

ILLINOIS POLLUTION CONTROL BOARD
May 10, 2018

IN THE MATTER OF:)	
WASTEWATER PRETREATMENT)	R18-6
UPDATE, USEPA AMENDMENTS (January)	(Identical-in-Substance
1, 2017 through June 30, 2017))	Rulemaking - Water)
)	
WASTEWATER PRETREATMENT)	R18-14
UPDATE, USEPA AMENDMENTS (July 1,)	(Identical-in-Substance
2017 through December 31, 2017))	Rulemaking - Water)
)	(Consolidated)

Adopted Rule. Final Order.

OPINION AND ORDER OF THE BOARD (by C.M. Santos):

The Board today adopts amendments to Illinois regulations that are “identical in substance” (IIS) to wastewater pretreatment regulations adopted by the United States Environmental Protection Agency (USEPA) during 2017. USEPA took two actions related to wastewater pretreatment during the first half of 2017, the update period of docket R18-6. USEPA took another two actions related to wastewater pretreatment during the second half of 2017, the update period of docket R18-14. In its February 22, 2018 order proposing amendments for public comment, the Board consolidated the two dockets for joint consideration.

Sections 7.2 and 13.3 of the Illinois Environmental Protection Act (Act) (415 ILCS 5/7.2 and 13.3 (2016)) provide for quick adoption by the Board of regulations that are “identical in substance” to regulations that USEPA adopts to implement sections 307(b), (c), and (d) and 402(b)(8) and (b)(9) of the federal Clean Water Act (CWA) (33 U.S.C. §§ 1317(b), (c), and (d) and 1412(b)(8) and (b)(9) (2016)). The federal wastewater pretreatment standards implement these sections of the CWA and are found in segments of 40 C.F.R. 401, 403, 405 through 415, 417 through 430, 432 through 455, 457 through 461, 463 through 469, and 471. Section 13.3 of the Act also provides that Title VII of the Act and Section 5-35 of the Illinois Administrative Procedure Act (5 ILCS 100/5-35 (2016)) do not apply to the Board’s adoption of identical-in-substance regulations.

The Board adopts amendments to Illinois regulations (35 Ill. Adm. Code 307) that are identical in substance to the recent federal actions. The Board also updates incorporations by reference in the open provisions of the Illinois wastewater pretreatment regulations.

The Board adopted a proposal for public comment on February 22, 2018. The proposed amendments appeared in the *Illinois Register* on March 16, 2018, at 42 Ill. Reg. 4698. The customary 45-day public comment period ended on April 30, 2018. The Board now adopts final rules.

DISCUSSION

The discussion includes two segments. In the first segment, the Board considers incorporating two rules adopted by USEPA into the Illinois wastewater pretreatment regulations. In the second segment, the Board considers a problem that the Board sees in one segment of the USEPA text.

Federal Regulations Implemented

The four USEPA actions that require corresponding amendments to the Illinois regulations relate to wastewater pretreatment standards for two point source categories: dental offices and steam electric power generating facilities. The four USEPA actions are summarized below.

June 14, 2017 (82 Fed. Reg. 27154): USEPA adopted pretreatment standards for dental dischargers. New sources must comply by July 20, 2017. Existing sources must comply by July 14, 2020.

June 26, 2017 (82 Fed. Reg. 28777): USEPA corrected the pretreatment standards for dental dischargers.

July 5, 2017 (82 Fed. Reg. 30997): USEPA corrected the June 26, 2017 corrections to its June 14, 2017 pretreatment standards for dental dischargers.

September 18, 2017 (82 Fed. Reg. 43494): USEPA postponed the effective date of pretreatment standards for the steam electric power generating point source category adopted November 3, 2015.

Standards for Dental Offices

On June 14, 2017, USEPA adopted wastewater pretreatment standards for dental offices. USEPA corrected those new standards on June 26, 2017 and July 5, 2017. USEPA intends to reduce mercury discharges to publicly owned treatment works (POTWs). USEPA estimates that the standards will nationally reduce discharges of mercury by 5.1 tons per year and discharges of other metals found in dental amalgam by 5.3 tons per year.

The standards require dental offices to use compliant dental amalgam separators or removal devices and engage in specified inspection and maintenance activities. 40 C.F.R. § 441.30(a) (2017), as amended at 82 Fed. Reg. 30997 (July 5, 2017); *see* 40 C.F.R. § 441.40 (2017). Existing sources¹ must comply with the standards by July 14, 2027, unless replacement of its existing separator is necessary before that time. 40 C.F.R. § 441.30(a)(1)(iii) and (a)(1)(v) (2017), as amended at 82 Fed. Reg. 30997 (July 5, 2017). New sources were to comply by July 14, 2017. 82 Fed. Reg. at 27154; *see* 40 C.F.R. § 441.40 (2017).

