



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 - (217) 786-3990
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 - (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

RECEIVED
CLERK'S OFFICE

MAY 25 2007

STATE OF ILLINOIS
Pollution Control Board

May 23, 2007

Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph
Suite 11-500
Chicago, Illinois 60601

RO7-20

Dear Clerk:

As required by Section 13.6(e) of the Environmental Protection Act, enclosed is the Illinois Environmental Protection Agency's ("Illinois EPA's") proposal for rules prescribing standards for detecting and reporting unpermitted releases of radionuclides from nuclear power plants. Included in this submission is the original and nine copies of the Illinois EPA's Motion for Acceptance; Appearance; Statement of Reasons, Synopsis of Testimony, Statement Regarding Incorporation by Reference, and Statement Regarding Published Studies and Research Reports; and text of proposed 35 Ill. Adm. Code 1010. Also enclosed is an electronic version of proposed 35 Ill. Adm. Code 1010.

If you have any questions or need any additional information, please contact me at (217) 524-3974.

Sincerely,

Kyle Rominger
Assistant Counsel

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED
CLERK'S OFFICE

MAY 25 2007

STATE OF ILLINOIS
Pollution Control Board

IN THE MATTER OF:)
)
PROCEDURES FOR REPORTING)
RELEASES OF RADIONUCLIDES AT)
NUCLEAR POWER PLANTS)

R 07-20
(Rulemaking)

NOTICE OF FILING

Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Matthew Dunn, Chief
Environmental Bureau
Office of the Attorney General
100 W. Randolph, 12th Floor
Chicago, Illinois 60601

Bill Richardson
Office of Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702-1271

PLEASE TAKE NOTICE that I have filed today with the Illinois Pollution Control Board the Motion for Acceptance; Appearance; Statement of Reasons, Synopsis of Testimony, Statement Regarding Incorporation by Reference, and Statement Regarding Published Studies and Research Reports; and proposed 35 Ill. Adm. Code 1010 by the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: 
Kyle Rominger
Assistant Counsel

Dated: 5.23.07
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED
CLERK'S OFFICE

MAY 25 2007

STATE OF ILLINOIS
Pollution Control Board

IN THE MATTER OF:)
)
PROCEDURES FOR REPORTING)
RELEASES OF RADIONUCLIDES AT)
NUCLEAR POWER PLANTS)

R 07-20
(Rulemaking)

MOTION FOR ACCEPTANCE

NOW COMES the Illinois Environmental Protection Agency ("Illinois EPA") and, pursuant to 35 Ill. Adm. Code 102.200 and 102.202, moves that the Illinois Pollution Control Board ("Board") accept for hearing the Illinois EPA's proposal for the adoption of new 35 Ill. Adm. Code 1010, "Procedures for Reporting Releases of Radionuclides at Nuclear Power Plants." The proposal includes the following: 1) the proposed rules; 2) a Statement of Reasons, Synopsis of Testimony, Statement Regarding Material Incorporated by Reference, and Statement Regarding Published Studies and Research Reports; 3) proof of service upon all persons required to be served pursuant to 35 Ill. Adm. Code 102.200; 4) an electronic version of the proposed amendments; and 5) an appearance for the attorneys representing the Agency.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: *Douglas P. Scott*
Douglas P. Scott
Director

DATED: May 17, 2007
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276
(217) 782-3397

MAY 25 2007

STATE OF ILLINOIS
Pollution Control Board

IN THE MATTER OF:)
)
PROCEDURES FOR REPORTING)
RELEASES OF RADIONUCLIDES AT)
NUCLEAR POWER PLANTS)

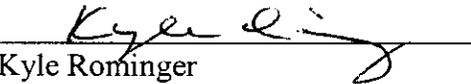
R 07-20
(Rulemaking)

APPEARANCE

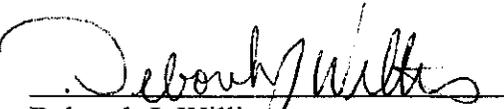
The undersigned hereby enter their appearances as attorneys on behalf of the Illinois
Environmental Protection Agency.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY



Kyle Rominger
Assistant Counsel



Deborah J. Williams
Assistant Counsel

Dated: 5-23-07
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

MAY 25 2007

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD **STATE OF ILLINOIS
Pollution Control Board**

IN THE MATTER OF:)	
)	
PROCEDURES FOR REPORTING)	R <u>07-20</u>
RELEASES OF RADIONUCLIDES AT)	(Rulemaking)
NUCLEAR POWER PLANTS)	

STATEMENT OF REASONS, SYNOPSIS OF TESTIMONY, STATEMENT REGARDING
INCORPORATIONS BY REFERENCE, AND STATEMENT REGARDING PUBLISHED
STUDIES AND RESEARCH REPORTS

NOW COMES the Illinois Environmental Protection Agency ("Illinois EPA") and, pursuant to 35 Ill. Adm. Code 102.202, submits its Statement of Reasons, Synopsis of Testimony, Statement Regarding Material Incorporated by Reference, and Statement Regarding Published Studies and Research Reports for the above referenced proceeding.

I. STATEMENT OF REASONS

A. Statement of Facts, Purpose and Effect

1. Background

The Illinois EPA submits this proposed rulemaking pursuant to Public Act 94-849 ("P.A. 94-849"), which added Section 13.6 to the Environmental Protection Act ("Act") on June 12, 2006. Section 13.6 of the Act requires the Illinois EPA, in consultation with the Illinois Emergency Management Agency ("IEMA"), to "propose rules to the Board prescribing standards for detecting and reporting unpermitted releases of radionuclides." 415 ILCS 5/13.6(e). The Board has one year from its receipt of this proposal to "adopt rules prescribing standards for detecting and reporting unpermitted releases of radionuclides." Id.

Section 13.6 was added to the Act “to require the detection and reporting of unpermitted releases of any radionuclides into groundwater, surface water, or soil at nuclear power plants, to the extent that federal law or regulation does not preempt such requirements.” 415 ILCS 5/13.6(a). It carries out this purpose by requiring that “[w]ithin 24 hours after an unpermitted release of a radionuclide from a nuclear power plant, the owner or operator of the nuclear power plant where the release occurred shall report the release to the [Illinois Environmental Protection] Agency and the Illinois Emergency Management Agency.” 415 ILCS 5/13.6(c). An “unpermitted release of a radionuclide” is defined as “any spilling, leaking, emitting, discharging, escaping, leaching, or disposing of a radionuclide into groundwater, surface water, or soil that is not permitted under State or federal law or regulation.” 415 ILCS 5/13.6(c).

Section 13.6 of the Act also requires the Illinois EPA and IEMA to conduct quarterly inspections of nuclear power plants for compliance with the reporting requirements of Section 13.6 and rules adopted by the Board. 415 ILCS 5/13.6(d). The Board is authorized to adopt rules that would allow self-inspections by nuclear power plant owners and operators in lieu of Illinois EPA and IEMA inspections. 415 ILCS 5/13.6(e). The proposed rules do not include self-inspection provisions.

Section 13.6 was added to the Act following a series of leaks at the Braidwood Nuclear Power Station (“Braidwood Station”) in Will County, Illinois. The leaks involved releases of tritiated water from several vacuum breakers along an underground pipe known as the “blowdown line.” The blowdown line carries tritiated water and other liquid effluent from the Braidwood Station to the Kankakee River, where it is discharged. The tritium leaks resulted in groundwater contamination and impacted a nearby residential well. Several other nuclear power stations have also experienced tritium leaks that have resulted in groundwater contamination.

2. Regulatory Development

Following the passage of P.A. 94-849 the Illinois EPA discussed the Public Act with the Interagency Coordinating Committee on Groundwater (“ICCG”) and the Groundwater Advisory Committee (“GAC”), and sought input from these groups regarding the development of rules. The ICCG is comprised of representatives of the Illinois EPA, IEMA, the Illinois Department of Public Health, the Department of Natural Resources, the Department of Agriculture, the Illinois State Fire Marshal, and the Department of Commerce and Economic Opportunity. The GAC is comprised of representatives of the Illinois EPA, business entities, environmental interest groups, public water supply entities, local governments, regional planning entities, and water well drillers.

