

**IDENTICAL-IN-SUBSTANCE RULEMAKING ADDENDUM  
TO THE OPINION AND ORDER OF THE BOARD**

**Wastewater Pretreatment Update, USEPA Amendments  
(July 1, 2020 through December 31, 2020), R21-15  
(March 18, 2021)**

**Table 1:  
USEPA Amendments Not Necessary in This Rulemaking**

40 C.F.R. § 122.26(b)(15)(i)(C) and (g)(1)(iii) (revised November 2, 2020); corresponding position in Illinois rules: none

The provisions apply exclusively to stormwater discharges.

40 C.F.R. § 122.28(b)(2)(i) (revised November 2, 2020); corresponding position in Illinois rules: none

The provisions apply exclusively to general permits.

40 C.F.R. § 122.34(d)(3) (revised November 2, 2020); corresponding position in Illinois rules: none

The provisions apply exclusively to municipal separate storm sewer system (MS4) discharge permits.

40 C.F.R. § 122.41(l)(6)(i), (l)(7), (m)(3)(i), and (m)(3)(ii) (revised November 2, 2020); corresponding position in Illinois rules: none

The provisions apply exclusively to permits.

40 C.F.R. § 122.42(c) and (e)(4) (revised November 2, 2020); corresponding position in Illinois rules: none

The provisions apply exclusively to NPDES permits.

40 C.F.R. § 122.64(c) (revised November 2, 2020); corresponding position in Illinois rules: none

The provisions apply exclusively to permits.

40 C.F.R. § 123.45 preamble, (a)(2)(i) through (a)(2)(iv), and appendix A (revised November 2, 2020); corresponding position in Illinois rules: none

The provisions apply exclusively to permits.

40 C.F.R. § 127, appendix A, table 1 (entry 9) and table 2 (“permit component,” “applicable effluent limitations guidelines,” “waterbody name for permitted feature,” “animal feeding operation information,” “cooling water intake information on NPDES permit application or notice of intent,” “NPDES variance information,” “variance request version,” “variance status,” “variance submission date,” “variance action date,” “deficiencies identified through the biosolids/sewage sludge compliance monitoring,” “deficiencies identified through the MS4 compliance monitoring,” “deficiencies identified through the sewer overflow/bypass compliance monitoring,” and “biosolids or sewage sludge—violations”) (revised or added November 2, 2020); corresponding position in Illinois rules: none

The provisions do not apply exclusively to wastewater pretreatment.

40 C.F.R. § 423.12(b)(11) (revised October 13, 2020); corresponding position in Illinois rules: none

The provision pertains only to “effluent,” which includes direct discharges.

Note: *See Terms of Environment*, USEPA, Communications, Education, and Public Affairs, EPA-B-97-001 (Dec. 1997), at p. 16 (definitions of “effluent” and “effluent guidelines”).

40 C.F.R. § 423.13(g)(1)(i), (g)(2), (g)(3)(i), (k)(1)(i), (k)(2), and (o) (revised October 13, 2020); corresponding position in Illinois rules: none

See the entry for 40 C.F.R. § 423.12(b)(11) above.

40 C.F.R. § 423.19(h) and (i) (added October 13, 2020); corresponding position in Illinois rules: none

The provisions for the Voluntary Incentives Program and for transferring between applicable limitations in a permit pertain only to NPDES permit conditions.

Note: See the entry for 35 Ill. Adm. Code 307.3301(c)(1) in Table 2 below.

40 C.F.R. § 503.18 (revised November 2, 2020); corresponding position in Illinois rules: none

The provisions apply exclusively to disposal of sewage sludge.

40 C.F.R. § 503.28 (revised November 2, 2020); corresponding position in Illinois rules: none

The provisions apply exclusively to disposal of sewage sludge.

40 C.F.R. § 503.48 (revised November 2, 2020); corresponding position in Illinois rules: none

The provisions apply exclusively to disposal of sewage sludge.

### **Table 2:**

#### **Deviation from the Text of the Federal Amendments**

35 Ill. Adm. Code 307.3301(b); derived from § 40 CFR 423.11(n), (p), and (t) through (dd)

Updated the incorporation by reference to include USEPA’s October 13, 2020 amendments.

Note: Although the term “high FGD flow” (defined in 40 C.F.R. § 423.11(x)) is used only in segments of USEPA’s text that do not relate to wastewater pretreatment, USEPA’s *Federal Register* discussion of the amendments uses the term relating to wastewater pretreatment. *See* 85 Fed. Reg. 64650, 64652, 64660, 64675-76 (Oct. 13, 2020).

