

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

PART 301
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301.APPENDIX A References to Previous Rules (Repealed)

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

SOURCE: Filed with the Secretary of State January 1, 1978; amended at 3 Ill. Reg. 25, p. 190, effective June 21, 1979; amended at 5 Ill. Reg. 6384, effective May 28, 1981; codified at 6 Ill. Reg. 7818; amended in R88-1 at 13 Ill. Reg. 5984, effective April 18, 1989; amended in R88-21(A) at 14 Ill. Reg. 2879, effective February 13, 1990; amended in R99-8 at 23 Ill. Reg. 11277, effective August 26, 1999; amended in R02-11 at 27 Ill. Reg. 158, effective December 20, 2002; amended in R08-9(A) at 35 Ill. Reg. 15071, effective August 23, 2011; amended in R11-18 at 36 Ill. Reg. 18863, effective December 12, 2012; amended in R18-23 at 47 Ill. Reg. 4415, effective March 23, 2023.

Section 301.101 Authority (Repealed)

(Source: Repealed at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.102 Policy

The General Assembly finds that pollution of the waters of this State constitutes a menace to public health and welfare, creates public nuisances, is harmful to wildlife, fish, and aquatic life, impairs domestic, agricultural, industrial, recreational, and other legitimate beneficial uses of water, depresses property values, and offends the senses [415 ILCS 5/11(a)(1)]. It is the purpose of these rules to designate the uses for which the various waters of the State will be maintained and protected; to prescribe the water quality standards required to sustain the designated uses; to establish effluent standards to limit the contaminants discharged to the waters; and to prescribe additional regulations necessary for implementing, achieving and maintaining the prescribed water quality. It is also the purpose of these rules to comply with Section 402 of the Clean Water Act.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.103 Repeals (Repealed)

(Source: Repealed at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.104 Analytical Testing

All methods to collect, preserve, and analyze samples used in applying any of the requirements of this Subtitle must be consistent with the United States Environmental Protection Agency's current manual of practice or with other procedures acceptable to USEPA and the Agency.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.105 References to Other Sections (Repealed)

(Source: Repealed at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.106 Incorporations by Reference

- a) Abbreviations. The following abbreviated names are used for materials incorporated by reference:

"ASTM" means American Society for Testing and Materials.

"GPO" means Superintendent of Documents, U.S. Government Printing Office.

"Standard Methods" means "Standard Methods for the Examination of Water and Wastewater", available from the American Public Health Association.

"USEPA" means the United States Environmental Protection Agency.

- b) The Board incorporates the following publications by reference:

American Public Health Association et al., 800 I Street, N.W., Washington, D.C. 20001-3710, (202)777-2742.

Standard Methods for the Examination of Water and Wastewater, 23rd Edition, 2017.

ASTM. American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, (610)832-9585

ASTM Standard E 1147-87 "Standard Test Method for Partition Coefficient (n-Octanol/Water) Estimation by Liquid Chromatography", approved February 27, 1987.

USEPA, NSCEP. United States Environmental Protection Agency, National Service Center for Environmental Publications, P.O. Box 42419, Cincinnati, OH 45242-0419 (accessible online and available by download from <http://www.epa.gov/nscep/>).

Mutagenicity and Carcinogenicity Assessment for 1,3-Butadiene, September 1985, Document Number EPA/600/8-85/004FA.

Method OIA-1677, DW: Available Cyanide by Flow Injection,

Ligand Exchange, and Amperometry, January 2004, Document Number EPA-821-R-04-001.

- c) The Board incorporates the following federal regulations by reference. Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, (202)783-3238:

40 CFR 122 (2017)

40 CFR 136 (2017)

40 CFR 141 (2017)

40 CFR 302.4 (2017)

- d) This Section incorporates no future editions or amendments.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.107 Severability

If any provision of this Subtitle or its application to any person or in any circumstance is adjudged invalid, that adjudication will not affect the validity of this Subtitle as a whole, or any portion not adjudged invalid.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.108 Adjusted Standards (Repealed)

(Source: Repealed at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.200 Definitions

Except as otherwise provided within individual Parts of this Chapter, the terms defined in the following Sections have the meanings specified.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.205 Act

"Act" means the Illinois Environmental Protection Act.

Section 301.210 Administrator

"Administrator" means the Administrator of the United States Environmental Protection Agency or the Administrator's designee.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.215 Agency

"Agency" means the Illinois Environmental Protection Agency.

Section 301.220 Aquatic Life

"Aquatic Life" means native populations of fish and other aquatic life.

Section 301.221 Area of Concern

"Area of Concern" or "AOC" is an area specially designated for remediation efforts.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.225 Artificial Cooling Lake

"Artificial Cooling Lake" means any manmade lake, reservoir or other impoundment, constructed by damming the flow of a stream, which is used to cool the water discharged from the condensers of a steam-electric generating plant for recirculation in substantial part to the condensers.

Section 301.230 Basin

"Basin" means the area tributary to the designated body of water.

Section 301.231 Bioaccumulative Chemicals of Concern

"Bioaccumulative Chemicals of Concern" or "BCC" means a chemical or class of chemicals meeting the definition at 35 Ill. Adm. Code 302.501.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.235 Board

"Board" means the Illinois Pollution Control Board.

Section 301.240 CWA

"CWA" means the Federal Water Pollution Control Act, as amended, (33 U.S.C. 1251 et seq., Public Law 92-500 enacted by Congress October 18, 1972 as amended by the "Clean Water Act", Public Law 95-217, enacted December 12, 1977, as amended.)

(Source: Amended 5 Ill. Reg. 6384, effective May 28, 1981.)

Section 301.245 Calumet River System

"Calumet River System" means the Calumet River, the Grand Calumet River, the Little Calumet River downstream from its confluence with the Grand Calumet, the Calumet-Sag Channel, and the Calumet Harbor Basin.

Section 301.247 Chicago Area Waterway System

"Chicago Area Waterway System" means Calumet River, Grand Calumet River, Little Calumet River downstream from the confluence of Calumet River and Grand Calumet River, Calumet-Sag Channel, Lake Calumet, Chicago River and its branches downstream from their confluence with North Shore Channel, North Shore Channel and Chicago Sanitary and Ship Canal.

(Source: Added at 35 Ill. Reg. 15071, effective August 23, 2011)

Section 301.250 Chicago River System

"Chicago River System" means the Chicago River and its branches, the North Shore Channel, and the Chicago Sanitary and Ship Canal.

Section 301.255 Combined Sewer

"Combined Sewer" means a sewer designed and constructed to receive both wastewater and land runoff.

(Source: Amended at 3 Ill. Reg. 25, page 190, effective June 21, 1979.)

Section 301.260 Combined Sewer Service Area

"Combined Sewer Service Area" means a specific geographical drainage area served by a combined sewer system. Areas served by separate sewer systems which enter the combined system are not included. Undeveloped areas within a combined sewer service area may be included in that area if deemed appropriate by the Agency under the guidelines in 35 Ill. Adm. Code 306.102.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.265 Construction

"Construction" means commencement of on-site fabrication, erection, or installation of a treatment works, sewer, or wastewater source; or the reinstallation at a new site of any existing treatment works, sewer, or wastewater source.

Section 301.267 Conversion Factor

“Conversion Factor” means the fraction of the total metal found as dissolved in the toxicity tests used to derive the water quality standards of 35 Ill. Adm. Code 302. The conversion factors are used to convert total metals water quality standards to dissolved standards.

(Source: Added at 27 Ill. Reg. 158, effective December 20, 2002)

Section 301.270 Dilution Ratio

"Dilution Ratio" means the ratio of the seven-day once in ten year low flow of the receiving stream or the lowest flow of the receiving stream when effluent discharge is expected to occur, whichever is greater, to the average flow of the treatment works for the design year.

