



OFFICE OF THE SECRETARY OF STATE

ALEXI GIANNOULIAS • Secretary of State

August 1, 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 31 of the Illinois Register, dated 8/4/2023.

JCAR REVIEW OF EXISTING RULES STATEMENT OF OBJECTIONS

Permits and General Provisions	
35 Ill. Adm. Code 201	11840
Point of Contact: Crystal Bockewitz	
Alternative Control Strategies	
35 Ill. Adm. Code 202	11842
Point of Contact: Crystal Bockewitz	
Visible and Particulate Matter Emissions	
35 Ill. Adm. Code 212	11843
Point of Contact: Crystal Bockewitz	

OTHER INFORMATION REQUIRED BY LAW TO BE PUBLISHED IN THE ILLINOIS REGISTER

Notice of Public Information	
Point of Contact: Shannon Bilbruck	11844

PROPOSED RULES

Primary Drinking Water Standards	
35 Ill. Adm. Code 611	11586
Point of Contact: Shannon Bilbruck	

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

ILLINOIS REGISTER

POLLUTION CONTROL BOARD

NOTICE OF PUBLIC INFORMATION ON PROPOSED AMENDMENTS

NOTICE OF PUBLIC HEARING AND COMMENT PERIOD
PURSUANT TO 415 ILCS 5/7.2(b)

Section 17.5 of the Environmental Protection Act (Act) [415 ILCS 5/17.5 (2020)] requires the Illinois Pollution Control Board (Board) to adopt regulations that are "identical in substance" to regulations that USEPA adopts to implement Sections 1412(b), 1414(c), 1217(a), and 1445(a) of the federal Safe Drinking Water Act (SDWA) (42 U.S.C. §§ 300g-1(a), 300g-3(c), 300g-6(a), and 300j-4(a)). The Pollution Control Board (Board) is accepting public comment on these amendments. The NPDWRs implement these sections of SDWA. SDWA regulations are found at 40 D.F.R. 141 through 143.

Section 17.5 also provides that Title VII of the Act [415 ILCS 5/26 et seq. (2020)] and section 5-35 of the Administrative Procedure Act [5 ILCS 100/5-35 (2020)] do not apply to the Board's adoption of identical-in-substance regulations.

Section 7.2(a) of the Act [415 ILCS 5/7.2(a) (2020)] requires the Board to complete its identical-in-substance rulemaking actions within one year after the date of the USEPA action on which they are based. Section 7.2(b) allows the Board to extend the adoption deadline by causing *Illinois Register* publication of a notice of the extension and reasons for delay.

On June 1, 2023, the Board adopted an order in docket R23-9 that set forth reasons for delay in updating 35 Ill. Adm. Code 611. In that order, the Board stated as follows:

EXTENSION OF DUE DATE AND REASONS FOR DELAY

The Board finds it necessary to set forth reasons for delay and again extend the due date for final Board adoption of amendments.

Under Section 7.2(b) of the Act [415 ILCS 5/7.2(b) (2020)], the Board must complete this rulemaking within one year after the corresponding federal action. Based on the date USEPA approved additional methods, the Board's deadline to adopt final rules in this docket was August 17, 2023. Fulfilling that deadline was not possible. The Board finds it necessary to extend the date for completion until October 1, 2023.

The Board utilized resources to complete the much more complex rulemaking which includes the Lead and Copper Rule updates. The Board now moves these SDWA updates simultaneously with other pending IIS SDWA rules. The Board now anticipates completion of the present amendments no later than October 1, 2023.

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