NPDES Permit No. IL0049191
Notice No. BWC:11051201.bwc

Draft Permit Public Notice Beginning Date: **July 14, 2011**

Draft Permit Public Notice Ending Date: **August 15, 2011**

Public Hearing Date: **August 30, 2011**

Public Hearing Comment Ending Date: **September 29, 2011**

National Pollutant Discharge Elimination System (NPDES)
Permit Program

Draft Modified NPDES Permit to Discharge into Waters of the State and Notice of Public Hearing

Public Notice/Fact Sheet Issued By:

Illinois Environmental Protection Agency
Bureau of Water,
Division of Water Pollution Control
Permit Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
217/782-0610

Name and Address of Discharger:
Ameren Energy Generating Company
1901 Chouteau Avenue, (MC-602)
P.O. Box 66149
St. Louis, Missouri 63166-6149

Name and Address of Facility:
Ameren Energy Generating Company
Newton Power Station
6725 500th Street
Newton, Illinois 62448
(Jasper County)

The Illinois Environmental Protection Agency (IEPA) has made a tentative determination to issue a NPDES permit to discharge into the waters of the state and has prepared a draft permit and associated fact sheet for the above named discharger. The Public Notice period will begin and end on the dates indicated in the heading of this Public Notice/Fact Sheet. The last day comments will be received will be on the Public Notice period ending date. Interested persons are invited to submit written comments on the draft permit to the IEPA Hearing Officer, Dean Studer, Office of Community Relations, 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276. Commenters shall provide his or her name and address and the issues proposed to be raised and the evidence proposed to be presented with regards to those issues.

A public hearing regarding the draft permit modifications will be held on Tuesday, August 30, 2011 at 6:00 p.m. in the main courtroom on the 2nd floor of the Jasper County Courthouse, 100 West Jourdan Street, Newton, Illinois. To better facilitate the hearing, IEPA asks that comments on the draft permit be submitted by the draft permit public notice ending date of August 15, 2011. IEPA will use this information to better respond to issues presented at the hearing.

Comments may also be submitted by e-mail sent to epa.publichearingcom@illinois.gov and must specify "Ameren Newton Power Station NPDES Modification" in the subject line. All comments submitted by electronic mail shall include the full name of the person submitting the comments as well as the commenter's mailing address and e-mail address.

The application, engineer's review notes including load limit calculations, Public Notice/Fact Sheet, draft permit, comments received, and other documents are available for inspection and may be copied at the IEPA between 9:30 a.m. and 3:30 p.m. Monday through Friday when scheduled by the interested person. For further information, please call Brian Cox at 217/782-0610.

The applicant is engaged in the operation of Newton Power Station, an existing 1210 MW coal fired steam-electric generating station consisting of two pulverized coal wet bottom boilers (SIC 4911). A once through cooling system is used to cool the main condensers for each unit, and condenser cooling water is discharged to Newton Lake for dissipation of waste heat via a discharge flume. Lake water is used for ash sluicing, and station service water is used to supply the water treatment plant and various heat exchangers. Plant operation results in an average discharge of 17.2 MGD of secondary ash pond discharge from outfall 001, 0.00055 MGD of sewage treatment plant #2 effluent from outfall A01, 558.6 MGD of main condenser cooling water from outfall 002, and 0.0256 MGD of sewage treatment plant #1

effluent from outfall 003, 0.5 MGD of construction runoff settling pond effluent from outfall 004, 0.10 MGD of intake screen backwash from outfall 005, and stormwater runoff from outfalls 007, 008, 009, 010, 011, and 012.

The following modifications are proposed:

Limits for phosphorus have been placed on outfalls A01 and 003 due to the implementation of the Little Wabash River II TMDL which was approved November 12, 2007 and included a waste load allocation for the Newton Power Station's Sewage Treatment Plants. These permit limits will be applicable at the conclusion of the two-year compliance schedule noted in the special conditions of the permit.

The secondary ash pond discharge from outfall 001 is proposed to increase from 8.31 MGD to 17.2 MGD. The increase in flow can be attributed to the following reasons:

In January 2009, Ameren installed an in-situ formed fiberglass liner on their existing discharge pipe from the secondary ash pond. This liner patched holes in the discharge pipe and slightly increased the flow to outfall 001. In addition, after the new liner was installed Ameren determined that the formula they previously used to calculate the outfall 001 flow was inaccurate, so they have corrected the equation to compensate for the change in roughness coefficient and decrease in pipe diameter. As a condition of this permit, Ameren will be required to install a flow meter to monitor the outfall 001 discharge to eliminate any potential flow calculation errors.

Additionally, Newton Power Station installed activated carbon injection (ACI) systems on both generating units to comply with the Agency's air regulations for mercury and SO_x emissions. The ACI system injects activated carbon into the flue gas immediately following the boiler. The activated carbon then settles out with the fly ash in the electrostatic precipitator. Newton Power Station began operating the ACI systems in June 2009 to comply with their multipollutant reduction agreement. The activated carbon has rendered the fly ash unmarketable, which caused an increase to the previously permitted flows from the Unit 1 fly ash sluice water and wastewater sumps.

The activated carbon has also rendered the Unit 2 fly ash unmarketable. As a result, Ameren is proposing to discharge additional fly ash sluice water and wastewater sump discharges to be treated in the existing ash pond treatment system which discharges via outfall 001. Also, there have been some minor increases to the water treatment plant related waste streams.

As a result of the above modification, a condition has been added to the permit requiring monitoring of various metals at outfall 001. Additionally, phosphorus monitoring has been added to outfall 001 and an influent monitoring requirement has been added for total suspended solids and phosphorus. The results of these additional monitoring requirements will be used as further justification for Ameren's claim that the net loading to Newton Lake for total phosphorus and total suspended solids will not be increased due to the additional fly ash sluice water.

Special Condition 22 has been modified to reflect an additive name change, from BETZ Clam-Trol CT-2 to Spectrus CT 1300.

Application is made for the existing discharge(s) which are located in Jasper County, Illinois. The following information identifies the discharge point, receiving stream and stream classifications:

Outfall	Receiving Stream	Latitude	Longitude	Stream Classification	Integrity Rating
001	Newton Lake	38° 56′ 35″ North	88° 18′ 20″ West	General Use	Not Rated
A01	Newton Lake via Coal Pond	38° 56′ 09″ North	88° 17′ 15″ West	General Use	Not Rated
002	Newton Lake	38° 55′ 20″ North	88° 55′ 20″ West	General Use	Not Rated
003	Newton Lake	38° 56′ 33″ North	88° 16′ 40″ West	General Use	Not Rated
004	Newton Lake	38° 56′ 15″ North	88° 16′ 15″ West	General Use	Not Rated
005	Newton Lake	38° 56′ 15″ North	88° 16′ 15″ West	General Use	Not Rated
006	Newton Lake	38° 55′ 30″ North	88° 17′ 45″ West	General Use	Not Rated
007	Newton Lake	38° 56′ 35″ North	88° 18′ 20″ West	General Use	Not Rated
008	Newton Lake	38° 56′ 30″ North	88° 16′ 15″ West	General Use	Not Rated
009	Newton Lake	38° 56′ 00″ North	88° 16′ 15″ West	General Use	Not Rated
010	Newton Lake	38° 55′ 45″ North	88° 16′ 00″ West	General Use	Not Rated
011	Newton Lake	38° 55′ 45″ North	88° 18′ 30″ West	General Use	Not Rated
012	Newton Lake	38° 55′ 30″ North	88° 18′ 30″ West	General Use	Not Rated

To assist you further in identifying the location of the discharge please see the attached map.