35 Ill. Adm. Code 307.3301(c)(1); derived from §§ 40 CFR 423.16, 423.18, and 423.19(a) through (g) and (j)

Updated the incorporation by reference to 40 C.F.R. 423.16 to include USEPA’s October 13, 2020 amendments; added incorporations by reference to 40 C.F.R. 423.18 and 423.19(a) through (g) and (j) to include USEPA’s October 13, 2020 amendments; changed “this incorporation” to plural “these incorporations” to accommodate the added incorporations by reference.

35 Ill. Adm. Code 307.3301(c)(1)(A); derived from 40 CFR §§ 423.13(g)(3)(i) and 423.19(a), (b), and (h)

Replaced the language on USEPA’s requirements for FGD discharges for units undertaking VIP status with language imposing USEPA’s rules in 40 C.F.R. §§ 423.13(g)(3)(i) and 423.19(h), as incorporated by reference, adding a reference to the definition of “FGD wastewater” in 40 C.F.R. § 423.11(n); changed “voluntary incentives program” to “voluntary incentives participation”; added references to the general reporting and signature

requirements of 40 C.F.R. § 423.19(a) and (b) to support the notice requirements for units seeking VIP limitations in 40 C.F.R. § 423.19(h).

35 Ill. Adm. Code 307.3301(c)(1)(A) Board note; derived from 40 CFR §§ 423.13(g)(3)(i) and 423.19(h)

Added the statement of derivation from 40 C.F.R. §§ 423.13(o) and 423.19(h). Added explanation of the change from “voluntary incentives program” to “voluntary incentives participation”; added explanation that USEPA stated that VIP does not apply to indirect discharges, yet 40 C.F.R. § 423.19(h)(3) expressly mentions applicability to indirect discharges.

35 Ill. Adm. Code 307.3301(c)(1)(B); derived from 40 CFR §§ 423.16(e)(1) and 423.19(a), (b), and (f)

Replaced the language on USEPA’s requirements for FGD discharges for units permanently ceasing coal combustion with language imposing USEPA’s rules in 40 C.F.R. §§ 423.16(e)(1) and 423.19(f), as incorporated by reference, adding references to the definitions of “permanent cessation of coal combustion” and “FGD wastewater” in 40 C.F.R. § 423.11(n) and (w); added references to the general reporting and signature requirements of 40 C.F.R. § 423.19(a) and (b) to support the requirements for units permanently ceasing combustion of coal in 40 C.F.R. § 423.19(f).

35 Ill. Adm. Code 307.3301(c)(1)(B) Board note; derived from 40 CFR §§ 423.16(e)(1) and 423.19(f)

Added the statement of derivation from 40 C.F.R. §§ 423.16(e)(1) and 423.19(f).

35 Ill. Adm. Code 307.3301(c)(1)(C); derived from 40 CFR § 423.19(j)

Replaced the language on USEPA’s requirements for notice of material delay in 40 C.F.R. § 423.19(j), as incorporated by reference, adding references to the definitions of “permanent cessation of coal combustion” and “FGD wastewater” in 40 C.F.R. § 423.11(n) and (w); added references to the general reporting and signature requirements of 40 C.F.R. § 423.19(a) and (b) to support the requirements for units permanently ceasing combustion of coal in 40 C.F.R. § 423.19(f).

35 Ill. Adm. Code 307.3301(c)(1)(C) Board note; derived from § 40 CFR 423.19(j)

Added the statement of derivation from 40 C.F.R. § 423.19(j).

35 Ill. Adm. Code 307.3301(c)(1)(D); derived from 40 CFR §§ 423.16(e)(2) and 423.19(a), (b), and (e)

Replaced the language on USEPA’s requirements for low utilization electric generating units in 40 C.F.R. §§ 423.16(e)(2) and 423.19(e), as incorporated by reference, adding references to the definition of “low utilization electric generating unit” in 40 C.F.R. § 423.11(z); added references to the general reporting and signature requirements of 40 C.F.R. § 423.19(a) and (b) to support the requirements for units permanently ceasing combustion of coal in 40 C.F.R. § 423.19(e).

35 Ill. Adm. Code 307.3301(c)(1)(D) Board note; derived from §§ 40 CFR 423.16(e)(2) and 423.19(a), (b), and (e)

Added the statement of derivation from 40 C.F.R. §§ 423.16(e)(2) and 423.19(e).

