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NPDES Permit No. IL0005037

Illinois Environmental Protection Agency

Division of Water Pollution Control

2200 Churchill Road

Springfield, Illinois 62706

Iowa Department of Environmental Quality

Chemicals and Water Quality Division

Henry A. Wallace Building

Des Moines, Iowa 50319

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Reissued (NPDES) Permit

Expiration Date: September 30, 1980

Issue Date: **JUL 03 1979**
Effective Date: **AUG 02 1979**

Permittee: Commonwealth Edison Company

Location: Rock Island, Illinois

Receiving Waters: Mississippi River

In compliance with the provisions of the Illinois Environmental Protection Act, the Chapter 3 Rules and Regulations of the Illinois Pollution Control Board, Iowa Water Quality Standards, Chapter 16, 400 Iowa Administration Code and the FWPCA, 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) and the United States Environmental Protection Agency (USEPA) or the USEPA designated permitting authority not later than 180 days prior to the expiration date.

Larry E. Crane, Executive Director
By Craig A. Swartzbaugh Thomas G. McSwiggin, P.E.
Craig Swartzbaugh, Chief Illinois Environmental Protection Agency
Industrial & Agricultural Manager, Permit Section
Permit Section Division of Water Pollution Control
Chemicals and Water Quality Division

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ATTACHMENT B-1

Final

Effluent Limitations and Monitoring

Discharge Number:

001

Discharge Name:

Rad Waste Treatment System Blowdown

From the effective date of this permit until September 30, 1980, the effluent of the above discharge shall be monitored and limited at all times as follows:

PARAMETER	CONCENTRATION LIMITS mg/l		LOAD LIMITS lbs/day (Kg/day)		SAMPLE FREQUENCY	SAMPLE TYPE
	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM		
Flow (MGD)					Continuous	
Effluent TSS		15 mg/l	4.5 (2.04)	9.0 (4.1)	1/week	Composite
Effluent Oil, Fats, Grease	15 mg/l	20 mg/l	4.5 (2.04)	12.0 (5.4)	1/week	Grab

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ATTACHMENT B 1 CONTINUED

1. Samples taken in compliance with the effluent monitoring requirements shall be taken prior to entry into the cooling water discharge.

ATTACHMENT B 2

Final

Effluent Limitations and Monitoring

Discharge Number:

002, 006 and 007

Discharge Name**:

002 - Spray Canal Blowdown
006 and 007 - Open Cycle Diffusers

From the effective date of this permit until September 30, 1980, the effluent of the above discharge shall be monitored and limited at all times as follows:

PARAMETER	CONCENTRATION LIMITS mg/l		LOAD LIMITS lbs/day (Kg/day)		SAMPLE FREQUENCY	SAMPLE TYPE
	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM		
Flow (MGD)	See Attachment G				Daily	Continuous
Effluent pH	See Attachment B 2 Continued				5/week	Grab
Total Chlorine Residual	0.2	0.3			Weekly	Concentration Curve
Total Dissolved Solids	See Attachment B 2 Continued				5/week	Composite
Temperature	See Attachment G				Daily	Recording

*This discharge consists of the discharge from the open cycle diffusers and the spray canal blowdown diffuser.

ATTACHMENT B 2 CONTINUED

1. The pH shall be in the range 6.0 to 9.0.
2. 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 Mississippi.
3. Total dissolved solids shall not be increased more than 750 mg/l above background concentration levels and in no case shall the concentration of 1000 mg/l be exceeded in the receiving stream at the edge of the allowable mixing zone.
4. Total Chlorine Residual
 - A. The reported arithmetic mean concentration and maximum concentration for total chlorine residual shall be based on a chlorine concentration curve. The concentration curve shall be generated using grab samples with a sampling frequency of 5 minutes or less over the exposure time. The exposure time is defined be from the point of first detectable measurement to the point of the last detectable measurement of total residual chlorine. The exposure time shall not exceed 160 minutes in any 24-hour period. Concentration curves shall be submitted with the Discharge Monitoring Reports.
 - B. The frequency and duration of the chlorine dosing period plus the amount of chlorine applied shall be reported on the Discharge Monitoring Reports.