The stream segment receiving the discharge from outfall(s) 001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, and 012 is on the partially approved 2008 303 (d) list of impaired waters and on the draft 2010 303(d) list of impaired waters, and is not a biologically significant waterbody.

The following parameters have been identified as the pollutants causing impairment:

Designated Use	Pollutants
fish consumption use	Mercury
aesthetic use	aquatic algae, phosphorus (total), and total suspended solids (TSS)

Antidegradation Assessment
NPDES Permit No. IL0049191

The subject facility has applied for a modified NPDES permit to cover an additional wastewater component. Because of a new requirement to remove mercury from air emissions, fly ash will no longer be marketable due to carbon inclusions and must be disposed of on-site. The chosen method for accomplishing this is to increase loading of air emissions wastewater containing the formerly marketed ash to the existing ash pond. This pond currently receives some ash from generation Unit 1. It is proposed that the pond will receive all ash from both generation Units at the Station, Unit 2 being modified with an ash delivery system. Flows to the ash pond will increase from 8.31 to 17.2 MGD. The ash pond discharge will remain to Newton Lake.

The information in this antidegradation assessment came from the July 2010 report by MACTEC Engineering and Consulting, Inc. titled "Newton Lake Permit Modification Evaluation of Total Suspended Solids in Fly Ash Effluent" and the December 4, 2009, September 28, 2009, August 19, 2010, November 10, 2010, December 15, 2010, and March 28, 2011 letters from Ameren.

Identification and Characterization of the Affected Water Body.

The subject facility discharges to Newton Lake at a point where 0 cfs of flow exists upstream of the outfall during critical 7Q10 low-flow conditions. Newton Lake is classified as a General Use Water. Newton Lake is not listed as a biologically significant stream in the 2008 Illinois Department of Natural Resources Publication *Integrating Multiple Taxa in a Biological Stream Rating System*, nor is it given an integrity rating in that document. Newton Lake, Waterbody Segment, RCR, is listed on the draft 2010 Illinois Integrated Water Quality Report and Section 303(d) List as impaired for fish consumption use with potential cause given as mercury, and aesthetic use with potential causes given as aquatic algae, phosphorus (total), and total suspended solids (TSS). Aquatic life use is fully supported. Newton Lake is not subject to enhanced dissolved oxygen standards.

In August 2008 an approved TMDL report was issued for phosphorus in Newton Lake.

Identification of Proposed Pollutant Load Increases or Potential Impacts on Uses.

Ameren prepared a summary of proposed loading increases, presented in a December 4, 2009 document, for the various constituents present in the existing ash pond effluent. With the addition of Unit 2 ash to the pond, loading of most of these constituents in the discharged ash pond effluent will increase, but concentrations of most of these substances are predicted to remain the same. The increases in loading are proportional to the increase in flow that will occur when the addition of Unit 2 ash begins. Boron is the substance with the highest potential to exceed the water quality standard at the end-of-pipe. A mixing zone is currently recognized for boron. Ameren commissioned a study to verify that the increased boron loading would not cause boron concentrations outside the mixing zone to exceed the standard. The results of this study are found in a report dated August 22, 2008 from AquAeTer, where it was concluded that adequate mixing to meet the boron standard (1 mg/L) will exist after the increase in flow. This mixing also occurs for all other effluent constituents.

Other substances in the effluent are found at lower concentrations relative to the water quality standards. Water quality standard attainment in Newton Lake is not threatened by any of these substances. No adverse impact to aquatic life is anticipated from the increased loading.

Mercury is expected to undergo a decrease in loading when the flow change occurs because mercury in the ash will be absorbed by the activated carbon added to the system and the carbon particles will settle permanently on the bottom of the ash pond. Ameren has provided extensive documentation, including reports from the Electric Power Research Institute and USEPA that conclude that virtually all the mercury in the ash sluice water will be absorbed in, and remain permanently, in the activated carbon. Even though significant new amounts of mercury are removed in the air emissions scrubbing process, the activated carbon will result in an ash pond effluent that has less mercury load and concentration than before. Given the air in the vicinity of the plant will have much less mercury from the stack emissions, some of which previously precipitated into the lake and its watershed, the loading of mercury to Newton Lake will be substantially reduced.

Phosphorus is a minor effluent constituent with effluent concentrations much lower than background levels in the area. The increase in

loading from this project is inconsequential and will not affect the recommendations in the TMDL report for reducing phosphorus in the lake. The Illinois Nutrient Standards Workgroup has been convened to develop nutrient standards and will strive to keep NPDES permitted dischargers aware of its findings, allowing them to anticipate future nutrient permit limits. A future NPDES permit for this facility may be subject to limits based on these yet to be developed standards.

Total suspended solids (TSS) were listed as a potential cause of impairment to Newton Lake. Based on influent and effluent monitoring, Ameren determined that they had a net removal of TSS for lake water that was used at the facility and passed through the ash pond and polishing pond. The analysis also determined that the increased flow will continue to have a net removal of TSS. TSS loading will not increase due to this increased discharge.

Fate and Effect of Parameters Proposed for Increased Loading.

Some substances in the ash pond effluent, such as boron and sulfate, are highly soluble and will eventually be discharged from the lake and will proceed through the downstream continuum largely intact. Other substances, such as the trace metals, will tend to precipitate to the lake sediments. The concentrations of these substances are not significantly different from the background water entering the lake and are not expected to cause lake sediments to build up unnatural concentrations.

Purpose and Social & Economic Benefits of the Proposed Activity.

The increased amount of ash sent to the ash pond is a direct result of Ameren's commitment to meet new air quality requirements for mercury. Because ash will no longer be marketable for cement manufacture, all ash from both plant generation Units will be sluiced to the pond. Continuation of ash disposal allows the plant to continue generation of power as a base-load facility, thereby supplying the local and regional community with dependable electric power and preserving local jobs.

Assessments of Alternatives for Less Increase in Loading or Minimal Environmental Degradation.

As ash becomes unmarketable, Ameren must review options for alternate disposal. A landfill currently exists that will be filled to capacity soon, if all Unit 2 ash is disposed of there. Ameren prepared an alternative analysis of reasonable options for ash disposal that contains two methods. The first of these is to sluice the ash from both Units to the ash pond. The cost of installing the hydroveyors was $5.25 M to move the ash from the generating Units to the pond. This system of ash handling will have the capacity to accept ash for at least 20 years. This is the preferred option and the subject of this review. The second option involves expansion of the existing landfill and the deposition of all Unit 2 ash in it, i.e., all the ash that was formerly marketed. Ameren estimates that this option will cost $8.5 M and will suffice for ash handling at the plant for nine years.

Ameren evaluated recycling all fly ash water; however, this would require an extensive engineering evaluation and likely subsequent modifications of current Station processes and/or equipment. Ultimately, this wastewater would need to be discharged with higher constituent concentrations than those projected using the proposed wet fly ash sluicing.

Ameren evaluated treatment via evaporation; however, this would be very expensive for equipment procurement and continual operation & maintenance. Assuming a somewhat linear relationship between flow and capital cost of an analysis at Duck Creek Power Plant, an extrapolated equipment cost for a similar system would be about $185 M (2003 dollars). Additional significant costs would be incurred for routine operation and maintenance of such a treatment system.

Ameren evaluated adding the activated carbon injection after the precipitation, so that the activated carbon doesn't render the fly ash useless for resale. Ameren has chosen the multi-pollutant standard (MPS) compliance option under the Illinois Mercury Rule that requires reduction in SOx and NOx air emissions as well as the requirement to inject halogenated activated carbon at a fuel-dependent rate for mercury reduction. The halogenated activated carbon must be injected into the flue gas after the boiler to achieve mercury removal.