(Source: Amended at 3 Ill. Reg. no. 25, page 190, effective June 21, 1979.)

Section 301.275 Effluent

"Effluent" means any wastewater discharged, directly or indirectly, to the waters of the State or to any storm sewer, and the runoff from land used for the disposition of wastewater or sludges, but does not otherwise include nonpoint source discharges such as runoff from land or any livestock management facility or livestock waste handling facility subject to regulation under Subtitle E.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.280 Hearing Board

"Hearing Board" means an Agency hearing board of one or more employees, appointed by the Director under 35 Ill. Adm. Code 309.115(b), that conducts public hearings and makes recommendations to the Agency on issuing or denying NPDES permits.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.282 Incidental Contact Recreation

“Incidental Contact Recreation” means any recreational activity in which human contact with the water is incidental and in which the probability of ingesting appreciable quantities of water is minimal, such as fishing; commercial boating; small craft recreational boating; and any limited contact associated with shoreline activity such as wading.

(Source: Added at 35 Ill. Reg. 15071, effective August 23, 2011)

Section 301.285 Industrial Wastes

"Industrial Wastes" means any solid, liquid, or gaseous wastes resulting from any process of industry, manufacturing, trade, or business or from the development, processing, or recovery, except for agricultural crop raising, of any natural resource.

Section 301.290 Institute (Repealed)

(Source: Repealed at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.295 Interstate Waters

"Interstate Waters" are waters that cross or form part of the border between Illinois and one or more other states.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.300 Intrastate Waters

"Intrastate Waters" are all waters of Illinois which are not interstate waters.

Section 301.301 Lake Michigan Lakewide Management Plan

"Lake Michigan Lakewide Management Plan" or "LaMP" is a plan to manage the Illinois portion of Lake Michigan as approved by USEPA.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.305 Land Runoff

"Land Runoff" means water reaching the waters of the State as runoff resulting from precipitation.

Section 301.307 Lower Des Plaines River

"Lower Des Plaines River" means Des Plaines River from the confluence with Chicago Sanitary and Ship Canal to the Interstate 55 Bridge.

(Source: Added at 35 Ill. Reg. 15071, effective August 23, 2011)

Section 301.310 Marine Toilet

"Marine Toilet" means any toilet on or within any watercraft.

Section 301.311 Method Detection Level

"Method Detection Level" is the minimum concentration of an analyte (substance) that can be measured and reported with 99 percent confidence that the analyte concentration is greater than zero as determined by the procedure set forth in Appendix B of 40 CFR 136 (2017), incorporated by reference in Section 301.106.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.312 Minimum Level

"Minimum Level" or "ML" is the concentration at which the entire analytical system must give a recognizable signal and acceptable calibration point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method-specified sample weights, volumes, and processing steps have been followed. The analytical procedure used for determining the minimum level must be a procedure published by USEPA or a nationally recognized organization, including those methods in 40 CFR 136, 40 CFR 132, or Standard Methods, incorporated by reference in Section 301.106.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.313 Metals Translator

"Metals Translator" means the fraction of total metal that is dissolved in the effluent or downstream water. The metals translator calculates a total metal permit limit from a dissolved metal water quality standard. In the absence of site-specific data for the effluent or receiving water, the metals translator is the reciprocal of the conversion factor.

(Source: Added at 27 Ill. Reg. 158, effective December 20, 2002)

Section 301.315 Modification

"Modification" means:

- a) Any physical change in a treatment works which involves different or additional processes or equipment or which increases or decreases the capacity or efficiency of the treatment works; or
- b) Any change in the number or location of points where effluent is discharged, directly or indirectly, to the waters; or
- c) Any change in any components of a sewer system which alters the quantity of wastewater capable of being conveyed, or which increases or decreases the quantity of wastewater capable of being discharged at overflow or bypass structures; or

- d) Any increase in quantity or strength of a discharge from any wastewater source, unless such increase does not exceed an upper limit specifically allowed by an existing permit granted by the Agency and does not involve any additional contaminants contained in standards set by this Chapter that are not itemized and approved in an existing Agency permit.

