

## **Board Adopts Final Amendments to General Use Water Quality Standards for Dissolved Oxygen**

On January 24, 2008, the Illinois Pollution Control Board adopted final amendments to Illinois' dissolved oxygen (DO) general use water quality standards (35 Ill. Adm. Code 302.206). The 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 is entitled Proposed Amendments To Dissolved Oxygen Standard 35 Ill. Adm. Code 302.206 (R04-25).

At the suggestion of the Joint Committee on Administrative Rules, the Board made several minor changes to the second-notice amendments. No substantive changes were made to the rules as they appeared at second notice. The Board will now file the adopted amendments with the Secretary of State for publication in the *Illinois Register* as final rules.

The new rules significantly improve upon the old 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 new rules include "two-season" numeric DO standards with values based on daily minima and 7- and 30-day averages. Under these final amendments, the year is divided 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 amendments designate 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 amendments also include 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 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.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board's Web site and may be downloaded from the Web without charge. Hard copies may be obtained for \$.75 per page from the Clerk's office at 312-814-3629, or by writing to the Clerk's office:

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