

From: [Knudson, Cheryl J.](#)
To: [McGill, Richard](#)
Cc: [Eastvold, Jonathan C.](#)
Subject: [External] RE: First Notice Documents from JCAR
Date: Wednesday, May 25, 2022 4:02:50 PM
Attachments: [35-611NT-P JCAR.docx](#)
[35-611RG-P r01 \(46-22\).docx](#)
[Redline - 35-611RG-P Agency \(delta-ck\) and 35-611RG-P r01 \(46-22\).pdf](#)

First Notice documents are attached for your review:

- [Notice Page](#)
- **Ist Notice** – [Numbered Line Version](#)
- [Agency vs. JCAR r01](#)

If you have any questions or concerns, please contact Jonathan Eastvold @ 217-524-9010.

Thank you,
Cheryl

Cheryl Knudson
Joint Committee on Administrative Rules
Illinois General Assembly
700 Stratton Building
Springfield, IL 62706

217.785.8993
cherylk@ilga.gov

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Primary Drinking Water Standards
- 2) Code Citation: 35 Ill. Adm. Code 611
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
611.105	Amendment
611.111	Amendment
611.276	Amendment
611.591	Repealed
611.805	Amendment
- 4) Statutory Authority: Implementing Sections 7.2, 17 and 17.5 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 17, 17.5 and 27].
- 5) A Complete Description of the Subjects and Issues Involved: The rulemaking pertains to the Board's public water supply rules and contain the requirements necessary for owners and official custodians of public water supplies in the State to provide, "continuous operation and maintenance of public water supply facilities to assure that the water is safe in quality, clean, adequate in quantity, and of satisfactory mineral characteristics for ordinary domestic consumption." 35 Ill. Adm. Code 601.101(a). In this rulemaking, the Board proposes non-substantive amendments to remove redundant or unnecessary language, replace outdated language, update statutory references, and reorganize provisions for clarity. The rulemaking also proposes amendments to delete outdated provisions, appropriately match incorporations by reference, eliminate redundancies and correct citations.
- 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? No
- 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].

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 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 R18-26 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
100 W. Randolph St., Suite 11-500
Chicago, IL 60601

Interested persons may download copies of the Board's opinions and orders in R18-26 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 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 a regulatory agenda.

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

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

PART 611
PRIMARY DRINKING WATER STANDARDS

SUBPART A: GENERAL

10	Section	
11	611.100	Purpose, Scope, and Applicability
12	611.101	Definitions
13	611.102	Incorporations by Reference
14	611.103	Severability
15	611.105	Electronic Reporting
16	611.107	Agency Inspection of PWS Facilities (Repealed)
17	611.108	Delegation to Local Government
18	611.109	Enforcement
19	611.110	Special Exception Permits
20	611.111	Relief Equivalent to SDWA Section 1415(a) Variances
21	611.112	Relief Equivalent to SDWA Section 1416 Exemptions
22	611.113	Alternative Treatment Techniques
23	611.114	Siting Requirements
24	611.115	Source Water Quantity (Repealed)
25	611.120	Effective Dates
26	611.121	Maximum Contaminant Levels
27	611.125	Fluoridation Requirement
28	611.126	Prohibition on Use of Lead
29	611.130	Special Requirements for Certain Variances and Adjusted Standards
30	611.131	Relief Equivalent to SDWA Section 1415(e) Small System Variance
31	611.160	Composite Correction Program
32	611.161	Case-by-Case Reduced Subpart Y Monitoring for Wholesale and Consecutive Systems

SUBPART B: FILTRATION AND DISINFECTION

37	Section	
38	611.201	Requiring a Demonstration
39	611.202	Procedures for Agency Determinations
40	611.211	Filtration Required
41	611.212	Groundwater under Direct Influence of Surface Water
42	611.213	No Method of HPC Analysis
43	611.220	General Requirements

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44	611.230	Filtration Effective Dates
45	611.231	Source Water Quality Conditions
46	611.232	Site-Specific Conditions
47	611.233	Treatment Technique Violations
48	611.240	Disinfection
49	611.241	Unfiltered PWSs
50	611.242	Filtered PWSs
51	611.250	Filtration
52	611.261	Unfiltered PWSs: Reporting and Recordkeeping
53	611.262	Filtered PWSs: Reporting and Recordkeeping
54	611.271	Protection during Repair Work (Repealed)
55	611.272	Disinfection Following Repair (Repealed)
56	611.276	Recycle Provisions
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58		SUBPART C: USE OF NON-CENTRALIZED TREATMENT DEVICES
59		
60	Section	
61	611.280	Point-of-Entry Devices
62	611.290	Use of Point-of-Use Devices or Bottled Water
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64		SUBPART D: TREATMENT TECHNIQUES
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66	Section	
67	611.295	General Requirements
68	611.296	Acrylamide and Epichlorohydrin
69	611.297	Corrosion Control (Repealed)
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71		SUBPART F: MAXIMUM CONTAMINANT LEVELS (MCLs) AND
72		MAXIMUM RESIDUAL DISINFECTANT LEVELS (MRDLs)
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74	Section	
75	611.300	Old MCLs for Inorganic Chemical Contaminants
76	611.301	Revised MCLs for Inorganic Chemical Contaminants
77	611.310	State-Only Maximum Contaminant Levels (MCLs) for Organic Chemical
78		Contaminants
79	611.311	Revised MCLs for Organic Chemical Contaminants
80	611.312	Maximum Contaminant Levels (MCLs) for Disinfection Byproducts (DBPs)
81	611.313	Maximum Residual Disinfectant Levels (MRDLs)
82	611.320	Turbidity (Repealed)
83	611.325	Microbiological Contaminants
84	611.330	Maximum Contaminant Levels for Radionuclides
85	611.331	Beta Particle and Photon Radioactivity (Repealed)
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SUBPART G: LEAD AND COPPER

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89 Section
90 611.350 General Requirements
91 611.351 Applicability of Corrosion Control
92 611.352 Corrosion Control Treatment
93 611.353 Source Water Treatment
94 611.354 Lead Service Line Replacement
95 611.355 Public Education and Supplemental Monitoring
96 611.356 Tap Water Monitoring for Lead and Copper
97 611.357 Monitoring for Water Quality Parameters
98 611.358 Monitoring for Lead and Copper in Source Water
99 611.359 Analytical Methods
100 611.360 Reporting
101 611.361 Recordkeeping

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103 SUBPART I: DISINFECTANT RESIDUALS, DISINFECTION BYPRODUCTS,
104 AND DISINFECTION BYPRODUCT PRECURSORS

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106 Section
107 611.380 General Requirements
108 611.381 Analytical Requirements
109 611.382 Monitoring Requirements
110 611.383 Compliance Requirements
111 611.384 Reporting and Recordkeeping Requirements
112 611.385 Treatment Technique for Control of Disinfection Byproduct (DBP) Precursors

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114 SUBPART K: GENERAL MONITORING AND ANALYTICAL REQUIREMENTS

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116 Section
117 611.480 Alternative Analytical Techniques
118 611.490 Certified Laboratories
119 611.491 Laboratory Testing Equipment (Repealed)
120 611.500 Consecutive PWSs
121 611.510 Special Monitoring for Unregulated Contaminants (Repealed)

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123 SUBPART L: MICROBIOLOGICAL MONITORING
124 AND ANALYTICAL REQUIREMENTS

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126 Section
127 611.521 Routine Coliform Monitoring (Repealed)
128 611.522 Repeat Coliform Monitoring (Repealed)
129 611.523 Invalidation of Total Coliform Samples (Repealed)

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130	611.524	Sanitary Surveys (Repealed)
131	611.525	Fecal Coliform and E. Coli Testing (Repealed)
132	611.526	Analytical Methodology (Repealed)
133	611.527	Response to Violation (Repealed)
134	611.528	Transition from Subpart L to Subpart AA Requirements (Repealed)
135	611.531	Analytical Requirements
136	611.532	Unfiltered PWSs
137	611.533	Filtered PWSs

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139 SUBPART M: TURBIDITY MONITORING AND ANALYTICAL REQUIREMENTS

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141 Section

142 611.560 Turbidity

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144 SUBPART N: INORGANIC MONITORING AND ANALYTICAL REQUIREMENTS

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146 Section

147 611.591 Violation of a State MCL ([Repealed](#))