35 Ill. Adm. Code 307.3301(c)(1)(E); derived from 40 CFR §§ 423.13(k)(3), 423.16(g), and 423.19(c) and (d)

Replaced the language on USEPA’s requirements for BA wastewater discharges in 40 C.F.R. § 423.16(g), the best management practices requirements of 40 C.F.R. § 423.13(k)(3), and the certification requirements of 423.19(c) and (d), as incorporated by reference, adding references to the definition of “BA transport water” in 40 C.F.R. § 423.11(p); added references to the general reporting and signature requirements of 40 C.F.R. § 423.19(a) and (b) to support the requirements for EGUs initiating permanent cessation of coal combustion in 40 C.F.R. § 423.19(c) and (d).

35 Ill. Adm. Code 307.3301(c)(1)(E) Board note; derived from 40 CFR §§ 423.13(k)(3), 423.16(g), and 423.19(c) and (d)

Added the statement of derivation from 40 C.F.R. §§ 423.13(k)(3), 423.16(g), and 423.19(c) and (d).

35 Ill. Adm. Code 307.3301(c)(1)(F); derived from 40 CFR §§ 423.13(o) and 423.19(a), (b), and (i)

Replaced the language on USEPA’s requirements for transfer between applicable discharge limitations in 40 C.F.R. § 423.13(o) and the certification requirements of 423.19(i), as incorporated by reference; added references to the general reporting and signature requirements of 40 C.F.R. § 423.19(a) and (b) to support the requirements for EGUs seeking to transfer between applicable discharge limitations in 40 C.F.R. § 423.19(i).

35 Ill. Adm. Code 307.3301(c)(1)(F)(i); derived from 40 CFR §§ 423.13(o)(1)(i)(A)

Replaced the language on USEPA’s requirements for transfer between applicable discharge limitations in 40 C.F.R. § 423.13(o)(1)(i)(A).

35 Ill. Adm. Code 307.3301(c)(1)(F)(ii); derived from 40 CFR §§ 423.13(o)(1)(i)(B)

Replaced the language on USEPA’s requirements for transfer between applicable discharge limitations in 40 C.F.R. § 423.13(o)(1)(i)(B).

35 Ill. Adm. Code 307.3301(c)(1)(F)(iii); derived from 40 CFR §§ 423.13(o)(1)(ii)(A)

Replaced the language on USEPA’s requirements for transfer between applicable discharge limitations in 40 C.F.R. § 423.13(o)(1)(ii)(A).

35 Ill. Adm. Code 307.3301(c)(1)(F)(iv); derived from 40 CFR §§ 423.13(o)(1)(ii)(B)

Replaced the language on USEPA’s requirements for transfer between applicable discharge limitations in 40 C.F.R. § 423.13(o)(1)(ii)(B).

35 Ill. Adm. Code 307.3301(c)(1)(F)(v); derived from 40 CFR §§ 423.13(o)(1)(ii)(C)

Replaced the language on USEPA’s requirements for transfer between applicable discharge limitations in 40 C.F.R. § 423.13(o)(1)(ii)(C).

35 Ill. Adm. Code 307.3301(c)(1)(F)(vi); derived from 40 CFR §§ 423.13(o)(1)(ii)(D)

Replaced the language on USEPA’s requirements for transfer between applicable discharge limitations in 40 C.F.R. § 423.13(o)(1)(ii)(D).

35 Ill. Adm. Code 307.3301(c)(1)(F)(vii); derived from 40 CFR §§ 423.13(o)(1)(ii)(E)

Replaced the language on USEPA’s requirements for transfer between applicable discharge limitations in 40 C.F.R. § 423.13(o)(1)(ii)(E).

35 Ill. Adm. Code 307.3301(c)(1)(F) Board note; derived from 40 CFR §§ 423.13(o) and 423.19(a), (b), and (i)

Added the statement of derivation from 40 C.F.R. §§ 423.13(o) and 423.19(a), (b), and (i); added explanation of the change from “voluntary incentives program” to “voluntary incentives participation”; added explanation that USEPA stated that its voluntary incentives program applies only to direct discharges, yet 40 C.F.R. § 423.19(i)(1) expressly contemplates it as applying to in direct discharges.

35 Ill. Adm. Code 307.3301(c)(1)(G); derived from 40 CFR §§ 423.13(o)(2) and (o)(3)

Replaced the language of USEPA’s transferring applicable limitations in 40 C.F.R. § 423.16(o)(2) and (o)(3).