Section 301.320 New Source

"New Source" means any wastewater source, the construction of which is commenced on or after the effective date of the applicable provisions of this Chapter.

Section 301.323 Primary Contact Recreation

"Primary Contact Recreation" means any recreational activity in which human contact consists of full body contact with the waters, such as swimming, diving or jumping, and includes all Incidental Contact Recreation.

(Source: Added at 35 Ill. Reg. 15071, effective August 23, 2011)

Section 301.324 Non-contact Recreation and Non-recreational

- a) "Non-contact Recreation" means any recreational or other water use in which human contact with the water is unlikely, such as pass through commercial or recreational navigation, and where physical conditions or hydrologic modifications make direct human contact unlikely or dangerous.
- b) "Non-recreational" means a water body where the physical conditions or hydrologic modifications preclude primary contact, incidental contact and non-contact recreation.

(Source: Added at 35 Ill. Reg. 15071, effective August 23, 2011)

Section 301.325 NPDES

"NPDES" means the National Pollutant Discharge Elimination System for issuing, establishing conditions for, and denying permits under Section 402 of the CWA. All terms used concerning NPDES that the CWA or regulations adopted under it have those meanings unless specifically noted otherwise.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.330 Other Wastes

"Other Wastes" means garbage, refuse, wood residues, sand, lime, cinders, ashes, offal, night soil, silt, oil, tar, dye stuffs, acids, chemicals and all other substances not sewage or

industrial waste whose discharge would cause water pollution or a violation of the effluent or water quality standards.

Section 301.331 Outlier (Repealed)

(Source: Repealed at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.335 Person

"Person" means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, political subdivision, state agency, or any other legal entity, or their legal representative, agent or assigns.

Section 301.340 Pollutant

"Pollutant" means dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water. This term does not include:

- a) "sewage from vessels" within the meaning of the CWA; or
- b) water, gas, or other material that is injected into a well to facilitate production and disposed of in a well, if the well, used either to facilitate production or for disposal purposes, is approved by the Department of Natural Resources, Office of Mines and Minerals, and the Office of Mines and Minerals determines that the injection or disposal will not result in the degradation of ground or surface water resources.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.341 Pollutant Minimization Program

"Pollutant Minimization Program" means a structured set of activities to improve processes and pollutant controls that will prevent and reduce pollutant loading.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.345 Population Equivalent

"Population Equivalent" is a term used to evaluate the impact of industrial or other waste on a treatment works or stream. One population equivalent is 100 gallons (380 l) of sewage per day, containing 0.17 pounds (77 g) of BOD₅ (five day biochemical oxygen demand) and 0.20 pounds (91 g) of suspended solids. The impact on a treatment works is evaluated as the equivalent of the highest of the three parameters. Impact on a stream is the higher of the BOD₅ and suspended solids parameters.

Section 301.346 Preliminary Effluent Limitation

"Preliminary Effluent Limitation" or "PEL" is an estimate of an allowable discharge considering mixing or dilution.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.350 Pretreatment Works

"Pretreatment Works" means a treatment works designed and intended to treat wastewater from an indirect discharge or industrial user as defined in 40 CFR 403(2022) before it is introduced into a sewer system tributary to a publicly owned or publicly regulated treatment works.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.355 Primary Contact

"Primary Contact" means any recreational or other water use in which there is prolonged and intimate contact with the water involving considerable risk of ingesting water in quantities sufficient to pose a significant health hazard, such as swimming and water skiing.

Section 301.356 Projected Effluent Quality

"Projected Effluent Quality" or "PEQ" is the amount of a contaminant estimated to be discharged by a facility or activity considering a statistical analysis of the discharge or activity.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.360 Public and Food Processing Water Supply

"Public and Food Processing Water Supply" means any water use in which water is withdrawn from surface waters of the State for human consumption or for processing of food products intended for human consumption.

