

IOWA DEPARTMENT OF NATURAL RESOURCES
National Pollutant Discharge Elimination System (NPDES) Permit

OWNER NAME & ADDRESS

INTERSTATE POWER & LIGHT COMPANY
20775 POWER PLANT RD
OTTUMWA, IA 52501-0000

FACILITY NAME & ADDRESS

IPL - OTTUMWA MIDLAND
LANDFILL
15300 130th ST
Ottumwa, IA 52501-

Section 34, T73N, R14W
Wapello County

IOWA NPDES PERMIT NUMBER: 9000107
DATE OF ISSUANCE:
DATE OF EXPIRATION:

**YOU ARE REQUIRED TO FILE FOR RENEWAL
OF THIS PERMIT BY:**
EPA NUMBER: IA0053720

This permit is issued pursuant to the authority of section 402(b) of the Clean Water Act (33 U.S.C. 1342(b)), Iowa Code section 455B.174, and rule 567 Iowa Administrative Code 60.4. You are authorized to operate the disposal system and to discharge the pollutants specified in this permit in accordance with the effluent limitations, monitoring requirements and other terms set forth in this permit.

Pursuant to rule 561 IAC 7.4, you may appeal any condition of this permit by filing a written notice of appeal and request for administrative hearing with the director of the department within 30 days of permit issuance.

Any existing, unexpired Iowa operation permit or Iowa NPDES permit previously issued by the department for the facility identified above is revoked by the issuance of this permit. This provision does not apply to any authorization to discharge under the terms and conditions of a general permit issued by the department or to any permit issued exclusively for the discharge of stormwater.

FOR THE DEPARTMENT OF NATURAL RESOURCES

By _____

Wendy Hieb
NPDES Section, Environmental Services Division

Facility Name: IPL - OTTUMWA MIDLAND LANDFILL

Permit Number: 9000107

Outfall No.: 001 GROUNDWATER FROM GROUNDWATER GRADIENT CONTROL SYSTEM

Receiving Stream: SERIES OF WETLANDS TO UNNAMED CREEK 1 TO UNNAMED CREEK 2 TO DES MOINES RIVER

Route of Flow: SERIES OF WETLANDS TO UNNAMED CREEK 1 TO UNNAMED CREEK 2 TO DES MOINES RIVER

Class G waters are intermittent watercourses and those watercourses which typically flow only for short periods of time following precipitation and whose channels are normally above the water table. These waters do not support a viable aquatic community during low flow and do not maintain pooled conditions during periods of no flow. General use waters are protected for livestock and wildlife watering, aquatic life, non-contact recreation, crop irrigation, and industrial, agricultural, domestic and other incidental water withdrawal uses.

Bypasses from any portion of a treatment facility or from a sanitary sewer collection system designed to carry only sewage are prohibited.

Facility Name: IPL - OTTUMWA MIDLAND LANDFILL

Permit Number: 9000107

Effluent Limitations:

You are prohibited from discharging pollutants except in compliance with the following effluent limitations:

The following dates are approximate while Permit is in Draft

001 GROUNDWATER FROM GROUNDWATER GRADIENT CONTROL SYSTEM

<i>Outfall: 001 Effective Dates: Permit Issue Date to Permit Expire Date</i>			
<u>Parameter</u>	<u>Season</u>	<u>Limit Type</u>	<u>Limits</u>
PH (MINIMUM - MAXIMUM)			
	Yearly	Daily Maximum	9.0 STD UNITS
	Yearly	Daily Minimum	6.0 STD UNITS
IRON, TOTAL (AS FE)			
	Yearly	30 Day Average	3.70 MG/L 2.59 LBS/DAY
	Yearly	Daily Maximum	3.70 MG/L 2.59 LBS/DAY
SULFATE, TOTAL (AS SO4)			
	Yearly	Daily Maximum	1514 MG/L 1060 LBS/DAY
	Yearly	Daily Minimum	1514 MG/L 1060 LBS/DAY

Facility Name: IPL - OTTUMWA MIDLAND LANDFILL

Permit Number: 9000107

Monitoring and Reporting Requirements

(a) Samples and measurements taken shall be representative of the volume and nature of the monitored wastewater.

(b) Analytical and sampling methods specified in 40 CFR Part 136 or other methods approved in writing by the department shall be utilized. All effluent samples for which a limit applies must be analyzed using sufficiently sensitive methods (i.e. testing procedures) approved under 567 IAC Chapter 63 and 40 CFR Part 136 for the analysis of pollutants or pollutant parameters or as required under 40 CFR chapter I, subchapter N or O.

