

ILLINOIS POLLUTION CONTROL BOARD  
September 22, 1988

IN THE MATTER OF:                    )  
  )  
PRETREATMENT UPDATE                )  
(1/1/88 through 6/30/88)            )                    R88-18

PROPOSAL FOR PUBLIC COMMENT

PROPOSED ORDER OF THE BOARD (by J. Marlin):

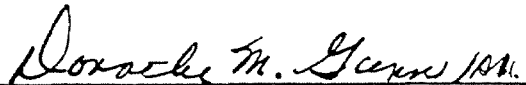
The Board is proposing to amend the pretreatment regulations pursuant to Section 13.3 of the Environmental Protection Act (Act).

Section 13.3 of the Act requires the Board to adopt regulations which are "identical in substance" with federal regulations promulgated by the United States Environmental Protection Agency (USEPA) to implement the pretreatment requirements of Sections 307 and 402 of the Clean Water Act, which was previously known as the Federal Water Pollution Control Act. Section 13.3 provides that Title VII of the Act and Sections 5 and 6.02 of the Administrative Procedure Act (APA) do not apply to identical in substance regulations adopted to establish the pretreatment program. However, Section 13.3 of the Act does require the Board to provide for notice and public comment before rules are filed with the Secretary of State.

This rulemaking updates the pretreatment rules to cover USEPA rules adopted from January 1 through June 30, 1988. The Board will accept public comment for a period of 45 days after the date of publication of the proposal in the Illinois Register. This Order is supported by a Proposed Opinion of this same day. The text of the proposed amendments to Parts 307 and 310 is attached to this Order.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Proposed Order was adopted on the 22<sup>nd</sup> day of September, 1988, by a vote of 7-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE C: WATER POLLUTION  
CHAPTER I: POLLUTION CONTROL BOARD

PART 307  
SEWER DISCHARGE CRITERIA

SUBPART F: DAIRY PRODUCTS PROCESSING

Section 307.1508 Ice Cream, Frozen Desserts, Novelties and Other Dairy Desserts

- a) Applicability. This Section applies to discharges resulting from the manufacture of ice cream, ice milk, ~~sherbert~~-sherbet, water ices, stick confections, frozen novelties products, frozen desserts, melorine, pudding and other dairy product base desserts. If fluid mixes prepared at another plant are employed, the appropriate values from Section 307.1507 should be deducted from the limitations.
- b) Specialized definitions. The Board incorporates by reference 40 CFR 405.81 ~~-(1986)-~~(1987). This incorporation includes no later amendments or editions.
- c) Existing sources:
  - 1) The Board incorporates by reference 40 CFR 405.84 ~~-(1986)-~~(1987). This incorporation includes no later amendments or editions.
  - 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources:
  - 1) The Board incorporates by reference 40 CFR 405.~~85~~ (1986)-86 (1987). This incorporation includes no later amendments or editions.
  - 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
  - 3) "New source" means any building, structure, facility or installation the construction of which commenced after December 20, 1973.

(Source: Amended at 12 Ill. Reg. , effective , 1988)

SUBPART H: CANNED AND PRESERVED FRUITS AND VEGETABLES

Section 307.1704 Frozen Potato Products

- a) Applicability. This Section applies to discharges resulting from the processing of white potatoes ~~into~~ into frozen potato products.
- b) Specialized definitions. The Board incorporates by reference 40 CFR 407.41 ~~-(1986)-(1987)~~. This incorporation includes no later amendments or editions.
- c) Existing sources:
  - 1) The Board incorporates by reference 40 CFR 407.44 ~~-(1986)-(1987)~~. This incorporation includes no later amendments or editions.
  - 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources:
  - 1) The Board incorporates by reference 40 CFR 407.46 ~~-(1986)-(1987)~~. This incorporation includes no later amendments or editions.
  - 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
  - 3) "New source" means any building, structure, facility or installation the construction of which commenced after November 9, 1974.

