

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)	
)	R 2020-20
EMERGENCY RULEMAKING FOR)	
CROSS CONNECTION CONTROL DEVICE)	EMERGENCY
INSPECTORS OF PUBLIC WATER SUPPLIES)	(Rulemaking - Water)
AT 35 ILL. ADM. CODE PART 604.1520)	

NOTICE OF FILING

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board a **NOTICE OF FILING; APPEARANCE; STATEMENT OF REASONS FOR EMERGENCY RULEMAKING;** and **ATTACHMENTS: PROPOSED EMERGENCY RULEMAKING 35 ILL. ADM. CODE PART 604;** and a **EXPEDITED MOTION FOR ACCEPTANCE** on behalf of the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

Respectfully submitted,

Dated: April 10, 2020

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Rex L. Gradeless, #6303411
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Petitioner,

BY: /s/ Rex L. Gradeless
Rex L. Gradeless

THIS FILING IS SUBMITTED ELECTRONICALLY

SERVICE LIST

ILLINOIS POLLUTION CONTROL BOARD

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APPEARANCE

The undersigned hereby enters their appearances as attorneys on behalf of the Illinois Environmental Protection Agency.

Respectfully submitted,

Dated: April 10, 2020

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

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Christine Zeivel, #6298033
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Petitioner,

BY: /s/ Rex L. Gradeless
Rex L. Gradeless

BY: /s/ Christine Zeivel
Christine Zeivel

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STATEMENT OF REASONS FOR EMERGENCY RULEMAKING

NOW COMES the Illinois Environmental Protection Agency (hereafter “Illinois EPA”), by and through its counsel, and hereby proposes an emergency rulemaking of general applicability and submits this Statement of Reasons for Emergency Rulemaking to the Illinois Pollution Control Board (hereafter “Board”) pursuant to the Board’s authority to adopt emergency regulations under Section 27(c) of the Illinois Environmental Protection Act (hereafter “Act”), 415 ILCS 5/27(c), Section 5-45 of the Illinois Administrative Procedure Act (hereafter “Illinois APA”), 5 ILCS 100/5-45, and 35 Ill. Adm. Code 102.106(b)(2).

I. INTRODUCTION

The purpose of this emergency rulemaking is to extend the annual renewal period for cross connection control device inspectors (hereafter “CCCD Inspectors”) 120 days (i.e. from June 30, 2020, to October 30, 2020). This emergency rulemaking is limited to the 2020 renewal year and was drafted in response to an emergency rulemaking adopted by the Illinois Department of Public Health that extended the renewal deadlines for licensed plumbers 120 days. Because CCCD Inspectors are also licensed plumbers, this emergency rule is needed so that CCCD Inspectors will be able to timely renew their CCCD Inspector Approval with the Illinois EPA.

II. BACKGROUND

COVID-19 Gubernatorial Disaster Proclamations

Coronavirus Disease 2019 (hereafter “COVID-19”) is a novel severe acute respiratory illness that can spread among people through respiratory transmissions and present with symptoms similar to those of influenza.

On January 27, 2020, the United States Secretary of Health and Human Services declared that COVID-19 presents a public health emergency.

On January 30, 2020 the World Health Organization declared COVID-19 a Public Health Emergency of International Concern.

On March 9, 2020, Governor JB Pritzker declared all counties in the State of Illinois a disaster area (hereafter “First Gubernatorial Disaster Proclamation”) and proclaimed it was necessary and appropriate to make additional State resources available to ensure that the effects of COVID-19 are mitigated and minimized and that residents and visitors in the State remain safe and secure.

On March 11, 2020, the World Health Organization characterized the COVID-19 outbreak as a pandemic.

On April 1, 2020, Governor JB Pritzker again declared all counties in the State of Illinois as a disaster area (hereafter “Second Gubernatorial Disaster Proclamation”, and, together with the First Gubernatorial Disaster Proclamation, the “Gubernatorial Disaster Proclamations”) in response to the exponential spread of COVID-19. *See* Second Gubernatorial Disaster Proclamation, April 1, 2020, attached as Attachment B.

The Centers for Disease Control and Prevention (CDC) currently recommends that all United States residents take precautions to contain the spread of COVID-19, including (1)

practicing social distancing by maintaining 6 feet of distance from others and avoiding all gatherings; (2) be alert for symptoms such as fever, cough, or shortness of breath, and take their temperature if symptoms develop; (3) exercise appropriate hygiene, including covering coughs and sneezes with a tissue, washing hands often with soap and water for at least 20 seconds, using of alcohol-based hand sanitizers with at least 60% alcohol if soap and water are not readily available, and routinely cleaning frequently touched surfaces and objects to increase community resilience and readiness for responding to an outbreak.

State agencies have been directed to temporarily reduce activities and workforce to core mission functions and essential operations, encouraging working remotely where possible.

