ILLINOIS POLLUTION CONTROL BOARD August 7, 1997

IN THE MATTER OF:) WASTEWATER PRETREATMENT) UPDATE USEPA REGULATION (July 1,) 1996 through December 31, 1996))

R97-23 (Identical-in-Substance -Rulemaking - Water)

Adopted Rule. Final Order.

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

The Board today adopts as final rules amendments to the pretreatment regulations pursuant to Section 13.3 of the Environmental Protection Act (Act) (415 ILCS 5/13.3 (1996)). These amendments were proposed for public comment in the Board's proposed opinion and order of May 1, 1997.

Section 13.3 of the Environmental Protection Act (Act) (415 ILCS 5/13.3 (1996)) requires the Board to adopt regulations which are identical-in-substance with federal regulations promulgated by the United States Environmental Protection Agency (USEPA) to implement the pretreatment requirements of Sections 307 and 402 of the Clean Water Act. 33 U.S.C. §§ 1317, 1342 (1977). Section 13.3 of the Act (415 ILCS 5/13.3 (1996)) provides that Title VII of the Act and Sections 5-35 and 5-75 of the Administrative Procedure Act (APA) shall not apply to identical-in-substance regulations adopted to establish the pretreatment program (5 ILCS 100/5-35 and 100/5-75 (1996)). However, Section 13.3 of the Act (415 ILCS 5/13.3 (1996)) requires the Board to provide for notice and public comment before rules are filed with the Secretary of State.

This rulemaking updates the pretreatment rules to cover USEPA rules adopted from July 1 through December 31, 1996. The following Federal Registers are included:

| 61 Fed. Reg. 35680 | July 8, 1996 |
|--------------------|-------------------|
| 61 Fed. Reg. 57517 | November 6, 1996 |
| 61 Fed. Reg. 66123 | December 16, 1996 |

The pretreatment rules govern discharges by industrial users to publicly owned treatment works (POTWs). The rules are intended to prevent pollutants from 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, 309 and 310. Part 307 includes the categorical pretreatment standards, which are incorporated by reference from the USEPA rules. Part 309 sets forth the NPDES 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. Part 310 specifies how a POTW sets up a pretreatment program, and how industrial users get pretreatment permits or authorizations to discharge.

PUBLIC COMMENTS

The notice of proposed amendments for this rulemaking appeared in the *Illinois Register* on May 16, 1997 at 21 Ill. Reg. 5997. The publication of the proposed rules opened a 45-day comment period. No public comments were received by the Board during the comment period. The Board received recommended corrections to the proposed amendments from the Joint Committee on Administrative Rules. These corrections are mainly for clarification and consistency and have been incorporated in the amendments as proposed for adoption.

The complete text of the adopted amendments follows the discussion of the amendments.

DISCUSSION

On July 8, 1996 at 61 Fed. Reg. 35680, by direct final rule, USEPA modified the pretreatment standards for existing and new sources applicable to certain facilities in the leather tanning and finishing point source category that conduct unhairing operations and that discharge process wastewater to publicly owned treatment works (POTW). The rule was effective October 7, 1996. USEPA revised the existing pretreatment standards to eliminate the upper (alkaline) pH limits for four subcategories. The Board proposes to amend its rules to remove upper pH limit by modifying the standard of "between 7 and 10" to "not less than 7". These revisions apply to the standards in Subparts A, B, F, and H of 40 CFR Part 425 at Sections 425.15, 425.25, 425.65 and 425.85. These sections are incorporated in the pretreatment regulations for the State of Illinois at 35 Ill. Adm. Code 307.3501, 307.3502, 307.3506 and 307.3508. USEPA believes that this modification should allow affected facilities to reduce the use of pretreatment chemicals, resulting in lower operating costs and reducing potential risks for worker safety and health.

On November 6, 1996 at 61 Fed. Reg. 57517, USEPA promulgated regulations that limit the discharge of pollutants into POTWs by existing and new facilities that formulate, package or repackage pesticide products. These regulations cover facilities in the subcategories of the Pesticide Chemicals Point Source Category; Subcategory C: Pesticide Formulating, Packaging and Repackaging (PFPR) and Subcategory E:

Agricultural Refilling Establishments. The regulations were effective January 6, 1997. The Board incorporates the amendments to the pretreatment standards for pesticide formulating, packaging and repackaging facilities in Section 307.6503. The Board also creates a new section 307.6505 to incorporate the pretreatment regulations adopted by USEPA for agricultural refilling establishments.

USEPA proposed amendments to the pretreatment standards on April 14, 1994 (59 Fed. Reg. 17850). Based on comments received from the proposal, USEPA published a supplemental notice on June 8, 1995 at 60 Fed. Reg. 30217. In the final rule, USEPA establishes a zero discharge pretreatment standard with a pollution prevention alternative which allows a discharge to a POTW for subcategory C facilities. The pollution prevention alternative allows an option for facilities that agree to implement certain pollution prevention, recycle and reuse practices. Refilling establishments will be required to achieve zero discharge of wastewater pollutants.

Section 307.6500 incorporates by reference the definitions in 40 CFR 455.10 and the compliance date in 40 CFR 455.11. USEPA has added additional definitions to 40 CFR 455.10 therefore the Board here proposes to similarly update the incorporations by reference in Section 307.6500. USEPA also modified the compliance date in 40 CFR 455.11 which the Board here proposes to similarly update.

On December 16, 1996 at 61 Fed. Reg. 66085, USEPA promulgated rules limiting the discharge of pollutants into waters of the United States and the introduction of pollutants into POTWs by existing and new facilities in the coastal subcategory of the oil and gas extraction point source category. No action is required by the Board in response to these regulations since Illinois pretreatment regulations do not contain regulations pertaining to these types of facilities and the Board believes that no facilities in this category are in operation in Illinois.

HISTORICAL OUTLINE OF BOARD PRETREATMENT REGULATION

The Illinois pretreatment rules were adopted in R86-44, 84 PCB 89, December 3, 1987. The rules appeared at 12 Ill. Reg. 2502 (January 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, effective January 31, 1989 (USEPA amendments January 1, 1988 through June 30, 1988). |

- R89-3 103 PCB 609, September 28, 1989; 13 Ill. Reg. 19243, effective November 17, 1989 (Part 307) and November 27, 1989 (Part 310) (USEPA amendments July 1, 1988 through December 31, 1988).
- R89-12 110 PCB 119, April 12, 1990; 14 Ill. Reg. 7608, effective May 8, 1990 (USEPA amendments January 1, 1989 through June 30, 1989).
- R90-6 Dismissed, 109 PCB 629, March 22, 1990 (No USEPA amendments July 1, 1989 through December 31, 1989).
- R90-15 Dismissed, June 20, 1991 (No USEPA amendments January 1 1990 through June 28, 1990).
- R91-5 129 PCB 395, January 23, 1992; 16 Ill. Reg. 7377 (Part 307); 7337 (Part 309); 7346 (Part 310); effective April 27, 1992. (USEPA amendments June 29, 1990 through December 31, 1990).
- R91-17 Dismissed, December 6, 1991 (No USEPA amendments January 1, 1991 through June 30, 1991).
- R92-5 Dismissed, April 9, 1992 (No USEPA amendments July 1, 1991 through December 31, 1991).
- R92-14 Dismissed, August 13, 1992 (No USEPA amendments January 1, 1992 through June 30, 1992).
- R93-2 September 9, 1993, 17 Ill. Reg. 19483 effective October 29, 1993 (USEPA amendments July 1, 1992 through December 31, 1992).
- R93-20 Dismissed April 9, 1992 (No USEPA amendments January 1, 1993 through June 30, 1993).
- R94-10 May 18, 1995, 19 Ill. Reg. 9142 effective June 23, 1995 (USEPA amendments July 1, 1993 through December 31, 1993).
- R94-28 Dismissed October 6, 1994 (No USEPA amendments January 1, 1994 through June 30, 1994).
- R95-8 Dismissed February 16, 1994 (No USEPA amendments July 1, 1994 through December 31, 1994).

| R95-22 | March 21, 1996, 20 Ill. Reg. 5526, effective April 1, 1996 (USEPA amendments January 1, 1995 through June 30, 1995). |
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| R96-12 | July 18, 1996, 20 Ill. Reg. 10671, effective July 24, 1996 (USEPA amendments July 1, 1995 through December 31, 1995). |
| R97-7 | April 3, 1996, 21 Ill. Reg. 5163, effective April 10, 1997 (USEPA amendments January 1, 1996 through June 30, 1996). |
| R97-23 | This docket. |

ORDER

The Board hereby adopts the following amendments to the Illinois wastewater pretreatment regulations at Section 307.3501, 307.3502, 307.3506, 307.3508, 307.6500 and 307.6503. The Board also adopts a new Section 307.6505 Repackaging of Agricultural Pesticides Performed at Refilling Establishments.

