

13.18.160 – Operating permits and permit conditions

A. General Conditions

1. No person, persons, corporation, or other legal entities shall install or operate a Facility in a GWPA without first obtaining a Groundwater Protection Operating Permit from the Director of Public Works.
2. The focus of review for all permits shall be on the substances that will be stored, handled, treated, used or produced and the potential for these substances to degrade Groundwater quality.
3. All permits required pursuant to this Chapter must be issued prior to or concurrent with the issuance of permits for construction activities or Underlying Permits.
4. The Director of Public Works shall not issue an Operating Permit for a Facility unless adequate plans, specifications, test data, and/or other appropriate information has been submitted by the Owner and/or Operator showing that the proposed design and construction of the Facility meets the intent and provisions of this Chapter and will not impact the short term, long term or cumulative quantity or quality of Groundwater.
5. The application for Operating Permits pursuant to this Chapter shall be made on a form provided by the City and shall be accompanied by a fee of two hundred dollars (\$200). The annual renewal fee shall be twenty-five dollars (\$25) and shall accompany the annual certification statement.
6. Any person who owns or operates more than one Facility in a single zone of the (GWPA) shall have the option of obtaining one permit for all operations if the operations at each Facility are similar and the permit requirements under this Chapter are applicable to each Facility individually.
7. An Operating Permit, issued by the Director of Public Works shall be effective for 1 year. The Director of Public Works shall not issue a permit to operate a Facility until the Director of Public Works determined that the Facility complies with the provisions of this Chapter.
8. The Facility Owner shall apply to the City for permit renewal at least 60 days prior to the expiration of the permit. If an inspection of the Facility reveals noncompliance, then the Director of Public Works must verify by a follow-up inspection that all required corrections have been implemented before renewing the permit.
9. Operating Permits may be transferred to a new Facility Owner/Operator if the new Facility Owner/Operator does not change any conditions of the permit, the transfer is registered with the City within 30 days of the change in ownership, and any necessary modifications are made to the information in the initial permit application due to the change in ownership.
10. Within 30 days of receiving an inspection from the City, the Operating Permit holder shall file with the City a plan and time schedule to implement any required modifications to the Facility or to the monitoring plan needed to achieve compliance with the intent of this Chapter or the permit conditions. This plan and time schedule shall also implement all of the recommendations of the Director of Public Works.

B. Permit Applications

1. The Operating Permit application shall include at a minimum:
 - a. Name, address, and phone number of Owner/Operator.
 - b. Property address, legal description and tax identification number of the Facility.
 - c. The names and volumes of all Regulated Substances which are stored, handled, treated, used, or produced at the Facility being permitted in quantities greater than the de minimus amounts specified in Section 13.18.150 of this Chapter. Copies of all leases
 - d. A detailed description of the activities conducted at the Facility that involve the storage, handling, treatment, use or production of Regulated Substances in quantities greater than the de minimus amounts specified in Section 13.18.150 of this Chapter.
 - e. A description of the Containment Devices used to comply with the requirements of this Chapter.
 - f. A Regulated Substances Management Plan for the Facility.
 - g. A description of the procedures for inspection and maintenance of Containment Devices.
 - h. A description of the method for disposal of Regulated Substances.
 - i. 10 copies of a Site plan showing the location of the Facility and its property boundaries and the locations where Regulated Substances in containers larger than five (5) gallons (19 liters) or forty (40) pounds (18 kilograms) in size are stored, handled, treated, used, produced, the location of each Containment Device.

