ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 – (217) 782-3397
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 – (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR DOUGLAS P. SCOTT, DIRECTOR

217/782-0610

SEP 30 2005

RELEASABLE

Estate of Chemetco, Inc.
3574 Chemetco Lane
Hartford, Illinois 62048

Re: Estate of Chemetco, Inc.
NPDES Permit No. IL0025747
Final Permit

Gentlemen:

Attached is the final NPDES Permit for your discharge. The Permit as issued covers discharge limitations, monitoring, and reporting requirements. Failure to meet any portion of the Permit could result in civil and/or criminal penalties. The Illinois Environmental Protection Agency is ready and willing to assist you in interpreting any of the conditions of the Permit as they relate specifically to your discharge.The Illinois Environmental Protection Agency has reviewed the information available on the above-referenced NPDES Permit and issued a public notice based on that review. The final decision of the Agency is to note and renew the Permit as follows:

1. Note that production operations at this facility have ceased.

2. Storm water runoff from ceased operations manufacturing areas and raw and waste product associated with industrial activity is directed to a lined-off-site 1,000,000 gallon storm water lagoon built in 1998. Discharge has occurred from this pond by overtopping the midpoint of the pond's south berm. Outfall 005 has been assigned to this discharge. Modify the Permit to show the new outfall.

The Agency has begun a program allowing the submittal of electronic Discharge Monitoring Reports (eDMRs) instead of paper Discharge Monitoring Reports (DMRs). If you are interested in eDMRs, more information can be found on the Agency website, http://epa.state.il.us/water/edmr/index.html. If your facility is not registered in the eDMR program, a supply of preprinted paper DMR Forms for your facility will be sent to you prior to the initiation of DMR reporting under the reissued permit. Additional information and instructions will accompany the preprinted DMRs upon their arrival.

The attached Permit is effective as of the date indicated on the first page of the Permit. Until the effective date of any re-issued Permit, the limitations and conditions of the previously-issued Permit remain in full effect. You have the right to appeal any condition of the Permit to the Illinois Pollution Control Board within a 35 day period following the issuance date.

Should you have questions concerning the Permit, please contact Jan Nelle at the telephone number indicated above.

Sincerely,

Alan Keller

Alan Keller, P.E.
Manager, Permit Section
Division of Water Pollution Control

SAK:BAK:JAN:05031401.dlk

Attachment: Final Permit
cc: Records
Compliance Assurance Section
Collinsville Region
SIMAPC
Mathais, Marifian, Richter & Grandy

NPDES Permit No. IL0025747

Illinois Environmental Protection Agency

Division of Water Pollution Control

1021 North Grand Avenue East

Post Office Box 19276

Springfield, Illinois 62794-9276

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Renewal (NPDES) Permit

RELEASABLE

Expiration Date: October 31, 2010

Issue Date: September 30, 2005
Effective Date: November 1, 2005

Name and Address of Permittee:

Estate of Chemetco, Inc.
3574 Chemetco Lane
Hartford, Illinois 62048

Facility Name and Address:

Estate of Chemetco, Inc.
3574 Chemetco Lane
Hartford, Illinois 62048
(Madison County)

Discharge Number and Name:

005 Outfall Storm Water Lagoon

Receiving Waters:

Unnamed tributary of Long Lake

In compliance with the provisions of the Illinois Environmental Protection Act, Title 35 of Ill. Adm. Code, Subtitle C and/or Subtitle D, Chapter 1, and the Clean Water Act (CWA), the above-named permittee is hereby authorized to discharge at the above location to the above-named receiving stream in accordance with the standard conditions and attachments herein.

Permittee is not authorized to discharge after the above expiration date. In order to receive authorization to discharge beyond the expiration date, the permittee shall submit the proper application as required by the Illinois Environmental Protection Agency (IEPA) not later than 180 days prior to the expiration date.

Alan Keller, P.E.
Manager, Permit Section
Division of Water Pollution Control

SAK:JAN:05031401.dlk

NPDES Permit No. IL0025747

Effluent Limitations and Monitoring

1. From the effective date of this permit until the expiration date, the effluent of the following discharge(s) shall be monitored and limited at all times as follows:

Outfall: 005 Storm Water Lagoon

| | LOAD LIMITS lbs/day DAF (DMF) | | CONCENTRATION LIMITS mg/l | | | |
|---|---|---|---|---|---|---|
| PARAMETER | 30 DAY AVERAGE | DAILY MAXIMUM | 30 DAY AVERAGE | DAILY MAXIMUM | SAMPLE FREQUENCY* | SAMPLE TYPE** |
| Flow (MGD) | | | | | Continuous | |
| pH | | | | | Once Per Month | Grab |
| $BOD_5$ | | | | | Once Per Month | Grab |
| COD | | | | | Once Per Month | Grab |
| TSS | | | | | Once Per Month | Grab |
| Oil & Grease | | | | | Once Per Month | Grab |
| $NH_3$-N | | | | | Once Per Month | Grab |
| Arsenic | | | | | Once Per Month | Grab |
| Barium | | | | | Once Per Month | Grab |
| Cadmium | | | | | Once Per Month | Grab |
| Chromium | | | | | Once Per Month | Grab |
| Lead | | | | | Once Per Month | Grab |
| Selenium | | | | | Once Per Month | Grab |
| Silver | | | | | Once Per Month | Grab |
| Copper | | | | | Once Per Month | Grab |
| Iron | | | | | Once Per Month | Grab |
| Manganese | | | | | Once Per Month | Grab |
| Nickel | | | | | Once Per Month | Grab |
| Zinc | | | | | Once Per Month | Grab |

*When discharging
**May change to Composite based on results in the first six (6) months after the effective date of permit. See Condition No. 8.

NPDES Permit No. IL0025747

Special Conditions

SPECIAL CONDITION 1.

(A) Discharge from Outfall(s) 005 shall not be allowed until all the requirements of Special Condition No. 5 have been met.

(B) Plans must be submitted to and approved by this Agency prior to construction of or modification to the storm water lagoon. At such time as runoff water is collected in the storm water lagoon, a sample shall be collected and analyzed, with the results sent to this Agency to show compliance with the applicable effluent and water quality standards.To meet these standards, a Supplemental Permit must also be obtained. Discharge from the storm water lagoon is not allowed unless applicable effluent and water quality standards are met.

SPECIAL CONDITION 2. The pH shall be in the range 6.0 to 9.0. The monthly minimum and monthly maximum values shall be reported on the DMR form.

SPECIAL CONDITION 3. For the purpose of this permit, this discharge is limited to storm water, free from process and other wastewater discharges.

SPECIAL CONDITION 4. Samples taken in compliance with the effluent monitoring requirements shall be taken at a point representative of the discharge, but prior to entry into the receiving stream.

SPECIAL CONDITION 5. Within 90 days from the effective date of this permit the permittee shall complete and submit items V and VI of NPDES application 2F (EPA Form 3510-2F) to the following address:

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

Note: All correspondence shall include the NPDES permit number.

Sampling results shall be representative of the runnoff from each individual pile of material on site or from specific areas so as to identify the source of pollutants.

SPECIAL CONDITION 6. Pursuant to 40 CFR 122.26(b)(14), storm water discharges from areas where material handling equipment or activities, raw materials, intermediate products, final products, waste materials, byproducts, or industrial machinery are exposed to storm water must be covered by an NPDES permit.

SPECIAL CONDITION 7. The effluent, alone or in combination with other sources, shall not cause a violation of any applicable water quality standard outlined in 35 Ill. Adm. Code 302.

SPECIAL CONDITION 8. At the option of the Illinois Environmental Protection Agency, the monitoring and reporting of Oil & Grease, $NH_3$-N, Arsenic, Barium, Cadmium, Chromium, Lead, Selenium, Silver, Copper, Iron, Manganese, Nickel, Zinc as listed on Outfall 005 may be discontinued, providing that the following conditions have been met:

A. No violations of applicable water quality standards are observed during the period of which the parameters were monitored.

B. Monitoring of the parameters indicates a consistent average, with little deviation, at a point below applicable water quality standards concentration.

C. The parameters have been monitored for a continuous period of 6 calendar months.

The permittee must make the request to discontinue the monitoring in writing and include a summary of the data collected.

NPDES Permit No. IL0025747

Special Conditions

SPECIAL CONDITION 9.

STORM WATER POLLUTION PREVENTION PLAN (SWPPP)

A. A storm water pollution prevention plan shall be developed by the permittee for the storm water associated with industrial activity at this facility. The plan shall identify potential sources of pollution which may be expected to affect the quality of storm water discharges associated with the industrial activity at the facility. In addition, the plan shall describe and ensure the implementation of practices which are to be used to reduce the pollutants in storm water discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of this permit.

B. The plan shall be completed within 180 days of the effective date of this permit. Plans shall provide for compliance with the terms of the plan within 365 days of the effective date of this permit. The owner or operator of the facility shall make a copy of the plan available to the Agency at any reasonable time upon request. [Note: If the plan has already been developed and implemented it shall be maintained in accordance with all requirements of this special condition.]

C. The permittee may be notified by the Agency at any time that the plan does not meet the requirements of this condition. After such notification, the permittee shall make changes to the plan and shall submit a written certification that the requested changes have been made. Unless otherwise provided, the permittee shall have 30 days after such notification to make the changes.