Ameren indicated that the cost to remove metals via microfiltration followed by demineralization and/or reverse osmosis treatment would be expensive to install and operate. They have no quantifiable capital cost estimation for this equipment, but they anticipate that routine operations and maintenance cost for such a treatment system would be significant.

The facility evaluated the use of an on-site and off-site landfill. The capital cost (2010 dollars) of the on-site landfill is $13.5 M with annual O&M cost of $393,000. There is no capital cost of the off-site landfill; however, the annual O&M cost is $4.023 M. In accordance with the *Interim Economic Guidance for Water Quality Standards – Workbook* (EPA-823-B-95-002), published by USEPA, dated March 1995, the above costs represent a substantial impact and an undue financial burden on Ameren.

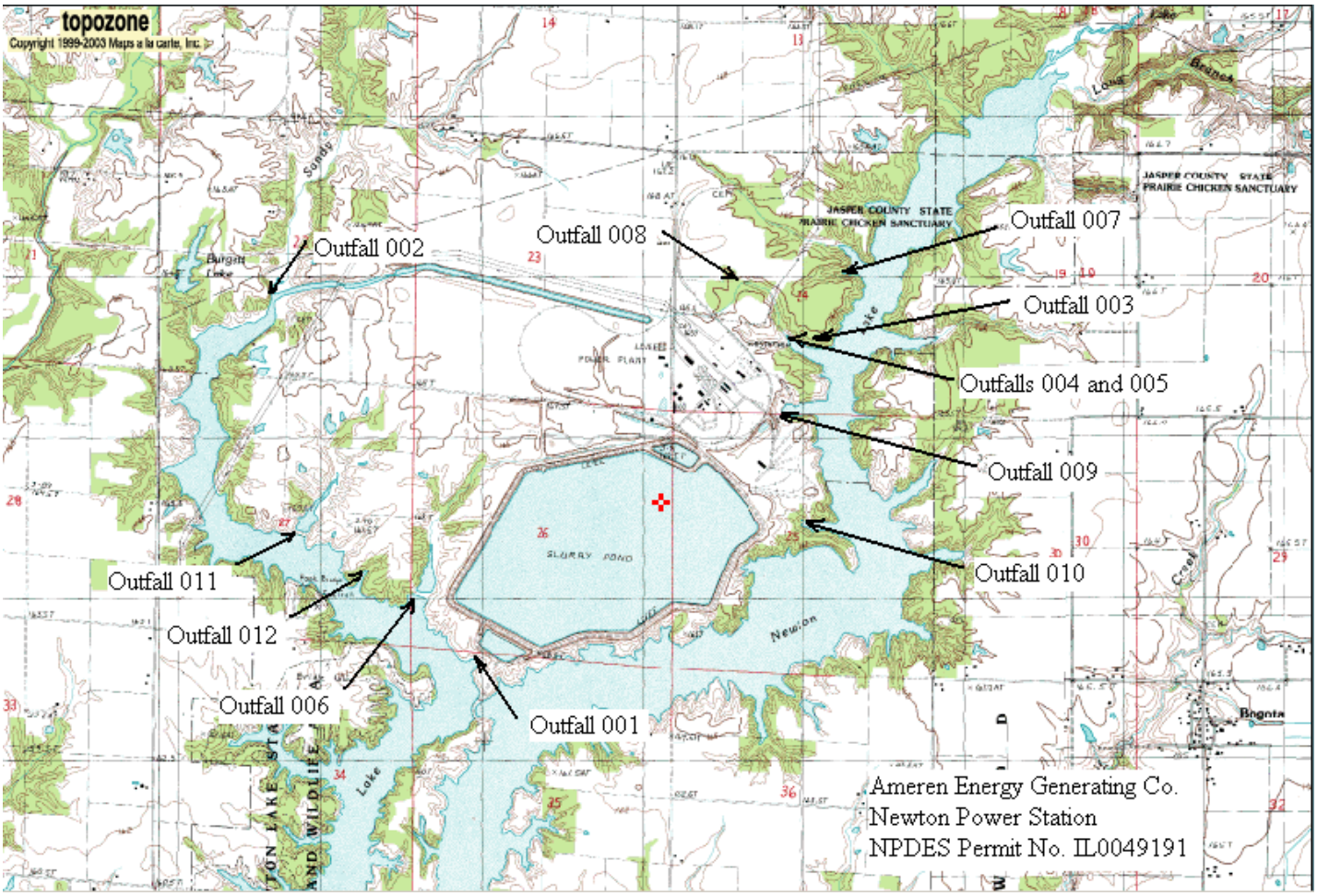
Summary Comments of the Illinois Department of Natural Resources, Regional Planning Commissions, Zoning Boards or Other Entities.

The Illinois Department of Natural Resources was consulted regarding threatened and endangered species issues via the EcoCAT system resulting in a response letter from IDNR on November 16, 2009. It was determined that adverse impacts to threatened or

endangered species due to this project were unlikely and consultation was terminated.

Agency Conclusion.

This preliminary assessment was conducted pursuant to the Illinois Pollution Control Board regulation for Antidegradation found at 35 Ill. Adm. Code 302.105 (antidegradation standard) and was based on the information available to the Agency at the time the draft permit was written. We tentatively find that the proposed activity will result in the attainment of water quality standards; that all existing uses of the receiving water body will be maintained; that all technically and economically reasonable measures to avoid or minimize the extent of the proposed increase in pollutant loading have been incorporated into the proposed activity; and that this activity will benefit the community at large by allowing the plant to continue to produce electric power for the region and thereby preserving local jobs. Comments received during the NPDES permit public notice period will be evaluated before a final decision is made by the Agency.



The discharge(s) from the facility shall be monitored and limited at all times as follows:

Outfall: 001

PARAMETER	LOAD LIMITS lbs/day DAF (DMF) 30 DAY AVERAGE	DAILY MAXIMUM	REGULATION	CONCENTRATION LIMITS mg/L 30 DAY AVERAGE	DAILY MAXIMUM	REGULATION
Flow (MGD)					Measure	
pH				Shall be in the range of 6.0 – 9.0 s.u.		35 IAC 304.125
Total Suspended Solids				30	50	35 IAC 304.216
Non-Volatile Total Suspended Solids				15	30	35 IAC 304.216
Oil and Grease				15	30	35 IAC 304.124
Boron					2.8	35 IAC 302.208
Mercury					Monitor Only	
Phosphorus (total)					Monitor Only	

Outfall: A01

PARAMETER	LOAD LIMITS lbs/day DAF (DMF) 30 DAY AVERAGE	DAILY MAXIMUM	REGULATION	CONCENTRATION LIMITS mg/L 30 DAY AVERAGE	DAILY MAXIMUM	REGULATION
Flow (MGD)					Measure	
pH				Shall be in the range of 6.0 – 9.0 s.u.		35 IAC 304.125
BOD_5	0.25	1.251	35 IAC 304.120	30	60	35 IAC 304.120
Total Suspended Solids	0.25	1.251	35 IAC 304.120	30	60	35 IAC 304.120
Total Residual Chlorine					0.05	40 CFR 125
Phosphorus (total)	0.00834*	0.0417*	35 IAC 304.123	1.0*	2.0*	35 IAC 304.123

*Phosphorus limits will be applicable as described in the compliance schedule noted in the special conditions of the permit.

