

ILLINOIS POLLUTION CONTROL BOARD
April 15, 2004

IN THE MATTER OF:)
)
WASTEWATER PRETREATMENT) R04-18
UPDATE, USEPA AMENDMENTS) (Identical-in-Substance
(July 1, 2003 through December 31, 2003)) Rulemaking - Water)

Proposed Rule. Proposal for Public Comment.

OPINION AND ORDER OF THE BOARD (by N.J. Melas):

This identical-in-substance rulemaking proposes updating the Illinois wastewater pretreatment regulations to incorporate revisions to the federal regulations. The United States Environmental Protection Agency (USEPA) made the amendments that prompted this action during the period of July 1, 2003 through December 31, 2003. This proceeding proposes amendments to 35 Ill. Adm. Code 307 and 310.

Sections 7.2 and 13.3 of the Environmental Protection Act (Act) (415 ILCS 5/7.2 and 13.3 (2002)) require that the Board adopt regulations that are “identical in substance” to federal wastewater pretreatment regulations. These are rules adopted by the USEPA pursuant to sections 307(b), (c), and (d) and 402(b)(8) and (b)(9) of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C. §§ 1317(b), (c), and (d) and 1342(b)(8) and (b)(9) (1994)). Section 13.3 also provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) (5 ILCS 100/5-35 and 5-40 (2002)) do not apply to the Board’s adoption of identical-in-substance regulations. The federal wastewater pretreatment regulations are found at 40 C.F.R. 400 through 499.

The Board will cause the proposed amendments to be published in the *Illinois Register* and will hold the docket open to receive public comments for 45 days after the date of publication. The Board presently intends to adopt final amendments based on this proposal by July 8, 2004.

FEDERAL ACTIONS CONSIDERED IN THIS RULEMAKING

The following listing briefly summarizes the federal actions considered in this wastewater pretreatment update rulemaking:

Docket R04-18: July 1, 2003 through December 31, 2003,
Wastewater Pretreatment Amendments

USEPA amended the federal wastewater pretreatment regulations on one occasion during the period July 1, 2003 through December 31, 2003. That action is summarized below:

December 22, 2003 (68 Fed. Reg. 71014)

USEPA amended the effluent limitations and pretreatment standards for the centralized waste treatment category.

No Later Wastewater Pretreatment Amendments of Interest to Date

The Board engages in ongoing monitoring of federal actions. As of the date of this opinion and accompanying order, the Board has identified no other USEPA actions since January 1, 2004 that further amend the wastewater pretreatment rules in a way that would require immediate Board attention.

When the Board observes an action outside the nominal timeframe of a docket that would require expedited consideration in the pending docket, the Board will expedite consideration of those amendments. Federal actions that could warrant expedited consideration include those that directly affect the amendments involved in this docket, those for which compelling reasons would warrant consideration as soon as possible, and those for which the Board has received a request for expedited consideration. If the Board identifies any additional federal actions that fulfill these criteria prior to final action, the Board may include those amendments in the present update docket R04-18.

Other Federal Actions Having a Direct Impact on the Illinois Wastewater Pretreatment Regulations

In addition to the amendments to the federal wastewater pretreatment regulations, amendments to other federal regulations occasionally affect the Illinois wastewater pretreatment rules. Most notably, 35 Ill. Adm. Code 310.107 includes incorporations of federal regulations by reference. The incorporated regulations include segments of various USEPA environmental regulations, most notably 40 C.F.R. 136, which sets forth methods for analysis of water and wastewater.

As of the date of this proposal for public comment, the Board found two sets of amendments to the incorporated materials. Those amendments are listed as follows:

July 21, 2003 (68 Fed. Reg. 43272)

USEPA approved new methods for microbiological analysis of water and wastewater in 40 C.F.R. 136.

September 19, 2003 (68 Fed. Reg. 54934)

USEPA corrected its July 21, 2003 approval of new methods for microbiological analysis of water and wastewater.

Summary Listing of the Federal Actions Forming the Basis of the Board's Actions in These Consolidated Dockets

Based on the foregoing, the federal actions that form the basis for Board action in this update docket are the following, listed in chronological order:

July 21, 2003 (68 Fed. Reg. 43272)	New methods for microbiological analysis of water and wastewater.
September 19, 2003 (68 Fed. Reg. 54934)	Corrections to the July 21, 2003 approval of new methods.
December 22, 2003 (68 Fed. Reg. 71014)	Amended standards for the centralized waste treatment category.