D. The discharger shall amend the plan whenever there is a change in construction, operation, or maintenance which may affect the discharge of significant quantities of pollutants to the waters of the State or if a facility inspection required by paragraph G of this condition indicates that an amendment is needed. The plan should also be amended if the discharger is in violation of any conditions of this permit, or has not achieved the general objective of controlling pollutants in storm water discharges. Amendments to the plan shall be made within the shortest reasonable period of time, and shall be provided to the Agency for review upon request.

E. The plan shall provide a description of potential sources which may be expected to add significant quantities of pollutants to storm water discharges, or which may result in non-storm water discharges from storm water outfalls at the facility. The plan shall include, at a minimum, the following items:

1. A topographic map extending one-quarter mile beyond the property boundaries of the facility, showing: the facility, surface water bodies, wells (including injection wells), seepage pits, infiltration ponds, and the discharge points where the facility's storm water discharges to a municipal storm drain system or other water body. The requirements of this paragraph may be included on the site map if appropriate.

2. A site map showing:

   i. The storm water conveyance and discharge structures;

   ii. An outline of the storm water drainage areas for each storm water discharge point;

   iii. Paved areas and buildings;

   iv. Areas used for outdoor manufacturing, storage, or disposal of significant materials, including activities that generate significant quantities of dust or particulates.

   v. Location of existing storm water structural control measures (dikes, coverings, detention facilities, etc.);

   vi. Surface water locations and/or municipal storm drain locations

   vii. Areas of existing and potential soil erosion;

   viii. Vehicle service areas;

   ix. Material loading, unloading, and access areas.

NPDES Permit No. IL0025747

Special Conditions

3. A narrative description of the following:

   i. The nature of the industrial activities conducted at the site, including a description of significant materials that are treated, stored or disposed of in a manner to allow exposure to storm water;

   ii. Materials, equipment, and vehicle management practices employed to minimize contact of significant materials with storm water discharges;

   iii. Existing structural and non-structural control measures to reduce pollutants in storm water discharges;

   iv. Industrial storm water discharge treatment facilities;

   v. Methods of onsite storage and disposal of significant materials;

4. A list of the types of pollutants that have a reasonable potential to be present in storm water discharges in significant quantities.

5. An estimate of the size of the facility in acres or square feet, and the percent of the facility that has impervious areas such as pavement or buildings.

6. A summary of existing sampling data describing pollutants in storm water discharges.

F. The plan shall describe the storm water management controls which will be implemented by the facility. The appropriate controls shall reflect identified existing and potential sources of pollutants at the facility. The description of the storm water management controls shall include:

1. Storm Water Pollution Prevention Personnel - Identification by job titles of the individuals who are responsible for developing, implementing, and revising the plan.

2. Preventive Maintenance - Procedures for inspection and maintenance of storm water conveyance system devices such as oil/water separators, catch basins, etc., and inspection and testing of plant equipment and systems that could fail and result in discharges of pollutants to storm water.

3. Good Housekeeping - Good housekeeping requires the maintenance of clean, orderly facility areas that discharge storm water. Material handling areas shall be inspected and cleaned to reduce the potential for pollutants to enter the storm water conveyance system.

4. Spill Prevention and Response - Identification of areas where significant materials can spill into or otherwise enter the storm water conveyance systems and their accompanying drainage points. Specific material handling procedures, storage requirements, spill clean up equipment and procedures should be identified, as appropriate. Internal notification procedures for spills of significant materials should be established.

5. Storm Water Management Practices - Storm water management practices are practices other than those which control the source of pollutants. They include measures such as installing oil and grit separators, diverting storm water into retention basins, etc. Based on assessment of the potential of various sources to contribute pollutants, measures to remove pollutants from storm water discharge shall be implemented. In developing the plan, the following management practices shall be considered:

   i. Containment - Storage within berms or other secondary containment devices to prevent leaks and spills from entering storm water runoff;

   ii. Oil & Grease Separation - Oil/water separators, booms, skimmers or other methods to minimize oil contaminated storm water discharges;

   iii. Debris & Sediment Control - Screens, booms, sediment ponds or other methods to reduce debris and sediment in storm water discharges;

iv. Waste Chemical Disposal - Waste chemicals such as antifreeze, degreasers and used oils shall be recycled or disposed of in an approved manner and in a way which prevents them from entering storm water discharges.

v. Storm Water Diversion - Storm water diversion away from materials manufacturing, storage and other areas of potential storm water contamination;

vi. Covered Storage or Manufacturing Areas - Covered fueling operations, materials manufacturing and storage areas to prevent contact with storm water.

6. Sediment and Erosion Prevention - The plan shall identify areas which due to topography, activities, or other factors, have a high potential for significant soil erosion and describe measures to limit erosion.

7. Employee Training - Employee training programs shall inform personnel at all levels of responsibility of the components and goals of the storm water pollution control plan. Training should address topics such as spill response, good housekeeping and material management practices. The plan shall identify periodic dates for such training.

