

ILLINOIS POLLUTION CONTROL BOARD

October 11, 2007

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STATE OF ILLINOIS
Pollution Control Board

IN THE MATTER OF:)
)
 TRIENNIAL REVIEW OF SULFATE AND) R07-9
 TOTAL DISSOLVED SOLIDS WATER) (Rulemaking - Water)
 QUALITY STANDARDS: PROPOSED)
 AMENDMENTS TO 35 ILL. ADM. CODE)
 302.102(b)(6), 302.102(b)(8), 302.102(b)(10),)
 302.208(g), 309.103(c)(3), 405.109(b)(2)(A),)
 409.109(b)(2)(B), 406.100(d); REPEALER OF)
 35 ILL. ADM. CODE 406.203 and Part 407;)
 and PROPOSED NEW 35 ILL. ADM. CODE)
 302.208(h))

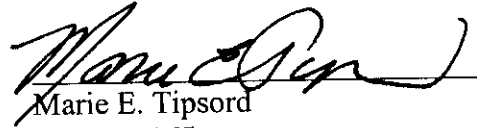
HEARING OFFICER ORDER

On September 20, 2007, the Board adopted for first notice a rulemaking proposal. The proposal adopts a sulfate standard for general use waters that varies from 500 mg/L to 2,500 mg/L, depending on the associated chloride and hardness levels measured in the water. The sulfate standard in waters used for livestock watering has a maximum value of 2,000 mg/L. The total dissolved solids (TDS) water quality standard for general use waters is eliminated in the proposal. The proposal also amends the mixing zone regulations to allow mixing in certain small streams when adequate dilution is available. The Board also included language reflecting the Illinois Environmental Protection Agency's policy of allowing mixing in up to 50% of the stream flow when there is less than a 3:1 dilution ratio. Finally, the proposal deleted the provisions addressing separate sulfate and chloride water quality standards for discharges from mining operations. Such discharges will be subject to the general use water quality standards under the proposed regulations. The Board requested additional comment on several of the provisions proposed for first notice.

On October 5, 2007, the proposed first notice appeared in the *Illinois Register*. See 31 Ill. Reg. 13624-13672. Under Section 5-40(b) of the Illinois Administrative Procedure Act (5 ILCS 100/5-40(b) (2006)), the public comment period will extend for at least 45 days from the date of publication. Today, by hearing officer order, the first-notice public comment period is extended until December 3, 2007.

All persons wishing to have their comments considered by the Board prior to the Board proceeding to second notice must file comments by December 3, 2007. Comments may be filed electronically at www.ipcb.state.il.us, or by mail or in person with the Clerk's Office at 100 W. Randolph Suite 11-500, Chicago Il 60601

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "Marie E. Tipsord", written over a horizontal line.

Marie E. Tipsord
Hearing Officer
Illinois Pollution Control Board
100 West Randolph, Suite 11-500
Chicago, Illinois 60601
(312) 814-4925
tipsorm@ipcb.state.il.us