

ILLINOIS POLLUTION CONTROL BOARD  
June 9, 2015

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STATE OF ILLINOIS  
Pollution Control Board

IN THE MATTER OF: )  
)  
AMENDMENTS TO PRIMARY DRINKING ) R15-23  
WATER STANDARDS ) (Rulemaking - Water)  
35 ILL. ADM. CODE 611 )



ORIGINAL

**NOTICE OF HEARINGS**

DATE, TIME, AND PLACE:

July 30, 2015  
1:00 pm  
Sangamo Room  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Springfield, IL

August 19, 2015  
1:00 pm  
Room 2-025  
100 W. Randolph  
Chicago, IL

PURPOSE OF HEARINGS: Merit and Economic

ATTENDING BOARD MEMBERS: D. Glosser, Ph.D

HEARING OFFICER: Marie E. Tipsord

**HEARING OFFICER ORDER**

On May 20, 2015, the Illinois Environmental Protection Agency (IEPA) filed a new rulemaking to amend the fluoridation requirement in the Board's public water supply regulations. IEPA explains that the Board's rules at Section 611.125 require all community water supplies to maintain a fluoride ion concentration of 0.9 to 1.2 milligrams per liter (mg/L) in the community water supply distribution system. SR. at 1; 35 Ill. Adm. Code 611.125. IEPA continues that the state requirement is based on a statutory fluoridation requirement found in the Public Water Supply Regulation Act, 415 ILCS 40 (2014). SR. at 1. A statutory change in 2011 removed the fluoridation range from the statute and replaced it with a reference to the optimal fluoridation levels recommended by the United States Department of Health and Human Services (HHS). On May 1, 2015, HHS adopted a recommended fluoridation ion concentration of 0.7 mg/L. SR. at 1, 4. IEPA proposes to change the Board's rules to adopt the current HHS

recommendation, which will result in a reduction of community water supply's cost of having to meet the existing higher fluoridation levels. IEPA recommends the Board amend the rules to reflect a fluoridation ion concentration of 0.7 mg/L. SR. at 1. In addition, IEPA is proposing that the Board reinstate a secondary fluoride standard in Section 611.858 that IEPA opines to have been inadvertently repealed in 2001. SR. at 1, citing SDWA Update, USEPA Amendments (January 1, 2000, through June 30, 2000), R01-07 (Jan. 4, 2001).

Today's order sets dates for hearings and the prefiling deadlines. The first hearing is scheduled for July 30, 2015, and will be dedicated to testimony by the proponent, IEPA and questions based on that testimony. The IEPA must prefile testimony for the July 30, 2015 hearing by July 2, 2015. Prefiled questions must be filed by July 16, 2015.

The second hearing is scheduled for August 19, 2015, and will be dedicated to testimony by any person, including IEPA. Testimony must be prefiled by August 12, 2015.

Testimony and questions for the hearings must be filed with the Board and served on the persons listed on the service list. If filed with the Board electronically, a copy need not be served on the hearing officer. The mail box rule does not apply to these filings. *See* 35 Ill. Adm. Code 101.300.

All filings in this proceeding will be available on the Board's web page at [www.ipcb.state.il.us](http://www.ipcb.state.il.us) and participants may file electronically on the Board's web page.

IT IS SO ORDERED.



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