PUBLIC COMMENTS

The Board will receive public comments on this proposal for a period of 45 days following its publication in the *Illinois Register*. After that time, the Board will immediately consider adoption of the amendments, making any necessary changes in response to public comments.

TIMETABLE FOR COMPLETION OF THIS RULEMAKING

Under Section 7.2 of the Act (415 ILCS 5/7.2(b) (2002)), the Board must complete this rulemaking within one year of the date of the earliest set of federal amendments considered in this docket. USEPA adopted the earliest federal amendments that required Board attention on July 21, 2003, so that the deadline for Board adoption of these amendments is July 21, 2004. The Board scheduled adoption of this proposal for public comment for the Board meeting of April 15, 2004, to allow for timely adoption of the rule by July 8, 2004. This will allow filing of these amendments before the July 21, 2004 deadline.

Considering the proposal of these amendments on this date, the Board projects the following will occur in the progress towards completion of these amendments:

Due date:	July 21, 2004
Date of Board vote to propose amendments:	April 15, 2004
Submission for <i>Illinois Register</i> publication:	April 26, 2004
Probable <i>Illinois Register</i> publication date:	May 7, 2004
End of 45-day public comment period:	June 21, 2004
Date of Board vote to adopt amendments:	July 8, 2004
Probable filing and effective date:	July 19, 2004
Probable <i>Illinois Register</i> publication date:	July 30, 2004

DISCUSSION

The following discussion begins with a description of the various deviations the Board makes from the literal text of federal regulations in adopting identical-in-substance rules. It is followed by a discussion of the amendments and actions undertaken in direct response to the federal actions involved in this proceeding. This first series of discussions is organized by federal subject matter, generally appearing in chronological order of the relevant *Federal*

Register notices involved. Finally, this discussion closes with a description of the amendments and actions that are not directly derived from the federal actions.

General Revisions and Deviations from the Federal Text

In incorporating the federal rules into the Illinois system, some deviation from the federal text is unavoidable. This deviation arises primarily through differences between the federal and state regulatory structure and systems. Some deviation also arises through errors in and problems with the federal text itself. The Board conforms the federal text to the Illinois rules and regulatory scheme and corrects errors that we see in the text as we engage in these routine update rulemakings.

In addition to the amendments derived from federal amendments, the Board often finds it necessary to alter the text of various passages of the existing rules as provisions are opened for update in response to USEPA actions. This involves correcting deficiencies, clarifying provisions, and making other changes that are necessary to establish a clear set of rules that closely parallel the corresponding federal requirements within the codification scheme of the *Illinois Administrative Code*.

In the course of completing the two previous updates to the wastewater pretreatment regulations of 35 Ill. Adm. Code 307 and 310, the Board extensively reviewed and corrected the text of the rules. See Wastewater Pretreatment Update, USEPA Amendments (July 1, 2002 through December 31, 2002), R03-13 (Sept. 4, 2003) and Wastewater Pretreatment Update, USEPA Amendments (January 1, 2003 through June 30, 2003), R04-1 (Jan. 22, 2004). As a result, only two additional corrective amendments were found necessary at this time. The two amendments are limited to updating the version of federal statutes incorporated by reference in Section 310.107. Those two corrective amendments are listed in the table on page 7 of this opinion.

Discussion of the Particular Federal Actions Involved in This Docket

Amended Standards for the Centralized Waste Treatment Point Source Category--Sections 307.4701 through 307.4704

The USEPA action of December 22, 2003 (68 Fed. Reg. 71014), related to discharges from facilities in the centralized waste treatment point source category. USEPA deleted certain effluent limitations and pretreatment standards. USEPA deleted the selenium limitations and standards from certain segments of 40 C.F.R. 437, Subpart A, which applies to the metals treatment and recovery subcategory. USEPA further deleted the barium, molybdenum, antimony, and titanium limitations and standards from certain segments of 40 C.F.R. 437, Subpart B, which applies to the oils treatment and recovery subcategory. USEPA deleted the molybdenum, antimony, aniline, and 2,3-dichloroaniline limitations and standards from certain segments of 40 C.F.R. 437, Subpart C, which applies to the organics treatment and recovery subcategory. Finally, USEPA amended segments of 40 C.F.R. 437, Subpart D, which applies to the multiple wastestream subcategory, to reflect the amendments to the amendments to Subparts

A through C. Other USEPA amendments related only to direct dischargers, and not to wastewater pretreatment.

