

OFFICE OF THE SECRETARY OF STATE

JESSE WHITE • Secretary of State

January 27, 2017

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FEB 01 2017

STATE OF ILLINOIS Pollution Control Board

POLLUTION CONTROL BOARD DON BROWN 100 W RANDOLPH ST STE 11-500 CHICAGO, IL 60601

Dear DON BROWN

Your rules Listed below met our codification standards and have been published in Volume 41, Issue 5 of the Illinois Register, dated 2/3/2017.

ADOPTED RULES Definitions and General Provisions 35 Ill. Adm. Code 211 Point of Contact: Mike McCambridge	1096	R17-2
Air Quality Standards 35 Ill. Adm. Code 243 Point of Contact: Mike McCambridge	1121	R17-1
Sewer Discharge Criteria 35 Ill. Adm. Code 307 Point of Contact: Mike McCambridge	1129	R16-9 R17-18
Pretreatment Programs 35 Ill. Adm. Code 310 Point of Contact: Mike McCambridge	1155	R16-9
Procedural Requirements for Permitted Landfills 35 Ill. Adm. Code 813 Point of Contact: Mike McCambridge	1201	R17-5

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

Index Department - Administrative Code Division - 111 East Monroe Springfield, IL 62756

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

- 1) <u>Heading of the Part:</u> Sewer Discharge Criteria
- 2) <u>Code Citation:</u> 35 Ill. Adm. Code 307
- 3) <u>Section Numbers:</u> 307.3301 307.4503 307.4508

Adopted Actions: Amendment New Section New Section

- 4) <u>Statutory authority:</u> 415 ILCS 5/7.2, 13, 13.3, and 27.
- 5) Effective date of Amendments: JAN 2 3 2017
- 6) <u>Does this rulemaking contain an automatic repeal date?</u> No.
- 7) Does this rulemaking contain incorporations by reference? Yes.
- 8) <u>Statement of availability:</u> The adopted amendments, a copy of the Board's opinions and orders adopted January 19, 2017 in dockets R16-9 and R17-8, and all materials incorporated by reference are on file at the Board's principal office and are available for public inspection and copying.
- 9) <u>Notices of proposal published in the Illinois Register:</u> 40 Ill. Reg. 14580; October 28 2016 and 40 Ill. Reg. 15854; December 2, 2016
- 10) <u>Has JCAR issued a Statement of Objections to these rules?</u> Not applicable. Section 13.3 of the Environmental Protection Act [415 ILCS 5/13.3] provides that Section 5-35 of the Administrative Procedure Act [5 ILCS 100/5-35] does not apply to this rulemaking. Because this rulemaking is not subject to Section 5-35 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules (JCAR).
- 11) Differences between the proposal and the final version: Tables that appear in documents entitled "Identical-in-Substance Rulemaking Addendum (Final)" that the Board added to dockets R16-9 and R17-8 summarize the differences between the amendment adopted in the January 19, 2017 in docket R16-9 and those proposed by the Board in an opinion and order dated October 6, 2016, in docket R16-9, and adopted January 19, 2017 in docket R17-8 and those proposed by the Board in an opinion and order dated November 17, 2016, in docket R17-8. Many of the differences are explained in greater detail in the Board's opinions and orders adopting the amendments.

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POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

The differences are limited to minor corrections stylistic revisions. The changes are intended to have no substantive effect. The intent is to add clarity to the rules without deviation from the substance of the federal amendments on which this proceeding is based.

12) <u>Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreements issued by JCAR?</u> Section 13.3 of the Environmental Protection Act [415 ILCS 5/13.3] provides that Section 5-35 of the Administrative Procedure Act [5 ILCS 100/5-35] does not apply to this rulemaking. Because this rulemaking is not subject to Section 5-35 of the APA, it is not subject to First Notice or to Second Notice review by JCAR.

