

ILLINOIS POLLUTION CONTROL BOARD  
September 9, 1993

IN THE MATTER OF: )  
 )  
PRETREATMENT UPDATE, USEPA ) R93-2  
REGULATIONS (July 1, 1992 ) (Identical in Substance Rules)  
through December 31, 1992) )

Adopted Rule. Final Order.

OPINION AND ORDER OF THE BOARD (by J. Anderson)<sup>1</sup>:

Pursuant to Sections 13.3 of the Environmental Protection Act (Act) (Ill. Rev. Stat. 1991, ch. 111½, par. 1013.3 [415 ILCS 5/13.3]), the Board amends the wastewater pretreatment regulations.

Section 13.3 of the Act requires the Board to adopt, in accordance with Section 7.2 of the Act, regulations which are "identical in substance" with USEPA pretreatment regulations adopted pursuant Sections 307 and 402 of the Clean Water Act. Section 13.3 of the Act provides that Section 5 of the Administrative Procedure Act (Ill. Rev. Stat. ch 127, par. 1001-1 et seq. [5 ILCS 100/1-1 et seq.]) shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR. However, Section 13.3 of the Act does require the Board to provide for notice and public comment before rules are filed with the Secretary of State.

Section 7.2 of the Act includes a definition of "identical in substance". This codifies the Board's past interpretations of its mandate under Section 13.3 of the Act.

The pretreatment regulations govern discharges by industrial users to publicly owned treatment works (POTWs). The rules are intended to prevent industrial discharges from passing through POTWs without adequate treatment to waters of the State, and to prevent industrial discharges from interfering with the operation of the treatment plant. Effluent discharges are regulated pursuant to 35 Ill. Adm. Code 304 and 309.

The Illinois pretreatment rules are contained in 35 Ill. Adm. Code 307 and 310, and more recently, as part of the R91-5 rulemaking, Part 309. Part 307 includes the categorical pretreatment standards, which are incorporated by reference from the USEPA rules. Part 310 specifies how a POTW sets up a pretreatment program, and how industrial users get pretreatment

<sup>1</sup> The Board wishes to acknowledge the contribution of Michael J. McCambridge, attorney, in drafting this opinion and order.

permits or authorizations to discharge. Part 309 sets forth the NPDES permit requirements. Although Part 309 does not pertain directly to sewer users and industrial wastewater pretreatment, it includes requirements at Section 309.103 that pertain to NPDES permittees required to have an approved pretreatment program.

The federal wastewater pretreatment regulations are found at 40 CFR 400 through 499. This rulemaking updates the Illinois pretreatment rules to correspond with federal amendments made in the period from July 1 through December 31, 1992. The sole USEPA action during this period is as follows:

Federal Action	Summary
57 Fed. Reg. 41836 (Sept. 11, 1992)	Standards for non-amenable cyanides, background levels of metals, correct listing errors in the appendices, and amend the applicability of OCPSF subcategories

#### PUBLIC COMMENTS

The Board received public comment on this proposal for 45 days after its publication in the Illinois Register, until August 16, 1993. The Notice of Proposed Amendments appeared in the 7-2-93 Illinois Register, at 17 Ill. Reg. 9803. The Board received the following public comments during the public comment period:

PC 1 Illinois Department of Commerce and Community Affairs (DCCA) (docketed July 9, 1993, by Linda Brand, Manager of Regulatory Flexibility Unit)

PC 2 Illinois Environmental Protection Agency (the Agency) (docketed August 16, 1993, by Richard C. Warrington, Associate Council, Division of Legal Counsel)

By PC 1, DCCA stated that it determined that the present rulemaking will not negatively impact small business. By PC 2, the Agency raised a substantive comment that we discuss later in this opinion.

The Board will delay filing any adopted rules with the Secretary of State for 30 days after adoption, particularly to allow USEPA review. The complete text of the adopted amendments follows the discussions of this opinion.

#### HISTORY OF RCRA, UST and UIC ADOPTION AGENCY OR BOARD ACTION? EDITORIAL CONVENTIONS

The Board appended three routine discussions at the end of

this opinion. The first is a summary history of the Illinois wastewater pretreatment program. It lists all actions taken to adopt and maintain this program since its inception. The second is a discussion of how the Board codifies requirements that call for state determinations, such as for exemptions, exceptions, etc. The third discussion relates to our use of language in the codification of identical-in-substance rules. We intend these as reference aids for interested persons in the regulated community.

#### DISCUSSION

The amendments involved in this proceeding are based on USEPA amendments to rules affecting the Organic Chemicals, Plastics, and Synthetic Fibers (OCPSF) Category (40 CFR 414, corresponding to 35 Ill. Adm. Code 307.Subpart O). These amendments establish alternative cyanide limitations for non-amenable cyanide resulting from unavoidable complexing in process wastestreams. They also establish alternative limitations for metals to accommodate low background levels of metals in non-"metal-bearing wastestreams" from incidental sources, such as source water, raw materials contamination, and materials of construction. The federal amendments further correct listing errors in the federal appendices (40 CFR 414 Appendices A & B, corresponding to Sections 307.2490 and 307.2491), and amend the applicability provisions for the Other Fibers, Thermoplastic Resins, and Thermosetting Resins subcategories (40 CFR 414, Subparts C, D & E, corresponding to Sections 307.2402, 307.2403 & 307.2404). The federal amendments finally purport to move two chemicals from the Bulk Organic Chemicals Subcategory (40 CFR 414, Subpart G, corresponding to Section 307.2406) to the Specialty Organic Chemicals Subcategory (40 CFR 414, Subpart H, corresponding to Section 307.2407).

The following discussions consider each of the sets of amendments in turn. However, prior to discussion of the amendments actually made to the Illinois wastewater pretreatment program, the Board discusses a number of federal amendments that do not result in amendments to the state program.

#### Federal Amendments to Direct Discharge Requirements

In past update dockets, the Board has raised the issue of federal amendments to the direct discharge requirements. As previously discussed in R89-12 (Apr. 12, 1990) and R86-44 (Dec. 3, 1987), 40 CFR Chapter I, Subchapter N (Parts 400 through 499) includes the federal categorical wastewater pretreatment standards. It also includes USEPA's categorical NPDES effluent limitations.

Although the Board has fulfilled its identical-in-substance mandate and periodically adopted and amended Illinois' pretreatment standards in response to federal actions, we have

not done so for the categorical NPDES effluent limitations. We have no authority to adopt such rules using the identical-in-substance procedures. Therefore, any adoption or amendment of categorical NPDES effluent limitations must be done as either a Section 27 general rulemaking or as a Section 28.2 federally-required rulemaking (if the Agency certifies the rules as required to meet the requirements of the federal Clean Water Act). In the case of a Section 27 rulemaking, the Board generally relies on the Agency for proposal of the rules to initiate the proceeding. In the case of a Section 28.2 rulemaking, the Board must rely on the filing of an Agency proposal. Throughout the history of the federal categorical NPDES regulations, since 1974 (see 39 Fed. Reg. 4532), the Agency has not filed such a proposal. Further, the Board received no public comments despite a specific request for comments in docket R91-5. As a result, the Board has not acted on those federal rules.

As a result, Illinois does not have a set of categorical effluent limitations in its regulations that corresponds with the industry-specific limitations included in the federal rules. The Board cannot now determine the ultimate effects of such a deficiency, but on its face it is obvious that the Agency must rely on something other than Illinois regulations if it were to impose these limitations in any NPDES permit. These limitations are mandatory at the federal level, so USEPA would likely require the Agency to impose them. The Board cannot say whether this is a desirable situation.

