

**From:** [Knudson, Cheryl J.](#)  
**To:** [McGill, Richard](#)  
**Cc:** [Eastvold, Jonathan C.](#)  
**Subject:** [External] RE: First Notice Documents from JCAR  
**Date:** Wednesday, May 25, 2022 3:58:51 PM  
**Attachments:** [35-602NT-P JCAR docx.docx](#)  
[35-602RG-P r01 \(46-22\).docx](#)  
[Redline - 35-602RG-P Agency for DELTA and 35-602RG-P r01 \(46-22\).pdf](#)

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First Notice documents are attached for your review:

- [Notice Page](#)
- **I<sup>st</sup> Notice** – [Numbered Line Version](#)
- [Agency vs. JCAR r01](#)

If you have any questions or concerns, please contact Jonathan Eastvold @ 217-524-9010.

Thank you,  
Cheryl

Cheryl Knudson  
Joint Committee on Administrative Rules  
Illinois General Assembly  
700 Stratton Building  
Springfield, IL 62706

217.785.8993  
[cherylk@ilga.gov](mailto:cherylk@ilga.gov)

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Permits
- 2) Code Citation: 35 Ill. Adm. Code 602
- 3) 

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
602.101	Amendment
602.104	Amendment
602.105	Amendment
602.106	Amendment
602.107	Amendment
602.108	Amendment
602.111	Amendment
602.112	Amendment
601.113	Amendment
602.116	Amendment
602.117	Amendment
602.118	Amendment
602.119	Amendment
602.205	Amendment
602.225	Amendment
602.245	Amendment
602.250	Amendment
602.305	Amendment
602.310	Amendment
602.320	Amendment
602.325	Amendment
602.400	Amendment
602.410	Amendment
602.500	Amendment
602.505	Amendment
602.510	Amendment
602.520	Amendment
602.600	Amendment
600.APPENDIX A	Repealed
- 4) Statutory Authority: Implementing Section 17 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/17 and 27].
- 5) A Complete Description of the Subjects and Issues Involved: The rulemaking pertains to the Board's public water supply rules and contain the requirements necessary for owners

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and official custodians of public water supplies in the State to provide, "continuous operation and maintenance of public water supply facilities to assure that the water is safe in quality, clean, adequate in quantity, and of satisfactory mineral characteristics for ordinary domestic consumption." 35 Ill. Adm. Code 601.101(a). In this rulemaking, the Board proposes non-substantive amendments to remove redundant or unnecessary language, replace outdated language, update statutory references, and reorganize provisions for clarity. The rulemaking also proposes amendments to delete outdated provisions, appropriately match incorporations by reference, eliminate redundancies and correct citations.

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: No
- 7) Will this rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No
- 10) Are there any proposed rulemakings to this Part pending? No
- 11) Statement of Statewide Policy Objectives: This proposed amendment does not create or enlarge a State mandate as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3].
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comments on this proposal for a period of at least 45 days after the date of publication in the *Illinois Register*. Public comments should refer to Docket R18-26 and be filed electronically through the Clerk's Office On-Line (COOL) on the Board's website at [pcb.illinois.gov](http://pcb.illinois.gov). Public comments may be addressed to:

Clerk's Office  
Illinois Pollution Control Board  
100 W. Randolph St., Suite 11-500  
Chicago, IL 60601

Interested persons may download copies of the Board's opinions and orders in R18-26 from the Board's Web site at [pcb.illinois.gov](http://pcb.illinois.gov) and may also request copies by calling the Clerk's office at 312-814-3620.

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- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
  - B) Reporting, bookkeeping or other procedures required for compliance: The proposed amendments in this rulemaking will not themselves require recordkeeping or reporting procedures for compliance.
  - C) Types of Professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: The Board does not expect that the proposed rules will impact small business.
- 15) Regulatory Agenda on which this rulemaking was summarized: This rule did not appear in a regulatory agenda.

The full text of the Proposed Amendments begins on the next page:

1 TITLE 35: ENVIRONMENTAL PROTECTION  
2 SUBTITLE F: PUBLIC WATER SUPPLIES  
3 CHAPTER I: POLLUTION CONTROL BOARD  
4

5 PART 602  
6 PERMITS  
7

8 SUBPART A: GENERAL PERMIT PROVISIONS  
9

10	Section	
11	602.101	Purpose
12	602.102	Community Water Supply Permits
13	602.103	Public Water Supply Capacity Development
14	602.104	Emergency Permits
15	602.105	Standards for Issuance
16	602.106	Restricted Status
17	602.107	Critical Review
18	602.108	Right of Inspection
19	602.109	Fees
20	602.110	Signatory Requirement for Permit Applications
21	602.111	Application Forms and Additional Information
22	602.112	Filing and Final Action by Agency on Permit Applications
23	602.113	Duration
24	602.114	Conditions (Repealed)
25	602.115	Design, Operation and Maintenance Criteria (Repealed)
26	602.116	Requirement for As-Built Plans
27	602.117	Existence of Permit No Defense
28	602.118	Appeal of Final Agency Action on a Permit Application
29	602.119	Revocations
30	602.120	Limitations

31  
32 SUBPART B: CONSTRUCTION PERMITS  
33

34	Section	
35	602.200	Construction Permit Requirement
36	602.205	Preliminary Plans
37	602.210	Construction Permit Applications
38	602.215	Submission of Applications, Plans and Specifications
39	602.220	Alterations
40	602.225	Engineer's Report
41	602.230	Design Criteria
42	602.235	Specifications
43	602.240	Plans

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- 44 602.245 Source Construction Applications
- 45 602.250 Treatment Construction Applications
- 46 602.255 Storage Construction Applications
- 47 602.260 Water Main Construction Applications

48

49

SUBPART C: OPERATING PERMITS

50

51 Section

- 52 602.300 Operating Permit Requirement
- 53 602.305 Operating Permit Applications
- 54 602.310 Projects Requiring Disinfection
- 55 602.315 Projects Not Requiring Disinfection
- 56 602.320 Partial Operating Permits
- 57 602.325 Operating Permit-by-Rule

58

59

SUBPART D: ALGICIDE PERMITS

60

61 Section

- 62 602.400 Algicide Permit Requirement
- 63 602.405 Algicide Permit Applications
- 64 602.410 Sampling
- 65 602.415 Required Permit Modification

66

67

SUBPART E: OTHER AQUATIC PESTICIDE PERMITS

68

69 Section

- 70 602.500 Other Aquatic Pesticide Permit Requirement
- 71 602.505 Other Aquatic Pesticide Permit Application Contents
- 72 602.510 Permits Under Public Health Related Emergencies
- 73 602.515 State Agency Programs
- 74 602.520 Extension of Permit Duration

75

76

SUBPART F: SPECIAL EXCEPTION PERMITS

77

78 Section

- 79 602.600 Special Exception Permits

80

- 81 602.APPENDIX A References to Former Rules [\(Repealed\)](#)

82

83 AUTHORITY: Implementing Section 17 and authorized by Section 27 of the Environmental  
84 Protection Act [415 ILCS 5].

85

86 SOURCE: Filed with Secretary of State January 1, 1978; amended and codified at 6 Ill. Reg.  
87 11497, effective September 14, 1982; amended at 8 Ill. Reg. 2157, effective February 7, 1984;  
88 emergency amendment at 9 Ill. Reg. 13371, effective August 16, 1985, for a maximum of 150  
89 days; amended at 10 Ill. Reg. 7337, effective April 22, 1986; amended in R96-18 at 21 Ill. Reg.  
90 6562, effective May 8, 1997; amended in R03-21 at 27 Ill. Reg. 18030, effective November 12,  
91 2003; amended in R15-22 at 40 Ill. Reg. 6799, effective April 15, 2016; amended in R18-17 at  
92 43 Ill. Reg. 8036, effective July 26, 2019; amended in R18-26 at 46 Ill. Reg. \_\_\_\_\_, effective  
93 \_\_\_\_\_.

94  
95 **SUBPART A: GENERAL PERMIT PROVISIONS**

96  
97 **Section 602.101 Purpose**

98  
99 The purpose of this Part is to establish ~~and enforce~~ minimum standards for the permitting of  
100 community water supplies. The definitions in 35 Ill. Adm. Code 601.105 apply to this Part.

- 101  
102 a) No person shall *construct, install, or operate a community water supply without a*  
103 *permit granted by the Agency.* [415 ILCS 5/18(a)(3)]  
104  
105 b) *Owners are required to submit plans and specifications to the Agency and obtain*  
106 *written approval before construction, installation, changes or additions to a*  
107 *community water supply, except as provided in Section 602.104.* [415 ILCS  
108 5/15(a)].

109  
110 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

111  
112 **Section 602.104 Emergency Permits**

- 113  
114 a) Whenever emergency conditions require immediate action, the Agency may issue  
115 construction and operating permits by telephone to the owner, official custodian,  
116 or Responsible Operator in Charge, with whatever special conditions the Agency  
117 deems to be necessary for the proper safeguarding of the health of the water  
118 consumers.  
119  
120 b) Emergency conditions are hazards or threats to public health caused by:  
121  
122 1) accidents;  
123  
124 2) equipment failures;  
125  
126 3) human error; or  
127  
128 4) natural disasters.



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- c) The Agency ~~must~~shall confirm to a permit applicant, in writing, within 10 days after issuance, its granting of an emergency permit. The confirmation will be conditioned upon the receipt and approval, by the Agency, of as-built plans and specifications.
- d) As-built plans and specifications covering the work performed under the emergency permit and any information required by special conditions in the emergency permit must be submitted to the Agency within 60 days after issuance of the emergency permit, unless otherwise stated by the Agency in writing.
- e) The Agency may request that the community water supply make modifications after review of the as-built plans and specifications covering the work performed under the emergency permit. Modifications must be made within 90 days after the Agency's written request, unless otherwise stated by the Agency.
- f) The Agency can be contacted by calling:
  - 1) Bureau of Water, Division of Public Water Supplies Permit Section (217/782-1724); or
  - 2) after normal business hours, the State emergency number (217/782-3637 (STA-EMER) or 800/782-7860).
- g) *Each applicant for an emergency permit to install or extend a water main must submit the appropriate fee, as specified in Section 16.1 of the Act, to the Agency within 10 calendar days from the date of issuance of the emergency construction permit. [415 ILCS 5/16.1]*

(Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 602.105 Standards for Issuance**

- a) Construction Permits and Operating Permits
  - 1) The Agency must not issue any construction or operating permit required by this Part unless the applicant submits adequate proof that the community water supply will be constructed, modified or operated so as not to cause a violation of the Act or Board rules.
  - 2) Except as provided in subsection (a)(3), the Agency must not issue any construction or operating permit required by this Part unless the applicant submits adequate proof that the community water supply facility conforms



- 172 to the following design criteria. When the design criteria in the documents  
173 listed in this subsection (a)(2) conflict, the applicant must comply with the  
174 design criteria listed in subsection (a)(2)(A).  
175  
176 A) Criteria promulgated by the Board under 35 Ill. Adm. Code 604;  
177  
178 B) Recommended Standards for Water Works, incorporated by  
179 reference at 35 Ill. Adm. Code 601.115; and  
180  
181 C) AWWA, ASTM, ANSI or NSF standards incorporated by  
182 reference at 35 Ill. Adm. Code 601.115.  
183  
184 3) When the documents listed in subsection (a)(2) do not provide design  
185 criteria for the proposed community water supply facility, the Agency  
186 must not issue the construction or operating permit unless the applicant  
187 submits adequate proof that the community water supply facility conforms  
188 to other design criteria that will produce consistently satisfactory results.  
189 When necessary for adequate proof, the Agency may require a pilot study.  
190  
191 4) The Agency must not issue any construction permit required by this Part  
192 unless the applicant submits proof that all plan and specification  
193 documents required by this Section and Subpart B have been prepared by  
194 a person licensed under the Illinois Architecture Practice Act [225 ILCS  
195 305], the Illinois Professional Engineering Practice Act [225 ILCS 325],  
196 the Illinois Structural Engineering Licensing Act [225 ILCS 340], or, for  
197 site and groundwater conditions, under the Professional Geologist  
198 Licensing Act [225 ILCS 745], or any required combination of these Acts.  
199  
200 5) The Agency must not issue a construction permit unless the community  
201 water supply has filed a notification of ownership under 35 Ill. Adm. Code  
202 603.101.  
203  
204 6) The existence of a violation of the Act, Board regulation, or Agency  
205 regulation will not prevent the issuance of a construction permit if:  
206  
207 A) the applicant has been granted a variance or an adjusted standard  
208 from the regulation by the Board;  
209  
210 B) the permit application is for construction or installation of  
211 equipment to alleviate or correct a violation;  
212  
213 C) the permit application is for a water main extension to serve  
214 existing residences or commercial facilities when the permit

215 applicant can show that those residences or commercial facilities  
216 are being served by a source of water of a quality or quantity that  
217 violates the primary drinking water standards of 35 Ill. Adm. Code  
218 611; or

219  
220 D) the Agency determines the permit application is for construction or  
221 installation of equipment necessary to produce water that is  
222 assuredly safe, as required by 35 Ill. Adm. Code 601.101.

223  
224 b) Algicide or Aquatic Pesticide Permit  
225 The Agency must not issue an algicide or pesticide permit required by this Part  
226 unless the applicant submits adequate proof that the application of the algicide or  
227 aquatic pesticide will not cause a violation of the Act, Board ruleregulation, or  
228 Agency regulation.

229  
230 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

231  
232 **Section 602.106 Restricted Status**

233  
234 a) Restricted status is defined as the Agency determination, under Section 39(a) of  
235 the Act and Section 602.105, that a community water supply facility, or portion  
236 of thereof, may no longer be issued a construction permit without causing a  
237 violation of the Act or Board or Agency rules. Violations of Board rules that can  
238 result in a restricted status determination include regulations establishing  
239 maximum contaminant levels, treatment techniques, source water quantity  
240 requirements, treatment unit loading rates, storage volume requirements, and  
241 minimum pressure for a distribution system.