Since the Notices of Proposed Amendments appeared in the October 28, 2016 and December 2, 2016 issues of the *Illinois Register*, the Board received a number of suggestions for revisions from JCAR. The Board evaluated each suggestion and incorporated a number of changes into the text as a result, as detailed in the Identical-in-Substance Rulemaking Addendum (Final) in each of dockets R16-9 and R17-8, as indicated in item 11 above. See the Identical-in-Substance Rulemaking Addendum (Final) in each of dockets R16-9 and R17-8 for additional details on the JCAR suggestions and the Board actions with regard to each. One table in each of the Identicalin-Substance Rulemaking Addendum (Final) itemizes the changes made in response to various suggestions. Another table in each indicates JCAR suggestions not incorporated into the text, with a brief explanation.

- 13) Will this rulemaking replace emergency amendments currently in effect? No.
- 14) Are there any other amendments pending on this Part? No.
- 15) Summary and purpose of amendments: The following briefly describes the subjects and issues involved in the docket R16-9 and R17-8 rulemakings of which the amendments to Part 307 are a single segment. Also affected by the docket R16-8 rulemaking is 35 Ill. Adm. Code 310, which is covered by a separate notice in this issue of the Illinois Register. A comprehensive description is contained in the Board's opinions and orders of January 19, 2017, adopting amendments in each of docket R16-9 and R17-8, which opinions and orders are separately available from the address below.

The R16-9 proceeding updates the Illinois wastewater pretreatment rules to correspond with amendments adopted by the United States Environmental Protection Agency (USEPA) that appeared in the Federal Register during the second half of 2015:

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October 22, 2015 (80 Fed. Reg. 64064)

USEPA adopted mandatory digital reporting rules for facilities permitted under the National Pollutant Discharge Elimination System (NPDES) program and indirect dischargers. The Board will incorporate the wastewater pretreatment elements of these reporting requirements into the Illinois pretreatment regulations.

November 3, 2015 (80 Fed. Reg. 67838)

USEPA amended wastewater effluent requirements applicable to sources in the Steam Electric Power Generating Point Source Category. Some of the amendments related to wastewater pretreatment. The Board will incorporate the wastewater pretreatment elements of these revised standards into the Illinois pretreatment regulations.

Specifically, the amendments to Part 307 implement segments of the federal amendments of November 3, 2015. The amendments add the revisions to wastewater pretreatment-related provisions applicable to the Steam Electric Power Generating Point Source Category. The Board has included a limited number of corrections and clarifying amendments that are not directly derived from the instant federal amendments.

The R17-8 proceeding updates the Illinois wastewater pretreatment rules to correspond with amendments adopted by the United States Environmental Protection Agency (USEPA) that appeared in the Federal Register during the first half of 2016.

The following briefly summarizes the federal action in the update period:

June 28, 2016 (81 Fed. Reg. 41845)

USEPA adopted pretreatment standards for facilities in the unconventional oil and gas extraction (UOG) source category. The Board must incorporate the UOG source category pretreatment standards into the Illinois pretreatment regulations.

In addition to the federal action that fell within the timeframe of this docket, the Board included three additional related federal actions that occurred later. These additional actions directly impacted one of the actions that USEPA took within the timeframe that is involved.

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September 30, 2016 (81 Fed. Reg. 67191)

USEPA extended the implementation date of the UOG pretreatment standards by a direct final rule. The Board adds this later-extended date to this docket for consideration together with the UOG pretreatment standards.

November 28, 2016 (81 Fed. Reg. 85445)

USEPA withdrew the September 30, 2016 direct final rule that extended the implementation date of the UOG pretreatment standards. The Board adds this later-extended date to this docket for consideration together with the UOG pretreatment standards.

December 7, 2016 (81 Fed. Reg. 88126)

USEPA extended the implementation date of the UOG pretreatment standards by a final rule that duplicated the language of the withdrawn September 30, 2016 direct final rule. The Board adds this later-extended date to this docket for consideration together with the UOG pretreatment standards.