In developing the proposed rules the Illinois EPA also consulted with IEMA individually. IEMA serves as the Illinois counterpart to the Nuclear Regulatory Commission (“NRC”), and under Section 13.6 of the Act conducts inspections of nuclear power plants with the Illinois EPA for compliance with the Section 13.6 reporting requirements.

The Illinois EPA also worked with Exelon Corporation (“Exelon”) in the development of the proposed rules. Exelon owns and operates all of the nuclear power plants in Illinois, either itself or through related entities. The Illinois EPA held several meetings with Exelon to discuss the Section 13.6 reporting requirements and various drafts of the proposed rules.

In addition to working with the above groups, the Illinois EPA discussed and received feedback on the proposed rules at a GAC-hosted stakeholder outreach meeting. Stakeholders invited to the meeting included state and federal legislators with nuclear power plants in their districts, representatives of local governments with nuclear power plants in or near their jurisdictions, and representatives of IEMA, the NRC, Exelon, the American Medical

Association, and various environmental and nuclear interest groups. The Illinois EPA would like to thank the ICCG, the GAC, IEMA, Exelon, and the attendees of the stakeholder outreach meeting for the comments and input they have provided during the development of the proposed rules.

The Illinois EPA believes it has addressed most of the concerns brought to its attention during the development of the proposed rules. One suggestion from Exelon that was not incorporated into the Illinois EPA's proposal, but that appears to remain a concern for Exelon, is the following provision:

Reporting a release of a radionuclide pursuant to this Part shall not be determinative of whether the release is unauthorized or unlawful under other laws or regulations, including licenses, permits or other forms of government authorization.

This provision was suggested to help further define the scope of the rules. The Illinois EPA did not include the provision in its proposal because it believes the provision exceeds the scope of the rules required under Section 13.6 of the Act.

3. Description of the Proposed Regulations

Under Section 13.6 of the Act nuclear power plant owners and operators are required to report unpermitted releases of radionuclides to the Illinois EPA and IEMA. The proposed rules further refine when such a report is required, and set forth the information that must be provided to the Illinois EPA and IEMA. The following is a description of each Section of the proposed rules.

SUBPART A

Section 1010.100 Purpose. This Section notes that Part 1010 prescribes the standards for detecting and reporting unpermitted releases of radionuclides from nuclear power plants pursuant to Section 13.6 of the Act.

Section 1010.102 Applicability. This Section states that Part 1010 applies to licensees of nuclear power plants that are required to report unpermitted releases of radionuclides under Section 13.6 of the Act.

Section 1010.104 Scope. This Section explains that Part 1010 sets forth the procedures licensees of nuclear power plants must follow to satisfy their reporting obligation under Section 13.6 of the Act. It notes that Part 1010 addresses only reporting required under Section 13.6 of the Act, and explains that the requirements of Part 1010 are independent of, and do not replace or supersede, any other reporting requirements in state or federal law or regulation.

Exelon requested the addition of language clarifying that the proposed rules would not preclude licensees from reporting releases that are not required to be reported. This language is included at the end of proposed Section 1010.104.

Section 1010.106 Definitions. This Section contains the definitions of terms used in the rules. The following are explanations of a few of the definitions:

“Licensee”. “Licensee” is defined as “the holder of a license issued for a nuclear power plant under Chapter I of Title 10 of the Code of Federal Regulations.” Chapter I of Title 10 of the Code of Federal Regulations contains the NRC’s rules. Therefore, a “licensee” for purposes of the proposed rules is the person holding the NRC license for a nuclear power plant.

“Licensee controlled area”. “Licensee controlled area” is defined as “the land or property that is owned, leased, or otherwise controlled by the licensee.” This term is intended to include all land that is considered a part of a nuclear power plant site.