Illinois Department of Public Health's Emergency Rulemaking Extending Deadlines for Plumber Licenses' Renewal

On March 31, 2019, and in response to COVID-19, the Illinois Department of Public Health ("IDPH") published emergency rules extending the deadline for plumbers' license renewals, apprentice plumbers' license renewal, and plumbing inspectors' certificate renewals 120 days to August 28, 2020. *See* Illinois Department of Public Health's Emergency Amendments to Plumbers Licensing Code, 68 Ill. Adm. Code 750 attached as Attachment C and available at <http://dph.illinois.gov/sites/default/files/COVID19/68-750RG-E.pdf>

Cross Connection Control Device Inspectors

Cross connection control device inspectors (hereafter "CCCD Inspectors") in Illinois must also be authorized to perform plumbing as described in the Illinois Plumbing License Law [225 ILCS 320/3(1)]. 35 Ill. Adm. Code 604.1510(b)(1)(a). A CCCD Inspector is a person approved by the Illinois EPA or its designee as a certified CCCD Inspector capable of performing the inspection of mechanical devices that prevent contamination of a community water supply from a source of an unsafe substance or of unknown water quality. The physical testing of these mechanical devices

is required annually in accordance with the manufacturer's instructions and pursuant to 77 Ill. Adm. Code 890 and identified in Section 1130 (b)(2) and (b)(3).

Further, Section 604.1505 requires that a community water supply maintain records of all cross connection control devices that require annual testing pursuant to 77 Ill. Adm. Code 890.1130. This includes the submittal of the annual inspection reports, related to a specific device, be submitted to the applicable community water supply. Testing of these devices to ensure that they are operational provides a barrier of protection against potential contamination of a community water supply.

III. REGULATORY PROPOSAL: PURPOSE AND EFFECT

The sole purpose of this emergency rulemaking is to extend the annual CCCD Inspector renewal deadline for 2020 so that CCCD Inspectors can obtain their requisite plumbing license renewal in time to renew their approved CCCD Inspector designation with the Illinois EPA. Due to the public health emergency related to the Covid-19 outbreak, the Illinois Department of Public Health recently proposed revisions to the Illinois Plumbing Code to extend the plumbers' license and apprentice plumbers' license renewal deadline from March 31, 2020 to August 28, 2020. Given that approval for obtaining or renewal of a CCCD Inspector certification requires possession of a valid plumbers license, extension of the renewal period for CCCD Inspector certification may be necessary for applicants not receiving their respective plumbers' license renewal prior to the current CCCD Inspector renewal period of May 1 to June 30. In essence, approximately 2500 candidates, with previous CCCD Inspector certification, may not be able to obtain the proper certification for renewal inspection of backflow prevention devices by missing the existing May 1 to June 30 renewal period.

IV. REGULATORY PROPOSAL: LANGUAGE

The following is a section-by-section summary of the Illinois EPA's proposal.

Proposed New Section 604.1520

This proposed emergency Section states that due to the public health emergency related to the COVID-19 outbreak, the CCCDI approval renewal application deadlines for 2020 pursuant to Section 604.1510(b)(2) are extended. For renewal year 2020, CCCDIs must renew their CCCDI Approval between August 31 and October 30. An application for CCCDI renewal will be sent by the Agency or its designee and must be completed and returned by October 30, 2020. *See* Proposed Emergency Rulemaking 35 Ill. Adm. Code Part 604 attached as Attachment A.

This proposed emergency Section modifies 604.1510(b)(2) for the 2020 renewal year by adding 122 days to May 1, 2020, and proposing August 31, 2020, and adding 120 days to June 30, 2020, and proposing October 30, 2020. Because the 120th day from the May 1, 2020, deadline in 604.1510(b)(2) fell on a Saturday, the Illinois EPA proposed to extend this deadline by 122 days instead of the 120 days.

V. TECHNICAL FEASIBILITY AND ECONOMIC REASONABLENESS

This proposal is technically feasible and economically reasonable. Illinois law gives the Board the authority to extend these deadlines and there are no negative economic impacts anticipated by this extension. Further, Section 27(c) of the Act authorizes the Board to adopt emergency regulations pursuant to and in accordance with Section 5-45 of the Illinois APA when:

- 1) on proclamation by the Governor, pursuant to Section 8 of the Illinois Emergency Services and Disaster Act of 1975, that a disaster emergency exists¹, or
- 2) when the Board finds that a severe public health emergency exists, or
- 3) or when the Board finds that a situation exists which reasonably constitutes a threat to the public interest, safety or welfare. 415 ILCS 5/45(c).

¹ While this is the verbatim text within the Act, the Illinois Emergency Services and Disaster Act of 1975 was superseded by the Illinois Emergency Management Agency Act. *See* 20 ILCS 3305. Section 7 of 20 ILCS 3305 addresses the Governor's authority to proclaim a disaster.

Further, Section 102.612 of the Board's regulations provides:

- a) *When the Board finds that a situation exists which reasonably constitutes a threat to the public interest, safety, or welfare, the Board may adopt regulations pursuant to and in accordance with Section 5-45 of the IAPA [415 ILCS 27(c)].*
- b) *When the Board finds that a severe public health emergency exists, the Board may, in relation to any proposed regulation, order that such regulation shall take effect without delay [415 ILCS 5/27(c)]. The Board will proceed with any required hearings while the regulation continues in effect.*

35 III. Adm. Code 102.612. Finally, Section 5-45 of the Illinois APA provides the

following relevant part:

(a) "Emergency" means the existence of any situation that any agency finds reasonably constitutes a threat to the public interest, safety, or welfare.