Tables appear in a documents entitled "Identical-in-Substance Rulemaking Addendum (Final)" that the Board added to each of dockets R16-9 and R17-8 that list the revisions to the text of the corresponding federal rule, the amendments that are not based on current federal amendments, and the revisions to the text since the Board's October 6, 2016 proposal for public comment in docket R16-9 and November 17, 2016 proposal for public comment in docket R16-9 and November 17, 2016 proposal for the federal amendments underlying these amendments, as well as corrections and clarifications that the Board made in the base text involved. Persons interested in the details of those corrections and amendments should refer to the Identical-in-Substance Rulemaking Addendum (Final) in each of dockets R16-9 and R17-8.

Section 13.3 of the Environmental Protection Act [415 ILCS 5/13.3] provides that Section 5-35 of the Administrative Procedure Act [5 ILCS 100/5-35] does not apply to this rulemaking. Because this rulemaking is not subject to Section 5-35 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules (JCAR).

16) Information and questions regarding these adopted amendments shall be directed to: Please reference dockets <u>R16-9</u> and <u>R17-8</u> and direct inquiries to the following person:

> Michael J. McCambridge Staff Attorney

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Illinois Pollution Control Board 100 W. Randolph 11-500 Chicago, IL 60601

312-814-6924 michael.mccambridge@illinois.gov

Request copies of each of the Board's opinions and orders of January 19, 2017 in dockets R16-9 and R17-8 at 312-814-3620. Alternatively, you may obtain a copy of the Board's opinion and order from the Internet at <u>http://www.ipcb.state.il.us</u>.

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

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

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

PART 307 SEWER DISCHARGE CRITERIA

SUBPART A: GENERAL PROVISIONS

Section

- 307.101 Preamble (Renumbered)
- 307.102 General Requirements (Renumbered)
- 307.103 Mercury (Renumbered)
- 307.104 Cyanide (STORET number 00720) (Renumbered)
- 307.105 Pretreatment Requirements (Repealed)
- 307.1001 Preamble
- 307.1002 Definitions
- 307.1003 Test Procedures for Measurement
- 307.1005 Toxic Pollutants
- 307.1006 Electronic Reporting

SUBPART B: GENERAL AND SPECIFIC PRETREATMENT REQUIREMENTS

Section

- 307.1101 General and Specific Requirements
- 307.1102 Mercury
- 307.1103 Cyanide

SUBPART F: DAIRY PRODUCTS PROCESSING

- Section
- 307.1501 Receiving Stations
- 307.1502 Fluid Products
- 307.1503 Cultured Products
- 307.1504 Butter
- 307.1505 Cottage Cheese and Cultured Cream Cheese
- 307.1506 Natural and Processed Cheese
- 307.1507 Fluid Mix for Ice Cream and other Frozen Desserts
- 307.1508 Ice Cream, Frozen Desserts, Novelties, and Other Dairy Desserts
- 307.1509 Condensed Milk
- 307.1510 Dry Milk
- 307.1511 Condensed Whey
- 307.1512 Dry Whey

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

SUBPART G: GRAIN MILLS

Section

- 307.1601Corn Wet Milling
- 307.1602 Corn Dry Milling
- 307.1603 Normal Wheat Flour Milling
- 307.1604 Bulgur Wheat Flour Milling
- 307.1605 Normal Rice Milling
- 307.1606 Parboiled Rice Milling
- 307.1607 Animal Feed
- 307.1608 Hot Cereal
- 307.1609 Ready-to-Eat Cereal
- 307.1610 Wheat Starch and Gluten

SUBPART H: CANNED AND PRESERVED FRUITS AND VEGETABLES

Section

- 307.1700 General Provisions
- 307.1701 Apple Juice
- 307.1702 Apple Products
- 307.1703 Citrus Products
- 307.1704Frozen Potato Products
- 307.1705 Dehydrated Potato Products
- 307.1706 Canned and Preserved Fruits
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- 307.1708 Canned and Miscellaneous Specialties

SUBPART I: CANNED AND PRESERVED SEAFOOD

Section

- 307.1801 Farm-Raised Catfish
- 307.1815 Fish Meal Processing Subcategory

SUBPART J: SUGAR PROCESSING

Section

- 307.1901 Beet Sugar Processing
- 307.1902 Crystalline Cane Sugar Refining
- 307.1903 Liquid Cane Sugar Refining

