

**IDENTICAL-IN-SUBSTANCE RULEMAKING ADDENDUM  
TO THE OPINION AND ORDER OF THE BOARD (FINAL)**

**Wastewater Pretreatment Update, USEPA Amendments  
(January 1, 2020 through June 30, 2020), R21-8  
(December 3, 2020)**

**Table 1:**  
**Deviation from the Text of the Federal Amendments**

35 Ill. Adm. Code 310.107(b), appendix A to 40 C.F.R. 127; derived from appendix A to 40 CFR 127

Updated the incorporation by reference to include USEPA's April 15, 2020 amendments.

**Table 2:**  
**Board Housekeeping Amendments**

35 Ill. Adm. Code 310.107(b), 40 CFR 2.302 (Board): Updated the *Code of Federal Regulations* citation to the latest version available.

35 Ill. Adm. Code 310.107(b), 40 CFR 3.2 (Board): Updated the *Code of Federal Regulations* citation to the latest version available.

35 Ill. Adm. Code 310.107(b), 40 CFR 3.3 (Board): Updated the *Code of Federal Regulations* citation to the latest version available.

35 Ill. Adm. Code 310.107(b), 40 CFR 3.10 (Board): Updated the *Code of Federal Regulations* citation to the latest version available.

35 Ill. Adm. Code 310.107(b), 40 CFR 3.2000 (Board): Updated the *Code of Federal Regulations* citation to the latest version available.

35 Ill. Adm. Code 310.107(b), 40 CFR 25 (Board): Updated the *Code of Federal Regulations* citation to the latest version available.

35 Ill. Adm. Code 310.107(b), tables II and III in appendix D to 40 CFR 122 (Board): Updated the *Code of Federal Regulations* citation to the latest version available.

35 Ill. Adm. Code 310.107(b), appendix A to 40 C.F.R. 127 (JCAR, Board): Corrected "35 Ill. Adm. Code 310.106" to "Sections 310.106 and 310.612."

35 Ill. Adm. Code 310.107(b), 40 CFR 136 (Board): Updated the *Code of Federal Regulations* citation to the latest version available.

35 Ill. Adm. Code 310.107(b), 40 CFR 401.15 (Board): Updated the *Code of Federal Regulations* citation to the latest version available.

35 Ill. Adm. Code 310.107(b), 40 CFR 403 (Board): Updated the *Code of Federal Regulations* citation to the latest version available.

35 Ill. Adm. Code 310.107(b), 40 CFR 403.12(b) (Board): Updated the *Code of Federal Regulations* citation to the latest version available.

- 35 Ill. Adm. Code 310.107(b), 40 CFR 403.15 (Board): Updated the *Code of Federal Regulations* citation to the latest version available.
- 35 Ill. Adm. Code 310.107(b), appendix D to 40 CFR 403 (Board): Updated the *Code of Federal Regulations* citation to the latest version available.
- 35 Ill. Adm. Code 310.107(b), appendix G to 40 CFR 403 (Board): Updated the *Code of Federal Regulations* citation to the latest version available.
- 35 Ill. Adm. Code 310.107(b), 40 CFR 503 (Board): Updated the *Code of Federal Regulations* citation to the latest version available.
- 35 Ill. Adm. Code 310.107(c), 18 USC 1001 (Board): Updated the *United States Code* citation to the latest version available.
- 35 Ill. Adm. Code 310.107(c), 33 USC 1251 et seq. (Board): Updated the *United States Code* citation to the latest version available; changed “Section 310.110” to “Sections 310.110 and 310.705.”
- 35 Ill. Adm. Code 310.107(c), 33 USC 1284(b) (Board): Updated the *United States Code* citation to the latest version available.
- 35 Ill. Adm. Code 310.107(c), 33 USC 1292(2) (Board): Updated the *United States Code* citation to the latest version available.
- 35 Ill. Adm. Code 310.107(c), 33 USC 1317(b), (c), and (d) (Board): Updated the *United States Code* citation to the latest version available.
- 35 Ill. Adm. Code 310.107(c), 33 USC 1318 (Board): Updated the *United States Code* citation to the latest version available.
- 35 Ill. Adm. Code 310.107(c), 33 USC 1319(c)(4) (Board): Updated the *United States Code* citation to the latest version available.
- 35 Ill. Adm. Code 310.107(c), 33 USC 1319(c)(6) (Board): Updated the *United States Code* citation to the latest version available.
- 35 Ill. Adm. Code 310.107(c), 33 USC 1345 (Board): Updated the *United States Code* citation to the latest version available.
- 35 Ill. Adm. Code 310.107(c), 42 USC 6921-6939g and 6941-6949a (Board): Corrected “42 USC 6921-6939e and 6941-6949a” to “42 USC 6921-6939g and 6941-6949a”; updated the *United States Code* citation to the latest version available.
- 35 Ill. Adm. Code 310.107(c) Board note (Board): Changed “located all of the incorporations by reference” to “located the incorporations by reference.”
- 35 Ill. Adm. Code 310.930 (Board): Repealed the obsolete provision.  
 Note: USEPA adopted 40 C.F.R. § 403.20 at the request of five publicly owned treatment works, including the MWRDGC. 66 Fed. Reg. 50334, 50336 (Oct. 3, 2001). The Board incorporated 40 C.F.R. § 403.20 into the Illinois rules as 35 Ill. Adm. Code 310.930 on petition of MWRDGC. Wastewater Pretreatment Update, USEPA Amendments (October 3, 2001), R02-9 (Mar. 7, 2002). MWRDGC later agreed to termination of its Project XL pilot project. January 20, 2005 letter from USEPA Region 5 to MWRDGC ([archive.epa.gov/](http://archive.epa.gov/))

projectxl/web/pdf/1202005.pdf; accessed September 9, 2020). USEPA terminated the Project XL program in 2009. 74 Fed. Reg. 22741 (May 14, 2009)

**Table 3:**  
**Revisions to the Amendments Since the Proposal**

35 Ill. Adm. Code 310.107(b), appendix A to 40 CFR 127 (JCAR): Corrected “35 Ill. Adm. Code 310.106 and 310.612” to “Sections 310.106 and 310.612.”

35 Ill. Adm. Code 310.107(c), 33 USC 1251 et seq. (JCAR): Corrected “Section 310.110 and 310.705” to plural “Sections 310.110 and 310.705.”