The Board invited public comment on whether the Agency or the Board should initiate a rulemaking proceeding to adopt Illinois categorical, industry-specific NPDES effluent limitations based on the corresponding federal regulatory limitations. The Agency commented in PC 2 that it does not believe that Board action is necessary at present in this matter.

Specific to this docket, there are elements of the federal categorical effluent limitations that the Board is not adopting. First, the Board is not adopting those portions of the alternative non-amenable cyanide and metals allowances rules as they relate to direct discharges. (40 CFR 414.11 (g) & (h), as added at 57 Fed. Reg. 41843.) Second, the Board is not adopting the BOD<sub>5</sub>, TSS, and pH limitation provisions for plants that produce in multiple subcategories of the OCPSF category. (40 CFR 414.11(i), as added at 57 Fed. Reg. 41843 & 40 CFR 414.21, 414.31, 414.41, 414.51, 414.61, 414.71 & 414.81, as amended at 57 Fed. Reg. 41843.) Third, the amendments to the subcategory applicability statements, affected in this rulemaking as to pretreatment, do not affect any direct discharges. (40 CFR 414.30, 414.40, 414.50 & 414.70, as amended at 57 Fed. Reg. 41843.) Finally, the amendments that identify the various waste-

streams, affected in this rulemaking as to pretreatment, do not similarly identify any direct discharges. (40 CFR 414, App. A & App. B, as amended at 57 Fed. Reg. 41843.)

#### Routine Amendments--All Sections

As a routine matter, the Board made certain routine amendments wherever the need was apparent. These included updating the edition of the Code of Federal Regulations to the 1992 edition. This also meant using or adding, as appropriate, "above", "below", "of this Section", or "of this Part" whenever we encountered Section- or Part-internal cross references in the Sections under amendment.

#### Alternative Standards for Certain Discharges--Sections 307.1103 & 307.2400(b)

USEPA amended 40 CFR 414.11 at 57 Fed. Reg. 41843. This corresponds to 35 Ill. Adm. Code 307.2400(b). It is the applicability statement of the pretreatment regulations. USEPA added new subsection (g) (corresponding to Section 307.2400(b)(7)), which provides for an alternative cyanide limitation for wastestreams that contain non-amenable cyanides. (The federal rule parenthetically defines non-amenable cyanide as cyanide that is not oxidized by chlorine.) USEPA further added new subsection (h) (corresponding to Section 307.2400(b)(8)), which provides for alternative metals limitations for certain non-metal-bearing wastestreams.

As to the new non-amenable cyanide provisions, the amendments render the pretreatment regulations inapplicable to discharges of non-amenable cyanides under certain circumstances. For the exemption to apply, the control authority must determine that the regulatory cyanide limitations "are not achievable due to elevated levels of non-amenable cyanide . . . that result from unavoidable complexing of cyanide at the process source . . .". The control authority must also establish an alternative total or amenable cyanide standard "that reflects the best available technology economically achievable". Review of certain broadly-specified information is required for such a determination. The determination must be made in writing.

As to the alternative metals standards provisions, the rules allow the control authority to establish standards for lead and zinc for wastestreams that are not listed in 40 CFR 414, Appendix A and not otherwise determined a "metal-bearing waste streams". The control authority must determine that "the wastewater metals contamination is due to background levels that are not reasonably avoidable from sources such as intake water, corrosion of construction materials or contamination of raw materials". As for the alternative cyanide standards, review of certain broadly-specified information is required for such a determination, and

the determination must be made in writing. The standards must be set between "the lowest level which the control authority determines based on best professional judgment can be reliably measured and the concentration of such metals present in the wastestreams, but not to exceed [the standards for existing sources]".

In adapting these provisions, the Board has attempted to do so with a minimum of deviation from the federal text. First, as previously discussed, the Board removed all references and provisions applicable to direct discharges. Thus, we dropped "permit writer" from both subsections and major segments of federal subsection (h) (corresponding to subsection (b)(8)). Further, USEPA uses "discharge limitations" to refer to direct discharges and "standards" to refer to discharges to a POTW. The Board used "limitations" to refer to discharges subject to the pretreatment regulations. The word "standards" carries certain implications in Illinois administrative law that we wish to avoid: it requires the Agency to act standards established by the Board, but it allows the Agency to employ those standards to derive limitations. See Granite City Division of National Steel Co. v. PCB (Apr. 15, 1993), No. 72850 (slip op.).

For similar reasons, as is briefly explained in the segments of this opinion entitled "Agency or Board Action?" and "Editorial Conventions", we used "the control authority shall" grant the alternative limitation when it makes a determination. Allowing further discretion to deny the alternative limitation after the control authority has made the appropriate determination would run afoul of Illinois administrative law. The control authority has all the discretion allowed under the federal rules in its prerogative of making the determination or not making the determination; it is just that further use of "may" could endanger that discretion.

The Board further clarified the federal language. We used "control authority" in several places and the active voice in place of the passive. We added references to the primary determination subsection in each of the ancillary determinations subsections. Further, the Board added language that requires the control authority to base its determination on "the information at its disposal". This would impose a burden on the discharger to supply the information to the authority. It would also allow the authority to use whatever information it has on file about the discharger and other relevant information in its possession. Finally, we changed "analysis information" to "analytical information" and "construction materials" to "materials of construction" (a phrase of art) and we subdivided the two federal provisions into subsections and effected minor rewording for additional clarity.

The Illinois regulations already include Section 307.1103, which imposes a limitation on allowable total cyanide discharges to a POTW. This is a state-only provision, adopted in R71-14, 4 PCB 3 (Mar. 7, 1972); amended in R74-15, 31 PCB 405 (Sept. 7, 1978); and renumbered in R86-44, 84 PCB 89 (Dec. 3, 1987), that survives in the present pretreatment rules. This rule allows adjustment of cyanide discharges up to a maximum of 10 mg/l as total cyanide. On its face, this state-only provision is more stringent than the corresponding federal provision. Further, any inconsistency with the federal provision is not facially apparent. If this pre-existing state-only rule were either less stringent than or inconsistent with the new federal alternative complexed cyanide limitation provision, the Board would be compelled to repeal it. Otherwise, the only way to repeal this provision is through a full Section 27 rulemaking proceeding, not by use of our Section 13.3 identical-in-substance authority.

Because Section 307.1103 could prove problematic, the Board proposed a minor amendment to open it for this rulemaking. We proposed new subsection (d), which states that any action under Section 307.1103 is subject to the limitations of Section 307.2400(b)(7). Similarly, we proposed at Section 307.2400(b)(7)(D) language to the effect that any action under this Section is subject to the limitations of Section 307.1103. A broad range of alternative actions are possible, ranging from repeal of Section 307.1103 (within the limitations noted above) to not adopting the new federal alternative limitation provision (so long as not doing so does not render the Illinois rules either less stringent than or inconsistent with the federal rules). The Board chose one middle-of-the-road option in proposing cross-references. An equally viable middle-ground option is to amend Section 307.1103 to include its present limitations together with the new federal limitations.

The Board requested comments on our approaches to the alternative limitations provisions. We specifically requested comments on the above issues regarding the relationship between Section 307.1103 and the new federal alternative cyanide discharge provision. The Agency responded in PC 2 that the Section 307.1103 total cyanide limitation is less stringent than the federal total cyanide limitation of 1,200  $\mu\text{g}/\text{l}$  (1.2 mg/l) for any single day or 420  $\mu\text{g}/\text{l}$  (0.42 mg/l) on a monthly average basis for the applicable subcategories in the OCPSF category (rayon fibers, other fibers, thermoplastic resins, thermosetting resins, commodity organic chemicals, bulk organic chemicals, and specialty organic chemicals). (See 40 CFR 414.25, 414.35, 414.45, 414.55, 414.65, 414.75 & 414.85.) Further, the Agency stated that Illinois does not have primacy in the wastewater pretreatment area, so all complexed-cyanide exemptions are subjected to USEPA review. Therefore, the Agency recommended that the Board not adopt proposed Section 307.2400(b)(7)(D), which would make federally-exempt cyanide discharges subject to

the limitations of Section 307.1103. The Agency recommended that the Board should instead add a new Section 307.1103(d) that renders that provision inapplicable to discharges subject to the federal pretreatment program and regulations.

In examining the Agency's comments, the Board notes that the existing state-only total cyanide limitation of Section 307.1103 applies to discharges of waste to a public sewer system. The activity governed by the federal pretreatment program and regulations is the discharge of process wastewater to a POTW, with certain limited exceptions. (See, e.g., 40 CFR 414.11 & 414.75(a)). Although there is overlap in the applicability of Section 307.1103 and the federal pretreatment rules, it appears that there may be a universe of persons discharging "waste to a public sewer" that are not subject to the federal wastewater pretreatment program because they "introduce pollutants into a publicly owned treatment works".

In proposing the Section 307.2400(b)(7)(D) limitation, the Board wanted to avoid a situation where the new federal exemption mechanism for unavoidably-complexed cyanides would result in higher discharge levels of total cyanide than allowed by the pre-existing Illinois rule. This is possible where the total of unavoidably-complexed cyanides exempted pursuant to the new federal rule and those subject to federal regulation exceed the levels allowed by Section 307.1103. In this limited situation, the state-only provision is more stringent than the federal regulations.

On the other hand, we can see that if one were to read the proposed language of Section 307.2400(b)(7)(D) as allowing a total cyanide discharge in excess of that allowed by the federal rules, the state-only regulation would render the Illinois regulations less stringent. However, this was not the Board's intent in proposing this limiting language. The Board agrees with the Agency that some limitation is necessary for the state-only limitation of Section 307.1103 if this provision is ever less stringent than the federal cyanide limitation.

The Agency-suggested solution is to add the following language to Section 307.1103:

- (d) Nothing in subsections (a) and (b) above shall be construed as applicable to any limitation or requirement established by the National Pretreatment Program or standards developed thereunder.

The Board does not believe that this is a viable alternative because there could exist those situations in which both the federal exemption and the state-only limitations would apply. In such a case the Illinois total cyanide limitation is more

stringent. Under these circumstances, as discussed above, the Board is constrained in an identical-in-substance setting to preserve more stringent state requirements that are not inconsistent with the corresponding federal requirements.

Since the Agency has not shown that the proposed provision renders the Illinois regulations less stringent than or inconsistent with the federal regulations, the Board does not delete it. Similarly, the Board cannot add the limitation to Section 307.1103 as requested by the Agency. However, because we concede that confusion is possible over the applicability of Section 307.1103, and to avoid any possible misinterpretation and misapplication of Section 307.2400(b)(7), the Board has added the following caveat to the language of this subsection as proposed: "Provided, however, Section 307.1103 shall not be used to allow a discharge of total cyanide in excess of that otherwise allowed by this subsection."

Applicability of OCPSF Subcategories--Sections 307.2402 through 307.2406

Section 307.2402 derives from 40 CFR 414, Subpart C; Section 307.2403 from 40 CFR 414, Subpart D; Section 307.2404 from 40 CFR 414, Subpart E; Section 307.2405 from 40 CFR 414, Subpart F; and Section 307.2406 from 40 CFR 414, Subpart G. USEPA amended the applicability statements of 40 CFR 414.30 (for Subpart C), 414.40 (for subpart D), 414.50 (for Subpart E), and 414.70 (for Subpart G) at 57 Fed. Reg. 41844 (Sept. 11, 1992).

The amendments to sections 414.30 (corresponding to 35 Ill. Adm. Code 307.2402(a)) 414.40 (corresponding to 35 Ill. Adm. Code 307.2403(a)), and 414.50 (corresponding to 35 Ill. Adm. Code 307.2404(a)) include rewording the preamble statements for greater clarity. Thus, "manufacture of the following SIC ----- . . ." became "manufacture of products classified under SIC ----- . . . listed below". USEPA did not similarly amend nearly identical language in the preambles of sections 414.60 and 414.70. This aspect of the federal amendments appears purely stylistic and non-substantive.

USEPA further amended the applicability statements of sections 414.40 and 414.70 to remove product listings from the table of products and product groups included in each respective subcategory. Thus, USEPA removed cellulose sponge from the Thermoplastic Resins Subcategory (section 414.40) and citric acid, fatty acids, aspirin, sodium dithiophosphates, and wax dispersion emulsions (section 414.70(a), (c), and (e)) from the Bulk Organic Chemicals Subcategory. However, USEPA did not include the fatty acids, citric acid, and aspirin in the Specialty Organic Chemicals Subcategory, as discussed at 57 Fed. Reg. 41836 and 41842. Rather, USEPA merely deleted these products and product groups.

The Board made the federal amendments with a minimum degree of deviation. We added commas to the federal language for greater clarity. The stylistic amendments in the preamble language of sections 414.30 through 414.50 (corresponding to 35 Ill. Adm. Code 307.2402(a) through 307.2404(a)) is so appealing that we unilaterally made similar revisions to Sections 307.2405(a) and 307.2406(a), despite the fact that USEPA did not similarly amend sections 414.60 and 414.70. In Section 307.2406(a)(2), the Board has corrected "fatty acids" to "fatty amines", which is the correct listing from 40 CFR 414.70(b). We further corrected the spelling of "Polyamides" and "Vinyl acetate" (space added) in Section 307.2403(a), and the punctuation of "4,4'-Methylene-bis(N,N'-dimethyl)aniline" in Section 307.2406(a)(2), since the proposal for public comment.

The Board requested comments on our approach to the OCPSF subcategory applicability provisions. The Agency, by PC 2, commented that the Board's chosen approach accurately reflects the federal amendments.

Complexed Metal-Bearing Wastestreams and Cyanide-Bearing Wastestreams--Sections 307.2490 and 307.2491

Section 307.2490 derives from 40 CFR 414, Appendix A, and Section 307.2491 derives from 40 CFR 414, Appendix B. USEPA amended these provisions at 57 Fed. Reg. 41844 (Sept. 11, 1992). The amendments to Appendix A delete the entries for methylene diphenylisocyanate, hexamethylene diamine/hexamethylene diisocyanate + phosgene, polyurethane resins/diisocyanate + polyoxyalkalene glycol, polyurethane fibers/polyoxyalkylene glycol + tolylene diisocyanate + dialkylamine, and tolylene diisocyanate/tolylene diamines + phosgene from the cyanide-bearing wastestream listings. The amendments to Appendix B delete the entries for tetraethyl lead/alkyl halide + sodium-lead alloy and tetramethyl lead/alkyl halide + sodium-lead alloy from the listings for lead-bearing complexed metal-bearing wastestreams. USEPA explains that the entries in Appendix A are subjected to the part 414 cyanide limitations. It further explains that the wastestreams listed in Appendix B are not subject to the part 414 metals limitations; rather, these wastestreams are subject to regulation on the basis of "best professional judgment" pursuant to 40 CFR 414.11(f) (corresponding to 35 Ill. Adm. Code 307.2400(b)(6)).

