

the ditch on the north side of town¹ approximately every three to four months, depending on rainfall. This raw sewage is an unpermitted discharge and adds pollutants to Mill Creek in at least the following respects: the water is high in fecal coliform, turbidity, and color and low in dissolved oxygen. It contains chlorides, total dissolved solids, un-ionized ammonia, phosphorus, nitrates, nutrients, coliforms, has high biological oxygen demand, and high Total Suspended Solids. Major discharges from these structures have taken place in the last five years (and prior to that) during periods of heavy or sustained rain, approximately every three to four months and are continuing and ongoing. Recent unpermitted discharges from these structures occurred daily from March 1, 2013 through March 6, 2013; intermittently from March 7, 2013 through March 25, 2013; and daily from March 26, 2013 until at least March 27, 2013. As these are not authorized outfalls in the City's NPDES permit for the Northwest Sewage Pond, these discharges also constitute violations of the City's permit. *See* NPDES Permit GA0024244 at Part II(B)(1) ("Any permit noncompliance is a violation of the Federal Act, State Act, and the State Rules...")

B. Failure to Obtain a Permit for the Northern Ditch

The City of Rochelle is continuing the illegal discharge of pollutants into the waters of Mill Creek through a ditch running along the north side of the City of Rochelle without a NPDES permit. This ditch is identified as the circled area in Attachment A. Raw sewage is discharged into this ditch during heavy or sustained rainfall through various points along the City of Rochelle's sewage system, including from the manholes, broken pipes and lift stations described above. In addition, this ditch receives raw sewage that washes off the yards of local residents who are forced to release the sewage in their yard in order to mitigate the damage that would occur if the sewage entered their homes. This raw sewage is an unpermitted discharge and adds pollutants to Mill Creek in at least the following respects: the water is high in fecal coliform, turbidity, and color and low in dissolved oxygen. It contains chlorides, total dissolved solids, un-ionized ammonia, phosphorus, nitrates, nutrients, coliforms, has high biological oxygen demand, and high Total Suspended Solids. These discharges are continuing and ongoing during and after any heavy or sustained rain event. Major discharges from this ditch have taken place in the last five years (and prior to that) during periods of heavy or sustained rain, approximately every three to four months, and are continuing and ongoing. Recent unpermitted discharges from this ditch occurred daily from March 1, 2013 through March 6, 2013; intermittently from March 7, 2013 through March 25, 2013; and daily from March 26, 2013 until at least March 27, 2013. As this ditch is not an identified outfall in the City's NPDES permit for the Northwest Sewage Pond, these discharges also constitute violations of the City's permit. *See* NPDES Permit GA0024244 at Part II(B)(1) ("Any permit noncompliance is a violation of the Federal Act, State Act, and the State Rules...")

PERMIT VIOLATIONS

¹ Attached to this letter as "Attachment A" is a USGS map depicting Mill Creek and the City of Rochelle. The northern ditch referred to throughout this letter is circled in red. A Google Earth image with green pin markers indicating known sewage structures that discharge raw sewage is also attached as "Attachment B."