ILLINOIS POLLUTION CONTROL BOARD
November 5, 2026

IN THE MATTER OF:	)	
	)	
WASTEWATER PRETREATMENT UPDATE, USEPA AMENDMENTS (July 1, 2025, through December 31, 2025)	)	R26-14 (Identical-in-Substance Rulemaking - Water)
	)	
WASTEWATER PRETREATMENT UPDATE, USEPA AMENDMENTS (January 1, 2026, through July 1, 2026)	)	R27-6 (Identical-in-Substance Rulemaking - Water)

Reasons for Delay. Extension of Time.

ORDER OF THE BOARD (by M.D. Mankowski):

The above rulemakings require amendments to the Illinois wastewater pretreatment regulations that are identical-in-substance (IIS) to the Clean Water Act (CWA) adopted by the United States Environmental Protection Agency (USEPA) in 2025 and 2026. The Board today consolidates the two dockets to expedite consideration and finds that additional time is needed to complete the amendments and extends the due date for final Board action until December 31, 2027.

This is an identical-in-substance (IIS) rulemaking under Sections 7.2 and 13.3 of the Illinois Environmental Protection Act (Act) (415 ILCS 5/7.2 and 13.3 (2024)). Section 13.3 requires the Board to adopt requirements that are identical-in-substance to the federal Clean Water Act sections 307(b), (c), and (d) and 402(b)(8) and (b)(9) (33 U.S.C. §§ 1317(b), (c), and (d) and 1412(b)(8) and (b)(9) (2024)). The federal wastewater pretreatment standards implement these sections of the CWA and are found in: 40 C.F.R. §§ 401, 403, 405 through 415, 417 through 430, 432, through 455, 457 through 461, 463 through 469, and 471.

Section 7.2(b) of the Act requires the Board to complete action on amendments within one year of when USEPA adopted its rules. Section 7.2(b) further provides that the Board can extend the time to complete amendments upon finding that the one-year period is insufficient to complete the rulemaking and specifically state the reasons for the extension. The Board must publish a notice of extension in the *Illinois Register*. 415 ILCS 5/22.4(b) (2024).

SUMMARY OF USEPA ACTIONS THAT REQUIRE BOARD ACTION

The Board reserved dockets R26-14 and R27-6 to accommodate USEPA amendments to the CWA. In 2025 and 2026, USEPA took four wastewater pretreatment-related actions amending rules that have counterparts in the Illinois regulations:

October 2, 2025 (90 Fed. Reg. 47617):

USEPA extended the date for existing steam electric power plants to submit an initial notification of planned participation (NOPP) for the permanent cessation of coal combustion subcategory in the Supplemental Steam Electric Reconsideration Rule of 2024.

November 28, 2025 (90 Fed. Reg. 54588):

USEPA withdrew the initial notification date extension for existing steam electric power plants to submit a NOPP published on October 2, 2025 (90 Fed. Reg. 47617).

December 31, 2025 (90 Fed. Reg. 61352):

USEPA updated the 2024 Supplemental Steam Electric Reconsideration Rule's transfer regulations to allow facilities to switch between compliance alternatives and create authority for alternative applicability and paperwork submission dates, based on site-specific factors.

January 30, 2025 (91 Fed. Reg. 4016):

USEPA corrected deadlines listed in the final rule, "Effluent Limitations Guidelines and Standards for the Steam Electric Generating Point Source Category Deadline Extensions," published in the Federal Register on December 31, 2025. USEPA aligned compliance deadlines for pretreatment standards with related reporting recordkeeping requirements in the rule to ensure compliance deadlines and reporting and recordkeeping requirements match the version of the rules signed by the USEPA Administrator.

CONSOLIDATION OF DOCKETS

The Board finds that consolidating the R26-14 and R27-6 dockets is warranted. Consolidation allows for expedient adoption of the 2025 and 2026 CWA amendments. The subject matter of both dockets addresses changes to Illinois wastewater pretreatment regulations.

EXTENSION OF DUE DATE AND REASONS FOR DELAY

The Board finds that additional time is needed to complete the amendments in the R26-14 docket. The Board extends the due date for final action until December 31, 2027.

The Board is reviewing the text of the wastewater pretreatment regulations to make needed corrections. The Board's staff member who works on wastewater pretreatment updates needs additional wastewater pretreatment training.

The Board plans to complete the amendments in consolidated docket R26-14/R27-6 on the following schedule:

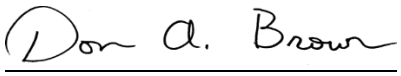
Proposal for comment date:	July 8, 2027
Publication submission deadline:	July 16, 2027
Illinois Register publication date:	July 30, 2027
End of 45-day public comment period:	September 13, 2027
Adoption date:	November 4, 2027
Possible filing and effective date:	November 4, 2027
Possible *Illinois Register* publication date:	November 19, 2027

ORDER

The Board directs the Clerk to submit a notice of this order for publication in the *Illinois Register*.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above opinion and order on November 5, 2026, by a vote of 5-0.



Don A. Brown, Clerk
Illinois Pollution Control Board