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STATE OF ILLINOIS
Pollution Control Board

ORIGINAL

ILLINOIS POLLUTION CONTROL BOARD
May 2, 2011

IN THE MATTER OF:)
)
PROPOSED AMENDMENTS TO) R08-18
GROUNDWATER QUALITY STANDARDS,) (Rulemaking - Public Water Supply)
35 ILL. ADM. CODE 620)

HEARING OFFICER ORDER

On February 17, 2011, the Illinois Environmental Protection Agency (IEPA) filed a motion to amend its proposal (Mot.) prior to the Board going forward with any first-notice amendments in this rulemaking. The Agency explains that while its Toxicity Assessment Unit was reviewing toxicological data regarding the Tiered Approach to Corrective Action Objectives (TACO, 35 Ill. Adm. Code 742), it was discovered that the United States Environmental Protection Agency (USEPA) had “retired the chronic Reference Dose that had been posted in its Provisional Peer Reviewed Toxicity Values (‘PPRTVs’) for Di-n-octyl phthalate.” Mot. at 1.

IEPA explains that after ensuing discussions with USEPA, IEPA decided to no longer use retired PPRTVs. Mot. at 1-2. IEPA maintains that there are currently no toxicity values available for Di-n-octyl phthalate. *Id.* at 2. IEPA therefore moves for the removal of the chemical from IEPA’s proposed groundwater standards. *Id.* Attached to IEPA’s motion is Errata Sheet Number 5, reflecting the corresponding changes that would result to IEPA’s previously-proposed amendments to Sections 620.310(a)(3)(A)(ii), 620.410(b), and 620.420(b). *Id.*; *see also* Errata Sheet Number 5.

No response has been filed to IEPA’s motion. Accordingly, the participants in this rulemaking are deemed to have waived any objection to the motion being granted. *See* 35 Ill. Adm. Code 101.500(d), 102.402. The hearing officer grants IEPA’s motion.

IT IS SO ORDERED.


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