

Robertson, Daniel

From: Robertson, Daniel
Sent: Tuesday, February 11, 2014 9:52 AM
To: 'Connelly, Deborah'
Subject: RE: 304

PC#7, R13-20

The Board is fine with these changes. Thank you.

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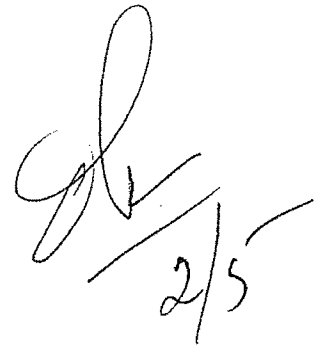
STATE OF ILLINOIS
Pollution Control Board

-----Original Message-----

From: Connelly, Deborah [mailto:connelly@ilga.gov]
Sent: Friday, February 07, 2014 2:44 PM
To: Robertson, Daniel
Subject: 304

ditto

SECOND NOTICE CHANGES



Agency: Pollution Control Board

Rulemaking: Effluent Standards (35 Ill. Adm. Code 304; 37 Ill. Reg. 11861)

Changes:

1. In line 1, strike the superscript "1".

2. After line 122, add:

"BOARD NOTE: Section 304.141(b) was declared invalid in Peabody Coal Co. v. PCB, 3 Ill. App. 3d 5 (5th District, 1976) and declared valid in U.S. Steel v. PCB, 52 Ill. App. 3d 1 (2d District, 1977)."

3. Strike lines 130-131.

2/5/14

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

PART 304
EFFLUENT STANDARDS

SUBPART A: GENERAL EFFLUENT STANDARDS

- 10 Section
- 11 304.101 Preamble
- 12 304.102 Dilution
- 13 304.103 Background Concentrations
- 14 304.104 Averaging
- 15 304.105 Violation of Water Quality Standards
- 16 304.106 Offensive Discharges
- 17 304.120 Deoxygenating Wastes
- 18 304.121 Bacteria
- 19 304.122 Total Ammonia Nitrogen (as N: STORET number 00610)
- 20 304.123 Phosphorus (STORET number 00665)
- 21 304.124 Additional Contaminants
- 22 304.125 pH
- 23 304.126 Mercury
- 24 304.140 Delays in Upgrading (Repealed)
- 25 304.141 NPDES Effluent Standards
- 26 304.142 New Source Performance Standards (Repealed)

SUBPART B: SITE SPECIFIC RULES AND
EXCEPTIONS NOT OF GENERAL APPLICABILITY

- 31 Section
- 32 304.201 Wastewater Treatment Plant Discharges of the Metropolitan Water Reclamation
33 District of Greater Chicago
- 34 304.202 Chlor-alkali Mercury Discharges in St. Clair County
- 35 304.203 Copper Discharges by Olin Corporation
- 36 304.204 Schoenberger Creek: Groundwater Discharges
- 37 304.205 John Deere Foundry Discharges
- 38 304.206 Alton Water Company Treatment Plant Discharges
- 39 304.207 Galesburg Sanitary District Deoxygenating Wastes Discharges
- 40 304.208 City of Lockport Treatment Plant Discharges
- 41 304.209 Wood River Station Total Suspended Solids Discharges
- 42 304.210 Alton Wastewater Treatment Plant Discharges
- 43 304.211 Discharges From Borden Chemicals and Plastics Operating Limited Partnership

- 44 Into an Unnamed Tributary of Long Point Slough
- 45 304.212 Sanitary District of Decatur Discharges
- 46 304.213 PDV Midwest Refining, L.L.C. Refinery Ammonia Discharge
- 47 304.214 Mobil Oil Refinery Ammonia Discharge
- 48 304.215 City of Tuscola Wastewater Treatment Facility Discharges
- 49 304.216 Newton Station Suspended Solids Discharges
- 50 304.218 City of Pana Phosphorus Discharge
- 51 304.219 North Shore Sanitary District Phosphorus Discharges
- 52 304.220 East St. Louis Treatment Facility, Illinois-American Water Company
- 53 304.221 Ringwood Drive Manufacturing Facility in McHenry County
- 54 304.222 Intermittent Discharge of TRC
- 55 304.224 Effluent Disinfection

56

57 SUBPART C: TEMPORARY EFFLUENT STANDARDS

58

59 Section

- 60 304.301 Exception for Ammonia Nitrogen Water Quality Violations (Repealed)
- 61 304.302 City of Joliet East Side Wastewater Treatment Plant
- 62 304.303 Amerock Corporation, Rockford Facility