Outfall: 002

PARAMETER	LOAD LIMITS lbs/day DAF (DMF) 30 DAY AVERAGE	DAILY MAXIMUM	REGULATION	CONCENTRATION LIMITS mg/L 30 DAY AVERAGE	DAILY MAXIMUM	REGULATION
Flow (MGD)					Measure	
Total Residual Chlorine					0.2	35 IAC 302.208
Temperature						IPCB 78-271

The discharge(s) from the facility shall be monitored and limited at all times as follows:

Outfall: 003

PARAMETER	LOAD LIMITS lbs/day DAF (DMF) 30 DAY AVERAGE	DAILY MAXIMUM	REGULATION	CONCENTRATION LIMITS mg/L 30 DAY AVERAGE	DAILY MAXIMUM	REGULATION
Flow (MGD)					Measure	
pH				Shall be in the range of 6.0 – 9.0 s.u.		35 IAC 304.125
BOD_5	3.6	22.0	35 IAC 304.120	30	60	35 IAC 304.120
Total Suspended Solids	3.6	22.0	35 IAC 304.120	30	60	35 IAC 304.120
Total Residual Chlorine					0.05	40 CFR 125
Phosphorus (total)	0.13*	0.73*		1.0*	2.0*	35 IAC 304.123

*Phosphorus limits will be applicable as described in the compliance schedule noted in the special conditions of the permit.

Outfall: 004

SWPPP Only

Outfall: 005

Adequate maintenance of the trash basket is required to prevent the discharge of debris collected on intake screens back to Newton Lake.

Outfall: 006

PARAMETER	LOAD LIMITS lbs/day DAF (DMF) 30 DAY AVERAGE	DAILY MAXIMUM	REGULATION	CONCENTRATION LIMITS mg/L 30 DAY AVERAGE	DAILY MAXIMUM	REGULATION
Sulfate					Monitor Only	
Boron					Monitor Only	
Total Dissolved Solids					Monitor Only	

Outfalls: 007, 008, 009, and 010

PARAMETER	LOAD LIMITS lbs/day DAF (DMF) 30 DAY AVERAGE	DAILY MAXIMUM	REGULATION	CONCENTRATION LIMITS mg/L 30 DAY AVERAGE	DAILY MAXIMUM	REGULATION
Mercury					Monitor Only	

Outfalls: 011 and 012

SWPPP Only

Load Limit Calculations:

A. Load limit calculations for the following pollutant parameters were based on average flows of 0.001 MGD and 0.015 MGD and maximum flows of 0.0025 MGD and 0.044 MGD for Outfalls A01 and 003 respectively and using the formula of average or maximum flow (MGD) X concentration limit (mg/l) X 8.34 = the average or maximum load limit (lbs/day): BOD_5, Total Suspended Solids, and Phosphorus.

The load limits appearing in the permit will be the more stringent of the State and Federal Guidelines.

The following explain the conditions of the proposed permit:

The special conditions in this permit contain more specific language, restrictions, limitations, monitoring, or reporting for things like, pH, flow, boron and sulfate, biomonitoring, metals monitoring, chlorine and/or bromine usage, thermal discharges, chemical metal cleaning wastes, DMR submission, storm water pollution prevention plan, compliance schedules, and others.

SAK:DEL:BWC:11051201.bwc.docx

NPDES Permit No. IL0049191

Illinois Environmental Protection Agency

Division of Water Pollution Control

1021 North Grand Avenue East

Post Office Box 19276

Springfield, Illinois 62794-9276

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Modified (NPDES) Permit

Expiration Date: January 31, 2012

Issue Date: December 14, 2006
Effective Date: February 1, 2007
Modification Date:

Name and Address of Permittee:
Ameren Energy Generating Company
1901 Chouteau Avenue, (MC-602)
P.O. Box 66149
St. Louis, Missouri 63166-6149

Facility Name and Address:
Ameren Energy Generating Company
Newton Power Station
6725 500th Street
Newton, Illinois 62448
(Jasper County)

Discharge Number and Name:
001 Secondary Ash Pond Discharge
A01 Sewage Treatment Plant #2 Discharge
002 Main Condenser Cooling Water Discharge
003 Sewage Treatment Plant #1 Discharge
004 Construction Runoff Settling Pond Discharge
005 Intake Screen Backwash
006 Flue Gas Desulfurization Disposal Area Settling Pond #1
007,008, 009, and 010 Stormwater Runoff from Coal Delivery Rail Lines and Ash Byproduct Storage Areas
011 Flue Gas Desulfurization Sludge Disposal Area Settling Pond #3
012 Flue Gas Desulfurization Sludge Disposal Area Settling Pond #2

Receiving Waters:
Newton Lake

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

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

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

SAK:BWC:11051201.bwc

NPDES Permit No. IL0049191

Effluent Limitations and Monitoring

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

Outfall(s): 001 Secondary Ash Pond Discharge*

This discharge consists of:	Approximate Flow:
1. Bottom ash sluice water	2.5 MGD
2. Fly ash sluice water	10.2 MGD
3. Water treatment filter backwash	0.15 MGD
4. Reverse Osmosis reject waste	0.125 MGD
5. Mixed bed waste	0.025 MGD
6. Air heater wash water	0.36 MGD (discharged 3x/year)
7. Boiler Blowdown	0.19 MGD
8. Wastewater sumps**	4.0 MGD
9. Sewage Treatment Plant #2 discharge	0.001 MGD
10. Storm water runoff***	Intermittent
11. Coal pile runoff	Intermittent
12. SCR Module Washwater	Intermittent

	LOAD LIMITS lbs/day DAF (DMF)		CONCENTRATION LIMITS mg/L			
PARAMETER	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM	SAMPLE FREQUENCY	SAMPLE TYPE
Flow (MGD)					Daily****	Continuous Recording****
pH	See Special Condition No. 2				1/Week	Grab
Total Suspended Solids			30	50	1/Week	8-Hour Composite
Non-Volatile Total Suspended Solids			15	30	1/Week	8-Hour Composite
Oil and Grease			15	30	1/Month	Grab
Boron	See Special Condition No. 4			2.8	1/Week	Grab
Mercury	See Special Condition No. 18				1/Quarter	Grab
Phosphorus (total)				Monitor Only	1/Month	Grab

*See Special Condition Nos. 5 and 22
**Wastewater sumps includes soot blower thermal drains, ash hopper overflow, ash pit sumps, boiler house floor drains, strainer backwash, and other miscellaneous contributory flows. These discharges are routed through a 45,000 gallon capacity oil/water separator before discharge to the ash pond system
***Includes runoff from coal delivery rail lines and from ash byproduct storage areas; See Special Condition No. 14
****See Special Condition No. 21

NPDES Permit No. IL0049191

Effluent Limitations and Monitoring

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

Outfall(s): A01 Sewage Treatment Plant #2 Discharge
(DAF = 0.001 MGD, DMF = 0.0025 MGD)

	LOAD LIMITS lbs/day DAF (DMF)		CONCENTRATION LIMITS mg/L			
PARAMETER	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM	SAMPLE FREQUENCY	SAMPLE TYPE
Flow (MGD)					1/Month	Measurement
pH	See Special Condition No. 2				1/Month	Grab
BOD_5	0.25	1.251	30	60	1/Month	8-Hour Composite
Total Suspended Solids	0.25	1.251	30	60	1/Week	8-Hour Composite
Total Residual Chlorine*				0.05	Daily*	Grab
Phosphorus (total)	0.00834**	0.0417**	1.0**	2.0**	1/Month	Grab

*See Special Condition No. 9
**See Special Condition No. 24

Effluent Limitations and Monitoring

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

Outfall(s): 002 Main Condenser Cooling Water Discharge

This discharge consists of:	Approximate Flow:
1. Main condenser cooling water	508.3 MGD
2. Various heat exchange cooling water discharges	50.3 MGD
3. Storm water runoff*	Intermittent

