BEEMSTERBOER
SLAG CORP.

OFFICE & SHOP
3411 Sheffield Avenue
Hammond, IN 46327

PHONE
773 – 785-6000
Fax 708 – 339-7065

RECEIVED
OCT 26 2012
WATER ENFORCEMENT & COMPLIANCE
ASSURANCE BRANCH, EPA, REGION 5

Beemsterboer Slag Corporation
Coke Storage and Transfer Facility
2900 East 106th Street
Chicago, Illinois 60617

Mr. Jeremy Deyoe
Environmental Engineer

Here is the wet weather/storm water information associated with industrial activity requested by Tinka G. Hyde.

A copy of our storm water management plan is included along with a current site map.

Our new mailing address is 3411 Sheffield Avenue, Hammond, Indiana 46327.

Owner Certification. I certify under penalty of law that this response 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(s) who manage the system, or those person(s) directly responsible for gathering 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 a fine and imprisonment for knowing violations.

Name: _____

Title: SECT. TREA

Signature: ALAN C. BEEMSTERBOER

Date: 10/24/12

1. Beemsterboer Slag Corp.
   Coke Storage and Transfer Facility
   2900 East 106th Street
   Chicago, IL 60617

2. Attached document included

3. Peter Smith
   3411 Sheffield Ave.
   Hammond, IN 46327
   Office: 219-931-7462
   Cell: 219-746-8229

4. This site is responsible for the transfer and handling of pet coke, processed mulch, and stone. All materials are shipped in by barge or truck; if needed, they are sized and shipped out by barge, truck, or vessel. The site contains one screening unit, several conveyors, three feeders, and a backhoe with clam bucket.

5. Standard Industrial Classification (SIC) code 3295.

6. No.

7. See attached facility diagram.

8. Property located at 2900 E. 106th Street is graded and pitched to prevent any positive discharge of contaminated storm water to the Calumet River or city storm drains located on Muskegon and 106th Street.

   a) The map included in the storm water plan shows the direction of flow that the water leaves the drive to the city sewers. The berms insure this water is free from any contaminants. All other water flows to the four retention areas located on the current site map. As stated in our plan, the map is adjusted to reflect current operations while also keeping four areas open for water retention.

   b) There is no storm water treatment. The storm water is contained in four retention areas located in pink on the site map. Excess water in danger of overflow is dispersed and absorbed into coke piles by a portable water truck. The property is enclosed by sealed berms at least 12" high, along with permanent blocks around the river's edge. The facility berms are inspected daily and repaired as necessary.

c) Water flows from the property's edges to the four sites for retention as shown on the original and current map 8C+. The current map is kept in the trailer for updates and material location and description. The only outflow to the street is from the drive, which is surrounded by permanent berms. The storm water management plan map shows property flow.

9. See attachment "Stormwater Pollution Prevention Plan"

10. See attachment "Appendix E"

11. No, we do not plan on discharging any contaminated storm water from the property.

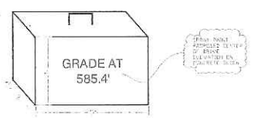
12. None

13. No

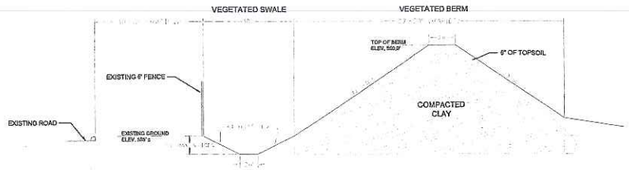
14. The facility has not stored or handled coal at the facility for over 10 years. The permit is kept up to date for future possibilities of business.

LEGEND

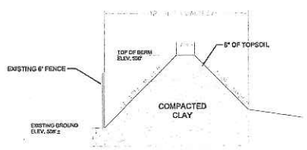
- OPERATION AND STORAGE AREA
- PERMANENT MATERIAL PILE
- STORMWATER DETENTION AREA
- TRUCK WHEEL WASH STATION
- AREA WITH NATIVE PLANTINGS
- GRAVEL CAPPED BERM
- DRAINAGE FLOW PATH
- x 585.4 PROPOSED SPOT ELEVATION
- 585.4 DRIVE MARKER (CENTER OF DRIVE GRADE)
- INTERNAL DRIVE



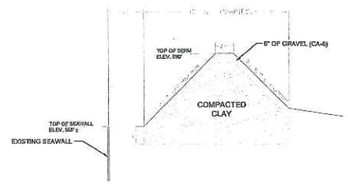
DRIVE MARKER DETAIL
NOT TO SCALE



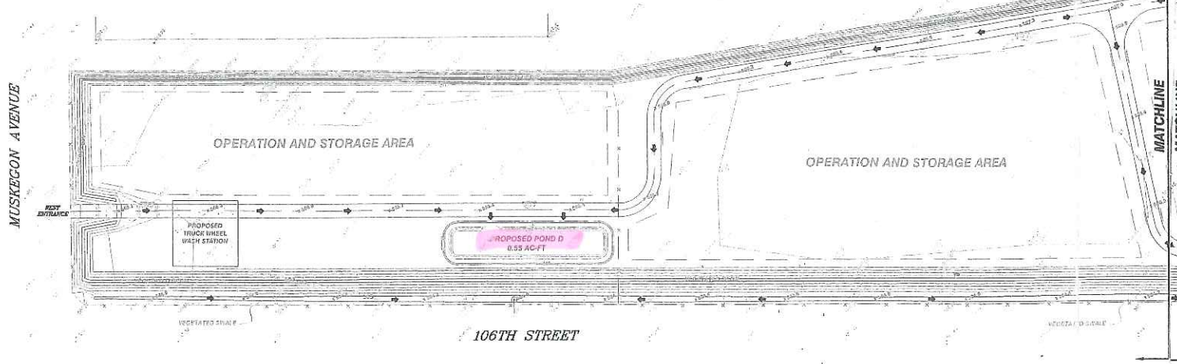
PROPOSED VEGETATED SWALE AND BERM DETAIL
FOR SOUTH PERIMETER
HORIZONTAL SCALE 1 IN. = 5 FT.
VERTICAL SCALE 1 IN. = 2.5 FT.

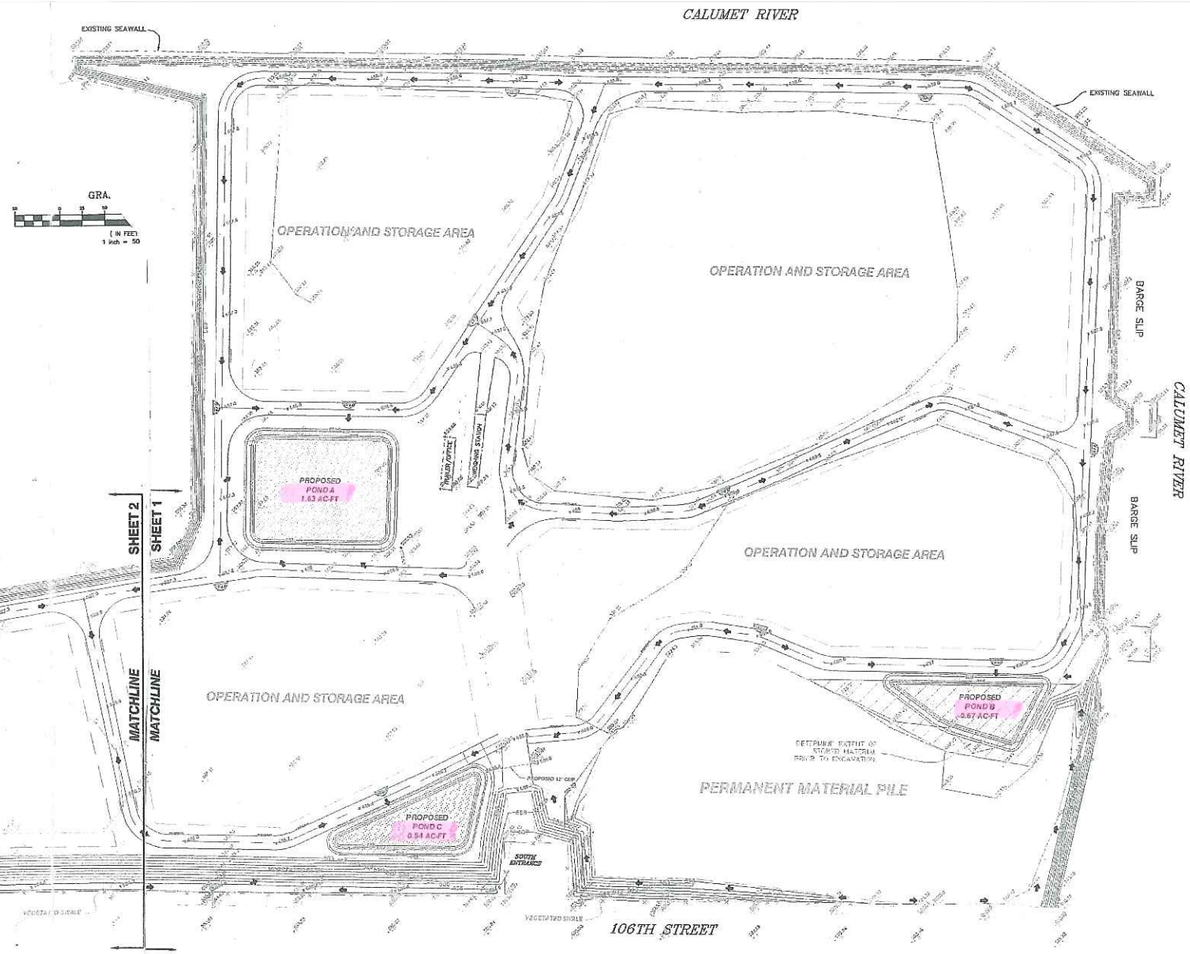


PROPOSED VEGETATED BERM DETAIL (NO SWALE)
HORIZONTAL SCALE 1 IN. = 5 FT.
VERTICAL SCALE 1 IN. = 2.5 FT.