242  
243 1) When the Agency cannot issue a construction permit to a community  
244 water supply because that issuance would extend an existing violation of  
245 the Act or Board or Agency rules, the Agency must place the community  
246 water supply on restricted status.

247  
248 2) Except as specified in Section 602.105(a)(6), the Agency must not issue a  
249 permit for water main extension construction when the water main would  
250 extend an existing violation of the Act or Board or Agency rules.

251  
252 b) The Agency must publish on its website and in the Environmental Register and  
253 update, at intervals of not more than three months, a comprehensive list of  
254 community water supplies subject to restrictive status. This list will be entitled  
255 the "Restricted Status List".

256  
257 c) The Agency must notify the owners or official custodian and Responsible



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258 Operator in Charge of a community water supply when the community water  
259 supply is initially placed on restricted status by the Agency.

- 260
- 261 d) The restricted status list must include a statement of the potential or existing  
262 violation of the Act or Board regulations that caused the community water  
263 supply's inclusion on the list.
- 264
- 265 e) Owners or official custodians of community water supplies that have been placed  
266 on restricted status must notify any person requesting construction of a water  
267 main extension of this status.

268

269 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

270

### 271 **Section 602.107 Critical Review**

272

273 a) The Agency must publish in the Environmental Register and on its webpage, at  
274 the same frequency as the Restricted Status List [under Section 602.106\(b\)](#), a list  
275 of those community water supplies that Agency records indicate exceed 80  
276 percent of the rate of any of the quantity requirements in the Board's or Agency's  
277 rules. This list will be entitled the "Critical Review List".

278

279 b) The Critical Review List must include a description of the cause of the  
280 community water supply's inclusion on the list.

281

282 c) The Agency must notify the owner or official custodian and the Responsible  
283 Operator in Charge of the community water supply when the community water  
284 supply is initially placed on critical review status by the Agency.

285

286 d) Owners or official custodians of community water supplies that have been placed  
287 on critical review status must notify of this status any person requesting  
288 construction of a water main extension.

289

290 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

291

### 292 **Section 602.108 Right of Inspection**

293

294 The permittee must allow the Agency and its duly authorized representatives to perform  
295 inspections ~~as authorized by~~ ~~in accordance with its authority under~~ the Act, including but not  
296 limited to:

297

- 298 a) entering at reasonable times the permittee's premises where treatment or  
299 distribution facilities are located or where any activity is to be conducted  
300 [underpursuant to](#) a permit;

- 301
- 302 b) having access to and copying at reasonable times any records required to be kept
- 303 under the terms and conditions of a permit;
- 304
- 305 c) inspecting at reasonable times, including during any hours of operation:
- 306
- 307 1) equipment constructed or operated under the permit;
- 308
- 309 2) equipment or monitoring methodology; or
- 310
- 311 3) equipment required to be kept, used, operated, calibrated and maintained
- β12 under the permit;
- 313
- 314 d) obtaining and removing at reasonable times samples of any raw or finished water,
- β15 discharge or emission of pollutants; and
- 316
- 317 e) entering at reasonable times to use any photographic, recording, testing,
- 318 monitoring or other equipment for the purpose of preserving, testing, monitoring
- 319 or recording any raw or finished water, activity, discharge or emission authorized
- 320 by a permit.
- 321

322 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

323

324 **Section 602.111 Application Forms and Additional Information**

325

β26 The Agency may prescribe the form in which all information required under this Part mustshall

327 be submitted and may require such additional information as is necessary to determine whether

β28 the community water supply will meet the requirements of the Act and this SubtitleChapter.

329

330 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

331

332 **Section 602.112 Filing and Final Action by Agency on Permit Applications**

333

- 334 a) For permits without a fee under Section 602.109:
- 335
- β36 1) An application for permit will be consideredshall be deemed to be filed on
- 337 the date of initial receipt by the Agency of the application documents. The
- β38 Agency mustshall send the applicant written notification of receipt of the
- 339 complete application.
- 340
- 341 2) Except for emergency permits, applications for construction permits must
- 342 be filed at least 90 days before the expected start of construction.
- 343



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- 344 3) If the Agency fails to take final action, by granting or denying the permit  
345 as requested or with conditions, within 90 days from the filing of the  
346 completed application, the applicant may deem the permit granted for a  
347 period of one year.  
348  
349 4) Any applicant for a permit may waive in writing the requirement that the  
350 Agency must take final action within 90 days from the filing of the  
351 application.  
352  
353 b) For permits with a fee under Section 602.109:  
354  
355 1) An application for a permit ~~is considered~~must be deemed to be filed on the  
356 date the Agency has received the application documents and required fee.  
357 The Agency must send the applicant written notification of receipt of the  
358 complete application.  
359  
360 2) Except for emergency construction permits, applications for construction  
361 permits must be filed at least 45 days before the expected start of  
362 construction.  
363  
364 3) The Agency must deny construction permit applications that do not  
365 contain the entire fee.  
366  
367 4) The Agency must take final action by granting or denying permits within  
368 45 days after the filing of an application and the payment of the required  
369 fee. If the Agency fails to take final action within 45 days after filing the  
370 application and payment of the required fee, the applicant may deem the  
371 permit issued.  
372  
373 c) The Agency must maintain a progress record of all permit applications, including  
374 interim and final action dates. This information is available to the applicant upon  
375 request.  
376  
377 d) The Agency must send all notices of final action by U.S. mail. The Agency must  
378 be deemed to have taken final action on the date that the notice is mailed.  
379

380 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
381

### **Section 602.113 Duration**

- 382  
383  
384 a) Construction Permits  
385  
386 1) Construction permits for community water supply facilities expire one



year from the date ~~issued or renewed of issuance or renewal~~, unless construction has started. If construction does not ~~starteommence~~ within one year from the date ~~issued or renewed of issuance or renewal~~, the permit may be renewed for additional one year periods at the discretion of the Agency, upon written request of the applicant.

2) If construction ~~startseommences~~ within one year from the date ~~of issuance or renewal of~~ the construction permit ~~was issued or renewed~~, the permit expires five years from the date ~~issued or renewed of issuance or renewal~~. ~~Afterward Thereafter~~, the permit may be renewed for periods specified by the Agency at its discretion, upon written request of the applicant.

3) For the purposes of this Section, construction ~~is considered to have started must be deemed commenced~~ when work at the site has been initiated and proceeds in a reasonably continuous manner to completion.

b) Operating permits ~~will shall~~ be valid until revoked unless otherwise stated in the permit.

c) Algicide permits must be issued for fixed terms of five years.

d) Aquatic pesticide permits must be valid for a fixed term, not to exceed one year.

(Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 602.116 Requirement for As-Built Plans**

If any portion of a community water supply has been constructed without a construction permit as required by Section 602.101, or an emergency permit issued ~~underpursuant to~~ Section 602.104, the community water supply must submit to the Agency as-built plans and specifications and a construction permit application. As-built plans and specifications must be prepared by a qualified person as described in Section 602.105(a)(4). All plans and specifications submitted to the Agency under this Section must be clearly marked "as-built" or "record drawings". Any deficiencies requiring correction, as determined by the Agency, must be corrected within a time limit set by the Agency. Submission of as-built plans and the correction of any deficiencies does not relieve the owner or official custodian from any liability for construction without a permit.

(Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 602.117 Existence of Permit No Defense**

The existence of a permit under this ~~Subtitle does Chapter shall~~ not constitute a defense to a

430 violation of the Act, Board regulation, or Agency regulation except for the requirements to  
431 secure construction, operating, algicide, aquatic pesticide or emergency permits.

432  
433 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
434

435 **Section 602.118 Appeal of Final Agency Action on a Permit Application**  
436

- 437 a) If the Agency denies a permit required under this Part, the applicant may petition  
438 the Board to appeal the Agency's final decision ~~underpursuant to~~ Section 40 of the  
439 Act.  
440  
441 b) An applicant may consider any condition imposed by the Agency in a permit as a  
442 refusal by the Agency to grant a permit that ~~mustshall~~ entitle the applicant to  
443 appeal the Agency's decision to the Board ~~underpursuant to~~ Section 40 of the Act.  
444  
445 c) All appeals must be filed with the Board within 35 days after the date on which  
446 the Agency served its decision on the applicant.  
447

448 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
449

450 **Section 602.119 Revocations**  
451

452 Violation of any permit conditions or failure to comply with the Act, Board regulation or Agency  
453 regulation ~~willshall~~ be grounds for enforcement actions as provided in the Act, including  
454 revocation of a permit. Revocation of a permit ~~mustshall~~ be sought by filing a complaint with  
455 the Board ~~underpursuant to~~ Title VIII of the Act.  
456

457 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
458

459 **SUBPART B: CONSTRUCTION PERMITS**  
460

461 **Section 602.205 Preliminary Plans**  
462

- 463 a) To expedite the review of subsequent construction permit application plan  
464 documents, preliminary plans may be submitted prior to the submission of a  
465 construction permit application. No construction permit ~~mayshall~~ be issued until  
466 the completed application, required fee, plans and specifications have been  
467 submitted.  
468  
469 b) If preliminary plans are submitted, as directed under the Illinois Drinking Water  
470 Revolving Loan Funding Process (see 35 Ill. Adm. Code 664), the documents  
471 must include a description of alternate solutions, a discussion of the alternatives  
472 and reasons for selecting the alternative recommended.



473  
474 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
475

476 **Section 602.225 Engineer's Report**  
477

478 Upon request from the Agency, an applicant for a construction permit must submit an Engineer's  
479 Report. Types of construction projects for which the Agency may request an Engineer's Report  
480 include, but are not limited to, the construction of a new community water supply, a new source  
481 location, or a new water treatment process other than chemical feeding only. The Engineer's  
482 Report may be submitted as a preliminary plan ~~underpursuant to~~ Section 602.205. An Engineer's  
483 Report submitted ~~underpursuant to~~ this Section must contain the information specified by this  
484 Section.

- 485  
486 a) General information, including:  
487  
488 1) a description of existing community water supply;  
489  
490 2) a description of sewerage facilities;  
491  
492 3) a description of the municipality or area to be served; and  
493  
494 4) the name and mailing address of the owner or official custodian of the  
495 community water supply.  
496  
497 b) The extent of the community water supply system, including:  
498  
499 1) a map of the area to be served with water and any provisions for extending  
500 the community water supply system;  
501  
502 2) maps of additional areas to be served and an appraisal of the future  
503 requirements for service; and  
504  
505 3) present and prospective industrial and commercial water supply needs that  
506 are likely to be required in the near future.  
507  
508 c) Water consumption data, including:  
509  
510 1) population trends as indicated by available records;  
511  
512 2) an estimate of the number of consumers, based on population trends, who  
513 will be served by the proposed or expanded water supply system 20 years  
514 in the future;  
515

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- 516                    3)      present and future water consumption values used as the basis of design;  
517  
518                    4)      present and estimated future yield of the water sources for a community  
519                    water supply; and  
520  
521                    5)      estimated water loss in the distribution system based on available records.  
522  
523                    d)      A justification for the project when two or more solutions exist for providing  
524                    community water supply facilities, as directed under the Illinois Drinking Water  
525                    Revolving Loan Funding Process, each of which is feasible and practicable. The  
526                    Engineer's Report must discuss the alternatives and provide reasons for selecting  
527                    the one recommended, including financial considerations, operational  
528                    requirements, operator qualifications, reliability and water quality considerations.  
529  
530                    e)      Sources of Water Supply. The Engineer's Report must describe the proposed  
531                    source or sources of water supply to be developed and the reasons for their  
532                    selection, and provide information as follows:  
533  
534                    1)      For surface water sources:  
535  
536                                       A)      hydrological data, stream flow and weather records;  
537  
538                                       B)      safe yield, including all factors that may affect it;  
539  
540                                       C)      documentation of structural safety of any spillway or dam to assure  
541                    the spillway or dam can continue to provide a source of water  
542                    during extreme weather;  
543  
544                                       D)      description of the watershed, noting any existing or potential  
545                    sources of contamination (such as highways, railroads, chemical  
546                    facilities, land/water use activities, etc.) that may affect water  
547                    quality;  
548  
549                                       E)      summarized quality of the raw water with special reference to  
550                    fluctuations in quality, changing meteorological conditions, etc.;  
551                    and  
552  
553                                       F)      source water protection issues or measures, including erosion and  
554                    siltation control structures, that need to be considered or  
555                    implemented.  
556  
557                    2)      For groundwater sources:  
558

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- A) the sites considered;
  - B) advantages of the site selected;
  - C) the elevations above mean sea level of site selected;
  - D) the probable character of geologic formations through which the source is to be developed;
  - E) hydrogeologic conditions affecting the site, such as anticipated interference between proposed and existing wells;
  - F) sources of possible contamination such as sewers and sewage treatment/disposal facilities, highways, railroads, landfills, outcroppings of consolidated water bearing formations, chemical facilities, waste disposal wells, and agricultural uses;
  - G) the test well depth and method of construction, including placement of liners or screens;
  - H) test pumping rates and their duration, including water levels and specific yield;
  - I) test well water quality information; and
  - J) wellhead protection measures being considered.
- f) Project sites, including:
- 1) a discussion of the various sites considered and advantages of the chosen one;
  - 2) the proximity of residences, industries and other establishments; and
  - 3) any potential sources of pollution that may influence the quality of the supply or interfere with effective operation of the water works system, such as sewage absorption systems, septic tanks, privies, cesspools, sink holes, sanitary landfills, and refuse and garbage dumps, etc.
- g) Proposed Treatment Processes. The Engineer's Report mustshall describe all proposed treatment processes necessary to meet the requirements of this SubtitleChapter and any available supporting data.



