

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

PART 301
INTRODUCTION

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301.APPENDIX A References to Previous Rules

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

SOURCE: Filed with the Secretary of State January 1, 1978; amended at 3 Ill. Reg. 25, p. 190, effective June 21, 1979; amended at 5 Ill. Reg. 6384, effective May 28, 1981; codified at 6 Ill. Reg. 7818; amended in R88-1 at 13 Ill. Reg. 5984, effective April 18, 1989; amended in R88-21(A) at 14 Ill. Reg. 2879, effective February 13, 1990; amended in R99-8 at 23 Ill. Reg. 11277, effective August 26, 1999; amended in R02-11 at 27 Ill. Reg. 158, effective December 20, 2002; amended in R08-9(A) at 35 Ill. Reg. 15071, effective August 23, 2011; amended in R11-18 at 36 Ill. Reg. 18863, effective December 12, 2012.

Section 301.101 Authority

Pursuant to the authority contained in Section 13 of the Environmental Protection Act which authorizes the Board to issue regulations "to restore, maintain and enhance the purity of the waters of this State in order to protect health, welfare, property, and the quality of life, and to assure that no contaminants are discharged into the waters . . . without being given the degree of treatment or control necessary to prevent pollution" (Section 11 of the Environmental Protection Act (Ill. Rev. Stat. 1979, ch. 111 1/2, par. 1011)); to adopt water quality standards, effluent standards, standards for the issuance of permits, standards for the certification of sewage works operators, standards relating to water pollution episodes or emergencies, and requirements for the inspection of pollution sources and for monitoring the aquatic environment, and which directs the Board to adopt requirements, standards, and procedures which will enable the State to implement and participate in the National Pollutant Discharge Elimination System (NPDES) established by the Clean Water Act (33 USC 1251 et seq.), the Board adopts the following rules and regulations.

Section 301.102 Policy

The General Assembly has found that water pollution "constitutes a menace to public health and welfare, creates public nuisances, is harmful to wildlife, fish, and aquatic life, impairs domestic, agricultural, industrial, recreational, and other legitimate beneficial uses of water, depresses property values, and offends the senses". It is the purpose of these rules and regulations to designate the uses for which the various waters of the State shall be maintained and protected; to prescribe the water quality standards required to sustain the designated uses; to establish effluent standards to limit the contaminants discharged to the waters; and to prescribe additional regulations necessary for implementing, achieving and maintaining the prescribed water quality. It is also the purpose of these Regulations to meet the requirements of Section 402 of the Clean Water Act.

Section 301.103 Repeals

These rules and regulations replace and supersede Rules and Regulations SWB-1, SWB-2, SWB-5 through SWB-15, SWB-17 and SWB-19, adopted by the Illinois Sanitary Water Board and continued in effect by Section 49(c) of the Environmental Protection Act "Until repealed, amended, or superseded by regulations under this Act" (Ill. Rev. Stat. 1979, Ch. 111 1/2, par. 1049(c)). Accordingly Rules and Regulations SWB-1, SWB-2, SWB-5 through SWB-15, SWB-17 and SWB-19 are hereby repealed, except that any proceeding arising from any act committed before the effective date of the applicable provision of this Chapter shall be governed by the above listed regulations.

Section 301.104 Analytical Testing

All methods of sample collection, preservation, and analysis used in applying any of the requirements of this Chapter shall be consistent with United States Environmental Protection Agency's current manual of practice or with other procedures acceptable to USEPA and the Agency.

(Source: Amended 3 Ill. Reg. no. 25, page 190 effective June 21, 1979)

Section 301.105 References to Other Sections

Unless the contrary is clearly indicated, all references to "Parts" or "Sections" are to Ill. Adm. Code, Title 35: Environmental Protection. For example, "Part 309" is 35 Ill. Adm. Code 309, and "Section 309.101" is 35 Ill. Adm. Code 309.101.

Section 301.106 Incorporations by Reference

Section 301.106 Incorporations by Reference

- a) Abbreviations. The following abbreviated names are used for materials incorporated by reference:

"ASTM" means American Society for Testing and Materials.

"GPO" means Superintendent of Documents, U.S. Government Printing Office.

