



OFFICE OF THE SECRETARY OF STATE

JESSE WHITE • Secretary of State

June 1, 2022

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

Dear DON BROWN

Your rules Listed below met our codification standards and have been published in Volume 46, Issue 23 of the Illinois Register, dated 6/3/2022.

ADOPTED RULES

Air Quality Standards	
35 Ill. Adm. Code 243	9068
Point of Contact: Michael McCambridge	
Pretreatment Programs	
35 Ill. Adm. Code 310	9079
Point of Contact: Michael McCambridge	

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

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NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Pretreatment Programs
- 2) Code Citation: 35 Ill. Adm. Code 310
- 3) Section Number: 310.107 Adopted Action:
Amendment
- 4) Statutory Authority: 415 ILCS 5/7.2, 13.3, and 27
- 5) Effective date of rule: **MAY 18 2022**
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? Yes
- 8) Statement of availability: The adopted amendments, a copy of the Board's opinion and order adopted May 12, 2022 in docket R22-7, and all materials incorporated by reference are on file at the Board's principal office and are available for public inspection and copying.
- 9) Notice of proposal published in the Illinois Register: 46 Ill. Reg. 3497, March 4, 2022
- 10) Has JCAR issued a Statement of Objections to these rules? Section 13.3 of the Environmental Protection Act [415 ILCS 5/13.3] provides that Section 5-35 of the Administrative Procedure Act [5 ILCS 100/5-35] does not apply to this rulemaking. Because this rulemaking is not subject to Section 5-35 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules (JCAR).
- 11) Differences between the proposal and the final version: The Board updated the version of *Code of Federal Regulations* and *United States Code* citations to the latest version available in incorporations by reference. A table in a document entitled "Identical-in-Substance Rulemaking Addendum (Final)" that the Board added to docket R22-7 summarizes the difference between the amendments adopted in the May 12, 2022 opinion and order and those proposed by the Board in an opinion and order dated February 17, 2022, in docket R22-7.

The differences are limited to minor stylistic revisions. The changes are intended to have no substantive effect.

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

Since the Notices of Proposed Amendments appeared in the March 4, 2022 issue of the *Illinois Register*, the Board received suggestions for revision from JCAR. The Board changed the text as a result, as detailed in the Identical-in-Substance Rulemaking Addendum (Final) in docket R22-7 described in item 11 above. A table in the Identical-in-Substance Rulemaking Addendum (Final) in docket R22-7 lists the JCAR suggestion and the Board response.

- 13) Will this rulemaking replace emergency amendments currently in effect? No
- 14) Are there any other rulemakings pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citations:</u>
310.101	Amendment	46 Ill. Reg. _____, May 27, 2022
310.102	Amendment	46 Ill. Reg. _____, May 27, 2022
310.103	Amendment	46 Ill. Reg. _____, May 27, 2022
310.104	Amendment	46 Ill. Reg. _____, May 27, 2022
310.105	Amendment	46 Ill. Reg. _____, May 27, 2022
310.106	Amendment	46 Ill. Reg. _____, May 27, 2022
310.107	Amendment	46 Ill. Reg. _____, May 27, 2022
310.110	Amendment	46 Ill. Reg. _____, May 27, 2022
310.111	Amendment	46 Ill. Reg. _____, May 27, 2022
310.112	Amendment	46 Ill. Reg. _____, May 27, 2022
310.201	Amendment	46 Ill. Reg. _____, May 27, 2022
310.210	Amendment	46 Ill. Reg. _____, May 27, 2022
310.221	Amendment	46 Ill. Reg. _____, May 27, 2022
310.230	Amendment	46 Ill. Reg. _____, May 27, 2022
310.233	Amendment	46 Ill. Reg. _____, May 27, 2022
310.301	Amendment	46 Ill. Reg. _____, May 27, 2022
310.302	Amendment	46 Ill. Reg. _____, May 27, 2022
310.303	Amendment	46 Ill. Reg. _____, May 27, 2022
310.311	Amendment	46 Ill. Reg. _____, May 27, 2022
310.312	Amendment	46 Ill. Reg. _____, May 27, 2022
310.320	Amendment	46 Ill. Reg. _____, May 27, 2022