The Board proposes to incorporate the wastewater pretreatment segments of the federal centralized waste treatment point source category amendments without deviation from the corresponding federal text. The structure of the Illinois wastewater pretreatment regulations is such that the primary means of incorporating federal requirements is by use of incorporation of the federal rules by reference. Generally, the Illinois regulations set forth the text of shorter general provisions, like applicability statements, and incorporate the more lengthy federal substantive requirements by reference. Following this general pattern, incorporation of the December 22, 2003 federal amendments appears to require the following amendments to the Illinois rules:

<u>Federal Action</u>	<u>Proposed Board Action</u>
Amendment to 437.11	None; not applicable to wastewater pretreatment
Amendment to 437.13	None; not applicable to wastewater pretreatment
Amendment to 437.15	Update incorporation by reference at Section 307.4701(c)(1)
Amendment to 437.16	Update incorporation by reference at Section 307.4701(d)(1)
Amendment to 437.21	None; not applicable to wastewater pretreatment
Amendment to 437.23	None; not applicable to wastewater pretreatment
Amendment to 437.24	None; not applicable to wastewater pretreatment
Amendment to 437.25	Update incorporation by reference at Section 307.4702(c)(1)
Amendment to 437.26	Update incorporation by reference at Section 307.4702(d)(1)
Amendment to 437.31	None; not applicable to wastewater pretreatment
Amendment to 437.33	None; not applicable to wastewater pretreatment
Amendment to 437.34	None; not applicable to wastewater pretreatment
Amendment to 437.35	Update incorporation by reference at Section 307.4703(c)(1)
Amendment to 437.36	Update incorporation by reference at Section 307.4703(d)(1)
Amendment to 437.42	None; not applicable to wastewater pretreatment
Amendment to 437.44	None; not applicable to wastewater pretreatment
Amendment to 437.45	None; not applicable to wastewater pretreatment
Amendment to 437.46	Update incorporation by reference at Section 307.4704(c)(1)
Amendment to 437.47	Update incorporation by reference at Section 307.4704(d)(1)

There are essentially no deviations from the literal text of the federal amendments, since the federal amendments are incorporated in their entirety by incorporation by reference.

The Board requests public comment on the proposed incorporation of the December 22, 2003 federal amendments affecting the centralized waste treatment point source category.

Amended Methods for Analysis of Biological Pollutants in Water--Section 310.107

On July 21, 2003 (68 Fed. Reg. 43272), USEPA adopted amendments to the methods for analysis of water and wastewater. The amendments incorporated new methods for analysis of microbiological contaminants: *Escherichia coli*, *Cryptosporidium*, and *Giardia* in fresh water and for enterococci in marine waters. The methods are published by a variety of sources, but all are listed in 40 C.F.R. 136.3. USEPA corrected the July 21, 2003 amendments on September 19, 2003 (68 Fed. Reg. 54934).

The Board proposes to incorporate the federal July 21, 2003 amendments and September 19, 2003 corrections to 40 C.F.R. 136.3. This is done by updating the incorporation of 40 C.F.R. 136 by reference in Section 307.107(b) to include the July 21, 2003 amendments and the September 19, 2003 corrections. The Board updates the incorporation despite uncertainty that any of the new methods relate to implementation of the federal wastewater pretreatment standards.

The Board requests public comment on the proposed incorporation of the federal July 21, 2003 amendments and September 19, 2003 corrections to 40 C.F.R. 136.3.

Discussion of Corrective Amendments

The Board has traditionally used the occasion of these identical-in-substance updates to correct segments of the base text of the Illinois regulations. The Board has added to this proceeding two corrective amendments to sections of the rules not affected by the underlying federal amendments. These corrections are exclusively non-substantive in effect.

Review of the references in Section 310.107(c) to federal statutes revealed that two are outdated. The most recent version of the *United States Code* available was published in 2000. The citations to the federal Clean Water Act and the Resource Conservation and Recovery Act referred to the 1994 edition of the *Code*. The examination further revealed the existence of amendments to the Clean Water Act dated November 7, 2000, which post-date the 2000 version of the *Code*. The Board has amended the incorporations of these two federal statutes by reference to reflect these later editions of the two statutes. These amendments are listed in the table that appears in the following segment of this opinion.

