

**Brown, Don**

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**From:** McGill, Richard  
**Sent:** Wednesday, November 15, 2017 11:47 AM  
**To:** Brown, Don  
**Cc:** McCambridge, Michael; Fox, Tim  
**Subject:** PC for R17-12

Good morning, Mr. Clerk:

I'm forwarding here an email message from me to Jonathan Eastvold of JCAR. My email is in response to Mr. Eastvold's email message, also provided here.

Please docket these email messages as a public comment in R17-12.

If you have any questions, please let me know. Thank you.

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Senior Attorney  
312-814-6983  
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**From:** McGill, Richard  
**Sent:** Wednesday, November 15, 2017 11:19 AM  
**To:** 'Eastvold, Jonathan C.' <JonathanE@ilga.gov>  
**Subject:** exempt 35 IAC 611 (R17-12 IIS)

Good morning, Jonathan:

I hope all is well with you. Below are our responses (in red) to your questions, which I repeat for your convenience.

1. Lines 544, 546, 1234-36: Sec. 611.101, "Best available technology", "Bin classification", "Clean Compliance History", "Subpart B system" (3 times) → Strike "of this Part? **Agreed.**
2. Lines 639 and 641: Sec. 611.101, "CT": Why are there quotes around "residual disinfectant concentration" and "disinfectant contact time"? **The quotation marks appear in the corresponding federal definition at 40 C.F.R. 141.2. We believe that USEPA intended to indicate that "residual disinfectant concentration" and "disinfectant contact time" are themselves defined terms. USEPA added the definition of "CT" with the Surface Water Treatment Rule, with the quotation marks. See 54 Fed. Reg. 27486, 27526 (June 29, 1989). The Board adopted the definition with the quotation marks in [Safe Drinking Water Act Regulations](#), R88-26 (Aug. 9, 1990). As deleting the quotation marks would not affect the meaning or scope of any rule, we will omit them.**
3. Line 650: Sec. 611.101, "CT99": "CT99 for a variety of disinfectants and conditions appear..." → Should that be "CT99 values for..." or should the verb be changed? **The grammatical error of defining the term as singular and then applying a plural verb form is directly derived from corresponding 40 C.F.R. 141.2 and still appears in that text. We will add "values".**