148 611.592 Frequency of State Monitoring

149 611.600 Applicability

150 611.601 Monitoring Frequency

151 611.602 Asbestos Monitoring Frequency

152 611.603 Inorganic Monitoring Frequency

153 611.604 Nitrate Monitoring

154 611.605 Nitrite Monitoring

155 611.606 Confirmation Samples

156 611.607 More Frequent Monitoring and Confirmation Sampling

157 611.608 Additional Optional Monitoring

158 611.609 Determining Compliance

159 611.610 Inorganic Monitoring Times

160 611.611 Inorganic Analysis

161 611.612 Monitoring Requirements for Old Inorganic MCLs

162 611.630 Special Monitoring for Sodium

163 611.631 Special Monitoring for Inorganic Chemicals (Repealed)

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165 SUBPART O: ORGANIC MONITORING AND ANALYTICAL REQUIREMENTS

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167 Section

168 611.640 Definitions

169 611.641 Old MCLs

170 611.645 Analytical Methods for Organic Chemical Contaminants

171 611.646 Phase I, Phase II, and Phase V Volatile Organic Contaminants

172 611.647 Sampling for Phase I Volatile Organic Contaminants (Repealed)

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- 173 611.648 Phase II, Phase IIB, and Phase V Synthetic Organic Contaminants
- 174 611.650 Monitoring for 36 Contaminants (Repealed)
- 175 611.657 Analytical Methods for 36 Contaminants (Repealed)
- 176 611.658 Special Monitoring for Organic Chemicals (Repealed)

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178 SUBPART P: THM MONITORING AND ANALYTICAL REQUIREMENTS

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180 Section

- 181 611.680 Sampling, Analytical, and other Requirements (Repealed)
- 182 611.683 Reduced Monitoring Frequency (Repealed)
- 183 611.684 Averaging (Repealed)
- 184 611.685 Analytical Methods (Repealed)
- 185 611.686 Modification to System (Repealed)
- 186 611.687 Sampling for Maximum THM Potential (Repealed)
- 187 611.688 Applicability Dates (Repealed)

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189 SUBPART Q: RADIOLOGICAL MONITORING AND ANALYTICAL REQUIREMENTS

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191 Section

- 192 611.720 Analytical Methods
- 193 611.731 Gross Alpha
- 194 611.732 Beta Particle and Photon Radioactivity
- 195 611.733 General Monitoring and Compliance Requirements

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197 SUBPART R: ENHANCED FILTRATION AND DISINFECTION: 198 SYSTEMS THAT SERVE 10,000 OR MORE PEOPLE

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200 Section

- 201 611.740 General Requirements
- 202 611.741 Standards for Avoiding Filtration
- 203 611.742 Disinfection Profiling and Benchmarking
- 204 611.743 Filtration
- 205 611.744 Filtration Sampling Requirements
- 206 611.745 Reporting and Recordkeeping Requirements

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208 SUBPART S: GROUNDWATER RULE

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- 211 611.800 General Requirements and Applicability
- 212 611.801 Sanitary Surveys for GWS Suppliers
- 213 611.802 Groundwater Source Microbial Monitoring and Analytical Methods
- 214 611.803 Treatment Technique Requirements for GWS Suppliers
- 215 611.804 Treatment Technique Violations for GWS Suppliers

216	611.805	Reporting and Recordkeeping for GWS Suppliers
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218		SUBPART T: REPORTING AND RECORDKEEPING
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221	611.830	Applicability
222	611.831	Monthly Operating Report (Repealed)
223	611.832	Notice by Agency (Repealed)
224	611.833	Cross Connection Reporting (Repealed)
225	611.840	Reporting
226	611.851	Reporting MCL, MRDL, and other Violations (Repealed)
227	611.852	Reporting other Violations (Repealed)
228	611.853	Notice to New Billing Units (Repealed)
229	611.854	General Content of Public Notice (Repealed)
230	611.855	Mandatory Health Effects Language (Repealed)
231	611.856	Fluoride Notice (Repealed)
232	611.858	Fluoride Secondary Standard (Repealed)
233	611.860	Record Maintenance
234	611.870	List of 36 Contaminants (Repealed)
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236		SUBPART U: CONSUMER CONFIDENCE REPORTS
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239	611.881	Purpose and Applicability
240	611.882	Compliance Dates
241	611.883	Content of the Reports
242	611.884	Required Additional Health Information
243	611.885	Report Delivery and Recordkeeping
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245		SUBPART V: PUBLIC NOTIFICATION OF DRINKING WATER VIOLATIONS
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248	611.901	General Public Notification Requirements
249	611.902	Tier 1 Public Notice: Form, Manner, and Frequency of Notice
250	611.903	Tier 2 Public Notice: Form, Manner, and Frequency of Notice
251	611.904	Tier 3 Public Notice: Form, Manner, and Frequency of Notice
252	611.905	Content of the Public Notice
253	611.906	Notice to New Billing Units or New Customers
254	611.907	Special Notice of the Availability of Unregulated Contaminant Monitoring Results
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256	611.908	Special Notice for Exceedance of the Fluoride Secondary Standard
257	611.909	Special Notice for Nitrate Exceedances above the MCL by a Non-Community Water System
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262		SUBPART W: INITIAL DISTRIBUTION SYSTEM EVALUATIONS
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265	611.920	General Requirements
266	611.921	Standard Monitoring
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268	611.923	40/30 Certification
269	611.924	Very Small System Waivers
270	611.925	Subpart Y Compliance Monitoring Location Recommendations
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272		SUBPART X: ENHANCED FILTRATION AND DISINFECTION –
273		SYSTEMS SERVING FEWER THAN 10,000 PEOPLE
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275	Section	
276	611.950	General Requirements
277	611.951	Finished Water Reservoirs
278	611.952	Additional Watershed Control Requirements for Unfiltered Systems
279	611.953	Disinfection Profile
280	611.954	Disinfection Benchmark
281	611.955	Combined Filter Effluent Turbidity Limits
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283	611.957	Reporting and Recordkeeping Requirements
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285		SUBPART Y: STAGE 2 DISINFECTION BYPRODUCTS REQUIREMENTS
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289	611.971	Routine Monitoring
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293	611.975	Conditions Requiring Increased Monitoring
294	611.976	Operational Evaluation Levels
295	611.977	Requirements for Remaining on Reduced TTHM and HAA5 Monitoring Based
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306	611.1002	Source Water Monitoring Requirements: Sampling Schedules
307	611.1003	Source Water Monitoring Requirements: Sampling Locations
308	611.1004	Source Water Monitoring Requirements: Analytical Methods
309	611.1005	Source Water Monitoring Requirements: Approved Laboratories
310	611.1006	Source Water Monitoring Requirements: Reporting Source Water Monitoring
311		Results
312	611.1007	Source Water Monitoring Requirements: Grandfathering Previously Collected
313		Data
314	611.1008	Disinfection Profiling and Benchmarking Requirements: Requirements When
315		Making a Significant Change in Disinfection Practice
316	611.1009	Disinfection Profiling and Benchmarking Requirements: Developing the
317		Disinfection Profile and Benchmark
318	611.1010	Treatment Technique Requirements: Bin Classification for Filtered System
319		Suppliers
320	611.1011	Treatment Technique Requirements: Filtered System Additional
321		Cryptosporidium Treatment Requirements
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323		Treatment Requirements
324	611.1013	Treatment Technique Requirements: Schedule for Compliance with
325		Cryptosporidium Treatment Requirements
326	611.1014	Treatment Technique Requirements: Requirements for Uncovered Finished
327		Water Storage Facilities
328	611.1015	Requirements for Microbial Toolbox Components: Microbial Toolbox Options
329		for Meeting Cryptosporidium Treatment Requirements
330	611.1016	Requirements for Microbial Toolbox Components: Source Toolbox Components
331	611.1017	Requirements for Microbial Toolbox Components: Pre-Filtration Treatment
332		Toolbox Components
333	611.1018	Requirements for Microbial Toolbox Components: Treatment Performance
334		Toolbox Components
335	611.1019	Requirements for Microbial Toolbox Components: Additional Filtration Toolbox
336		Components
337	611.1020	Requirements for Microbial Toolbox Components: Inactivation Toolbox
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339	611.1021	Reporting and Recordkeeping Requirements: Reporting Requirements
340	611.1022	Reporting and Recordkeeping Requirements: Recordkeeping Requirements
341	611.1023	Requirements to Respond to Significant Deficiencies Identified in Sanitary
342		Surveys Performed by USEPA or the Agency
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SUBPART AA: REVISED TOTAL COLIFORM RULE