(b) If any agency finds that an emergency exists that requires adoption of a rule upon fewer days than is required by Section 5-40 and states in writing its reasons for that finding, the agency may adopt an emergency rule without prior notice or hearing upon filing a notice of emergency rulemaking with the Secretary of State under Section 5-70. The notice shall include the text of the emergency rule and shall be published in the Illinois Register. Consent orders or other court orders adopting settlements negotiated by an agency may be adopted under this Section. Subject to applicable constitutional or statutory provisions, an emergency rule becomes effective immediately upon filing under Section 5-65 or at a stated date less than 10 days thereafter. The agency's finding and a statement of the specific reasons for the finding shall be filed with the rule. The agency shall take reasonable and appropriate measures to make emergency rules known to the persons who may be affected by them.

(c) An emergency rule may be effective for a period of not longer than 150 days, but the agency's authority to adopt an identical rule under Section 5-40 is not precluded. No emergency rule may be adopted more than once in any 24-month period...

Here, the State of Illinois is clearly in a state of emergency and each of its counties is declared a disaster area. Extending these deadlines will ease the burden on Illinois' CCCD Inspectors and that could prove to have positive economic impacts on the State because CCCD Inspectors will

be able to keep their CCCD Inspector designation and not lose it because they utilized the extension provided by IDPH to renew their plumbing licenses.

The Board should adopt these emergency rules because of the Gubernatorial Disaster Proclamations.

Every county in Illinois is currently in a disaster area under the Gubernatorial Disaster Proclamations. This gives the Board the authority to extend the renewal deadline for CCCD Inspectors under Section 27(c) of the Act. The Gubernatorial Disaster Proclamations gives the Board a mandate to ensure the effects of COVID-19 are mitigated and minimized and that residents and visitors in the State remain safe and secure. Extending the renewal deadline for CCCD Inspectors, in tandem with their plumbing licenses renewal requirements, will reduce the possibility of job loss during this pandemic because those that submit a renewal application will have had adequate time to obtain a plumbing license renewal. If not, there could be a gap where a CCCD Inspector would lose CCCDI Approval because they did not yet have their plumber's licenses renewed on time.

The Board should adopt these emergency rules because a severe public health emergency exists and not granting the extension could create another one.

A severe public health emergency exists in the entire State and stay in place orders are in effect. Therefore, the Act gives the Board the authority to adopt these emergency rules. As described above, not granting the extension of the CCCD Inspector renewal period, consistent with the extended plumbers' license renewal period, may result in a reduction in the number of licensed plumbers certified as CCCD Inspectors. Subsequently, many cross connection control devices may not be tested in a timely manner to ensure efficacy of that device and risk of contamination to a community water supply could become a significant health concern. This further reasonably constitutes a threat to the public's interest, its safety and its welfare.

VI. NUMBER OF AFFECTED PEOPLE

Approximately 2657 CCCD Inspector designees could be affected across the State of Illinois. CCCD Inspector renewals are performed on an annual basis. Therefore, all CCCD Inspectors have the potential of being affected by the proposed rulemaking. Here are Illinois' current numbers as of April 10, 2020:

Total Active CCCDIs	3298
Renewed CCCDIs	641
Non-renewed CCCDIs	2657

Currently there are 2657 active CCCD Inspectors that have not completed the renewal process to date. The Illinois EPA does not know how many, if any, state plumbers that may have already renewed their plumber's license, but not their CCCD Inspector designation

VII. SYNOPSIS OF TESTIMONY

The Illinois EPA anticipates no need for witnesses. However, the Illinois EPA's witness would be Steve Vance, the Field Operations Section Manager for the Division of Public Water Supplies within the Bureau of Water. Mr. Vance graduated from Southern Illinois University with a Bachelor of Science and majoring in Civil Engineering. Mr. Vance has held his current position since October, 2017. Prior to this position, he held the position of Environmental Protection Engineer in the Division of Public Water Supplies Field Operations Section in the Springfield Regional Office from January, 2000 to October, 2017. Mr. Vance's current duties include establishing goals and objectives for the Division's Field Operations Section relative to the U.S. Environmental Protection Agency primacy requirements under the Safe Drinking Water Act, supervises staff in six Field Operations Section regional offices, coordinates compliance and enforcement activities within the Agency and with other State and Federal Agencies, and

participate in applicable Agency rulemakings.

Mr. Vance may testify about, *inter alia*, State and Federal statutes, rules and regulations pertaining to community water supplies, Agency programs for implementation of State and Federal statutes, rules and regulations, and technical matters related to construction, operation, and maintenance of community water supply systems.