"NTIS" means National Technical Information Service.

"Standard Methods" means "Standard Methods for the Examination of Water and Wastewater", available from the American Public Health Association.

"USEPA" means United States Environmental Protection Agency.

- b) The Board incorporates the following publications by reference:

American Public Health Association et al., 800 I Street, N.W.,
Washington, D.C. 20001-3710, (202)777-2742.

Standard Methods for the Examination of Water and Wastewater,
21st Edition, 2005.

ASTM. American Society for Testing and Materials, 100 Barr Harbor
Drive, West Conshohocken, PA 19428-2959, (610)832-9585

ASTM Standard E 724-80 "Standard Practice for Conducting
Static Acute Toxicity Tests with Larvae of Four Species of Bivalve
Molluscs", approved 1980.

ASTM Standard E 729-80 "Standard Practice for Conducting
Static Acute Toxicity Tests with Fishes, Macroinvertebrates, and
Amphibians", approved 1980.

ASTM Standard E 857-81 "Standard Practice for Conducting
Subacute Dietary Toxicity Tests with Avian Species", approved
1981.

ASTM Standard E 1023-84 "Standard Guide for Assessing the
Hazard of a Material to Aquatic Organisms and Their Uses",
approved 1984.

ASTM Standard E 1103-86 "Method for Determining Subchronic
Dermal Toxicity", approved 1986.

ASTM Standard E 1147-87 "Standard Test Method for Partition
Coefficient (n-Octanol/Water) Estimation by Liquid
Chromatography", approved February 27, 1987.

ASTM Standard E 1192-88 "Standard Guide for Conducting Acute
Toxicity Tests on Aqueous Effluents with Fishes,
Macroinvertebrates and Amphibians", approved 1988.

ASTM Standard E 1193-87 "Standard Guide for Conducting
Renewal Life-Cycle Toxicity Tests with Daphnia Magna",
approved 1987.

ASTM Standard E 1241-88 "Standard Guide for Conducting Early

Life-Stage Toxicity Tests with Fishes", approved 1988.

ASTM Standard E 1242-88 "Standard Practice for Using Octanol-Water Partition Coefficients to Estimate Median Lethal Concentrations for Fish due to Narcosis", approved 1988.

ASTM Standard E 4429-84 "Standard Practice for Conducting Static Acute Toxicity Tests on Wastewaters with Daphnia", approved 1984.

NTIS. National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, (703)487-4600

SIDES: STORET Input Data Editing System, January 1973, Document Number PB-227 052/8.

Water Quality Data Base Management Systems, February 1984, Document Number AD-P004 768/8.

USEPA. United States Environmental Protection Agency, Office of Health and Environmental Assessment, Washington, D.C. 20460

Mutagenicity and Carcinogenicity Assessment for 1,3-Butadiene, September 1985, Document Number EPA/600/8-85/004A.

Method OIA-1677, DW: Available Cyanide by Flow Injection, Ligand Exchange, and Amperometry, January 2004, Document Number EPA-821-R-04-001.

- c) The Board incorporates the following federal regulations by reference. Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, (202)783-3238:

Procedure 5.b.2 of Appendix F of 40 CFR 132 (1995)

40 CFR 136 (1996)

40 CFR 141 (1988)

40 CFR 302.4 (1988)

- d) The Board incorporates the following federal regulations by reference, available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, (202)783-3238:

USEPA 1996: The Metals Translator: Guidance for Calculating a Total Recoverable Permit Limit from a Dissolved Criterion. EPA 823-B-96-007 (1996).

- e) This Section incorporates no future editions or amendments.

(Source: Amended at 36 Ill. Reg. 18863, effective December 12, 2012)

Section 301.107 Severability

If any provision of this Subtitle is adjudged invalid, or if the application thereof to any person or in any circumstance is adjudged invalid, such invalidity shall not affect the validity of this Subtitle as a whole, or any Part, Subpart, Section, subsection, sentence or clause thereof not adjudged invalid.