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347	611.1051	General
348	611.1052	Analytical Methods and Laboratory Certification
349	611.1053	General Monitoring Requirements for all PWSs
350	611.1054	Routine Monitoring Requirements for Non-CWSs That Serve 1,000 or Fewer
351		People Using Only Groundwater
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353		Using Only Groundwater
354	611.1056	Routine Monitoring Requirements for Subpart B Systems That Serve 1,000 or
355		Fewer People
356	611.1057	Routine Monitoring Requirements for PWSs That Serve More Than 1,000 People
357	611.1058	Repeat Monitoring and E. coli Requirements
358	611.1059	Coliform Treatment Technique Triggers and Assessment Requirements for
359		Protection Against Potential Fecal Contamination
360	611.1060	Violations
361	611.1061	Reporting and Recordkeeping
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363	611.APPENDIX A	Regulated Contaminants
364	611.APPENDIX B	Percent Inactivation of G. Lamblia Cysts
365	611.APPENDIX C	Common Names of Organic Chemicals
366	611.APPENDIX D	Defined Substrate Method for the Simultaneous Detection of Total
367		Coliforms and Escherichia Coli from Drinking Water (Repealed)
368	611.APPENDIX E	Mandatory Lead Public Education Information for Community Water
369		Systems
370	611.APPENDIX F	Mandatory Lead Public Education Information for Non-Transient Non-
371		Community Water Systems
372	611.APPENDIX G	NPDWR Violations and Situations Requiring Public Notice
373	611.APPENDIX H	Standard Health Effects Language for Public Notification
374	611.APPENDIX I	Acronyms Used in Public Notification Regulation
375	611.TABLE A	Total Coliform Monitoring Frequency (Repealed)
376	611.TABLE B	Fecal or Total Coliform Density Measurements
377	611.TABLE C	Frequency of RDC Measurement
378	611.TABLE D	Number of Lead and Copper Monitoring Sites
379	611.TABLE E	Lead and Copper Monitoring Start Dates (Repealed)
380	611.TABLE F	Number of Water Quality Parameter Sampling Sites
381	611.TABLE G	Summary of Section 611.357 Monitoring Requirements for Water Quality
382		Parameters
383	611.TABLE H	CT Values (mg·min/ℓ) for Cryptosporidium Inactivation by Chlorine
384		Dioxide
385	611.TABLE I	CT Values (mg·min/ℓ) for Cryptosporidium Inactivation by Ozone
386	611.TABLE J	UV Dose Table for Cryptosporidium, Giardia lamblia, and Virus
387		Inactivation Credit

388 611.TABLE Z Federal Effective Dates

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AUTHORITY: Implementing Sections 7.2, 17, and 17.5 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 17, 17.5, and 27].

SOURCE: Adopted in R88-26 at 14 Ill. Reg. 16517, effective September 20, 1990; amended in R90-21 at 14 Ill. Reg. 20448, effective December 11, 1990; amended in R90-13 at 15 Ill. Reg. 1562, effective January 22, 1991; amended in R91-3 at 16 Ill. Reg. 19010, effective December 1, 1992; amended in R92-3 at 17 Ill. Reg. 7796, effective May 18, 1993; amended in R93-1 at 17 Ill. Reg. 12650, effective July 23, 1993; amended in R94-4 at 18 Ill. Reg. 12291, effective July 28, 1994; amended in R94-23 at 19 Ill. Reg. 8613, effective June 20, 1995; amended in R95-17 at 20 Ill. Reg. 14493, effective October 22, 1996; amended in R98-2 at 22 Ill. Reg. 5020, effective March 5, 1998; amended in R99-6 at 23 Ill. Reg. 2756, effective February 17, 1999; amended in R99-12 at 23 Ill. Reg. 10348, effective August 11, 1999; amended in R00-8 at 23 Ill. Reg. 14715, effective December 8, 1999; amended in R00-10 at 24 Ill. Reg. 14226, effective September 11, 2000; amended in R01-7 at 25 Ill. Reg. 1329, effective January 11, 2001; amended in R01-20 at 25 Ill. Reg. 13611, effective October 9, 2001; amended in R02-5 at 26 Ill. Reg. 3522, effective February 22, 2002; amended in R03-4 at 27 Ill. Reg. 1183, effective January 10, 2003; amended in R03-15 at 27 Ill. Reg. 16447, effective October 10, 2003; amended in R04-3 at 28 Ill. Reg. 5269, effective March 10, 2004; amended in R04-13 at 28 Ill. Reg. 12666, effective August 26, 2004; amended in R05-6 at 29 Ill. Reg. 2287, effective January 28, 2005; amended in R06-15 at 30 Ill. Reg. 17004, effective October 13, 2006; amended in R07-2/R07-11 at 31 Ill. Reg. 11757, effective July 27, 2007; amended in R08-7/R08-13 at 33 Ill. Reg. 633, effective December 30, 2008; amended in R10-1/R10-17/R11-6 at 34 Ill. Reg. 19848, effective December 7, 2010; amended in R12-4 at 36 Ill. Reg. 7110, effective April 25, 2012; amended in R13-2 at 37 Ill. Reg. 1978, effective February 4, 2013; amended in R14-8 at 38 Ill. Reg. 3608, effective January 27, 2014; amended in R14-9 at 38 Ill. Reg. 9792, effective April 21, 2014; amended in R15-6 at 39 Ill. Reg. 3713, effective February 24, 2015; amended in R15-23 at 39 Ill. Reg. 15144, effective November 9, 2015; amended in R16-4 at 39 Ill. Reg. 15352, effective November 13, 2015; amended in R17-12 at 42 Ill. Reg. 1140, effective January 4, 2018; amended in R18-9 at 42 Ill. Reg. 9316, effective May 29, 2018; amended in R18-17 at 43 Ill. Reg. 8206, effective July 26, 2019; amended in R19-16 at 44 Ill. Reg. 6996, effective April 17, 2020; amended in R18-26 at 46 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL

Section 611.105 Electronic Reporting

The submission of any document under any provision of this Part as an electronic document in lieu of a paper document is subject to this Section.

- a) Scope and Applicability

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- 1) The USEPA, the Board, or the Agency may allow for the submission of electronic documents in lieu of paper documents. This Section does not require submission of electronic documents in lieu of paper documents. This Section sets forth the requirements for the optional electronic submission of any document that must be submitted to the appropriate of the following:
 - A) To USEPA directly under Title 40 of the Code of Federal Regulations; or
 - B) To the Board or the Agency under any provision of 35 Ill. Adm. Code 702 through 705, 720 through 728, 730, 733, 738, or 739.
 - 2) Electronic document submission under this Section can occur only as follows:
 - A) For submissions of documents to USEPA, submissions may occur only after USEPA has published a notice in the Federal Register announcing that USEPA is prepared to receive, in an electronic format, documents required or permitted by the identified part or subpart of Title 40 of the Code of Federal Regulations; or
 - B) For submissions of documents to the State, submissions may occur only under the following circumstances: the Board or the Agency may use any electronic document receiving system for which USEPA has granted approval under 40 CFR 3.1000, so long as the system complies with 40 CFR 3.2000, incorporated by reference in Section 611.102(c), and USEPA has not withdrawn its approval of the system in writing.
 - 3) This Section does not apply to any of the following documents, whether or not the document is a document submitted to satisfy the requirements cited in subsection (a)(1):
 - A) Any document submitted via facsimile;
 - B) Any document submitted via magnetic or optical media, such as diskette, compact disc, digital video disc, or tape; or
 - C) Any data transfer between USEPA, any state, or any local government and either the Board or the Agency as part of administrative arrangements between the parties to the transfer to share data.

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- 4) Upon USEPA conferring written approval for the submission of any types of documents as electronic documents in lieu of paper documents, as described in subsection (a)(2)(B)(iii), the Agency or the Board, as appropriate, must publish a Notice of Public Information in the Illinois Register that describes the documents approved for submission as electronic documents, the electronic document receiving system approved to receive them, the acceptable formats and procedures for their submission, and, as applicable, the date on which the Board or the Agency will begin to receive those submissions. In the event of written cessation of USEPA approval for receiving any type of document as an electronic document in lieu of a paper document, the Board or the Agency must similarly cause publication of a Notice of Public Information in the Illinois Register.

BOARD NOTE: Subsection (a) is derived from 40 CFR 3.1, 3.2, 3.10, 3.20, and 3.1000.

