



## OFFICE OF THE SECRETARY OF STATE

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02/10/2006

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### POLLUTION CONTROL BOARD

1021 North Grand Ave East  
Erin Conley  
SPRINGFIELD, IL 62702

**STATE OF ILLINOIS**  
**Pollution Control Board**

Dear Erin Conley

Your rules Listed below met our codification standards and have been published in Volume 30, Issue 7 of the Illinois Register, dated 02/17/2006.

#### **ADOPTED RULES**

Effluent Standards

35 Ill. Adm. Code 304

Point Of Contact:Erin Conley

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If you have any questions, you may contact the Administrative Code Division at (217) 782 - 7017.







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NOTICE OF ADOPTED AMENDMENTS

A more complete description of this proposal may be found in the Board's opinion and order of January 19, 2006, in Board docket R04-26. The amendments in this rulemaking adopt a monthly average limit of 1 mg/L for total phosphorous for any new or expanded discharges into General Use waters. This limit applies only to discharges from treatment works with a design average flow of 1.0 million gallons per day or more receiving primarily municipal or domestic wastewater; or any treatment works, other than those treatment primarily municipal or domestic wastewater, with a total phosphorus effluent load of 25 pounds per day or more. Dischargers may be exempt from the permit limits if they can demonstrate that phosphorus from their treatment works is not the limiting nutrient in the receiving water. The amendments propose allowing the Illinois Environmental Protection Agency to impose alternative phosphorus effluent limits where the supporting information shows that alternative limits are warranted by the aquatic environment in the receiving stream.

- 16) Information and questions regarding these adopted amendments shall be directed to:

John Knittle  
Illinois Pollution Control Board  
2125 South First St.  
Champaign, Il 61820  
(217) 278-3111

Copies of the Board's opinions and orders may be requested from the Clerk of the Board at the address listed in #8 above or by calling 312/814-3620. Please refer to the Docket number R04-26 in your request. The Board order is also available from the Board's Web site ([www.ipcb.state.il.us](http://www.ipcb.state.il.us))

The full text of the adopted amendments begins on the next page:



ILLINOIS REGISTER

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

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

PART 304  
EFFLUENT STANDARDS

SUBPART A: GENERAL EFFLUENT STANDARDS

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SUBPART B: SITE SPECIFIC RULES AND EXCEPTIONS NOT OF GENERAL  
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304.201	Wastewater Treatment Plant Discharges of the Metropolitan Water Reclamation District of Greater Chicago
304.202	Chlor-alkali Mercury Discharges in St. Clair County
304.203	Copper Discharges by Olin Corporation
304.204	Schoenberger Creek: Groundwater Discharges
304.205	John Deere Foundry Discharges
304.206	Alton Water Company Treatment Plant Discharges
304.207	Galesburg Sanitary District Deoxygenating Wastes Discharges
304.208	City of Lockport Treatment Plant Discharges
304.209	Wood River Station Total Suspended Solids Discharges
304.210	Alton Wastewater Treatment Plant Discharges
304.211	Discharges From Borden Chemicals and Plastics Operating Limited Partnership Into an Unnamed Tributary of Long Point Slough





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- 304.212 Sanitary District of Decatur Discharges
- 304.213 PDV Midwest Refining, L.L.C. Refinery Ammonia Discharge
- 304.214 Mobil Oil Refinery Ammonia Discharge
- 304.215 City of Tuscola Wastewater Treatment Facility Discharges
- 304.216 Newton Station Suspended Solids Discharges
- 304.218 City of Pana Phosphorus Discharge
- 304.219 North Shore Sanitary District Phosphorus Discharges
- 304.220 East St. Louis Treatment Facility, Illinois-American Water Company
- 304.221 Ringwood Drive Manufacturing Facility in McHenry County
- 304.222 Intermittent Discharge of TRC

SUBPART C: TEMPORARY EFFLUENT STANDARDS

Section

- 304.301 Exception for Ammonia Nitrogen Water Quality Violations (Repealed)
- 304.302 City of Joliet East Side Wastewater Treatment Plant
- 304.303 Amerock Corporation, Rockford Facility