¹ Sources that installed an amalgam separator before June 14, 2017. *See* 40 C.F.R. § 441.20(g) and (i) (2017).

The new standards do not apply to specified dental facilities: facilities that practice oral pathology, oral and maxillofacial radiology, oral and maxillofacial surgery, orthodontists, periodontists, or prosthodontists. 40 C.F.R. § 441.10(c) (2017). The standards also do not apply to mobile dental units, dental offices that do not discharge wastewater to a POTW, and dental offices that do not place or remove dental amalgam except in limited emergency or unplanned circumstances. 40 C.F.R. § 441.10(d), (e), and (f). (2017).

The Board incorporates the new USEPA standards for dental offices into the Illinois wastewater pretreatment standards without substantive deviation from the federal rules. The Board's general practice is to add the language of federal applicability provisions to the Illinois regulations and incorporate all other provisions by reference. The Board follows that practice with the new federal standards for dental offices. The Board combines all five sections of new 40 C.F.R. 441 into new Section 307.5100 of new Subpart BP, "Dental Offices." Specifically, the Board adds the applicability statement of 40 C.F.R. § 441.10 as subsection (a) of Section 307.5100. The Board adds the definitions provision of 40 C.F.R. § 441.20, the pretreatment standards for existing sources of 40 C.F.R. § 441.30, the pretreatment standards for new sources of 40 C.F.R. § 441.40, and the reporting and recordkeeping requirements of 40 C.F.R. § 441.50 by incorporating them by reference in corresponding subsections (b) through (e).

Altering a Segment of Text. The Board finds it necessary to revise the language of one subsection of USEPA's applicability statement because it suggests that terms are defined when they are not:

Unless otherwise designated by the Control Authority, dental dischargers subject to this part are not Significant Industrial Users as defined in 40 CFR part 403, and are not "Categorical Industrial Users" or "industrial users subject to categorical pretreatment standards" as those terms and variations are used in 40 CFR part 403, as a result of applicability of this rule. 40 C.F.R. § 441.10(b) (2017).

"Categorical Industrial Users" and "industrial users subject to categorical pretreatment standards" are not defined in 40 C.F.R. § 403.3 (2017). *See* 40 C.F.R. § 403.3(j) and (v) (2017). The term "categorical standards," however, is implicitly defined by section 402(f) of the CWA (33 U.S.C. § 1342(f) (2016)), which requires USEPA to establish categories of point sources, and 40 C.F.R. § 403.6, which provides for industry subcategories and requires compliance with categorical standards. Thus, the terms are used and understood by their common meanings.

The Board finds that using capitalization and quotation marks on these terms in 40 C.F.R. § 441.10(b) risks making them appear to be defined terms. The Board further finds the phrase "as those terms and variations are used in 40 CFR part 403" bolsters this impression. The Board therefore uses lower-case for the terms, drops the quotation marks, and omits the phrase "as those terms and variations are used . . ." in the text of corresponding 35 Ill. Adm. Code 307.5100(a)(2).

“Industrial user” and “significant industrial user” are defined in USEPA and Board regulations.² A “significant industrial user” is (1) any “industrial user”³ that is subject to a categorical pretreatment standard; (2) any industrial user that contributes sufficient volume of flow to a POTW; or (3) any industrial user that the Control Authority determines has a reasonable potential to adversely impact the POTW’s operation or violate a pretreatment standard. 40 C.F.R. § 403.3(v)(1) (2017) (corresponding with 35 Ill. Adm. Code 310.110).

More rigorous requirements apply to a significant industrial user than apply to an industrial user. A significant industrial user must apply for and obtain a pretreatment permit before discharging to the collection works of a POTW. 40 C.F.R. § 403.8(f)(1)(iii) and (f)(1)(iii)(A)(2) (2017) (corresponding with 35 Ill. Adm. Code 310.510(a)(3) and (g)(2)). A POTW must monitor and evaluate discharges from a significant industrial user more thoroughly. 40 C.F.R. § 403.8(f)(2)(v) and (f)(2)(vi) (2017) (corresponding with 35 Ill. Adm. Code 310.510(a)(3) and (g)(2)).

By the plain meanings of terms in 40 C.F.R. § 441.10(b) and the definition of “significant industrial user” in 40 C.F.R. § 403.3(v)(1), a dental office is not a significant industrial user merely because it is subject to the new categorical standards. *See* 40 C.F.R. § 403.3(v)(1)(i) (2017). USEPA does not intend the greater burdens of compliance and oversight to apply to dental offices that would ordinarily apply to them as significant industrial users. 82 Fed. Reg. at 27156.

The Control Authority could deem a dental office a significant industrial user based on a reasonable potential of adverse impact on the receiving POTW. *See* 40 C.F.R. § 403.3(v)(1)(ii) (2017). It is less clear that a dental office would contribute more than five percent of average dry weather flows to a POTW to become a significant industrial user. *See* 40 C.F.R. 403.3(v)(1)(ii) (2017). The Board observes, however, that these contingencies would only occur if the dental office discharges a large volume of wastewater to a very small POTW—seemingly, a very unlikely scenario.

Postponed Effective Date for Steam Electric Power Generating Standards

On September 18, 2017 (82 Fed. Reg. 43494), USEPA postponed the effective date of a rule adopted in 2015. On November 3, 2015, USEPA revised the effluent limitations and wastewater pretreatment standards applicable to fossil fuel-fired units in the Steam Electric Power Generating Point Source Category. The 2015 amendments added pretreatment standards for existing sources (PSES) effluent limits for flue gas desulfurization (FGD) wastewater, fly ash

² USEPA defines and uses the terms as capitalized. *See, e.g.*, 40 C.F.R. §§ 403.3(j), (l), (t), and (v); 403.5(c)(2); 403.6; and 403.7 (2017). The Board defines and uses lower-case “industrial user” and “significant industrial user.” *See* 35 Ill. Adm. Code 310.110 and Subparts B and C of 35 Ill. Adm. Code 310.

³ Defined as a source of an indirect discharge to a POTW. 40 C.F.R. § 403.3(j) (2017); *see* 40 C.F.R. 403.3(i) (2017) (definition of “indirect discharge”).

transport water, bottom ash transport water, flue gas mercury control water, and gasification wastewater. 40 C.F.R. § 423.16(e) through (i) (2017).

By the recent amendments, USEPA delayed the effective date of the PSES from November 1, 2018 until November 1, 2020. USEPA is reconsidering the 2015 standards. The postponed PSES effective date does not affect applicability of the pretreatment standards for new sources (PSNS). A new source is one for which construction began on or after June 7, 2013. 40 C.F.R. § 423.17(b) (2017).

The Board incorporated the 2015 amendments relating to wastewater pretreatment into the Illinois regulations in Wastewater Pretreatment Update, USEPA Amendments (July 1, 2015 through December 31, 2015), R16-9 (Jan. 19, 2017). The Board added the 2015 USEPA amendments in 35 Ill. Adm. Code 307.3301. The Board followed the usual practice for wastewater pretreatment of revising the language of the applicability statement in 35 Ill. Adm. Code 307.3301(a) and using incorporation by reference for definitions and substantive requirements in 35 Ill. Adm. Code 307.3301(b), (c)(1), and (d)(1).

Incorporating the September 18, 2017 USEPA amendments delaying the effective date requires updating the incorporations by reference in 35 Ill. Adm. Code 307.3301(b) (definition of “as soon as possible”) and 307.3301(c)(1) (PSES). This means updating the *Code of Federal Regulations* citations to the 2017 edition and adding a citation to the notice of final rule in the September 18, 2017 *Federal Register*.

Adding Previously Omitted Incorporations by Reference. When using incorporation by reference, the referenced federal provision itself cross-references other federal documents. The Board does not ordinarily add the cross-referenced document to the incorporation by reference.

The USEPA provisions incorporated by reference in 35 Ill. Adm. Code 307.3301(c)(1) and (d)(1) for the PSES and PSNS both refer to the list of priority pollutants in appendix A to 40 C.F.R. 423 to identify the pollutants subject to discharge prohibition. *See* 40 C.F.R. §§ 423.16(d)(1) and 423.17(a)(4)(i) (2017). The Board considers identification of the pollutants as fundamental. The Board adds incorporations by reference to appendix A to the existing incorporations by reference to 40 C.F.R. §§ 423.16 and 423.17.

PUBLIC COMMENTS

The Board invited public comments on the proposal, including two individual requests for comments on specific aspects of the proposal. The Board held the docket open to receive public comments for 45 days after *Illinois Register* publication—until April 30, 2018. The Board received no comments.

The Board did receive a copy of the text of the proposed amendments with three revisions marked as made by staff of the Joint Committee on Administrative Rules (JCAR). The Board declines to make the three changes for reasons given as described below.