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- 602 h) Automation. The Engineer's Report must provide supporting data justifying  
603 automatic equipment, including the servicing and operator training to be provided,  
604 and must provide for manual override for any automatic controls.  
605
- 606 i) Power. The Engineer's Report must include the following power description:  
607  
608 1) the main source of power;  
609  
610 2) dedicated standby power capable of providing power to operate the  
611 community water supply's water source, treatment plant and distribution  
612 facilities during power outages; and  
613  
614 3) outside emergency power sources that are available.  
615
- 616 j) Soil characteristics, groundwater conditions and foundation problems, including:  
617  
618 1) the character of the soil through which water mains are to be laid;  
619  
620 2) the foundation conditions prevailing at sites of proposed structures; and  
621  
622 3) the approximate elevation of groundwater relative to mean sea level at its  
623 expected highest level in relation to subsurface structures.  
624
- 625 k) Flow requirements, including a hydraulic analysis based on flow demands and  
626 pressure requirements.  
627
- 628 BOARD NOTE: Fire flows, when fire protection is provided, should meet the  
629 recommendations of the Illinois Insurance Services Office or other similar agency  
630 for the service area involved.  
631
- 632 l) Water Plant Wastes. When waste treatment facilities are necessary for the  
633 addition of a new process or an increase in water treatment plant capacity, those  
634 facilities must be included as part of the engineering plans and specifications, and  
635 the Engineer's Report must include the following:  
636  
637 1) an estimate of the character and volume of the waste that will be generated  
638 and its proposed disposition; and  
639  
640 2) the type of waste treatment, discharge location and frequency of discharge.  
641

642 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
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### 644 Section 602.245 Source Construction Applications

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- a) Construction permit applications for the construction of a new, or the modification of an existing, well or surface water intake, or the construction of a water main to transport water purchased from another community water supply must include the following:
- 1) Existing and proposed finished water quality, including:
    - A) Hardness;
    - B) Calcium;
    - C) Alkalinity;
    - D) pH;
    - E) Orthophosphate;
    - F) Silicate;
    - G) Total Dissolved Solids;
    - H) Oxidation-reduction potential (ORP);
    - I) Temperature;
    - J) Chloride;
    - K) Sulfate;
    - L) Iron;
    - M) Manganese;
    - N) Chlorine residual (total); and
    - O) Chlorine residual (free).
  - 2) A recommendation of the treatment necessary to reduce corrosion in household plumbing.
- b) Well construction permit applications must specify the following:

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- 688 1) the latitude and longitude of the well location;
- 689
- 690 2) the location and nature of all potential routes, potential primary sources,
- 691 and potential secondary sources of contamination within 2,500 feet of the
- 692 well location;
- 693
- 694 3) for sites subject to flooding, the well casing heights and the maximum
- 695 flood level based upon the highest flood level specified in the best
- 696 available information, such as the flood of record, the 100-year flood
- 697 projection, or the 500-year flood projection;
- 698
- 699 4) a general aquifer description;
- 700
- 701 5) the total well depth;
- 702
- 703 6) the well casing diameter, material, depth, weight, height above ground,
- 704 and thickness;
- 705
- 706 7) the grout type, thickness and depth;
- 707
- 708 8) the screen diameter, material, slot size and length, if applicable;
- 709
- 710 9) temporary capping and security measures during well construction;
- 711
- 712 10) proposed pump test procedures;
- 713
- 714 11) sampling procedures, if necessary under 35 Ill. Adm. Code 611.212, for
- 715 wells that may be subject to surface water influences;
- 716
- 717 12) the type, design capacity, head rating, and depth of pump setting;
- 718
- 719 13) the column pipe diameter, length, material and joint;
- 720
- 721 14) the discharge pipe diameter, depth of cover, material and valving;
- 722
- 723 15) the casing vent diameter;
- 724
- 725 16) the airline length;
- 726
- 727 17) the location of the raw water sample tap;
- 728
- 729 18) a description of how the top of the well casing is sealed;
- 730



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- 731                    19)     a description of access to the well site; and  
732  
733                    20)     well hydraulics and aquifer property data.  
734  
735                    c)     The following information must be submitted on plans for well construction  
736                    permit applications:  
737  
738                    1)     the well location with the following information:  
739  
740                    A)     a 2,500-foot radius showing the location of potential routes,  
741                    potential primary sources, and potential secondary sources of  
742                    contamination;  
743  
744                    B)     cleanup sites within 2,500 feet of the proposed well site with any  
745                    of the following:  
746  
747                    i)     No Further Remediation (NFR) letter;  
748  
749                    ii)    Groundwater Management Zone (GMZ);  
750  
751                    iii)   Environmental Land Use Covenant (ELUC); or  
752  
753                    iv)    an ordinance that restricts the use of groundwater; and  
754  
755                    C)     a 400-foot radius showing the location of the sources of pollution  
756                    listed in 35 Ill. Adm. Code 604.150(a);  
757  
758                    2)     a cross-section of the well showing finished grade, natural ground surface,  
759                    vent, casing, column pipe, screen, well depth, pump depth, grout, gravel  
760                    pack and discharge piping;  
761  
762                    3)     all discharge piping, including pressure gauge, meter, sample tap, check  
763                    valve, shut-off valve and vacuum/air release valve, if applicable;  
764  
765                    4)     well house construction, if provided;  
766  
767                    5)     the locations of all electrical junction boxes;  
768  
769                    6)     the locations of all observation wells; and  
770  
771                    7)     piping showing the ability to pump to waste.  
772

- 773 d) The following information must be submitted on plans for surface water intake  
774 construction permit applications:  
775
  - 776 1) plan and profile views of the intake structure showing the location,  
777 elevation of intake ports, fish screens, valves, piping and pumps, if  
778 applicable;
  - 779
  - 780 2) for sites subject to flooding, the maximum flood level based upon the  
781 highest flood level specified in the best available information, such as the  
782 flood of record, the 100-year flood projection, or the 500-year flood  
783 projection;
  - 784
  - 785 3) location of inspection manholes, if applicable; and
  - 786
  - 787 4) location of chemical treatment, if applicable.
  - 788

789 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
790

791 **Section 602.250 Treatment Construction Applications**  
792

793 The following information must be submitted on plans for the construction of treatment  
794 facilities:  
795

- 796 a) all appurtenances, specific structures or equipment having any connection with  
797 the planned water treatment improvements;  
798
- 799 b) detailed hydraulic profiles of water flowing through treatment systems;  
800
- 801 c) schematic plumbing for all structures and equipment;  
802
- 803 d) location of feeders, piping layout and points of application;  
804
- 805 e) locations of the sources of pollution listed in 35 Ill. Adm. Code 604.150(a);  
806
- 807 f) for sites subject to flooding, the maximum flood level based upon the highest  
808 flood level specified in the best available information, such as the flood of record,  
809 the 100-year flood projection, or the 500-year flood projection;  
810
- 811 g) security provisions; and  
812
- 813 h) stability and corrosion control:  
814
  - 815 1) existing and proposed finished water quality, including:



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- 816
- 817 A) Hardness;
- 818
- 819 B) Calcium;
- 820
- 821 C) Alkalinity;
- 822
- 823 D) pH;
- 824
- 825 E) Orthophosphate;
- 826
- 827 F) Silicate;
- 828
- 829 G) Total Dissolved Solids;
- 830
- 831 H) Oxidation-reduction potential (ORP);
- 832
- 833 I) Temperature;
- 834
- 835 J) Chloride;
- 836
- 837 K) Sulfate;
- 838
- 839 L) Iron;
- 840
- 841 M) Manganese;
- 842
- 843 N) Chlorine residual (total);
- 844
- 845 O) Chlorine residual (free); and
- 846
- 847 2) a recommendation of the treatment necessary to reduce corrosion in
- 848 household plumbing.
- 849

(Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

SUBPART C: OPERATING PERMITS

**Section 602.305 Operating Permit Applications**

- 854
- 855
- 856 a) All applications for operating permits must be on ~~forms prescribed by the~~ Agency
- 857 forms and must contain:
- 858

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- 859 1) the community water supply's name, address, identification number and  
860 project name;  
861
- 862 2) the construction permit number, type of construction permit, and date the  
863 construction permit was issued;  
864
- 865 3) an explanation of the status of the construction project. If the project is  
866 only partially completed, the applicant must provide the information set  
867 forth in Section 602.320; and  
868
- 869 4) any other information required by the Agency for proper consideration of  
870 the permit, including the submission of the water sample results under  
871 Section 602.310.  
872
- 873 b) If the operating permit application is for the operation of a well, ~~the application~~  
874 ~~operating permit application~~ must include the following information in addition to  
875 the information required by subsection (a):  
876
- 877 1) final geologic well log;  
878
- 879 2) aquifer property data;  
880
- 881 3) lateral area of influence, as calculated under 35 Ill. Adm. Code  
882 671.Subpart B;  
883
- 884 4) delineated well head protection area;  
885
- 886 5) pump test data:  
887
- 888 A) the latitude and longitude of the observation well;  
889
- 890 B) test pump capacity head characteristics;  
891
- 892 C) static water level;  
893
- 894 D) depth of pump settings; and  
895
- 896 E) time of starting and ending each test cycle;  
897
- 898 6) static water level in the production well and observation wells;  
899
- 900 7) pumping water level in the production well;  
901

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- 902 8) transmissivity in gallons per day per foot of drawdown (GPD/ft);  
903  
904 9) hydraulic conductivity in gallons per day per square feet (GPD/ft<sup>2</sup>) or feet  
905 per day (ft/day);  
906  
907 10) saturated thickness of the aquifer (ft);  
908  
909 11) storage coefficient or specific yield (dimensionless);  
910  
911 12) recording and graphic evaluation of the following, at one-hour intervals or  
912 less:  
913  
914 A) pumping rate;  
915  
916 B) pumping water level;  
917  
918 C) drawdown;  
919  
920 D) water recovery rate and levels; and  
921  
922 E) specific capacity, measured in gallons per minute per foot  
923 (GPM/ft) of drawdown;  
924  
925 13) a determination of the regional groundwater gradient and flow direction:  
926  
927 A) if the groundwater gradient and flow direction was estimated,  
928 provide the data, and the source of that data;  
929  
930 B) if the groundwater gradient and flow direction was not estimated,  
931 provide the longitude and latitude of the wells used, well logs and  
932 the water elevations observed in the wells during the pump test;  
933  
934 C) provide the compass direction clockwise from north in degrees;  
935 and  
936  
937 D) provide the gradient;  
938  
939 14) geological data:  
940  
941 A) a driller's log determined from samples collected at 5-foot intervals  
942 and at each pronounced change in formation;  
943

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- 944 B) accurate geographical location such as latitude and longitude or  
945 GIS coordinates;  
946  
947 C) records of drill hole diameters and depths;  
948  
949 D) order of size and length of casing, screens and liners;  
950  
951 E) grouting depths;  
952  
953 F) formations penetrated;  
954  
955 G) water levels; and  
956  
957 H) location of any blast charges; and  
958  
959 15) analyses of water samples for the constituents listed in 35 Ill. Adm. Code  
960 620.410(a) and (b).  
961

962 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
963

### 964 **Section 602.310 Projects Requiring Disinfection**

- 965  
966 a) Wells, water storage tanks, water treatment plants, and water mains must be  
967 disinfected in accordance with AWWA C651, C652, C653 or C654, incorporated  
968 by reference in 35 Ill. Adm. Code 601.115.  
969  
970 b) Disinfection of a filter with granular activated carbon (GAC) must be completed  
971 prior to adding the GAC. Disinfection of an ion exchange unit must be completed  
972 prior to adding a resin with a low chlorine tolerance. Disinfection of a membrane  
973 unit must be completed prior to adding membrane material with a low chlorine  
974 tolerance. Care should be taken when handling the GAC, resin or membrane to  
975 keep the material as clean as possible.  
976  
977 c) Except as provided in Section 602.315, the permit applicant must verify  
978 disinfection before seeking an operating permit-by-rule under Section 602.235 or  
979 the issuance of an operating permit by the Agency for completed construction  
980 projects. Disinfection is verified when two consecutive water sample sets  
981 collected from the completed project at least 24 hours apart show the absence of  
982 coliform bacteria and the presence of a chlorine residual as required by 35 Ill.  
983 Adm. Code 604.725. A sample set consists of the following:  
984  
985 1) For water mains, representative water samples must be collected from  
986 every 1,200 feet of new main along each branch and from the end of the



987 line. The Agency may approve a different sampling plan on a site-specific  
988 basis.

989  
990 2) For water treatment plants, representative water samples must be collected  
991 from each aerator, detention tank, filter, ion exchange unit and clearwell,  
992 from all other treatment components other than those not requiring  
993 disinfection under Section 602.315, and from the entry point to the  
994 distribution system.

995  
996 d) Analyses conducted under this Section must be performed by a certified  
997 laboratory.

998  
999 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
1000

1001 **Section 602.320 Partial Operating Permits**

1002  
1003 a) If all phases of a construction project will not be completed at one time, the  
1004 Agency must issue a partial operating permit ~~underpursuant to~~ Section 602.105  
1005 upon receipt of:

1006  
1007 1) a cover letter describing which sections of the project are completed;

1008  
1009 2) a general layout plan sheet of the project indicating the location of water  
1010 mains, treatment processes or storage facilities to be operated;

1011  
1012 3) a completed and signed operating permit application; and

1013  
1014 4) bacteriological analyses results from water samples collected from the  
1015 completed section of the project verifying satisfactory disinfection in  
1016 accordance with Section 602.310.