“Station generated liquids”. “Station generated liquids” are defined as “liquids used in, or as a part of, the power generation process at a nuclear power plant and that contain, or potentially could contain, radionuclides.” This definition is included because a site may contain background levels of radionuclides that are unrelated to the operation of a nuclear power plant. Defining “station generated liquids” helps the proposed rules focus on the reporting of radionuclides that are released from nuclear power plants.

“Unpermitted release of a radionuclide”. The definition of “unpermitted release of a radionuclide” is repeated from Section 13.6 of the Act. An additional sentence has been added to clarify that discharges of radionuclides at a designated process water or cooling water outfall identified in a nuclear power plant’s National Pollutant Discharge Elimination System permit are not considered unpermitted releases, and therefore would not be required to be reported under the proposed rules. The additional clarification language was added at the request of Exelon.

Section 1010.108 Severability. This Section contains a severability clause that is standard in Board rules.

SUBPART B

Section 1010.200 Evaluation of Releases. This Section contains the procedure for determining when a radionuclide release must be reported. The Section focuses on the radionuclide tritium, which is commonly used as a marker for radionuclides and is the radionuclide involved in the leaks at the Braidwood Station and other nuclear power plants in Illinois.

Section 1010.200 requires licensees to evaluate unpermitted releases of radionuclides into groundwater, surface water, or soil within 24 hours of the release to determine whether it must

reported. Reporting is required if a release of station generated liquids (i) results in tritium concentrations of 200 pCi/L or more outside the licensee controlled area or (ii) contains tritium at quantities of 0.002 Curies or more. To ensure that release evaluations consider the entire amount released and not just the amount remaining after remedial action is conducted, the Section states that evaluations cannot take into account any remedial actions that have been taken.

Section 1010.202 Reporting of Releases. This Section sets forth the steps to be followed in reporting releases to the Illinois EPA and IEMA. Subsection (a) requires that reports be given by telephone and electronically. Each agency's current telephone number is listed, as well as the requirements for electronic reporting. Electronic reports must be submitted on forms and in a format prescribed by the Illinois EPA, and to addresses prescribed by the Illinois EPA and IEMA. Subsection (a) requires the Illinois EPA to consult with IEMA in developing the forms and format for the electronic reports.

Subsection (b) lists the minimum initial information that must be reported for a release to provide the Illinois EPA and IEMA with basic information about the release. Subsection (c) requires the Illinois EPA to post copies of the electronic reports it receives on its website.

Section 1010.204 Follow-up Written Report. This Section requires the submission of a follow-up written report within five business days after a release. The purpose of the follow-up report is to confirm and update the initial information provided under Section 1010.202, and to provide additional basic information about the release. It also affords the reporting party an opportunity to amend or correct the initial information provided under Section 1010.202.

Subsection (a) provides that the follow-up written report must confirm and update the information initially provided under Section 1010.202. The follow-up report must also include

certain information that may not be readily available at the time the initial information about the release is provided under Section 1010.202.

Under subsection (b), follow-up reports must be submitted electronically to the Illinois EPA and to IEMA on forms and in a format prescribed by the Illinois EPA. The Illinois EPA must consult with IEMA in developing the forms and format for the electronic reports. Subsection (b) also requires the submission of a hard copy of the follow-up report to the Illinois EPA's Groundwater Section. Subsection (c) requires the Illinois EPA to post copies of the follow-up reports on its website.

B. Technical Feasibility and Economic Reasonableness

1. Technical Feasibility

The Illinois EPA does not believe this proposal raises issues of technical feasibility. The reporting of radionuclide releases is already required by Section 13.6 of the Act. The proposed rules further refine when this reporting requirement is triggered: when releases (i) result in tritium concentrations of 200 pCi/L or more outside of the licensee controlled area or (ii) contain tritium quantities of .002 Curies or more. 200 pCi/L is the practical quantitation limit for tritium, and is a level that can be met by Exelon's in-house labs as well as other labs in Illinois. The 0.002 Curies quantity is a mass that can be easily detected, and is used in lieu of requiring the modeling of each on-site release to determine whether the release might result in tritium concentrations of 200 pCi/L or more outside of the licensee controlled area.

2. Economic Reasonableness

Section 13.6 of the Act already requires Exelon to report releases of radionuclides to the Illinois EPA and IEMA. The proposed rules provide a description of the basic information that

must be relayed to the Illinois EPA and to IEMA when a release is reported. The Illinois EPA believes that the cost of providing this information will be reasonable.

II. SYNOPSIS OF TESTIMONY

The Illinois EPA plans to provide Rick Cobb, the Deputy Manager of its Division of Public Water Supplies, as a witness at hearing. Mr. Cobb will testify about the background of Section 13.6 of the Act, tritium releases that have occurred at nuclear power plants in Illinois, and the development and content of the proposed rules. Mr. Cobb's written testimony will be submitted prior to hearing in accordance with the Board's procedural rules. The Illinois EPA may provide additional witnesses at hearing that will not offer prepared testimony, but that may assist in answering questions raised during the hearing.

III. STATEMENT REGARDING INCORPORATIONS BY REFERENCE

The proposed rules do not contain any incorporations by reference.

IV. STATEMENT REGARDING PUBLISHED STUDIES AND RESEARCH REPORTS

The Illinois EPA used the following reports in its development of the proposed rules:

1. Hydrogeologic Investigation Report, Fleetwide Assessment, Braidwood Generating Station, Braceville, Illinois. Prepared for Exelon Generation Company, LLC, by Conestoga-Rovers & Associates. September 2006.
2. Hydrogeologic Investigation Report, Fleetwide Assessment, Byron Generating Station, Byron, Illinois. Prepared for Exelon Generation Company, LLC, by Conestoga-Rovers & Associates. September 2006.
3. Hydrogeologic Investigation Report, Fleetwide Assessment, Dresden Generating Station, Morris, Illinois. Prepared for Exelon Generation Company, LLC, by Conestoga-Rovers & Associates. September 2006.
4. Hydrogeologic Investigation Report, Fleetwide Assessment, Quad Cities Generating Station, Cordova, Illinois. Prepared for Exelon Generation Company, LLC, by Conestoga-Rovers & Associates. September 2006.

5. Hydrogeologic Investigation Report, Fleetwide Assessment, Zion Generating Station, Zion, Illinois. Prepared for Exelon Generation Company, LLC, by Conestoga-Rovers & Associates. September 2006.

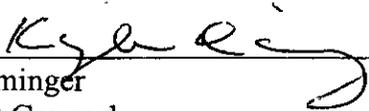
The public can obtain copies of these reports from:

Craig Nesbit
Director, Communications
Exelon Nuclear
4300 Winfield Road
Warrenville, Illinois 60555
(630) 657-4208

These studies were not performed by the Illinois EPA or by a person or entity that contracted with the Illinois EPA for the performance of the study.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY



Kyle Rominger
Assistant Counsel

DATED: 5.23.07
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE 1: ATOMIC RADIATION
CHAPTER I: POLLUTION CONTROL BOARD

PART 1010
PROCEDURES FOR REPORTING RELEASES OF RADIONUCLIDES AT NUCLEAR
POWER PLANTS

SUBPART A: GENERAL PROVISIONS

Section	
1010.100	Purpose
1010.102	Applicability
1010.104	Scope
1010.106	Definitions
1010.108	Severability

SUBPART B: REPORTING

1010.200	Evaluation of Releases
1010.202	Reporting of Releases
1010.204	Follow-up Written Report

AUTHORITY: Implementing and authorized by Section 13.6 of the Environmental Protection Act [415 ILCS 5/13.6].

SOURCE: Adopted at _____ Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 1010.100 Purpose

This Part prescribes standards for detecting and reporting unpermitted releases of radionuclides from nuclear power plants pursuant to Section 13.6 of the Act.

Section 1010.102 Applicability

This Part applies to licensees of nuclear power plants that are required under Section 13.6 of the Act to report an unpermitted release of a radionuclide.