For the purposes of this paragraph, an approved method is sufficiently sensitive when:

- (1) the method minimum level (ML) is at or below the level of the effluent limit established in the permit for the measured pollutant or pollutant parameter; or
- (2) the method has the lowest ML of the approved analytical methods for the measured pollutant or pollutant parameter.

Samples collected for operational testing need not be analyzed by approved analytical methods; however, commonly accepted test methods should be used.

(c) You are required to report all data including calculated results needed to determine compliance with the limitations contained in this permit. The results of any monitoring not specified in this permit performed at the compliance monitoring point and analyzed according to 40 CFR Part 136 shall be included in the calculation and reporting of any data submitted in accordance with this permit. This includes daily maximums and minimums, 30-day averages and 7-day averages for all parameters that have concentration (mg/l) and mass (lbs/day) limits. In addition, flow data shall be reported in million gallons per day (MGD).

(d) Records of monitoring activities and results shall include for all samples: the date, exact place and time of the sampling; the dates the analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses.

(e) Results of all monitoring shall be recorded on forms provided by, or approved by, the department, and shall be submitted to the appropriate regional field office of the department by the fifteenth day following the close of the reporting period. Your reporting period is on a MONTHLY basis, ending on the last day of each reporting period.

(f) Operational performance monitoring for treatment unit process control shall be conducted to ensure that the facility is properly operated in accordance with its design. The results of any operational performance monitoring need not be reported to the department, but shall be maintained in accordance with rule 567 IAC 63.2 (455B). The results of any operational performance monitoring specified in this permit shall be submitted to the department in accordance with these reporting requirements.

(g) Chapter 63 of the rules provides you with further explanation of your monitoring requirements.

All dates are approximate while Permit is in Draft

Facility Name: IPL - OTTUMWA MIDLAND LANDFILL

Permit Number: 9000107

Outfall	Wastewater Parameter	Sample Frequency	Sample Type	Monitoring Location
The following monitoring requirements shall be in effect from Permit Issue Date to Permit Expire Date				
001	FLOW	1 EVERY MONTH	24 HOUR TOTAL	FINAL EFFLUENT
001	IRON, TOTAL (AS FE)	1 EVERY MONTH	GRAB	FINAL EFFLUENT
001	PH (MINIMUM - MAXIMUM)	1 EVERY MONTH	GRAB	FINAL EFFLUENT
001	SULFATE, TOTAL (AS SO4)	1 EVERY MONTH	GRAB	FINAL EFFLUENT

Facility Name: IPL - OTTUMWA MIDLAND LANDFILL

Permit Number: 9000107

ADDITIONAL MONITORING AND REPORTING REQUIREMENTS

In addition to the monitoring and reporting requirements specified elsewhere in this permit you are required to do the following:

- For Outfall 001, you shall submit Iowa NPDES Permit Application Form 2, Item 7 within sixty (60) days of commencement of discharge from the new combined outfall treatment system. In addition to Form 2, Item 7 you shall sample, analyze and report the results of at least one analysis representative of the actual discharge for the pollutants listed below. The samples you collect and analyze must be grab samples of the final effluent.

In Addition to Form 2 Item 7, List of Additional Pollutants with One-time Sampling Requirements	
Aluminum	Fluoride
Antimony	Lead
Arsenic	Lithium
Barium	Magnesium
Beryllium	Manganese
Boron	Mercury
Cadmium	Molybdenum
Calcium	Nickel
Chromium	Selenium
Chromium (VI)	Silver
Cobalt	Thallium
Copper	Total Kjeldahl Nitrogen
Cyanide, Total	Zinc
Dissolved Oxygen	

The completed application forms must be mailed to the address shown below. The results of the analysis will be evaluated and the department will reopen this permit if it is determined that there is a reasonable potential for the discharge to cause or contribute to a violation of a water quality standard for any parameter.

npdes.mail@dnr.iowa.gov

Subject: Additional Monitoring Requirements (9000107)

CHEMICAL ADDITIVE REQUIREMENTS

At least 45 days prior to the discharge of a new chemical additive (biocide, anti-corrosive, pesticide, passivation chemical, etc.) you must submit the following items to the Department:

- Safety Data Sheet for each proposed product;
- Estimate of the discharge concentration (in ppm) of the each proposed product; and
- Either a temporary and limited degradation request (one-time discharges lasting less than 90 days) or an antidegradation alternatives analysis that has completed 30 days of public notice.

