

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Introduction
- 2) Code Citation: 35 Ill. Adm. Code 601
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
601.101	Amendment
601.102	Amendment
601.104	Amendment
601.105	Amendment
601.115	New Section
- 4) Statutory Authority: Implementing and authorized by Sections 4, 10, 27, 28, and 28.2 of the Illinois Environmental Protection Act [415 ILCS 5/4, 10, 27, 28, 28.2]
- 5) A Complete Description of the Subjects and Issues Involved: These proposed amendments to Illinois Pollution Control Board rules governing public water supplies add to Part 601 a new Section for incorporation by reference of national standards published by the American Water Works Association, the American Society for Testing and Materials, the American National Standards Institute, the National Sanitation Foundation International, and the Recommended Standards for Water Works, many of which contain design standards that would have to be met for a construction permit to issue. Definitions used in Parts 602 and 603 are also added to and revised in Part 601.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? Yes
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: These rulemakings are intended to streamline the public water supply permitting process and relieve regulatory burden.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comments on this proposal for a period of 45 days after the date of publication in the *Illinois Register*. Public comments must be

RECEIVED
CLERK'S OFFICE

NOV - 4 2015

STATE OF ILLINOIS
Pollution Control Board

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

filed with the Clerk of the Board. Public comments should reference Docket R15-22 and be addressed to:

Clerk's Office
Illinois Pollution Control Board
JRTC
100 W. Randolph St., Suite 11-500
Chicago IL 60601

Public comments may also be filed electronically through the Clerk's Office On-Line (COOL) on the Board's website at www.ipcb.state.il.us.

Interested persons may request copies of the Board's opinion and order in R15-22 by calling the Clerk's office at 312/814-3620, or may download copies from the Board's web site at www.ipcb.state.il.us.

For more information, contact hearing officer Jason James at 312/814-6929 or by e-mail at Jason.James@illinois.gov.

13) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not-for-profit corporations affected: Small private community water supplies and small municipalities that provide water to the public
- B) Reporting, bookkeeping or other procedures required for compliance: Reports generated through the permitting process to comply with incorporated standards.
- C) Types of professional skills necessary for compliance: Many types of community water supply permits require the oversight of an architect or engineer.

14) Regulatory Agenda on which this rulemaking was summarized: July, 2015.

The full text of the Proposed Amendments begins on the next page:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

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

PART 601
INTRODUCTION

Section

- 601.101 General Requirements
- 601.102 Applicability and Organization of this Chapter
- 601.103 Severability
- 601.104 Analytical Testing
- 601.105 Definitions
- 601.115 Incorporation by Reference

601.APPENDIX A 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 at 2 Ill. Reg. 36, p. 72, effective August 29, 1978; amended at 3 Ill. Reg. 13, p. 236, effective March 30, 1979; amended and codified at 6 Ill. Reg. 11497, effective September 14, 1982; amended at 6 Ill. Reg. 14344, effective November 3, 1982; amended in R84-12 at 14 Ill. Reg. 1379, effective January 8, 1990; amended in R89-5 at 16 Ill. Reg. 1585, effective January 10, 1992; amended in R96-18 at 21 Ill. Reg. 6537, effective May 8, 1997; amended in R15-22 at 40 Ill. Reg. , effective .

Section 601.101 General Requirements

Owners and official custodians of a public water supply in the State of Illinois ~~must~~shall provide, pursuant to the ~~Environmental Protection Act [415 ILCS 5] (Act), the Pollution Control Act, Board (Board)~~ Rules, and the Safe Drinking Water Act (42 U.S.C. USC 300f et seq.), continuous operation and maintenance of public water supply facilities so that the water shall be assuredly safe in quality, clean, adequate in quantity, and of satisfactory mineral characteristics for ordinary domestic consumption.

(Source: Amended at 40 Ill. Reg. , effective .)

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

Section 601.102 Applicability and Organization of this Chapter

- a) The provisions of this Chapter ~~must~~shall apply to groundwater and public water supplies, ~~as defined in the Act,~~ except for those designated as non-community water supplies. A public water supply ~~must~~shall be considered to end at each service connection.

- b) The Board regulations adopted in this Chapter are organized as provided in this Section.
 - 1) Part 601 ~~of this Chapter~~ contains definitions, analytical testing requirements, and ~~incorporation~~incorporations by reference applicable to Parts 601, 602, 603 and 607.
 - 2) Part 602 ~~of this Chapter~~ contains permitting requirements and standards for community water supplies and technical, financial, and managerial capacity requirements for new community water supplies.
 - 3) Part 603 ~~of this Chapter~~ contains ownership and responsible personnel requirements for community water supplies.
 - 4) Part 607 ~~of this Chapter~~ contains requirements for emergency operation and cross-connection control.
 - 5) Part 611 ~~of this Chapter~~ contains regulations identical in substance with federal regulations promulgated by the United States Environmental Protection Agency (USEPA) pursuant to Sections 1412(b), 1414(c), 1417(a), and 1445(a) of the Safe Drinking Water Act (SDWA) (42 USC 300g-1(b), 300g-3(c), 300g-6(a), and 300j-4(a)). Part 611 establishes primary drinking water regulations and includes definitions and ~~incorporation~~incorporations by reference applicable to Part 611.
 - 6) Part 615 ~~of this Chapter~~ contains requirements and standards for the protection of groundwater for certain types of existing facilities or units located wholly or partially within a setback zone or a regulated recharge area. Part 615 includes definitions and ~~incorporation~~incorporations by reference applicable to Part 615.
 - 7) Part 616 ~~of this Chapter~~ contains requirements and standards for the

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

protection of groundwater for certain types of new facilities or units located wholly or partially within a setback zone or a regulated recharge area. Part 616 includes definitions applicable to Part 616.

- 8) Part 617 ~~of this Chapter~~ contains the requirements and standards for regulated recharge areas. Part 617 includes definitions and an incorporation by reference applicable to Part 617.
- 9) Part 618 ~~of this Chapter~~ contains requirements and standards for maximum setback zones. Part 618 includes definitions applicable to Part 618.
- 10) Part 620 ~~of this Chapter~~ contains the method of classification of groundwater, nondegradation provisions, the groundwater quality standards, and procedures and protocols for the management and protection of groundwater. Part 620 includes definitions and ~~incorporation~~ incorporations by reference applicable to Part 620.

(Source: Amended at 40 Ill. Reg. ~~=~~ _____, effective _____ ~~=~~ _____)

Section 601.104 Analytical Testing

- a) To determine compliance with ~~these~~ the community water supplies rules and regulations ~~under~~ (35 Ill. Adm. Code, Subtitle F), all sampling, monitoring and testing ~~and physical, chemical, bacteriological, and microscopic analyses-~~ ~~must~~ shall be made according to the methods described in 35 Ill. Adm. Code ~~611~~ 611, the National Primary Drinking Water Regulations (40 CFR 141), and any other method specifically approved by the ~~Environmental Protection Agency-~~ ~~(Agency)~~.
- b) All ~~analyses~~ ~~anlayses~~ analyses for substances other than those listed in 35 Ill. Adm. Code 611 ~~these rules and regulations~~ must be performed by methods acceptable to the Agency.

(Source: Amended at 40 Ill. Reg. ~~=~~ _____, effective _____ ~~=~~ _____)

Section 601.105 Definitions

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

- a) For purposes of ~~Parts~~[35 Ill. Adm. Code](#) 601, 602, 603 and ~~607 of this Chapter,~~[607](#), unless a different meaning of a word or term is clear from the context:

"Act" means the Environmental Protection Act,~~as amended,~~ [\[415 ILCS 5\]](#).

"Agency" means the Illinois Environmental Protection Agency.~~Agency.~~

"Aquifer ~~property data~~[Property Data](#)" means the porosity, hydraulic conductivity, transmissivity, ~~and~~ [storage coefficient](#) of an aquifer, head and hydraulic gradient.~~."~~

"Board" means the Illinois Pollution Control Board.

"Boil Order" means a notice to boil all drinking and culinary water for at least five minutes before use, issued by the proper authorities to the consumers of a public water supply affected, whenever the water being supplied may have become microbiologically contaminated.~~."~~

"Certified Laboratory" means any laboratory certified pursuant to Section 4(o) of the Act ~~[415 ILCS 5/4(o)], or certified by USEPA approved by Agency, the Illinois Department of Nuclear Safety or the Illinois Department of Public Health for the specific parameters to be examined, as set out in rules adopted pursuant to the Illinois Administrative Procedure Act [5 ILCS 100], or certified by USEPA.~~

"Chemical Analysis" means analysis for any inorganic or organic substance, with the exception of radiological or microbiological analyses.

"Chlorine"

"Chlorine ~~demand~~[Demand](#)" means the difference between the amount of chlorine applied to a given water and the amount of total available chlorine remaining at the end of the contact period. All test conditions (contact time, pH and temperature) must be given ~~in,~~ expressing the chlorine demand in a given water.

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

"Combined ~~ehlorine~~[Chlorine](#)" means the reaction product formed when chlorine has reacted with ammonia to form chloramines.

"Free ~~ehlorine~~[Chlorine](#)" means the residual chlorine existing in water as the sum of hypochlorous acid and hypochlorite ion.

"Total ~~ehlorine~~[Chlorine](#)" means the sum of the free chlorine and the combined chlorine.

~~"Confined Geologic Formations" are geologic water bearing formations protected against the entrance of contamination by other geologic formations.~~

"Community Water Supply" or "CWS" means a public water supply which serves or is intended to serve at least 15 service connections used by residents or regularly serves at least 25 residents. ~~[415 ILCS 5/~~[\(Section 3.145\]](#) ~~of the Act)~~

~~"Confined Geologic Formations" are geologic water bearing formations protected against the entrance of contamination by other geologic formations.~~

"Cross-connection"

"Cross-connection" means any physical connection or arrangement between two otherwise separate piping systems, one ~~of~~ which contains potable water ~~and an another which~~[that](#) contains water of unknown or questionable safety, steam, or one or more gases; chemicals or other substances ~~where~~[when](#) flow from one system to the other is possible.

"Direct ~~eross~~[Cross](#)-connection" means a cross-connection formed when a piping system containing potable water is physically joined to another piping system containing water of unknown or questionable safety, steam, or one or more gases, chemicals or other substances.

"Indirect ~~eross~~[Cross](#)-connection" means a cross-connection formed when water of unknown or questionable safety, steam or one or more gases, chemicals or other substances from one piping system can be

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

forced, drawn by vacuum or otherwise introduced into another piping system containing potable water.

"Disinfectant" means any ~~agent~~~~oxidant~~~~agent~~, including but not limited to chlorine, chlorine dioxide, chloramines, and ozone, added to water in any part of the treatment or distribution process, ~~which~~~~that~~ is intended to kill or inactivate pathogenic microorganisms.

~~"Dose Equivalent" means the product of the absorbed dose from ionizing radiation and such factors as account for differences in biological effectiveness due to the type of radiation and its distribution in the body as specified by the International Commission of Radiological Units and Measurements (ICRU).~~

~~"Gross Alpha Particle Activity" means the total radioactivity due to alpha particle emission as inferred from measurements on a dry sample.~~

~~"Gross Beta Particle Activity" means the total radioactivity due to beta particle emission as inferred from measurements on a dry sample.~~

~~"GROUNDWATER" MEANS UNDERGROUND WATER WHICH OCCURS WITHIN THE SATURATED ZONE AND GEOLOGIC MATERIALS WHERE THE FLUID PRESSURE IN THE PORE SPACE IS EQUAL TO OR GREATER THAN ATMOSPHERIC PRESSURE. (SECTION 3.64 OF THE ACT).~~

"Groundwater" means underground water which occurs within the saturated zone and geologic materials where the fluid pressure in the pore space is equal to or greater than atmospheric pressure. (Section [3.643.210](#) of the Act).

~~"Halogen" means one of the chemical elements chlorine, bromine or iodine.~~

"Head" means the sum of the elevation head, pressure head, and velocity head at a given point in an aquifer.

"Hydraulic ~~conductivity~~~~Conductivity~~" means the rate of flow in gallons per day (gpd) through a cross section of one square foot (ft²) under a unit hydraulic gradient (gpd/ft²).

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

"Hydraulic ~~gradient~~Gradient" means the rate of change of total head per unit distance of flow in a given direction.

"Infrastructure" means all mains, pipes, and structures through which water is obtained and distributed to the public, including wells and well structures, intakes and cribs, pumping stations, treatment plants, reservoirs, storage tanks and appurtenances, collectively or severally, actually used or intended to be used for the purpose of furnishing water for drinking or general domestic use.

~~"Man-Made Beta Particle and Photon Emitters" means all radionuclides emitting beta particles and/or photons listed in Maximum Permissible Body Burdens and Maximum Permissible Concentration of Radionuclides in Air or Water for Occupational Exposure, National Bureau of Standards (NBS) Handbook 69, except the daughter products of thorium-232, uranium-235 and uranium-238.~~ "Maximum Average Daily Demand" or "Maximum Demand" means the maximum consecutive seven day production period.

~~"Maximum Residence Time Concentration (MRTC)" means the concentration of total trihalomethanes found in a water sample taken at a point of maximum residence time in the public water supply distribution system.~~

~~"Maximum Total Trihalomethane Potential (MTP)" means the maximum concentration of total trihalomethanes produced in a given water containing a disinfectant residual after 7 days at a temperature of 25 degrees C or above.~~

"New ~~community water supply~~Community Water Supply" means, beginning after October 1, 1999, all new community water supplies and those water supplies that expand their infrastructure to serve or intend to serve at least 15 service connections used by residents or regularly serves at least 25 residents. Any water supply not currently a community water supply that adds residents so that the total served is 25 residents or more without constructing additional infrastructure will become a community water supply, but will not be required to demonstrate capacity under 35 Ill. Adm. Code 602.103 unless the community water supply is on restricted status as required by 35 Ill. Adm. Code 602.106.

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

"Non-community ~~water supply~~ Water Supply" means *a public water supply that is not a community water supply. ~~[415 ILCS 5/ (Section 3.145)]~~ of the Act*

"Official Custodian" means *an individual who is ~~an~~ officer of an entity ~~that organization which~~ that is the owner ~~or operator~~ of a community ~~public water supply, and acts as the owner's agent in matters concerning the community water supply~~ who has direct administrative responsibility for ~~the~~ water supply. [415 ILCS 45/9.4]*

~~"Persistent Contamination" exists when analysis for total coliform is positive in one or more samples of a routine sample set, and when three or more subsequent repeat samples indicate the presence of contamination.~~

~~"Picocurie (pCi)" means that quantity of radioactive material producing 2.22 nuclear transformations per minute.~~

~~"Point Of Maximum Residence Time" means that part of the active portion of the distribution system remote from the treatment plant where the water has been in the distribution system for the longest period of time.~~

"Porosity" means the percentage of the bulk volume of a rock or soil that is occupied by interstices, whether isolated or connected.

"Public Water Supply" ~~(or "PWS")~~ means *all mains, pipes and structures through which water is obtained and distributed to the public, including wells and well structures, intakes and cribs, pumping stations, treatment plants, reservoirs, storage tanks and appurtenances, collectively or severally, actually used or intended for use for the purpose of furnishing water for drinking or general domestic use and which serve at least 15 service connections or which regularly serve at least 25 persons at least 60 days per year. (Section 3.28 of the Act)*

~~"Recurring Contamination" exists when analysis of total coliform is positive in one or more samples of a routine sample set, if this occurs four or more times in a twelve consecutive month period.~~

"Rem" means the unit of dose equivalent from ionizing radiation to the total body or any internal organ or organ system. A "millirem (mrem)" is 1/1000 of a rem.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

"Responsible Operator in Charge" means an individual who is designated as a Responsible Operator in Charge of a community water supply pursuant to [Section 1](#) of the Public Water Supply Operations Act [415 ILCS 45/1] and [Part 35 Ill. Adm. Code](#) 603. [415 ILCS 45/9.6]

"Sell Water" means to deliver or provide potable water, obtained from a public water supply subject to these regulations, to the consumer, who is then individually or specifically billed for water service, or where any monetary assessment is levied or required and specifically used for water service. Water supply facilities owned or operated by political subdivisions, homeowners associations, and not-for-profit associations, as well as privately owned utilities regulated by the Illinois Commerce Commission, are considered to sell water whether or not a charge is specifically made for water.

"Service Connection" is the opening, including all fittings and appurtenances, at the water main through which water is supplied to the user ~~through a water service line.~~

"Storage ~~efficient~~ [Coefficient](#)" means the volume of water an aquifer releases from or takes into storage per unit surface area of the aquifer per unit change in head.

"Surface Water" means all tributary streams and drainage basins, including natural lakes and artificial reservoirs, which may affect a specific water supply above the point of water supply intake.

"Surface Water Supply Source" means any surface water used as a water source for a public water supply.

"Supply" means a ~~community~~ [public](#) ~~community~~ water supply.

~~"Total Trihalomethanes (TTHM)" means the sum of the concentration in milligrams per liter of the trihalomethane compounds trichloromethane (chloroform), dibromochloromethane, bromodichloromethane and tribromomethane (bromoform), rounded to two significant figures.~~

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

"Transmissivity" means the rate in gallons per minute (gpm), at which water is transmitted through a unit width, in feet (ft), of an aquifer under a unit hydraulic gradient (gpm/ft).

~~"Trihalomethane (THM)" means one of the family of organic compounds named as derivatives of methane, wherein three of the four hydrogen atoms in methane are each substituted by a halogen atom in the molecular structure.~~

"Water Main" means any pipe for the purpose of distributing potable water ~~which~~that serves or is accessible to more than one property, dwelling, or rental unit, and is exterior to buildings.

"Water Service Line" means any pipe from the water main or source of potable water supply that serves or is accessible to not more than one property, dwelling, or rental unit of the user.

"Well ~~hydraulics~~Hydraulics" means equations that are applied to understand the effect that a pumping well structure has on inducing the movement of water through permeable rock formations, ~~and~~ and certain aquifer properties, to determine the rate of withdrawal of ~~such~~the well. This term is inclusive of equations that quantify wellbore skin effects/well loss.

"Wellhead ~~protection area~~Protection Area" or ~~"WHPA"~~ means the surface and subsurface recharge area surrounding a community water supply well or well field, delineated outside of any applicable setback zones (pursuant to Section 17.1 of the Act ~~[415 ILCS 5/17.1]~~ established pursuant to Illinois' Wellhead Protection Program, through which contaminants are reasonably likely to move toward ~~such~~the well or well field.

"Wellhead ~~protection measures~~Protection Measures" means management practices needed to mitigate existing and future threats to the water quality within the delineated WHPA.

"Wellhead ~~protection program~~Protection Program" means the ~~wellhead protection program~~Wellhead Protection Program for the State of Illinois, approved by USEPA under ~~Section~~section 1428 of the SDWA, (42 USC 300h-~~7.7~~).

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

- b) Terms not specifically defined in subsection (a), will have the ~~meaning-~~
~~defined~~meanings ascribed in 35 Ill. Adm. Code 611.
- c) Terms not specifically defined in subsections (a) or (b) will have the
~~meaning~~meanings specified in The Water Dictionary, incorporated by reference in
Section 601.115.

(Source: Amended at 40 Ill. Reg. _____, effective _____.)

Section 601.115 ~~Incorporation~~Incorporations by Reference

- a) Abbreviations and ~~short~~Short-name ~~listing~~Listing of ~~references~~References. The
following names and abbreviated names, ~~presented in alphabetical order~~, are used
in this Chapter I to refer to materials incorporated by reference:

"ANSI" means those standards published by American National Standards
Institute (ANSI).

"ASTM" means those standards published by American Society for
Testing and Materials (ASTM).

"AWWA" means those standards published by the American Water Works
Association.

"Recommended Standards" means ~~"~~"Recommended Standards for Water
Works ~~— —~~ Policies for the Review and Approval of Plans and
Specifications for Public Water Supplies ~~"~~".

- b) The Agency incorporates the following ~~material~~materials by reference ~~:~~:

ASTM. American Society for Testing and Materials, 100 Barr Harbor
Drive, ~~P.O.~~PO Box C700, West Conshohocken, PA 19428-2959, (610)
832-9500.

ASTM D 2241-09, Standard Specification for Poly(Vinyl
Chloride) (PVC) Pressure-Rated Pipe (SDR Series), approved
December 1, 2009.

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

AWWA. American Water Works Association et al., 6666 West Quincy Ave., Denver, CO ~~80235~~[80235](#), (303-)~~794-7711~~[7711](#).

ANSI/AWWA A100-06, Water Wells, approved February 2, 2006, effective August 1, 2006.

ANSI/AWWA B100-09, Granular Filter Material, approved January 25, 2009, effective March 1, 2010.

ANSI/AWWA C151/A21.51-09, Ductile-Iron Pipe, Centrifugally Cast, approved January 25, 2009, effective September 1, 2009.

ANSI/AWWA C200-12, Steel Water Pipe, 6 In. (150 mm) and Larger, approved June 10, 2012, effective September 1, 2012.

ANSI/AWWA C301-07, Prestressed Concrete Pressure Pipe, Steel-Cylinder Type, approved January 21, 2007, effective June 1, 2007.

ANSI/AWWA C651-05, Disinfecting Water Mains, approved January 16, 2005, effective June 1, 2005.

ANSI/AWWA C652-11, Disinfection of Water Storage Facilities, approved June 12, 2011, effective October 1, 2011.

ANSI/AWWA C653-03, Disinfection of Water Treatment Plants, approved January 19, 2003, effective June 1, 2003.

ANSI/AWWA C654-03, Disinfection of Wells, approved January 19, 2003, effective November 1, 2003.

AWWA C900-07 Polyvinyl Chloride (PVC) Pressure Pipe and Fabricated Fittings, 4 In. Through 12 In. (100 mm Through 300 mm), for Water Transmission and Distribution, ~~2007~~[2007](#).

ANSI/AWWA C905-10, Polyvinyl Chloride (PVC) Pressure Pipe and Fabricated Fittings, 14 In. Through 48 In. (350 mm Through 1,200 mm), approved January 17, 2010, effective April 1, 2010.

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

AWWA C906-07 Polyethylene (PE) Pressure Pipe and Fittings, 4 In. (100 mm) Through 63 In. (1,600 mm) for Water Distribution and Transmission, ~~2007~~[2007](#).

ANSI/AWWA D100-11, Welded Carbon Steel Tanks for Storage, approved January 23, 2011, effective July 1, 2011.

ANSI/AWWA D103-09, Factory Coated Bolted Carbon Steel Tanks for Water Storage, approved January 25, 2009, effective November 1, 2009.

ANSI/AWWA D107-10, Composite Elevated Tanks for Water Storage, approved January 17, 2010, effective December 1, 2010.

"The Water Dictionary", 2nd Edition, 2010.

NSF. National Sanitation Foundation International, 3475 Plymouth Road, PO Box 130140, Ann Arbor, ~~Michigan MI~~ [48113-0140](#) [0140](#), (734-~~769-8010~~)[8010](#).

NFS/ANSI 60-2013 Drinking Water Treatment Chemicals~~--~~ Health Effects, April, ~~2014~~[2014](#).

NSF/ANSI 61-~~2013~~[2013](#) Drinking Water System Components~~--~~ Health Effects, March~~;~~ 2014.

"Recommended Standards for Water Works~~--~~ Policies for the Review and Approval of Plans and Specifications for Public Water Supplies," 2012 Edition, Great Lakes~~--~~ Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers, Health Research Inc., Health Education Services Division, ~~P.O.~~[PO](#) Box 7126, Albany, NY 12224, (518) 439-7286.

"Standard Specifications for Water and Sewer Main Construction in Illinois", 7th Edition~~;~~, 2014, Illinois Society of Professional Engineers, 100 East Washington Street, Springfield, ~~Illinois IL~~ [62701](#), (217) 544-7424.

~~ILLINOIS REGISTER~~ [JCAR350601-1514224r01](#)

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

- c) No later amendments to or editions of the materials listed in subsection (b) are incorporated.

(Source: Added at 40 Ill. Reg. _____, effective _____.)

Document comparison by Workshare Compare on Friday, October 30, 2015
12:33:34 PM

Input:	
Document 1 ID	file:///I:/Input/Agency Rulemakings - Files Received\2015\Oct2015\35-601-Agency-proposed-(issue45).docx
Description	35-601-Agency-proposed-(issue45)
Document 2 ID	file:///I:/Input/Agency Rulemakings - Files Received\2015\Oct2015\35-601-JCAR-r01(issue45).docx
Description	35-601-JCAR-r01(issue45)
Rendering set	Custom rendering set

Legend:	
<u>Insertion</u>	
Deletion	
Moved from	
<u>Moved to</u>	
Style change	
Format change	
Moved deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	122
Deletions	160
Moved from	1
Moved to	1
Style change	0
Format changed	0
Total changes	284

1 TITLE 35: ENVIRONMENTAL PROTECTION
2 SUBTITLE F: PUBLIC WATER SUPPLIES
3 CHAPTER I: POLLUTION CONTROL BOARD
4

5 PART 601
6 INTRODUCTION
7

8 Section

- 9 601.101 General Requirements
10 601.102 Applicability and Organization of this Chapter
11 601.103 Severability
12 601.104 Analytical Testing
13 601.105 Definitions
14 601.115 Incorporation by Reference
15

16 601.APPENDIX A References to Former Rules
17

18 AUTHORITY: Implementing Section 17 and authorized by Section 27 of the Environmental
19 Protection Act [415 ILCS 5/17 and 27].
20

21 SOURCE: Filed with Secretary of State January 1, 1978; amended at 2 Ill. Reg. 36, p. 72,
22 effective August 29, 1978; amended at 3 Ill. Reg. 13, p. 236, effective March 30, 1979; amended
23 and codified at 6 Ill. Reg. 11497, effective September 14, 1982; amended at 6 Ill. Reg. 14344,
24 effective November 3, 1982; amended in R84-12 at 14 Ill. Reg. 1379, effective January 8, 1990;
25 amended in R89-5 at 16 Ill. Reg. 1585, effective January 10, 1992; amended in R96-18 at 21 Ill.
26 Reg. 6537, effective May 8, 1997; amended in R15-22 at 40 Ill. Reg. _____, effective
27 _____.
28

29 **Section 601.101 General Requirements**
30

31 Owners and official custodians of a public water supply in the State of Illinois shall provide,
32 pursuant to the ~~Environmental Protection Act [415 ILCS 5] (Act), the Pollution Control Board~~
33 ~~(Board)~~ Rules, and the Safe Drinking Water Act (42 USCU.S.C. 300f et seq.), continuous
34 operation and maintenance of public water supply facilities so that the water shall be assuredly
35 safe in quality, clean, adequate in quantity, and of satisfactory mineral characteristics for
36 ordinary domestic consumption.
37

38 (Source: Amended at 40 Ill. Reg. _____, effective _____)
39

40 **Section 601.102 Applicability and Organization of this Chapter**
41

- 42 a) The provisions of this Chapter shall apply to groundwater and public water
43 ~~supplies, as defined in the Act,~~ except for those designated as non-community

44 water supplies. A public water supply shall be considered to end at each service
 45 connection.