(Source: Added at 14 Ill. Reg. 2879, effective February 13, 1990)

Section 301.108 Adjusted Standards

- a) AFTER ADOPTING A REGULATION OF GENERAL APPLICABILITY, THE BOARD MAY GRANT, IN A SUBSEQUENT ADJUDICATORY DETERMINATION, AN ADJUSTED STANDARD FOR PERSONS WHO CAN JUSTIFY SUCH AN ADJUSTMENT CONSISTENT WITH SUBSECTION (a) OF SECTION 27 OF THE ILLINOIS ENVIRONMENTAL PROTECTION ACT. IN GRANTING SUCH ADJUSTED STANDARDS, THE BOARD MAY IMPOSE SUCH CONDITIONS AS MAY BE NECESSARY TO ACCOMPLISH THE PURPOSES OF THE ILLINOIS ENVIRONMENTAL PROTECTION ACT. THE RULE-MAKING PROVISIONS OF THE ILLINOIS ADMINISTRATIVE PROCEDURE ACT (Ill. Rev. Stat. 1987, ch. 127, par. 1001 et seq.) AND TITLE VII OF THE ENVIRONMENTAL PROTECTION ACT SHALL NOT APPLY TO SUCH SUBSEQUENT DETERMINATIONS. (Section 28.1(a) of the Act)
- b) IN ADOPTING A RULE OF GENERAL APPLICABILITY, THE BOARD MAY SPECIFY THE LEVEL OF JUSTIFICATION REQUIRED OF A PETITIONER FOR AN ADJUSTED STANDARD CONSISTENT WITH THIS SECTION. (Section 28.1(b) of the Act)
- c) IF A REGULATION OF GENERAL APPLICABILITY DOES NOT SPECIFY A LEVEL OF JUSTIFICATION REQUIRED OF A PETITIONER TO QUALIFY FOR AN ADJUSTED STANDARD, THE BOARD MAY GRANT INDIVIDUAL ADJUSTED STANDARDS WHENEVER THE BOARD DETERMINES UPON ADEQUATE PROOF BY PETITIONER, THAT:

- 1) FACTORS RELATING TO THAT PETITIONER ARE SUBSTANTIALLY AND SIGNIFICANTLY DIFFERENT FROM THE FACTORS RELIED UPON BY THE BOARD IN ADOPTING THE GENERAL REGULATION APPLICABLE TO THAT PETITIONER;
- 2) THE EXISTENCE OF THOSE FACTORS JUSTIFIES AN ADJUSTED STANDARD;
- 3) THE REQUESTED STANDARD WILL NOT RESULT IN ENVIROMENTAL OR HEALTH EFFECTS SUBSTANTIALLY AND SIGNIFICANTLY MORE ADVERSE THAN THE EFFECTS CONSIDERED BY THE BOARD IN ADOPTING THE RULE OF GENERAL APPLICABILITY; AND
- 4) THE ADJUSTED STANDARD IS CONSISTENT WITH ANY APPLICABLE FEDERAL LAW.

(Section 28.1(c) of the Act)

(Source: Added at 14 Ill. Reg. 2879, effective February 13, 1990)

Section 301.200 Definitions

Except as otherwise provided within individual Parts of this Chapter, the terms defined in the Sections which follow shall have the meanings specified.

(Source: Amended in R88-1 at 13 Ill. Reg. 5984, effective April 18, 1989)

Section 301.205 Act

"Act" means the Illinois Environmental Protection Act.

Section 301.210 Administrator

"Administrator" means the Administrator of the United States Environmental Protection Agency or his designee.

Section 301.215 Agency

"Agency" means the Illinois Environmental Protection Agency.

Section 301.220 Aquatic Life

"Aquatic Life" means native populations of fish and other aquatic life.

Section 301.221 Area of Concern

Area of Concern or AOC is an area specially designated for remediation efforts.

(Source: Added at 23 Ill. Reg. 11277, effective August 26, 1999.)

Section 301.225 Artificial Cooling Lake

"Artificial Cooling Lake" means any manmade lake, reservoir or other impoundment, constructed by damming the flow of a stream, which is used to cool the water discharged from the condensers of a steam-electric generating plant for recirculation in substantial part to the condensers.

Section 301.230 Basin

"Basin" means the area tributary to the designated body of water.

