**Section 310.501 Pretreatment Programs Required**

a) The Agency must require any POTW (or combination of POTWs operated by the same authority) with a total design flow greater than five million gallons per day (mgd) that receives discharges that fulfill either of the following conditions to establish a pretreatment program:

1) The POTW receives discharges from industrial users that pass through or interfere with the operation of the POTW; or

2) The POTW receives discharges from industrial users that are otherwise subject to categorical standards in 35 Ill. Adm. Code 307.

b) The Agency must require that a POTW with a design flow of five mgd or less develop a POTW pretreatment program if the Agency finds that the nature or volume of the industrial influent, treatment process upsets, violations of POTW effluent limitations, contamination of municipal sludge, or other circumstances require a pretreatment program to prevent interference or pass through.

c) Regardless of subsections (a) and (b), the Agency may, in its discretion, waive the requirement that any POTW develop a pretreatment program.

1) Waivers must be in writing.

2) The Agency may, in its discretion, rescind any waiver by giving written notice to the POTW, giving sufficient time for the POTW to develop the program.

BOARD NOTE: Derived from 40 CFR 403.8(a) (2003).

(Source: Amended at 47 Ill. Reg. 5083, effective March 23, 2023)