

ILLINOIS POLLUTION CONTROL BOARD  
January 19, 2017

IN THE MATTER OF: )  
WASTEWATER PRETREATMENT ) R17-8  
UPDATE, USEPA AMENDMENTS (January ) (Identical-in-Substance  
1, 2016 through June 30, 2016 and December ) Rulemaking - Water  
7, 2016) )

Adopted Rule. Final Order.

OPINION AND ORDER OF THE BOARD (by J.A. Burke):

The United States Environmental Protection Agency (USEPA) adopted wastewater pretreatment regulations for the unconventional oil and gas extraction source category during the update period. For the purpose of administrative economy and the benefit of the regulated community, the Board also includes later amendments adopted by USEPA relating to this source category. Sections 7.2 and 13.3 of the Illinois Environmental Protection Act (Act) (415 ILCS 5/7.2 and 13.3 (2014)) require the Board to adopt regulations “identical in substance” to wastewater pretreatment regulations that USEPA adopts. Therefore, the Board adopts amendments to Illinois regulations (35 Ill. Adm. Code 307 and 310) that are identical in substance to these new federal regulations. The Board also adopts corrections to the Illinois wastewater pretreatment regulations.

The Board will file the adopted amendments with the Office of the Secretary of State and have them published in the *Illinois Register*.<sup>1</sup>

The Board expects to file the adopted rules no later than the statutory due date of June 28, 2017.

**SUMMARY OF ADOPTED AMENDMENTS**

**Federal Regulations Implemented**

USEPA amended federal regulations concerning wastewater pretreatment once between January 1, 2016 and June 30, 2016. USEPA subsequently amended the federal pretreatment rules on September 30, 2016. The USEPA actions that require corresponding amendments to the Illinois regulations are summarized below.

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<sup>1</sup> Today the Board also adopts amendments to 35 Ill. Adm. Code 307 in Wastewater Pretreatment Update, USEPA Amendments (July 1, 2015 through December 31, 2015), R16-9 (Jan. 19, 2017). The Board will file the present amendments one week after filing the R16-9 amendments. The only revision that will be needed in the amendments adopted today is adding a reference to the R16-9 amendments in the main source note of Part 307 before filing these amendments.

**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.

**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.

**PUBLIC COMMENTS**

The Board adopted a proposal for public comment in this matter on November 17, 2016. Notices of Proposed Amendments appeared in the December 2, 2016 issue of the *Illinois Register*, at 40 Fed. Reg. 15854.

The Board requested comments on specific issues relating to the proposed amendments.

The public comment period ended on January 16, 2017. The Board received no public comments in response.

However, the Board received a document entitled “JCAR’s First Notice Version for use in creating Second Notice Changes.” The Board revised the proposed amendments in response to JCAR. The Board added the document to the record.

The Board assembled an IIS Rulemaking Addendum to the Final Opinion and Order (IIS-RA (F)). The Board lists differences between the USEPA amendments and the Board’s language, amendments that did not derive from USEPA amendments, differences between the proposed and adopted amendments, and changes not made by the Board.

## **DISCUSSION**

The Board discusses incorporating the wastewater pretreatment standards for UOG facilities in the Oil and Gas Extraction Point Source Category. The Board included amendments that are not directly derived from the federal action. The Board added existing federal provisions formerly omitted as unnecessary, but which are now needed to implement the new federal requirements.

### **Wastewater Pretreatment Standards for Unconventional Oil and Gas Extraction Facilities**

The June 28, 2016 USEPA amendments added new pretreatment standards for UOG facilities to prohibit the discharge of specified wastewater streams into the collection system of a publicly owned treatment works (POTW). The prohibited wastewater pollutants are drill cuttings, drilling mud, produced sand, and produced water. *See* 40 C.F.R. § 435.33(a)(2) (2016). The USEPA rules included both pretreatment standards for new sources (PSNS) and pretreatment standards for existing sources (PSES).

On December 7, 2016 (at 81 Fed. Reg. 88126),<sup>2</sup> USEPA added a subsection to the new standards that extended the implementation deadline for certain existing sources. Specifically, those sources discharging into a POTW between April 7, 2015 and June 28, 2016 now must comply with the PSES by August 29, 2019. All other existing sources were to comply with the PSES by August 29, 2016.