Section 301.231 Bioaccumulative Chemicals of Concern

Bioaccumulative Chemicals of Concern or BCC means a chemical or class of chemicals meeting the definition at 35 Ill. Adm. Code 302.501.

(Source: Added at 23 Ill. Reg. 11277, effective August 26, 1999.)

Section 301.235 Board

"Board" means the Illinois Pollution Control Board.

Section 301.240 CWA

"CWA" means the Federal Water Pollution Control Act, as amended, (33 U.S.C. 1251 et seq., Public Law 92-500 enacted by Congress October 18, 1972 as amended by the "Clean Water Act", Public Law 95-217, enacted December 12, 1977, as amended.)

(Source: Amended 5 Ill. Reg. 6384, effective May 28, 1981.)

Section 301.245 Calumet River System

"Calumet River System" means the Calumet River, the Grand Calumet River, the Little Calumet River downstream from its confluence with the Grand Calumet, the Calumet-Sag Channel, and the Calumet Harbor Basin.

Section 301.247 Chicago Area Waterway System

“Chicago Area Waterway System” means Calumet River, Grand Calumet River, Little Calumet River downstream from the confluence of Calumet River and Grand Calumet River, Calumet-Sag Channel, Lake Calumet, Chicago River and its branches downstream from their confluence with North Shore Channel, North Shore Channel and Chicago Sanitary and Ship Canal.

(Source: Added at 35 Ill. Reg. 15071, effective August 23, 2011)

Section 301.250 Chicago River System

"Chicago River System" means the Chicago River and its branches, the North Shore Channel, and the Chicago Sanitary and Ship Canal.

Section 301.255 Combined Sewer

"Combined Sewer" means a sewer designed and constructed to receive both wastewater and land runoff.

(Source: Amended at 3 Ill. Reg. 25, page 190, effective June 21, 1979.)

Section 301.260 Combined Sewer Service Area

Combined Sewer Service Area: Means a specific geographical drainage area served by a combined sewer system. Areas served by separate sewer systems which enter the combined system are not included. Undeveloped areas within a combined sewer service area may be included in that area if deemed appropriate by the Agency pursuant to the guidelines in 35 Ill. Adm. Code 306.102.

(Source: Amended in R88-1 at 13 Ill. Reg. 5984, effective April 18, 1989)

Section 301.265 Construction

"Construction" means commencement of on-site fabrication, erection, or installation of a treatment works, sewer, or wastewater source; or the reinstallation at a new site of any existing treatment works, sewer, or wastewater source.

Section 301.267 Conversion Factor

“Conversion Factor” means the fraction of the total metal found as dissolved in the toxicity tests used to derive the water quality standards of 35 Ill. Adm. Code 302. The conversion factors are used to convert total metals water quality standards to dissolved standards.

(Source: Added at 27 Ill. Reg. 158, effective December 20, 2002)

Section 301.270 Dilution Ratio

"Dilution Ratio" means the ratio of the seven-day once in ten year low flow of the receiving stream or the lowest flow of the receiving stream when effluent discharge is expected to occur, whichever is greater, to the average flow of the treatment works for the design year.

(Source: Amended at 3 Ill. Reg. no. 25, page 190, effective June 21, 1979.)

Section 301.275 Effluent

"Effluent" means any wastewater discharged, directly or indirectly, to the waters of the State or to any storm sewer, and the runoff from land used for the disposition of wastewater or sludges, but does not otherwise include nonpoint source discharges such as runoff from land or any livestock management facility or livestock wastehandling facility subject to regulation under Subtitle E.

Section 301.280 Hearing Board

"Hearing Board" shall mean an Agency hearing board of one or more employees, appointed by the Director in accordance with the requirements of Section 309.115(c), which shall conduct public hearings and make recommendations to the Agency with respect to the issuance or denial of NPDES permits.

Section 301.282 Incidental Contact Recreation

"Incidental Contact Recreation" means any recreational activity in which human contact with the water is incidental and in which the probability of ingesting appreciable quantities of water is minimal, such as fishing; commercial boating; small craft recreational boating; and any limited contact associated with shoreline activity such as wading.