VIII. SUPPORTING DOCUMENTS

A. Documents Relied Upon

The Illinois APA provides that all proposed rulemakings must include:

a descriptive title or other description of any published study or research report used in developing the rule, the identity of the person who performed such study, and a description of where the public may obtain a copy of any such study or research report. If the study was performed by an agency or by a person or entity that contracted with the agency for the performance of the study, the agency shall also make copies of the underlying data available to members of the public upon request if the data are not protected from disclosure under the Freedom of Information Act.

5 ILCS 100/5-40(b)(3.5). The Board's procedural rules require the same information to be included with any rulemaking proposal filed with the Board in 35 Ill. Adm. Code 102.202(e). The documents relied upon by the Illinois EPA in developing this proposal are listed here and attached to this rulemaking proposal.

Letter	Attachments
A	Proposed Emergency Rulemaking 35 Ill. Adm. Code Part 604
B	Second Gubernatorial Disaster Proclamation, April 1, 2020
C	Illinois Department of Public Health's Emergency Amendments to Plumbers Licensing Code, 68 Ill. Adm. Code 750
D	Affidavit of Steve Vance

IX. CONCLUSION

WHEREFORE, for the foregoing reasons, the Illinois EPA respectfully requests the Board to adopt the Illinois EPA's proposed regulation in its entirety as submitted as an emergency rule.

Dated: April 10, 2020

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Christine Zeivel, #6298033
Division of Legal Counsel
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THIS FILING IS SUBMITTED ELECTRONICALLY

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Petitioner,

BY: /s/ Rex L. Gradeless
Rex L. Gradeless

BY: /s/ Christine Zeivel
Christine Zeivel

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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CROSS CONNECTION CONTROL DEVICE)	EMERGENCY
INSPECTORS OF PUBLIC WATER SUPPLIES)	(Rulemaking - Water)
AT 35 ILL. ADM. CODE PART 604.1520)	

EXPEDITED MOTION FOR ACCEPTANCE

NOW COMES the Illinois Environmental Protection Agency (“Illinois EPA”), by and through its attorneys, and pursuant to 35 Ill. Adm. Code 101.512, 102.106, 102.200, 102.202, and 102.612 moves that the Illinois Pollution Control Board accept the proposed emergency rulemaking of amendments to 35 Ill. Adm. Code Part 604. This regulatory proposal includes (1) Notice of Filing; (2) Appearance; (3) Statement of Reasons for Emergency Rulemaking; (4) Attachments to the Statement of Reasons for Emergency Rulemaking, including the requisite affidavit; (5) Proposed amendments to 35 Ill. Adm. Code Part 604; (6) Certificate of Service; and (7) a computer disc containing the Proposed Regulations and attachments.

Respectfully submitted,

Dated: April 10, 2020

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

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Christine Zeivel, #6298033
Division of Legal Counsel
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Petitioner,

BY: /s/ Rex L. Gradeless
Rex L. Gradeless

BY: /s/ Christine Zeivel
Christine Zeivel

THIS FILING IS SUBMITTED ELECTRONICALLY

CERTIFICATE OF SERVICE

I, the undersigned, on affirmation state the following:

That I have served the attached **NOTICE OF FILING; APPEARANCE; STATEMENT OF REASONS FOR EMERGENCY RULEMAKING; and ATTACHMENTS: PROPOSED EMERGENCY RULEMAKING 35 ILL. ADM. CODE PART 604;** and a **EXPEDITED MOTION FOR ACCEPTANCE** by e-mail upon Don Brown at the e-mail address of Don.Brown@Illinois.Gov, upon Renee Snow at the email address of Renee.Snow@Illinois.Gov; upon Matt Dunn at the email address of mdunn@atg.state.il.us, and upon Jason Boltz at the email address of Jason.Boltz@Illinois.Gov.

That I have served the attached **NOTICE OF FILING; APPEARANCE; STATEMENT OF REASONS FOR EMERGENCY RULEMAKING; and ATTACHMENTS: PROPOSED EMERGENCY RULEMAKING 35 ILL. ADM. CODE PART 604;** and a **EXPEDITED MOTION FOR ACCEPTANCE** upon any other persons, if any, listed on the Service List, by placing a true copy in an envelope duly address bearing proper first class postage in the United States mail at Springfield, Illinois on April 10, 2020.

That my e-mail address is Rex.Gradeless@Illinois.gov.

That the number of pages in the e-mail transmission is fifteen (15).

That the e-mail transmission took place before 4:30 p.m. on the date of April 10, 2020.