(Source: Amended at 12 Ill. Reg. , effective , 1988)

SUBPART L: CEMENT MANUFACTURING

Section 307.2101 Nonleaching

- a) Applicability. This Section applies to discharges resulting from the process in which several mineral ingredients (limestone or other natural sources of calcium carbonate, silica, alumina, and iron together with gypsum) are used in the manufacturing of cement and in which kiln dust is not ~~contracted~~ contacted with water as an integral part of the process and water is not used in wet scrubbers to control kiln stack emissions.
- b) Specialized definitions. The Board incorporates by reference 40 CFR 411.11 ~~-(1986)-(1987)~~. This incorporation includes no later amendments or editions.
- c) Existing sources:

- 1) The Board incorporates by reference 40 CFR 411.14 ~~-(1986)-~~  
(1987). This incorporation includes no later amendments or editions.
  - 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources:
- 1) The Board incorporates by reference 40 CFR 411.16 ~~-(1986)-~~  
(1987). This incorporation includes no later amendments or editions.
  - 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
  - 3) "New source" means any building, structure, facility or installation the construction of which commenced after September 7, 1973.

(Source: Amended at 12 Ill. Reg. , effective , 1988)

#### SUBPART T: PETROLEUM REFINING

##### Section 307.2903 Petrochemical

- a) Applicability. This Section applies to discharges from any facility that produces petroleum products by the use of topping, cracking and petrochemical operations whether or not the facility includes any process in addition to topping, cracking and petrochemical operations. This Section does not apply, however, to facilities that include the processes specified in Sections 307.2904 ~~-of-~~ or 307.2905.
- b) Specialized definitions. The Board incorporates by reference 40 CFR 419.31 ~~-(1986)-~~(1987). This incorporation includes no later amendments or editions.
- c) Existing sources:
  - 1) The Board incorporates by reference 40 CFR 419.35 ~~-(1986)-~~  
(1987). This incorporation includes no later amendments or editions.
  - 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources:

- 1) The Board incorporates by reference 40 CFR 419.37 ~~-(1986)-~~  
(1987). This incorporation includes no later amendments or  
editions.
- 2) No person subject to the pretreatment standards incorporated by  
reference in subsection (1) shall cause, threaten or allow the  
discharge of any contaminant to a POTW in violation of such  
standards.
- 3) "New source" means any building, structure, facility or  
installation the construction of which commenced after December  
21, 1979.

(Source: Amended at 12 Ill. Reg. , effective , 1988)

SUBPART V: NONFERROUS METALS MANUFACTURING

Section 307.3110 Primary Tungsten

- a) Applicability. This Section applies to discharges resulting from the  
production of tungsten at primary tungsten facilities.
- b) Specialized definitions. The Board incorporates by reference 40 CFR  
421.101 ~~-(1986)-~~(1987). This incorporation includes no later  
amendments or editions.
- c) Existing sources:
  - 1) The Board incorporates by reference 40 CFR 421.105 ~~-(1986)-~~  
(1987), as amended at 53 Fed. Reg. 1711, January 21, 1988. This  
incorporation includes no later amendments or editions.
  - 2) No person subject to the pretreatment standards incorporated by  
reference in subsection (1) shall cause, threaten or allow the  
discharge of any contaminant to a POTW in violation of such  
standards.
- d) New sources:
  - 1) The Board incorporates by reference 40 CFR 421.106 ~~-(1986)-~~  
(1987), as amended at 53 Fed. Reg. 1711, January 21, 1988. This  
incorporation includes no later amendments or editions.
  - 2) No person subject to the pretreatment standards incorporated by  
reference in subsection (1) shall cause, threaten or allow the  
discharge of any contaminant to a POTW in violation of such  
standards.
  - 3) "New source" means any building, structure, facility or  
installation the construction of which commenced after February  
17, 1983.