1017  
1018 b) Additional operating permits may be obtained in accordance with this Section as  
1019 other portions of the project are completed.

1020  
1021 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
1022

1023 **Section 602.325 Operating Permit-by-Rule**

1024  
1025 a) ~~This~~The purpose of this Section ~~implements~~is to implement the permit-by-rule  
1026 program provided for in Section 39.12 of the Act for classes of community water  
1027 supply operating permits. By fulfilling all of the requirements of this Section, a  
1028 community water supply is considered to have met the requirements for obtaining  
1029 an operating permit under Section 18(a)(3) of the Act and Section 602.300.



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- b) A community water supply is eligible to obtain an operating permit-by-rule if the construction project for which the Agency granted a construction permit is for any of the following projects:
    - 1) Water main extensions; or
    - 2) Projects not requiring disinfection specified in Section 602.315.
  - c) A community water supply is not eligible to obtain an operating permit-by-rule if the construction project involves a water main that connects two or more community water supplies.
  - d) Upon issuance of a construction permit, the Agency may notify an eligible community water supply that it may not seek a permit-by-rule if the community water supply has failed to submit information required by Agency or Board rules in the two years preceding the Agency's notification.
  - e) For construction projects that contain both permit-by-rule eligible and non-eligible components, a community water supply may obtain a partial operating permit-by-rule for the eligible portions of the project.
  - f) A community water supply eligible for a permit-by-rule under subsection (b) that does not elect to obtain a permit-by-rule, must obtain an operating permit issued by the Agency before commencing operations.
  - g) Permit-by-Rule Certification. Any community water supply seeking to obtain an operating permit-by-rule must submit a certification, on [Agency forms prescribed by the Agency](#), specifying the following:
    - 1) the community water supply's name, address, identification number and project name;
    - 2) the construction permit number, type of construction permit, and date the construction permit was issued;
    - 3) an explanation of the status of the construction project and, if the project is only partially completed, the information set forth in Section 602.320;
    - 4) a statement attesting to compliance with Section 602.310, if disinfection is required; and
    - 5) the submission of the water sample results required by Section 602.310.

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- h) The community water supply may begin operation of a permit-by-rule eligible construction project immediately after it files the certification required by subsection (g).

(Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

SUBPART D: ALGICIDE PERMITS

**Section 602.400 Algicide Permit Requirement**

- a) ~~A~~ No person ~~must not~~ shall apply algicide, copper sulfate, copper sulfate based products, or copper sulfate chemical aids to any stream, reservoir, lake, pond or other body of water used as a community water supply source without an Algicide Permit issued by the Agency.
- b) Permits issued under this Subpart D will be valid for community water supply sources only.

(Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 602.410 Sampling**

- a) The owner or official custodian, or an authorized delegate, must collect water samples for each application of copper sulfate, copper sulfate based products, or copper sulfate chemical aids. Water samples must be collected at the locations and times established in this subsection (a).
  - 1) From the raw water intake, one sample must be collected before treatment.
  - 2) From the entry point to the distribution system one sample must be collected:
    - A) ~~One sample must be collected~~ approximately 24 hours following the copper sulfate treatment; and.
    - B) ~~One sample must be collected~~ approximately 48 hours following the copper sulfate treatment.
- b) The sample results must demonstrate that concentrations of copper do not pose a high health risk to water consumers in compliance with 35 Ill. Adm. Code 611.350(c)(2).



1116 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
1117

1118 SUBPART E: OTHER AQUATIC PESTICIDE PERMITS  
1119

1120 **Section 602.500 Other Aquatic Pesticide Permit Requirement**  
1121

1122 a) When the application of the pesticide will have an effect on any community water  
1123 supply, ~~any~~ person ~~must not shall~~ apply an aquatic pesticide, other than an  
1124 algicide, copper sulfate, copper sulfate based products, or copper sulfate chemical  
1125 aids to any stream, reservoir, lake, pond or other body of water used as a  
1126 community water supply source without an Aquatic Pesticide Permit issued by the  
1127 Agency. Effect is defined as any measurable concentration of the pesticide in the  
1128 intake water of the community water supply.  
1129

1130 b) ~~A~~No person ~~must not shall~~ apply an aquatic pesticide, other than an algicide,  
1131 copper sulfate, copper sulfate based products, or copper sulfate chemical aids,  
1132 within 20 miles upstream of a public or food processing water supply intake  
1133 without an Aquatic Pesticide Permit issued by the Agency. The 20 mile upstream  
1134 distance must be measured as follows:  
1135

- 1136 1) for streams, the distance must be measured from the water supply intake to  
1137 the downstream edge of the application area;  
1138
- 1139 2) for impoundments, the distance must be measured as the straight line  
1140 distance over water from the intake to the nearest edge of the application  
1141 area or, if the shape of the impoundment will not allow a straight line  
1142 measurement over water, the distance must be measured as the shortest  
1143 distance over water between the intake and the application area; ~~and~~  
1144
- 1145 3) for streams tributary to impoundments, the distance must be the sum of the  
1146 stream distance plus the shortest line distance described in subsection  
1147 (b)(2).  
1148

1149 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
1150

1151 **Section 602.505 Other Aquatic Pesticide Permit Application Contents**  
1152

1153 All applications for Aquatic Pesticide Permits must contain, at a minimum:  
1154

- 1155 a) The reasons for controlling the aquatic plant or animal nuisance.  
1156
- 1157 b) Applicant Information  
1158



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1201
- 1) The applicant must be the official custodian of, or have control over the waters to which the aquatic pesticide is applied.
  - 2) The application must contain the name, address, telephone number and signature of the applicant. If the applicant's signature cannot be obtained, the application must be accompanied by a signed statement that the applicant has requested or approved the use of the aquatic pesticide for the times and locations identified in the application.
- c) Applicator Information
- 1) The name, address and telephone number of the applicator.
  - 2) The applicator's Illinois Department of Agriculture license number.
  - 3) A list of the limitations imposed by the applicator's license that restrict the types of pesticides that may be used by the applicator.
- d) General Information
- 1) A description of the aquatic pesticide by trade name, chemical name or name of active ingredients, and names of decomposition products.
  - 2) The U.S. Environmental Protection Agency (USEPA) Registration Number for the pesticide.
  - 3) A description of the steps to be followed in preparing and applying the pesticide, including, but not limited to, proportions, mixing and precautions in preparation. A copy or facsimile of the label containing this information may be used to satisfy this requirement.
- e) Time and Location of Treatment
- 1) A depiction of the area or areas to be treated on a U.S. Geological Survey (USGS) topographic map reproduction or an accurately drawn map of larger scale. The depiction must include the locations and provide the name of the owners of all water intakes for a distance of 20 miles downstream of each area to be treated.
  - 2) Ponds under 10 acres to be treated, but that are not used as a water source for public or food processing water supplies, must be described using a map of the pond, its tributaries and the surrounding area.

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- 1202 A) Pond locations must be given and described using the quarter  
1203 section, section number, township, range, county and township  
1204 name.  
1205
- 1206 B) The name of all public and food processing water supplies for a  
1207 distance of 20 miles downstream of the pond to be treated must be  
1208 provided.  
1209
- 1210 3) The date and time required for each treatment.  
1211
- 1212 f) An inventory of the species, size and population of animals or plants to be  
1213 controlled.  
1214
- 1215 g) Contacts with Downstream Water Users  
1216
- 1217 1) Written documentation showing that all water supplies described in  
1218 Section 602.500 have been notified of the proposed treatment and  
1219 provided details of possible adverse effects.  
1220
- 1221 2) The names of water supply operators who will be notified 24 hours before  
1222 the aquatic pesticide application.  
1223
- 1224 h) Application and Precautions  
1225
- 1226 1) A description of the method to be used to apply the pesticide.  
1227
- 1228 2) A description of the method to be used to protect humans and animals  
1229 during the time toxic pesticide concentrations exist in the water.  
1230
- 1231 3) A description of the method to be used to remove dead plants or animals  
1232 should these accumulations result in water quality deterioration.  
1233
- 1234 4) A description of the method to be used to retain water in the impoundment  
1235 while toxic pesticide concentrations exist.  
1236
- 1237 5) A description of the method to be used for detoxification of the water in  
1238 the event of water supply contamination.  
1239
- 1240 6) A description of the actions to be taken to insure that tributary streams will  
1241 not reintroduce the aquatic life being controlled following application of  
1242 the pesticide. If these actions cannot be taken, the anticipated frequency  
1243 of retreatment mustshall be stated.  
1244

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- 1245 7) A copy of the contingency plan to be followed by water plant operators for  
1246 emergency water plant shut down or emergency operation.  
1247
- 1248 i) Water Characteristics and Chemistry  
1249
- 1250 1) The expected life of the pesticide's active ingredient and its decomposition  
1251 products, considering characteristics of the water such as pH, dissolved  
1252 oxygen and temperature.  
1253
- 1254 2) A list of the limiting chemical constituents of the water to be treated that  
1255 can hinder the effectiveness of the pesticide.  
1256
- 1257 3) A list of the short term and chronic effects of the pesticide on people and  
1258 animals.  
1259
- 1260 4) A description of the weather and stream flow conditions under which the  
1261 pesticide must be applied.  
1262
- 1263 5) A list of the references used to obtain information required by subsections  
1264 (i)(1) through (4).  
1265
- 1266 j) Pesticide Dosage and Concentration  
1267
- 1268 1) A description of the pesticide dosage.  
1269
- 1270 2) A description of the concentration of the pesticide in the water  
1271 immediately after application.  
1272
- 1273 3) A copy of the computations used to determine the concentration.  
1274
- 1275 k) Stream and Impoundment Data  
1276
- 1277 1) Streams  
1278
- 1279 A) The stream flow expected during pesticide application.  
1280
- 1281 B) When stream flows are not available, data on high, average and  
1282 low stream flow conditions.  
1283
- 1284 C) The specific quantity of discharge in cubic feet per second and the  
1285 average stream velocity in feet per second.  
1286
- 1287 2) Impoundments



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1330
- A) The surface area, average depth, maximum depth and volume of the impoundment.
  - B) The flow expected into and out of the impoundment during the time the pesticide will be active, including the flows attributed to contributing streams, flow over the spillway and water withdrawn by individual users.
  - C) Information pertinent to the segment in question when only part of the impoundment will be treated.
  - D) A depiction of the water flow patterns to the water supply intake on a map of the impoundment.
  - E) An estimate of the minimum time required for the aquatic pesticide to reach the water supply intake.
- 3) A list of the reference sources or the name and qualifications of the person supplying stream flow and impoundment data.
- l) Additional Information and Reports
- 1) Additional information must be provided to the Agency upon request to assure the safety of a community water supply as required by 35 Ill. Adm. Code 302.210. A copy of the applicant's authorization to discharge under an NPDES permit must be submitted if the aquatic pesticide is applied to a water of the United States.
  - 2) A report letter must be filed with the Agency within 30 days following each application of the aquatic pesticide. The report must include, ~~but is not limited to~~:
- A) the names and addresses of the applicant and applicator;
  - B) the aquatic pesticide application permit number;
  - C) the date of aquatic pesticide application;
  - D) the name and amount of aquatic pesticide applied; and
  - E) a description of any mishap that endangered a community water supply and a chronology of the steps taken to correct the problem.

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1331

1332

(Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

1333

### 1334 **Section 602.510 Permits Under Public Health Related Emergencies**

1335

1336 The Agency may issue Aquatic Pesticide Permits by telephone whenever public health is  
1337 immediately endangered by an aquatic pest such as a disease-carrying organism. Aquatic  
1338 Pesticide Permits issued by telephone must have special conditions for safeguarding downstream  
1339 public and food processing water supplies.

1340

1341 a) The Agency must confirm to the applicant in writing the granting of an  
1342 emergency Aquatic Pesticide Permit within 10 days after issuance.

1343

1344 b) A written report containing the same information required for a permit application  
1345 under Section 602.505 must be ~~submitted~~made to the Agency within 30 days  
1346 following pesticide application.

1347

1348 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

1349

### 1350 **Section 602.520 Extension of Permit Duration**

1351

1352 The Agency may extend the duration of an Aquatic Pesticide Permit when circumstances beyond  
1353 the control of the applicant prevent the aquatic pesticide application during the time specified in  
1354 the permit.

1355

1356 a) All requests for extensions of permit duration must:

1357

1358 1) be in writing;

1359

1360 2) list the reasons the aquatic pesticide could not be applied on the date  
1361 permitted;

1362

1363 3) give the new date the aquatic pesticide is to be applied;

1364

1365 4) contain a statement that the aquatic pesticide will be applied in accordance  
1366 with the conditions listed in the Aquatic Pesticide Permit; and

1367

1368 5) contain the Aquatic Pesticide Permit Number, the name and Illinois  
1369 Department of Agriculture license number of the applicator and the  
1370 signature of the applicant.

