**Section 310.312 Provisional Credits**

For pollutants that are not currently being discharged (new or modified facilities, or production changes) the POTW may apply for provisional authorization to revise the applicable categorical pretreatment standard prior to initial discharge of the pollutant. Consistent removal may be based provisionally on data from treatability studies or demonstrative removal at other treatment facilities where the quality and quantity of influent are similar. In calculating and applying for provisional removal allowances, the POTW must comply with provisions of this Subpart. The POTW must demonstrate consistent removal within 18 months after the commencement of discharge of the pollutants in question. If, within 18 months after the commencement of the discharge of the pollutant in question, the POTW cannot demonstrate consistent removal pursuant to Section 310.311, the Agency must terminate the authority to grant removal credits, and all industrial users to whom the revised discharge limits had been applied must achieve compliance with the applicable categorical pretreatment standards within a reasonable time, not to exceed the period of time prescribed in the standards, as the Agency must specify.

BOARD NOTE: Derived from 40 CFR 403.7(c) (2003).

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