**Section 309.204 Operating Permits; Existing Sources**

a) A person must not cause or allow the use or operation of any treatment works, pretreatment works, or wastewater source without an operating permit issued by the Agency, except as provided in subsections (b), (c), and (d).

b) No operating permit is required under this Section for any discharge:

1) for which an NPDES permit is required;

2) for which a pretreatment permit has been issued by the Agency under 35 Ill. Adm. Code 310;

3) for which a pretreatment permit has been issued by USEPA under federal law; or

4) for which an authorization to discharge has been issued by a POTW with a pretreatment program approved by the Agency, under 35 Ill. Adm. Code 310, or approved by USEPA under federal law.

c) Operating permits are not required for treatment works and wastewater sources that are designed and intended to serve a single building and eventually treat or discharge less than an average of 1500 gallons per day (5700 L/day) of domestic sewage and that will discharge, if at all, directly to a publicly owned or publicly regulated sanitary or combined sewer.

d) Operating permits are not required for those pretreatment works or wastewater sources discharging to a sewer tributary to a treatment works, or directly to a treatment works, that will not:

1) discharge toxic pollutants, as defined in section 502(13) of the CWA, or pollutants that may interfere with the treatment process into the receiving treatment works or be subject to regulations promulgated under section 307 of the CWA;

2) discharge 15% or more of the total hydraulic flow received by the treatment works; or

3) discharge 15% or more of the total biological loading received by the treatment works as measured by the 5-day biochemical oxygen demand.

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