Section 1010.104 Scope

This Part sets forth the procedures licensees of nuclear power plants must follow to satisfy their obligation under Section 13.6 of the Act to report unpermitted releases of radionuclides to the Agency and to IEMA. This Part addresses only the reporting of unpermitted releases of radionuclides required under Section 13.6 of the Act. The requirements of this Part are independent of, and do not replace or supersede, any other reporting requirements in state or federal law or regulation. This Part does not prevent or preclude licensees from reporting releases of radionuclides that are not required to be reported under Section 13.6 of the Act.

Section 1010.106 Definitions

Except as stated in this Section, or unless a different meaning of a word or term is clear from the context, the definition of words or terms in this Part shall be the same as that applied to the same words or terms in the Environmental Protection Act [415 ILCS 5].

“Act” means the Environmental Protection Act [415 ILCS 5].

“Agency” means the Illinois Environmental Protection Agency.

“Curie” or “Ci” means the quantity of radioactive material producing 37 billion nuclear transformations per second.

“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. [415 ILCS 5/3.64]

“IEMA” means the Illinois Emergency Management Agency.

“L” means liter.

“Licensee” means the holder of a license issued for a nuclear power plant under Chapter I of Title 10 of the Code of Federal Regulations.

“Licensee controlled area” means the land or property that is owned, leased, or otherwise controlled by the licensee.

“Picocurie” or “pCi” means the quantity of radioactive material producing 2.22 nuclear transformations per minute. One pCi is one trillionth (10^{-12}) of one curie.

“Person” is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, state agency, or any other legal entity, or their legal representative, agent, or assigns. [415 ILCS 5/3.315]

“Station generated liquids” means liquids used in, or as a part of, the power generation process at a nuclear power plant and that contain, or potentially could contain, radionuclides.

“Surface water” means all water that is open to the atmosphere and subject to surface runoff.

“Unpermitted release of a radionuclide” means any spilling, leaking, emitting, discharging, escaping, leaching, or disposing of a radionuclide into groundwater, surface water, or soil that is not permitted under State or federal law or regulation. [415 ILCS 5/13.6(c)]. “Unpermitted release of a radionuclide” does not include the discharge of a radionuclide from a point source at a designated process water or cooling water outfall identified in the nuclear power plant’s National Pollutant Discharge Elimination System permit, provided the discharge is authorized in the nuclear power plant’s United States Nuclear Regulatory Commission operating license.

1010.108 Severability

If any provision in this Part or its application to any person or under any circumstances is adjudged invalid, such adjudication shall not affect the validity of this Part as a whole or of any portion not adjudged invalid.

SUBPART B: REPORTING

Section 1010.200 Evaluation of Releases

Within 24 hours after an unpermitted release of a radionuclide from a nuclear power plant into groundwater, surface water, or soil, the licensee must evaluate the release in accordance with this Section to determine whether it must be reported. The evaluation cannot take into account remedial actions taken in response to the release (i.e., the evaluation must be based on the volumes of station generated liquids and concentrations or quantities of radionuclides released, not on the volumes of station generated liquids and concentrations or quantities of radionuclides remaining after the initiation or completion of response actions). If the release is required to be reported, the licensee must report the release in accordance with Section 1010.202 of this Part.

- a) Licensees must report unpermitted releases of station generated liquids that result in tritium concentrations of 200 pCi/L or more outside of the licensee controlled area.
- b) Licensees must report unpermitted releases of station generated liquids that contain tritium at quantities of 0.002 Curies or more.

