

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

CO-CHAIR:
SEN. MAGGIE CROTTY

CO-CHAIR:
REP. ANGELO "SKIP" SAVIANO

EXECUTIVE DIRECTOR:
VICKI THOMAS



700 STRATTON BUILDING
SPRINGFIELD, ILLINOIS 62706
217/785-2254

SEN. PAMELA ALTHOFF
SEN. DON HARMON
SEN. JOHN O. JONES
SEN. DALE RIGHTER
SEN. IRA SILVERSTEIN
REP. GREGORY HARRIS
REP. LOU LANG
REP. DONALD MOFFITT
REP. ROSEMARY MULLIGAN
REP. ANDRÉ THAPEDI

November 13, 2012

Kathleen M. Crowley
Illinois Pollution Control Board
100 W. Randolph Street
Suite 11-500
Chicago IL 60601

R11-18

RECEIVED
CLERK'S OFFICE

NOV 16 2012

STATE OF ILLINOIS
Pollution Control Board

Re: Water Use Designations and Site-Specific Water Quality Standards (35 Ill. Adm. Code 303; 36 Ill. Reg. 5756 - 4/13/12)

Dear Ms Crowley:

The enclosed are the Register version and the Code copy of the above-cited rules as those rules are to be inserted in the Administrative Code database. You can use these copies when filing the rulemaking with the Secretary of State.

Please have someone on your staff peruse the enclosed copies to be sure that they reflect the language of the rule as you now understand it to exist; i.e., the original draft with any First Notice changes, technical corrections and Agreements included.

If you notice any errors or discrepancies in the enclosed versions, please notify us as quickly as possible and we will provide a corrected version you can certify to the Code Division. This material will be integrated into the Code database when adoption of the rule appears in the Illinois Register.

Thank you for your cooperation and assistance.

Sincerely,

A handwritten signature in black ink that reads "Vicki Thomas". The signature is written in a cursive style.

Vicki Thomas
Executive Director

VT:DC:rm
Enc.

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November 13, 2012

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

Dear Director Holbrook:

This is to notify you that JCAR considered the following proposed rulemakings at its 11/13/12 meeting:

Introduction (35 Ill. Adm. Code 301)
36 Ill. Reg. 5713 - 4/13/12

Water Quality Standards (35 Ill. Adm. Code 302)
36 Ill Reg. 5721 - 4/13/12

Water Use Designations and Site-Specific Water Quality Standards (35 Ill. Adm. Code 303)
36 Ill. Reg. 5756 - 4/13/12

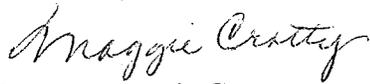
If your agency has agreed to any substantive modifications during its discussions with JCAR, they are described in the Agreements attached to the certification. Based on these agreements, as well as the other responses you have provided the Committee during the review of these rulemakings, JCAR has determined that No Objection will be issued. Enclosed you will find formal certification of this action.

These rulemakings may now be adopted upon filing with the Office of the Secretary of State.

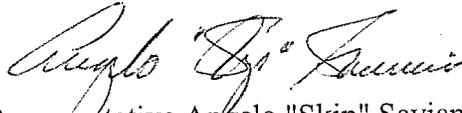
Please note that the fact that the Committee has not objected to these rulemakings does not necessarily constitute approval, expressed or implied, of the substance of the rulemakings.

Thank you for the cooperation your agency has shown during our review of these issues.

Sincerely,



Senator Maggie Crotty
Co-Chairman



Representative Angelo "Skip" Saviano
Co-Chairman

SMC:RBH:DC:rm

cc: Kathleen Crowley
John Therriault

Enc.

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JOINT COMMITTEE ON ADMINISTRATIVE RULES

CERTIFICATION OF NO OBJECTION
TO PROPOSED RULEMAKING

This is to certify that the Joint Committee on Administrative Rules, at its 11/13/12 meeting, considered Water Use Designations and Site-Specific Water Quality Standards (35 Ill. Adm. Code 303; 36 Ill. Reg. 5756), proposed by the Pollution Control Board and published in the 4/13/12 issue of the Illinois Register. After consideration, and based upon the Agreements, if any, for modification of the rulemaking made by the agency and attached to this document, the Committee determined that no Objection will be issued to the above-mentioned rulemaking.

November 13, 2012

A handwritten signature in cursive script that reads "Vicki Thomas".

Vicki Thomas
Executive Director

Attachments: None

SUBTITLE C

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE C: WATER POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD

PART 303
WATER USE DESIGNATIONS AND SITE-SPECIFIC
WATER QUALITY STANDARDS

SUBPART A: GENERAL PROVISIONS

Section	
303.100	Scope and Applicability
303.101	Multiple Designations
303.102	Rulemaking Required (Repealed)

SUBPART B: NONSPECIFIC WATER USE DESIGNATIONS

Section	
303.200	Scope and Applicability
303.201	General Use Waters
303.202	Public and Food Processing Water Supplies
303.203	Underground Waters
303.204	Chicago Area Waterway System and Lower Des Plaines River
303.205	Outstanding Resource Waters
303.206	List of Outstanding Resource Waters
303.220	Primary Contact Recreation Waters
303.225	Incidental Contact Recreation Waters
303.227	Non-Contact Recreation Waters and Non-Recreational Waters