(Source: Added at 35 Ill. Reg. 15071, effective August 23, 2011)

Section 301.285 Industrial Wastes

"Industrial Wastes" means any solid, liquid, or gaseous wastes resulting from any process of industry, manufacturing, trade, or business or from the development, processing, or recovery, except for agricultural crop raising, of any natural resource.

Section 301.290 Institute

"Institute" means the Illinois Department of Energy and Natural Resources (formerly Illinois Institute of Natural Resources).

(Source: Added at 3 Ill. Reg. no. 25, page 190, effective June 21, 1979.)

Section 301.295 Interstate Waters

"Interstate Waters" area all waters which cross or form part of the border between Illinois and other states.

Section 301.300 Intrastate Waters

"Intrastate Waters" are all waters of Illinois which are not interstate waters.

Section 301.301 Lake Michigan Lakewide Management Plan

Lake Michigan Lakewide Management Plan or LaMP is a plan to manage the Illinois portion of Lake Michigan as approved by USEPA.

(Source: Added at 23 Ill. Reg. 11277, effective August 26, 1999.)

Section 301.305 Land Runoff

"Land Runoff" means water reaching the waters of the State as runoff resulting from precipitation.

Section 301.307 Lower Des Plaines River

"Lower Des Plaines River" means Des Plaines River from the confluence with Chicago Sanitary and Ship Canal to the Interstate 55 Bridge.

(Source: Added at 35 Ill. Reg. 15071, effective August 23, 2011)

Section 301.310 Marine Toilet

"Marine Toilet" means any toilet on or within any watercraft.

Section 301.311 Method Detection Level

Method Detection Level is the minimum concentration of an analyte (substance) that can be measured and reported with 99 percent confidence that the analyte concentration is greater than zero as determined by the procedure set forth in Appendix B of 40 CFR 136.

(Source: Added at 23 Ill. Reg. 11277, effective August 26, 1999.)

Section 301.312 Minimum Level

Minimum Level or ML is the concentration at which the entire analytical system must give a recognizable signal and acceptable calibration point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method-specified sample weights, volumes and processing steps have been followed. The analytical procedure used for determining minimum level must be a procedure published by USEPA or nationally recognized organization, including but not limited to those methods found in 40 CFR 136, 40 CFR 132, or Standard Methods, incorporated by reference in 35 Ill. Adm. Code 302.510.

(Source: Added at 23 Ill. Reg. 11277, effective August 26, 1999.)

Section 301.313 Metals Translator

“Metals Translator” means the fraction of total metal that is dissolved in the effluent or downstream water. The metals translator calculates a total metal permit limit from a dissolved metal water quality standard. In the absence of site-specific data for the effluent or receiving water, the metals translator is the reciprocal of the conversion factor.

(Source: Added at 27 Ill. Reg. 158, effective December 20, 2002)

Section 301.315 Modification

"Modification" means:

- a) Any physical change in a treatment works which involves different or additional processes or equipment or which increases or decreases the capacity or efficiency of the treatment works; or
- b) Any change in the number or location of points where effluent is discharged, directly or indirectly, to the waters; or
- c) Any change in any components of a sewer system which alters the quantity of wastewater capable of being conveyed, or which increases or decreases the quantity of wastewater capable of being discharged at overflow or bypass structures; or
- d) Any increase in quantity or strength of a discharge from any wastewater source, unless such increase does not exceed an upper limit specifically allowed by an existing permit granted by the Agency and does not involve any additional contaminants contained in standards set by this Chapter that are not itemized and approved in an existing Agency permit.

Section 301.320 New Source

"New Source" means any wastewater source, the construction of which is commenced on or after the effective date of the applicable provisions of this Chapter.

Section 301.323 Primary Contact Recreation

"Primary Contact Recreation" means any recreational activity in which human contact consists of full body contact with the waters, such as swimming, diving or jumping, and includes all Incidental Contact Recreation.

(Source: Added at 35 Ill. Reg. 15071, effective August 23, 2011)

Section 301.324 Non-contact Recreation and Non-recreational

- a) "Non-contact Recreation" means any recreational or other water use in which human contact with the water is unlikely, such as pass through commercial or recreational navigation, and where physical conditions or hydrologic modifications make direct human contact unlikely or dangerous.
- b) "Non-recreational" means a water body where the physical conditions or hydrologic modifications preclude primary contact, incidental contact and non-contact recreation.

