

LEGISTAR: 190406
DISTRICT #: ALL

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

 X Resolution or Ordinance (Blue) X Waiver of First Requested
 Recommendations of Boards, Commissions & Committees (Green)
 Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott Niehaus, Village Manager

DATE : September 18, 2019 (BOT) Date: October 17, 2019

SUBJECT: Ordinance Amending Section 50.001 of the Lombard Village Code

SUBMITTED BY: Carl S. Goldsmith, Director of Public Works 

BACKGROUND/POLICY IMPLICATIONS:

The Department of Public Works transmits for your consideration a proposed ordinance to amend Section 50.001 of the Village Code. Section 50.001 establishes definitions for the Village Code sections relative to the Village's Combined Water & Sewer System.

Fiscal Impact/Funding Source:

Review (as necessary):

Finance Director _____ Date _____

Village Manager _____ Date _____


NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the agenda distribution.



September 18, 2019

TO: Village President and Board of Trustees

THROUGH: Scott Niehaus, Village Manager

FROM: Carl S. Goldsmith, Director of Public Works 

SUBJECT: Ordinance Amending Section 50.001 of the Lombard Village Code

Section 50.001 of the Village Code establishes the definitions used throughout Section 50 of the Code. As part of the Village's effort to amend the FOG and Industrial Pretreatment Programs, the definitions were amended to ensure consistency with the amended sections of the Code.

Changes relate to the following terms:

- Clarification of how is considered an *Authorized representative of industrial user* for various types of business entities.
- Addition of a definition for *Best Management Practices (BMP)*
- Addition of a definition for *Bypass*
- Addition of definition for *Categorical Pretreatment Standard or Categorical Standard and Categorical Industrial User or CIU*
- The definition of *Committee* has been amended to reflect the Public Works and Environmental Concerns Committee
- Addition of a definition for *Daily Maximum* and *Daily Maximum Limit*
- Addition of a definition for *Local Limit*
- Addition of a definition for *Septic Tank Waste*
- Addition of a definition of a *Wastewater Treatment Plant or Treatment Plant*

Recommendation:

The Public Works Department recommends that the Board of Trustees adopt AN ORDINANCE AMENDING TITLE 5, CHAPTER 50, SECTION 50.001 OF THE LOMBARD VILLAGE CODE IN REGARD TO THE DEFINITIONS APPLICABLE TO THE PROVISIONS OF CHAPTER 50 OF THE LOMBARD VILLAGE CODE, RELATIVE TO THE VILLAGE'S COMBINED WATER AND SEWER SYSTEM.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING
TITLE 5, CHAPTER 50, SECTION 50.001 OF
THE LOMBARD VILLAGE CODE IN REGARD TO
THE DEFINITIONS APPLICABLE TO THE PROVISIONS OF CHAPTER 50
OF THE LOMBARD VILLAGE CODE, RELATIVE TO THE
VILLAGE'S COMBINED WATER AND SEWER SYSTEM**

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

SECTION 1: That Title 5, Chapter 50, Section 50.001 of the Lombard Village Code is hereby amended to read in its entirety as set forth on Exhibit A attached hereto and made part hereof.

SECTION 2: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form, as provided by law.

Passed on first reading this ____ day of _____, 2019.

First reading waived by action of the Board of Trustees this ____ day of _____, 2019.

Passed on second reading this ____ day of _____, 2019, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this ____ day of _____, 2019.

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published by me in pamphlet form this ____ day of _____, 2019.

Sharon Kuderna, Village Clerk

Exhibit A

§ 50.001 - Definitions.

For the purpose of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Act I. The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended. (33 U.S.C. 1251, et seq.) or the Illinois Environmental Protection Act 415 ILCS 5/1 as the text requires.

Approval authority. The designated Approval Authority shall be in the Regional Administrator for USEPA Region V.

Authorized representative of industrial user.

- (1) If the User is a corporation or limited liability company (LLC):
 - (a) The president, secretary, treasurer, or a vice-president of the corporation or a member or manager of the LLC in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation or LLC; or
 - (b) The manager of one or more manufacturing, production, or operating facilities of the corporation or LLC, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate or LLC procedures.
- (2) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.
- (3) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
- (4) The individuals described in paragraphs A, B and C above may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to Glenbard Wastewater Authority.