IIS Rulemaking Addendum

The IIS Rulemaking Addendum to the Final Opinion and Order of the Board (IIS-RA (F)) lists the differences between the text of the USEPA amendments and the Board's language in this rulemaking. Entries in the tables briefly explain the differences. The first table lists deviations from the text of federal rules. The second table lists corrections and clarifications to rules not prompted by USEPA amendments, but which the Board finds are needed. The third table lists the revisions suggested by JCAR that the Board declines to make, briefly describing each suggestion and explaining the Board's reason for declining to make the change.

The Board includes the IIS-RA (F) in the docket for this rulemaking, available on the Board's website (www.ipcb.state.il.us). The Board directs interested persons to the IIS-RA (F) for information about deviations from the federal text and amendments not directly derived from current federal amendments.

ORDER

The Board adopts the appended amendments to the Illinois wastewater pretreatment regulations at 35 Ill. Adm. Code 307. The Board directs the Clerk to file the amendments with the Office of the Secretary of State and cause them to be published in the *Illinois Register*.

IT IS SO ORDERED.

Section 41(a) of the Environmental Protection Act provides that final Board orders may be appealed directly to the Illinois Appellate Court within 35 days after the Board serves the order. 415 ILCS 5/41(a) (2016); *see also* 35 Ill. Adm. Code 101.300(d)(2), 101.906, 102.706. Illinois Supreme Court Rule 335 establishes filing requirements that apply when the Illinois Appellate Court, by statute, directly reviews administrative orders. 172 Ill. 2d R. 335. The Board's procedural rules provide that motions for the Board to reconsider or modify its final orders may be filed with the Board within 35 days after the order is received. 35 Ill. Adm. Code 101.520; *see also* 35 Ill. Adm. Code 101.902, 102.700, 102.702. Filing a motion asking that the Board reconsider this final order is not a prerequisite to appealing the order. 35 Ill. Adm. Code 101.902.

I, Don A Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above opinion and order on May 10, 2018, by a vote of 5-0.



Don A. Brown, Clerk
Illinois Pollution Control Board

TEXT 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

SUBPART G: GRAIN MILLS

Section	
307.1601	Corn 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
307.1704	Frozen Potato Products
307.1705	Dehydrated Potato Products
307.1706	Canned and Preserved Fruits
307.1707	Canned and Preserved Vegetables
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

Section	
307.2000	General Provisions
307.2001	Wool Scouring
307.2002	Wool Finishing
307.2003	Low Water Use Processing
307.2004	Woven Fabric Finishing
307.2005	Knit Fabric Finishing
307.2006	Carpet Finishing
307.2007	Stock and Yarn Finishing
307.2008	Nonwoven Manufacturing
307.2009	Felted Fabric Processing

SUBPART L: CEMENT MANUFACTURING

Section	
307.2101	Nonleaching

- 307.2102 Leaching
- 307.2103 Materials Storage Piles Runoff

SUBPART M: CONCENTRATED ANIMAL FEEDING OPERATIONS

Section

- 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

- 307.2400 General Provisions
- 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
- 307.2410 Indirect Discharge Point Sources
- 307.2490 Non-Complexed Metal-Bearing and Cyanide-Bearing Waste Streams
- 307.2491 Complexed Metal-Bearing Waste Streams

SUBPART P: INORGANIC CHEMICALS MANUFACTURING

Section

- 307.2500 General Provisions
- 307.2501 Aluminum Chloride Production
- 307.2502 Aluminum Sulfate Production
- 307.2503 Calcium Carbide Production
- 307.2504 Calcium Chloride Production
- 307.2505 Calcium Oxide Production
- 307.2506 Chlor-Alkali Process (Chlorine and Sodium or Potassium Hydroxide Production)
- 307.2508 Hydrofluoric Acid Production
- 307.2509 Hydrogen Peroxide Production
- 307.2511 Potassium Metal Production
- 307.2512 Potassium Dichromate Production