35 Ill. Adm. Code 307.3301(c)(1)(G) Board note; derived from 40 CFR §§ 423.13(o)(2) and (o)(3)

Added the statement of derivation from 40 C.F.R. §§ 423.13(k)(3), 423.16(g), and 423.19(c) and (d).

35 Ill. Adm. Code 307.3301(c)(1)(H); derived from 40 CFR §§ 423.16(e)(1) and (e)(2), 423.18, and 423.19(g)

Replaced the language on USEPA’s requirements for BA wastewater discharges in 40 C.F.R. § 423.16(g), the best management practices requirements of 40 C.F.R. § 423.13(k)(3), and the certification requirements of 423.19(c) and (d), as incorporated by reference, adding references to the definition of “BA transport water” in 40 C.F.R. § 423.11(p); added references to the general reporting and signature requirements of 40 C.F.R. § 423.19(a) and (b) to support the requirements for units permanently ceasing combustion of coal in 40 C.F.R. § 423.19(c) and (d).

35 Ill. Adm. Code 307.3301(c)(1)(H) Board note; derived from 40 CFR §§ 423.16(e)(1) and (e)(2), 423.18, and 423.19(a), (b), and (g)

Added the statement of derivation from 40 C.F.R. §§ 423.13(k)(3), 423.16(e)(1) and (e)(2), and 423.19(g); added explanation that 40 C.F.R. § 423.18 directly applies to permitted discharges, but 40 C.F.R. § 423.19(g) allows application to indirect discharges.

35 Ill. Adm. Code 310.106(b)(8)(A) Board note; derived from 40 C.F.R. § 127.16 table, table (notes 1 and 2) (revised November 2, 2020)

Added “Board note:”; omitted note 2.

Note: The Illinois wastewater pretreatment rules never incorporated former note 1 (now renumbered to note 2) citing the definition of “Director” in 40 C.F.R. § 122.2.

35 Ill. Adm. Code 310.107(b), appendix A to 40 C.F.R. 127; derived from appendix A to 40 CFR 127

Updated the incorporation by reference to include USEPA’s November 2, 2020 amendments.

35 Ill. Adm. Code 310.605(a); derived from 40 CFR 403.12(e)

Changed “EPA-approved alternative date” to “a USEPA-approved alternative date.”

35 Ill. Adm. Code 310.611; derived from 40 CFR 403.12(h)

Changing “noncategorical” to hyphenated “non-categorical” was not necessary in the Illinois rule; changed “EPA-approved alternative date” to “a USEPA-approved alternative date.”

35 Ill. Adm. Code 310.612; derived from 40 CFR 403.12(i)

Changed “EPA-approved alternative date” to “a USEPA-approved alternative date.”

**Table 3:**  
**Board Housekeeping Amendments**

- 35 Ill. Adm. Code 307.3301(b) (Board): Changed the topical subheading, “Specialized Definitions,” to title case.
- 35 Ill. Adm. Code 307.3301(c) (Board): Changed the topical subheading, “Specialized Definitions,” to title case and removed the ending period.
- 35 Ill. Adm. Code 307.3301(d) (Board): Changed the topical subheading, “New Sources,” to title case and removed the ending period.
- 35 Ill. Adm. Code 307.3301(d)(1) (Board): Updated the *Code of Federal Regulations* citation to the latest version available.
- 35 Ill. Adm. Code 310.106, preamble (Board): Changed “pursuant to” to “under.”
- 35 Ill. Adm. Code 310.106(a)(1) (Board): Removed the ending period from the topical subheading.
- 35 Ill. Adm. Code 310.106(a)(1)(A) (Board): Changed “where . . . authorized” to “if . . . authorized.”
- 35 Ill. Adm. Code 310.106(a)(1)(A)(ii) (Board): Changed “pursuant to” to “under.”
- 35 Ill. Adm. Code 310.106(a)(1)(B)(ii) (Board): Changed “pursuant to” to “under”; corrected the format of “40 CFR3.2000” to “40 CFR 3.200.”
- 35 Ill. Adm. Code 310.106(a)(1)(C)(ii) (Board): Changed “such as” to “like.”
- 35 Ill. Adm. Code 310.106(a)(1) Board note (Board): Removed the unnecessary version date from the *Code of Federal Regulations* citation in the derivation statement.
- 35 Ill. Adm. Code 310.106(a)(3) (Board): Changed the topical subheading, “Procedures for Submission of Electronic Documents in Lieu of Paper Documents to USEPA,” to title case.
- 35 Ill. Adm. Code 310.106(a)(3) Board note (Board): Removed the unnecessary version date from the *Code of Federal Regulations* citation in the derivation statement.
- 35 Ill. Adm. Code 310.106(a)(4) (Board): Changed the topical subheading, “Procedures for Submission of Electronic Documents in Lieu of Paper Documents to the Board, the Agency, or the Control Authority,” to title case and removed the ending period.
- 35 Ill. Adm. Code 310.106(a)(4)(A) (Board): Changed “pursuant to” to “under.”
- 35 Ill. Adm. Code 310.106(a)(4) Board note (Board): Removed the unnecessary version date from the *Code of Federal Regulations* citation in the derivation statement.
- 35 Ill. Adm. Code 310.106(a)(5) (Board): Changed the topical subheading, “Effects of Submission of an Electronic Document in Lieu of a Paper Document,” to singular and title case and removed the ending period.
- 35 Ill. Adm. Code 310.106(a)(5)(B) (Board): Changed “where . . . bears” to “if . . . bears.”
- 35 Ill. Adm. Code 310.106(a)(5) Board note (Board): Removed the unnecessary version date from the *Code of Federal Regulations* citation in the derivation statement.