(Source: Added at 35 Ill. Reg. 15071, effective August 23, 2011)

Section 301.325 NPDES

"NPDES" means the National Pollutant Discharge Elimination System for issuing, establishing conditions for, and denying permits under Section 402 of the CWA. All terms used in connection with NPDES which have been defined in the CWA or regulations adopted thereunder shall have the meanings specified therein, unless specifically noted otherwise.

Section 301.330 Other Wastes

"Other Wastes" means garbage, refuse, wood residues, sand, lime, cinders, ashes, offal, night soil, silt, oil, tar, dye stuffs, acids, chemicals and all other substances not sewage or industrial waste whose discharge would cause water pollution or a violation of the effluent or water quality standards.

Section 301.331 Outlier

Outlier is a test value that is not statistically valid under tests approved in 40 CFR 136.

(Source: Added at 23 Ill. Reg. 11277, effective August 26, 1999.)

Section 301.335 Person

"Person" means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, political subdivision, state agency, or any other legal entity, or their legal representative, agent or assigns.

Section 301.340 Pollutant

Pollutant: 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 water. This term does not mean:

- a) 'sewage from vessels' within the meaning of the CWA; or
- b) water, gas, or other material which is injected into a well to facilitate production and disposed of in a well, if the well, used either to facilitate production or for disposal purposes, is approved by the Department of Mines and Minerals, and if the Department of Mines and Minerals determines that such injection or disposal will not result in the degradation of ground or surface water resources.

Section 301.341 Pollutant Minimization Program

Pollutant Minimization Program means a plan to achieve or maintain the goal of reducing contaminant discharges to below water quality based effluent limits.

(Source: Added at 23 Ill. Reg. 11277, effective August 26, 1999.)

Section 301.345 Population Equivalent

"Population Equivalent" is a term used to evaluate the impact of industrial or other waste on a treatment works or stream. One population equivalent is 100 gallons (380 l) of sewage per day, containing 0.17 pounds (77 g) of BOD₅ (five day biochemical oxygen demand) and 0.20 pounds (91 g) of suspended solids. The impact on a treatment works is evaluated as the equivalent of the highest of the three parameters. Impact on a stream is the higher of the BOD₅ and suspended solids parameters.

Section 301.346 Preliminary Effluent Limitation

Preliminary Effluent Limitation or PEL is an estimate of an allowable discharge taking into consideration mixing or dilution.

(Source: Added at 23 Ill. Reg. 11277, effective August 26, 1999.)

Section 301.350 Pretreatment Works

"Pretreatment Works" means a treatment works designed and intended for the treatment of wastewater from an indirect discharge or industrial user as defined in 40 CFR 403, before introduction into a sewer system tributary to a publicly owned or publicly regulated treatment works.

(Source: Amended at 5 Ill. Reg. 6384, effective May 28, 1981.)

Section 301.355 Primary Contact

"Primary Contact" means any recreational or other water use in which there is prolonged and intimate contact with the water involving considerable risk of ingesting water in quantities sufficient to pose a significant health hazard, such as swimming and water skiing.

Section 301.356 Projected Effluent Quality

Projected Effluent Quality or PEQ is the amount of a contaminant estimated to be discharged by a facility or activity taking into account statistical analysis of the discharge or activity.

(Source: Added at 23 Ill. Reg. 11277, effective August 26, 1999.)

Section 301.360 Public and Food Processing Water Supply

"Public and Food Processing Water Supply" means any water use in which water is withdrawn from surface waters of the State for human consumption or for processing of food products intended for human consumption.

Section 301.365 Publicly Owned Treatment Works

Publicly Owned Treatment Works: A treatment works owned by a municipality, sanitary district, county or state agency, and which treats domestic and industrial wastes collected by a publicly owned or regulated sewer system. Industrial treatment works which are publicly owned and financed by bond issues of public agencies are not included in this definition.