307.2513	Potassium Sulfate Production
307.2514	Sodium Bicarbonate Production
307.2516	Sodium Chloride Production
307.2517	Sodium Dichromate and Sodium Sulfate Production
307.2520	Sodium Sulfite Production
307.2522	Titanium Dioxide Production
307.2523	Aluminum Fluoride Production
307.2524	Ammonium Chloride Production
307.2527	Borax Production
307.2528	Boric Acid Production
307.2529	Bromine Production
307.2530	Calcium Carbonate Production
307.2531	Calcium Hydroxide Production
307.2533	Carbon Monoxide and Byproduct Hydrogen Production
307.2534	Chrome Pigments Production
307.2535	Chromic Acid Production
307.2536	Copper Salts Production
307.2538	Ferric Chloride Production
307.2540	Fluorine Production
307.2541	Hydrogen Production
307.2542	Hydrogen Cyanide Production
307.2543	Iodine Production
307.2544	Lead Monoxide Production
307.2545	Lithium Carbonate Production
307.2547	Nickel Salts Production
307.2549	Oxygen and Nitrogen Production
307.2550	Potassium Chloride Production
307.2551	Potassium Iodide Production
307.2553	Silver Nitrate Production
307.2554	Sodium Bisulfite Production
307.2555	Sodium Fluoride Production
307.2560	Stannic Oxide Production
307.2563	Zinc Sulfate Production
307.2564	Cadmium Pigments and Salts Production
307.2565	Cobalt Salts Production
307.2566	Sodium Chlorate Production
307.2567	Zinc Chloride Production

SUBPART R: SOAP AND DETERGENTS

Section	
307.2701	Soap Manufacturing by Batch Kettle
307.2702	Fatty Acid Manufacturing by Fat Splitting
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

307.2708	Manufacture of Liquid Soaps
307.2709	Oleum Sulfonation and Sulfation
307.2710	Air-Sulfur Trioxide Sulfation and Sulfonation
307.2711	Sulfur Trioxide Solvent and Vacuum Sulfonation
307.2712	Sulfamic Acid Sulfation
307.2713	Chlorosulfonic Acid Sulfation
307.2714	Neutralization of Sulfuric Acid Esters and Sulfonic Acids
307.2715	Manufacture of Spray Dried Detergents
307.2716	Manufacture of Liquid Detergents
307.2717	Manufacturing of Detergents by Dry Blending
307.2718	Manufacture of Drum Dried Detergents
307.2719	Manufacture of Detergent Bars and Cakes

SUBPART S: FERTILIZER MANUFACTURING

Section	
307.2801	Phosphate
307.2802	Ammonia
307.2803	Urea
307.2804	Ammonium Nitrate
307.2805	Nitric Acid
307.2806	Ammonium Sulfate Production
307.2807	Mixed and Blend Fertilizer Production

SUBPART T: PETROLEUM REFINING

Section	
307.2901	Topping
307.2902	Cracking
307.2903	Petrochemical
307.2904	Lube
307.2905	Integrated

SUBPART U: IRON AND STEEL MANUFACTURING

Section	
307.3000	General Provisions
307.3001	Cokemaking
307.3002	Sintering
307.3003	Ironmaking
307.3004	Steelmaking
307.3005	Vacuum Degassing
307.3006	Continuous Casting
307.3007	Hot Forming
307.3008	Salt Bath Descaling
307.3009	Acid Pickling
307.3010	Cold Forming
307.3011	Alkaline Cleaning
307.3012	Hot Coating
307.3013	Other Operations

SUBPART V: NONFERROUS METALS MANUFACTURING

Section	
307.3100	General Provisions
307.3101	Bauxite Refining
307.3102	Primary Aluminum Smelting
307.3103	Secondary Aluminum Smelting
307.3104	Primary Copper Smelting
307.3105	Primary Electrolytic Copper Refining
307.3106	Secondary Copper
307.3107	Primary Lead
307.3108	Primary Zinc
307.3109	Metallurgical Acid Plants
307.3110	Primary Tungsten
307.3111	Primary Columbium-Tantalum
307.3112	Secondary Silver
307.3113	Secondary Lead
307.3114	Primary Antimony
307.3115	Primary Beryllium
307.3116	Primary and Secondary Germanium and Gallium
307.3117	Secondary Indium
307.3118	Secondary Mercury
307.3119	Primary Molybdenum and Rhenium
307.3120	Secondary Molybdenum and Vanadium
307.3121	Primary Nickel and Cobalt
307.3122	Secondary Nickel
307.3123	Primary Precious Metals and Mercury
307.3124	Secondary Precious Metals
307.3125	Primary Rare Earth Metals
307.3126	Secondary Tantalum
307.3127	Secondary Tin
307.3128	Primary and Secondary Titanium
307.3129	Secondary Tungsten and Cobalt
307.3130	Secondary Uranium
307.3131	Primary Zirconium and Hafnium

