

ILLINOIS POLLUTION CONTROL BOARD

July 8, 2004

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

Adopted Rule. Final Order.

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

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

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

FEDERAL ACTIONS CONSIDERED IN THIS RULEMAKING

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PUBLIC COMMENTS

The Board adopted a proposal for public comment in this matter on April 15, 2004. Notices of Proposed Amendments appeared in the April 30, 2004 issue of the *Illinois Register* at 28 Ill. Reg. 6532 (Part 307) and 6555 (Part 310). The Board received public comments on the proposal for a period of 45 days following its publication in the *Illinois Register*, until June 14, 2004. The Board now adopts the amendments, making any necessary changes made evident through the public comments.

During the public comment period, the Board received the following documents:

Line Numbered Version from the Joint Committee on Administrative Rules

(JCAR), received April 27, 2004 for each of Parts 307 and 310.

The Board did not receive public comments on the proposal.

JCAR usually suggests a limited number of corrections to the text of the amendments in its Line Numbered Version. The copy received for this proceeding suggested no corrections to the text.

DISCUSSION

The following discussion begins with a description of the various deviations the Board makes from the literal text of federal regulations in adopting identical-in-substance rules. It is followed by a discussion of the amendments and actions undertaken in direct response to the federal actions involved in this proceeding. This first series of discussions is organized by federal subject matter, generally appearing in chronological order of the relevant *Federal Register* notices involved. Finally, this discussion closes with a description of the amendments and actions that are not directly derived from the federal actions.

General Revisions and Deviations from the Federal Text

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

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

In the course of completing the two previous updates to the wastewater pretreatment regulations of 35 Ill. Adm. Code 307 and 310, the Board extensively reviewed and corrected the text of the rules. See Wastewater Pretreatment Update, USEPA Amendments (July 1, 2002 through December 31, 2002), R03-13 (Sept. 4, 2003) and Wastewater Pretreatment Update, USEPA Amendments (January 1, 2003 through June 30, 2003), R04-1 (Jan. 22, 2004). As a result, only two additional corrective amendments were found necessary at this time. The two amendments are limited to updating the version of federal statutes incorporated by reference in Section 310.107. Those two corrective amendments are listed in the table on page 6 of this opinion.

Discussion of the Particular Federal Actions Involved in This Docket

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

The USEPA action of December 22, 2003 (68 Fed. Reg. 71014), related to discharges from facilities in the centralized waste treatment point source category. USEPA deleted certain effluent limitations and pretreatment standards. USEPA deleted the selenium limitations and standards from certain segments of 40 C.F.R. 437, Subpart A, which applies to the metals treatment and recovery subcategory. USEPA further deleted the barium, molybdenum, antimony, and titanium limitations and standards from certain segments of 40 C.F.R. 437, Subpart B, which applies to the oils treatment and recovery subcategory. USEPA deleted the molybdenum, antimony, aniline, and 2,3-dichloroaniline limitations and standards from certain segments of 40 C.F.R. 437, Subpart C, which applies to the organics treatment and recovery subcategory. Finally, USEPA amended segments of 40 C.F.R. 437, Subpart D, which applies to the multiple wastestream subcategory, to reflect the amendments to the amendments to Subparts A through C. Other USEPA amendments related only to direct dischargers, and not to wastewater pretreatment.

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

<u>Federal Action</u>	<u>Corresponding Board Action</u>
Amendment to 437.11	None; not applicable to wastewater pretreatment
Amendment to 437.13	None; not applicable to wastewater pretreatment
Amendment to 437.15	Update incorporation by reference at Section 307.4701(c)(1)
Amendment to 437.16	Update incorporation by reference at Section 307.4701(d)(1)
Amendment to 437.21	None; not applicable to wastewater pretreatment
Amendment to 437.23	None; not applicable to wastewater pretreatment
Amendment to 437.24	None; not applicable to wastewater pretreatment
Amendment to 437.25	Update incorporation by reference at Section 307.4702(c)(1)
Amendment to 437.26	Update incorporation by reference at Section 307.4702(d)(1)
Amendment to 437.31	None; not applicable to wastewater pretreatment
Amendment to 437.33	None; not applicable to wastewater pretreatment
Amendment to 437.34	None; not applicable to wastewater pretreatment