- b) Definitions. For the purposes of this Section, terms will have the meaning attributed them in 40 CFR 3.3, incorporated by reference in 35 Ill. Adm. Code 611.102(c).
- c) Procedures for Submitting ~~of~~ Electronic Documents to USEPA in Lieu of Paper Documents. Except as provided in subsection (a)(3), any person who is required under Title 40 of the Code of Federal Regulations to create and submit or otherwise provide a document to USEPA may satisfy this requirement with an electronic document, in lieu of a paper document, provided the following conditions are met:
- 1) The person satisfies the requirements of 40 CFR 3.10, incorporated by reference in Section 611.102(c); and
 - 2) USEPA has first published a notice in the Federal Register as described in subsection (a)(2)(A).

BOARD NOTE: Subsection (c) is derived from 40 CFR 3.2(a) and subpart B of 40 CFR 3.

- d) Procedures for Submitting ~~of~~ Electronic Documents to the Board or the Agency in Lieu of Paper Documents.
- 1) The Board or the Agency may, but is not required to, establish procedural rules for the electronic submission of documents. The Board or the

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517 Agency must establish any such procedural rules under the Administrative
518 Procedure Act [5 ILCS 100/5].

519
520 2) The Board or the Agency may accept electronic documents under this
521 Section only as provided in subsection (a)(2)(B).

522
523 BOARD NOTE: Subsection (d) is derived from 40 CFR 3.2(b) and subpart D of
524 40 CFR 3.

525
526 e) Effects of Submitting an Electronic Document in Lieu of a Paper Document

527
528 1) If a person who submits a document as an electronic document fails to
529 comply with the requirements of this Section, that person is subject to the
530 penalties prescribed for failure to comply with the requirement that the
531 electronic document was intended to satisfy.

532
533 2) ~~If~~Where a document submitted as an electronic document to satisfy a
534 reporting requirement bears an electronic signature, the electronic
535 signature legally binds, obligates, and makes the signer responsible to the
536 same extent as the signer's handwritten signature would on a paper
537 document submitted to satisfy the same reporting requirement.

538
539 3) Proof that a particular signature device was used to create an electronic
540 signature will suffice to establish that the individual uniquely entitled to
541 use the device did so with the intent to sign the electronic document and
542 give it effect.

543
544 4) Nothing in this Section limits the use of electronic documents or
545 information derived from electronic documents as evidence in
546 enforcement or other proceedings.

547
548 BOARD NOTE: Subsection (e) is derived from 40 CFR 3.4 and 3.2000(c).

549
550 f) Public Document Subject to State Laws. Any electronic document filed with the
551 Board is a public document. The document, its submission, its retention by the
552 Board, and its availability for public inspection and copying are subject to various
553 State laws, including ~~but not limited to~~, the following:

554
555 1) The Administrative Procedure Act [5 ILCS 100];

556
557 2) The Freedom of Information Act [5 ILCS 140];

558
559 3) The State Records Act [5 ILCS 160];

- 560
- 561 4) The Electronic Commerce Security Act [5 ILCS 175];
- 562
- 563 5) The Environmental Protection Act;
- 564
- 565 6) Regulations relating to public access to Board records (2 Ill. Adm. Code
- 566 2175); and
- 567
- 568 7) Board procedural rules relating to protection of trade secrets and
- 569 confidential information (35 Ill. Adm. Code 130).
- 570
- 571 g) Nothing in this Section or in any provisions adopted under subsection (d)(1) will
- 572 create any right or privilege to submit any document as an electronic document.
- 573

574 BOARD NOTE: Subsection (g) is derived from 40 CFR 3.2(c).

575

576 BOARD NOTE: Derived from 40 CFR 3 and 142.10(g).

577

578 (Source: Amended at 46 Ill. Reg. _____, effective _____)

579

580 **Section 611.111 Relief Equivalent to SDWA Section 1415(a) Variances**

581

582 This Section is intended to describe how the Board grants State relief equivalent to that available

583 from USEPA under section 1415(a)(1)(A) and (a)(1)(B) of the SDWA (42 USC 300g-4(a)(1)(A)

584 and (a)(1)(B)). SDWA section 1415 variances do not require ultimate compliance within five

585 years in every situation. Variances under Sections 35 through ~~3837~~ of the Act do require

586 compliance within five years in every case. Consequently, a PWS may have the option of

587 seeking State regulatory relief equivalent to a SDWA section 1415 variance through one of three

588 procedural mechanisms: a variance under Sections 35 through ~~3837~~ of the Act and Subpart B of

589 35 Ill. Adm. Code 104; a site-specific rule under Sections 27 and 28 of the Act and 35 Ill. Adm.

590 Code 102; or an adjusted standard under Section 28.1 of the Act and Subpart D of 35 Ill. Adm.

591 Code 104.

592

- 593 a) The Board will grant a PWS a variance, a site-specific rule, or an adjusted
- 594 standard from an MCL or a treatment technique under this Section.
- 595
- 596 1) The PWS must file a petition under 35 Ill. Adm. Code 102 or 104, as
- 597 applicable.
- 598
- 599 2) If a State requirement does not have a federal counterpart, the Board may
- 600 grant relief from the State requirements without following this Section.
- 601
- 602 b) Relief from an MCL

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- 1) As part of the justification for relief from an MCL under this Section, the PWS must demonstrate the following:
 - A) Because of characteristics of the raw water sources and alternative sources that are reasonably available to the system, the PWS cannot meet the MCL;
 - B) The PWS will install or has installed the best available technology (BAT) (as identified in Subpart F), treatment technique, or other means that the Agency finds available. BAT may vary depending on the following:
 - i) The number of persons served by the system;
 - ii) Physical conditions related to engineering feasibility; and
 - iii) Costs of compliance; and
 - C) The variance will not result in an unreasonable risk to health.
- 2) In any order granting relief under this subsection (b), the Board will prescribe a schedule for the following:
 - A) Compliance, including increments of progress, by the PWS, with each MCL with respect to which the relief was granted; and
 - B) Implementation by the PWS of each additional control measure for each MCL with respect to which the relief is granted, during the period ending on the date compliance with such requirement is required.
- 3) Schedule of Compliance for Relief from an MCL
 - A) A schedule of compliance will require compliance with each MCL with respect to which the relief was granted as expeditiously as practicable.
 - B) If the Board prescribes a schedule requiring compliance with an MCL for which the relief is granted later than five years from the date of issuance of the relief, the Board will do the following:
 - i) Document its rationale for the extended compliance

- 646 schedule;
- 647
- 648 ii) Discuss the rationale for the extended compliance schedule
- 649 in the required public notice and opportunity for public
- 650 hearing; and
- 651
- 652 iii) Provide the shortest practicable time schedule feasible
- 653 under the circumstances.
- 654
- 655 c) Relief from a Treatment Technique Requirement
- 656
- 657 1) As part of the justification for relief from a treatment technique
- 658 requirement under this Section, the PWS must demonstrate that the
- 659 treatment technique is not necessary to protect the health of persons served
- 660 because of the nature of the raw water source.
- 661
- 662 2) The Board may prescribe monitoring and other requirements as a
- 663 condition for relief from a treatment technique requirement.
- 664
- 665 d) The Board will hold at least one public hearing. In addition the Board will accept
- 666 comments as appropriate under 35 Ill. Adm. Code 102 or 104.
- 667
- 668 e) The Board will not grant relief from any of the following:
- 669
- 670 1) From the MCLs for total coliforms and E. coli. The Board can no longer
- 671 grant relief from the total coliform MCL.
- 672
- 673 BOARD NOTE: As provided in Section 611.131(c)(1) and 40 CFR
- 674 142.304(a), a small system variance is not available for rules that address
- 675 microbial contaminants, which include Subparts B, R, S, X, Z, and AA.
- 676
- 677 2) From any of the treatment technique requirements of Subpart B.
- 678
- 679 3) From the residual disinfectant concentration (RDC) requirements of
- 680 Sections 611.241(c) and 611.242(b).
- 681
- 682 f) The Agency must promptly send USEPA the opinion and order of the Board
- 683 granting relief under this Section. The Board may reconsider and modify a grant
- 684 of relief, or relief conditions, if USEPA notifies the Board of a finding under
- 685 section 1415 of the SDWA (42 USC 300g-4).
- 686
- 687 g) In addition to the requirements of this Section, the provisions of Section 611.130
- 688 or 611.131 may apply to relief granted under this Section.

689
690 BOARD NOTE: Derived from 40 CFR 141.4, from section 1415(a)(1)(A) and (a)(1)(B) of the
691 SDWA (42 USC 300g-4(a)(1)(A) and (a)(1)(B)) and from the Guidance Manual for Filtration
692 and Disinfection (91), incorporated by reference in Section 611.102 and available from USEPA,
693 NSCEP. USEPA has established a procedure at 40 CFR 142.23 to review and potentially modify
694 or nullify state determinations granting relief from NPDWRs ifwhere USEPA finds that the state
695 has abused its discretion or failed to prescribe required schedules for compliance in a substantial
696 number of instances.