ATTACHMENT B 3

Effluent Limitations and Monitoring

Discharge Number(s): 003
Discharge Name(s): Demineralizer Regenerative Waste

From effective date of permit until September 30, 1980, the effluent of the above discharge(s) shall be monitored and limited at all times as follows:

PARAMETER	CONCENTRATION LIMITS mg/l		LOAD LIMITS lbs/day (Kg/day)		SAMPLE FREQUENCY	SAMPLE TYPE
	30 DAY AVG.	DAILY MAX.	30 DAY AVG.	DAILY MAX.		
Flow (MGD)					Daily	Continuous
Total Suspended Solids		15			1/month	Composite

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ATTACHMENT B 3 CONTINUED

- JUN 22 1 15 PM '10
1. Samples taken in compliance with the effluent monitoring requirements shall be taken at a point representative of the discharge but prior to mixing with other waters.

ATTACHMENT B-4

Final

Effluent Limitations and Monitoring JUN 21 1980

Charge Number:

004

Charge Name:

Miscellaneous Waste Treatment System - Yard Runoff, Roof and Floor Drains and Demineralizer Filter Backwash

From the effective date of this permit until September 30, 1980, the effluent of the above discharge shall be monitored and limited at all times as follows:

PARAMETER	CONCENTRATION LIMITS mg/l		LOAD LIMITS lbs/day (Kg/day)		SAMPLE FREQUENCY	SAMPLE TYPE
	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM		
Flow (GPD)					Daily	Continuous
Effluent SS		15 mg/l	11.01 (5.0)	19.39 (8.81)	1/week	Composite
Fats and Greases	15 mg/l	20 mg/l	11.01 (5.0)	25.85 (11.75)	1/week	Grab

ATTACHMENT B 4 CONTINUED

1. 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 cooling water discharge.

ATTACHMENT B 5

Final

Effluent Limitations and Monitoring

Discharge Number: 005

Discharge Name: Sanitary Treatment Plant

From the effective date of this permit until September 30, 1980, the effluent of the above discharge shall be monitored and limited at all times as follows:

PARAMETER	CONCENTRATION LIMITS mg/l			LOAD LIMITS lbs/day (Kg/day)			SAMPLE FREQUENCY/TYPE
	30 DAY AVG.	7 DAY AVG.	DAILY MAX.	30 DAY AVG.	7 DAY AVG.	DAILY MAX.	
Flow (GPD)							Daily/Continuous
Effluent BOD ₅	30	45	75	3.75 (1.71)	5.63 (2.56)	9.39 (4.27)	2/month/Composite
Effluent SS	30	45	75	3.75 (1.71)	5.63 (2.56)	9.39 (4.27)	2/month/Composite
Effluent Fecal coliform	See Attachment B 5 Continued						2/month/Grab
Effluent pH	See Attachment B 5 Continued						2/month/Grab

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ATTACHMENT G

Special Conditions

- JUN 22 1 16 PM '10
1. The permittee shall monitor and report the following listed parameters at 6 month intervals at discharge points 001, and 004. The sample shall be a 24-hour effluent composite except as otherwise specifically provided below and the results shall be submitted with the monitoring reports for January and June to both IEPA and USEPA unless otherwise specified by the permitting authority. The parameters to be sampled are:

Arsenic (total)
Barium (total)
Cadmium (total)
Chromium (total hexavalent)
Chromium (total trivalent)
Copper (total)
Cyanide
Fluoride (total)
Iron (total)
Iron (dissolved)
Lead (total)
Manganese (total)
Mercury (total)
Nickel (total)
Oil, fats and greases*
Phenols
Selenium (total)
Silver
Zinc (total)

In addition, the permittee shall monitor any new toxic substances as defined by the FWPCA following notification by the Illinois Environmental Protection Agency.

*Sample shall be a grab sample.

2. Discharge of heated effluent from open cycle cooling of the condensers must only occur when the temperature of the cooling canal entry into the forebay, prior to mixing with Waters of the State (Mississippi River), equals or exceeds 93°F (33.89°C) or during a periodic torus cooling water operation, the temperature of the mixed canal and river water entering the plant exceeds 85°F. In addition, the following parameters for the cooling canal must be reported on a daily basis. This data must be presented in a manner like the attached form.