Section 301.365 Publicly Owned Treatment Works

"Publicly Owned Treatment Works" means a treatment works owned by a municipality, sanitary district, county, or state agency, and which treats domestic and industrial wastes collected by a publicly owned or regulated sewer system. Industrial treatment works which are publicly owned and financed by bond issues of public agencies are not included in this definition.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.370 Publicly Regulated Treatment Works

"Publicly Regulated Treatment Works" means otherwise private companies that are regulated as public utilities engaged in the disposal of domestic and industrial wastes and regulated by the Illinois Commerce Commission under the Public Utilities Act [220 ILCS 5].

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.371 Quantification Level

"Quantification Level" is a measurement of the concentration of a contaminant obtained by using a specified laboratory procedure calibrated at a specified concentration above the method detection level. It is considered the lowest concentration at which a particular contaminant can be quantitatively measured using a specified laboratory procedure for monitoring the contaminant. The analytical procedure used for determining quantification level must be a procedure published by USEPA or a nationally recognized organization, including those methods in 40 CFR 136, 40 CFR 132, or Standard Methods, incorporated by reference in 35 Ill. Adm. Code 301.106.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.372 Reasonable Potential Analysis

"Reasonable Potential Analysis" or "Reasonable Potential to Exceed" means the procedure to predict whether an existing or future discharge would cause or contribute to a violation of water quality standards, criteria or values.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.373 Same Body of Water

"Same Body of Water" means that, for purposes of evaluating intake toxic substances consistent with 35 Ill. Adm. Code 352.425, the Agency will consider intake toxic substances to be from the same body of water if the Agency finds that the intake toxic substance would have reached the vicinity of the outfall point in the receiving water within a reasonable period had it not been removed by the permittee and there is a direct hydrological connection between the intake and the discharge points. Despite the provisions of this definition, an intake toxic substance will be considered to be from the same body of water if the permittee's intake point is located on Lake Michigan and the outfall point is located on a tributary of Lake Michigan. In this situation, the background concentration of the toxic substance in the receiving water must be similar to or greater than that in the intake water and the difference, if any, between the water quality

characteristics of the intake and receiving water must not result in an adverse impact on the receiving water.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.375 Sanitary Sewer

"Sanitary Sewer" means a sewer that carries wastewater together with incidental land runoff.

(Source: Amended at 3 Ill. Reg. no. 25, page 190, effective June 21, 1979.)

Section 301.380 Secondary Contact

"Secondary Contact" means any recreational or other water use in which contact with the water is either incidental or accidental and in which the probability of ingesting appreciable quantities of water is minimal, such as fishing, commercial and recreational boating and any limited contact incident to shoreline activity.

Section 301.385 Sewage

"Sewage" means water-carried human and related wastes from any source.

(Source: Amended at 3 Ill. Reg. no. 25 page 190, effective June 21, 1979.)

Section 301.390 Sewer

"Sewer" means a stationary means of transport or stationary system of transport, excluding natural waterways, constructed and operated for the purpose of collecting and transporting wastewater or land runoff, or both.

(Source: Amended at 3 Ill. Reg. no. 25 page 190, effective June 21, 1979.)

Section 301.395 Sludge

"Sludge" means any solid, semisolid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility, or any other waste having similar characteristics and effects.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.400 Standard of Performance

"Standard of Performance" means a standard promulgated by the Administrator under Section 306 of the CWA for the control of the discharge of pollutants reflecting the greatest degree of effluent reduction that the Administrator determines to be achievable

through the application of the best available demonstrated control technology, processes, operating methods, or other alternatives, including, where practicable, a standard permitting no discharge of pollutants.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.405 STORET

"STORET" means the national water quality data system of the federal Environmental Protection Agency.

Section 301.410 Storm Sewer

"Storm Sewer" means a sewer intended to receive only land runoff.