Section 1010.202 Reporting of Releases

- a) Reports required under Section 1010.200 of this Part must be given within 24 hours of the release to both the Agency and IEMA in accordance with the following:
 - 1) Reports to the Agency must be given by telephone and electronically. At the time these rules are adopted the Agency's telephone number for reporting environmental emergencies is 1-217-782-3637.
 - 2) Reports to IEMA must be given by telephone and electronically. At the time these rules are adopted IEMA's telephone number for reporting emergencies is 1-800-782-7860, or, if calling from outside Illinois, 1-217-782-7860.
 - 3) Electronic reports must be submitted on forms and in a format prescribed by the Agency, and must be submitted to addresses prescribed by the Agency and IEMA. The Agency shall consult with IEMA in developing the forms and format for electronic reports required under this Section.
- b) Reports required under Section 1010.200 of this Part must include, at a minimum, the following information using the best data available at the time of the report:
 - 1) The name and address of the nuclear power plant where the release occurred;
 - 2) The name, signature, and telephone number of the Principal Executive Officer for the nuclear power plant or the Principal Executive Officer's authorized agent;
 - 3) The specific location of the release;
 - 4) The time and duration of the release;
 - 5) An estimate of the volume and radionuclide concentrations (in pCi/L) of station generated liquids released, and an estimate of the flow rate if the release is ongoing;
 - 6) Identification of the radionuclides released and an estimate of the quantities released (in Curies);
 - 7) Whether the release was to groundwater, surface water, or soil, and a description of the area into which the release occurred (e.g., field, ditch, stream, or other description) and the size of the area affected;

- 8) The actions taken to respond to, contain, and mitigate the release;
 - 9) The known and anticipated impacts to human health and the environment, including but not limited to groundwater and surface water resources, as a result of the release;
 - 10) The names, addresses, and telephone numbers of persons at the nuclear power plant who may be contacted for further information regarding the release; and
 - 11) The name and mailing address of the licensee of the nuclear power plant.
- c) The Agency must post copies of the electronic reports it receives under this Section on the Agency's website.

Section 1010.204 Follow-up Written Report

An owner or operator who reports a release under this Part must provide to the Agency and to IEMA a follow-up written report of the release within five business days after reporting the release.

- a) The follow-up report must confirm and update the information provided by the licensee under Section 1010.202 of this Part utilizing the best data available, and must also include the following information:
 - 1) Copies of all lab analyses used to confirm the presence of, or conducted in response to, the release if lab analyses have been conducted;
 - 2) Plan view and, if available, geological cross-section maps showing, at a minimum, the location of the release, the locations of samples taken to confirm the release if samples have been taken, the locations of samples taken in response to the release if samples have been taken, the measured and modeled extents of the release if known, the groundwater flow direction if known, groundwater contours if known, the boundary of the licensee controlled area, and structures, roads, and other surface features;
 - 3) An estimate of the volume and radionuclide concentrations (in pCi/L) of station generated liquids released but not recovered;
 - 4) An estimate of the quantities (in Curies) of radionuclides released but not recovered;

- 5) An updated description of activities taken in response to the release;
 - 6) If additional activities in response to the release are planned, a description of such activities; and
 - 7) The name and signature of the Principal Executive Officer for the nuclear power plant or the Principal Executive Officer's authorized agent.
- b) The follow-up report must be submitted electronically on forms and in a format prescribed by the Agency, and must be submitted to addresses prescribed by the Agency and IEMA. The Agency shall consult with IEMA in developing the forms and format for electronic reports required under this Section. In addition, a hard copy of the follow-up report must be submitted to the following address on forms prescribed by the Agency:

Illinois Environmental Protection Agency
Bureau of Water
Groundwater Section
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

- c) The Agency must post copies of the follow-up reports it receives under this Section on the Agency's website.

STATE OF ILLINOIS)
) SS
COUNTY OF SANGAMON)
)

CERTIFICATE OF SERVICE

I, the undersigned, an attorney, state that I have served the attached Motion for Acceptance; Appearance; Statement of Reasons, and Synopsis of Testimony, Statement Regarding Incorporation by Reference, and Statement Regarding Published Studies and Research Reports; and proposed 35 Ill. Adm. Code 1010 b upon the following person:

Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph Street, Suite 11-500
Chicago, Illinois 60601

Matthew Dunn, Chief
Environmental Bureau
James R. Thompson Center
100 W. Randolph Street, Suite 11-500
Chicago, Illinois 60601

Bill Richardson
Office of Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield, Illinois 62702-1271

and mailing it by First-Class Mail from Springfield, Illinois, with sufficient postage affixed:

Dated: May 23, 2007

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: 
Kyle Rominger
Assistant Counsel
Division of Legal Counsel

1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276
217/782-5544

THIS FILING IS SUBMITTED ON
RECYCLED PAPER