1371

1372 b) Requests for extensions of permit duration may be made by telephone ~~if~~provided:

1373

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- 1374 1) the information listed in subsection (a) is stated; and  
1375  
1376 2) the information listed in subsection (a) is transmitted in writing to the  
1377 Division of Public Water Supplies Permit Section within five days after  
1378 the date verbal approval for an extension of permit duration is given by the  
1379 Agency.  
1380  
1381 c) Applications for extensions of permit duration ~~will~~shall not be granted if more  
1382 than 60 days have elapsed from the date of aquatic pesticide application listed in  
1383 the permit.  
1384  
1385 d) Extensions of permit duration, if granted by the Agency, must be in writing and  
1386 must state the time of the extension.  
1387

1388 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
1389

### SUBPART F: SPECIAL EXCEPTION PERMITS

#### Section 602.600 Special Exception Permits

- 1392  
1393  
1394 a) Unless contained in a construction or operating permit, each Agency  
1395 determination in 35 Ill. Adm. Code 604 and 611 is to be made by way of a written  
1396 special exception permit (SEP) pursuant to Section 39(a) of the Act.  
1397  
1398 b) ~~A~~No person ~~must~~not~~may~~ cause or allow the violation of any condition of a SEP.  
1399  
1400 c) The community water supply may appeal the denial of, or the conditions of, a  
1401 SEP to the Board pursuant to Section 40 of the Act.  
1402  
1403 d) A SEP may be initiated in either of the following ways:  
1404  
1405 1) by a written request from the community water supply; or  
1406  
1407 2) by the Agency, when authorized by Board regulations.  
1408

1409 BOARD NOTE: The Board does not intend by any provision of this Part  
1410 to require that the Agency exercise its discretion and initiate a SEP under  
1411 subsection (d)(2). Rather, the Board intends to clarify by subsection (d)(2)  
1412 that the Agency may initiate a SEP without receiving a request from the  
1413 supplier.  
1414

1415 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
1416



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1417 **Section 602.APPENDIX A References to Former Rules (Repealed)**

1418  
1419 ~~The following table is provided to aid in referencing former Board rule numbers to section~~  
1420 ~~numbers pursuant to codification.~~

1421

<del>Chapter 6: Public Water Supplies</del>	<del>Ill. Adm. Code</del>
<del>Part II: Permits</del>	<del>Part 602</del>
<del>Rule 201</del>	<del>Section 602.101</del>
<del>Rule 202</del>	<del>Section 602.102</del>
<del>Rule 203</del>	<del>Section 602.103</del>
<del>Rule 204</del>	<del>Section 602.108</del>
	<del>Section 602.109</del>
	<del>Section 602.110</del>
<del>Rule 205</del>	<del>Section 602.107</del>
<del>Rule 206</del>	<del>Section 602.111</del>
	<del>Section 602.112</del>
<del>Rule 207</del>	<del>Section 602.105</del>
<del>Rule 208</del>	<del>Section 602.113</del>
<del>Rule 209</del>	<del>Section 602.116</del>
<del>Rule 210</del>	<del>Section 602.114</del>
<del>Rule 211</del>	<del>Section 602.118</del>
<del>Rule 212</del>	<del>Section 602.115</del>
<del>Rule 213</del>	<del>Section 602.104</del>
<del>Rule 214</del>	<del>Section 602.119</del>
<del>Rule 215</del>	<del>Section 602.120</del>

1422  
1423 (Source: Repealed at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



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0 TITLE 35: ENVIRONMENTAL PROTECTION  
1 SUBTITLE F: PUBLIC WATER SUPPLIES  
2 CHAPTER I: POLLUTION CONTROL BOARD

3  
4 PART 602  
5 PERMITS

6  
7 SUBPART A: GENERAL PERMIT PROVISIONS  
8

9Section

10602.101 Purpose  
11602.102 Community Water Supply Permits  
12602.103 Public Water Supply Capacity Development  
13602.104 Emergency Permits  
14602.105 Standards for Issuance  
15602.106 Restricted Status  
16602.107 Critical Review  
17602.108 Right of Inspection  
18602.109 Fees  
19602.110 Signatory Requirement for Permit Applications  
20602.111 Application Forms and Additional Information  
21602.112 Filing and Final Action by Agency on Permit Applications  
22602.113 Duration  
23602.114 Conditions (Repealed)  
24602.115 Design, Operation and Maintenance Criteria (Repealed)  
25602.116 Requirement for As-Built Plans  
26602.117 Existence of Permit No Defense  
27602.118 Appeal of Final Agency Action on a Permit Application  
28602.119 Revocations  
29602.120 Limitations

30  
31 SUBPART B: CONSTRUCTION PERMITS

32

33Section

34602.200 Construction Permit Requirement  
35602.205 Preliminary Plans  
36602.210 Construction Permit Applications  
37602.215 Submission of Applications, Plans and Specifications

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38602.220	Alterations
39602.225	Engineer's Report
40602.230	Design Criteria
41602.235	Specifications
42602.240	Plans
43602.245	Source Construction Applications
44602.250	Treatment Construction Applications
45602.255	Storage Construction Applications
46602.260	Water Main Construction Applications

47

48

SUBPART C: OPERATING PERMITS

49

50Section

51602.300	Operating Permit Requirement
52602.305	Operating Permit Applications
53602.310	Projects Requiring Disinfection
54602.315	Projects Not Requiring Disinfection
55602.320	Partial Operating Permits
56602.325	Operating Permit-by-Rule

57

58

SUBPART D: ALGICIDE PERMITS

59

60Section

61602.400	Algicide Permit Requirement
62602.405	Algicide Permit Applications
63602.410	Sampling
64602.415	Required Permit Modification

65

66

SUBPART E: OTHER AQUATIC PESTICIDE PERMITS

67

68Section

69602.500	Other Aquatic Pesticide Permit Requirement
70602.505	Other Aquatic Pesticide Permit Application Contents
71602.510	Permits Under Public Health Related Emergencies
72602.515	State Agency Programs
73602.520	Extension of Permit Duration

74

75

SUBPART F: SPECIAL EXCEPTION PERMITS



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76

77Section

78602.600 Special Exception Permits

79

80602.APPENDIX A References to Former Rules (Repealed)

81

82AUTHORITY: Implementing Section 17 and authorized by Section 27 of the Environmental  
83Protection Act [415 ILCS 5].

84

85SOURCE: Filed with Secretary of State January 1, 1978; amended and codified at 6 Ill. Reg.  
8611497, effective September 14, 1982; amended at 8 Ill. Reg. 2157, effective February 7, 1984;  
87emergency amendment at 9 Ill. Reg. 13371, effective August 16, 1985, for a maximum of 150  
88days; amended at 10 Ill. Reg. 7337, effective April 22, 1986; amended in R96-18 at 21 Ill. Reg.  
896562, effective May 8, 1997; amended in R03-21 at 27 Ill. Reg. 18030, effective November 12,  
902003; amended in R15-22 at 40 Ill. Reg. 6799, effective April 15, 2016; amended in R18-17 at  
9143 Ill. Reg. 8036, effective July 26, 2019; amended in R18-26 at 46 Ill. Reg.         , effective  
92  .

93

94 SUBPART A: GENERAL PERMIT PROVISIONS

95

96Section 602.101 Purpose

97

98The purpose of this Part is to establish minimum standards for the permitting of community  
99water supplies. The definitions in 35 Ill. Adm. Code 601.105 apply to this Part.

100

- 101 a) No person shall *construct, install, or operate a community water supply without a*  
102 *permit granted by the Agency.* [415 ILCS 5/18(a)(3)]  
103  
104 b) *Owners are required to submit plans and specifications to the Agency and obtain*  
105 *written approval before construction, installation, changes or additions to a*  
106 *community water supply, except as provided in Section 602.104.* [415 ILCS  
107 5/15(a)].

108

109 (Source: Amended at 46 Ill. Reg.         , effective                         )

110

111Section 602.104 Emergency Permits

112

- 113 a) Whenever emergency conditions require immediate action, the Agency may issue

~~POLLUTION CONTROL BOARD~~

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- 114 construction and operating permits by telephone to the owner, official custodian,  
115 or Responsible Operator in Charge, with whatever special conditions the Agency  
116 deems to be necessary for the proper safeguarding of the health of the water  
117 consumers.  
118
- 119 b) Emergency conditions are hazards or threats to public health caused by:  
120  
121 1) accidents;  
122  
123 2) equipment failures;  
124  
125 3) human error; or  
126  
127 4) natural disasters.  
128
- 129 c) The Agency must confirm to a permit applicant, in writing, within 10 days after  
130 issuance, its granting of an emergency permit. The confirmation will be  
131 conditioned upon the receipt and approval, by the Agency, of as-built plans and  
132 specifications.  
133
- 134 d) As-built plans and specifications covering the work performed under the  
135 emergency permit and any information required by special conditions in the  
136 emergency permit must be submitted to the Agency within 60 days after issuance  
137 of the emergency permit, unless otherwise stated by the Agency in writing.  
138
- 139 e) The Agency may request that the community water supply make modifications  
140 after review of the as-built plans and specifications covering the work performed  
141 under the emergency permit. Modifications must be made within 90 days after  
142 the Agency's written request, unless otherwise stated by the Agency.  
143
- 144 f) The Agency can be contacted by calling:  
145  
146 1) Bureau of Water, Division of Public Water Supplies Permit Section  
147 (217/782-1724); or  
148  
149 2) after normal business hours, the State emergency number (217/782-3637  
150 (STA-EMER) or 800/782-7860).  
151

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152 g) *Each applicant for an emergency permit to install or extend a water main must*  
153 *submit the appropriate fee, as specified in Section 16.1 of the Act, to the Agency*  
154 *within 10 calendar days from the date of issuance of the emergency construction*  
155 *permit. [415 ILCS 5/16.1]*  
156

157 (Source: Amended at 46 Ill. Reg. - \_\_\_\_\_, effective \_\_\_\_\_)  
158

159 **Section 602.105 Standards for Issuance**

160

161 a) Construction Permits and Operating Permits  
162

163 ~~1)~~ 1) The Agency must not issue any construction or operating permit required by  
164 this Part unless the applicant submits adequate proof that the community  
165 water supply will be constructed, modified or operated so as not to cause a  
166 violation of the Act or Board rules.  
167

168 2) Except as provided in subsection (a)(3), the Agency must not issue any  
169 construction or operating permit required by this Part unless the applicant  
170 submits adequate proof that the community water supply facility conforms  
171 to the following design criteria. When the design criteria in the documents  
172 listed in this subsection (a)(2) conflict, the applicant must comply with the  
173 design criteria listed in subsection (a)(2)(A).  
174

175 A) Criteria promulgated by the Board under 35 Ill. Adm. Code 604;  
176

177 B) Recommended Standards for Water Works, incorporated by  
178 reference at 35 Ill. Adm. Code 601.115; and  
179

180 C) AWWA, ASTM, ANSI or NSF standards incorporated by  
181 reference at 35 Ill. Adm. Code 601.115.  
182

183 3) When the documents listed in subsection (a)(2) do not provide design  
184 criteria for the proposed community water supply facility, the Agency  
185 must not issue the construction or operating permit unless the applicant  
186 submits adequate proof that the community water supply facility conforms  
187 to other design criteria that will produce consistently satisfactory results.  
188 When necessary for adequate proof, the Agency may require a pilot study.  
189



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- 190           4)     The Agency must not issue any construction permit required by this Part  
191           unless the applicant submits proof that all plan and specification  
192           documents required by this Section and Subpart B have been prepared by a  
193           person licensed under the Illinois Architecture Practice Act [225 ILCS  
194           305], the Illinois Professional Engineering Practice Act [225 ILCS 325],  
195           the Illinois Structural Engineering Licensing Act [225 ILCS 340], or, for  
196           site and groundwater conditions, under the Professional Geologist  
197           Licensing Act [225 ILCS 745], or any required combination of these Acts.  
198
- 199           5)     The Agency must not issue a construction permit unless the community  
200           water supply has filed a notification of ownership under 35 Ill. Adm. Code  
201           603.101.  
202
- 203           6)     The existence of a violation of the Act, Board regulation, or Agency  
204           regulation will not prevent the issuance of a construction permit if:  
205
- 206                   A)     the applicant has been granted a variance or an adjusted standard  
207                   from the regulation by the Board;  
208
- 209                   B)     the permit application is for construction or installation of  
210                   equipment to alleviate or correct a violation;  
211
- 212                   C)     the permit application is for a water main extension to serve  
213                   existing residences or commercial facilities when the permit  
214                   applicant can show that those residences or commercial facilities  
215                   are being served by a source of water of a quality or quantity that  
216                   violates the primary drinking water standards of 35 Ill. Adm. Code  
217                   611; or  
218
- 219                   D)     the Agency determines the permit application is for construction or  
220                   installation of equipment necessary to produce water that is  
221                   assuredly safe, as required by 35 Ill. Adm. Code 601.101.  
222
- 223     b)     Algicide or Aquatic Pesticide Permit  
224           The Agency must not issue an algicide or pesticide permit required by this Part  
225           unless the applicant submits adequate proof that the application of the algicide or  
226           aquatic pesticide will not cause a violation of the Act, Board rule , or Agency  
227           regulation.

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228

229 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

230

231 **Section 602.106 Restricted Status**

232

233 a) Restricted status is defined as the Agency determination, under Section 39(a) of  
234 the Act and Section 602.105, that a community water supply facility, or portion of  
235 , may no longer be issued a construction permit without causing a violation of the  
236 Act or Board or Agency rules. Violations of Board rules that can result in a  
237 restricted status determination include regulations establishing maximum  
238 contaminant levels, treatment techniques, source water quantity requirements,  
239 treatment unit loading rates, storage volume requirements, and minimum pressure  
240 for a distribution system.

241

242 1) When the Agency cannot issue a construction permit to a community  
243 water supply because that issuance would extend an existing violation of  
244 the Act or Board or Agency rules, the Agency must place the community  
245 water supply on restricted status.

246

247 2) Except as specified in Section 602.105(a)(6), the Agency must not issue a  
248 permit for water main extension construction when the water main would  
249 extend an existing violation of the Act or Board or Agency rules.

250

251 b) The Agency must publish on its website and in the Environmental Register and  
252 update, at intervals of not more than three months, a comprehensive list of  
253 community water supplies subject to restrictive status. This list will be entitled  
254 the "Restricted Status List".

255

256 c) The Agency must notify the owners or official custodian and Responsible  
257 Operator in Charge of a community water supply when the community water  
258 supply is initially placed on restricted status by the Agency.

259

260 d) The restricted status list must include a statement of the potential or existing  
261 violation of the Act or Board regulations that caused the community water  
262 supply's inclusion on the list.