The Board adopted the federal amendments without revision. Since we incorporated both federal appendices by reference, we needed only update the references in the Illinois rules. We invited comment on how we accommodated the federal amendments to 40 CFR 414, Appendices A and B. The Agency commented, by PC 2, that the Board's chosen approach accurately reflects the federal amendments.

## HISTORICAL OUTLINE OF BOARD PRETREATMENT REGULATION

The Illinois pretreatment rules were adopted in R86-44, 84 PCB 89, Opinion and Order of the Board of December 3, 1987. The rules appeared at 12 Ill. Reg. 2502 (Jan. 29, 1988), effective January 13, 1988.

The Board has updated the pretreatment rules in the following update rulemakings:

- R88-11 90 PCB 411, June 14, 1988; 12 Ill. Reg. 13094, effective July 29, 1988 (USEPA amendments through December 31, 1987).
- R88-18 94 PCB 237, December 17, 1988; 13 Ill. Reg. 1794 & 2463 (Parts 307 & 310), effective January 31, 1989 (USEPA amendments January 1 through June 30, 1988).
- R89-3 103 PCB 609, September 28, 1989; 13 Ill. Reg. 19243 & 19288 (Parts 310 & 307), effective November 17, 1989 (Part 307) and November 27, 1989 (Part 310) (USEPA amendments July 1 through December 31, 1988).
- R89-12 110 PCB 119, April 12, 1990; 14 Ill. Reg. 7608 & 7620 (Parts 310 & 307), effective May 8, 1990 (USEPA amendments January 1 through June 30, 1989).
- R90-6 Dismissed at 109 PCB 629, March 22, 1990 (No USEPA amendments July 1, 1989 through December 31, 1989).
- R90-15 Dismissed at 123 PCB 875, June 20, 1991 (No USEPA amendments January 1 through June 28, 1990).
- R91-5 129 PCB 375, January 23, 1992; 16 Ill. Reg. 7337, 7346 & 7377 (Parts 310, 309 & 307), effective April 27, 1992 (USEPA amendments June 29, 1990 through December 31, 1990).
- R91-17 Dismissed at 128 PCB 231, December 6, 1991 (No USEPA amendments January 1 through June 30, 1991).
- R92-5 Dismissed at 133 PCB 109, April 9, 1992 (No USEPA amendments July 1 through December 31, 1991).
- R92-14 Dismissed at 135 PCB 467, August 13, 1992 (No USEPA amendments January 1 through June 30, 1992).

R93-2 This docket; proposal for public comment, June 3, 1993 (17 Ill. Reg. 9803, July 2, 1993).

#### AGENCY OR BOARD ACTION?

Section 7.2(a)(5) of the Act requires the Board to specify which decisions USEPA will retain. In addition, the Board is to specify which State agency is to make decisions, based on the general division of functions within the Act and other Illinois statutes.

In situations in which the Board has determined that USEPA will retain decision-making authority, the Board has replaced "Regional Administrator" with USEPA, so as to avoid specifying which office within USEPA is to make a decision.

In a few instances in identical in substance rules, decisions are not appropriate for Agency action pursuant to a permit application. Among the considerations in determining the general division of authority between the Agency and the Board are:

1. Is the person making the decision applying a Board regulation, or taking action contrary to ("waiving") a Board regulation? It generally takes some form of Board action to "waive" a Board regulation.
2. Is there a clear standard for action such that the Board can give meaningful review to an Agency decision?
3. Does the action result in exemption from the permit requirement itself? If so, Board action is generally required.
4. Does the decision amount to "determining, defining or implementing environmental control standards" within the meaning of Section 5(b) of the Act. If so, it must be made by the Board.

There are four common classes of Board decision: variance, adjusted standard, site specific rulemaking, and enforcement. The first three are methods by which a regulation can be temporarily postponed (variance) or adjusted to meet specific situations (adjusted standard or site specific rulemaking). Note that there often are differences in the nomenclature for these decisions between the USEPA and Board regulations.

#### EDITORIAL CONVENTIONS

As a final note, the federal rules have been edited to establish a uniform usage throughout the Board's regulations. For example, with respect to "shall", "will", and "may" - "shall"

is used when the subject of a sentence has to do something. "Must" is used when someone has to do something, but that someone is not the subject of the sentence. "Will" is used when the Board obliges itself to do something. "May" is used when choice of a provision is optional. "Or" is used rather than "and/or", and denotes "one or both". "Either"... "or" denotes "one but not both". "And" denotes "both".

#### ORDER

The Board hereby proposes the following amendments to the Illinois wastewater pretreatment regulations at Sections 307.2400, 307.2402, 307.2403, 307.2404, 307.2405, 307.2406, 307.2490, and 307.2491.

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: FEEDLOTS

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  
307.2490 Non-complexed Metal-bearing and Cyanide-bearing  
Wastestreams  
307.2491 Complexed Metal-bearing Wastestreams

## 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

## 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

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 Booth(s) or Without Laundry Facilities  
 307.3916 Wood Furniture and Fixture Production with Water Wash  
 Spray Booth(s) or With Laundry Facilities

SUBPART BE: PULP, PAPER AND PAPERBOARD

Section

307.4000 General Provisions  
 307.4001 Unbleached Kraft  
 307.4002 Semi-Chemical  
 307.4004 Unbleached Kraft-Neutral Sulfite Semi-Chemical (Cross  
 Recovery)  
 307.4005 Paperboard From Wastepaper  
 307.4006 Dissolving Kraft  
 307.4007 Market Bleached Kraft  
 307.4008 BCT Bleached Kraft  
 307.4009 Fine Bleached Kraft  
 307.4010 Papergrade Sulfite (Blow Pit Wash)  
 307.4011 Dissolving Sulfite Pulp  
 307.4012 Groundwood-Chemi-Mechanical  
 307.4013 Groundwood-Thermo-Mechanical  
 307.4014 Groundwood-CMN Papers  
 307.4015 Groundwood-Fine Papers  
 307.4016 Soda  
 307.4017 Deink  
 307.4018 Nonintegrated-Fine Papers  
 307.4019 Nonintegrated-Tissue Papers  
 307.4020 Tissue From Wastepaper  
 307.4021 Papergrade Sulfite (Drum Wash)  
 307.4022 Unbleached Kraft and Semi-Chemical  
 307.4023 Wastepaper-Molded Products  
 307.4024 Nonintegrated-Lightweight Papers  
 307.4025 Nonintegrated-Filter and Nonwoven Papers  
 307.4026 Nonintegrated-Paperboard

SUBPART BF: BUILDERS' PAPER AND BOARD MILLS

Section

307.4101 Builder's Paper and Roofing Felt

## SUBPART BG: MEAT PRODUCTS

Section  
 307.4201 Simple Slaughterhouse  
 307.4202 Complex Slaughterhouse  
 307.4203 Low-Processing Packinghouse  
 307.4204 High-Processing Packinghouse  
 307.4205 Small Processor  
 307.4206 Meat Cutter  
 307.4207 Sausage and Luncheon Meats Processor  
 307.4208 Ham Processor  
 307.4209 Canned Meats Processor  
 307.4210 Renderer