Section 301.411 Total Maximum Daily Load

"Total Maximum Daily Load" or "TMDL" is the sum of the individual wasteload allocations for point sources and load allocations for nonpoint sources and natural background, as more fully defined at 40 CFR 130.2(i). A TMDL sets and allocates the maximum amount of a pollutant that may be introduced into a water body and still assure attainment and maintenance of water quality standards.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.413 Total Metal

"Total Metal" means the dissolved fraction of metal in a solution plus the suspended fraction.

(Source: Added at 27 Ill. Reg. 158, effective December 20, 2002)

Section 301.415 Treatment Works

"Treatment Works" means individually or collectively those constructions or devices (except sewers, and except constructions or devices used for the pretreatment of wastewater prior to its introduction into publicly owned or regulated treatment works) used for collecting, pumping, treating, or disposing of wastewaters or for the recovery of byproducts from such wastewater.

Section 301.420 Underground Waters

"Underground Waters" means any waters of the State located beneath the surface of the earth.

Section 301.421 Wasteload Allocation

Waste Load Allocation or WLA is the portion of receiving water's loading capacity that is allocated to one of its existing or future point sources of pollution, as more fully defined at 40 CFR 130.2(h). In the absence of a TMDL approved by USEPA pursuant to 40 CFR 130.7 or an assessment and remediation plan developed and approved in accordance with procedure 3.A of Appendix F of 40 CFR 132, a WLA is the allocation for an individual point source that ensures that the level of water quality to be achieved by the point source is derived from and complies with all applicable water quality standards.

(Source: Added at 23 Ill. Reg. 11277, effective August 26, 1999.)

Section 301.425 Wastewater

"Wastewater" means sewage, industrial waste, or other waste, or any combination of these, whether treated or untreated, plus any admixed land runoff.

Section 301.430 Wastewater Source

"Wastewater Source" means any equipment, facility, or other source of any type that discharges wastewater, directly or indirectly to the waters of the State.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.435 Watercraft

"Watercraft" means every type of boat, ship or barge used or capable of being used as a means of transportation on water.

Section 301.440 Waters

"Waters" means all accumulations of water, surface and underground, natural, and artificial, public and private, or parts thereof, which are wholly or partially within, flow through, or border upon the State of Illinois, except that sewers and treatment works are not included except as specially mentioned; provided, that nothing herein contained shall authorize the use of natural or otherwise protected waters as sewers or treatment works except that in-stream aeration under Agency permit is allowable.

Section 301.441 Water Quality Based Effluent Limitation

"Water Quality Based Effluent Limitation" or "WQBEL" is a limit imposed in a permit so that the applicable water quality standard, criteria or value is not exceeded outside of a designated mixing zone.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.442 Wet Weather Point Source

"Wet Weather Point Source" means any discernible, confined, and discrete conveyance from which pollutants are, or may be, discharged as the result of a wet weather event. Discharges from wet weather point sources must include only: discharges of stormwater from a municipal separate storm sewer as defined at 40 CFR 122.26(b)(8), incorporated by reference in Section 301.106; stormwater discharge associated with industrial activity as defined at 40 CFR 122.26(b)(14), incorporated by reference in Section 301.106; discharges of stormwater and sanitary wastewaters (domestic, commercial, and industrial) from a combined sewer overflow; or any other stormwater discharge for which a permit is required under Section 402(p) of the Clean Water Act (33 U.S.C. 1342(p)). A stormwater discharge associated with industrial activity that is mixed with process wastewater will not be considered a wet weather point source.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.443 Whole Effluent Toxicity

"Whole Effluent Toxicity" or "WET" means a test procedure that determines the effect of an effluent on aquatic life.

(Source: Amended at 47 Ill. Reg. 4415, effective March 23, 2023)

Section 301.APPENDIX A References to Previous Rules (Repealed)

(Source: Repealed at 47 Ill. Reg. 4415, effective March 23, 2023)