The Board added Subpart BJ of 35 Ill. Adm. Code 307 to correspond with 40 C.F.R. 435. Subpart BJ includes two Sections: Section 307.4503 corresponds with subpart C of 40 C.F.R. 435, and Section 307.4508 corresponds with subpart H of 40 C.F.R. 435. Aspects of incorporating the new federal standards into the Illinois wastewater pretreatment rules merit discussion in the following paragraphs.

### **Adding Formerly Omitted Provisions**

Until today, there has been no need for the Board to incorporate any requirements of the federal wastewater standards for the Oil and Gas Extraction Point Source Category. As initially adopted and subsequently amended, the standards of the Category did not include wastewater pretreatment for any subcategory.<sup>3</sup> For this reason, the Board omitted the Oil and Gas Extraction Point Source Category standards from the initial federally derived Illinois wastewater

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<sup>2</sup> USEPA originally added the extended deadline by a direct final rule on September 30, 2016 (at 81 Fed. Reg. 67191). USEPA later withdrew the direct final rule on November 28, 2016 (at 81 Fed. Reg. 85445) as a result of significant adverse public comments.

<sup>3</sup> *See* 40 Fed. Reg. 42543 (Sept. 15, 1975) (Offshore Subcategory standards adopted; pretreatment standards proposed, not adopted); 44 Fed. Reg. 22069 (Apr. 13, 1979) (Offshore Subcategory standards amended, Onshore, Coastal, Agricultural and Wildlife Water Use, and Stripper Subcategory standards added without pretreatment standards).

pretreatment standards.<sup>4</sup> USEPA added pretreatment standards for the Coastal Subcategory in 1996 and subsequently revised them in 2001.<sup>5</sup> The Board omitted these federal pretreatment standards because they applied to no facility in Illinois.<sup>6</sup>

The Board must now add formerly omitted general provisions for the Onshore Subcategory from subpart C of 40 C.F.R. 435. These are the applicability statement for the Onshore Subcategory in 40 C.F.R. § 435.30 and the specialized definitions provision in 40 C.F.R. § 435.31.

**Applicability of the Onshore Subcategory Standards.** The applicability statement includes segments that the Board omitted as unnecessary in Illinois. These include reciting boundaries that do not apply in Illinois, excluding facilities also regulated under other subcategorical standards, and suspending the Onshore Subcategory standards as to facilities in specified geographic areas.

The Board omitted the segment of the federal rule that defines applicability of the Onshore Subcategory in terms of activities occurring “landward of the inner boundary of the territorial seas.”<sup>7</sup> 40 C.F.R. § 435.30 (2015). Since all of Illinois is within the described area, the Board does not need to include this limitation.

The Onshore Subcategory does not apply to facilities regulated under subpart D, E, or F of 40 C.F.R. 435. The Board omitted the limitations based on the Coastal Subcategory and the Agricultural and Wildlife Water Use Category. Subpart D of 40 C.F.R. 435 is the Coastal Subcategory, which includes only geographic areas outside Illinois.<sup>8</sup> Subpart E of 40 C.F.R. 435 is the Agricultural and Wildlife Water Use Subcategory, which also is limited to areas outside Illinois.<sup>9</sup> The Board similarly omitted a statement suspending applicability of the Onshore Subcategory standards to specified facilities in geographic areas outside Illinois.<sup>10</sup>

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<sup>4</sup> See Pretreatment Standards, R86-44, slip op. at 15 (Dec. 3, 1987).

<sup>5</sup> See 61 Fed. Reg. 66123 (Dec. 16, 1996); 66 Fed. Reg. 6850 (Jan. 22, 2001).

<sup>6</sup> See Wastewater Pretreatment Update, USEPA Regulation (July 1, 1996 through December 31, 1996), R97-23, slip op. at 3 (Aug. 7, 1997); Wastewater Pretreatment Update, USEPA Amendments (January 1, 2001 through June 30, 2001), R02-3, slip op. at 2 (Jan. 10, 2002).

<sup>7</sup> USEPA cites 40 C.F.R. § 125.1(gg) for definition of “territorial seas.” USEPA adopted 40 C.F.R. § 435.30 in 1979. See 44 Fed. Reg. 22069, 22076 (Apr. 13, 1979). USEPA removed the definition from 40 C.F.R. § 125.1 less than two months later. See 44 Fed. Reg. 32854, 32948 (June 7, 1979). Because the Board removes this segment of the rule, it need not address issues surrounding this definition.