Baseline report. That report required by 40 CFR § 403.12(b)(1-7).

Best Management Practices or BMPs. A schedule of activities, prohibition of practices, maintenance procedures, and other management practices to implement the prohibitions listed in

§ 50.038 . BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

Biochemical oxygen demand (BOD5). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20 degrees centigrade, usually expressed as a concentration (e.g., mg/l).

Building. A structure that is constructed or erected partially or wholly above ground and is enclosed by walls and a roof. The term "building" includes manufactured homes and includes both the above-ground and the below-ground portions of the structure.

Bypass. The intentional diversion of wastestreams from any portion of a User's treatment facility.

Categorical Pretreatment Standard or Categorical Standard. Any regulation containing pollutant discharge limits promulgated by EPA in accordance with sections 307(b) and (c) of the Act (33 U.S.C. section 1317) that apply to a specific category of Users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

Categorical Industrial User or CIU. An Industrial User subject to a Categorical Pretreatment Standard or Categorical Standard.

Clean water act (CWA). The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

Cleaning. The rodding, flushing, or scouring of the inside of the sewer service line to remove obstructions or blockages caused by, or as a result of the actions of the property owner.

Combined sewer. A sewer which is generally located in a public right-of-way or easement and is designed to carry wastewater and industrial wastewater, as well as stormwater, directly or indirectly to the POTW.

Committee. The Public Works and Environmental Concerns Committee of the Village of Lombard.

Composite sample. A sample of wastewater based on a flow proportional or time proportional method.

Control Authority. The Glenbard Wastewater Authority.

Control manhole or structure. A structure constructed for the purpose of measuring flow and of sampling waste.

Daily Maximum. The arithmetic average of all effluent samples for a pollutant collected during a calendar day.

Daily Maximum Limit. The maximum allowable discharge limit of a pollutant during a calendar day. Where Daily Maximum Limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

Director. The Village of Lombard Director of Public Works.

Domestic source. A source of sanitary wastewater, as opposed to industrial wastewater, consisting of one service line from a primary residence for no more than three unrelated individuals or no more than four families.

Drain. Piping and appurtenances for conveying a fluid.

Dry weather flow. Any sanitary sewage and industrial wastewater.

Environmental protection agency (EPA). The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Director, or other duly authorized official designated as it's representative.

Executive oversight committee. The Executive Oversight Committee of the Glenbard Wastewater Authority, constituted in the intergovernmental agreement between the Village of Glen Ellyn and the Village of Lombard which creates the Glenbard Wastewater Authority.

Existing source. Any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.

Facility. Something that is built, installed, or established to serve a particular purpose.

Garbage. The wastes from the preparation, cooking, and dispensing of food and from the handling, storage, and sale of produce.

Garbage, shredded. The wastes from the preparation, cooking, and dispensing of foods that have been shredded to such a degree that all particles will be carried freely under flow conditions normally prevailing in public sewers, with no particle greater than ¼-inch in diameter.

Glenbard Wastewater Authority or Authority. The joint venture formed by an intergovernmental agreement between the Village of Glen Ellyn and the Village of Lombard, as the agreement is amended from time to time.

Grab sample. A sample which is taken from a waste stream on a one-time basis without regard to the flow in the waste stream and over a period of time not to exceed 15 minutes

Hazardous materials. Any material which may cause, or significantly contribute to, a substantial hazard to human health, safety, property, or the environment.

Illicit discharge. Any direct or indirect non-storm water discharge to the storm drainage system, except as exempted in 50.036(c).

Indirect discharge or discharge. The introduction of pollutants into the publicly owned treatment works (POTW) from any source regulated under § 307(b), (c) or (d) of the Act.

Industrial activity. Activities subject to an industrial NPDES storm water permit as defined in 40 CFR, Code 122.26(b)(14).

Industrial user. Any person who introduces pollutants into a POTW from any non-domestic source regulated under the Act, State law, or local ordinance.

Industrial waste. Any liquid, gaseous, solid, or other waste substance or a combination thereof resulting from any process of industry, manufacturing trade, or business, or from the development, processing, or recovery of any natural resources.