/s/ Rex L. Gradeless
April 10, 2020

Attachment A

Proposed Emergency Rulemaking 35 Ill. Adm. Code Part 604

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE F: PUBLIC WATER SUPPLIES
CHAPTER I: POLLUTION CONTROL BOARD

PART 604
DESIGN, OPERATION AND MAINTENANCE CRITERIA

SUBPART A: GENERAL PROVISIONS

Section	Purpose
604.100	Purpose
604.105	General Requirements
604.110	Location
604.115	Usage
604.120	Piping Identification
604.125	Automatic Equipment
604.130	Operational Testing Equipment
604.135	Repair Work and Emergency Operation
604.140	Nitrification Action Plan
604.145	Exceptions for Community Water Supplies
604.150	Protection of Community Water Supply Structures
604.155	Electrical Controls and Standby Power
604.160	Safety
604.165	Monthly Operating Report
604.170	Security

SUBPART B: SOURCE DEVELOPMENT

Section	Purpose
604.200	General Requirements
604.205	Surface Water Quantity
604.210	Surface Water Quality
604.215	Surface Water Structures
604.220	Invasive Mussel Control
604.225	Reservoirs
604.230	Groundwater Quantity
604.235	Groundwater Quality
604.240	General Well Construction
604.245	Well Testing and Records
604.250	Aquifer Types and Construction Methods
604.255	Well Pumps, Discharge Piping and Appurtenances

SUBPART C: SOURCE WATER PROTECTION PLAN

Section	Purpose
604.300	Purpose

604.305	Source Water Protection Plan Requirement and Contents
604.310	Vision Statement
604.315	Source Water Assessment
604.320	Source Water Protection Plan Objectives
604.325	Action Plan
604.330	Submission
604.335	Agency Approval
604.340	Evaluation and Revision

SUBPART D: AERATION

Section	
604.400	General Requirements for Aeration
604.405	Forced or Induced Draft Aeration
604.410	Spray Aeration
604.415	Pressure Aeration
604.420	Packed Tower Aeration
604.425	Other Methods of Aeration

SUBPART E: CLARIFICATION

Section	
604.500	General Clarification Requirements
604.505	Coagulation
604.510	Flocculation
604.515	Sedimentation
604.520	Solids Contact Unit
604.525	Tube or Plate Settlers
604.530	Other High Rate Clarification Processes

SUBPART F: FILTRATION

Section	
604.600	Filtration
604.605	Rapid Rate Gravity Filters
604.610	Rapid Rate Pressure Filters
604.615	Deep Bed Rapid Rate Gravity Filters
604.620	Biologically Active Filtration

SUBPART G: DISINFECTION

Section	
604.700	Disinfection Requirement
604.705	Chlorination Equipment
604.710	Points of Application
604.715	Contact Time

604.720 Inactivation of Pathogens
604.725 Residual Chlorine
604.730 Continuous Chlorine Analyzers
604.735 Chlorinator Piping

SUBPART H: SOFTENING

Section
604.800 Lime or Lime-soda Process
604.805 Cation Exchange Process

SUBPART I: STABILIZATION

Section
604.900 General Stabilization Requirements
604.905 Carbon Dioxide Addition
604.910 Phosphates
604.915 Split Treatment

SUBPART J: OTHER TREATMENT

Section
604.1000 Presedimentation
604.1005 Anion Exchange
604.1010 Iron and Manganese Control
604.1015 Taste and Odor Control
604.1020 Powdered Activated Carbon

SUBPART K: CHEMICAL APPLICATION

604.1100 General Chemical Application Requirements
604.1105 Feed Equipment and Chemical Storage
604.1110 Protective Equipment
604.1115 Chlorine Gas
604.1120 Acids and Caustics
604.1125 Chlorine Dioxide
604.1130 Sodium Chlorite
604.1135 Sodium Hypochlorite
604.1140 Ammonia
604.1145 Potassium Permanganate
604.1150 Fluoride

SUBPART L: PUMPING FACILITIES

604.1200 General
604.1205 Pumping Stations

- 604.1210 Pumps
- 604.1215 Booster Pumps
- 604.1220 Automatic and Remote-Controlled Stations
- 604.1225 Appurtenances

SUBPART M: STORAGE

- 604.1300 General Storage Requirements
- 604.1305 Overflow
- 604.1310 Access to Water Storage Structures
- 604.1315 Vents
- 604.1320 Level Controls
- 604.1325 Roof and Sidewalls
- 604.1330 Painting and Cathodic Protection
- 604.1335 Treatment Plant Storage
- 604.1340 Elevated Storage
- 604.1345 Hydropneumatic Storage
- 604.1350 Combination Pressure Tanks and Ground Storage

SUBPART N: DISTRIBUTION

- 604.1400 General Distribution System Requirements
- 604.1405 Installation of Water Mains
- 604.1410 Materials
- 604.1415 System Design
- 604.1420 Valves
- 604.1425 Hydrants
- 604.1430 Air Relief Valves
- 604.1435 Valve, Meter and Blow Off Chambers
- 604.1440 Sanitary Separation for Finished Water Mains
- 604.1445 Sanitary Separation for Raw Water Mains
- 604.1450 Surface Water Crossings
- 604.1455 Water Service Line
- 604.1460 Water Loading Stations

SUBPART O: CROSS CONNECTIONS

Section

- 604.1500 Cross Connections
- 604.1505 Cross Connection Control Program
- 604.1510 Cross Connection Control Device Inspectors
- 604.1515 Agency Approved Cross Connection Control Measures
- 604.1520 COVID-19 Emergency Provisions

EMERGENCY

- 604.TABLE A Steel Pipe

AUTHORITY: Implementing Section 14-19 and authorized by Section 27 of the Illinois Environmental Protection Act [415 ILCS 5].

