BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:	)	
	)	
SDWA UPDATE, USEPA AMENDMENTS	)	R2025-001A
(January 1, 2024, through June 30, 2024)	)	(Identical-in-Substance
	)	Rulemaking – Public Water Supply)
	)	
SDWA UPDATE, USEPA AMENDMENTS	)	
(July 1, 2024, through December 31, 2024)	)	
	)	
	)	

NOTICE OF FILING

To:

Don A. Brown, Clerk
Illinois Pollution Control Board
600 E. Van Buren Street, Suite 630
Chicago, Illinois 60605

Joan Beacom, Hearing Officer
Illinois Pollution Control Board
600 E. Van Buren Street, Suite 630
Chicago, Illinois 60605

Persons included on the attached **Service List**.

PLEASE TAKE NOTICE that the United States Environmental Protection Agency Region 5 Office today filed Public Comments in rulemaking, R2025-01(A), which reiterates stringency concerns remaining from the consolidated rulemaking, R2025-01 and R2025-09, as published in the Illinois Register, Vol. 50, Issue 9, p. 2531 (Feb. 27, 2026).

Dated: 3/10/2026

Respectfully submitted,

3/10/2026

X Stacy Meyers

Stacy Meyers

Signed by: STACY MEYERS

Stacy Meyers, State Oversight Specialist
U.S. EPA, Region 5
Ground Water Drinking Water Branch
77 West Jackson Blvd., Ste 1500
Chicago, Illinois 60604
Meyers.stacy@epa.gov

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:	)	
	)	
SDWA UPDATE, USEPA AMENDMENTS	)	R25-1(A)
(January 1, 2024, through June 30, 2024)	)	(Identical-in-Substance
	)	Rulemaking – Public Water Supply)
	)	
SDWA UPDATE, USEPA AMENDMENTS	)	
(July 1, 2024, through December 31, 2024)	)	
	)	
	)	

CERTIFICATE OF SERVICE

I, Stacy Meyers, hereby certify that I have served public comments by the United States Environmental Protection Agency in the rulemaking, R2025-01(A), upon:

Don A. Brown, Clerk
Illinois Pollution Control Board
600 E. Van Buren Street, Suite 630
Chicago, Illinois 60605

via the Clerk's Office On-Line electronic filing on January 8, 2026: and upon the attached service list by electronic mail on March 10, 2026.

Dated: 3/10/2026

Respectfully submitted,

3/10/2026

X Stacy Meyers

Stacy Meyers

Signed by: STACY MEYERS

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Service List
March 10, 2026

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Illinois Pollution Control Board **Interested Party** Don Brown - Clerk of the Board don.brown@illinois.gov	60 E Van Buren St Suite 630	Chicago IL 60605	312-814-3620 312-814-3669
Illinois Department of Natural Resources* **Interested Party** Renee Snow - General Counsel renee.snow@illinois.gov	One Natural Resources Way	Springfield IL 62702-1271	217/782-1809 217/524-9640

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:	)	
	)	
SDWA UPDATE, USEPA AMENDMENTS	)	R2025-01(A)
(January 1, 2024, through June 30, 2024)	)	(Identical-in-Substance
	)	Rulemaking – Public Water Supply)
	)	
SDWA UPDATE, USEPA AMENDMENTS	)	
(July 1, 2024, through December 31, 2024)	)	

FOLLOW-UP TECHNICAL COMMENTS SUBMITTED BY THE
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 5 OFFICE
(March 2, 2026)

The U.S. Environmental Protection Agency Region 5 Office (EPA) submits the follow-up technical comments below in the form of an abbreviated crosswalk in Subdocket R2025-01(A), which the Illinois Pollution Control Board (Board) opened to further assess technical and historical issues raised by the EPA that were not addressed in its consolidated rulemaking under R2025-01 and R2025-09. In response to the Board Opinion and Order on January 22, 2026, the EPA submits these comments to highlight unresolved stringency concerns regarding the finalized Illinois regulations in R2025-01 and R2025-09.

EPA respectfully requests that the Board reconsider and address the EPA Region 5 Water Division stringency concerns regarding the state provisions listed below that are not identical in substance (I-I-S) to the related National Primary Drinking Water Regulations.

The EPA provided technical comments related to the following National Primary Drinking Water Regulations:

- Lead and Copper Rule Improvements (LCRI) (2024)
- Lead and Copper Rule Revisions (LCRR) (2021)
- Lead and Copper – Short Term Revisions (LCR-STR) (2007)
- Lead and Copper – Minor Revisions (LCR-MR) (2000)
- Control of Per- and Polyfluoroalkyl Substances (PFAS) (2024)
- Consumer Confidence Report Rule Revisions (CCR3) (2024)
- Updated Analytical Methods (2024)
- Revisions to Variances and Exemptions

The EPA reserves the right to further review and comment on any final state rulemaking, and this table is not to be construed as complete or determinative of any existing or future primacy request by the State.

Highlighted in orange below are provisions where EPA previously identified I-I-S issues concerning state regulatory language in relation to corresponding National Primary Drinking Water Regulations. Prior EPA comments regarding typographical or grammatical errors are at the end of the abbreviated crosswalk.

EPA's technical review under R2025-01/R2025-09 included outstanding previous stringency concerns regarding lead and copper provisions that were raised in previous Board proceedings and were included in the draft of the proposed state rules under R2025-01/R2025-09. These comments remain relevant to currently outstanding State primacy requests regarding the LCRR, LCR-STR, and LCR-MR. Of note, the LCRI integrates and builds upon numerous sections under those rules. Unresolved stringency issues regarding all four rules will be of concern if or when the new state rules become the basis of an Illinois primacy request for the LCRI. It is important to note that the EPA considers the LCRI and the LCRR to be jointly combined and as one primacy request.

SUMMARY OF FEDERAL REQUIREMENT	FEDERAL CITATION	STATE REGULATORY CITATION AND TEXT	EPA REGION 5 TECHNICAL COMMENT Not Determinative Not a Primacy Review
Lead Rule Content in the EPA LCRI Crosswalk (Illinois Rule Subparts A, G, Q, Appendices) * Note: Consumer Confidence Report sections are listed separately under Subpart O.			
Subpart A—General			
40 CFR 141.28 Certified laboratories.			
For the purpose of determining compliance with § 141.21 through 141.27, 141.40, 141.74, 141.89,141.402, 141.901, and 141.902, samples may be considered only if they have been analyzed by a laboratory certified by EPA or the State except that measurements of alkalinity, disinfectant residual, orthophosphate, pH, silica, temperature, and turbidity may be performed by any person acceptable to the State.	40 CFR 141.28(a)	35 Ill. Adm. Code 611.490(a) For the purpose of determining compliance with Subparts G, K through O, Q, ~~and~~ S, and AZ samples will be considered only if they have been analyzed by one of the following: 1) A laboratory certified under Section 4(o) of the Act; 2) A laboratory certified by USEPA; 3) When no laboratory has been certified under subsection (a)(1) to analyze a particular contaminant, a laboratory certified, registered, accredited, licensed, or otherwise approved by another state with primary enforcement responsibility, or an agency of the federal government, unless the Agency has, by written notice, informed the supplier that a particular laboratory or laboratories may not be used; or 4) For measurements of alkalinity, calcium, conductivity, disinfectant residual, orthophosphate, silica, turbidity, free chlorine residual, temperature, and pH, a person under the supervision of a certified operator (35 Ill. Adm. Code 603.103).	**LCRI** Stringency concern. The state subsection #4 is inconsistent with the federal rule in that the state rule adds calcium and conductivity to sampling that may be performed by any person. Additional technical recommendation: Incorporate by reference 40 CFR § 141.40 rather than listing the unregulated contaminants since the list changes every 5-year cycle.
Control of Lead and Copper (Proposed Illinois Subpart G)			
40 CFR 141.82 Description of corrosion control treatment requirements.			
On days when more than one measurement for the water quality parameter is collected at the sampling location, the daily value must be the average of all results collected at that sampling location during the same day regardless of whether they are collected through continuous monitoring, grab sampling, or a combination of both. If EPA has approved an alternative formula under § 142.16(d)(1)(ii) of this chapter in the State's application for a program revision submitted pursuant to § 142.12 of this chapter, the State's formula must be used to aggregate multiple measurements taken at a sampling point for the water quality parameters in lieu of the formula in this paragraph (g)(2).	40 CFR 141.82(g)(2)(i)	35 Ill. Adm. Code 611.352(g)(2) Water quality parameter daily value. ~~On days when the supplier collects only one measurement for a water quality parameter at a sampling location, the daily value is that measurement.~~ 35 Ill. Adm. Code 611.352(g)(2)(A) On days when the supplier collects more than one measurement for a water quality parameter at a sampling location, the daily value must be the average of all results collected at that sampling location during the same day, regardless of whether they are collected through continuous monitoring, grab sampling, or a combination of both. BOARD NOTE: Corresponding 40 CFR 141.82(g)(2)(i)~~40 CFR 141.82(g)(1)~~ further provides as follows: If USEPA approves an alternative formula under 40 CFR 142.16(d)(1)(ii) in the State's application for a program revision submitted under 40 CFR 142.12, the approved formula must be~~is~~ used to aggregate multiple measurements at a sampling point for the water quality parameters in lieu of the formula in this subsection(g)(2)~~subsection (g)(1)~~.	**LCRI** Stringency concern. The second sentence in the federal provision needs to be in the body of the state regulation in order to clearly codify the state's authority to aggregate multiple measurements if EPA approves the State's alternative formula in lieu of EPA's paragraph (g)(2) formula.

Step 2: Site assessment. Within 30 days of receiving the tap sampling results, water systems must collect and analyze a follow-up sample for lead at any tap sample site that exceeds 0.010 mg/L. These follow-up samples may use different sample volumes or different sample collection procedures to assess the source of elevated lead levels. Samples collected under this section must be submitted to the State but cannot be included in the 90th percentile calculation for compliance monitoring under § 141.86. If the water system is unable to collect a follow-up sample at a site, the water system must provide documentation to the State, as specified in § 141.90(g)(2), explaining why it was unable to collect a follow-up sample.	40 CFR 141.82(j)(2)	35 Ill. Adm. Code 611.352(j)(2) Step 2: Site assessment~~Assessment~~. Within 30 days of receiving the tap sampling results, suppliers~~A supplier~~ must collect and~~a~~ analyze a follow-up sample for lead at any tap sample~~sampling~~ site that exceeds~~exceeding the lead action level within 30 days after receiving the sample results~~ 0.010 mg/L. The supplier may use these~~different~~ follow-up sample volumes or different sample~~sampling~~ procedures ~~collecting these followup samples~~ to assess the source of elevated lead levels. ~~The supplier must submit~~ Samples~~samples~~ the supplier~~it~~ collected~~collects~~ under this Section must be submitted to the Agency but cannot~~must not~~ be included~~include them~~ in ~~calculating~~ the 90th percentile calculation~~concentration~~ for compliance monitoring under Section 611.356. If the supplier is unable to ~~cannot~~ collect a follow-up sample at a site, the supplier must provide documentation~~document~~ to the Agency, as specified in Section 611.360(g)(2), explaining why it was unable to collect a follow-up sample.	**LCRI** Stringency concern. The text generalizes sample procedures. "Sample procedures" should be revised to read "sample collection procedures" and include that follow-up samples may use "different sample volumes" rather than "these follow-up samples".
40 CFR 141.83 Source water treatment requirements.			
Step 1: A system exceeding the lead or copper action level shall complete lead and copper source water monitoring (§ 141.88(b)) and make a treatment recommendation to the State (§ 141.83(b)(1)) no later than 180 days after the end of the monitoring period during which the lead or copper action level was exceeded.	40 CFR 141.83(a)(1)	35 Ill. Adm. Code 611.353(a)(1) Step 1: A supplier exceeding the lead or copper action level must complete lead and copper source water monitoring (under Section 611.358(b)) and recommend treatment to the Agency (under subsection (b)(1)) within 180 days after the end of the tap monitoring period during which the supplier exceeded the action level.	**LCRI and LCRR** Stringency concern. Strike "tap" from the state rule so that the state doesn't give systems extra time to turn in a source treatment recommendation. This could be confused with "tap sampling period", which is a term of art.
Modification of State treatment decisions. Upon its own initiative or in response to a request by a water system or other interested party, a State may modify its determination of the source water treatment under paragraph (b)(2) of this section, or maximum permissible lead and copper concentrations for finished water entering the distribution system under paragraph (b)(4) of this section. A request for modification by a system or other interested party shall be in writing, explain why the modification is appropriate, and provide supporting documentation. The State may modify its determination where it concludes that such change is necessary to ensure that the system continues to minimize lead and copper concentrations in source water. A revised determination shall be made in writing, set forth the new treatment requirements, explain the basis for the State's decision, and provide an implementation schedule for completing the treatment modifications.	40 CFR 141.83(b)(6)	35 Ill. Adm. Code 611.353(b)(6) Modifying Agency Treatment Decisions 35 Ill. Adm. Code 611.353(b)(6)(A) A) On its own initiative, or in response to a request by the supplier, the Agency may issue a SEP modifying its determination of the source water treatment under subsection (b)(2) or the lead and copper MPCs under subsection (b)(4). 35 Ill. Adm. Code 611.353(b)(6)(B) B) A supplier must make a request to modify in writing, explaining the propriety of the modification, and providing supporting documentation. 35 Ill. Adm. Code 611.353(b)(6)(C) C) The Agency may issue a SEP modifying its determination if it concludes that the change is necessary to ensure that the supplier continues minimizing lead and copper concentrations in source water. 35 Ill. Adm. Code 611.353(b)(6)(D) D) A revised determination under subsection (b)(6)(C) must state the new treatment requirements, explain the basis for the Agency's decision, and provide a schedule for completing the treatment modifications. 35 Ill. Adm. Code 611.353(b)(6)(E)	**LCRI and LCRR** Stringency concern. Remaining EPA stringency concern raised under the state LCRR rulemaking: The state rule does not require an interested party to request a modification in writing, explain why it is appropriate, and provide supporting documentation. The federal rule does not treat agency responses to interested persons, and the finality of these decisions, differently from suppliers. Please clarify that a SEP decision not to act is appealable under non-permitting procedures. Otherwise, the state rule would weaken the rights

		E) Any interested person may submit information to the Agency in writing bearing on whether the Agency should exercise its discretion and issue a SEP modifying its determination under subsection (b)(2). An Agency determination not to act on information an interested person submits is not an Agency determination for the purposes of Sections 39 and 40 of the Act. 35 Ill. Adm. Code 611.353(b)(7) 7) USEPA Treatment Decisions. Under 40 CFR 142.19, USEPA reserves the prerogative to review Agency treatment determinations under subsections (b)(2), (b)(4), or (b)(6) and issue federal treatment determinations consistent with 40 CFR 141.83(b)(2), (b)(4), and (b)(6) if USEPA finds that certain conditions exist: 35 Ill. Adm. Code 611.353(b)(7)(A) A) the Agency fails to issue a treatment determination by the applicable deadline in subsection (a); 35 Ill. Adm. Code 611.353(b)(7)(B) B) the Agency abuses its discretion in a substantial number of instances or in instances affecting a substantial population; or 35 Ill. Adm. Code 611.353(b)(7)(C) C) the technical aspects of the Agency's determination would be indefensible in a federal enforcement action taken against the supplier. BOARD NOTE: This Section derives from 40 CFR 141.83. (Source: Amended at 50 Ill. Reg. _____, effective _____)	provided to interested persons under the federal rule. Similarly, Subsection (D) should apply to both (b)(6)(C) and (b)(6)(E).
40 CFR 141.85 Public education and supplemental monitoring and mitigation requirements.			
The State may only grant the extension on a case-by-case basis if the system has demonstrated that it is not feasible to complete the activities in paragraphs (b)(2)(ii) through (vi) of this section for community water systems, or paragraphs (b)(4)(i) and (ii) of this section for non-transient non-community water systems; and	40 CFR 141.85(b)(7)(ii)	35 Ill. Adm. Code 611.355(b)(7)(B) The Agency may only grant the extension on a case-by-case basis if the system has demonstrated that it is not feasible to complete the activities in subsections (b)(2)(B) through (F) for CWS suppliers or subsections (b)(4)(A) and (B) for NTNCWS suppliers; ~~The supplier provides water as part of the cost of services provided, not separately charging for water consumption.~~	**LCRI** Remaining stringency concern. Revise "...NTNCWS suppliers" to be "...NTNCWS suppliers**; and**" to match the federal language. 1/29/26: This portion of the state provision was not corrected. (Same type of comment in LCR-MR under prior 611.300(d)(3).)
Monitoring criteria. The system must have completed at least one six-month round of standard tap water monitoring for lead and copper at sites approved by the State and from the number of sites required by paragraph (c)(1) of this section and demonstrate that the 90th percentile levels for any and all rounds of monitoring conducted since the system became free of all lead-containing and/or copper-containing materials, as appropriate, meet the following criteria.	40 CFR 141.86(g)(2)	35 Ill. Adm. Code 611.356(g)(2) Monitoring criteria~~Criteria. for Waiver Issuance~~. The supplier must have completed at least one six-month round of standard tap water monitoring for lead and copper at sites approved by the Agency ~~approved sites~~ and from the number of sites required by subsection (c)(1)~~subsection (c) requires~~ and demonstrate to the Agency that the 90th percentile concentrations for any and all rounds of monitoring conducted since the system became free of all lead-containing or copper-containing materials, as appropriate, meet the following~~certain~~ criteria:	**LCRI and LCRR** Stringency concern. EPA stringency concern raised in the Illinois LCRR proceeding was not addressed. The highlighted "or" should be either "and" or "and/or". Systems must be

			free of both lead and copper, not just one or the other.
Any water system with a waiver must notify the State in writing in accordance with § 141.90(a)(4) about any addition of a new source water or long-term change in treatment, as described in that section. The State may add or modify waiver conditions (*e.g.,* require recertification that the system is free of lead-containing and/or copper-containing materials, require additional round(s) of monitoring), if the State deems any modifications are necessary to address treatment or source water changes at the system.	40 CFR 141.86(g)(4)(iii)	35 Ill. Adm. Code 611.356(g)(4)(C) A supplier with a ~~full or partial~~ waiver must notify the Agency in writing in compliance with~~under~~ Section 611.360(a)(4)~~Section 611.360(a)(3) of any upcoming~~ about any addition of a new source water or long-term change in treatment ~~or adding a new source~~, as described in that section~~that rule describes~~. The Agency ~~must review and approve adding a new source or long-term change in water treatment before the supplier implements it. The Agency~~ may add or modify waiver conditions (e.g., require recertification that the supplier's system is free of lead-containing or copper-containing materials, require additional rounds of monitoring, etc.) if the Agency determines that the modifications are necessary to address system treatment or source water changes at the supplier's system.	**LCRI** Stringency concern. Highlighted "or" should be "and/or". " (Other stringency concern addressed.)
40 CFR 141.88 Monitoring requirements for lead and copper in source water.			
Surface water systems shall take a minimum of one sample at every entry point to the distribution system after **any application of treatment** or in the distribution system at a point **which is representative of each source after treatment (hereafter called a sampling point).** The system shall take each sample at the same sampling point unless conditions make another sampling point more representative of **each** source or treatment plant. Note to paragraph (a)(1)(ii): For the purposes of this paragraph, surface water systems include systems with a combination of surface and ground sources.	40 CFR 141.88(a)(1)(ii)	35 Ill. Adm. Code 611.358(a)(1)(B) A surface water supplier must take a minimum of one sample at every entry point to the distribution system after treatment or in the distribution system at a sampling point. The supplier must take each sample at the same sampling point unless conditions make another sampling point more closely represent a source or treatment plant. BOARD NOTE: For this subsection (a)(1)(B), a system using a combination of surface water and groundwater sources is a surface water system.	**LCRI** Stringency concern. Revise highlighted "after treatment" to read "any application of treatment". Insert ", which is representative of each source after treatment" after the highlighted "at a sampling point."
The State may reduce the total number of samples which must be analyzed by allowing the use of compositing. Compositing of samples must be done by certified laboratory personnel. Composite samples from a maximum of five samples are allowed, provided that if the lead concentration in the composite sample is greater than or equal to 0.001 mg/L or the copper concentration is greater than or equal to 0.160 mg/L, then either:	40 CFR 141.88(a)(1)(iv)	35 Ill. Adm. Code 611.358(a)(1)(D) The Agency may issue a SEP reducing the total number of samples a supplier must analyze by allowing the use of compositing. Certified laboratory personnel must composite the samples. A composite sample may include a maximum of five samples. However, if the lead concentration in the composite sample is greater than or equal to 0.001 mg/ L or the copper concentration is greater than or equal to 0.160 mg/ L, the supplier must do either of two things:	**LCRI and LCRR** Stringency concern from state LCRR rulemaking: Revise the phrase "… a supplier must analyze…" to instead read "… a supplier must have analyzed…" to emphasize that while the supplier is responsible for making sure the samples are analyzed, the analytical work, including compositing, requires use of certified lab personnel.
A water system that uses a new source of water is not eligible for reduced monitoring for lead and/or copper until concentrations in samples collected from the new source during three consecutive monitoring periods are below the maximum permissible lead and copper concentrations specified by the State in § 141.83(a)(5).	40 CFR 141.88(e)(3)	35 Ill. Adm. Code 611.358(e)(3) A supplier using a new source of water must not reduce its monitoring for lead or copper until after the supplier demonstrates, by samples it collected from the new source during three consecutive source water monitoring periods under subsection (d)(1), that lead or copper levels are below the MPC the Agency specifies under Section 611.353(a)(5).	**LCRI and LCRR** Stringency concern. Remaining EPA stringency concern from the LCRR rulemaking. Second "or" should either be "and" or "and/or". Otherwise, the

		BOARD NOTE: This Section derives from 40 CFR 141.88. (Source: Amended at 50 Ill. Reg. _____, effective _____)	system could be on reduced monitoring if either lead or copper levels were below the MPC rather than needing both to be below the MPC.

Subpart Q—Public Notification of Drinking Water Violations			
40 CFR 141.202 Tier 1 Public Notice-Form, manner, and frequency of notice.			
Appendix B to Subpart Q of Part 141—Standard Health Effects Language for Public Notification Contaminant	MCLG[1] mg/L	MCL[2] mg/L	Standard health effects language for public notification **National Primary Drinking Water Regulations (NPDWR)** * * * * * **D. Lead and Copper Rule** 23. Lead	Zero	TT[13]	There is no safe level of lead in drinking water. Exposure to lead in drinking water can cause serious health effects in all age groups, especially pregnant people, infants (both formula-fed and breastfed), and young children. Some of the health effects to infants and children include decreases in IQ and attention span. Lead exposure can also result in new or worsened learning and behavior problems. The children of persons who are exposed to lead before or during pregnancy may be at increased risk of these harmful health effects. Adults have increased risks of heart disease, high blood pressure, kidney or nervous system problems. Contact your health care provider for more information about your risks. * * * * * 1. MCLG–Maximum contaminant level goal. 2. MCL–Maximum contaminant level. * * * * * 13. Action Level = 0.010 mg/L * * * * *	Appendix B to Subpart Q of Part 141	**Section 611.APPENDIX A Regulated Contaminants** Contaminant (units): Lead (ppb) Traditional MCL in mg/ℓ: AL=0.010~~AL=0.015~~ To convert for CCR, multiply by: 1000 MCL in CCR units: AL=10~~AL=15~~ MCLG: 0 Major sources in drinking water: Corrosion of household plumbing systems and service lines connecting buildings to water mains,~~;~~ erosion of natural deposits. Health effects language: There is no safe level of lead in drinking water. Exposure to lead in drinking water can cause serious health effects in all age groups, Infants and children especially pregnant people, infants (both formula-fed and breastfed), and young children. Some of the health effects to infants and children include decreases in IQ and attention span. Lead exposure can also result in new or worsened learning and behavior problems. The children of persons who are exposed to lead before or during pregnancy may be at increased risk of these harmful health effects. Adults hav e increased risks of heart disease, high blood pressure, kidney or nervous system problems. Contact your health care provider for more information about your risks. ~~who drink water containing lead in excess of the action level could experience delays in their physical or mental development. Children could show slight deficits in attention span and learning abilities. Adults who drink this water over many years could develop kidney problems or high blood pressure.~~ ** No State Appendix A endnotes. Key Abbreviation Meaning MCL maximum contaminant level	**LCRI and LCRR** Stringency concern. Include “TT” in Appendix A. It is only included in Appendix G and needs to be referenced in both places. Typographical issue: Remove space between “v” and “e” in “have”.

40 CFR 142.62 Variances and exemptions from the maximum contaminant levels for organic and inorganic chemicals.		
The Administrator or primacy State must require and approve a monitoring program for bottled water. The public water system must develop and put in place a monitoring program that provides reasonable assurances that the bottled water meets all MCLs. The public water system must monitor a representative sample of the bottled water for all contaminants regulated under §§ 141.61 (a) and (c) and 141.62 during the first three-month period that it supplies the bottled water to the public, and annually thereafter. Results of the monitoring program shall be provided to the State annually.	40 CFR 142.62(g)(1)	35 Ill. Adm. Code 611.130(d)(1) **(LCRI)** The supplier must develop a monitoring program for Board approval providing reasonable assurances that the bottled water meets all MCLs in Sections 611.301 and 611.311, and the supplier must describe this program in its petition. The description must demonstrate how the supplier will comply with this subsection (d). **EPA Note: Stringency concern.** The proposed state rule does not require the PWS to "put in place" a monitoring program, consistent with the federal provision. EPA also recommends that the Board include in a note that the EPA Administrator is also authorized to require and approve a monitoring program. 35 Ill. Adm. Code 611.130(d)(2) The supplier must monitor representative samples of the bottled water for all contaminants under Sections 611.301 and 611.311 during the first three-month period that it supplies the bottled water to the public, then annually after that. 35 Ill. Adm. Code 611.130(d)(3) The supplier must annually provide the results of its monitoring to the Agency.
The public water system is fully responsible for the provision of sufficient quantities of bottled water to every person supplied by the public water system via door-to-door bottled water delivery.	40 CFR 142.62(g)(3)	35 Ill. Adm. Code 611.130(d)(6) **(LCRI)** The supplier must provide sufficient quantities of bottled water to every affected person the supplier serves via door-to-door bottled water delivery. **EPA Stringency Question.** The federal rule requires providing bottled water to every person, while the state rule qualifies this in only providing bottled water to those affected that are served by the PWS. Is qualifying the range a way to avoid providing bottled water to millions of people instead of only those at risk due to a specific situation subject to the variance or state exemption? What agency or entity decides which people are affected, and what are the criteria for that determination? (Will this be determined by the state as a term of the variance or adjusted standard?)

Lead and Copper Rules (LCR, LCR-MR, LCR-STR) – Draft and Existing Illinois Regulations under Subpart AG			
(Per the EPA LCR-STR Crosswalk, States have the option of adopting federal provisions preceded with the symbol) ★			
SUMMARY OF FEDERAL REQUIREMENT	**FEDERAL CITATION**	**STATE REGULATORY CITATION AND TEXT**	**EPA REGION 5 TECHNICAL COMMENT Not Determinative Not a Primacy Review**
		35 Ill. Adm. Code 611.1350(a)(1) General Requirements – Applicability and Scope Applicability and Complying with this Subpart AG. Subpart G and this Subpart AG constitute NPDWRs for lead and copper. Subpart G and this Subpart AG apply to all community water systems (CWSs) and non-transient, non-community water systems (NTNCWSs).	**LCRs (General)** Stringency concern: Amend to read that "Subpart G, Subpart AG, and Subpart AH constitute NPDWRs for lead and copper."
		35 Il. Adm. Code 611.1350(a)(1)(D) Relationship Between Subpart G and Subpart AG Rules i) The rules in this Subpart AG are based on Subpart G as it existed on December 16, 2021, the effective date of USEPA's Lead and Copper Rule Revisions. ii) Each rule in this Subpart AG corresponds with a rule in Subpart G by adding the digit "1" immediately after "611." in the Section number. Removing that "1" from the Section number of a rule in this Subpart AG gives the corresponding rule in Subpart G. iii) Any action under a rule that was in Subpart G before December 16, 2021, satisfies the corresponding rule in this Subpart AG. BOARD NOTE: USEPA's LCRR apply to all suppliers on December 16, 2021. However, USEPA delays requiring compliance with LCRR until October 16, 2024, when any previously granted exemption expires, or as provided otherwise by any of several specified rules for corrosion control treatment; lead service line replacement; public education, supplemental monitoring, and mitigation; monitoring; and reporting (corresponding with 35 Ill. Adm. Code 611.351, 611.354, 611.355, 611.356, or 611.360). Until a supplier must comply with the LCRR, USEPA requires the supplier to comply with subpart I of 40 CFR 141 (2020). This requires the Board to codify two versions of the Lead and Copper Rule: one in this Subpart AG, representing the Lead and Copper Rules prior to the LCRR (40 CFR 141 (2020)), and the other in Subpart G, representing 40 CFR 141 incorporating the LCRR.	**LCR-STR** Stringency concern: Revise the Board Note to reflect the addition of LCRI in Subpart G, and the new paradigm of rules in Subparts G, AG, and AH. (e.g., "This requires the Board to codify two versions of the Lead and Copper Rule" should reflect the Board is now adopting three versions, and the Board should explain how those three interact and are laid out in the Illinois code.) Please verify that Subparts AG and AH will no longer be in effect (or will be repealed) when suppliers shift to complying with Subpart G, and that any provisions from LCRR and the other pre-existing lead rules that were not included in the LCRI federal register (such as 35 Ill. Adm. Code 611.353) are included in Subpart G, when the LCRI Federal Register indicates those older provisions are to be maintained in the whole of the lead and copper rules (e.g., the Federal Register includes an ellipse rather than reciting certain pre- existing provisions, such as 40 CFR 141.83, which are intended to remain).
Community water systems and non-transient non-community water systems. Water systems must include the following elements in written materials (e.g., printed or digital brochures and pamphlets) in the same order as listed in paragraphs (a)(1)(i) through (vii) of this section. In addition, language in paragraphs (a)(1)(i), (ii), and (vii) of this section must be included in the materials,	§ 141.85(a)(1)	35 Ill. Adm. Code 611.1355(a)(1) Community Water Systems and Non-Transient Non-Community Water Systems. A CWS or NTNCWS supplier must include the following elements in printed materials (e.g., brochures and pamphlets) in the same order as listed in subsections (a)(1)(A) through (a)(1)(F). In	**LCR-STR** Stringency concern. Original EPA HQ/R5 LCR-STR Comment: State code does not incorporate the following text:

exactly as written, except for the text in brackets for which the water system must include system-specific information. States may approve changes to the content requirements if the State determines the changes are more protective of human health. Any additional information presented by a water system must be consistent with the information in paragraphs (a)(1)(i) through (vii) of this section and be in plain language that can be understood by the general public. Water systems must submit a copy of all written public education materials to the State prior to delivery. The State may require the system to obtain approval of the content of written public education materials prior to delivery.		addition, the supplier must use the verbatim language in subsections (a)(1)(A), (a)(1)(B), and (a)(1)(F), except for replacing the text in brackets with the system-specific information. Any additional information a supplier presents must be consistent with the information in subsections (a)(1)(A) through (a)(1)(F), and the supplier must present the additional information in plain language that the general public can understand. The supplier must submit all written public education materials to the Agency. BOARD NOTE: At corresponding 40 CFR 141.85(a)(1) (2020), USEPA allowed the State to require prior approval of written public information materials. Rather than require prior Agency approval, the Board chooses to allow the Agency to raise any deficiencies that it may perceive using its existing procedure for review of public education materials. The Agency outlines its standard practice for review of public information materials: The Agency provides a comprehensive public education packet to the supplier together with the notice that the supplier exceeds the lead action level. That packet includes guidance and templates for the supplier to use in preparing and distributing its public education materials. The supplier must send a copy of the public education materials that it distributes to the Agency, and the Agency reviews the copy of the materials after their distribution to the public. The Agency directly communicates to the supplier any perceived defects in the materials. The Agency will request correction when it perceives minor defects in future distributions of the public education materials, or the Agency will request a redistribution of corrected public education materials when it perceives major defects in the materials the supplier already distributed.	"...must submit all written public education materials to the State prior to delivery". EPA also recommends IPCB add the following to reflect IEPA practice: "The State may require the system to obtain approval of the content of written public materials prior to delivery." EPA Note: Remains a stringency concern in Subpart AG. The state rule does not specify systems must submit PE to the State *prior to delivery.* IEPA policy raises a stringency concern in that the State reviews PE after it is distributed to the public.
Public education materials must explain the reason for elevated levels of lead in the system's drinking water (if known) and steps the water system is taking to reduce the lead levels in homes/buildings.	§ 141.85(a)(1)(v)	35 Ill. Adm. Code 611.1355(a)(1)(E) Explain why there are elevated levels of lead in the supplier's drinking water (if known) and what the supplier is doing to reduce the lead levels in homes and buildings in this area. BOARD NOTE: The supplier must use text providing the information this (a)(1)(E) describes.	**LCR-STR** Stringency concern. Specifies the requirement is mandatory in a Board note rather than the body of the state rule.
Public education materials of CWSs and NTNCWSs that serve a large proportion of non-English speaking consumers, as determined by the State, must include information in the appropriate language(s) regarding the importance of the notice, or where they obtain a translated copy of the public education materials or request assistance.	§ 141.85(b)(1)	35 Ill. Adm. Code 611.1355(b)(1) The public education materials of a supplier serving a large proportion of non-English-speaking consumers must contain information in the appropriate languages regarding the importance of the notice, or the materials must contain a telephone number or address where a water consumer may contact the supplier to obtain a translated copy of the public education materials or to request assistance in the appropriate language.	**LCR-STR** Stringency concern. The state rule does not specify that the State determines if there is a large portion of non-English speaking consumers that require PE in that language.
As long as a community water system exceeds the action level, it must repeat the activities pursuant to paragraph (b)(2) of this section as described in paragraphs (b)(3)(i) through (iv) of this section. A community water system shall repeat the tasks contained in paragraphs (b)(2)(i), (ii), and (vi) of this section every 12 months.	§ 141.85(b)(3)(i)	35 Ill. Adm. Code 611.1355(b)(3) As long as a CWS supplier exceeds the action level, it must repeat the activities in subsection (b)(2), as subsections (b)(3)(A) through (b)(3)(D) require. (A) The CWS supplier must repeat the tasks in subsections (b)(2)(A), (b)(2)(B), and (b)(2)(D) every 12 months.	**LCR-STR** Stringency concern. Original EPA HQ/R5 LCR-STR Comment: Correct the timeframe in Section 611.1355(b)(3)(A) for the repeating 3 additional PE activities

			from the list by revising "(b)(2)(D)" to read "(b)(2)(F)", which is the equivalent to 40 CFR 141.85(b)(2)(vi). EPA Note: Still a stringency concern in Subpart AG.
• NTNCWSs must repeat the task in paragraph (b)(4) at least once during each calendar year in which it exceeds the lead action level. ★ State may extend the activities in paragraph (b)(4) beyond the 60-day requirement if the extension is approved in writing by the State in advance of the 60-day deadline.	§ 141.85(b)(5)	35 Ill. Adm. Code 611.1355(b)(5) A NTNCWS supplier must repeat the tasks in subsection (b)(4) at least once during each calendar year in which the supplier exceeds the lead action level. The Agency must, on a case-by-case basis, issue a SEP extending the time for the supplier to complete the public education tasks in subsection (b)(2) beyond the 60-day limit if the Agency determines that the extended time is needed for implementation purposes; however, the Agency must issue any SEP granting any extension prior to when the 60-day deadline expires.	**LCR-STR** Stringency concern. Incorrect citation in optional practice that the state is electing to take. Revise citation to Section 611.1355(b)(2) to read 611.1355(b)(4). (Note: was formerly 35 Ill. Adm. Code 611.1355(b)(4)(C).)
• PWSs with fewer than five drinking water taps that can be used for human consumption must collect at least one sample from each tap and collect additional samples from those taps on different days during the monitoring period. ★ Alternatively, the State can provide written approval for these systems to collect fewer than five samples if all taps that can be used for human consumption are sampled. Water systems shall collect at least one sample during each monitoring period specified in paragraph (d) of this section from the number of sites listed in the first column ("standard monitoring") of the table in this paragraph. A system conducting reduced monitoring under paragraph (d)(4) of this section shall collect at least one sample from the number of sites specified in the second column ("reduced monitoring") of the table in this paragraph during each monitoring period specified in paragraph (d)(4) of this section. Such reduced monitoring sites shall be representative of the sites required for standard monitoring. A public water system that has fewer than five drinking water taps, that can be used for human consumption meeting the sample site criteria of paragraph (a) of this section to reach the required number of sample sites listed in paragraph (c) of this section, must collect at least one sample from each tap and then must collect additional samples from those taps on different days during the monitoring period to meet the required number of sites. Alternatively, the State may allow these public water systems to collect a number of samples less than the number of sites specified in paragraph (c) of this section, provided that 100 percent of all taps that can be used for human consumption are sampled. The State must approve this reduction of the minimum number of samples in writing based on a request from the system or onsite verification by the State. States may specify sampling locations when a system is conducting reduced monitoring. The table is as follows: System size (# of people served) / # of sites (standard monitoring) / # of sites (reduced monitoring) >100,000 / 100 / 50 10,001 to 100,000 / 50 / 30	§ 141.86(c)	35 Ill. Adm. Code 611.1356(c)(2) A supplier conducting reduced monitoring under subsection (d)(4) must collect one sample each from the number of sites in the second column of Table D (labelled "reduced monitoring") during each reduced monitoring period subsection (d)(4) specifies. The reduced monitoring sites must represent the sites standard monitoring requires. A supplier whose system has fewer than five drinking water taps capable of use for human consumption that meet the sampling site criteria of subsection (a) must collect multiple samples from individual taps to reach the required number of sampling sites Table D requires. To accomplish this, the supplier must collect at least one sample from each tap, then additional samples from those taps on different days during the monitoring period, to collect a total number of samples meeting the required number of sampling sites. Alternatively, the Agency may issue a SEP allowing the supplier whose system has fewer than five drinking water taps to collect a number of samples that is fewer than the number of sites this subsection (c) specifies if the Agency determines that the supplier samples 100 percent of all taps capable of use for human consumption and that the reduced number of samples will produce the same results as collecting multiple samples from some taps. The Agency must base any approval of reducing the minimum number of samples on a request from the supplier or Agency on on-site verification. The Agency may specify sampling locations in a SEP when a system conducts reduced monitoring.	**LCR-MR and LCR-STR** Stringency concern. Section 611.1356(c)(2) refers to columns in Table D, but the table is not included in Section 611.1356. Insert the table found in the federal regulations at the end of 40 CFR § 141.86(c). (Partial correction of another issue – may to must – in LCR-MR.)

3,301 to 10,000 40 20 501 to 3,300 20 10 101 to 500 10 5 ≤100 5 5				
• Systems that meet the lead action level and State-approved water quality parameter (WQP) ranges and values (i.e., optimal WQPs or OWQPs) during two, consecutive six-month monitoring periods qualify for reduced annual lead and copper tap monitoring if approved in writing by the State. • Reduced monitoring will begin during the calendar year immediately following the end of the second consecutive six-month monitoring period. • Any water system that meets the lead action level and maintains the range of values for the water quality control parameters reflecting optimal corrosion control treatment specified by the State under § 141.82(f) during each of two consecutive six-month monitoring periods may reduce the frequency of monitoring to once per year and reduce the number of lead and copper samples in accordance with paragraph (c) of this section if it receives written approval from the State. This sampling shall begin during the calendar year immediately following the end of the second consecutive six-month monitoring period. The State shall review monitoring, treatment, and other relevant information submitted by the water system in accordance with § 141.90, and shall notify the system in writing when it determines the system is eligible to commence reduced monitoring pursuant to this paragraph. The State shall review, and where appropriate, revise its determination when the system submits new monitoring or treatment data, or when other data relevant to number and frequency of tap sampling becomes available.	§ 141.86(d)(4)(ii)	35 Ill. Adm. Code 611.1356(d)(4)(B) SEP Allowing Reduction to Annual Monitoring for Suppliers Maintaining Water Quality Control Parameters i) The Agency may issue a SEP allowing a supplier meeting the lead action level and maintaining the range of values for water quality control parameters reflecting optimal corrosion control treatment that the Agency specifies under Section 611.1352(f) during each of two consecutive six-month monitoring periods to reduce its monitoring frequency to once per year and its number of lead and copper samples to that subsection (c) specifies. This reduced sampling may only begin during the calendar year immediately following the end of the second consecutive six-month monitoring period. ii) The Agency must review monitoring, treatment, and other relevant information the supplier submits under Section 611.1360, and the Agency must issue a SEP upon determining that the supplier is eligible to reduce its monitoring frequency to once every three years under this subsection (d)(4). iii) The Agency must review its determination under subsection (d)(4)(B)(i) when the supplier submits new monitoring or treatment data, or when other data relevant to the number and frequency of tap sampling becomes available to the Agency. The Agency must revise its determination if the Agency deems this appropriate based on its review.	**LCR-STR** Stringency concern. Original EPA HQ/R5 LCR-STR Note: Requirements for Agency eligibility review and notification do not cover annual monitoring and thus is less stringent than the federal equivalent 40 CFR 141.86(d)(4)(ii). EPA Note: The reduced monitoring in Section 611.1356(d)(4)(B) should be once per year, not triennial, in order to match 141.86(d)(4)(ii). Triennial monitoring is only allowed under the next subsection, 141.86(d)(4)(iii), for small/medium systems.
• Systems that meet the lead action level and their OWQP ranges and values during three-consecutive years of annual monitoring qualify for reduced lead and copper tap triennial monitoring if approved in writing by the State. • Triennial samples must be collected no later than every third calendar year.	§ 141.86(d)(4)(iii)	35 Ill. Adm. Code 611.1356(d)(4)(C) Reduction to Triennial for Small and Medium-Sized System Suppliers i. Small- and Medium-Sized Water System Suppliers Meeting Lead and Copper Action Levels. A small or medium-sized system supplier meeting the lead and copper action levels during three consecutive years of monitoring may reduce the frequency of monitoring for lead and copper from annually to once every three years. ii. SEP for Suppliers Meeting Optimal Corrosion Control Treatment. The Agency may issue a SEP allowing any supplier meeting the range of values for the water quality control parameters reflecting optimal corrosion control treatment the Agency specifies under Section 611.1352(f) during three consecutive years of monitoring may reduce its monitoring frequency from annual to once every three years. A supplier collecting samples once every three years must collect the samples no later than every third calendar year. iii. The Agency must review its determination under subsection (d)(4)(C)(ii) when the supplier submits new monitoring or treatment data, or when other data relevant to the number and frequency of tap sampling becomes available to the Agency. The Agency must revise its determination if the Agency deems this appropriate based on its review.	**LCR-STR** Stringency concern. Original EPA Note: For select systems, triennial monitoring under the federal provision is contingent on meeting ALs (Action Level see below) AND OWQPs (Optimal Water Quality Parameters see below). The state section bases eligibility on OWQPs only. This is still a stringency issue in that the state regulation reads that small and medium systems can reduce monitoring if they either meet lead and copper action levels **OR** have OCCT in place. (For reference, see yellow box on page 18 of https://nepis.epa.gov/Exe/ZyPDF.cgi/P100DP2P.PDF?Dockey=P100DP2P.PDF)

[For systems on a State-specified alternate reduced monitoring period, the monitoring must begin during the State-specified period: in the calendar year immediately following the end of the second consecutive six-month monitoring period for systems initiating annual monitoring; and during the three-year period following the end of the third consecutive calendar year of annual monitoring for systems initiating triennial monitoring.] The State, at its discretion, may approve a different period for conducting the lead and copper tap sampling for systems collecting a reduced number of samples. Such a period shall be no longer than four consecutive months and must represent a time of normal operations where the highest levels of lead are most likely to occur. For a non-transient non-community water system that does not operate during the months of June through September, and for which the period of normal operation where the highest lead levels are most likely to occur is not known, the State shall designate a period that represents a time of normal operation for the system. This sampling shall begin during the period approved or designated by the State in the calendar year immediately following the end of the second consecutive six-month monitoring period for systems initiating annual monitoring and during the three-year period following the end of the third consecutive calendar year of annual monitoring for systems initiating triennial monitoring.	§ 141.86(d)(4)(iv)(A)	35 Ill. Adm. Code 611.1356(d)(4)(D)(i) The Agency may grant a SEP approving a different period for a supplier to conduct lead and copper tap sampling to a system collecting a reduced number of samples. The duration of the period must not exceed four consecutive months and must represent a time of normal operation when the highest lead levels are most likely to occur. For a NTNCWS supplier not operating during any of June through September and whose normal operating period when the highest levels of lead are most likely to occur is not known, the Agency must designate a period that represents a time of normal operation for the system. This reduced sampling may only begin during the Agency-designated period in the calendar year immediately following the end of the second consecutive six-month monitoring period, for a system initiating annual monitoring, or in the three-year period following the end of the third consecutive calendar year of annual monitoring, for a supplier initiating triennial monitoring.	**LCR-STR** Stringency concern. Original EPA Comment in LCR-STR: The last sentence, 5th line from the bottom of the paragraph, should read “and/or” and not “‘or’ may resume monitoring once every three…” EPA Note: The highlighted “or” should be expressed as “and/or” in that: ▪ A system that is on reduced monitoring for Pb/Cu, and has an ALE, goes back to standard monitoring for Pb/Cu. ▪ A system that is on reduced monitoring for Pb/CU, and has WQPs out of range (for more than 9 days in a 6-month period), goes back to standard monitoring for Pb/Cu. A system could be triggered back to standard Pb/Cu monitoring for either, or both, of the reasons above.
[Systems using ground water sources only must collect source water lead and copper samples once during the three-year compliance period (as that term is defined in §141.2) in effect when State specifies maximum permissible levels (MPLs) for lead and copper in source water or determines that no source water treatment is needed. Triennial source water samples must be collected every third calendar year.] A water system using only groundwater shall collect samples once during the three-y compliance period (as that term is defined in § 141.2) in effect when the applicable S determination under paragraph (d)(1) of this section is made. Such systems shall con samples once during each subsequent compliance period. Triennial samples shall be every third calendar year.	§ 141.88(d)(1)(i)	35 Ill. Adm. Code 611.1358(d)(1)(A) GWS Suppliers 35 Ill. Adm. Code 611.1358(d)(1)(A)(i) A GWS supplier sampling under subsection (d)(1) must collect samples once during the three-year compliance period (as Section 611.101 defines the term) during which the Agency makes its determination under Section 611.1353(b)(4) or 611.1353(b)(2). 35 Ill. Adm. Code 611.1358(d)(1)(A)(ii) A GWS supplier sampling under subsection (d)(1) must sample once during each subsequent compliance period. 35 Ill. Adm. Code 611.1358(d)(1)(A)(iii) A supplier must collect triennial samples every third calendar year.	**LCR-STR** Stringency concern. Federal regulation cites to paragraph (d)(1) of this section, while the state section specifies that the Agency makes its determination under Section 611.1353(b)(2) or (b)(4). The parallel state provision to 40 CFR § 141.88(d)(1) is this section at 35 Ill. Adm. Code 611.1358(d)(1).
At a time specified by the State, or if no specific time is designated by the State, then as early as possible prior to the addition of a new source or any long-term change in water treatment, a water system deemed to have optimized corrosion control under §141.81(b)(3), a water system subject to reduced monitoring pursuant to §141.86(d)(4), or a water system subject to reduced monitoring subject to § 141.86(g), shall submit written documentation to the State describing the change or addition. The State must review and approve the addition of a new source or long-term change in treatment before it is implemented by the water system. Examples of long-term treatment changes include the addition of a new treatment process or modification of an existing treatment process. Examples of modifications include switching secondary disinfectants, switching coagulants (e.g., alum to ferric	§ 141.90(a)(3)	35 Ill. Adm. Code 611.1360(a)(3) At a time the Agency specifies in a SEP, a supplier deemed by rule to have optimized corrosion control under Section 611.1351(b)(3), a water supplier subject to reduced monitoring under Section 611.1356(d)(4), or a water supplier the Agency grants a monitoring waiver under Section 611.1356(g), must document adding a new source or any change in water treatment to the Agency describing the change or addition. If the Agency does not specify a time in a SEP, the supplier must document the changes to the Agency as early as possible prior to adding a new source or any change in water treatment.	**LCR-STR** Stringency concern. Omits highlighted federal rule language requiring the State to review and approve additions of new sources or long-term changes in treatment before implemented by the water system.

chloride), and switching corrosion inhibitor products (e.g., orthophosphate to blended phosphate). Long-term changes can include does changes to existing chemicals if the system is planning long-term changes to its finished water pH or residual inhibitor concentration. Long-term treatment changes would not include chemical dose fluctuations associated with daily raw water quality changes. • Systems that are monitoring less frequently than semi-annually must submit written documentation that describes the addition of a new source or long-term change in water treatment at a time specified by the State, or if no specific time is designated, then as early as possible prior to the addition of a new source or any long-term change in water. • States must review and approve the addition of a new source or long-term change in treatment before it is implemented by the water system. • Lists examples of long-term treatment changes: ▪ switching secondary disinfectants; ▪ switching coagulants (e.g., alum to ferric chloride), and switching corrosion inhibitor products (e.g., orthophosphate to blended phosphate); and ▪ changing the dose of existing chemicals if the system is planning long-term changes to its finished water pH or residual inhibitor concentration			

Lead and Copper Rule Revisions (Illinois Proposed Subpart AH)			
SUMMARY OF FEDERAL REQUIREMENT	**FEDERAL CITATION**	**STATE REGULATORY CITATION AND TEXT**	**EPA REGION 5 TECHNICAL COMMENT Not Determinative Not a Primacy Review**
Small water system, for the purpose of subpart I of this part only, means a water system that serves 3,300 persons or fewer.	40 C.F.R. 141.2	35 Ill. Adm. Code Section 611.2350(b) "Small system supplier" or "small CWS supplier" means a CWS serving 10,000 or fewer persons. BOARD NOTE: A small CWS is a small supplier that is a CWS. This definition derives from the preamble of 40 CFR 141.93. Corresponding Section 611.2363 distinguishes a small CWS supplier from an NTNCWS Supplier.	**LCRR** Stringency concern. Illinois Subpart AH was not revised per EPA's comment in the former state LCRR proceeding to reflect that the maximum population under 35 Ill. Adm. Code 611.2350(b) should be "3,300", rather than the updated "10,000" figure under LCRI, which is correct under the most recent 35 Ill. Adm. Code 611.350(b). Please revise the Subpart AH regulation to state "3,300" rather than "10,000" to be consistent with LCRR.
Data and documentation showing that a particular corrosion control treatment has adversely affected other drinking water treatment processes when used by another water system with comparable water quality characteristics. Systems using coupon studies to screen and/or pipe loop/rig studies to evaluate treatment options must not exclude treatment strategies from the studies based on the constraints identified in this section.	40 C.F.R. 141.82(c)(2)(iv)(A)	35 Ill. Adm. Code 611.2352(c)(2)(D)(i) Data and documents showing that a particular corrosion control treatment adversely affected other drinking water treatment processes when another supplier with comparable water quality characteristics used the treatment. A supplier using coupon studies to screen or pipe loop/rig studies to evaluate treatment options must not exclude treatment strategies from the studies based on the constraints the supplier identifies under this Section; or	**LCRR** Stringency concern. (Raised in Illinois LCRR proceeding.) The State's phrase "screen or pipe loop/rig studies" should be replaced with "screen and/or pipe loop/rig studies". If a system uses both, it still must not exclude treatment strategies from studies.
The water system must evaluate the effect of the chemicals used for corrosion control treatment on other drinking water quality treatment processes. Systems using coupon studies to screen and/or pipe loop/rig studies to evaluate treatment options shall not exclude treatment strategies from the studies based on the effects identified in this section.	40 C.F.R. 141.82(c)(2)(v)	35 Ill. Adm. Code 611.2352(c)(2)(E) The supplier must evaluate the effect of the chemicals it uses for corrosion control treatment on other drinking water quality treatment processes. A supplier using coupon studies to screen or pipe loop/rig studies to evaluate treatment options must not exclude treatment strategies from the studies based on the effects the supplier identifies under this Section.	**LCRR** Stringency concern. (Raised in Illinois LCRR proceeding.) The state's phrase "screen or pipe loop/rig studies" should be replaced with "screen and/or pipe loop/rig studies". If a system uses both, it still must not exclude treatment strategies from studies.

State designation of optimized optimal corrosion control treatment and re-optimized optimal corrosion control treatment. When designating optimal corrosion control treatment, the State must consider the effects that additional corrosion control treatment will have on water quality parameters and on other drinking water quality treatment processes. The State must notify the water system of its designation of *optimal corrosion control treatment* in writing and explain the basis for this determination. If the State requests additional information to aid its review, the water system must provide the information.	40 C.F.R. 141.82(d)	35 Ill. Adm. Code 611.2352(d) Agency Approval of Optimized and Re-Optimized Corrosion Control Treatment. When designating OCCT, the Agency must consider the effects of additional corrosion control treatment on water quality parameters and other water quality treatment processes. The Agency must notify the supplier of the basis for designating OCCT in any SEP it issues under this subsection (d).	**LCRR** Stringency concern. Insert the last federal sentence; the substantive requirement is omitted from the state provision.
The values for the applicable water quality control parameters, previously listed in this section, shall be those that the State determines to reflect optimal corrosion control treatment for the water system. The State may designate values for additional water quality control parameters determined by the State to reflect optimal corrosion control treatment for the water system. The State must notify the system in writing of these determinations and explain the basis for its decisions.	40 C.F.R. 141.82(f)(6)	35 Ill. Adm. Code Section 611.2352(f) (2) The values for the applicable water quality control parameters in subsection (f)(1) must be those the Agency determines reflect OCCT for the supplier. (3) The Agency must explain these determinations giving the basis for its decisions when issuing a SEP.	**LCRR** Stringency concern. The state section doesn't specify that the State is allowed to select additional WQPs other than what is listed in this section.
Modification of State treatment decisions. Upon its own initiative or in response to a request by a water system or other interested party, a State may modify its determination of the source water treatment under paragraph (b)(2) of this section, or maximum permissible lead and copper concentrations for finished water entering the distribution system under paragraph (b)(4) of this section. A request for modification by a system or other interested party shall be in writing, explain why the modification is appropriate, and provide supporting documentation. The State may modify its determination where it concludes that such change is necessary to ensure that the system continues to minimize lead and copper concentrations in source water. A revised determination shall be made in writing, set forth the new treatment requirements, explain the basis for the State's decision, and provide an implementation schedule for completing the treatment modifications.	40 C.F.R. 141.83(b)(6)	35 Ill. Adm. Code 611.2353(b)(6) Modifying Agency Treatment Decisions A) On its own initiative, or in response to a request by the supplier, the Agency may issue a SEP modifying its determination of the source water treatment under subsection (b)(2) or the lead and copper MPCs under subsection (b)(4). B) A supplier must make a request to modify in writing, explaining the propriety of the modification, and providing supporting documentation. C) The Agency may issue a SEP modifying its determination if it concludes that the change is necessary to ensure that the supplier continues minimizing lead and copper concentrations in source water. D) A revised determination under subsection (b)(6)(C) must state the new treatment requirements, explain the basis for the Agency's decision, and provide a schedule for completing the treatment modifications. E) Any interested person may submit information to the Agency in writing bearing on whether the Agency should exercise its discretion and issue a SEP modifying its determination under subsection (b)(2). An Agency determination not to act on information an interested person submits is not an Agency determination for the purposes of Sections 39 and 40 of the Act.*	**LCRR** Stringency concern. The Agency determination on revising the determination in response to an interested person's request is a final action, regardless of whether it is a positive or negative decision. Assuming that the final determination is reflected in a SEP, rather than a permit, clarify that third parties can appeal under the SEP provisions, rather than the permit provisions under Sections 39 and 40 of the Act.
The water system must provide the consumer with a pitcher filter or point-of-use device certified by an American National Standards Institute accredited certifier to reduce lead, six months of replacement cartridges, and instructions for use before the affected service line is returned to service. If the affected service line serves more than one residence or non-residential unit (e.g., a multi-unit building), the water system must provide a filter, six months of replacement cartridges and use instructions to every residence in the building.	40 C.F.R. 141.84(d)(1)(iii)	35 Ill. Adm. Code 611.2354(d)(1)(C) The supplier must provide the consumer with a pitcher filter or point-of-use treatment device to reduce lead, six months of replacement cartridges, and use instructions before returning the affected service line to service. If the affected service line serves more than one residence or non-residential unit (e.g., a multi-unit building), the supplier must provide a filter, six months of replacement cartridges and use instructions to every unit in the building.	**LCRR** Stringency concern. (Remaining from the state LCRR rulemaking) The section does not specify "certified by an American National Standards Institute accredited certifier" for point-of-use treatment devices. Include this language in the state regulation.

The water system must provide the consumer with a pitcher filter or point-of-use device certified by an American National Standards Institute accredited certifier to reduce lead, six months of replacement cartridges, and instructions for use before the replaced service line is returned to service. If the lead service line serves more than one residence or non-residential unit (*e.g.,* a multi-unit building), the water system must provide a filter and six months of replacement cartridges and use instructions to every residence in the building.	40 C.F.R. 141.84(e)(3)	35 Ill. Adm. Code 611.2354(e)(3) The supplier must provide the consumer with a pitcher filter or point-of-use treatment device to reduce lead, six months of replacement cartridges, and use instructions before returning the replaced service line to service. If the lead service line serves more than one residence or non-residential unit (e.g., a multi-unit building), the supplier must provide a filter and six months of replacement cartridges and use instructions to every unit in the building.	**LCRR** Stringency concern. (Remaining from the state LCRR rulemaking). The section does not specify "certified by an American National Standards Institute accredited certifier" for point-of-use treatment devices. Include this reference in the state rule.
If the disturbance of a lead, galvanized requiring replacement, or lead status unknown service line results from the replacement of an inline water meter, a water meter setter, or gooseneck, pigtail, or connector, the water system must provide the person served by the water system at the service connection with information about the potential for elevated lead levels in drinking water as a result of the disturbance, public education materials that meet the content requirements in paragraph (a) of this section, a pitcher filter or point-of-use device certified by an American National Standards Institute accredited certifier to reduce lead, instructions to use the filter, and six months of filter replacement cartridges. The water system must comply with the requirements of this paragraph (f)(2) before the affected service line is returned to service.	40 C.F.R. 141.85(f)(2)	35 Ill. Adm. Code 611.2355(f)(2) If a supplier disturbs a lead, galvanized requiring replacement, or lead status unknown service line while replacing an inline water meter, a water meter setter, or gooseneck, pigtail, or connector, the supplier must inform the persons the supplier serves through the service connection about the potential for an elevated lead concentration in their drinking water due to the supplier disturbing the service line, provide public education materials complying with subsection (a), a pitcher filter or point-of-use treatment device to reduce lead, use instructions, and six months of replacement filter cartridges. The supplier must comply with this subsection (f)(2) before returning the affected service line to service.	**LCRR** Stringency concern. Insert the highlighted federal text, which is omitted from the state rule: "certified by an American National Standards Institute accredited certifier to reduce lead" for point-of-use treatment devices.
Monitoring criteria for waiver issuance. The system must have completed at least one 6-month round of standard tap water monitoring for lead and copper at sites approved by the State and from the number of sites required by paragraph (c) of this section and demonstrate that the 90th percentile levels for any and all rounds of monitoring conducted since the system became free of all lead-containing and/or copper-containing materials, as appropriate, meet the following criteria.	40 C.F.R. 141.86(g)(2)	35 Ill. Adm. Code 611.2356(g)(2) Monitoring Criteria for Waiver Issuance. The supplier must have completed at least one six-month round of standard tap water monitoring for lead and copper at Agency-approved sites and from the number of sites subsection (c) requires and demonstrate to the Agency that the 90th percentile concentrations for any and all rounds of monitoring conducted since the system became free of all lead-containing or copper-containing materials, as appropriate, meet certain criteria:	**LCRR** Stringency concern. The "and/or" in the federal provision is inclusive, while the State's use of "or" could be construed as exclusive. The system is to be free of both lead and copper material if both are present.
Any water system exceeding the lead action level specified at paragraph (c) of this section shall implement the public education requirements in accordance with §141.85(a) and (b).	40 C.F.R. 141.80(g)(1)	35 Ill. Adm. Code 611.2350(g)(1) Any supplier exceeding the lead action level must implement the public education requirements under Section 611.2355.	**LCRR** Stringency concern. Incorrect citation. Refer to Section 611.2355(a) and (b) rather than just 611.2355, to parallel federal provision.
The State shall designate re-optimized corrosion control treatment (§141.82(d)(3)) within six months after completion of paragraph (d)(3)(i) of this section (Step 3).	40 C.F.R. 141.81(d)(4)(i)	35 Ill. Adm. Code 611.2351(d)(4)(A) The Agency must issue a SEP designating re-optimized OCCT (subsection (d)(3)(A)) within six months after the supplier completes subsection (d)(3)(A) (Step 3).	**LCRR** Stringency concern. Incorrect citation. Re-optimized OCCT is subsection 141.8(d)(2) and 611.2352(d)(2). Revise "subsection (d)(3)(A)" to read "subsection 611.2352(d)(2)".

<table>
<tr>
<td>Step 5. The water system must install optimal corrosion control treatment (§141.82(e)(1)) within 24 months after the State designates optimal corrosion control treatment under paragraph (e)(2) or (4) of this section (Step 2 or Step 4).</td>
<td>40 C.F.R. 141.81(e)(5)</td>
<td>35 Ill. Adm. Code 611.2351(e)(5): The supplier must install OCCT (Section 611.2352(e)) within 24 months after the Agency designates OCCT under subsection (e)(2) or (e)(4) (Step 2 or Step 4).</td>
<td>LCRR
Stringency concern.
Incorrect citation. Revise “Section 611.2352(e)” to read “Section 611.2352(e)(1)”.</td>
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<tr>
<td>Step 3. Water systems shall evaluate the results of the monitoring conducted under this paragraph (j)(3) to determine if either localized or centralized adjustment of the optimal corrosion control treatment or other distribution system actions are necessary and submit the recommendation to the State within six months after the end of the tap sampling period in which the site(s) exceeded the lead action level. Corrosion control treatment modification may not be necessary to address every exceedance. Other distribution system actions may include flushing to reduce water age. Water systems must note the cause of the elevated lead level, if known from the site assessment, in their recommendation to the State as site-specific issues can be an important factor in why the system is not recommending any adjustment of corrosion control treatment or other distribution system actions. Systems in the process of optimizing or re-optimizing optimal corrosion control treatment under paragraphs (a) through (f) of this section do not need to submit a treatment recommendation for find-and-fix.</td>
<td>40 C.F.R. 141.82(j)(3)</td>
<td>35 Ill. Adm. Code 611.2352(j)(3): Step 3: Evaluating Results and Recommending OCCT or Other Actions. Within six months after the end of the tap sampling period during which a supplier exceeds the lead action level, the supplier must evaluate the results of the monitoring conducted under subsection j(1) and (j)(2) to determine if the supplier must either locally or centrally adjust the OCCT or other distribution system actions are necessary and submit the recommendation to the Agency. Modifying corrosion control treatment might not be necessary to address every exceedance. Other distribution system actions may include flushing to reduce water residence time in the system. If known from the site assessment, the supplier must note the cause of the elevated lead level in its recommendation to the Agency because site-specific issues can be an important factor in why the supplier does not recommend any adjustment of corrosion control treatment or other distribution system actions. A supplier in the process of optimizing or re-optimizing OCCT under subsections (a) through (f) needs not recommend a find-and-fix treatment to the Agency.</td>
<td>LCRR
Stringency concern.
Incorrect citation. Revise “(j)(1) and (j)(2)” to read “(j)(3)”.</td>
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<table>
<tr><th>System size (number of people served)</th><th>Number of sites (standard monitoring)</th><th>Number of sites (reduced monitoring)</th></tr>
<tr><td>>100,000</td><td>100</td><td>50</td></tr>
<tr><td>10,001 to 100,000</td><td>60</td><td>30</td></tr>
<tr><td>3,301 to 10,000</td><td>40</td><td>20</td></tr>
<tr><td>501 to 3,300</td><td>20</td><td>10</td></tr>
<tr><td>101 to 500</td><td>10</td><td>5</td></tr>
<tr><td>≤100</td><td>5</td><td>5</td></tr>
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<td>40 C.F.R. 141.86(b)(2)</td>
<td>OMISSION</td>
<td>LCRR
Stringency concern.
The State cites to “Table D (labelled ‘reduced monitoring’)” in Section 611.2355(c). However, Section 611.2355(b) does not include the table. Insert the table as shown in the federal regulation into the state provision. (Comment originated in EPA comment letter regarding State LCRR rulemaking.)</td>
</tr>
<tr>
<td>All water systems with lead service lines, including those deemed optimized under §141.81(b)(3), and systems that did not conduct monitoring that meets all requirements of this section (e.g., sites selected in accordance with paragraph (a) of this section, samples collected in accordance with paragraph (b) of this section, etc.) between January 15, 2021 and October 16, 2024, must begin the first standard monitoring period on January 1 or July 1 in the year following the October 16, 2024, whichever is sooner. Upon completion of this monitoring, systems must monitor in accordance with paragraph (d)(82) of this section.</td>
<td>40 C.F.R. 141.86(d)(1)(i)</td>
<td>35 Ill. Adm. Code 611.2356(d)(1)(A).
A supplier having lead service lines, including a supplier Section 611.2351(b)(3) deems to have optimized or re-optimized OCCT or a supplier that did not monitor complying with this Section (i.e., selecting sites under subsection (a), collecting samples under subsection (b), etc.) before January 16, 2024, must begin its first standard tap monitoring cycle on January 1, 2025. After completing the first standard monitoring cycle, the supplier must monitor under subsection (d)(1)(B).</td>
<td>LCRR
Stringency concern.
Incorrect citation. The federal crosswalk should cite to (d)(2) rather than (d)(82). The State regulation should cite to (d)(2) rather than (d)(1)(B).</td>
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</table>

Subpart O—Consumer Confidence Reports (Includes Consumer Confidence Report Rule Revisions, PFAS, and LCRI Provisions)			
SUMMARY OF FEDERAL REQUIREMENT	**FEDERAL CITATION**	**STATE REGULATORY CITATION AND TEXT**	**EPA REGION 5 TECHNICAL COMMENT Not Determinative Not a Primacy Review**
40 CFR 141.151 Purpose and applicability of this subpart.			
(See Appendix A) For the purpose of this subpart, detected means: at or above the levels prescribed by § 141.23(a)(4) for inorganic contaminants, at or above the levels prescribed by § 141.24(f)(7) for the contaminants listed in § 141.61(a), at or above the levels prescribed by § 141.24(h)(18) for the contaminants listed in § 141.61(c) (except PFAS), at or above the levels prescribed by § 141.131(b)(2)(iv) for the contaminants or contaminant groups listed in § 141.64, at or above the levels prescribed by § 141.25(c) for radioactive contaminants, and at or above the levels prescribed in § 141.902(a)(5) for PFAS listed in § 141.61(c).	40 CFR 141.151(d)	35 Ill. Adm. Code 611.881(d) For the purpose of this Subpart U, "detected" means the following: at or above the detection limit levels prescribed by Section 611.600(d) for inorganic contaminants; at or above the levels prescribed by Section 611.646(a) for Phase I, II, and V VOCs; at or above the levels prescribed by Section 611.648(r) for Phase II, IIB, and V SOCs (except for PFAS) at or above the levels prescribed by Section 611.381(b)(2)(D) for the disinfection byproducts listed in Section 611.312; ~~and~~ at or above the levels prescribed by Section 611.720(c)(2)~~Section 611.720(c)(3)~~ for radioactive contaminants; and at or above the levels prescribed by Section 611.7902(a)(5) for PFAS listed in Section 611.311(c)(2). BOARD NOTE: Derived from 40 CFR 141.151. (Source: Amended at 50 Ill. Reg. _____, effective _____)	**CCR3 Rule / PFAS Crosswalk** (Included in PFAs Rule) Stringency Concern. Incorrect citation. Revise Section 611.646(a) to be 611.646(g) to reflect the prescribed levels, which parallels the federal reference of 40 C.F.R. 141.24(f)(7). Refer to Section 611.646(a) as to which contaminants are listed to parallel 40 C.F.R. 141.61(a). Typographical issue: Include comma after "(except for PFAS)". 2/4/26: Corrected 611.646(a) to read 611.646(g). Did not include reference to 40 CFR 141.61(a) for Phase II/V rules in existing rule text.
40 CFR 141.153 Content of the reports.			
When it is reported pursuant to the requirements of § 141.71: the highest monthly value. The report should include an explanation of the reasons for measuring turbidity.	40 CFR 141.153(d)(4)(v)(B)	35 Ill. Adm. Code 611.883(d)(4)(E)(ii) If the supplier reports under Section 611.211(b): the highest monthly value. The report must explain the reasons for measuring turbidity.	**CCR** Stringency concern. Incorrect citation. The text should cite to Section 611.211, since 611.211(b) does not exist.
If the system has performed additional monitoring which indicates the presence of other contaminants in the finished water, EPA strongly encourages systems to report any results which may indicate a health concern. To determine if results may indicate a health concern, EPA recommends that systems find out if EPA has proposed an NPDWR or issued a health advisory for that contaminant by contacting the Agency by calling the Safe Drinking Water Hotline (800-426-4791) or an alternative method identified on the website *epa.gov/safewater*. EPA considers detects above a proposed MCL or health advisory level to indicate possible health concerns. For such contaminants, EPA recommends that the report include:	40 CFR 141.153(e)(3)	35 Ill. Adm. Code 611.883(e)(3) If the CWS conducted additional monitoring indicating the presence of other contaminants in the supplier's finished water, the report must include specific information:	**CCR3** Stringency concern. Language regarding EPA hotline and website is missing. Place in regulatory text or Board note.
Because we found coliforms during sampling, we were required to conduct [INSERT NUMBER OF LEVEL 1 ASSESSMENTS] assessment(s) of the system, also known as a Level 1 assessment, to identify possible sources of contamination. [INSERT NUMBER OF LEVEL 1 ASSESSMENTS] Level 1 assessment(s) were completed. In addition, we were required to	40 CFR 141.153(h)(7)(i)(B)	35 Ill. Adm. Code 611.883(h)(7)(A)(ii) "During the past year we were required to conduct [insert number of Level 1 assessments] Level 1 assessment(s). [insert number of Level 1 assessments] Level 1 assessment(s) were completed. In addition, we were required to take [insert	**CCR3** Stringency concern. State language should preface section with omitted

take [INSERT NUMBER OF CORRECTIVE ACTIONS] corrective actions and we completed [INSERT NUMBER OF CORRECTIVE ACTIONS] of these actions.		number of corrective actions] corrective actions and we completed [insert number of corrective actions] of these actions."	highlighted federal text: "Because we found coliforms during sampling". State omits in second sentence that the level 1 assessment was "to identify possible sources of contamination".
Because we found coliforms during sampling, we were required to conduct [INSERT NUMBER OF LEVEL 2 ASSESSMENTS] detailed assessments, also known as a Level 2 assessment, to identify possible sources of contamination. [INSERT NUMBER OF LEVEL 2 ASSESSMENTS] Level 2 assessments were completed. In addition, we were required to take [INSERT NUMBER OF CORRECTIVE ACTIONS] corrective actions and we completed [INSERT NUMBER OF CORRECTIVE ACTIONS] of these actions.	40 CFR 141.153(h)(7)(i)(C)	35 Ill. Adm. Code 611.883(h)(7)(A)(iii) "During the past year [insert number of Level 2 assessments] Level 2 assessments were required to be completed for our water system. [insert number of Level 2 assessments] Level 2 assessments were completed. In addition, we were required to take [insert number of corrective actions] corrective actions and we completed [insert number of corrective actions] of these actions."	**CCR3** Stringency concern. State language should preface section with omitted highlighted federal text: "Because we found coliforms during sampling". State omits in second sentence that the level 2 assessment was "to identify possible sources of contamination".

Preliminary EPA Comments on Other Sections in the State R25-01/R25-09 Draft Rulemaking

Variances and Exemptions (Illinois Subpart)

SUMMARY OF FEDERAL REQUIREMENT	FEDERAL CITATION	STATE REGULATORY CITATION AND TEXT	EPA REGION 5 TECHNICAL COMMENT Not Determinative Not a Primacy Review
If a system can demonstrate through comprehensive engineering assessments, which may include pilot plant studies, that the treatment methods identified in § 142.62 (a) and (b) would only achieve a de minimis reduction in contaminants, the State may issue a schedule of compliance that requires the system being granted the variance to examine other treatment methods as a condition of obtaining the variance.	40 CFR 142.62(d)	35 Ill. Adm. Code 611.130 Special Requirements for Certain Variances and Adjusted Standards 35 Ill. Adm. Code 611.130(b) Relief from an IOC, VOC, or SOC MCL 35 Ill. Adm. Code 611.130(b)(1) A CWS or NTNCWS must first apply the appropriate BAT for the contaminant before the Board may grant any variance or adjusted standard from the maximum contaminant levels for any VOC or SOC in Section 611.311(a) or (c) or any IOC in Section 611.301, unless the supplier demonstrates through comprehensive engineering assessments that applying BAT would achieve only a minimal and insignificant reduction in the contaminant level. BOARD NOTE: USEPA lists BAT for each SOC and VOC at 40 CFR 142.62(a) for the purposes of variances and exemptions (adjusted standards). That list is identical to the lists~~list~~ at 40 CFR 141.61(b) and (d), which corresponds with Section 611.311(b).	Stringency concern: Omitted federal process requirement – If the supplier demonstrates a de minimis reduction in contaminants, the State may issue a schedule of compliance that requires the system being granted the variance to examine other treatment methods as a condition of obtaining the variance. Incorrect citation: The Board note only refers to BAT lists for each SOC and VOC at 40 CFR 142.62(a). The note omits reference to 40 CFR 142.62(b), which pertains to IOCs. In addition, 40 CFR 141.61(d) pertains to PFAS. EPA questions

			whether this citation should be to 40 CFR 141.62(c) for IOCs rather than 141.61(d). Of note, EPA is further reviewing the Illinois variance and exemptions rules that are the subject of a state primacy request, and reserves comment on other sections pending this process.

Analytical Methods (Predominately Subpart A)			
SUMMARY OF FEDERAL REQUIREMENT	**FEDERAL CITATION**	**STATE REGULATORY CITATION AND TEXT**	**EPA REGION 5 TECHNICAL COMMENT** **Not Determinative** **Not a Primacy Review**
		611.102 Incorporations by Reference a) Analytical Methods. The Board incorporates by reference the following analytical methods. The rules refer to the methods by the defined short-term names given them in this Section.	Text provided for context of comments below.
		"SM 4500-ClO2 D (00)" means Method 4500-ClO2 D, "Chlorine Dioxide", "DPD Method", only the version in the 21st edition. Referenced in Section 611.381.	Stringency concern. Method is not approved. Per 40 CFR 141.74(a)(2), only the 18th, 19th and 20th editions may be used. Per 40 CFR 141.131(c)(1), only the method published in the 19th and 20th editions may be used.
		"SM 7500-U C (00)" means Method 7500-U C, "Uranium", "Isotopic Method", only the version in the 21st, 22nd, and 23rd, and 24th editions. Referenced in Section 611.720.	Stringency concern. 24th edition is not approved in the alternative testing methods for contaminants listed at 40 CFR 141.74(a)(1).
		"SM 9222 A (06)" means Method 9222 A, "Membrane Filter Technique for Members of the Coliform Group", "Introduction", only the version in the 22nd edition. Referenced in Section 611.531.	Stringency concern. 22nd edition is not approved per alternative testing methods tables for 141.21(f)(3), 141.74(a)(1).
		"SM 9230 B (93)" means Method 9230 B, "Fecal Streptococcus and Enterococcus Groups", "Multiple-Tube Techniques", only the version in the 20th and 21st editions. Referenced in Section 611.802.	Stringency concern.

			21st edition is not approved per alternative testing methods table for 141.402(c)(2).
	40 CFR 141.31 and App. A to 40 CFR 141	35 Ill. Adm. Code 611.381(d) Standard Methods Online, Methods 4500-ClO2 D-00 and 4500-ClO2 E-00 appear in the 21st, 22nd, and 23rd, and 24th editions as Methods 4500-ClO2 D and 4500-ClO2 E. These appear in this Section as SM 4500-ClO2 D (00) and SM 4500-ClO2 E (00).	Stringency concern. 4500-ClO2 D does not appear in the 21st, 22nd, 23rd, or 24th editions and is not approved by EPA.
		35 Ill. Adm. Code 611.531 Analytical Requirements A supplier must use the analytical methods in this Section or Agency-approved alternative methods under Section 611.480 to demonstrate compliance with only 611.Subpart B. A supplier must measure pH, temperature, turbidity, and RDCs under the supervision of a certified operator. A supplier must conduct measurements for total coliforms, fecal coliforms and HPC using a certified laboratory in one of the categories in Section 611.490(a). The supplier must perform analyses using the methods in this Section, each incorporated by reference in Section 611.102:	Text provided for context of comments below.
	40 CFR 141.74, ftn. 2	35 Ill. Adm. Code 611.531(a)(2)(A) Total Coliforms BOARD NOTE: The time from sample collection to beginning analysis for source (raw) water samples must not exceed eight hours. The supplier should but needs not hold samples below 10 °C during transit.	Stringency concern. Per 40 CFR 141.74 footnote 2, systems must hold samples below 10 degrees C during transit.
		35 Ill. Adm. Code 611.531(a)(2)(A)(ii) Total Coliform Membrane Filter Technique. SM 9222 A (91), SM 9222 A (94), SM 9222 A (97), SM 9222 A (06), SM 9222 A (15), SM 9222 A (22), SM 9222 B (91), SM 9222 B (94), SM 9222 B (97), 9222 B (06), SM 9222 B (15), SM 9222 B (22), SM 9222 C (91), SM 9222 C (94), SM 9222 C (97), SM 9222 C (06), or SM 9222 C (15), or SM 9222 C (22).	Stringency concern. 9222 B (06) is not listed in the methods incorporated by reference in Section 611.102. The 22nd edition is not approved. This reference needs to be removed.
	40 CFR 141.74, ftn. 2	35 Ill. Adm. Code 611.531(a)(2)(B) Fecal Coliforms BOARD NOTE: The time from collecting the sample to beginning analysis of source (raw) water samples must not exceed eight hours. The supplier should but needs not hold samples below 10 °C during transit.	Stringency concern. Per 40 CFR 141.74, footnote 2, systems must hold samples below 10 degrees C during transit.
	40 CFR 141.74(a)(1)	35 Ill. Adm. Code 611.531(a)(2)(C) Heterotrophic Bacteria Pour Plate Method. SM 9215 B (88), SM 9215 B (94), SM 9215 B (00), SM 9215 B (04), or SM 9215 B (16), SM 9215 B (22). BOARD NOTE: The time from collecting the sample to beginning analysis must not exceed eight hours. The supplier should but needs not hold samples below 10 °C during transit.	Stringency concerns. SM 9215 B published in the 24th edition is not approved per the alternative testing methods for 141.74(a)(1). The Board note conflicts with 40 CFR 141.74, ftn. 2, which states systems must hold samples below 10 ° C during transit.

		35 Ill. Adm. Code 611.611 Inorganic Analysis Analytical methods are from documents incorporated by reference in Section 611.102. The substantive rules mostly reference these by a short name Section 611.102(a) defines. Section 611.101 defines other abbreviations.	Text provided for context of comments below.
	40 CFR 141.23(k)(1), ftn. 4	35 Ill. Adm. Code 611.611(a)(11) Atomic Absorption, Direct Aspiration. ASTM D1688-95 A, ASTM D1688-02 A, ASTM D1688-07 A, ASTM D1688-12 A, ASTM D1688-17 A, SM 3111 B (89), SM 3111 B (93), or SM 3111 B (99).	Stringency concern. 3111 B in the 20th edition of SM cannot be used per footnote 4 at 40 CFR 141.23(k)(1).
		35 Ill. Adm. Code 611.611(a)(14)(F) Arsenite-Free Colorimetric SPADNS. Hach 10225 (11) (SPADNS 2). Hach 10312 (22)	Stringency concern. Incorrect citation. The method description in section 611.102 is incorrectly cited. (See above)

Typographical and Grammatical Comments

Lead Rule Content in the EPA LCRI Crosswalk (Illinois Rule Subparts A, G, Q, Appendices) * Note: Consumer Confidence Report sections are listed separately under Subpart O.			
SUMMARY OF FEDERAL REQUIREMENT	**FEDERAL CITATION**	**STATE REGULATORY CITATION AND TEXT**	**EPA REGION 5 TECHNICAL COMMENT Not Determinative Not a Primacy Review**
Subpart A—General			
Control of Lead and Copper (Proposed Illinois Subpart G)			
40 CFR 141.81 Applicability of corrosion control treatment steps to small, medium, and large water systems.			
Step 2: State requires CCT study or State designates re-optimized OCCT. Within one year after the end of the tap sampling period in which a medium water system without lead service lines or a small system exceeded the lead action level or copper action level, the State may require the water system to perform corrosion control studies for re-optimization (§ 141.82(c)(2)). If the State does not require the system to perform such studies, the State must specify re-optimized optimal corrosion control treatment (§ 141.82(d)) within the timeframes specified in paragraphs (d)(2)(i) and (ii) of this section. The State must provide its determination to the system in writing:	40 CFR 141.81(d)(2)	35 Ill. Adm. Code 611.351(d)(2) Step 2: Agency requires CCT study or Agency designates re-optimized OCCT. Within one year after the end of the tap sampling period in which a medium supplier without led service lines or a small supplier exceeded the lead action level or copper action level, the Agency may require the supplier to perform corrosion control studies for re-optimization (Section 611.352 (c)(2)). If the Agency does not require the supplier to perform such studies, the Agency must specify re-optimized optimal corrosion control treatment (Section 611.352(d) within the timeframes in subsections (d)(2)(A) and (d)(2)(B). The Agency must provide its determination to the supplier in writing:	Typographical issue: Revise "led" in second sentence to read "lead".
40 CFR 141.82 Description of corrosion control treatment requirements.			
Step 1: Corrosion control treatment assessment. Within five days of receiving the tap sampling results, the water system must sample at a water quality parameter site in accordance with paragraph (j)(1)(ii) of this section that is on the same size water main in the same pressure zone and located within a half mile radius of the site with the lead result exceeding 0.010 mg/L. Water systems without corrosion control treatment are not required to collect these samples.	40 CFR 141.82(j)(1)	35 Ill. Adm. Code 611.352(j)(1) Step 1: Corrosion control treatment assessment. ~~Control Treatment Assessment.~~ Within five days of receiving the tap sampling results, the~~The~~ supplier must sample at a ~~new~~ water quality parameter ~~sampling~~ site in compliance with subsection (j)(1)(B) that is on the same-size~~d~~ water main, in the same pressure zone, and located within a half mile radius of the ~~sampling~~ site with the lead result that exceeds~~exceeded~~ .010 mg/L. ~~the action lead level within five days after receiving the sample results. A small~~ Suppliers~~supplier~~ without~~not applying~~ corrosion control treatment are not required to collect these samples. ~~may take up to 14 days to collect the samples. The supplier must measure certain parameters:~~	Technical Recommendation: The federal rule adds a zero before the decimal point. For clarity, consider inserting a leading zero for all decimal numbers (Specifically, revise ".010" to be "**0**.010".)
40 CFR 141.85 Public education and supplemental monitoring and mitigation requirements.			
A water system that exceeds the lead action level based on tap water samples collected in accordance with § 141.86 must distribute the public education materials contained in paragraph (a) of this section in accordance with the delivery requirements in paragraph (b) of this section. Water systems that exceed the lead action level must offer to sample the tap water of any person served by the water system who requests it in accordance with paragraph (c) of this section. Water systems must offer to sample for lead in the tap water of any person served by a lead, galvanized requiring replacement, or lead status unknown service line who requests it in accordance with paragraph (c) of this section. All water systems must deliver a consumer notice of lead	40 CFR 141.85	35 Ill. Adm. Code 611.355 A supplier that exceeds~~exceeding~~ the lead action level based on tap water samples collected in compliance with~~under~~ Section 611.356 must distribute~~deliver~~ the public education materials contained in subsection (a) in compliance with the delivery requirements in ~~requires under~~ subsection (b). Suppliers~~A supplier~~ that exceed~~exceeding~~ the lead action level must offer to sample the tap water of any person~~customer~~ served by the water system who request ~~requesting~~ it~~sampling~~ in compliance with ~~under~~ subsection (c). Suppliers must offer to sample for lead in the tap water of any person served by	Typographical issue: Recommend removing comma after "unknown" in highlighted sentence.

tap water monitoring results and copper tap water monitoring results to persons served by the water system at sites that are sampled, as specified in paragraph (d) of this section. A water system with lead, galvanized requiring replacement, or lead status unknown service lines must deliver public education materials to persons with a lead, galvanized requiring replacement, or lead status unknown service line as specified in paragraphs (e) and (f) of this section. All community water systems that do not meet the minimum replacement rate for mandatory service line replacement as required under § 141.84(d) must conduct outreach activities as specified in paragraph (h) of this section. All community water systems must conduct annual outreach to local and State health agencies as outlined in paragraph (i) of this section. Water systems with multiple lead action level exceedances, as specified in paragraph (j)(1) of this section, must conduct public outreach and make filters certified to reduce lead available as specified in paragraphs (j)(2) through (6) of this section. For water systems serving a large proportion of consumers with limited English proficiency, as determined by the State, all public education materials required under this section must comply with the language requirements in paragraph (b)(1) of this section.		a lead, galvanized requiring replacement, or lead status unknown service line who requests it in compliance with subsection (c). All suppliers must deliver a consumer notice of lead tap water monitoring results and copper tap water monitoring results to persons served by the supplier at sites that are sampled, as specified in subsection (d). A supplier with lead, galvanized requiring replacement, or lead status unknown, service lines must deliver public education materials to persons with a lead, galvanized requiring replacement, or lead status unknown service line as specified in subsections (e) and (f). All CWSs that do not meet the minimum replacement rate for mandatory service line replacement as required under Section 611.354(d) must conduct outreach activities as specified in subsection (h). All CWSs must conduct annual outreach to local and State health agencies as outlined in subsection (i). Suppliers with multiple lead action level exceedances, as specified in subsection (j)(1), must conduct public outreach and make filters certified to reduce lead available as specified in subsection (j)(2) through (j)(6). For suppliers serving a large proportion of consumers with limited English proficiency, as determined by the Agency, all public education materials required under this section must comply with the language requirements in subsection (b)(1). ~~A small CWS or NTNCWS supplier electing to implement POU devices as a small supplier compliance flexibility option under Section 611.363 must provide public education materials as subsection (j) requires to inform users how to properly use POU devices. A supplier must deliver a consumer notice of lead tap water monitoring results to persons the supplier serves at each site that the supplier samples, as subsection (d) specifies. A supplier with lead, galvanized requiring replacement, or lead status unknown service lines, as defined in Section 611.354(a)(4), must deliver public education materials to persons served through these service lines as subsections (e) through (g) specify. A CWS supplier must conduct annual outreach to the Illinois Department of Public Health and local health agencies as subsection (i) provides. A CWS supplier serving more than 10,000 persons failing to meet its annual lead service line replacement goal under Section 611.354(f) must conduct outreach activities as subsection (h) specifies.~~	
40 CFR 141.90 Reporting requirements.			
Source water treatment reporting requirements. By the applicable dates in § 141.83, systems shall provide the following information to the State:	40 CFR 141.90(d)	35 Ill. Adm. Code 611.360(d) Source water treatment reporting requirements. ~~Reporting for Source Water Treatment.~~ By~~Before~~ the applicable dates in Section 611.353, ~~a~~ supplier must provide the following ~~certain~~ information to the Agency:	Typographical issue: Revise "supplier" to be "suppliers"
No later than three months following the end of the tap sampling period, for tap samples used to calculate the 90th percentile value as described in § 141.86, an example copy of the consumer notification provided and a certification that the notification has been distributed in a manner consistent with the requirements of § 141.85(d).	40 CFR 141.90(f)(3)(i)	35 Ill. Adm. Code 611.360(f)(3)(A) No later than three months following the end of the tap sampling period, for tap samples used to calculate the 90th percentile value described in Section 611.356, a copy of the consumer notice provided and certification the notice has been distributed consistent with the requirements of Section 611.355(d).	Typographical issue: Add "that" between the highlighted words "certification" and "the".

Subpart Q – Public Notification of Drinking Water Violations		
40 CFR 142.62 Variances and exemptions from the maximum contaminant levels for organic and inorganic chemicals.		
The State may require a public water system to use bottled water, point-of-use devices, point-of-entry devices or other means as a condition of granting a variance or an exemption from the requirements of §§ 141.61 (a) and (c) and 141.62, to avoid an unreasonable risk to health. The State may require a public water system to use bottled water and point-of-use devices or other means, *but not point-of-entry devices,* as a condition for granting an exemption from corrosion control treatment requirements for lead and copper in §§ 141.81 and 141.82 to avoid an unreasonable risk to health. The State may require a public water system to use point-of-entry devices as a condition for granting an exemption from the source water and lead service line replacement requirements for lead and copper under §§ 141.83 or 141.84 to avoid an unreasonable risk to health.	40 CFR 142.62(f)	35 Ill. Adm. Code 611.130(c) **(LCRI) – Technical not stringency** (Move to second table) Conditions Requiring Use of Bottled Water, a Point-of-Use Treatment Device, or a Point-of-Entry Treatment Device. When granting any variance or adjusted standard from the MCLs for organic and inorganic chemicals or an adjusted standard from the treatment technique for lead and copper, the Board may impose certain conditions requiring the use of bottled water, a point-of-entry treatment device, or a point-of-use treatment device to avoid an unreasonable risk to human health, limited as subsections (d) and (e) provide. **EPA Note**: EPA is not commenting on whether 35 Ill. Adm. Code 611.112 is equivalent to an EPA exemption, or whether 35 Ill. Adm. Code 611.111 is equivalent to an EPA variance under Section 1415 of the Safe Drinking Water Act. This analysis will be part of the EPA review of the Illinois' variances and exemptions primacy request.

Lead and Copper Rules (LCR, LCR-MR, LCR-STR) – Draft and Existing Illinois Regulations under Subpart AG			
(Per the EPA LCR-STR Crosswalk, States have the option of adopting federal provisions preceded with the symbol) ★			
SUMMARY OF FEDERAL REQUIREMENT	**FEDERAL CITATION**	**STATE REGULATORY CITATION AND TEXT**	**EPA REGION 5 TECHNICAL COMMENT** **Not Determinative** **Not a Primacy Review**
[Clarifies when the first six-month compliance period begins after the State specifies OWQPs. For large systems (i.e., those serving more than 50,000 people), the first six-month period begins on either January 1 or July 1, whichever comes first, after the State specifies the optimal values. For small and medium-size systems that were on reduced lead and copper tap monitoring, the start of the first six-month monitoring period for WQPs coincides with the start of the applicable lead and copper tap monitoring period.] After the State specifies the values for applicable water quality control parameters reflecting optimal corrosion control treatment under § 141.82(f), all large systems shall measure the applicable water quality parameters in accordance with paragraph (c) of this section and determine compliance with the requirements of § 141.82(g) every six months with the first six-month period to begin on either January 1 or July 1, whichever comes first, after the State specifies the optimal values under § 141.82(f). Any small or medium-size system shall conduct such monitoring during each six-month period specified in this paragraph in which the system exceeds the lead or copper action level. For any such small and medium-size system that is subject to a reduced monitoring frequency pursuant to § 141.86(d)(4) at the time of the action level exceedance, the start of the applicable six-month monitoring period under this paragraph shall coincide with the start of the applicable monitoring period under § 141.82(d)(4). Compliance with State-designated optimal water quality parameter values shall be determined as specified under § 141.82(g).	§ 141.87(d)	35 Ill. Adm. Code 611.1357(d)(1) Large-Sized Water Systems. After the Agency specifies the values for water quality control parameters reflecting optimal corrosion control treatment under Section 611.1352(f), a large-sized water system supplier must monitor the applicable water quality parameters under subsection (c) and determine whether the supplier complies with Section 611.1352(g) every six months, with the first six-month period to begin on the sooner of January 1 or July 1 after the Agency specifies the optimal values under Section 611.1352(f). 35 Ill. Adm. Code 611.1357(d)(2) Small and Medium-Sized System Suppliers. A small or medium-sized system supplier must monitor during each six-month monitoring period this subsection (d) specifies during which the supplier exceeds the lead or copper action level. For a small or medium-sized system supplier subject to a reduced monitoring frequency under Section 611.1356(d)(4) at the time it exceeds the action level, the start of the applicable six-month monitoring period under this subsection (d) coincides with the start of the applicable monitoring period under Section 611.1356(d)(4). 35 Ill. Adm. Code 611.1357(d)(3) A supplier must determine whether it complies with Agency-designated optimal water quality parameter as Section 611.1352(g) specifies.	Typographical error: System supplier.
• Annual reduced WQP monitoring for qualifying systems begins during the calendar year immediately following the end of the monitoring period in which the third consecutive year of six-month monitoring occurred.	§ 141.87(e)(2)(i)	35 Ill. Adm. Code 611.1357(e)(2) Reduced Monitoring Frequency 35 Ill. Adm. Code 611.1357(e)(2)(A) Staged Reductions in Monitoring Frequency	Request for clarification. The state rule omits the end of the last sentence of the federal section ("following

• Triennial reduced WQP monitoring for qualifying systems begins no later than the third calendar year following the end of the monitoring period in which the third consecutive year of monitoring occurs. Any water system that maintains the range of values for the water quality parameters reflecting optimal corrosion control treatment specified by the State under § 141.82(f) during three consecutive years of monitoring may reduce the frequency with which it collects the number of tap samples for applicable water quality parameters specified in this paragraph (e)(1) of this section from every six months to annually. This sampling begins during the calendar year immediately following the end of the monitoring period in which the third consecutive year of six-month monitoring occurs. Any water system that maintains the range of values for the water quality parameters reflecting optimal corrosion control treatment specified by the State under § 141.82(f), during three consecutive years of annual monitoring under this paragraph may reduce the frequency with which it collects the number of tap samples for applicable water quality parameters specified in paragraph (e)(1) of this section from annually to every three years. This sampling begins no later than the third calendar year following the end of the monitoring period in which the third consecutive year of monitoring occurs.		35 Ill. Adm. Code 611.1357(e)(2)(A)(i) Annual Monitoring. A supplier maintaining the range of values for the water quality parameters reflecting optimal corrosion control treatment under Section 611.1352(f) during three consecutive years of monitoring may reduce its tap sampling frequency for applicable water quality parameters subsection (e)(1) specifies from every six months to annually. The supplier may only begin this reduced sampling during the calendar year immediately following the end of the monitoring period in which the third consecutive year of six-month monitoring occurs. 35 Ill. Adm. Code 611.1357(e)(2)(A)(ii) Triennial Monitoring. A supplier maintaining the range of values for the water quality parameters reflecting optimal corrosion control treatment under Section 611.1352(f) during three consecutive years of annual monitoring under subsection (e)(2)(A)(i) may reduce its tap sampling frequency for applicable water quality parameters subsection (e)(1) specifies from annually to once every three years. The supplier must conduct this triennial monitoring no later than every third calendar year.	the end of the monitoring period in which the third consecutive year of monitoring occurs"). EPA recommends inserting the omitted federal text.
Amends the lead information to be reported in the consumer confidence report. A short informational statement about lead in drinking water and its effects on children. The statement must include the information in figure 1 to this paragraph (d)(1): **Figure 1 to Paragraph (d)(1)** Lead can cause serious health effects in people of all ages, especially pregnant people, infants (both formula-fed and breastfed), and young children. Lead in drinking water is primarily from materials and parts used in service lines and in home plumbing. [INSERT NAME OF SYSTEM] is responsible for providing high quality drinking water and removing lead pipes but cannot control the variety of materials used in the plumbing in your home. Because lead levels may vary over time, lead exposure is possible even when your tap sampling results do not detect lead at one point in time. You can help protect yourself and your family by identifying and removing lead materials within your home plumbing and taking steps to reduce your family's risk. Using a filter, certified by an American National Standards Institute accredited certifier to reduce lead, is effective in reducing lead exposures. Follow the instructions provided with the filter to ensure the filter is used properly. Use only cold water for drinking, cooking, and making baby formula. Boiling water does not remove lead from water. Before using tap water for drinking, cooking, or making baby formula, flush your pipes for several minutes. You can do this by running your tap, taking a shower, doing laundry or a load of dishes. If you have a lead service line or galvanized requiring replacement service line, you may need to flush your pipes for a longer period. If you are concerned about lead in your water and wish to have your water tested, contact [INSERT NAME OF SYSTEM and CONTACT INFORMATION]. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available at https://www.epa.gov/safewater/lead.	§141.154(d)(1)	35 Ill. Adm. Code 611.884(d) Every report must include the following lead-specific information: 35 Ill. Adm. Code 611.884(d)(1) A short informational statement about lead in drinking water and its effects on children. The statement must include the following information: Lead can cause serious health effects in people of all ages ~~problems~~, especially for pregnant people, infants(both formula-fed and breastfed), ~~women~~ and young children. Lead in drinking water is primarily from materials and parts used in ~~components associated with~~ service lines and in home plumbing. [INSERT NAME OF SUPPLIER] is responsible for providing high quality drinking water and removing lead pipes, but cannot control the variety of materials used in the plumbing ~~components~~ in your home. ~~You share the responsibility for protecting yourself and your family from the lead in your home plumbing. You can take responsibility~~ Because lead levels may vary over time, lead exposure is possible even when your tap sampling results do not detect lead at one point in time. You can help protect yourself and your family by identifying and removing lead materials within your home plumbing and taking steps to reduce your family's risk. ~~Before drinking tap water,~~ Using a filter, certified by an American National Standards Institute accredited certifier to reduce lead is effective in reducing lead exposures. Follow the instructions provided with the filter to ensure the filter is used properly. Use only cold water for drinking, cooking, and making baby formula. Boiling water does not remove lead from water. Before using tap water for drinking, cooking, or making baby formula, flush your pipes for several minutes. You can do this by running your tap, taking a shower, doing laundry or a load of dishes. ~~You can also use a filter certified by an American National Standards Institute accredited certifier to reduce lead in drinking water.~~ If you have a lead service line or galvanized requiring replacement service line, you may need to flush your pipes for a longer period. If you are concerned about lead in your water and wish~~, you may wish~~ to have your water tested, contact [INSERT NAME OF SUPPLIER~~UTILITY~~ and CONTACT INFORMATION]. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available at .	Stringency concern. The revised state section omits the link or URL address to the Safewater website (…and steps you can take to minimize exposure is available at https://www.epa.gov/safewater/lead.) Please add it to the section. Typographical issue: There should be a space between infants and the parenthesis before "both" in the first sentence. 1/29/26: citation corrected. Typo not corrected.

Lead and Copper Rule Revisions (Illinois Proposed Subpart AH)			
SUMMARY OF FEDERAL REQUIREMENT	**FEDERAL CITATION**	**STATE REGULATORY CITATION AND TEXT**	**EPA REGION 5 TECHNICAL COMMENT Not Determinative Not a Primacy Review**
The water system may also cease mandatory lead service line replacement if the system has no remaining lead status unknown service lines in its inventory and obtains refusals to conduct full lead service line replacement or non-responses from every remaining customer in its distribution system served by either a full or partial lead service line, or a galvanized requiring replacement service line. For purposes of this paragraph (g)(7) and in accordance with §141.90(e), a water system must provide documentation to the State of customer refusals including a refusal signed by the customer, documentation of a verbal statement made by the customer refusing replacement, or documentation of no response from the customer after the water system made a minimum of two good faith attempts to reach the customer regarding full lead service line replacement. If the water system's 90th percentile exceeds the lead action level again, it must contact all customers served by a full or partial lead service line or a galvanized requiring replacement service line with an offer to replace the customer-owned portion. Nothing in this paragraph (g)(7) requires the water system to bear the cost of replacement of the customer-owned lead service line.	40 CFR 141.84(g)(7)	35 Ill. Adm. Code 611.2354(g)(7): A supplier may also cease mandatorily replacing lead service lines if the supplier has no remaining lead status unknown service lines in its inventory, and the supplier obtains refusals or non-responses to its offer to replace the customer-owned portion of the lead service line from every customer on its distribution system still served by a lead service line or a galvanized requiring replacement service line. For this subsection (g)(7) and under Section 611.360(e), a supplier must document customer refusals to the Agency, including any written refusals signed by the customers, any documents memorializing customers verbally refusing, and any documents memorializing no response from customers after the supplier made at least two good faith attempts to reach each offering to replace the full lead service line. If the supplier's lead 90th percentile concentration later exceeds the lead action level, the supplier must offer to replace the customer-owned portion for every customer served through a full or partial lead service line or galvanized requiring replacement service line. The supplier needs not bear the cost of replacing the customer-owned portion of any lead service line.	Technical concern: The proposed state regulatory language in this section and more broadly in 35 Ill. Adm. Code 611.2354(f) and (g) is not consistent with the State statute in that the proposed regulations do not reflect more stringent requirements under 415 ILCS 5/17.12. For instance, certain requirements under 415 ILCS 5/17.12(ff) are more stringent than the proposed regulation. Section 17.12(ff) expressly prohibits partial LSL replacements, except for limited circumstances, which when applicable, specific steps are provided to limit lead exposure are required. While the discrepancy is outside of this IIS proceeding, the difference between the IIS regulations and state statute will need to be reconciled.
The State may reduce the total number of samples which must be analyzed by allowing the use of compositing. Compositing of samples must be done by certified laboratory personnel. Composite samples from a maximum of five samples are allowed, provided that if the lead concentration in the composite sample is greater than or equal to 0.001 mg/L or the copper concentration is greater than or equal to 0.160 mg/L, then either:	40 C.F.R. 141.88(a)(1)(iv)	35 Ill. Adm. Code 611.2358(a)(1)(D). The Agency may issue a SEP reducing the total number of samples a supplier must analyze by allowing the supplier to composite samples. Certified laboratory personnel must composite the samples. A composite sample may include a maximum of five samples. However, if the lead concentration in the composite sample is greater than or equal to 0.001 mg/ℓ or the copper concentration is greater than or equal to 0.160 mg/ℓ, then the supplier must do either of two things:	Technical issue: For clarity, EPA suggests editing the phrase "… a supplier must analyze…" to instead read "… a supplier must have analyzed…" to emphasize that while the supplier is responsible for making sure the samples are analyzed, the analytical work, including compositing, requires use of certified lab personnel.

Control of Per- and Polyflouroalkyl Substances (PFAS) (State Subparts A, C, F, Z, (and Variances and Exemptions)

SUMMARY OF FEDERAL REQUIREMENT	FEDERAL CITATION	STATE REGULATORY CITATION AND TEXT	EPA REGION 5 TECHNICAL COMMENT Not Determinative Not a Primacy Review
Subpart F – Maximum Contaminant Level Goals for Organic Contaminants			
40 CFR 141.61 Maximum contaminant levels for organic contaminants.			
Paragraph (c)(2) MCLs and HBWCs for PFAS.	40 CFR 141.61(c)(2)[g]	**35 Ill. Adm. Code 611.311(c)(2)**	Technical Recommendation: The federal rule adds a zero before the decimal point. For clarity, consider inserting a leading zero for all decimal numbers – e.g., the MCL of HFPO-DA should be expressed as 0.00001 mg/L.

CAS. No.	Contaminant	MCL (mg/l) (unless otherwise noted)	HBWC (mg/l) For hazard index calculation
(i) Not applicable	Hazard Index PFAS (HFPO-DA, PFBS, PFHxS, and PFNA)	1 (unitless)[1]	Not applicable
i) 122499-17-6	HFPO-DA	0.00001	0.00001
ii) 45187-15-3	PFBS	No individual MCL	0.002
v) 108427-53-8	PFHxS	0.00001	0.00001
v) 72007-68-2	PFNA	0.00001	0.00001
vi) 45285-51-6	PFOA	0.0000040	Not applicable
vii) 45298-90-6	PFOS	0.0000040	Not applicable

[1]. The PFAS Mixture Hazard Index (HI) is the sum of component hazard quotients (HQs), which are calculated by dividing the measured component PFAS concentration in water by the relevant health-based water concentration when expressed in the same units (shown in ng/l for simplification). The HBWC for PFHxS is 10 ng/l; the HBWC for HFPO-DA is 10 ng/l; the HBWC for PFNA is 10 ng/l; and the HBWC for PFBS is 2000 ng/l. Hazard Index = ([HFPO-DAwater ng/l]/[10 ng/l]) + ([PFBSwater ng/l]/[2000 ng/l]) + ([PFNAwater ng/l]/[10 ng/l]) + ([PFHxSwater ng/l]/[10 ng/l])
HBWC = health-based water concentration
HQ = hazard quotient
ng/l = nanograms per liter
PFASwater = the concentration of a specific PFAS in water

[g] *Note: This new content was originally listed on April 26, 2024, as a new table, then redes subparagraph (c)(2) in the technical correction published on June 11, 2024.*

MCLs and HBWCs for PFAS apply to CWS and NTNCWS suppliers:

CAS Number	Contaminant	MCL (mg/L)	HBWC (mg/L)
(Not applicable	Hazard Index (HFPO-DA, PFBS, PFHxS, and PFNA)	1 (unitless) [1]	Not applicable
122499-17-6	HFPO-DA	.00001	.00001
45187-15-3	PFBS	No individual MCL	.002
108427-53-8	PFHxS	.00001	.00001
72007-68-2	PFNA	.00001	.00001
45285-51-6	PFOA	.0000040	Not applicable
45298-90-6	PFOS	.0000040	Not applicable

[1]The PFAS Mixture Hazard Index (HI) is the sum of component hazard quotients (HQs), which are calculated by dividing the measured component PFAS concentration in water by the relevant health-based water concentration when expressed in the same units (shown in ng/l for simplification). The HBWC for PFHxS is 10 ng/l; the HBWC for HFPO-DA is 10 ng/l; the HBWC for PFNA is 10 ng/l; and the HBWC for PFBS is 2000 ng/l.
Hazard Index = ([HFPO-DAwater ng/l]/[10 ng/l]) + ([PFBSwater ng/l]/[2000 ng/l]) + ([PFNAwater ng/l]/[10 ng/l]) + ([PFHxSwater ng/l]/[10 ng/l])
HBWC = health-based water concentration
HQ = hazard quotient
ng/l = nanograms per liter
PFASwater = the concentration of a specific PFAS in water

Subpart O—Consumer Confidence Reports (Includes Consumer Confidence Report Rule Revisions, PFAS, and LCRI Provisions)			
SUMMARY OF FEDERAL REQUIREMENT	**FEDERAL CITATION**	**STATE REGULATORY CITATION AND TEXT**	**EPA REGION 5 TECHNICAL COMMENT Not Determinative Not a Primacy Review**
40 CFR 141.151 Purpose and applicability of this subpart.			
(See Appendix A) For the purpose of this subpart, detected means: at or above the levels prescribed by § 141.23(a)(4) for inorganic contaminants, at or above the levels prescribed by § 141.24(f)(7) for the contaminants listed in § 141.61(a), at or above the levels prescribed by § 141.24(h)(18) for the contaminants listed in § 141.61(c) (except PFAS), at or above the levels prescribed by § 141.131(b)(2)(iv) for the contaminants or contaminant groups listed in § 141.64, at or above the levels prescribed by § 141.25(c) for radioactive contaminants, and at or above the levels prescribed in § 141.902(a)(5) for PFAS listed in § 141.61(c).	40 CFR 141.151(d)	35 Ill. Adm. Code 611.881(d) For the purpose of this Subpart U, "detected" means the following: at or above the detection limit levels prescribed by Section 611.600(d) for inorganic contaminants; at or above the levels prescribed by Section 611.646(a) for Phase I, II, and V VOCs; at or above the levels prescribed by Section 611.648(r) for Phase II, IIB, and V SOCs (except for PFAS) at or above the levels prescribed by Section 611.381(b)(2)(D) for the disinfection byproducts listed in Section 611.312; ~~and~~ at or above the levels prescribed by Section 611.720(c)(2)~~Section 611.720(c)(3)~~ for radioactive contaminants; and at or above the levels prescribed by Section 611.7902(a)(5) for PFAS listed in Section 611.311(c)(2). BOARD NOTE: Derived from 40 CFR 141.151. (Source: Amended at 50 Ill. Reg. _____, effective _____)	Typographical issue: Include comma after "(except for PFAS)". 2/4/26: Corrected 611.646(a) to read 611.646(g). Did not include reference to 40 CFR 141.61(a) for Phase II/V rules in existing rule text.
On a date mutually agreed upon by the seller and the purchaser, and specifically included in a contract between the parties; and	40 CFR 141.152(d)(2)	35 Ill. Adm. Code 611.882(d)(2) On a date mutually agreed upon by the seller and the purchaser, and specifically included in a contract between the parties: and~~.~~	Typographical issue: Section The text should include a semicolon after "parties" rather than a colon.
40 CFR 141.153 Content of the reports.			
For lead and copper: the 90th percentile concentration of the most recent round(s) of sampling, the number of sampling sites exceeding the action level, and the range of tap sampling results;	40 CFR 141.153(d)(4)(vi)	35 Ill. Adm. Code 611.883(d)(4)(F) – existing state language. For lead and copper: the 90th percentile concentration of the most recent rounds of sampling, the number of sampling sites exceeding the action level, and the range of tap sampling results;	Typographical issue: rounds should be round(s).

Subpart A – Analytical Methods			
SUMMARY OF FEDERAL REQUIREMENT	**FEDERAL CITATION**	**STATE REGULATORY CITATION AND TEXT**	**EPA REGION 5 TECHNICAL COMMENT Not Determinative Not a Primacy Review**
		35 Ill. Adm. Code 611.611(b) The supplier must use specific sample preservation, container, and maximum holding time procedures when collecting samples for antimony, arsenic, asbestos, barium, beryllium, cadmium, chromium, cyanide, fluoride, mercury, nickel, nitrate, nitrite, selenium, and thallium under Sections 611.600 through 611.604: BOARD NOTE: For cyanide determinations, the supplier must adjust samples to pH 1 sodium hydroxide to pH 12 when collecting them.	Technical recommendation: Revise the highlighted phrase to state "at time of collection".
		35 Ill. Adm. Code 611.1052 Analytical Methods and Laboratory Certification [Revised Total Coliform Rule] (a) Analytical Methodology (5) The supplier must conduct total coliform and E. coli analyses in using certain analytical methods, each incorporated by reference in Section 611.102: (A)(i) Total Coliform Fermentation Technique. Sections 1 and 2 of SM 9221 B (94) (only the 20th ed.), SM 9221 B (99), SM 9221 B (06), sections 1 through 2 ~~or sections 1 through~~ 4 of SM 9221 B (06) ~~SM 9221 B (14)~~, or sections 1 through 4 of SM 9221 B (14).	Typographical error: SM 9221 B (06) is listed twice. (Delete the duplicate entry)
		35 Ill. Adm. Code 611.2359 Analytical Methods The supplier must conduct analyses for lead, copper, pH, alkalinity, orthophosphate, and silica, using the methods in Section 611.611(a). (a) Only a certified laboratory in one of the categories in Section 611.490(a) may conduct analyses for lead and copper to demonstrate that a supplier complies with this Subpart G. To obtain certification for conducting analyses for lead and copper, a laboratory must fulfill specific conditions: The laboratory must analyze lead- and copper-containing performance evaluation samples provided by USEPA or the Agency at least once a year by each method for which the laboratory seeks certification;	Technical recommendation: Revised the highlighted text to state "provided by or acceptable to USEPA or the Agency..."