

ILLINOIS POLLUTION CONTROL BOARD

August 17, 2017

IN THE MATTER OF: )  
)  
PUBLIC WATER SUPPLIES: PROPOSED ) R18-17  
NEW 35 ILL. ADM. CODE 604 AND ) (Rulemaking - Water)  
AMENDMENTS TO 35 ILL. ADM. CODE )  
PARTS 601, 602, 607, AND 611 )

ORDER OF THE BOARD (by C.M. Santos and B.K. Carter):

On August 3, 2017, the Illinois Environmental Protection Agency (IEPA) proposed that the Board adopt a new Part 604 (“Design, Operation and Maintenance Criteria”) of its public water supplies rules and amend Parts 601, 602, 607, and 611. *See* 35 Ill. Adm. Code 601 (Introduction), 602 (Permits), 607 (Operation and Recordkeeping), 611 (Primary Drinking Water Standards). Accompanying the proposal were documents including IEPA’s Statement of Reasons (SR). *See* 35 Ill. Adm. Code 102.202(b).

IEPA adopted rules for designing, operating, and maintaining community water supplies in 35 Ill. Adm. Code 653 and last updated them in 1985. SR at 1. IEPA now believes that the Board should promulgate these rules, emphasizing that IEPA’s proposed new Part 604 is its “primary focus” in this rulemaking. *Id.* at 1; *see id.* at 5-9. If the Board adopts Part 604, IEPA intends to propose repealing Parts 651, 653, and 654 (IEPA rules) and Section 602.115 (Board rule). *Id.* at 2, 10; *see* 35 Ill. Adm. Code 602.115 (Design, Operation, and Maintenance Criteria), 651 (Introduction), 653 (Design, Operation and Maintenance Criteria), 654 (Raw and Finished Water Quality and Quantity). IEPA argues that this proposal consolidates these requirements into a single comprehensive Board rule, which will provide “clarity and certainty” to community water supplies. SR at 2.

IEPA characterizes its proposed amendments to Parts 601, 602, 607, and 611 as “minor changes” (SR at 1) and states that they maintain consistency within the public water supplies rules (*id.* at 1, 2, 10-13).

The Board finds that IEPA’s proposal satisfies the content requirements (35 Ill. Adm. Code 102.202) and accepts the proposal for hearing. The Board directs its assigned hearing officers to schedule and proceed to hearing under the rulemaking provisions of the Environmental Protection Act and the Board’s procedural rules (415 ICLS 5/27, 28 (2016); 35 Ill. Adm. Code 102). After conducting hearings on IEPA’s proposal, the Board will determine whether to proceed to first notice.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on August 17, 2017, by a vote of 5-0.

A handwritten signature in black ink that reads "Don A. Brown". The signature is written in a cursive style with a large, circular initial "D".

Don A. Brown, Clerk  
Illinois Pollution Control Board