	LOAD LIMITS lbs/day DAF (DMF)		CONCENTRATION LIMITS mg/L			
PARAMETER	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM	SAMPLE FREQUENCY	SAMPLE TYPE
Flow (MGD)					Daily	Continuous Recording
Total Residual Chlorine				0.2**	2/Month**	Grab
Temperature	See Special Condition 8				Daily	Continuous Recording

*Includes runoff from coal delivery rail lines and ash byproduct storage areas; See Special Condition No. 15
**See Special Conditions No. 6 and No. 7

Effluent Limitations and Monitoring

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

Outfall(s): 003 Sewage Treatment Plant #1 Discharge
(DMF = 0.044 MGD) Approximate Flow: 0.015 MGD

	LOAD LIMITS lbs/day DAF (DMF)		CONCENTRATION LIMITS mg/L			
PARAMETER	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM	SAMPLE FREQUENCY	SAMPLE TYPE
Flow (MGD)					1/Week	Estimate*
pH	See Special Condition No. 2				1/Week	Grab
BOD_5	3.6	22.0	30	60	1/Week	8-Hour Composite
Total Suspended Solids	3.6	22.0	30	60	1/Week	8-Hour Composite
Total Residual Chlorine**				0.05	Daily**	Grab
Phosphorus (total)	0.00834***	0.0417***	1.0***	2.0***	1/Month	Grab

*Based on elapsed running time meter on lift station pump.
**See Special Condition No. 9
*** See Special Condition No. 24

Outfall(s): 004 Construction Runoff Settling Pond Discharge

This discharge consists of:	Approximate flow:
1. Induced fan heat exchangers	0.5 MGD
2. Storm water runoff***	Intermittent

***Includes runoff from coal delivery rail lines; See Special Condition No. 15.

Outfall(s): 005 Intake Screen Backwash**** Approximate flow: 0.10 MGD

****Adequate maintenance of the trash basket is required to prevent the discharge of debris collected on intake screens back to Newton Lake.

Effluent Limitations and Monitoring

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

Outfall(s): 006 Flue Gas Desulfurization Sludge Disposal Area Settling Pond #1*

	LOAD LIMITS lbs/day DAF (DMF)		CONCENTRATION LIMITS mg/L			
PARAMETER	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM	SAMPLE FREQUENCY	SAMPLE TYPE
Sulfate				Monitor Only	1/Quarter	8-Hour Composite
Boron				Monitor Only	1/Quarter	8-Hour Composite
Total Dissolved Solids				Monitor Only	1/Quarter	8-Hour Composite

*See Special Condition No. 4

The permittee shall continue to implement Best Management Practices operation methods for control of storm water runoff from the Flue Gas Desulfurization Sludge Disposal Area.

Outfall(s): 007, 008, 009, and 010 – Storm Water Runoff from Coal Delivery Rail lines and Ash Byproduct Storage Areas, See Special Conditions No. 15 and No. 18

	LOAD LIMITS lbs/day DAF (DMF)		CONCENTRATION LIMITS mg/L			
PARAMETER	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM	SAMPLE FREQUENCY	SAMPLE TYPE
Mercury				Monitor Only	1/Quarter	Grab

Outfall(s): 011 Flue Gas Desulfurization Sludge Disposal Area Settling Pond #3
See Special Condition No. 15

Outfall(s): 012 Flue Gas Desulfurization Sludge Disposal Area Settling Pond #2
See Special Condition No. 15

NPDES Permit No. IL0049191

Special Conditions

SPECIAL CONDITION 1. Flow (MGD) shall be reported as 30 day average and daily maximum on the DMR form.

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

SPECIAL CONDITION 3. Samples taken in compliance with the effluent monitoring requirements shall be taken at a point representative of the discharge, but prior to entry into the receiving stream.

SPECIAL CONDITION 4. As part of the review process for this permit, the Agency concluded that adequate mixing exists in compliance with 35 Ill. Adm. Code 302.102 for Boron at Outfall 001 and Sulfate at Outfall 006. The extent of the Boron mixing zone is a radius of 200 feet from the end of the Outfall 001 discharge pipe into Newton Lake. The extent of the Sulfate mixing zone is a radius of 200 feet from the point of Outfall 006 discharge into Newton Lake. Other such parameters may be discovered in the future and will be evaluated for mixing according to the Illinois Permitting Guidance for mixing zones.

SPECIAL CONDITION 5.

*****CONSTRUCTION AUTHORIZATION*****

Authorization is hereby granted to construct temporary supplemental cooling towers and related equipment on an as needed basis to ensure compliance with temperature limitations at Outfall 002. These supplemental cooling towers would draw a portion of the flow form the discharge flume, pass it through the supplemental towers, and return it to the flume.

This Authorization is issued subject to the following conditions.

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

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

3. The permittee shall notify the Agency in writing prior to placing the temporary supplemental cooling towers in service. Notification shall also be given upon taking the towers out of service.

4. The discharge of stormwater runoff associated with construction activities related to cooling tower installation, including clearing, grading and excavation activities which result in the disturbance of one acre or more of total land acre, are not covered by this permit or authorization. Prior to commencing construction, the permittee shall apply for and obtain coverage under the General NPDES Stormwater Permit for Construction Site Activities.

SPECIAL CONDITION 6. Chlorine when exclusively used may not be discharged from each unit's main cooling condenser for more than two hours in any one day. A minimum of three grab samples shall be taken at approximately five minute intervals above the second drop structure in the discharge flume during the respective biofoulant addition period of each unit allowing for lag time between the initiation of chlorine and/or bromine addition and the point of sampling before the first grab sample is taken. The individual values for each set of samples shall be reported including the unit sampled, the time samples were collected, the time and duration of the biofoulant dosing period plus the amount of chlorine and/or bromine applied. Continuous analyzers may be substituted for the above grab sampling method. When continuous analyzers are used, calculations submitted with the Discharge Monitoring Reports (DMRs) will be based on data collected on the first and third Wednesday of the calendar month. In the event of an analyzer malfunction on the above days, data will be collected on the following Wednesday by either an analyzer or by use of the grab sampling method. The unit sampled, the duration of biofoulant injection plus the amount of chlorine and/or bromine injected must be submitted with the Discharge Monitoring Reports when continuous analyzers are used.

SPECIAL CONDITION 7. Total Residual Chlorine and Total Residual Oxidant limits are an instantaneous maximum limit which shall not be exceeded at any time. The maximum limit when exclusively using chlorine in each unit for two hours or less in any one day, shall be 0.20 mg/l. The maximum limit for any usage of bromine solely or in conjunction with chlorine, shall be 0.05 mg/l. All samples for Total Residual Chlorine and/or total Residual Oxidant shall be analyzed by an applicable method listed in 40 CFR 136, equivalent in accuracy to low-level amperometric titration. The amperometric titration lower detection limit is recognized as 0.05 mg/l. Therefore, a measurement of <0.05 mg/l shall be reported on the Discharge Monitoring Report as “0”.

NPDES Permit No. IL0049191

Special Conditions

SPECIAL CONDITION 8. The following specific thermal limitations adopted through IPCB Order 78-271 pursuant to 35 Ill. Adm. Code 302.211(j)(5) shall apply at the edge of the mixing zone for the main condenser cooling water discharge. The edge of the mixing zone shall be a maximum area of 26 acres and compliance with the following thermal limitations determined by a fixed temperature recorder set at the edge of the mixing zone below the surface of the water.

1. The thermal discharge to Newton Lake from Central Illinois Power Company's Newton power station shall not result in a temperature, measured at the outside edge of the mixing zone in Newton Lake, which exceeds 102°F as a monthly average and 111 ^{o}F as a maximum.

