**Section 378.101 Purpose, Scope and Applicability**

a) The purpose of this Part is to establish requirements for determining which National Pollutant Discharge Elimination System (NPDES) permit dischargers may cease effluent disinfection on a seasonal or year-round basis pursuant to standards established by the Pollution Control Board (Board) at 35 Ill. Adm. Code 302.202, 302.209, 302.306 and 304.121.

b) This Part shall apply to National Pollutant Discharge Elimination System permit dischargers which must comply with the fecal coliform effluent standard of 35 Ill. Adm. Code 304.121. This Part does not apply to discharges governed by 35 Ill. Adm. Code 306.305 or to discharges with fecal coliform limitations imposed by any federal regulations pursuant to 35 Ill. Adm. Code 309.141.

c) The standards established by the Pollution Control Board allow that waters unsuitable for primary contact activities, unlikely to allow incidental contact due to remoteness from any parks or residential areas, and unutilized for public and food processing water supply are exempt from fecal coliform water quality standards. National Pollutant Discharge Elimination System permit dischargers which affect these waters may be eligible for an exemption from 35 Ill. Adm. Code 304.121.

d) National Pollutant Discharge Elimination System permit discharges which may prevent protected waters from complying with fecal coliform water quality standards must continue to comply with the fecal coliform effluent standard of 35 Ill. Adm. Code 304.121. In order to be protected, waters must presently support or have physical characteristics to support primary contact activities, flow through or adjacent to parks or residential areas, or be utilized for public and food processing water supply.

e) Exemption determinations will include consideration of potential impacts on interstate waters.