(Source: Amended at 12 Ill. Reg. , effective , 1988)

Section 307.3129 Secondary Tungsten and Cobalt

- a) Applicability. This Section applies to discharges resulting from the production of tungsten or cobalt at secondary ~~-tungsten-~~tungsten or cobalt facilities processing tungsten or or tungsten carbide raw materials.
- b) Specialized definitions. The Board incorporates by reference 40 CFR 421.311 ~~-(1986)-~~(1987). This incorporation includes no later amendments or editions.
- c) Existing sources:
  - 1) The Board incorporates by reference 40 CFR 421.315 ~~-(1986)-~~(1987). This incorporation includes no later amendments or editions.
  - 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources:
  - 1) The Board incorporates by reference 40 CFR 421.316 ~~-(1986)-~~(1987). This incorporation includes no later amendments or editions.
  - 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
  - 3) "New source" means any building, structure, facility or installation the construction of which commenced after June 27, 1984.

(Source: Amended at 12 Ill. Reg. , effective , 1988)

SUBPART Z: LEATHER TANNING AND FINISHING

Section 307.3500 General Provisions

- a) Applicability. This Subpart applies to any leather tanning and finishing facility which introduces or may introduce process wastewater pollutants into a POTW.
- b) General definitions. The Board incorporates by reference 40 CFR 425.02 ~~-(1986)-~~(1987), as amended at 53 Fed. Reg. 9181, March 21, 1988. This incorporation includes no later amendments or editions.
- c) Sulfide analytical method. The Board incorporates by reference 40 CFR 425.03 ~~-(1986)-~~(1987), as amended at 53 Fed. Reg. 9181, March 21,

1988. This incorporation includes no later amendments or editions.

- d) Applicability of sulfide standards. The Board incorporates by reference 40 CFR 425.04 ~~-(1986)-(1987)~~, as amended at 53 Fed. Reg. 9181, March 21, 1988. This incorporation includes no later amendments or editions.
- e) Compliance dates. The Board incorporates by reference 40 CFR 425.05 ~~-(1986)-(1987)~~, as amended at 53 Fed. Reg. 9181, March 21, 1988. This incorporation includes no later amendments or editions.
- f) Monitoring requirements. The Board incorporates by reference 40 CFR 425.06 ~~-(1986)-(1987)~~. This incorporation includes no later amendments or editions.

(Source: Amended at 12 Ill. Reg. , effective , 1988)

Section 307.3501 Hair Pulp, Chrome Tan, Retan-Wet Finish

- a) Applicability. This Section applies to discharges resulting from any tannery which, either exclusively or in addition to other unhairing and tanning operations, processes raw or cured cattle or cattle-like hides into finished leather by chemically dissolving the hide hair, chrome tanning and retan-wet finishing.
- b) Specialized definitions. None.
- c) Existing sources:
  - 1) The Board incorporates by reference 40 CFR 425.15 ~~-(1986)-(1987)~~, as amended at 53 Fed. Reg. 9181, March 21, 1988. This incorporation includes no later amendments or editions.
  - 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources:
  - 1) The Board incorporates by reference 40 CFR 425.16 ~~-(1986)-(1987)~~. This incorporation includes no later amendments or editions.
  - 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
  - 3) "New source" means any building, structure, facility or installation the construction of which commenced after July 2, 1979.

(Source: Amended at 12 Ill. Reg. , effective , 1988)

- 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.

d) New sources:

- 1) The Board incorporates by reference 40 CFR 425.96 ~~-(1986)-~~ (1987). This incorporation includes no later amendments or editions.
- 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
- 3) "New source" means any building, structure, facility or installation the construction of which commenced after July 2, 1979.

(Source: Amended at 12 Ill. Reg. , effective , 1988)

Section 307.3590 Potassium Ferricyanide Titration Method

The Board incorporates by reference 40 CFR 425, Appendix A, as adopted at 53 Fed. Reg. 9181, March 21, 1988. This incorporation includes no later amendments or editions.

(Source: Added at 12 Ill. Reg. , effective )

SUBPART BB: PULP, PAPER AND PAPERBOARD

Section 307.4004 Unbleached Kraft-Neutral Sulfite Semi-Chemical (Cross Recovery)

- a) Applicability. This Section applies to discharges resulting from the production of pulp and paper at unbleached kraft-neutral sulfite semi-chemical (cross recovery) mills.
- b) Specialized definitions. The Board incorporates by reference 40 CFR 430.~~31~~ ~~-(1986)-~~41 (1987). This incorporation includes no later amendments or editions.
- c) Existing sources:
  - 1) The Board incorporates by reference 40 CFR 430.46 ~~-(1986)-~~ (1987). This incorporation includes no later amendments or editions.
  - 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.