263

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264 e) Owners or official custodians of community water supplies that have been placed  
265 on restricted status must notify any person requesting construction of a water  
266 main extension of this status.

267  
268

269 (Source: Amended at 46 Ill. Reg. ~~\_\_\_\_\_~~, effective ~~\_\_\_\_\_~~)  
270

271 **Section 602.107 Critical Review**

272

273 a) The Agency must publish in the Environmental Register and on its webpage, at  
274 the same frequency as the Restricted Status List under Section 602.106(b), a list  
275 of those community water supplies that Agency records indicate exceed 80  
276 percent of the rate of any of the quantity requirements in the Board's or Agency's  
277 rules. This list will be entitled the "Critical Review List".

278

279 b) The Critical Review List must include a description of the cause of the  
280 community water supply's inclusion on the list.

281

282 c) The Agency must notify the owner or official custodian and the Responsible  
283 Operator in Charge of the community water supply when the community water  
284 supply is initially placed on critical review status by the Agency.

285

286 d) Owners or official custodians of community water supplies that have been placed  
287 on critical review status must notify of this status any person requesting  
288 construction of a water main extension.

289

290 (Source: Amended at 46 Ill. Reg. ~~\_\_\_\_\_~~, effective ~~\_\_\_\_\_~~)  
291

292 **Section 602.108 Right of Inspection**

293

294 The permittee must allow the Agency and its duly authorized representatives to perform  
295 inspections as authorized by the Act, including but not limited to:

296

297 a) entering at reasonable times the permittee's premises where treatment or  
298 distribution facilities are located or where any activity is to be conducted under a  
299 permit;

300



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- 301 b) having access to and copying at reasonable times any records required to be kept
- 302 under the terms and conditions of a permit;
- 303
- 304 c) inspecting at reasonable times, including during any hours of operation:
- 305
- 306 1) equipment constructed or operated under the permit;
- 307
- 308 2) equipment or monitoring methodology; or
- 309
- 310 3) equipment required to be kept, used, operated, calibrated and maintained
- 311 under the permit;
- 312
- 313 d) obtaining and removing at reasonable times samples of any raw or finished water,
- 314 discharge or emission of pollutants; and
- 315
- 316 e) entering at reasonable times to use any photographic, recording, testing,
- 317 monitoring or other equipment for the purpose of preserving, testing, monitoring
- 318 or recording any raw or finished water, activity, discharge or emission authorized
- 319 by a permit.
- 320

321 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

322

323 **Section 602.111 Application Forms and Additional Information**

324

325 The Agency may prescribe the form in which all information required under this Part must be

326 submitted and may require such additional information as is necessary to determine whether the

327 community water supply will meet the requirements of the Act and this Subtitle .

328

329 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

330

331 **Section 602.112 Filing and Final Action by Agency on Permit Applications**

- 332
- 333 a) For permits without a fee under Section 602.109:
- 334
- 335 1) An application for permit will be considered to be filed on the date of
- 336 initial receipt by the Agency of the application documents. The Agency
- 337 must send the applicant written notification of receipt of the complete
- 338 application.

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- 2) Except for emergency permits, applications for construction permits must be filed at least 90 days before the expected start of construction.
  - 3) If the Agency fails to take final action, by granting or denying the permit as requested or with conditions, within 90 days from the filing of the completed application, the applicant may deem the permit granted for a period of one year.
  - 4) Any applicant for a permit may waive in writing the requirement that the Agency must take final action within 90 days from the filing of the application.
- b) For permits with a fee under Section 602.109:
- 1) An application for a permit is considered to be filed on the date the Agency has received the application documents and required fee. The Agency must send the applicant written notification of receipt of the complete application.
  - 2) Except for emergency construction permits, applications for construction permits must be filed at least 45 days before the expected start of construction.
  - 3) The Agency must deny construction permit applications that do not contain the entire fee.
  - 4) The Agency must take final action by granting or denying permits within 45 days after the filing of an application and the payment of the required fee. If the Agency fails to take final action within 45 days after filing the application and payment of the required fee, the applicant may deem the permit issued.
- c) The Agency must maintain a progress record of all permit applications, including interim and final action dates. This information is available to the applicant upon request.
- d) The Agency must send all notices of final action by U.S. mail. The Agency must

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377 be deemed to have taken final action on the date that the notice is mailed.

378

379 (Source: Amended at 46 Ill. Reg.           , effective           )

380

381 **Section 602.113 Duration**

382

383 a) Construction Permits

384

385 1) Construction permits for community water supply facilities expire one  
386 year from the date issued or renewed , unless construction has started. If  
387 construction does not start within one year from the date issued or  
388 renewed , the permit may be renewed for additional one year periods at the  
389 discretion of the Agency, upon written request of the applicant.

390

391 2) If construction starts within one year from the date the construction  
392 permit was issued or renewed, the permit expires five years from the date  
393 issued or renewed . Afterward, the permit may be renewed for periods  
394 specified by the Agency at its discretion, upon written request of the  
395 applicant.

396

397 3) For the purposes of this Section, construction is considered to have started  
398 when work at the site has been initiated and proceeds in a reasonably  
399 continuous manner to completion.

400

401 b) Operating permits will be valid until revoked unless otherwise stated in the  
402 permit.

403

404 c) Algicide permits must be issued for fixed terms of five years.

405

406 d) Aquatic pesticide permits must be valid for a fixed term, not to exceed one year.

407

408 (Source: Amended at 46 Ill. Reg.           , effective           )

409

410 **Section 602.116 Requirement for As-Built Plans**

411

412 If any portion of a community water supply has been constructed without a construction permit  
413 as required by Section 602.101, or an emergency permit issued under Section 602.104, the  
414 community water supply must submit to the Agency as-built plans and specifications and a



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415 construction permit application. As-built plans and specifications must be prepared by a  
416 qualified person as described in Section 602.105(a)(4). All plans and specifications submitted to  
417 the Agency under this Section must be clearly marked "as-built" or "record drawings". Any  
418 deficiencies requiring correction, as determined by the Agency, must be corrected within a time  
419 limit set by the Agency. Submission of as-built plans and the correction of any deficiencies does  
420 not relieve the owner or official custodian from any liability for construction without a permit.

421

422 (Source: Amended at 46 Ill. Reg.       , effective       )

423

424 **Section 602.117 Existence of Permit No Defense**

425

426 The existence of a permit under this Subtitle does not constitute a defense to a violation of the  
427 Act, Board regulation, or Agency regulation except for the requirements to secure construction,  
428 operating, algicide, aquatic pesticide or emergency permits.

429

430 (Source: Amended at 46 Ill. Reg.       , effective       )

431

432 **Section 602.118 Appeal of Final Agency Action on a Permit Application**

433

434 a) If the Agency denies a permit required under this Part, the applicant may petition  
435 the Board to appeal the Agency's final decision under Section 40 of the Act.

436

437 b) An applicant may consider any condition imposed by the Agency in a permit as a  
438 refusal by the Agency to grant a permit that must entitle the applicant to appeal  
439 the Agency's decision to the Board under Section 40 of the Act.

440

441 c) All appeals must be filed with the Board within 35 days after the date on which  
442 the Agency served its decision on the applicant.

443

444 (Source: Amended at 46 Ill. Reg.       , effective       )

445

446 **Section 602.119 Revocations**

447

448 Violation of any permit conditions or failure to comply with the Act, Board regulation or Agency  
449 regulation will be grounds for enforcement actions as provided in the Act, including revocation  
450 of a permit. Revocation of a permit must be sought by filing a complaint with the Board under  
451 Title VIII of the Act.

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453 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
454

455 SUBPART B: CONSTRUCTION PERMITS  
456

457 **Section 602.205 Preliminary Plans**  
458

- 459 a) To expedite the review of subsequent construction permit application plan  
460 documents, preliminary plans may be submitted prior to the submission of a  
461 construction permit application. No construction permit may be issued until the  
462 completed application, required fee, plans and specifications have been submitted.  
463  
464 b) If preliminary plans are submitted, as directed under the Illinois Drinking Water  
465 Revolving Loan Funding Process (see 35 Ill. Adm. Code 664), the documents  
466 must include a description of alternate solutions, a discussion of the alternatives  
467 and reasons for selecting the alternative recommended.  
468

469 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
470

471 **Section 602.225 Engineer's Report**  
472

473 Upon request from the Agency, an applicant for a construction permit must submit an Engineer's  
474 Report. Types of construction projects for which the Agency may request an Engineer's Report  
475 include, but are not limited to, the construction of a new community water supply, a new source  
476 location, or a new water treatment process other than chemical feeding only. The Engineer's  
477 Report may be submitted as a preliminary plan under Section 602.205. An Engineer's Report  
478 submitted under this Section must contain the information specified by this Section.  
479

480 ~~a)~~ a) General information, including:

- 481  
482 1) a description of existing community water supply;  
483  
484 2) a description of sewerage facilities;  
485  
486 3) a description of the municipality or area to be served; and  
487  
488 4) the name and mailing address of the owner or official custodian of the  
489 community water supply.  
490

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- 491           b)     The extent of the community water supply system, including:  
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493           1)     a map of the area to be served with water and any provisions for extending  
494                 the community water supply system;  
495  
496           2)     maps of additional areas to be served and an appraisal of the future  
497                 requirements for service; and  
498  
499           3)     present and prospective industrial and commercial water supply needs that  
500                 are likely to be required in the near future.  
501  
502           c)     Water consumption data, including:  
503  
504           1)     population trends as indicated by available records;  
505  
506           2)     an estimate of the number of consumers, based on population trends, who  
507                 will be served by the proposed or expanded water supply system 20 years  
508                 in the future;  
509  
510           3)     present and future water consumption values used as the basis of design;  
511  
512           4)     present and estimated future yield of the water sources for a community  
513                 water supply; and  
514  
515           5)     estimated water loss in the distribution system based on available records.  
516  
517           d)     A justification for the project when two or more solutions exist for providing  
518                 community water supply facilities, as directed under the Illinois Drinking Water  
519                 Revolving Loan Funding Process, each of which is feasible and practicable. The  
520                 Engineer's Report must discuss the alternatives and provide reasons for selecting  
521                 the one recommended, including financial considerations, operational  
522                 requirements, operator qualifications, reliability and water quality considerations.  
523  
524           e)     Sources of Water Supply. The Engineer's Report must describe the proposed  
525                 source or sources of water supply to be developed and the reasons for their  
526                 selection, and provide information as follows:  
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528           1)     For surface water sources:



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- A) hydrological data, stream flow and weather records;
  - B) safe yield, including all factors that may affect it;
  - C) documentation of structural safety of any spillway or dam to assure the spillway or dam can continue to provide a source of water during extreme weather;
  - D) description of the watershed, noting any existing or potential sources of contamination (such as highways, railroads, chemical facilities, land/water use activities, etc.) that may affect water quality;
  - E) summarized quality of the raw water with special reference to fluctuations in quality, changing meteorological conditions, etc.; and
  - F) source water protection issues or measures, including erosion and siltation control structures, that need to be considered or implemented.
- 2) For groundwater sources:
- A) the sites considered;
  - B) advantages of the site selected;
  - C) the elevations above mean sea level of site selected;
  - D) the probable character of geologic formations through which the source is to be developed;
  - E) hydrogeologic conditions affecting the site, such as anticipated interference between proposed and existing wells;
  - F) sources of possible contamination such as sewers and sewage treatment/disposal facilities, highways, railroads, landfills,

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- 567 outcroppings of consolidated water bearing formations, chemical  
568 facilities, waste disposal wells, and agricultural uses;  
569  
570 G) the test well depth and method of construction, including  
571 placement of liners or screens;  
572  
573 H) test pumping rates and their duration, including water levels and  
574 specific yield;  
575  
576 I) test well water quality information; and  
577  
578 J) wellhead protection measures being considered.  
579
- 580 f) Project sites, including:  
581  
582 1) a discussion of the various sites considered and advantages of the chosen  
583 one;  
584  
585 2) the proximity of residences, industries and other establishments; and  
586  
587 3) any potential sources of pollution that may influence the quality of the  
588 supply or interfere with effective operation of the water works system,  
589 such as sewage absorption systems, septic tanks, privies, cesspools, sink  
590 holes, sanitary landfills, and refuse and garbage dumps, etc.  
591
- 592 g) Proposed Treatment Processes. The Engineer's Report must describe all  
593 proposed treatment processes necessary to meet the requirements of this Subtitle  
594 and any available supporting data.  
595
- 596 h) Automation. The Engineer's Report must provide supporting data justifying  
597 automatic equipment, including the servicing and operator training to be provided,  
598 and must provide for manual override for any automatic controls.  
599
- 600 i) Power. The Engineer's Report must include the following power description:  
601  
602 1) the main source of power;  
603

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- 604 2) dedicated standby power capable of providing power to operate the
- 605 community water supply's water source, treatment plant and distribution
- 606 facilities during power outages; and
- 607
- 608 3) outside emergency power sources that are available.
- 609
- 610 j) Soil characteristics, groundwater conditions and foundation problems, including:
- 611
- 612 1) the character of the soil through which water mains are to be laid;
- 613
- 614 2) the foundation conditions prevailing at sites of proposed structures; and
- 615
- 616 3) the approximate elevation of groundwater relative to mean sea level at its
- 617 expected highest level in relation to subsurface structures.
- 618
- 619 k) Flow requirements, including a hydraulic analysis based on flow demands and
- 620 pressure requirements.
- 621
- 622 BOARD NOTE: Fire flows, when fire protection is provided, should meet the
- 623 recommendations of the Illinois Insurance Services Office or other similar agency
- 624 for the service area involved.
- 625
- 626 l) Water Plant Wastes. When waste treatment facilities are necessary for the
- 627 addition of a new process or an increase in water treatment plant capacity, those
- 628 facilities must be included as part of the engineering plans and specifications, and
- 629 the Engineer's Report must include the following:
- 630
- 631 1) an estimate of the character and volume of the waste that will be generated
- 632 and its proposed disposition; and
- 633
- 634 2) the type of waste treatment, discharge location and frequency of discharge.
- 635