Amendment to 437.35	Update incorporation by reference at Section 307.4703(c)(1)
Amendment to 437.36	Update incorporation by reference at Section 307.4703(d)(1)
Amendment to 437.42	None; not applicable to wastewater pretreatment
Amendment to 437.44	None; not applicable to wastewater pretreatment
Amendment to 437.45	None; not applicable to wastewater pretreatment
Amendment to 437.46	Update incorporation by reference at Section 307.4704(c)(1)
Amendment to 437.47	Update incorporation by reference at Section 307.4704(d)(1)

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

The Board requested public comment on the proposed incorporation of the December 22, 2003 federal amendments affecting the centralized waste treatment point source category. The Board received no comments. The Board further received no suggestions for alteration of the text of the amendments from JCAR. Since the Board has found no additional corrections to the text, the amendments are adopted exactly as proposed.

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

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

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

The Board requested public comment on the proposed incorporation of the federal July 21, 2003 amendments and September 19, 2003 corrections to 40 C.F.R. 136.3. The Board received no comments. The Board further received no suggestions for alteration of the text of the amendments from JCAR. Since the Board has found no additional corrections to the text, the amendments are adopted exactly as proposed.

Discussion of Corrective Amendments

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

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

The Board requested public comment on the proposed update to the incorporations of the federal Clean Water Act and the Resource Conservation and Recovery Act by reference. The Board received no comments. The Board further received no suggestions for alteration of the text of the amendments from JCAR. Since the Board has found no additional corrections to the text, the amendments are adopted exactly as proposed.

Discussion of Miscellaneous Housekeeping Amendments

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

**Table:
Board Housekeeping Amendments**

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

ORDER

The Board adopts the following amendments:

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

PART 307
SEWER DISCHARGE CRITERIA

SUBPART A: GENERAL PROVISIONS

Section	
307.101	Preamble (Renumbered)
307.102	General Requirements (Renumbered)
307.103	Mercury (Renumbered)
307.104	Cyanide (STORET number 00720) (Renumbered)
307.105	Pretreatment Requirements (Repealed)
307.1001	Preamble
307.1002	Definitions
307.1003	Test Procedures for Measurement
307.1005	Toxic Pollutants

SUBPART B: GENERAL AND SPECIFIC PRETREATMENT
REQUIREMENTS

Section	
307.1101	General and Specific Requirements
307.1102	Mercury
307.1103	Cyanide

SUBPART F: DAIRY PRODUCTS PROCESSING

Section	
307.1501	Receiving Stations
307.1502	Fluid Products
307.1503	Cultured Products
307.1504	Butter
307.1505	Cottage Cheese and Cultured Cream Cheese
307.1506	Natural and Processed Cheese
307.1507	Fluid Mix for Ice Cream and other Frozen Desserts
307.1508	Ice Cream, Frozen Desserts, Novelties, and Other Dairy Desserts
307.1509	Condensed Milk
307.1510	Dry Milk
307.1511	Condensed Whey
307.1512	Dry Whey

SUBPART G: GRAIN MILLS

Section	
307.1601	Corn Wet Milling
307.1602	Corn Dry Milling
307.1603	Normal Wheat Flour Milling
307.1604	Bulgur Wheat Flour Milling
307.1605	Normal Rice Milling
307.1606	Parboiled Rice Milling
307.1607	Animal Feed

307.1608	Hot Cereal
307.1609	Ready-to-Eat Cereal
307.1610	Wheat Starch and Gluten

SUBPART H: CANNED AND PRESERVED FRUITS AND VEGETABLES

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

SUBPART I: CANNED AND PRESERVED SEAFOOD

Section	
307.1801	Farm-Raised Catfish
307.1815	Fish Meal Processing Subcategory

SUBPART J: SUGAR PROCESSING

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

SUBPART K: TEXTILE MILLS

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

SUBPART L: CEMENT MANUFACTURING

Section	
307.2101	Nonleaching
307.2102	Leaching
307.2103	Materials Storage Piles Runoff

SUBPART M: CONCENTRATED ANIMAL FEEDING OPERATIONS

Section

- 307.2201 General
- 307.2202 Ducks

SUBPART N: ELECTROPLATING

Section

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

SUBPART O: ORGANIC CHEMICALS, PLASTICS, AND SYNTHETIC FIBERS

Section

- 307.2400 General Provisions
- 307.2401 Rayon Fibers
- 307.2402 Other Fibers
- 307.2403 Thermoplastic Resins
- 307.2404 Thermosetting Resins
- 307.2405 Commodity Organic Chemicals
- 307.2406 Bulk Organic Chemicals
- 307.2407 Specialty Organic Chemicals
- 307.2410 Indirect Discharge Point Sources
- 307.2490 Non-Complexed Metal-Bearing and Cyanide-Bearing Waste Streams
- 307.2491 Complexed Metal-Bearing Waste Streams

