

§ 54.050 WASTEWATER INFORMATION AND ANALYSIS.

A user must submit information on the nature and characteristics of its wastewater within 30 days of the request. The Pretreatment Coordinator is authorized to prepare a form for this purpose and may periodically require users to update this information. Consistent with § 54.021(B)(18), hauled waste is not permitted to be discharged.

(Ord. 04-0108, passed 1-21-04)

A User shall submit information on the nature and characteristics of its Wastewater within a minimum of thirty (30) calendar days of a written request by the Coordinator. Information shall be submitted on a form provided by the Village. The Pretreatment Coordinator may periodically require Users to update information on file with the Village. Information that may be required will be consistent with the information identified in Section 51.201 and Section 3.

Users classified as CIUs shall complete and submit a Baseline Monitoring Report with a Permit Application and also comply with the other requirements in Section 54.050 of this Ordinance.

§ 54.051 WASTEWATER DISCHARGE PERMIT REQUIREMENT.

(A) No significant industrial user shall discharge wastewater into the POTW without first obtaining a wastewater discharge permit from the Pretreatment Coordinator except that a significant industrial user that has filed a timely application pursuant to this chapter may continue to discharge for the time period specified therein.

(B) The Pretreatment Coordinator may require other users to obtain wastewater discharge permits as necessary to carry out the purposes of this chapter. Any user subject to National Categorical Pretreatment Standards that opts not to discharge said waste shall obtain a zero wastewater discharge permit issued by the Pretreatment Coordinator. Other users that may be required to obtain discharge permits, include but are not limited to, non-categorical zero process dischargers and restaurants. Holders of wastewater discharge permits issued under this section shall not be classified as significant industrial users.

(C) Any violation of the terms and conditions of a wastewater discharge permit shall be deemed a violation of this chapter and subject the wastewater discharge permittee to the sanctions set out in §§ 54.130 through 54.136, 54.145 through 54.148 and 54.160 through 54.164 of this chapter. Obtaining a wastewater discharge permit does not relieve a permittee of its obligation to comply with all federal and state pretreatment standards or requirements or with any other requirements of federal, state, and local law.

(Ord. 04-0108, passed 1-21-04)

§ 54.052 WASTEWATER DISCHARGE PERMITTING: EXISTING CONNECTIONS.

- A. Any existing SIU, including CIU, required to obtain a Wastewater Discharge Permit that was Discharging Wastewater into the POTW prior to the effective date of this Ordinance and wishes to continue such Discharges in the future, shall, within sixty (60) calendar days after said date, apply to the Coordinator for the appropriate Wastewater Discharge Permit in accordance with Section 54.020 of this Ordinance, and shall not cause or allow Discharges to the POTW to continue after one hundred twenty (120) calendar days of the effective date of this Ordinance except in accordance with a Wastewater Discharge Permit issued by the Coordinator.
- B. Any existing non-SIU required to obtain an individual or general Wastewater Discharge Permit shall file an application within the time period specified in a notification provided by the Coordinator.
- C. General Permits for Food Service Establishments (FSE). FSE Users shall submit information required by the Village within the timeframe specified by the Coordinator. FSE Users complying with this requirement will be deemed to have complied with the Permit requirements during the implementation of this program. The completed survey shall serve as the Wastewater Discharge Permit Application for the FSE.

§ 54.053 WASTEWATER DISCHARGE PERMITTING: NEW CONNECTIONS.

Any user who proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such discharge. An application for this wastewater discharge permit, in accordance with Section 54.054 of this chapter, must be filed at least 90 days prior to the date upon which any discharge or operations will begin or recommence pending review by the Pretreatment Coordinator.

(Ord. 04-0108, passed 1-21-04)

§ 54.054 WASTEWATER DISCHARGE PERMIT APPLICATION CONTENTS.

(A) All users required to obtain a wastewater discharge permit or zero wastewater discharge permit must submit a permit application. The Pretreatment Coordinator may require all users to submit as part of an application the following information:

- (1) All information required by § 54.082 of this chapter;
- (2) Description of activities, facilities, and plant processes on the premises, including a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW;
- (3) Number and type of employees, hours of operation, and proposed or actual hours of operation;
- (4) Each product produced by type, amount, process or processes, and rate of production;
- (5) Type and amount of raw materials processed (average and maximum per day);
- (6) Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location and elevation, all points of discharge, and monitoring;
- (7) Time and duration of discharges; and
- (8) Any non-CIU proposing to begin or recommence a Discharge to the POTW that is required to obtain a Wastewater Discharge Permit must obtain such Permit prior to the beginning or recommencing of such Discharge, or operations in the case of a Zero Process Wastewater Discharge CIU, in accordance with Section 54.051 of this Ordinance. An application for a Wastewater Discharge Permit must be filed at least sixty (60) calendar days prior to the date upon which any Discharge or operations will begin or recommence.
- (9)
- (10) Any other information as may be deemed necessary by the Pretreatment Coordinator to evaluate the wastewater discharge permit application.

(B) Incomplete or inaccurate applications will not be processed and will be returned to the user for revision.

(Ord. 04-0108, passed 1-21-04)

§ 54.055 APPLICATION SIGNATORIES AND CERTIFICATION.

All wastewater discharge permit applications and user reports must be signed by an Authorized Representative of the user and contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations".

(Ord. 04-0108, passed 1-21-04)

§ 54.056 WASTEWATER DISCHARGE PERMIT DECISIONS.

The Pretreatment Coordinator will evaluate the data furnished by the user and may require additional information. Within 30 days of receipt of a complete wastewater discharge permit application, the Pretreatment Coordinator will determine

whether or not to issue a wastewater discharge permit. The Pretreatment Coordinator may deny any application for a wastewater discharge permit that does not comply in any way with the provisions of this chapter, other applicable Ordinances of the village, applicable State or federal law, or that cannot be granted without unreasonably threatening, harming, interfering with, endangering or adversely affecting the POTW, the ability of the POTW to operate in a legally compliant manner, the safety and health of POTW workers or the general public or the quality of the water body receiving POTW effluent. Additionally, an application may also be denied by the Pretreatment Coordinator whenever the applicant therefor is delinquent or in default in the payment of any fee, tax or other sum of money owed to the village, or in the performance of any obligation whatsoever owed to the village.

If the designation of an Authorized Representative is no longer accurate because a different Person or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the User, a new written authorization satisfying the requirements of this Section must be submitted to the Coordinator within 30 calendar days of the change.

(Ord. 04-0108, passed 1-21-04)

WASTEWATER DISCHARGE PERMIT ISSUANCE PROCESS

§ 54.065 WASTEWATER DISCHARGE PERMIT DURATION.

A wastewater discharge permit shall be issued for a specified time period, not to exceed five years from the effective date of the permit. A wastewater discharge permit may be issued for a period less than five years, at the discretion of the Pretreatment Coordinator. Each wastewater discharge permit will indicate a specific date upon which it will expire.

(Ord. 04-0108, passed 1-21-04)

§ 54.066 WASTEWATER DISCHARGE PERMIT CONTENTS.

A wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the Pretreatment Coordinator to prevent pass through or interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

(A) Wastewater discharge permits must contain:

- (1) A statement that indicates wastewater discharge permit duration, which in no event shall exceed five years;
- (2) A statement that the wastewater discharge permit is nontransferable without prior notification to the village in accordance with § 54.069 of this chapter, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;
- (3) Effluent limits based on applicable pretreatment standards;
- (4) Requirements for the development and implementation of a SSC Plan or other special conditions including Best Management Practices necessary to adequately prevent accidental, unanticipated, or non-routine Discharges;
- (5) Self monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants to be monitored, sampling location, sampling frequency, and sample type based on federal, state, and local law; and
- (6) A statement of applicable civil penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable federal, state, or local law.