636 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_<sup>2</sup> effective \_\_\_\_\_)

637

638 **Section 602.245 Source Construction Applications**

- 639
- 640 a) Construction permit applications for the construction of a new, or the
- 641 modification of an existing, well or surface water intake or the construction of a



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642 water main to transport water purchased from another community water supply  
643 must include the following:

- 644
- 645 1) Existing and proposed finished water quality, including:
- 646
- 647 A) Hardness;
- 648
- 649 B) Calcium;
- 650
- 651 C) Alkalinity;
- 652
- 653 D) pH;
- 654
- 655 E) Orthophosphate;
- 656
- 657 F) Silicate;
- 658
- 659 G) Total Dissolved Solids;
- 660
- 661 H) Oxidation-reduction potential (ORP);
- 662
- 663 I) Temperature;
- 664
- 665 J) Chloride;
- 666
- 667 K) Sulfate;
- 668
- 669 L) Iron;
- 670
- 671 M) Manganese;
- 672
- 673 N) Chlorine residual (total); and
- 674
- 675 O) Chlorine residual (free).
- 676
- 677 2) A recommendation of the treatment necessary to reduce corrosion in
- 678 household plumbing.
- 679

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- 680           b)     Well construction permit applications must specify the following:  
681  
682           1)     the latitude and longitude of the well location;  
683  
684           2)     the location and nature of all potential routes, potential primary sources,  
685                 and potential secondary sources of contamination within 2,500 feet of the  
686                 well location;  
687  
688           3)     for sites subject to flooding, the well casing heights and the maximum  
689                 flood level based upon the highest flood level specified in the best  
690                 available information, such as the flood of record, the 100-year flood  
691                 projection, or the 500-year flood projection;  
692  
693           4)     a general aquifer description;  
694  
695           5)     the total well depth;  
696  
697           6)     the well casing diameter, material, depth, weight, height above ground,  
698                 and thickness;  
699  
700           7)     the grout type, thickness and depth;  
701  
702           8)     the screen diameter, material, slot size and length, if applicable;  
703  
704           9)     temporary capping and security measures during well construction;  
705  
706           10)    proposed pump test procedures;  
707  
708           11)    sampling procedures, if necessary under 35 Ill. Adm. Code 611.212, for  
709                 wells that may be subject to surface water influences;  
710  
711           12)    the type, design capacity, head rating, and depth of pump setting;  
712  
713           13)    the column pipe diameter, length, material and joint;  
714  
715           14)    the discharge pipe diameter, depth of cover, material and valving;  
716  
717           15)    the casing vent diameter;

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- 16) the airline length;
  - 17) the location of the raw water sample tap;
  - 18) a description of how the top of the well casing is sealed;
  - 19) a description of access to the well site; and
  - 20) well hydraulics and aquifer property data.
- c) The following information must be submitted on plans for well construction permit applications:
- 1) the well location with the following information:
    - A) a 2,500-foot radius showing the location of potential routes, potential primary sources, and potential secondary sources of contamination;
    - B) cleanup sites within 2,500 feet of the proposed well site with any of the following:
      - i) No Further Remediation (NFR) letter;
      - ii) Groundwater Management Zone (GMZ);
      - iii) Environmental Land Use Covenant (ELUC); or
      - iv) an ordinance that restricts the use of groundwater; and
    - C) a 400-foot radius showing the location of the sources of pollution listed in 35 Ill. Adm. Code 604.150(a);
  - 2) a cross-section of the well showing finished grade, natural ground surface, vent, casing, column pipe, screen, well depth, pump depth, grout, gravel pack and discharge piping;

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- 756 3) all discharge piping, including pressure gauge, meter, sample tap, check  
757 valve, shut-off valve and vacuum/air release valve, if applicable;  
758
- 759 4) well house construction, if provided;  
760
- 761 5) the locations of all electrical junction boxes;  
762
- 763 6) the locations of all observation wells; and  
764
- 765 7) piping showing the ability to pump to waste.  
766
- 767 d) The following information must be submitted on plans for surface water intake  
768 construction permit applications:  
769
- 770 1) plan and profile views of the intake structure showing the location,  
771 elevation of intake ports, fish screens, valves, piping and pumps, if  
772 applicable;  
773
- 774 2) for sites subject to flooding, the maximum flood level based upon the  
775 highest flood level specified in the best available information, such as the  
776 flood of record, the 100-year flood projection, or the 500-year flood  
777 projection;  
778
- 779 3) location of inspection manholes, if applicable; and  
780
- 781 4) location of chemical treatment, if applicable.  
782

783 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
784

**785 Section 602.250 Treatment Construction Applications**  
786

787 The following information must be submitted on plans for the construction of treatment  
788 facilities:

- 789
- 790 a) all appurtenances, specific structures or equipment having any connection with  
791 the planned water treatment improvements;  
792
- 793 b) detailed hydraulic profiles of water flowing through treatment systems;



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- 794  
795 c) schematic plumbing for all structures and equipment;  
796  
797 d) location of feeders, piping layout and points of application;  
798  
799 e) locations of the sources of pollution listed in 35 Ill. Adm. Code 604.150(a);  
800  
801 f) for sites subject to flooding, the maximum flood level based upon the highest  
802 flood level specified in the best available information, such as the flood of record,  
803 the 100-year flood projection, or the 500-year flood projection;  
804  
805 g) security provisions; ~~and~~hand  
806  
807 h) stability and corrosion control:  
808  
809 1) existing and proposed finished water quality, including:  
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811 A) Hardness;  
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813 B) Calcium;  
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815 C) Alkalinity;  
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817 D) pH;  
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819 E) Orthophosphate;  
820  
821 F) Silicate;  
822  
823 G) Total Dissolved Solids;  
824  
825 H) Oxidation-reduction potential (ORP);  
826  
827 I) Temperature;  
828  
829 J) Chloride;  
830  
831 K) Sulfate;

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- L) Iron;
- M) Manganese;
- N) Chlorine residual (total);
- O) Chlorine residual (free); and

- 2) a recommendation of the treatment necessary to reduce corrosion in household plumbing.

(Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

SUBPART C: OPERATING PERMITS

**Section 602.305 Operating Permit Applications**

- a) All applications for operating permits must be on Agency forms and must contain:
  - 1) the community water supply's name, address, identification number and project name;
  - 2) the construction permit number, type of construction permit, and date the construction permit was issued;
  - 3) an explanation of the status of the construction project. If the project is only partially completed, the applicant must provide the information set forth in Section 602.320; and
  - 4) any other information required by the Agency for proper consideration of the permit, including the submission of the water sample results under Section 602.310.
- b) If the operating permit application is for the operation of a well, the application must include the following information in addition to the information required by subsection (a):

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- 870  
871 1) final geologic well log;  
872  
873 2) aquifer property data;  
874  
875 3) lateral area of influence, as calculated under 35 Ill. Adm. Code  
876 671.Subpart B;  
877  
878 4) delineated well head protection area;  
879  
880 5) pump test data:  
881  
882 A) the latitude and longitude of the observation well;  
883  
884 B) test pump capacity head characteristics;  
885  
886 C) static water level;  
887  
888 D) depth of pump settings; and  
889  
890 E) time of starting and ending each test cycle;  
891  
892 6) static water level in the production well and observation wells;  
893  
894 7) pumping water level in the production well;  
895  
896 8) transmissivity in gallons per day per foot of drawdown (GPD/ft);  
897  
898 9) hydraulic conductivity in gallons per day per square feet (GPD/ft<sup>2</sup>) or feet  
899 per day (ft/day);  
900  
901 10) saturated thickness of the aquifer (ft);  
902  
903 11) storage coefficient or specific yield (dimensionless);  
904  
905 12) recording and graphic evaluation of the following, at one-hour intervals or  
906 less:  
907

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- 908 A) pumping rate;
- 909
- 910 B) pumping water level;
- 911
- 912 C) drawdown;
- 913
- 914 D) water recovery rate and levels; and
- 915
- 916 E) specific capacity, measured in gallons per minute per foot
- 917 (GPM/ft) of drawdown;
- 918
- 919 13) a determination of the regional groundwater gradient and flow direction:
- 920
- 921 A) if the groundwater gradient and flow direction was estimated,
- 922 provide the data, and the source of that data;
- 923
- 924 B) if the groundwater gradient and flow direction was not estimated,
- 925 provide the longitude and latitude of the wells used, well logs and
- 926 the water elevations observed in the wells during the pump test;
- 927
- 928 C) provide the compass direction clockwise from north in degrees;
- 929 and
- 930
- 931 D) provide the gradient;
- 932
- 933 14) geological data:
- 934
- 935 A) a driller's log determined from samples collected at 5-foot intervals
- 936 and at each pronounced change in formation;
- 937
- 938 B) accurate geographical location such as latitude and longitude or
- 939 GIS coordinates;
- 940
- 941 C) records of drill hole diameters and depths;
- 942
- 943 D) order of size and length of casing, screens and liners;
- 944
- 945 E) grouting depths;



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- F) formations penetrated;
- G) water levels; and
- H) location of any blast charges; and

15) analyses of water samples for the constituents listed in 35 Ill. Adm. Code 620.410(a) and (b).

(Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 602.310 Projects Requiring Disinfection**

- a) Wells, water storage tanks, water treatment plants, and water mains must be disinfected in accordance with AWWA C651, C652, C653 or C654, incorporated by reference in 35 Ill. Adm. Code 601.115.
- b) Disinfection of a filter with granular activated carbon (GAC) must be completed prior to adding the GAC. Disinfection of an ion exchange unit must be completed prior to adding a resin with a low chlorine tolerance. Disinfection of a membrane unit must be completed prior to adding membrane material with a low chlorine tolerance. Care should be taken when handling the GAC, resin or membrane to keep the material as clean as possible.
- c) Except as provided in Section 602.315, the permit applicant must verify disinfection before seeking an operating permit-by-rule under Section 602.235 or the issuance of an operating permit by the Agency for completed construction projects. Disinfection is verified when two consecutive water sample sets collected from the completed project at least 24 hours apart show the absence of coliform bacteria and the presence of a chlorine residual as required by 35 Ill. Adm. Code 604.725. A sample set consists of the following:
  - 1) For water mains, representative water samples must be collected from every 1,200 feet of new main along each branch and from the end of the line. The Agency may approve a different sampling plan on a site-specific basis.

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984 2) For water treatment plants, representative water samples must be collected  
985 from each aerator, detention tank, filter, ion exchange unit and clearwell,  
986 from all other treatment components other than those not requiring  
987 disinfection under Section 602.315, and from the entry point to the  
988 distribution system.

989  
990 d) Analyses conducted under this Section must be performed by a certified  
991 laboratory.

992  
993 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
994

**995 Section 602.320 Partial Operating Permits**

996  
997 a) If all phases of a construction project will not be completed at one time, the  
998 Agency must issue a partial operating permit under Section 602.105 upon receipt  
999 of:

- 1000  
1001 1) a cover letter describing which sections of the project are completed;  
1002  
1003 2) a general layout plan sheet of the project indicating the location of water  
1004 mains, treatment processes or storage facilities to be operated;  
1005  
1006 3) a completed and signed operating permit application; and  
1007  
1008 4) bacteriological analyses results from water samples collected from the  
1009 completed section of the project verifying satisfactory disinfection in  
1010 accordance with Section 602.310.

1011  
1012 b) Additional operating permits may be obtained in accordance with this Section as  
1013 other portions of the project are completed.

