

**From:** [McGill, Richard](#)  
**To:** [Brown, Don](#)  
**Cc:** [Fox, Tim](#)  
**Subject:** FW: R18-23 (Register issue 20)  
**Date:** Tuesday, January 17, 2023 10:28:43 AM  
**Attachments:** [35-306 JCAR Suqq Chgs.pdf](#)  
[image001.png](#)  
[35-306RG-P r01.pdf](#)

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Good morning, Mr. Clerk:

Please docket this email exchange with JCAR, including the two attachments, as a public comment in R18-23.

Thank you.

Richard R. McGill, Jr.  
Senior Attorney for Research & Writing  
Illinois Pollution Control Board  
60 E. Van Buren St., Suite 630  
Chicago, Illinois 60605  
[richard.mcgill@illinois.gov](mailto:richard.mcgill@illinois.gov) (312) 814-6983



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**From:** McGill, Richard  
**Sent:** Tuesday, January 17, 2023 10:17 AM  
**To:** Eastvold, Jonathan C. <[JonathanE@ilga.gov](mailto:JonathanE@ilga.gov)>  
**Subject:** RE: R18-23 (Register issue 20)

Good morning, Jonathan:

I've attached two documents. The first document contains Board staff responses to your proposed Part 306 changes emailed to me on May 26, 2022. The second document is the JCAR line-numbered r01 referenced in your changes and our responses. Our responses include related changes prompted by your suggestions.

Thank you for your careful review. Please let me know if you have any questions.

Best regards,

Richard

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Senior Attorney for Research & Writing  
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60 E. Van Buren St., Suite 630  
Chicago, Illinois 60605

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**From:** Eastvold, Jonathan C. <[JonathanE@ilga.gov](mailto:JonathanE@ilga.gov)>  
**Sent:** Thursday, May 26, 2022 1:36 PM  
**To:** McGill, Richard <[Richard.McGill@illinois.gov](mailto:Richard.McGill@illinois.gov)>  
**Subject:** [External] R18-23 (Register issue 20)

Richard –

Attached are suggested first notice changes for the PCB rules published in Issue 20 of the *Illinois Register*. A few notes:

1. USC vs. U.S.C. – Kim changed these to U.S.C. at publication to comply with the style guide. I understand that we've been changing U.S.C. to USC for years now and that the Board can't turn on a dime and easily reverse all of those earlier changes. JCAR's position is that we should make sure that the references in current and future rulemakings say U.S.C. but that having several residual USCs hanging about in the Code until their Sections are reopened shouldn't cause too much confusion.
2. IAC citations: We appreciated the initiative to make IAC citations more precise. Citations to other Parts should be preceded by "35 Ill. Adm. Code". However, across the Code the convention is for internal cross-references to refer to Section ###.### rather than to use the longer format. In the changes proposed, we did our best to standardize this.
3. Subsection headings: Although the convention in the CFR is for a subsection heading to capitalize only the first word and end with a period, the convention in the IAC is to use title case and no punctuation (unless the text of the subsection starts on the same line of the heading, in which case a period is added).
4. We've made a number of suggested changes to further clarify and simplify the language in these Parts in the spirit of the Board's initiative. Many of these would have been unilaterally made by Vicki at publication, but JCAR's current approach is much more collaborative. If we have been too aggressive in our proposals, please don't feel obliged to accept them.
5. Moving forward, especially on the really big rulemakings, would it be possible for the Board to submit revisions in predraft form first? That would enable changes to phrases that occur quite frequently without the need for individually written amendments (the number of proposals we've made for Part 307 is somewhat exceptional, and I imagine neither agency really relishes the prospect of similar lists...).

Thanks in advance for your consideration. Please let me know if you have any questions or concerns.