- 35 Ill. Adm. Code 310.106(a)(6) (Board): Changed the topical subheading, “Public Document Subject to State Laws,” to singular and title case; removed the parenthetical “but not limited to” and the offsetting commas from after “including.”
- 35 Ill. Adm. Code 310.106(a)(7) (Board): Changed “pursuant to” to “under.”
- 35 Ill. Adm. Code 310.106(a)(7) Board note (Board): Removed the unnecessary version date from the *Code of Federal Regulations* citation in the derivation statement.
- 35 Ill. Adm. Code 310.106(a) Board note (Board): Removed the unnecessary version date from the *Code of Federal Regulations* citation in the derivation statement.
- 35 Ill. Adm. Code 310.106(b) (Board): Removed the ending period from the topical subheading, “NPDES Electronic Reporting.”
- 35 Ill. Adm. Code 310.106(b)(1) (Board): Removed the ending period from the topical subheading, “Purpose and Scope.”
- 35 Ill. Adm. Code 310.106(b)(1)(C) (Board): Changed “pursuant to” to “under.”
- 35 Ill. Adm. Code 310.106(b)(1) Board note (Board): Removed the unnecessary version date from the *Code of Federal Regulations* citation in the derivation statement.
- 35 Ill. Adm. Code 310.106(b)(2), “initial recipient of electronic NPDES information for NPDES-regulated facilities” Board note (Board): Removed the unnecessary version date from the *Code of Federal Regulations* citation in the derivation statement.
- 35 Ill. Adm. Code 310.106(b)(2), “minimum set of NPDES data” Board note (Board): Removed the unnecessary version date from the *Code of Federal Regulations* citation in the derivation statement.
- 35 Ill. Adm. Code 310.106(b)(2), “NPDES data group” Board note (Board): Removed the unnecessary version date from the *Code of Federal Regulations* citation in the derivation statement.
- 35 Ill. Adm. Code 310.106(b)(2), “NPDES program” (Board): Changed “pursuant to” to “under”; corrected the citation “42 USC 1307(b)” to “33 USC 1317(b).”
- 35 Ill. Adm. Code 310.106(b)(2), “NPDES program” Board note (Board): Removed the unnecessary version date from the *Code of Federal Regulations* citation in the derivation statement.
- 35 Ill. Adm. Code 310.106(b)(2), “NPDES-regulated entity” Board note (Board): Removed the unnecessary version date from the *Code of Federal Regulations* citation in the derivation statement.
- 35 Ill. Adm. Code 310.106(b)(3) (Board): Corrected the title case for the topical subheading, “Data to Be Reported Electronically,” and removed the ending period.
- 35 Ill. Adm. Code 310.106(b)(3)(A)(i) (Board): Changed “pursuant to” to “under.”
- 35 Ill. Adm. Code 310.106(b)(3)(A)(iii) (Board): Changed “pursuant to” to “under.”
- 35 Ill. Adm. Code 310.106(b)(3)(A)(vi) (Board): Changed “pursuant to” to “under”; changed “40 CFR 122.41(l)(6) and (7)” to “40 CFR 122.41(l)(6) and (l)(7).”