Additional information on temporary and limited degradation and antidegradation alternatives analyses can be found by going to www.iowadnr.gov and searching on the term antidegradation.

Incomplete submissions may require additional time for approval. Be aware that in rare cases chemical changes require NPDES permit amendments. These require additional review and public notice.

STANDARD CONDITIONS

1. **ADMINISTRATIVE RULES** - Rules of the Iowa Department of Natural Resources (department) that govern the operation of a facility in connection with this permit are published in Part 567 of the Iowa Administrative Code (IAC) in Chapters 60-65, 67, and 121. Reference to the term “rule” in this permit means the designated provision of Part 567 of the IAC. Reference to the term “CFR” means the Code of Federal Regulations.
2. **LIMIT DEFINITIONS** -
 - (a) 7-day average is the arithmetic mean (average) of pollutant parameter values for samples collected in a period of seven consecutive days. A calendar month consists of four 7-day periods with the first 7-day period beginning the first day of the month. *{40 CFR §133.101}*
 - (b) 30-day average is the arithmetic mean of pollutant parameter values for samples collected in a period of 30 consecutive days. A 30-day period begins the first day of the month. *{40 CFR §133.101}*
 - (c) Daily maximum is the total discharge by mass, volume, or concentration during a twenty-four hour period.
3. **MONITORING AND RECORDS OF OPERATION** -
 - (a) Electronic reporting. Operation records required by this permit shall be electronically submitted to the department within 15 days following the close of the monthly reporting period, in accordance with the monitoring requirements incorporated in this permit, unless an approval for paper submittal of operation records has been obtained in accordance with 567 IAC 63.7(2).
 - (b) Record maintenance. You shall retain, for a minimum of three years, all paper and electronic records of monitoring activities and results including all original strip chart recordings for continuous monitoring instrumentation and calibration and maintenance records. *{567 IAC 63.2(2) and 40 CFR §122.41(j)(2)}*
 - (c) Any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment for not more than two years, or both. *{40 CFR §122.41(j)(5)}*
4. **USE OF CERTIFIED LABORATORIES** - Analyses of wastewater, groundwater or sewage sludge that are required to be submitted as a result of this permit must be performed by a laboratory certified by the State of Iowa. Routine, on-site monitoring for pH, temperature, dissolved oxygen, total residual chlorine and other pollutants that must be analyzed immediately upon sample collection, physical measurements, and operational performance monitoring specified in 567 IAC 63.3(4) are excluded from this requirement. *{567 IAC 63.1(3)}*
5. **DUTY TO PROVIDE INFORMATION** - You must furnish to the department, within a reasonable time, any information the department may request to determine compliance with this permit or determine whether cause exists for amending, revoking and reissuing, or terminating this permit, in accordance with 567 IAC 60.3(6)“b”(1). You must also furnish to the department, upon request, copies of any records required to be kept by this permit. If you become aware that you failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application, you must promptly submit such facts or information. If you become aware that you failed to submit any relevant facts in any report to the department, including records of operation, you shall promptly submit such facts or information. *{567 IAC 60.3(2)“a”(3)“3,” 567 IAC 63.9(6), 40 CFR §122.41(h) and (l)}*
6. **DUTY TO REAPPLY AND PERMIT CONTINUATION** - If you wish to continue to discharge after the expiration date of this permit, you must file a complete application for reissuance at least 180 days prior to the expiration date of this permit. If a timely and sufficient application is submitted, this permit will remain in effect until the department makes a final determination on the permit application. *{567 IAC 60.3(2)“a”(2)“3” and 60.8(3), Iowa Code 17A.18}*
7. **DUTY TO COMPLY** - You must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Iowa Code and the Clean Water Act and is grounds for enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. Issuance of this permit does not relieve you of the responsibility to comply with all local, state and federal laws, ordinances, regulations or other legal requirements applying to the operation of your facility. *{567 IAC 60.7(4), 40 CFR §122.41(a)}*
8. **DUTY TO MITIGATE** - You shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. *{567 IAC 60.7(7)“k,” 40 CFR §122.41(d)}*
9. **PROPER OPERATION AND MAINTENANCE** - All facilities and control systems shall be operated as efficiently as possible and maintained in good working order. A sufficient number of staff, adequately trained and knowledgeable in the operation of your facility, shall be retained at all times. Adequate laboratory controls and appropriate quality assurance procedures shall be provided to maintain compliance with the conditions of this permit. *{567 IAC 60.7(7)“i,” 40 CFR §122.41(e)}*
10. **SIGNATORY REQUIREMENTS** - Applications, discharge monitoring reports, or other information submitted to the department in connection with this permit must be signed and certified in accordance with 40 CFR §122.22.
11. **TRANSFER OF TITLE OR OWNER ADDRESS CHANGE** - If title to your facility, or any part of it, is transferred, the new owner shall be subject to this permit. You are required to notify the new owner of the requirements of this permit in writing prior to any transfer of title. The department shall be notified in writing within 30 days of the occurrence. No transfer of the authorization to discharge from the facility represented by the permit shall take place prior to notifying the department of the transfer of title. Whenever the address of the owner is changed, the department shall be notified in writing within 30 days of the address change. *{567 IAC 60.12}*