All the best,

Jonathan

Jonathan C. Eastvold, Ph.D.  
Rules Analyst III

Illinois General Assembly  
Joint Committee on Administrative Rules  
700 Stratton Building  
Springfield IL 62706  
217-524-9010

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**From:** Eastvold, Jonathan C. <JonathanE@ilga.gov>  
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**Board staff responses and related changes (1/17/23) appear in bold, red font below.**

## **SUGGESTED FIRST NOTICE CHANGES**

**Agency:** Pollution Control Board

**Rulemaking:** Performance Criteria (35 Ill. Adm. Code 306; 46 Ill. Reg. 7253)

### **Changes:**

1. In lines 92 and 99, strike the colon and add a period.  
**Agree.**
2. In line 121, strike "where" and add "when".  
**a. Agree.**  
**b. In line 131, delete "must" and add "will". Strike the semi-colon and add a comma.**
3. In line 132, strike "back-ups" and add "backups".  
**Agree. Add comma after "backups".**
4. In line 135, after "be" add "a".  
**Disagree. Here, the Board uses "tributary" as an adjective.**
5. In line 156, strike the comma.  
**Agree.**
6. In line 167, strike "excess of" and add "addition to".  
**a. Disagree. Strike "in excess of" and add "exceeding".**  
**b. In line 168, strike "accumulations" and add "any accumulation". See No. 25.**
7. In line 169, after "debris" add a comma.  
**Agree.**
8. In line 170, strike the comma.  
**Agree.**
9. In line 194, strike "has filed an application" and add "applied".  
**a. Agree.**  
**b. In line 410, delete "shall" and add "must".**
10. In line 416, strike "Agency" and add "Agency's".

- a. Agree.**  
**b. In line 418, strike the first “that”. Strike “, such that” and add “and, as a result,”. See No. 15.**
11. In line 423, change "exists" to "exist".  
**Agree.**
12. In line 438, delete "any and".  
**a. Agree.**  
**b. In line 445, delete “shall” and add “must”.**
13. In line 449, change "unit(s)" to "units".  
**Agree. After “of” add “any”. After “treatment” add “unit or”.**
14. In line 477, strike "Agency" and add "Agency's".  
**Agree.**
15. In line 479, strike ", such" and add "and".  
**Disagree. Strike the first “that”. Strike “, such that” and add “and, as a result,”. See No. 10(b).**
16. In line 483, delete the comma.  
**Agree.**
17. In line 487, change "35 Ill. Adm. Code" to "Section".  
**a. Agree.**  
**b. In line 493, after “districts” strike the comma.**
18. In line 494, strike ", which" and add "that".  
**Agree.**
19. In line 495, strike "such" and add "the Agency's".  
**Disagree. Strike “such Agency” and add “the Agency's”.**
20. In line 515, change "given the opportunity" to "allowed".  
**Agree.**
21. In line 520, after "send" add "a".  
**Agree.**
22. In lines 553-554, delete "35 Ill. Adm. Code" and reinstate "Sections".  
**a. Agree.**  
**b. In line 554, after “in” add “one of or both”.**
23. In line 555, strike "/or".  
**Agree.**

24. In line 566, strike "in excess of" and add "greater than".  
**Disagree. Strike "in excess of" and add "exceeding".**
25. In line 570, after "cause" add "the".  
**Disagree. After "cause" add "any". See No. 6(b).**
26. In lines 577 and 578, strike the comma.  
**Agree.**
27. In line 584, strike "where" and add "when".  
**Agree.**
28. In lines 608, 623, and 624, change "35 Ill. Adm. Code" to "Section".  
**Agree.**

*jce*  
5/26/22

1 TITLE 35: ENVIRONMENTAL PROTECTION  
2 SUBTITLE C: WATER POLLUTION  
3 CHAPTER I: POLLUTION CONTROL BOARD  
4

5 PART 306  
6 PERFORMANCE CRITERIA  
7

8 SUBPART A: SYSTEMS RELIABILITY  
9

10	Section	
11	306.101	Preamble
12	306.102	Systems Reliability
13	306.103	Combined Sewers and Treatment Plant Bypasses (Renumbered)
14	306.104	Intake Structures (Renumbered)
15	306.105	New Connections (Renumbered)