Section 307.3503 Hair Save or Pulp, Non-Chrome Tan, Retan-Wet Finish

- a) Applicability. This Section applies to discharges resulting from any tannery which processes raw or cured cattle or cattle-like hides into finished leather by hair save or pulp unhairing, vegetable tanning or alum, syntans, oils and other agents for tanning and retan-wet finishing.
- b) Specialized definitions. None.
- c) Existing sources:
  - 1) The Board incorporates by reference 40 CFR 425.35 ~~-(1986)-~~ (1987), as amended at 53 Fed. Reg. 9181, March 21, 1988. This incorporation includes no later amendments or editions.
  - 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources:
  - 1) The Board incorporates by reference 40 CFR 425.36 ~~-(1986)-~~ (1987). This incorporation includes no later amendments or editions.
  - 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
  - 3) "New source" means any building, structure, facility or installation the construction of which commenced after July 2, 1979.

(Source: Amended at 12 Ill. Reg. , effective , 1988)

Section 307.3509 Retan-Wet Finish-Splits

- a) Applicability. This Section applies to discharges resulting from any tannery which processes previously unhaird and tanned splits into finished leather by retan-wet finishing.
- b) Specialized definitions. None.
- c) Existing sources:
  - 1) The Board incorporates by reference 40 CFR 425.95 ~~-(1986)-~~ (1987), as amended at 53 Fed. Reg. 9181, March 21, 1988. This incorporation includes no later amendments or editions.

d) New sources:

- 1) The Board incorporates by reference 40 CFR 430.47 ~~-(1986)-~~ (1987). This incorporation includes no later amendments or editions.
- 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
- 3) "New source" means any building, structure, facility or installation the construction of which commenced after January 6, 1981.

(Source: Amended at 12 Ill. Reg. , effective , 1988)

SUBPART CT: NONFERROUS METALS FORMING AND METAL POWDERS

Section 307.8100 General Provisions

a) Applicability.

- 1) This Subpart applies to the introduction of pollutants into a POTW from the forming of nonferrous metals (including nonferrous metal alloys), except beryllium, copper and aluminum, and their alloys. Aluminum alloys are defined as any alloy in which aluminum is the major constituent in percent by weight. Copper alloys are defined as any alloy in which copper is the major constituent in percent by weight except when copper is alloyed with precious metals. Any copper-precious metal alloy containing 30 percent or greater precious metal is considered a precious metal alloy for the purpose of this subpart. Beryllium alloys are any alloy in which beryllium is present at 0.1 percent or greater. This subpart applies to:
  - A) Forming operations, including rolling (both hot and cold), extruding forging, drawing, swaging, cladding and tube reducing, and
  - B) Ancillary operations performed as an integral part of the forming of these metals, including casting for subsequent forming, heat treatment, surface treatment, alkaline cleaning, solvent degreasing, product testing, surface coating, sawing, grinding, tumbling, burnishing and wet air pollution control.
- 2) This subpart also applies to introduction of pollutants into a POTW from mechanical metal powder production operations, forming of parts from metal powders, and associated ancillary operations of:
  - A) Iron, copper and aluminum and their alloys; and

