UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

SEP 19 2014

REPLY TO THE ATTENTION OF:
WC-15J

CERTIFIED MAIL 7011 1150 0000 2639 5018
RETURN RECEIPT REQUESTED

Honorable Ruben Pineda
Mayor, City of West Chicago
475 Main St.
West Chicago, IL 60185

Subject: City of West Chicago; Information Request Pursuant to 33 U.S.C. § 1318 of the Clean Water Act, Docket No. V-W-14-308-27

Dear Mayor Pineda:

Protecting water quality is a high priority of the U.S. Environmental Protection Agency. The National Pollutant Discharge Elimination System (NPDES) permit program, as authorized by the Clean Water Act (CWA or the "Act"), controls water pollution by regulating point sources that discharge pollutants into waters of the United States.

Additionally, the CWA General Pretreatment Regulations control water pollution by regulating Publicly-Owned Treatment Works (POTWs) which accept wastewater discharged from industrial users. The Illinois Environmental Protection Agency (IEPA) issued NPDES Permit Number IL0023469 to the City of West Chicago. The permit authorizes discharges to waters of the United States in accordance with pretreatment regulations (among other things). The City of West Chicago appears to have had issues with the General Pretreatment Regulations (40 C.F.R. Part 403) that may contribute to poor water quality and impairment of uses within waterways. This request seeks information related to a colored wastewater discharge to the West Chicago Regional Wastewater Treatment Plant that occurred on or around November 20, 2013; effluent limit violations by The Jel Sert Company; the correct categorization for INX International Ink Company; and summary daily wastewater discharge flow records for each of the City's industrial users.

EPA is authorized under section 308 of the CWA, 33 U.S.C. § 1318, to require reports and other information necessary to carry out the purpose of the Act. Accordingly, pursuant to section 308 of the Act, you are directed to provide EPA with the information requested in the enclosure.

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Please submit the information requested in the accompanying documents with a statement certifying that all representations contained therein are true and accurate to the best of your knowledge and belief using the certification language provided. Please exercise care to assure that responses are complete and accurate, because section 309(c)(2) of the Act, 33 U.S.C. § 1319(c)(2), provides for the imposition of criminal penalties where false information is knowingly provided to EPA.

Please respond in writing with the information requested in the enclosure, within thirty (30) days of receipt of this letter with copies to:

Water Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5
77 West Jackson Blvd. (WC-15J)
Chicago, IL 60604 3590
Attention: Newton Ellens

If you have any questions which come up during the completion of this information request, please feel free to contact Newton Ellens of my staff, at (312)353-5562, or via email at ellens.newton@epa.gov with your questions. Thank you for your timely response to this information request.

Sincerely,

Tinka G. Hyde
Director, Water Division

Enclosure

cc: Maureen Brehmer, Environmental Protection Engineer
Illinois Environmental Protection Agency

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:	)	Docket No. V-W-14-308-27
	)	
CITY OF WEST CHICAGO	)	
WEST CHICAGO, ILLINOIS	)	Proceeding under Section 308(a) of
	)	the Clean Water Act, as amended,
	)	33 U.S.C. § 1318(a)
NPDES Permit No. IL0023469	)	

INFORMATION REQUEST

I. STATUTORY AUTHORITY

The U.S. Environmental Protection Agency is issuing this Information Request to the City of West Chicago (You) pursuant to the authority vested in the Administrator of EPA by Section 308(a) of the Clean Water Act (CWA), 33 U.S.C. § 1318(a). The Administrator has delegated this authority to the Regional Administrator of EPA, Region 5, who has re-delegated this authority to the Director of the Water Division, EPA Region 5.

II. INSTRUCTIONS

1. You must respond to this Information Request within 30 calendar days of its receipt by You. Submission instructions are in Section V of this Information Request.

2. You must respond separately to each of the requests. Where a "yes" or "no" answer is requested, You may provide additional information, if desired. Precede each answer with the number of the request to which it corresponds. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the request to which it corresponds.

3. If You do not have documents responsive to a particular request, state in your written response that You do not have responsive documents.

4. You must keep the reports and all records reviewed or generated in the course of responding to this Information Request until EPA informs You in writing that You are no longer required to keep the reports and records, or for three years, whichever is sooner.

III. DEFINITIONS

1. "Collection System" shall mean all portions of the West Chicago sewer system that collect and convey sanitary and/or combined sewage for treatment to the West Chicago Regional Wastewater Treatment Plant.

2. "Day" or "days" shall mean a calendar day or calendar days. In computing any period of time under this Information Request, where the last day would fall on a Saturday, Sunday, or federal or state holiday, the period shall run until the close of the next business day.

