**Section 845.110 Applicability of Other Regulations**

a) Compliance with the requirements of this Part does not affect the need for the owner or operator of a CCR surface impoundment, or lateral expansion of a CCR surface impoundment, to comply with all other applicable federal, state, tribal, or local laws or other requirements.

b) Any CCR surface impoundment or lateral expansion of a CCR surface impoundment is subject to the following requirements:

1) Illinois Endangered Species Protection Act [520 ILCS 10] and 40 CFR 257.3-2.

2) Surface Water

A) A facility must not cause a discharge of pollutants into waters of the United States that is in violation of the requirements of the National Pollutant Discharge Elimination System (NPDES) under section 402 of the Clean Water Act.

B) A facility must not cause a discharge of dredged material or fill material to waters of the United States that is in violation of the requirements under section 404 of the Clean Water Act, as amended.

C) A facility or practice must not cause non-point source pollution of waters of the United States that violates applicable legal requirements implementing an areawide or statewide water quality management plan that has been approved by USEPA under section 208 of the Clean Water Act, as amended.

D) Definitions of the terms "discharge of dredged material", "point source", "pollutant", and "waters of the United States" can be found in the Clean Water Act, as amended (33 USC 1251 et seq.) and implementing regulations, specifically 33 CFR 323 (42 FR 37122, July 19, 1977).

E) Except as in compliance with the provisions of the Act, Board regulations, and the CWA, and the provisions and conditions of the NPDES permit issued to the discharger, the discharge of any contaminant or pollutant by any facility into the waters of the State from a point source or into a well will be unlawful.

3) Rivers, Lakes and Streams Act [615 ILCS 5/23 and 23(a)] and 17 Ill. Adm. Code 3702.