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 2 Ill. Reg. 30, p. 343, effective July 27, 1978; amended at 2 Ill. Reg. 44, p. 151, effective November 2, 1978; amended at 3 Ill. Reg. 20, p. 95, effective May 17, 1979; amended at 3 Ill. Reg. 25, p. 190, effective June 21, 1979; amended at 4 Ill. Reg. 20, p. 53, effective May 7, 1980; amended at 6 Ill. Reg. 563, effective December 24, 1981; codified at 6 Ill. Reg. 7818; amended at 6 Ill. Reg. 11161, effective September 7, 1982; amended at 6 Ill. Reg. 13750, effective October 26, 1982; amended at 7 Ill. Reg. 3020, effective March 4, 1983; amended at 7 Ill. Reg. 8111, effective June 23, 1983; amended at 7 Ill. Reg. 14515, effective October 14, 1983; amended at 7 Ill. Reg. 14910, effective November 14, 1983; amended at 8 Ill. Reg. 1600, effective January 18, 1984; amended at 8 Ill. Reg. 3687, effective March 14, 1984; amended at 8 Ill. Reg. 8237, effective June 8, 1984; amended at 9 Ill. Reg. 1379, effective January 21, 1985; amended at 9 Ill. Reg. 4510, effective March 22, 1985; peremptory amendment at 10 Ill. Reg. 456, effective December 23, 1985; amended at 11 Ill. Reg. 3117, effective January 28, 1987; amended in R84-13 at 11 Ill. Reg. 7291, effective April 3, 1987; amended in R86-17(A) at 11 Ill. Reg. 14748, effective August 24, 1987; amended in R84-16 at 12 Ill. Reg. 2445, effective January 15, 1988; amended in R83-23 at 12 Ill. Reg. 8658, effective May 10, 1988; amended in R87-27 at 12 Ill. Reg. 9905, effective May 27, 1988; amended in R82-7 at 12 Ill. Reg. 10712, effective June 9, 1988; amended in R85-29 at 12 Ill. Reg. 12064, effective July 12, 1988; amended in R87-22 at 12 Ill. Reg. 13966, effective August 23, 1988; amended in R86-3 at 12 Ill. Reg. 20126, effective November 16,



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1988; amended in R84-20 at 13 Ill. Reg. 851, effective January 9, 1989; amended in R85-11 at 13 Ill. Reg. 2060, effective February 6, 1989; amended in R88-1 at 13 Ill. Reg. 5976, effective April 18, 1989; amended in R86-17(B) at 13 Ill. Reg. 7754, effective May 4, 1989; amended in R88-22 at 13 Ill. Reg. 8880, effective May 26, 1989; amended in R87-6 at 14 Ill. Reg. 6777, effective April 24, 1990; amended in R87-36 at 14 Ill. Reg. 9437, effective May 31, 1990; amended in R88-21(B) at 14 Ill. Reg. 12538, effective July 18, 1990; amended in R84-44 at 14 Ill. Reg. 20719, effective December 11, 1990; amended in R86-14 at 15 Ill. Reg. 241, effective December 18, 1990; amended in R93-8 at 18 Ill. Reg. 267, effective December 23, 1993; amended in R87-33 at 18 Ill. Reg. 11574, effective July 7, 1994; amended in R95-14 at 20 Ill. Reg. 3528, effective February 8, 1996; amended in R94-1(B) at 21 Ill. Reg. 364, effective December 23, 1996; expedited correction in R94-1(B) at 21 Ill. Reg. 6269, effective December 23, 1996; amended in R97-25 at 22 Ill. Reg. 1351, effective December 24, 1997; amended in R97-28 at 23 Ill. Reg. 3512, effective February 3, 1998; amended in R98-14 at 23 Ill. Reg. 687, effective December 31, 1998; amended in R02-19 at 26 Ill. Reg. 16948, effective November 8, 2002; amended in R02-11 at 27 Ill. Reg. 194, effective December 20, 2002; amended in R04-26 at 30 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART A: GENERAL EFFLUENT STANDARDS

## Section 304.123 Phosphorus (STORET number 00665)

- a) No effluent discharge within the Lake Michigan Basin shall contain more than 1.0 mg/l of phosphorus as P.
- b) No effluent from any source which discharges to a lake or reservoir with a surface area of 8.1 hectares (20 acres) or more, or to any tributary of such a lake or reservoir whose untreated waste load is 2500 or more population equivalents, and which does not utilize a third-stage lagoon treatment system as specified in subsections 304.120(a) and (c), shall exceed 1.0 mg/l of phosphorus as P; however, this subsection shall not apply where the lake or reservoir, including any side channel reservoir or other portion thereof, on an annual basis exhibits a mean hydraulic retention time of 0.05 years (18 days) or less.
- c) Pursuant to Section 28.1 of the Environmental Protection Act (Act) [415 ILCS 5/28.1], the owner or operator of any source subject to subsection (b) of this Section may apply for an adjusted standard. In addition to the proofs specified in Section 28.1(c) of the Act 415 ILCS 5/28.1(c), such application shall, at a minimum, contain adequate proof that the effluent resulting from grant of the adjusted standard will not contribute to cultural eutrophication, unnatural plant or algal growth or dissolved oxygen deficiencies in the receiving lake or reservoir. For purposes of this subsection (c), such effluent shall be deemed to contribute to such conditions if phosphorus is the limiting nutrient for biological growth in the