SUBPART P: INORGANIC CHEMICALS MANUFACTURING

Section

- 307.2500 General Provisions
- 307.2501 Aluminum Chloride Production
- 307.2502 Aluminum Sulfate Production
- 307.2503 Calcium Carbide Production
- 307.2504 Calcium Chloride Production
- 307.2505 Calcium Oxide Production
- 307.2506 Chlor-Alkali Process (Chlorine and Sodium or Potassium Hydroxide Production)
- 307.2508 Hydrofluoric Acid Production
- 307.2509 Hydrogen Peroxide Production
- 307.2511 Potassium Metal Production
- 307.2512 Potassium Dichromate Production
- 307.2513 Potassium Sulfate Production
- 307.2514 Sodium Bicarbonate Production

307.2516	Sodium Chloride Production
307.2517	Sodium Dichromate and Sodium Sulfate Production
307.2520	Sodium Sulfite Production
307.2522	Titanium Dioxide Production
307.2523	Aluminum Fluoride Production
307.2524	Ammonium Chloride Production
307.2527	Borax Production
307.2528	Boric Acid Production
307.2529	Bromine Production
307.2530	Calcium Carbonate Production
307.2531	Calcium Hydroxide Production
307.2533	Carbon Monoxide and Byproduct Hydrogen Production
307.2534	Chrome Pigments Production
307.2535	Chromic Acid Production
307.2536	Copper Salts Production
307.2538	Ferric Chloride Production
307.2540	Fluorine Production
307.2541	Hydrogen Production
307.2542	Hydrogen Cyanide Production
307.2543	Iodine Production
307.2544	Lead Monoxide Production
307.2545	Lithium Carbonate Production
307.2547	Nickel Salts Production
307.2549	Oxygen and Nitrogen Production
307.2550	Potassium Chloride Production
307.2551	Potassium Iodide Production
307.2553	Silver Nitrate Production
307.2554	Sodium Bisulfite Production
307.2555	Sodium Fluoride Production
307.2560	Stannic Oxide Production
307.2563	Zinc Sulfate Production
307.2564	Cadmium Pigments and Salts Production
307.2565	Cobalt Salts Production
307.2566	Sodium Chlorate Production
307.2567	Zinc Chloride Production

SUBPART R: SOAP AND DETERGENTS

Section	
307.2701	Soap Manufacturing by Batch Kettle
307.2702	Fatty Acid Manufacturing by Fat Splitting
307.2703	Soap Manufacturing by Fatty Acid Neutralization
307.2704	Glycerine Concentration
307.2705	Glycerine Distillation
307.2706	Manufacture of Soap Flakes and Powders
307.2707	Manufacture of Bar Soaps
307.2708	Manufacture of Liquid Soaps

307.2709	Oleum Sulfonation and Sulfation
307.2710	Air-Sulfur Trioxide Sulfation and Sulfonation
307.2711	Sulfur Trioxide Solvent and Vacuum Sulfonation
307.2712	Sulfamic Acid Sulfation
307.2713	Chlorosulfonic Acid Sulfation
307.2714	Neutralization of Sulfuric Acid Esters and Sulfonic Acids
307.2715	Manufacture of Spray Dried Detergents
307.2716	Manufacture of Liquid Detergents
307.2717	Manufacturing of Detergents by Dry Blending
307.2718	Manufacture of Drum Dried Detergents
307.2719	Manufacture of Detergent Bars and Cakes

SUBPART S: FERTILIZER MANUFACTURING

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

SUBPART T: PETROLEUM REFINING

Section	
307.2901	Topping
307.2902	Cracking
307.2903	Petrochemical
307.2904	Lube
307.2905	Integrated