SUBPART K: TEXTILE MILLS

- 307.2000 General Provisions
- 307.2001 Wool Scouring
- 307.2002 Wool Finishing

POLLUTION CONTROL BOARD

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- 307.2003 Low Water Use Processing
- 307.2004 Woven Fabric Finishing
- 307.2005 Knit Fabric Finishing
- 307.2006Carpet Finishing
- 307.2007 Stock and Yarn Finishing
- 307.2008 Nonwoven Manufacturing
- 307.2009Felted Fabric Processing

SUBPART L: CEMENT MANUFACTURING

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- 307.2101 Nonleaching
- 307.2102 Leaching
- 307.2103 Materials Storage Piles Runoff

SUBPART M: CONCENTRATED ANIMAL FEEDING OPERATIONS

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307.2201	General

307.2202 Ducks

SUBPART N: ELECTROPLATING

Section

- 307.2300 General Provisions
- 307.2301 Electroplating of Common Metals
- 307.2302 Electroplating of Precious Metals
- 307.2304 Anodizing
- 307.2305 Coatings
- 307.2306 Chemical Etching and Milling
- 307.2307 Electroless Plating
- 307.2308 Printed Circuit Boards

SUBPART O: ORGANIC CHEMICALS, PLASTICS, AND SYNTHETIC FIBERS

- Section
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- 307.2401 Rayon Fibers
- 307.2402 Other Fibers
- 307.2403 Thermoplastic Resins
- 307.2404 Thermosetting Resins
- 307.2405 Commodity Organic Chemicals
- 307.2406 Bulk Organic Chemicals
- 307.2407 Specialty Organic Chemicals

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- 307.2490 Non-Complexed Metal-Bearing and Cyanide-Bearing Waste Streams
- 307.2491 Complexed Metal-Bearing Waste Streams

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- 307.2502Aluminum Sulfate Production
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- 307.2508 Hydrofluoric Acid Production
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- 307.2527 Borax Production
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- 307.2554 Sodium Bisulfite Production
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- 307.2560 Stannic Oxide Production
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- 307.2564 Cadmium Pigments and Salts Production
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- Fatty Acid Manufacturing by Fat Splitting 307.2702
- 307.2703 Soap Manufacturing by Fatty Acid Neutralization
- 307.2704 **Glycerine** Concentration
- 307.2705 **Glycerine** Distillation
- 307.2706 Manufacture of Soap Flakes and Powders
- 307.2707 Manufacture of Bar Soaps
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- 307.2804 Ammonium Nitrate
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- 307.3006 Continuous Casting
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Section

Section

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- 307.3805 Small-Sized General Molded, Extruded, and Fabricated Rubber Plants
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- 307.3916 Wood Furniture and Fixture Production with Water Wash Spray Booths or with Laundry Facilities

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POLLUTION CONTROL BOARD

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- 307.4001 Dissolving Kraft
- 307.4002 Bleached Papergrade Kraft and Soda
- 307.4003 Unbleached Kraft
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- 307.4008 Non-Wood Chemical Pulp
- 307.4009 Secondary Fiber Deink
- 307.4010 Secondary Fiber Non-Deink
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- 307.4013 Groundwood-Thermo-Mechanical (Repealed)
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- 307.4015 Groundwood-Fine Papers (Repealed)
- 307.4016 Soda (Repealed)
- 307.4017 Deink (Repealed)
- 307.4018 Nonintegrated-Fine Papers (Repealed)
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- 307.4020 Tissue From Wastepaper (Repealed)
- 307.4021Papergrade Sulfite (Drum Wash) (Repealed)
- 307.4022 Unbleached Kraft and Semi-Chemical (Repealed)
- 307.4023 Wastepaper-Molded Products (Repealed)
- 307.4024 Nonintegrated-Lightweight Papers (Repealed)
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Section