PROPOSED GRAVEL-CAPPED
BERM DETAIL
HORIZONTAL SCALE 1 IN. = 5 FT.
VERTICAL SCALE 1 IN. = 2.5 FT.





LAND RESOURCE MANAGEMENT GROUP
LRMG
M. GINGERICH, CORDAUX
ARCHITECTS ENGINEERS
14141 Ironwood Drive
Bowley, Illinois 60015
815-525-4421
FAX: 815-625-0919
525 East North St.

BEEMSTERBOER 106TH STREET FACILITY
CHICAGO, IL

NOTES

REVISIONS

DATE	BY	DESCRIPTION

DATE: 4/24/07
SCALE: 1" = 50'
DRAWN BY: TPC
PROJECT: BEEMSTERBOER
JOB #: 07-2
FILE NO: 07-21-S
SHEET 1 OF

106th Street
Cal Sag River
Bensenville
Arro
Muskegon Ave
104th Street
10/23/2012

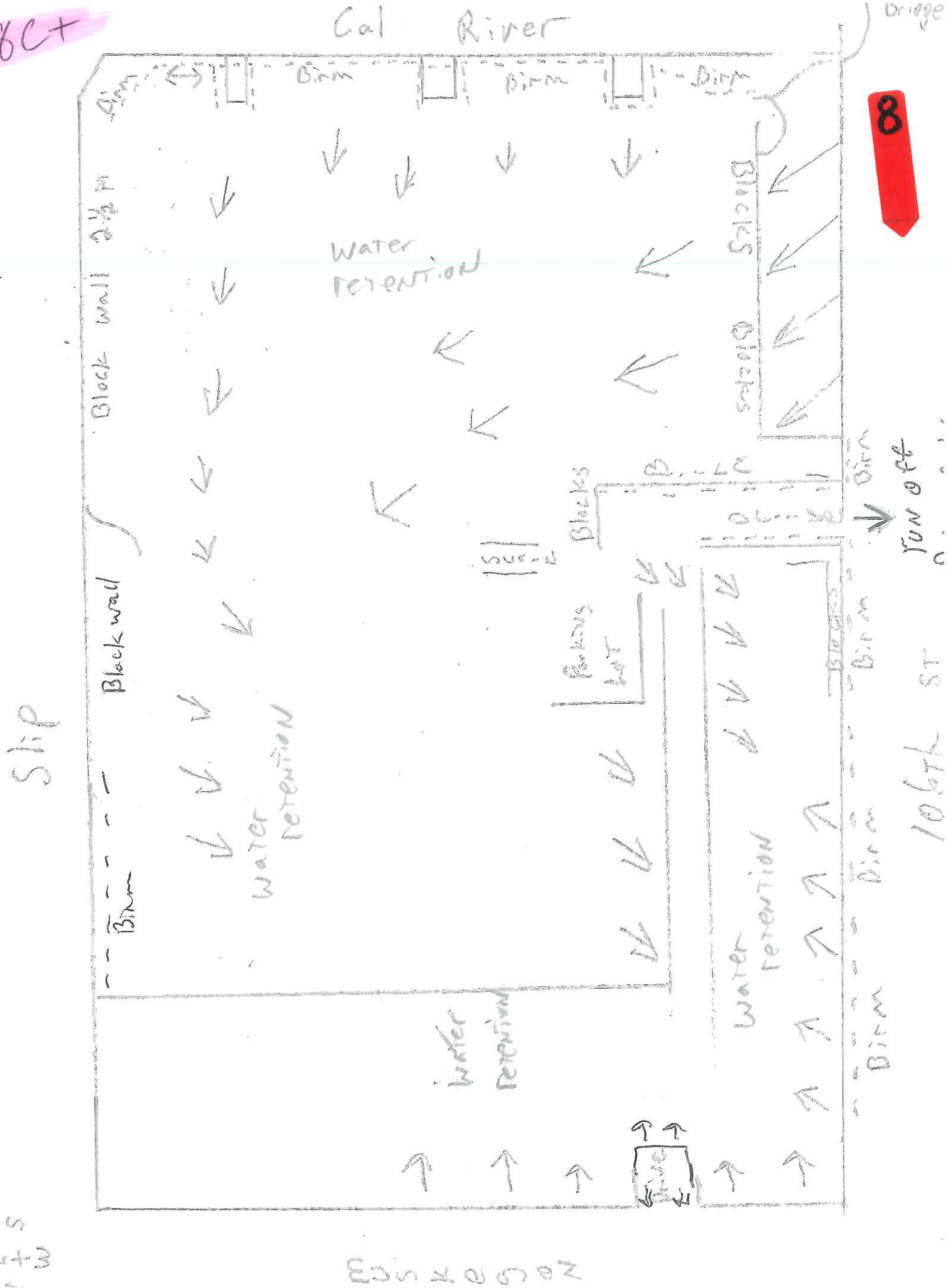
S

E - I - W

N

2

8C+



Cal River
Bridge
Birm
Birm
Birm
Birm
Block wall 2½ ft
Water retention
Blocks
Blocks
Blocks
Blocks
Blocks
Run off
Blackwall
Parking lot
Water retention
Water retention
Water retention
Birm
Birm
Birm
Birm
Slip
10th ST

8

10

Appendix E: Attachments

General NPDES Permit No. ILR10

Illinois Environmental Protection Agency
Division of Water Pollution Control
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
www.epa.state.il.us

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

General NPDES Permit
For
Storm Water Discharges From Construction Site Activities

Expiration Date: May 31, 2008

Issue Date: May 30, 2003

Effective Date: June 1, 2003

In compliance with the provisions of the Illinois Environmental Protection Act, the Illinois Pollution Control Board Rules and Regulations (35 Ill. Adm. Code, Subtitle C, Chapter I), and the Clean Water Act, and the regulations thereunder the following discharges are authorized by this permit, in accordance with the conditions and attachments herein:

Permit Signed May 30, 2003

Toby Frevert, P.E.
Manager
Division of Water Pollution Control

Part I. COVERAGE UNDER THIS PERMIT

A. **Permit Area**. The permit covers all areas of the State of Illinois with discharges to any waters of the State.

B. **Eligibility**.

1. This permit shall authorize all discharges of storm water associated with industrial activity from construction sites that will result in the disturbance of one or more acres total land area, construction sites less than one acre of total land that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb one or more acres total land area or construction sites that are designated by the Agency that have the potential for contribution to a violation of water quality standard or significant contribution of pollutants to waters of the State, occurring after the effective date of this permit (including discharges occurring after the effective date of this permit where the construction activity was initiated before the effective date of this permit), except for discharges identified under paragraph I.B.3 (Limitations on Coverage).

2. This permit may only authorize a storm water discharge associated with industrial activity from a construction site that is mixed with a storm water discharge from an industrial source other than construction, where:

   a. the industrial source other than construction is located on the same site as the construction activity;

   b. storm water discharges associated with industrial activity from the areas of the site where construction activities are occurring are in compliance with the terms of this permit; and

   c. storm water discharges associated with industrial activity from the areas of the site where industrial activity other than construction are occurring (including storm water discharges from dedicated asphalt plants and dedicated concrete plants) are covered by a different NPDES general permit or individual permit authorizing such discharges.

3. **Limitations on Coverage**. The following storm water discharges from construction sites are not authorized by this permit:

   a. storm water discharges associated with industrial activity that originate from the site after construction activities have been completed and the site has undergone final stabilization;

   b. discharges that are mixed with sources of non-storm water other than discharges identified in Part III.A (Prohibition on Non-Storm Water Discharges) of this permit and in compliance with paragraph IV.D.5 (Non-Storm Water Discharges) of this permit;

   c. storm water discharges associated with industrial activity that are subject to an existing NPDES individual or general permit or which are issued a permit in accordance with Part VI.N (Requiring an Individual Permit or an Alternative General Permit) of this permit. Such discharges may be authorized under this permit after an existing permit expires provided the existing permit did not establish numeric limitations for such discharges;

d. storm water discharges from construction sites that the Agency has determined to be or may reasonably be expected to be contributing to a violation of a water quality standard; and

e. Storm water discharges that the Agency, at its discretion, determines are not appropriately authorized or controlled by this general permit.

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

C. **Authorization.**

1. In order for storm water discharges from construction sites to be authorized to discharge under this general permit a discharger must submit a Notice of Intent (NOI) in accordance with the requirements of Part II below, using an NOI form provided by the Agency, or be covered by a valid Illinois General NPDES Construction Site Activities Permit.

2. Where a new operator (contractor) is selected after the submittal of an NOI under Part II below, a new Notice of Intent (NOI) must be submitted by the owner in accordance with Part II.

3. For projects that have complied with State law on historic preservation and endangered species prior to submittal of the NOI, through coordination with the Illinois Historic Preservation Agency and the Illinois Department of Natural Resources or through fulfillment of the terms of interagency agreements with those agencies, the NOI shall indicate that such compliance has occurred.

   Unless notified by the Agency to the contrary, dischargers who submit an NOI in accordance with the requirements of this permit are authorized to discharge storm water from construction sites under the terms and conditions of this permit in 30 days after the date the NOI is post marked.

   The Agency may deny coverage under this permit and require submittal of an application for an individual NPDES permit based on a review of the NOI or other information.

Part II. NOTICE OF INTENT REQUIREMENTS

A. **Deadlines for Notification.**

1. To receive authorization under this general permit, a discharge must either be covered by a valid Illinois General NPDES Construction Site Permit, or a completed Notice of Intent (NOI) in accordance with Part VI.G (Signatory Requirements) and the requirements of this part must be submitted prior to the commencement of construction. The NOI must be submitted at least 30 days prior to the commencement of construction.

2. Discharges that are covered by a valid Illinois General NPDES Construction Site Activities Permit as of May 31, 2003 are automatically covered by this permit.

3. A discharger may submit an NOI in accordance with the requirements of this part after the start of construction. In such instances, the Agency may bring an enforcement action for any discharges of storm water associated with industrial activity from a construction site that have occurred on or after the start of construction.

B. **Failure to Notify**. Dischargers who fail to notify the Agency of their intent to be covered, and discharge storm water associated with construction site activity to Waters of the State without an NPDES permit, are in violation of the Environmental Protection Act and Clean Water Act.