SUBPART U: IRON AND STEEL MANUFACTURING

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

SUBPART V: NONFERROUS METALS MANUFACTURING

Section	
307.3100	General Provisions
307.3101	Bauxite Refining
307.3102	Primary Aluminum Smelting
307.3103	Secondary Aluminum Smelting
307.3104	Primary Copper Smelting
307.3105	Primary Electrolytic Copper Refining
307.3106	Secondary Copper
307.3107	Primary Lead
307.3108	Primary Zinc
307.3109	Metallurgical Acid Plants
307.3110	Primary Tungsten
307.3111	Primary Columbium-Tantalum
307.3112	Secondary Silver
307.3113	Secondary Lead
307.3114	Primary Antimony
307.3115	Primary Beryllium
307.3116	Primary and Secondary Germanium and Gallium
307.3117	Secondary Indium
307.3118	Secondary Mercury
307.3119	Primary Molybdenum and Rhenium
307.3120	Secondary Molybdenum and Vanadium
307.3121	Primary Nickel and Cobalt
307.3122	Secondary Nickel
307.3123	Primary Precious Metals and Mercury
307.3124	Secondary Precious Metals
307.3125	Primary Rare Earth Metals
307.3126	Secondary Tantalum
307.3127	Secondary Tin
307.3128	Primary and Secondary Titanium
307.3129	Secondary Tungsten and Cobalt
307.3130	Secondary Uranium
307.3131	Primary Zirconium and Hafnium

SUBPART X: STEAM ELECTRIC POWER GENERATING

Section	
307.3301	Steam Electric Power Generating

SUBPART Y: FERROALLOY MANUFACTURING

Section	
307.3401	Open Electric Furnaces With Wet Air Pollution Control Devices
307.3402	Covered Electric Furnaces and Other Smelting Operations with Wet Air Pollution Control Devices
307.3403	Slag Processing

307.3404	Covered Calcium Carbide Furnaces With Wet Air Pollution Control Devices
307.3405	Other Calcium Carbide Furnaces
307.3406	Electrolytic Manganese Products
307.3407	Electrolytic Chromium

SUBPART Z: LEATHER TANNING AND FINISHING

Section

307.3500	General Provisions
307.3501	Hair Pulp, Chrome Tan, Retan-Wet Finish
307.3502	Hair Save, Chrome Tan, Retan-Wet Finish
307.3503	Hair Save or Pulp, Non-Chrome Tan, Retan-Wet Finish
307.3504	Retan-Wet Finish-Sides
307.3505	No Beamhouse
307.3506	Through-the-Blue
307.3507	Shearling
307.3508	Pigskin
307.3509	Retan-Wet Finish-Splits
307.3590	Potassium Ferricyanide Titration Method

SUBPART BA: GLASS MANUFACTURING

Section

307.3601	Insulation Fiberglass
307.3602	Sheet Glass Manufacturing
307.3603	Rolled Glass Manufacturing
307.3604	Plate Glass Manufacturing
307.3605	Float Glass Manufacturing
307.3606	Automotive Glass Tempering
307.3607	Automotive Glass Laminating
307.3608	Glass Container Manufacturing
307.3610	Glass Tubing (Danner) Manufacturing
307.3611	Television Picture Tube Envelope Manufacturing
307.3612	Incandescent Lamp Envelope Manufacturing
307.3613	Hand Pressed and Blown Glass Manufacturing

SUBPART BB: ASBESTOS MANUFACTURING

Section

307.3701	Asbestos-Cement Pipe
307.3702	Asbestos-Cement Sheet
307.3703	Asbestos Paper (Starch Binder)
307.3704	Asbestos Paper (Elastomeric Binder)
307.3705	Asbestos Millboard
307.3706	Asbestos Roofing
307.3707	Asbestos Floor Tile
307.3708	Coating or Finishing of Asbestos Textiles
307.3709	Solvent Recovery
307.3710	Vapor Absorption

307.3711 Wet Dust Collection

SUBPART BC: RUBBER MANUFACTURING

Section

307.3801 Tire and Inner Tube Plants
 307.3802 Emulsion Crumb Rubber
 307.3803 Solution Crumb Rubber
 307.3804 Latex Rubber
 307.3805 Small-Sized General Molded, Extruded, and Fabricated Rubber Plants
 307.3806 Medium-Sized General Molded, Extruded, and Fabricated Rubber Plants
 307.3807 Large-Sized General Molded, Extruded, and Fabricated Rubber Plants
 307.3808 Wet Digestion Reclaimed Rubber
 307.3809 Pan, Dry Digestion, and Mechanical Reclaimed Rubber
 307.3810 Latex-Dipped, Latex-Extruded, and Latex-Molded Rubber
 307.3811 Latex Foam