SUBPART X: STEAM ELECTRIC POWER GENERATING

Section	
307.3301	Steam Electric Power Generating

SUBPART Y: FERROALLOY MANUFACTURING

Section	
307.3401	Open Electric Furnaces With Wet Air Pollution Control Devices
307.3402	Covered Electric Furnaces and Other Smelting Operations with Wet Air Pollution Control Devices
307.3403	Slag Processing
307.3404	Covered Calcium Carbide Furnaces With Wet Air Pollution Control Devices
307.3405	Other Calcium Carbide Furnaces

307.3406 Electrolytic Manganese Products
 307.3407 Electrolytic Chromium

SUBPART Z: LEATHER TANNING AND FINISHING

Section

307.3500 General Provisions
 307.3501 Hair Pulp, Chrome Tan, Retan-Wet Finish
 307.3502 Hair Save, Chrome Tan, Retan-Wet Finish
 307.3503 Hair Save or Pulp, Non-Chrome Tan, Retan-Wet Finish
 307.3504 Retan-Wet Finish-Sides
 307.3505 No Beamhouse
 307.3506 Through-the-Blue
 307.3507 Shearling
 307.3508 Pigskin
 307.3509 Retan-Wet Finish-Splits
 307.3590 Potassium Ferricyanide Titration Method

SUBPART BA: GLASS MANUFACTURING

Section

307.3601 Insulation Fiberglass
 307.3602 Sheet Glass Manufacturing
 307.3603 Rolled Glass Manufacturing
 307.3604 Plate Glass Manufacturing
 307.3605 Float Glass Manufacturing
 307.3606 Automotive Glass Tempering
 307.3607 Automotive Glass Laminating
 307.3608 Glass Container Manufacturing
 307.3610 Glass Tubing (Danner) Manufacturing
 307.3611 Television Picture Tube Envelope Manufacturing
 307.3612 Incandescent Lamp Envelope Manufacturing
 307.3613 Hand Pressed and Blown Glass Manufacturing

SUBPART BB: ASBESTOS MANUFACTURING

Section

307.3701 Asbestos-Cement Pipe
 307.3702 Asbestos-Cement Sheet
 307.3703 Asbestos Paper (Starch Binder)
 307.3704 Asbestos Paper (Elastomeric Binder)
 307.3705 Asbestos Millboard
 307.3706 Asbestos Roofing
 307.3707 Asbestos Floor Tile
 307.3708 Coating or Finishing of Asbestos Textiles
 307.3709 Solvent Recovery
 307.3710 Vapor Absorption
 307.3711 Wet Dust Collection

SUBPART BC: RUBBER MANUFACTURING

Section

307.3801	Tire and Inner Tube Plants
307.3802	Emulsion Crumb Rubber
307.3803	Solution Crumb Rubber
307.3804	Latex Rubber
307.3805	Small-Sized General Molded, Extruded, and Fabricated Rubber Plants
307.3806	Medium-Sized General Molded, Extruded, and Fabricated Rubber Plants
307.3807	Large-Sized General Molded, Extruded, and Fabricated Rubber Plants
307.3808	Wet Digestion Reclaimed Rubber
307.3809	Pan, Dry Digestion, and Mechanical Reclaimed Rubber
307.3810	Latex-Dipped, Latex-Extruded, and Latex-Molded Rubber
307.3811	Latex Foam

SUBPART BD: TIMBER PRODUCTS PROCESSING

Section

307.3900	General Provisions
307.3901	Barking
307.3902	Veneer
307.3903	Plywood
307.3904	Dry Process Hardboard
307.3905	Wet Process Hardboard
307.3906	Wood Preserving—Water Borne or Nonpressure
307.3907	Wood Preserving—Steam
307.3908	Wood Preserving—Boulton
307.3909	Wet Storage
307.3910	Log Washing
307.3911	Sawmills and Planing Mills
307.3912	Finishing
307.3913	Particleboard Manufacturing
307.3914	Insulation Board
307.3915	Wood Furniture and Fixture Production without Water Wash Spray Booths or without Laundry Facilities
307.3916	Wood Furniture and Fixture Production with Water Wash Spray Booths or with Laundry Facilities

SUBPART BE: PULP, PAPER, AND PAPERBOARD

Section

307.4000	General Provisions
307.4001	Dissolving Kraft
307.4002	Bleached Papergrade Kraft and Soda
307.4003	Unbleached Kraft
307.4004	Dissolving Sulfite
307.4005	Papergrade Sulfite
307.4006	Semi-Chemical
307.4007	Mechanical Pulp
307.4008	Non-Wood Chemical Pulp