C. **Contents of Notice of Intent**. The Notice of Intent shall be signed in accordance with Part VI.G (Signatory Requirements) of this permit by all of the entities identified in paragraph 2 below and shall include the following information:

1. The mailing address, and location of the construction site for which the notification is submitted. Where a mailing address for the site is not available, the location can be described in terms of the latitude and longitude of the approximate center of the facility to the nearest 15 seconds, or the nearest quarter section (if the section, township and range is provided) that the construction site is located in;

2. The owner's name, address, telephone number, and status as Federal, State, private, public or other entity;

3. The name, address and telephone number of the general contractor(s) that have been identified at the time of the NOI submittal;

4. The name of the receiving water(s), or if the discharge is through a municipal separate storm sewer, the name of the municipal operator of the storm sewer and the ultimate receiving water(s);

5. The number of any NPDES permit for any discharge (including non-storm water discharges) from the site that is currently authorized by an NPDES permit;

6. A yes or no indication of whether the owner or operator has existing quantitative data which describes the concentration of pollutants in storm water discharges (existing data should not be included as part of the NOI); and

7. A brief description of the project, estimated timetable for major activities, estimates of the number of acres of the site on which soil will be disturbed, and a certification that a storm water pollution prevention plan has been or will be prepared for the facility in accordance with Part IV of this permit prior to the start of construction, and such plan provides compliance with local sediment and erosion plans or permits and/or storm water management plans or permits in accordance with paragraph VI.G.1 (Signatory Requirements) of this permit. **(A copy of the plans or permits <u>should not</u> be included with the NOI submission).**

D. **Where to Submit.**

1. Facilities which discharge storm water associated with construction site activity must use an NOI form provided by the Agency. NOIs must be signed in accordance with Part VI.G (Signatory Requirements) of this permit. NOIs are to be submitted certified mail to the Agency at the following address:

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

2. A copy of the letter of notification of coverage or other indication that storm water discharges from the site are covered under an NPDES permit shall be posted at the site in a prominent place for public viewing (such as alongside a building permit).

E. **Additional Notification.** Facilities which are operating under approved local sediment and erosion plans, grading plans, or storm water management plans, in addition to filing copies of the Notice of Intent in accordance with Part D above, shall also submit signed copies of the Notice of Intent to the local agency approving such plans in accordance with the deadlines in Part A above. See Part IV.D.2.d (Approved State or Local Plans).

F. **Notice of Termination.** Where a site has been finally stabilized and all storm water discharges from construction sites that are authorized by this permit are eliminated, the permittee of the facility must submit a completed Notice of Termination that is signed in accordance with Part VI.G (Signatory Requirements) of this permit.

1. The Notice of Termination shall include the following information:

   a. The mailing address, and location of the construction site for which the notification is submitted. Where a mailing address for the site is not available, the location can be described in terms of the latitude and longitude of the approximate center of the facility to the nearest 15 seconds, or the nearest quarter section (if the section, township and range is provided) that the construction site is located in;

   b. The owner's name, address, telephone number, and status as Federal, State, private, public or other entity;

   c. The name, address and telephone number of the general contractor(s); and

   d. The following certification signed in accordance with Part VI.G (Signatory Requirements) of this permit:

   "I certify under penalty of law that all storm water discharges associated with construction site activity from the identified facility that are authorized by NPDES general permit ILR10 have otherwise been eliminated. I understand that by submitting this notice of termination, that I am no longer authorized to discharge storm water associated with construction site activity by the general permit, and that discharging pollutants in storm water associated with construction site activity to Waters of the State is unlawful under the Environmental Protection Act and Clean Water Act where the discharge is not authorized by a NPDES permit. I also understand that the submittal of this notice of termination does not release an operator from liability for any violations of this permit or the Clean Water Act."

   For the purposes of this certification, elimination of storm water discharges associated with industrial activity means that all disturbed soils at the identified facility have been finally stabilized and temporary erosion and sediment control measures have been removed or will be removed at an appropriate time, or that all storm water discharges associated with construction activities from the identified site that are authorized by a NPDES general permit have otherwise been eliminated.

2. All Notices of Termination are to be sent, using the form provided by the Agency, to the address in paragraph II.D.1.

Part III. SPECIAL CONDITIONS, MANAGEMENT PRACTICES, AND OTHER NON-NUMERIC LIMITATIONS

A. **Prohibition on Non-Storm Water Discharges.**

1. Except as provided in paragraph I.B.2 and 2 below, all discharges covered by this permit shall be composed entirely of storm water.

2. a. Except as provided in paragraph b below, discharges of materials other than storm water must be in compliance with a NPDES permit (other than this permit) issued for the discharge.

   b. The following non-storm water discharges may be authorized by this permit provided the non-storm water component of the discharges is in compliance with paragraph IV.D.5 (Non-Storm Water Discharges): discharges from fire fighting activities; fire hydrant flushings; waters used to wash vehicles where detergents are not used; waters used to control dust; potable water sources including uncontaminated waterline flushings; irrigation drainages; routine external building washdown which does not use detergents; pavement washwaters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used; air conditioning condensate; springs; uncontaminated ground water; and foundation or footing drains where flows are not contaminated with process materials such as solvents.

B. Discharges into Receiving Waters With an Approved Total Maximum Daily Load (TMDL):

Discharges to waters for which there is a TMDL allocation for sediment or a parameter that addressed sediment (such as total suspended solids, turbidity, or siltation) are not eligible for coverage under this permit unless you develop and certify a SWPPP that is consistent with the assumptions and requirements in the approved TMDL. To be eligible for coverage under this general permit, operators must incorporate into their SWPPP any conditions applicable to their discharges necessary for consistency with the assumptions and requirements of the TMDL within any timeframes established in the TMDL. If a specific numeric wasteload allocation has been established that would apply to the project's discharges, the operator must incorporate that allocation into its SWPPP and implement necessary steps to meet that allocation.

C. Discharges covered by this permit, alone or in combination with other sources, shall not cause or contribute to a violation of any applicable water quality standard.

Part IV. STORM WATER POLLUTION PREVENTION PLANS

A storm water pollution prevention plan shall be developed for each construction site covered by this permit. Storm water pollution prevention plans shall be prepared in accordance with good engineering practices. The plan shall identify potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges associated with construction site activity from the facility. In addition, the plan shall describe and ensure the implementation of practices which will be used to reduce the pollutants in storm water discharges associated with construction site activity and to assure compliance with the terms and conditions of this permit. Facilities must implement the provisions of the storm water pollution prevention plan required under this part as a condition of this permit.

A. **Deadlines for Plan Preparation and Compliance.**

The plan shall:

1. Be completed prior to the start of the construction to be covered under this permit and updated as appropriate; and
2. Provide for compliance with the terms and schedule of the plan beginning with the initiation of construction activities.

B. **Signature, Plan Review and Notification.**

1. The plan shall be signed in accordance with Part VI.G (Signatory Requirements), and be retained on-site at the facility which generates the storm water discharge in accordance with Part VI.E (Duty to Provide Information) of this permit.
2. Prior to commencement of construction, the permittee shall provide written notification to the Agency of completion of the SWPPP and that said plan is available at the site.
3. The permittee shall make plans available upon request from this Agency or a local agency approving sediment and erosion plans, grading plans, or storm water management plans; or in the case of a storm water discharge associated with industrial activity which discharges through a municipal separate storm sewer system with an NPDES permit, to the municipal operator of the system.
4. The Agency may notify the permittee at any time that the plan does not meet one or more of the minimum requirements of this Part. Such notification shall identify those provisions of the permit which are not being met by the plan, and identify which provisions of the plan requires modifications in order to meet the minimum requirements of this part. Within 7 days from receipt of notification from the Agency, the permittee shall make the required changes to the plan and shall submit to the Agency a written certification that the requested changes have been made. Failure to comply shall terminate authorization under this permit.
5. All storm water pollution prevention plans required under this permit are considered reports that shall be available to the public at any reasonable time upon request. However, the permittee may claim any portion of a storm water pollution prevention plan as confidential in accordance with 40 CFR Part 2.

C. **Keeping Plans Current.** The permittee shall amend the plan whenever there is a change in design, construction, operation, or maintenance, which has a significant effect on the potential for the discharge of pollutants to the Waters of the State and which has not otherwise been addressed in the plan or if the storm water pollution prevention plan proves to be ineffective in eliminating or significantly minimizing pollutants from sources identified under paragraph D.2 below, or in otherwise achieving the general objectives of controlling pollutants in storm water discharges associated with construction site activity. In addition, the plan shall be amended to identify any new contractor and/or subcontractor that will implement a measure of the storm water pollution prevention plan. Amendments to the plan may be reviewed by the Agency in the same manner as Part IV.B above.

D. **Contents of Plan.** The storm water pollution prevention plan shall include the following items:

1. **Site Description.** Each plan shall, provide a description of the following:
   a. A description of the nature of the construction activity;
   b. A description of the intended sequence of major activities which disturb soils for major portions of the site (e.g. grubbing, excavation, grading);
   c. Estimates of the total area of the site and the total area of the site that is expected to be disturbed by excavation, grading, or other activities;
   d. An estimate of the runoff coefficient of the site after construction activities are completed and existing data describing the soil or the quality of any discharge from the site;
   e. A site map indicating drainage patterns and approximate slopes anticipated before and after major grading activities, locations where vehicles enter or exit the site and controls to prevent offsite sediment tracking, areas of soil disturbance, the location of major structural and nonstructural controls identified in the plan, the location of areas where stabilization practices are expected to occur, surface waters (including wetlands), and locations where storm water is discharged to a surface water; and
   f. The name of the receiving water(s) and the ultimate receiving water(s), and areal extent of wetland acreage at the site.
2. **Controls.** Each plan shall include a description of appropriate controls that will be implemented at the construction site. The plan will clearly describe for each major activity identified in paragraph D.1 above, appropriate controls and the timing during the construction process that the controls will be implemented. (For example, perimeter controls for one portion of the site will be installed after the clearing and grubbing necessary for installation of the measure, but before the clearing and grubbing for the remaining portions of the site. Perimeter controls will be actively maintained until final stabilization of those portions of the site upward of the perimeter control. Temporary perimeter controls will be removed after final stabilization). The description of controls shall address as appropriate the following minimum components:

a. **Erosion and Sediment Controls.**

(i) **Stabilization Practices.** A description of interim and permanent stabilization practices, including site-specific scheduling of the implementation of the practices. Site plans should ensure that existing vegetation is preserved where attainable and that disturbed portions of the site are stabilized. Stabilization practices may include: temporary seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, and other appropriate measures. A record of the dates when major grading activities occur, when construction activities temporarily or permanently cease on a portion of the site, and when stabilization measures are initiated shall be included in the plan. Except as provided in paragraphs (A) and (B) below, stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased.

