



OFFICE OF THE SECRETARY OF STATE

JESSE WHITE • Secretary of State

9/18/2008

POLLUTION CONTROL BOARD

JAMES R THOMPSON CENTER 100 W RANDOLPH ST STE 11-500
JOHN THERRIAULT ASSISTANT CLERK
CHICAGO, IL 60601

Dear JOHN THERRIAULT ASSISTANT CLERK

Your rules Listed below met our codification standards and have been published in Volume 32, Issue 39 of the Illinois Register, dated 9/26/2008.

OTHER INFORMATION REQUIRED BY LAW TO BE PUBLISHED IN THE ILLINOIS REGISTER

Notice of Public Information Pursuant to 415 ILCS 5/7.2(b)

Ill. Adm. Code

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Point Of Contact:Michael McCambridge

PROPOSED RULES

Primary Drinking Water Standards (Withdrawal of Proposed Amendments)

35 Ill. Adm. Code 611

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Point Of Contact:Michael McCambridge

Hazardous Waste Management System: General

35 Ill. Adm. Code 720

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Point Of Contact:Michael McCambridge

Identification and Listing of Hazardous Waste

35 Ill. Adm. Code 721

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Point Of Contact:Michael McCambridge

Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities

35 Ill. Adm. Code 724

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Point Of Contact:Michael McCambridge

Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities

35 Ill. Adm. Code 725

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Point Of Contact:Michael McCambridge

Primary Drinking Water Standards

35 Ill. Adm. Code 611

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Index Department - Administrative Code Division - 111 East Monroe Springfield, IL 62756

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Land Disposal Restrictions

35 Ill. Adm. Code 728

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Point Of Contact:Michael McCambridge

If you have any questions, you may contact the Administrative Code Division at (217) 782 - 7017.

ILLINOIS REGISTER

POLLUTION CONTROL BOARD**NOTICE OF PUBLIC INFORMATION PURSUANT TO 415 ILCS 5/7.2(b)**

Section 17.5 of the Environmental Protection Act (Act) [415 ILCS 5/17.5] requires the Board to adopt regulations that are "identical in substance" to National Primary Drinking Water Regulations adopted by the U.S. Environmental Protection Agency (USEPA) pursuant to Sections 1412(b), 1414(c), 1417(a), and 1445(a) of the federal Safe Drinking Water Act (SDWA) (42 U.S.C. §§ 300g-1(a), 300g-3(c), 300g-6(a), and 300j-4(a) (2007)). These rules are contained in 35 Ill. Adm. Code 611.

Section 7.2(a) of the Act requires the Board to complete its identical-in-substance rulemaking actions within one year after the date of the USEPA action on which they are based. Section 7.2(b) allows the Board to extend the deadline for adoption by publication of a notice of reason for delay in the *Illinois Register*.

On August 7, 2008, the Pollution Control Board adopted a proposal for public comment in the consolidated update docket R08-5/R08-7/R08-13. That proposal for public comment proposed amendments to the wastewater pretreatment rules of 35 Ill. Adm. Code 307 and 310 and to the SDWA drinking water rules of 35 Ill. Adm. Code 611. Notices of Proposed Amendments appeared in the August 29, 2008 issue of the *Illinois Register*, at 32 Ill. Reg. 14065.

In summary, the Board is again extending the deadline for completion of the SDWA drinking water amendments only. The extension allows the Board to withdraw the amendments published in the *Illinois Register* on August 29, 2008 and to cause publication of a more comprehensive set of amendments proposed by the Board on September 4, 2008.

By a supplemental opinion and order dated September 4, 2008, the Board added amendments to the SDWA drinking water rules of 35 Ill. Adm. Code 611 that were in addition to those set forth in the August 7, 2008 proposal for public comment. The proposed amendments to the wastewater pretreatment rules of 35 Ill. Adm. Code 307 and 310 were not affected by the September 4, 2008 supplemental opinion and order.

The September 4, 2008 supplemental opinion and order also deconsolidated the amendments to the wastewater pretreatment rules in docket R08-5 from the SDWA drinking water amendments to the SDWA drinking water rules in consolidated docket R08-7/R08-13.

A segment of the September 4, 2008 supplemental opinion and order set forth reasons for delay and extended the deadline for final action on the amendments from December 1, 2008 to December 31, 2008. That segment stated as follows:

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POLLUTION CONTROL BOARD

NOTICE OF PUBLIC INFORMATION PURSUANT TO 415 ILCS 5/7.2(b)

**TIMETABLE FOR COMPLETION OF THIS RULEMAKING AND
EXTENSION OF THE DEADLINE FOR FINAL ACTION**

Under Section 7.2 of the Act (415 ILCS 5/7.2(b) (2006)), the Board must complete this rulemaking within one year of the date of the earliest set of federal amendments considered in this docket. USEPA adopted the earliest federal amendments that required Board attention on March 12, 2007, so the deadline for Board adoption of these amendments under that provision was March 12, 2008.

Section 7.2(b), however, further provides for extension of the deadline for final Board action by adoption of a Board order and publication of a Notice of Public Information on Proposed Rules that extends the deadline. By an order dated March 6, 2008, the Board used this provision to extend the deadline. The Board did so again in the August 7, 2008 original proposal for public comment that included the SDWA amendments, extending the deadline until December 1, 2008. Further delay has resulted from corrections based on late consideration of Agency comments submitted in 2007 and inadvertently overlooked during the assembly of the August 7, 2008 original proposal for public comment. This has necessitated withdrawal of the Notice of Proposed Amendments for Part 611 published in the August 29, 2008 issue of the *Illinois Register*. These are the principal factors that make an extension of the deadline for final action on Part 611 necessary.¹ The Board today again extends the deadline for completion of the consolidated R08-7/R08-13 docket.

The final Board action to adopt these amendments is now December 31, 2008. This extended deadline has a slight amount of extra time added to allow for any minor unforeseen delays in finalizing the amendments.

Considering the proposal of these SDWA amendments on this date, the Board presently projects the following will occur in the progress towards completion of these amendments:

¹ The projected timetable that appears on this page indicates that it may still be possible to complete these amendments by December 1, 2008, but that would not permit any delays at any stage of this proceeding. The Board would prefer to allow for unforeseen delays in final adoption, rather than risk failing to meet the deadline.

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POLLUTION CONTROL BOARD

NOTICE OF PUBLIC INFORMATION PURSUANT TO 415 ILCS 5/7.2(b)

Original due date:	March 12, 2008
Extended due date (by a March 6, 2008 order):	August 15, 2008
Extended due date (by an August 7, 2008 order):	December 1, 2008
Extended due date (by this supplemental order):	December 31, 2008
Date of Board vote to propose amendments:	September 4, 2008
Submission for <i>Illinois Register</i> publication:	September 15, 2008
Probable <i>Illinois Register</i> publication dates:	September 26, 2008
Estimated end of 45-day public comment period:	November 10, 2008
Likely date of Board vote to adopt amendments:	November 20, 2008
Probable filing and effective date:	December 1, 2008
Probable <i>Illinois Register</i> publication date:	December 31, 2008

The Board has simultaneously submitted a Notice of Withdrawal of Proposed Amendments and a new Notice of Proposed Amendments with this Notice of Public Information Pursuant to 425 ILCS 5/7.2(b) for publication in the Illinois Register.

Direct inquiries as follows, referencing consolidated docket R08-7/R08-13:

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Illinois Pollution Control Board
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