   The 111 ^{o}F maximum limit shall not be exceeded at any time. Monthly average and daily maximum temperature shall be reported on the DMR form.

SPECIAL CONDITION 9. Any use of chlorine to control slime growths odors or as an operational control, etc. shall not exceed the limit of 0.05 mg/l (daily maximum) total residual chlorine in the effluent. Sampling is required on a daily grab basis during the chlorination process. Reporting shall be submitted on the (DMR's) on a monthly basis.

SPECIAL CONDITION 10. Chemical metal cleaning wastewater rinses may be stored in the on-site clay lined pond until placement on an active area of the coal pile provided the wastewater does not exhibit hazardous characteristics as defined at 35 Ill. Adm. Code 729.301. Chemical metal cleaning wastewater rinses may be placed on an active area of the coal pile for incineration provided a demonstration showing BAT equivalency is submitted to the IEPA within 90 days following completion of treatment. This demonstration will consist of a sampling program approved by the IEPA which will provide for the monitoring of iron and copper levels in coal pile runoff prior to, during, and after placement of rinses onto the coal pile. This monitoring must show that the naturally occurring iron and copper levels in coal pile runoff are not altered through this disposal practice (attachment A). Metal cleaning wastewater rinses may also be evaporated in the boiler if this method has been approved and permitted by the Agency's Division of Air Pollution Control. Metal cleaning wastewater rinses may not be discharged other than as outlined in this condition unless this Permit No. IL0049191 has been modified to include the new discharge.

SPECIAL CONDITION 11. There shall be no discharge of polychlorinated biphenyl compounds (PCB's) such as those commonly used for transformer fluid.

SPECIAL CONDITION 12. Ameren Energy Generating Company (formerly Central Illinois Public Service Company) has complied with Section 302.211(f) of Title 35, Chapter 1, Subtitle C: Water Pollution Regulations and Section 316(a) of the CWA by demonstrating that its thermal discharges from its Newton Power Station have not caused and cannot be reasonably expected to cause significant ecological damage to Newton Lake as approved by PCB order 83-84 dated January 26, 1984 for Unit 1 and PCB order 88-207 dated January 25, 1990 for Unit 2. .

SPECIAL CONDITION 13. The permittee shall record monitoring results on Discharge Monitoring Report forms using one such form for each discharge each month. The completed Discharge Monitoring Report form shall be submitted monthly to IEPA, no later than the 28th of the following month, unless otherwise specified by the Agency, to the following address:

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

SPECIAL CONDITION 14. The Agency has determined that the effluent limitations in this permit constitute BAT/BCT for storm water which is treated in the existing treatment facilities for purposes of this permit reissuance, and no pollution prevention plan will be required for such storm water. In addition to the chemical specific monitoring required elsewhere in this permit, the permittee shall conduct an annual inspection of the facility site to identify areas contributing to a storm water discharge associated with industrial activity, and determine whether any facility modifications have occurred which result in previously-treated storm water discharges no longer receiving treatment. If any such discharges are identified the permittee shall request a modification of this permit within 30 days after the inspection. Records of the annual inspection shall be retained by the permittee for the term of this permit and be made available to the Agency on request.

SPECIAL CONDITION 15.

STORM WATER POLLUTION PREVENTION PLAN (SWPPP)

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

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

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

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

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

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

2. A site map showing:

   I. The storm water conveyance and discharge structures;

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

   iii. Paved areas and buildings;

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

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

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

   vii. Areas of existing and potential soil erosion;
   viii. Vehicle service areas;

   ix. Material loading, unloading, and access areas.

3. A narrative description of the following:

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

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

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

iv. Industrial storm water discharge treatment facilities;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7. Employee Training - Employee training programs shall inform personnel at all levels of responsibility of the components and

goals of the storm water pollution control plan. Training should address topics such as spill response, good housekeeping and material management practices. The plan shall identify periodic dates for such training.

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

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

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

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

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

Construction Authorization

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

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

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

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

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

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

REPORTING

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

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

Special Conditions

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

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

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

SPECIAL CONDITION 16. If an applicable effluent standard or limitation is promulgated under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a)(2) of the Clean Water Act and that effluent standard or limitation is more stringent than any effluent limitation in the permit or controls a pollutant not limited in the NPDES Permit, the Agency shall revise or modify the permit in accordance with the more stringent standard or prohibition and shall so notify the permittee.

SPECIAL CONDITION 17. The Permittee's facility has been deemed to meet the criteria as a phase II existing facility (under section 316(b) of the Clean Water Act) pursuant to 40 CFR 125.91. Therefore, the permittee must fulfill the applicable requirements of 40 CFR 125 Subpart J, and 40 CFR 122(r)(2), (3) and (5). The regulation at 40 CFR 125.95 requires submittal of a Proposal for Information Collection (PIC) to support the development of a Comprehensive Demonstration Study (CDS) for the herein permitted facility. The PIC will be reviewed by the Agency and a response will be provided. An extension of time to submit the CDS has been granted. Therefore, you must submit your CDS on or before January 7, 2008. Once the CDS has been reviewed by the Agency and a compliance strategy has been approved, this permit will be modified to include implementation, monitoring, and reporting requirements pursuant to 40 CFR 125.98.

Ameren Energy Generating Company's (formerly Central Illinois Public Service Company) original demonstration for the Newton Power Station in accordance with Section 316(b) of the Clean Water Act, was approved by this Agency by letter dated August 26, 1981.

SPECIAL CONDITION 18. From the modification date of this permit, Outfall 001 shall be monitored for mercury on a monthly basis until twelve samples have been collected. Outfalls 004, 007, 008, 009, and 010 shall each be monitored for mercury on a quarterly basis until four samples have been collected at each outfall. After collection of all required samples, and upon written notification to the Agency the sampling may cease, unless the Agency modifies the permit to require continued sampling at some frequency. Low-level mercury monitoring shall be performed using USEPA analytical test method 1631 or equivalent.

SPECIAL CONDITION 19. The discharge of a reportable quantity is not subject to the reporting requirements of Section 311 of the Clean Water Act, if such discharge is in compliance with this permit and such activity was reviewed and made part of the public record in accordance with the issuance of this permit. The permittee is exempt from Section 311 reporting for discharges meeting the terms and conditions as found at 40 CFR 117.12.

SPECIAL CONDITION 20. The usage of Spectrus CT 1300, or a product with an equivalent active ingredient shall be conducted in accordance with US EPA recommendations. The methyl orange analytical method for surfactant shall be used to document that no detectable residual n-alkyl dimethyl benzyl ammonia chloride (ADBAC) exists after detoxification. Measurement shall be required at 8-hour intervals and analysis conducted immediately after collection of a grab sample.

SPECIAL CONDITION 21. A continuous flow meter shall be installed at a point representative of the outfall 001 discharge. This flow meter shall be operational within 6 months from the modification date of this permit. Prior to the flow meter becoming operational, the sampling frequency for outfall 001 flow shall continue to be 1/week and the sample type shall continue to be a single reading taken at the outfall and measured when monitoring.