The Board requests public comment on the proposed update to the incorporations of the federal Clean Water Act and the Resource Conservation and Recovery Act by reference.

Discussion of Miscellaneous Housekeeping Amendments

The table below lists corrections and amendments that are not based on current federal amendments. The table (beginning immediately below) includes corrections and clarifications that the Board made in the base text involved in this proposal.

**Table:
Board Housekeeping Amendments**

Section	Source	Revision(s)
310.107(c)(2)	Board	Updated the citation to the federal Clean Water Act in the <i>United States Code</i> to the most recent edition
310.107(c)(3)	Board	Updated the citation to the federal Resource Conservation and Recovery Act in the <i>United States Code</i> to the most recent edition

ORDER

The Board proposes the following amendments for public comment:

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

SUBPART B: GENERAL AND SPECIFIC PRETREATMENT
REQUIREMENTS

Section	
307.1101	General and Specific Requirements
307.1102	Mercury
307.1103	Cyanide

SUBPART F: DAIRY PRODUCTS PROCESSING

Section	
307.1501	Receiving Stations
307.1502	Fluid Products
307.1503	Cultured Products

307.1504	Butter
307.1505	Cottage Cheese and Cultured Cream Cheese
307.1506	Natural and Processed Cheese
307.1507	Fluid Mix for Ice Cream and other Frozen Desserts
307.1508	Ice Cream, Frozen Desserts, Novelties, and Other Dairy Desserts
307.1509	Condensed Milk
307.1510	Dry Milk
307.1511	Condensed Whey
307.1512	Dry Whey

SUBPART G: GRAIN MILLS

Section	
307.1601	Corn Wet Milling
307.1602	Corn Dry Milling
307.1603	Normal Wheat Flour Milling
307.1604	Bulgur Wheat Flour Milling
307.1605	Normal Rice Milling
307.1606	Parboiled Rice Milling
307.1607	Animal Feed
307.1608	Hot Cereal
307.1609	Ready-to-Eat Cereal
307.1610	Wheat Starch and Gluten

SUBPART H: CANNED AND PRESERVED FRUITS AND VEGETABLES

Section	
307.1700	General Provisions
307.1701	Apple Juice
307.1702	Apple Products
307.1703	Citrus Products
307.1704	Frozen Potato Products
307.1705	Dehydrated Potato Products
307.1706	Canned and Preserved Fruits
307.1707	Canned and Preserved Vegetables
307.1708	Canned and Miscellaneous Specialties

SUBPART I: CANNED AND PRESERVED SEAFOOD

Section	
307.1801	Farm-Raised Catfish
307.1815	Fish Meal Processing Subcategory

SUBPART J: SUGAR PROCESSING

Section	
307.1901	Beet Sugar Processing
307.1902	Crystalline Cane Sugar Refining
307.1903	Liquid Cane Sugar Refining

SUBPART K: TEXTILE MILLS

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

SUBPART L: CEMENT MANUFACTURING

Section	
307.2101	Nonleaching
307.2102	Leaching
307.2103	Materials Storage Piles Runoff

SUBPART M: CONCENTRATED ANIMAL FEEDING OPERATIONS

Section	
307.2201	General
307.2202	Ducks

SUBPART N: ELECTROPLATING

Section	
307.2300	General Provisions
307.2301	Electroplating of Common Metals
307.2302	Electroplating of Precious Metals
307.2304	Anodizing
307.2305	Coatings
307.2306	Chemical Etching and Milling
307.2307	Electroless Plating
307.2308	Printed Circuit Boards

SUBPART O: ORGANIC CHEMICALS, PLASTICS, AND SYNTHETIC
FIBERS

Section	
307.2400	General Provisions
307.2401	Rayon Fibers
307.2402	Other Fibers
307.2403	Thermoplastic Resins
307.2404	Thermosetting Resins
307.2405	Commodity Organic Chemicals
307.2406	Bulk Organic Chemicals
307.2407	Specialty Organic Chemicals