- 35 Ill. Adm. Code 310.106(b)(3) Board note (Board): Removed the unnecessary version date from the *Code of Federal Regulations* citation in the derivation statement.
- 35 Ill. Adm. Code 310.106(b)(4) Board note (Board): Removed the unnecessary version date from the *Code of Federal Regulations* citation in the derivation statement.
- 35 Ill. Adm. Code 310.106(b)(5) Board note (Board): Removed the unnecessary version date from the *Code of Federal Regulations* citation in the derivation statement.
- 35 Ill. Adm. Code 310.106(b)(6) Board note (Board): Removed the unnecessary version date from the *Code of Federal Regulations* citation in the derivation statement.
- 35 Ill. Adm. Code 310.106(b)(7) (Board): Removed the ending period from the topical subheading, “Waivers from Electronic Reporting.”
- 35 Ill. Adm. Code 310.106(b)(7)(B) (Board): Changed “pursuant to” to “under.”
- 35 Ill. Adm. Code 310.106(b)(7)(C) (Board): Changed “pursuant to” to “under.”
- 35 Ill. Adm. Code 310.106(b)(7)(D) (Board): Changed “pursuant to” to “under.”
- 35 Ill. Adm. Code 310.106(b)(7)(E) (Board): Changed “pursuant to” to “under.”
- 35 Ill. Adm. Code 310.106(b)(7)(F)(i) (Board): Changed “such as” to “like.”
- 35 Ill. Adm. Code 310.106(b)(7)(G) (Board): Removed the ending period from the topical subheading, “Waivers from Electronic Reporting.”
- 35 Ill. Adm. Code 310.106(b)(7)(G)(i) Board note (Board): Removed the unnecessary version date from the *Code of Federal Regulations* citation in the derivation statement.
- 35 Ill. Adm. Code 310.106(a)(7)(G)(ii) (Board): Changed “when . . . is available” to “if . . . is available.”
- 35 Ill. Adm. Code 310.106(b)(7)(G)(ii) Board note (Board): Removed the unnecessary version date from the *Code of Federal Regulations* citation in the derivation statement.
- 35 Ill. Adm. Code 310.106(b)(7)(G)(iii) (Board): Changed “pursuant to” to “under.”
- 35 Ill. Adm. Code 310.106(b)(7)(G)(iii) Board note (Board): Removed the unnecessary version date from the *Code of Federal Regulations* citation in the derivation statement.
- 35 Ill. Adm. Code 310.106(b)(7) Board note (Board): Removed the unnecessary version date from the *Code of Federal Regulations* citation in the derivation statement.
- 35 Ill. Adm. Code 310.106(b)(8) (Board): Corrected the title case for the topical subheading, “Implementation of Electronic Reporting Requirements for NPDES Permittees, Facilities, and Entities Subject to This Subsection (b),” and removed the ending period.
- 35 Ill. Adm. Code 310.106(b)(8)(C) (Board): Changed “pursuant to” to “under.”
- 35 Ill. Adm. Code 310.106(a)(8)(C) Board note (Board): Changed “where . . . is not approved” to “if . . . is not approved.”
- 35 Ill. Adm. Code 310.106(b)(8) Board note (Board): Removed the unnecessary version date from the *Code of Federal Regulations* citation in the derivation statement.



35 Ill. Adm. Code 310.106(b)(9) Board note (Board): Removed the unnecessary version date from the *Code of Federal Regulations* citation in the derivation statement.

35 Ill. Adm. Code 310.605(a) (Board): Changed “shall” to “must”; changed “such factors” to “those factors.”

35 Ill. Adm. Code 310.605(b)(1) (Board): Changed “where it determines” to “if it determines.”

35 Ill. Adm. Code 310.605(c) (Board): Changed “where . . . has imposed” to “if . . . has imposed.”

35 Ill. Adm. Code 310.605 Board (Board): Removed the unnecessary version date from the *Code of Federal Regulations* citation in the derivation statement.

35 Ill. Adm. Code 310.611(c) (Board): Changed “in cases where . . . requires” to “if . . . requires.”

35 Ill. Adm. Code 310.611 Board note (Board)

Removed the unnecessary version date from the *Code of Federal Regulations* citation in the derivation statement.

35 Ill. Adm. Code 310.612 Board note (Board)

Removed the unnecessary version date from the *Code of Federal Regulations* citation in the derivation statement.