SUBPART BD: TIMBER PRODUCTS PROCESSING

Section

307.3900 General Provisions
 307.3901 Barking
 307.3902 Veneer
 307.3903 Plywood
 307.3904 Dry Process Hardboard
 307.3905 Wet Process Hardboard
 307.3906 Wood Preserving-Water Borne or Nonpressure
 307.3907 Wood Preserving-Steam
 307.3908 Wood Preserving-Boulton
 307.3909 Wet Storage
 307.3910 Log Washing
 307.3911 Sawmills and Planing Mills
 307.3912 Finishing
 307.3913 Particleboard Manufacturing
 307.3914 Insulation Board
 307.3915 Wood Furniture and Fixture Production without Water Wash Spray Booths or without Laundry Facilities
 307.3916 Wood Furniture and Fixture Production with Water Wash Spray Booths or with Laundry Facilities

SUBPART BE: PULP, PAPER, AND PAPERBOARD

Section

307.4000 General Provisions
 307.4001 Dissolving Kraft
 307.4002 Bleached Papergrade Kraft and Soda
 307.4003 Unbleached Kraft
 307.4004 Dissolving Sulfite
 307.4005 Papergrade Sulfite

307.4006	Semi-Chemical
307.4007	Mechanical Pulp
307.4008	Non-Wood Chemical Pulp
307.4009	Secondary Fiber Deink
307.4010	Secondary Fiber Non-Deink
307.4011	Fine and Lightweight Papers from Purchased Pulp
307.4012	Tissue, Filter, Non-Woven, and Paperboard from Purchased Pulp
307.4013	Groundwood-Thermo-Mechanical (Repealed)
307.4014	Groundwood-CMN Papers (Repealed)
307.4015	Groundwood-Fine Papers (Repealed)
307.4016	Soda (Repealed)
307.4017	Deink (Repealed)
307.4018	Nonintegrated-Fine Papers (Repealed)
307.4019	Nonintegrated-Tissue Papers (Repealed)
307.4020	Tissue From Wastepaper (Repealed)
307.4021	Papergrade Sulfite (Drum Wash) (Repealed)
307.4022	Unbleached Kraft and Semi-Chemical (Repealed)
307.4023	Wastepaper-Molded Products (Repealed)
307.4024	Nonintegrated-Lightweight Papers (Repealed)
307.4025	Nonintegrated-Filter and Nonwoven Papers (Repealed)
307.4026	Nonintegrated-Paperboard (Repealed)

SUBPART BF: BUILDERS' PAPER AND BOARD MILLS

Section	
307.4101	Builder's Paper and Roofing Felt (Repealed)

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 BL: CENTRALIZED WASTE TREATMENT

Section	
307.4700	General Provisions
307.4701	Metals Treatment and Recovery
307.4702	Oils Treatment and Recovery
307.4703	Organics Treatment and Recovery
307.4704	Multiple Waste Streams

SUBPART BN: PHARMACEUTICAL MANUFACTURING

Section	
307.4900	General Provisions
307.4901	Fermentation Products
307.4902	Extraction Products
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307.5201	Tank Trucks and Intermodal Tank Containers Transporting Chemical and Petroleum Cargos
307.5202	Rail Tank Cars Transporting Chemical and Petroleum Cargos
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307.5204	Tanks Transporting Food Grade Cargos

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

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307.5301	Asphalt Emulsion
307.5302	Asphalt Concrete
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307.5304	Linoleum and Printed Asphalt Felt

SUBPART BS: WASTE COMBUSTORS

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307.5401	Commercial Hazardous Waste Combustor

SUBPART BT: LANDFILLS

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307.5501	RCRA Subtitle C Hazardous Waste Landfill
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SUBPART BU: PAINT FORMULATING

Section
307.5601 Oil-Base Solvent Wash Paint

SUBPART BV: INK FORMULATING

Section
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SUBPART CD: PESTICIDE CHEMICALS

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307.6501 Organic Pesticide Chemicals Manufacturing
307.6502 Metallo-Organic Pesticides Chemicals Manufacturing
307.6503 Pesticide Chemicals Formulating and Packaging
307.6505 Repackaging of Agricultural Pesticides Performed at Refilling Establishments

SUBPART CG: CARBON BLACK MANUFACTURING

Section
307.6801 Carbon Black Furnace Process
307.6802 Carbon Black Thermal Process
307.6803 Carbon Black Channel Process
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SUBPART CJ: BATTERY MANUFACTURING

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307.7301 Contact Cooling and Heating Water
307.7302 Cleaning Water
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SUBPART CM: METAL MOLDING AND CASTING