(B) Wastewater discharge permits may contain, but need not be limited to, the following conditions:

- (1) Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
- (2) Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works;
- (3) Requirements that allow the use of bypass of the pretreatment system conditions consistent with 40 CFR 403.17 and § 54.171 of this chapter;
- (4) Requirements for the development and implementation of Spill Prevention Containment and Countermeasures / Slug Control Plan or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or non-routine discharges;
- (5) Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;
- (6) Development and implementation of Best Management Practices Plans to reduce the amount of pollutants discharged to the POTW;
- (7) The unit charge or schedule of user charges and fees for the management of the wastewater discharged to the POTW;
- (8) Requirements for installation and maintenance of inspection and sampling facilities and equipment;
- (9) Requirements for the zero discharge of process waste regulated by a National Categorical Pretreatment standard or local standard;
- (10) A statement that compliance with the wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State pretreatment standards, including those which become effective during the term of the wastewater discharge permit; and
- (11) Other conditions as deemed appropriate by the Pretreatment Coordinator to ensure compliance with this chapter, and state and federal laws, rules, and regulations.

(Ord. 04-0108, passed 1-21-04)

§ 54.067 WASTEWATER DISCHARGE PERMIT APPEALS.

The Pretreatment Coordinator shall provide public notice of the issuance of a wastewater discharge permit. Any person, including the user, may petition the Pretreatment Coordinator to appeal the issuance of or the terms of a wastewater discharge permit within 30 days of notice of its issuance., in accordance with the provisions of Section 42A.20 of the Village of Romeoville Code of Ordinances.

(Ord. 04-0108, passed 1-21-04)

§ 54.068 WASTEWATER DISCHARGE PERMIT MODIFICATION.

The Pretreatment Coordinator may modify a wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- (A) To incorporate any new or revised Federal, State, or local pretreatment standards or requirements;
- (B) To address substantial alterations or additions to the user's operation, processes, or wastewater volume or character since the time of wastewater discharge permit issuance;
- (C) A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
- (D) Information indicating that the permitted discharge poses a threat to the village's POTW, village personnel, or the receiving waters;
- (E) Violation of any terms or condition of the wastewater discharge permit;
- (F) Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
- (G) Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13;
- (H) To correct typographical or other errors in the wastewater discharge permit; or
- (I) To reflect a transfer of either the facility ownership or operation to either a new owner or operator.

(Ord. 04-0108, passed 1-21-04)

§ 54.069 WASTEWATER DISCHARGE PERMIT TRANSFER.

(A) Wastewater discharge permits shall not be transferred, assigned, or sold to a new owner or new user in different premises or to a new or different operation in the same or different premises without the expressed written approval of the village. If the premises sold or otherwise transferred by the permittee to a new owner who will maintain the operation in the same premises, whether or not the seller will continue to operate the equipment or the equipment is leased to another entity for its operation at the site of the original permittee, then the permit held by the seller and/or owner shall be reissued by the village to the new owner and/or operator as a temporary permit; provided:

- (1) The new owner and/or operator notified the village 30 calendar days in advance of the transaction; and
- (2) The new owner and/or operator confirmed to the village, within 24 business hours of the transaction, of completion of the date of sale or execution of an operating contract; and
- (3) The new owner and/or operator shall immediately apply for a new permit in accordance with this chapter.

(B) Failure to provide the sale/transfer notification defined in division (A) above, renders the wastewater permit void as of said sale/transfer date. It is further provided that the temporary permit shall only be effective for 90 days after the date of sale or transfer. The village shall have the same remedies for violation of temporary permits as it has for violation of other discharge permits.

(Ord. 04-0108, passed 1-21-04)

§ 54.070 WASTEWATER DISCHARGE PERMIT REVOCATION.

(A) The Pretreatment Coordinator may revoke a wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- (1) Failure to notify the Pretreatment Coordinator of substantial changes to the wastewater prior to the changed discharge;
- (2) Failure to provide prior notification to the Pretreatment Coordinator of changed conditions pursuant to §54.085 of this chapter;
- (3) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- (4) Falsifying self-monitoring reports;
- (5) Tampering with monitoring equipment;
- (6) Refusing to allow the Pretreatment Coordinator timely access to the facility premises and records;
- (7) Failure to meet effluent limitations;
- (8) Failure to pay fines;
- (9) Failure to pay sewer charges;
- (10) Failure to meet compliance schedules;
- (11) Failure to complete a wastewater survey or the wastewater discharge permit application;

(12) Failure to provide advance notice of the transfer of business or operation ownership of a permitted facility; or

(13) Violation of any pretreatment standard or requirement, or any terms of the wastewater discharge permit or this chapter.

(B) Wastewater discharge permits shall be voidable upon cessation of operations or transfer of business or operation ownership. All wastewater discharge permits issued to a particular user are void upon the issuance of a new wastewater discharge permit to that user.

(Ord. 04-0108, passed 1-21-04)

§ 54.071 WASTEWATER DISCHARGE PERMIT REISSUANCE.

A user with an expiring wastewater discharge permit shall apply for wastewater discharge permit reissuance by submitting a complete wastewater discharge permit application, in accordance with Section 54.071 of this chapter, a minimum of 90 days prior to the expiration of the user's existing wastewater discharge permit.

(Ord. 04-0108, passed 1-21-04)

§ 54.072 REGULATION OF WASTE RECEIVED FROM OTHER JURISDICTIONS.

(A) If another municipality, or user located within another municipality, contributes wastewater to the POTW, the village shall enter into an intergovernmental agreement with the contributing municipality.

(B) The village shall request the following information from the contributing municipality at a frequency determined by the village:

- (1) A description of the quality and volume of wastewater discharge to the POTW by the contributing municipality;
- (2) An inventory of all users located within the contributing municipality that are discharging to the POTW; and
- (3) Such other information as the Pretreatment Coordinator may deem necessary.

(C) An intergovernmental agreement, as required by division (A), above, shall contain the following conditions:

(1) A requirement for the contributing municipality to adopt a sewer use ordinance that is at least as stringent as this chapter and local limits that are at least as stringent as those set out in Section 54.024 of this chapter for the area to be served by the village. The requirement shall specify that such ordinance and limits must be revised as necessary to reflect changes made to the village's ordinance or local limits.

(2) A requirement for the contributing municipality to submit a revised user inventory on at least an annual basis;

(3) A provision specifying that pretreatment implementation activities, including wastewater discharge permit issuance, inspection and sampling, and enforcement, will be conducted by the Pretreatment Coordinator;

(4) A requirement for the contributing municipality to provide the Pretreatment Coordinator with access to all information that the contributing municipality obtains as part of its pretreatment activities;

(5) Limits on the nature, quality, and volume of the contributing municipality's wastewater at the point where it discharges to the POTW;

(6) Requirements for monitoring the contributing municipality's discharge;

(7) A provision ensuring the Pretreatment Coordinator access to the facilities of users located within the contributing municipality's jurisdictional boundaries for the purpose of inspection, sampling, and any other duties deemed necessary by the Pretreatment Coordinator; and

A provision specifying remedies available for breach of the terms of the intermunicipal agreement.

(Ord. 04-0108, passed 1-21-04)

REPORTING REQUIREMENTS

§ 54.080 REPORTS.

Each user of the treatment works and facilities of the village shall provide reports as necessary to comply with this chapter and any wastewater discharge permit. Reporting requirements may apply to users that are not required to obtain a wastewater discharge permit.

(Ord. 04-0108, passed 1-21-04)

§ 54.081 PRETREATMENT REQUIREMENTS FOR NON-CATEGORICAL USERS.

