

Board Adopts “Identical-in-Substance” Amendments to Wastewater Pretreatment Rules

On December 3, 2020, the Board adopted final amendments to its wastewater pretreatment rules at 35 Ill. Adm. Code 310. The amendments are “identical in substance” to actions taken during the first half of 2020 by the United States Environmental Protection Agency (USEPA). Specifically, on April 15, 2020, USEPA revised its National Pollutant Discharge Elimination System (NPDES) electronic reporting (eReporting) rule for municipal separate storm sewer systems (MS4s). Some accompanying revisions to more general aspects of the NPDES eReporting rule also affected reporting for the wastewater pretreatment program. The Board’s amendments incorporated those general reporting revisions into the Illinois rules.

In addition, the Board included an amendment that was not based on a USEPA action during the first half of 2020. Specifically, the Board removed an obsolete rule relating to a project under the Regulatory Reinvention (XL) Community Pilot Program (Project XL) involving the Metropolitan Water Reclamation District of Greater Chicago (MWRDGC). MWRDGC and USEPA agreed to terminate the project in 2004, and USEPA terminated Project XL in 2009.

The Board’s rulemaking is captioned Wastewater Pretreatment Update, USEPA Amendments (January 1, 2020 through June 30, 2020), docket R21-8. Here are links to (1) the Board’s [final opinion and order](#), which includes the text of the adopted rule amendments, and (2) the Board’s [addendum](#), which provides tables of information concerning the rulemaking. For more information, please contact Michael McCambridge at 312-814-6924 or michael.mccambridge@illinois.gov.