## SUBPART BH: METAL FINISHING

Section  
 307.4300 General Provisions  
 307.4301 Metal Finishing

## SUBPART BN: PHARMACEUTICAL MANUFACTURING

Section  
 307.4900 General Provisions  
 307.4901 Fermentation Products  
 307.4902 Extraction Products  
 307.4903 Chemical Synthesis Products  
 307.4904 Mixing/Compounding and Formulation  
 307.4905 Research

## SUBPART BR: PAVING AND ROOFING MATERIALS (TARS AND ASPHALT)

Section  
 307.5301 Asphalt Emulsion  
 307.5302 Asphalt Concrete  
 307.5303 Asphalt Roofing  
 307.5304 Linoleum and Printed Asphalt Felt

## SUBPART BU: PAINT FORMULATING

Section  
 307.5601 Oil-Base Solvent Wash Paint

## SUBPART BV: INK FORMULATING

Section  
 307.5701 Oil-Base Solvent Wash Ink

## SUBPART CD: PESTICIDE CHEMICALS

Section  
 307.6500 General Provisions  
 307.6501 Organic Pesticide Chemicals Manufacturing  
 307.6502 Metallo-Organic Pesticides Chemicals Manufacturing  
 307.6503 Pesticide Chemicals Formulating and Packaging

## SUBPART CG: CARBON BLACK MANUFACTURING

Section  
 307.6801 Carbon Black Furnace Process

307.6802 Carbon Black Thermal Process  
 307.6803 Carbon Black Channel Process  
 307.6804 Carbon Black Lamp Process

SUBPART CJ: BATTERY MANUFACTURING

Section  
 307.7100 General Provisions  
 307.7101 Cadmium  
 307.7102 Calcium  
 307.7103 Lead  
 307.7104 Leclanche  
 307.7105 Lithium  
 307.7106 Magnesium  
 307.7107 Zinc

SUBPART CL: PLASTICS MOLDING AND FORMING

Section  
 307.7300 General Provisions  
 307.7301 Contact Cooling and Heating Water  
 307.7302 Cleaning Water  
 307.7303 Finishing Water

SUBPART CM: METAL MOLDING AND CASTING

Section  
 307.7400 General Provisions  
 307.7401 Aluminum Casting  
 307.7402 Copper Casting  
 307.7403 Ferrous Casting  
 307.7404 Zinc Casting

SUBPART CN: COIL COATING

Section  
 307.7500 General Provisions  
 307.7501 Steel Basis Material  
 307.7502 Galvanized Basis Material  
 307.7503 Aluminum Basis Material  
 307.7504 Canmaking

SUBPART CO: PORCELAIN ENAMELING

Section  
 307.7600 General Provisions  
 307.7601 Steel Basis Material  
 307.7602 Cast Iron Basis Material  
 307.7603 Aluminum Basis Material  
 307.7604 Copper Basis Material

SUBPART CP: ALUMINUM FORMING

Section  
 307.7700 General Provisions  
 307.7701 Rolling With Neat Oils  
 307.7702 Rolling With Emulsions  
 307.7703 Extrusion

307.7704 Forging  
 307.7705 Drawing With Neat Oils  
 307.7706 Drawing With Emulsions or Soaps

SUBPART CQ: COPPER FORMING

Section  
 307.7800 General Provisions  
 307.7801 Copper Forming  
 307.7802 Beryllium Copper Forming

SUBPART CR: ELECTRICAL AND ELECTRONIC COMPONENTS

Section  
 307.7901 Semiconductor  
 307.7902 Electronic Crystals  
 307.7903 Cathode Ray Tube  
 307.7904 Luminescent Materials

SUBPART CT: NONFERROUS METALS FORMING AND METAL POWDERS

Section  
 307.8100 General Provisions  
 307.8101 Lead-Tin-Bismuth Forming  
 307.8102 Magnesium Forming  
 307.8103 Nickel-Cobalt Forming  
 307.8104 Precious Metals Forming  
 307.8105 Refractory Metals Forming  
 307.8106 Titanium Forming  
 307.8107 Uranium Forming  
 307.8108 Zinc Forming  
 307.8109 Zirconium-Hafnium Forming  
 307.8110 Metal Powders

307.Appendix A References to Previous Rules (Repealed)

AUTHORITY: Implementing Sections 13 and 13.3 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111½, pars. 1013, 1013.3 and 1027).

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. \_\_\_\_\_, effective \_\_\_\_\_.

SUBPART B: GENERAL AND SPECIFIC PRETREATMENT REQUIREMENTS

Section 307.1103 Cyanide

- a) No waste to any public sewer system shall contain more than 10 mg/l total cyanide (STORET number 00720) provided any sample tested shall not release more than 2 mg/l of cyanide when tested at a pH of 4.5 and at a temperature of 66 degrees C (150 degrees F) for a period of 30 minutes, except as permitted by subsection (b) below.
- b) Upon application by a county, municipality, sanitary district or public utility and approval by the Agency, based upon determination by the Agency that no violation of the effluent standards of 35 Ill. Adm. Code 304 will result and that no hazard to workers in such sewage works will result, limited additional amounts of cyanide exceeding the standards in subsection (a) above may be discharged to the sewage works of such county, sanitary district, municipality or public utility.
- c) Nothing in this Section shall be construed as limiting the authority of any county, municipality, sanitary district or public utility to impose any more stringent standards or limitations on cyanide discharges to its sewage works.
- d) Any actions undertaken pursuant to subsection (b) above shall be subject to the limitations of Section 307.2400(b)(7).

(Source: Amended at 17 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_  
 )

SUBPART O: ORGANIC CHEMICALS, PLASTICS AND SYNTHETIC FIBERS

Section 307.2400 General Provisions

- a) General definitions. The Board incorporates by reference 40 CFR 414.10 (1991~~2~~). This incorporation includes no later amendments or editions.
- b) Applicability.

- 1) This Subpart applies to process wastewater discharges from all establishments or portions of establishments which manufacture the organic chemicals, plastics and synthetic fibers (OCPSF) products or product groups which are covered by Sections 307.2402 through 307.2408 and which are included in the following SIC major groups, as defined in the Standard Industrial Classification Manual, incorporated by reference in 35 Ill. Adm. Code 310.107:
  - A) SIC 2821 -- Plastic materials, synthetic resins and nonvulcanizable elastomers.
  - B) SIC 2823 -- Cellulosic man-made fibers.
  - C) SIC 2824 -- Synthetic organic fibers, except cellulosic.
  - D) SIC 2865 -- Cyclic crudes and intermediates, dyes and organic pigments.
  - E) SIC 2869 -- Industrial organic chemicals, not elsewhere classified.
- 2) This Subpart applies to wastewater discharges from OCPSF research and development, pilot plant, technical service and laboratory bench scale operations if such operations are conducted in conjunction with and related to existing OCPSF manufacturing activities at the plant site.
- 3) Notwithstanding subsection (b)(1) above, this Subpart does not apply to discharges resulting from the manufacture of OCPSF products if the products are included in the following SIC subgroups and if the products have in the past been reported by the establishment under these subgroups and not under the SIC groups listed in subsection (b)(1) above:
  - A) SIC 2843085 -- Bulk surface active agents.
  - B) SIC 28914 -- Synthetic resin and rubber adhesives;
  - C) Chemicals and chemical preparations not elsewhere classified:
    - i) SIC 2899568 -- Sizes, all types.