STANDARD CONDITIONS

- 12. PERMIT MODIFICATION, SUSPENSION OR REVOCATION** - This permit may be amended, revoked and reissued, or terminated in whole or in part for cause including, but not limited to, those specified in 567 IAC 60.3(6) "c." This permit may be modified due to conditions or information on which this permit is based, including any new standard the department may adopt that would change the required effluent limits. If a toxic pollutant is present in your discharge and more stringent standards for toxic pollutants are established under Section 307(a) of the Clean Water Act, this permit will be modified in accordance with the new standards. The filing of a request for a permit amendment, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. *{567 IAC 60.3(6), 60.7(7) "e" and "j," 40 CFR §122.62(a)(6)}*
- 13. TWENTY-FOUR HOUR REPORTING** - You shall report any noncompliance that may endanger human health or the environment, including, but not limited to, violations of maximum daily limits for any toxic pollutant (listed as toxic in Section 307(a)(1) of the Clean Water Act) or hazardous substance (as designated in 40 CFR Part 116 pursuant to 311 of the Act). Information shall be provided orally to the appropriate regional field office of the department within 24 hours from the time you become aware of the circumstances. A written submission that includes a description of noncompliance and its cause; the period of noncompliance including exact dates and times; whether the noncompliance has been corrected or the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent a reoccurrence of the noncompliance must be provided to the appropriate field office within 5 days of the occurrence. *{567 IAC 63.9(1), 40 CFR §122.41(l)(6)}*
- 14. OTHER NONCOMPLIANCE** - You shall give advance notice to the appropriate regional field office of the department of any planned activity which may result in noncompliance with permit requirements. Notice is required only when previous notice has not been given to any other section of the department. You shall report all instances of noncompliance not reported under Condition #13 at the time discharge monitoring reports are submitted. The report shall contain the information listed in Condition #13. *{567 IAC 63.9(3) and (4), 40 CFR §122.41(l)(2) and (l)(7)}*
- 15. INSPECTION OF PREMISES, RECORDS, EQUIPMENT, METHODS AND DISCHARGES** - You are required to permit authorized personnel to:
- (a) Enter upon the premises where a regulated facility or activity is located or conducted or where records are kept under conditions of this permit;
 - (b) Provide access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 - (c) Inspect, at reasonable times, any facilities, equipment, practices or operations regulated or required under this permit; and
 - (d) Sample or monitor, at reasonable times, to assure compliance or as otherwise authorized by the Clean Water Act.
- {567 IAC 60.7(7) "f," 40 CFR §122.41(i)}*
- 16. NOTICE OF CHANGED CONDITIONS** - You are required to notify the department of any changes in existing conditions or information on which this permit is based, including, but not limited to, the following:
- (a) If your facility is a publicly owned treatment works (POTW) or otherwise accepts waste for treatment from an indirect discharger or industrial contributor, you must notify the department if there is any substantial change in the volume or character of pollutants being introduced to the POTW by an indirect discharger or industrial contributor. See 567 IAC 60.3(3) and 60.7(7) "g" for further requirements. *{40 CFR §122.42(b)}*
 - (b) If your facility has a manufacturing, commercial, mining, or silviculture discharge, you must notify the department as soon as you know or have reason to believe that any activity has occurred or will occur which would result in the discharge of any toxic pollutant which is not limited in this permit. *{40 CFR §122.42(a)}*
 - (c) You must notify the department if you have begun or will begin to use or manufacture, as an intermediate or final product or byproduct, any toxic pollutant which was not reported in the permit application. *{40 CFR §122.21(g)(9)}*
- 17. PLANNED CHANGES** - You shall give notice to the appropriate regional field office of the department 30 days prior to any planned physical alterations or additions to the permitted facility. Facility expansions, production increases, or process modifications which result in new or increased discharges of pollutants must be reported by submission of a new permit application. If any modification of, addition to, or construction of a disposal system is to be made, you must first obtain a written construction permit from this department. In addition, no construction activity that will result in disturbance of one acre or more shall be initiated without first obtaining coverage under NPDES General Permit No. 2.
- Notice is required only when:
- (a) Notice has not been given to any other section of the department;
 - (b) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source as defined in 455B.171(16) and 40 CFR §403.3(m);
 - (c) The alteration or addition results in a significant change in sludge use or disposal practices; or
 - (d) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are not subject to effluent limitations in the permit.
- {567 IAC 63.9(2), 567 IAC 60.2 and 60.7(7) "b"}*
- 18. FAILURE TO SUBMIT FEES** - This permit may be revoked, in whole or in part, if the appropriate permit fees are not submitted by the due date specified in the notification that such fees are due. *{567 IAC 60.14(1)}*

