



OFFICE OF THE SECRETARY OF STATE

ALEXI GIANNOULIAS • Secretary of State

May 17, 2023

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 47, Issue 20 of the Illinois Register, dated 5/19/2023.

ADOPTED RULES

Radiation Hazards

35 Ill. Adm. Code 1000 6679
Point of Contact: Shannon Bilbruck

Procedures for Reporting Releases of Radionuclides at Nuclear Power Plants

35 Ill. Adm. Code 1010 6713
Point of Contact: Shannon Bilbruck

If you have any questions, you may contact the Administrative Code Division at (217) 782 - 7017.

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NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Radiation Hazards
- 2) Code Citation: 35 Ill. Adm. Code 1000
- 3)

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
1000.101	Amendment
1000.102	Amendment
1000.103	Amendment
1000.201	Amendment
1000.202	New Section
1000.301	Amendment
1000.302	Amendment
1000.401	Amendment
1000.402	Amendment
1000.403	Amendment
1000.501	Amendment
1000.502	Amendment
1000.503	Amendment
1000.APPENDIX A	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 25(b) and 27 of the Environmental Protection Act [415 ILCS 5/25(b) and 27].
- 5) Effective Date of Rule: MAY 04 2023
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? Yes

Numerical Guides for Design Objectives and Limiting Conditions for Operations to Meet the Criterion "As Low as is Reasonably Achievable" for Radioactive Material in Light-Water-Cooled Nuclear Power Reactor Effluents, 10 CFR 50, Appendix I (1984).

Rules of General Applicability to Domestic Licensing of Byproduct Material, 10 CFR 30 (1984).

General Domestic Licenses for Byproduct Material, 10 CFR 31 (1984).

Specific Domestic Licenses to Manufacture or Transfer Certain Items Containing Byproduct Material, 10 CFR 32 (1984).

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Specific Domestic Licenses of Broad Scope for Byproduct Material, 10 CFR 33 (1984).

Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic Operations, 10 CFR 34 (1984).

Medical Use of Byproduct Material, 10 CFR 35 (1984).

Domestic Licensing of Source Material, 10 CFR 40 (1984).

Domestic Licensing of Production and Utilization Facilities, 10 CFR 50 (1984).

Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions, 10 CFR 51 (1984).

Domestic Licensing of Special Nuclear Material, 10 CFR 70 (1984).

8) Statement of Availability: The adopted amendment is available on the Board's website (<https://pcb.illinois.gov/>) and are also on file and available for public inspection in the Board's Chicago office at the 60 E. Van Buren St., Suite 630, Chicago, Illinois 60605.

9) Notice of Proposal Published in Illinois Register: 46 Ill. Reg. 6867, May 6, 2022

10) Has JCAR issued a Statement of Objections to this rulemaking? No

11) Differences between proposal and final version:

1000.102 b), delete "Persons", strike "subject to this", and add "In addition to complying with the other applicable requirements of this Part, persons subject to this Part must".

1000.102 b), delete "must comply" and strike "with" and "this Part", strike the first "Part".

1000.102 b), delete "and", reinstate "reasonable".

1000.102 b), delete "the lowest radiation".

1000.102 b), delete "exposure levels", reinstate "as low as is reasonably".

1000.102 c), reinstate "(1984)".

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1000.103, after "1000.202" add a comma.

1000.103, after "50" and "70" add "(1984)".

1000.201, delete "will be" and add "are".

1000.201, definition of Act, delete "/1", strike "*et seq.*", add a period after "]".

1000.201, definition of Department, strike existing text and delete added text.

1000.201 before the definition of Individual, add "'IEMA" means the Illinois Emergency Management Agency, Division of Nuclear Safety.

1000.201, definition of Radiation, strike "highspeed" and add "high-speed".

1000.201, definition of Radioactive material, strike "means" and add "mean".

1000.201, definition of Rem, strike "upon" and add "on, strike "upon".

1000.201, definition of Rem in the fourth indented paragraph, after "in" add "the".

In the table after 1000.201 definition of Rem, add a close parenthesis after "(neutron/cm²" in the third column's heading.

1000.201 definition of Restricted area and Unrestricted area, strike "access to which" and add "to which access".

1000.201 definition of Restricted area, delete comma.

1000.301, strike "as to create" and add "in a way that creates", after "in" add "the".

1000.301 a), change "an" to "a dose to the whole body greater than 0.5 rem in any single year", strike "individual", after "account" strike the comma, strike "taken into account" and add "considered", delete "receiving" and strike all existing text except the semicolon.

1000.301 b), after "area" add "receiving a dose greater than 2 millirems in any single hour", strike the comma, strike "taken into account" and add "considered", strike "receiving a dose in excess of 2 millirems in any one hour".

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1000.301 c), after "area" add "receiving a dose greater than 100 millirems in any 7 consecutive days", after "by" add "the", strike the comma, strike "taken into account" and add "considered", strike "receiving a dose in excess of 100 millirems in any seven consecutive days".

1000.302 a), strike "so as to", strike "release" and add "in a way that releases", after "to" add "the", after "concentration" add "limits, strike "of".

1000.401, strike "which" and add "that".

1000.402, definition of Curie, strike "that" and add "the", strike "producing" and add "that produces", add a space before and after "=".

1000.402, definition of General environment, add a comma after "atmospheric", strike the second "which" and add "that".

1000.402, definition of Member of the public, strike "that" and add "who", delete "person" and reinstate "individual", after "whether" add "or not", strike "may or may not" and add "is". Strike "be", delete "person" and add "individual", delete "a person" and reinstate "an individual", delete "person" and add "individual", strike the second "which" and add "that".

1000.402, definition of Nuclear fuel cycle, reinstate "defined to be".