- ii) SIC 2899597 -- Other industrial chemical specialties, including fluxes, plastic wood preparations and embalming fluids.
- D) SIC 2911058 -- Aromatic hydrocarbons manufactured from purchased refinery products.
- E) SIC 2911632 -- Aliphatic hydrocarbons manufactured from purchased refinery products.
- 4) Notwithstanding subsection (b)(1) above, this Subpart does not apply to any discharges for which a different set of previously promulgated standards in ~~Subparts F et seq.~~ this Part apply, unless the facility reports OCPSF products under SIC codes 2865, 2869 or 2821, and the facility's OCPSF wastewaters are discharged separately to a POTW.
- 5) This Subpart does not apply to any process wastewater discharge from the manufacture of organic chemical compounds solely by extraction from plant and animal raw materials or by fermentation processes.
- 6) Discharges of chromium, copper, lead, nickel and zinc in "complexed metal-bearing wastestreams", listed in Section 307.2491, are not subject to this Subpart.
- 7) Non-amenable cyanide.
  - A) Discharges of cyanide in "cyanide-bearing waste streams", listed in Section 307.2490, are not subject to the cyanide limitations of this Subpart if
    - i) the control authority determines that the cyanide limitations are not achievable due to elevated levels of non-amenable cyanide (i.e., cyanide that is not oxidized by chlorine treatment) that result from the unavoidable complexing of cyanide at the process source of the cyanide-bearing waste stream, and
    - ii) the control authority establishes an alternative total cyanide or amenable cyanide limitation that reflects the

best available technology economically achievable.

- B) The control authority shall base its determination made pursuant to subsection (b)(7)(A) above on a review of the relevant engineering, production, and sampling and analytical information at its disposal, including measurements of both total and amenable cyanide in the waste stream.
  - C) The control authority shall set forth its determination made pursuant to subsection (b)(7)(A) above in a written analysis of the extent of complexing in the waste stream and its impact on cyanide treatability, based on the information at its disposal.
  - D) Alternative cyanide discharge limitation determinations made pursuant to this subsection are subject to the limitations of Section 307.1103. Provided, however, Section 307.1103 shall not be used to allow a discharge of total cyanide in excess of that otherwise allowed by this subsection.
- 8) Allowances for non-metal-bearing waste streams.
- A) The control authority shall establish discharge limitations for lead and zinc for waste streams not listed in Section 307.2490 and not otherwise determined to be "metal-bearing waste streams" if it determines that the wastewater metals contamination is due to background levels that are not reasonably avoidable, from such sources as intake water, corrosion of materials of construction, or contamination of raw materials.
  - B) The control authority shall base its determination made pursuant to subsection (b)(8)(A) on a review of relevant plant operating conditions, process chemistry, engineering, and sampling and analytical information.
  - C) The control authority shall set forth its determination made pursuant to subsection (b)(8)(A) above in a written analysis of the sources and levels of the metals, based on the information at its disposal.

D) The control authority may establish limitations for lead and zinc for non-"metal-bearing waste streams" for the purposes of subsection (b)(8)(A) above between the following levels:

- i) the lowest level that the control authority determines, based on best professional judgement, can be reliably measured and
- ii) the concentration of such metals present in the wastestreams, but not to exceed the applicable limitations contained in Sections 307.2401 through 307.2407.
- iii) For zinc, the applicable limitations that the discharge must not exceed are those appearing in the tables in Sections 307.2401 through 307.2407, not the alternative limitations for rayon fiber manufacture by the viscose process, as set forth in footnote 2 to the table in 40 CFR 414.25, incorporated by reference at Section 307.2401(c)(1), or the alternative limitations for acrylic fiber manufacture by the zinc chloride/solvent process, as set forth in footnote 2 to the table in 40 CFR 414.35, incorporated by reference at Section 307.2402(c)(1).)

E) The limitations for individual dischargers shall be set on a mass basis, by multiplying the concentration allowance established by the control authority times the process wastewater flow from the individual wastestreams in which incidental metals are present.

- c) Compliance date. All dischargers subject to a pretreatment standard for existing sources in this Subpart must comply with the standard by no later than November 5, 1990.

(Source: Amended at 17 Ill. Reg. , effective )

Section 307.2402 Other Fibers

- a) Applicability. This Section applies to discharges of process wastewater resulting from the manufacture of

the following products classified under SIC 2823, cellulosic man-made fibers and fiber groups, except rayon, and under SIC 2824, synthetic organic fibers and fiber groups, listed below. Product groups are indicated with an asterisk (\*).

- \*Acrylic fibers (85% Polyacrylonitrile)
- \*Cellulose acetate fibers
- \*Fluorocarbon (Teflon) fibers
- \*Modacrylic fibers
- \*Nylon 6 fibers
- Nylon 6 monofilament
- \*Nylon 66 fibers
- Nylon 66 monofilament
- \*Polyamide fibers (Quiana)
- \*Polyaramid (Kevlar) resin fibers
- \*Polyaramid (Nomex) resin fibers
- \*Polyester fibers
- \*Polyethylene fibers
- \*Polypropylene fibers
- \*Polyurethane fibers (Spandex)

- b) Specialized definitions. None.
- c) Existing sources:
  - 1) The Board incorporates by reference 40 CFR 414.35 (1994~~2~~). This incorporation includes no later amendments or editions.
  - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) above shall 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 414.36 (1994~~2~~). This incorporation includes no later amendments or editions.
  - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) above shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
  - 3) "New source" means any building, structure, facility or installation the construction of which commenced after March 21, 1983.

(Source: Amended at 17 Ill. Reg. , effective  
)

Section 307.2403 Thermoplastic Resins

- a) Applicability. This Section applies to discharges of process wastewater resulting from the manufacture of the following the products classified under SIC 28213, thermoplastic resins and thermoplastic resin groups, listed below. Product groups are indicated with an asterisk (\*).

- \*Abietic acid -- Derivatives
- \*ABS resins
- \*ABS-SAN resins
- \*Acrylate-methacrylate latexes
- \*Acrylic latex
- \*Acrylic resins
- \*Cellulose acetate butyrates
- Cellulose acetate resin
- \*Cellulose acetates
- \*Cellulose acetates priopionates
- Cellulose nitrate
- ~~Cellulose sponge~~
- \*Ethylene-methacrylic acid copolymers
- \*Ethylene-vinyl acetate copolymers
- \*Fatty acid resins
- \*Fluorocarbon polymers
- Nylon 11 resin
- \*Nylon 6-66 copolymers
- \*Nylon 6 -- Nylon 11 blends
- Nylon 6 resin
- Nylon 612 resin
- Nylon 66 resin
- \*Nylons
- \*Petroleum hydrocarbon resins
- \*Polyvinyl pyrrolidone -- copolymers
- \*Poly(alpha)olefins
- Polyacrylic acid
- \*Polyamides
- \*Polyarylamides
- Polybutadiene
- \*Polybutenes
- Polybutyl succinic anhydride
- \*Polycarbonates
- \*Polyester resins
- \*Polyester resins, Polybutylene terephthalate
- \*Polyester resins, Polyoxybenzoate
- Polyethylene
- \*Polyethylene -- ethyl acrylate resins
- \*Polyethylene -- polyvinylacetate copolymers
- Polyethylene resin (HDPE)