307.4009	Secondary Fiber Deink
307.4010	Secondary Fiber Non-Deink
307.4011	Fine and Lightweight Papers from Purchased Pulp
307.4012	Tissue, Filter, Non-Woven, and Paperboard from Purchased Pulp
307.4013	Groundwood-Thermo-Mechanical (Repealed)
307.4014	Groundwood-CMN Papers (Repealed)
307.4015	Groundwood-Fine Papers (Repealed)
307.4016	Soda (Repealed)
307.4017	Deink (Repealed)
307.4018	Nonintegrated-Fine Papers (Repealed)
307.4019	Nonintegrated-Tissue Papers (Repealed)
307.4020	Tissue From Wastepaper (Repealed)
307.4021	Papergrade Sulfite (Drum Wash) (Repealed)
307.4022	Unbleached Kraft and Semi-Chemical (Repealed)
307.4023	Wastepaper-Molded Products (Repealed)
307.4024	Nonintegrated-Lightweight Papers (Repealed)
307.4025	Nonintegrated-Filter and Nonwoven Papers (Repealed)
307.4026	Nonintegrated-Paperboard (Repealed)

SUBPART BF: BUILDERS' PAPER AND BOARD MILLS

Section

307.4101	Builder's Paper and Roofing Felt (Repealed)
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SUBPART BG: MEAT PRODUCTS

Section

307.4201	Simple Slaughterhouse
307.4202	Complex Slaughterhouse
307.4203	Low-Processing Packinghouse
307.4204	High-Processing Packinghouse
307.4205	Small Processor
307.4206	Meat Cutter
307.4207	Sausage and Luncheon Meats Processor
307.4208	Ham Processor
307.4209	Canned Meats Processor
307.4210	Renderer

SUBPART BH: METAL FINISHING

Section

307.4300	General Provisions
307.4301	Metal Finishing

SUBPART BJ: OIL AND GAS EXTRACTION

Section

307.4503	Onshore Facility Standards
307.4508	Coalbed Methane Subcategory

SUBPART BL: CENTRALIZED WASTE TREATMENT

Section	
307.4700	General Provisions
307.4701	Metals Treatment and Recovery
307.4702	Oils Treatment and Recovery
307.4703	Organics Treatment and Recovery
307.4704	Multiple Waste Streams

SUBPART BN: PHARMACEUTICAL MANUFACTURING

Section	
307.4900	General Provisions
307.4901	Fermentation Products
307.4902	Extraction Products
307.4903	Chemical Synthesis Products
307.4904	Mixing/Compounding and Formulation
307.4905	Research (Repealed)

SUBPART BP: DENTAL OFFICES

<u>Section</u>	
<u>307.5100</u>	<u>Dental Offices</u>

SUBPART BQ: TRANSPORTATION EQUIPMENT CLEANING

Section	
307.5200	General Provisions
307.5201	Tank Trucks and Intermodal Tank Containers Transporting Chemical and Petroleum Cargos
307.5202	Rail Tank Cars Transporting Chemical and Petroleum Cargos
307.5203	Tank Barges and Ocean/Sea Tankers Transporting Chemical and Petroleum Cargos
307.5204	Tanks Transporting Food Grade Cargos

SUBPART BR: PAVING AND ROOFING MATERIALS (TARS AND ASPHALT)

Section	
307.5301	Asphalt Emulsion
307.5302	Asphalt Concrete
307.5303	Asphalt Roofing
307.5304	Linoleum and Printed Asphalt Felt

SUBPART BS: WASTE COMBUSTORS

Section	
307.5401	Commercial Hazardous Waste Combustor

SUBPART BT: LANDFILLS

Section	
307.5500	General Provisions
307.5501	RCRA Subtitle C Hazardous Waste Landfill

307.5502 RCRA Subtitle D Non-Hazardous Waste Landfill

SUBPART BU: PAINT FORMULATING

Section

307.5601 Oil-Base Solvent Wash Paint

SUBPART BV: INK FORMULATING

Section

307.5701 Oil-Base Solvent Wash Ink

SUBPART CD: PESTICIDE CHEMICALS

Section

307.6500 General Provisions

307.6501 Organic Pesticide Chemicals Manufacturing

307.6502 Metallo-Organic Pesticides Chemicals Manufacturing

307.6503 Pesticide Chemicals Formulating and Packaging

307.6505 Repackaging of Agricultural Pesticides Performed at Refilling Establishments

SUBPART CG: CARBON BLACK MANUFACTURING

Section

307.6801 Carbon Black Furnace Process

307.6802 Carbon Black Thermal Process

307.6803 Carbon Black Channel Process

307.6804 Carbon Black Lamp Process

SUBPART CJ: BATTERY MANUFACTURING

Section

307.7100 General Provisions

307.7101 Cadmium

307.7102 Calcium

307.7103 Lead

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
 307.7404 Zinc Casting

SUBPART CN: COIL COATING

Section
 307.7500 General Provisions
 307.7501 Steel Basis Material
 307.7502 Galvanized Basis Material
 307.7503 Aluminum Basis Material
 307.7504 Canmaking