Average Temp. of canal at intake prior to mixing with River
Daily Vol. of cooling canal water through intake
Daily Vol. of river water through intake
Average Temp. of Intake River Water
Average Temp. of Combined River and canal streams
Ratio of canal volume to River Volume.

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ATTACHMENT G

Special Conditions

3. Discharge of wastewater from this facility must not alone or in combination with other sources cause the receiving stream to violate the following thermal limitations at the edge of the mixing zone:

- A. Maximum temperature rise above natural temperature must not exceed 50F.
- B. Water temperature "at representative locations" in the main river shall not exceed the maximum limits in the following table during more than one (1) percent of the hours in the 12-month period ending with any month. Moreover, at no time shall the water temperature at such locations exceed the maximum limits in the following table by more than 30F. (Main river temperatures are temperatures of those portions of the river essentially similar to and following the same thermal regime as the temperatures of the main flow of the river.)

	<u>Jan.</u>	<u>Feb.</u>	<u>Mar.</u>	<u>Apr.</u>	<u>May</u>	<u>June</u>	<u>July</u>	<u>Aug.</u>	<u>Sept.</u>	<u>Oct.</u>	<u>Nov.</u>	<u>Dec.</u>
OF	45	45	57	68	78	85	86	86	85	75	65	52

4. a. Water temperatures and temperature differentials specified in Iowa Water Quality Standards shall be met.
- b. The permittee shall perform the following thermal monitoring:

The permittee shall determine the 30C (5.40F) contour line above ambient stream temperature and isotherms at approximately 1.00C intervals within this contour line. When the 30C (5.40F) contour above ambient stream temperature exceeds the water quality standard maximum temperature allowable, the permittee shall further define this maximum temperature contour line. These contours and the area within the contours shall be determined at approximate three month intervals along with the percentage of the cross-sectional area and volume of flow this discharge comprises. The timing of the plume studies shall as much as possible correspond to the most critical temperature conditions in the stream, i.e., summer maximums and low flow conditions. The permittee shall continue to determine these contours and areas every three months, however, two of the quarterly measurements may be based on estimating procedures using the previous data. The results of these determinations shall be reported on a quarterly basis.

ATTACHMENT G

Special Conditions

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QUALITY

- c. The area of diffusion of an effluent in the receiving water is a mixing zone, and that mixing zone shall not extend:
- i) over more than 25 percent of the cross sectional area of volume of flow in the Mississippi River;
 - ii) more than 26 acres of the Mississippi River; or
 - iii) more than 1000 feet beyond the point of discharge.
5. Discharge of incidental waste heat to the Mississippi River via the cooling water intake canal is allowed during complete closed cycle or partially closed cycle cooling.
 6. Nothing in this permit affects or abrogates the responsibilities or commitments of the Permittee herein as set forth in the agreement entered into by the Permittee in the consolidated cases of Issac Walton League of America, et. al. v. Schlesinger, No. 2208-71 and People of the State of Illinois, et. al. v. United States Atomic Energy Commission, No. 2208-71 (U.S. District Court, District of Columbia).
 7. There shall be no discharge of polychlorinated biphenyl compounds from any discharge.
 8. There shall be no discharge of boiler and other miscellaneous metal cleaning wastes.
 9. There shall be no discharge of debris from intake screen washing operations.
 10. The permit ee shall record monitoring results on Discharge Monitoring Report Forms using one such form for each discharge each month.

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

Discharge Monitoring Reports shall be mailed to the IEPA at the following address:

Illinois Environmental Protection Agency
Division of Water Pollution Control
2200 Churchill Road
Springfield, Illinois 62706

Attention: NPDES Unit (DMR)

ATTACHMENT G

Special Conditions

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Additionally, Discharge Monitoring Report forms shall be mailed to United States Environmental Protection Agency in Chicago and the Iowa Department of Environmental Quality on a quarterly basis. The permittee shall submit the reports as follows, unless otherwise specified by the permitting authority.