Inflow-infiltration. Any water that enters the sanitary sewers through poor joints, cracked or damaged pipes, the walls of manholes, perforated manhole covers, and prohibited connections.

Instantaneous Limit. The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event

Interference. A discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

- (1) Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use, or disposal; and
- (2) Is a cause of a violation of any requirement of the POTW's permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations):

Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

Intermediate user. Any entity which owns or operates a sanitary sewage collection system which services multiple users, is operated in easements or public right-of-way, and directly or indirectly discharges to the POTW. Intermediate users shall include, but not be

limited to, Citizens Utilities, the County of DuPage, and the Village of Villa Park. The Village of Lombard and the Village of Glen Ellyn are classified primary users.

Line. A hollow conduit through which fluids are transported between two or more points.

Local Limit. Specific discharge limits developed and enforced by [the City] upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b).

mg/L. Milligrams per liter.

Manager. The Facilities Manager of the Glenbard Wastewater Authority. Whenever necessary to carry forth the provisions of this Chapter, the Manager shall be the agent of the village when so acting.

Mechanical rodding. The process of unclogging a private sewer service and/or sewer stub with a sectional or drum style machine with steel cable and cutter head.

Medical Waste. Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

Monthly Average. The sum of all “daily discharges” measured during a calendar month divided by the number of “daily discharges” measured during that month.

Monthly Average Limit. 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.

Municipal separate storm sewer system (MS4). A conveyance or system of conveyances (including but not limited to sidewalks, roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, and storm sewers) owned or operated by a governmental entity and designed or used for collecting or conveying stormwater, and that is not used for collecting or conveying sewage.

National pollutant discharge elimination system permit (NPDES permit). A permit issued pursuant to Section 402 of the Federal Clean Water Act (33 U.S.C. 1342).

Natural outlet. Any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.

New source.

- (1) Any building structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under § 307(c) (33 U.S.C. 1317) of the Act, which will be applicable to such source if such standards are thereafter promulgated in accordance with that section provided that:

- (a) The construction is a site at which no other source is located; or

- (b) The process or production equipment that causes the discharge of pollutants at an existing source is totally replaced; or
 - (c) The production of wastewater generating processes are substantially independent of an existing source at the same site. In determining whether these are substantially independent factors such as the extent to which the new facility is integrated with the existing plant and the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered.
- (2) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria of (1)(b) or (1)(c) of this section but otherwise alters, replaces, or adds to existing process or production equipment.
- (3) Construction of a new source as defined under this paragraph has commenced if the owner or operator has:
- (a) Begun, or caused to begin as part of a continuous on site construction program;
 - (i) Any placement, assembly, or installation of facilities or equipment; or
 - (ii) Significant site preparation work including removal of existing buildings, clearing, excavation or structures or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment;or
 - (b) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

Non-contact cooling water. Means water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or final product.

Non-stormwater discharge. Any discharge to the storm drainage system that is not the direct result of precipitation and or snowmelt in the tributary drainage basin.

Notice of intent (NOI). Illinois Environmental Protection Agency Notice of Intent to participate in coverage under the General Permit to Discharge Storm Water Associated with Industrial Activity.

Overhead sewers. Usually such sewer lines from house plumbing fixtures as are installed near the ceiling of the basement and are routed to the outside lateral or service line through an opening high up on the basement wall rather than through the basement floor. Drainage from the basement floor drains and fixtures must be led to a special, vented, ejector pump and pumped up into the overhead sewer through a check-valve. Such check-valves should be accessible for maintenance, and must be installed on a horizontal stretch of the discharge pipe.

Parcel. Contiguous land under single ownership or control.

Pass through. A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).

Person is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, municipality, state or federal agency or an agent or employee thereof or any other legal entity, or their legal representatives, agents or assigns.

pH. The logarithm (base 10) of the reciprocal of hydrogen ions expressed in moles per liter of solution.

pH neutral. pH value between 6.5 and 9.0 Standard Units.

Pollutant. Anything that causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; filter backwash, medical wastes, non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, wastewater, dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, or industrial, municipal and agricultural waste or any other contaminant exhibiting certain characteristics of wastewater (e.g. pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor), fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

Potable water is any water used for human or domestic consumption, including, but not limited to, water used for drinking, bathing, swimming, washing dishes, or preparing foods.