(A) Where the initiation of stabilization measures by the 14th day after construction activity temporary or permanently cease is precluded by snow cover, stabilization measures shall be initiated as soon as practicable.

(B) Where construction activity will resume on a portion of the site within 21 days from when activities ceased, (e.g. the total time period that construction activity is temporarily ceased is less than 21 days) then stabilization measures do not have to be initiated on that portion of site by the 14th day after construction activity temporarily ceased.

(ii) **Structural Practices.** A description of structural practices to the degree attainable, to divert flows from exposed soils, store flows or otherwise limit runoff and the discharge of pollutants from exposed areas of the site. Such practices may include silt fences, earth dikes, drainage swales, sediment traps, check dams, subsurface drains, pipe slope drains, level spreaders, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions, and temporary or permanent sediment basins. Structural practices should be placed on upland soils to the degree attainable. The installation of these devices may be subject to Section 404 of the CWA.

(iii) **Best Management Practices for Impaired Waters.** For any site which discharges directly to an impaired water identified in the Agency's 303(d) listing for suspended solids, turbidity, or siltation the storm water pollution prevention plan shall be designed for a storm event equal to or greater than a 25-year 24-hour rainfall event. If required by federal regulations or the Illinois Environmental Protection Agency's Illinois Urban Manual, the storm water pollution prevention plan shall adhere to a more restrictive design criteria.

b. **Storm Water Management.** A description of measures that will be installed during the construction process to control pollutants in storm water discharges that will occur after construction operations have been completed. Structural measures should be placed on upland soils to the degree attainable. The installation of these devices may be subject to Section 404 of the CWA. This permit only addresses the installation of storm water management measures, and not the ultimate operation and maintenance of such structures after the construction activities have been completed and the site has undergone final stabilization. Permittees are responsible for only the installation and maintenance of storm water management measures prior to final stabilization of the site, and are not responsible for maintenance after storm water discharges associated with industrial activity have been eliminated from the site.

(i) Such practices may include: storm water detention structures (including wet ponds); storm water retention structures; flow attenuation by use of open vegetated swales and natural depressions; infiltration of runoff onsite; and sequential systems (which combine several practices). The pollution prevention plan shall include an explanation of the technical basis used to select the practices to control pollution where flows exceed predevelopment levels.

(ii) Velocity dissipation devices shall be placed at discharge locations and along the length of any outfall channel as necessary to provide a non-erosive velocity flow from the structure to a water course so that the natural physical and biological characteristics and functions are maintained and protected (e.g. maintenance of hydrologic conditions, such as the hydroperiod and hydrodynamics present prior to the initiation of construction activities).

(iii) Unless otherwise specified in the Illinois Environmental Protection Agency's Illinois Urban Manual, the storm water pollution prevention plan shall be designed for a storm event equal to or greater than a 25-year 24-hour rainfall event.

c. **Other Controls.**

(i) **Waste Disposal.** No solid materials, including building materials, shall be discharged to Waters of the State, except as authorized by a Section 404 permit.

(ii) The plan shall ensure and demonstrate compliance with applicable State and/or local waste disposal, sanitary sewer or septic system regulations.

d. **Approved State or Local Plans.**

(i) The management practices, controls and other provisions contained in the storm water pollution prevention plan must be at least as protective as the requirements contained in Illinois Environmental Protection Agency's Illinois Urban Manual, 2002. Facilities which discharge storm water associated with construction site activities must include in their storm water pollution prevention plan procedures and requirements specified in applicable sediment and erosion site plans or storm water management plans approved by local officials. Requirements specified in sediment and erosion site plans or site permits or storm water management site plans or site permits approved by local officials that are applicable to protecting surface water resources are, upon submittal of an NOI to be authorized to discharge under this permit, incorporated by reference and are enforceable under this permit even if they are not specifically included in a storm water pollution prevention plan required under this permit. This provision does not apply to provisions of master plans, comprehensive plans, non-enforceable guidelines or technical guidance documents that are not identified in a specific plan or permit that is issued for the construction site.

(ii) Dischargers seeking alternative permit requirements are not authorized by this permit and shall submit an individual permit application in accordance with 40 CFR 122.26 at the address indicated in Part II.D (Where to Submit) of this permit, along with a description of why requirements in approved local plans or permits should not be applicable as a condition of an NPDES permit.

3. **Maintenance**. A description of procedures to maintain in good and effective operating conditions vegetation, erosion and sediment control measures and other protective measures identified in the site plan.

4. **Inspections**. Qualified personnel (provided by the permittee) shall inspect disturbed areas of the construction site that have not been finally stabilized, structural control measures, and locations where vehicles enter or exit the site at least once every seven calendar days and within 24 hours of the end of a storm that is 0.5 inches or greater or equivalent snowfall. Qualified personnel means a person knowledgeable in the principles and practice of erosion and sediment controls, such as a licensed professional engineer or other knowledgeable person who possesses the skills to assess conditions at the construction site that could impact storm water quality and to assess the effectiveness of any sediment and erosion control measures selected to control the quality of storm water discharges from the construction activities.

   a. Disturbed areas and areas used for storage of materials that are exposed to precipitation shall be inspected for evidence of, or the potential for, pollutants entering the drainage system. Erosion and sediment control measures identified in the plan shall be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving waters. Locations where vehicles enter or exit the site shall be inspected for evidence of offsite sediment tracking.

   b. Based on the results of the inspection, the description of potential pollutant sources identified in the plan in accordance with paragraph IV.D.1 (Site Description) of this permit and pollution prevention measures identified in the plan in accordance with paragraph IV.D.2 (Controls) of this permit shall be revised as appropriate as soon as practicable after such inspection. Such modifications shall provide for timely implementation of any changes to the plan within 7 calendar days following the inspection.

   c. A report summarizing the scope of the inspection, name(s) and qualifications of personnel making the inspection, the date(s) of the inspection, major observations relating to the implementation of the storm water pollution prevention plan, and actions taken in accordance with paragraph b above shall be made and retained as part of the storm water pollution prevention plan for at least three years from the date that the permit coverage expires or is terminated. The report shall be signed in accordance with Part VI.G (Signatory Requirements) of this permit.

   d. The permittee shall complete and submit within 5 days an "Incidence of Noncompliance" (ION) report for any violation of the storm water pollution prevention plan observed during an inspection conducted, including those not required by the Plan. Submission shall be on forms provided by the Agency and include specific information on the cause of noncompliance, actions which were taken to prevent any further causes of noncompliance, and a statement detailing any environmental impact which may have resulted from the noncompliance.

   e. All reports of noncompliance shall be signed by a responsible authority as defined in Part VI.G (Signatory Requirements).

   f. All reports of noncompliance shall be mailed to the Agency at the following address:

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

5. **Non-Storm Water Discharges** - Except for flows from fire fighting activities, sources of non-storm water listed in paragraph III.A.2 of this permit that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and insure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge.

E. **Additional requirements for storm water discharge from industrial activities other than construction, including dedicated asphalt plants, and dedicated concrete plants.** - This permit may only authorize a storm water discharge associated with industrial activity from a construction site that is mixed with a storm water discharge from an industrial source other than construction, where:

1. The industrial source other than construction is located on the same site as the construction activity;

2. Storm water discharges associated with industrial activity from the areas of the site where construction activities are occurring are in compliance with the terms of this permit; and

3. Storm water discharges associated with industrial activity from the areas of the site where industrial activity other than construction are occurring (including storm water discharges from dedicated asphalt plants (other than asphalt emulsion facilities) and dedicated concrete plants) are in compliance with the terms, including applicable NOI or application requirements, of a different NPDES general permit or individual permit authorizing such discharges.

F. **Contractors**.

1. The storm water pollution prevention plan must clearly identify for each measure identified in the plan, the contractor(s) or subcontractor(s) that will implement the measure. All contractors and subcontractors identified in the plan must sign a copy of the certification statement in paragraph 2 below in accordance with Part VI.G (Signatory Requirements) of this permit. All certifications must be included in the storm water pollution prevention plan except for owners that are acting as contractor.

3. **Certification Statement**. All contractors and subcontractors identified in a storm water pollution prevention plan in accordance with paragraph 1 above shall sign a copy of the following certification statement before conducting any professional service at the site identified in the storm water pollution prevention plan:

   "I certify under penalty of law that I understand the terms and conditions of the general National Pollutant Discharge Elimination System (NPDES) permit (ILR10) that authorizes the storm water discharges associated with industrial activity from the construction site identified as part of this certification."

   The certification must include the name and title of the person providing the signature in accordance with Part VI.G of this permit; the name, address and telephone number of the contracting firm; the address (or other identifying description) of the site; and the date the certification is made.

Part V. RETENTION OF RECORDS

A. The permittee shall retain copies of storm water pollution prevention plans and all reports and notices required by this permit, and records of all data used to complete the Notice of Intent to be covered by this permit, for a period of at least three years from the date that the permit coverage expires or is terminated. This period may be extended by request of the Agency at any time.

B. The permittee shall retain a copy of the storm water pollution prevention plan required by this permit at the construction site from the date of project initiation to the date of final stabilization.

Part VI. STANDARD PERMIT CONDITIONS

A. **Duty to Comply.**

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of Illinois Environmental Protection Act and the CWA and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

B. **Continuation of the Expired General Permit.** This permit expires five years from the date of issuance. An expired general permit continues in force and effect until a new general permit or an individual permit is issued. Only those facilities authorized to discharge under the expiring general permit are covered by the continued permit.