8. Inspection Procedures - Qualified plant personnel shall be identified to inspect designated equipment and plant areas. A tracking or follow-up procedure shall be used to ensure appropriate response has been taken in response to an inspection. Inspections and maintenance activities shall be documented and recorded.

G. The permittee shall conduct an annual facility inspection to verify that all elements of the plan, including the site map, potential pollutant sources, and structural and non-structural controls to reduce pollutants in industrial storm water discharges are accurate. Observations that require a response and the appropriate response to the observation shall be retained as part of the plan. Records documenting significant observations made during the site inspection shall be submitted to the Agency in accordance with the reporting requirements of this permit.

H. This plan should briefly describe the appropriate elements of other program requirements, including Spill Prevention Control and Countermeasures (SPCC) plans required under Section 311 of the CWA and the regulations promulgated thereunder, and Best Management Programs under 40 CFR 125.100.

I. The plan is considered a report that shall be available to the public under Section 308(b) of the CWA. The permittee may claim portions of the plan as confidential business information, including any portion describing facility security measures.

J. The plan shall include the signature and title of the person responsible for preparation of the plan and include the date of initial preparation and each amendment thereto.

Construction Authorization

K. Authorization is hereby granted to construct treatment works and related equipment that may be required by the Storm Water Pollution Prevention Plan developed pursuant to this permit.

This Authorization is issued subject to the following condition(s).

1. If any statement or representation is found to be incorrect, this authorization may be revoked and the permittee there upon waives all rights thereunder.

2. The issuance of this authorization (a) does not release the permittee from any liability for damage to persons or property caused by or resulting from the installation, maintenance or operation of the proposed facilities; (b) does not take into consideration the structural stability of any units or part of this project; and (c) does not release the permittee from compliance with other applicable statutes of the State of Illinois, or other applicable local law, regulations or ordinances.

3. Plans and specifications of all treatment equipment being included as part of the stormwater management practice shall be included in the SWPPP.

NPDES Permit No. IL0025747

Special Conditions

4. Construction activities which result from treatment equipment installation, including clearing, grading and excavation activities which result in the disturbance of one acre or more of land area, are not covered by this authorization. The permittee shall contact the IEPA regarding the required permit(s).

REPORTING

L. The facility shall submit an annual inspection report to the Illinois Environmental Protection Agency. The report shall include results of the annual facility inspection which is required by Part G of the Storm Water Pollution Prevention Plan of this permit. The report shall also include documentation of any event (spill, treatment unit malfunction, etc.) which would require an inspection, results of the inspection, and any subsequent corrective maintenance activity. The report shall be completed and signed by the authorized facility employee(s) who conducted the inspection(s).

M. The first report shall contain information gathered during the one year time period beginning with the effective date of coverage under this permit and shall be submitted no later than 60 days after this one year period has expired. Each subsequent report shall contain the previous year's information and shall be submitted no later than one year after the previous year's report was due.

N. Annual inspection reports shall be mailed to the following address:

Illinois Environmental Protection Agency
Bureau of Water
Compliance Assurance Section
Annual Inspection Report
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

O. If the facility performs inspections more frequently than required by this permit, the results shall be included as additional information in the annual report.

SPECIAL CONDITION 10. The Permittee shall record monitoring results on Discharge Monitoring Report (DMR) Forms using one such form for each outfall each month.

In the event that an outfall does not discharge during a monthly reporting period, the DMR Form shall be submitted with no discharge indicated.

The Permittee may choose to submit electronic DMRs (eDMRs) instead of mailing paper DMRs to the IEPA. More information, including registration information for the eDMR program, can be obtained on the IEPA website, http://www.epa.state.il.us/water/edmr/index.html.

The completed Discharge Monitoring Report forms shall be submitted to IEPA no later than the 15th day of the following month, unless otherwise specified by the permitting authority.

Permittees not using eDMRs shall mail Discharge Monitoring Reports with an original signature to the IEPA at the following address:

Illinois Environmental Protection Agency
Division of Water Pollution Control
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

Attention: Compliance Assurance Section, Mail Code # 19

SPECIAL CONDITION 11. The effluent ammonia-nitrogen concentration shall be limited to a level that will comply with the provisions of Illinois Pollution Control Board Rules and Regulations, Chapter 1, Subtitle C, Section 304.301 during its period of effectiveness, and thereafter to a level that will not cause the receiving stream to exceed the water quality standard in Section 302.212, Chapter 1, Subtitle C.

NPDES Permit No. IL0025747

Special Conditions

SPECIAL CONDITION 12. The Agency may request more frequent monitoring by Letter and Without Public Notice for finite periods in the event of operational, maintenance or other problems resulting in possible effluent deterioration.