<sup>8</sup> Applicable only in areas of Alabama, Alaska, California, Florida, Louisiana, and Texas. See 40 C.F.R. § 435.40 (2016); 61 Fed. Reg. 66086, 66090 (Dec. 16, 1996).

<sup>9</sup> Applicable only in Western states. See 40 C.F.R. § 435.50 (2016); 44 Fed. Reg. 22069, 22072

The Board included the exclusion for facilities regulated under subpart F of 40 C.F.R. 435. Subpart F is the Stripper Subcategory, which could include Illinois facilities.<sup>11</sup> The Board incorporated by reference to subpart F of 40 C.F.R. 435. Incorporating by reference to subpart F in its entirety affords greater economy of language than would have referring to subpart F, then incorporating by reference to the applicability statement of 40 C.F.R. § 435.60. Subpart F of 40 C.F.R. 435 includes only a statement of applicability and supporting definitions; subpart F includes no substantive requirements.<sup>12</sup>

**Specialized Definitions.** The specialized definitions provision simply makes the general definitions for the effluent standards and guidelines in 40 C.F.R. 401 applicable to the Onshore Subcategory. The specialized definitions provision does not add definitions. *See* 40 C.F.R. § 435.31(a) (2016). The general definitions provision in part 401 is 40 C.F.R. § 401.11, but other provisions in part 401 have the effect of defining terms. *See, e.g.*, 40 C.F.R. §§ 401.15 & 401.16 (2016) (listing toxic and conventional pollutants, respectively).

The Board incorporated by reference to 40 C.F.R. 401 in 35 Ill. Adm. Code 307.4503(b). The Board's preferred location for such a general pretreatment-related incorporation by reference is 35 Ill. Adm. Code 310.107. That location facilitates periodically, routinely updating the general incorporations by reference. The Board, however, does not wish to amend 35 Ill. Adm. Code 310 in this proceeding.

There are many other USEPA provisions that incorporate the definitions of 40 C.F.R. 401. The Board has previously avoided incorporating by reference to 40 C.F.R. 401 by incorporating by reference to the federal provision that incorporates 40 C.F.R. 401. *See, e.g.*, 35 Ill. Adm. Code 307.1501 (incorporating by reference to 40 C.F.R. § 405.11, which references 40 C.F.R. 401 for definitions), 307.8101(a) (incorporating by reference to 40 C.F.R. § 471.02).

The Board may move the incorporation by reference to 35 Ill. Adm. Code 310.107 in a future proceeding. The definitions, abbreviations, and analytical methods of 40 C.F.R. 401 are the types of general provisions that the Board has included in the centralized incorporations by reference provision of 35 Ill. Adm. Code 310.107. Alternatively, it may be desirable to expressly incorporate 40 C.F.R. 401 by reference in the several provisions throughout 35 Ill. Adm. Code 307 that indirectly rely on it.<sup>13</sup>

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(Apr. 13, 1979).

<sup>10</sup> These are limited to facilities in the Coastal Subcategory or in a specified location in California. *See* 40 C.F.R. § 435.30 (2016); 47 Fed. Reg. 31555 (July 21, 1982).

<sup>11</sup> Applicable to wells that produce less than 10 barrels per day. *See* 40 C.F.R. § 435.60 (2016); 44 Fed. Reg. 22069, 22073 (Apr. 13, 1979).

<sup>12</sup> *See* 41 Fed. Reg. 44942, 44948 (Oct. 13, 1976) (citing cost and potential impact as factors in creating the Stripper Subcategory). The effect is to exclude the facilities in the subcategory from regulation.

<sup>13</sup> There are over 200 such provisions in 35 Ill. Adm. Code 307.

### **Using Text Instead of Incorporation by Reference**

Ordinarily the Board incorporates categorical pretreatment standards into the Illinois regulations by incorporation by reference. The Board opted to use incorporation by reference for the hundreds of categorical USEPA standards, rather than by adoption of identical-in-substance language, when initially adopting federal categorical standards in 1987. *See Pretreatment Standards*, R86-44, slip op. at 7 (Dec. 3, 1987).

The Board prefers to break from past practice and use the language of the federal provisions, rather than rely on incorporation by reference. The new standards for UOG facilities are short. The Board limited incorporations by reference to subpart F of 40 C.F.R. 435 and 40 C.F.R. 401, discussed above, and 40 C.F.R. §§ 403.7 and 403.13, which the federal text references at 40 C.F.R. §§ 435.33(a) and 435.34(a) (corresponding with 35 Ill. Adm. Code 307.4503(c)(1) and (d)(1)).