SUBPART CO: PORCELAIN ENAMELING

Section
 307.7600 General Provisions
 307.7601 Steel Basis Material
 307.7602 Cast Iron Basis Material
 307.7603 Aluminum Basis Material
 307.7604 Copper Basis Material

SUBPART CP: ALUMINUM FORMING

Section
 307.7700 General Provisions
 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
 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].

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. 1129, effective January 23, 2017; amended in R18-6/R18-14 at 42 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 whose generation of electricity is the

predominant source of revenue or principal reason for operation, and whose generation of electricity results primarily from a process utilizing fossil-type fuel (coal, oil, or gas), fuel derived from fossil fuel (e.g., petroleum coke, synthesis gas), or nuclear fuel in conjunction with a thermal cycle employing the steam water system as the thermodynamic medium. This Section applies to discharges associated with both the combustion turbine and steam turbine portions of a combined cycle generating unit.

- b) Specialized definitions. The Board incorporates by reference 40 CFR 423.11 (2017), as amended at 82 Fed. Reg. 43494 (Sep. 18, 2017) ~~(2016)~~. This incorporation includes no later amendments or editions.
- c) Existing sources.
 - 1) The Board incorporates by reference 40 CFR 423.16 (2017), as amended at 82 Fed. Reg. 43494 (Sep. 18, 2017), and appendix A to 40 CFR 423 (2017) ~~(2016)~~. This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of those standards.
- d) New sources.
 - 1) The Board incorporates by reference 40 CFR 423.17 and appendix A to 40 CFR 423 (2017) ~~(2016)~~. This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of those standards.
 - 3) “New source” means any building, structure, facility, or installation the construction of which commenced after October 14, 1980.

(Source: Amended at 42 Ill. Reg. _____, effective _____)

SUBPART BP: DENTAL OFFICE

Section 307.5100 Dental Offices

- a) Applicability.
 - 1) Except as provided in subsections (a)(3), (a)(4), and (a)(5), this Subpart BP applies to dental dischargers.

- 2) Unless otherwise designated by the control authority, a dental discharger subject to this Subpart BP is not a significant industrial user, as defined in 35 Ill. Adm. Code 310, and is not a categorical industrial user or industrial user subject to categorical pretreatment standards as a result of applicability of this Subpart BP.
 - 3) This Subpart BP does not apply to dental dischargers that exclusively practice one or more of the following dental specialties: oral pathology, oral and maxillofacial radiology, oral and maxillofacial surgery, orthodontics, periodontics, or prosthodontics.
 - 4) This Subpart BP does not apply to wastewater discharges from a mobile unit operated by a dental discharger.
 - 5) This Subpart BP does not apply to dental dischargers that do not discharge any amalgam process wastewater to a POTW, such as dental dischargers that collect all dental amalgam process wastewater for transfer to a centralized waste treatment facility, as defined in 40 CFR 437.2(c).
 - 6) A dental discharger that does not place dental amalgam and does not remove amalgam, except in limited emergency or unplanned, unanticipated circumstances, and which certifies these facts to the control authority, as required in subsection (d), is exempt from any further requirements of this Subpart BP.
- b) General Definitions. The Board incorporates by reference 40 CFR 441.20 (2017), as added at 82 Fed. Reg. 30997 (July 5, 2017). This incorporation includes no later amendments or editions.
 - c) Pretreatment Standards for Existing Sources (PSES). The Board incorporates by reference 40 CFR 441.30 (2017), as added at 82 Fed. Reg. 30997 (July 5, 2017). This incorporation includes no later amendments or editions.
 - d) Pretreatment Standards for New Sources (PSNS). The Board incorporates by reference 40 CFR 441.40 (2017), as added at 82 Fed. Reg. 30997 (July 5, 2017). This incorporation includes no later amendments or editions.
 - e) Reporting and Recordkeeping Requirements. The Board incorporates by reference 40 CFR 441.50 (2017), as added at 82 Fed. Reg. 30997 (July 5, 2017). This incorporation includes no later amendments or editions.

(Source: Added at 42 Ill. Reg. _____, effective _____)