- B) The nonferrous metal and their alloys described in subsection(a)(1). This subpart does not regulate the production of metal powders by chemical means such as precipitation. The production of metal powder as the final step in refining metal is regulated under nonferrous metals manufacturing, Subpart V.
- 3) Surface treatment includes any chemical or electrochemical treatment applied to the surface of the metal. For the purposes of this subpart, surface treatment of metals is considered to be an integral part of the forming of metals whenever it is performed at the same plant site at which the metals are formed. Such surface treatment operations are not regulated under the electroplating or metal finishing regulations, subparts N or AH.
- 4) Casting is covered by this subpart when it is performed as an integral part of the metal forming process and takes place at the same plant site at which metals are formed. Such casting is not regulated under the provisions of metal molding and casting (Subpart CM).
- 5) This subpart does not apply to the forming of the metals cadmium, chromium, gallium, germanium, indium, lithium, manganese, neodymium or praseodymium.
- b) General definitions. The Board incorporates by reference 40 CFR 471.02 ~~-(1986)-(1987)~~. This incorporation includes no later amendments or editions.
- c) Compliance dates. The Board incorporates by reference 40 CFR 471.03 ~~-(1986)-(1987)~~. This incorporation includes no later amendments or editions.

(Source: Amended at 12 Ill. Reg. , effective , 1988)

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE C: WATER POLLUTION  
CHAPTER I: POLLUTION CONTROL BOARD

PART 310  
PRETREATMENT PROGRAMS  
SUBPART A: GENERAL PROVISIONS

Section 310.107 Incorporations by Reference

- a) The following publications are incorporated by reference:

The consent decree in NRDC v. Costle, 12 Environment Reporter Cases 1833.

Standard Industrial Classification Manual (1972), and 1977 Supplement, republished in 1983, available from the Superintendent of Documents, U.S. Government Printing Office,

Washington, D.C. 20401.

- b) The following provisions of the Code of Federal regulations are incorporated by reference:

40 CFR 2.302 ~~-(1986)-~~(1987)

40 CFR 25 ~~-(1986)-~~(1987)

40 CFR 122, Appendix D, Tables II and III ~~-(1986)-~~(1987)

40 CFR 136 (1987)

40 CFR 403 ~~-(1986)-~~(1987)

40 CFR 403, Appendix D ~~-(1986)-~~(1987)

- c) The following federal statutes are incorporated by reference:

18 USC 1001, as of July 1, 1987@@@@

Clean Water Act, 33 USC 1251 et seq., as of July 1, 1987

Subtitles C and D of the Resource Conservation and Recovery Act, 42 USC 6901, as of July 1, 1987

- d) This Part incorporates no future editions or amendments.

#### Section 310.110 Definitions

"Act" means the Environmental Protection Act, as amended by P.A. 84-1329, effective September 4, 1986- (Ill. Rev. Stat. ~~1985-1987~~ ch. 111 1/2, par. 1001 et seq., and Ill. Rev. Stat. 1986 Supp., ch. 111 1/2, par 1013.3-)

"Agency" means the Illinois Environmental Protection Agency.

"Approval Authority" means the Agency.

(Board Note: Derived from 40 CFR 403.3(c) ~~-(1986)-~~(1987))

"Approved POTW Pretreatment Program" or "Program" or "POTW Pretreatment Program" means a program administered by a POTW which has been approved by the Agency in accordance with Sections 310.541 through 310.546.

(Board Note: Derived from 40 CFR 403.3(d) ~~-(1986)-~~(1987))

"Authorization to discharge" means an authorization issued to an industrial user by a POTW which has an approved pretreatment program. The authorization may consist of a permit, license, ordinance or other mechanism as specified in the approved pretreatment program.

"Blowdown" means the minimum discharge of recirculating water for the purpose of discharging materials contained in the water, the further buildup of which would cause concentration in amounts exceeding limits established by best engineering practice.

(Board Note: Derived from 40 CFR 401.11(p) ~~-(1986)~~-(1987))

"Board" means the Illinois Pollution Control Board.

"CWA" means Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, incorporated by reference in Section 310.107.

(Board Note: Derived from 40 CFR 403.3(b) ~~-(1986)~~-(1987))

"Control authority" is as defined in Section 310.601.

"Indirect Discharge" or "Discharge" means the introduction of pollutants into a POTW from any non-domestic source regulated under Section 307(b), (c) or (d) of the CWA (33 USC 1317(b), (c) or (d)).