16  
17 SUBPART B: INTAKE STRUCTURES  
18

19	Section	
20	306.201	Intake Structures

21  
22 SUBPART C: COMBINED SEWERS AND  
23 TREATMENT PLANT BYPASSES  
24

25	Section	
26	306.302	Expansion of Combined Sewers
27	306.303	Excess Infiltration
28	306.304	Overflows
29	306.305	Treatment of Overflows and Bypasses
30	306.306	Compliance Dates

31  
32 SUBPART D: EXCEPTION PROCEDURE  
33

34	Section	
35	306.350	Preamble (Repealed)
36	306.351	Notification and Submittals by Discharger (Repealed)
37	306.352	Notification by Agency (Repealed)
38	306.360	Joint or Single Petition for Exception (Repealed)
39	306.361	Justification of Joint Petition (Repealed)
40	306.362	Justification of Single Petition (Repealed)
41	306.363	Contents of Joint Petition (Repealed)
42	306.364	Contents of Single Petition (Repealed)
43	306.370	Notice and Hearing (Repealed)
44	306.371	Opinion and Order (Repealed)



- 45 306.372 Transcripts (Repealed)
- 46 306.373 Final Date for Petitions (Repealed)
- 47 306.374 Other Proceedings (Repealed)

48

49 **SUBPART E: NEW CONNECTIONS**

50

51 **Section**

- 52 306.401 Publication of Lists
- 53 306.402 Restricted Status
- 54 306.403 Critical Review
- 55 306.404 Notification of Individuals Requesting Corrections
- 56 306.405 Notification of Restricted Status or Critical Review
- 57 306.406 Appeal
- 58 306.407 Effective Dates (Repealed)

59

60 **SUBPART F: SITE SPECIFIC RULES AND EXCEPTIONS**

61

62 **Section**

- 63 306.501 East St. Louis-Sauget Site-Specific Discharges
- 64 306.502 Alton Combined Sewer Overflow Discharges
- 65 306.503 Havana Site-Specific Discharges

66

67 **306.APPENDIX A References to Previous Rules (Repealed)**

68

69 **AUTHORITY:** Implementing Section 13 and authorized by Section 27 of the Environmental  
70 Protection Act. [415 ILCS 5/13 and 27].

71

72 **SOURCE:** Filed with the Secretary of State January 1, 1978; amended at 3 Ill. Reg. 25, p. 190,  
73 effective June 21, 1979; codified at 6 Ill. Reg. 7818; amended at 7 Ill. Reg. 5682, effective April  
74 19, 1983; amended at 8 Ill. Reg. 1607, effective January 18, 1984; amended at 8 Ill. Reg. 3691,  
75 effective March 14, 1984; amended in R82-7 at 12 Ill. Reg. 11229, effective June 15, 1988;  
76 amended in R88-25 at 14 Ill. Reg. 9449, effective June 4, 1990; amended at R18-23 at 46 Ill.  
77 Reg. \_\_\_\_\_, effective \_\_\_\_\_.

78

79 **SUBPART A: SYSTEMS RELIABILITY**

80

81 **Section 306.101 Preamble**

82

83 This Part addresses existing and potential sources of water pollution.

84

85 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

86

87 **Section 306.102 Systems Reliability**

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89 a) Malfunctions: All treatment works and associated facilities must be constructed  
90 and operated to minimize violations of applicable standards during contingencies  
91 including flooding, adverse weather, power failure, equipment failure, or  
92 maintenance, through measures including multiple units, holding tanks, duplicate  
93 power sources, or other appropriate measures.

94  
95 b) Spills: All reasonable measures, including where appropriate catchment areas,  
96 relief vessels, or entrapment dikes, must be taken to prevent any spillage of  
97 contaminants from causing water pollution.

98  
99 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

100  
101 **SUBPART B: INTAKE STRUCTURES**

102  
103 **Section 306.201 Intake Structures**

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105 New water intake structures on waters designated for general use, whose construction begins  
106 after the effective date of this Chapter, must be designed to minimize harm to fish and other  
107 aquatic organisms.