C. **Need to halt or reduce activity not a defense.** It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

D. **Duty to Mitigate.** The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

E. **Duty to Provide Information.** The permittee shall furnish within a reasonable time to the Agency or local agency approving sediment and erosion plans, grading plans, or storm water management plans; or in the case of a storm water discharge associated with industrial activity which discharges through a municipal separate storm sewer system with an NPDES permit, to the municipal operator of the system, any information which is requested to determine compliance with this permit. Upon request, the permittee shall also furnish to the Agency or local agency approving sediment and erosion plans, grading plans, or storm water management plans; or in the case of a storm water discharge associated with industrial activity which discharges through a municipal separate storm sewer system with an NPDES permit, to the municipal operator of the system, copies of records required to be kept by this permit.

F. **Other Information.** When the permittee becomes aware that he or she failed to submit any relevant facts or submitted incorrect information in the Notice of Intent or in any other report to the Agency, he or she shall promptly submit such facts or information.

G. **Signatory Requirements.** All Notices of Intent, storm water pollution prevention plans, reports, certifications or information either submitted to the Agency or the operator of a large or medium municipal separate storm sewer system, or that this permit requires be maintained by the permittee, shall be signed.

1. All Notices of Intent shall be signed as follows:

   a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (1) a president, secretary, treasurer, or 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 (2) the manager of one or more manufacturing, production or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding $25,000,000 (in second-quarter 1980 dollars) if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

   b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

   c. For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes (1) the chief executive officer of the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

2. All reports required by the permit and other information requested by the Agency shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

   a. The authorization is made in writing by a person described above and submitted to the Agency.

   b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, operator, superintendent, or position of equivalent responsibility or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position).

   c. **Changes to authorization.** If an authorization under paragraph I.C (Authorization) is no longer accurate because a different individual or position has responsibility for the overall operation of the construction site, a new authorization satisfying the requirements of paragraph I.C must be submitted to the Agency prior to or together with any reports, information, or applications to be signed by an authorized representative.

   d. **Certification.** Any person signing documents under this Part shall make the following certification:

      "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 gathered and evaluated 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."

H. **Penalties for Falsification of Reports**. Section 309(c)(4) of the Clean Water Act provides that any person who knowingly makes any false material statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than 2 years, or by both. Section 44(j)(4) and (5) of the Environmental Protection Act provides that any person who knowingly makes any false statement, representation, or certification in an application form, or form pertaining to a NPDES permit commits a Class A misdemeanor, and in addition to any other penalties provided by law is subject to a fine not to exceed $10,000 for each day of violation.

I. **Penalties for Falsification of Monitoring Systems**. The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by fines and imprisonment described in Section 309 of the CWA. The Environmental Protection Act provides that any person who knowingly renders inaccurate any monitoring device or record required in connection with any NPDES permit or with any discharge which is subject to the provisions of subsection (f) of Section 12 of the Act commits a Class A misdemeanor, and in addition to any other penalties provided by law is subject to a fine not to exceed $10,000 for each day of violation.

J. **Oil and Hazardous Substance Liability**. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under section 311 of the CWA.

K. **Property Rights**. The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

L. **Severability**. The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

M. **Transfers**. This permit is not transferable to any person except after notice to the Agency. The Agency may require the discharger to apply for and obtain an individual NPDES permit as stated in Part I.C (Authorization).

N. **Requiring an Individual Permit or an Alternative General Permit.**

1. The Agency may require any person authorized by this permit to apply for and/or obtain either an individual NPDES permit or an alternative NPDES general permit. Any interested person may petition the Agency to take action under this paragraph. Where the Agency requires a discharger authorized to discharge under this permit to apply for an individual NPDES permit, the Agency shall notify the discharger in writing that a permit application is required. This notification shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for the discharger to file the application, and a statement that on the effective date of the individual NPDES permit or the alternative general permit as it applies to the individual permittee, coverage under this general permit shall automatically terminate. Applications shall be submitted to the Agency indicated in Part II.D (Where to Submit) of this permit. The Agency may grant additional time to submit the application upon request of the applicant. If a discharger fails to submit in a timely manner an individual NPDES permit application as required by the Agency under this paragraph, then the applicability of this permit to the individual NPDES permittee is automatically terminated at the end of the day specified by the Agency for application submittal. The Agency may require an individual NPDES permit based on:

   a. information received which indicates the receiving water may be of particular biological significance pursuant to 35 Ill. Adm. Code 302.105(d)(6);

   b. whether the receiving waters are impaired waters for suspended solids, turbidity or siltation as identified by the Agency's 303(d) listing;

   c. size of construction site, proximity of site to the receiving stream, etc.

   The Agency may also require monitoring of any storm water discharge from any site to determine whether an individual permit is required.

2. Any discharger authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. In such cases, the permittee shall submit an individual application in accordance with the requirements of 40 CFR 122.26(c)(1)(ii), with reasons supporting the request, to the Agency at the address indicated in Part II.D (Where to Submit) of this permit. The request may be granted by issuance of any individual permit or an alternative general permit if the reasons cited by the permittee are adequate to support the request.

3. When an individual NPDES permit is issued to a discharger otherwise subject to this permit, or the discharger is authorized to discharge under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the effective date of the individual permit or the date of authorization of coverage under the alternative general permit, whichever the case may be. When an individual NPDES permit is denied to a discharger otherwise subject to this permit, or the discharger is denied for coverage under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee remains in effect, unless otherwise specified by the Agency.

O. **State/Environmental Laws**. No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations.

P. **Proper Operation and Maintenance**. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit and with the requirements of storm water pollution prevention plans. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed by a permittee only when necessary to achieve compliance with the conditions of the permit.

Q. **Inspection and Entry**. The permittee shall allow the IEPA, or an authorized representative upon presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;

2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit;

3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

R. **Permit Actions.** This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Part VII. REOPENER CLAUSE

A. If there is evidence indicating potential or realized impacts on water quality due to any storm water discharge associated with industrial activity covered by this permit, the discharger may be required to obtain an individual permit or an alternative general permit in accordance with Part I.C (Authorization) of this permit or the permit may be modified to include different limitations and/or requirements.

B. Permit modification or revocation will be conducted according to provisions of 35 Ill. Adm. Code, Subtitle C, Chapter I and the provisions of 40 CFR 122.62, 122.63, 122.64 and 124.5 and any other applicable public participation procedures.

C. The Agency will reopen and modify this permit under the following circumstances:

1. the U.S. EPA amends its regulations concerning public participation;

2. a court of competent jurisdiction binding in the State of Illinois or the 7th Circuit issues an order necessitating a modification of public participation for general permits; or

3. to incorporate federally required modifications to the substantive requirements of this permit.

Part VIII. DEFINITIONS

"Agency" means the Illinois Environmental Protection Agency.

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

"Commencement of Construction" - The initial disturbance of soils associated with clearing, grading, or excavating activities or other construction activities.

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

"Dedicated portable asphalt plant" - A portable asphalt plant that is located on or contiguous to a construction site and that provides asphalt only to the construction site that the plant is located on or adjacent to. The term dedicated portable asphalt plant does not include facilities that are subject to the asphalt emulsion effluent limitation guideline at 40 CFR 443.

"Dedicated portable concrete plant" - A portable concrete plant that is located on or contiguous to a construction site and that provides concrete only to the construction site that the plant is located on or adjacent to.

"Dedicated sand or gravel operation" - An operation that produces sand and/or gravel for a single construction project.
"Director" means the Director of the Illinois Environmental Protection Agency or an authorized representative.

"Final Stabilization" means that all soil disturbing activities at the site have been completed, and that a uniform perennial vegetative cover with a density of 70% the cover for unpaved areas and areas not covered by permanent structures has been established or equivalent stabilization measures (such as the use of riprap, gabions or geotextiles) have been employed.

"Large and Medium municipal separate storm sewer system" means all municipal separate storm sewers that are either:

(i) Located in an incorporated place (city) with a population of 100,000 or more as determined by the latest Decennial Census by the Bureau of Census (these cities are listed in Appendices F and G of 40 CFR Part 122); or

(ii) Located in the counties with unincorporated urbanized populations of 100,000 or more, except municipal separate storm sewers that are located in the incorporated places, townships or towns within such counties (these counties are listed in Appendices H and I of 40 CFR Part 122); or

(iii) Owned or operated by a municipality other than those described in paragraph (i) or (ii) and that are designated by the Director as part of the large or medium municipal separate storm sewer system.

"NOI" means notice of intent to be covered by this permit (see Part II of this permit.)

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

"Runoff coefficient" means the fraction of total rainfall that will appear at the conveyance as runoff.

"Storm Water" means storm water runoff, snow melt runoff, and surface runoff and drainage.