Period	Report Due At
	U.S. Environmental Protection Agency, and Iowa Department of Environmental Quality
Jan, Feb, Mar	April 28th
April, May, June	July 28th
July, Aug, Sept	October 28th
Oct, Nov, Dec	January 28th

Reports shall be addressed to United States Environmental Protection Agency as follows:

NPDES Compliance Unit
United States Environmental Protection Agency
Region V
230 South Dearborn Street
Chicago, Illinois 60604

Reports shall be addressed to the Iowa Department of Environmental Quality as follows:

Iowa Department of Environmental Quality
Chemicals and Water Quality Division
Henry A. Wallace Building
Des Moines, Iowa 50319

The Permittee shall also notify the United States Environmental Protection Agency and Iowa Department of Environmental Quality of any excursions as required by Standard Condition Number 12.

11. Discharge is allowed for the three outfalls associated with the Spill Prevention Control and Countermeasure (SPCC) Plan.

Discharge 002 Temperature Limits

Day	Avg. Temp. of Canal	Daily Vo. Canal H ₂ O thru Intake	Daily Vol. of River H ₂ O thru Intake	Avg. Temp. River	Intake Temp. Combined Streams	Ratio of Canal vol/River v
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ENVIRONMENTAL

ATTACHMENT H

Standard Conditions

Act means the Illinois Environmental Protection Act, Ch. 111 1/2 Ill. Rev. Stat., Sec. 1001-1051 as Amended.

Agency means the Illinois Environmental Protection Agency.

Board means the Illinois Pollution Control Board.

Chapter 3 means the Illinois Pollution Control Board Rules and Regulations, Chapter 3: Water Pollution.

Daily maximum means the maximum unit magnitude discharged during any calendar day.

Director means the Director of the Illinois Environmental Protection Agency.

FWPCA means the Federal Water Pollution Control Act, as amended, 33 U.S.C. 466 et seq., Public Law 95-217, approved December 27, 1977 (commonly referred to as the Clean Water Act).

NPDES means the National Pollutant Discharge Elimination System.

Weekly average means the arithmetic mean of samples collected during a period of seven consecutive calendar days for the purposes of monitoring and reporting.

Monthly average means the arithmetic mean of samples collected during a calendar month for purposes of monitoring and reporting. Alternatively, monthly average may be construed by the Illinois Environmental Protection Agency to be defined as the arithmetic means of samples collected during any period of 30 consecutive calendar days.

1. All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit in excess of that authorized shall constitute a violation of the permit. Any anticipated facility expansions, production increases, or process modifications which will result in new, different, or increased discharges of pollutants must be reported by submission of a new NPDES application or, if such discharges will not violate the effluent limitations specified in this permit, by this to the Agency of such changes. Following such notice, the permit may be revised to specify and limit any pollutants not previously limited.
2. In case of conflict between these standard conditions and any special conditions attached to this permit, the special conditions shall govern.
3. Except as otherwise provided in the Permit, all waters of the State shall be kept free from unnatural siltage or bottom deposits, floating solids, visible oil, odor, unnatural plant or algae growth, unnatural color or turbidity, visible foam or matter in concentrations or combinations toxic or harmful to human, animal, plant or aquatic life of other than natural origin.
4. Pursuant to Chapter 3, this permit may be modified, suspended or revoked in whole or in part during its term for cause including, but not limited to, the following:
 - a. Violation of any terms or conditions of the permit (including, but not limited to, schedules of compliance and conditions concerning monitoring, entry, and inspection);
 - b. Obtaining a permit by misrepresentation or a failure to disclose fully all relevant facts; or,
 - c. A change in any circumstance that mandates either a temporary or permanent reduction or elimination of the permitted discharge.
5. This permit may not be assigned or transferred. In the event of any change in control or ownership of facilities from which the authorized discharges emanate, the permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the Agency.
6. The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.
7. The permittee shall allow any agent duly authorized by the Agency and/or the United States Environmental Protection Agency upon the presentation of credentials:
 - a. To enter the permittee's premises where effluent sources are located or in which any records are required to be kept under the terms and conditions of this permit.

