

Proposal to Amend the Public Water Supply Permitting Rules

The Illinois Pollution Control Board is considering a proposal to amend its permitting rules for public water supplies (PWS) at 35 Ill. Adm. Code 602. The rulemaking proposal, Amendments to 35 Ill. Adm. Code 602.105, 602.106, 602.108, and 602.115 (R03-21), was filed on April 7, 2003, by the Illinois Environmental Protection Agency (IEPA). The proposed amendments would allow IEPA to continue issuing permits to PWS that do not meet the final drinking water standards for radionuclides, but only if the PWS at issue is bound by a court order or IEPA Compliance Commitment Agreement to meet the standards.

Under Section 17.6 of the Environmental Protection Act (415 ILCS 5/17.6 (2002)), Illinois drinking water standards for radionuclides in PWS (including radium-226, radium-228, uranium, and gross alpha particle activity) must be the same as the federal drinking water standards known as Maximum Contaminant Levels (MCLs), which are adopted by the United States Environmental Protection Agency (USEPA) under the Safe Drinking Water Act. In December 2000, USEPA adopted MCLs of 5 pico curies per liter (pCi/L) for combined radium (radium-226 and radium-228) and 15 pCi/L for gross alpha particle activity. The Board adopted USEPA's final drinking water standards for radionuclides in October 2001, and compliance with the standards is required effective December 8, 2003.

IEPA's proposed amendments would not create an exemption from the drinking water standards. Instead, they would continue an existing exemption that allows certain PWS to avoid being placed on Illinois' "restricted status" list. PWS on restricted status are prohibited from receiving construction permits. The current exemption from restricted status expires on December 8, 2003. Again, the restricted status exemption being proposed by IEPA would be available only to a PWS that is bound by specified order or agreement to meet the final drinking water standards.

IEPA's proposed amendments also would require each person signing a construction permit application for a PWS to certify that the information in the application is complete and accurate and that the text has not been altered from IEPA's permit application form or template.

The Board will hold at least two public hearings on this rulemaking proposal. The first hearing is scheduled for 1:30 p.m. on May 8, 2003, at the Board's Springfield office, 600 S. Second Street, Suite 402. The second hearing is scheduled for 1:30 p.m. on May 15, 2003, at the Board's Chicago office, James R. Thompson Center, 100 W. Randolph Street, Suite 11-500. Written comments on the proposal should contain the rulemaking caption and docket number (above) and be sent to the Clerk's Office at the following address:

Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph Street
Suite 11-500
Chicago, Illinois 60601

For more information, please contact Hearing Officer Richard McGill at (312) 814-6983 or by e-mail at mcgillr@ipcb.state.il.us.