697 (Source: Amended at 46 Ill. Reg. _____, effective _____)
698

699
700 SUBPART B: FILTRATION AND DISINFECTION
701

702 **Section 611.276 Recycle Provisions**
703

- 704 a) Applicability. A Subpart B system supplier that employs conventional filtration
705 or direct filtration treatment and thatwhich recycles spent filter backwash water,
706 thickener supernatant, or liquids from dewatering processes must meet the
707 requirements in subsections (b) through (d).
708
- 709 b) Reporting. A supplier must notify the Agency in writing if the supplier recycles
710 spent filter backwash water, thickener supernatant, or liquids from dewatering
711 processes. This notification must include, at a minimum, the information
712 specified in subsections (b)(1) and (b)(2), as follows:
713
- 714 1) A plant schematic showing the origin of all flows that are recycled
715 (including, ~~but not limited to~~, spent filter backwash water, thickener
716 supernatant, and liquids from dewatering processes), the hydraulic
717 conveyance used to transport them, and the location where they are re-
718 introduced back into the treatment plant.
719
- 720 2) Typical recycle flow in gallons per minute (gpm), the highest observed
721 plant flow experienced in the previous year (gpm), design flow for the
722 treatment plant (gpm), and Agency-approved operating capacity for the
723 plant ifwhere the Agency has made such a determination.
724
- 725 c) Treatment Technique Requirement. Any supplier that recycles spent filter
726 backwash water, thickener supernatant, or liquids from dewatering processes must
727 return these flows through the processes of the supplier's existing conventional or
728 direct filtration system, as defined in Section 611.101, or at an alternative location
729 approved by a permit issued by the Agency.
730
- 731 d) Recordkeeping. The supplier must collect and retain on file recycle flow

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732 information specified in subsections (d)(1) through (d)(6) for review and
733 evaluation by the Agency, as follows:

- 734
- 735 1) A copy of the recycle notification and information submitted to the State
736 under subsection (b).
 - 737
 - 738 2) A list of all recycle flows and the frequency with which they are returned.
739
 - 740 3) The average and maximum backwash flow rate through the filters and the
741 average and maximum duration of the filter backwash process in minutes.
742
 - 743 4) The typical filter run length and a written summary of how filter run
744 length is determined.
 - 745
 - 746 5) The type of treatment provided for the recycle flow.
747
 - 748 6) Data on the physical dimensions of the equalization or treatment units,
749 typical and maximum hydraulic loading rates, type of treatment chemicals
750 used and average dose and frequency of use, and frequency at which
751 solids are removed, if applicable.

752
753 BOARD NOTE: Derived from 40 CFR 141.76.

754
755 (Source: Amended at 46 Ill. Reg. _____, effective _____)
756

757 SUBPART N: INORGANIC MONITORING AND ANALYTICAL REQUIREMENTS

758 759 **Section 611.591 Violation of a State MCL (Repealed)**

760
761 ~~This Section applies to old MCLs that are marked as "additional State requirements" at Section~~
762 ~~611.300, and for which no specific monitoring, reporting, or public notice requirements are~~
763 ~~specified below. If the result of analysis pursuant to this Part indicates that the level of any~~
764 ~~contaminant exceeds the old MCL, the CWS supplier shall do the following:~~

- 765
- 766 a) ~~Report to the Agency within seven days, and initiate three additional analyses at~~
767 ~~the same sampling point within one month;~~
 - 768
 - 769 b) ~~Notify the Agency and give public notice as specified in Subpart T of this Part,~~
770 ~~when the average of four analyses, rounded to the same number of significant~~
771 ~~figures as the old MCL for the contaminant in question, exceeds the old MCL;~~
772 ~~and~~
 - 773
 - 774 e) ~~Monitor, after public notification, at a frequency designated by the Agency, and~~

775 continue monitoring until the old MCL has not been exceeded in two consecutive
776 samples, or until a monitoring schedule as a condition of a variance or
777 enforcement action becomes effective.
778

779 BOARD NOTE: This is an additional State requirement.
780

781 (Source: Repealed at 46 Ill. Reg. _____, effective _____)
782

783 SUBPART S: GROUNDWATER RULE
784

785 **Section 611.805 Reporting and Recordkeeping for GWS Suppliers**
786

787 a) Reporting. In addition to the requirements of Section 611.840, a GWS supplier
788 regulated ~~underpursuant to~~ this Subpart S must provide the following information
789 to the Agency:
790

791 1) A GWS supplier conducting compliance monitoring ~~underpursuant to~~
792 Section 611.803(b) must notify the Agency any time the supplier fails to
793 meet any Agency-specified requirements including, ~~but not limited to,~~
794 minimum residual disinfectant concentration, membrane operating criteria
795 or membrane integrity, and alternative treatment operating criteria, if
796 operation in accordance with the criteria or requirements is not restored
797 within four hours. The GWS supplier must notify the Agency as soon as
798 possible, but in no case later than the end of the next business day.
799

800 2) After completing any corrective action ~~underpursuant to~~ Section
801 611.803(a), a GWS supplier must notify the Agency within 30 days after
802 completion of the corrective action.
803

804 3) If a GWS supplier subject to the requirements of Section 611.802(a) does
805 not conduct source water monitoring ~~underpursuant to~~ Section
806 611.802(a)(5)(B), the supplier must provide documentation to the Agency
807 within 30 days after the total coliform-positive sample that it met the
808 Agency criteria.
809

810 b) Recordkeeping. In addition to the requirements of Section 611.860, a GWS
811 supplier regulated ~~underpursuant to~~ this Subpart S must maintain the following
812 information in its records:
813

814 1) Documentation of corrective actions. Documentation must be kept for a
815 period of not less than ten years.
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- 2) Documentation of notice to the public as required ~~underpursuant to~~ Section 611.803(a)(7). Documentation must be kept for a period of not less than three years.
 - 3) Records of decisions ~~underpursuant to~~ Section 611.802(a)(5)(B) and records of invalidation of fecal indicator-positive groundwater source samples ~~underpursuant to~~ Section 611.802(d). Documentation must be kept for a period of not less than five years.
 - 4) For a consecutive system supplier, documentation of notification to the wholesale systems of total coliform-positive samples that are not invalidated ~~underpursuant to~~ Section 611.1053. Documentation must be kept for a period of not less than five years.
 - 5) For a supplier, including a wholesale system supplier, that is required to perform compliance monitoring ~~underpursuant to~~ Section 611.803(b), the following information:
 - A) Records of the supplier-specified, Agency-approved minimum disinfectant residual. Documentation must be kept for a period of not less than ten years;
 - B) Records of the lowest daily residual disinfectant concentration and records of the date and duration of any failure to maintain the Agency-prescribed minimum residual disinfectant concentration for a period of more than four hours. Documentation must be kept for a period of not less than five years; and
 - C) Records of supplier-specified, Agency-approved compliance requirements for membrane filtration and of parameters specified by the supplier for Agency-approved alternative treatment and records of the date and duration of any failure to meet the membrane operating, membrane integrity, or alternative treatment operating requirements for more than four hours. Documentation must be kept for a period of not less than five years.

§53 BOARD NOTE: Derived from 40 CFR 141.405-(2016).