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SUBPART BN: PHARMACEUTICAL MANUFACTURING

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- 307.4901 Fermentation Products
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- 307.5201 Tank Trucks and Intermodal Tank Containers Transporting Chemical and Petroleum Cargos
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307.5303	Asphalt Roofing			
307.5304	Linoleum and Printed Asphalt Felt			
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307.5401	Commercial Hazardous Waste Combustor			
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307.5701	Oil-Base Solvent Wash Ink			
	SUBPART CD: PESTICIDE CHEMICALS			
Section				
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307.6501	Organic Pesticide Chemicals Manufacturing			
307.6502	Metallo-Organic Pesticides Chemicals Manufacturing			
307.6503	Pesticide Chemicals Formulating and Packaging			
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	SUBPART CG: CARBON BLACK MANUFACTURING			
Section	Septimered, endou philer miniterrend			
307.6801	Carbon Black Furnace Process			
307.6802	Carbon Black Thermal Process			
307.6803	Carbon Black Channel Process			
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307.6804 Carbon Black Lamp Process

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SUBPART CJ: BATTERY MANUFACTURING

- 307.7100 General Provisions
- 307.7101 Cadmium
- 307.7102 Calcium
- 307.7103 Lead

Section

- 307.7104 Leclanche
- 307.7105 Lithium
- 307.7106 Magnesium
- 307.7107 Zinc

SUBPART CL: PLASTICS MOLDING AND FORMING

- Section
- 307.7300 General Provisions
- 307.7301 Contact Cooling and Heating Water
- 307.7302 Cleaning Water
- 307.7303 Finishing Water

SUBPART CM: METAL MOLDING AND CASTING

Section

- 307.7400 General Provisions
- 307.7401 Aluminum Casting
- 307.7402 Copper Casting
- 307.7403 Ferrous Casting
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SUBPART CN: COIL COATING

Section

Section

- 307.7500 General Provisions
- 307.7501 Steel Basis Material
- 307.7502 Galvanized Basis Material
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- 307.7504 Canmaking

SUBPART CO: PORCELAIN ENAMELING

- 307.7600 General Provisions
- 307.7601 Steel Basis Material
- 307.7602 Cast Iron Basis Material
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SUBPART CP: ALUMINUM FORMING

307.7700	General	Provisions
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- 307.7701 Rolling With Neat Oils
- 307.7702 Rolling With Emulsions
- 307.7703 Extrusion
- 307.7704 Forging
- 307.7705 Drawing With Neat Oils
- 307.7706 Drawing With Emulsions or Soaps

SUBPART CQ: COPPER FORMING

Section

Section

- 307.7800 General Provisions
- 307.7801 Copper Forming
- 307.7802 Beryllium Copper Forming

SUBPART CR: ELECTRICAL AND ELECTRONIC COMPONENTS

Section

- 307.7901 Semiconductor
- 307.7902 Electronic Crystals
- 307.7903 Cathode Ray Tube
- 307.7904 Luminescent Materials

SUBPART CT: NONFERROUS METALS FORMING AND METAL POWDERS

Section

- 307.8100 General Provisions
- 307.8101 Lead-Tin-Bismuth Forming
- 307.8102 Magnesium Forming
- 307.8103 Nickel-Cobalt Forming
- 307.8104 Precious Metals Forming
- 307.8105 Refractory Metals Forming
- 307.8106 Titanium Forming
- 307.8107 Uranium Forming
- 307.8108 Zinc Forming
- 307.8109 Zirconium-Hafnium Forming
- 307.8110 Metal Powders

307.APPENDIX A References to Previous Rules (Repealed)

AUTHORITY: Implementing Sections 7.2, 13, and 13.3 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 13, 13.3, and 27].