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** Fluid Products 307.1502 **Cultured Products** 307.1503 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

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- 307.1701 Apple Juice
- 307.1702 Apple Products
- 307.1703 Citrus Products
- 307.1704Frozen Potato Products
- 307.1705 Dehydrated Potato Products
- 307.1706 Canned and Preserved Fruits
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- 307.1801 Farm-raised Catfish
- 307.1815 Fish Meal Processing Subcategory

SUBPART J: SUGAR PROCESSING

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| 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

Section

- 307.2201 General
- 307.2202 Ducks

SUBPART N: ELECTROPLATING

- 307.2300 General Provisions
- 307.2301 Electroplating of Common Metals
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- 307.2401 Rayon Fibers
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- 307.2403Thermoplastic Resins
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- 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 Wastestreams
- 307.2491 Complexed Metal-bearing Wastestreams

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| 307.2502 | Aluminum Sulfate Production |
| 307.2503 | Calcium Carbide Production |
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| | Production) |
| 307.2508 | Hydrofluoric Acid Production |
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| 307.2511 | Potassium Metal Production |
| 307.2512 | Potassium Dichromate Production |
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| 307.2520 | Sodium Sulfite Production |
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| 307.2524 | Ammonium Chloride Production |
| 307.2527 | Borax Production |
| 307.2528 | Boric Acid Production |
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| 307.2530 | Calcium Carbonate Production |
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- 307.2544 Lead Monoxide Production
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- 307.2547 Nickel Salts Production
- 307.2549 Oxygen and Nitrogen Production
- 307.2550 Potassium Chloride Production
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- 307.2553 Silver Nitrate Production
- 307.2554 Sodium Bisulfite Production
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- 307.2702 Fatty Acid Manufacturing by Fat Splitting
- 307.2703 Soap Manufacturing by Fatty Acid Neutralization
- 307.2704 Glycerine Concentration
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- 307.2706 Manufacture of Soap Flakes and Powders
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- 307.2715 Manufacture of Spray Dried Detergents
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- 307.2802 Ammonia
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- 307.2806 Ammonium Sulfate Production
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307.3301 Steam Electric Power Generating

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- 307.3401 Open Electric Furnaces With Wet Air Pollution Control Devices
- 307.3402 Covered Electric Furnaces and Other Smelting Operations with Wet Air
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- 307.3403 Slag Processing
- 307.3404 Covered Calcium Carbide Furnaces With Wet Air Pollution Control Devices
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- 307.3504 Retan-Wet Finish-Sides
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- 307.3605 Float Glass Manufacturing
- 307.3606 Automotive Glass Tempering
- 307.3607 Automotive Glass Laminating
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- 307.3610 Glass Tubing (Danner) Manufacturing
- 307.3611 Television Picture Tube Envelope Manufacturing
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SUBPART BC: RUBBER MANUFACTURING

- 307.3801 Tire and Inner Tube Plants
- 307.3802 Emulsion Crumb Rubber
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- 307.3805 Small-Sized General Molded, Extruded and Fabricated Rubber Plants
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- 307.3808 Wet Digestion Reclaimed Rubber
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- 307.3910 Log Washing
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- 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
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| 307.4002 | Semi-Chemical |
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| 307.4005 | Paperboard From Wastepaper |
| 307.4006 | Dissolving Kraft |
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| 007 1010 | |

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SUBPART BN: PHARMACEUTICAL MANUFACTURING

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SUBPART BV: INK FORMULATING

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307.6503 Pesticide Chemicals Formulating and Packaging

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Section

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SUBPART CM: METAL MOLDING AND CASTING

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- 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 |

Appendix A References to Previous Rules (Repealed)

AUTHORITY: Implementing Sections 13 and 13.3 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/13, 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. _____, effective ______.

Subpart Z: Leather Tanning and Finishing

Section 307.3501 Hair Pulp, Chrome Tan, Retan-Wet Finish

- a) Applicability. This Section applies to discharges resulting from any tannery which, either exclusively or in addition to other unhairing and tanning operations, processes raw or cured cattle or cattle-like hides into finished leather by chemically dissolving the hide hair, chrome tanning and retan-wet finishing.
- b) Specialized definitions. None.