854

855

(Source: Amended at 46 Ill. Reg. _____, effective _____)



~~POLLUTION CONTROL BOARD~~

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

3
4 PART 611
5 PRIMARY DRINKING WATER STANDARDS

6
7 SUBPART A: GENERAL

8
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13611.103 Severability
14611.105 Electronic Reporting
15611.107 Agency Inspection of PWS Facilities (Repealed)
16611.108 Delegation to Local Government
17611.109 Enforcement
18611.110 Special Exception Permits
19611.111 Relief Equivalent to SDWA Section 1415(a) Variances
20611.112 Relief Equivalent to SDWA Section 1416 Exemptions
21611.113 Alternative Treatment Techniques
22611.114 Siting Requirements
23611.115 Source Water Quantity (Repealed)
24611.120 Effective Dates
25611.121 Maximum Contaminant Levels
26611.125 Fluoridation Requirement
27611.126 Prohibition on Use of Lead
28611.130 Special Requirements for Certain Variances and Adjusted Standards
29611.131 Relief Equivalent to SDWA Section 1415(e) Small System Variance
30611.160 Composite Correction Program
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32 Systems

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34 SUBPART B: FILTRATION AND DISINFECTION

35
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40611.212	Groundwater under Direct Influence of Surface Water
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59	Section
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62	
63	SUBPART D: TREATMENT TECHNIQUES
64	
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67611.296	Acrylamide and Epichlorohydrin
68611.297	Corrosion Control (Repealed)
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70	SUBPART F: MAXIMUM CONTAMINANT LEVELS (MCLs) AND
71	MAXIMUM RESIDUAL DISINFECTANT LEVELS (MRDLs)
72	
73	Section
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- 76611.310 State-Only Maximum Contaminant Levels (MCLs) for Organic Chemical
- 77 Contaminants
- 78611.311 Revised MCLs for Organic Chemical Contaminants
- 79611.312 Maximum Contaminant Levels (MCLs) for Disinfection Byproducts (DBPs)
- 80611.313 Maximum Residual Disinfectant Levels (MRDLs)
- 81611.320 Turbidity (Repealed)
- 82611.325 Microbiological Contaminants
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- 98611.359 Analytical Methods
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- 103 AND DISINFECTION BYPRODUCT PRECURSORS
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- 133611.528 Transition from Subpart L to Subpart AA Requirements (Repealed)
- 134611.531 Analytical Requirements
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- 138 SUBPART M: TURBIDITY MONITORING AND ANALYTICAL REQUIREMENTS
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- 141611.560 Turbidity
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- 143 SUBPART N: INORGANIC MONITORING AND ANALYTICAL REQUIREMENTS
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- 149611.601 Monitoring Frequency
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- 152611.604 Nitrate Monitoring
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- 177 SUBPART P: THM MONITORING AND ANALYTICAL REQUIREMENTS
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225611.851	Reporting MCL, MRDL, and other Violations (Repealed)
226611.852	Reporting other Violations (Repealed)
227611.853	Notice to New Billing Units (Repealed)

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228611.854	General Content of Public Notice (Repealed)
229611.855	Mandatory Health Effects Language (Repealed)
230611.856	Fluoride Notice (Repealed)
231611.858	Fluoride Secondary Standard (Repealed)
232611.860	Record Maintenance
233611.870	List of 36 Contaminants (Repealed)
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239611.882	Compliance Dates
240611.883	Content of the Reports
241611.884	Required Additional Health Information
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276611.951	Finished Water Reservoirs
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297	on Subpart I Results
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304611.1001	Source Water Monitoring Requirements: Source Water Monitoring
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342	
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344	
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346	611.1051 General
347	611.1052 Analytical Methods and Laboratory Certification
348	611.1053 General Monitoring Requirements for all PWSs
349	611.1054 Routine Monitoring Requirements for Non-CWSs That Serve 1,000 or Fewer
350	People Using Only Groundwater
351	611.1055 Routine Monitoring Requirements for CWSs That Serve 1,000 or Fewer People
352	Using Only Groundwater
353	611.1056 Routine Monitoring Requirements for Subpart B Systems That Serve 1,000 or
354	Fewer People
355	611.1057 Routine Monitoring Requirements for PWSs That Serve More Than 1,000 People
356	611.1058 Repeat Monitoring and E. coli Requirements
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359	611.1060 Violations
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363	611.APPENDIX B Percent Inactivation of G. Lamblia Cysts
364	611.APPENDIX C Common Names of Organic Chemicals
365	611.APPENDIX D Defined Substrate Method for the Simultaneous Detection of Total
366	Coliforms and Escherichia Coli from Drinking Water (Repealed)
367	611.APPENDIX E Mandatory Lead Public Education Information for Community Water
368	Systems
369	611.APPENDIX F Mandatory Lead Public Education Information for Non-Transient
370	Non-Community Water Systems
371	611.APPENDIX G NPDWR Violations and Situations Requiring Public Notice
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373	611.APPENDIX I Acronyms Used in Public Notification Regulation
374	611.TABLE A Total Coliform Monitoring Frequency (Repealed)
375	611.TABLE B Fecal or Total Coliform Density Measurements
376	611.TABLE C Frequency of RDC Measurement
377	611.TABLE D Number of Lead and Copper Monitoring Sites
378	611.TABLE E Lead and Copper Monitoring Start Dates (Repealed)
379	611.TABLE F Number of Water Quality Parameter Sampling Sites

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380611.TABLE G Summary of Section 611.357 Monitoring Requirements for Water Quality
381 Parameters
382611.TABLE H CT Values (mg·min/ℓ) for Cryptosporidium Inactivation by Chlorine
383 Dioxide
384611.TABLE I CT Values (mg·min/ℓ) for Cryptosporidium Inactivation by Ozone
385611.TABLE J UV Dose Table for Cryptosporidium, Giardia lamblia, and Virus
386 Inactivation Credit
387611.TABLE Z Federal Effective Dates
388
389AUTHORITY: Implementing Sections 7.2, 17, and 17.5 and authorized by Section 27 of the
390Environmental Protection Act [415 ILCS 5/7.2, 17, 17.5, and 27].
391
392SOURCE: Adopted in R88-26 at 14 Ill. Reg. 16517, effective September 20, 1990; amended in
393R90-21 at 14 Ill. Reg. 20448, effective December 11, 1990; amended in R90-13 at 15 Ill. Reg.
3941562, effective January 22, 1991; amended in R91-3 at 16 Ill. Reg. 19010, effective December 1,
3951992; amended in R92-3 at 17 Ill. Reg. 7796, effective May 18, 1993; amended in R93-1 at 17
396Ill. Reg. 12650, effective July 23, 1993; amended in R94-4 at 18 Ill. Reg. 12291, effective July
39728, 1994; amended in R94-23 at 19 Ill. Reg. 8613, effective June 20, 1995; amended in R95-17
398at 20 Ill. Reg. 14493, effective October 22, 1996; amended in R98-2 at 22 Ill. Reg. 5020,
399effective March 5, 1998; amended in R99-6 at 23 Ill. Reg. 2756, effective February 17, 1999;
400amended in R99-12 at 23 Ill. Reg. 10348, effective August 11, 1999; amended in R00-8 at 23 Ill.
401Reg. 14715, effective December 8, 1999; amended in R00-10 at 24 Ill. Reg. 14226, effective
402September 11, 2000; amended in R01-7 at 25 Ill. Reg. 1329, effective January 11, 2001;
403amended in R01-20 at 25 Ill. Reg. 13611, effective October 9, 2001; amended in R02-5 at 26 Ill.
404Reg. 3522, effective February 22, 2002; amended in R03-4 at 27 Ill. Reg. 1183, effective January
40510, 2003; amended in R03-15 at 27 Ill. Reg. 16447, effective October 10, 2003; amended in
406R04-3 at 28 Ill. Reg. 5269, effective March 10, 2004; amended in R04-13 at 28 Ill. Reg. 12666,
407effective August 26, 2004; amended in R05-6 at 29 Ill. Reg. 2287, effective January 28, 2005;
408amended in R06-15 at 30 Ill. Reg. 17004, effective October 13, 2006; amended in R07-2/R07-11
409at 31 Ill. Reg. 11757, effective July 27, 2007; amended in R08-7/R08-13 at 33 Ill. Reg. 633,
410effective December 30, 2008; amended in R10-1/R10-17/R11-6 at 34 Ill. Reg. 19848, effective
411December 7, 2010; amended in R12-4 at 36 Ill. Reg. 7110, effective April 25, 2012; amended in
412R13-2 at 37 Ill. Reg. 1978, effective February 4, 2013; amended in R14-8 at 38 Ill. Reg. 3608,
413effective January 27, 2014; amended in R14-9 at 38 Ill. Reg. 9792, effective April 21, 2014;
414amended in R15-6 at 39 Ill. Reg. 3713, effective February 24, 2015; amended in R15-23 at 39 Ill.
415Reg. 15144, effective November 9, 2015; amended in R16-4 at 39 Ill. Reg. 15352, effective
416November 13, 2015; amended in R17-12 at 42 Ill. Reg. 1140, effective January 4, 2018;
417amended in R18-9 at 42 Ill. Reg. 9316, effective May 29, 2018; amended in R18-17 at 43 Ill.

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418Reg. 8206, effective July 26, 2019; amended in R19-16 at 44 Ill. Reg. 6996, effective April 17, 4192020; amended in R18~~---~~-26 at 46 Ill. Reg. ~~---~~---, effective ---.

420

421

SUBPART A: GENERAL

422

423**Section 611.105 Electronic Reporting**

424

425The submission of any document under any provision of this Part as an electronic document in 426lieu of a paper document is subject to this Section.