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lake or reservoir, taking into account the lake or reservoir limnology, morphological, physical and chemical characteristics, and sediment transport. However, if the effluent discharge enters a tributary at least 40.25 kilometers (25 miles) upstream of the point at which the tributary enters the lake or reservoir at normal pool level, such effluent shall not be deemed to contribute to such conditions if the receiving lake or reservoir is eutrophic and phosphorus from internal regeneration is not a limiting nutrient.

- d) For the purposes of this Section the term "lake or reservoir" shall not include low level pools constructed in free flowing streams or any body of water which is an integral part of an operation which includes the application of sludge on land.
- e) Compliance with the limitations of subsection (b) of this Section shall be achieved by the following dates:
  - 1) Sources with the present capability to comply shall do so on the effective date of this Section;
  - 2) All other sources shall comply as required by NPDES permit.
- f) For purposes of this Section, the following terms shall have the meanings specified:
  - 1) "Dissolved oxygen deficiencies" means the occurrence of a violation of the dissolved oxygen standard applicable to a lake or reservoir.  
  
(BOARD NOTE: Dissolved Oxygen standards for general use waters are set forth at 35 Ill. Adm. Code 302.206; Dissolved Oxygen standards for secondary contact or indigenous aquatic life waters are set forth at 35 Ill. Adm. Code 302.405.)
  - 2) "Euphotic zone" means that region of a lake or reservoir extending from the water surface to a depth at which 99% of the surface light has disappeared or such lesser depth below which photosynthesis does not occur.
  - 3) "Eutrophic" means a condition of a lake or reservoir in which there is an abundant supply of nutrients, including phosphorus, accounting for a high concentration of biomass.
  - 4) "Eutrophication" means the process of increasing or accumulating plant nutrients in the water of a lake or reservoir. Cultural eutrophication is eutrophication attributable to human activities.



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- 5) "Internal regeneration" means the process of conversion of phosphorus or other nutrients in sediments of a lake or reservoir from the particulate to the dissolved form and the subsequent return of such dissolved forms to the euphotic zone.
- 6) "Limiting nutrient" means a substance which is limiting to biological growth in a lake or reservoir due to its short supply or unavailability with respect to other substances necessary for the growth of organisms.
- 7) "Unnatural plant or algal growth" means the occurrence of a violation of the unnatural sludge standard applicable to a lake or reservoir with respect to such growth.

(BOARD NOTE: Unnatural sludge standards for general use waters are set forth at 35 Ill. Adm. Code 302.203; unnatural sludge standards for secondary and indigenous aquatic life waters are set forth at 35 Ill. Adm. Code 302.403.)

- g) Except as provided in subsection (h) of this Section, any new or expanded discharges into General Use waters from the following treatment works not covered by subsections (b) through (f) of this Section, are subject to monthly average permit limits for total phosphorus of 1 mg/l:
- 1) Treatment works with a Design Average Flow of 1.0 million gallons per day or more receiving primarily municipal or domestic wastewater; or
  - 2) Any treatment works, other than those treating primarily municipal or domestic wastewater, with a total phosphorus effluent load of 25 pounds per day or more.
  - 3) For purposes of this subsection:
    - A) A new discharge means a discharge from a treatment works constructed after December 15, 2005.
    - B) An expanded discharge means a discharge from any existing treatment works that would be greater than the flowrates permitted prior to December 15, 2005.
- h) Discharges qualifying under subsections (g)(1) and (g)(2) of this Section may not be subject to the requirements of subsection (g) of this Section provided the discharger demonstrate that phosphorus from treatment works is not the limiting





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nutrient in the receiving water. The Agency may impose alternative phosphorus effluent limits where the supporting information shows that alternative limits are warranted by the aquatic environment in the receiving stream.

- i) No additional phosphorus limitations are required pursuant to Sections 304.105 and 35 Ill. Adm. Code 302.203 for the discharges that comply with the requirements of subsection (g) or (h) of this Section.
  
- j) The provisions of subsections (g), (h), and (i) of this Section apply until such time as the Board adopts a numeric water quality standard for phosphorus and the adopted standard is approved by the U.S. EPA.
  
- k) The averaging rules under subsections (a)(2) and (a)(3) of Section 304.104 do not apply to permit limits established pursuant to subsection (g) or (h) of this Section.

(Source: Amended at 30 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

