

## **Board Sends to *Proposed* Second Notice a Proposal to Update Water Quality Standards for Sulfate and Total Dissolved Solids**

The Illinois Pollution Control Board, on May 1, 2008 sent to *proposed* second notice the rulemaking docketed as Triennial Review of Sulfate and Total dissolved Solids Water Quality Standards: Proposed Amendments to 35 Ill. Adm. Code 302.102(b)(6), 302.102(b)(8), 302.102(b)(10), 302.208(g), 309.103(c)(3), 405.109(b)(2)(A), 409.109(b)(2)(B), 406.100(d); Repealer of 35 Ill. Adm. Code 406.203 and Part 407; and Proposed New 35 Ill. Adm. Code 302.208(h) (R07-9). The Board is proceeding to *proposed* second notice because the Board is amending the first-notice rule language and is requesting comments on the Board's proposed second-notice changes. The Board will accept comments that are filed by June 2, 2008 regarding the Board's proposed second-notice changes before proceeding to second notice.

The Illinois Environmental Protection Agency (IEPA) filed the rulemaking proposal on October 23, 2006. The proposed rules are intended to update existing general use water quality standards for sulfate and total dissolved solids (TDS) by amending or repealing certain sections and parts of 35 Ill. Adm. Code Parts 302, 309, 405, 406, and 407 of the Board's water and mine-related pollution rules. Those changes include the addition of language reflecting current IEPA practice to the rules on mixing zones and the amendment of mixing zone regulations to allow mixing in certain small streams when adequate dilution is not available.

The Board amends the language regarding proposed water quality standards for sulfate where chloride levels exceed 500 mg/L and hardness levels are 500 mg/L or lower in consideration of IEPA's public comments, to ensure that chloride levels continue to be regulated according to the federal Clean Water Act. The Board amends the proposed language regarding mixing zones in streams where the dilution ratio is less than 3:1 to reflect that IEPA may use more than 50% of stream flow for mixing as long as an adequate zone of passage is provided. Public comments on the proposed second-notice rules are due by June 2, 2008.

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:

Clerk of the Board  
Illinois Pollution Control Board  
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