- b. To have access to and copy at reasonable times any records required to be kept under the terms and conditions of this permit.
- c. To inspect at reasonable times any monitoring equipment or monitoring method required to be kept by this permit.
- d. To sample at reasonable times any discharge of pollutants.
8. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the FWPCA and shall not be construed to relieve the permittee from civil or criminal penalties for noncompliance.
9. Nothing in this permit shall be construed to preclude the institution of any legal action nor relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the FWPCA.
10. Any owner of any publicly owned or regulated treatment works shall give notice to the Agency of the following:
 - a. Any new introduction of pollutants into such treatment works from a source which would be a new source as defined in Section 306 of the FWPCA if such source were discharging pollutants directly to the waters of the State;
 - b. Except as to such categories and classes of point sources or discharges which may be specified by the Agency, any new introduction of pollutants into such treatment works from a source which would be a point source subject to Section 301 of the FWPCA if it were discharging such pollutants directly to the waters of the State;
 - c. Any substantial change in volume or character of pollutants being introduced into such treatment works by a source introducing pollutants into such works at the time of issuance of the permit; and

Such notices shall contain information on:

- The quality and quantity of wastewater to be introduced into such treatment works, and
- Any anticipated impact or such change in the quantity or quality of effluent to be discharged from such publicly owned or publicly regulated treatment works.
11. If a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established pursuant to Section 307(a) of the FWPCA for a toxic pollutant which is present in the discharge authorized herein and such standard or prohibition is more stringent than any limitation upon such pollutant in this permit, this permit shall be revised by the Agency in accordance with the toxic effluent standard or prohibition and the permittee shall be so notified.
12. If for any reason the permittee does not comply with or will be unable to comply with any parameter limitation or other condition as specified in this permit, or should any unusual or extraordinary discharge of waste occur from the facilities herein permitted, the permittee shall provide the Agency with the following information in writing within five (5) days of becoming aware of the condition:
 - a. A description of the non-complying discharge including the impact upon the receiving water.
 - b. Cause of non-compliance.
 - c. Anticipated time the condition of non-compliance is expected to continue, or if such condition has been corrected, the duration of the period of non-compliance.
 - d. Steps to be taken by the permittee to prevent recurrence of the condition of non-compliance.
 - e. Steps taken by the permittee to reduce and eliminate non-compliance.
13. The diversion or bypass of any discharge from the treatment works by the permittee is prohibited, except: (1) where unavoidable to prevent the loss of life or severe property damage; or, (2) where excessive storm drainage runoff would damage any facilities necessary for compliance with the terms and conditions of this permit. The permittee shall notify the Agency within 72 hours of each diversion or bypass in accordance with the procedure specified in Standard Condition 12 for reporting non-compliance. The permittee shall within 30 days after such incident submit for approval a plan to prevent recurrence of such incidents.

14. The permittee shall take all reasonable steps to minimize any adverse impact on waters of the State resulting from non-compliance with any effluent limitations specified in this permit. The permittee will also provide accelerated or additional monitoring as necessary to determine the nature and the impact of the non-complying discharge(s).

15. The permittee is responsible for maintaining adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures either by means of alternate power sources, standby generators or retention of inadequately treated effluent. Should the treatment works not include the above capabilities at the time of permit issuance, the permittee must furnish within 120 days to the Agency, for approval, plans for such facilities and an implementation schedule for their installation.

16. The permittee shall effectively monitor the operation and efficiency of all treatment and control facilities and the quantity and quality of the treated discharge. The permittee must obtain the equipment necessary to perform the tests designated by the influent and effluent limitations indicated in Schedule B, and A if included, or be able to utilize other laboratory services to determine and report the necessary results. Samples and measurement taken as required herein shall be representative of the volume and nature of the monitored discharge. Monitoring data required for this permit shall be summarized on a calendar month basis. Individual reports for each reporting period are to be submitted on the basis indicated in Schedule B and A if included of this permit, and/or on the appropriate forms as indicated by the Agency. Original copies of the Discharge Monitoring Report form properly signed and completed must be submitted and postmarked within fifteen (15) days after the end of the reporting period to: Illinois EPA, DMPC, 2200 Churchill Road, Springfield, Illinois, 62706, Attention: NPDES Unit (DMR).

17. The permittee shall record for all samples the date and time of sampling, the sampling method used, the date that analyses were performed, the identity of the analyses, and the results of all required analysis and measurements. All sampling and analytical records required by this permit shall be retained for a minimum of three years. The permittee shall also retain all original records from any continuous monitoring instrumentation and any calibration and maintenance records for a minimum of three years. The periods will be extended on a day-for-day basis during the course of any unresolved litigation, or when so requested by the Agency.

