

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:	)	
	)	R25-1
SDWA UPDATE, USEPA AMENDMENTS	)	(Identical-in-Substance
(January 1, 2024, through June 30, 2024)	)	Rulemaking- Public Water Supply)
	)	
SWDA UPDATE, USEPA AMENDMENTS	)	R25-9
(July 1, 2024, through December 31, 2024)	)	(Identical-in-Substance
	)	Rulemaking- Public Water Supply)
	)	(Consolidated)
To: See attached Service List.		

NOTICE OF ELECTRONIC FILING

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board a Response to a Motion for Extension to Submit Public Comments on behalf of the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

Respectfully submitted,

Dated: October 22, 2025

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Sara G. Terranova
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Respondent,

BY: /s/ Sara G. Terranova

THIS FILING IS SUBMITTED ELECTRONICALLY

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**ILLINOIS EPA’S RESPONSE TO USEPA’S MOTION FOR EXTENSION OF
TIME TO SUBMIT PUBLIC COMMENTS**

The Illinois Environmental Protection Agency (“Illinois EPA” or “Agency”), by one of its attorneys, provides this Response to United States Environmental Protection Agency’s (“USEPA”) Motion for Extension of Time to Submit Public Comments and requests that the Illinois Pollution Control Board (“Board”) limit the extension requested in USEPA’s motion to 30 days. In support, Illinois EPA states as follows:

1. On October 2, 2025, the Board issued an Opinion and Order proposing amendments to the Illinois rules “identical in substance” (IIS) to the drinking water regulations adopted by USEPA. The amendments include new alternative testing methods for analyzing contaminants in drinking water; new regulations for six per- and poly-fluoroalkyl substances (PFAS), and updates to the Lead and Copper Rules.
2. On October 10, 2025, USEPA filed a Motion asking to extend the 45-day public comment period for an additional 45 days, thereby extending the public comment period in this matter from December 8, 2025, to January 22, 2026 (the date of the Board’s second meeting in January). USEPA Mot. at 1-2.
3. USEPA’s motion cites three reasons for the extension: a) the federal government shutdown that began October 1, 2025; b) the “volume, complexity, and importance” of the

proposed amendments; and c) time to develop potential stringency comments related to State primacy. *Id.*

4. USEPA promulgated the final National Public Drinking Water Regulations for PFAS on April 10, 2024. 40 CFR Parts 141 and 142.

5. Section 7.2 of the Illinois Environmental Protection Act (Act) requires the Board to finalize IIS rules within one year of promulgation of the federal rules, unless extended by the Board. 415 ILCS 5/7.2.

6. On March 13, 2025, the Board extended the adoption deadline to October 30, 2025.

7. On October 2, 2025, the Board again extended the deadline to January 30, 2026, with a possible 30-day extension already built into the projected schedule. *See* Order at 2 (“Extending the date of completion until January 30, 2026, includes time to allow for any request for extended public review or unforeseen delays.”)

8. These two extensions already project a total of 21 months between federal promulgation and State adoption for PFAS regulations.

9. Section 7.2 of the Act also states that the Board, in an IIS rulemaking, is to adopt text verbatim and only make changes that are necessary to ensure compliance with the Illinois Administrative Code. 415 ILCS 5/7.2.

10. Because substantive changes are not at issue in this proceeding, and, based on a preliminary review, the Board’s proposal appears identical-in-substance to the federal text, the standard 45-day comment period should be sufficient to identify any necessary conforming edits. *See* 35 Ill. Adm. Code 102.108(a). That said, an extension limited to 30 days would require submission of public comments by January 8, 2026, and still allow the Board to issue a Board order adopting amendments at its January 22, 2026, meeting.

11. Illinois EPA encourages the Board to adopt the proposed amendments without any further

extensions under Section 7.2 of the Act. 415 ILCS 5/7.2. As the Board quoted USEPA in its October 2, 2025, Opinion and Order, the federal PFAS regulation “represents data-driven drinking water standards that are based on the best available science and meet the requirements of [the Safe Drinking Water Act].” Order at 4. PFAS regulations should be put in place expeditiously to align with the Board’s recently adopted groundwater quality standards and assure Illinois citizens of the safety of their drinking water.

12. The federal rules require certain community water supplies to take initial PFAS samples during four consecutive quarters between January 1, 2026, and March 31, 2027. 40 CFR 141.902(b). Any delay beyond the January 22, 2026, Board meeting would make it difficult, if not impossible, for Illinois EPA to issue sampling requirements to community water supplies, for those community water supplies to take the required samples, and for labs to complete initial analyses by the March 31, 2027, deadline. Extending adoption of the rules beyond January 22, 2026, could lead to violations of the Act and Board regulations by community water supplies, and required public notice of such violations to their customers, as there is no mechanism for extending the sampling deadline beyond March 31, 2027.

13. A delay beyond the January 22, 2026, Board meeting could also cause Illinois EPA to fail to meet its primacy obligations, should the rules not be adopted in a timeframe that allows Illinois EPA to issue the sampling requirements and community water supplies to complete four quarters of initial PFAS sampling by March 31, 2027, as required by the federal regulations.

14. Right now, Illinois EPA has funding available through several federal and state programs to assist public water supplies in complying with the regulations, including \$70 million in federal grant funding for emerging contaminants allocated to Illinois, additional planned state grant funding, and loans available to community water supplies through the Illinois EPA’s State Revolving Fund (“SRF”). Illinois EPA encourages the Board to move forward with the

rulemaking as expeditiously as possible in order to incentivize community water supplies to take advantage of all available funding.

WHEREFORE, the Agency respectfully provides this Response requesting that the Board limit any extension of the public comment period to a maximum of 30 days.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Dated: October 22, 2025
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Respondent,

BY: /s/ Sara G. Terranova

CERTIFICATE OF SERVICE

I, the undersigned, on affirmation certify the following:

That I have electronically served the attached **NOTICE OF FILING and ILLINOIS EPA'S RESPONSE TO USEPA'S MOTION FOR EXTENSION OF TIME TO SUBMIT PUBLIC COMMENTS**

by e-mail upon the following:

JOINT COMMITTEE ON
ADMINISTRATIVE RULES

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That my e-mail address is sara.terranoval@illinois.gov.

That the e-mail transmission took place before 4:30 p.m. on the date of October 22, 2025.

/s/Sara G. Terranova