**Section 104.520 General Procedures**

a) A TLWQS may be sought for multiple uses and multiple parameters by:

1) persons who file with the Board a petition for a TLWQS under Section 38.5 of the Act; and

2) persons who had a pending petition on February 24, 2017 for a variance from a water quality standard under Section 35 of the Act converted into a petition for a TLWQS under Section 38.5 of the Act.

b) Participants

1) Petitioner

A) For a single discharger TLWQS, the person seeking the TLWQS will be designated as the petitioner.

B) For a multiple discharger, watershed, water body, or waterbody segment TLWQS, a discharger or a group of dischargers seeking the TLWQS may act individually or collectively as a single petitioner when filing a TLWQS petition before the Board if they can meet the demonstration requirements under Section 104.560.

C) For a multiple discharger, watershed, water body, or waterbody segment TLWQS, a petitioner may decide at any time to withdraw from a collectively filed petition, and may then file its own individual TLWQS petition, join or rejoin a previously filed collective TLWQS petition. A petitioner's decision to withdraw from, join or rejoin a previously filed TLWQS petition does not invalidate an otherwise valid stay granted under Section 104.525. A stay will not continue if a petitioner withdraws its petition and does not file an individual petition or join or rejoin a previously filed collective petition by the deadline set by the Board.

2) The Agency will be a participant.

3) Any person may become a participant in the TLWQS proceeding.

4) The Board will develop and maintain a notice list of persons and organizations that have expressed an interest in, or may, by the nature of their purposes, activities or members, be affected by, any covered activity. The Board will include in the notice list all dischargers or classes of dischargers identified by the Agency under Section 104.535(b)(1).

c) Filing and Service. Unless otherwise provided by this Subpart, all documents must be served and filed in compliance with 35 Ill. Adm. Code 101.Subpart C.

BOARD NOTE 1: The Board encourages persons addressing the same pollutants in the same water body, waterbody segment or watershed to join in filing a joint petition whenever possible, collectively making the demonstration outlined in Section 104.555. When multiple petitions addressing the same pollutants in the same water body, waterbody segment or watershed are filed separately, the Board may consolidate the petitions under 35 Ill. Adm. Code 101.406. The Board may also incorporate materials and evidence filed in support of one petition as evidence in support of a petition addressing similar issues. (See 35 Ill. Adm. Code 101.306.)

BOARD NOTE 2: Lack of action by one or more dischargers will not affect the ability of the Board to consider or act on a TLWQS petition filed before the Board.

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