SPECIAL CONDITION 22. The Permittee shall monitor the effluent from outfall 001 for the following parameters on a quarterly basis, until a total of twelve samples have been collected. After collection of all required samples, and upon written notification to the Agency the sampling may cease, unless the Agency modifies the permit to require continued sampling at some frequency. This Permit may be modified with public notice to establish effluent limitations if appropriate, based on information obtained through sampling. The sample shall be a 24-hour effluent composite except as otherwise specifically provided below and the results shall be submitted to the address in special condition 13 in March, June, September, and December. The parameters to be sampled and the minimum reporting limits to be attained are as follows:

STORET CODE	PARAMETER	Minimum reporting limit
01002	Arsenic	0.05 mg/L
01007	Barium	0.5 mg/L

Special Conditions

01027	Cadmium	0.001 mg/L
01032	Chromium (hexavalent) (grab)	0.01 mg/L
01034	Chromium (total)	0.05 mg/L
01042	Copper	0.005 mg/L
00718	Cyanide (grab) (weak acid dissociable)	5.0 ug/L
00720	Cyanide (grab not to exceed 24 hours) (total)	5.0 ug/L
00951	Fluoride	0.1 mg/L
01045	Iron (total)	0.5 mg/L
01046	Iron (Dissolved)	0.5 mg/L
01051	Lead	0.05 mg/L
01055	Manganese	0.5 mg/L
01067	Nickel	0.005 mg/L
32730	Phenols (grab)	0.005 mg/L
01147	Selenium	0.005 mg/L
01077	Silver (total)	0.003 mg/L
01092	Zinc	0.025 mg/L

Unless otherwise indicated, concentrations refer to the total amount of the constituent present in all phases, whether solid, suspended or dissolved, elemental or combined, including all oxidation states.

SPECIAL CONDITION 23. The Newton Power Station's source water (influent) shall be monitored at the point of intake as follows:

Parameter	Sample Frequency	Sample Type
Flow (MGD)	Continuous	Measurement
Phosphorus (total)	1/Month	Grab
Suspended Solids	1/Month	Grab

Results of influent monitoring shall be submitted on the Discharge Monitoring Reports noted in Special Condition 13.

SPECIAL CONDITION 24. Schedule of Compliance with Final Effluent Limitations

The Total Phosphorus limits specified for Outfalls A01 and 003, respectively on pages 3 and 5 of this permit, shall become effective upon completion of the following compliance schedule:

	Compliance Item	Compliance Date
1.	Perform a study to examine if additional treatment equipment is necessary to comply with the proposed limits.	6 Months from the Effective Date of This Permit
2.	Submit an Interim Report on the findings of the study*	8 Months from the Effective Date of This Permit
3.	Determine necessary equipment to achieve compliance and submit construction permit application	12 Months from the Effective Date of This Permit
4.	Complete installation of necessary equipment to achieve compliance and submit Interim Report	18 Month from the Effective Date of This Permit
5.	Achieve Compliance	24 Months from the Effective Date of this Permit

*The Interim Report shall be submitted to the IEPA to the address identified in Special Condition 13. Should the study identify that additional equipment is not needed to comply with the limits, the compliance date shall be moved to 9 months from the effective date of this permit and items 3, 4 and 5 shall be dropped from the compliance schedule.

Total Phosphorus shall be monitored until the limits specified for Outfalls A01 and 003, respectively on pages 3 and 5 of this permit become effective.

REPORTING

The Permittee shall submit a report no later than fourteen (14) days following the completion dates indicated above for each numbered item in the compliance schedule, indicating, a) the date the item was completed, or b) that the item was not completed, the reason for non-completion, and the anticipated completion date.

SPECIAL CONDITION 25. Continue groundwater monitoring and assessment in accordance with a plan approved by the Agency.

NPDES Permit No. IL0049191

Attachment A

The permittee shall monitor coal pile runoff for concentrations of copper (total) and iron (total) a minimum of four times prior to placing chemical metal cleaning wastewater rinses on the coal pile. The permittee shall monitor the coal pile runoff following the placement of chemical metal cleaning wastewater rinses on the coal pile. Upon placement of the rinses on the coal pile, for each placement which causes an effluent from the coal pile and each rainfall event which produces coal pile runoff during 30 days following placement on the coal pile, a representative grab sample shall be taken daily and analyzed for iron (total) and copper (total). The analysis report shall include the frequency, duration and amounts of the month's precipitation events.

If the permittee after monitoring twice the above practice for incineration of chemical metal cleaning rinses can demonstrate to the satisfaction of the permitting authority that there is no significant discharge of the designated parameters caused by this practice, upon written request by the permittee, the permitting authority shall review the monitoring requirements and may, at their discretion revise or waive these monitoring requirements by letter without public notice or opportunity for hearing.

Attachment H

Standard Conditions

Definitions

Act means the Illinois Environmental Protection Act, 415 ILCS 5 as Amended.

Agency means the Illinois Environmental Protection Agency.

Board means the Illinois Pollution Control Board.

Clean Water Act (formerly referred to as the Federal Water Pollution Control Act) means Pub. L 92-500, as amended. 33 U.S.C. 1251 et seq.

NPDES (National Pollutant Discharge Elimination System) means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 402, 318 and 405 of the Clean Water Act.

USEPA means the United States Environmental Protection Agency.

Daily Discharge means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurements, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

Maximum Daily Discharge Limitation (daily maximum) means the highest allowable daily discharge.

Average Monthly Discharge Limitation (30 day average) means the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

Average Weekly Discharge Limitation (7 day average) means the highest allowable average of daily discharges over a calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

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 State. 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.

Aliquot means a sample of specified volume used to make up a total composite sample.

Grab Sample means an individual sample of at least 100 milliliters collected at a randomly-selected time over a period not exceeding 15 minutes.

24-Hour Composite Sample means a combination of at least 8 sample aliquots of at least 100 milliliters, collected at periodic intervals during the operating hours of a facility over a 24-hour period.

8-Hour Composite Sample means a combination of at least 3 sample aliquots of at least 100 milliliters, collected at periodic intervals during the operating hours of a facility over an 8-hour period.

Flow Proportional Composite Sample means a combination of sample aliquots of at least 100 milliliters collected at periodic intervals such that either the time interval between each aliquot or the volume of each aliquot is proportional to either the stream flow at the time of sampling or the total stream flow since the collection of the previous aliquot.

(1) **Duty to comply.** The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action, permit termination, revocation and reissuance, modification, or for denial of a permit renewal application. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirements.

(2) **Duty to reapply.** If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. If the permittee submits a proper application as required by the Agency no later than 180 days prior to the expiration date, this permit shall continue in full force and effect until the final Agency decision on the application has been made.

(3) **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.

(4) **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.

(5) **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 conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up, or auxiliary facilities, or similar systems only when necessary to achieve compliance with the conditions of the permit.

(6) **Permit actions.** This permit may be modified, revoked and reissued, or terminated for cause by the Agency pursuant to 40 CFR 122.62 and 40 CFR 122.63. 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.

(7) **Property rights.** This permit does not convey any property rights of any sort, or any exclusive privilege.

(8) **Duty to provide information.** The permittee shall furnish to the Agency within a reasonable time, any information which the Agency may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. The permittee shall also furnish to the Agency upon request, copies of records required to be kept by this permit.

(9) **Inspection and entry.** The permittee shall allow an authorized representative of the Agency or USEPA (including an authorized contractor acting as a representative of the Agency or USEPA), upon the presentation of credentials and other documents as may be required by law, to:
   (a) 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;
   (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
   (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
   (d) Sample or monitor at reasonable times, for the purpose of assuring permit compliance, or as otherwise authorized by the Act, any substances or parameters at any location.

(10) **Monitoring and records.**
   (a) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
   (b) The permittee shall retain records of all monitoring information, including all calibration and maintenance records, and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of this permit, measurement, report or application. Records related to the permittee's sewage sludge use and disposal activities shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503). This period may be extended by request of the Agency or USEPA at any time.
   (c) Records of monitoring information shall include:
      (1) The date, exact place, and time of sampling or measurements;
      (2) The individual(s) who performed the sampling or measurements;
      (3) The date(s) analyses were performed;
      (4) The individual(s) who performed the analyses;
      (5) The analytical techniques or methods used; and
      (6) The results of such analyses.
   (d) Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit. Where no test procedure under 40 CFR Part 136 has been approved, the permittee must submit to the Agency a test method for approval. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to ensure accuracy of measurements.