(Source: Amended in R88-1 at 13 Ill. Reg. 5984, effective April 18, 1989)

Section 301.370 Publicly Regulated Treatment Works

"Publicly Regulated Treatment Works" means those otherwise private companies which are regulated as public utilities engaged in the disposal of domestic and industrial wastes

and regulated as such by the Illinois Commerce Commission, pursuant to "an Act concerning public utilities" approved June 29, 1921, effective July 21, 1921, as amended. (Ill. Rev. Stat. 1979, ch. 111 2/3, pars. 1 et seq.)

(Source: Amended at 3 Ill. Reg. no. 25, page 190, effective June 21, 1979.)

Section 301.371 Quantification Level

Quantification Level is a measurement of the concentration of a contaminant obtained by using a specified laboratory procedure calibrated at a specified concentration above the method detection level. It is considered the lowest concentration at which a particular contaminant can be quantitatively measured using a specified laboratory procedure for monitoring of the contaminant. The analytical procedure used for determining quantification level must be a procedure published by USEPA or nationally recognized organization, including but not limited to those methods found in 40 CFR 136, 40 CFR 132, or Standard Methods, incorporated by reference in 35 Ill. Adm. Code 302.510.

(Source: Added at 23 Ill. Reg. 11277, effective August 26, 1999.)

Section 301.372 Reasonable Potential Analysis

Reasonable Potential Analysis or Reasonable Potential to Exceed means the procedure to predict whether an existing or future discharge would cause or contribute to a violation of water quality standards, criteria or values.

(Source: Added at 23 Ill. Reg. 11277, effective August 26, 1999.)

Section 301.373 Same Body of Water

Same Body of Water means that, for purposes of evaluating intake toxic substances consistent with 35 Ill. Adm. Code 352.425, the Agency will consider intake toxic substances to be from the same body of water if the Agency finds that the intake toxic substance would have reached the vicinity of the outfall point in the receiving water within a reasonable period had it not been removed by the permittee and there is a direct hydrological connection between the intake and the discharge points. Notwithstanding the provisions of this definition, an intake toxic substance shall be considered to be from the same body of water if the permittee's intake point is located on Lake Michigan and the outfall point is located on a tributary of Lake Michigan. In this situation, the background concentration of the toxic substance in the receiving water shall be similar to or greater than that in the intake water and the difference, if any, between the water quality characteristics of the intake and receiving water shall not result in an adverse impact on the receiving water.

(Source: Added at 23 Ill. Reg. 11277, effective August 26, 1999.)

Section 301.375 Sanitary Sewer

"Sanitary Sewer" means a sewer that carries wastewater together with incidental land runoff.

(Source: Amended at 3 Ill. Reg. no. 25, page 190, effective June 21, 1979.)

Section 301.380 Secondary Contact

"Secondary Contact" means any recreational or other water use in which contact with the water is either incidental or accidental and in which the probability of ingesting appreciable quantities of water is minimal, such as fishing, commercial and recreational boating and any limited contact incident to shoreline activity.

Section 301.385 Sewage

"Sewage" means water-carried human and related wastes from any source.

(Source: Amended at 3 Ill. Reg. no. 25 page 190, effective June 21, 1979.)

Section 301.390 Sewer

"Sewer" means a stationary means of transport or stationary system of transport, excluding natural waterways, constructed and operated for the purpose of collecting and transporting wastewater or land runoff, or both.

(Source: Amended at 3 Ill. Reg. no. 25 page 190, effective June 21, 1979.)

Section 301.395 Sludge

"Sludge" means any solid, semisolid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility or any other such waste having similar characteristics and effects.

(Source: Added at 5 Ill. Reg. 6384, effective May 28, 1981.)

Section 301.400 Standard of Performance

"Standard of Performance" means a standard for the control of the discharge of pollutants, promulgated by the Administrator pursuant to Section 306 of the CWA, for the control of the discharge of pollutants, which reflects the greatest degree of effluent reduction which the Administrator determines to be achievable through application of the best available

demonstrated control technology, processes, operating methods, or other alternatives, including, where practicable, a standard permitting no discharge of pollutants.

Section 301.405 STORET

"STORET" means the national water quality data system of the federal Environmental Protection Agency.

Section 301.410 Storm Sewer

"Storm Sewer" means a sewer intended to receive only land runoff.