108  
109 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

110  
111 **SUBPART C: COMBINED SEWERS AND**  
112 **TREATMENT PLANT BYPASSES**

113  
114 **Section 306.302 Expansion of Combined Sewers**

115  
116 Expanding existing or establishing new combined sewer service areas is prohibited, except  
117 where the Agency has determined from the permit application the following:

118  
119 a) The combined sewer service area has adequate treatment or retention capacity to  
120 ensure that the effluent limitations of 35 Ill. Adm. Code 304 and the provisions of  
121 the Act are not violated;

122  
123 b) Any anticipated increased flow will not overload connecting segments of the  
124 combined sewer system;

125  
126 c) Increased flow must not aggravate combined sewer overflow problems; including  
127 combined sewer surcharges, basement back-ups and street flow; and

128  
129 d) The new combined sewer service area will be tributary to an existing combined  
130 sewer system.

131  
132 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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**Section 306.303 Excess Infiltration**

Excess infiltration into sewers must be eliminated, and the maximum practicable flow must be conveyed to treatment facilities.

(Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 306.304 Overflows**

Overflows from sanitary sewers are prohibited.

(Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 306.305 Treatment of Overflows and Bypasses**

All combined sewer overflows and treatment plant bypasses must be given sufficient treatment to prevent pollution, or the violation of applicable water quality standards unless an exception has been granted by the Board. Sufficient treatment consists of the following:

- a) All dry weather flows, and the first flush of storm flows as determined by the Agency, must meet the applicable effluent standards; and
- b) Additional flows, as determined by the Agency but not less than ten times the average dry weather flow for the design year, must receive a minimum of primary treatment and disinfection with adequate retention time; and
- c) Flows in excess of those described in subsection (b) must be treated, in whole or in part, to the extent necessary to prevent accumulations of sludge deposits, floating debris and solids in compliance with 35 Ill. Adm. Code 302.203, and to prevent depression of oxygen levels; or
- d) Compliance with a treatment program authorized by the Board in an exception proceeding.

(Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 306.306 Compliance Dates**

Compliance with Section 306.305 must be achieved on or before the following dates:

- a) All treatment plant bypasses, by the applicable date for improvement of treatment works under 35 Ill. Adm. Code 304.

## 1<sup>st</sup> Notice

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- 177           b)     All combined sewer overflows within the Metropolitan Sanitary District of  
178                   Greater Chicago, by December 31, 1977;  
179  
180           c)     All other combined sewer overflows, by December 31, 1975.  
181  
182           d)     The compliance dates set by subsections (b) and (c) must be met unless:  
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184                   1)     The discharger's combined sewer overflow is eligible for a construction  
185                           grant under Section 201(g) of the CWA; and,  
186  
187                   2)     The discharger has filed an application for a construction grant on or  
188                           before March 1, 1977; and,  
189  
190                   3)     The discharger has timely taken all appropriate pre-grant and post-grant  
191                           actions necessary to the specific grant step for which the discharger is then  
192                           eligible, or  
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194                   4)     The discharger has been granted an exception by the Board.  
195  
196           e)     Nothing in subsection (d) limits the power of the Board to enter an abatement  
197                   order under Section 46 of the Act necessary to abate pollution of waters of the  
198                   State, when the Board has found, as the result of an enforcement or variance case  
199                   initiated under Titles VIII or IX of the Act, that the discharger is causing a  
200                   violation of the Act or regulations.  
201  
202           f)     The exemption provided by subsection (d) must terminate upon completion of  
203                   construction under the grant provided.  
204

205           (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
206

### SUBPART D: EXCEPTION PROCEDURE

#### **Section 306.350 Preamble (Repealed)**

210  
211           (Source: Repealed at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
212

#### **Section 306.351 Notification and Submittals by Discharger (Repealed)**

213  
214  
215           (Source: Repealed at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
216

#### **Section 306.352 Notification by Agency (Repealed)**

217  
218  
219           (Source: Repealed at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
220

221 **Section 306.360 Joint or Single Petition for Exception (Repealed)**  
222  
223 (Source: Repealed at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
224