"Storm Water Associated with Industrial Activity" means the discharge from any conveyance which is used for collecting and conveying storm water and which is directly related to manufacturing, processing or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the NPDES program. For the categories of industries identified in subparagraphs (i) through (x) of this subsection, the term includes, but is not limited to, storm water discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined at 40 CFR 401); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and finished products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water. For the categories of industries identified in subparagraph (xi), the term includes only storm water discharges from all areas listed in the previous sentence (except access roads) where material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, or industrial machinery are exposed to storm water. For the purposes of this paragraph, material handling activities include the: storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, finished product, by-product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with storm water drained from the above described areas. Industrial facilities (including industrial facilities that are Federally or municipally owned or operated that meet the description of the facilities listed in this paragraph (i)- (xi)) include those facilities designated under 40 CFR 122.26(a)(1)(v). The following categories of facilities are considered to be engaging in "industrial activity" for purposes of this subsection:

(i) Facilities subject to storm water effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards under 40 CFR Subchapter N (except facilities with toxic pollutant effluent standards which are exempted under category (xi) of this paragraph);

(ii) Facilities classified as Standard Industrial Classifications 24 (except 2434), 26 (except 265 and 267), 28, 29, 311, 32, 33, 3441, 373;

(iii) Facilities classified as Standard Industrial Classifications 10 through 14 (mineral industry) including active or inactive mining operations (except for areas of coal mining operations meeting the definition of a reclamation area under 40 CFR 434.11(l)) and oil and gas exploration, production, processing, or treatment operations, or transmission facilities that discharge storm water contaminated by contact with or that has come into contact with, any overburden, raw material, intermediate products, finished products, byproducts or waste products located on the site of such operations; inactive mining operations are mining sites that are not being actively mined, but which have an identifiable owner/operator;

(iv) Hazardous waste treatment, storage, or disposal facilities, including those that are operating under interim status or a permit under Subtitle C of RCRA;

(v) Landfills, land application sites, and open dumps that have received any industrial wastes (waste that is received from any of the facilities described under this subsection) including those that are subject to regulation under Subtitle D of RCRA;

(vi) Facilities involved in the recycling of materials, including metal scrapyards, battery reclaimers, salvage yards, and automobile junkyards, including but limited to those classified as Standard Industrial Classification 5015 and 5093;

(vii) Steam electric power generating facilities, including coal handling sites;

(viii) Transportation facilities classified as Standard Industrial Classifications 40, 41, 42, 44, and 45 which have vehicle maintenance shops, equipment cleaning operations, or airport deicing operations. Only those portions of the facility that are either involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, airport deicing operations, or which are otherwise identified under subparagraphs (i)-(vii) or (ix)-(xi) of this subsection are associated with industrial activity;

(ix) Treatment works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge that are located within the confines of the facility, with a design flow of 1.0 mgd or more, or required to have an approved pretreatment program under 40 CFR 403. Not included are farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located in the confines of the facility, or areas that are in compliance with 40 CFR 503;

(x) Construction activity including clearing, grading and excavation activities except: operations that result in the disturbance of less than one acre of total land area which are not part of a larger common plan of development or sale unless otherwise designated by the Agency pursuant to **Part I.B.1.**

(xi) Facilities under Standard Industrial Classifications 20, 21, 22, 23, 2434, 25, 265, 267, 27, 283, 31 (except 311), 34 (except 3441), 35, 36, 37 (except 373), 38, 39, 4221-25, (and which are not otherwise included within categories (i)-(x)).

"Waters" mean all accumulations of water, surface and underground, natural, and artificial, public and private, or parts thereof, which are wholly or partially within, flow through, or border upon the State of Illinois, except that sewers and treatment works are not included except as specially mentioned; provided, that nothing herein contained shall authorize the use of natural or otherwise protected waters as sewers or treatment works except that in-stream aeration under Agency permit is allowable.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
MINE RELATED WATER POLLUTION CONTROL PERMIT

PERMIT NO.: 2008-MT-0066

DATE ISSUED: February 14, 2008

FINAL PLANS, SPECIFICATIONS, APPLICATION AND SUPPORTING DOCUMENTS PREPARED BY: Jack Chan, Ph.D., P.E.
M. Gingerich Gereaux & Associates

EXPIRATION DATE: January 31, 2013

LOG NUMBERS: 0066-08, 5092-03

SUBJECT: Beemsterboer Slag and Ballast Corporation
(Coal Transfer Facility)

Beemsterboer Slag and Ballast Corporation
3411 Sheffield
Hammond, IN 46320

Permit is hereby granted to the above designated permittee to operate a coal transfer facility referenced in the above subject heading and described as follows:

A coal/coke storage and transfer facility located on an area of 22.5 acres in Section 7, Township 37 North, Range 15 East, 3rd P.M., Cook County, Illinois, as described in IEPA Log No. 5092-03. Drainage from the site is controlled by a berm surrounding the site and an infiltration pond. No discharges from this pond to the Calumet River are authorized.

The abandonment plan for this facility shall consist of removal of all coal related materials.

This Permit renews and replaces Permit No. 2003-MT-5092.

This permit is issued in accordance with the Illinois Environmental Protection Act of 1970, the Title 35, Subtitle C: Water Pollution and Subtitle D: Mine Related Pollution Regulations adopted pursuant thereto by the Illinois Environmental Protection Act. THE STANDARD CONDITIONS OF ISSUANCE INDICATED ON THE ATTACHMENT TO THIS PERMIT (PAGE 1a) MUST BE COMPLIED WITH IN FULL. READ ALL CONDITIONS CAREFULLY.

Larry D. Crislip, P.E.
Manager, Permit Section
Mine Pollution Control Program
Bureau of Water

cc: IDNR, Office of Mines and Minerals
IDNR, Division of Water Resources
M. Gingerich Gereaux & Associates
BOW/MPCP/FOS/Springfield
BOW/MPCP/FOS/Marion

LDC:IW:gs/4813c/02-13-08

STORMWATER POLLUTION PREVENTION PLAN

Coke Storage and Transfer Facility
2900 East 106th Street
Chicago, Illinois

Beemsterboer Slag Corporation

Owner Certification. 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 gathered and evaluated 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.

Name:

Title: Facility Manager, Beemsterboer Slag Corporation

Signature:

Date:

M. GINGERICH, GEREAUX
& ASSOCIATES

LAND RESOURCE MANAGEMENT GROUP
LRMG

Table of Contents

1. Purpose 1
2. Revisions 1
3. Potential Sources of Pollution 1
4. Stormwater Management Controls and Management Practices 2
   - *4.1 Stormwater Pollution Prevention Personnel* 2
   - *4.2 Good Housekeeping* 3
   - *4.3 Management Practices* 3
5. Dust Management Practices 5
6. Spill Prevention and Response Plan 6
   - *6.1 Requirements* 6
   - *6.2 Spill Prevention and Control Practices* 6
   - *6.3 Response Procedures* 7
7. Employee Training 8
8. Schedules 8
   - *8.1 Inspection and Maintenance* 8
   - *8.2 Implementation/Construction* 9
   - *8.3 Reporting Requirements* 9

Appendix A: Figures 10

Appendix B: Emergency Contacts 14

Appendix C: Logs 16

Appendix D: Inspection Form 19

Appendix E: Attachments 22

IEPA Mine Related Water Pollution Control Permit (Permit No.: 2003-MT-5092)

NPDES Permit No. ILR10

NOI

NOT

IEPA Acknowledgement of NOI

Section 1: Purpose

This Stormwater Pollution Prevention Plan (SWPPP) has been prepared for Beemsterboer Slag Corporation's petroleum coke storage and transfer facility at 2900 East 106th Street in Chicago, Illinois. The SWPPP, prepared in accordance with the requirements of the National Pollution Discharge Elimination System (NPDES), serves to:

- Identify potential sources of pollution which may be expected to affect the quality of potential stormwater discharges associated with industrial activities at the facility
- Describe practices implemented to reduce pollutants in potential stormwater discharges associated with industrial activities at the facility
- Describe practices implemented in compliance with the terms and conditions of IEPA Mine Related Water Pollution Control Permit (#2004-MT05092) (see Appendix E)
- Provide a brief guide for employee training
- Provide a schedule for reporting, inspections, maintenance, and implementation of various management practices
- Provide a spill prevention and response plan
- Provide typical forms for implementation of SWPPP and inspection of the facility

Section 2: Revisions

The SWPPP is intended to be a living document that may require amendments as industrial activities at the facility are modified and/or new or revised regulations are put in place.

The IEPA may notify Beemsterboer Slag Corporation at any time that the SWPPP must be revised to meet NPDES Stormwater Program permit requirements. Upon notification, Beemsterboer Slag Corporation will revise the SWPPP and submit the revised plan to the IEPA within 30 days of notification.

Beemsterboer Slag Corporation will revise the SWPPP if a violation of the NPDES permit occurs or other objectives of controlling pollutants in stormwater runoff are not achieved.

Section 3: Potential Sources of Pollution

The Beemsterboer facility consists of approximately 30 acres, located at the northwest corner of 106th Street and the Calumet River in Chicago, Illinois (see Figure 1). The facility receives and screens petroleum coke shipped by trucks and barges. The sized and processed material is temporarily stockpiled and subsequently shipped out in trucks and barges. The operation receives and processes on average 500,000 to 700,000 tons of coke annually.

Potential sources of pollution and their corresponding pollutants, relating to the industrial activities at the facility, are identified in Tables 1 and 2.

Table 1: Potential Pollution Sources

Source	Description	Location
Coke Stockpile	Erosion from coke storage piles Dust and particulates from exposed storage piles	Identified as Operation and Storage Areas in Figure 2
Fuel Storage Tanks	Diesel fuel	Near center of the property; 20 ft due north of the office trailer
Truck Wheel Washing Station	Wastewater from the settling tank	Near west entrance to Muskegon Street
Erosion–Berm and Swale	Sediment	Berm and swale sloping areas
Material Storage Pile	Residue material (fine metallic particles, dust, and metallic oxides) from previous steel-melting operations	Southeast corner of the property

Table 2: Potential Stormwater Pollutants

Material	Description	Stormwater pollutants
Coke	Black crushed carbonaceous solids	Sediment
Diesel Fuel	Clear, blue-green to yellow liquid	Petroleum distillate, oil and grease, napththalene, xylenes
Wastewater from truck wheel wash station	Water	Sediment, oil and grease
Flue Dust	Fine metallic particles, dust, and metallic oxides	Metal oxides, dust

Section 4: Stormwater Management Controls and Management Practices

Stormwater management controls are being implemented by the Beemsterboer Slag Corporation to minimize the contact of potential pollutants to stormwater running off the site and to prevent unintentional release of pollutants to the Calumet River. These controls include designation of stormwater pollution prevention personnel, good house keeping, preventative maintenance, spill prevention and response, and various management practices associated with each pollutant source.

Section 4.1: Stormwater Pollution Prevention Personnel

The Site Manager (or authorized designee) is responsible for developing, implementing, and revising the Stormwater Pollution Prevention Plan. The site manager is also accountable for spill prevention activities, setting up spill emergency procedures, and reporting spills as requires. This includes responding to spill emergencies.

Section 4.2: Good Housekeeping

The storage tank containment area should be well maintained, cleaned, and inspected regularly. Small spills caused by overfilling or dripping will be promptly cleaned. Waste generated by the facility should be stored in roll-off containers and emptied prior to overfilling or spillage.

