**Section 304.121 Bacteria**

a) Effluents discharged to all general use waters must not exceed 400 fecal coliforms per 100 ml unless the Illinois Environmental Protection Agency determines that an alternative effluent standard is applicable under subsection (b).

b) The Agency must, as part of the NPDES Permit Program under 35 Ill. Adm. Code 309.Subpart A, determine the applicable standard only in compliance with the requirements of 35 Ill. Adm. Code 302.209 and 302.306.

1) The discharger must demonstrate and document the following:

A) The character of the receiving waters under 35 Ill. Adm. Code 302.202, 302.209, and 302.306.

B) The discharge will not cause downstream waters to exceed the applicable fecal coliform water quality standards under 35 Ill. Adm. Code 302.209 and 302.306.

2) Alternate effluent standards consistent with 35 Ill. Adm. Code 302.209 and 302.306 must be applied on either a year-round or seasonal basis consistent with the documentation provided by the discharger.

(Source: Amended at 47 Ill. Reg. 4601, effective March 23, 2023)