POTW treatment plant. That portion of the POTW which is designed to provide treatment (including recycling and reclamation) of municipal sewage and industrial waste.

Premises. Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

Pretreatment. The reduction elimination, or alteration of pollutant properties in wastewater prior to or in lieu of discharge or introduction into a POTW. This can be accomplished by physical, chemical, or biological processes, process changes, or other means, except as prohibited by 40 CFR Part 403.6(d).

Pretreatment standards. For any specified pollutant, prohibitive discharge standards as set forth in § 50.038, specific limitations on discharge as set forth in § 50.039, the State of Illinois pretreatment standards or the applicable National Categorical Pretreatment Standards, whichever standard is most stringent.

Pretreatment requirements. Any substantive or procedural requirement related to pretreatment, other than a pretreatment standard, imposed on an industrial user.

Primary users. The two major users of the POTW, being the Village of Glen Ellyn and the Village of Lombard.

Private sewage disposal system. Any arrangement of devices and structures used for treating sewage on private property.

Public sewer. A sewer in which all owners of abutting properties within the village have equal rights and is owned, operated, or controlled by a public body or a utility controlled by the Illinois Commerce Commission.

Private sewer service. That portion of the sewer service line from the sewer stub to the building connection.

Property owner. The owner or occupant of any building located within the village.

Public right-of-way. Real property which has been formally dedicated for right-of-way purposes, is subject to an easement for right-of-way purposes or is subject to a public utility easement.

Publicly owned treatment works (POTW). The Glenbard Advanced Wastewater Treatment Plant, the Lombard Combined Sewage Treatment Facilities, the North Regional Interceptor, and the South Regional Interceptor. This definition includes any devices and systems used in the storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature that convey wastewater to the POTW.

Repair. The removal and replacement, alteration, or mending of the structure of the sewer service line, including necessary earth work, pavement replacement, and landscape restoration.

Runoff. The waters derived from precipitation and or melting snow within a tributary drainage basin that exceeds the infiltration capacity of that basin.

Sanitary sewer. A sewer which is generally located in a public right-of-way or easement and is designed to carry only wastewater and industrial wastewater from users, directly or indirectly, to the POTW, and to which storm, surface, and ground water are not intentionally admitted.

Septic Tank Waste. Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

Service line. The sewer line connecting any building with the public sewer, and extends from the building to the point of connection with the public sewer main. A sewer line connecting any roof downspouts, exterior foundation drains, areaway drains, or other sources of surface run-

off or groundwater, directly or indirectly, to a public sewer.

Sewage. Polluted stormwater, wastewater, or other refuse liquids usually conveyed by sewers.

Sewer. An artificial conduit to carry off sewage and/or surface water (as from rainfall), including sanitation, stormwater, and/or combined sewers.

Sewer service line. The sewer line running from the main sewer line under the jurisdiction of the village to the building connection.

Sewer stub. That portion of the sewer service line that lies within the public right-of-way.

Sewerage. A system of sewers and appurtenances for the collection, transportation, pumping, and treatment of sewage.

Shall. Mandatory requirement.

Significant industrial user (SIU):

- (1) All industrial users subject to Categorical Pretreatment Standards under 40 CFR Part 403.6 and 40 CFR Chapter I, Subpart N; or
- (2) Any industrial user that:
 - (a) Discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);
 - (b) Contributes a process wastestream which makes up five percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - (c) Is designated as such by the Manager on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement (in accordance with 40 CFR Part 403.6(f)).
- (3) Upon a finding that an industrial user meeting the criteria in paragraph (2) (b) of this section has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the Manager may at any time, on its own initiative, or in response to a petition from an industrial user, and in accordance with 40 CFR Part 403.8(f)(6), determine that such industrial user is not considered a significant industrial user.