Maintenance will be performed to prevent the failure of pollution control systems. These systems will be inspected regularly to ensure these systems and all elements of the SWPPP are properly maintained and are functioning. The site manager will conduct quarterly facility inspection to verify that all elements of the plan, including the site map, potential pollutant sources, and planned management practices are accurate and fully implemented. Records documenting significant observations (e.g. erosion problems, visible discharges to the river or the street, spills, etc.) made during the site manager's inspection will be submitted to the IEPA in accordance with permit requirements. The site manager will remedy with any unsatisfactory conditions found during the inspection. Remedies may include the following activities:

- The site map and list of potential pollutant sources will be updated to document current conditions.
- Planned management practices will be repaired or replaced to ensure effectiveness.
- The SWPPP may be revised to achieve the objectives stated in Section 1.0.

A site map of the facility shall be permanently displayed in the office trailer where the material in each stockpile is properly identified and labeled. The site map shall be updated whenever material handling operations are changed.

Section 4.3: Management Practices

Section 4.3.1: Stormwater Management Plan

The objective of stormwater management on site is to achieve total retention of stormwater runoff within the property. There will be no positive discharge of stormwater runoff exposed to pollutants to the Calumet River through surface runoff. Currently, there is one existing settling pond within the facility. This pond will be relocated and three additional retention/settling ponds will be added according to the proposed drainage plan (see Figure 2a and 2b). Internal driveways, delineated by concrete markers, are graded to serve as overland flow paths to convey stormwater to each of the four retention areas. The retention ponds allow coke particles and sediment in the stormwater runoff to settle. The primary mechanisms of stormwater removal are reuse (for dust control), infiltration, and evaporation.

Currently a berm extends around most of the property. To achieve total retention, this berm will be improved and extended to enclose the entire site. The improved berm will have a clayey fill material (or equivalent) overlaid with either top soil with native plantings. The top of the berm will be at a minimum elevation of 590.0 ft (IGLD 85). At both entrances (south entrance on 106th Street and west entrance on Muskegon Avenue), the driveway will be raised to 589.1 ft in order to prevent stormwater runoff that have contact with pollutants from leaving the property. The proposed berm prevents the co-mingling of onsite and offsite stormwater runoff.

In addition to the berm improvement, vegetated swales (with native plantings) will be constructed along the front perimeter of the property along 106th Street. To the west of the south entrance, the vegetated swale will collect and convey "clean" stormwater runoff (generated from area south of the berm) to the city storm sewer. This clean stormwater runoff does not contact pollutants.

Section 4.3.2: Erosion–Berm and Vegetated Swale

The side slopes of the berms and swales will be protected by establishing native vegetative cover (according to Calumet Design Guidelines, City of Chicago) upon completion of construction activities. These areas will be periodically inspected by the site manager to identify areas where vegetation has failed or soils are beginning to erode. The site manager will be accountable for maintaining vegetative cover on all earth surfaces and remediation of localized erosion as necessary.

Section 4.3.3: Fuel Storage Tanks and Water Pumps

Two 1,000-gallon fuel storage tanks are located 20 ft north of the office trailer. A secondary containment structure will be provided for these tanks and will consist of a concrete or earthen structure surrounding the tanks which will be designed to withstand any expected settlement, vibration, expansion, or contraction. A concrete or earthen structure will be constructed to contain any unintentional spillage from the water pump.

Section 4.3.4: Truck Wheel Washing Station

To prevent trucks from carrying coke particles offsite, a truck wheel washing station will be installed. Rumble strips will also be installed at the south and west entrances. The rumble strips will remove particles from tires and the vehicle body when below freezing temperature prevents the proper operation of the washing station.

A single axle roller wheel washing system (MobyDick Junior Standard) will be installed near the west entrance (see Figure 2b). The wheel washing unit consists of an under-tank with rollers and a spray-nozzle system, a scraper-conveyor that transports settled-out solid waste, and a recycling tank for water re-use.

The solid sediment generated from the wheel washing system should be removed periodically. Water from the nearby retention pond (Retention Area D) will be used as wash water when possible.

Section 4.3.5: Loading and Unloading Operations

The unloading of barges is done with a clamshell bucket which will be outfitted with a steel plate or similar device to prevent spillage of coke material into the river. A system of plastic and/or metal plates will also be installed on the chutes to catch spillage.

Trucks will only be allowed to come in through the south entrance (106th Street) and exit via the west entrance (Muskegon Avenue). This one-way traffic configuration will ensure that all

trucks utilize the wheel wash station prior to exiting the property. The weight of loaded trucks exiting the property will be measured and monitored using the weigh scale. Trucks that are overloaded must have material removed prior to leaving the site.

Section 4.3.6: Flue Dust Storage Pile

The flue dust storage pile is located at the southeast corner of the property. The flue dust material was the residue from air-pollution equipment serving previous steel-melting operations of Wisconsin Steel Corp. This material consists of fine metallic particles, dust, and metallic oxides. It is not likely that it poses appreciable problems to fugitive dust emission. However, analytical testing is underway to determine its chemical constituents and leaching characteristics. A preliminary plan is to cap the entire storage pile with clayey top soils and provide cover for this cap by planting native vegetation and shrubs or trees. The drainage of the storage pile will be contained by the perimeter berm of the property and all surface runoff will be diverted to the retention areas.

Section 5: Dust Management Practices

A Dust Management Plan shall be developed to minimize the potential for fugitive dust emission at the facility. The following provides a brief summary of dust control measures incorporated as part of the SWPPP.

Wet suppression methods will be used to control fugitive dust emissions from the loading/unloading, screening, and stockpiling operations. Wet suppression equipment will have adequate supply of water from retention areas. The system may incorporate the use of a wetting agent and have adequate frost protection. All material is watered when handled.

Coke storage piles are located within the defined Operation and Storage Areas as shown in Figures 2a and b. The potential for airborne emissions from storage piles and should be minimized by using the following techniques:

(a) drops from stock pile conveyor head drums should be kept to a minimum;
(b) all stock pile conveyor head drums should be provided with effective wind break protection;
(c) falling material should be conditioned with effective water spray suppression;
(d) chutes or socks made from rubber strip curtains should be provided immediately after stock pile conveyor head drums of dusty material;
(e) Each stockpile is sprayed on the open face with water several times a day during non-raining days; and
(f) the entire coke piles should be conditioned with a water spray system during dry and/or windy conditions.

All trucks leaving the property are required to pass through the wheel wash station (except in below-freezing temperature) and the rumble strip to remove sediment and coke particles adhered to tires and the vehicle body. This is described in more detail in Section 4.3.5.

All internal drives are watered on a daily basis during non-rain days. A street sweep is run along 106th Street and Muskegon Avenue and all internal roads on a regular basis in order to clean up accumulated dust, if any. In the case when the sweeper or water truck is unavailable, the facility is equipped with water spray equipment as an alternative means to control potential fugitive dust problems. When water spray is either insufficient or ineffective due to equipment failure or extreme weather conditions, operations will be shut down until better conditions are encountered.

Section 6: Spill Prevention and Response Plan

To prevent the release of a spilled liquid into the Calumet River, the following plan and response procedures have been prepared for the facility. However this does not replace the Spill Prevention Control and Countermeasure (SPCC) Plan required for the facility.

Section 6.1: Requirements

The Oil Pollution Prevention Regulations (40 CFR 112) adopted by U.S. Environmental Protection Agency (USEPA) under the Clean Water Act (CWA) are applicable to facilities that store, distribute or consume oil or oil products and that could reasonably be expected to discharge such materials in harmful quantities into navigable waters—in this case—the Calumet River. In accordance with 40 CFR 112.1(2), a written SPCC Plan is required for the Beemsterboer facility because two 1,000-gallon fuel storage tanks are located on site (see Figure 2), which is greater than the 1,320-gallon above ground storage limit.

Section 6.2: Spill Prevention and Control Practices

Structural spill prevention for the fuel storage tanks and water pump is described in Section 4.3.3.

All potential pollutant materials will be handled, stored, used and disposed of in a manner that minimizes contact with stormwater. Waste chemicals such as antifreeze degreasers and used oils will be recycled or disposed of in an approved manner. Oils or other fluids (except water) that leak onto the ground shall be cleaned up and any contaminated soil shall be properly disposed of in accordance with regulatory requirements. All solvent waste, oily rags, and flammable liquids shall be kept in fire resistant covered containers until removal from the work site.

Any containers of hazardous substances will be kept in their original containers with the original manufacturer's label, including material safety data sheet provided by the manufacturer. The containers will be located on an impermeable base so that leaks, spills, and accumulated precipitation are contained. The containers will be either on a sloped based or elevated (such as on pallets) to protect containers from accumulated liquids on the base. Any spills or leaks will be properly disposed of in a timely manner. If the container is not in good condition (e.g. severe rusting, corrosion, etc.) or if it begins to leak, the contents will be transferred to a container in good condition. If surplus product must be disposed of, manufacturer's or local and State recommended methods for proper disposal will be followed.

Flammable or combustible liquid storage shall comply with NFPA 30 and OSHA 29 CFR 1926.152. All gas cans and containers shall be free of deformities and constructed of metal, with self-closing lids and flame arresters. Fuel cans shall be labeled as to their contents. All equipment should be fueled through funnels or spouts to minimize spills and motors of all equipment shall be shut off during fueling operations. All onsite vehicles and machines will be monitored for leaks and receive regular preventive maintenance to reduce the chance of leakage. Any asphalt substances used onsite will be applied according to the manufacturer's recommendations.

Manufacturer's recommended methods for spill clean up will be clearly posted and site personnel will be made aware of the procedures and location of the clean up information and clean up supplies. Materials and equipment necessary for spill clean up will be kept in the office trailer. Equipment and materials will include but not be limited to brooms, dust pans, mops, rags, gloves, goggles, kitty litter, sand sawdust, and plastic and metal trash containers specifically for this purpose.