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307.7403 Ferrous Casting
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SUBPART CP: ALUMINUM FORMING

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SUBPART CQ: COPPER FORMING

Section
 307.7800 General Provisions
 307.7801 Copper Forming
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SUBPART CR: ELECTRICAL AND ELECTRONIC COMPONENTS

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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
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307.Appendix A References to Previous Rules (Repealed)

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

SOURCE: Adopted in R70-5, at 1 PCB 426, March 31, 1971; amended in R71-14, at 4 PCB 3, March 7, 1972; amended in R74-3, at 19 PCB 182, October 30, 1975; amended in R74-15, 16, at 31 PCB 405, at 2 Ill. Reg. 44, p. 151, effective November 2, 1978; amended in R76-17, at 31 PCB 713, at 2 Ill. Reg. 45, p. 101, effective November 5, 1978; amended in R76-21, at 44 PCB 203, at 6 Ill. Reg. 563, effective December 24, 1981; codified at 6 Ill. Reg. 7818; amended in R82-5, 10, at 54 PCB 411, at 8 Ill. Reg. 1625, effective January 18, 1984; amended in R86-44 at 12 Ill. Reg. 2592, effective January 13, 1988; amended in R88-11 at 12 Ill. Reg. 13094, effective July 29, 1988; amended in R88-18 at 13 Ill. Reg. 1794, effective January 31, 1989; amended in R89-3 at 13 Ill. Reg. 19288, effective November 17, 1989; amended in R88-9 at 14 Ill. Reg. 3100, effective February 20, 1990; amended in R89-12 at 14 Ill. Reg. 7620, effective May 8, 1990; amended in R91-5 at 16 Ill. Reg. 7377, effective April 27, 1992; amended in R93-2 at 17 Ill. Reg. 19483, effective October 29, 1993; amended in R94-10 at 19 Ill. Reg. 9142, effective June 23, 1995; amended in R95-22 at 20 Ill. Reg. 5549, effective April 1, 1996; amended in R97-23 at 21 Ill. Reg. 11930, effective August 12, 1997; amended in R99-4 at 23 Ill. Reg. 4413, effective March 31, 1999; amended in R99-17 at 23 Ill. Reg. 8421, effective July 12, 1999; amended in R00-15 at 24 Ill. Reg. 11640, effective July 24, 2000; amended in R01-5 at 25 Ill. Reg. 1735, effective January 11, 2001; amended in R01-25 at 25 Ill. Reg. 10867, effective August 14, 2001; amended in R03-13 at 27 Ill. Reg. 15095, effective September 10, 2003; amended in R04-1 at 28 Ill. Reg. 3076, effective February 6, 2004; amended in R04-18 at 28 Ill. Reg. _____, effective _____.

SUBPART BL: CENTRALIZED WASTE TREATMENT

Section 307.4701 Metals Treatment and Recovery

- a) **Applicability.** This Section applies to that portion of the discharge of wastewater from a centralized waste treatment facility that results from the treatment of, or recovery of metals from, both metal-bearing wastes received from off-site and other centralized waste treatment wastewater associated with the treatment of, or recovery of metal-bearing wastes. The Board incorporates by reference 40 CFR

437.10 (2003). This incorporation includes no later amendments or editions.

- b) Specialized definitions. None.
- c) Existing sources.
 - 1) The Board incorporates by reference 40 CFR 437.15 (2003), as amended at 68 Fed. Reg. 71014 (December 22, 2003). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) of this Section may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources.
 - 1) The Board incorporates by reference 40 CFR 437.16 (2003), as amended at 68 Fed. Reg. 71014 (December 22, 2003). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) of this Section may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.

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

Section 307.4702 Oils Treatment and Recovery

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

- d) New sources.
- 1) The Board incorporates by reference 40 CFR 437.26 (2003), as amended at 68 Fed. Reg. 71014 (December 22, 2003). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) of this Section may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.

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

Section 307.4703 Organics Treatment and Recovery

- a) Applicability. This Section applies to that portion of the discharge of wastewater from a centralized waste treatment facility that results from the treatment of, or recovery of organic material from both organic wastes received from, off-site and other centralized waste treatment wastewater associated with the treatment of, or recovery of, organic wastes. The Board incorporates by reference 40 CFR 437.30 (2003). This incorporation includes no later amendments or editions.
- b) Specialized definitions. None.
- c) Existing sources.
- 1) The Board incorporates by reference 40 CFR 437.35 (2003), as amended at 68 Fed. Reg. 71014 (December 22, 2003). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) of this Section may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources.
- 1) The Board incorporates by reference 40 CFR 437.36 (2003), as amended at 68 Fed. Reg. 71014 (December 22, 2003). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) of this Section may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.