(11) **Signatory requirement.** All applications, reports or information submitted to the Agency shall be signed and certified.
   (a) **Application.** All permit applications shall be signed as follows:
      (1) For a corporation: by a principal executive officer of at least the level of vice president or a person or position having overall responsibility for environmental matters for the corporation:
      (2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
      (3) For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official.
   (b) **Reports.** All reports required by permits, or other information requested by the Agency shall be signed by a person described in paragraph (a) or by a duly authorized representative of that person. A person is a duly authorized representative only if:
      (1) The authorization is made in writing by a person described in paragraph (a); and
      (2) The authorization specifies either an individual or a position responsible for the overall operation of the facility, from which the discharge originates, such as a plant manager, superintendent or person of equivalent responsibility; and
      (3) The written authorization is submitted to the Agency.
   (c) **Changes of Authorization.** If an authorization under (b) is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of (b) 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 a document under paragraph (a) or (b) of this section 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 gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

(12) **Reporting requirements.**
   (a) **Planned changes.** The permittee shall give notice to the Agency as soon as possible of any planned physical alterations or additions to the permitted facility.
      Notice is required when:
      (1) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source pursuant to 40 CFR 122.29 (b); or
      (2) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements pursuant to 40 CFR 122.42 (a)(1).
      (3) The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
   (b) **Anticipated noncompliance.** The permittee shall give advance notice to the Agency of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
   (c) **Transfers.** This permit is not transferable to any person except after notice to the Agency.
   (d) **Compliance schedules.** Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.
   (e) **Monitoring reports.** Monitoring results shall be reported at the intervals specified elsewhere in this permit.
      (1) Monitoring results must be reported on a Discharge Monitoring Report (DMR).

(2) If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR 136 or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.

(3) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Agency in the permit.

(f) **Twenty-four hour reporting.** The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24-hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and time; and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The following shall be included as information which must be reported within 24-hours:

(1) Any unanticipated bypass which exceeds any effluent limitation in the permit.

(2) Any upset which exceeds any effluent limitation in the permit.

(3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Agency in the permit or any pollutant which may endanger health or the environment.

The Agency may waive the written report on a case-by-case basis if the oral report has been received within 24-hours.

(g) **Other noncompliance.** The permittee shall report all instances of noncompliance not reported under paragraphs (12) (d), (e), or (f), at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (12) (f).

(h) **Other information.** Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application, or in any report to the Agency, it shall promptly submit such facts or information.

(13) **Bypass.**

(a) Definitions.

(1) Bypass means the intentional diversion of waste streams from any portion of a treatment facility.

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

(b) Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs (13)(c) and (13)(d).

(c) Notice.

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

(2) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in paragraph (12)(f) (24-hour notice).

(d) Prohibition of bypass.

(1) Bypass is prohibited, and the Agency may take enforcement action against a permittee for bypass, unless:

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

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

(iii) The permittee submitted notices as required under paragraph (13)(c).

(2) The Agency may approve an anticipated bypass, after considering its adverse effects, if the Agency determines that it will meet the three conditions listed above in paragraph (13)(d)(1).

(14) **Upset.**

(a) Definition. Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

(b) Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph (14)(c) are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

(c) Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) An upset occurred and that the permittee can identify the cause(s) of the upset;

(2) The permitted facility was at the time being properly operated; and

(3) The permittee submitted notice of the upset as required in paragraph (12)(f)(2) (24-hour notice).

(4) The permittee complied with any remedial measures required under paragraph (4).

(d) Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

(15) **Transfer of permits.** Permits may be transferred by modification or automatic transfer as described below:

(a) Transfers by modification. Except as provided in paragraph (b), a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued pursuant to 40 CFR 122.62 (b) (2), or a minor modification made pursuant to 40 CFR 122.63 (d), to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act.

(b) Automatic transfers. As an alternative to transfers under paragraph (a), any NPDES permit may be automatically transferred to a new permittee if:

(1) The current permittee notifies the Agency at least 30 days in advance of the proposed transfer date;
(2) The notice includes a written agreement between the existing and new permittees containing a specified date for transfer of permit responsibility, coverage and liability between the existing and new permittees; and
(3) The Agency does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement.

(16) All manufacturing, commercial, mining, and silvicultural dischargers must notify the Agency as soon as they know or have reason to believe:
(a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant identified under Section 307 of the Clean Water Act which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:
(1) One hundred micrograms per liter (100 ug/l);
(2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6 dinitrophenol; and one milligram per liter (1 mg/l) for antimony.
(3) Five (5) times the maximum concentration value reported for that pollutant in the NPDES permit application; or
(4) The level established by the Agency in this permit.
(b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the NPDES permit application.

(17) All Publicly Owned Treatment Works (POTWs) must provide adequate notice to the Agency of the following:
(a) Any new introduction of pollutants into that POTW from an indirect discharge which would be subject to Sections 301 or 306 of the Clean Water Act if it were directly discharging those pollutants; and
(b) Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
(c) For purposes of this paragraph, adequate notice shall include information on (i) the quality and quantity of effluent introduced into the POTW, and (ii) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

(18) If the permit is issued to a publicly owned or publicly regulated treatment works, the permittee shall require any industrial user of such treatment works to comply with federal requirements concerning:
(a) User charges pursuant to Section 204 (b) of the Clean Water Act, and applicable regulations appearing in 40 CFR 35;
(b) Toxic pollutant effluent standards and pretreatment standards pursuant to Section 307 of the Clean Water Act; and
(c) Inspection, monitoring and entry pursuant to Section 308 of the Clean Water Act.

(19) If an applicable standard or limitation is promulgated under Section 301(b)(2)(C) and (D), 304(b)(2), or 307(a)(2) and that effluent standard or limitation is more stringent than any effluent limitation in the permit, or controls a pollutant not limited in the permit, the permit shall be promptly modified or revoked, and reissued to conform to that effluent standard or limitation.

(20) Any authorization to construct issued to the permittee pursuant to 35 Ill. Adm. Code 309.154 is hereby incorporated by reference as a condition of this permit.

(21) The permittee shall not make any false statement, representation or certification in any application, record, report, plan or other document submitted to the Agency or the USEPA, or required to be maintained under this permit.

(22) The Clean Water Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed $25,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318 or 405 of the Clean Water Act is subject to a fine of not less than $2,500 nor more than $25,000 per day of violation, or by imprisonment for not more than one year, or both.
Additional penalties for violating these sections of the Clean Water Act are identified in 40 CFR 122.41 (a)(2) and (3).

(23) The Clean Water Act 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 a fine of not more than $10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than $20,000 per day of violation, or by imprisonment of not more than 4 years, or both.

(24) The Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

(25) Collected screening, slurries, sludges, and other solids shall be disposed of in such a manner as to prevent entry of those wastes (or runoff from the wastes) into waters of the State. The proper authorization for such disposal shall be obtained from the Agency and is incorporated as part hereof by reference.

(26) In case of conflict between these standard conditions and any other condition(s) included in this permit, the other condition(s) shall govern.

(27) The permittee shall comply with, in addition to the requirements of the permit, all applicable provisions of 35 Ill. Adm. Code, Subtitle C, Subtitle D, Subtitle E, and all applicable orders of the Board or any court with jurisdiction.

(28) The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit is held invalid, the remaining provisions of this permit shall continue in full force and effect.

(Rev. 7-9-2010 bah)