SUBPART C: SPECIFIC USE DESIGNATIONS AND SITE
SPECIFIC WATER QUALITY STANDARDS

Section	
303.300	Scope and Applicability
303.301	Organization
303.311	Ohio River Temperature
303.312	Waters Receiving Fluorspar Mine Drainage (Repealed)
303.321	Wabash River Temperature
303.322	Unnamed Tributary of the Vermilion River
303.323	Sugar Creek and Its Unnamed Tributary
303.326	Unnamed Tributary of Salt Creek, Salt Creek, and Little Wabash River
303.331	Mississippi River North Temperature
303.341	Mississippi River North Central Temperature

SUBTITLE C

- 303.351 Mississippi River South Central Temperature
- 303.352 Unnamed Tributary of Wood River Creek
- 303.353 Schoenberger Creek; Unnamed Tributary of Cahokia Canal
- 303.361 Mississippi River South Temperature
- 303.400 Bankline Disposal Along the Illinois Waterway/River
- 303.430 Unnamed Tributary to Dutch Creek
- 303.431 Long Point Slough and Its Unnamed Tributary
- 303.441 Secondary Contact Waters (Repealed)
- 303.442 Waters Not Designated for Public Water Supply
- 303.443 Lake Michigan Basin
- 303.444 Salt Creek, Higgins Creek, West Branch of the DuPage River, Des Plaines River
- 303.445 Total Dissolved Solids Water Quality Standard for the Lower Des Plaines River
- 303.446 Boron Water Quality Standard for Segments of the Sangamon River and the Illinois River
- 303.447 Unnamed Tributary of the South Branch Edwards River and South Branch Edwards River
- 303.448 Mud Run Creek

SUBPART D: THERMAL DISCHARGES

Section

- 303.500 Scope and Applicability
- 303.502 Lake Sangchris Thermal Discharges

- 303.APPENDIX A References to Previous Rules
- 303.APPENDIX B Sources of Codified Sections

AUTHORITY: Implementing Section 13 and authorized by Sections 11(b) and 27 of the Environmental Protection Act [415 ILCS 5/13, 11(b) and 27].

SOURCE: Filed with the Secretary of State January 1, 1978; amended at 2 Ill. Reg. 27, p. 221, effective July 5, 1978; amended at 3 Ill. Reg. 20, p. 95, effective May 17, 1979; amended at 5 Ill. Reg. 11592, effective October 19, 1981; codified at 6 Ill. Reg. 7818; amended at 6 Ill. Reg. 11161, effective September 7, 1982; amended at 7 Ill. Reg. 8111, effective June 23, 1983; amended in R87-27 at 12 Ill. Reg. 9917, effective May 27, 1988; amended in R87-2 at 13 Ill. Reg. 15649, effective September 22, 1989; amended in R87-36 at 14 Ill. Reg. 9460, effective May 31, 1990; amended in R86-14 at 14 Ill. Reg. 20724, effective December 18, 1990; amended in R89-14(C) at 16 Ill. Reg. 14684, effective September 10, 1992; amended in R92-17 at 18 Ill. Reg. 2981, effective February 14, 1994; amended in R91-23 at 18 Ill. Reg. 13457, effective August 19, 1994; amended in R93-13 at 19 Ill. Reg. 1310, effective January 30, 1995; amended in R95-14 at 20 Ill. Reg. 3534, effective February 8, 1996; amended in R97-25 at 22 Ill. Reg. 1403, effective December 24, 1997; amended in R01-13 at 26 Ill. Reg. 3517, effective February 22, 2002; amended in R03-11 at 28 Ill. Reg. 3071, effective February 4, 2004; amended in R06-

SUBTITLE C

24 at 31 Ill. Reg. 4440, effective February 27, 2007; amended in R09-8 at 33 Ill. Reg. 7903, effective May 29, 2009; amended in R09-11 at 33 Ill. Reg. 12258, effective August 11, 2009; amended in R08-9(A) at 35 Ill. Reg. 15078, effective August 23, 2011; amended in R11-18 at 36 Ill. Reg. _____, effective _____.

Section 303.312 Waters Receiving Fluorspar Mine Drainage (Repealed)

(Source: Repealed at 36 Ill. Reg. _____, effective _____)

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POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

TITLE 35: ENVIRONMENTAL PROTECTION
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NOTICE OF ADOPTED AMENDMENT

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SUBPART C: SPECIFIC USE DESIGNATIONS AND SITE
SPECIFIC WATER QUALITY STANDARDS

Section 303.312 Waters Receiving Fluorspar Mine Drainage (Repealed)

- a) ~~The fluoride standard of Section 302.208 shall not apply to waters which:~~
- 1) ~~receive effluent from the mines and mills of the fluorspar mining and concentrating industry, and~~
 - 2) ~~have been designated by the Illinois State Water Survey as streams which once in ten years have an average minimum seven day low flow of zero.~~
- b) ~~Such waters shall meet the following standard with regard to fluoride:~~

CONSTITUENT	STORET NUMBER	CONCENTRATION mg/l
Fluoride	0095	5

(Source: Repealed at 36 Ill. Reg. _____, effective _____)