Section 301.411 Total Maximum Daily Load

Total Maximum Daily Load or TMDL is the sum of the individual wasteload allocations for point sources and load allocations for nonpoint sources and natural background, as more fully defined at 40 CFR 130.2(i). A TMDL sets and allocates the maximum amount of a pollutant that may be introduced into a water body and still assure attainment and maintenance of water quality standards.

(Source: Added at 23 Ill. Reg. 11277, effective August 26, 1999.)

Section 301.413 Total Metal

"Total Metal" means the dissolved fraction of metal in a solution plus the suspended fraction.

(Source: Added at 27 Ill. Reg. 158, effective December 20, 2002)

Section 301.415 Treatment Works

"Treatment Works" means individually or collectively those constructions or devices (except sewers, and except constructions or devices used for the pretreatment of wastewater prior to its introduction into publicly owned or regulated treatment works) used for collecting, pumping, treating, or disposing of wastewaters or for the recovery of byproducts from such wastewater.

Section 301.420 Underground Waters

"Underground Waters" means any waters of the State located beneath the surface of the earth.

Section 301.421 Wasteload Allocation

Waste Load Allocation or WLA is the portion of receiving water's loading capacity that is allocated to one of its existing or future point sources of pollution, as more fully defined at 40 CFR 130.2(h). In the absence of a TMDL approved by USEPA pursuant to 40 CFR 130.7 or an assessment and remediation plan developed and approved in accordance with procedure 3.A of Appendix F of 40 CFR 132, a WLA is the allocation for an individual point source that ensures that the level of water quality to be achieved by the point source is derived from and complies with all applicable water quality standards.

(Source: Added at 23 Ill. Reg. 11277, effective August 26, 1999.)

Section 301.425 Wastewater

"Wastewater" means sewage, industrial waste, or other waste, or any combination of these, whether treated or untreated, plus any admixed land runoff.

Section 301.430 Wastewater Source

Wastewater Source: Means any equipment, facility, or other source of any type whatsoever which discharges wastewater, directly or indirectly to the waters of the State.

(Source: Amended in R88-1 at 13 Ill. Reg. 5984, effective April 18, 1989)

Section 301.435 Watercraft

"Watercraft" means every type of boat, ship or barge used or capable of being used as a means of transportation on water.

Section 301.440 Waters

"Waters" means all accumulations of water, surface and underground, natural, and artificial, public and private, or parts thereof, which are wholly or partially within, flow through, or border upon the State of Illinois, except that sewers and treatment works are not included except as specially mentioned; provided, that nothing herein contained shall authorize the use of natural or otherwise protected waters as sewers or treatment works except that in-stream aeration under Agency permit is allowable.

Section 301.441 Water Quality Based Effluent Limitation

Water Quality Based Effluent Limitation or WQBEL is a limit imposed in a permit so that the applicable water quality standard, criteria or value is not exceeded outside of a designated mixing zone.

(Source: Added at 23 Ill. Reg. 11277, effective August 26, 1999.)

Section 301.442 Wet Weather Point Source

Wet Weather Point Source means any discernible, confined and discrete conveyance from which pollutants are, or may be, discharged as the result of a wet weather event. Discharges from wet weather point sources shall include only: discharges of stormwater from a municipal separate storm sewer as defined at 40 CFR 122.26(b)(8); stormwater discharge associated with industrial activity as defined at 40 CFR 122.26(b)(14); discharges of stormwater and sanitary wastewaters (domestic, commercial, and industrial) from a combined sewer overflow; or any other stormwater discharge for which a permit is required under Section 402(p) of the Clean Water Act. A stormwater discharge associated with industrial activity that is mixed with process wastewater shall not be considered a wet weather point source.

(Source: Added at 23 Ill. Reg. 11277, effective August 26, 1999.)

Section 301.443 Whole Effluent Toxicity

Whole Effluent Toxicity or WET means a test procedure that determines the effect of an effluent on aquatic life.

(Source: Added at 23 Ill. Reg. 11277, effective August 26, 1999.)

**APPENDIX
REFERENCES TO PREVIOUS RULES**

Rule 101	Section 301.101
Rule 102	Section 301.102
Rule 103	Section 301.103
Rule 104	Section 301.200 et seq.
Rule 105	Section 301.104