

Modifications to General NPDES Permit ILR40

The following modifications have been made to the new General NPDES Permit ILR40 from the previously issued permit:

1. Part I.C.2 was modified to allow the Illinois EPA to exclude discharges that may not be appropriately covered by this general permit or that introduce new or increased pollutant loading that may be a substantial contributor of pollutants to the receiving stream.
2. Part I.C was modified by the insertion of items 4 and 5 to include discharge prohibition and dewatering language from NPDES General Permit ILR10.
3. Part I.D.2 has been modified to require submission of a new NOI within 30 days of a change in the operator.
4. Part I.D.3 was modified for clarity.
5. Part II.A.2 has been modified to clarify NOI submission requirements allowing previously submitted MS4 Permit Applications to be accepted without resubmission of the application and requiring new NOI submissions within 90 days of the effective date of the permit. All permittees must comply with any new provisions within 180 days of the effective date of the permit and include modifications pursuant to the NPDES in its Annual Report.
6. Part II.B.2 has been modified to require submission of the name and address of the party responsible for implementing the MS4 permit.
7. Part II.B.3 was modified to require permittees to specify if the stream segment(s) which the MS4 is discharging to are in an approved TMDL or other water quality plan. An electronic link to Illinois EPA's TMDL webpage and to Illinois EPA's water quality mapping tool has been added.
8. Part III.C.8 has been clarified to indicate monitoring shall be continued "until two continuous NPDES Permit cycles" verify waste load allocations are being met.
9. Part III.C.9 was added to the permit to specify that other general or individual permits which include project implementation pursuant to a TMDL or other approved watershed management plan shall supersede Part III.C. In addition, this part has been modified to include a link to Illinois EPA's TMDL webpage.
10. Part III.D was added to require MS4s that perform deicing activities which can cause or contribute to a violation of an applicable State chloride standard participate in any watershed group organized to implement control measures which will reduce chloride concentrations in any receiving stream within the watershed.
11. Part III.E was revised to maintain consistency with administrative continuance language contained in other NPDES General Permits.

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12. Part IV.B introductory paragraphs were added to Part IV.B. for each of the 6 Minimum Control Measures. A requirement that the permittee shall include an evaluation of each of the 6 Minimum Control Measures in the Annual Report was added to each of the 6 Minimum Control Measures.
13. Part IV.B.1.a has been modified to include information on the potential effects on storm water due to climate change. This part has also been modified to require educational materials concerning non-storm water discharges to the public education BMP and has been expanded to include specific examples of topics to be discussed in the public education portion of the minimum controls. In addition, an electronic link to USEPA's climate change webpage has been added.
14. Part IV.B.2.c has been added to require a minimum of one public meeting per year.
15. Part IV.B.2.d now requires the permittee to identify environmental justice areas within its jurisdiction and include appropriate public involvement/participation. An electronic link to USEPA's environmental justice webpage has been added.
16. Part IV.B.3.b was modified to require updating of the permittee's sewer system map.
17. Part IV.B.3.h has been modified to require inspections under dry weather conditions. It has also been modified to allow the permittee to prioritize areas and outfalls to be inspected.
18. Part IV.B.4.a.ii has been revised to specify that the construction site owner/operator is responsible for design, installation, and maintenance of storm water controls.
19. Part IV.B.4.a.ii has been revised to include requirements pursuant to 40 CFR 450 and NPDES General Permit No. ILR10.
20. Part IV.B.4.a.iii has been revised to include requirements pursuant to 40 CFR 450 and NPDES General Permit No. ILR10.
21. Part IV.B.4.a.iv now references the Illinois Urban Manual, 2014.
22. Part IV.B.4.a.vii now requires enforcement of ordinance provisions.
23. Part IV.B.5.b has been modified to include consideration of potential impacts and effects of climate change on storm water controls and an electronic link to USEPA's climate change webpage was added. In addition, this section now specifies that it applies at a minimum to sites of greater than or equal to one acre.
24. Part IV.B.5.c requirements in Part IV.B.5.b of the previous permit have been moved to Part IV.B.5.c. This section requires the permittee to develop a long term operation and maintenance plan.

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25. Part IV.B.5.e.ii.C has been added to include consideration of potential impacts and effects of climate change with regard to BMP implementation.
26. Part IV.B.5.f has been added to specify circumstances where infiltration practices should not be used.
27. Part IV.B.5.h has been modified to reference the Illinois Urban Manual, 2014.
28. Part IV.B.5.k has been added to require assessment of the water quality impacts of all existing and new flood control projects associated with the permittee or that discharge to the MS4 area. This part also includes a requirement to consider impacts and effects of climate change on flood management projects.
29. Part IV.B.6.a now requires an annual training component for municipal staff and contractors.
30. Part IV.B.6.b has been added to specify pollution prevention requirements for the storage, handling, and usage of chemicals, including pesticides, herbicides, and deicing materials.
31. Part IV.B.6.c has been added to include storage requirements for fertilizer, pesticides, other chemicals, and deicing materials. It includes language to allow two years for the construction of permanent storage for de-icing materials. In addition, this section has been revised to require the permittee to minimize pollutant runoff from storage areas rather than prohibit such runoff.
32. Part IV.B.6.d. has been clarified by the addition of a definition of “flood management project” in Part VI of this permit.
33. Part IV.D.1.c has been revised to recommend written agreements between permittees and entities with shared responsibilities rather than requiring such agreements.
34. Part IV.E. has been modified to require that the Annual Report must address compliance with applicable TMDLs or other watershed management plan.
35. Part IV.E.1 has been modified to provide a link to Illinois EPA’s TMDL webpage.
36. Part IV.E.2.c has been modified to specify that changes to existing ordinances, relative to the Storm Water Management Program, must be at least as stringent as NPDES General Permit ILR40.
37. Part IV.E.3.d. has been moved to the introductory paragraph of Part IV.E.3.
38. Part V.A requires the development and implementation of a monitoring and assessment program. Permittees may develop the program from a menu of alternative monitoring and assessment programs. Permittees have 180 days to develop a program.

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39. Part V.B has been clarified by a sentence identifying what documents are considered to be permit records. It has also been revised to require compliance with applicable Freedom of Information Act requirements.
40. Part V.C has been modified to specify that Annual Reports must be maintained on the permittee's website for 5 years.
41. Part V.C.7 has been modified to require that monitoring results will be used to evaluate the effectiveness of the permittee's program.
42. Part VI has been modified to include the following definitions: "environmental justice," "environmental justice area," "flood management project," and "pollutants of concern."
43. Throughout the document the word "you" or "your" has been replaced with "permittee."
44. General: various edits and grammar modifications.

Modifications 2/9/2016