

CHAPTER 98: DISCHARGE OF HAZARDOUS MATERIALS

Section

§98.01 Definitions

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§98.01 DEFINITIONS.

The following words, terms and phrases shall have the meaning hereby ascribed to them, except where the context clearly indicates a different meaning.

BMP means “Best Management Practices”, as defined in General NPDES Permit No. ILR40.

General NPDES permit No. ILR40 means the General NPDES Permit for Discharges from Small Municipal Separate Storm Sewer Systems, issued by the Illinois Environmental Protection Agency, Division of Water Pollution Control, effective April 1, 2009, as the same may hereafter be amended.

Hazardous Material means anything which threatens physical harm to the health or safety of any person, plant, animal, or real or personal property.

Illicit Discharge means any discharge to the Village storm water sewer system that is not composed entirely of storm water, except discharges authorized under NPDES Permit ILR40, as defined in 40 CFR 122.26(b)(2).

Responsible Party means any person who owns, leases, operates or controls any facility, equipment or vehicle from which a discharge of hazardous material has occurred or threatens to occur, or who proximately causes any discharge of hazardous materials, within or into the Village of Deer Park.

§98.02 CHARGES FOR SERVICE.

Any Responsible Party shall be liable to the Village or agency acting on behalf of the Village for the full actual cost incurred in responding to, containing, remediating or otherwise dealing with a discharge of hazardous material, including the cost of replacing equipment or products, and for any specialized equipment or service involved.

§98.03 ILLICIT DISCHARGE.

- A. Pursuant to General NPDES Permit No. ILR40 and other applicable laws, rules and regulations, it shall be unlawful for any person to discharge into the Village storm water sewer system any unpermitted (illicit) discharge.
- B. The Village Engineer shall promulgate rules and regulations to:
 1. Establish and enforce a program to detect and eliminate illicit discharges;
 2. Require prompt reporting to the Village of any unpermitted discharge;
 3. Respond to reports of any such discharge in a timely manner;
 4. Inform public employees, businesses and the general public of hazards associated with

unpermitted discharges, improper disposal of waste and the requirement and mechanism for reporting such discharges;

5. Define appropriate BMPs for minimum control and measurable goals to ensure the reduction of all pollutants of concern in the Village storm water sewer system to the maximum extent practicable; and address non-storm water discharges identified in General NPDES Permit No. ILR40, §1.B.2, which are identified as significant contributors of pollutants to the Village storm water sewer system;
 6. Provide for periodic inspections of the storm sewer outfalls for detection of non-storm water discharges and illegal dumping.
- C. The Village Engineer shall maintain a storm sewer system map showing the location of all outfalls and the name and location of all waters that receive discharges from those outfalls.
- D. Any violation of this Chapter, or any rule or regulation promulgated pursuant to this Chapter, is prohibited and shall be punishable, upon conviction therefor, by a fine of not more than \$750.00 and shall be responsible for the Village's cost of prosecution, including but not limited to attorney fees, court costs and other costs and expense incurred by the Village thereto. Each day on which a violation exists shall constitute a separate offense.
- E. The Village, after a reasonable effort to require a responsible party to terminate a discharge of hazardous material or an unauthorized discharge into the Village storm water sewer system, may enter upon private lands and do all things reasonably necessary to terminate such discharge.

(Ord. 07-03 passed 2/20/07; Amd. Ord. 15-02 passed 3/16/15, 09-13 passed 8/17/09)

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