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SOURCE: Adopted in R70-5, March 31, 1971; amended in R70-8/R71-14/R71-20, March 7, 1972; amended in R74-3, October 30, 1975; amended in R74-15/R74-16 at 2 Ill. Reg. 44, p. 151, effective November 2, 1978; amended in R76-17 at 2 Ill. Reg. 45, p. 101, effective November 5, 1978; amended in R76-21 at 6 Ill. Reg. 563, effective December 24, 1981; codified at 6 Ill. Reg. 7818; amended in R82-5/R82-10 at 8 Ill. Reg. 1625, effective January 18, 1984; amended in R86-44 at 12 Ill. Reg. 2592, effective January 13, 1988; amended in R88-11 at 12 Ill. Reg. 13094, effective July 29, 1988; amended in R88-18 at 13 Ill. Reg. 1794, effective January 31, 1989; amended in R89-3 at 13 Ill. Reg. 19288, effective November 17, 1989; amended in R88-9 at 14 Ill. Reg. 3100, effective February 20, 1990; amended in R89-12 at 14 Ill. Reg. 7620, effective May 8, 1990; amended in R91-5 at 16 Ill. Reg. 7377, effective April 27, 1992; amended in R93-2 at 17 Ill. Reg. 19483, effective October 29, 1993; amended in R94-10 at 19 Ill. Reg. 9142, effective June 23, 1995; amended in R95-22 at 20 Ill. Reg. 5549, effective April 1, 1996; amended in R97-23 at 21 Ill. Reg. 11930, effective August 12, 1997; amended in R99-4 at 23 Ill. Reg. 4413, effective March 31, 1999; amended in R99-17 at 23 Ill. Reg. 8421, effective July 12, 1999; amended in R00-15 at 24 Ill. Reg. 11640, effective July 24, 2000; amended in R01-5 at 25 Ill. Reg. 1735, effective January 11, 2001; amended in R01-25 at 25 Ill. Reg. 10867, effective August 14, 2001; amended in R03-13 at 27 Ill. Reg. 15095, effective September 10, 2003; amended in R04-1 at 28 Ill. Reg. 3076, effective February 6, 2004; amended in R04-18 at 28 Ill. Reg. 10661, effective July 13, 2004; amended in R05-4/R05-15 at 29 Ill. Reg. 6921, effective April 26, 2005; amended in R06-13 at 30 Ill. Reg. 17811, effective October 26, 2006; amended in R08-5/R08-7/R08-13 at 32 Ill. Reg. 18986, effective November 26, 2008; amended in R13-7 at 37 Ill. Reg. 1936, effective February 4, 2013; amended in R16-9 and R17-8 at 41 Ill. Reg. , effective .

SUBPART X: STEAM ELECTRIC POWER GENERATING

Section 307.3301 Steam Electric Power Generating

- a) Applicability. This Section applies to discharges resulting from operation of a generating unit by an establishment <u>whose engaged primarily in the generation of</u> electricity <u>is the predominant source of revenue or principal reason</u> for <u>operation</u>, <u>distribution</u> and <u>whose generation of electricity sale that</u> results primarily from a process utilizing fossil-type fuel (coal, oil, or gas), <u>fuel derived from fossil fuel</u> (e.g., petroleum coke, synthesis gas), or nuclear fuel in conjunction with a thermal cycle employing the steam water system as the thermodynamic medium. <u>This</u> <u>Section applies to discharges associated with both the combustion turbine and steam turbine portions of a combined cycle generating unit.</u>
- b) Specialized definitions. The Board incorporates by reference 40 CFR 423.11 (2016)-(2012). This incorporation includes no later amendments or editions.
- c) Existing sources.

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- 1) The Board incorporates by reference 40 CFR 423.16 (2016) (2012). This incorporation includes no later amendments or editions.
- 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1)-of this Section may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of <u>those such</u> standards.
- d) New sources.
 - 1) The Board incorporates by reference 40 CFR 423.17 (2016) (2012). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1)-of this Section may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of those such standards.
 - 3) "New source" means any building, structure, facility, or installation the construction of which commenced after October 14, 1980.

(Source: Amended at 41 Ill. Reg. _____, effective _____)

SUBPART BJ: OIL AND GAS EXTRACTION

Section 307.4503 Onshore Facility Standards

<u>Applicability. This Section applies to facilities engaged in the production, field</u>
<u>exploration, drilling, well completion, and well treatment in the oil and gas</u>
<u>extraction industry that are not included within subpart F of 40 CFR 435 (2016)</u>
<u>(Stripper Subcategory), incorporated by reference. This incorporation includes no later amendments or editions.</u>

BOARD NOTE: Subsection (a) is derived from 40 CFR 435.30 (2016).

b) Specialized Definitions. For the purpose of this Section, the general definitions, abbreviations, and methods of analysis set forth in 40 CFR 401 (2016), incorporated by reference, apply to this Section. This incorporation includes no later amendments or editions.

