

Board Sends to First Notice Proposed Amendments to General Use Water Quality Standards for Dissolved Oxygen

The Illinois Pollution Control Board, on July 12, 2007, adopted for first notice proposed amendments to Illinois' general use water quality standards for dissolved oxygen (DO) (35 Ill. Adm. Code 302.206). The Board's first-notice amendments are based on aspects of both the proposal filed by the Illinois Association of Wastewater Agencies and the joint proposal filed by the Illinois Department of Natural Resources and the Illinois Environmental Protection Agency. The rulemaking proposal is entitled Proposed Amendments To Dissolved Oxygen Standard 35 Ill. Adm. Code 302.206, and is assigned docket number R04-25.

The first-notice proposal significantly improves upon the existing DO standards by accounting for the natural variability of DO and organisms in Illinois waters, focusing protection when and where it is needed most. The Board proposes "two-season" numeric DO standards with values based on daily minima and 7- and 30-day averages. The proposal divides the year into an "early life stages" season (March through July) and an "other life stages" season (August through February). The "early life stages" of fish (egg, embryo, larval, and recently-hatched juvenile) are more sensitive to low DO concentrations than later juvenile and adult stages and therefore warrant greater protection. Additionally, the proposal designates stream segments (approximately 8% of Illinois' 71,394 general use stream miles) to receive "enhanced" numeric dissolved oxygen standards to protect DO-sensitive fish and macroinvertebrate species present in meaningful amounts. The proposal also includes a narrative DO standard to protect quiescent and isolated sectors of general use waters where naturally-occurring DO concentrations cannot reasonably be expected to attain the numeric DO standards. The proposed amendments reflect the current science and are consistent with the United States Environmental Protection Agency's National Criteria Document for DO, as adapted to Illinois waters.

The Board is proposing amendments to Sections 302.100 (definition) and 302.206 (the standards) and proposing a new Appendix D to Part 302 (the stream segments designated for enhanced DO protection).

The Board will accept written public comment on its first-notice proposal for 45 days after publication in the *Illinois Register*. Written comments should contain the rulemaking title and docket number (R04-25) and should be sent to the Clerk's Office at the following address:

John Therriault, Assistant Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street
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For more information, please contact Richard McGill at (312) 814-6983 or mcgillr@ipcb.state.il.us.