Should the village find that a user, not subject to National Categorical Pretreatment Standards, does not meet Pretreatment standards and requirements applicable to its discharge, causes or contributes to a sewage treatment plant upset, or when analysis of waste or observation of the effect of such wastes on the POTW Works indicate that said wastes cannot be treated satisfactorily at such works, or that said wastes are injurious to the POTW works, or to the treatment

processes, or pollute the natural waters within the village, its service areas or the Waters of the state. Additional pretreatment and/or operation and maintenance (hereinafter sometimes "O & M") will be required by the village to meet pretreatment standards and requirements. Such facilities as the village may deem necessary for pretreatment of the wastes shall be furnished by and at the expense of the user as a condition of the discharge of said wastes into the POTW works or to any natural water within the village service area.

(A) Pretreatment review. The Pretreatment Coordinator will require the user to initiate a pretreatment review through a telephone call, letter or certified letter to the authorized representative of the user.

(B) Pretreatment initiation meeting. A pretreatment initiation meeting will be held between the Pretreatment Coordinator and the user to discuss the problem and the solution to said problem. If it determined that changes in operation and maintenance, plant modifications, and/or the installation of pretreatment equipment shall occur to resolve noncompliance, a schedule shall be established with events and completion deadlines agreeable to both parties to resolve the noncompliance. A Compliance Agreement defining the agreed upon schedule will be sent from the village to the user shortly after the meeting. If a schedule for compliance acceptable to the Pretreatment Coordinator cannot be established, the matter will be referred for further enforcement action consistent with the provisions of Sections 54.130 through 54.164 as appropriate.

(C) Progress reports. Progress reports will be filed by the user on a schedule agreed to by the Pretreatment Coordinator and the user concerning the completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation); The user shall identify whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the user to return to the established schedule.

(D) Final report. A final report will be filed with the Pretreatment Coordinator by the user within 90 days from the end of the schedule deadline to verify the success or failure or the schedule objective chosen by the user.

(Ord. 04-0108, passed 1-21-04)

§ 54.082 PRETREATMENT REQUIREMENTS FOR CATEGORICAL INDUSTRIAL USERS.

In the event that either the village or a user determines that the user is regulated as a Categorical Industrial user by standards and requirements promulgated by the USEPA in accordance with Section 307 (b) and (c) of the Act, the following reports are required to be filed by the user:

(A) Baseline monitoring reports.

(1) Within either 180 days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing Categorical Industrial users currently discharging to or scheduled to discharge to the POTW shall submit to the Pretreatment Coordinator a report which contains the information listed below. At least 90 days prior to commencement of their discharge, new sources, and sources that become Categorical Industrial users subsequent to the promulgation of an applicable categorical standard, shall submit to the Pretreatment Coordinator a report which contains the information listed below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.

(2) Users described above shall submit the information set forth below.

(a) Identifying information. The name and address of the facility, including the name of the operator and owner.

(b) Environmental permits. A list of any environmental control permits held by or for the facility.

(c) Description of operations. A brief description of the nature, average rate of production, and standard industrial classifications of the operation(s) carried out by such user. This description should include a schematic process diagram that indicates points of discharge to the POTW from the regulated processes.

(d) Flow measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in 40 CFR 403.6(e).

(e) Measurements of Pollutants.

1. The categorical pretreatment standards applicable to each regulated process.

2. The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the Pretreatment Coordinator, of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum, and long-term average concentrations, or mass, where required, shall be reported. The sample shall be representative of daily operations and sampling must be performed in accordance with procedures set out in Section 54.027 and shall be analyzed in accordance with procedures set out in Section 54.028 of this chapter.

(f) Certification. A statement, reviewed by the user's authorized representative and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or pretreatment is required to meet the pretreatment standards and requirements.

(g) Compliance schedule. If additional pretreatment and/or O & M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment and/or O & M. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out in division (B)(1) of this section.

(h) Signature and certification. All baseline monitoring reports must be signed and certified in accordance with Section 54.050 of this chapter.

(B) Compliance schedule progress reports. The following condition shall apply to the compliance schedule required by division (A)(2)(g) of this section:

(1) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);

(2) No increment referred to above shall exceed nine months;

(3) The user shall submit a progress report to the Pretreatment Coordinator no later than 14 days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the user to return to the established schedule; and

(4) In no event shall more than nine months elapse between such progress reports to the Pretreatment Coordinator.

(C) Reports on compliance with categorical pretreatment standard deadline. Within 90 days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new source following commencement of the introduction of wastewater into the POTW, any user subject to such pretreatment standards and requirements shall submit to the Pretreatment Coordinator a report containing the information described in Section 54.082(B)(1) of this chapter. For users subject to equivalent mass or concentration limits established in accordance with the procedures in 40 CFR 403.6(c), this report shall contain a reasonable measure of the user's long-term production rate. For all other users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the user's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 54.055 of this chapter.

(Ord. 04-0108, passed 1-21-04)

§ 54.083 PERIODIC COMPLIANCE REPORTS/SELF MONITORING REPORTS.

(A) Significant non-categorical industrial users. Significant non-categorical industrial users shall, at a frequency determined by the Pretreatment Coordinator but in no case less than twice per year (on dates specified by the village) submit a report with a description of the nature, concentration, and flow of the pollutants required to be reported by the village. These reports shall be based on sampling and analysis performed in the period covered by the report, and performed in accordance with the techniques described in 40 CFR part 136 and amendments thereto. This sampling and analysis may be performed by the village in lieu of significant non-categorical industrial user. Where the village itself collects all the information required for the report, the significant non-categorical industrial user will not be required to submit the report.

(B) Categorical industrial users.

(1) All categorical industrial users shall, at a frequency determined by the Pretreatment Coordinator but in no case less than twice per year (in July and January), submit a report indicating the nature and concentration of pollutants in the discharge which are limited by pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. At the discretion of the village and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the village may agree to alter the months during which the above reports are to be submitted. All periodic compliance reports must be signed and certified in accordance with Section 54.055 of this chapter.

(2) All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a user to keep its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.

(3) If a user subject to the reporting requirement in this section monitors any pollutant more frequently than required by the Pretreatment Coordinator, using the procedures prescribed in Sections 54.027 and 54.028 of this chapter, the results of this monitoring shall be included in the report.

(4) Where the village has imposed mass limitations on users as provided for by 40 CFR 403.6(d), the report required by division (A) of this section shall indicate the mass of pollutants regulated by the pretreatment standards in the discharge from the industrial user.

(5) For users subject to equivalent mass or concentration limits established by the village in accordance with the procedures in 40 CFR 403.6(c), the report required by division (A) of this section shall contain a reasonable measure of the user's long term production rate. For all other users subject to categorical pretreatment standards expressed only in terms of allowable pollutant discharge per unit of production (or other measure of operation), the report required by division (A) of this

section shall include the user's actual average production rate for the reporting period.

(Ord. 04-0108, passed 1-21-04)

§ 54.084 REPORTS OF CHANGED CONDITIONS.

Each user must notify the Pretreatment Coordinator of any planned substantial changes to the user's operations or system that might alter the nature, quality, or volume of its wastewater at least 30 days before the change that results of an increase or addition. Shutdowns or deletions of products are required to be noticed within seven calendar days of determination.

(A) The Pretreatment Coordinator may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under Section 54.054 of this chapter.

(B) The Pretreatment Coordinator may issue a wastewater discharge permit under Section 54.056 of this chapter or modify an existing wastewater discharge permit under § 54.054 of this chapter in response to changed conditions or anticipated changed conditions.