STANDARD CONDITIONS

- 19. BYPASSES** - “Bypass” means the diversion of waste streams from any portion of a treatment facility or collection system. A bypass does not include internal operational waste stream diversions that are part of the design of the treatment facility, maintenance diversions where redundancy is provided, diversions of wastewater from one point in a collection system to another point in a collection system, or wastewater backups into buildings that are caused in the building lateral or private sewer line. *{567 IAC 60.1(2)}*
- (a) Prohibition. Bypasses from any portion of a treatment facility or from a sanitary sewer collection system designed to carry only sewage are prohibited, in accordance with 567 IAC 63.6(1). The department may not assess a civil penalty against a permittee for a bypass if the permittee has complied with all of the following:
- The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - The permittee submitted notices as required by 567 IAC 63.6.
- (b) Anticipated bypass. Except for bypasses that occur as a result of mechanical failure or acts beyond the control of the owner or operator of a waste disposal system (unanticipated bypasses), the owner or operator shall obtain written permission from the department prior to any discharge of sewage or wastes from a waste disposal system not authorized by this permit. The department may approve an anticipated bypass after considering its adverse effects if the department determines that it will meet the three conditions listed above and a request for bypass has been submitted to the appropriate regional field office of the department at least ten days prior to the expected event, in accordance with the requirements in 567 IAC 63.6(2).
- (c) Unanticipated bypass. In the event that a bypass or upset occurs without prior notice having been provided pursuant to 567 IAC 63.6(2) or as a result of mechanical failure or acts beyond the control of the owner or operator, the owner or operator of the treatment facility or collection system shall notify the department by telephone as soon as possible but not later than 24 hours after the onset or discovery in accordance with the requirements in 567 IAC 63.6(3). A written submission describing the bypass shall also be provided within five days of the time the permittee becomes aware of the bypass, in accordance with the requirements in 567 IAC 63.6(3)“d.”
- (d) Reporting. Bypasses shall be reported in accordance with 567 IAC 63.6.
{567 IAC 63.6}
- 20. UPSETS** - “Upset” means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- (a) Effect of an upset. An upset constitutes an affirmative defense to the assessment of a civil penalty for noncompliance with technology-based permit effluent limitations if the requirements of paragraph (b) of this condition are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
- (b) Conditions necessary for demonstration of an upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed operating logs or other relevant evidence, that:
- An upset occurred and that the permittee can identify the cause(s) of the upset;
 - The permitted facility was at the time being properly operated;
 - The permittee submitted notice of the upset to the department in accordance with 567 IAC 63.6(3); and
 - The permittee complied with any remedial measures required by the department in accordance with 567 IAC 63.6(4).
- (c) Burden of proof. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.
{40 CFR §122.41(n)}
- 21. NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE** - It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. *{567 IAC 60.7(7)“i,” 40 CFR §122.41(c)}*
- 22. PROPERTY RIGHTS** - This permit does not convey any property rights of any sort or any exclusive privilege. *{40 CFR §122.41(g)}*
- 23. EFFECT OF A PERMIT** - Compliance with a permit during its term constitutes compliance, for purposes of enforcement, with Sections 301, 302, 306, 307, 318, 403 and 405(a)-(b) of the Clean Water Act, and equivalent limitations and standards set out in 567 IAC Chapters 61 and 62. *{567 IAC 60.4(3) and 40 CFR §122.5}*
- 24. SEVERABILITY** - The provisions of this permit are severable. If any provision or application of any provision to any circumstance is found to be invalid by this department or a court of law, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected by such finding.