(Board Note: Derived from 40 CFR 403.3(g) ~~-(1986)~~-(1987))

"Industrial User" or "User" means a source of indirect discharge. As used in this Part, an "industrial user" includes any person who meets any of the following criteria:

Discharges toxic pollutants as defined by 35 Ill. Adm. Code 307.1005.

Is subject to a categorical standard adopted or incorporated by reference in 35 Ill. Adm. Code 307.

Discharges more than 15% of the total hydraulic flow received by the POTW treatment plant.

Discharges more than 15% of the total biological loading of the POTW treatment plant as measured by the 5-day biochemical oxygen demand.

Has caused pass through or interference. Or,

Has presented an imminent endangerment to the health or welfare of persons.

(Board Note: Derived from 40 CFR 403.3(h) ~~-(1986)~~-(1987))

"Industrial wastewater" means waste of a liquid nature discharged by an industrial user to a sewer tributary to a POTW.

"Interference" means a discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

Inhibits or disrupts the POTW, its treatment processes or

operations, or its sludge processes, use or disposal; and

Therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge disposal in compliance with any "sludge requirements."

(Board Note: Derived from 40 CFR 403.3(i) ~~-(1986)-(1987)-~~, as amended at 52 Fed. Reg. 1600, January 14, 1987-)

"Municipal sewage" is sewage treated by a POTW exclusive of its industrial component.

"Municipal sludge" is sludge produced a POTW treatment works.

"Municipality." See "unit of local government."

"New source" means any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the date specified in 35 Ill. Adm. Code 307 for that category or subcategory.

(Board Note: Derived from 40 CFR 401.11(c) and 403.3(k) ~~-(1986)-(1987))~~

"Noncontact cooling water" means water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product or finished product.

(Board Note: Derived from 40 CFR 401.11(n) ~~-(1986)-(1987))~~

"Noncontact cooling water pollutants" means pollutants present in noncontact cooling waters.

(Board Note: Derived from 40 CFR 401.11(o) ~~-(1986)-(1987))~~

"NPDES Permit" means a permit issued to a POTW pursuant to Section 402 of the CWA, or Section 12(f) of the Act and 35 Ill. Adm. Code 309.Subpart A.

(Board Note: Derived from 40 CFR 403.3(l) ~~-(1986)-(1987))~~

"O and M" means operation and maintenance.

"Pass through" means a discharge of pollutants which exits the POTW into waters of the State in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).

(Board Note: Derived from 40 CFR 403.3(n) ~~-(1986)-(1987)-~~, as amended at 52 Fed. Reg. 1600, January 14, 1987-)

"Person" means an individual, corporation, partnership, association, State, "unit of local government" or any interstate body. This term includes the United States government, the State of Illinois and their political subdivisions.

(Board Note: Derived from 40 CFR 401.11(m) ~~-(1986)~~-(1987) and 33 USC 1362(5))

"Pollutant" means dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into a sewer.

(Board Note: Derived from 40 CFR 401.11(f) ~~-(1986)~~-(1987))

"Pollution" means the man-made or man-induced alteration of the chemical, physical, biological and radiological integrity of water.

(Board Note: Derived from 40 CFR 401.11(g) ~~-(1986)~~-(1987))

"POTW" means "Publicly Owned Treatment Works," which is defined below.

"POTW Treatment Plant" means that portion of the POTW which is designed to provide treatment (including recycling and reclamation) of municipal sewage and industrial wastewater.

(Board Note: Derived from 40 CFR 403.3(p) ~~-(1986)~~-(1987))

"Pretreatment" means the reduction of the amount of pollutants, the elimination of pollutants or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration may be obtained by physical, chemical or biological processes, process changes or by other means, except as prohibited by Section 310.232. Appropriate pretreatment technology includes control equipment, such as equalization tanks or facilities, for protection against surges or slug loadings which might interfere with or otherwise be incompatible with the POTW. However, where wastewater from a regulated process is mixed in an equalization facility with unregulated wastewater or with wastewater from another regulated process, the effluent from the equalization facility must meet an adjusted pretreatment limit calculated in accordance with Section 310.233.