1014  
1015 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
1016

**1017 Section 602.325 Operating Permit-by-Rule**

1018  
1019 a) This Section implements the permit-by-rule program provided for in Section  
1020 39.12 of the Act for classes of community water supply operating permits. By  
1021 fulfilling all of the requirements of this Section, a community water supply is

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- 1022 considered to have met the requirements for obtaining an operating permit under  
1023 Section 18(a)(3) of the Act and Section 602.300.  
1024
- 1025 b) A community water supply is eligible to obtain an operating permit-by-rule if the  
1026 construction project for which the Agency granted a construction permit is for any  
1027 of the following projects:  
1028
- 1029 1) Water main extensions; or  
1030
- 1031 2) Projects not requiring disinfection specified in Section 602.315.  
1032
- 1033 c) A community water supply is not eligible to obtain an operating permit-by-rule if  
1034 the construction project involves a water main that connects two or more  
1035 community water supplies.  
1036
- 1037 d) Upon issuance of a construction permit, the Agency may notify an eligible  
1038 community water supply that it may not seek a permit-by-rule if the community  
1039 water supply has failed to submit information required by Agency or Board rules  
1040 in the two years preceding the Agency's notification.  
1041
- 1042 e) For construction projects that contain both permit-by-rule eligible and  
1043 non-eligible components, a community water supply may obtain a partial  
1044 operating permit-by-rule for the eligible portions of the project.  
1045
- 1046 f) A community water supply eligible for a permit-by-rule under subsection (b) that  
1047 does not elect to obtain a permit-by-rule, must obtain an operating permit issued  
1048 by the Agency before commencing operations.  
1049
- 1050 g) Permit-by-Rule Certification. Any community water supply seeking to obtain an  
1051 operating permit-by-rule must submit a certification, on Agency forms ,  
1052 specifying the following:  
1053
- 1054 1) the community water supply's name, address, identification number and  
1055 project name;  
1056
- 1057 2) the construction permit number, type of construction permit, and date the  
1058 construction permit was issued;  
1059

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- 1060 3) an explanation of the status of the construction project and, if the project is
- 1061 only partially completed, the information set forth in Section 602.320;
- 1062
- 1063 4) a statement attesting to compliance with Section 602.310, if disinfection is
- 1064 required; and
- 1065
- 1066 5) the submission of the water sample results required by Section 602.310.
- 1067
- 1068 h) The community water supply may begin operation of a permit-by-rule eligible
- 1069 construction project immediately after it files the certification required by
- 1070 subsection (g).
- 1071

1072 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**SUBPART D: ALGICIDE PERMITS**

**1076 Section 602.400 Algicide Permit Requirement**

- 1077
- 1078 a) A person must not apply algicide, copper sulfate, copper sulfate based products,
- 1079 or copper sulfate chemical aids to any stream, reservoir, lake, pond or other body
- 1080 of water used as a community water supply source without an Algicide Permit
- 1081 issued by the Agency.
- 1082
- 1083 b) Permits issued under this Subpart D will be valid for community water supply
- 1084 sources only.
- 1085

1086 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**1088 Section 602.410 Sampling**

- 1089
- 1090 a) The owner or official custodian, or an authorized delegate, must collect water
- 1091 samples for each application of copper sulfate, copper sulfate based products, or
- 1092 copper sulfate chemical aids. Water samples must be collected at the locations
- 1093 and times established in this subsection (a).
- 1094
- 1095 1) From the raw water intake, one sample must be collected before treatment.
- 1096



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- 1097 2) From the entry point to the distribution system one sample must be
- 1098 collected:
- 1099
- 1100 A) approximately 24 hours following the copper sulfate treatment;
- 1101 and
- 1102
- 1103 B) approximately 48 hours following the copper sulfate treatment.
- 1104
- 1105 b) The sample results must demonstrate that concentrations of copper do not pose a
- 1106 high health risk to water consumers in compliance with 35 Ill. Adm. Code
- 1107 611.350(c)(2).
- 1108

1109 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

1110 **SUBPART E: OTHER AQUATIC PESTICIDE PERMITS**

1111

1112

1113 **Section 602.500 Other Aquatic Pesticide Permit Requirement**

- 1114
- 1115 a) When the application of the pesticide will have an effect on any community water
- 1116 supply, a person must not apply an aquatic pesticide, other than an algicide,
- 1117 copper sulfate, copper sulfate based products, or copper sulfate chemical aids to
- 1118 any stream, reservoir, lake, pond or other body of water used as a community
- 1119 water supply source without an Aquatic Pesticide Permit issued by the Agency.
- 1120 Effect is defined as any measurable concentration of the pesticide in the intake
- 1121 water of the community water supply.
- 1122
- 1123 b) A person must not apply an aquatic pesticide, other than an algicide, copper
- 1124 sulfate, copper sulfate based products, or copper sulfate chemical aids, within 20
- 1125 miles upstream of a public or food processing water supply intake without an
- 1126 Aquatic Pesticide Permit issued by the Agency. The 20 mile upstream distance
- 1127 must be measured as follows:
- 1128
- 1129 1) for streams, the distance must be measured from the water supply intake to
- 1130 the downstream edge of the application area;
- 1131
- 1132 2) for impoundments, the distance must be measured as the straight line
- 1133 distance over water from the intake to the nearest edge of the application
- 1134 area or, if the shape of the impoundment will not allow a straight line

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1135 measurement over water, the distance must be measured as the shortest  
1136 distance over water between the intake and the application area; and  
1137  
1138 3) for streams tributary to impoundments, the distance must be the sum of the  
1139 stream distance plus the shortest line distance described in subsection  
1140 (b)(2).  
1141

1142 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
1143

1144 **Section 602.505 Other Aquatic Pesticide Permit Application Contents**

1145

1146 All applications for Aquatic Pesticide Permits must contain, at a minimum:

1147

1148 a) The reasons for controlling the aquatic plant or animal nuisance.

1149

1150 b) Applicant Information

1151

1152 1) The applicant must be the official custodian of, or have control over the  
1153 waters to which the aquatic pesticide is applied.

1154

1155 2) The application must contain the name, address, telephone number and  
1156 signature of the applicant. If the applicant's signature cannot be obtained,  
1157 the application must be accompanied by a signed statement that the  
1158 applicant has requested or approved the use of the aquatic pesticide for the  
1159 times and locations identified in the application.

1160

1161 c) Applicator Information

1162

1163 1) The name, address and telephone number of the applicator.

1164

1165 2) The applicator's Illinois Department of Agriculture license number.

1166

1167 3) A list of the limitations imposed by the applicator's license that restrict the  
1168 types of pesticides that may be used by the applicator.

1169

1170 d) General Information

1171

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- 1172 1) A description of the aquatic pesticide by trade name, chemical name or  
1173 name of active ingredients, and names of decomposition products.  
1174
- 1175 2) The U.S. Environmental Protection Agency (USEPA) Registration  
1176 Number for the pesticide.  
1177
- 1178 3) A description of the steps to be followed in preparing and applying the  
1179 pesticide, including, but not limited to, proportions, mixing and  
1180 precautions in preparation. A copy or facsimile of the label containing  
1181 this information may be used to satisfy this requirement.  
1182
- 1183 e) Time and Location of Treatment  
1184
- 1185 1) A depiction of the area or areas to be treated on a U.S. Geological Survey  
1186 (USGS) topographic map reproduction or an accurately drawn map of  
1187 larger scale. The depiction must include the locations and provide the  
1188 name of the owners of all water intakes for a distance of 20 miles  
1189 downstream of each area to be treated.  
1190
- 1191 2) Ponds under 10 acres to be treated, but that are not used as a water source  
1192 for public or food processing water supplies, must be described using a  
1193 map of the pond, its tributaries and the surrounding area.  
1194
- 1195 A) Pond locations must be given and described using the quarter  
1196 section, section number, township, range, county and township  
1197 name.  
1198
- 1199 B) The name of all public and food processing water supplies for a  
1200 distance of 20 miles downstream of the pond to be treated must be  
1201 provided.  
1202
- 1203 3) The date and time required for each treatment.  
1204
- 1205 f) An inventory of the species, size and population of animals or plants to be  
1206 controlled.  
1207
- 1208 g) Contacts with Downstream Water Users  
1209

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- 1210 1) Written documentation showing that all water supplies described in  
1211 Section 602.500 have been notified of the proposed treatment and  
1212 provided details of possible adverse effects.  
1213
- 1214 2) The names of water supply operators who will be notified 24 hours before  
1215 the aquatic pesticide application.  
1216
- 1217 h) Application and Precautions  
1218
- 1219 1) A description of the method to be used to apply the pesticide.  
1220
- 1221 2) A description of the method to be used to protect humans and animals  
1222 during the time toxic pesticide concentrations exist in the water.  
1223
- 1224 3) A description of the method to be used to remove dead plants or animals  
1225 should these accumulations result in water quality deterioration.  
1226
- 1227 4) A description of the method to be used to retain water in the impoundment  
1228 while toxic pesticide concentrations exist.  
1229
- 1230 5) A description of the method to be used for detoxification of the water in  
1231 the event of water supply contamination.  
1232
- 1233 6) A description of the actions to be taken to insure that tributary streams will  
1234 not reintroduce the aquatic life being controlled following application of  
1235 the pesticide. If these actions cannot be taken, the anticipated frequency  
1236 of retreatment must be stated.  
1237
- 1238 7) A copy of the contingency plan to be followed by water plant operators for  
1239 emergency water plant shut down or emergency operation.  
1240
- 1241 i) Water Characteristics and Chemistry  
1242
- 1243 1) The expected life of the pesticide's active ingredient and its decomposition  
1244 products, considering characteristics of the water such as pH, dissolved  
1245 oxygen and temperature.  
1246



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- 1247 2) A list of the limiting chemical constituents of the water to be treated that
- 1248 can hinder the effectiveness of the pesticide.
- 1249
- 1250 3) A list of the short term and chronic effects of the pesticide on people and
- 1251 animals.
- 1252
- 1253 4) A description of the weather and stream flow conditions under which the
- 1254 pesticide must be applied.
- 1255
- 1256 5) A list of the references used to obtain information required by subsections
- 1257 (i)(1) through (4).
- 1258
- 1259 j) Pesticide Dosage and Concentration
- 1260
- 1261 1) A description of the pesticide dosage.
- 1262
- 1263 2) A description of the concentration of the pesticide in the water
- 1264 immediately after application.
- 1265
- 1266 3) A copy of the computations used to determine the concentration.
- 1267
- 1268 k) Stream and Impoundment Data
- 1269
- 1270 1) Streams
- 1271
- 1272 A) The stream flow expected during pesticide application.
- 1273
- 1274 B) When stream flows are not available, data on high, average and
- 1275 low stream flow conditions.
- 1276
- 1277 C) The specific quantity of discharge in cubic feet per second and the
- 1278 average stream velocity in feet per second.
- 1279
- 1280 2) Impoundments
- 1281
- 1282 A) The surface area, average depth, maximum depth and volume of
- 1283 the impoundment.
- 1284

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- B) The flow expected into and out of the impoundment during the time the pesticide will be active, including the flows attributed to contributing streams, flow over the spillway and water withdrawn by individual users.
  - C) Information pertinent to the segment in question when only part of the impoundment will be treated.
  - D) A depiction of the water flow patterns to the water supply intake on a map of the impoundment.
  - E) An estimate of the minimum time required for the aquatic pesticide to reach the water supply intake.
- 3) A list of the reference sources or the name and qualifications of the person supplying stream flow and impoundment data.
- 1) Additional Information and Reports
- 1) Additional information must be provided to the Agency upon request to assure the safety of a community water supply as required by 35 Ill. Adm. Code 302.210. A copy of the applicant's authorization to discharge under an NPDES permit must be submitted if the aquatic pesticide is applied to a water of the United States.
  - 2) A report letter must be filed with the Agency within 30 days following each application of the aquatic pesticide. The report must include:
    - A) the names and addresses of the applicant and applicator;
    - B) the aquatic pesticide application permit number;
    - C) the date of aquatic pesticide application;
    - D) the name and amount of aquatic pesticide applied; and
    - E) a description of any mishap that endangered a community water supply and a chronology of the steps taken to correct the problem.

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1323

1324 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

1325

**1326 Section 602.510 Permits Under Public Health Related Emergencies**

1327

1328 The Agency may issue Aquatic Pesticide Permits by telephone whenever public health is  
1329 immediately endangered by an aquatic pest such as a disease-carrying organism. Aquatic  
1330 Pesticide Permits issued by telephone must have special conditions for safeguarding downstream  
1331 public and food processing water supplies.

1332

1333 a) The Agency must confirm to the applicant in writing the granting of an  
1334 emergency Aquatic Pesticide Permit within 10 days after issuance.

1335

1336 b) A written report containing the same information required for a permit application  
1337 under Section 602.505 must be submitted to the Agency within 30 days following  
1338 pesticide application.

1339

1340 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

1341

**1342 Section 602.520 Extension of Permit Duration**

1343

1344 The Agency may extend the duration of an Aquatic Pesticide Permit when circumstances beyond  
1345 the control of the applicant prevent the aquatic pesticide application during the time specified in  
1346 the permit.

1347

1348 a) All requests for extensions of permit duration must:

1349

1350 1) be in writing;

1351

1352 2) list the reasons the aquatic pesticide could not be applied on the date  
1353 permitted;

1354

1355 3) give the new date the aquatic pesticide is to be applied;

1356

1357 4) contain a statement that the aquatic pesticide will be applied in accordance  
1358 with the conditions listed in the Aquatic Pesticide Permit; and

1359

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- 1360 5) contain the Aquatic Pesticide Permit Number, the name and Illinois  
1361 Department of Agriculture license number of the applicator and the  
1362 signature of the applicant.
- 1363
- 1364 b) Requests for extensions of permit duration may be made by telephone if :  
1365
- 1366 1) the information listed in subsection (a) is stated; and  
1367
- 1368 2) the information listed in subsection (a) is transmitted in writing to the  
1369 Division of Public Water Supplies Permit Section within five days after  
1370 the date verbal approval for an extension of permit duration is given by the  
1371 Agency.
- 1372
- 1373 c) Applications for extensions of permit duration will not be granted if more than 60  
1374 days have elapsed from the date of aquatic pesticide application listed in the  
1375 permit.
- 1376
- 1377 d) Extensions of permit duration, if granted by the Agency, must be in writing and  
1378 must state the time of the extension.
- 1379

1380 (Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

SUBPART F: SPECIAL EXCEPTION PERMITS

1384 **Section 602.600 Special Exception Permits**

- 1385
- 1386 a) Unless contained in a construction or operating permit, each Agency  
1387 determination in 35 Ill. Adm. Code 604 and 611 is to be made by way of a written  
1388 special exception permit (SEP) pursuant to Section 39(a) of the Act.
- 1389
- 1390 b) A person must not cause or allow the violation of any condition of a SEP.  
1391
- 1392 c) The community water supply may appeal the denial of, or the conditions of, a SEP  
1393 to the Board pursuant to Section 40 of the Act.
- 1394
- 1395 d) A SEP may be initiated in either of the following ways:  
1396
- 1397 1) by a written request from the community water supply; or

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1399

- 2) by the Agency, when authorized by Board regulations.

1400

1401

BOARD NOTE: The Board does not intend by any provision of this Part to require that the Agency exercise its discretion and initiate a SEP under subsection (d)(2). Rather, the Board intends to clarify by subsection (d)(2) that the Agency may initiate a SEP without receiving a request from the supplier.

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1405

1406

1407

(Source: Amended at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

1408

**Section 602.APPENDIX A References to Former Rules (Repealed)**

1410

1412

(Source: Repealed at 46 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



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