

Board to Consider Proposed Updates to Water Quality Standards for Sulfate and Total Dissolved Solids

The Illinois Pollution Control Board, on November 16, 2006, accepted for hearing a proposal docketed as In the Matter of: Triennial Review of Sulfate and Total Dissolved Solids Water Quality Standards: Proposed Amendments to 35 Ill. Adm. Code 302.102(b)(6), 302.102 (b)(8), 302.102(b)(10), 302.208(g), 309.103(c)(3), 405.109(b)(2)(A), 409.109(b)(2)(B), 406.100(d); Repealer of 35 Ill. Adm. Code 406.203 and Part 407; and Proposed New 35 Ill. Adm. Code 302.208(h). On October 23, 2006, the Illinois Environmental Protection Agency (IEPA) filed the rulemaking, which seeks to update existing water quality standards (WQS) for sulfate and total dissolved solids (TDS). The IEPA states that the proposal fulfills the federal requirement to conduct a “triennial water quality standards” review, and to revise and update water quality standards to ensure that standards are protective of public health and welfare, enhance the quality of water and to promote the purposes of the Clean Water Act.

The proposal seeks to:

1. update the sulfate water quality standards for aquatic life (allowing 500-2,500 mg/l depending on hardness and chloride in the water body;
2. update the sulfate water quality standard for livestock watering (2,000 mg/l with averaging available);
3. repeal the TDS WQS as unnecessary after the amendment of sulfate WQS. (TDS) is the sum of dissolved substances in water, dominated by the common ions of sulfate, chloride, sodium, calcium carbonate and magnesium in various proportions. New research indicates that the toxicity of each constituent, rather than the sum of all, is the essential factor to protection of aquatic life.);
4. amend the mixing regulations at 35 Ill. Adm. Code 302.102 to allow mixing in 7Q1.1 zero flow streams to dischargers demonstrating adequate upstream dilution exists in the receiving stream at time of discharge. (This reflects IEPA practice of ‘granting wet weather discharges [from mines] allowed mixing for sulfate and chloride depending upon the upstream flows’.); and
5. delete portions of the existing mine waste rules at 35 Ill. Adm. Code Subtitle D, Parts 406.407 that relate to sulfates and chlorides. As a result, mine permits will be based on the WQS at 35 Ill. Adm. Code Subtitle C, Part 300 WQS.

After conducting hearings on this proposal, the Board will consider whether to proceed to first notice.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board’s Website and may be downloaded from the Web without charge. Hard copies may be obtained for \$.75 per page from the Clerk’s office at 312-814-3629, or by writing to the Clerk’s office:

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