63

64 304.APPENDIX A References to Previous Rules

65

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

68

69 SOURCE: Filed with the Secretary of State January 1, 1978; amended at 2 Ill. Reg. 30, p. 343,
70 effective July 27, 1978; amended at 2 Ill. Reg. 44, p. 151, effective November 2, 1978; amended
71 at 3 Ill. Reg. 20, p. 95, effective May 17, 1979; amended at 3 Ill. Reg. 25, p. 190, effective June
72 21, 1979; amended at 4 Ill. Reg. 20, p. 53, effective May 7, 1980; amended at 6 Ill. Reg. 563,
73 effective December 24, 1981; codified at 6 Ill. Reg. 7818; amended at 6 Ill. Reg. 11161, effective
74 September 7, 1982; amended at 6 Ill. Reg. 13750, effective October 26, 1982; amended at 7 Ill.
75 Reg. 3020, effective March 4, 1983; amended at 7 Ill. Reg. 8111, effective June 23, 1983;
76 amended at 7 Ill. Reg. 14515, effective October 14, 1983; amended at 7 Ill. Reg. 14910, effective
77 November 14, 1983; amended at 8 Ill. Reg. 1600, effective January 18, 1984; amended at 8 Ill.
78 Reg. 3687, effective March 14, 1984; amended at 8 Ill. Reg. 8237, effective June 8, 1984;
79 amended at 9 Ill. Reg. 1379, effective January 21, 1985; amended at 9 Ill. Reg. 4510, effective
80 March 22, 1985; peremptory amendment at 10 Ill. Reg. 456, effective December 23, 1985;
81 amended at 11 Ill. Reg. 3117, effective January 28, 1987; amended in R84-13 at 11 Ill. Reg.
82 7291, effective April 3, 1987; amended in R86-17(A) at 11 Ill. Reg. 14748, effective August 24,
83 1987; amended in R84-16 at 12 Ill. Reg. 2445, effective January 15, 1988; amended in R83-23 at
84 12 Ill. Reg. 8658, effective May 10, 1988; amended in R87-27 at 12 Ill. Reg. 9905, effective
85 May 27, 1988; amended in R82-7 at 12 Ill. Reg. 10712, effective June 9, 1988; amended in R85-
86 29 at 12 Ill. Reg. 12064, effective July 12, 1988; amended in R87-22 at 12 Ill. Reg. 13966,

87 effective August 23, 1988; amended in R86-3 at 12 Ill. Reg. 20126, effective November 16,
 88 1988; amended in R84-20 at 13 Ill. Reg. 851, effective January 9, 1989; amended in R85-11 at
 89 13 Ill. Reg. 2060, effective February 6, 1989; amended in R88-1 at 13 Ill. Reg. 5976, effective
 90 April 18, 1989; amended in R86-17(B) at 13 Ill. Reg. 7754, effective May 4, 1989; amended in
 91 R88-22 at 13 Ill. Reg. 8880, effective May 26, 1989; amended in R87-6 at 14 Ill. Reg. 6777,
 92 effective April 24, 1990; amended in R87-36 at 14 Ill. Reg. 9437, effective May 31, 1990;
 93 amended in R88-21(B) at 14 Ill. Reg. 12538, effective July 18, 1990; amended in R84-44 at 14
 94 Ill. Reg. 20719, effective December 11, 1990; amended in R86-14 at 15 Ill. Reg. 241, effective
 95 December 18, 1990; amended in R93-8 at 18 Ill. Reg. 267, effective December 23, 1993;
 96 amended in R87-33 at 18 Ill. Reg. 11574, effective July 7, 1994; amended in R95-14 at 20 Ill.
 97 Reg. 3528, effective February 8, 1996; amended in R94-1(B) at 21 Ill. Reg. 364, effective
 98 December 23, 1996; expedited correction in R94-1(B) at 21 Ill. Reg. 6269, effective December
 99 23, 1996; amended in R97-25 at 22 Ill. Reg. 1351, effective December 24, 1997; amended in
 100 R97-28 at 22 Ill. Reg. 3512, effective February 3, 1998; amended in R98-14 at 23 Ill. Reg. 687,
 101 effective December 31, 1998; amended in R02-19 at 26 Ill. Reg. 16948, effective November 8,
 102 2002; amended in R02-11 at 27 Ill. Reg. 194, effective December 20, 2002; amended in R04-26
 103 at 30 Ill. Reg. 2365, effective February 2, 2006; amended in R08-9B at 36 Ill. Reg. 2586,
 104 effective February 2, 2012; amended in R13-20 at 38 Ill. Reg. _____, effective _____.

105
 106 **SUBPART A: GENERAL EFFLUENT STANDARDS**

107
 108 **Section 304.141 NPDES Effluent Standards**

- 109
- 110 a) No person to whom an NPDES Permit has been issued may discharge any
 - 111 contaminant in his effluent in excess of the standards and limitations for that
 - 112 contaminant which are set forth in his permit.
 - 113
 - 114 b) No person may discharge any pollutant subject to, or which contributes or
 - 115 threatens to cause a violation of, any applicable federal or state water quality
 - 116 standard, effluent standard, guideline or other limitation, promulgated pursuant to
 - 117 the CWA or the Act, unless limitation for such a pollutant has been set forth in an
 - 118 applicable NPDES Permit. However, the Agency may, by permit condition,
 - 119 provide that the permittee may discharge pollutants present in its water supply
 - 120 intake sources in concentrations not greater than the concentrations in the intake
 - 121 sources, or which are added in trace amounts by normal domestic water usage.¹
 - 122
 - 123 c) The standards of this Chapter shall apply to thermal discharges unless, after
 - 124 public notice and opportunity for public hearing, in accordance with
 - 125 section 316 of the CWA, and applicable federal regulations, and
 - 126 procedures in 35 Ill. Adm. Code 106. Subpart K, the Administrator and the Board
 - 127 has have determined that different standards shall apply to a particular thermal
 - 128 discharge.
 - 129

9 BOARD NOTE: Section 304.141(b) was declared invalid in Peabody Coal Co. v. PCB, 3
Ill. App. 3d 5 (5th District, 1976) and declared valid in U.S. Steel v. PCB, 52 Ill. App. 3d
1 (2d District, 1977).

130 ~~Section 304.141(b) was declared invalid in Peabody Coal Co. v. PCB, 3 Ill. App. 3d 5 (5th~~
131 ~~District, 1976) and declared valid in U.S. Steel v. PCB, 52 Ill. App. 3d 1 (2d District, 1977).~~
132
133 (Source: Amended at 38 Ill. Reg. _____, effective _____)