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

SUBPART P: INORGANIC CHEMICALS MANUFACTURING

Section	
307.2500	General Provisions
307.2501	Aluminum Chloride Production
307.2502	Aluminum Sulfate Production
307.2503	Calcium Carbide Production
307.2504	Calcium Chloride Production
307.2505	Calcium Oxide Production
307.2506	Chlor-Alkali Process (Chlorine and Sodium or Potassium Hydroxide Production)
307.2508	Hydrofluoric Acid Production
307.2509	Hydrogen Peroxide Production
307.2511	Potassium Metal Production
307.2512	Potassium Dichromate Production
307.2513	Potassium Sulfate Production
307.2514	Sodium Bicarbonate Production
307.2516	Sodium Chloride Production
307.2517	Sodium Dichromate and Sodium Sulfate Production
307.2520	Sodium Sulfite Production
307.2522	Titanium Dioxide Production
307.2523	Aluminum Fluoride Production
307.2524	Ammonium Chloride Production
307.2527	Borax Production
307.2528	Boric Acid Production
307.2529	Bromine Production
307.2530	Calcium Carbonate Production
307.2531	Calcium Hydroxide Production
307.2533	Carbon Monoxide and Byproduct Hydrogen Production
307.2534	Chrome Pigments Production
307.2535	Chromic Acid Production
307.2536	Copper Salts Production
307.2538	Ferric Chloride Production
307.2540	Fluorine Production
307.2541	Hydrogen Production
307.2542	Hydrogen Cyanide Production
307.2543	Iodine Production
307.2544	Lead Monoxide Production
307.2545	Lithium Carbonate Production
307.2547	Nickel Salts Production
307.2549	Oxygen and Nitrogen Production
307.2550	Potassium Chloride Production
307.2551	Potassium Iodide Production
307.2553	Silver Nitrate Production

307.2554	Sodium Bisulfite Production
307.2555	Sodium Fluoride Production
307.2560	Stannic Oxide Production
307.2563	Zinc Sulfate Production
307.2564	Cadmium Pigments and Salts Production
307.2565	Cobalt Salts Production
307.2566	Sodium Chlorate Production
307.2567	Zinc Chloride Production

SUBPART R: SOAP AND DETERGENTS

Section	
307.2701	Soap Manufacturing by Batch Kettle
307.2702	Fatty Acid Manufacturing by Fat Splitting
307.2703	Soap Manufacturing by Fatty Acid Neutralization
307.2704	Glycerine Concentration
307.2705	Glycerine Distillation
307.2706	Manufacture of Soap Flakes and Powders
307.2707	Manufacture of Bar Soaps
307.2708	Manufacture of Liquid Soaps
307.2709	Oleum Sulfonation and Sulfation
307.2710	Air-Sulfur Trioxide Sulfation and Sulfonation
307.2711	Sulfur Trioxide Solvent and Vacuum Sulfonation
307.2712	Sulfamic Acid Sulfation
307.2713	Chlorosulfonic Acid Sulfation
307.2714	Neutralization of Sulfuric Acid Esters and Sulfonic Acids
307.2715	Manufacture of Spray Dried Detergents
307.2716	Manufacture of Liquid Detergents
307.2717	Manufacturing of Detergents by Dry Blending
307.2718	Manufacture of Drum Dried Detergents
307.2719	Manufacture of Detergent Bars and Cakes

SUBPART S: FERTILIZER MANUFACTURING

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

SUBPART T: PETROLEUM REFINING

Section	
307.2901	Topping
307.2902	Cracking
307.2903	Petrochemical

307.2904 Lube
307.2905 Integrated

SUBPART U: IRON AND STEEL MANUFACTURING

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

SUBPART V: NONFERROUS METALS MANUFACTURING

Section
307.3100 General Provisions
307.3101 Bauxite Refining
307.3102 Primary Aluminum Smelting
307.3103 Secondary Aluminum Smelting
307.3104 Primary Copper Smelting
307.3105 Primary Electrolytic Copper Refining
307.3106 Secondary Copper
307.3107 Primary Lead
307.3108 Primary Zinc
307.3109 Metallurgical Acid Plants
307.3110 Primary Tungsten
307.3111 Primary Columbium-Tantalum
307.3112 Secondary Silver
307.3113 Secondary Lead
307.3114 Primary Antimony
307.3115 Primary Beryllium
307.3116 Primary and Secondary Germanium and Gallium
307.3117 Secondary Indium
307.3118 Secondary Mercury
307.3119 Primary Molybdenum and Rhenium
307.3120 Secondary Molybdenum and Vanadium
307.3121 Primary Nickel and Cobalt
307.3122 Secondary Nickel
307.3123 Primary Precious Metals and Mercury

