

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

**PART 603
OWNERSHIP AND RESPONSIBLE PERSONNEL**

Section

603.101	Ownership
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603.105	Notification of Change of Ownership or Responsible Operator in Charge

Appendix: References to Former Rules

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

SOURCE: Filed with Secretary of State January 1, 1978; amended and codified at 6 Ill. Reg. 11497, effective September 14, 1982; amended in R96-18 at 21 Ill. Reg. 6558, effective May 8, 1997; amended in R15-22 at 40 Ill. Reg. 6853, effective April 15, 2016.

Section 603.101 Ownership

- a) To assure the continued maintenance and operation of community water supplies, each supply must be under the individual direct supervision of a municipal or private corporation, individual private ownership, or a regularly organized body governed by a constitution and by-laws requiring regular election of officers.
- b) The body exercising direct supervision over a community water supply shall file with the Agency a statement of ownership before commencing construction of any community water supply facility.
- c) The body filing a statement of ownership under subsection (b) shall be considered to be the owner of the community water supply until such time as a notification of change of ownership is received, in accordance with Section 603.105.
- d) The owner or official custodian and the Responsible Operator in Charge designated pursuant to Sections 603.103 must be jointly accountable for the proper operation of the community water supply.

(Source: Amended at 40 Ill. Reg. 6853, effective April 15, 2016)

Section 603.102 Administrative Contact

The owner or official custodian of a community water supply may designate, on forms provided by the Agency, an individual to act as agent of the owner or official custodian for all matters related to the community water supply. The designated agent must be known as the Administrative Contact of the community water supply. Any notice provided to the Administrative Contact must be considered notice to the owner or official custodian. An individual's designation as Administrative Contact must remain in effect until the Agency receives written notice otherwise.

(Source: Former Section repealed and new Section added at 40 Ill. Reg. 6853, effective April 15, 2016)

Section 603.103 Responsible Operator in Charge

- a) Under the Public Water Supply Operations Act, *all portions of a community water supply system must be under the direct supervision of a Responsible Operator in Charge.* [415 ILCS 45/1].
- b) Each community water supply, unless exempted under Section 603.104, must designate:
 - 1) one Responsible Operator in Charge who directly supervises both the treatment and distribution facilities of the community water supply; or
 - 2) one Responsible Operator in Charge who directly supervises the treatment facilities of the community water supply and one Responsible Operator in Charge who directly supervises the distribution facilities of the community water supply.
- c) The Responsible Operator in Charge must be a certified operator, qualified and registered in accordance with the Public Water Supply Operations Act and 35 Ill. Adm. Code 681.
- d) The Responsible Operator in Charge must be on the community water supply's operational staff or be providing services to the community water supply under a contract approved by the Agency pursuant to 35 Ill. Adm. Code 681.1015.
- e) The owner or official custodian and the Responsible Operator in Charge must file a signed statement identifying the Responsible Operator in Charge on forms provided by the Agency.

- f) *Each individual who is a Responsible Operator in Charge for a community water supply is jointly accountable with the owner of the community water supply for the proper operation of the portions of the community water supply over which he or she has been designated as the Responsible Operator in Charge. [415 ILCS 45/1.1(a)]*
- g) *Responsible Operator in Charge must submit to the Agency, in accordance with Board rules, consumer confidence reports, monthly operating reports, and drinking water compliance monitoring results, such as corrosion control reports and monitoring results. [415 ILCS 45/1.1(b)(3)]*

(Source: Amended at 40 Ill. Reg. 6853, effective April 15, 2016)

Section 603.104 Exempt Community Water Supply

Pursuant to Section 9.1 of the Public Water Supply Operations Act, a community water supply is not required to have a Responsible Operator in Charge if it:

- a) *consists only of distribution and storage facilities and does not have any collection and treatment facilities;*
- b) *obtains all of its water from, but is not owned or operated by, a community water supply that is required to employ a Class A, Class B, Class C, or Class D community water supply operator;*
- c) *does not sell water to any person; and*
- d) *is not a carrier that conveys passengers in interstate commerce. [415 ILCS 45/9.2]*

(Source: Former Section repealed and new Section added at 40 Ill. Reg. 6853, effective April 15, 2016.)

Section 603.105 Notification of Change of Ownership or Responsible Operator in Charge

- a) *Within 15 days after any change in ownership of a community water supply, the new owner must notify the Agency, on forms supplied by the Agency, of changes in ownership.*
- b) *Within 15 days after any change in the Responsible Operator in Charge, the owner or official custodian and the new Responsible Operator in Charge must notify the Agency, on forms supplied by the Agency, of the changes in responsible personnel.*

(Source: Amended at 40 Ill. Reg. 6853, effective April 15, 2016)

Section 603.APPENDIX References to Former Rules

The following table is provided to aid in referencing former Board rule numbers to section numbers pursuant to codification.

Chapter 6: Public Water Supplies 35 Ill. Adm. Code Part 603
Part III: Operation and Maintenance

Rule 301	Section 603.101
New	Section 603.102
Rule 302	Section 603.103
New	Section 603.104
Rule 303	Section 603.105