

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

P11-18

RECEIVED
CLERK'S OFFICE
NOV 16 2012
STATE OF ILLINOIS
Pollution Control Board

Re: Introduction (35 Ill. Adm. Code 301; 36 Ill. Reg. 5713 - 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,

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.

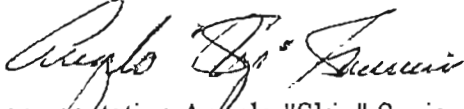
These rulemakings may now be adopted upon filing with the Office of the Secretary of State.

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 Introduction (35 Ill. Adm. Code 301; 36 Ill. Reg. 5713), 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". The signature is written in black ink and is positioned above a horizontal line.

Vicki Thomas
Executive Director

Attachments: None

ILLINOIS REGISTER

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

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

PART 301
INTRODUCTION

Section	
301.101	Authority
301.102	Policy
301.103	Repeals
301.104	Analytical Testing
301.105	References to Other Sections
301.106	Incorporations by Reference
301.107	Severability
301.108	Adjusted Standards
301.200	Definitions
301.205	Act
301.210	Administrator
301.215	Agency
301.220	Aquatic Life
301.221	Area of Concern
301.225	Artificial Cooling Lake
301.230	Basin
301.231	Bioaccumulative Chemicals of Concern
301.235	Board
301.240	CWA
301.245	Calumet River System
301.247	Chicago Area Waterway System
301.250	Chicago River System
301.255	Combined Sewer
301.260	Combined Sewer Service Area
301.265	Construction
301.267	Conversion Factor
301.270	Dilution Ratio
301.275	Effluent
301.280	Hearing Board
301.282	Incidental Contact Recreation
301.285	Industrial Wastes
301.290	Institute

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301.295	Interstate Waters
301.300	Intrastate Waters
301.301	Lake Michigan Lakewide Management Plan
301.305	Land Runoff
301.307	Lower Des Plaines River
301.310	Marine Toilet
301.311	Method Detection Level
301.312	Minimum Level
301.313	Metals Translator
301.315	Modification
301.320	New Source
301.323	Primary Contact Recreation
301.324	Non-contact Recreation and Non-recreational
301.325	NPDES
301.330	Other Wastes
301.331	Outlier
301.335	Person
301.340	Pollutant
301.341	Pollutant Minimization Program
301.345	Population Equivalent
301.346	Preliminary Effluent Limitation
301.350	Pretreatment Works
301.355	Primary Contact
301.356	Projected Effluent Quality
301.360	Public and Food Processing Water Supply
301.365	Publicly Owned Treatment Works
301.370	Publicly Regulated Treatment Works
301.371	Quantification Level
301.372	Reasonable Potential Analysis
301.373	Same Body of Water
301.375	Sanitary Sewer
301.380	Secondary Contact
301.385	Sewage
301.390	Sewer
301.395	Sludge
301.400	Standard of Performance
301.405	STORET
301.410	Storm Sewer
301.411	Total Maximum Daily Load
301.413	Total Metal

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301.415	Treatment Works
301.420	Underground Waters
301.421	Wasteload Allocation
301.425	Wastewater
301.430	Wastewater Source
301.435	Watercraft
301.440	Waters
301.441	Water Quality Based Effluent Limitation
301.442	Wet Weather Point Source
301.443	Whole Effluent Toxicity
301.APPENDIX A	References to Previous Rules

AUTHORITY: Implementing Section 13 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/13 and 27].

SOURCE: Filed with the Secretary of State January 1, 1978; amended at 3 Ill. Reg. 25, p. 190, effective June 21, 1979; amended at 5 Ill. Reg. 6384, effective May 28, 1981; codified at 6 Ill. Reg. 7818; amended in R88-1 at 13 Ill. Reg. 5984, effective April 18, 1989; amended in R88-21(A) at 14 Ill. Reg. 2879, effective February 13, 1990; amended in R99-8 at 23 Ill. Reg. 11277, effective August 26, 1999; amended in R02-11 at 27 Ill. Reg. 158, effective December 20, 2002; amended in R08-9(A) at 35 Ill. Reg. 15071, effective August 23, 2011; amended in R11-18 at 36 Ill. Reg. _____, effective _____.