- c) Existing sources:
 - 1) The Board incorporates by reference 40 CFR 425.15 (1996), as amended at-61 Fed. Reg. 35680, July 8, 1996. This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) 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 425.16 (1987), as amended at 53 Fed. Reg. 9181, March 21, 1988. This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) 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 July 2, 1979.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

Section 307.3502 Hair Save, Chrome Tan, Retan-Wet Finish

- a) Applicability. This Section applies to discharges resulting from any tannery which processes raw or cured cattle or cattle-like hides into finished leather by hair save unhairing, chrome tanning and retan-wet finishing.
- b) Specialized definitions. None.
- c) Existing sources:
 - 1) The Board incorporates by reference 40 CFR 425.25 (1996), as amended at-61 Fed. Reg. 35680, July 8, 1996. This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) 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 425.26 (1986). This incorporation includes no later amendments or editions.
- 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) 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 July 2, 1979.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

Section 307.3506 Through-the-Blue

- a) Applicability. This Section applies to discharges resulting from any tannery which processes raw or cured cattle or cattle-like hides through the blue tanned state by hair pulp unhairing and chrome tanning; no retan-wet finishing is performed.
- b) Specialized definitions. None.
- c) Existing sources:
 - 1) The Board incorporates by reference 40 CFR 425.65 (1996), as amended at 61 Fed. Reg. 35680, July 8, 1996. This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) 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 425.66 (1986). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) 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 July 2, 1979.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

Section 307.3508 Pigskin

- a) Applicability. This Section applies to discharges resulting from any tannery which processes raw or cured pigskins into finished leather by chemically dissolving or pulping the hair and tanning with chrome, then retan-wet finishing.
- b) Specialized definitions. None.
- c) Existing sources:
 - 1) The Board incorporates by reference 40 CFR 425.85 (1996), as amended at 61 Fed. Reg. 35680, July 8, 1996. This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) 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 425.86 (1986). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) 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 July 2, 1979.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

SUBPART CD: PESTICIDE CHEMICALS

Section 307.6500 General Provisions

a) General definitions. The Board incorporates by reference 40 CFR 455.10 (1996), as amended at 61 Fed. Reg. 57517, November 6, 1996. This incorporation includes no later amendments or editions.

b) Compliance date. The Board incorporates by reference 40 CFR 455.11 (1996), as amended at 61 Fed. Reg. 57517, November 6, 1996. This incorporation includes no later amendments or editions.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

Section 307.6503 Pesticide Chemicals Formulating and Packaging

- a) Applicability.
 - 1) The Board incorporates by reference 40 CFR 455.40 (1996), as amended at 61 Fed. Reg. 57517, November 6, 1996. This incorporation includes no later amendments or additions.
 - 2) This Section applies to discharges resulting from all pesticide formulating and packaging operations, as defined in the materials incorporated in subsection (a)(1) of this Section.
- b) Specialized definitions. The Board incorporates by reference 40 CFR 455.41, as added at 61 Fed. Reg. 57517, November 6, 1996. This incorporation includes no later amendments or additions.
- c) Existing sources:
 - 1) The Board incorporates by reference 40 CFR 455.46, as added at 61 Fed. Reg. 57517, November 6, 1996. This incorporation includes no later amendments or additions.
 - 2) No person subject to the pretreatment standards incorporated by reference in section subsection (c)(1) of this Section 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 455.46, as added at 61 Fed. Reg. 57517, November 6, 1996. This incorporation includes no later amendments or additions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) of this Section 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 April 14, 1994.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

Section 307.6505 Repackaging of Agricultural Pesticides Performed at Refilling Establishments

- a) Applicability.
 - 1) The Board incorporates by reference 40 CFR 455.60 as added at 61 Fed. Reg. 57517, November 6, 1996. This incorporation includes no later amendments or additions.
 - 2) This Section applies to discharges resulting from all pesticide formulating and packaging operations, as defined in the materials incorporated in subsection (a)(1) of this Section.
- b) Specialized definitions. The Board incorporates by reference 40 CFR 455.61 as added at 61 Fed. Reg. 57517, November 6, 1996. This incorporation includes no later amendments or additions.
- c) Existing sources:
 - 1) The Board incorporates by reference 40 CFR 455.66 as added at 61 Fed. Reg. 57517, November 6, 1996. This incorporation includes no later amendments or additions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) of this Section 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 455.66, as added at 61 Fed. Reg. 57517, November 6, 1996. This incorporation includes no later amendments or additions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) of this Section 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 April 14, 1994.

(Source: Added at 21 Ill. Reg. _____, effective _____)

IT IS SO ORDERED.

Board Member K.M. Hennessey abstained.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above opinion and order was adopted on the 7th day of August 1997, by a vote of 5-0.

Doraly Mr. Aun

Dorothy M. Gunn, Clerk Illinois Pollution Control Board