307.3124	Secondary Precious Metals
307.3125	Primary Rare Earth Metals
307.3126	Secondary Tantalum
307.3127	Secondary Tin
307.3128	Primary and Secondary Titanium
307.3129	Secondary Tungsten and Cobalt
307.3130	Secondary Uranium
307.3131	Primary Zirconium and Hafnium

SUBPART X: STEAM ELECTRIC POWER GENERATING

Section

307.3301	Steam Electric Power Generating
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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	
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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, at 1 PCB 426, March 31, 1971; amended in R71-14, at 4 PCB 3, March 7, 1972; amended in R74-3, at 19 PCB 182, October 30, 1975; amended in R74-15, 16, at 31 PCB 405, at 2 Ill. Reg. 44, p. 151, effective November 2, 1978; amended in R76-17, at 31 PCB 713, at 2 Ill. Reg. 45, p. 101, effective November 5, 1978; amended in R76-21, at 44 PCB 203, at 6 Ill. Reg. 563, effective December 24, 1981; codified at 6 Ill. Reg. 7818; amended in R82-5, 10, at 54 PCB 411, 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. _____, effective _____.

SUBPART BL: CENTRALIZED WASTE TREATMENT

Section 307.4701 Metals Treatment and Recovery

- a) **Applicability.** This Section applies to that portion of the discharge of wastewater from a centralized waste treatment facility that results from the treatment of, or recovery of metals from, both metal-bearing wastes received from off-site and other centralized waste treatment wastewater associated with the treatment of, or recovery of metal-bearing wastes. The Board incorporates by reference 40 CFR 437.10 (2003). This incorporation includes no later amendments or editions.
- b) **Specialized definitions.** None.
- c) **Existing sources.**
 - 1) The Board incorporates by reference 40 CFR 437.15 (2003), as amended at 68 Fed. Reg. 71014 (December 22, 2003). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) of this Section may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) **New sources.**
 - 1) The Board incorporates by reference 40 CFR 437.16 (2003), as amended at 68 Fed. Reg. 71014 (December 22, 2003). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) of this Section may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.

(Source: Amended at 28 Ill. Reg. _____, effective _____)

Section 307.4702 Oils Treatment and Recovery

- a) **Applicability.** This Section applies to that portion of the discharge of wastewater from a centralized waste treatment facility that results from the treatment of, or recovery of oil from both oily wastes received from, off-site and other centralized waste treatment wastewater associated with the treatment of, or recovery of, oily wastes. The Board incorporates by reference 40 CFR 437.20 (2003). This incorporation includes no later amendments or editions.
- b) **Specialized definitions.** None.
- c) **Existing sources.**
 - 1) The Board incorporates by reference 40 CFR 437.25 (2003), as amended at 68 Fed. Reg. 71014 (December 22, 2003). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) of this Section may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) **New sources.**
 - 1) The Board incorporates by reference 40 CFR 437.26 (2003), as amended at 68 Fed. Reg. 71014 (December 22, 2003). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) of this Section may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.

(Source: Amended at 28 Ill. Reg. _____, effective _____)

Section 307.4703 Organics Treatment and Recovery

- a) **Applicability.** This Section applies to that portion of the discharge of wastewater from a centralized waste treatment facility that results from the treatment of, or recovery of organic material from both organic wastes received from, off-site and other centralized waste treatment wastewater associated with the treatment of, or recovery of, organic wastes. The Board incorporates by reference 40 CFR 437.30 (2003). This incorporation includes no later amendments or editions.
- b) **Specialized definitions.** None.
- c) **Existing sources.**

- 1) The Board incorporates by reference 40 CFR 437.35 (2003), as amended at 68 Fed. Reg. 71014 (December 22, 2003). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) of this Section may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources.
- 1) The Board incorporates by reference 40 CFR 437.36 (2003), as amended at 68 Fed. Reg. 71014 (December 22, 2003). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) of this Section may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.

(Source: Amended at 28 Ill. Reg. _____, effective _____)

Section 307.4704 Multiple Waste Streams

- a) Applicability. Facilities that treat wastes subject to more than one of the previous Sections in this Subpart BL must comply with either the provisions of this Section or the applicable provisions of Section 307.4701, 307.4702, or 307.4703. This Section applies to that portion of the discharge of wastewater from a centralized waste treatment facility that results from mixing any combination of treated or untreated waste otherwise subject to Section 307.4701, 307.4702, or 307.4703. The Board incorporates by reference 40 CFR 437.40 (2003). This incorporation includes no later amendments or editions.
- b) Specialized definitions. None.
- c) Existing sources.
 - 1) The Board incorporates by reference 40 CFR 437.46 (2003), as amended at 68 Fed. Reg. 71014 (December 22, 2003). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) of this Section may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources.
 - 1) The Board incorporates by reference 40 CFR 437.47 (2003), as amended

at 68 Fed. Reg. 71014 (December 22, 2003). This incorporation includes no later amendments or editions.

