**Section 310.901 Definition**

For the purposes of this Subpart I, "upset" means an exceptional incident in which there is unintentional and temporary noncompliance with categorical pretreatment standards because of factors beyond the reasonable control of the industrial user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance or careless or improper operation.

BOARD NOTE: Derived from 40 CFR 403.16(a) (2003).

(Source: Amended at 28 Ill. Reg. 3390, effective February 6, 2004)