Significant noncompliance (SNC):

- (1) Chronic violations of wastewater discharge limits, defined here as those in which 66 percent or more of all of the measurements taken during a six month period exceed (by any magnitude) a numeric pretreatment standard or requirement, including instantaneous limits as defined by 40 CFR 403.3(l).
- (2) Technical Review Criteria (TRC) violations, defined here as in which 33 percent or more of all measurements for the same pollutant parameter taken during a six-

- month period equal or exceed the product of a numeric pretreatment standard or requirement, including instantaneous limits as defined by 40 CFR 403.3(l) multiplied by the applicable TRC (TRC=1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH);
- (3) Any other violation of a pretreatment standard that the Manager determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of POTW personnel or the general public);
 - (4) Any discharge of a pollutant that has caused imminent endangerment to human health, welfare, or to the environment or has resulted in the POTW's exercise of its emergency authority to halt or prevent such a discharge.;
 - (5) Failure to meet, within 90 days after the scheduled date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance;
 - (6) Failure to provide, within 45 days after the due date, required reports such as, but not limited to baseline monitoring reports, ninety (90) day compliance reports, periodic self-monitoring reports, and progress reports on compliance with compliance schedules;
 - (7) Failure to accurately report noncompliance;
 - (8) Any other violation or group of violations which may include a violation of BMPs the Executive Director determines will adversely affect the operation or implementation of the local pretreatment program.

Significant violation. A violation of this Chapter which remains uncorrected 45 days after notification of such noncompliance; or which is part of a pattern of noncompliance over a 12-month period; or which involves failure to accurately report noncompliance; or which resulted in the POTW exercising its emergency authority under Article V.

Sludge. The settable solids separated from the liquids during the wastewater treatment processes.

Slug. Any discharge of non-routine, episodic nature, including but not limited to an accidental spill or non-routine batch discharge, which in either flow rate or pollutant concentration could cause a violation of Lombard Village Ordinance Title V, Chapter 50, § 50.039, or cause interference or pass through with the POTW.

Standard industrial classification code (SIC) means a classification pursuant to the Standard Industrial Classification Manual issued by the U.S. Office of Management and Budget.

Standard methods. The laboratory procedures set forth in the latest edition, at the time of analysis, or "Standard Methods for the Examination of Water and Wastewater" prepared and published jointly by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation, and any other procedures recognized by the USEPA and IEPA.

Storm drainage system. A facility by which stormwater is collected and/or conveyed,

including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

Storm sewer. A conduit or sewer which carries storm and surface waters and drainage but excludes sewage and industrial wastes.

Stormwater. Any flow, runoff, and drainage from any form of natural precipitation, and resulting from such precipitation.

Structure. Anything that is erected or constructed. The term "structure" includes, without limitation: buildings, manufactured homes, tanks, dams, sewers, constructed channels, outfalls, parking lots, driveways, roads, sidewalks, and concrete patios.

Suspended solids. The solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering. Refer to "Standard Methods" for the examination of water and wastewater.

Toxic pollutant. Any pollutant or combination of pollutants identified as toxic pursuant to Section 307(a) of the Federal Water Pollution Control Act or other Federal Statute or in regulations promulgated by the State under State Law.

Upset. An exceptional incident in which there is unintentional and temporary noncompliance with categorical Pretreatment Standards because of factors beyond the reasonable control of the User.

User. A source of indirect discharge.

Wastewater. Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

- (1) *Sanitary wastewater.* The combination of liquid and water carried wastes discharged from toilet and other sanitary plumbing facilities.
- (2) *Industrial wastewater.* A combination of liquid and water carried process waste, discharged from any industrial user including the wastewater from pretreatment facilities and polluted cooling water.

Wastewater hauler. Any person, partnership, or corporation engaged in transporting sanitary wastewater as a commercial venture.

Watercourse. The channel in which a flow of water occurs, either continuously or intermittently.

Waters of the State of Illinois. All streams, lakes, ponds, marshes, water courses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private,

which are contained within, flow through, or border upon the State of Illinois or any portion thereof.

Waters of the United States. As defined in the CWA, "waters of the United States" applies only to surface waters, rivers, lakes, estuaries, coastal waters, and wetlands. Not all surface waters are legally "waters of the United States." Generally, those waters include the following: All interstate waters; intrastate waters used in interstate and/or foreign commerce; tributaries of the above; territorial seas at the cyclical high tide mark; and wetlands adjacent to all the above.

Wastewater Treatment Plant or Treatment Plant. That portion of the POTW which is designed to provide treatment of municipal sewage and industrial waste.

Wet weather flow. Any liquid, gaseous, or solid substance or a combination thereof in excess of the dry weather flow.