(C) For purposes of this requirement, substantial changes include, but are not limited to, flow increases of 20% or greater, the addition or deletion of a shift, the discharge of any previously unreported pollutants, the addition of a new process regardless of waste discharge or lack of discharge, shutdown of a process, or addition or deletion of a product.

(Ord. 04-0108, passed 1-21-04)

§ 54.085 AUTHORIZED REPRESENTATIVE CHANGE NOTIFICATION.

Any user that changes the authorized representative of its company as defined in Section 54.007 shall file a change notice with the village within 30 calendar days.

(Ord. 04-0108, passed 1-21-04)

§ 54.086 REPORTS OF POTENTIAL PROBLEMS.

(A) Initial accidental discharge notification. In the case of any discharge, including, but not limited to, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, or a slug load, that may cause potential problems for the POTW, the user shall immediately telephone and notify the Pretreatment Coordinator of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user.

(B) Written Accidental Discharge Notification: Within five days following such discharge, the user shall, unless waived by the Pretreatment Coordinator, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability that may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability that may be imposed pursuant to this chapter.

(C) A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a discharge described in division (A), above. Employers shall ensure that all employees, who may cause such a discharge to occur, are advised of the emergency notification procedure.

(Ord. 04-0108, passed 1-21-04)

§ 54.087 REPORTS FROM UNPERMITTED USERS.

All users not required to obtain a wastewater discharge permit shall provide appropriate reports to the Pretreatment Coordinator as required.

(Ord. 04-0108, passed 1-21-04)

§ 54.088 NOTICE OF VIOLATION/REPEAT SAMPLING AND REPORTING.

If sampling performed by a user indicates a violation, the user must notify the Pretreatment Coordinator within 24 hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Pretreatment Coordinator within 30 days after becoming aware of the violation. The user is not required to resample if the Pretreatment Coordinator monitors at the user's facility at least once a month, or if the Pretreatment Coordinator samples between the user's initial sampling and when the user receives the results of this sampling.

(Ord. 04-0108, passed 1-21-04)

§ 54.089 NOTIFICATION OF THE DISCHARGE OF HAZARDOUS WASTE.

(A) Pursuant to 40 CFR 40 3.12 (P) any user who commences the discharge of hazardous waste shall notify the POTW, the USEPA Regional Waste Management Division Director, and state hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the user discharges more than 100 kilograms of

such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the user: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following 12 months. All notifications must take place no later than 180 days after the discharge commences. Any notification under this section need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under § 54.084 of this chapter. The notification requirement in this section does not apply to pollutants already reported by users subject to categorical pretreatment standards under the self-monitoring requirements of Section 54.083.

(B) Dischargers are exempt from the requirements of division (A), above, during a calendar month in which they discharge no more than 15 kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than 15 kilograms of nonacute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the user discharges more than such quantities of any hazardous waste do not require additional notification.

(1) In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the user must notify the Pretreatment Coordinator, the USEPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within 90 days of the effective date of such regulations.

(2) In the case of any notification made under this section, the user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

(3) This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this chapter, a permit issued thereunder, or any applicable federal or state law.

(Ord. 04-0108, passed 1-21-04)

§ 54.090 REPORT SUBMITTAL DUE DATES.

Written reports will be deemed to have been submitted on the date postmarked. For reports that are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern. In order to meet deadlines, reports may be faxed on the due date to the village. The original of the fax is required to be mailed to the village postmarked within 24 hours of the fax.

(Ord. 04-0108, passed 1-21-04)

§ 54.091 RECORD KEEPING.

Users subject to the reporting requirements of this chapter shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this chapter and any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three years. This period shall be automatically extended for the duration of any litigation concerning the user or the village, or where the user has been specifically notified of a longer retention period by the Pretreatment Coordinator.

(Ord. 04-0108, passed 1-21-04)

COMPLIANCE MONITORING

§ 54.100 RIGHT OF ENTRY: INSPECTION AND SAMPLING.

The Pretreatment Coordinator shall have the right to enter the premises of any user to determine whether the user is complying with all requirements of this chapter and any wastewater discharge permit or order issued hereunder. users shall allow the Pretreatment Coordinator ready access to all parts of the premises for the purposes of inspection, observation, sampling, records examination and copying, and the performance of any additional duties.

(A) Where a user has security measures in force which require proper identification and clearance before entry into its premises, the user shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the Pretreatment Coordinator will be permitted to enter without delay for the purposes of performing specific responsibilities.

(B) The village shall have the right to set up on the user's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the user's operations.

(C) The Pretreatment Coordinator may require the user to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the user at its own expense. All devices used to measure wastewater flow and quality shall be calibrated twice yearly (at six-month intervals) to ensure their accuracy. The user shall submit these calibration reports semi-annually to the village with the Periodic Compliance Reports required in Section 54.083.

(D) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the user at the written or verbal request of the Pretreatment Coordinator and shall not be replaced. The costs of clearing such access shall be borne by the user.

(E) Notwithstanding the foregoing, property owners may decline to allow entry to premises not subject to a public utility easement in favor of the Village, but in such a case the Village shall have the right to apply for an administrative search warrant for the premises..

(Ord. 04-0108, passed 1-21-04)

§ 54.101 SEARCH WARRANTS.

If the Pretreatment Coordinator has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this chapter, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this chapter or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the Pretreatment Coordinator may seek issuance of an administrative search warrant from the Circuit Court of Will County.

(Ord. 04-0108, passed 1-21-04)

CONFIDENTIAL INFORMATION

§ 54.110 CONFIDENTIAL AND PUBLIC INFORMATION.

(A) Information and data on a user obtained from reports, surveys, wastewater discharge permit applications, wastewater discharge permits, and monitoring programs, and the Pretreatment Coordinator inspection and sampling activities, shall be available to the public without restriction, unless the user specifically requests, and is able to demonstrate to the satisfaction of the Pretreatment Coordinator and Village Attorney, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable state law.

(B) Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the user furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report.

(C) Wastewater constituents and characteristics and other "effluent data" as defined by 40 CFR will not be recognized as confidential information and will be available to the public without restriction.

(Ord. 04-0108, passed 1-21-04)

PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE

§ 54.120 PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE.

The Pretreatment Coordinator shall publish annually, in the largest daily newspaper published in the municipality where the POTW is located, a list of the users that, during the previous 12 months, were in significant noncompliance with applicable pretreatment standards and requirements. The term significant noncompliance shall mean:

(A) Chronic violations of wastewater discharge limits, defined here as those in which 66% or more of wastewater measurements taken during a six-month period exceed the daily maximum limit or average limit for the same pollutant parameter by any amount;

(B) Technical Review Criteria (TRC) violations, defined here as those in which 33% or more of wastewater measurements taken for each pollutant parameter during a six-month period equals or exceeds the product of the daily maximum limit or the average limit multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);

(C) Any other discharge violation that the Pretreatment Coordinator believes has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of POTW personnel or the general public;

(D) Any discharge of pollutants that has caused imminent endangerment to the public or to the environment, or has resulted in the Pretreatment Coordinator exercise of its emergency authority to halt or prevent such a discharge;

(E) Failure to meet, within 90 days of the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;

(F) Failure to provide within 30 days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;

(G) Failure to accurately report noncompliance; or

(H) Any other violation(s) that the Pretreatment Coordinator determines will adversely affect the operation or implementation of the local pretreatment program.

(Ord. 04-0108, passed 1-21-04)

ADMINISTRATIVE ENFORCEMENT REMEDIES

§ 54.130 NOTIFICATION OF VIOLATION.

