



OFFICE OF THE SECRETARY OF STATE

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October 20, 2016

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POLLUTION CONTROL BOARD
DON BROWN
100 W RANDOLPH ST
STE 11-500
CHICAGO, IL 60601

STATE OF ILLINOIS
Pollution Control Board

Dear DON BROWN

Your rules Listed below met our codification standards and have been published in Volume 40, Issue 44 of the Illinois Register, dated 10/28/2016.

OTHER INFORMATION REQUIRED BY LAW TO BE PUBLISHED IN THE ILLINOIS REGISTER

Notice of Public Information (Water Pollution Control Act)

Point of Contact: Mike McCambridge

14778

Notice of Public Information (State Implementation Plan Submittals for National Ambient Air Quality Standards)

Point of Contact: Mike McCambridge

14780

Notice of Public Information (State Implementation Plan Submittals for Ozone)

Point of Contact: Mike McCambridge

14784

PROPOSED RULES

Sewer Discharge Criteria

35 Ill. Adm. Code 307

Point of Contact: Mike McCambridge

14580

Pretreatment Programs

35 Ill. Adm. Code 310

Point of Contact: Mike McCambridge

14602

If you have any questions, you may contact the Administrative Code Division at (217) 782 - 7017.

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POLLUTION CONTROL BOARD

NOTICE OF PUBLIC INFORMATION

Section 13.3 of the Environmental Protection Act (Act) [415 ILCS 5/13.3] requires the Board to adopt regulations that are “identical in substance” to U.S. Environmental Protection Agency (USEPA) regulations identical in substance to wastewater pretreatment rules adopted to implement 307(b), (c), and (d) and 402(b)(8) and (b)(9) of the federal Water Pollution Control Act (33 U.S.C. §§ 1317(b), (c), and (d) & 1342(b)(8) and (b)(9) (2014)). These rules are contained in 35 Ill. Adm. Code 307 and 310.

Section 7.2(a) of the Act [415 ILCS 5/7.2(a)] requires the Board to complete its identical-in-substance rulemaking actions within one year after the date of the USEPA action on which they are based. Section 7.2(b) [415 ILCS 5/7.2(b)] allows the Board to extend the deadline for adoption by publication of a notice of reason for delay in the *Illinois Register*.

By an order dated October 6, 2016, the Board set forth reasons for delay and extended the deadline for final action on the amendments from October 22, 2016 to March 31, 2017. That order stated in significant part as follows:

TIMETABLE TO COMPLETE RULEMAKING

The Board ordinarily would complete this rulemaking no later than October 22, 2016 (one year after the earliest USEPA action included in the docket). However, the proposed amendments require more time to complete. The Board, therefore, will extend the due date to March 31, 2017. The Board may extend the time allotted to complete an identical-in-substance rulemaking if the one-year period is insufficient. 415 ILCS 5/7.2(b) (2014). The Board must explain the extension and publish notice in the *Illinois Register*.

This rulemaking cannot be completed by October 22, 2016 for two reasons. First, completing the identical-in-substance in RCRA Subtitle C Update, USEPA Amendments (January 1, 2015 through June 30, 2015), R16-7 (June 16, 2016) (filed and effective August 9, 2016) required considerable effort and did not allow focus on the wastewater pretreatment amendments until recently. Second, the federal NPDES electronic reporting rule (NPDES-ERR) is complex and contains only certain provisions relevant to wastewater pretreatment. (The Board does not incorporate aspects of the federal rule that do not relate to wastewater pretreatment.)

The Board proposes the following schedule:

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SOS-CODE DIV.

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NOTICE OF PUBLIC INFORMATION

Final adoption:	January 31, 2017
Board order proposing amendments:	October 6, 2016
Submission for <i>Illinois Register</i> publication:	October 17, 2016
Estimated <i>Illinois Register</i> publication date:	October 28, 2016
Estimated End of 45-day public comment period:	December 12, 2016
Board order adopting amendments:	January 5, 2017
Estimated filing and effective date:	January 16, 2017
Estimated <i>Illinois Register</i> publication date:	January 27, 2017

The Board directs the Clerk to cause publication of a Notice of Public Information on Proposed Rules in the *Illinois Register*. The publication will state the reasons for extending the time limit to March 31, 2017.

Direct inquiries as follows, referencing consolidated docket R16-9:

Michael J. McCambridge, Staff Attorney
Illinois Pollution Control Board
312-814-6924 or michael.mccambridge@illinois.gov