427

428 a) Scope and Applicability

429

430 1) The USEPA, the Board, or the Agency may allow for the submission of 431 electronic documents in lieu of paper documents. This Section does not 432 require submission of electronic documents in lieu of paper documents.

433 This Section sets forth the requirements for the optional electronic 434 submission of any document that must be submitted to the appropriate of 435 the following:

436

437 A) To USEPA directly under Title 40 of the Code of Federal 438 Regulations; or

439

440 B) To the Board or the Agency under any provision of 35 Ill. Adm. 441 Code 702 through 705, 720 through 728, 730, 733, 738, or 739.

442

443 2) Electronic document submission under this Section can occur only as 444 follows:

445

446 A) For submissions of documents to USEPA, submissions may occur 447 only after USEPA has published a notice in the Federal Register 448 announcing that USEPA is prepared to receive, in an electronic 449 format, documents required or permitted by the identified part or 450 subpart of Title 40 of the Code of Federal Regulations; or

451

452 B) For submissions of documents to the State, submissions may occur 453 only under the following circumstances: the Board or the Agency 454 may use any electronic document receiving system for which 455 USEPA has granted approval under 40 CFR 3.1000, so long as the

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456 system complies with 40 CFR 3.2000, incorporated by reference in
457 Section 611.102(c), and USEPA has not withdrawn its approval of
458 the system in writing.

459
460 3) This Section does not apply to any of the following documents, whether or
461 not the document is a document submitted to satisfy the requirements cited
462 in subsection (a)(1):

- 463
464 A) Any document submitted via facsimile;
465
466 B) Any document submitted via magnetic or optical media, such as
467 diskette, compact disc, digital video disc, or tape; or
468
469 C) Any data transfer between USEPA, any state, or any local
470 government and either the Board or the Agency as part of
471 administrative arrangements between the parties to the transfer to
472 share data.

473
474 4) Upon USEPA conferring written approval for the submission of any types
475 of documents as electronic documents in lieu of paper documents, as
476 described in subsection (a)(2)(B)(iii), the Agency or the Board, as
477 appropriate, must publish a Notice of Public Information in the Illinois
478 Register that describes the documents approved for submission as
479 electronic documents, the electronic document receiving system approved
480 to receive them, the acceptable formats and procedures for their
481 submission, and, as applicable, the date on which the Board or the Agency
482 will begin to receive those submissions. In the event of written cessation
483 of USEPA approval for receiving any type of document as an electronic
484 document in lieu of a paper document, the Board or the Agency must
485 similarly cause publication of a Notice of Public Information in the Illinois
486 Register.

487
488 BOARD NOTE: Subsection (a) is derived from 40 CFR 3.1, 3.2, 3.10, 3.20, and
489 3.1000.

490
491 b) Definitions. For the purposes of this Section, terms will have the meaning
492 attributed them in 40 CFR 3.3, incorporated by reference in 35 Ill. Adm. Code
493 611.102(c).

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c) Procedures for Submitting Electronic Documents to USEPA in Lieu of Paper Documents. Except as provided in subsection (a)(3), any person who is required under Title 40 of the Code of Federal Regulations to create and submit or otherwise provide a document to USEPA may satisfy this requirement with an electronic document, in lieu of a paper document, provided the following conditions are met:

- 1) The person satisfies the requirements of 40 CFR 3.10, incorporated by reference in Section 611.102(c); and
- 2) USEPA has first published a notice in the Federal Register as described in subsection (a)(2)(A).

BOARD NOTE: Subsection (c) is derived from 40 CFR 3.2(a) and subpart B of 40 CFR 3.

d) Procedures for Submitting Electronic Documents to the Board or the Agency in Lieu of Paper Documents.

- 1) The Board or the Agency may, but is not required to, establish procedural rules for the electronic submission of documents. The Board or the Agency must establish any such procedural rules under the Administrative Procedure Act [5 ILCS 100/5].
- 2) The Board or the Agency may accept electronic documents under this Section only as provided in subsection (a)(2)(B).

BOARD NOTE: Subsection (d) is derived from 40 CFR 3.2(b) and subpart D of 40 CFR 3.

e) Effects of Submitting an Electronic Document in Lieu of a Paper Document

- 1) If a person who submits a document as an electronic document fails to comply with the requirements of this Section, that person is subject to the penalties prescribed for failure to comply with the requirement that the electronic document was intended to satisfy.

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- 532 2) If a document submitted as an electronic document to satisfy a reporting
533 requirement bears an electronic signature, the electronic signature legally
534 binds, obligates, and makes the signer responsible to the same extent as
535 the signer's handwritten signature would on a paper document submitted
536 to satisfy the same reporting requirement.
- 537
- 538 3) Proof that a particular signature device was used to create an electronic
539 signature will suffice to establish that the individual uniquely entitled to
540 use the device did so with the intent to sign the electronic document and
541 give it effect.
- 542
- 543 4) Nothing in this Section limits the use of electronic documents or
544 information derived from electronic documents as evidence in
545 enforcement or other proceedings.
- 546

547 BOARD NOTE: Subsection (e) is derived from 40 CFR 3.4 and 3.2000(c).

- 548
- 549 f) Public Document Subject to State Laws. Any electronic document filed with the
550 Board is a public document. The document, its submission, its retention by the
551 Board, and its availability for public inspection and copying are subject to various
552 State laws, including the following:
553
- 554 1) The Administrative Procedure Act [5 ILCS 100];
555
- 556 2) The Freedom of Information Act [5 ILCS 140];
557
- 558 3) The State Records Act [5 ILCS 160];
559
- 560 4) The Electronic Commerce Security Act [5 ILCS 175];
561
- 562 5) The Environmental Protection Act;
563
- 564 6) Regulations relating to public access to Board records (2 Ill. Adm. Code
565 2175); and
566
- 567 7) Board procedural rules relating to protection of trade secrets and
568 confidential information (35 Ill. Adm. Code 130).
569

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570 g) Nothing in this Section or in any provisions adopted under subsection (d)(1) will
571 create any right or privilege to submit any document as an electronic document.
572

573 BOARD NOTE: Subsection (g) is derived from 40 CFR 3.2(c).
574

575 BOARD NOTE: Derived from 40 CFR 3 and 142.10(g).
576

577 (Source: Amended at 46 Ill. Reg. —, effective _____)
578

579 **Section 611.111 Relief Equivalent to SDWA Section 1415(a) Variances**
580

581 This Section is intended to describe how the Board grants State relief equivalent to that available
582 from USEPA under section 1415(a)(1)(A) and (a)(1)(B) of the SDWA (42 USC 300g-4(a)(1)(A)
583 and (a)(1)(B)). SDWA section 1415 variances do not require ultimate compliance within five
584 years in every situation. Variances under Sections 35 through 38_ of the Act do require
585 compliance within five years in every case. Consequently, a PWS may have the option of
586 seeking State regulatory relief equivalent to a SDWA section 1415 variance through one of three
587 procedural mechanisms: a variance under Sections 35 through 38_ of the Act and Subpart B of
588 35 Ill. Adm. Code 104; a site-specific rule under Sections 27 and 28 of the Act and 35 Ill. Adm.
589 Code 102; or an adjusted standard under Section 28.1 of the Act and Subpart D of 35 Ill. Adm.
590 Code 104.

