

ILLINOIS POLLUTION CONTROL BOARD

August 27, 2020

IN THE MATTER OF:)
)
RULEMAKING FOR CROSS CONNECTION) R20-21
CONTROL DEVICE INSPECTORS OF) (Rulemaking – Public Water Supply)
PUBLIC WATER SUPPLIES 35 ILL. ADM.)
CODE 604.1520)

Adopted Rule. Final Order.

OPINION AND ORDER OF THE BOARD (by B. F. Currie):

Today the Board adopts final amendments to the cross connection control device inspectors (CCCDI) license renewal period. These amendments extend the renewal period for CCCDIs due to COVID-19, in order to prevent job-loss and to ensure CCCDIs remain licensed so they can monitor Illinois' public water distribution systems.

The final amendments to Part 604 are unchanged from the amendments that the Board proposed earlier in this rulemaking. Accordingly, the Board does not repeat here its detailed discussions of the rule changes found in its first- and second-notice opinions. *See Proposed Amendments to Manifesting Requirements: Special (35 Ill. Adm. Code 809), R20-21 (May 21, 2020 ([First-Notice Op.](#)); July 27, 2020 ([Second-Notice Op.](#))).*

In this opinion, the Board provides the procedural history of the rulemaking, followed by the Board's order directing the Clerk to file the amendments with the Secretary of State. The amendments themselves, which will take effect upon filing with the Secretary of State (*see* 5 ILCS 100/5-40(d) (2018)), appear at the end of this opinion and order.

PROCEDURAL HISTORY

On April 16, 2020, the Board adopted an emergency rule proposed by the Illinois Environmental Protection Agency (IEPA) extending the licensure period for CCCDIs, with an effective date of April 17, 2020. *In re* R20-20, April 16, 2020; 44 Ill. Reg. 7777 (May 1, 2020). This proposal replaces the emergency rule which expires on September 13, 2020.

On May 5, 2020, the Board requested that the Department of Commerce and Economic Opportunity (DCEO) perform an economic impact study of the Board's proposal. *See* 415 ILCS 5/27(b) (2018). The Board did not receive a response to its request.

On May 21, 2020, the Board adopted a first notice opinion and order amending the renewal period for CCCDI licensure due to COVID-19. *See* 44 Ill. Reg. 9352 (June 5, 2020) (Part 604).

On May 27, 2020, the hearing officer issued an order scheduling two hearings, each to be held via video conference between the Board’s Chicago office and Springfield office, as well as by Webex due to COVID-19. The first hearing was scheduled on June 18, 2020, and the second on July 13, 2020.

On July 27, 2020, the Board proposed the amendments for second-notice review by the Joint Committee on Administrative Rules (JCAR). At its August 11, 2020 meeting, JCAR issued a “Certification of No Objection” to the proposed amendments, subject to a handful of non-substantive changes which the Board includes in the final rules.

ORDER

The Board directs the Clerk to submit the final amendments to the Secretary of State for publication in the *Illinois Register* and codification in the Illinois Administrative Code. The amendments appear following this opinion and order. All additions are underlined; all deletions appear with strikethroughs.

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	
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

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	
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

Section

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

Section

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

Section

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

Section

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
<u>604.1520</u>	<u>COVID-19 Emergency Provisions</u>
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 in R20-20 at 44 Ill. Reg. 7777, effective April 17, 2020, for a maximum of 150 days; amended in R20-21 at 44 Ill. Reg. _____, effective _____.

SUBPART O: CROSS CONNECTIONS

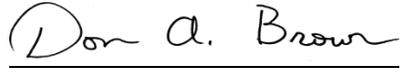
Section 604.1520 COVID-19 Emergency Provisions

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: Added at 44 Ill. Reg. _____, effective _____)

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above opinion and order on August 27, 2020, by a vote of 4-0.

A handwritten signature in cursive script that reads "Don A. Brown". The signature is written in black ink and is positioned above a horizontal line.

Don A. Brown, Clerk
Illinois Pollution Control Board