3. "Indirect Discharge" shall mean the introduction of pollutants into a POTW from any non-domestic source regulated under section 307(b), (c), or (d) of the Act.

4. "Industrial User" shall mean a source of indirect discharge.

5. "Record" or "records" shall mean any recording of information in tangible form. It includes, but is not limited to, documents, memoranda, reports, letters, maps, graphs, charts, log books, notes, emails, computer files, computer printouts, and computer databases.

6. "Wastewater Treatment Plant(s)" or "WWTP(s)" shall mean the wastewater treatment plant(s) operated by the City of West Chicago, National Pollutant Discharge Elimination System (NPDES) Permit Number IL0023469, and located at 725 Dayton Avenue, West Chicago, IL 60185 and all components of such sewage treatment plant(s).

7. "You" for purposes of this Information Request refers to the City of West Chicago and to any agents, employees, contractors, or other entities that performed work or acted in any way on behalf of, or at the direction of the City of West Chicago.

IV. REQUESTS

1. Please submit the following:

    A. Any documentation, studies, records, and/or correspondence relating to a colored wastewater discharge to the WWTP, that occurred on or around November 20, 2013;

    B. Any permit applications for The Jel Sert Company;

    C. A description of The Jel Sert Company's processes which contribute non-domestic pollutants to the WWTP;

    D. A description of The Jel Sert Company's non-domestic pollutants discharged to the WWTP;

    E. Any correspondence between You and The Jel Sert Company (aside from notices of violation) regarding discharges of:

1. Colored wastewater, and

2. Exceedances of pH local limits;

F. Any correspondence regarding the applicable Pretreatment category for INX International Ink Company, including whether it is subject to 40 C.F.R. Part 447, Ink Formulating and Point Source Category;

G. Summary daily wastewater discharge flow records for each of the City's industrial users from 2009 to the present.

V. SUBMITTALS

1. Please submit your response to this Information Request within 30 days of your receipt of the Information Request to:

   Water Enforcement and Compliance Assurance Branch (WC-15J)
   U.S. Environmental Protection Agency, Region 5
   77 West Jackson Boulevard
   Chicago, Illinois 60604-3590
   Attention: Newton Ellens, Pretreatment Program Manager

2. You must submit all requested information under an authorized signature with the following 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, 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.

3. If You find at any time after submitting information to EPA that any portion of the submittal is false or incorrect, You must notify EPA immediately. Knowing submittal of false information to EPA in response to this Information Request may subject You to criminal prosecution under Section 309(c) of the CWA, 33 U.S.C. § 1319(c), and 18 U.S.C. §§ 1001 and 1341.

4. You may not withhold information because You claim it is confidential. However, pursuant to 40 C.F.R. Part 2, Subpart B, You may assert a claim of business confidentiality regarding any portion of the information submitted in response to this Information Request, as provided in 40 C.F.R. § 2.302(a)(2). The regulations provide that a person may assert a business confidentiality claim covering part or all of the information furnished to EPA when that person submits the information. The manner of asserting such claims is specified in 40 C.F.R.

§ 2.203(b). Effluent data (as defined in 40 C.F.R. § 2.302(A)(2)) and information in NPDES permit applications is not entitled to confidential treatment. 40 C.F.R. § 122.7. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth in 40 C.F.R. Part 2, Subpart B. If You do not assert a claim of business confidentiality when You submit the information, EPA may make the information available to the public without further notice.

5. This Information Request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

6. EPA may use the information submitted in response to this Information Request in an administrative, civil or criminal action.

7. Neither the issuance of this Information Request by EPA nor your compliance with this Information Request relieves You of liability for any penalty, fine, remedy or sanction authorized to be imposed pursuant to Section 309(b), (c), (d), or (g) of the CWA, 33 U.S.C. § 1319(b), (c), (d), or (g), including but not limited to those related to any violations addressed by this Information Request. EPA specifically reserves the right to seek any of the remedies specified in Section 309(b), (c), (d), or (g) of the CWA, 33 U.S.C. § 1319(b), (c), (d), or (g).

8. There can be significant civil or criminal penalties for failing to adequately respond to requests for information issued under the Section 308(a) of the CWA, 33 U.S.C. § 1318(a).

9. Please contact Newton Ellens of my staff by telephone at (312) 353-5562, or via email at ellens.newton@epa.gov, if You have any questions about this Information Request.

Tinka G. Hyde

Tinka G. Hyde
Director, Water Division
U.S. Environmental Protection Agency, Region 5

9/19/14
Date