SOURCE: Adopted in R18-17 at 43 Ill. Reg. 8064, effective July 26, 2019 emergency amendment at 44 Ill. Reg. _____, effective _____, 2020, for a maximum of 150 days.

SUBPART O: CROSS CONNECTIONS

Section 604.1520 COVID-19 Emergency Provisions

EMERGENCY

Due to the public health emergency related to the COVID-19 outbreak, the CCCDI approval renewal application deadlines for 2020 pursuant to Section 604.1510(b)(2) are extended. For renewal year 2020, CCCDIs must-renew their CCCDI Approval between August 31 and October 30. An application for CCCDI renewal will be sent by the Agency or its designee and must be completed and returned by October 30, 2020.

(Source: Emergency rule added at 44 Ill. Reg. _____, effective _____, for a maximum of 150 days)

Attachment B

Second Gubernatorial Disaster Proclamation, April 1, 2020



FILED
INDEX DEPARTMENT

SPRINGFIELD, ILLINOIS

APR 6 2020

IN THE OFFICE OF
SECRETARY OF STATE

Proclamation

WHEREAS, Coronavirus Disease 2019 (COVID-19) is a novel severe acute respiratory illness that can spread among people through respiratory transmissions and present with symptoms similar to those of influenza; and,

WHEREAS, certain populations are at higher risk of experiencing more severe illness as a result of COVID-19, including older adults and people who have serious chronic medical conditions such as heart disease, diabetes, or lung disease; and,

WHEREAS, the State of Illinois is continuing its efforts to prepare for any eventuality given that this is a novel illness and given the known health risks it poses for the elderly and those with serious chronic medical conditions; and,

WHEREAS, the World Health Organization declared COVID-19 a Public Health Emergency of International Concern on January 30, 2020, and the United States Secretary of Health and Human Services declared that COVID-19 presents a public health emergency on January 27, 2020; and,

WHEREAS, on March 11, 2020, the World Health Organization characterized the COVID-19 outbreak as a pandemic, and has reported more than 750,000 confirmed cases of COVID-19 and 36,500 deaths attributable to COVID-19 globally as of March 31, 2020; and,

WHEREAS, the Centers for Disease Control and Prevention (CDC) currently recommends that all United States residents take precautions to contain the spread of COVID-19, including that they: (1) practice social distancing by maintaining 6 feet of distance from others and avoiding all gatherings; (2) be alert for symptoms such as fever, cough, or shortness of breath, and take their temperature if symptoms develop; and (3) exercise appropriate hygiene, including covering coughs and sneezes with a tissue, washing hands often with soap and water for at least 20 seconds, using of alcohol-based hand sanitizers with at least 60% alcohol if soap and water are not readily available, and routinely cleaning frequently touched surfaces and objects to increase community resilience and readiness for responding to an outbreak; and,

WHEREAS, the CDC also recommends the following precautions for household members, caretakers and other persons having close contact with a person who is symptomatic, during the period from 48 hours before onset of symptoms until the symptomatic person meets the criteria for discontinuing home isolation: (1) stay home until 14 days after last exposure and maintain social distance (at least 6 feet) from others at all times; (2) self-monitor for symptoms, including checking their temperature twice a day and watching for fever, cough, or shortness of breath; and (3) avoid contact with people at higher risk for severe illness (unless they live in the same home and had the same exposure); and,

WHEREAS, a vaccine or drug is currently not available for COVID-19; and,

WHEREAS, despite efforts to contain COVID-19, the World Health Organization and the CDC indicate that it is expected to continue spreading; and,

WHEREAS, as of March 31, 2020, there were 5,994 confirmed cases of COVID-19 and 99 deaths in Illinois resulting from COVID-19; and,

WHEREAS, the outbreak of COVID-19 has resulted in significant negative economic impact, including loss of income and wages, that threatens to undermine housing security and stability and overall financial stability and security for individuals and businesses throughout Illinois; and,

WHEREAS, on March 13, 2020, the President declared a nationwide emergency pursuant to Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the "Stafford Act"), covering all states and territories, including Illinois; and,

WHEREAS, on March 26, 2020, the President declared a major disaster in Illinois pursuant to Section 401 of the Stafford Act; and,

WHEREAS, I, JB Pritzker, Governor of Illinois, declared all counties in the State of Illinois as a disaster area on March 9, 2020 in response to the outbreak of COVID-19; and,

WHEREAS, based on the foregoing, the circumstances surrounding COVID-19 constitute a continuing public health emergency under Section 4 of the Illinois Emergency Management Agency Act; and,

WHEREAS, the circumstances surrounding COVID-19 have resulted in the occurrence and threat of widespread and severe damage, injury, and loss of life and property under Section 4 of the Illinois Emergency Management Agency Act; and,

WHEREAS, it is the policy of the State of Illinois that the State will be prepared to address any disasters and, therefore, it is necessary and appropriate to make additional State resources available to ensure that the effects of COVID-19 are mitigated and minimized to the greatest extent possible and that Illinoisans remain safe and secure; and,