46
 47 b) The Board regulations adopted in this Chapter are organized as provided in this
 48 Section.

- 49
 50 1) Part 601 contains definitions, analytical testing requirements, and
 51 incorporations by reference applicable to Parts 601, 602, 603 and 607.
 52
 53 2) Part 602 contains permitting requirements and standards for community
 54 water supplies and technical, financial and managerial capacity
 55 requirements for new community water supplies.
 56
 57 3) Part 603 contains ownership and responsible personnel requirements for
 58 community water supplies.
 59
 60 4) Part 607 contains requirements for emergency operation and cross-
 61 connection control.
 62
 63 5) Part 611 contains regulations identical in substance with federal
 64 regulations promulgated by the United States Environmental Protection
 65 Agency (USEPA) pursuant to Sections 1412(b), 1414(c), 1417(a) and
 66 1445(a) of the Safe Drinking Water Act (SDWA) (42 USC 300g-1(b),
 67 300g-3(c), 300g-6(a) and 300j-4(a)). Part 611 establishes primary
 68 drinking water regulations and includes definitions and incorporations by
 69 reference applicable to Part 611.
 70
 71 6) Part 615 contains requirements and standards for the protection of
 72 groundwater for certain types of existing facilities or units located wholly
 73 or partially within a setback zone or a regulated recharge area. Part 615
 74 includes definitions and incorporations by reference applicable to Part
 75 615.
 76
 77 7) Part 616 contains requirements and standards for the protection of
 78 groundwater for certain types of new facilities or units located wholly or
 79 partially within a setback zone or a regulated recharge area. Part 616
 80 includes definitions applicable to Part 616.
 81
 82 8) Part 617 contains the requirements and standards for regulated recharge
 83 areas. Part 617 includes definitions and an incorporation by reference
 84 applicable to Part 617.
 85
 86 9) Part 618 contains requirements and standards for maximum setback zones.

Part 618 includes definitions applicable to Part 618.

- 10) Part 620 contains the method of classification of groundwater, nondegradation provisions, the groundwater quality standards, and procedures and protocols for the management and protection of groundwater. Part 620 includes definitions and incorporations by reference applicable to Part 620.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 601.104 Analytical Testing

- a) To determine compliance with ~~the~~these community water supplies rules and regulations (35 Ill. Adm. Code Subtitle F), all sampling, monitoring and testing and physical, chemical, bacteriological, and microscopic analyses shall be made according to the methods described in 35 Ill. Adm. Code 611, the National Primary Drinking Water Regulations (40 CFR 141), and any other method specifically approved by the ~~Environmental Protection Agency (Agency)~~.
- b) All analyses for substances other than those listed in 35 Ill. Adm. Code 611~~the rules and regulations~~ must be performed by methods acceptable to the Agency.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 601.105 Definitions

- a) For purposes of 35 Ill. Adm. Code 601, 602, 603 and 607~~this Chapter~~, unless a different meaning of a word or term is clear from the context:
 - "Act" means the Environmental Protection Act, ~~as amended~~, [415 ILCS 5].
 - "Agency" means the Illinois Environmental Protection Agency.
 - "Aquifer Property Data" means the porosity, hydraulic conductivity, transmissivity and storage coefficient of an aquifer, head and hydraulic gradient.
 - "Board" means the Illinois Pollution Control Board.
 - "Boil Order" means a notice to boil all drinking and culinary water for at least five minutes before use, issued by the proper authorities to the

129 consumers of a public water supply affected, whenever the water being
130 supplied may have become microbiologically contaminated.

131
132 "Certified Laboratory" means any laboratory certified pursuant to Section
133 4(o) of the Act, or certified by USEPA approved by the Agency, the
134 Illinois Department of Nuclear Safety or the Illinois Department of Public
135 Health for the specific parameters to be examined, as set out in rules
136 adopted pursuant to the Illinois Administrative Procedure Act [5 ILCS
137 100].

138
139 "Chemical Analysis" means analysis for any inorganic or organic
140 substance, with the exception of radiological or microbiological analyses.

141
142 "Chlorine"

143
144 "Chlorine Demand" means the difference between the amount of
145 chlorine applied to a given water and the amount of total available
146 chlorine remaining at the end of the contact period. All test
147 conditions (contact time, pH and temperature) must be given,
148 expressing the chlorine demand in a given water.

149
150 "Combined Chlorine" means the reaction product formed when
151 chlorine has reacted with ammonia to form chloramines.

152
153 "Free Chlorine" means the residual chlorine existing in water as
154 the sum of hypochlorous acid and hypochlorite ion.

155
156 "Total Chlorine" means the sum of the free chlorine and the
157 combined chlorine.

158
159 "Community Water Supply" or "CWS" means a public water supply
160 which serves or is intended to serve at least 15 service connections used
161 by residents or regularly serves at least 25 residents. (Section 3.145 of the
162 Act)

163
164 "Confined Geologic Formations" are geologic water bearing formations
165 protected against the entrance of contamination by other geologic
166 formations.

167
168 "Cross-connection"

169
170 "Cross-connection" means any physical connection or arrangement
171 between two otherwise separate piping systems, one of which

172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214

contains potable water that contains water of unknown or questionable safety, steam, or one or more gases; chemicals or other substances when flow from one system to the other is possible.

"Direct Cross-connection" means a cross-connection formed when a piping system containing potable water is physically joined to another piping system containing water of unknown or questionable safety, steam, or one or more gases, chemicals or other substances.

"Indirect Cross-connection" means a cross-connection formed when water of unknown or questionable safety, steam or one or more gases, chemicals or other substances from one piping system can be forced, drawn by vacuum or otherwise introduced into another piping system containing potable water.

"Disinfectant" means any ~~agent~~^{oxidant}, including but not limited to chlorine, chlorine dioxide, chloramines, and ozone, added to water in any part of the treatment or distribution process, ~~that~~^{which} is intended to kill or inactivate pathogenic microorganisms.

"Dose Equivalent" means the product of the absorbed dose from ionizing radiation and such factors as account for differences in biological effectiveness due to the type of radiation and its distribution in the body as specified by the International Commission on Radiological Units and Measurements (ICRU).

"Gross Alpha Particle Activity" means the total radioactivity due to alpha particle emission as inferred from measurements on a dry sample.

"Gross Beta Particle Activity" means the total radioactivity due to beta particle emission as inferred from measurements on a dry sample.

"Groundwater" means underground water which occurs within the saturated zone and geologic materials where the fluid pressure in the pore space is equal to or greater than atmospheric pressure. (Section 3.2103-64 of the Act)

"Halogen" means one of the chemical elements chlorine, bromine or iodine.

"Head" means the sum of the elevation head, pressure head and velocity head at a given point in an aquifer.

215
 216
 217
 218
 219
 220
 221
 222
 223
 224
 225
 226
 227
 228
 229
 230
 231
 232
 233
 234
 235
 236
 237
 238
 239
 240
 241
 242
 243
 244
 245
 246
 247
 248
 249
 250
 251
 252
 253
 254
 255
 256
 257

"Hydraulic Conductivity" means the rate of flow in gallons per day (gpd) through a cross section of one square foot (ft²) under a unit hydraulic gradient (gpd/ft²).

"Hydraulic Gradient" means the rate of change of total head per unit distance of flow in a given direction.

"Infrastructure" means all mains, pipes and structures through which water is obtained and distributed to the public, including wells and well structures, intakes and cribs, pumping stations, treatment plants, reservoirs, storage tanks and appurtenances, collectively or severally, actually used or intended to be used for the purpose of furnishing water for drinking or general domestic use.

~~"Man-Made Beta Particle and Photon Emitters" means all radionuclides emitting beta particles and/or photons listed in Maximum Permissible Body Burdens and Maximum Permissible Concentration of Radionuclides in Air or Water for Occupational Exposure, National Bureau of Standards (NBS) Handbook 69, except the daughter products of thorium-232, uranium-235 and uranium-238.~~

"Maximum Average Daily Demand" or "Maximum Demand" means the maximum consecutive seven day production period.

~~"Maximum Residence Time Concentration (MRTC)" means the concentration of total trihalomethanes found in a water sample taken at a point of maximum residence time in the public water supply distribution system.~~

~~"Maximum Total Trihalomethane Potential (MTP)" means the maximum concentration of total trihalomethanes produced in a given water containing a disinfectant residual after 7 days at a temperature of 25° C or above.~~

"New Community Water Supply" means, beginning after October 1, 1999, all new community water supplies and those water supplies that expand their infrastructure to serve or intend to serve at least 15 service connections used by residents or regularly serves at least 25 residents. Any water supply not currently a community water supply that adds residents so that the total served is 25 residents or more without constructing additional infrastructure will become a community water supply, but will not be required to demonstrate capacity under 35 Ill. Adm. Code 602.103 unless the

258 community water supply is on restricted status as required by 35 Ill. Adm.
259 Code 602.106.

260
261 "Non-community Water Supply" means a public water supply that is not a
262 community water supply. (Section 3.145 of the Act)

263
264 "Official Custodian" means an individual who is an officer of an entity that
265 is the owner of a community water supply. [415 ILCS 45/9.4]"Official
266 Custodian" means any officer of an organization which is the owner or
267 operator of a public water supply, and who has direct administrative
268 responsibility for the supply.

269
270 "Persistent Contamination" exists when analysis for total coliform is
271 positive in one or more samples of a routine sample set, and when three or
272 more subsequent repeat samples indicate the presence of contamination.

273
274 "Picocurie (pCi)" means that quantity of radioactive material producing
275 2.22 nuclear transformations per minute.

276
277 "Point of Maximum Residence Time" means that part of the active portion
278 of the distribution system remote from the treatment plant where the water
279 has been in the distribution system for the longest period of time.

280
281 "Porosity" means the percentage of the bulk volume of a rock or soil that is
282 occupied by interstices, whether isolated or connected.

283
284 "Public Water Supply" or "PWS" means all mains, pipes and structures
285 through which water is obtained and distributed to the public, including
286 wells and well structures, intakes and cribs, pumping stations, treatment
287 plants, reservoirs, storage tanks and appurtenances, collectively or
288 severally, actually used or intended for use for the purpose of furnishing
289 water for drinking or general domestic use and which serve at least 15
290 service connections or which regularly serve at least 25 persons at least
291 60 days per year. (Section 3.28 of the Act)

292
293 "Recurring Contamination" exists when analysis of total coliform is
294 positive in one or more samples of a routine sample set, if this occurs four
295 or more times in a twelve consecutive month period.

296
297 "Rem" means the unit of dose equivalent from ionizing radiation to the
298 total body or any internal organ or organ system. A "millirem (mrem)" is
299 1/1000 of a rem.

300

301 "Responsible Operator in Charge" means an individual who is designated as
302 a Responsible Operator in Charge of a community water supply pursuant to
303 Section 1 of the Public Water Supply Operations Act [415 ILCS 45/1] and
304 35 Ill. Adm. Code 603. [415 ILCS 45/9.6]
305

306 "Sell Water" means to deliver or provide potable water, obtained from a
307 public water supply subject to these regulations, to the consumer, who is
308 then individually or specifically billed for water service, or where any
309 monetary assessment is levied or required and specifically used for water
310 service. Water supply facilities owned or operated by political
311 subdivisions, homeowners associations, and not-for-profit associations, as
312 well as privately owned utilities regulated by the Illinois Commerce
313 Commission, are considered to sell water whether or not a charge is
314 specifically made for water.
315

316 "Service Connection" is the opening, including all fittings and
317 appurtenances, at the water main through which water is supplied to the
318 user.
319

320 "Storage Coefficient" means the volume of water an aquifer releases from
321 or takes into storage per unit surface area of the aquifer per unit change in
322 head.
323

324 "Surface Water" means all tributary streams and drainage basins,
325 including natural lakes and artificial reservoirs, which may affect a
326 specific water supply above the point of water supply intake.
327

328 "Surface Water Supply Source" means any surface water used as a water
329 source for a public water supply.
330

331 "Supply" means a communitypublic water supply.
332

333 ~~"Total Trihalomethanes (TTHM)" means the sum of the concentration in~~
334 ~~milligrams per liter of the trihalomethane compounds trichloromethane~~
335 ~~(chloroform), dibromochloromethane, bromodichloromethane and~~
336 ~~tribromomethane (bromoform), rounded to two significant figures.~~
337

338 "Transmissivity" means the rate in gallons per minute (gpm), at which water
339 is transmitted through a unit width, in feet (ft), of an aquifer under a unit
340 hydraulic gradient (gpm/ft).
341

342 ~~"Trihalomethane (THM)" means one of the family of organic compounds~~
343 ~~named as derivatives of methane, wherein three of the four hydrogen~~

344 atoms in methane are each substituted by a halogen atom in the molecular
345 structure.

346
347 "Water Main" means any pipe for the purpose of distributing potable
348 water ~~that~~which serves or is accessible to more than one property,
349 dwelling, or rental unit; and is exterior to buildings.

350
351 "Water Service Line" means any pipe from the water main or source of
352 potable water supply that serves or is accessible to not more than one
353 property, dwelling or rental unit of the user.

354
355 "Well Hydraulics" means equations that are applied to understand the effect
356 that a pumping well structure has on inducing the movement of water
357 through permeable rock formations and certain aquifer properties to
358 determine the rate of withdrawal of the well. This term is inclusive of
359 equations that quantify wellbore skin effects/well loss.

360
361 "Wellhead Protection Area" or "WHPA" means the surface and subsurface
362 recharge area surrounding a community water supply well or well field,
363 delineated outside of any applicable setback zones (pursuant to Section 17.1
364 of the Act) established pursuant to Illinois' Wellhead Protection Program,
365 through which contaminants are reasonably likely to move toward the well
366 or well field.

367
368 "Wellhead Protection Measures" means management practices needed to
369 mitigate existing and future threats to the water quality within the delineated
370 WHPA.

371
372 "Wellhead Protection Program" means the Wellhead Protection Program for
373 the State of Illinois, approved by USEPA under section 1428 of the SDWA
374 (42 USC 300h-7).

375
376 b) Terms not specifically defined in subsection (a), will have the meanings ascribed
377 in 35 Ill. Adm. Code 611.

378
379 c) Terms not specifically defined in subsections (a) or (b) will have the meanings
380 specified in The Water Dictionary, incorporated by reference in Section 601.115.

381
382 (Source: Amended at 40 Ill. Reg. _____, effective _____)

383
384 **Section 601.115 Incorporations by Reference**

385

386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427

a) Abbreviations and Short-name Listing of References. The following names and abbreviated names are used in this Chapter I to refer to materials incorporated by reference:

"ANSI" means those standards published by American National Standards Institute (ANSI).

"ASTM" means those standards published by American Society for Testing and Materials (ASTM).

"AWWA" means those standards published by the American Water Works Association.

"Recommended Standards" means "Recommended Standards for Water Works – Policies for the Review and Approval of Plans and Specifications for Public Water Supplies".

b) The Agency incorporates the following materials by reference:

ASTM. American Society for Testing and Materials, 100 Barr Harbor Drive, PO Box C700, West Conshohocken PA 19428-2959, (610)832-9500.

ASTM D 2241-09, Standard Specification for Poly(Vinyl Chloride) (PVC) Pressure-Rated Pipe (SDR Series), approved December 1, 2009.

AWWA. American Water Works Association et al., 6666 West Quincy Ave., Denver CO 80235, (303)794-7711.

ANSI/AWWA A100-06, Water Wells, approved February 2, 2006, effective August 1, 2006.

ANSI/AWWA B100-09, Granular Filter Material, approved January 25, 2009, effective March 1, 2010.

ANSI/AWWA C151/A21.51-09, Ductile-Iron Pipe, Centrifugally Cast, approved January 25, 2009, effective September 1, 2009.

ANSI/AWWA C200-12, Steel Water Pipe, 6 In. (150 mm) and Larger, approved June 10, 2012, effective September 1, 2012.

428 ANSI/AWWA C301-07, Prestressed Concrete Pressure Pipe,
429 Steel-Cylinder Type, approved January 21, 2007, effective June 1,
430 2007.

431
432 ANSI/AWWA C651-05, Disinfecting Water Mains, approved
433 January 16, 2005, effective June 1, 2005.

434
435 ANSI/AWWA C652-11, Disinfection of Water Storage Facilities,
436 approved June 12, 2011, effective October 1, 2011.

437
438 ANSI/AWWA C653-03, Disinfection of Water Treatment Plants,
439 approved January 19, 2003, effective June 1, 2003.

440
441 ANSI/AWWA C654-03, Disinfection of Wells, approved January
442 19, 2003, effective November 1, 2003.

443
444 AWWA C900-07 Polyvinyl Chloride (PVC) Pressure Pipe and
445 Fabricated Fittings, 4 In. Through 12 In. (100 mm Through 300
446 mm), for Water Transmission and Distribution, 2007.

447
448 ANSI/AWWA C905-10, Polyvinyl Chloride (PVC) Pressure Pipe
449 and Fabricated Fittings, 14 In. Through 48 In. (350 mm Through
450 1,200 mm), approved January 17, 2010, effective April 1, 2010.

451
452 AWWA C906-07 Polyethylene (PE) Pressure Pipe and Fittings, 4
453 In. (100 mm) Through 63 In. (1,600 mm) for Water Distribution
454 and Transmission, 2007.

455
456 ANSI/AWWA D100-11, Welded Carbon Steel Tanks for Storage,
457 approved January 23, 2011, effective July 1, 2011.

458
459 ANSI/AWWA D103-09, Factory Coated Bolted Carbon Steel
460 Tanks for Water Storage, approved January 25, 2009, effective
461 November 1, 2009.

462
463 ANSI/AWWA D107-10, Composite Elevated Tanks for Water
464 Storage, approved January 17, 2010, effective December 1, 2010.

465
466 "The Water Dictionary", 2nd Edition, 2010.

467
468 NSF. National Sanitation Foundation International, 3475 Plymouth Road,
469 PO Box 130140, Ann Arbor MI 48113-0140, (734)769-8010.

470

471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491

NFS/ANSI 60-2013 Drinking Water Treatment Chemicals – Health Effects, April 2014.

NSF/ANSI 61-2013 Drinking Water System Components – Health Effects, March 2014.

"Recommended Standards for Water Works – Policies for the Review and Approval of Plans and Specifications for Public Water Supplies", 2012 Edition, Great Lakes – Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers, Health Research Inc., Health Education Services Division, PO Box 7126, Albany NY 12224, (518)439-7286.

"Standard Specifications for Water and Sewer Main Construction in Illinois", 7th Edition, 2014, Illinois Society of Professional Engineers, 100 East Washington Street, Springfield IL 62701, (217)544-7424.

- c) No later amendments to or editions of the materials listed in subsection (b) are incorporated.

(Source: Added at 40 Ill. Reg. _____, effective_____.)

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

PART 601
INTRODUCTION

Section

- 601.101 General Requirements
- 601.102 Applicability and Organization of this Chapter
- 601.103 Severability
- 601.104 Analytical Testing
- 601.105 Definitions
- 601.115 Incorporation by Reference

601.APPENDIX A 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 at 2 Ill. Reg. 36, p. 72, effective August 29, 1978; amended at 3 Ill. Reg. 13, p. 236, effective March 30, 1979; amended and codified at 6 Ill. Reg. 11497, effective September 14, 1982; amended at 6 Ill. Reg. 14344, effective November 3, 1982; amended in R84-12 at 14 Ill. Reg. 1379, effective January 8, 1990; amended in R89-5 at 16 Ill. Reg. 1585, effective January 10, 1992; amended in R96-18 at 21 Ill. Reg. 6537, effective May 8, 1997; amended in R15-22 at 40 Ill. Reg. _____, effective _____.

Section 601.101 General Requirements

Owners and official custodians of a public water supply in the State of Illinois shall provide, pursuant to the ~~Environmental Protection Act [415 ILCS 5] (Act), the Pollution Control Board (Board)~~ Rules, and the Safe Drinking Water Act (42 USCU.S.C. 300f et seq.), continuous operation and maintenance of public water supply facilities so that the water shall be assuredly safe in quality, clean, adequate in quantity, and of satisfactory mineral characteristics for ordinary domestic consumption.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 601.102 Applicability and Organization of this Chapter

- a) The provisions of this Chapter shall apply to groundwater and public water supplies, ~~as defined in the Act~~, except for those designated as non-community

44 water supplies. A public water supply shall be considered to end at each service
 45 connection.

46
 47 b) The Board regulations adopted in this Chapter are organized as provided in this
 48 Section.

- 49
 50 1) Part 601 contains definitions, analytical testing requirements, and
 51 incorporations by reference applicable to Parts 601, 602, 603 and 607.
 52
 53 2) Part 602 contains permitting requirements and standards for community
 54 water supplies and technical, financial and managerial capacity
 55 requirements for new community water supplies.
 56
 57 3) Part 603 contains ownership and responsible personnel requirements for
 58 community water supplies.
 59
 60 4) Part 607 contains requirements for emergency operation and cross-
 61 connection control.
 62
 63 5) Part 611 contains regulations identical in substance with federal
 64 regulations promulgated by the United States Environmental Protection
 65 Agency (USEPA) pursuant to Sections 1412(b), 1414(c), 1417(a) and
 66 1445(a) of the Safe Drinking Water Act (SDWA) (42 USC 300g-1(b),
 67 300g-3(c), 300g-6(a) and 300j-4(a)). Part 611 establishes primary
 68 drinking water regulations and includes definitions and incorporations by
 69 reference applicable to Part 611.
 70
 71 6) Part 615 contains requirements and standards for the protection of
 72 groundwater for certain types of existing facilities or units located wholly
 73 or partially within a setback zone or a regulated recharge area. Part 615
 74 includes definitions and incorporations by reference applicable to Part
 75 615.
 76
 77 7) Part 616 contains requirements and standards for the protection of
 78 groundwater for certain types of new facilities or units located wholly or
 79 partially within a setback zone or a regulated recharge area. Part 616
 80 includes definitions applicable to Part 616.
 81
 82 8) Part 617 contains the requirements and standards for regulated recharge
 83 areas. Part 617 includes definitions and an incorporation by reference
 84 applicable to Part 617.
 85
 86 9) Part 618 contains requirements and standards for maximum setback zones.

87 Part 618 includes definitions applicable to Part 618.

- 88
89 10) Part 620 contains the method of classification of groundwater,
90 nondegradation provisions, the groundwater quality standards, and
91 procedures and protocols for the management and protection of
92 groundwater. Part 620 includes definitions and incorporations by
93 reference applicable to Part 620.

94
95 (Source: Amended at 40 Ill. Reg. _____, effective _____)

96
97 **Section 601.104 Analytical Testing**

- 98
99 a) To determine compliance with ~~these~~ these community water supplies rules and
100 regulations (35 Ill. Adm. Code Subtitle F), all sampling, monitoring and testing
101 and physical, chemical, bacteriological, and microscopic analyses shall be made
102 according to the methods described in 35 Ill. Adm. Code 611, the National
103 Primary Drinking Water Regulations (40 CFR 141), and any other method
104 specifically approved by the ~~Environmental Protection Agency~~ (Agency).
105
106 b) All analyses for substances other than those listed in 35 Ill. Adm. Code 611 ~~the~~
107 ~~rules and regulations~~ must be performed by methods acceptable to the Agency.
108

109 (Source: Amended at 40 Ill. Reg. _____, effective _____)

110
111 **Section 601.105 Definitions**

- 112
113 a) For purposes of 35 Ill. Adm. Code 601, 602, 603 and 607 ~~this Chapter~~, unless a
114 different meaning of a word or term is clear from the context:

115
116 "Act" means the Environmental Protection Act, ~~as amended~~, [415 ILCS
117 5].

118
119 "Agency" means the Illinois Environmental Protection Agency.

120
121 "Aquifer Property Data" means the porosity, hydraulic conductivity,
122 transmissivity and storage coefficient of an aquifer, head and hydraulic
123 gradient.

124
125 "Board" means the Illinois Pollution Control Board.

126
127 "Boil Order" means a notice to boil all drinking and culinary water for at
128 least five minutes before use, issued by the proper authorities to the

129 consumers of a public water supply affected, whenever the water being
130 supplied may have become microbiologically contaminated.

131
132 "Certified Laboratory" means any laboratory certified pursuant to Section
133 4(o) of the Act, or certified by USEPA approved by the Agency, the
134 Illinois Department of Nuclear Safety or the Illinois Department of Public
135 Health for the specific parameters to be examined, as set out in rules
136 adopted pursuant to the Illinois Administrative Procedure Act [5 ILCS
137 100].

138
139 "Chemical Analysis" means analysis for any inorganic or organic
140 substance, with the exception of radiological or microbiological analyses.

141
142 "Chlorine"

143
144 "Chlorine Demand" means the difference between the amount of
145 chlorine applied to a given water and the amount of total available
146 chlorine remaining at the end of the contact period. All test
147 conditions (contact time, pH and temperature) must be given,
148 expressing the chlorine demand in a given water.

149
150 "Combined Chlorine" means the reaction product formed when
151 chlorine has reacted with ammonia to form chloramines.

152
153 "Free Chlorine" means the residual chlorine existing in water as
154 the sum of hypochlorous acid and hypochlorite ion.

155
156 "Total Chlorine" means the sum of the free chlorine and the
157 combined chlorine.

158
159 "Community Water Supply" or "CWS" means a public water supply
160 which serves or is intended to serve at least 15 service connections used
161 by residents or regularly serves at least 25 residents. (Section 3.145 of the
162 Act)

163
164 "Confined Geologic Formations" are geologic water bearing formations
165 protected against the entrance of contamination by other geologic
166 formations.

167
168 "Cross-connection"

169
170 "Cross-connection" means any physical connection or arrangement
171 between two otherwise separate piping systems, one of which

172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214

contains potable water that contains water of unknown or questionable safety, steam, or one or more gases; chemicals or other substances when flow from one system to the other is possible.

"Direct Cross-connection" means a cross-connection formed when a piping system containing potable water is physically joined to another piping system containing water of unknown or questionable safety, steam, or one or more gases, chemicals or other substances.

"Indirect Cross-connection" means a cross-connection formed when water of unknown or questionable safety, steam or one or more gases, chemicals or other substances from one piping system can be forced, drawn by vacuum or otherwise introduced into another piping system containing potable water.

"Disinfectant" means any agentoxidant, including but not limited to chlorine, chlorine dioxide, chloramines, and ozone, added to water in any part of the treatment or distribution process, thatwhich is intended to kill or inactivate pathogenic microorganisms.

~~"Dose Equivalent" means the product of the absorbed dose from ionizing radiation and such factors as account for differences in biological effectiveness due to the type of radiation and its distribution in the body as specified by the International Commission on Radiological Units and Measurements (ICRU).~~

~~"Gross Alpha Particle Activity" means the total radioactivity due to alpha particle emission as inferred from measurements on a dry sample.~~

~~"Gross Beta Particle Activity" means the total radioactivity due to beta particle emission as inferred from measurements on a dry sample.~~

"Groundwater" means underground water which occurs within the saturated zone and geologic materials where the fluid pressure in the pore space is equal to or greater than atmospheric pressure. (Section 3.2103.64 of the Act)

"Halogen" means one of the chemical elements chlorine, bromine or iodine.

"Head" means the sum of the elevation head, pressure head and velocity head at a given point in an aquifer.

215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257

"Hydraulic Conductivity" means the rate of flow in gallons per day (gpd) through a cross section of one square foot (ft²) under a unit hydraulic gradient (gpd/ft²).

"Hydraulic Gradient" means the rate of change of total head per unit distance of flow in a given direction.

"Infrastructure" means all mains, pipes and structures through which water is obtained and distributed to the public, including wells and well structures, intakes and cribs, pumping stations, treatment plants, reservoirs, storage tanks and appurtenances, collectively or severally, actually used or intended to be used for the purpose of furnishing water for drinking or general domestic use.

"Man-Made Beta Particle and Photon Emitters" means all radionuclides emitting beta particles and/or photons listed in Maximum Permissible Body Burdens and Maximum Permissible Concentration of Radionuclides in Air or Water for Occupational Exposure, National Bureau of Standards (NBS) Handbook 69, except the daughter products of thorium-232, uranium-235 and uranium-238.

"Maximum Average Daily Demand" or "Maximum Demand" means the maximum consecutive seven day production period.

"Maximum Residence Time Concentration (MRTC)" means the concentration of total trihalomethanes found in a water sample taken at a point of maximum residence time in the public water supply distribution system.

"Maximum Total Trihalomethane Potential (MTP)" means the maximum concentration of total trihalomethanes produced in a given water containing a disinfectant residual after 7 days at a temperature of 25° C or above.

"New Community Water Supply" means, beginning after October 1, 1999, all new community water supplies and those water supplies that expand their infrastructure to serve or intend to serve at least 15 service connections used by residents or regularly serves at least 25 residents. Any water supply not currently a community water supply that adds residents so that the total served is 25 residents or more without constructing additional infrastructure will become a community water supply, but will not be required to demonstrate capacity under 35 Ill. Adm. Code 602.103 unless the

258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300

community water supply is on restricted status as required by 35 Ill. Adm. Code 602.106.

"Non-community Water Supply" means a public water supply that is not a community water supply. (Section 3.145 of the Act)

"Official Custodian" means an individual who is an officer of an entity that is the owner of a community water supply. [415 ILCS 45/9.4]"Official Custodian" means any officer of an organization which is the owner or operator of a public water supply, and who has direct administrative responsibility for the supply.

"Persistent Contamination" exists when analysis for total coliform is positive in one or more samples of a routine sample set, and when three or more subsequent repeat samples indicate the presence of contamination.

"Picocurie (pCi)" means that quantity of radioactive material producing 2.22 nuclear transformations per minute.

"Point of Maximum Residence Time" means that part of the active portion of the distribution system remote from the treatment plant where the water has been in the distribution system for the longest period of time.

"Porosity" means the percentage of the bulk volume of a rock or soil that is occupied by interstices, whether isolated or connected.

"Public Water Supply" or "PWS" means all mains, pipes and structures through which water is obtained and distributed to the public, including wells and well structures, intakes and cribs, pumping stations, treatment plants, reservoirs, storage tanks and appurtenances, collectively or severally, actually used or intended for use for the purpose of furnishing water for drinking or general domestic use and which serve at least 15 service connections or which regularly serve at least 25 persons at least 60 days per year. (Section 3.28 of the Act)

"Recurring Contamination" exists when analysis of total coliform is positive in one or more samples of a routine sample set, if this occurs four or more times in a twelve consecutive month period.

"Rem" means the unit of dose equivalent from ionizing radiation to the total body or any internal organ or organ system. A "millirem (mrem)" is 1/1000 of a rem.

301 "Responsible Operator in Charge" means an individual who is designated as
302 a Responsible Operator in Charge of a community water supply pursuant to
303 Section 1 of the Public Water Supply Operations Act [415 ILCS 45/1] and
304 35 Ill. Adm. Code 603. [415 ILCS 45/9.6].

305
306 "Sell Water" means to deliver or provide potable water, obtained from a
307 public water supply subject to these regulations, to the consumer, who is
308 then individually or specifically billed for water service, or where any
309 monetary assessment is levied or required and specifically used for water
310 service. Water supply facilities owned or operated by political
311 subdivisions, homeowners associations, and not-for-profit associations, as
312 well as privately owned utilities regulated by the Illinois Commerce
313 Commission, are considered to sell water whether or not a charge is
314 specifically made for water.

315
316 "Service Connection" is the opening, including all fittings and
317 appurtenances, at the water main through which water is supplied to the
318 user.

319
320 "Storage Coefficient" means the volume of water an aquifer releases from
321 or takes into storage per unit surface area of the aquifer per unit change in
322 head.

323
324 "Surface Water" means all tributary streams and drainage basins,
325 including natural lakes and artificial reservoirs, which may affect a
326 specific water supply above the point of water supply intake.

327
328 "Surface Water Supply Source" means any surface water used as a water
329 source for a public water supply.

330
331 "Supply" means a communitypublic water supply.

332
333 ~~"Total Trihalomethanes (TTHM)" means the sum of the concentration in~~
334 ~~milligrams per liter of the trihalomethane compounds trichloromethane~~
335 ~~(chloroform), dibromochloromethane, bromodichloromethane and~~
336 ~~tribromomethane (bromoform), rounded to two significant figures.~~

337
338 "Transmissivity" means the rate in gallons per minute (gpm), at which water
339 is transmitted through a unit width, in feet (ft), of an aquifer under a unit
340 hydraulic gradient (gpm/ft).

341
342 ~~"Trihalomethane (THM)" means one of the family of organic compounds~~
343 ~~named as derivatives of methane, wherein three of the four hydrogen~~

344 atoms in methane are each substituted by a halogen atom in the molecular
345 structure.

346
347 "Water Main" means any pipe for the purpose of distributing potable
348 water ~~that~~which serves or is accessible to more than one property,
349 dwelling, or rental unit, and is exterior to buildings.

350
351 "Water Service Line" means any pipe from the water main or source of
352 potable water supply that serves or is accessible to not more than one
353 property, dwelling or rental unit of the user.

354
355 "Well Hydraulics" means equations that are applied to understand the effect
356 that a pumping well structure has on inducing the movement of water
357 through permeable rock formations and certain aquifer properties to
358 determine the rate of withdrawal of the well. This term is inclusive of
359 equations that quantify wellbore skin effects/well loss.

360
361 "Wellhead Protection Area" or "WHPA" means the surface and subsurface
362 recharge area surrounding a community water supply well or well field,
363 delineated outside of any applicable setback zones (pursuant to Section 17.1
364 of the Act) established pursuant to Illinois' Wellhead Protection Program,
365 through which contaminants are reasonably likely to move toward the well
366 or well field.

367
368 "Wellhead Protection Measures" means management practices needed to
369 mitigate existing and future threats to the water quality within the delineated
370 WHPA.

371
372 "Wellhead Protection Program" means the Wellhead Protection Program for
373 the State of Illinois, approved by USEPA under section 1428 of the SDWA
374 (42 USC 300h-7).

375
376 b) Terms not specifically defined in subsection (a), will have the meanings ascribed
377 in 35 Ill. Adm. Code 611.

378
379 c) Terms not specifically defined in subsections (a) or (b) will have the meanings
380 specified in The Water Dictionary, incorporated by reference in Section 601.115.

381
382 (Source: Amended at 40 Ill. Reg. _____, effective _____)

383
384 **Section 601.115 Incorporations by Reference**

385

386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427

a) Abbreviations and Short-name Listing of References. The following names and abbreviated names are used in this Chapter I to refer to materials incorporated by reference:

"ANSI" means those standards published by American National Standards Institute (ANSI).

"ASTM" means those standards published by American Society for Testing and Materials (ASTM).

"AWWA" means those standards published by the American Water Works Association.

"Recommended Standards" means "Recommended Standards for Water Works – Policies for the Review and Approval of Plans and Specifications for Public Water Supplies".

b) The Agency incorporates the following materials by reference:

ASTM. American Society for Testing and Materials, 100 Barr Harbor Drive, PO Box C700, West Conshohocken PA 19428-2959, (610)832-9500.

ASTM D 2241-09, Standard Specification for Poly(Vinyl Chloride) (PVC) Pressure-Rated Pipe (SDR Series), approved December 1, 2009.

AWWA. American Water Works Association et al., 6666 West Quincy Ave., Denver CO 80235, (303)794-7711.

ANSI/AWWA A100-06, Water Wells, approved February 2, 2006, effective August 1, 2006.

ANSI/AWWA B100-09, Granular Filter Material, approved January 25, 2009, effective March 1, 2010.

ANSI/AWWA C151/A21.51-09, Ductile-Iron Pipe, Centrifugally Cast, approved January 25, 2009, effective September 1, 2009.

ANSI/AWWA C200-12, Steel Water Pipe, 6 In. (150 mm) and Larger, approved June 10, 2012, effective September 1, 2012.

428 ANSI/AWWA C301-07, Prestressed Concrete Pressure Pipe,
429 Steel-Cylinder Type, approved January 21, 2007, effective June 1,
430 2007.

431
432 ANSI/AWWA C651-05, Disinfecting Water Mains, approved
433 January 16, 2005, effective June 1, 2005.

434
435 ANSI/AWWA C652-11, Disinfection of Water Storage Facilities,
436 approved June 12, 2011, effective October 1, 2011.

437
438 ANSI/AWWA C653-03, Disinfection of Water Treatment Plants,
439 approved January 19, 2003, effective June 1, 2003.

440
441 ANSI/AWWA C654-03, Disinfection of Wells, approved January
442 19, 2003, effective November 1, 2003.

443
444 AWWA C900-07 Polyvinyl Chloride (PVC) Pressure Pipe and
445 Fabricated Fittings, 4 In. Through 12 In. (100 mm Through 300
446 mm), for Water Transmission and Distribution, 2007.

447
448 ANSI/AWWA C905-10, Polyvinyl Chloride (PVC) Pressure Pipe
449 and Fabricated Fittings, 14 In. Through 48 In. (350 mm Through
450 1,200 mm), approved January 17, 2010, effective April 1, 2010.

451
452 AWWA C906-07 Polyethylene (PE) Pressure Pipe and Fittings, 4
453 In. (100 mm) Through 63 In. (1,600 mm) for Water Distribution
454 and Transmission, 2007.

455
456 ANSI/AWWA D100-11, Welded Carbon Steel Tanks for Storage,
457 approved January 23, 2011, effective July 1, 2011.

458
459 ANSI/AWWA D103-09, Factory Coated Bolted Carbon Steel
460 Tanks for Water Storage, approved January 25, 2009, effective
461 November 1, 2009.

462
463 ANSI/AWWA D107-10, Composite Elevated Tanks for Water
464 Storage, approved January 17, 2010, effective December 1, 2010.

465
466 "The Water Dictionary", 2nd Edition, 2010.

467
468 NSF. National Sanitation Foundation International, 3475 Plymouth Road,
469 PO Box 130140, Ann Arbor MI 48113-0140, (734)769-8010.

470

471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491

NFS/ANSI 60-2013 Drinking Water Treatment Chemicals – Health Effects, April 2014.

NSF/ANSI 61-2013 Drinking Water System Components – Health Effects, March 2014.

"Recommended Standards for Water Works – Policies for the Review and Approval of Plans and Specifications for Public Water Supplies", 2012 Edition, Great Lakes – Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers, Health Research Inc., Health Education Services Division, PO Box 7126, Albany NY 12224, (518)439-7286.

"Standard Specifications for Water and Sewer Main Construction in Illinois", 7th Edition, 2014, Illinois Society of Professional Engineers, 100 East Washington Street, Springfield IL 62701, (217)544-7424.

- c) No later amendments to or editions of the materials listed in subsection (b) are incorporated.

(Source: Added at 40 Ill. Reg. _____, effective _____.)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Permits
- 2) Code Citation: 35 Ill. Adm. Code 602
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
602.101	Amendment
602.102	Repealed/New Section
602.103	Repealed/New Section
602.104	Amendment
602.105	Amendment
602.106	Amendment
602.107	Renumbered/New Section
602.108	Repealed/New Section
602.109	Repealed/New Section
602.110	Renumbered
602.111	Amendment
602.112	Amendment
602.113	Amendment
602.114	Repealed
602.115	Amendment
602.116	Amendment
602.117	Amendment
602.118	Amendment
602.119	Amendment
602.120	Repealed
602.200	New Section
602.205	New Section
602.210	New Section
602.215	New Section
602.220	New Section
602.225	New Section
602.230	New Section
602.235	New Section
602.240	New Section
602.245	New Section
602.250	New Section
602.255	New Section
602.260	New Section
602.300	New Section
602.305	New Section

RECEIVED
CLERK'S OFFICE

NOV 7 4 2015

STATE OF ILLINOIS
Pollution Control Board

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

602.310	New Section
602.315	New Section
602.320	New Section
602.400	New Section
602.405	New Section
602.410	New Section
602.415	New Section
602.500	New Section
602.505	New Section
602.510	New Section
602.515	New Section
602.520	New Section

- 4) Statutory Authority: Implementing and authorized by Sections 4, 10, 27, 28, and 28.2 of the Illinois Environmental Protection Act [415 ILCS 5/4, 10, 27, 28, 28.2]
- 5) A Complete Description of the Subjects and Issues Involved: The proposed amendments to Illinois Pollution Control Board rules governing public water supplies consolidate the community water supply permitting rules in Part 652 and Part 602. The Board's permitting rules are found in Part 602 while the Illinois Environmental Protection Agency's permitting requirements are located in Part 652. The amendments consolidate all permitting requirements into a single part, Part 602, with five new subparts.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? Yes
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: The proposed amendments will give community water supplies a succinct, compact set of permitting regulations in Part 602 and make Agency review of permit applications more efficient.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comments on this proposal for a period

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

of 45 days after the date of publication in the *Illinois Register*. Public comments must be filed with the Clerk of the Board. Public comments should reference Docket R15-22 and be addressed to:

Clerk's Office
Illinois Pollution Control Board
JRTC
100 W. Randolph St., Suite 11-500
Chicago, IL 60601

Public comments may also be filed electronically through the Clerk's Office On-Line (COOL) on the Board's website at www.ipcb.state.il.us.

Interested persons may request copies of the Board's opinion and order in R15-22 by calling the Clerk's office at 312-814-3620, or may download copies from the Board's Web site at www.ipcb.state.il.us.

For more information, contact hearing officer Jason James at 312/814-6929 or by e-mail at Jason.James@illinois.gov.

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: Small private community water supplies and small municipalities that provide water to the public
 - B) Reporting, bookkeeping or other procedures required for compliance: Reports generated through the permitting process to comply with incorporated standards
 - C) Types of professional skills necessary for compliance: Many types of community water supply permits require the oversight of an architect or engineer.
- 14) Regulatory Agenda on which this rulemaking was summarized: July 2015.

The full text of the Proposed Amendments begins on the next page:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

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

PART 602
PERMITS

SUBPART A: GENERAL PERMIT PROVISIONS

Section	
602.101	PurposeConstruction Permit
602.102	Community Watery Supply PermitsOperating Permit
602.103	Public Water Supply Capacity DevelopmentAlgicide Permit
602.104	Emergency Permits PermitsPermit
602.105	Standards for Issuance
602.106	Restricted Status
602.107	Critical ReviewSignatory Requirement for Permit Applications
602.108	Right of InspectionConstruction Permit Applications
602.109	FeesOperating Permit Applications
602.110 602.107-602.110	Signatory Requirement for Permit ApplicationsAlgicide Permits Applications
602.111	Application Forms and Additional Information
602.112	Filing and Final Action by Agency on Permit Applications
602.113	Duration
602.114	Conditions (Repealed)
602.115	Design, Operation and Maintenance Criteria
602.116	Requirement for As-Built Plans
602.117	Existence of Permit No Defense
602.118	Appeals Appeal of Final Agency Action on a Permit Application From ApplicationAppeals from Conditions
602.119	Revocations
602.120	Limitations (Repealed)

SUBPART B: CONSTRUCTION PERMITS

Section	
602.200	Construction Permit Requirement
602.205	Preliminary Plans
602.210	Construction Permit Applications

RECEIVED
CLERK'S OFFICE

NOV. - 4 2015

STATE OF ILLINOIS
Pollution Control Board

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

602.215	Submission of Applications, Plans and Specifications
602.220	Alterations
602.225	Engineer's Report
602.230	Design Criteria
602.235	Specifications
602.240	Plans
602.245	Source Construction Applications
602.250	Treatment Construction Applications
602.255	Storage Construction Applications
602.260	Water Main Construction Applications

SUBPART C: OPERATING PERMITS

Section	
602.300	Operating Permit Requirement
602.305	Operating Permit Applications
602.310	Projects Requiring Disinfection
602.315	Projects Not Requiring Disinfection
602.320	Partial Operating Permits

SUBPART D: ALGICIDE PERMITS

Section	
602.400	Algicide Permit Requirement
602.405	Algicide Permit Applications
602.410	Sampling
602.415	Required Permit Modification

SUBPART E: OTHER AQUATIC PESTICIDE PERMITS

Section	
602.500	Other Aquatic Pesticide Permit Requirement
602.505	Other Aquatic Pesticide Permit Application Contents
602.510	Permits Under Public Health Related Emergencies
602.515	State Agency Programs
602.520	Extension of Permit Duration

602.APPENDIX A	References to Former Rules
----------------	----------------------------

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

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 at 8 Ill. Reg. 2157, effective February 7, 1984; emergency amendment at 9 Ill. Reg. 13371, effective August 16, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 7337, effective April 22, ~~1986~~, 1986; amended in R96-18 at 21 Ill. Reg. 6562, effective May 8, 1997; amended in R03-21 at 27 Ill. Reg. 18030, effective November 12, 2003; amended in R15-22 at 40 Ill. Reg. ~~_____~~, effective _____.

SUBPART A: GENERAL PERMIT PROVISIONS

Section 602.101 PurposeConstruction Permit

The purpose of this Part is to establish and enforce minimum standards for the permitting of community water supplies.

- a) No person shall *construct, install, or operate a community water supply without a permit granted by the Agency*. ~~[415 ILCS 5/18(a)(3)]~~No person shall cause or allow the construction of any new public water supply installation or cause or allow the change of or addition to any existing public water supply, without a construction permit issued by the Environmental Protection Agency (Agency). Public water supply installation, change, or addition shall not include routine maintenance, service pipe connections, hydrants and valves, or replacement of equipment, pipe, and appurtenances with equivalent equipment, pipe, and appurtenances.
- b) *Owners are required to submit plans and specifications to the Agency and obtain written approval before construction, installation, changes or additions to a community water supply*. ~~[415 ILCS 5/15(a)]~~All work performed on a public water supply shall be in accordance with accepted engineering practices.
- c) Whenever emergency conditions require immediate action, the Agency may issue construction and operating permits by telephone to the owner or official custodian, or Responsible Operator in Charge, with whatever special conditions the Agency deems to be necessary for the proper safeguarding of the health of the water consumers.

(Source: Amended at 40 Ill. Reg. ~~_____~~, effective _____)

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

Section 602.102 Community Water Supply Permits~~Operating Permit~~

A community water supply may seek the following types of permits issued by the Agency:

- a) Construction Permit, pursuant to Subpart B of this Part;
- b) Operating Permit, pursuant to Subpart C of this Part;
- c) Algicide Permit, pursuant to Subpart D of this Part; or
- d) Aquatic Pesticide Permit, pursuant to Subpart E of this Part.

No owner or operator of a public water supply shall cause or allow the use or operation of any new public water supply, or any new addition to an existing supply, for which a Construction Permit is required under this Part, without an Operating Permit issued by the Agency.

(Source: Former Section ~~Repealed~~~~repealed~~ and ~~New~~~~new~~ Section ~~Added~~~~added~~ at 40 Ill. Reg. _____, effective _____)

Section 602.103 Public Water Supply Capacity Development~~Algicide~~ ~~Permit~~~~Permits~~

All new community water supplies must demonstrate technical, financial, and managerial capacity as a condition for issuance of construction and operating permits by the Agency. The demonstration must be consistent with the technical, financial, ~~and~~ managerial ~~provision~~~~provisions~~ of the federal Safe Drinking Water Act, ~~(P.L. 93-523~~ (42 USC 300f), and regulations adopted by the Agency. [415 ILCS 5/15(b)]. No algicide shall be applied to any stream, reservoir, lake, pond, or other body of water used as a public water supply source without an Algicide Permit issued by the Agency. Copper sulfate and potassium permanganate are the only algaecides which may be used in public water supplies. Permits issued under this Section will be valid for public water supply sources only.

(Source: Former Section ~~Repealed~~~~repealed~~ and ~~New~~~~new~~ Section ~~Added~~~~added~~ at 40 Ill. Reg. _____, effective _____)

Section 602.104 Emergency Permits

- a) Whenever emergency conditions require immediate action, the Agency may issue construction and operating permits by telephone to the owner ~~or~~ official

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

custodian, operator, or Responsible Operator in Charge person in responsible charge, with whatever special conditions the Agency deems to be necessary for the proper safeguarding of the health of the water consumers.

- 1) As-built plans and specifications covering the work performed under the telephone permit must be submitted to the Agency as soon as reasonably possible.
 - 2) Modifications required by the Agency after review of the submission shall be made promptly.-
- b) Emergency conditions are hazards or threats to public health caused by:
- 1) accidents;
 - 2) equipment failures;
 - 3) human error; or
 - 4) natural disasters.
- c) The Agency ~~must~~shall confirm, in writing, within ~~10~~ten days ~~of~~after issuance, its granting of an emergency construction permit. ~~Said~~The~~Said~~ confirmation will ~~may~~ be conditioned upon the receipt and approval, by the Agency, of as-built plans and specifications.
- d) As-built plans and specifications covering the work performed under the emergency permit and any information required by special conditions in the emergency permit must be submitted to the Agency within 60 days ~~of~~after issuance of the emergency permit, unless otherwise stated by the Agency in writing.
- e) The Agency may request that the community water supply make modifications after review of the as-built plans and specifications covering the work performed under the emergency permit. Modifications must be made within 90 days ~~of~~after the Agency's written request, unless otherwise stated by the Agency.
- f) The Agency can be contacted by calling:

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

- 1) Bureau of Water, Division of Public Water Supplies Permit Section; or
 - 2) after normal business hours, the State emergency number, (217) 782-3637 (STA-EMER), or 1-800-782-7860.
- g) *Each applicant for an emergency permit to install or extend a water main must submit the appropriate fee, as specified in Section 16.1 of the Act, to the Agency within 10 calendar days from the date of issuance of the emergency construction permit. [415 ILCS 5/16.1]*

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 602.105 Standards for Issuance

- a) Construction Permits and Operating Permits:
 - 1) The Agency ~~must~~shall not issue grant any construction or operating permit required by this Part unless the applicant submits adequate proof that the community public water supply will be constructed, modified or operated so as not to cause a violation of the Environmental Protection Act ~~[415-ILCS 5]~~ or Board rules: [415 ILCS 5].
 - 2)b) Except as provided in subsection (a)(3), the The Agency ~~must~~shall not issue grant any construction or operating permit required by this Part unless the applicant submits adequate proof that the community public water supply facility conforms to the following design criteria. When the design criteria in the documents listed ~~below~~in this subsection (a)(2) conflict, the applicant must comply with the design criteria listed in subsection (a)(2)(A) ~~must be complied with~~.
 - A) Criteria promulgated by the Agency under Section 39(a) of the Act or Section 602.115;
 - B) Recommended Standards for Water Works, incorporated by reference at 35 Ill. Adm. Code ~~601.115;601.115~~; and
 - C) AWWA, ASTM, ANSI or ~~NSF/NFS~~NSF standards incorporated by reference at 35 Ill. Adm. Code ~~601.115;601.115~~.

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

- 3) When the documents listed in subsection (a)(2) do not provide design criteria for the proposed community water supply facility, the Agency must not issue the construction or operating permit unless the applicant submits adequate proof that the community water supply facility conforms to ~~other D)~~ other promulgated by the Agency under Section 39(a) of the Act or Section 602.115 or is based on such other design criteria ~~which that~~ which the applicant proves will produce consistently satisfactory results.
- 4)c) The Agency ~~must~~ shall not ~~issue grant~~ issue grant any construction permit required by this Part unless the applicant submits proof that all any plan and specification documents required by this Section and Subpart B of this Part Section 602.108 have been prepared by a person licensed qualified under the Illinois Architecture Practice Act [225 ILCS 305], the Illinois Professional Engineering Practice Act [225 ILCS 325], the Illinois Structural Engineering Licensing Act [225 ILCS 340], or, for site and groundwater conditions, under the Professional Geologist Licensing Act [225 ILCS 745], or any required combination ~~thereof of these Actsthereof.~~
- 5) The Agency must not issue a construction permit unless the community water supply has filed a notification of ownership pursuant to 35 Ill. Adm. Code 603.101.
- 6) The existence of a violation of the Act, Board regulation, or Agency regulation will not prevent the issuance of a construction permit if:
 - A) the applicant has been granted a variance or an adjusted standard from the regulation by the Board;
 - B) the permit application is for construction or installation of equipment to alleviate or correct a violation;
 - C) the permit application is for a water main extension to serve existing residences or commercial facilities ~~where when~~ where the permit applicant can show that those residences or commercial facilities are being served by a source of water of a quality or quantity ~~which that~~ which violates the primary drinking water standards of 35 Ill. Adm. Code 611; or

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

D) the Agency determines the permit application is for construction or installation of equipment necessary to produce water that is assuredly safe, as required by 35 Ill. Adm. Code 601.101.

b) ~~Algicide or Aquatic Pesticide Permit:~~

The Agency must not issue an algicide or pesticide permit required by this Part unless the applicant submits adequate proof that the application of the algicide or aquatic pesticide will not cause a violation of the Act, Board regulation, or Agency regulation.

d) Until December 8, 2003, the Agency shall not deny for the following reasons any construction or operating permit required by this Part:

- 1) the radium-226 level is less than or equal to 20 pCi/L;
- 2) the radium-228 level is less than or equal to 20 pCi/L; or
- 3) the gross alpha particle activity level minus the radium-226 level is less than or equal to 15 pCi/L.

e) From December 8, 2003, until December 8, 2009, the Agency may issue a construction or operating permit to a public water supply that exceeds the maximum contaminant level (MCL) for combined radium (radium-226 and radium-228) of 5 pCi/L, the MCL for gross alpha particle activity of 15 pCi/L, or the MCL for uranium of 30 µg/L (35 Ill. Adm. Code 611.330) if the supply is bound to comply with the MCL pursuant to a specific schedule under:

- 1) A Compliance Commitment Agreement executed pursuant to Section 31 of the Act [415 ILCS 5/31]; or
- 2) An enforceable court order after referral by the Agency.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 602.106 Restricted Status

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

- a) Restricted status ~~must~~shall be defined as the Agency determination, pursuant to Section 39(a) of the Act and Section 602.105, that a community public water supply facility, or portion thereof, may no longer be issued a construction permit without causing a violation of the Act, ~~or~~ Board or Agency ~~rules~~this rules or this Chapter. Violations of Board rules that can result in a restricted status determination include, but are not limited to, regulations establishing maximum contaminant levels, treatment techniques, source water quantity requirements, treatment unit loading rates, storage volume requirements, and minimum pressure for a distribution system.
- 1) When the Agency cannot issue a construction permit to a community water supply because ~~such that~~ issuance would extend an existing violation of the Act or Board rules, the Agency must place the community water supply on restricted status.
 - 2) Except as specified in Section 602.105(a)(5) ~~of this Part~~, the Agency must not issue a permit for water main extension construction ~~where~~when the water main would extend an existing violation of the Act or Board rules.
- b) The Agency must publish on its website and in the Environmental Register and ~~update~~make updateThe Agency shall publish and make available to the public, at intervals of not more than three six months, a comprehensive and up-to-date list of community water supplies subject to restrictive status and the reasons why. This list will be entitled the "Restricted Status List.".
- c) The Agency ~~must~~shall notify the ~~owner~~owners or official ~~custodians~~custodian and ~~the~~ Responsible Operator in ~~Charge~~Charge~~custodians~~ of a community water supply~~s~~ when the community water supply is initially placed on restricted status by the Agency.
- d) The restricted status list must include a statement of the potential or existing violation of the Act or Board regulations that caused the community water supply's inclusion on the list.
- ~~e)f) Owners or official custodians of community water supplies which have been placed on restricted status must notify any person requesting construction of a water main extension of this status.~~ Until December 8, 2003, the Agency shall not place public water supplies on restricted status when:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) the radium-226 level is less than or equal to 20 pCi/L;
 - 2) the radium-228 level is less than or equal to 20 pCi/L; or
 - 3) the gross alpha particle activity level minus the radium-226 level is less than or equal to 15 pCi/L.
- e) Owners or official custodians of community water supplies that have been placed on restricted status must notify any person requesting construction of a water main extension of this status. From December 8, 2003, until December 8, 2009, the Agency shall not place a public water supply on restricted status for exceeding the maximum contaminant level (MCL) for combined radium (radium-226 and radium-228) of 5 pCi/L, the MCL for gross alpha particle activity of 15 pCi/L, or the MCL for uranium of 30 µg/L (35 Ill. Adm. Code 611.330) if the supply is bound to comply with the MCL pursuant to a specific schedule under:
- 1) A Compliance Commitment Agreement executed pursuant to Section 31 of the Act [415 ILCS 5/31]; or
 - 2) An enforceable court order after referral by the Agency.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 602.107 Critical Review Signatory Requirement for Permit Applications

- a) The Agency must publish in the Environmental Register and on its webpage, at the same frequency as the Restricted Status List, a list of those community water supplies ~~which~~that Agency records indicate exceed 80 percent of the rate of any of the quantity requirements in the Board's or Agency's. This list will be entitled the "Critical Review List".
- b) The Critical Review List must include a description of the cause of the community water supply's inclusion on the list.
- c) The Agency must notify the owner or official custodian and the Responsible Operator in Charge of the community water supply when the community water supply is initially placed on critical review status by the Agency.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- d) Owners or official custodians of community water supplies ~~which~~that have been placed on critical review status must notify [of this status](#) any person requesting construction of a water main extension ~~of this status~~.

All permit applications shall be signed by the owner or official custodian of the public water supply, or by the owner's duly authorized agent, and shall be accompanied by evidence of authority to sign the application.

(Source: Former Section 602.107 renumbered to Section 602.110 and ~~New~~[new](#) Section 602.107 added at 40 Ill. Reg. _____, effective _____)

Section 602.108 Right of Inspection Construction Permit Applications

The permittee must allow the Agency and its duly authorized representatives to perform inspections in accordance with its authority under the ~~act~~[Act](#), including but not limited to:

- a) entering at reasonable times the permittee's premises where treatment or distribution facilities are located or where any activity is to be conducted pursuant to a permit;
- b) having access to and ~~eeeping~~[copying](#) at reasonable times any records required to be kept under the terms and conditions of a permit;
- c) inspecting at reasonable times, including during any hours of operation:
- 1) equipment constructed or operated under the permit;
 - 2) equipment or monitoring methodology; or
 - 3) equipment required to be kept, used, operated, calibrated and maintained under the permit;
- d) obtaining and removing at reasonable times samples of any raw or finished water, discharge or emission of pollutants;
- e) entering at reasonable times to use any photographic, recording, testing, monitoring or other equipment for the purpose of preserving, testing, monitoring or recording any raw or finished water, activity, discharge or emission authorized by a permit.

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

All applications for any construction permit required under this Chapter shall contain, where appropriate, the following information and documents:

- a) A summary of the design basis;
- b) Operation requirements;
- c) General layout;
- d) Detailed plans;
- e) Specifications;
- f) A professional seal to satisfy Section 602.105(c) requirements;
- g) Certification by each person signing the application that the information in the application is complete and accurate, and that the text of the application has not been changed from the Agency's official construction permit application form; and
- h) Any other information required by the Agency for proper consideration of the permit.

(Source: Former Section ~~Repealed~~~~repealed~~ and ~~New~~~~new~~ Section ~~Added~~~~added~~ at 40 Ill. Reg. _____, effective _____)

Section 602.109 Fees Operating Permit Applications

- a) *Each applicant required to pay a fee must submit the fee to the Agency along with the permit application or as-built plans. The Agency must deny any construction permit application for which a fee is required that does not contain the appropriate fee. [415 ILCS 5/16.1(a)]*
- b) The following fees are required by the Act:
 - 1) *\$240 if the construction permit application is to install or extend water main that is more than 200 feet, but not more than 1,000 feet in length. [415 ILCS 5/16.1_(d)(1)]*

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 2) *\$720 if the construction permit application is to install or extend water main that is more than 1,000 feet but not more than 5,000 feet in length. [415 ILCS [5/16.1\(d\)\(2\)](#)]*
- 3) *\$1200 if the construction permit application is to install or extend water main that is more than ~~\$~~5,000 feet in length. [415 ILCS [5/16.1\(d\)\(3\)](#)]*
- c) *Any applicant who submits as built plans to install or extend a water main must pay the fees listed in subsection (b) ~~of this Section~~. [415 ILCS [5/16.1\(c\)](#)]*
- d) *Each applicant for an emergency construction permit to install or extend a water main must submit the appropriate fee to the Agency within 10 calendar days from the date of issuance of the emergency permit. [415 ILCS [5/16.1\(c\)](#)]*
- e) This Section does not apply to following:
 - 1) *any department, agency or unit of State government for installing or extending a water main;*
 - 2) *any unit of local government with which the Agency has entered into a written delegation agreement under Section 4 of ~~this~~[the](#) Act which allows such unit to issue construction permits under ~~this~~[Title IV of the Act](#), or regulations adopted ~~hereunder~~[under Title IV](#), for installing or extending a water main; or*
 - 3) *any unit of local government or school district for installing or extending a water main where both of the following conditions are met:*
 - A) *the cost of the installation or extension is paid wholly from monies of the unit of local government or school district, State grants or loans, federal grants or loans, or any combination thereof; and*
 - B) *the unit of local government or school district is not given monies, reimbursed or paid, either in whole or in part, by another person (except for State grants or loans or federal grants or loans) for the installation or extension. [415 ILCS [5/16.1\(f\)](#)]*

All applications for operating permits shall contain:

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

- a) The name and certificate number of the certified operator in responsible charge on the operational staff of the public water supply or the name and registration number of the registered person in responsible charge for supplies which are exempt from the requirement for a certified operator; and
- b) the name and location of the public water supply;
- c) the construction permit number under which the public water supply was constructed; and
- d) any other information required by the Agency for proper consideration of the permit.

(Source: Former Section ~~Repealed~~~~repealed~~ and ~~New~~~~new~~ Section ~~Added~~~~added~~ at 40 Ill. Reg. _____, effective _____)

Section 602.110 ~~602.107~~Signatory Requirement for Permit Applications~~Algicide Permit Applications~~ ~~Algicide Permit Applications~~

All permit applications must be signed by the owner or official custodian of the ~~community~~~~public~~community water supply, or by the owner's duly authorized agent, and must be accompanied by evidence of authority to sign the application.

- a) All applications for algicide permits shall contain:
 - 1) the name and certificate number of the certified operator supervising the application of the algicide;
 - 2) -a statement describing the extent of the algae problem, history of any past algae problems, and algicide treatments, and a description of any fish kills which have resulted from treatments in the past; and
 - 3) adequate information to support exceeding the limits as stated in 35 Ill. Adm. Code 302: Water Quality Standards.
- b) After any algicide permit is issued, and before the permit expires by its stated terms, if there is any major change either in the operation of the public water supply, or in algae growth, which affects the use of the algicide as outlined in the

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

permit, the public water supply shall submit an application for modification of its permit. This application shall contain all of the information required by this subsection (b) and subsection (a) above.

- c) Any algicide permit issued under this Section shall exempt the permittee from obtaining an aquatic pesticide permit as provided in 35 Ill. Adm. Code 652.601.

(Source: ~~New section~~ [Former Section 602.110](#) ~~renumbered from~~ ~~repealed and former~~ [Section 602.107](#) [renumbered to Section 602.110](#) at 40 Ill. Reg. _____, effective _____)

Section 602.111 Application Forms and Additional Information

The Agency may prescribe the form in which all information required under this Part ~~must~~ [shall](#) be submitted and may ~~require~~ [may](#) adopt procedures requiring such additional information as is necessary to determine whether the community ~~public~~ water supply system will meet the requirements of the Act and this Chapter.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 602.112 Filing and Final Action by Agency on Permit Applications

- a) For permits without a fee under Section 602.109 ~~of this Part~~:
- 1) An application for ~~a~~ permit shall be deemed to be filed on the date of initial receipt by the Agency of the application documents. The Agency shall send the applicant written notification of receipt of the complete application.
 - 2) Except for emergency permits, applications for construction permits must be filed at least 90 days before the expected start of construction.
 - 3)b) If the Agency fails to take final action, by granting or denying the permit as requested or with conditions, within ~~90~~ [ninety](#) days from the filing of the [completed](#) application, the applicant may deem the permit granted for a period of one year, commencing on the ninety-first day after the application was filed.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 4)c) Any applicant for a permit may waive in writing the requirement that the Agency must take final action within 90ninety days from the filing of the application.

- b) For permits with a fee under Section 602.109 ~~of this Part~~:
 - 1) An application for a permit must be deemed to be filed on the date the Agency has received the application documents and required fee. The Agency must send the applicant written notification of receipt of the complete application.
 - 2) Except for emergency construction permits, applications for construction permits must be filed at least 45 days before the expected start of construction.
 - 3) The Agency must deny construction permit applications that do not contain the entire fee.
 - 4) The Agency must take final action by granting or denying permits within 45 days ~~ef~~after the filing of an application and the payment of the required fee. If the Agency fails to take final action within 45 days ~~ef~~after filing the application and payment of the required fee, the applicant may deem the permit issued.

- c) The Agency must maintain a progress record of all permit applications, including interim and final action dates. This information is available to the applicant upon request.

- d) The Agency ~~shall~~must~~must~~shall send all notices of final action by U.S. mail. The Agency ~~shall~~must~~must~~shall be deemed to have taken final action on the date that the notice is mailed.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 602.113 Duration

- a) Construction Permits~~permits~~

- 1) Construction permits ~~1)~~ ~~For~~for community water supply facilities

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

expire one year from the date of issuance or renewal, unless ~~construction~~construction has started. ~~shall be valid for the start of construction within one year from the date of issuance and~~ If construction does not commence within one year from the date of issuance or renewal, the ~~permit~~permit shall be valid for the start of construction within one year from the date of issuance and may be renewed for additional one year periods at the discretion of the Agency, upon written request of the applicant.

- 2) If construction commences within one year from the date of issuance or renewal of the construction permit, the permit expires five years from the date of issuance or renewal. Construction, once started, may continue for four years without permit renewal and Thereafter, the permit may be renewed for periods specified by the Agency at its discretion, upon written request of the applicant for each permit renewal.
- 3) For the purposes of this Section, construction must be deemed commenced when work at the site has been initiated and proceeds in a reasonably continuous manner to completion.

- b) Operating permits ~~Operation Permits~~ = Operation Permits ~~must~~shall be valid until revoked unless otherwise stated in the permit.
- c) Algicide Permits = Algicide permits must be issued for fixed terms of five years shall be valid for the period stated in the permit, but in no case longer than five years.
- d) Aquatic pesticide permits must be valid for a fixed term, not to exceed one year.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 602.114 Conditions (Repealed)

In addition to specific conditions authorized under this Part, the Agency may impose such conditions in a permit as may be necessary to accomplish the purposes of the Act and as are not inconsistent with regulations promulgated by the Illinois Pollution Control Board (Board).

(Source: Repealed at 40 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Section 602.115 Design, Operation, and Maintenance Criteria

- a) The Agency may adopt criteria in rules for the design, operation, and maintenance of community public water supply facilities as necessary to insure safe, adequate, and clean water. These criteria ~~must~~shall be revised from time to time to reflect current engineering judgment and advances in the state of the art.
- b) Before adopting new criteria or making substantive changes to any of its rules for community public water supplies, the Agency ~~must~~shall comply with the provisions of the Administrative Procedure Act [5 ILCS 100].

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 602.116 Requirement for As-Built Plans

If any portion of Whenever a community water supply has been constructed without a construction permit as required by Section ~~602.101 of this Part~~602.101, or an emergency permit ~~issued pursuant to Section 602.104 of this Part~~602.104, the community water supply must submit to the Agency may require submission of as-built plans; and specifications and a construction permit application. As-built plans and specifications must be prepared by a qualified person as described in Section 602.105(a)~~(34)~~602.105(c). All plans and; specifications submitted to the Agency under this Section must be clearly marked "as-built" or "record drawings". Any deficiencies requiring correction, as determined by the Agency, must be corrected within a time limit set by the Agency. Submission of as-built plans and the correction of any deficiencies This does not relieve the owner or official custodian from any liability for construction of the supply without a permit.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 602.117 Existence of Permit No Defense

The existence of a permit under this Chapter ~~must~~shall not constitute a defense to a violation of the Act, or any Board regulation, or Agency regulation rule except for the requirements to secure construction, operating, algicide, aquatic pesticide or emergency permits.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 602.118 ~~Appeals~~Appeal of Final Agency Action on a Permit ~~Application from~~Application Appeals from Conditions

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- a) If the Agency denies a permit required under this Part, the applicant may petition the Board to appeal the Agency's final decision pursuant to Section 40 of the Act.
- b) An applicant may consider any condition imposed by the Agency in a permit ~~issued pursuant to this Part~~ as a refusal by the Agency to grant a permit, ~~which~~ that which shall entitle the applicant to appeal the Agency's decision to the Board pursuant to Section 40 of the Act.
- c) All appeals must be filed with the Board within 35 days after the date on which the Agency served its decision on the applicant.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 602.119 Revocations

Violation of any permit conditions or failure to comply with the Act, ~~Board~~ Board any rule or regulation or Agency ~~regulation any rule or regulation of~~ regulation of this Chapter ~~must~~ shall be grounds for enforcement actions as provided in the Act, including revocation of a permit. Revocation of a ~~permit~~ Such permit ~~Such~~ enforcement actions ~~must~~ shall be sought by filing a complaint with the Board pursuant to Title VIII of the Act.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 602.120 Limitations (Repealed)

Issuance of a permit under this Part does not relieve the applicant of the obligation to obtain other permits required from other State entities, the Agency, or local governing bodies. Any permit issued under this Part shall not be considered to be valid unless and until all applicable permits from State agencies, including but not limited to those listed below, have been applied for:

AGENCY	PERMIT DESCRIPTION
Illinois Commerce Commission	Certificate of Convenience and Necessity
Dept. of Natural Resources Office of Water Resources	Changes to Existing Waterways

(Source: Repealed at 40 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

SUBPART B: CONSTRUCTION PERMITS

Section 602.200 Construction Permit Requirement

- a) No person ~~must~~shall cause or allow the construction of any new community water supply installation, or cause or allow the change of or addition to any existing community water supply, without a construction permit issued by the Agency.
- b) Construction permits must be obtained by the owner or official custodian of a community water supply:
 - 1) prior to beginning construction of any proposed community water supply;
 - 2) prior to all alterations, changes or additions to an existing community water supply ~~which~~that may affect the sanitary quality, mineral quality or adequacy of the community water supply; and
 - 3) prior to adding new chemicals to the treatment process or changing the points of chemical application.
- c) A construction permit is not needed for normal work items such as:
 - 1) installation of customer service connections to distribution system water mains;
 - 2) installation or replacement of hydrants and valves in the distribution system;
 - 3) repair of water mains, including replacement of existing water mains with mains of equivalent size pipe in the same location;
 - 4) routine maintenance of equipment, such as painting, reconditioning, or servicing;
 - 5) replacement of chemical feeders, pumps, controls, filter media, softener resins, pipes, and appurtenances that have the same rated capacity as existing facilities previously permitted by the Agency; or

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 6) installation or replacement of meters.

- d) All work performed on a community water supply must be in accordance with accepted engineering practices.

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 602.205 Preliminary Plans

- a) To expedite the review of subsequent construction permit application plan documents, preliminary plans may be submitted prior to the submission of a construction permit application. No construction permit shall be issued until the completed application, required fee, plans and specifications have been submitted.

- b) If preliminary plans are submitted, as directed under the Illinois Drinking Water Revolving Loan Funding Process ([see 35 Ill. Adm. Code 664](#)), the documents must include a description of alternate solutions, a discussion of the alternatives and reasons for selecting the alternative recommended.

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 602.210 Construction Permit Applications

All applications for construction permits required under this Part must contain, [wherewhen](#) appropriate, the following information and documents:

- a) General information, including, but not limited to:
 - 1) name of the community water supply;
 - 2) community water supply identification number;
 - 3) the name and mailing address of the owner or official custodian of the community water supply; and
 - 4) name, scope and location of the project;

- b) Engineer's report as specified in Section 602.225 ~~of this Part~~;

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- c) A summary of the design criteria as specified in Section 602.230 ~~of this Part~~;
- d) Specifications as specified in Section 602.635 ~~of this Part~~;
- e) Plans as specified in ~~Sections~~[Section](#) 602.240 ~~of this Part~~;
- f) Specific information for the type of construction, as follows:
 - 1) For source construction, information specified in Section 602.245 ~~of this Part~~;
 - 2) For the construction of treatment facilities, information specified in Section 602.250 ~~of this Part~~;
 - 3) For the construction of storage facilities, information specified in Section 602.255 ~~of this Part~~;
 - 4) For the construction of water mains, information specified in Section 602.260 ~~of this Part~~;
- g) Water purchase contracts between water supplies and/or inter-municipal agreements, ~~where~~[when](#) applicable;
- h) Evaluation of technical, managerial, and financial capacity as specified in Section 602.103 ~~of this Part~~ for new community water supplies;
- i) Certification by each person signing the application that the information in the application is complete and accurate, and that the text of the application has not been changed from the Agency's official construction permit application form; and
- j) Any other information required by the Agency for proper consideration of the permit.

(Source: Added at 40 Ill. Reg. ~~—~~ _____, effective _____)

Section 602.215 Submission of Applications, Plans and Specifications

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

- a) Two copies of the completed application, and any required plans, specifications and supplemental schedules, must be submitted to the Agency for review and approval.
- b) All permit applications must be mailed or delivered to the appropriate address designated by the Agency.

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 602.220 Alterations

- a) Before any deviations from plans and specifications approved by the Agency are made, the owner or official custodian, or an authorized delegate, must make a written request for a supplemental permit.
- b) Revised plans or specifications must be submitted to and approved by the Agency with the supplemental permit request.
- c) The Agency must approve supplemental permit requests if ~~such~~those requests comply with Section 602.105 ~~of this Part~~ and this Subpart.
- d) A supplemental permit is not required for minor changes ~~which~~that will not affect the location, capacity, hydraulic conditions, water treatment processes or sanitary or mineral quality of the water to be delivered.

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 602.225 Engineer's Report

Upon request from the Agency, an applicant for a construction permit must submit an Engineer's Report. Types of construction projects ~~wherefor~~for which the Agency may request an Engineer's Report include, but are not limited to, the construction of a new community water supply, a new source location, or a new water treatment process other than chemical feeding only. The Engineer's Report may be submitted as a preliminary plan pursuant to Section ~~602.205 of this Part~~602.205. An Engineer's Report submitted pursuant to this Section must contain the ~~following~~following information ~~specified by this Section~~.

- a) General information, including:

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

- 1) a description of existing community water supply;
 - 2) a description of sewerage facilities;
 - 3) a description of the municipality or area to be served; and
 - 4) the name and mailing address of the owner or official custodian of the community water supply.
- b) The extent of the community water supply system, including:
- 1) a map of the area to be served with water and any provisions for extending the community water supply system;
 - 2) maps of additional areas to be served and an appraisal of the future requirements for service; and
 - 3) present and prospective industrial and commercial water supply needs ~~which~~that are likely to be required in the near future.
- c) Water consumption data, including:
-
- 1) population trends as indicated by available records;
 - 2) an estimate of the number of consumers, based on population trends, who will be served by the proposed or expanded water supply system 20 years in the future;
 - 3) present and future water consumption values used as the basis of design;
 - 4) present and estimated future yield of the water sources for a community water supply; and
 - 5) estimated water loss in the distribution system based on available records.
- d) A justification for the project ~~where~~when two or more solutions exist for providing community water supply facilities, as directed under the Illinois

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Drinking Water Revolving Loan Funding Process, each of which is feasible and practicable. The Engineer's Report must discuss the alternatives and provide reasons for selecting the one recommended, including financial considerations, operational requirements, operator qualifications, reliability, and water quality considerations.

- e) Sources of ~~water supply~~ [Water Supply](#). The Engineer's Report must describe the proposed source or sources of water supply to be developed and the reasons for their selection, and provide information as follows:
 - 1) For surface water sources:
 - A) hydrological data, stream flow and weather records;
 - B) safe yield, including all factors that may affect it;
 - C) documentation of structural safety of any spillway or dam to assure the spillway or dam can continue to provide a source of water during extreme weather;
 - D) description of the watershed, noting any existing or potential sources of contamination (such as highways, railroads, chemical facilities, land/water use activities, etc.) ~~which~~[that](#) may affect water quality;
 - E) summarized quality of the raw water with special reference to fluctuations in quality, changing meteorological conditions, etc.; and
 - F) source water protection issues or measures, including erosion and siltation control structures, that need to be considered or implemented.
 - 2) For groundwater sources:
 - A) the sites considered;
 - B) advantages of the site selected;

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- C) the elevations above mean sea level of site selected;
 - D) the probable character of geologic formations through which the source is to be developed;
 - E) hydrogeologic conditions affecting the site, such as anticipated interference between proposed and existing wells;
 - F) sources of possible contamination such as sewers and sewage treatment/disposal facilities, highways, railroads, landfills, outcroppings of consolidated water bearing formations, chemical facilities, waste disposal wells, and agricultural uses;
 - G) the test well depth_s and method of construction, including placement of liners or screens;
 - H) test pumping rates and their duration, including water levels and specific yield;
 - I) test well water quality information; and
 - J) wellhead protection measures being considered.
- f) Project sites, including:
- 1) a discussion of the various sites considered and advantages of the recommended ones;
 - 2) the proximity of residences, industries_s and other establishments; and
 - 3) any potential sources of pollution that may influence the quality of the supply or interfere with effective operation of the water works system, such as sewage absorption systems, septic tanks, privies, cesspools, sink holes, sanitary landfills, and refuse and garbage dumps_s etc.
- g) Proposed Treatment Processes. The Engineer's Report must describe all proposed treatment processes for providing the quality desired from the specific raw water under consideration and any available data proving the capability of providing the treatment.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- h) Automation. The Engineer's Report must provide supporting data justifying automatic equipment, including the servicing and operator training to be provided, and must provide for manual override for any automatic controls.
- i) Power. The Engineer's Report must include the following power description:
 - 1) the main source of power;
 - 2) dedicated standby power capable of providing power to operate the community water supply's water source, treatment plant and distribution facilities during power outages; and
 - 3) outside emergency power sources ~~which~~that are available.-
- j) Soil characteristics, groundwater conditions and foundation problems, including:
 - 1) the character of the soil through which water mains are to be laid;
 - 2) the foundation conditions prevailing at sites of proposed structures; and
 - 3) the approximate elevation of groundwater relative to mean sea level at its expected highest level in relation to ~~sub-surface~~subsurface structures.
- k) Flow requirements, including a hydraulic analysis based on flow demands and pressure requirements.

BOARD NOTE: Fire flows, when fire protection is provided, should meet the recommendations of the Illinois Insurance Services Office or other similar agency for the service area involved.

- l) Water Plant Wastes. When waste treatment facilities are necessary, for the addition of a new process or an increase in water treatment plant capacity, those facilities must be included as part of the engineering plans and specifications, and the ~~engineer report~~Engineer's Report must include the following:
 - 1) an estimate of the character and volume of the waste ~~which~~that will be generated and its proposed disposition; and

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 2) the type of waste treatment, discharge location and frequency of discharge.

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 602.230 Design Criteria

A summary of complete design criteria must be submitted for the proposed project containing, ~~where~~when applicable, the following:

- a) ~~the~~ long term dependable yield of the source of supply;
- b) ~~the~~ reservoir surface area, volume, and a volume versus depth curve;
- c) ~~the~~ area of the watershed;
- d) ~~the~~ estimated average and maximum daily water demands for the design period;
- e) ~~the~~ number of proposed service connections;
- f) firefighting requirements;
- g) flash mix, flocculation and settling basin capacities;
- h) retention times;
- i) unit loadings;
- j) ~~the~~ filter area and the proposed filtration rate;
- k) ~~the~~ backwash rate;
- l) feeder capacities and ranges; and
- m) minimum and maximum chemical application rates.

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 602.235 Specifications

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- a) Complete detailed specifications must be supplied or referenced from Standard Specifications for Water and Sewer Main Construction in Illinois, incorporated by reference in 35 Ill. Adm. Code 601.115, for all community water supply construction.
- b) The specifications must have a professional seal and signature that satisfy Section 602.105(a)(~~3~~ of this Part~~4~~).
- c) Water main standard specifications ~~which~~that have been adopted by a community water supply or a consulting engineer may be submitted for review by the Agency. If approved standard specifications are kept on file with the Agency, the community water supply or consulting engineer need not resubmit the specifications unless changes occur. Standard specifications must equal or exceed the requirements of Section ~~602.105 of this Part~~602.105.