When the Pretreatment Coordinator finds that a user has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the Pretreatment Coordinator may serve upon that user a written notice of violation. Within ten days of the receipt of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the user to the Pretreatment Coordinator. Submission of this plan in no way relieves the user of liability for any violations occurring before or after receipt of the notice of violation. Nothing in this section shall limit the authority of the Pretreatment Coordinator to take any action, including emergency actions or any other enforcement action, without first issuing a notice of violation.

(Ord. 04-0108, passed 1-21-04)

§ 54.131 COMPLIANCE AGREEMENTS.

The Pretreatment Coordinator may enter into Compliance Agreements, assurances of voluntary compliance, or other similar documents establishing an agreement with any user responsible for noncompliance. Such documents will include specific action to be taken by the user to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to Sections 54.133 and 54.134 of this chapter and shall be judicially enforceable.

(Ord. 04-0108, passed 1-21-04)

§ 54.132 SHOW CAUSE ORDER.

The Pretreatment Coordinator may order a user which has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, to appear before the representatives of the village and show cause why the proposed enforcement action should not be taken. Notice shall be served on the user specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the user show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least 14 days prior to the hearing. Such notice may be served on any Authorized Representative of the user. A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the user.

(Ord. 04-0108, passed 1-21-04)

§ 54.133 COMPLIANCE ORDERS.

When the Pretreatment Coordinator finds that a user has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the Pretreatment Coordinator may issue an order to the user responsible for the discharge directing that the user come into compliance within a specified time. If the user does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a pretreatment standard or requirement, nor does a compliance order relieve the user of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the user.

(Ord. 04-0108, passed 1-21-04)

§ 54.134 CEASE AND DESIST ORDERS.

(A) When the Pretreatment Coordinator finds that a user has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, or that the user's past violations are likely to recur, the Pretreatment Coordinator may issue an order to the user directing it to cease and desist all such violations and directing the user to:

(1) Immediately comply with all requirements; and

(2) Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.

(B) Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the user.

(Ord. 04-0108, passed 1-21-04)

§ 54.135 EMERGENCY SUSPENSIONS.

(A) The Pretreatment Coordinator may immediately suspend a user's discharge, after informal notice to the user, whenever such suspension is necessary to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons. The Pretreatment Coordinator may also

immediately suspend a user's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment.

(1) Any user notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a user's failure to immediately comply voluntarily with the suspension order, the Pretreatment Coordinator may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Pretreatment Coordinator may allow the user to recommence its discharge when the user has demonstrated to the satisfaction of the Pretreatment Coordinator that the period of endangerment has passed, unless the termination proceedings in Section 54.136 of this chapter are initiated against the user.

(2) A user that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the Pretreatment Coordinator prior to the date of any show cause or termination hearing under Sections 54.132 or 54.136 of this chapter.

(B) Nothing in this section shall be interpreted as requiring a hearing prior to any emergency suspension under this section.

(Ord. 04-0108, passed 1-21-04)

§ 54.136 TERMINATION OF DISCHARGE.

In addition to the provisions in Section 54.070 of this chapter, any user who violates the following conditions is subject to discharge termination:

- (A) Violation of wastewater discharge permit conditions;
- (B) Failure to accurately report the wastewater constituents and characteristics of its discharge;
- (C) Failure to report substantial changes in operations or wastewater volume, constituents, and characteristics prior to discharge;
- (D) Refusal of reasonable access to the user's premises for the purpose of inspection, monitoring, or sampling; or
- (E) Violation of the pretreatment standards in §§54.020 through 54.029 of this chapter. Such user will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under § 54.132 of this chapter why the proposed action should not be taken. Exercise of this option by the Pretreatment Coordinator shall not be a bar to, or a prerequisite for, taking any other action against the user.

(Ord. 04-0108, passed 1-21-04)

PENALTIES AND JUDICIAL ENFORCEMENT REMEDIES

§ 54.145 FAILURE TO REPORT OR NOTIFY.

(A) Reports or notifications required by non-significant industrial users. Any non-significant industrial user who fails to file any report of notification so required by this Chapter shall be subject to the following late filing fees:

- (1) (a) Recurring reporting violations: \$100.00.
- (b) NOV response noncompliance: \$250.00.
- (c) Cost per additional day past final request deadline: \$50.00.
- (2) Substantial changes. No written notification of substantial changes whether discharged or not:
 - (a) At start-up or shutdown: \$500.00.
 - (b) Per each additional 15 days in excess of 30 calendar days: \$100.00.

(B) Reports or notifications required by significant industrial users. Any Significant Industrial User who fails to file any report of notification so required by this chapter shall be subject to the following late filing fees:

- (1) (a) Recurring reporting violations: \$250.00.
- (b) NOV response noncompliance: \$500.00.
- (c) Cost per additional day past final request deadline: \$100.00.
- (2) Substantial changes. No written notification of substantial changes whether discharged or not:
 - (a) At start-up or shutdown: \$1,000.00.
 - (b) Per each additional 15 days in excess of 30 calendar days: \$200.00.

(C) Notification specific to industrial users with permits.

- (1) No written notification of change in ownership and/or operation of facility, or any portion thereof: \$1,000.00.

(2) Subsequent submittal of a deficient or incomplete report that still lacks critical information shall be assessed penalties at the above rates.

(Ord. 04-0108, passed 1-21-04)

§ 54.146 INJUNCTIVE RELIEF.

When the Pretreatment Coordinator finds that a user has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, the Pretreatment Coordinator may petition the Circuit Court of Will County through the village's Attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the wastewater discharge permit, order, or other requirement imposed by this chapter on activities of the user. The Pretreatment Coordinator may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the user to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a user.

(Ord. 04-0108, passed 1-21-04)

§ 54.147 CIVIL PENALTIES.

(A) A user who has violated, or continues to violate, any provision of this chapter, the Sewer Use Ordinance (Village Code Chapter 52), a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall be liable to the village for a maximum civil penalty of not more than \$1,000 per violation, per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.

(B) The Pretreatment Coordinator may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the village.

(C) In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the user's violation, corrective actions by the user, the compliance history of the user, and any other factor as justice requires.

(D) Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a user.

(E) The Village may pursue the imposition of civil penalties in an action filed with the Circuit Court of the 12th Judicial Circuit, Will County Illinois, together with such other and further relief as the Village may be entitled to under this Chapter or other applicable law. In addition, the Village shall also have the right to pursue such penalties and any other relief to which it may be entitled by means of initiating appropriate proceedings before the Village's Administrative Hearing Officer pursuant to Chapter 42A of the Village of Romeoville Code of Ordinances.

§ 54.148 REMEDIES NONEXCLUSIVE.

The remedies provided for in this chapter are not exclusive. The Pretreatment Coordinator may take any, all, or any combination of these actions against a noncompliant user. Enforcement of pretreatment violations will generally be in accordance with the village's enforcement response plan. However, the Pretreatment Coordinator may take other action against any user when the circumstances warrant. Further, the Pretreatment Coordinator is empowered to take more than one enforcement action against any noncompliant user.

(Ord. 04-0108, passed 1-21-04)

§ 54.149 SANCTIONS ATTACH TO PROPERTY.

The order to correct a violation of the Ordinance and the sanctions imposed by the village as the results of a finding of an Ordinance violation shall attach to the property as well as to the owner of the property, so that a finding of an Ordinance violation against one owner cannot be avoided by conveying or transferring the property to another owner. Any subsequent transferee or owner of property shall take such property subject to the findings, decision and order of a hearing officer hereunder, provided, however, that it shall be the responsibility of the village to record a memorandum of such findings, decision and order with the Will County Recorder.

SUPPLEMENTAL ENFORCEMENT ACTION

§ 54.160 PERFORMANCE BONDS.