Polyethylene resin (LDPE)  
Polyethylene resin, scrap  
Polyethylene resin, wax (low molecular weight)  
Polyethylene resin, latex  
Polyethylene resins  
\*Polyethylene resins, compounded  
\*Polyethylene, chlorinated  
\*Polyimides  
\*Polypropylene resins  
Polystyrene (crystal)  
Polystyrene (crystal) modified  
\*Polystyrene -- copolymers  
\*Polystyrene -- acrylic latexes  
Polystyrene impact resins  
Polystyrene latex  
Polystyrene, expandable  
Polystyrene, expanded  
\*Polysulfone resins  
Polyvinyl acetate  
\*Polyvinyl acetate -- PVC copolymers  
\*Polyvinyl acetate copolymers  
\*Polyvinyl acetate resins  
Polyvinyl alcohol resin  
Polyvinyl chloride  
Polyvinyl chloride, chlorinated  
\*Polyvinyl ether -- maleic anhydride  
\*Polyvinyl formal resins  
\*Polyvinylacetate -- methacrylic copolymers  
\*Polyvinylacetate acrylic copolymers  
\*Polyvinylacetate -- 2-ethylhexylacrylate  
copolymers  
Polyvinylidene chloride  
\*Polyvinylidene chloride copolymers  
\*Polyvinylidene -- vinyl chloride resins  
\*PVC copolymers, acrylates (Latex)  
\*PVC copolymers, ethylene -- vinyl chloride  
\*Rosin derivative resins  
\*Rosin modified resins  
\*Rosin resins  
\*SAN resins  
\*Silicones: Silicone resin  
\*Silicones: Silicone rubbers  
\*Styrene -- maleic anhydride resins  
Styrene polymeric residue  
\*Styrene -- acrylic copolymer resins  
\*Styrene --acrylonitrile --acrylates copolymers  
\*Styrene -- butadiene resins  
\*Styrene -- butadiene resins (less than 50%  
butadiene)  
\*Styrene -- butadiene resins (Latex)  
\*Styrene -- divinyl benzene resins (ion exchange)  
\*Styrene -- methacrylate terpolymer resins

\*Styrene -- methyl methacrylate copolymers  
 \*Styrene, butadiene, vinyl toluene terpolymers  
 \*Sulfonated styrene -- maleic anhydride resins  
 \*Unsaturated polyester resins  
 \*Vinyl toluene resins  
 \*Vinyl toluene -- acrylate resins  
 \*Vinyl toluene -- butadiene resins  
 \*Vinyl toluene -- methacrylate resins  
 \*Vinyl\_acetate -- n-butylacrylate copolymers

- b) Specialized definitions. None.
- c) Existing sources:
- 1) The Board incorporates by reference 40 CFR 414.45 (1991~~2~~). This incorporation includes no later amendments or editions.
  - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) above shall 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 414.46 (1991~~2~~). This incorporation includes no later amendments or editions.
  - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) above shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
  - 3) "New source" means any building, structure, facility or installation the construction of which commenced after March 21, 1983.

(Source: Amended at 17 Ill. Reg. , effective  
 )

Section 307.2404 Thermosetting Resins

- a) Applicability. This Section applies to discharges of process wastewater resulting from the manufacture of the ~~following~~ products classified under SIC 28214, thermosetting resins and thermosetting resin groups, listed below. Product groups are indicated with an asterisk (\*).

- \*Alkyd resins
- Dicyanodiamide resin
- \*Epoxy resins
- \*Fumaric acid polyesters
- \*Furan resins
- Glyoxal -- urea formaldehyde textile resin
- \*Ketone -- formaldehyde resins
- \*Melamine resins
- \*Phenolic resins
- \*Polyacetal resins
- \*Polyacrylamide
- \*Polyurethane prepolymers
- \*Polyurethane resins
- \*Urea formaldehyde resins
- \*Urea resins

- b) Specialized definitions. None.
- c) Existing sources:
- 1) The Board incorporates by reference 40 CFR 414.55 (1991~~2~~). This incorporation includes no later amendments or editions.
  - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) above shall 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 414.56 (1991~~2~~). This incorporation includes no later amendments or editions.
  - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) above shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
  - 3) "New source" means any building, structure, facility or installation the construction of which commenced after March 21, 1983.

(Source: Amended at 17 Ill. Reg. , effective  
)

## Section 307.2405 Commodity Organic Chemicals

- a) Applicability. This Section applies to discharges of process wastewater resulting from the manufacture of the following products classified under SIC 2865 or 2869, commodity organic chemicals and commodity organic chemical groups, listed below. Product groups are indicated with an asterisk (\*).

## 1) Aliphatic organic chemicals

Acetaldehyde  
Acetic acid  
Acetic anhydride  
Acetone  
Acrylonitrile  
Adipic acid  
\*Butylenes (Butenes)  
Cyclohexane  
Ethanol  
Ethylene  
Ethylene glycol  
Ethylene oxide  
Formaldehyde  
Isopropanol  
Methanol  
Polyoxypropylene glycol  
Propylene  
Propylene oxide  
Vinyl acetate  
1,2-Dichloroethane  
1,3-Butadiene

## 2) Aromatic organic chemicals

Benzene  
Cumene  
Dimethyl terephthalate  
Ethylbenzene  
m-Xylene (impure)  
p-Xylene  
Phenol  
\*Pitch tar residues  
Pyrolysis gasolines  
Styrene  
Terephthalic acid  
Toluene  
\*Xylenes, mixed  
o-Xylene

## 3) Halogenated organic compounds

## Vinyl chloride

- b) Specialized definitions. None.
- c) Existing sources:
- 1) The Board incorporates by reference 40 CFR 414.65 (1994~~2~~). This incorporation includes no later amendments or editions.
  - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) above shall 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 414.66 (1994~~2~~). This incorporation includes no later amendments or editions.
  - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) above shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
  - 3) For discharges of wastewater resulting from the manufacture of butadiene by any process which includes the oxidative dehydrogenation of butene, "new source" means any building, structure, facility or installation the construction of which commenced after December 17, 1973. For other sources, "new source" means any building, structure, facility or installation the construction of which commenced after March 21, 1983.

(Source: Amended at 17 Ill. Reg. , effective  
)

## Section 307.2406 Bulk Organic Chemicals

- a) Applicability. This Section applies to discharges of process wastewater resulting from the manufacture of the ~~following~~ products classified under SIC 2865 or 2869, bulk organic chemicals and bulk organic chemical groups, listed below. Product groups are indicated with an asterisk (\*).
- 1) Aliphatic organic chemicals

- \*Acetic acid esters
- \*Acetic acid salts
- Acetone cyanohydrin
- Acetylene
- Acrylic acid
- \*Acrylic acid esters
- \*Alkoxy alkanols
- \*Alkylates
- \*alpha-olefins
- Butane (all forms)
- C-4 hydrocarbons (unsaturated)
- Calcium stearate
- Caprolactam
- Carboxymethyl cellulose
- Cellulose acetate butyrates
- \*Cellulose ethers
- ~~Citric acid~~
- Cumene hydroperoxide
- Cyclohexanol
- Cyclohexanol, cyclohexanone (mixed)
- Cyclohexanone
- Cyclohexene
- \*C12 -- C18 primary alcohols (mixed)
- \*C5 concentrates
- \*C9 concentrates
- Decanol
- Diacetone alcohol
- \*Dicarboxylic acids -- salts
- Diethyl ether
- Diethylene glycol
- Diethylene glycol diethyl ether
- Diethylene glycol dimethyl ether
- Diethylene glycol monoethyl ether
- Diethylene glycol monomethyl ether
- \*Dimer acids
- Dioxane
- Ethane
- Ethylene glycol monophenyl ether
- \*Ethoxylates, miscellaneous
- Ethylene glycol dimethyl ether
- Ethylene glycol monobutyl ether
- Ethylene glycol monoethyl ether
- Ethylene glycol monomethyl ether
- ~~\*Fatty acids~~
- Glycerine (synthetic)
- Glyoxal
- Hexane
- \*Hexane and other C6 hydrocarbons
- Isobutanol
- Isobutylene
- Isobutyraldehyde
- Isophorone