BOARD NOTE: Subsection (b) is derived from 40 CFR 435.31 (2016).

c) Pretreatment Standards for Existing Sources (PSES).

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PSES for Wastewater from Unconventional Oil and Gas Extraction.
Except as provided in 40 CFR 403.7 and 403.13 (2016), incorporated by reference, any existing source subject to this Section must achieve the following PSES. This incorporation by reference includes no later amendments or editions.

- A) There must be no discharge of wastewater pollutants associated with production, field exploration, drilling, well completion, or well treatment for unconventional oil and gas extraction (including, but not limited to, drilling muds, drill cuttings, produced sand, or produced water) into publicly owned treatment works.
- B) For the purposes of this subsection (c) and subsection (d), the following definitions apply:
 - i) "Unconventional oil and gas" means crude oil and natural gas produced by a well drilled into a shale or tight formation (including, but not limited to, shale gas, shale oil, tight gas, or tight oil).
 - ii) "Drill cuttings" means the particles generated by drilling into subsurface geologic formations and carried out from the wellbore with the drilling fluid.
 - iii) "Drilling mud" means the circulating fluid (mud) used in the rotary drilling of wells to clean and condition the hole and to counterbalance formation pressure.
 - iv) "Produced sand" means the slurried particles used in hydraulic fracturing, the accumulated formation sands, and scale particles generated during production. Produced sand also includes desander discharge from the produced water waste stream and blowdown of the water phase from the produced water treating system.
 - <u>v</u>) "Produced water" means the fluid brought up from the hydrocarbon-bearing strata during the extraction of oil and gas, and includes, where present, formation water, injection water, and any chemicals added downhole or during the oil/water separation process.

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C) Compliance Deadline for Existing Sources. Existing sources lawfully discharging into publicly owned treatment works on or between April 7, 2015 and June 28, 2016 must comply with the PSES before August 29, 2019. All other existing sources must immediately comply.

> BOARD NOTE: Corresponding 40 CFR 435.33(a)(3) provides, "All other existing sources shall comply by August 29, 2016."

2) PSES for Wastewater from Conventional Oil and Gas Extraction. The pretreatment standards of this subsection (c) do not apply to conventional oil and gas extraction. This subsection (c)(2) corresponds with 40 CFR 435.33(b), which USEPA marked "reserved."

BOARD NOTE: Subsection (c) is derived from 40 CFR 435.33 (2016), as amended at 81 Fed. Reg. 67191 (Sept. 30, 2016).

- d) Pretreatment Standards for New Sources (PSNS).
 - Wastewater from Unconventional Oil and Gas Extraction. Except as provided in 40 CFR 403.7 and 403.13 (2016), incorporated by reference, any new source with discharges subject to this Section must achieve the following PSNS. This incorporation by reference includes no later amendments or editions. There must be no discharge of wastewater pollutants associated with production, field exploration, drilling, well completion, or well treatment for unconventional oil and gas extraction (including, but not limited to, drilling muds, drill cuttings, produced sand, or produced water) into publicly owned treatment works.
 - 2) PSNS for Wastewater from Conventional Oil and Gas Extraction. The pretreatment standards of this subsection (d) do not apply to conventional oil and gas extraction. This subsection (d)(2) corresponds with 40 CFR 435.34(b), which USEPA marked "reserved."

BOARD NOTE: Subsection (d) is derived from 40 CFR 435.34 (2016).

(Source: Added at 41 Ill. Reg. _____, effective _____)

Section 307.4508 Coalbed Methane Subcategory

The pretreatment standards of Section 307.4503 do not apply to coalbed methane. This Section corresponds with subpart H of 40 CFR 435, which USEPA marked "reserved".

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(Source: Added at 41 Ill. Reg. _____, effective _____)