WHEREAS, this proclamation will assist Illinois agencies in coordinating State and Federal resources, including the Strategic National Stockpile of medicines and protective equipment, to support local governments in preparation for any action that may be necessary related to the potential impact of COVID-19 in the State of Illinois; and,

WHEREAS, these conditions provide legal justification under Section 7 of the Illinois Emergency Management Agency Act for the issuance of a proclamation of disaster;

NOW, THEREFORE, in the interest of aiding the people of Illinois and the local governments responsible for ensuring public health and safety, I, JB Pritzker, Governor of the State of Illinois, hereby proclaim as follows:

Section 1. Pursuant to the provisions of Section 7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7, I find that a continuing disaster exists within the State of Illinois and specifically declare all counties in the State of Illinois as a disaster area. This proclamation continues the Governor's authority to exercise all of the emergency powers provided in Section 7 of the Illinois Emergency Management Agency Act, 20, ILCS 3305/7, including but not limited to those specific emergency powers set forth below.

Section 2. The Illinois Department of Public Health and the Illinois Emergency Management Agency are directed to continue to coordinate with each other with respect to planning for and responding to the present public health emergency.

Section 3. The Illinois Department of Public Health is further directed to continue to cooperate with the Governor, other State agencies and local authorities, including local public health authorities, in the development and implementation of strategies and plans to protect the public health in connection with the present public health emergency.

Section 4. The Illinois Emergency Management Agency is directed to continue to implement the State Emergency Operations Plan to coordinate State resources to support local governments in disaster response and recovery operations.

Section 5. To aid with emergency purchases necessary for response and other emergency powers as authorized by the Illinois Emergency Management Agency Act; the provisions of the Illinois

Procurement Code that would in any way prevent, hinder or delay necessary action in coping with the disaster are suspended to the extent they are not required by federal law. If necessary, and in accordance with Section 7(1) of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7(1), the Governor may take appropriate executive action to suspend additional statutes, orders, rules, and regulations.

Section 6. Pursuant to Section 7(3) of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7(3), this proclamation continues the Governor's authority, as necessary, to transfer the direction, personnel or functions of State departments and agencies or units thereof for the purpose of performing or facilitating emergency response programs.

Section 7. The Illinois Department of Public Health, Illinois Department of Insurance and the Illinois Department of Healthcare and Family Services are directed to continue to recommend, and, as appropriate, take necessary actions to ensure consumers do not face financial barriers in accessing diagnostic testing and treatment services for COVID-19.

Section 8. The Illinois State Board of Education is directed to continue to recommend, and, as appropriate, take necessary actions to address chronic absenteeism due to transmission of COVID-19 and to alleviate any barriers to the use of e-learning during the effect of this proclamation that exist in the Illinois School Code, 105 ILCS 5/1-1 et. seq.

Section 9. All State agencies are directed to cooperate with the Governor, other State agencies and local authorities in the development and implementation of strategies and plans to cope with and recover from the economic impact of COVID-19.

Section 10. Pursuant to Section 7(14) of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7(14), increases in the selling price of goods or services, including medical supplies, protective equipment, medications and other commodities intended to assist in the prevention of or treatment and recovery of COVID-19, shall be prohibited in the State of Illinois while this proclamation is in effect.

Section 11. This proclamation can facilitate requests for federal emergency and/or disaster assistance if a complete and comprehensive assessment of damage indicates that effective recovery is beyond the capabilities of the State and affected local governments.

Section 12. This proclamation shall be effective immediately and remain in effect for 30 days.

In Witness Whereof I have hereunto set my hand and caused the Great Seal of the State of Illinois to be affixed.



Done at the Capitol in the City of Springfield, this first day of April, in the Year of Our Lord two thousand and twenty, and the State of Illinois two hundred and second.

Dasee White

Secretary of State

FILED
INDEX DEPARTMENT

APR 01 2020

IN THE OFFICE OF
SECRETARY OF STATE

RB

Governor

Attachment C

Illinois Department of Public Health's Emergency Amendments to
Plumbers Licensing Code, 68 Ill. Adm. Code 750

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENT

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER IV: DEPARTMENT OF PUBLIC HEALTH

PART 750
PLUMBERS LICENSING CODE

SUBPART A: GENERAL PROVISIONS

Section

750.1 COVID-19 Emergency Provisions
EMERGENCY

- 750.100 Applicability (Repealed)
- 750.110 Definitions
- 750.115 Statutory Authority (Repealed)
- 750.120 Administrative Hearings
- 750.125 Referenced Materials

SUBPART B: STATE BOARD OF PLUMBING EXAMINERS

Section

- 750.200 Organization of the State Board of Plumbing Examiners
- 750.205 Election of Officers (Repealed)
- 750.210 Duties of the State Board of Plumbing Examiners
- 750.215 Duties of Chairman (Repealed)
- 750.220 Records of the State Board of Plumbing Examiners
- 750.225 Duties of Vice-Chairman (Repealed)
- 750.235 Quorum (Repealed)
- 750.245 Meetings (Repealed)