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310.330	Amendment	46 Ill. Reg. _____, May 27, 2022
310.340	Amendment	46 Ill. Reg. _____, May 27, 2022
310.341	Amendment	46 Ill. Reg. _____, May 27, 2022
310.350	Amendment	46 Ill. Reg. _____, May 27, 2022
310.351	Amendment	46 Ill. Reg. _____, May 27, 2022
310.400	Amendment	46 Ill. Reg. _____, May 27, 2022
310.401	Amendment	46 Ill. Reg. _____, May 27, 2022
310.402	Amendment	46 Ill. Reg. _____, May 27, 2022
310.403	Amendment	46 Ill. Reg. _____, May 27, 2022
310.410	Amendment	46 Ill. Reg. _____, May 27, 2022
310.413	Amendment	46 Ill. Reg. _____, May 27, 2022
310.415	Amendment	46 Ill. Reg. _____, May 27, 2022
310.420	Amendment	46 Ill. Reg. _____, May 27, 2022
310.430	Amendment	46 Ill. Reg. _____, May 27, 2022
310.431	Amendment	46 Ill. Reg. _____, May 27, 2022
310.432	Amendment	46 Ill. Reg. _____, May 27, 2022
310.443	Amendment	46 Ill. Reg. _____, May 27, 2022
310.501	Amendment	46 Ill. Reg. _____, May 27, 2022
310.502	Amendment	46 Ill. Reg. _____, May 27, 2022
310.503	Amendment	46 Ill. Reg. _____, May 27, 2022
310.504	Amendment	46 Ill. Reg. _____, May 27, 2022
310.505	Amendment	46 Ill. Reg. _____, May 27, 2022
310.510	Amendment	46 Ill. Reg. _____, May 27, 2022
310.511	Amendment	46 Ill. Reg. _____, May 27, 2022
310.521	Amendment	46 Ill. Reg. _____, May 27, 2022
310.522	Amendment	46 Ill. Reg. _____, May 27, 2022
310.524	Amendment	46 Ill. Reg. _____, May 27, 2022
310.531	Amendment	46 Ill. Reg. _____, May 27, 2022
310.532	Amendment	46 Ill. Reg. _____, May 27, 2022
310.541	Amendment	46 Ill. Reg. _____, May 27, 2022
310.542	Amendment	46 Ill. Reg. _____, May 27, 2022
310.543	Amendment	46 Ill. Reg. _____, May 27, 2022
310.545	Amendment	46 Ill. Reg. _____, May 27, 2022
310.602	Amendment	46 Ill. Reg. _____, May 27, 2022
310.603	Amendment	46 Ill. Reg. _____, May 27, 2022
310.604	Amendment	46 Ill. Reg. _____, May 27, 2022
310.605	Amendment	46 Ill. Reg. _____, May 27, 2022
310.606	Amendment	46 Ill. Reg. _____, May 27, 2022
310.610	Amendment	46 Ill. Reg. _____, May 27, 2022
310.611	Amendment	46 Ill. Reg. _____, May 27, 2022

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310.612	Amendment	46 Ill. Reg. _____, May 27, 2022
310.613	Amendment	46 Ill. Reg. _____, May 27, 2022
310.621	Amendment	46 Ill. Reg. _____, May 27, 2022
310.631	Amendment	46 Ill. Reg. _____, May 27, 2022
310.632	Amendment	46 Ill. Reg. _____, May 27, 2022
310.633	Amendment	46 Ill. Reg. _____, May 27, 2022
310.634	Amendment	46 Ill. Reg. _____, May 27, 2022
310.635	Amendment	46 Ill. Reg. _____, May 27, 2022
310.636	Amendment	46 Ill. Reg. _____, May 27, 2022
310.637	Amendment	46 Ill. Reg. _____, May 27, 2022
310.703	Amendment	46 Ill. Reg. _____, May 27, 2022
310.705	Amendment	46 Ill. Reg. _____, May 27, 2022
310.706	Amendment	46 Ill. Reg. _____, May 27, 2022
310.711	Amendment	46 Ill. Reg. _____, May 27, 2022
310.712	Amendment	46 Ill. Reg. _____, May 27, 2022
310.801	Amendment	46 Ill. Reg. _____, May 27, 2022
310.902	Amendment	46 Ill. Reg. _____, May 27, 2022
310.911	Amendment	46 Ill. Reg. _____, May 27, 2022
310.913	Amendment	46 Ill. Reg. _____, May 27, 2022
310.920	Amendment	46 Ill. Reg. _____, May 27, 2022
310.921	Amendment	46 Ill. Reg. _____, May 27, 2022
310.922	Amendment	46 Ill. Reg. _____, May 27, 2022
310.923	Amendment	46 Ill. Reg. _____, May 27, 2022

- 15) Summary and purpose of amendment: The following briefly describes the subjects and issues involved in the docket R22-7 rulemaking. A comprehensive description is contained in the Board's opinion and order of May 12, 2022, adopting amendments in docket R22-7, which opinion and order is available from the address below.

The docket R22-7 proceeding relates to the wastewater pretreatment requirements in 35 Ill. Adm. Code 310 of the Illinois water pollution control rules. The amendment implements USEPA's May 19, 2021 updated analytical methods in 40 C.F.R. 136 used for effluent analyses under the Clean Water Act. The Board deviated from the literal text of the USEPA amendment by using incorporation by reference rather than incorporating the text of the NPDES electronic reporting requirements. Thus, updating the incorporations by reference includes the USEPA action.

Tables appear in a document entitled "Identical-in-Substance Rulemaking Addendum (Final)" that the Board added to docket R22-7 that list the revisions to the text since the Board's February 17, 2022 proposal for public comment. The tables contain deviations

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from the literal text of the federal amendments underlying these amendments, as well as corrections and clarifications that the Board made in the base text involved. Persons interested in the details of those corrections and amendments should refer to the Identical-in-Substance Rulemaking Addendum (Final) in docket R22-7.

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

- 16) Information and questions regarding this adopted rulemaking shall be directed to: Please reference docket R22-7 and direct inquiries to the following person:

Michael J. McCambridge
Staff Attorney
Illinois Pollution Control Board
60 E. Van Buren St, Suite 630
Chicago, IL 60605

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

Request copies of the Board's opinion and order of May 12, 2022, at 312-814-3620 from the Internet at pcb.illinois.gov.

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