**Section 104.530 Petition Contents**

a) All TLWQS petitions or amended petitions must include:

1) A statement indicating the type of TLWQS sought:

A) single discharger;

B) multiple discharger; or

C) watershed, water body, or waterbody segment;

2) identification of the currently applicable water quality standard for the pollutant or parameter for which a TLWQS is sought;

3) the location of the petitioner's activity and the location of the points of its discharge;

4) a map of the proposed watershed, water body or waterbody segment to which the TLWQS will apply, as well as a written description of the watershed, water body, or waterbody segment, including the associated segment code;

5) designated uses of the water body or waterbody segment identified in subsection (a)(4);

6) data describing the nature and extent of the present or anticipated failure to meet the water quality standard or standards, as well as facts that support the petitioner's argument that compliance with the water quality standard or standards cannot be achieved by the required compliance date;

7) a demonstration that attainment of the designated use or uses and criterion or criteria is not feasible throughout the term of the TLWQS because of one or more of the factors listed in Section 104.560(a);

8) an identification, including the Board's docket number, of any prior TLWQS or water quality standards variances issued to the petitioner, watershed, water body, waterbody segment, and, if known, the petitioner's predecessors, concerning similar relief;

9) an identification, by name of the permit holder and permit number, of the permits held by dischargers that may be affected by the adoption of the TLWQS;

10) an identification and description of any process, activity, or source that contributes to a violation of a water quality standard, including the material used in that process or activity;

11) a description and copy of all Pollutant Minimization Plans that are relevant to the relief requested and are currently being implemented or were implemented in the past;

12) the proposed highest attainable condition of the watershed, water body, or waterbody segment identified in subsection (a)(4) expressed as set forth in Section 104.565(d)(4), including projected changes in the highest attainable condition throughout the proposed term of the TLWQS;

13) a demonstration of the pollutant control activities proposed to achieve the highest attainable condition, including those activities identified through a Pollutant Minimization Program;

14) the proposed term of the TLWQS, along with a justification that it is only as long as necessary to achieve the highest attainable condition and a description of the relationship between the proposed pollution control activities and the proposed term;

15) a proposed re-evaluation schedule to re-evaluate the highest attainable condition during the term of the TLWQS if that proposed term is longer than five years (see Section 104.580);

16) any other documentation necessary to support the petitioner's demonstration under Section 104.560; and

17) a demonstration to assure that the proposed highest attainable condition does not conflict with the attainment of any downstream water quality standard for the pollutant or parameter for which the TLWQS is sought.

b) For a watershed, water body or waterbody segment TLWQS, the petition or amended petition must also include:

1) identification and documentation of any cost-effective and reasonable best management practices for nonpoint source controls related to the pollutant or water quality parameter and watershed, water body, or waterbody segment specified in the TLWQS that could be implemented to make progress towards attaining the underlying designated use and criterion; and

2) if the petition is for an extension of an existing TLWQS, an explanation of the extent to which the best management practices for nonpoint source controls were implemented to address the pollutant or water quality parameter subject to the TLWQS and the water quality progress achieved.

c) For a watershed, water body, waterbody segment, or multiple discharger TLWQS, the petition or amended petition may also include proposed eligibility criteria to be adopted by the Board to be used at the time of renewal or modification of an individual's federal NPDES permit or at the time an individual files an application for certification under section 401 of the federal Clean Water Act to obtain coverage under a Board-approved TLWQS.

d) For a multiple discharger, watershed, water body, or waterbody segment TLWQS, discharger specific information must be provided individually.

(Source: Added at 42 Ill. Reg. 7922, effective April 27, 2018)