SUBPART C: ADMINISTRATION OF AND REQUIREMENTS FOR
PLUMBING LICENSE EXAMINATION

Section

- 750.300 Requirements for Admission to the Plumbing License Examination
- 750.310 Administration of the Plumbing License Examination
- 750.320 Plumbing License Examination Results
- 750.330 Course Credit (Repealed)

SUBPART D: PLUMBING PROGRAM FEES

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENT

Section

- 750.400 Licensing of Plumbers
- 750.410 Licensing of Apprentice Plumbers
- 750.420 Documentation Required for Sponsors of Apprentices
- 750.430 Plumbers' and Apprentice Plumbers' License Records

SUBPART E: PROGRAMS OF INSTRUCTION
AND CONTINUING EDUCATION

Section

- 750.500 Continuing Education Requirements for Licensed Plumbers
- 750.510 Department Approval of Continuing Education Sponsors and Courses
- 750.520 Continuing Education Course Records
- 750.530 Department Approval and Evaluation of Courses of Instruction in Plumbing
- 750.540 Topics for Approved Programs of Instruction in Plumbing and Approved Continuing Education Courses
- 750.550 Programs of Instruction and Practical Training in Plumbing Approved as Equivalent to Illinois Licensed Apprenticeship

SUBPART F: REQUIREMENTS FOR PLUMBING FIRMS

Section

- 750.600 Organization of Plumbing Firms

SUBPART G: PLUMBING INSPECTORS

Section

- 750.700 Purpose and Authority for Certification of Plumbing Inspectors
- 750.710 Certification of Plumbing Inspectors
- 750.720 Renewal of Plumbing Inspector Certification and Continuing Education Requirements for Certified Plumbing Inspectors
- 750.730 Plumbing Inspectors

SUBPART H: APPROVAL OF PLUMBING PROGRAMS
ESTABLISHED BY GOVERNMENTAL UNITS

Section

- 750.800 Governmental Units Establishing Plumbing Programs

SUBPART I: VIOLATIONS OF PLUMBER'S LICENSE

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENT

AND PLUMBING INSPECTOR'S CERTIFICATION

Section

750.900 Plumber's and Apprentice Plumber's License Violations

750.910 Plumbing Inspector Violations

SUBPART J: CIVIL PENALTIES FOR UNLICENSED PLUMBERS

Section

750.1000 Civil Penalties for Unlicensed Plumbers

SUBPART K: ADMINISTRATIVE FEES

Section

750.1100 Plumbers' and Apprentice Plumbers' Examination and Licensure Fees

750.1110 Other Fees

AUTHORITY: Authorized by and implementing the Illinois Plumbing License Law [225 ILCS 320].

SOURCE: Adopted at 2 Ill. Reg. 40, p. 1, effective October 1, 1978; codified at 5 Ill. Reg. 10870; Part repealed, new Part adopted at 13 Ill. Reg. 19564, effective December 1, 1989; emergency amendment at 16 Ill. Reg. 12785, effective July 30, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 417, effective December 28, 1992; recodified at 23 Ill. Reg. 14649; amended at 24 Ill. Reg. 12019, effective August 1, 2000; amended at 38 Ill. Reg. 19715, effective September 23, 2014; amended at 40 Ill. Reg. 8786, effective June 17, 2016; emergency amendment at 44 Ill. Reg. _____, effective _____, for a maximum of 150 days.

SUBPART A: GENERAL PROVISIONS

Section 750.1 COVID-19 Emergency Provisions
EMERGENCY

Due to the public health emergency related to the COVID-19 outbreak, the following shall apply to this Part:

- a) The plumbers' license renewal deadline set forth in Section 750.400(b) is extended to August 28, 2020.
- b) The apprentice plumbers' license renewal deadline set forth in Section 750.410(b) is extended to August 28, 2020.

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c) The plumbing inspector certificate renewal deadline set forth in Section 750.720(a) is extended to August 28, 2020.

(Source: Added by emergency rulemaking at 44 Ill. Reg. _____, effective _____, for a maximum of 150 days)

Attachment D

Affidavit of Steve Vance

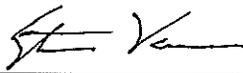
BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
) R 2020-20
EMERGENCY RULEMAKING FOR)
CROSS CONNECTION CONTROL DEVICE) EMERGENCY
INSPECTORS OF PUBLIC WATER SUPPLIES) (Rulemaking - Water)
AT 35 ILL. ADM. CODE PART 604.1520)

AFFIDAVIT OF STEVE VANCE

I, STEVE VANCE, being first duly sworn upon oath deposes and states as follows:

1. I am the Field Operations section manager within the Division of Public Water Supplies, of the Bureau of Water at the Illinois Environmental Protection Agency.
2. In that position, I have personal knowledge of the facts set forth in the Statement of Reasons for Emergency Rulemaking.
3. I certify, under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, that the statements set forth in the foregoing Statement of Reasons for Emergency Rulemaking are true and correct, except as to matters therein stated to be on information and belief, and as to such matters, I certify, as aforesaid, that I believe the same to be true.

 4-10-20

STEVE VANCE