

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

The Illinois Pollution Control Board, on June 19, 2008 sent to 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 second notice, amending the rule language from first notice. On May 1, 2008, the Board adopted a *proposed* second notice because the Board amended the first-notice rule language and the Board requested comments on the *proposed* second-notice changes. The Board received one comment from Prairie Rivers Network, Sierra Club and the Environmental Law and Policy Center. The Board amended the *proposed* second notice language concerning mixing zones in response to the comment.

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.

The Illinois Environmental Protection Agency 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.

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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