Section 6.3: Response Procedures

In the unlikely event that a spill occurs at the Beemsterboer facility, the first employee detecting the spill will immediately notify the site manager (see emergency contact information in Appendix B). The site manager will determine the nature and degree of the release and direct the following response procedures.

- Properly trained personnel will immediately attempt to contain the release with earthen berms and/or sorbent materials that are stored in the office trailer on site.
- If release to water occurs all efforts will be made to dam any waters to prevent migration off-site.
- Upon containment, the affected areas will be cleaned up to the satisfaction of all local, state, and federal regulatory agencies.
- An appropriate environmental response contact will be contacted to provide assistance in the containment, cleanup, transportation, and disposal of all spill and contaminated materials.

Upon discovery of any spill or leak of hazardous materials, the site manager shall prepare a written report that will be submitted to appropriate State or local government agency. The report should include the following information:

- Date and time of the spill
- Location of the spill
- Type and estimated quantities of material involved
- Estimated quantity of contaminated material removed
- Injuries
- Resulting damages
- Potential hazards of impacts to human health and/or the environment
- Probable cause and means to prevent future occurrences
- Responding agencies primary coordinator name and telephone number

- Names of personnel, visitors, or customers involved
- Any additional pertinent information

Section 7: Employee Training

Employee training programs shall inform personnel at all levels of responsibility of the components and goals of the stormwater pollution control plan. The training program will be conducted for all new employees and annually thereafter. A copy of the employee training log is included in Appendix C. Training will address the following topics:

- Overview of components of the SWPPP
- Review of the materials that are stored at the facility
- Review of the materials used in the operation and maintenance of the equipment and facilities, including fuels, oils, and cleaners
- Spill prevention and emergency response procedures
- Good housekeeping and material management practices
- Inspections and maintenance procedures

Section 8: Schedules

Section 8.1: Inspection and Maintenance

All components of the stormwater management system (berms, internal drives, culvert, swales, and retention ponds) will be maintained and repaired as needed to assure continues performance of their intended function. This program will consist of performance checks of facilities and grades, sedimentation cleaning, vegetative care, and maintenance. Inspections will occur according to the following frequencies:

- During the construction of the drainage improvements (berm, pond excavation, and grading), the stormwater management system will be inspected weekly or within 24 hours of a significant storm event that is greater than 0.5 inch.
- Fuel tank and water pump containment areas will be inspected on a daily basis for evidence of spills or leaks.
- A log will be kept for the daily water truck use and the amount of water used (and/or wetting agent applied); a log recording when dust control measures were not used and a statement of explanation.
- The facility will be inspected annually 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 stormwater and fugitive dust are accurate.

Maintenance includes the watering of vegetation and the clearing of sediment from the retention basins. Sediments will be dredged from the basins when more than a foot of sediment has been accumulated or every three years, whichever comes first.

Qualified personnel will conduct the inspections, and follow-up procedures will be used to ensure that the inspections are responded to appropriately and in a timely manner. All inspections and maintenance activities will be documented and recorded.

Section 8.2: Implementation/Construction

All structural improvements in the drainage plan will be constructed as soon as this SWPPP is approved by IEPA and the Chicago Department of Environment (DOE). All management practices will be implemented immediately.

Section 8.3: Reporting Requirements

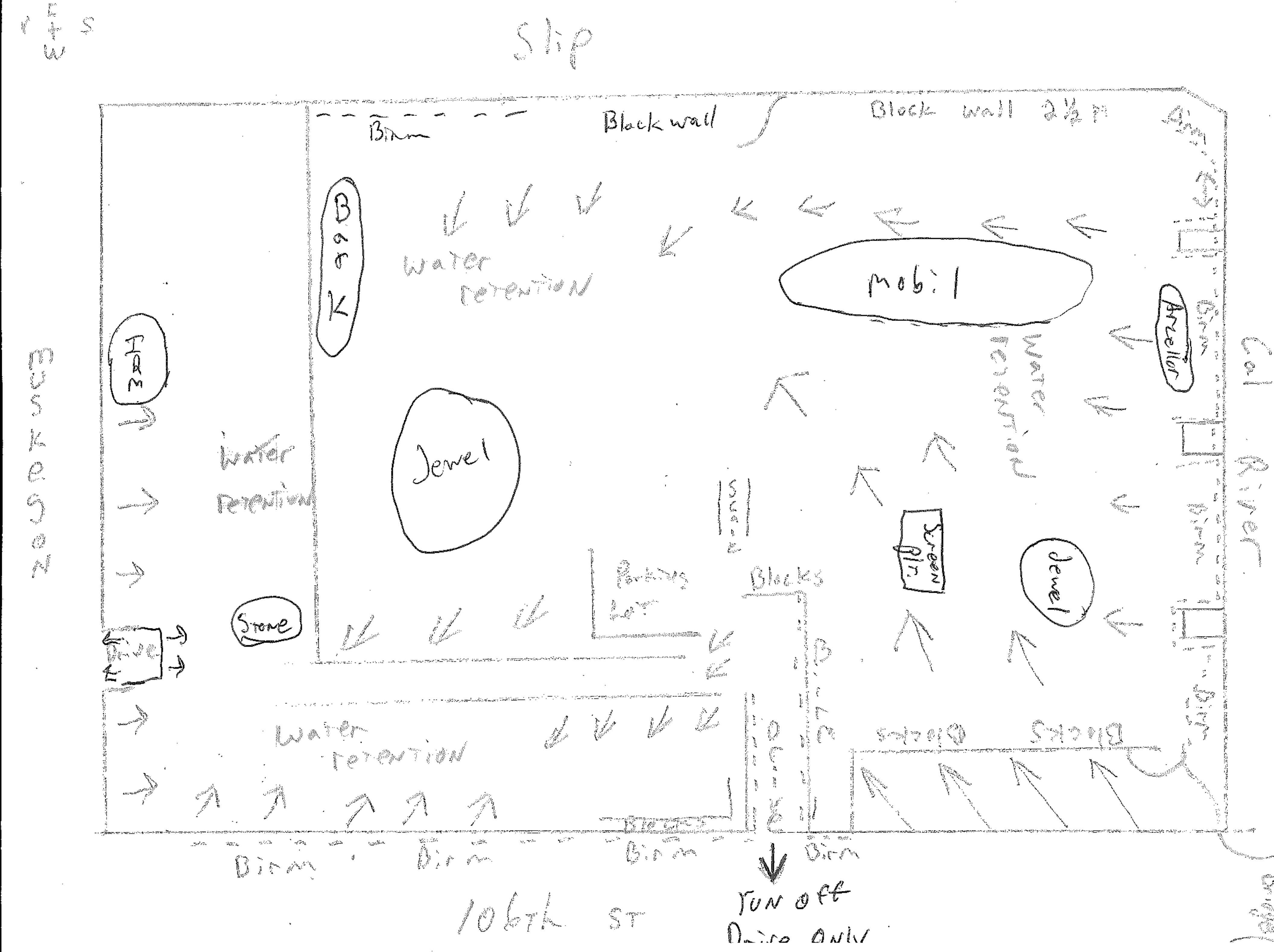
Training log and dust control measures daily logs (water truck sweeper usage) are provided in Appendix C. Inspection forms are included in Appendix D and are to be filled out during each inspection of the facility. Additionally, an annual inspection report will be submitted to the IEPA. The report will include results of the annual facility inspection required by this plan. The report will also include documentation of any event (spill, erosion of berm, etc.) which would require an inspection, results of the inspection, and any subsequent corrective maintenance activity. The report will be completed and signed by the authorized facility employee who conducted the inspection.

The annual inspection reports will be mailed to the following address:

Illinois Environmental Protection Agency
Division of Water Pollution Control
Compliance Assurance Section
Annual Inspection Report
P.O. Box 19276
Springfield, Illinois 62794-9276

Appendix A: Figures

Figure 1: Site Location Map



N E W S
Slip
Birm
Blackwall
Block wall 2½ ft
Bark
Water retention
Mobil
Ameller
Birm
Water retention
Eusksoer
Ham
Water retention
Jewel
Parking Lot
Screen Pln
Jewel
Blocks
Stone
Drive
Water retention
Blocks
Blocks
Birm
Birm
Birm
Birm
Cal River
106th ST
run off

Figure 2a: Proposed Drainage Plan (Sheet 1)

Figure 2b: Proposed Drainage Plan (Sheet 2)

Appendix B: Emergency Contacts

Emergency Contacts

To be posted and distributed for use in reporting spills and emergencies.

All spills must be immediately reported to one of the following supervisors.

Any spill occurring off our property or which cannot be immediately contained and cleaned up must be reported to one (or more) of the appropriate emergency service(s) listed below.

Supervisors:

Ted Beemsterboer	(773) 785-6000
Pete Smith	(219) 746-8229

Emergency Services:

Chicago Emergency	911
Chicago City Services	311
Illinois Emergency Management Agency (IEMA)	(800) 782-7860
National Response Center	(800) 424-8802

Appendix C: Logs

Water/Sweeper Truck Log for Stormwater Pollution Prevention Plan Beemsterboer 106th Facility			
Date/Time	Number/Type of Truck	Amount of Water Applied	Notes (Temp/Weather Conditions)

Training Log for Stormwater Pollution Prevention Plan Beemsterboer 106th Facility			
Employee Name	**Employee Signature**	**Initial Training Date**	**Refresher Training Date**

Appendix D: Inspection Form

Inspection Form for Stormwater Pollution Prevention Plan Beemsterboer 106th Facility			
Stormwater Management System			
Location		*Conditions*	*Changes/Recommendations*
Retention Areas	A		
	B		
	C		
	D		
Berms	River Frontage		
	106th Street		
	Muskegon Avenue		
	Northwest Perimeter		
Swales	West of south entrance		
	East of south entrance		
Culvert			

Storage Tank/Water Pump			
	Leaks or Spills ?	Damage to Tank?	Other Observed Problems/Maintenance Needs?
Fuel Storage Tank			
Water Pump			

Conclusions	
Do the stormwater pollution prevention control measures at the facility match those identified in the SWPPP?	
Do any new potential sources of pollutants exist?	
Other Comments?	
Inspector:	Signature: Date: