

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

IN THE MATTER OF: )  
)  
PUBLIC WATER SUPPLIES: ) R18-17  
PROPOSED NEW 35 ILL. ADM )  
CODE 604 AND AMENDMENTS. ) (Rulemaking- Water)  
TO 35 ILL. ADM CODE PARTS 601, )  
602, 607 AND 611 )

**NOTICE OF FILING**

PLEASE TAKE NOTICE that I have filed today with the Illinois Pollution Control Board ILLINOIS EPA'S REPLY TO POST HEARING COMMENTS, a copy of which is herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By: /s/Rex L. Gradeless  
Rex L. Gradeless  
Assistant Counsel  
Division of Legal Counsel

Date: January 5, 2018

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**THIS FILING IS SUBMITTED ELECTRONICALLY AND SERVED ON RECYCLED PAPER**

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**ILLINOIS EPA’S REPLY TO POST HEARING COMMENTS**

NOW COMES the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, (“Illinois EPA” or “Agency”) by and through its counsel, and hereby submits its reply to post hearing comments as directed by the Hearing Officer on November 16, 2017.

**I. Procedural Background**

On August 3, 2017, the Illinois EPA filed its proposal to amend Subtitle F, Public Water Supplies, by adding a new Part 604 and by amending Parts 601, 602, 607 and 611. The Agency’s primary focus was the new proposed Part 604 governing the design, operation and maintenance of community water supplies in Illinois. The Agency’s proposed amendments to Parts 601, 602, 607 and 611 contained minor changes, largely the result of the proposal for Part 604. On August 17, 2017, the Illinois Pollution Control Board (“Board”) accepted the Agency’s proposal for hearing.

A first hearing was held on October 17, 2017, in Springfield, Illinois. The Agency presented four witnesses who pre-filed testimony: Stephen Johnson, Richard Cobb, David Cook, and David McMillan. Before the hearing, the Agency responded to prefiled questions submitted by the City of Springfield’s Office of Public Utilities and the Board. Six public comments (Comments #1 through #6) were also submitted and, after the hearing, responded to by the Agency.

The second hearing was held on November 16, 2017, in Springfield, Illinois and via video conference in Chicago, Illinois. Prefiled testimony was filed by Michael D. Curry (“Curry”), Ted

Meckes, and Justin DeWitt. Prior to the hearing the Agency responded to prefiled questions from the Board, Curry's prefiled testimony, Curry's prefiled questions, and to public comments, #7 and #8. Four additional public comments were filed prior to the hearing, comments #9 through #12, and twelve additional public comments were filed after the hearing, comments #13 through #24.

At the close of hearings in this matter, the Hearing Officer set a December 22, 2017, deadline for post hearing comments, and a January 5, 2018, deadline for any replies.

**II. Illinois EPA's Reply to the Village of Wilmette (Public Comment #21).**

Proposed Section 604.1435 will be effective upon adoption of this rulemaking. The standing water must be removed as, and when, necessary to protect public health. The proposed regulations contain an exception for community water supplies operating prior to this part. While the exception in proposed Section 604.145 may apply, the Agency may enforce the general provisions under Section 601.101 and Section 18 of the Illinois Environmental Protection Act in the event standing water causes a risk to public health.

**III. Illinois EPA's Reply to Capt. Michael D. Curry (Public Comment #23).**

The Agency has no objection to the proposed regulatory language.

WHEREFORE, the Illinois EPA respectfully submits these replies, and requests the Board to proceed expeditiously to First Notice as proposed by the Agency.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By: /s/Rex L. Gradeless  
Rex L. Gradeless  
Assistant Counsel  
Division of Legal Counsel

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**CERTIFICATE OF SERVICE**

Rex L. Gradeless, Assistant Counsel for the Illinois EPA, herein certifies that he has served a copy of the foregoing NOTICE OF FILING, and ILLINOIS EPA'S REPLY TO POST HEARING COMMENTS, upon persons listed on the Service List, by placing a true copy in an envelope duly addressed bearing proper first class postage in the United States mail at Springfield, Illinois on January 5, 2017, or by sending an email from my email account (Rex.Gradeless@Illinois.Gov) to the email addresses designated below with the following attached as a 5-page PDF document in an e-mail transmission on or before 5:00 pm on January 5, 2017.

By: /s/Rex L. Gradeless

THIS FILING IS SUBMITTED ELECTRONICALLY AND SERVED ON RECYCLED PAPER

**SERVICE LIST**

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