Isophthalic acid  
Isoprene  
Isopropyl acetate  
Ligninsulfonic acid, calcium salt  
Maleic anhydride  
Methacrylic acid  
\*Methacrylic acid esters  
Methane  
Methyl ethyl ketone  
Methyl methacrylate  
Methyl tert-butyl ether  
Methyl isobutyl ketone  
n-alkanes  
n-butyl alcohol  
n-butyl acetate  
n-butyraldehyde  
n-butyric acid  
n-butyric anhydride  
\*n-parafins  
n-propyl acetate  
n-propyl alcohol  
Nitrilotriacetic acid  
Nylon salt  
Oxalic acid  
\*Oxo aldehydes -- alcohols  
Pentaerythritol  
Pentane  
\*Pentenes  
\*Petroleum sulfonates  
Pine oil  
Polyoxybutylene glycol  
Polyoxyethylene glycol  
Propane  
Priopionaldehyde  
Propionic acid  
Propylene glycol  
sec-butyl alcohol  
Sodium formate  
Sorbitol  
Stearic acid, calcium salt (wax)  
tert-butyl alcohol  
1-Butene  
1-Pentene  
1,4-Butanediol  
Isobutyl acetate  
2-Butene (cis and trans)  
2-Ethylhexanol  
2-Ethylbutyraldehyde  
2,2,4-Trimethyl-1,3-pentanediol

2) Amine and amide organic chemicals

2,4-Diaminotoluene  
 \*Alkyl amines  
 Aniline  
 Caprolactam, aqueous concentrate  
 Diethanolamine  
 Diphenylamine  
 \*Ethanolamines  
 Ethylamine  
 Ethylenediamine  
 Ethylenediaminetetraacetic acid  
 \*Fatty acids amines  
 Hexamethylenediamine  
 Isopropylamine  
 m-Toluidine  
 Melamine  
 Melamine crystal  
 \*Methylamines  
 Methylene dianiline  
 n-butylamine  
 N,N-diethylaniline  
 N,N-dimethylformamide  
 \*Nitroanilines  
 Polymeric methylene dianiline  
 sec-butylamine  
 tert-butylamine  
 Toluenediamine (mixture)  
 \*Toluidines  
 o-Phenylenediamine  
 1,4-Phenylenediamine dihydrochloride  
 2,6-Dimethylaniline  
 4-(N-Hydroxyethylethylamino)-2-hydroxyethyl  
 aniline  
 4,4'-Methylene-bis(N,N'-dimethyl)aniline  
 4,4'-Methylenedianiline

3) Aromatic organic chemicals

alpha-methylstyrene  
 \*Alkyl benzenes  
 \*Alkyl phenols  
 \*Alkylbenzene sulfonic acids, salts  
 Aminobenzoic acid (meta and para)  
 Aspirin  
 beta-naphthalene sulfonic acid  
 Benzenedisulfonic acid  
 Benzoic acid  
 Bis(2-ethylhexyl)phthalate  
 Bisphenol A  
 BTX -- benzene, toluene, xylene (mixed)  
 Butyl octyl phthalate  
 Coal tar  
 \*Coal tar products (miscellaneous)

Creosote  
 \*Cresols, mixed  
 Cyanuric acid  
 \*Cyclic aromatic sulfonates  
 Dibutyl phthalate  
 Diisobutyl phthalate  
 Diisodecyl phthalate  
 Diisooctyl phthalate  
 Dimethyl phthalate  
 Dinitrotoluene (mixed)  
 Ditridecyl phthalate  
 m-Cresol  
 Metanilic acid  
 Methylenediphenyldiisocyanate  
 Naphthalene  
 \*Naphthas, solvent  
 Nitrobenzene  
 Nitrotoluene  
 Nonylphenol  
 p-Cresol  
 Phthalic acid  
 Phthalic anhydride  
 \*Tars -- pitches  
 tert-butylphenol  
 \*Toluenediisocyanates (mixture)  
 Trimellitic acid  
 o-cresol  
 1-Tetralol, 1-tetralone mix  
 2,4-Dinitrotoluene  
 2,6-Dinitrotoluene

4) Halogenated organic chemicals

Allyl chloride  
 Benzyl chloride  
 Carbon tetrachloride  
 \*Chlorinated paraffins, 35-44% chlorine  
 Chlorobenzene  
 \*Chlorobenzenes (mixed)  
 Chlorodifluoroethane  
 Chloroform  
 \*Chloromethanes  
 2-Chloro-5-methylphenol (6-Chloro-m-cresol)  
 \*Chlorophenols  
 Chloroprene  
 Cyanogen chloride  
 Cyanuric chloride  
 Dichloropropane  
 Epichlorohydrin  
 Ethyl chloride  
 \*Fluorocarbons (Freons)  
 Methyl chloride

Methylene chloride  
 Pentachlorophenol  
 Phosgene  
 Tetrachloroethylene  
 Trichloroethylene  
 Trichlorofluoromethane  
 Vinylidene chloride  
 1,1-Dichloroethane  
 1,1,1-Trichloroethane  
 2,4-Dichlorophenol

5) Other organic chemicals

Adiponitrile  
 Carbon disulfide  
~~Dithiophosphates, sodium salt~~  
 Fatty nitriles  
 \*Organo-tin compounds  
 \*Phosphate esters  
 Tetraethyl lead  
 Tetramethyl lead  
 \*Urethane prepolymers  
~~\*Waxes, emulsions — dispersions~~

b) Specialized definitions. None.

c) Existing sources:

- 1) The Board incorporates by reference 40 CFR 414.75 (199~~±~~2). This incorporation includes no later amendments or editions.
- 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) above shall 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 414.76 (199~~±~~2). This incorporation includes no later amendments or editions.
- 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) above shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.

- 3) "New source" means any building, structure, facility or installation the construction of which commenced after March 21, 1983.

(Source: Amended at 17 Ill. Reg. , effective )

Section 307.2490 Non-complexed Metal-bearing and Cyanide-bearing Wastestreams

The Board incorporates by reference 40 CFR 414, Appendix A (19912), as amended at 57 Fed. Reg. 41844 (Sept. 11, 1992). This incorporation includes no later amendments or editions.

(Source: Amended at 17 Ill. Reg. , effective )

Section 307.2491 Complexed Metal-bearing Wastestreams

The Board incorporates by reference 40 CFR 414, Appendix B (19892), as amended at 57 Fed. Reg. 41844 (Sept. 11, 1992). This incorporation includes no later amendments or editions.

(Source: Amended at 17 Ill. Reg. , effective )

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above opinion and order was adopted on the 9<sup>th</sup> day of September, 1993, by a vote of 7-0.

Dorothy M. Gunn  
 Dorothy M. Gunn, Clerk  
 Illinois Pollution Control Board