(Board Note: Derived from 40 CFR 403.3(q) ~~-(1986)~~-(1987))

"Pretreatment permit" means an authorization to discharge to a sewer which is issued by the Agency as the control authority.

"Pretreatment requirements" means any substantive or procedural requirement related to pretreatment, other than a pretreatment standard, imposed on an industrial user.

(Board Note: Derived from 40 CFR 403.3(r) ~~-(1986)~~-(1987))

"Pretreatment standard," or "standard" means any regulation containing pollutant discharge limits promulgated by USEPA, and incorporated by reference in 35 Ill. Adm. Code 307. This term includes prohibitive discharge limits established pursuant to Section 310.201 through 310.213 or 35 Ill. Adm. Code 307.1101. This term also includes more stringent prohibitions and standards adopted by the Board in this Part or 35 Ill. Adm. Code 307, including 35 Ill. Adm. Code 307.1101, 307.1102 and 307.1103. The term also includes local limits pursuant to Section 310.211 which are a part of an approved pretreatment program.

(Board Note: Derived from 40 CFR 403.3(j) ~~-(1986)~~-(1987))

"Process wastewater" means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product or waste product.

(Board Note: Derived from 40 CFR 401.11(q) ~~-(1986)~~-(1987))

"Process wastewater pollutants" means pollutants present in process wastewater.

(Board Note: Derived from 40 CFR 401.11(r) ~~-(1986)~~-(1987))

"Publicly owned treatment works" or "POTW" means a "treatment works" which is owned by the State of Illinois or a "unit of local government." This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastewater. It also includes sewers, pipes and other conveyances only if they convey wastewater to a POTW treatment plant. The term also means the "unit of local government" which has jurisdiction over the indirect discharges to and the discharges from such a treatment works.

(Board Note: Derived from 40 CFR 403.3(o) ~~-(1986)~~-(1987))

"Schedule of compliance" means a schedule of remedial measures included in an authorization to discharge or a pretreatment permit, or an NPDES permit, including an enforceable sequence of interim requirements (for example, actions, operations or milestone events) leading to compliance with this Part and 35 Ill. Adm. Code 307. A schedule of compliance does not protect an industrial user or POTW from enforcement.

(Board Note: Derived from 40 CFR 401.11(m) ~~-(1986)~~-(1987) and 33 USC 1362(17))

"Sludge requirements" means any of the following permits or regulations: 35 Ill. Adm. Code 309.208 (Permits for Sites Receiving Sludge for Land Application), 703.121 (RCRA Permits), 807.202 (Solid



Waste Permits), the Toxic Substances Control Act (15 USC 2601) or the Marine Protection, Research and Sanctuaries Act (33 USC 1401).

(Board Note: Derived from 40 CFR 403.3(i) ~~-(1986)-(1987)~~, as amended at 52 Fed. Reg. 1600, January 14, 1987, and 403.7(a) ~~-(1986)-(1987)~~)

"Submission" means a request to the Agency by a POTW for approval of a pretreatment program, or for authorization to grant removal credits.

(Board Note: Derived from 40 CFR 403.3(t) ~~-(1986)-(1987)~~)

"Treatment works" is as defined in 33 USC 1292(2) ~~-(1986)-(1987)~~. It includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal or industrial wastewater to implement 33 USC 1281, or necessary to recycle or reuse water at the most economical cost over the estimated life of the works, including intercepting sewers, outfall sewers, sewage collection systems, pumping, power and other equipment.

(Board Note: Derived from 40 CFR 403.3(o) ~~-(1986)-(1987)~~ and 33 USC 1292(2))

"Unit of local government" means a unit of local government, as defined by Art. 7, Sec. 1 of the Illinois Constitution, having jurisdiction over disposal of sewage. "Unit of local government" includes, but is not limited to, municipalities and sanitary districts.

(Board Note: Derived from 40 CFR 401.11(m) ~~-(1986)-(1987)~~ and 33 USC 1362(4))

"USEPA" means the United States Environmental Protection Agency.

(Source: Amended at 12 Ill. Reg. , effective , 1988)