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 602.240 Plans

- a) Unless otherwise specified by the Agency, plans submitted to the Agency must provide the following:
 - 1) a suitable title;
 - 2) the name of the owner of the community water supply;
 - 3) the area or institution to be served;
 - 4) a scale;
 - 5) a north point;
 - 6) ~~datum~~the data used;
 - 7) the boundaries of the municipality or area to be served;
 - 8) the date and the name and address of the designing engineer;

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 9) a professional engineer's seal and signature to satisfy Section 602.105(a)(~~34~~);
 - 10) the locations and ~~sizes~~ of existing water mains;
 - 11) the locations and nature of existing water works structures and appurtenances affecting the proposed construction, noted on one sheet;
 - 12) the locations of any petroleum storage tanks within 400 feet of the proposed construction;
 - 13) dimensions, elevations, and explanatory notes; and
 - 14) details as specified in ~~Section~~Sections 620.245 through Section ~~602.260 of this Part.~~602.260.
- b) Plans must be drawn to a scale ~~which~~that will describe the proposed structures and equipment.
 - c) The size of plans submitted to the Agency must not exceed 24 inches by 36 inches.

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 602.245 Source Construction Applications

Construction permit applications for the construction of a new, or the modification of an existing, well or surface water intake must include the information specified by this Section.

- a) Well construction permit applications must specify the following:
 - 1) the latitude and longitude of the well location;
 - 2) the location and nature of all potential routes, potential primary sources, and potential secondary sources of contamination within 2,500 feet of the well location;
 - 3) for sites subject to flooding, the well casing heights and maximum flood level based upon best available information ~~including, which includes,~~ but

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

is not limited to, the flood of record; or the 100 year or 500 year flood projections;

- 4) a general aquifer description;
- 5) the total well depth;
- 6) the well casing diameter, material, depth, weight, height above ground, and thickness;
- 7) the grout type, thickness, and depth;
- 8) the screen diameter, material, slot size, and length, if applicable;
- 9) temporary capping and security measures during well construction;
- 10) proposed pump test procedures;
- 11) sampling procedures, if necessary under 35 Ill. Adm. Code 611.212, for wells that may be subject to surface water influences;
- 12) the type, design capacity, head rating, and depth of pump setting;
- 13) the column pipe diameter, length, material, and joint;
- 14) the discharge pipe diameter, depth of cover, material, and valving;
- 15) the casing vent diameter;
- 16) the airline length;
- 17) the location of the raw water sample tap;
- 18) a description of how the top of the well casing is sealed;
- 19) a description of access to the well site; and
- 20) well hydraulics and aquifer property data.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- b) The following information must be submitted on plans for well construction permit applications:
- 1) the well location and a 2,500 foot radius showing the location of potential routes, potential primary sources, and potential secondary sources of contamination;
 - 2) the well location and a 400 foot radius showing the location of the sources of pollution listed in Table A of 35 Ill. Adm. Code 653.118;
 - 3) a cross-section of the well showing finished grade, natural ground surface, vent, casing, column pipe, screen, well depth, pump depth, grout, gravel pack, and discharge piping;
 - 4) all discharge piping, including pressure gauge, meter, sample tap, check valve, shut-off valve and vacuum/air release valve, if applicable;
 - 5) well house construction, if provided;
 - 6) the locations of all electrical junction boxes;
 - 7) the locations of all observation wells; and
 - 8) piping showing the ability to pump to waste.
- c) The following information must be submitted on plans for surface water intake construction permit applications:
- 1) plan and profile views of the intake structure showing the location, elevation of intake ports, fish screens, valves, piping, and pumps, if applicable;
 - 2) location of inspection manholes, if applicable; and
 - 3) location of chemical treatment, if applicable.

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 602.250 Treatment Construction Applications

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

The following information must be submitted on plans for the construction of treatment facilities:

- a) all appurtenances, specific structures or equipment having any connection with the planned water treatment improvements;
- b) detailed hydraulic profiles of water flowing through treatment systems;
- c) schematic plumbing for all structures and equipment;
- d) location of feeders, piping layout and points of application;
- e) locations of the sources of pollution listed in Table A of 35 Ill. Adm. Code 653.118;
- f) for sites subject to flooding, the maximum flood level based upon best available information, including, but not limited to, the flood of record, ~~or the~~ 100 year or 500 year flood projections; and
- g) security provisions.

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 602.255 Storage Construction Applications

The following information must be submitted on plans for the construction of storage facilities:

- a) storage capacity;
- b) plan and profile views showing the location, elevation, piping, access hatches, vents, overflows, safety appurtenances, and sample taps;
- c) for below ground or partially below ground storage tanks, locations of the sources of pollution listed in Table A of 35 Ill. Adm. Code 653.118 within a 400 foot radius of the storage structure;
- d) security provisions;
- e) baffling arrangement, if applicable;

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

- f) for sites subject to flooding, the maximum flood level based upon best available information, including, but not limited to, the flood of record, ~~or the~~ 100 ~~year~~ or 500 year flood projections; and
- g) for hydropneumatic tanks, the bypass piping, access manhole, drain, sight glass, pressure gauge, pressure relief valve, air compressor, ~~and~~ housing;
- h) mixing systems, if applicable; and
- i) the ability to drain a storage tank without causing the pressure in the distribution system to drop below 20 psi.

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 602.260 Water Main Construction Applications

- a) Water main construction permit applications must specify the following:
 - 1) the existing population served by the present supply, and the population to be served by the water main extension;
 - 2) the average daily pumpage for the community water supply on an annual basis;
 - 3) the maximum daily pumpage;
 - 4) the capacity of the community water supply;
 - 5) the capacity of the raw water source;
 - 6) the capacity of the proposed water main;
 - 7) the normal expected operating pressure on the proposed water main;
 - 8) the minimum expected operating pressure on the proposed water main;
 - 9) the pressure at the point of connection at present maximum demand;

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

- 10) the calculated pressure at the point of connection under maximum demand after installation of the water main;
 - 11) the size of the pipe and total feet of the water main;
 - 12) the pipe material and type of joint;
 - 13) the proposed depth below ground surface of the water main;
 - 14) sewer and water separation:
 - A) an indication of whether the minimum horizontal and vertical separation requirements in 35 Ill. Adm. Code 653.119 ~~of this Part~~ have been met; and
 - B) an explanation of other measures taken to protect the water main if the separation requirements are not met;
 - 15) a disinfection plan ~~which~~that details the chemical to be used, initial disinfectant concentration, final disinfectant concentration and retention time in hours; and
 - 16) a water sampling plan to meet the requirements of Section ~~602.310 of this Part~~ [602.310](#).
- b) The following information must be submitted on plans with water main construction permit applications:
- 1) the border lines of the municipality, water district or area to be served;
 - 2) the size, length and identity of proposed water mains and water system structures;
 - 3) the elevation of water mains where necessary to show proper separation from sewers and the elevation of other water system structures;
 - 4) the location of existing or proposed streets;

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 5) the location of storm, sanitary, combined and house sewers, septic tanks, disposal fields and cesspools;
- 6) the location of pipelines and other ~~source~~[sources](#) containing hydrocarbons;
- 7) the distance between the community water supply structures and the sources of pollution listed in Table A of 35 Ill. Adm. Code 653.118;
- 8) stream crossings with elevations of the stream bed shown, including the normal, extreme high and extreme low water levels of the stream; ~~and~~ [and](#)
- 9) all appurtenances, specific structures or equipment having any connection with planned water mains and water system structures.

(Source: Added at 40 Ill. Reg. _____, effective _____)

SUBPART C: OPERATING PERMITS

Section 602.300 Operating Permit Requirement

- a) No person shall cause or allow the use or operation of any new community water supply, or any new addition to an existing community water supply, for which a construction permit is required under this Part, without an operating permit issued by the Agency.
- b) The operating permit application must be filed with the Agency when construction is complete.
- c) The operating permit must be obtained before the project is placed in service.
- d) Partial operating permits may be obtained pursuant to Section ~~602.320 of this Part.~~[602.320](#).

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 602.305 Operating Permit Applications

- a) All applications for operating permits must contain:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) the name, signature, and identification number of the Responsible Operator in Charge ~~pursuant to~~(see 35 Ill. Adm. Code 603);
 - 2) the community water supply's name, address, identification number and project name;
 - 3) the construction permit number, type of construction permit, and date the construction permit was issued;
 - 4) an explanation of the status of the construction project. If the project is only partially completed, the applicant must provide the information set forth in Section 602.320 ~~of this Part~~; and
 - 5) any other information required by the Agency for proper consideration of the permit, including, but not limited, to, the submission of the water sample results pursuant to Section ~~602.310 of this Part~~.[602.310](#).
- b) If the operating permit application is for the operation of a well, the operating permit application must include the following information in addition to the information required by subsection (a) ~~of this Section~~:
- 1) final geologic well log;
 - 2) aquifer property data;
 - 3) lateral area of influence, as calculated pursuant to 35 Ill. Adm. Code 671.Subpart B;
 - 4) delineated well head protection area; and
 - 5) analyses of water samples for the constituents listed in 35 Ill. Adm. Code 620.410(a) and (b).

(Source: Added at 40 Ill. Reg. ~~—~~ _____, effective _____)

Section 602.310 Projects Requiring Disinfection

- a) Satisfactory disinfection as specified in this Section must be demonstrated before the issuance of an operating permit for completed construction projects

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

~~where~~when facilities produce, contain, treat or carry water that must be bacteriologically safe. This includes, but is not limited to, water mains, filters, finished water storage tanks and wells.

- b) Disinfection of a filter with granular activated carbon (GAC) must be completed prior to adding the GAC. Disinfection of an ion exchange unit must be completed prior to adding a resin with a low chlorine tolerance. Disinfection of a membrane unit must be completed prior to adding membrane material with a low chlorine tolerance. Care should be taken when handling the GAC, resin or membrane to keep the material as clean as possible.
- c) Except as specified in subsection (d) ~~of this Section~~, satisfactory disinfection is demonstrated when two consecutive water sample sets collected from the completed project at least 24 hours apart indicate no bacterial growths as measured by the membrane filter technique or no tubes testing positive as measured by the presumptive test, fermentation tube method, as set forth in 35 Ill. Adm. Code 611. A sample set consists of the following:
 - 1) For water mains, representative water samples must be collected from every 1,200 feet of new main along each branch and from the end of the line. The Agency may approve a different sampling plan on a site-specific basis.
 - 2) For water treatment plants, representative water samples must be collected from each aerator, detention tank, filter, ion exchange unit, and clearwell, and from all other treatment components other than those not requiring disinfection under Section 602.315, and from the entry point to the distribution system.
- d) For water main construction projects at existing community water supplies practicing chlorination in accordance with 35 Ill. Adm. Code 611.240, satisfactory disinfection is demonstrated when:
 - 1) one water sample set from the completed project collected in accordance with subsection (c)(1) ~~of this Section~~ indicates no bacterial growths as measured by the membrane filter technique or no tubes testing positive as measured by the presumptive test, fermentation tube method as set forth in 35 Ill. Adm. Code 611; and

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 2) Adequate chlorine residual is present at the point of connection. Adequate chlorine residuals exist in a distribution system when there is a minimum of 0.2 mg/l free chlorine residual for water supplies practicing free chlorination or 0.5 mg/l combined chlorine residual for water supplies practicing combined chlorination.
- e) If the analyses performed pursuant to subsection (d) ~~of this Section~~ indicate the presence of bacterial growth, the community water supply must do the following to demonstrate satisfactory disinfection:
 - 1) resample at the sampling point indicating contamination and at every sampling point downstream of the point indicating contamination;
 - 2) submit a general layout sheet of the project indicating the location of all water mains to be operating; and
 - 3) submit evidence to the Agency that two consecutive water sample sets collected as specified in subsection (e)(1) ~~of this Section~~ indicated no bacterial growths as measured by the membrane filter technique or no tubes testing positive as measured by the presumptive test, fermentation tube method as set forth in 35 Ill. Adm. Code 611.
- f) Analyses conducted pursuant to this Section must be performed by a certified laboratory.

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 602.315 Projects Not Requiring Disinfection

Disinfection is not required for projects involving installation of equipment not in contact with finished water, which includes, but is not limited to, chemical feeders, coagulation basins and raw surface water transmission lines.

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 602.320 Partial Operating Permits

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

- a) If all phases of a construction project will not be completed at one time, the Agency must issue a partial operating permit pursuant to Section 602.105 ~~of this Part~~ upon receipt of:
- 1) a cover letter describing which sections of the project are completed;
 - 2) a general layout plan sheet of the project indicating the location of water mains, treatment processes or storage facilities to be operated;
 - 3) a completed and signed operating permit application; and
 - 4) bacteriological analyses results from water samples collected from the completed section of the project verifying satisfactory disinfection in accordance with Section ~~602.310 of this Part~~ [602.310](#).
- b) Additional operating permits may be obtained in accordance with this Section as other portions of the project are completed.

(Source: Added at 40 Ill. Reg. _____, effective _____)

SUBPART D: ALGICIDE PERMITS

Section 602.400 Algicide Permit Requirement-

- a) No person ~~must~~ [shall](#) apply algicide, copper sulfate, copper sulfate based products, or copper sulfate chemical aids to any stream, reservoir, lake, pond, or other body of water used as a community water supply source without an Algicide Permit issued by the Agency.
- b) Permits issued under this Subpart D will be valid for community water supply sources only.

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 602.405 Algicide Permit Applications

All applications for Algicide Permits must contain, at a minimum:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- a) the name and identification number of the Responsible Operator in Charge supervising the application of the copper sulfate, copper sulfate based products, or copper sulfate chemical aids;
- b) a statement describing the extent of the algae problem, history of any past algae problems, and past algicide treatments;
- c) a description of any adverse effects algae has had on the various treatment processes and on the finished water quality;
- d) a description of any fish kills that might have resulted from past use of copper sulfate, copper sulfate based products, and copper sulfate chemical aids;
- e) the location and volume of the body of water where the copper sulfate, copper sulfate based products, or copper sulfate chemical aids will be applied;
- f) the name of the source stream (if any);
- g) the amount of copper sulfate, copper sulfate based products, or copper sulfate chemical aids to be used for each treatment;
- h) the time interval between treatments;
- i) a copy of the applicant's authorization to discharge under an NPDES permit if the algicide, copper sulfate, copper sulfate based products, or copper sulfate chemical aids is applied to a water of the United States;
- j) additional information ~~must be provided to~~[requested by](#) the Agency ~~upon request~~ to assure the safety of a community water supply, as required by 35 Ill. Adm. Code 302.210; and
- k) any other information required by the Agency for proper consideration of the permit.

(Source: Added at 40 Ill. Reg. ~~—~~ _____, effective _____)

Section 602.410 Sampling

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

- a) The owner or official custodian, or an authorized delegate, must collect water samples for each application of copper sulfate, copper sulfate based products, or copper sulfate chemical aids. Water samples must be collected at the ~~following~~ locations and times: established in this subsection (a).
 - 1) From the raw water intake, one sample must be collected before treatment:.
 - 2) From the entry point to the distribution system:
 - A) One sample must be collected approximately 24 hours following the copper sulfate treatment.
 - B) One sample must be collected approximately 48 hours following the copper sulfate treatment.
- b) The sample results must demonstrate that concentrations of copper do not pose a high health risk to water consumers.

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 602.415 Required Permit Modification

After any Algicide Permit is issued, and before the permit expires, if there is any major change either in the operation of the community water supply or in algae growth ~~which~~that affects the use of the algicide, copper sulfate, copper sulfate based products, or copper sulfate chemical aids, as outlined in the permit, the community water supply must submit an application for modification of its permit. This application must contain all the information required by Section ~~602.405 of this Part.~~602.405.

(Source: Added at 40 Ill. Reg. _____, effective _____)

SUBPART E: OTHER AQUATIC PESTICIDE PERMITS

Section 602.500 Other Aquatic Pesticide Permit Requirement

- a) ~~No~~When the application of the pesticide will have an effect on any community water supply, no person shall apply an aquatic pesticide, other than an algicide, copper sulfate, copper sulfate based products, or copper sulfate chemical aids to

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

any stream, reservoir, lake, pond or other body of water used as a community water supply source without an Aquatic Pesticide Permit issued by the Agency, ~~where the application of the pesticide will have an effect on any community water supply.~~ Effect ~~must be~~ defined as any measurable concentration of the pesticide in the intake water of the community water supply.

- b) No person shall apply an aquatic pesticide, other than an algicide, copper sulfate, copper sulfate based products, or copper sulfate chemical aids, within 20 miles upstream of a public or food processing water supply intake without an Aquatic Pesticide Permit issued by the Agency. The 20 mile upstream distance must be measured as follows:
- 1) for streams, the distance must be measured from the water supply intake to the downstream edge of the application area;
 - 2) for impoundments, the distance must be measured as the straight line distance over water from the intake to the nearest edge of the application area; or, if the shape of the impoundment will not allow a straight line measurement over water, the distance must be measured as the shortest distance over water between the intake and the application area;
 - 3) for streams tributary to impoundments, the distance must be the sum of the stream distance plus the shortest line distance described in subsection (b)(2).

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 602.505 Other Aquatic Pesticide Permit Application Contents

All applications for Aquatic Pesticide Permits must contain, at a minimum:

- a) The reasons for controlling the aquatic plant or animal nuisance.
- b) Applicant Information
 - 1) The applicant must be the official custodian of, or have control over the waters to which the aquatic pesticide is applied.

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

- 2) The application must contain the name, address, telephone number and signature of the applicant. If the applicant's signature cannot be obtained, the application must be accompanied by a signed statement that the applicant has requested or approved the use of the aquatic pesticide for the times and locations identified in the application.
- c) Applicator Information
- 1) The name, address and telephone number of the applicator.
 - 2) The applicator's Illinois Department of Agriculture ~~License Number~~[license number](#).
 - 3) A list of the limitations imposed by the applicator's license ~~which that~~ restrict the types of pesticides ~~which that~~ may be used by the applicator.
- d) General ~~information~~[Information](#)
- 1) A description of the aquatic pesticide by trade name, chemical name or name of active ~~ingredient(s)~~[ingredients](#), and ~~name(s)~~[names](#) of decomposition ~~product(s)~~[products](#).
 - 2) The ~~United States~~[U.S.](#) Environmental Protection Agency (USEPA) Registration Number for the pesticide.
 - 3) A description of the steps to be followed in preparing and applying the pesticide, including, but not limited to, proportions, mixing and precautions in preparation. A copy or facsimile of the label containing ~~such~~[this](#) information may be used to satisfy this requirement.
- e) Time and Location of Treatment
- 1) A depiction of the area or areas to be treated on a ~~United States~~[U.S.](#) Geological Survey (USGS) topographic map reproduction or an accurately drawn map of larger scale. ~~Include the location(s)~~[The depiction must include the locations](#) and provide the name of the ~~owner(s)~~[owners](#) of all water intakes for a distance of 20 miles downstream of each area to be treated.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 2) Ponds under ~~ten~~10 acres to be treated, but ~~which~~that are not used as a water source for public or food processing water supplies, must be described using a map of the pond, its tributaries and the surrounding area.
 - A) Pond locations must be given and described using the quarter section, section number, township, range, county and township name.
 - B) The name of all public and food processing water supplies for a distance of 20 miles downstream of the pond to be treated must be provided.
- 3) ~~A list of the~~The date and time required for each treatment.
- f) An inventory of the species, size and population of animals or plants to be controlled.
- g) Contacts with Downstream Water Users
 - 1) Written documentation showing that all water supplies described in Section 602.500 ~~of this Part~~ have been notified of the proposed treatment and provided details of possible adverse effects.
 - 2) The ~~name(s)~~names of water supply ~~operator(s)~~operators who will be notified 24 hours before the aquatic pesticide application.
- h) Application and Precautions
 - 1) A description of the method to be used to apply the pesticide.
 - 2) A description of the method to be used to protect humans and animals during the time toxic pesticide concentrations exist in the water.
 - 3) A description of the method to be used to remove dead plants or animals should these accumulations result in water quality deterioration.
 - 4) A description of the method to be used to retain water in the impoundment while toxic pesticide concentrations exist.

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

- 5) A description of the method to be used for detoxification of the water in the event of water supply contamination.
 - 6) A description of the actions to be taken to insure that tributary streams will not reintroduce the aquatic life being controlled following application of the pesticide. If these actions cannot be taken, ~~state~~ the anticipated frequency of retreatment shall be stated.
 - 7) A copy of the contingency plan to be followed by water plant operators for emergency water plant shut down or emergency operation.
- i) Water Characteristics and Chemistry
- 1) The expected life of the pesticide's active ingredient and its decomposition products, considering characteristics of the water such as pH, dissolved oxygen and temperature.
 - 2) A list of the limiting chemical constituents of the water to be treated ~~which~~that can hinder the effectiveness of the pesticide.
 - 3) A list of the short term and chronic effects of the pesticide on people and animals.
 - 4) A description of the weather and stream flow conditions under which the pesticide must be applied.
 - 5) A list of the references used to obtain information ~~for the preceding subsection~~required by subsections (i)(1) through (4) ~~of this Section~~.
- j) Pesticide Dosage and Concentration
- 1) A description of the pesticide dosage.
 - 2) A description of the concentration of the pesticide in the water immediately after application.
 - 3) A copy of the computations used to determine the concentration.
- k) Stream and Impoundment Data

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Streams
 - A) The stream flow expected during pesticide application.
 - B) When stream flows are not available, data on high, average and low stream flow conditions.
 - C) The specific quantity of discharge in cubic feet per second and the average stream velocity in feet per second.
 - 2) Impoundments
 - A) The surface area, average depth, maximum depth and volume of the impoundment.
 - B) The flow expected into and out of the impoundment during the time the pesticide will be active, including the flows attributed to contributing streams, flow over the spillway and water withdrawn by individual users.
 - C) Information pertinent to the segment in question when only part of the impoundment will be treated.
 - D) A depiction of the water flow patterns to the water supply intake on a map of the impoundment.
 - E) An estimate of the minimum time required for the aquatic pesticide to reach the water supply intake.
 - 3) ListA list of the reference sources or the name and qualifications of the person supplying stream flow and impoundment data.
- 1) Additional Information and Reports
 - 1) Additional information must be provided to the Agency upon request to assure the safety of a community water supply as required by 35 Ill. Adm. Code 302.210. A copy of the applicant's authorization to discharge under

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

an NPDES permit must be submitted if the aquatic pesticide is applied to a water of the United States. —

- 2) A report letter must be filed with the Agency within 30 days following each application of the aquatic pesticide. The report must include, but is not ~~be~~-limited to:
 - A) the names and addresses of the applicant and applicator;
 - B) the aquatic pesticide application permit number;
 - C) the date of aquatic pesticide application;
 - D) the name and amount of aquatic pesticide applied; and
 - E) a description of any mishap ~~which~~that endangered a community water supply and a chronology of the steps taken to correct the problem.

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 602.510 Permits Under Public Health Related Emergencies

The Agency may issue Aquatic Pesticide Permits by telephone whenever public health is immediately endangered by an aquatic pest such as a disease-carrying organism. Aquatic Pesticide Permits issued by telephone must have special conditions for safeguarding downstream public and food processing water supplies.

- a) The Agency must confirm in writing the granting of an emergency Aquatic Pesticide Permit within ~~ten~~10 days ~~of~~after issuance.
- b) A written report containing the same information required for a permit application under Section 602.505 ~~of this Part~~ must be made to the Agency within 30 days following pesticide application.

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 602.515 State Agency Programs

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

The Departments of Public Health, Natural Resources and Agriculture may place on file with the Agency information required by Section 602.505(h), (i) and (j) for reference in future permit applications.

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 602.520 Extension of Permit Duration

The Agency may extend the duration of an Aquatic Pesticide ~~permit~~Permit when circumstances beyond the control of the applicant prevent the aquatic pesticide application during the time specified in the permit.

- a) All requests for extensions of permit duration must:
 - 1) be in writing;
 - 2) list the ~~reason(s)~~reasons the aquatic pesticide could not be applied on the date permitted;
 - 3) give the new date the aquatic pesticide is to be applied;
 - 4) contain a statement that the aquatic pesticide will be applied in accordance with the conditions listed in the Aquatic Pesticide Permit; and
 - 5) contain the Aquatic Pesticide Permit Number, the name and Illinois Department of Agriculture license number of the applicator and the signature of the applicant.
- b) Requests for extensions of permit duration may be made by telephone provided:
 - 1) the information listed in subsection (a)~~above~~ is stated; and
 - 2) the information listed in subsection (a)~~above~~ is transmitted in writing to the Division of Public Water Supplies Permit Section within five days ~~of~~after the date verbal approval for an extension of permit duration is given by the Agency.

ILLINOIS REGISTER [JCAR350602-1514239r01](#)

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

- c) Applications for extensions of permit duration ~~must~~[shall](#) not be granted if more than 60 days have elapsed from the date of aquatic pesticide application listed in the permit.
- d) Extensions of permit duration, if granted by the Agency, must be in writing~~s~~ and must state the time of the extension.

(Source: Added at 40 Ill. Reg. _____, effective _____)

Document comparison by Workshare Compare on Friday, October 30, 2015
10:44:12 AM

Input:	
Document 1 ID	file:///I:\Input\Agency Rulemakings - Files Received\2015\Oct2015\35-602-Agency-proposed-(issue45).docx
Description	35-602-Agency-proposed-(issue45)
Document 2 ID	file:///I:\Input\Agency Rulemakings - Files Received\2015\Oct2015\35-602-r01(issue 45).docx
Description	35-602-r01(issue 45)
Rendering set	JCAR Delta

Legend:	
<u>Insertion</u>	
Deletion	
Moved from	
<u>Moved to</u>	
Style change	
Format change	
Moved deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	322
Deletions	279
Moved from	4
Moved to	4
Style change	0
Format changed	0
Total changes	609

1ST NOTICE VERSION

JCAR350602-1514239r01

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

PART 602
PERMITS

SUBPART A: GENERAL PERMIT PROVISIONS

RECEIVED
CLERK'S OFFICE
NOV - 4 2015
STATE OF ILLINOIS
Pollution Control Board

10	Section	
11	602.101	<u>Purpose</u> Construction Permit
12	602.102	<u>Community Watery Supply Permits</u> Operating Permit
13	602.103	<u>Public Water Supply Capacity Development</u> Algieide Permit
14	602.104	<u>Emergency Permits</u> Permit
15	602.105	Standards for Issuance
16	602.106	Restricted Status
17	602.107	<u>Critical Review</u> Signatory Requirement for Permit Applications
18	602.108	<u>Right of Inspection</u> Construction Permit Applications
19	602.109	<u>Fees</u> Operating Permit Applications
20	602.110	<u>Signatory Requirement for Permit Applications</u> Algieide Permits Applications
21	602.111	Application Forms and Additional Information
22	602.112	Filing and Final Action by Agency on Permit Applications
23	602.113	Duration
24	602.114	Conditions (Repealed)
25	602.115	Design, Operation and Maintenance Criteria
26	602.116	Requirement for As-Built Plans
27	602.117	Existence of Permit No Defense
28	602.118	<u>Appeal of Final Agency Action on a Permit Application</u> Appeals from Conditions
29	602.119	Revocations
30	602.120	Limitations (Repealed)

SUBPART B: CONSTRUCTION PERMITS

34	<u>Section</u>	
35	602.200	<u>Construction Permit Requirement</u>
36	602.205	<u>Preliminary Plans</u>
37	602.210	<u>Construction Permit Applications</u>
38	602.215	<u>Submission of Applications, Plans and Specifications</u>
39	602.220	<u>Alterations</u>
40	602.225	<u>Engineer's Report</u>
41	602.230	<u>Design Criteria</u>
42	602.235	<u>Specifications</u>
43	602.240	<u>Plans</u>

- 44 602.245 Source Construction Applications
- 45 602.250 Treatment Construction Applications
- 46 602.255 Storage Construction Applications
- 47 602.260 Water Main Construction Applications

48

49 SUBPART C: OPERATING PERMITS

50

51 Section

- 52 602.300 Operating Permit Requirement
- 53 602.305 Operating Permit Applications
- 54 602.310 Projects Requiring Disinfection
- 55 602.315 Projects Not Requiring Disinfection
- 56 602.320 Partial Operating Permits

57

58 SUBPART D: ALGICIDE PERMITS

59

60 Section

- 61 602.400 Algicide Permit Requirement
- 62 602.405 Algicide Permit Applications
- 63 602.410 Sampling
- 64 602.415 Required Permit Modification

65

66 SUBPART E: OTHER AQUATIC PESTICIDE PERMITS

67

68 Section

- 69 602.500 Other Aquatic Pesticide Permit Requirement
- 70 602.505 Other Aquatic Pesticide Permit Application Contents
- 71 602.510 Permits Under Public Health Related Emergencies
- 72 602.515 State Agency Programs
- 73 602.520 Extension of Permit Duration

74

75 602.APPENDIX A References to Former Rules

76

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

79

80 SOURCE: Filed with Secretary of State January 1, 1978; amended and codified at 6 Ill. Reg.
81 11497, effective September 14, 1982; amended at 8 Ill. Reg. 2157, effective February 7, 1984;
82 emergency amendment at 9 Ill. Reg. 13371, effective August 16, 1985, for a maximum of 150
83 days; amended at 10 Ill. Reg. 7337, effective April 22, 1986; amended in R96-18 at 21 Ill. Reg.
84 6562, effective May 8, 1997; amended in R03-21 at 27 Ill. Reg. 18030, effective November 12,
85 2003; amended in R15-22 at 40 Ill. Reg. _____, effective _____.

86

SUBPART A: GENERAL PERMIT PROVISIONS

Section 602.101 Purpose~~Construction Permit~~

The purpose of this Part is to establish and enforce minimum standards for the permitting of community water supplies.

- a) No person shall *construct, install, or operate a community water supply without a permit granted by the Agency.* [415 ILCS 5/18(a)(3)]~~No person shall cause or allow the construction of any new public water supply installation or cause or allow the change of or addition to any existing public water supply, without a construction permit issued by the Environmental Protection Agency (Agency). Public water supply installation, change, or addition shall not include routine maintenance, service pipe connections, hydrants and valves, or replacement of equipment, pipe, and appurtenances with equivalent equipment, pipe, and appurtenances.~~
- b) Owners are required to submit plans and specifications to the Agency and obtain written approval before construction, installation, changes or additions to a community water supply. [415 ILCS 5/15(a)]~~All work performed on a public water supply shall be in accordance with accepted engineering practices.~~
- c) Whenever emergency conditions require immediate action, the Agency may issue construction and operating permits by telephone to the owner or official custodian, or Responsible Operator in Charge, with whatever special conditions the Agency deems to be necessary for the proper safeguarding of the health of the water consumers.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 602.102 Community Water Supply Permits~~Operating Permit~~

A community water supply may seek the following types of permits issued by the Agency:

- a) Construction Permit, pursuant to Subpart B of this Part;
- b) Operating Permit, pursuant to Subpart C of this Part;
- c) Algicide Permit, pursuant to Subpart D of this Part; or
- d) Aquatic Pesticide Permit, pursuant to Subpart E of this Part.

No owner or operator of a public water supply shall cause or allow the use or operation of any new public water supply, or any new addition to an existing supply, for which a Construction Permit is required under this Part, without an Operating Permit issued by the Agency.

(Source: Former Section repealed and new Section added at 40 Ill. Reg. _____, effective _____)

Section 602.103 Public Water Supply Capacity Development~~Algieide Permits~~

*All new community water supplies must demonstrate technical, financial, and managerial capacity as a condition for issuance of construction and operating permits by the Agency. The demonstration must be consistent with the technical, financial and managerial provisions of the federal Safe Drinking Water Act (42 USC 300f), and regulations adopted by the Agency. [415 ILCS 5/15(b)]*No algicide shall be applied to any stream, reservoir, lake, pond, or other body of water used as a public water supply source without an Algicide Permit issued by the Agency. Copper sulfate and potassium permanganate are the only algaecides which may be used in public water supplies. Permits issued under this Section will be valid for public water supply sources only.

(Source: Former Section repealed and new Section added at 40 Ill. Reg. _____, effective _____)

Section 602.104 Emergency Permits

- a) Whenever emergency conditions require immediate action, the Agency may issue construction and operating permits by telephone to the owner, official custodian, ~~operator~~, or Responsible Operator in Charge~~person in responsible charge~~, with whatever special conditions the Agency deems to be necessary for the proper safeguarding of the health of the water consumers.
 - 1) ~~As built plans and specifications covering the work performed under the telephone permit must be submitted to the Agency as soon as reasonably possible.~~
 - 2) ~~Modifications required by the Agency after review of the submission shall be made promptly.~~
- b) Emergency conditions are hazards or threats to public health caused by:
 - 1) accidents;
 - 2) equipment failures;

172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214

- 3) human error; or
- 4) natural disasters.

c) The Agency shall confirm, in writing, within ~~10~~ten days ~~after~~of issuance, its granting of an emergency-~~construction~~ permit. ~~The~~Said confirmation ~~will~~may be conditioned upon the receipt and approval, by the Agency, of as-built plans and specifications.

d) As-built plans and specifications covering the work performed under the emergency permit and any information required by special conditions in the emergency permit must be submitted to the Agency within 60 days after issuance of the emergency permit, unless otherwise stated by the Agency in writing.

e) The Agency may request that the community water supply make modifications after review of the as-built plans and specifications covering the work performed under the emergency permit. Modifications must be made within 90 days after the Agency's written request, unless otherwise stated by the Agency.

f) The Agency can be contacted by calling:

- 1) Bureau of Water, Division of Public Water Supplies Permit Section; or
- 2) after normal business hours, the State emergency number, (217)782-3637 (STA-EMER), or 1-800-782-7860.

g) Each applicant for an emergency permit to install or extend a water main must submit the appropriate fee, as specified in Section 16.1 of the Act, to the Agency within 10 calendar days from the date of issuance of the emergency construction permit. [415 ILCS 5/16.1]

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 602.105 Standards for Issuance

a) Construction Permits and Operating Permits

- 1) The Agency shall not ~~issue~~grant any construction or operating permit required by this Part unless the applicant submits adequate proof that the ~~community~~public-water supply will be constructed, modified or operated so as not to cause a violation of the ~~Environmental Protection Act~~ or Board rules[415 ILCS 5].

215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257

- 2) ~~b)~~ Except as provided in subsection (a)(3), theThe Agency shall not ~~issue~~grant any construction or operating permit required by this Part unless the applicant submits adequate proof that the ~~community~~public water supply facility conforms to the following design criteria. When the design criteria in the documents listed in this subsection (a)(2) conflict, the applicant must comply with the design criteria listed in subsection (a)(2)(A).
- A) Criteria promulgated by the Agency under Section 39(a) of the Act or Section 602.115;
 - B) Recommended Standards for Water Works, incorporated by reference at 35 Ill. Adm. Code 601.115; and
 - C) AWWA, ASTM, ANSI or NSF standards incorporated by reference at 35 Ill. Adm. Code 601.115.
- 3) When the documents listed in subsection (a)(2) do not provide design criteria for the proposed community water supply facility, the Agency must not issue the construction or operating permit unless the applicant submits adequate proof that the community water supply facility conforms to other~~promulgated by the Agency under Section 39(a) of the Act or Section 602.115 or is based on such other~~ design criteria that~~which~~ the applicant proves will produce consistently satisfactory results.
- 4) ~~e)~~ The Agency shall not~~issue~~grant any construction permit required by this Part unless the applicant submits proof that all~~any~~ plan and specification documents required by this Section and Subpart B of this Part~~Section 602.108~~ have been prepared by a person licensed~~qualified~~ under the Illinois Architecture Practice Act [225 ILCS 305], the Illinois Professional Engineering Practice Act [225 ILCS 325], the Illinois Structural Engineering Licensing Act [225 ILCS 340], or, for site and groundwater conditions, under the Professional Geologist Licensing Act [225 ILCS 745], or any required combination of these Act~~thereof~~.
- 5) The Agency must not issue a construction permit unless the community water supply has filed a notification of ownership pursuant to 35 Ill. Adm. Code 603.101.
- 6) The existence of a violation of the Act, Board regulation, or Agency regulation will not prevent the issuance of a construction permit if:
- A) the applicant has been granted a variance or an adjusted standard

258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300

from the regulation by the Board;

- B) the permit application is for construction or installation of equipment to alleviate or correct a violation;
- C) the permit application is for a water main extension to serve existing residences or commercial facilities when the permit applicant can show that those residences or commercial facilities are being served by a source of water of a quality or quantity that violates the primary drinking water standards of 35 Ill. Adm. Code 611; or
- D) the Agency determines the permit application is for construction or installation of equipment necessary to produce water that is assuredly safe, as required by 35 Ill. Adm. Code 601.101.

- b) Algicide or Aquatic Pesticide Permit
The Agency must not issue an algicide or pesticide permit required by this Part unless the applicant submits adequate proof that the application of the algicide or aquatic pesticide will not cause a violation of the Act, Board regulation, or Agency regulation.
- d) Until December 8, 2003, the Agency shall not deny for the following reasons any construction or operating permit required by this Part:
 - 1) the radium-226 level is less than or equal to 20 pCi/L;
 - 2) the radium-228 level is less than or equal to 20 pCi/L; or
 - 3) the gross alpha particle activity level minus the radium-226 level is less than or equal to 15 pCi/L.
- e) From December 8, 2003, until December 8, 2009, the Agency may issue a construction or operating permit to a public water supply that exceeds the maximum contaminant level (MCL) for combined radium (radium-226 and radium-228) of 5 pCi/L, the MCL for gross alpha particle activity of 15 pCi/L, or the MCL for uranium of 30 µg/L (35 Ill. Adm. Code 611.330) if the supply is bound to comply with the MCL pursuant to a specific schedule under:
 - 1) A Compliance Commitment Agreement executed pursuant to Section 31 of the Act [415 ILCS 5/31]; or
 - 2) An enforceable court order after referral by the Agency.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 602.106 Restricted Status

- a) Restricted status shall be defined as the Agency determination, pursuant to Section 39(a) of the Act and Section 602.105, that a community public-water supply facility, or portion thereof, may no longer be issued a construction permit without causing a violation of the Act or Board or Agency rules ~~or this Chapter~~. Violations of Board rules that can result in a restricted status determination include, but are not limited to, regulations establishing maximum contaminant levels, treatment techniques, source water quantity requirements, treatment unit loading rates, storage volume requirements, and minimum pressure for a distribution system.
 - 1) When the Agency cannot issue a construction permit to a community water supply because that issuance would extend an existing violation of the Act or Board rules, the Agency must place the community water supply on restricted status.
 - 2) Except as specified in Section 602.105(a)(5), the Agency must not issue a permit for water main extension construction when the water main would extend an existing violation of the Act or Board rules.
- b) The Agency must publish on its website and in the Environmental Register and update~~The Agency shall publish and make available to the public, at intervals of not more than ~~three~~six months, a comprehensive and up-to-date list of community water supplies subject to restrictive status and the reasons why. This list will be entitled the "Restricted Status List".~~
- c) The Agency shall notify the owners or official custodian and Responsible Operator in Charge~~custodians~~ of a community water supply~~supplies~~ when the community water supply is initially placed on restricted status by the Agency.
- d) The restricted status list must include a statement of the potential or existing violation of the Act or Board regulations that caused the community water supply's inclusion on the list. Until December 8, 2003, the Agency shall not place public water supplies on restricted status when:
 - 1) the radium-226 level is less than or equal to 20 pCi/L;
 - 2) the radium-228 level is less than or equal to 20 pCi/L; or

- 344 3) ~~the gross alpha particle activity level minus the radium-226 level is less~~
345 ~~than or equal to 15 pCi/L.~~
346
347 e) Owners or official custodians of community water supplies that have been placed
348 on restricted status must notify any person requesting construction of a water
349 main extension of this status. From December 8, 2003, until December 8, 2009,
350 the Agency shall not place a public water supply on restricted status for exceeding
351 the maximum contaminant level (MCL) for combined radium (radium-226 and
352 radium-228) of 5 pCi/L, the MCL for gross alpha particle activity of 15 pCi/L, or
353 the MCL for uranium of 30 µg/L (35 Ill. Adm. Code 611.330) if the supply is
354 bound to comply with the MCL pursuant to a specific schedule under:
355
356 1) ~~A Compliance Commitment Agreement executed pursuant to Section 31~~
357 ~~of the Act [415 ILCS 5/31]; or~~
358
359 2) ~~An enforceable court order after referral by the Agency.~~
360
361 (Source: Amended at 40 Ill. Reg. _____, effective _____)
362

363 **Section 602.107 Critical Review Signatory Requirement for Permit Applications**
364

- 365 a) The Agency must publish in the Environmental Register and on its webpage, at
366 the same frequency as the Restricted Status List, a list of those community water
367 supplies that Agency records indicate exceed 80 percent of the rate of any of the
368 quantity requirements in the Board's or Agency's. This list will be entitled the
369 "Critical Review List".
370
371 b) The Critical Review List must include a description of the cause of the
372 community water supply's inclusion on the list.
373
374 c) The Agency must notify the owner or official custodian and the Responsible
375 Operator in Charge of the community water supply when the community water
376 supply is initially placed on critical review status by the Agency.
377
378 d) Owners or official custodians of community water supplies that have been placed
379 on critical review status must notify of this status any person requesting
380 construction of a water main extension.
381

382 All permit applications shall be signed by the owner or official custodian of the public
383 water supply, or by the owner's duly authorized agent, and shall be accompanied by
384 evidence of authority to sign the application.
385

386 (Source: Former Section 602.107 renumbered to Section 602.110 and new Section

602.107 added at 40 Ill. Reg. _____, effective _____)

Section 602.108 Right of Inspection Construction Permit Applications

The permittee must allow the Agency and its duly authorized representatives to perform inspections in accordance with its authority under the Act, including but not limited to:

- a) entering at reasonable times the permittee's premises where treatment or distribution facilities are located or where any activity is to be conducted pursuant to a permit;
- b) having access to and copying at reasonable times any records required to be kept under the terms and conditions of a permit;
- c) inspecting at reasonable times, including during any hours of operation:
 - 1) equipment constructed or operated under the permit;
 - 2) equipment or monitoring methodology; or
 - 3) equipment required to be kept, used, operated, calibrated and maintained under the permit;
- d) obtaining and removing at reasonable times samples of any raw or finished water, discharge or emission of pollutants;
- e) entering at reasonable times to use any photographic, recording, testing, monitoring or other equipment for the purpose of preserving, testing, monitoring or recording any raw or finished water, activity, discharge or emission authorized by a permit.

All applications for any construction permit required under this Chapter shall contain, where appropriate, the following information and documents:

- a) A summary of the design basis;
- b) Operation requirements;
- c) General layout;
- d) Detailed plans;
- e) Specifications;

430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472

- f) ~~A professional seal to satisfy Section 602.105(e) requirements;~~
- g) ~~Certification by each person signing the application that the information in the application is complete and accurate, and that the text of the application has not been changed from the Agency's official construction permit application form; and~~
- h) ~~Any other information required by the Agency for proper consideration of the permit.~~

(Source: Former Section repealed and new Section added at 40 Ill. Reg. _____, effective _____)

Section 602.109 ~~Fees Operating Permit Applications~~

- a) Each applicant required to pay a fee must submit the fee to the Agency along with the permit application or as-built plans. The Agency must deny any construction permit application for which a fee is required that does not contain the appropriate fee. [415 ILCS 5/16.1(a)]
- b) The following fees are required by the Act:
 - 1) \$240 if the construction permit application is to install or extend water main that is more than 200 feet, but not more than 1,000 feet in length. [415 ILCS 5/16.1(d)(1)]
 - 2) \$720 if the construction permit application is to install or extend water main that is more than 1,000 feet but not more than 5,000 feet in length. [415 ILCS 5/16.1(d)(2)]
 - 3) \$1200 if the construction permit application is to install or extend water main that is more than 5,000 feet in length. [415 ILCS 5/16.1(d)(3)]
- c) Any applicant who submits as-built plans to install or extend a water main must pay the fees listed in subsection (b). [415 ILCS 5/16.1(c)]
- d) Each applicant for an emergency construction permit to install or extend a water main must submit the appropriate fee to the Agency within 10 calendar days from the date of issuance of the emergency permit. [415 ILCS 5/16.1(c)]
- e) This Section does not apply to following:

- 473 1) any department, agency or unit of State government for installing or
- 474 extending a water main;
- 475
- 476 2) any unit of local government with which the Agency has entered into a
- 477 written delegation agreement under Section 4 of the Act which allows such
- 478 unit to issue construction permits under Title IV of the Act, or regulations
- 479 adopted under Title IV, for installing or extending a water main; or
- 480
- 481 3) any unit of local government or school district for installing or extending
- 482 a water main where both of the following conditions are met:
- 483
- 484 A) the cost of the installation or extension is paid wholly from monies
- 485 of the unit of local government or school district, State grants or
- 486 loans, federal grants or loans, or any combination thereof; and
- 487
- 488 B) the unit of local government or school district is not given monies,
- 489 reimbursed or paid, either in whole or in part, by another person
- 490 (except for State grants or loans or federal grants or loans) for the
- 491 installation or extension. [415 ILCS 5/16.1(f)]
- 492

493 All applications for operating permits shall contain:

- 494
- 495 a) ~~The name and certificate number of the certified operator in responsible charge on~~
- 496 ~~the operational staff of the public water supply or the name and registration~~
- 497 ~~number of the registered person in responsible charge for supplies which are~~
- 498 ~~exempt from the requirement for a certified operator; and~~
- 499
- 500 b) ~~the name and location of the public water supply;~~
- 501
- 502 e) ~~the construction permit number under which the public water supply was~~
- 503 ~~constructed; and~~
- 504
- 505 d) ~~any other information required by the Agency for proper consideration of the~~
- 506 ~~permit.~~
- 507

508 (Source: Former Section repealed and new Section added at 40 Ill. Reg. _____,
509 effective _____)

511 **Section 602.110 Signatory Requirement for Permit Applications**~~Algieide Permit~~
512 **Applications**

514 All permit applications must be signed by the owner or official custodian of the community
 515 water supply, or by the owner's duly authorized agent, and must be accompanied by evidence of
 516 authority to sign the application.
 517

- 518 a) ~~All applications for algicide permits shall contain:~~
 - 519
 - 520 1) ~~the name and certificate number of the certified operator supervising the~~
 - 521 ~~application of the algicide;~~
 - 522
 - 523 2) ~~a statement describing the extent of the algae problem, history of any past~~
 - 524 ~~algae problems, and algicide treatments, and a description of any fish kills~~
 - 525 ~~which have resulted from treatments in the past; and~~
 - 526
 - 527 3) ~~adequate information to support exceeding the limits as stated in 35 Ill.~~
 - 528 ~~Adm. Code 302: Water Quality Standards.~~
 - 529
- 530 b) ~~After any algicide permit is issued, and before the permit expires by its stated~~
- 531 ~~terms, if there is any major change either in the operation of the public water~~
- 532 ~~supply, or in algae growth, which affects the use of the algicide as outlined in the~~
- 533 ~~permit, the public water supply shall submit an application for modification of its~~
- 534 ~~permit. This application shall contain all of the information required by this~~
- 535 ~~subsection (b) and subsection (a) above.~~
- 536
- 537 e) ~~Any algicide permit issued under this Section shall exempt the permittee from~~
- 538 ~~obtaining an aquatic pesticide permit as provided in 35 Ill. Adm. Code 652.601.~~
- 539

540 (Source: Former Section 602.110 repealed and former Section 602.107 renumbered to
 541 Section 602.110 at 40 Ill. Reg. _____, effective _____)
 542

543 **Section 602.111 Application Forms and Additional Information**
 544

545 The Agency may prescribe the form in which all information required under this Part shall be
 546 submitted and ~~may require~~ ~~may adopt~~ ~~procedures~~ requiring such additional information as is
 547 necessary to determine whether the ~~community~~ public water supply system will meet the
 548 requirements of the Act and this Chapter.
 549

550 (Source: Amended at 40 Ill. Reg. _____, effective _____)
 551

552 **Section 602.112 Filing and Final Action by Agency on Permit Applications**
 553

- 554 a) For permits without a fee under Section 602.109:
 - 555
 - 556 1) An application for permit shall be deemed to be filed on the date of initial

600 mailed.

601
602 (Source: Amended at 40 Ill. Reg. _____, effective _____)
603

604 **Section 602.113 Duration**

605
606 a) Construction Permits~~permits~~

607
608 1) Construction permits for community water supply facilities expire one
609 year from the date of issuance or renewal, unless construction has started.
610 If construction does not commence within one year from the date of
611 issuance or renewal, the permit shall be valid for the start of construction
612 within one year from the date of issuance and may be renewed for
613 additional one year periods at the discretion of the Agency, upon written
614 request of the applicant.

615
616 2) If construction commences within one year from the date of issuance or
617 renewal of the construction permit, the permit expires five years from the
618 date of issuance or renewal. Construction, once started, may continue for
619 four years without permit renewal and Thereafter, the permit may be
620 renewed for periods specified by the Agency at its discretion, upon written
621 request of the applicant for each permit renewal.

622
623 3) For the purposes of this Section, construction must be deemed commenced
624 when work at the site has been initiated and proceeds in a reasonably
625 continuous manner to completion.

626 b) Operating permits~~Operation Permits~~—~~Operation Permits~~ shall be valid until
628 revoked unless otherwise stated in the permit.

629
630 c) Algicide Permits—~~Algicide permits~~ must be issued for fixed terms of five
631 years shall be valid for the period stated in the permit, but in no case longer than
632 five years.

633
634 d) Aquatic pesticide permits must be valid for a fixed term, not to exceed one year.
635

636 (Source: Amended at 40 Ill. Reg. _____, effective _____)
637

638 **Section 602.114 Conditions (Repealed)**

639
640 ~~In addition to specific conditions authorized under this Part, the Agency may impose such~~
641 ~~conditions in a permit as may be necessary to accomplish the purposes of the Act and as are not~~
642 ~~inconsistent with regulations promulgated by the Illinois Pollution Control Board (Board).~~

643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685

(Source: Repealed at 40 Ill. Reg. _____, effective _____)

Section 602.115 Design, Operation, and Maintenance Criteria

- a) The Agency may adopt criteria in rules for the design, operation, and maintenance of communitypublic water supply facilities as necessary to insure safe, adequate, and clean water. These criteria shall be revised from time to time to reflect current engineering judgment and advances in the state of the art.
- b) Before adopting new criteria or making substantive changes to any of its rules for communitypublic water supplies, the Agency shall comply with the provisions of the Administrative Procedure Act [5 ILCS 100].

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 602.116 Requirement for As-Built Plans

~~If any portion of~~Whenever a community water supply has been constructed without a construction permit as required by Section 602.101, or an emergency permit issued pursuant to Section 602.104, the community water supply must submit to the Agency ~~may require submission of as-built plans and specifications and a construction permit application. As-built plans and specifications must be prepared by a qualified person as described in Section 602.105(a)(4)602.105(e). All plans and specifications submitted to the Agency under this Section must be clearly marked "as-built" or "record drawings". Any deficiencies requiring correction, as determined by the Agency, must be corrected within a time limit set by the Agency. Submission of as-built plans and the correction of any deficiencies~~This does not relieve the owner or official custodian from any liability for construction ~~of the supply~~ without a permit.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 602.117 Existence of Permit No Defense

The existence of a permit under this Chapter shall not constitute a defense to a violation of the Act, ~~or any Board regulation, or Agency regulation~~rule except for the requirements to secure construction, operating, algicide, aquatic pesticide or emergency permits.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 602.118 Appeal of Final Agency Action on a Permit Application Appeals from Conditions

- a) If the Agency denies a permit required under this Part, the applicant may petition

686 the Board to appeal the Agency's final decision pursuant to Section 40 of the Act.

687

688 b) An applicant may consider any condition imposed by the Agency in a permit as a
689 refusal by the Agency to grant a permit ~~that~~ which shall entitle the applicant to
690 appeal the Agency's decision to the Board pursuant to Section 40 of the Act.

691

692 c) All appeals must be filed with the Board within 35 days after the date on which
693 the Agency served its decision on the applicant.

694

695 (Source: Amended at 40 Ill. Reg. _____, effective _____)

696

697 **Section 602.119 Revocations**

698

699 Violation of any permit conditions or failure to comply with ~~the Act, Board any rule or regulation~~
700 ~~or Agency regulation of this Chapter~~ shall be grounds for enforcement actions as provided in the
701 Act, including revocation of a permit. ~~Revocation of a permit~~ Such enforcement actions shall be
702 sought by filing a complaint with the Board pursuant to Title VIII of the Act.

703

704 (Source: Amended at 40 Ill. Reg. _____, effective _____)

705

706 **Section 602.120 Limitations (Repealed)**

707

708 Issuance of a permit under this Part does not relieve the applicant of the obligation to obtain
709 other permits required from other State entities, the Agency, or local governing bodies. Any
710 permit issued under this Part shall not be considered to be valid unless and until all applicable
711 permits from State agencies, including but not limited to those listed below, have been applied
712 for:

713

AGENCY	PERMIT
	DESCRIPTION
Illinois Commerce Commission	Certificate of Convenience and Necessity
Dept. of Natural Resources	Changes to Existing
Office of Water Resources	Waterways

720

721 (Source: Repealed at 40 Ill. Reg. _____, effective _____)

722

723 SUBPART B: CONSTRUCTION PERMITS

724

725 **Section 602.200 Construction Permit Requirement**

726

- 727 a) No person shall cause or allow the construction of any new community water
728 supply installation, or cause or allow the change of or addition to any existing
729 community water supply, without a construction permit issued by the Agency.
730
- 731 b) Construction permits must be obtained by the owner or official custodian of a
732 community water supply:
- 733
- 734 1) prior to beginning construction of any proposed community water supply;
735
- 736 2) prior to all alterations, changes or additions to an existing community
737 water supply that may affect the sanitary quality, mineral quality or
738 adequacy of the community water supply; and
739
- 740 3) prior to adding new chemicals to the treatment process or changing the
741 points of chemical application.
742
- 743 c) A construction permit is not needed for normal work items such as:
744
- 745 1) installation of customer service connections to distribution system water
746 mains;
747
- 748 2) installation or replacement of hydrants and valves in the distribution
749 system;
750
- 751 3) repair of water mains, including replacement of existing water mains with
752 mains of equivalent size pipe in the same location;
753
- 754 4) routine maintenance of equipment, such as painting, reconditioning or
755 servicing;
756
- 757 5) replacement of chemical feeders, pumps, controls, filter media, softener
758 resins, pipes and appurtenances that have the same rated capacity as
759 existing facilities previously permitted by the Agency; or
760
- 761 6) installation or replacement of meters.
762
- 763 d) All work performed on a community water supply must be in accordance with
764 accepted engineering practices.
765

766 (Source: Added at 40 Ill. Reg. _____, effective _____)
767

768 **Section 602.205 Preliminary Plans**
769

- 770 a) To expedite the review of subsequent construction permit application plan
771 documents, preliminary plans may be submitted prior to the submission of a
772 construction permit application. No construction permit shall be issued until the
773 completed application, required fee, plans and specifications have been submitted.
774
- 775 b) If preliminary plans are submitted, as directed under the Illinois Drinking Water
776 Revolving Loan Funding Process (see 35 Ill. Adm. Code 664), the documents
777 must include a description of alternate solutions, a discussion of the alternatives
778 and reasons for selecting the alternative recommended.
779

780 (Source: Added at 40 Ill. Reg. _____, effective _____)
781

782 **Section 602.210 Construction Permit Applications**
783

784 All applications for construction permits required under this Part must contain, when appropriate,
785 the following information and documents:
786

- 787 a) General information, including, but not limited to:
788
- 789 1) name of the community water supply;
 - 790
 - 791 2) community water supply identification number;
 - 792
 - 793 3) the name and mailing address of the owner or official custodian of the
794 community water supply; and
 - 795
 - 796 4) name, scope and location of the project;
797
- 798 b) Engineer's report as specified in Section 602.225;
799
- 800 c) A summary of the design criteria as specified in Section 602.230;
801
- 802 d) Specifications as specified in Section 602.635;
803
- 804 e) Plans as specified in Section 602.240;
805
- 806 f) Specific information for the type of construction, as follows:
807
- 808 1) For source construction, information specified in Section 602.245;
809
 - 810 2) For the construction of treatment facilities, information specified in
811 Section 602.250;
812

813 3) For the construction of storage facilities, information specified in Section
814 602.255;

815
816 4) For the construction of water mains, information specified in Section
817 602.260;

818
819 g) Water purchase contracts between water supplies and/or inter-municipal
820 agreements, when applicable;

821
822 h) Evaluation of technical, managerial and financial capacity as specified in Section
823 602.103 for new community water supplies;

824
825 i) Certification by each person signing the application that the information in the
826 application is complete and accurate, and that the text of the application has not
827 been changed from the Agency's official construction permit application form;
828 and

829
830 j) Any other information required by the Agency for proper consideration of the
831 permit.

832
833 (Source: Added at 40 Ill. Reg. _____, effective _____)
834

835 **Section 602.215 Submission of Applications, Plans and Specifications**
836

837 a) Two copies of the completed application, and any required plans, specifications
838 and supplemental schedules, must be submitted to the Agency for review and
839 approval.

840
841 b) All permit applications must be mailed or delivered to the appropriate address
842 designated by the Agency.

843
844 (Source: Added at 40 Ill. Reg. _____, effective _____)
845

846 **Section 602.220 Alterations**
847

848 a) Before any deviations from plans and specifications approved by the Agency are
849 made, the owner or official custodian, or an authorized delegate, must make a
850 written request for a supplemental permit.

851
852 b) Revised plans or specifications must be submitted to and approved by the Agency
853 with the supplemental permit request.
854

- 855 c) The Agency must approve supplemental permit requests if those requests comply
856 with Section 602.105 and this Subpart.
857
858 d) A supplemental permit is not required for minor changes that will not affect the
859 location, capacity, hydraulic conditions, water treatment processes or sanitary or
860 mineral quality of the water to be delivered.

861
862 (Source: Added at 40 Ill. Reg. _____, effective _____)
863

864 **Section 602.225 Engineer's Report**
865

866 Upon request from the Agency, an applicant for a construction permit must submit an Engineer's
867 Report. Types of construction projects for which the Agency may request an Engineer's Report
868 include, but are not limited to, the construction of a new community water supply, a new source
869 location, or a new water treatment process other than chemical feeding only. The Engineer's
870 Report may be submitted as a preliminary plan pursuant to Section 602.205. An Engineer's
871 Report submitted pursuant to this Section must contain the information specified by this Section.
872

- 873 a) General information, including:
874
875 1) a description of existing community water supply;
876
877 2) a description of sewerage facilities;
878
879 3) a description of the municipality or area to be served; and
880
881 4) the name and mailing address of the owner or official custodian of the
882 community water supply.
883
884 b) The extent of the community water supply system, including:
885
886 1) a map of the area to be served with water and any provisions for extending
887 the community water supply system;
888
889 2) maps of additional areas to be served and an appraisal of the future
890 requirements for service; and
891
892 3) present and prospective industrial and commercial water supply needs that
893 are likely to be required in the near future.
894
895 c) Water consumption data, including:
896
897 1) population trends as indicated by available records;

898
899
900
901
902
903
904
905
906
907
908
909
910
911
912
913
914
915
916
917
918
919
920
921
922
923
924
925
926
927
928
929
930
931
932
933
934
935
936
937
938
939

- 2) an estimate of the number of consumers, based on population trends, who will be served by the proposed or expanded water supply system 20 years in the future;
 - 3) present and future water consumption values used as the basis of design;
 - 4) present and estimated future yield of the water sources for a community water supply; and
 - 5) estimated water loss in the distribution system based on available records.
- d) A justification for the project when two or more solutions exist for providing community water supply facilities, as directed under the Illinois Drinking Water Revolving Loan Funding Process, each of which is feasible and practicable. The Engineer's Report must discuss the alternatives and provide reasons for selecting the one recommended, including financial considerations, operational requirements, operator qualifications, reliability and water quality considerations.
- e) Sources of Water Supply. The Engineer's Report must describe the proposed source or sources of water supply to be developed and the reasons for their selection, and provide information as follows:
- 1) For surface water sources:
 - A) hydrological data, stream flow and weather records;
 - B) safe yield, including all factors that may affect it;
 - C) documentation of structural safety of any spillway or dam to assure the spillway or dam can continue to provide a source of water during extreme weather;
 - D) description of the watershed, noting any existing or potential sources of contamination (such as highways, railroads, chemical facilities, land/water use activities, etc.) that may affect water quality;
 - E) summarized quality of the raw water with special reference to fluctuations in quality, changing meteorological conditions, etc.;
and

940 F) source water protection issues or measures, including erosion and
941 siltation control structures, that need to be considered or
942 implemented.

943
944 2) For groundwater sources:

945 A) the sites considered;

946 B) advantages of the site selected;

947 C) the elevations above mean sea level of site selected;

948 D) the probable character of geologic formations through which the
949 source is to be developed;

950 E) hydrogeologic conditions affecting the site, such as anticipated
951 interference between proposed and existing wells;

952 F) sources of possible contamination such as sewers and sewage
953 treatment/disposal facilities, highways, railroads, landfills,
954 outcroppings of consolidated water bearing formations, chemical
955 facilities, waste disposal wells, and agricultural uses;

956 G) the test well depth and method of construction, including
957 placement of liners or screens;

958 H) test pumping rates and their duration, including water levels and
959 specific yield;

960 I) test well water quality information; and

961 J) wellhead protection measures being considered.

962
963
964
965
966
967
968
969
970
971
972 f) Project sites, including:

973 1) a discussion of the various sites considered and advantages of the
974 recommended ones;

975 2) the proximity of residences, industries and other establishments; and

976 3) any potential sources of pollution that may influence the quality of the
977 supply or interfere with effective operation of the water works system,
978
979
980
981

- 982 such as sewage absorption systems, septic tanks, privies, cesspools, sink
983 holes, sanitary landfills, and refuse and garbage dumps, etc.
984
- 985 g) Proposed Treatment Processes. The Engineer's Report must describe all proposed
986 treatment processes for providing the quality desired from the specific raw water
987 under consideration and any available data proving the capability of providing the
988 treatment.
989
- 990 h) Automation. The Engineer's Report must provide supporting data justifying
991 automatic equipment, including the servicing and operator training to be provided,
992 and must provide for manual override for any automatic controls.
993
- 994 i) Power. The Engineer's Report must include the following power description:
995
- 996 1) the main source of power;
997
- 998 2) dedicated standby power capable of providing power to operate the
999 community water supply's water source, treatment plant and distribution
1000 facilities during power outages; and
1001
- 1002 3) outside emergency power sources that are available.
1003
- 1004 j) Soil characteristics, groundwater conditions and foundation problems, including:
1005
- 1006 1) the character of the soil through which water mains are to be laid;
1007
- 1008 2) the foundation conditions prevailing at sites of proposed structures; and
1009
- 1010 3) the approximate elevation of groundwater relative to mean sea level at its
1011 expected highest level in relation to subsurface structures.
1012
- 1013 k) Flow requirements, including a hydraulic analysis based on flow demands and
1014 pressure requirements.
1015
- 1016 BOARD NOTE: Fire flows, when fire protection is provided, should meet the
1017 recommendations of the Illinois Insurance Services Office or other similar agency
1018 for the service area involved.
1019
- 1020 l) Water Plant Wastes. When waste treatment facilities are necessary for the
1021 addition of a new process or an increase in water treatment plant capacity, those
1022 facilities must be included as part of the engineering plans and specifications, and
1023 the Engineer's Report must include the following:
1024

1025 1) an estimate of the character and volume of the waste that will be generated
1026 and its proposed disposition; and

1027
1028 2) the type of waste treatment, discharge location and frequency of discharge.
1029

1030 (Source: Added at 40 Ill. Reg. _____, effective _____)
1031

1032

Section 602.230 Design Criteria

1033

1034 A summary of complete design criteria must be submitted for the proposed project containing,
1035 when applicable, the following:
1036

1037

a) long term dependable yield of the source of supply;

1038

b) reservoir surface area, volume, and a volume versus depth curve;

1039

c) area of the watershed;

1040

d) estimated average and maximum daily water demands for the design period;

1044

e) number of proposed service connections;

1045

f) firefighting requirements;

1047

g) flash mix, flocculation and settling basin capacities;

1048

h) retention times;

1050

i) unit loadings;

1051

j) filter area and the proposed filtration rate;

1052

k) backwash rate;

1053

l) feeder capacities and ranges; and

1054

m) minimum and maximum chemical application rates.

1055

(Source: Added at 40 Ill. Reg. _____, effective _____)
1062

1063

Section 602.235 Specifications

1064

1065

1066

- 1067 a) Complete detailed specifications must be supplied or referenced from Standard
1068 Specifications for Water and Sewer Main Construction in Illinois, incorporated by
1069 reference in 35 Ill. Adm. Code 601.115, for all community water supply
1070 construction.
1071
1072 b) The specifications must have a professional seal and signature that satisfy Section
1073 602.105(a)(4).
1074
1075 c) Water main standard specifications that have been adopted by a community water
1076 supply or a consulting engineer may be submitted for review by the Agency. If
1077 approved standard specifications are kept on file with the Agency, the community
1078 water supply or consulting engineer need not resubmit the specifications unless
1079 changes occur. Standard specifications must equal or exceed the requirements of
1080 Section 602.105.
1081

1082 (Source: Added at 40 Ill. Reg. _____, effective _____)
1083

1084 **Section 602.240 Plans**
1085

- 1086 a) Unless otherwise specified by the Agency, plans submitted to the Agency must
1087 provide the following:
1088
1089 1) a suitable title;
1090
1091 2) the name of the owner of the community water supply;
1092
1093 3) the area or institution to be served;
1094
1095 4) a scale;
1096
1097 5) a north point;
1098
1099 6) the data used;
1100
1101 7) the boundaries of the municipality or area to be served;
1102
1103 8) the date and the name and address of the designing engineer;
1104
1105 9) a professional engineer's seal and signature to satisfy Section
1106 602.105(a)(4);
1107
1108 10) the locations and sizes of existing water mains;
1109

- 1110 11) the locations and nature of existing water works structures and
1111 appurtenances affecting the proposed construction, noted on one sheet;
1112
1113 12) the locations of any petroleum storage tanks within 400 feet of the
1114 proposed construction;
1115
1116 13) dimensions, elevations and explanatory notes; and
1117
1118 14) details as specified in Sections 620.245 through Section 602.260.
1119
1120 b) Plans must be drawn to a scale that will describe the proposed structures and
1121 equipment.
1122
1123 c) The size of plans submitted to the Agency must not exceed 24 inches by 36
1124 inches.
1125

1126 (Source: Added at 40 Ill. Reg. _____, effective _____)
1127

1128 **Section 602.245 Source Construction Applications**
1129

1130 Construction permit applications for the construction of a new, or the modification of an existing,
1131 well or surface water intake must include the information specified by this Section.
1132

- 1133 a) Well construction permit applications must specify the following:
1134
1135 1) the latitude and longitude of the well location;
1136
1137 2) the location and nature of all potential routes, potential primary sources,
1138 and potential secondary sources of contamination within 2,500 feet of the
1139 well location;
1140
1141 3) for sites subject to flooding, the well casing heights and maximum flood
1142 level based upon best available information, which includes, but is not
1143 limited to, the flood of record or the 100 year or 500 year flood
1144 projections;
1145
1146 4) a general aquifer description;
1147
1148 5) the total well depth;
1149
1150 6) the well casing diameter, material, depth, weight, height above ground,
1151 and thickness;
1152

- 1153 7) the grout type, thickness and depth;
1154
1155 8) the screen diameter, material, slot size and length, if applicable;
1156
1157 9) temporary capping and security measures during well construction;
1158
1159 10) proposed pump test procedures;
1160
1161 11) sampling procedures, if necessary under 35 Ill. Adm. Code 611.212, for
1162 wells that may be subject to surface water influences;
1163
1164 12) the type, design capacity, head rating, and depth of pump setting;
1165
1166 13) the column pipe diameter, length, material and joint;
1167
1168 14) the discharge pipe diameter, depth of cover, material and valving;
1169
1170 15) the casing vent diameter;
1171
1172 16) the airline length;
1173
1174 17) the location of the raw water sample tap;
1175
1176 18) a description of how the top of the well casing is sealed;
1177
1178 19) a description of access to the well site; and
1179
1180 20) well hydraulics and aquifer property data.
1181
1182 b) The following information must be submitted on plans for well construction
1183 permit applications:
1184
1185 1) the well location and a 2,500 foot radius showing the location of potential
1186 routes, potential primary sources, and potential secondary sources of
1187 contamination;
1188
1189 2) the well location and a 400 foot radius showing the location of the sources
1190 of pollution listed in Table A of 35 Ill. Adm. Code 653.118;
1191
1192 3) a cross-section of the well showing finished grade, natural ground surface,
1193 vent, casing, column pipe, screen, well depth, pump depth, grout, gravel
1194 pack and discharge piping;
1195

- 1196 4) all discharge piping, including pressure gauge, meter, sample tap, check
1197 valve, shut-off valve and vacuum/air release valve, if applicable;
1198
1199 5) well house construction, if provided;
1200
1201 6) the locations of all electrical junction boxes;
1202
1203 7) the locations of all observation wells; and
1204
1205 8) piping showing the ability to pump to waste.
1206
1207 c) The following information must be submitted on plans for surface water intake
1208 construction permit applications:
1209
1210 1) plan and profile views of the intake structure showing the location,
1211 elevation of intake ports, fish screens, valves, piping and pumps, if
1212 applicable;
1213
1214 2) location of inspection manholes, if applicable; and
1215
1216 3) location of chemical treatment, if applicable.
1217

1218 (Source: Added at 40 Ill. Reg. _____, effective _____)
1219

1220 **Section 602.250 Treatment Construction Applications**
1221

1222 The following information must be submitted on plans for the construction of treatment
1223 facilities:
1224

- 1225 a) all appurtenances, specific structures or equipment having any connection with
1226 the planned water treatment improvements;
1227
1228 b) detailed hydraulic profiles of water flowing through treatment systems;
1229
1230 c) schematic plumbing for all structures and equipment;
1231
1232 d) location of feeders, piping layout and points of application;
1233
1234 e) locations of the sources of pollution listed in Table A of 35 Ill. Adm. Code
1235 653.118;
1236

1237 f) for sites subject to flooding, the maximum flood level based upon best available
1238 information, including, but not limited to, the flood of record or the 100 year or
1239 500 year flood projections; and

1240
1241 g) security provisions.

1242
1243 (Source: Added at 40 Ill. Reg. _____, effective _____)
1244

1245 **Section 602.255 Storage Construction Applications**

1246
1247 The following information must be submitted on plans for the construction of storage facilities:

1248
1249 a) storage capacity;

1250
1251 b) plan and profile views showing the location, elevation, piping, access hatches,
1252 vents, overflows, safety appurtenances and sample taps;

1253
1254 c) for below ground or partially below ground storage tanks, locations of the sources
1255 of pollution listed in Table A of 35 Ill. Adm. Code 653.118 within a 400 foot
1256 radius of the storage structure;

1257
1258 d) security provisions;

1259
1260 e) baffling arrangement, if applicable;

1261
1262 f) for sites subject to flooding, the maximum flood level based upon best available
1263 information, including, but not limited to, the flood of record or the 100 year or
1264 500 year flood projections; and

1265
1266 g) for hydropneumatic tanks, the bypass piping, access manhole, drain, sight glass,
1267 pressure gauge, pressure relief valve, air compressor and housing;

1268
1269 h) mixing systems, if applicable; and

1270
1271 i) the ability to drain a storage tank without causing the pressure in the distribution
1272 system to drop below 20 psi.

1273
1274 (Source: Added at 40 Ill. Reg. _____, effective _____)
1275

1276 **Section 602.260 Water Main Construction Applications**

1277
1278 a) Water main construction permit applications must specify the following:
1279

- 1280
1281
1282
1283
1284
1285
1286
1287
1288
1289
1290
1291
1292
1293
1294
1295
1296
1297
1298
1299
1300
1301
1302
1303
1304
1305
1306
1307
1308
1309
1310
1311
1312
1313
1314
1315
1316
1317
1318
1319
1320
1321
1322
- 1) the existing population served by the present supply, and the population to be served by the water main extension;
 - 2) the average daily pumpage for the community water supply on an annual basis;
 - 3) the maximum daily pumpage;
 - 4) the capacity of the community water supply;
 - 5) the capacity of the raw water source;
 - 6) the capacity of the proposed water main;
 - 7) the normal expected operating pressure on the proposed water main;
 - 8) the minimum expected operating pressure on the proposed water main;
 - 9) the pressure at the point of connection at present maximum demand;
 - 10) the calculated pressure at the point of connection under maximum demand after installation of the water main;
 - 11) the size of the pipe and total feet of the water main;
 - 12) the pipe material and type of joint;
 - 13) the proposed depth below ground surface of the water main;
 - 14) sewer and water separation:
 - A) an indication of whether the minimum horizontal and vertical separation requirements in 35 Ill. Adm. Code 653.119 have been met; and
 - B) an explanation of other measures taken to protect the water main if the separation requirements are not met;
 - 15) a disinfection plan that details the chemical to be used, initial disinfectant concentration, final disinfectant concentration and retention time in hours; and
 - 16) a water sampling plan to meet the requirements of Section 602.310.

1323
1324
1325
1326
1327
1328
1329
1330
1331
1332
1333
1334
1335
1336
1337
1338
1339
1340
1341
1342
1343
1344
1345
1346
1347
1348
1349
1350
1351
1352
1353
1354
1355
1356
1357
1358
1359
1360
1361
1362
1363
1364
1365

- b) The following information must be submitted on plans with water main construction permit applications:
 - 1) the border lines of the municipality, water district or area to be served;
 - 2) the size, length and identity of proposed water mains and water system structures;
 - 3) the elevation of water mains where necessary to show proper separation from sewers and the elevation of other water system structures;
 - 4) the location of existing or proposed streets;
 - 5) the location of storm, sanitary, combined and house sewers, septic tanks, disposal fields and cesspools;
 - 6) the location of pipelines and other sources containing hydrocarbons;
 - 7) the distance between the community water supply structures and the sources of pollution listed in Table A of 35 Ill. Adm. Code 653.118;
 - 8) stream crossings with elevations of the stream bed shown, including the normal, extreme high and extreme low water levels of the stream; and
 - 9) all appurtenances, specific structures or equipment having any connection with planned water mains and water system structures.

(Source: Added at 40 Ill. Reg. _____, effective _____)

SUBPART C: OPERATING PERMITS

Section 602.300 Operating Permit Requirement

- a) No person shall cause or allow the use or operation of any new community water supply, or any new addition to an existing community water supply, for which a construction permit is required under this Part, without an operating permit issued by the Agency.
- b) The operating permit application must be filed with the Agency when construction is complete.
- c) The operating permit must be obtained before the project is placed in service.

1366
1367 d) Partial operating permits may be obtained pursuant to Section 602.320.

1368
1369 (Source: Added at 40 Ill. Reg. _____, effective _____)

1370
1371 **Section 602.305 Operating Permit Applications**

1372
1373 a) All applications for operating permits must contain:

1374
1375 1) the name, signature and identification number of the Responsible Operator
1376 in Charge (see 35 Ill. Adm. Code 603);

1377
1378 2) the community water supply's name, address, identification number and
1379 project name;

1380
1381 3) the construction permit number, type of construction permit, and date the
1382 construction permit was issued;

1383
1384 4) an explanation of the status of the construction project. If the project is
1385 only partially completed, the applicant must provide the information set
1386 forth in Section 602.320; and

1387
1388 5) any other information required by the Agency for proper consideration of
1389 the permit, including, but not limited to, the submission of the water
1390 sample results pursuant to Section 602.310.

1391
1392 b) If the operating permit application is for the operation of a well, the operating
1393 permit application must include the following information in addition to the
1394 information required by subsection (a):

1395
1396 1) final geologic well log;

1397
1398 2) aquifer property data;

1399
1400 3) lateral area of influence, as calculated pursuant to 35 Ill. Adm. Code
1401 671.Subpart B;

1402
1403 4) delineated well head protection area; and

1404
1405 5) analyses of water samples for the constituents listed in 35 Ill. Adm. Code
1406 620.410(a) and (b).

1407
1408 (Source: Added at 40 Ill. Reg. _____, effective _____)

1409
 1410
 1411
 1412
 1413
 1414
 1415
 1416
 1417
 1418
 1419
 1420
 1421
 1422
 1423
 1424
 1425
 1426
 1427
 1428
 1429
 1430
 1431
 1432
 1433
 1434
 1435
 1436
 1437
 1438
 1439
 1440
 1441
 1442
 1443
 1444
 1445
 1446
 1447
 1448
 1449
 1450
 1451

Section 602.310 Projects Requiring Disinfection

- a) Satisfactory disinfection as specified in this Section must be demonstrated before the issuance of an operating permit for completed construction projects when facilities produce, contain, treat or carry water that must be bacteriologically safe. This includes, but is not limited to, water mains, filters, finished water storage tanks and wells.

- b) Disinfection of a filter with granular activated carbon (GAC) must be completed prior to adding the GAC. Disinfection of an ion exchange unit must be completed prior to adding a resin with a low chlorine tolerance. Disinfection of a membrane unit must be completed prior to adding membrane material with a low chlorine tolerance. Care should be taken when handling the GAC, resin or membrane to keep the material as clean as possible.

- c) Except as specified in subsection (d), satisfactory disinfection is demonstrated when two consecutive water sample sets collected from the completed project at least 24 hours apart indicate no bacterial growths as measured by the membrane filter technique or no tubes testing positive as measured by the presumptive test, fermentation tube method, as set forth in 35 Ill. Adm. Code 611. A sample set consists of the following:
 - 1) For water mains, representative water samples must be collected from every 1,200 feet of new main along each branch and from the end of the line. The Agency may approve a different sampling plan on a site-specific basis.

 - 2) For water treatment plants, representative water samples must be collected from each aerator, detention tank, filter, ion exchange unit and clearwell, from all other treatment components other than those not requiring disinfection under Section 602.315, and from the entry point to the distribution system.

- d) For water main construction projects at existing community water supplies practicing chlorination in accordance with 35 Ill. Adm. Code 611.240, satisfactory disinfection is demonstrated when:
 - 1) one water sample set from the completed project collected in accordance with subsection (c)(1) indicates no bacterial growths as measured by the membrane filter technique or no tubes testing positive as measured by the presumptive test, fermentation tube method as set forth in 35 Ill. Adm. Code 611; and

1452
1453
1454
1455
1456
1457
1458
1459
1460
1461
1462
1463
1464
1465
1466
1467
1468
1469
1470
1471
1472
1473
1474
1475
1476
1477
1478
1479
1480
1481
1482
1483
1484
1485
1486
1487
1488
1489
1490
1491
1492
1493
1494

2) Adequate chlorine residual is present at the point of connection. Adequate chlorine residuals exist in a distribution system when there is a minimum of 0.2 mg/l free chlorine residual for water supplies practicing free chlorination or 0.5 mg/l combined chlorine residual for water supplies practicing combined chlorination.

e) If the analyses performed pursuant to subsection (d) indicate the presence of bacterial growth, the community water supply must do the following to demonstrate satisfactory disinfection:

1) resample at the sampling point indicating contamination and at every sampling point downstream of the point indicating contamination;

2) submit a general layout sheet of the project indicating the location of all water mains to be operating; and

3) submit evidence to the Agency that two consecutive water sample sets collected as specified in subsection (e)(1) indicated no bacterial growths as measured by the membrane filter technique or no tubes testing positive as measured by the presumptive test, fermentation tube method as set forth in 35 Ill. Adm. Code 611.

f) Analyses conducted pursuant to this Section must be performed by a certified laboratory.

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 602.315 Projects Not Requiring Disinfection

Disinfection is not required for projects involving installation of equipment not in contact with finished water, which includes, but is not limited to, chemical feeders, coagulation basins and raw surface water transmission lines.

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 602.320 Partial Operating Permits

a) If all phases of a construction project will not be completed at one time, the Agency must issue a partial operating permit pursuant to Section 602.105 upon receipt of:

1) a cover letter describing which sections of the project are completed;

1495
1496
1497
1498
1499
1500
1501
1502
1503
1504
1505
1506
1507
1508
1509
1510
1511
1512
1513
1514
1515
1516
1517
1518
1519
1520
1521
1522
1523
1524
1525
1526
1527
1528
1529
1530
1531
1532
1533
1534
1535
1536
1537

- 2) a general layout plan sheet of the project indicating the location of water mains, treatment processes or storage facilities to be operated;
- 3) a completed and signed operating permit application; and
- 4) bacteriological analyses results from water samples collected from the completed section of the project verifying satisfactory disinfection in accordance with Section 602.310.

b) Additional operating permits may be obtained in accordance with this Section as other portions of the project are completed.

(Source: Added at 40 Ill. Reg. _____, effective _____)

SUBPART D: ALGICIDE PERMITS

Section 602.400 Algicide Permit Requirement

- a) No person shall apply algicide, copper sulfate, copper sulfate based products, or copper sulfate chemical aids to any stream, reservoir, lake, pond or other body of water used as a community water supply source without an Algicide Permit issued by the Agency.
- b) Permits issued under this Subpart D will be valid for community water supply sources only.

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 602.405 Algicide Permit Applications

All applications for Algicide Permits must contain, at a minimum:

- a) the name and identification number of the Responsible Operator in Charge supervising the application of the copper sulfate, copper sulfate based products, or copper sulfate chemical aids;
- b) a statement describing the extent of the algae problem, history of any past algae problems, and past algicide treatments;
- c) a description of any adverse effects algae has had on the various treatment processes and on the finished water quality;

- 1538 d) a description of any fish kills that might have resulted from past use of copper
1539 sulfate, copper sulfate based products, and copper sulfate chemical aids;
1540
1541 e) the location and volume of the body of water where the copper sulfate, copper
1542 sulfate based products, or copper sulfate chemical aids will be applied;
1543
1544 f) the name of the source stream (if any);
1545
1546 g) the amount of copper sulfate, copper sulfate based products, or copper sulfate
1547 chemical aids to be used for each treatment;
1548
1549 h) the time interval between treatments;
1550
1551 i) a copy of the applicant's authorization to discharge under an NPDES permit if the
1552 algicide, copper sulfate, copper sulfate based products, or copper sulfate chemical
1553 aids is applied to a water of the United States;
1554
1555 j) additional information requested by the Agency to assure the safety of a
1556 community water supply, as required by 35 Ill. Adm. Code 302.210; and
1557
1558 k) any other information required by the Agency for proper consideration of the
1559 permit.
1560

1561 (Source: Added at 40 Ill. Reg. _____, effective _____)
1562

1563 **Section 602.410 Sampling**
1564

- 1565 a) The owner or official custodian, or an authorized delegate, must collect water
1566 samples for each application of copper sulfate, copper sulfate based products, or
1567 copper sulfate chemical aids. Water samples must be collected at the locations
1568 and times established in this subsection (a).
1569
1570 1) From the raw water intake, one sample must be collected before treatment.
1571
1572 2) From the entry point to the distribution system:
1573
1574 A) One sample must be collected approximately 24 hours following
1575 the copper sulfate treatment.
1576
1577 B) One sample must be collected approximately 48 hours following
1578 the copper sulfate treatment.
1579

- b) The sample results must demonstrate that concentrations of copper do not pose a high health risk to water consumers.

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 602.415 Required Permit Modification

After any Algicide Permit is issued, and before the permit expires, if there is any major change either in the operation of the community water supply or in algae growth that affects the use of the algicide, copper sulfate, copper sulfate based products, or copper sulfate chemical aids, as outlined in the permit, the community water supply must submit an application for modification of its permit. This application must contain all the information required by Section 602.405.

(Source: Added at 40 Ill. Reg. _____, effective _____)

SUBPART E: OTHER AQUATIC PESTICIDE PERMITS

Section 602.500 Other Aquatic Pesticide Permit Requirement

- a) When the application of the pesticide will have an effect on any community water supply, no person shall apply an aquatic pesticide, other than an algicide, copper sulfate, copper sulfate based products, or copper sulfate chemical aids to any stream, reservoir, lake, pond or other body of water used as a community water supply source without an Aquatic Pesticide Permit issued by the Agency. Effect is defined as any measurable concentration of the pesticide in the intake water of the community water supply.

- b) No person shall apply an aquatic pesticide, other than an algicide, copper sulfate, copper sulfate based products, or copper sulfate chemical aids, within 20 miles upstream of a public or food processing water supply intake without an Aquatic Pesticide Permit issued by the Agency. The 20 mile upstream distance must be measured as follows:

- 1) for streams, the distance must be measured from the water supply intake to the downstream edge of the application area;
- 2) for impoundments, the distance must be measured as the straight line distance over water from the intake to the nearest edge of the application area or, if the shape of the impoundment will not allow a straight line measurement over water, the distance must be measured as the shortest distance over water between the intake and the application area;

- 1622 3) for streams tributary to impoundments, the distance must be the sum of the
1623 stream distance plus the shortest line distance described in subsection
1624 (b)(2).
1625

1626 (Source: Added at 40 Ill. Reg. _____, effective _____)
1627

1628 **Section 602.505 Other Aquatic Pesticide Permit Application Contents**
1629

1630 All applications for Aquatic Pesticide Permits must contain, at a minimum:
1631

- 1632 a) The reasons for controlling the aquatic plant or animal nuisance.
1633
1634 b) Applicant Information
1635
1636 1) The applicant must be the official custodian of, or have control over the
1637 waters to which the aquatic pesticide is applied.
1638
1639 2) The application must contain the name, address, telephone number and
1640 signature of the applicant. If the applicant's signature cannot be obtained,
1641 the application must be accompanied by a signed statement that the
1642 applicant has requested or approved the use of the aquatic pesticide for the
1643 times and locations identified in the application.
1644
1645 c) Applicator Information
1646
1647 1) The name, address and telephone number of the applicator.
1648
1649 2) The applicator's Illinois Department of Agriculture license number.
1650
1651 3) A list of the limitations imposed by the applicator's license that restrict the
1652 types of pesticides that may be used by the applicator.
1653
1654 d) General Information
1655
1656 1) A description of the aquatic pesticide by trade name, chemical name or
1657 name of active ingredients, and names of decomposition products.
1658
1659 2) The U.S. Environmental Protection Agency (USEPA) Registration
1660 Number for the pesticide.
1661
1662 3) A description of the steps to be followed in preparing and applying the
1663 pesticide, including, but not limited to, proportions, mixing and

1664 precautions in preparation. A copy or facsimile of the label containing
 1665 this information may be used to satisfy this requirement.
 1666

1667 e) Time and Location of Treatment
 1668

1669 1) A depiction of the area or areas to be treated on a U.S. Geological Survey
 1670 (USGS) topographic map reproduction or an accurately drawn map of
 1671 larger scale. The depiction must include the locations and provide the
 1672 name of the owners of all water intakes for a distance of 20 miles
 1673 downstream of each area to be treated.
 1674

1675 2) Ponds under 10 acres to be treated, but that are not used as a water source
 1676 for public or food processing water supplies, must be described using a
 1677 map of the pond, its tributaries and the surrounding area.
 1678

1679 A) Pond locations must be given and described using the quarter
 1680 section, section number, township, range, county and township
 1681 name.
 1682

1683 B) The name of all public and food processing water supplies for a
 1684 distance of 20 miles downstream of the pond to be treated must be
 1685 provided.
 1686

1687 3) The date and time required for each treatment.
 1688

1689 f) An inventory of the species, size and population of animals or plants to be
 1690 controlled.
 1691

1692 g) Contacts with Downstream Water Users
 1693

1694 1) Written documentation showing that all water supplies described in
 1695 Section 602.500 have been notified of the proposed treatment and
 1696 provided details of possible adverse effects.
 1697

1698 2) The names of water supply operators who will be notified 24 hours before
 1699 the aquatic pesticide application.
 1700

1701 h) Application and Precautions
 1702

1703 1) A description of the method to be used to apply the pesticide.
 1704

1705 2) A description of the method to be used to protect humans and animals
 1706 during the time toxic pesticide concentrations exist in the water.

1707
1708
1709
1710
1711
1712
1713
1714
1715
1716
1717
1718
1719
1720
1721
1722
1723
1724
1725
1726
1727
1728
1729
1730
1731
1732
1733
1734
1735
1736
1737
1738
1739
1740
1741
1742
1743
1744
1745
1746
1747
1748
1749

- 3) A description of the method to be used to remove dead plants or animals should these accumulations result in water quality deterioration.
- 4) A description of the method to be used to retain water in the impoundment while toxic pesticide concentrations exist.
- 5) A description of the method to be used for detoxification of the water in the event of water supply contamination.
- 6) A description of the actions to be taken to insure that tributary streams will not reintroduce the aquatic life being controlled following application of the pesticide. If these actions cannot be taken, the anticipated frequency of retreatment shall be stated.
- 7) A copy of the contingency plan to be followed by water plant operators for emergency water plant shut down or emergency operation.

i) Water Characteristics and Chemistry

- 1) The expected life of the pesticide's active ingredient and its decomposition products, considering characteristics of the water such as pH, dissolved oxygen and temperature.
- 2) A list of the limiting chemical constituents of the water to be treated that can hinder the effectiveness of the pesticide.
- 3) A list of the short term and chronic effects of the pesticide on people and animals.
- 4) A description of the weather and stream flow conditions under which the pesticide must be applied.
- 5) A list of the references used to obtain information required by subsections (i)(1) through (4).

j) Pesticide Dosage and Concentration

- 1) A description of the pesticide dosage.
- 2) A description of the concentration of the pesticide in the water immediately after application.

1750
1751
1752
1753
1754
1755
1756
1757
1758
1759
1760
1761
1762
1763
1764
1765
1766
1767
1768
1769
1770
1771
1772
1773
1774
1775
1776
1777
1778
1779
1780
1781
1782
1783
1784
1785
1786
1787
1788
1789
1790
1791
1792

3) A copy of the computations used to determine the concentration.

k) Stream and Impoundment Data

1) Streams

A) The stream flow expected during pesticide application.

B) When stream flows are not available, data on high, average and low stream flow conditions.

C) The specific quantity of discharge in cubic feet per second and the average stream velocity in feet per second.

2) Impoundments

A) The surface area, average depth, maximum depth and volume of the impoundment.

B) The flow expected into and out of the impoundment during the time the pesticide will be active, including the flows attributed to contributing streams, flow over the spillway and water withdrawn by individual users.

C) Information pertinent to the segment in question when only part of the impoundment will be treated.

D) A depiction of the water flow patterns to the water supply intake on a map of the impoundment.

E) An estimate of the minimum time required for the aquatic pesticide to reach the water supply intake.

3) A list of the reference sources or the name and qualifications of the person supplying stream flow and impoundment data.

l) Additional Information and Reports

l) Additional information must be provided to the Agency upon request to assure the safety of a community water supply as required by 35 Ill. Adm. Code 302.210. A copy of the applicant's authorization to discharge under an NPDES permit must be submitted if the aquatic pesticide is applied to a water of the United States.

1793
1794
1795
1796
1797
1798
1799
1800
1801
1802
1803
1804
1805
1806
1807
1808
1809
1810
1811
1812
1813
1814
1815
1816
1817
1818
1819
1820
1821
1822
1823
1824
1825
1826
1827
1828
1829
1830
1831
1832
1833
1834
1835

- 2) A report letter must be filed with the Agency within 30 days following each application of the aquatic pesticide. The report must include, but is not limited to:
- A) the names and addresses of the applicant and applicator;
 - B) the aquatic pesticide application permit number;
 - C) the date of aquatic pesticide application;
 - D) the name and amount of aquatic pesticide applied; and
 - E) a description of any mishap that endangered a community water supply and a chronology of the steps taken to correct the problem.

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 602.510 Permits Under Public Health Related Emergencies

The Agency may issue Aquatic Pesticide Permits by telephone whenever public health is immediately endangered by an aquatic pest such as a disease-carrying organism. Aquatic Pesticide Permits issued by telephone must have special conditions for safeguarding downstream public and food processing water supplies.

- a) The Agency must confirm in writing the granting of an emergency Aquatic Pesticide Permit within 10 days after issuance.
- b) A written report containing the same information required for a permit application under Section 602.505 must be made to the Agency within 30 days following pesticide application.

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 602.515 State Agency Programs

The Departments of Public Health, Natural Resources and Agriculture may place on file with the Agency information required by Section 602.505(h), (i) and (j) for reference in future permit applications.

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 602.520 Extension of Permit Duration

1836
1837
1838
1839
1840
1841
1842
1843
1844
1845
1846
1847
1848
1849
1850
1851
1852
1853
1854
1855
1856
1857
1858
1859
1860
1861
1862
1863
1864
1865
1866
1867
1868
1869
1870
1871
1872
1873

The Agency may extend the duration of an Aquatic Pesticide Permit when circumstances beyond the control of the applicant prevent the aquatic pesticide application during the time specified in the permit.

- a) All requests for extensions of permit duration must:
 - 1) be in writing;
 - 2) list the reasons the aquatic pesticide could not be applied on the date permitted;
 - 3) give the new date the aquatic pesticide is to be applied;
 - 4) contain a statement that the aquatic pesticide will be applied in accordance with the conditions listed in the Aquatic Pesticide Permit; and
 - 5) contain the Aquatic Pesticide Permit Number, the name and Illinois Department of Agriculture license number of the applicator and the signature of the applicant.
- b) Requests for extensions of permit duration may be made by telephone provided:
 - 1) the information listed in subsection (a) is stated; and
 - 2) the information listed in subsection (a) is transmitted in writing to the Division of Public Water Supplies Permit Section within five days after the date verbal approval for an extension of permit duration is given by the Agency.
- c) Applications for extensions of permit duration shall not be granted if more than 60 days have elapsed from the date of aquatic pesticide application listed in the permit.
- d) Extensions of permit duration, if granted by the Agency, must be in writing and must state the time of the extension.

(Source: Added at 40 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Ownership and Responsible Personnel
- 2) Code Citation: 35 Ill. Adm. Code 603
- 3) Section Numbers:

603.101	<u>Proposed Actions:</u>
603.102	Amendment
603.103	Amendment
603.104	Repealed/New Section
603.105	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 4, 10, 27, 28, and 28.2 of the Illinois Environmental Protection Act [415 ILCS 5/4, 10, 27, 28, 28.2]
- 5) A Complete Description of the Subjects and Issues Involved: The proposed amendments to Illinois Pollution Control Board rules governing public water supplies amend Part 603 to be consistent with recent amendments to the Public Water Supply Operations Act, [415 ILCS 45] (2012). The updates add the new term Responsible Operator in Charge (ROINC), a position that a community water supply must designate and that directly supervises the water treatment facilities or distribution facilities, or both, of the community water supply. The proposal would also spell out the ROINC's duties and areas of responsibility. The proposal also adds a new concept: an "administrative contact" that a community water supply could designate to serve as agent of the owner or official custodian; notice on the administrative contact would be considered notice on the owner or official custodian.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? Yes
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: These amendments allow more timely and effective notice to community water supply operators, allowing regulators to directly contact individuals in charge of operations instead of contacting parties that may not have

RECEIVED
CLERK'S OFFICE

NOV 4 2015

STATE OF ILLINOIS
Pollution Control Board

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

direct knowledge of the water supply.

- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comments on this proposal for a period of 45 days after the date of publication in the *Illinois Register*. Public comments must be filed with the Clerk of the Board. Public comments should reference Docket R15-22 and be addressed to:

Clerk's Office
Illinois Pollution Control Board
JRTC
100 W. Randolph St., Suite 11-500
Chicago IL 60601

Public comments may also be filed electronically through the Clerk's Office On-Line (COOL) on the Board's website at www.ipcb.state.il.us.

Interested persons may request copies of the Board's opinion and order in R15-22 by calling the Clerk's office at 312-814-3620, or may download copies from the Board's Web site at www.ipcb.state.il.us.

For more information, contact hearing officer Jason James at 312/814-6929 or by e-mail at Jason.James@illinois.gov.

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: Small private community water supplies and small municipalities that provide water to the public
 - B) Reporting, bookkeeping or other procedures required for compliance: Reports generated through the permitting process to comply with incorporated standards.
 - C) Types of Professional skills necessary for compliance: Many types of community water supply permits require the oversight of an architect or engineer.
- 14) Regulatory Agenda on which this rulemaking was summarized: July 2015

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

The full text of the Proposed Amendments begins on the next page:

RECEIVED
CLERK'S OFFICE

NOV 4 2015

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS REGISTER JCAR350603-1514289r01

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

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

PART 603

OWNERSHIP AND RESPONSIBLE PERSONNEL

Section

603.101	Ownership
603.102	Administrative Contact Responsible Personnel
603.103	Responsible Operator in Charge Certified Operator
603.104	Exempt Community Water Supply Registered Person in Responsible Charge
603.105	Notification of Change of Ownership or Responsible Operator in Charge Responsible Personnel

603.APPENDIX A 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~~ at R96-18 at 21 Ill. Reg. 6558, effective May 8, 1997; amended ~~in R15-22~~ at 40 Ill. Reg. _____, effective _____.

Section 603.101 Ownership

- a) To assure the continued maintenance and operation of community public water supplies, each ~~community water~~ supply ~~must~~ must shall 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 such direct supervision over a community water supply ~~must~~ shall file with the Environmental Protection Agency (Agency) a statement of ownership before commencing construction of any community public water supply facility. Public water supplies in existence on December 21, 1974, shall file a statement of ownership with the Agency no later than ninety days after that date.
- c) The body filing such a statement of ownership under subsection (b) ~~of this Section~~

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

~~must~~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 of this Part~~, [603.105](#).

- d) The owner or official custodian ~~and~~ the Responsible Operator in ~~Charge and individual designated~~ [Charge and individual designated](#) in responsible charge pursuant to Sections 603.103 ~~of this Part or must~~ or [603.104](#) ~~must~~shall be jointly accountable for the proper operation of the community water supply.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 603.102 Administrative Contact Responsible Personnel

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.

Each public water supply shall have designated an individual in responsible charge of the operation of that supply properly qualified and registered pursuant to Public Water Supply Operations Act [415 ILCS 45], with all provisions of the Public Water Supply Operations Act complied with.

- 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)a) ~~Each community public water supply, unless exempted under Section 603.104, shall must have a designate qualified and registered in accordance with the Public Water Supply Operations Act, designated in responsible charge of the supply's operation:~~
- 1) ~~one Responsible Operator in Charge who directly supervises both the treatment and distribution facilities of the community water supply; or~~

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 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.~~
- e) ~~The Responsible Operator in Charge must behave 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)b) ~~The owner or official custodian and the Responsible Operator in Charge certified operator designated in responsible charge shall must file a signed statement identifying the Responsible Operator in Charge certified operator in responsible charge on forms provided by the Agency.~~
- 1) ~~Both the treatment and distribution facilities of each supply must have responsible personnel indicated.~~
- 2) ~~One properly certified operator may supervise both the treatment and distribution facilities of the supply.~~
- f)e) ~~*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)]* Completion of the above forms must indicate acceptance of the duties and responsibilities for the proper operation and maintenance of the public water supply facilities by both owner or official custodian and certified operator.~~
- 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: Former Section ~~Repealed~~[repealed](#) and ~~New~~[new](#) Section ~~Added at~~[adopted](#) 40 Ill. Reg. _____, effective _____).

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Section 603.103 Responsible Operator in Charge Certified Operator

- 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)a) Each communitypublic water supply, unless exempted under Section 603.104, ~~shall~~~~must~~~~must designate:~~~~shall~~ have a ~~designate~~~~qualified~~~~certified operator.~~ qualified and registered in accordance with the Public Water Supply Operations Act, designated in responsible charge of the supply's operation:
 - 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 ~~behave~~~~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)b) The owner or official custodian and the Responsible Operator in Charge ~~must~~~~certified operator designated in responsible charge shall file a signed statement identifying~~ the Responsible Operator in Chargecertified operator ~~designated in responsible charge shall must file a signed statement identifying the Responsible Operator in Charge certified operator~~ in responsible charge on forms provided by the Agency.
 - 1) Both the treatment and distribution facilities of each supply must have responsible personnel indicated.
 - 2) One properly certified operator may supervise both the treatment and

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

distribution facilities of the supply.

- f)e) *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)] Completion of the ~~above~~-forms ~~must~~required by subsection (e) mustshall indicate acceptance of the duties and responsibilities for the proper operation and maintenance of the public water supply facilities by both owner or official custodian and certified operator.*
- 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. _____, effective _____.)

Section 603.104 Exempt Community Water Supply Registered Person in Responsible Charge

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]*
- a) A public water supply may seek an exemption from the requirement of a certified

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

operator in responsible charge.

- b) Each public water supply seeking such exemption shall so request in writing to the Agency.
- c) Each public water supply exempted from the certified operator requirement by the Agency, pursuant to the Public Water Supply Operations Act, shall have either a certified operator or person registered in accordance with the Public Water Supply Operations Act, designated in responsible charge of the supply's operation.
- d) Each public water supply exempted by the Agency and retaining a registered person in responsible charge shall file with the Agency a signed statement identifying the registered person in responsible charge on forms provided by the Agency. Such statement shall also be signed by the registered person in responsible charge.
 - 1) Both the treatment and distribution facilities of each supply must have responsible personnel indicated.
 - 2) One properly registered person in responsible charge may supervise both the treatment and distribution facilities of the supply.
- e) Completion of the above forms shall indicate acceptance of the duties and responsibilities for the proper operation and maintenance of the public water supply facilities by both owner or official custodian and registered person in responsible charge.

(Source: Former Section ~~Repealed~~[repealed](#) and ~~New~~[new](#) Section ~~Added~~[added](#) at 40 Ill. Reg. _____, effective _____).

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

- a) Within ~~fifteen~~[15](#) days after any change in ownership of a community water supply, the new owner must notify the The Agency shall be notified within fifteen days, on forms supplied by the Agency, by the owner of a ~~community~~[public](#)[public](#) water supply of changes in ownership.
- b) Within ~~fifteen~~[15](#) days after any change in the Responsible Operator in Charge, the

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

owner or official custodian and the new Responsible Operator in Charge must notify theThe Agency shall be notified within fifteen days, on forms supplied by the Agency, of the changes in responsible personnel. and who may be contacted in the event such contact is required.

- c) No notification shall be considered valid unless the new owner or responsible personnel indicates acceptance of these responsibilities and duties in the notification document.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Document comparison by Workshare Compare on Friday, October 30, 2015
10:51:27 AM

Input:	
Document 1 ID	file:///I:\Input\Agency Rulemakings - Files Received\2015\Oct2015\35-603-Agency-proposed-(issue45).docx
Description	35-603-Agency-proposed-(issue45)
Document 2 ID	file:///I:\Input\Agency Rulemakings - Files Received\2015\Oct2015\35-603-r01(issue 45).docx
Description	35-603-r01(issue 45)
Rendering set	JCAR Delta

Legend:	
<u>Insertion</u>	
Deletion	
Moved from	
<u>Moved to</u>	
Style change	
Format change	
Moved deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	31
Deletions	51
Moved from	2
Moved to	2
Style change	0
Format changed	0
Total changes	86

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

PART 603
OWNERSHIP AND RESPONSIBLE PERSONNEL

RECEIVED
CLERK'S OFFICE
NOV - 4 2015

STATE OF ILLINOIS
Pollution Control Board

Section

- 603.101 Ownership
- 603.102 ~~Administrative Contact~~ Responsible Personnel
- 603.103 ~~Responsible Operator in Charge~~ Certified Operator
- 603.104 ~~Exempt Community Water Supply~~ Registered Person in Responsible Charge
- 603.105 Notification of Change of Ownership or Responsible Operator in Charge Responsible Personnel

603.APPENDIX A 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 at R96-18 at 21 Ill. Reg. 6558, effective May 8, 1997; amended at 40 Ill. Reg. _____, effective _____.

Section 603.101 Ownership

- a) To assure the continued maintenance and operation of community public water supplies, each supply ~~must~~ shall 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 ~~such~~ direct supervision over a community water supply shall file with the ~~Environmental Protection Agency (Agency)~~ a statement of ownership before commencing construction of any community public water supply facility. ~~Public water supplies in existence on December 21, 1974, shall file a statement of ownership with the Agency no later than ninety days after that date.~~
- c) The body filing ~~such~~ 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.

44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85

- d) ~~The owner or official custodian and the Responsible Operator in Charge and individual designated in responsible charge pursuant to Sections 603.103 must or 603.104 shall be jointly accountable for the proper operation of the community water supply.~~

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 603.102 ~~Administrative Contact~~Responsible Personnel

~~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.~~

~~Each public water supply shall have designated an individual in responsible charge of the operation of that supply properly qualified and registered pursuant to Public Water Supply Operations Act [415 ILCS 45], with all provisions of the Public Water Supply Operations Act complied with.~~

(Source: Former Section repealed and new Section adopted 40 Ill. Reg. _____, effective _____)

Section 603.103 ~~Responsible Operator in Charge~~Certified Operator

- 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)a) ~~Each communitypublic water supply, unless exempted under Section 603.104, must designate;shall have a certified operator, qualified and registered in accordance with the Public Water Supply Operations Act, designated in responsible charge of the supply's operation.~~

- 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

86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128

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)b) The owner or official custodian and the Responsible Operator in Charge ~~musteertified operator designated in responsible charge shall~~ file a signed statement identifying the Responsible Operator in Charge~~certified operator in responsible charge~~ on forms provided by the Agency.
 - 1) ~~Both the treatment and distribution facilities of each supply must have responsible personnel indicated.~~
 - 2) ~~One properly certified operator may supervise both the treatment and distribution facilities of the supply.~~
- f)e) *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)] Completion of the forms required by subsection (e) must*shall indicate acceptance of the duties and responsibilities for the proper operation and maintenance of the public water supply facilities by both owner or official custodian and certified operator.
- 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. _____, effective _____)

Section 603.104 Exempt Community Water SupplyRegistered Person in Responsible Charge

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:

129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171

- 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]
- a) ~~A public water supply may seek an exemption from the requirement of a certified operator in responsible charge.~~
 - b) ~~Each public water supply seeking such exemption shall so request in writing to the Agency.~~
 - e) ~~Each public water supply exempted from the certified operator requirement by the Agency, pursuant to the Public Water Supply Operations Act, shall have either a certified operator or person registered in accordance with the Public Water Supply Operations Act, designated in responsible charge of the supply's operation.~~
 - d) ~~Each public water supply exempted by the Agency and retaining a registered person in responsible charge shall file with the Agency a signed statement identifying the registered person in responsible charge on forms provided by the Agency. Such statement shall also be signed by the registered person in responsible charge.~~
 - 1) ~~Both the treatment and distribution facilities of each supply must have responsible personnel indicated.~~
 - 2) ~~One properly registered person in responsible charge may supervise both the treatment and distribution facilities of the supply.~~
 - e) ~~Completion of the above forms shall indicate acceptance of the duties and responsibilities for the proper operation and maintenance of the public water supply facilities by both owner or official custodian and registered person in responsible charge.~~

(Source: Former Section repealed and new Section added at 40 Ill. Reg. _____, effective _____).

172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191

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

- a) Within 15 days after any change in ownership of a community water supply, the new owner must notify the~~The Agency shall be notified within fifteen days, on forms supplied by the Agency, by the owner of a public water supply 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~~The Agency shall be notified within fifteen days, on forms supplied by the Agency, of the changes in responsible personnel, and who may be contacted in the event such contact is required.~~
- e) ~~No notification shall be considered valid unless the new owner or responsible personnel indicates acceptance of these responsibilities and duties in the notification document.~~

(Source: Amended at 40 Ill. Reg. _____, effective _____)