The Pretreatment Coordinator may decline to issue or reissue a wastewater discharge permit to any user who has failed to comply with any provision of this chapter, a previous wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, unless such user first files a satisfactory bond, payable to the village, in a sum not to exceed a value determined by the Pretreatment Coordinator to be necessary to achieve consistent compliance.

(Ord. 04-0108, passed 1-21-04)

§ 54.161 LIABILITY INSURANCE.

The Pretreatment Coordinator may decline to issue or reissue a wastewater discharge permit to any user who has failed to comply with any provision of this chapter, a previous wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, unless the user first submits proof that it has obtained liability insurance acceptable to the Village and naming the Village as additional insured to restore or repair damage to the POTW caused by its discharge.

(Ord. 04-0108, passed 1-21-04)

§ 54.162 WATER SUPPLY SEVERANCE.

Whenever a user has violated or continues to violate any provision of this chapter, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, water service to the user may be severed. Service will only recommence, at the user's expense, after it has satisfactorily demonstrated its ability to comply and

secured the same as hereinabove provided. (Ord. 04-0108, passed 1-21-04)

§ 54.163 PUBLIC NUISANCES.

A violation of any provision of this chapter, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement is hereby declared a public nuisance and shall be corrected or abated as directed by the Pretreatment Coordinator. Any person(s) creating a public nuisance shall be subject to the provisions governing such nuisances, including reimbursing the village for any costs incurred in removing, abating, or remedying said nuisance.

(Ord. 04-0108, passed 1-21-04)

§ 54.164 CONTRACTOR LISTING.

Users that have not achieved compliance with applicable pretreatment standards and requirements are hereby declared to be non-responsible users and therefore are not eligible to receive a contractual award for the sale of goods or services to the village. Existing contracts for the sale of goods or services to the village held by a user found to be in significant noncompliance with pretreatment standards or requirements may be terminated at the discretion of the Pretreatment Coordinator.

(Ord. 04-0108, passed 1-21-04)

AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS

§ 54.170 UPSET.

(A) For the purposes of this section, "upset" means an exceptional incident in which there is unintentional and temporary noncompliance with categorical pretreatment standards because of factors beyond the reasonable control of the user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

(B) An upset shall constitute an affirmative defense to an action brought for noncompliance with categorical pretreatment standards if the requirements of division (C)(3), below, are met.

(C) A user who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

- (1) An upset occurred and the user can identify the cause(s) of the upset;
- (2) The facility was at the time being operated in a prudent and workmanlike manner and in compliance with applicable operation and maintenance procedures; and
- (3) The user has submitted the following information to the Pretreatment Coordinator within 24 hours of becoming aware of the upset (if this information is provided orally, a written report must be provided within five days):
 - (a) A description of the indirect discharge and cause of noncompliance;
 - (b) The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
 - (c) Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

(D) In any enforcement proceeding, the user seeking to establish the occurrence of an upset shall have the burden of proof.

(E) Users will have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with categorical pretreatment standards.

(F) Users shall control production of all discharges to the extent necessary to maintain compliance with categorical pretreatment standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative

method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

(Ord. 04-0108, passed 1-21-04)

§ 54.171 BYPASS.

(A) For the purposes of this section, the following definitions shall apply:

(1) "BYPASS." The intentional diversion of wastestreams from any portion of a user's treatment facility.

(2) "SEVERE PROPERTY DAMAGE." means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

(B) A user may allow any bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of divisions (C) and (D) of this section.

(C) (1) If a user knows in advance of the need for a bypass, it shall submit prior notice to the Pretreatment Coordinator, at least ten days before the date of the bypass, if possible.

(2) A user shall submit oral notice to the Pretreatment Coordinator of an unanticipated bypass that exceeds applicable pretreatment standards within 24 hours from the time it becomes aware of the bypass. A written submission shall also be provided within five days of the time the user becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Pretreatment Coordinator may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

(D) (1) Bypass is prohibited, and the Pretreatment Coordinator may take an enforcement action against a user for a bypass, unless:

(a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

(c) The user submitted notices as required under division (C) of this section.

(2) The Pretreatment Coordinator may approve an anticipated bypass, after considering its adverse effects, if the Pretreatment Coordinator determines that it will meet the three conditions listed in division (D)(1) of this section.

(Ord. 04-0108, passed 1-21-04)

MISCELLANEOUS PROVISIONS

§ 54.180 PRETREATMENT CHARGES AND FEES.

The village may adopt reasonable fees for reimbursement of costs of setting up and operating the village's Pretreatment Program that may include:

(A) Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing a user's discharge, and reviewing monitoring reports submitted by users;

(B) Fees for reviewing and responding to accidental discharge procedures and construction;

(C) Fees for filing appeals; and

(D) Other fees as the village may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this chapter and are separate from all other fees, fines, and penalties chargeable by the village.

(Ord. 04-0108, passed 1-21-04)

§ 54.181 SEVERABILITY.

If any provision of this chapter is invalidated by any court of competent jurisdiction, the remaining provisions shall not be effected and shall continue in full force and effect.

(Ord. 04-0108, passed 1-21-04)

APPENDIX A: ENFORCEMENT RESPONSE PLAN

This document represents the Enforcement Response Plan (ERP) of the village of Romeoville for enforcement of the terms and conditions of the village's Pretreatment Ordinance in conformance with the requirements found in 40 CFR 403.8(f) (5).

The ERP has been developed to include a range of enforcement responses available to the village to effectively enforce the terms and conditions of the chapter. The plan outlines how the village will investigate and respond to instances of industrial user (IU) noncompliance (including significant industrial users). The ERP establishes a framework in which the village will assess the degree of noncompliance by an IU and determine the appropriate enforcement response. Considerations will include federal, state and local pretreatment regulations, historical IU cooperation, the nature of the violation and any potential hazards to the public, village employees and the environment.

The plan includes the type of escalating enforcement responses to be used by the village, the periods within which responses will take place and the officials responsible for each type of response. The ERP does not restrict the village to only the options listed. If the nature of the violation requires it, the village can, and will, pursue more severe penalties, including fines, revocation of Discharge Permits and/or disconnection of service. Repeated violations, which are not eliminated by one level of response, will receive more severe penalties.

TYPES OF ENFORCEMENT RESPONSES

IUs found in noncompliance with any of the terms or conditions of the Pretreatment Ordinance are subject to enforcement under the ERP.

The following types of enforcement responses are available to the village in response to incidents of noncompliance with the Pretreatment Ordinance.

A. Phone notification.

A phone/fax notification is intended to inform the IU of a violation or potential violation, so that voluntary actions by the Industry can resolve the situation preventing more serious violations. The phone/fax notification should be made by the Pretreatment Coordinator as soon as the violation is discovered.

B. Notice of violation (NOV).

A NOV is a written notification sent via Certified Mail - Return Receipt Requested, which is directed to an authorized agent of an IU found to be in noncompliance of the conditions of the Pretreatment Ordinance or the IU's Permit. The NOV advises the IU of the nature of the noncompliance, requires the IU to investigate the incident and take measures to correct the noncompliance and to respond to the NOV within 10 days of receipt of the NOV. The NOV should be issued by the Superintendent and/or designee within 30 days of discovery of the noncompliance.

C. Compliance meeting.

A compliance meeting is a meeting attended by the Pretreatment Coordinator, and/or other village staff and an authorized agent of an IU found to be in continued noncompliance with the conditions of the Chapter. The meeting will be used to advise the IU of their continued noncompliance, to establish a timetable required to correct the noncompliance and to report the next step of enforcement if noncompliance continues. The meeting should be held within 30 days of the village determination that a meeting is required.

