



OFFICE OF THE SECRETARY OF STATE

ALEXI GIANNOULIAS • Secretary of State

March 27, 2024

POLLUTION CONTROL BOARD
DON BROWN
100 W RANDOLPH ST
STE 11-500
CHICAGO, IL 60601

Dear DON BROWN

Your rules Listed below met our codification standards and have been published in Volume 48, Issue 13 of the Illinois Register, dated 3/29/2024,

PROPOSED RULES

Sewer Discharge Criteria 35 Ill. Adm. Code 307 Point of Contact: Don Brown	4586
Groundwater Quality 35 Ill. Adm. Code 620 Point of Contact: Don Brown	4608
Procedures for Permit Issuance 35 Ill. Adm. Code 705 Point of Contact: Don Brown	4715
Hazardous Waste Management System: General 35 Ill. Adm. Code 720 Point of Contact: Don Brown	4726
Identification and Listing of Hazardous Waste 35 Ill. Adm. Code 721 Point of Contact: Don Brown	4830
Standards Applicable to Generators of Hazardous Waste 35 Ill. Adm. Code 722 Point of Contact: Don Brown	4849
Standards for Owners and Operators of Hazardous Waste Treatment, and Disposal Facilities	

Index Department - Administrative Code Division - 111 East Monroe Springfield, IL 62756

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NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Groundwater Quality
- 2) Code Citation: 35 Ill. Adm. Code 620
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
620.105	Amendment
620.110	Amendment
620.115	Amendment
620.125	Amendment
620.201	Amendment
620.210	Amendment
620.220	Amendment
620.230	Amendment
620.240	Amendment
620.250	Amendment
620.260	Amendment
620.301	Amendment
620.302	Amendment
620.305	Amendment
620.310	Amendment
620.401	Amendment
620.405	Amendment
620.410	Amendment
620.420	Amendment
620.430	Amendment
620.440	Amendment
620.450	Amendment
620.505	Amendment
620.510	Amendment
620.601	Amendment
620.605	Amendment
620.610	Amendment
620.615	Amendment
620.APPENDIX A	Amendment
620.APPENDIX B	Amendment
620.APPENDIX C	Amendment
620.APPENDIX D	Amendment
620.APPENDIX E	New Section
620.TABLE A	New Section
620.TABLE B	New Section

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- 4) Statutory Authority: Implementing and authorized by Section 8 of the Illinois Groundwater Protection Act [415 ILCS 55/8] and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/27].

- 5) A Complete Description of the Subjects and Issues Involved:

At First Notice, the Board proposes standards for 10 new chemicals detected in Illinois groundwater, including five of the six per- and polyfluoroalkyl substances (PFAS) (PFOS, PFNA, PFBS, PFHxS, HFPO-DA), molybdenum, lithium, aluminum, and 1-methylnaphthalene. For PFOA, the sixth proposed PFAS, the Board proposes a standard of 2 ppt, rather than the 4 ppt standard proposed by IEPA. Additionally, the Board adopts all of IEPA's proposed revisions to existing Class I and Class II standards, including cobalt, selenium, and vanadium.

The Board's first notice rules also include amendments to Part 620, Subpart F and Appendix A procedures and methodologies, which provide the basis for developing rulemaking proposals for new or revised numerical groundwater standards. These amendments include a change in the per capita daily water ingestion rate from an average adult rate of two liters per day to an average child water ingestion rate of 0.78 liters per day. Additionally, the exposure population is updated from an average adult to a child aged 0-6 years old.

The Board also adopts IEPA's revisions to Part 620 Appendix A that allow for the selection of toxicity values based on updates to the toxicity hierarchy as well as the methodology used to calculate oral reference doses relied upon by USEPA.

The Board proposes a substantial revision of the rule text in 620.250, 620.450, and 620 Appendix D, the three sections involving groundwater management zones (GMZ). The changes clarify the procedure for applying for a GMZ, when a GMZ is established, and when and how a GMZ is terminated.

Throughout Part 620, the Board proposes non-substantive revisions including matters of capitalization, punctuation, spelling, numerical order, gendered language, and duplication. The Board proposes additional amendments such as changing passive to active voice, avoiding unnecessary nominalizations, making regulatory cross references more precise, making the form of definitions more consistent, and using "must" to be more clearly mandatory. The Board intended that each of these proposed revisions is non-substantive.

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In order to comply with Executive Order 2016-13, at First Notice, the Board proposes non-substantive changes to the following sections of Part 620: 105, 115, 130, 135, 201, 220, 230, 240, 260, 301, 305, 401, 405, 505, 610, 615. The changes to these sections include removing redundant or unnecessary language, replacing outdated language, updating references, and providing other non-substantive clarifications.

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: No
 - 7) Will this proposed rulemaking replace an emergency rule currently in effect? No
 - 8) Does this rulemaking contain an automatic repeal date? No
 - 9) Does this proposed rulemaking contain incorporations by reference? Yes
 - 10) Are there any proposed rulemakings to this Part pending? No
 - 11) Statement of Statewide Policy Objectives: This proposed amendment does not create or enlarge a State mandate as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3].
 - 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comments on this proposal for a period of at least 45 days after the date of publication in the *Illinois Register*. Public comments should refer to Docket R22-18 and be filed electronically through the Clerk's Office On-Line (COOL) on the Board's website at pcb.illinois.gov. Public comments may be addressed to:

Clerk's Office
Illinois Pollution Control Board
60 E. Van Buren, Suite 630
Chicago, IL 60605
- Interested persons may download copies of the Board's opinions and orders in R22-18 from the Board's Web site at pcb.illinois.gov and may also request copies by calling the Clerk's office at (312) 814-3620.
- 13) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not for profit corporations

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affected: None

- B) Reporting, bookkeeping or other procedures required for compliance: The proposed amendments in this rulemaking will not themselves require recordkeeping or reporting procedures for compliance.
- C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: The Board does not expect that the proposed rules will impact small business.
- 15) Regulatory Agenda on which this rulemaking was summarized: This rule did not appear in the previous two regulatory agendas.

The full text of the Proposed Amendments begins on the next page: