

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Monitoring and Reporting
- 2) Code Citation: 35 Ill. Adm. Code 305
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
305.101	Amendment
305.102	Amendment
305.103	Amendment
305.Appendix A	Repealed
- 4) Statutory Authority: Implementing Section 13 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/13 and 27].
- 5) A Complete Description of the Subjects and Issues Involved: In 2016, the Board began reviewing its rules to identify obsolete, repetitive, confusing, or otherwise unnecessary language. These proposed amendments to Part 305 are intended to be non-substantive clarifications.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: No
- 7) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No
- 10) Are there any proposed rulemakings to this Part pending? No
- 11) Statement of Statewide Policy Objectives: This proposed amendment does not create or enlarge a State mandate as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3].
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comments on this proposal for a period of at least 45 days after the date of publication in the *Illinois Register*. Public comments should refer to Docket R18-23 and be filed electronically through the Clerk's Office On-Line (COOL) on the Board's website at pcb.illinois.gov. Public comments may be addressed to:

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Clerk's Office
Illinois Pollution Control Board
100 W. Randolph St., Suite 11-500
Chicago, IL 60601

Interested persons may download copies of the Board's opinions and orders in R18-23 from the Board's Web site at pcb.illinois.gov and may also request copies by calling the Clerk's office at 312-814-3620.

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of Professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: The Board expects that this rulemaking will not have an adverse impact on small business.
- 15) Regulatory Agenda on which this rulemaking was summarized: January 2022

The full text of the Proposed Amendments begins on the next page:

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

PART 305
MONITORING AND REPORTING

Section

- 305.101 Preamble
- 305.102 Reporting Requirements
- 305.103 Effluent Measurement
- 305.APPENDIX A References to Previous Rules (Repealed)

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

SOURCE: Filed with the Secretary of State January 1, 1978; amended at 3 Ill. Reg. 25, p. 190, effective June 21, 1979; codified at 6 Ill. Reg. 7818; amended at 8 Ill. Reg. 1604, effective January 18, 1984; amended in R88-1 at 13 Ill. Reg. 5989, effective April 18, 1989; amended in R88-21(A) at 14 Ill. Reg. 2888, effective February 13, 1990; amended in R18-23 at 46 Ill. Reg. _____, effective _____.

Section 305.101 Preamble

This Part establishes requirements to monitor, report, and measure contaminant discharges.

(Source: Amended at 46 Ill. Reg. _____, effective _____)

Section 305.102 Reporting Requirements

- a) Every person within this State operating a pretreatment works, treatment works, or wastewater source must submit operating reports to the Illinois Environmental Protection Agency at a frequency to be determined by the Agency. The reports must contain information regarding the quantity of influent and of effluent discharged, of wastes bypassed and of combined sewer overflows; the concentrations of physical, chemical, bacteriological and radiological parameters which shall be specified by the Agency; information concerning the biological impact of the discharge as specified by the Agency, under Section 39 of the Act; and any additional information the Agency may reasonably require. For pretreatment works, this reporting requirement only applies to those pretreatment works required to have a pretreatment permit or authorization to discharge under to 35 Ill. Adm. Code 310.
- b) Every holder of an NPDES (National Pollutant Discharge Elimination System)

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45 permit must comply with the monitoring, sampling, recording and reporting
46 requirements in the permit and this Chapter.

47
48 c) Complying with the reporting requirements of 35 Ill. Adm. Code 310 satisfies this
49 reporting requirement.

50
51 (Source: Amended at 46 Ill. Reg. _____, effective _____)

52 53 **Section 305.103 Effluent Measurement**

54
55 For the ability of the Agency to inspect and investigate under Section 4(d) of the Act, all effluent
56 discharge sewers, pipes or outfalls must be designed or modified so that a sample of the effluent
57 can be obtained at a point after the final treatment process and before discharge to or mixing with
58 any waters of the State. All treatment works must include devices for taking samples and for
59 measuring and recording effluent flow as the Agency may reasonably require.

60
61 (Source: Amended at 46 Ill. Reg. _____, effective _____)

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63 **Section 305.APPENDIX A References to Previous Rules (Repealed)**

65

66 (Source: Repealed at 46 Ill. Reg. _____, effective _____)



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47 c) Complying with the reporting requirements of 35 Ill. Adm. Code 310 satisfies this
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50 (Source: Amended at 46 Ill. Reg. _____, effective _____)

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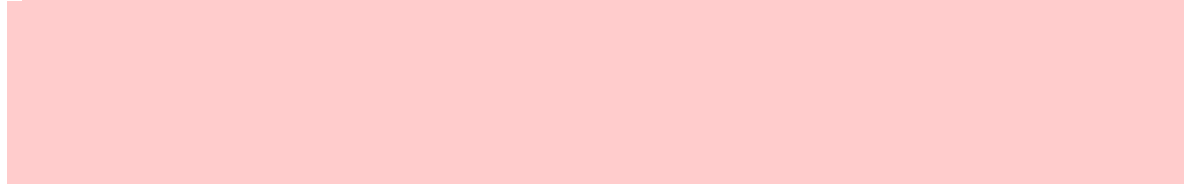
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~~POLLUTION CONTROL BOARD~~

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Moved from	
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Moved cell	
Split/Merged cell	
Padding cell	

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