D. Compliance Order (C.O.).

A C.O. is a written notification, sent via Certified Mail - Return Receipt Requested, which is directed to an authorized agent of an IU which has violated, or continues to violate, any provision of the Ordinance, Discharge Permit, or order issued to the IU. The compliance order, issued by the Superintendent and/or designee, shall direct the noncompliant IU to come into compliance within a specified time. The compliance order shall be issued within 30 days of the village determination that a compliance order is necessary.

E. Compliance Agreement (C.A.).

A C.A. is a written agreement between the village and IU which has violated, or continues to violate, any provision of the Ordinance, Discharge Permit or order issued to the N. The C.A. includes timeframes; agreed to by both parties within which the IU will come into compliance as well as penalties, which will be incurred by the IU for failure to meet compliance commitment dates.

F. Show cause order.

An order requiring attendance at a show cause hearing before representatives of the village by an authorized agent of an IU which has violated, or continues to violate, any provision of the Ordinance, Discharge Permit, or order issued to the IU to show cause why the proposed enforcement action should not be taken. The notice of the hearing shall specify the time and place for the meeting, the proposed enforcement action, the reasons for such action and a request that the user show cause why the proposed enforcement action should not be taken. The notification as to the nature of the hearing shall be served personally or by Certified Mail - Return Receipt Requested, at least 30 days prior to the hearing.

G. Administrative fines.

Administrative fines shall be assessed when an IU has violated, or continues to violate any provision of the Ordinance, a wastewater discharge permit or order issued to the IU. The fines shall be assessed in accordance with the Pretreatment

Ordinance. Fines will be assessed within 60 days of the village determination that fines are appropriate. Fines shall be assessed in accordance with the seriousness of the violations as determined by the Pretreatment Coordinator.

H. Court Proceedings.

Any activity or conduct of an IU, which has violated or continues to violate any provision of the Ordinance, Discharge Permit, or prior order, may be referred to the village Attorney for court proceedings or administrative adjudication actions under Chapter 42A of the Village Code of Ordinances. These proceedings are outlined in the Pretreatment Ordinance.

I. Termination of service.

The Pretreatment Coordinator may immediately suspend a user's discharge, after informal or formal notice to the user, whenever such suspension is necessary to stop an actual or threatened discharge, which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons. The Pretreatment Coordinator may also immediately suspend an IU's Discharge Permit, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment. Termination of services are outlined in the Pretreatment Ordinance.

COMPLIANCE SCREENING/REVIEW

All IU self-monitoring reports generated by the IUs or reports generated during or by inspection and sampling conducted by the village will be reviewed by the Pretreatment Coordinator for incidents of noncompliance with applicable standards. Reports will be reviewed and enforcement actions will be taken in response to any incidents of noncompliance in accordance with the following schedule.

A. IU self-monitoring reports.

All IU self-monitoring reports will be reviewed within 30 days of receipt of said self-monitoring report. Enforcement action will be initiated within the same 30-day period, if required.

B. Village Inspection and Sampling Reports.

In conformance with 40 CFR 403.8(f) (2), the village will inspect and sample each IU, which meets the Significant Industrial user definition at least annually. Sample collection and analysis shall be performed in accordance with 40 CFR 136.

All village inspection and sampling reports will be reviewed within 30 days of the completion of said village inspection or sampling program at an IU. Enforcement action will be initiated within the same 30-day period, if required.

C. Enforcement Actions by Superintendent and/or designee.

All enforcement responses which require action by the Attorney will be recommended to the Attorney by the Pretreatment Coordinator within the time periods indicated in Paragraphs A and B above; however, failure to meet the deadlines will not preclude the village from proceeding with the enforcement actions. The Attorney will take action on all recommendations from the Pretreatment Coordinator in a timely manner.

PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE

The village shall annually publish in the largest newspaper published in the village or municipalities where the village has jurisdiction, a list of IUs which, during the previous 12 months, were in significant noncompliance with applicable pretreatment standards. The notification shall also summarize any enforcement actions taken against those IUs during the same 12 months. The term significant noncompliance shall mean:

A. Chronic violations of wastewater discharge limits, defined here as those in which 66% or more of the wastewater measurements taken during a six-month period exceed the daily maximum limit or average limit for the same pollutant parameter by any amount;

B. Technical Review Criteria (TRC) violations, defined here as those in which 33% or more of wastewater measurements taken for each pollutant parameter during a six-month period equals or exceeds the product of the daily maximum limit or average limit multiplied by the applicable criteria (1.4 for BOD, TSS, FOG and 1.2 for all other pollutants except pH (for pH, the TRC will be less than 4.0 pH units or greater than 10 pH units));

C. Any other discharge violation that the village believes has caused alone or in combination with other discharges, interference, or pass-through (including endangering the health of village personnel or the general public);

D. Any discharge of a pollutant, which has caused imminent endangerment to the public or to the environment, or has resulted in the village's exercise of its emergency authority to halt or prevent such a discharge;

E. Failure to meet, within 90 days of the scheduled date, a compliance milestone contained in a wastewater discharge permit, enforcement order, or agreement for starting construction, completing construction, or attaining final compliance;

F. Failure to provide within 30 days after the due date, any required reports, including baseline monitoring reports, periodic self-monitoring reports and reports on compliance with compliance schedules;

G. Failure to accurately report noncompliance; or

H. Any other violation(s), which the village determines, will adversely affect the operation or implementation of the local pretreatment program.

VILLAGE ADMINISTRATIVE ENFORCEMENT OF PRETREATMENT ORDERS

A. Introduction.

Any IU issued an order or notice by any authorized employee of the village under this Enforcement Response Plan or the Pretreatment Ordinance of the village based in whole or in part upon noncompliance by the IU with any provision of the Pretreatment Ordinance that fails to voluntarily comply with such order or notice in accordance with its terms may, at the discretion of the village, be prosecuted for the underlying violation of the Pretreatment Ordinance in accordance with the Pretreatment Ordinance Administrative Enforcement Procedures hereinafter set forth. Notwithstanding the foregoing, the village shall retain complete discretion to determine whether or not a matter should be designated for administrative enforcement or should be the subject of an appropriate legal or equitable proceeding in the Circuit Court for the Twelfth Judicial Circuit, Will County, Illinois.

B. Pretreatment ordinance administrative enforcement procedures.

The Village shall administratively enforce orders and notices issued under this Chapter in general conformity with the hearing procedures established in Chapter 42A of the Village Code of Ordinances.

ENFORCEMENT RESPONSE PLAN

The Enforcement Response Plan hereinafter set forth shall serve as a general guideline for the Village's enforcement actions in response to violations of this Chapter, provided, however, that the Village shall not be strictly bound by the hierarchy of enforcement actions set forth in the Enforcement Response Plan, but may utilize such methods and means of enforcement as may be provided for in this Chapter as and when necessary to respond to a particular violation.