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

Section 307.4704 Multiple Waste Streams

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

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

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

PART 310
 PRETREATMENT PROGRAMS

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310.101	Applicability
310.102	Objectives

310.103	Federal Law
310.104	State Law
310.105	Confidentiality
310.107	Incorporations by Reference
310.110	Definitions
310.111	New Source

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310.221	Category Determination Request
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310.420	Standard for Issuance
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310.431	Duration of Permits
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310.441	Effect of a Permit
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SUBPART E: POTW PRETREATMENT PROGRAMS

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310.501	Pretreatment Programs Required
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310.505	Reissuance or Modification of Permits
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310.521	Program Approval
310.522	Contents of Program Submission
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310.531	Agency Action
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310.533	Water Quality Management
310.541	Deadline for Review
310.542	Public Notice and Hearing
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310.544	USEPA Objection
310.545	Notice of Decision
310.546	Public Access to Submission
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SUBPART F: REPORTING REQUIREMENTS

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310.601	Definition of Control Authority
310.602	Baseline Report
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310.605	Periodic Reports on Compliance
310.606	Notice of Potential Problems
310.610	Monitoring and Analysis
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310.612	Annual POTW Reports
310.613	Notification of Changed Discharge

310.621	Compliance Schedule for POTWs
310.631	Signatory Requirements for Industrial User Reports
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310.633	Fraud and False Statements
310.634	Recordkeeping Requirements
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SUBPART G: FUNDAMENTALLY DIFFERENT FACTORS

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SUBPART I: UPSETS

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310.902	Effect of an Upset
310.903	Conditions Necessary for an Upset
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310.905	Reviewability of Claims of Upset
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Section	
310.910	Definitions
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SUBPART K: MODIFICATION OF POTW PRETREATMENT PROGRAMS

Section	
310.920	General
310.921	Substantial Modifications Defined

- 310.922 Approval Procedures for Substantial Modifications
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 310.924 Incorporation of Modifications into the Permit

SUBPART L: FEDERAL PROJECT XL AGREEMENTS

Section

- 310.930 Federally Approved Pretreatment Program Reinvention Pilot Projects Under Project XL

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

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

SUBPART A: GENERAL PROVISIONS

- Section 310.107 Incorporations by Reference

- a) The following publications are incorporated by reference:
- 1) The consent decree in NRDC v. Costle, 1978 WL 23471, 12 Environment Reporter Cases 1833 (D.C. Cir. August 16, 1978).
 - 2) Standard Industrial Classification Manual (1987) (document no. PB87-100012), available from the National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22161.
- b) The following provisions of the Code of Federal Regulations are incorporated by reference:
- 40 CFR 2.302 (2003)
- 40 CFR 25 (2003)

40 CFR 122, Appendix D, Tables II and III (2003)

40 CFR 128.140(b) (1977)

40 CFR 136 ~~(2002)~~ (2003), as amended at ~~67 Fed. Reg. 65220 (October 23, 2002)~~, ~~67 Fed. Reg. 65876 (October 29, 2002)~~, and ~~67 Fed. Reg. 69952 (November 19, 2002)~~ 68 Fed. Reg. 43272 (July 21, 2003) and 68 Fed. Reg. 54934 (September 19, 2003).

40 CFR 403 (2003)

40 CFR 403, Appendix D (2003)

c) The following federal statutes are incorporated by reference:

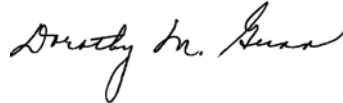
- 1) Section 1001 of federal Crimes and Criminal Procedure (18 USC 1001 (2000))
- 2) The federal Clean Water Act (33 USC 1251 et seq. ~~(1994)~~ (2000)) as amended through ~~October 31, 1994~~ November 7, 2000
- 3) Subtitles C and D of the federal Resource Conservation and Recovery Act (42 USC 6901 et seq. ~~(1994)~~ (2000)) ~~as amended through March 26, 1996~~

d) This Part incorporates no future editions or amendments.

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

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above opinion and order on July 8, 2004, by a vote of 5-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board