**Section 106.1105 General**

a) Description. This Subpart applies to any point source that discharges pollutants to waters of the United States who seeks to demonstrate, under 35 Ill. Adm. Code 304.141(c) and section 316(a) of the Clean Water Act, that any effluent limitation proposed for the control of a thermal component of any discharge from such source will require effluent limitations more stringent than necessary to assure the protection and propagation of a balanced, indigenous population of shellfish, fish, and wildlife in and on the body of water into which the discharge is to be made.

b) Parties. The person making the demonstration must be named the petitioner. The Agency must be named as a respondent. Any interested person may become a participant in the alternative thermal effluent limitation demonstration proceeding in accordance with 35 Ill. Adm. Code 101.110 and 101.628.

c) Filing and Service. The filing and service requirements of 35 Ill. Adm. Code 101.Subparts C and J apply to the proceedings of this Subpart.

(Source: Amended at 41 Ill. Reg. 10104, effective July 5, 2017)