**Section 310.902 Effect of an Upset**

An upset may constitute an affirmative defense to an action brought for noncompliance with categorical pretreatment standards if the requirements of Section 310.903 are met.

BOARD NOTE: Derived from 40 CFR 403.16(b) (2003).

(Source: Amended at 28 Ill. Reg. 3390, effective February 6, 2004)