591

592 a) The Board will grant a PWS a variance, a site-specific rule, or an adjusted
593 standard from an MCL or a treatment technique under this Section.
594

595 1) The PWS must file a petition under 35 Ill. Adm. Code 102 or 104, as
596 applicable.
597

598 2) If a State requirement does not have a federal counterpart, the Board may
599 grant relief from the State requirements without following this Section.
600

601 b) Relief from an MCL
602

603 1) As part of the justification for relief from an MCL under this Section, the
604 PWS must demonstrate the following:
605

606 A) Because of characteristics of the raw water sources and alternative
607 sources that are reasonably available to the system, the PWS

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- 608 cannot meet the MCL;
- 609
- 610 B) The PWS will install or has installed the best available technology
- 611 (BAT) (as identified in Subpart F), treatment technique, or other
- 612 means that the Agency finds available. BAT may vary depending
- 613 on the following:
- 614
- 615 i) The number of persons served by the system;
- 616
- 617 ii) Physical conditions related to engineering feasibility; and
- 618
- 619 iii) Costs of compliance; and
- 620
- 621 C) The variance will not result in an unreasonable risk to health.
- 622
- 623 2) In any order granting relief under this subsection (b), the Board will
- 624 prescribe a schedule for the following:
- 625
- 626 A) Compliance, including increments of progress, by the PWS, with
- 627 each MCL with respect to which the relief was granted; and
- 628
- 629 B) Implementation by the PWS of each additional control measure for
- 630 each MCL with respect to which the relief is granted, during the
- 631 period ending on the date compliance with such requirement is
- 632 required.
- 633
- 634 3) Schedule of Compliance for Relief from an MCL
- 635
- 636 A) A schedule of compliance will require compliance with each MCL
- 637 with respect to which the relief was granted as expeditiously as
- 638 practicable.
- 639
- 640 B) If the Board prescribes a schedule requiring compliance with an
- 641 MCL for which the relief is granted later than five years from the
- 642 date of issuance of the relief, the Board will do the following:
- 643
- 644 i) Document its rationale for the extended compliance
- 645 schedule;

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- ii) Discuss the rationale for the extended compliance schedule in the required public notice and opportunity for public hearing; and
- iii) Provide the shortest practicable time schedule feasible under the circumstances.
- c) Relief from a Treatment Technique Requirement
 - 1) As part of the justification for relief from a treatment technique requirement under this Section, the PWS must demonstrate that the treatment technique is not necessary to protect the health of persons served because of the nature of the raw water source.
 - 2) The Board may prescribe monitoring and other requirements as a condition for relief from a treatment technique requirement.
- d) The Board will hold at least one public hearing. In addition the Board will accept comments as appropriate under 35 Ill. Adm. Code 102 or 104.
- e) The Board will not grant relief from any of the following:
 - 1) From the MCLs for total coliforms and E. coli. The Board can no longer grant relief from the total coliform MCL.

BOARD NOTE: As provided in Section 611.131(c)(1) and 40 CFR 142.304(a), a small system variance is not available for rules that address microbial contaminants, which include Subparts B, R, S, X, Z, and AA.
 - 2) From any of the treatment technique requirements of Subpart B.
 - 3) From the residual disinfectant concentration (RDC) requirements of Sections 611.241(c) and 611.242(b).
- f) The Agency must promptly send USEPA the opinion and order of the Board granting relief under this Section. The Board may reconsider and modify a grant of relief, or relief conditions, if USEPA notifies the Board of a finding under

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684 section 1415 of the SDWA (42 USC 300g-4).

685

686 g) In addition to the requirements of this Section, the provisions of Section 611.130
687 or 611.131 may apply to relief granted under this Section.

688

689 BOARD NOTE: Derived from 40 CFR 141.4, from section 1415(a)(1)(A) and (a)(1)(B) of the
690 SDWA (42 USC 300g-4(a)(1)(A) and (a)(1)(B)) and from the Guidance Manual for Filtration
691 and Disinfection (91), incorporated by reference in Section 611.102 and available from USEPA,
692 NSCEP. USEPA has established a procedure at 40 CFR 142.23 to review and potentially modify
693 or nullify state determinations granting relief from NPDWRs if USEPA finds that the state has
694 abused its discretion or failed to prescribe required schedules for compliance in a substantial
695 number of instances.

696

697 (Source: Amended at 46 Ill. Reg. _____, effective _____)

698

699 **SUBPART B: FILTRATION AND DISINFECTION**

700

701 **Section 611.276 Recycle Provisions**

702

703 a) **Applicability.** A Subpart B system supplier that employs conventional filtration
704 or direct filtration treatment and that recycles spent filter backwash water,
705 thickener supernatant, or liquids from dewatering processes must meet the
706 requirements in subsections (b) through (d).

707

708 b) **Reporting.** A supplier must notify the Agency in writing if the supplier recycles
709 spent filter backwash water, thickener supernatant, or liquids from dewatering
710 processes. This notification must include, at a minimum, the information
711 specified in subsections (b)(1) and (b)(2), as follows:

712

713 1) A plant schematic showing the origin of all flows that are recycled
714 (including spent filter backwash water, thickener supernatant, and liquids
715 from dewatering processes), the hydraulic conveyance used to transport
716 them, and the location where they are re-introduced back into the
717 treatment plant.

718

719 2) Typical recycle flow in gallons per minute (gpm), the highest observed
720 plant flow experienced in the previous year (gpm), design flow for the
721 treatment plant (gpm), and Agency-approved operating capacity for the

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722 plant if the Agency has made such a determination.

723

724 c) Treatment Technique Requirement. Any supplier that recycles spent filter
725 backwash water, thickener supernatant, or liquids from dewatering processes must
726 return these flows through the processes of the supplier's existing conventional or
727 direct filtration system, as defined in Section 611.101, or at an alternative location
728 approved by a permit issued by the Agency.

729

730 d) Recordkeeping. The supplier must collect and retain on file recycle flow
731 information specified in subsections (d)(1) through (d)(6) for review and
732 evaluation by the Agency, as follows:

733

734 1) A copy of the recycle notification and information submitted to the State
735 under subsection (b).

736

737 2) A list of all recycle flows and the frequency with which they are returned.

738

739 3) The average and maximum backwash flow rate through the filters and the
740 average and maximum duration of the filter backwash process in minutes.

741

742 4) The typical filter run length and a written summary of how filter run
743 length is determined.

744

745 5) The type of treatment provided for the recycle flow.

746

747 6) Data on the physical dimensions of the equalization or treatment units,
748 typical and maximum hydraulic loading rates, type of treatment chemicals
749 used and average dose and frequency of use, and frequency at which solids
750 are removed, if applicable.

751

752 BOARD NOTE: Derived from 40 CFR 141.76.

753

754 (Source: Amended at 46 Ill. Reg. _____, effective _____)

755

756 SUBPART N: INORGANIC MONITORING AND ANALYTICAL REQUIREMENTS

757

758 **Section 611.591 Violation of a State MCL (Repealed)**

759

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760 (Source: Repealed at 46 Ill. Reg. _____, effective _____)

761

762

SUBPART S: GROUNDWATER RULE

763

764 **Section 611.805 Reporting and Recordkeeping for GWS Suppliers**

765

766

- a) Reporting. In addition to the requirements of Section 611.840, a GWS supplier regulated under this Subpart S must provide the following information to the Agency:

767

768

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- 1) A GWS supplier conducting compliance monitoring under Section 611.803(b) must notify the Agency any time the supplier fails to meet any Agency-specified requirements including, minimum residual disinfectant concentration, membrane operating criteria or membrane integrity, and alternative treatment operating criteria, if operation in accordance with the criteria or requirements is not restored within four hours. The GWS supplier must notify the Agency as soon as possible, but in no case later than the end of the next business day.

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- 2) After completing any corrective action under Section 611.803(a), a GWS supplier must notify the Agency within 30 days after completion of the corrective action.

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- 3) If a GWS supplier subject to the requirements of Section 611.802(a) does not conduct source water monitoring under Section 611.802(a)(5)(B), the supplier must provide documentation to the Agency within 30 days after the total coliform-positive sample that it met the Agency criteria.

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- b) Recordkeeping. In addition to the requirements of Section 611.860, a GWS supplier regulated under this Subpart S must maintain the following information in its records:

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- 1) Documentation of corrective actions. Documentation must be kept for a period of not less than ten years.

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- 2) Documentation of notice to the public as required under Section 611.803(a)(7). Documentation must be kept for a period of not less than three years.

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~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

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- 3) Records of decisions under Section 611.802(a)(5)(B) and records of invalidation of fecal indicator-positive groundwater source samples under Section 611.802(d). Documentation must be kept for a period of not less than five years.
- 4) For a consecutive system supplier, documentation of notification to the wholesale systems of total coliform-positive samples that are not invalidated under Section 611.1053. Documentation must be kept for a period of not less than five years.
- 5) For a supplier, including a wholesale system supplier, that is required to perform compliance monitoring under Section 611.803(b), the following information:
 - A) Records of the supplier-specified, Agency-approved minimum disinfectant residual. Documentation must be kept for a period of not less than ten years;
 - B) Records of the lowest daily residual disinfectant concentration and records of the date and duration of any failure to maintain the Agency-prescribed minimum residual disinfectant concentration for a period of more than four hours. Documentation must be kept for a period of not less than five years; and
 - C) Records of supplier-specified, Agency-approved compliance requirements for membrane filtration and of parameters specified by the supplier for Agency-approved alternative treatment and records of the date and duration of any failure to meet the membrane operating, membrane integrity, or alternative treatment operating requirements for more than four hours. Documentation must be kept for a period of not less than five years.

BOARD NOTE: Derived from 40 CFR 141.405.

(Source: Amended at 46 Ill. Reg. , effective)

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