- 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) of this Section may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.

(Source: Amended at 28 Ill. Reg. _____, effective _____)

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

PART 310
PRETREATMENT PROGRAMS

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310.105	Confidentiality
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AUTHORITY: Implementing and authorized by Sections 7.2, 13, 13.3, and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 13, 13.3, and 27].

SOURCE: Adopted in R86-44 at 12 Ill. Reg. 2502, effective January 13, 1988; amended in R88-18 at 13 Ill. Reg. 2463, effective January 31, 1989; amended in R89-3 at 13 Ill. Reg. 19243, effective November 27, 1989; amended in R89-12 at 14 Ill. Reg. 7608, effective May 8, 1990; amended in R91-5 at 16 Ill. Reg. 7346, effective April 27, 1992; amended in R95-22 at 20 Ill. Reg. 5533, effective April 1, 1996; amended in R96-12 at 20 Ill. Reg. 10671, effective July 24, 1996; amended in R97-7 at 21 Ill. Reg. 5163, effective April 10, 1997; amended in R98-23 at 22 Ill. Reg. 11465, effective June 22, 1998; amended in R99-17 at 23 Ill. Reg. 8412, effective July 12, 1999; amended in R00-7 at 24 Ill. Reg. 2372, effective January 26, 2000; amended in R00-15 at 24 Ill. Reg. 11633, effective July 24, 2000; amended in R01-5 at 25 Ill. Reg. 1322, effective January 11, 2001; amended in R01-25 at 25 Ill. Reg. 10860, effective August 14, 2001; amended in R02-3 at 26 Ill. Reg. 4008, effective February 28, 2002; amended in R02-9 at 26 Ill. Reg. 4653, effective March 18, 2002; amended in R03-13 at 27 Ill. Reg. 15137, effective September 10, 2003; amended in R04-1 at 28 Ill. Reg. 3390, effective February 6, 2004 amended in R04-18 at 28 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

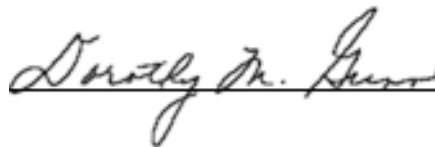
Section 310.107 Incorporations by Reference

- a) The following publications are incorporated by reference:
- 1) The consent decree in NRDC v. Costle, 1978 WL 23471, 12 Environment Reporter Cases 1833 (D.C. Cir. August 16, 1978).
 - 2) Standard Industrial Classification Manual (1987) (document no. PB87-100012), available from the National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22161.
- b) The following provisions of the Code of Federal Regulations are incorporated by reference:
- 40 CFR 2.302 (2003)
- 40 CFR 25 (2003)
- 40 CFR 122, Appendix D, Tables II and III (2003)
- 40 CFR 128.140(b) (1977)
- 40 CFR 136 (2003), as amended at 67 Fed. Reg. 65220 (October 23, 2002), 67 Fed. Reg. 65876 (October 29, 2002), and 67 Fed. Reg. 69952 (November 19, 2002) 68 Fed. Reg. 43272 (July 21, 2003) and 68 Fed. Reg. 54934 (September 19, 2003).
- 40 CFR 403 (2003)
- 40 CFR 403, Appendix D (2003)
- c) The following federal statutes are incorporated by reference:
- 1) Section 1001 of federal Crimes and Criminal Procedure (18 USC 1001 (2000))
 - 2) The federal Clean Water Act (33 USC 1251 et seq. ~~(1994)~~ (2000)) as amended through ~~October 31, 1994~~ November 7, 2000
 - 3) Subtitles C and D of the federal Resource Conservation and Recovery Act (42 USC 6901 et seq. ~~(1994)~~ (2000)) ~~as amended through March 26, 1996~~
- d) This Part incorporates no future editions or amendments.

(Source: Amended at 28 Ill. Reg. _____, effective _____)

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above opinion and order on April 15, 2004, by a vote of 4-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board