### **Adding Federally “Reserved” Provisions**

The Board added provisions to correspond with three provisions that USEPA added and marked “reserved.” These three provisions are subsection headings for PSES and PSNS for conventional oil and gas extraction facilities (40 C.F.R. §§ 435.33(b) and 435.34(b) (corresponding with 35 Ill. Adm. Code 307.4503(c)(2) and (d)(2))) and a heading for subpart H of 40 C.F.R. 435 (corresponding with 35 Ill. Adm. Code 307.4508) for the Coalbed Methane Subcategory. None of these three provisions includes anything more than a heading and the statement “[Reserved].”

The Board ordinarily disregards federally “reserved” provisions. Alternatively, the Board adds an explanatory statement where it is necessary to maintain structural consistency with the corresponding federal rules. The present USEPA amendments prompt the Board to include the heading for each provision with a brief explanatory statement.

The two subsection headings and the subpart heading help define the scope of regulated facilities by expressly defining groups of facilities that are not within that scope. USEPA expressly deferred action on PSNS and PSES for conventional facilities. Further, USEPA excluded coalbed methane facilities because these facilities did not exist during development of the rules. USEPA said that coalbed methane facilities could fall within the definition of UOG, and USEPA wanted to clearly exclude them from the new rules. *See* 81 Fed. Reg. 41845, 41851 (June 28, 2016). Thus, the function of the headings for the “reserved” provisions is similar to that of the Stripper Subcategory in subpart F of 40 C.F.R. 435.<sup>14</sup>

**Including the Delayed Implementation Deadline.** USEPA incorporated a delayed implementation deadline for the PSES after the end of the update period of this docket, on September 30, 2016. The Board included the delayed implementation deadline in this docket due to the identity of subject matter, for the benefit of the regulated community, and for the sake of administrative economy. This added 35 Ill. Adm. Code 307.4503(c)(1)(C) to the PSES rule to correspond with 40 C.F.R. § 435.33(a)(3).

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<sup>14</sup> *See supra* note 12 and accompanying text.

USEPA delayed the implementation deadline for facilities that lawfully discharged UOG wastewater to a POTW between April 7, 2015 and June 28, 2016. The implementation deadline for these facilities is August 29, 2019. The implementation deadline for all other existing UOG facilities was August 29, 2016. 40 C.F.R. § 435.33(a)(3), as added at 81 Fed. Reg. 67191 (Sept. 30, 2016).

USEPA explained that it adopted the UOG PSES in the belief that no UOG facility was discharging to a POTW. Thus, USEPA believed that all UOG facilities already complied with the zero-discharge standard. After adoption, USEPA learned that there are UOG facilities discharging to POTWs. This prompted USEPA to extend the deadline by a direct final rule.<sup>15</sup> 81 Fed. Reg. 67191, 67192 (Sept. 30, 2016).

### **IIS Rulemaking Addendum**


The IIS-RA (F) fully 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 differences between the text of the amendments proposed on November 17, 2016 and the text of the amendments adopted today. The fourth table lists suggestions for revisions to the text for the proposed amendments that the Board has not followed.

The Board included the IIS-RA (F) in the docket for this rulemaking, available on the Board's website. 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 directs the Clerk to file the appended adopted amendments to the Illinois wastewater pretreatment regulations at 35 Ill. Adm. Code 307 with the Office of the Secretary of State and cause them to be published in the *Illinois Register*.

I, Don A. Brown, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above opinion and order on January 19, 2017, by a vote of 5-0.



Don A. Brown, Assistant Clerk  
Illinois Pollution Control Board

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<sup>15</sup> Effective November 29, 2016 unless expressly withdrawn by USEPA before that date. See 81 Fed. Reg. at 67191.

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
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- 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: CENTRALIZED WASTE TREATMENT

##### Section

<u>307.4503</u>	<u>Onshore Facility Standards</u>
<u>307.4508</u>	<u>Coalbed Methane Subcategory</u>



### 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 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 R17-8 at 41 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

### SUBPART BJ: OIL AND GAS EXTRACTION

#### Section 307.4503 Onshore Facility Standards

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

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).

- 1) 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.

v) “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.

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).

1) 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”.

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