1000.402, definition of Site, strike "is conducted", after "Part" add "is conducted".

1000.402, definition of Uranium fuel cycle, strike ", but" and add ". "Uranium fuel cycle", strike "nonuranium" and add "non-uranium", strike "by-product" and add "byproduct".

1000.403, change "assure" to "conduct them in a way that provides", reinstate "reasonable assurance".

1000.403 a), after "operations" add a comma.

1000.403 b), strike "halflives" and add "half-lives".

1000.501, strike "the Department" and add "IEMA".

1000.501 b), after "amendments" add "to that permit".

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1000.501 d), strike "thereto" and add "to that permit".

1000.501 f), after "reports" add "conducted by or for that person and", after "in" add "the", after "into" add "the", delete "conducted by or for such person".

1000.502, after "notify" add "IEMA", strike all existing text and delete all added text after "telephone" through "62704,", strike "in excess of" and add "exceeding", delete "1-800-782-7860, or, if calling from outside Illinois,".

In table of APPENDIX A, for Europium (63) (first column), in the second column's second and fourth rows, before and after "=" add a space.

In table of APPENDIX A, in the row with Radon (86) in the first column and "Rn 222³" in the second column, in the third column strike "3 x 10⁹" and add "I" reinstate "3 x 10⁹" in the fourth column.

After table in APPENDIX A, in the 3rd from last and 5th from last rows, strike "radioactive" and add "radioactive".

After table in APPENDIX A, subscript 4, before and after "=" add a space.

After the table in APPENDIX A, subscript 4 Note, change "Where" to "When".

After table in APPENDIX A 3., strike the first "in", strike "lieu" and add "instead".

After the table in APPENDIX A 5. a. and b., strike "than".

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements letter issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any other rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: In 2016, the Board began reviewing its rules to identify obsolete, repetitive, confusing, or otherwise unnecessary language. On January 10, 2018, the Illinois Environmental Protection Agency (IEPA) filed a proposal to update provisions including Part 1010. IEPA's proposal arose from Executive Order 2016-13, which required agencies to identify outdated, repetitive, confusing, or unnecessary rules

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and then amend or repeal them. These proposed amendments to Part 1010 include those submitted by IEPA and those identified separately by the Board. Both IEPA and the Board intend the amendments to be non-substantive clarifications.

- 16) Information and questions regarding this adopted rulemaking shall be directed to:

Clerk's Office
Illinois Pollution Control Board
60 E Van Buren St., Suite 630
Chicago, IL 60605

312-814-3620

Copies of the Board's opinions and orders are available through the Clerk's Office On-Line (COOL) on the Board's website (<https://pcb.illinois.gov/>). You may also request copies of the Board's opinions and orders from the Clerk at the address listed above or by calling 312-814-3620. Please refer to docket number R18-28 in your request.

The full text of the adopted amendments begins on the next page:

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- 1) Heading of the Part: Procedures for Reporting Releases of Radionuclides at Nuclear Power Plants
- 2) Code Citation: 35 Ill. Adm. Code 1010
- 3)

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
1010.100	Amendment
1010.106	Amendment
1010.108	Amendment
1010.200	Amendment
1010.202	Amendment
1010.204	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 13.6 and 27 of the Environmental Protection Act [415 ILCS 5/13.6 and 27].
- 5) Effective Date of Rule: MAY 04 2023
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Statement of Availability: The adopted amendment is available on the Board's website (<https://pcb.illinois.gov/>) and are also on file and available for public inspection in the Board's Chicago office at the 60 E. Van Buren St., Suite 630, Chicago, Illinois 60605.
- 9) Notice of Proposal Published in Illinois Register: 46 Ill. Reg. 6896, May 6, 2022
- 10) Has JCAR issued a Statement of Objections to this rulemaking? No
- 11) Differences between proposal and final version:

1010.106, delete "will" and add "are", strike "be".

1010.106, definition of Curie, strike "producing" and add "that produces"

1010.106, definition of IEMA, after "Agency" add ", Division of Nuclear Safety".

1010.106, definition of Licensee, strike "chapter I of title 10 of the Code of Federal Regulations" and add "10 CFR Chapter I."

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1010.106, definition of Licensee controlled area, strike "Licensee controlled" and add "Licensee-controlled".

1010.106, definition of Picocurie, strike "producing" and add "that produces".

1010.106, definition of Station generated liquids, strike "Station generated" and add "Station-generated", strike "and", after "contain" strike the comma twice.

1010.106, definition of Unpermitted release of a radionuclide, strike the comma.

1010.108, change the first "the" to "that".

1010.200, strike "station generated" and add "station-generated".

1010.200, change "station generated" to "station-generated", after "if" add "the", delete the colon.

1010.200, strike subsection label "a)", pull text up to the end of line 115, and add "either", change "result" to "results", strike the second "of", strike "licensee controlled" and add "licensee-controlled", strike subsection label "b)", pull text up to the end of line 119, and add "or".

1010.202 a) 1), delete "Reporting" and reinstate "Reports", strike "under" and add "by".

1010.202 a) 1) and 2), change "given" to "made".

1010.202 a) 2), delete "1-800-782-7860, or, if calling from outside Illinois,".

1010.202 b), reinstate "required", strike "under" and add "by", after "signature" add "(in electronic reports)".

1010.202 b) 2), strike "Principal Executive Officer" and add "principal executive officer", strike "Principal Executive Officer's" and add "principal executive officer's".

1010.202 b) 5), strike "station generated" and add "station-generated".

1010.204 a) 7), strike "Principal Executive Officer" and add "principal executive officer", strike "Principal Executive Officer's" and add "principal executive officer's".

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