

ILLINOIS POLLUTION CONTROL BOARD
January 24, 2002

IN THE MATTER OF:)
)
PROPOSED AMENDMENTS TO) R02-19
AMMONIA NITROGEN STANDARDS) (Rulemaking – Water)
35 ILL. ADM. CODE 302.212, 302.213, AND)
304.122)

ORDER OF THE BOARD (by C.A. Manning):

On January 17, 2002, the Illinois Association of Wastewater Agencies (IAWA) filed a proposal for rulemaking under Section 27 of the Environmental Protection Act (Act) (415 ILCS 5/27 (2000)), to change regulations governing ammonia found in the Board's rules at 35 Ill. Adm. Code 302.212, 302.213, and 304.122. The petition was accompanied by a motion to waive the 200-signature requirement of 35 Ill. Adm. Code 102.202(f).

IAWA does not propose to change the general water quality standard for total ammonia nitrogen. Instead, IAWA proposes to change both the acute and general use water quality standards for un-ionized ammonia, and to add a calculation for sub-chronic ammonia. IAWA also proposes repeal of a relief mechanism for Effluent Modified Waters," asserting that the mechanism has been unused.

IAWA states that the changes are based on a new National Criteria Document (NCD) for ammonia issued in 1999 by the United States Environmental Protection Agency (USEPA). The updated NCD constitutes USEPA's scientific recommendations regarding ambient concentrations of ammonia that protect freshwater and aquatic life. Pet. at 4.¹

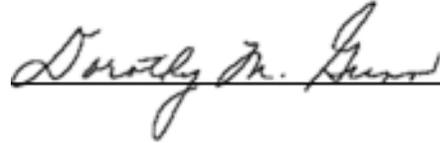
Finally, IAWA states that corresponding changes would also be necessary to implementing rules adopted by the Illinois Environmental Protection Agency (Agency) in 35 Ill. Adm. Code Part 355 "Determination of Ammonia Nitrogen Water Quality Based Effluent Limits for Discharges to General Use Waters." Along with its petition to change the Board's rules, "for informational purposes," IAWA has provided a copy of the changes it believes necessary to the Agency's rules. IAWA's petition states "it is IAWA's understanding that the Agency will proceed with the rulemaking for these draft rules." Pet. at 2; Exh. 2.

The Board grants IAWA's motion to waive the signature requirement, and accepts the proposal for hearing. The Board directs the hearing officer assigned to this matter to schedule hearings as required by Title VII of the Act.

IT IS SO ORDERED.

¹ The petition filed by IAWA shall be referred to as "Pet. at ____."

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the Board adopted the above order on January 24, 2002, by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board