C. Conditions for GWPA Permits Issued to New Facilities

1. Containment Devices
 - a. The Owner/Operator of a Facility must provide Containment Devices adequate in size to contain on-site any Unauthorized Release of Regulated Substances from any area where these substances are either stored, handled, treated, used, or produced. Containment Devices shall prevent Regulated Substances from penetrating into the ground. Design requirements for

Containment Devices include:

- i. The Containment Device shall be large enough to contain 110% of the volume of the container in cases where a single container is used to store, handle, treat, use, or produce a regulated substance. In cases where multiple containers are used, the Containment Device shall be large enough to contain 150% of the volume of the largest container or 10% of the aggregate volume of all containers, whichever is greater.
- ii. All Containment Devices shall be constructed of materials of sufficient thickness, density, and composition to prevent structural weakening of the Containment Device as a result of contact with any regulated substance. If coatings are used to provide chemical resistance for Containment Devices, they shall also be resistant to the expected abrasion and impact conditions. Containment Devices shall be capable of containing any Unauthorized Release for at least the maximum anticipated period sufficient to allow detection and removal of the release.
- iii. If the Containment Device is open to rainfall, then it shall be able to accommodate the volume of precipitation that could enter the Containment Device during a 24-hour, 100-year storm, in addition to the volume of the regulated substance storage required in Subsection 1(a) above.
- iv. Containment Devices shall be constructed so that a collection system can be installed to accumulate, temporarily store, permit detection of the presence of, and permit removal of any storm runoff or regulated substance.
- v. Containment Devices shall include monitoring procedures or technology capable of detecting the presence of a regulated substance within 24 hours following a release.

D. Regulated Substances Management Plan

1. Regulated Substances Management Plan indicating procedures to be followed to prevent, control, collect, and dispose of any Unauthorized Release of a regulated substance shall be required as a condition of each Operating Permit. If a spill prevention control plan or similar contingency plan has been prepared in accordance with Illinois or United States Environmental Protection Agency requirements, a Regulated Substance Management Plan is not required as long as all of the Regulated Substances are included in the spill prevention control plan.
2. The Regulated Substances Management Plan shall include:
 - a. Provisions to address the Regulated Substances monitoring requirements.
 - b. Provisions to train employees in the prevention, identification, reporting, control, disposal, and documentation of any Unauthorized Release of a regulated substance.
 - c. The Owners or Operators of all new facilities shall implement Regulated Substances monitoring as part of the Regulated Substances Management Plan required by Subsection 13.18.160 4.b.iv of this Chapter. Visual monitoring must be implemented unless it is determined by the Fire Department to be infeasible.
 - d. All regulated substance monitoring activities shall include the following:
 - i. A written routine monitoring procedure which includes, when applicable: the frequency of performing the monitoring method, the methods and equipment to be used for performing the monitoring, the location(s) from which the monitoring will be performed, the name(s) or title(s) of the person(s) responsible for performing the monitoring and/or maintaining the equipment, and the reporting format.
 - ii. Written records of all monitoring performed shall be maintained on-site by the Operator for a period of 3 years from the date the monitoring was performed. The City may require the submittal of all the monitoring records or a summary at a frequency that the City may establish. The written records of all monitoring performed in the past 3 years shall be shown to the City upon demand during any Site inspection.
Monitoring records shall include but not be limited to:
 - iii. Name of person performing the monitoring or sampling;
 1. The date and time of all monitoring or sampling;
 2. Monitoring equipment calibration and maintenance records;
 3. The results of any visual observations;
 4. The logs of all readings of gauges or other monitoring equipment, or other test results; and

The results of inventory readings and reconciliations.

- e. Procedures for the in-house inspection and maintenance of Containment Devices and areas where Regulated Substances are stored, handled, treated, used, and produced shall be identified in the Operating permit for each Facility. Such procedures shall be in writing, and a log

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shall be kept of all inspection and maintenance activities. Such logs shall be submitted to the Director of Public Works with the renewal applications and shall be available for inspection at other times upon 48 hours notice. Inspection and maintenance logs shall be maintained on-site by the Owner or Operator for a period of at least 3 years from the date the monitoring was performed.

E. Reporting

1. The permittee shall report to the Director of Public Works 15 days after any changes in a Facility including:
 - a. The storage, handling, treatment, use, or processing of new Regulated Substances;
 - b. Changes in monitoring procedures; or
 - c. The replacement or repair of any part of a Facility that is related to the regulated substance(s).