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report Form. Such increased frequency shall also be indicated.

18. The analytical and sampling methods used shall conform to 40 CFR Part 136 which includes selected methods from current editions of the reference manuals listed below:

- a. "Standard Methods for the Examination of Water and Wastewater", APHA, Washington, D.C.
- b. "A.S.T.M. Standards, Part 31, Water"; American Society for Testing and Materials, Philadelphia, Pennsylvania
- c. "Methods for Chemical Analysis of Water and Waste", EPA, Technology Transfer.

The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to ensure accuracy of measurements.

19. Except for data determined to be confidential pursuant to Section 7 or 7.1 of the Act or Section 308 of the FWPCA, all monitoring reports recorded in this permit shall be available for public inspection at the office of the Agency. Knowingly making any false statement on any such report may result in the implementation of criminal penalties as provided for in Section 309 of the FWPCA and Section 44 of the Act.

20. The permittee shall at all times maintain in good working order and operate as efficiently as possible any facilities or systems of control installed by the permittee to achieve compliance with the terms and conditions of the permit.

21. Owners of publicly owned or publicly regulated treatment works shall require that any industrial user of such treatment works comply with federal requirements concerning:

- a. User charges and recovery of construction costs pursuant to Section 204(b) of the FWPCA, and applicable regulations in 40 CFR 35;

b. Toxic pollutant effluent standards and pretreatment standards pursuant to Section 307 of the FWPCA;

c. Inspection, monitoring and entry pursuant to Section 308 of the FWPCA.

22. Collected screenings, sludges, 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.

23. If any interim effluent limitations and/or schedule of compliance is provided for in this permit pursuant to Rule 409 of Chapter 3, the permittee is required to take such action to bring the discharge into compliance within the shortest period of time possible. If the Agency determines that the permittee is not taking timely action to secure the appropriate grant funding, the Agency may take the following actions:

- a. Place the permittee on restricted status.
- b. Initiate appropriate enforcement action.

24. The discharge(s) authorized by this permit shall comply with, in addition to the requirements of the permit, all applicable provisions of Chapter 3 or applicable orders of the Board which are consistent with the FWPCA or regulations adopted thereunder.

25. The permittee shall not commence construction or modification of any treatment works, disposal unit, wastewater source, or process modification until an authorization to construct has been issued pursuant to Rule 910 of Chapter 3. If an authorization to construct is issued, it is hereby incorporated as a condition of this permit.

26. The permittee is not authorized to discharge after the expiration date. In order to receive authorization to discharge beyond the expiration date, the permittee shall submit the proper application as required by the Agency not later than 180 days prior to the expiration date.

27. This permit may be modified or revised, or, alternatively revoked and reissued, to comply with an applicable effluent limitation issued pursuant to the order of the United States District Court for the District of Columbia issued on June 8, 1976, in Natural Resources Defense Council, Inc. et. al. v. Russell E. Train, 8 E.R.C. 2120 (D.D.C. 1976), if the effluent limitation so issued:

- (1) is different in conditions or more stringent than any effluent limitation in the permit; or
- (2) controls any pollutant not limited in the permit."

This permit may be revised, following notice by the Agency that applicable effluent limitations covered by the Natural Resources Defense Council, Inc. et. al. v. Train, 8 E.R.C. 2120 (D.D.C. 1976) will not be promulgated, to incorporate any applicable effluent limitation determined under Section 402(a)(1) of the Federal Water Pollution Control Act. (FWPCA) Amendments of 1972 as necessary to carry out the provisions of Section 301(b)(2)(a) of the FWPCA, if the effluent limitation so determined;

- a. Is more stringent than any effluent limitation in the permit; or
- b. Controls any pollutant not limited in the permit.

28. This permit may be revised to incorporate, if necessary, applicable provisions of an approved 208 plan pursuant to Section 208 of the FWPCA.

29. Applicable new or amended Pollution Control Board Rules or Regulations, Regulations promulgated pursuant to the FWPCA or Amendments to the FWPCA shall be incorporated herein and become part hereof when the Rule, Regulation or Amendment becomes effective. The Agency will notify each affected NPDES permittee of such incorporation.

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