<u>SAMPLING, MONITORING, AND REPORTING</u>		
NONCOMPLIANCE	CIRCUMSTANCES	ENFORCEMENT RESPONSES
Unpermitted discharge	IU unaware of requirement (no harm) to POTW/environment	- Phone call/Fax
		- NOV w/fines and application form; Administrative Adjudication
	IU unaware of requirement (results in harm) to POTW/environment	- Compliance Order w/fines; Administrative Adjudication
		- Civil Action
	Failure to apply after notice by POTW	- NOV w/fines; Administrative Adjudication
		- Civil Action
		- Terminate service
Nonpermitted discharge	IU has not renewed discharge permit with 30 days of due date	- Phone call/Fax
		- NOV; Administrative Adjudication
Failure to conduct self-monitoring and to submit periodic reports by due date	Isolated occurrence	- Phone call/Fax
		- NOV; Administrative Adjudication
	Repeated occurrence, failure to comply with NOV	- NOV w/fines; Administrative Adjudication
		- Compliance Meeting
		- Compliance Order; Administrative Adjudication
Reporting violation	Report is improperly signed or certified (Isolated occurrence)	- Phone call/Fax
		- NOV; Administrative Adjudication
	Repeated occurrence, failure to comply with NOV	- NOV w/fines; Administrative Adjudication
		- Compliance Meeting
		- Compliance Order; Administrative Adjudication

		- Compliance Agreement
		- Show Cause Order; Administrative Adjudication
	Report is late, Isolated occurrence or not significant (e.g., 5 days late)	- Phone call/Fax
		- NOV; Administrative Adjudication
	Repeated occurrence or significant (e.g., report 30 days or more late)	- NOV w/fines; Administrative Adjudication
		- Compliance Order; Administrative Adjudication
		- Show Cause Order; Administrative Adjudication
		- Civil Action
	Failure to report spill or changed discharge (results in harm)	- Compliance Order fines; Administrative Adjudication
		- Civil Action
	Repeated failure to report spills	- Show Cause Order w/fines; Administrative Adjudication
		- Terminate service
	Failure to report spill or changed discharge (no harm to POTW/environment)	- NOV w/fines; Administrative Adjudication
	Falsification	- Criminal Investigation
		- Compliance Agreement
		- Terminate service

NONCOMPLIANCE	CIRCUMSTANCES	ENFORCEMENT RESPONSES
Failure to monitor correctly	Failure to monitor all pollutants as required by permit	- Phone call/Fax
		- NOV; Administrative Adjudication
Improper sampling	Recurring failure to monitor	- NOV w/fines; Administrative Adjudication
		- Compliance Meeting
		- Compliance Agreement
		- Civil Action
Improper sampling	Evidence of intent	- NOV w/fines; Administrative Adjudication
		- Terminate service
Failure to install monitoring equipment	Delay of less than 30 days	- NOV; Administrative Adjudication
		- NOV w/fines; Administrative Adjudication
	Delay of 30 days or	- Compliance Meeting
		- Compliance order to install with fine for each additional day; Administrative Adjudication
		- Compliance Agreement
Compliance Schedules	Recurring, violation of compliance order	- Civil Action
		- Terminate service
Compliance Schedules	Missed milestone by 30 days, or will affect final milestone (good cause for delay)	- NOV w/fines; Administrative Adjudication

		- Compliance Meeting
		- Compliance Order
	Missed milestone by more than 30 days, or will affect final milestone (no good cause for delay)	- NOV w/fines; Administrative Adjudication
		- Show Cause Order; Administrative Adjudication
		- Compliance Order; Administrative Adjudication
		- Civil Action
		- Terminate service
	Recurring violation	- NOV w/fines; Administrative Adjudication
		- Civil Action
		- Terminate service
Exceedance of local or Federal Standard (permit limit)	Isolated, not significant	- Phone call/Fax
		- NOV; Administrative Adjudication
	Isolated, significant (no harm to POTW/environment)	- NOV w/fines; Administrative Adjudication
		- Compliance Meeting
		- Compliance Order; Administrative Adjudication
		- Compliance Agreement
	Isolated (results in harm to POTW/environment)	- NOV w/fines; Administrative Adjudication
		- Compliance Order
		- Show Cause Order
	Recurring, chronic (no harm to POTW/environment)	- NOV w/fines- Compliance Order; Administrative Adjudication
	Recurring; chronic, significant (results in harm to POTW/environment)	- Compliance Order; Administrative Adjudication
		- Show Cause Order; Administrative Adjudication
		- Civil Action
		- Terminate service
Entry Denial	Entry denied or consent withdrawn	- Obtain warrant and return to IU
		- NOV w/fines; Administrative Adjudication
	Copies of records denied	- Show Cause Order; Administrative Adjudication

NONCOMPLIANCE	CIRCUMSTANCES	ENFORCEMENT RESPONSES
Illegal Discharge	No harm to POTW/environment	- NOV w/fines; Administrative Adjudication
		- Compliance Order; Administrative Adjudication
	Discharges causes harm to POTW/environment or evidence of intent/negligence	- NOV w/fines; Administrative Adjudication
		- Show Cause Order; Administrative Adjudication
		- Civil Action

	Recurring, violation of compliance order	- Terminate service
Improper Sampling	Isolated occurrence; sampling at incorrect location; or incorrect sample type; or incorrect sample collection techniques	- NOV; Administrative Adjudication
	Recurring; sampling at incorrect location; or incorrect sample type, or incorrect sample collection techniques	- NOV w/fines; Administrative Adjudication
		- Compliance Meeting
		- Compliance Order; Administrative Adjudication
		- Compliance Agreement
		- Show Cause Order; Administrative Adjudication
Inadequate recording keeping	Inspector finds files incomplete to missing (no evidence of intent)	- NOV; Administrative Adjudication
	Recurring	- NOV w/fines; Administrative Adjudication
		- Compliance Meeting
		- Compliance Order; Administrative Adjudication
		- Compliance Agreement
		- Show Cause Order; Administrative Adjudication
Failure to report additional monitoring	Inspector finds additional files	- NOV; Administrative Adjudication
	Recurring	- NOV w/fines; Administrative Adjudication
		- Compliance Order; Administrative Adjudication
Waste streams are diluted in lieu of treatment	Initial violation	- NOV w/fines; Administrative Adjudication
		- Compliance Meeting
		- Compliance Order; Administrative Adjudication
		- Compliance Agreement
		- Show Cause Order
	Recurring	- NOV w/fines; Administrative Adjudication
		- Compliance Meeting
		- Compliance Order; Administrative Adjudication
		- Show Cause Order
		- Terminate service
Failure to mitigate noncompliance or halt production	No harm to POTW/environment	- NOV w/fines; Administrative Adjudication
		- Compliance Meeting
		- Compliance Order; Administrative Adjudication
		- Compliance Agreement
		- Show Cause Order; Administrative Adjudication
	Results in harm to POTW/environment	- NOV w/fines; Administrative Adjudication
		- Compliance Order; Administrative Adjudication

NONCOMPLIANCE	CIRCUMSTANCES	ENFORCEMENT RESPONSES
Failure to properly operate and maintain pretreatment facility	No harm to POTW/environment	- NOV w/fines; Administrative Adjudication
		- Compliance Meeting
		- Compliance Order; Administrative Adjudication
		- Compliance Agreement
		- Show Cause Order; Administrative Adjudication
	Results in harm to POTW/ environment	- NOV w/fines; Administrative Adjudication
		- Compliance Meeting
		- Compliance Order; Administrative Adjudication

SPILLS AND OTHER VIOLATIONS

NONCOMPLIANCE	CIRCUMSTANCES	ENFORCEMENT RESPONSES
Reported spill, slug load, bypass	Isolated without known interference or pass through	- Phone call/Fax
		- NOV w/fines; Administrative Adjudication
	Isolated with known interference or pass through	- NOV w/fines; Administrative Adjudication
		- Compliance Meeting
		- Compliance Order; Administrative Adjudication
	Recurring with known interference pass or threat of human safety	- NOV w/fines; Administrative Adjudication
		- Show Cause Order; Administrative Adjudication
		- Civil Action
Failure to notify of spill slug load, bypass, or pretreatment malfunction	No known interference, pass through or threat to human safety	- NOV w/fines; Administrative Adjudication
		- Compliance Meeting
		- Compliance Order; Administrative Adjudication
	Known interference, pass through or threat to human safety	- NOV w/fines; Administrative Adjudication
		- Compliance Meeting
		- Compliance Order; Administrative Adjudication
		- Show Cause Order; Administrative Adjudication
		- Civil Action