**Section 309.144 Federal New Source Standards of Performance**

Regardless of any other provisions of these rules, any point source whose construction began after October 18, 1972, and that is constructed to meet all applicable federal standards of performance as defined in section 306 of the CWA and 35 Ill. Adm. Code 301.400, must not be subject to any more stringent federal standard of performance during:

a) A 10-year period beginning on the date of completion of the construction, or

b) The period of depreciation or amortization of the facility for section 167 or 169 (or both) of the Internal Revenue Code of 1954 (26 U.S.C. 167 and 169), whichever period ends first.

(Source: Amended at 47 Ill. Reg. 5017, effective March 23, 2023)