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4. Line 1645: Sec. 611.102(a), "Thermo-Fisher Discrete Analyzer" → Should "discrete analyzer" be capitalized both times it appears in this sentence? **No. The Board text reflects the literal text of the method title.**
5. Lines 1730, 1744, 1750, 1767: Sec. 611.102(a), "USEPA Organic Methods" and "USEPA Organic and Inorganic Methods", last lines of each paragraph: One of these paragraphs ends "or USEPA..." and the other ends "and USEPA..." → Are these both the correct conjunctions to use? **We will change "or" to "and" (twice).**
6. Line 1862: Sec. 611.102(b), American Society for Microbiology, Enterolert, Board Note, 9<sup>th</sup> line: should "superceded" be "superseded"? **We will change that. We will also make the corresponding change at note 7 to Appendix G: "supercede" to "supersede".**
7. Lines 3463, 3468, 3473, 3478: Sec. 611.102(b), ASTM, ASTM Method D1688-95 A or C, ASTM Method D1699-02 A or C, ASTM Method D1688-07 A or C, ASTM Method D1688-12 A or C: in the third line of each paragraph, test methods A and C are separated by an ampersand rather than the "or" we were expecting. Is this intended? **In the text of the regulations, "or" is appropriate because either method can be used. In the incorporations by reference, however, "and" is appropriate because both methods are incorporated by reference. We will change "or" to "and" throughout the incorporations by reference (10 appearances). In addition, we will change "&" to "and" throughout the text of Section 611.102 where the conjunction appears in a listing of methods (16 times).**
8. Lines 4175-76: Sec. 611.102(b), NEMI, USEPA Organic and Inorganic Methods, Methods for the Determination of Organic and Inorganic Compounds..., Vol. 1 → Should the parenthetical beginning "(Methods 300.1..." be a separate sentence? If so, should it have a verb? **Other entries place the parenthetical within the sentence. We will remove the period after "611.645" and move the period from inside to outside the closing parenthesis after "only".**
9. Lines 4209-4210: Sec. 611.102(b), NEMI, USEPA Radiochemistry Procedures, 2<sup>nd</sup> line: Should "EPA 520/5-84-006" be "EPA 520/5-84/006"? **We will change that. And should the parenthetical that appears to be the second sentence be freestanding? We will remove the period after "611.720" and move the period from inside to outside the closing parenthesis after "only".**
10. Line 6966: Sec. 611.300(b): For zinc, should "5." be "5.0"? **No. The Board adopted this standard in Public Water Supplies, R73-13 (Jan. 3, 1975). As the standard is, a level of 5.49 mg/l zinc would comply. Adding the zero would change the standard from one to two significant digits. A level of 5.49 mg/l zinc would not comply with a 5.0 mg/l standard.**
11. Lines 6977-89: Sec. 611.300(d): Could the commas at the end of each subsection be changed to semicolons? **We will change those.**
12. Line 7365: Sec. 611.330(h), Limitations Footnotes: Technologies for Radionuclides, Board Note: after notes d, e, and f there's a stray citation to "63 Fed. Reg. at 42036", which seems potentially superfluous since that table is referenced earlier in the note. Please advise. **The first *Federal Register* citation in the Board Note refers to Table 13. The second *Federal Register* citation—the one you inquire about—refers to Table 2, the source of the quotation. For greater clarity, we will move the citation to Table 2 into the explanatory text preceding the quotation.**
13. Sec. 611.350: This Section uses three different organizational styles (i.e., formatting of headers, closing punctuation for subsections). Would it be possible to standardize? **We will add a period at the end of the topical subheading for subsection (a). In addition, we will "title case" capitalize the topical subheadings for subsections (e) through (k).**
14. Lines 7826-27: Sec. 611.351(e)(5): "such treatment" → Change to "that treatment" or "the treatment" or "it"? **We will change "such treatment" to "that treatment".**
15. Line 10349: Sec. 611.360(a)(4)(D) → Why change "subsection" to "provision"? **It may be unclear to readers that "subsection" refers to "Section" 611.356(g)(2). We will replace "provision" with "Section", as it is used in 611.351(b)(3)(C) ("in accordance with Section 611.360(a)(3) of any upcoming long-term change in treatment or addition of a new source as described in that Section"). Using the same word—"Section"—will make it immediately clear to readers that "that Section" refers to "Section 611.356(g)(2)".**
16. Lines 15171-15177: Sec. 611.645, opening paragraph: can the semicolons be changed to commas? **We will change those.**
17. Line 15189:
  - Sec. 611.645(b), Dibromochloropropane: Should it be "Methods 504.1" or "Method 504.1"? **The latter. We will change that.**
  - Sec. 611.645(b): Did you mean to omit di(2-ethylhexyl)adipate? **No. We will restore that.**
18. Lines 17274-17288: Sec. 611.801(c)(1) through (8): Can the commas be replaced by semicolons? **We will change those.**

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19. Lines 17957 and 17970: Sec. 611.804(a)(1) and (b)(1): Can ", or" be changed to "; or"? **We will change those.**
20. Sec. 611.APPENDIX H: Could you please remove the capitalization for federal subparts/sections/appendices? **We will change "Appendix" and "Subpart" to lower-case in paragraphs 1a and 2a, and make the same revisions to paragraphs 1a and 2a of Appendix G. In other text, we will change to lower-case the five occurrences of "Section" referring to federal statutory provisions.**
21. Sec. 611.APPENDIX H, 1d: Should "violations" be capitalized? **We will capitalize the word, as it is in 1e and 1f.**

Please let me know if you have any other questions. Thank you.

Best regards,

Richard

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**From:** Eastvold, Jonathan C. [<mailto:JonathanE@ilga.gov>]

**Sent:** Thursday, August 24, 2017 2:22 PM

**To:** McGill, Richard <[Richard.McGill@illinois.gov](mailto:Richard.McGill@illinois.gov)>

**Subject:** [External] 35 IAC 611/R17-12

Just finished going through the text of the latest exempt rulemaking. Here's what else we came up with:

1. Lines 544, 546, 1234-36: Sec. 611.101, "Best available technology", "Bin classification", "Clean Compliance History", "Subpart B system" (3 times) → Strike "of this Part?"
2. Lines 639 and 641: Sec. 611.101, "CT": Why are there quotes around "residual disinfectant concentration" and "disinfectant contact time"?
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20. Sec. 611.APPENDIX H: Could you please remove the capitalization for federal subparts/sections/appendices?
21. Sec. 611.APPENDIX H, 1d: Should "violations" be capitalized?

Thanks in advance for your consideration. Hope all is well.

Jonathan

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