225 **Section 306.361 Justification of Joint Petition (Repealed)**  
226  
227 (Source: Repealed at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
228

229 **Section 306.362 Justification of Single Petition (Repealed)**  
230  
231 (Source: Repealed at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
232

233 **Section 306.363 Contents of Joint Petition (Repealed)**  
234  
235 (Source: Repealed at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
236

237 **Section 306.364 Contents of Single Petition (Repealed)**  
238  
239 (Source: Repealed at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
240

241 **Section 306.370 Notice and Hearing (Repealed)**  
242  
243 (Source: Repealed at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
244

245 **Section 306.371 Opinion and Order (Repealed)**  
246  
247 (Source: Repealed at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
248

249 **Section 306.372 Transcripts (Repealed)**  
250  
251 (Source: Repealed at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
252

253 **Section 306.373 Final Date for Petitions (Repealed)**  
254  
255 (Source: Repealed at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
256

257 **Section 306.374 Other Proceedings (Repealed)**  
258  
259 (Source: Repealed at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
260

SUBPART E: NEW CONNECTIONS

261  
262  
263 **Section 306.401 Publication of Lists**  
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## 1<sup>st</sup> Notice

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- 265 a) The Agency must publish and make available to the public at intervals of not  
266 more than three months a comprehensive and up-to-date list of sanitary districts  
267 and other wastewater treatment or transportation authorities then subject to  
268 restricted status on further sewer connections, and a list of those which are then  
269 under critical review by the Agency.  
270
- 271 b) Such lists must include the name of the affected facility, the responsible authority,  
272 and an estimate of the affected facility's capacity. The Critical Review List must  
273 also include estimates of treatment plant and sewer capacity, and the amount of  
274 population equivalent added according to the Agency permit records since  
275 publication of the previous list.  
276
- 277 c) All such lists must be made available without charge to any person upon request  
278 and shall be published in the Pollution Control Board's Environmental Register.  
279

280 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
281

### **Section 306.402 Restricted Status**

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- 284 a) Restricted status means the Agency determination that a sewer has reached  
285 hydraulic capacity or that a sewage treatment plant has reached design capacity,  
286 such that additional sewer connection permits may no longer be issued without  
287 causing a violation of the Act or regulations.  
288
- 289 b) The Agency may place a sewage treatment plant on Restricted Status when any of  
290 the following conditions exists, as shown by Agency field inspections, operational  
291 reports, records of permits issued, or other information:  
292
- 293 1) Hydraulic overloading of the treatment plant as determined by a  
294 comparison of the permitted design capacity of the plant with the actual  
295 average monthly flows measured at the plant during the three low-flow  
296 months in the preceding 12-month period, adjusted to include all  
297 outstanding (permitted but not connected) permits issued by the Agency,  
298 or other information on hydraulic loading of the plant available to the  
299 Agency (i.e., water pumpage, recent development, demographic and  
300 meteorological data, etc.);  
301
- 302 2) Organic overloading of the treatment plant as determined by the  
303 comparison of the permitted design capacity of the plant with the actual  
304 average monthly loadings in the preceding 12-month period, adjusted to  
305 include any and all outstanding (permitted but not connected) permits  
306 issued by the Agency, or other information on organic loading of the  
307 treatment plant available to the Agency (i.e., water pumpage, recent  
308 development, demographic and meteorological data, etc.);

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- 3) Continuing violation of effluent limitations established by the treatment plant's National Pollutant Discharge Elimination System (NPDES) permit. Determining a violation of effluent limitations shall be made according to the sampling, testing, and averaging procedures specified in the NPDES permit;
  - 4) Operational neglect resulting in frequent bypassing of treatment unit(s); or
  - 5) An Illinois Pollution Control Board decision finding a violation of Section 12(a) of the Environmental Protection Act [415 ILCS 5/12(a)].
- c) The Agency may place sanitary sewers and lift stations on Restricted Status to prevent overflows as prohibited under Subpart C. Restricted Status may be imposed upon confirming overflows in the form of basement backups, overflows of sanitary sewer manholes, or sanitary sewer overflow devices.
- d) All combined and sanitary sewers and lift stations are subject to Restricted Status when they become hydraulically overloaded, meaning unable to accommodate the following flows:
- 1) Combined sewers and lift stations serving combined sewers must be able to handle 350 percent of the average daily flow (based on best available information) before overflowing.
  - 2) Interceptors serving both combined sewers and sanitary sewers must be able to accommodate 250 percent of the average daily dry weather flow (based on best available information) from the sanitary sewers tributary to them and 350 percent of the average daily dry weather flow from the combined sewers tributary to them before overflowing.

(Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### **Section 306.403 Critical Review**

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- a) Critical review means the Agency determination that a sewer is approaching hydraulic capacity or that a sewage treatment plant is approaching design capacity, such that additional sewer connection permit applications will require close scrutiny to determine whether issuance would result in a violation of the Act or regulations.
  - b) Notification of Critical Review is a warning that Restricted Status is imminent, unless corrective action is taken. A facility may be placed on Critical Review whenever, based upon information available to it, the Agency determines that the

## **1<sup>st</sup> Notice**

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353 organic or hydraulic loading of any facility is greater than 80% of the permitted or  
354 designed capacity of that facility, as defined in 35 Ill. Adm. Code 306.402.

355

356 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

357

### **Section 306.404 Notification of Individuals Requesting Connections**

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360 Sanitary districts, or other wastewater treatment or transportation authorities responsible for  
361 authorizing new sewer connections, which have been placed on restricted status or critical review  
362 by the Agency must notify all individuals requesting connections of such Agency determination.

363

364 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

365

### **Section 306.405 Notification of Restricted Status or Critical Review**

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368 The Agency must notify the sanitary district or other wastewater treatment or transportation  
369 authority of its determination of restricted status or critical review, or refusal to terminate the  
370 same, and must give a specific, detailed written statement as to the reasons for the determination.

371

372 a) When the Agency determines that conditions warrant placing a facility on  
373 Restricted Status or Critical Review, the Agency must send a letter stating the  
374 action proposed, the reasons for the action, and a summary of supporting  
375 documentation to the sanitary district or other wastewater treatment or  
376 transportation authority responsible for the facility.

377

378 b) The sanitary district or other wastewater treatment or transportation authority  
379 must be given the opportunity to submit additional relevant information and to  
380 meet with the responsible permit engineers or to respond in writing.

381

382 c) If, after review of information or response offered by the sanitary district or other  
383 wastewater treatment or transportation authority, the Agency's determination does  
384 not change, the Agency must send final notification of Restricted Status or  
385 Critical Review, stating the meaning and reasons for the action, to the sanitary  
386 district or other wastewater treatment or transportation authority.

387

388 d) The facility thus classified will remain under that status until the Agency receives  
389 information of a change in condition sufficient to warrant a revision of the status,  
390 or until a revision in status is ordered by the Pollution Control Board. The  
391 Agency must send notice of any revised status to the sanitary district or other  
392 wastewater treatment or transportation authority.

393

394 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

395

### **Section 306.406 Appeal**

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397  
398 Any sanitary district or other wastewater treatment or transportation authority responsible for  
399 authorizing new sewer connections may petition, under Section 5(d) of the Act and 35 Ill. Adm.  
400 Code 105, for a hearing before the Board to contest the decision of the Agency to place it on  
401 restricted status.

402  
403 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
404

405 **Section 306.407 Effective Date (Repealed)**

406  
407 (Source: Repealed at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
408

409 **SUBPART F: SITE SPECIFIC RULES AND EXCEPTIONS**

410  
411 **Section 306.501 East St. Louis-Sauget Site-Specific Discharges**

- 412
- 413 a) The discharge from the sewer system of the City of East St. Louis, as described
- 414 below, is not subject to the treatment requirements and timetables of 35 Ill. Adm.
- 415 Code 306.305(b) and 306.306. The discharge is located in Lots 305 and/or 306 of
- 416 Sixth Subdivision of Cahokia Commons and also in the Northwest Quarter
- 417 Section 23, Township Two North, Range Ten West, of the Third Principal
- 418 Meridian, and is at Mississippi River Mile Number 178.7 and at North 38°,
- 419 36”40’ latitude and West 90°, 10”40’.
- 420
- 421 b) The first flush of storm flows must meet the applicable effluent standards of 35
- 422 Ill. Adm. Code Part 304, except when attempting to treat such flows would cause
- 423 the treatment plant to operate beyond design capacity.
- 424
- 425 c) In compliance with 35 Ill. Adm. Code 302.203, overflows in excess of plant
- 426 treatment capacity must be passed through a ½ inch bar screen before discharge.
- 427
- 428 d) Overflows must not cause accumulation of unnatural sludge deposits in the
- 429 receiving stream.

430  
431 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
432

433 **Section 306.502 Alton Combined Sewer Overflow Discharges**

- 434
- 435 a) The discharge from the Piasa-State Street Sewer, at Mississippi River mile
- 436 202.64, is not subject to 35 Ill. Adm. Code 304.106, 304.120, 304.121 and
- 437 304.124 during the following conditions:
- 438
- 439 1) Before replacement of the existing Locks and Dam 26, when the tailwater
- 440 elevation exceeds 415.3 Mean Sea Level (MSL); or

**1<sup>st</sup> Notice**

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2) After replacement of Locks and Dam 26, where the pool level exceeds elevation 420 MSL at Mississippi River miles 203.12 and 203.22 (Piasa and State Street Outlets relocated).

b) Discharges from the City of Alton at Mississippi River miles 201.66 (Shields Valley), 202.24 (Central Avenue), 203.12 (Piasa Outlet), 203.22 (State Street Outlet), 203.61 (Summit Street), 203.87 (Bluff Street) and 204.30 (Turner Tract), are subject to the following conditions:

1) The overflow structures and the associated interceptor sewer must be protected against intrusion by flood waters and be maintained operational at flood stages from Mississippi River backflow for a 25-year Mississippi River flood stage, except as follows:

Overflow Structure	River Mile	Protection Level Mean Sea Level (MSL) River Stage
Piasa Outlet	203.12	420.0
State Street Outlet	203.22	420.0
Summit Street	203.61	426.7
Bluff Street	203.87	426.7
Turner Tract	204.30	426.7

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2) The City of Alton must maintain the south side interceptor sewer system in working condition to ensure that the system will flow at a maximum capacity.

3) No later than the date of completion of Lock and Dam 26, the south side interceptor pump station must be upgraded to a design capacity of a minimum of 13.7 million gallons per day.

c) Discharges from the combined sewer overflows designated in subsection (b) are not subject to the treatment requirements of 35 Ill. Adm. Code 306.305(a) and (b) provided that:

1) The City of Alton maintains the south side interceptor sewer system in working condition to ensure that the system will flow at a maximum capacity.

2) The South Side interceptor pump station must be upgraded to a design capacity of a minimum of 13.7 million gallons per day.

## 1<sup>st</sup> Notice

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476

(Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

477

### **Section 306.503 Havana Site-Specific Discharges**

479

480 The two discharges from the combined sewer system of the City of Havana, as described below,  
481 are not subject to the treatment requirements of 35 Ill. Adm. Code 306.305(a) or the compliance  
482 date of 35 Ill. Adm. Code 306.306(c). The Washington Street discharge is located at the foot of  
483 Washington Street in the Northwest Quarter, Section 1, Township 21 North, Range 9 West of the  
484 Third Principal Meridian and at West 90°, 4"0' longitude and North 40°, 17"55' latitude. The  
485 Illinois Street discharge is located at the foot of Illinois Street in the Southwest Quarter, Section  
486 1, Township 21 North, Range 9 West of the Third Principal Meridian and at North 40°, 17"35'  
487 latitude and West 90°, 4"5' longitude.

488

489

(Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

490

### **Section 306.APPENDIX A References to Previous Rules (Repealed)**

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493

494

(Source: Repealed at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)