Section 301.106 Incorporations by Reference

- a) Abbreviations. The following abbreviated names are used for materials incorporated by reference:

"ASTM" means American Society for Testing and Materials.

"GPO" means Superintendent of Documents, U.S. Government Printing Office.

"NTIS" means National Technical Information Service.

"Standard Methods" means "Standard Methods for the Examination of Water and Wastewater", available from the American Public Health Association.

"USEPA" means United States Environmental Protection Agency.

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POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

- b) The Board incorporates the following publications by reference:

American Public Health Association et al., ~~800 I-1015 Fifteenth~~ Street, N.W.,
Washington, D.C. ~~20001-3710, (202)777-2742~~20005.

Standard Methods for the Examination of Water and Wastewater, ~~21st 16th~~
Edition, ~~2005~~1985.

ASTM. American Society for Testing and Materials, 100 Barr Harbor Drive,
West Conshohocken, PA 19428-2959, (610)832-9585

ASTM Standard E 724-80 "Standard Practice for Conducting Static Acute
Toxicity Tests with Larvae of Four Species of Bivalve Molluscs",
approved 1980.

ASTM Standard E 729-80 "Standard Practice for Conducting Static Acute
Toxicity Tests with Fishes, Macroinvertebrates, and Amphibians",
approved 1980.

ASTM Standard E 857-81 "Standard Practice for Conducting Subacute
Dietary Toxicity Tests with Avian Species", approved 1981.

ASTM Standard E 1023-84 "Standard Guide for Assessing the Hazard of a
Material to Aquatic Organisms and Their Uses", approved 1984.

ASTM Standard E 1103-86 "Method for Determining Subchronic Dermal
Toxicity", approved 1986.

ASTM Standard E 1147-87 "Standard Test Method for Partition
Coefficient (n-Octanol/Water) Estimation by Liquid Chromatography",
approved February 27, 1987.

ASTM Standard E 1192-88 "Standard Guide for Conducting Acute
Toxicity Tests on Aqueous Effluents with Fishes, Macroinvertebrates and
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Life-Cycle Toxicity Tests with Daphnia Magna", approved 1987.

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ASTM Standard E 1241-88 "Standard Guide for Conducting Early Life-Stage Toxicity Tests with Fishes", approved 1988.

ASTM Standard E 1242-88 "Standard Practice for Using Octanol-Water Partition Coefficients to Estimate Median Lethal Concentrations for Fish due to Narcosis", approved 1988.

ASTM Standard E 4429-84 "Standard Practice for Conducting Static Acute Toxicity Tests on Wastewaters with Daphnia", approved 1984.

NTIS. National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, (703)487-4600

SIDES: STORET Input Data Editing System, January 1973, Document Number PB-227 052/8.

Water Quality Data Base Management Systems, February 1984, Document Number AD-P004 768/8.

USEPA. United States Environmental Protection Agency, Office of Health and Environmental Assessment, Washington, D.C. 20460

Mutagenicity and Carcinogenicity Assessment for 1,3-Butadiene, September 1985, Document Number EPA/600/8-85/004A.

Method OIA-1677, DW: Available Cyanide by Flow Injection, Ligand Exchange, and Amperometry, January 2004, Document Number EPA-821-R-04-001.

- c) The Board incorporates the following federal regulations by reference. Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, (202)783-3238:

Procedure 5.b.2 of Appendix F of 40 CFR 132 (1995)

40 CFR 136 (1996)

40 CFR 141 (1988)

40 CFR 302.4 (1988)

ILLINOIS REGISTER

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

- d) The Board incorporates the following federal regulations by reference, available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, (202)783-3238:

USEPA 1996: The Metals Translator: Guidance for Calculating a Total Recoverable Permit Limit from a Dissolved Criterion. EPA 823-B-96-007 (1996).

- e) This Section incorporates no future editions or amendments.

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

SUBTITLE C

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE C: WATER POLLUTION
CHAPTER I: POLLUTION CONTROL BOARDPART 301
INTRODUCTION

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SUBTITLE C

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