



OFFICE OF THE SECRETARY OF STATE

ALEXI GIANNOULIAS • Secretary of State

July 18, 2023

POLLUTION CONTROL BOARD
DON BROWN
100 W RANDOLPH ST
STE 11-500
CHICAGO, IL 60601

Dear DON BROWN

Your rules Listed below met our codification standards and have been published in Volume 47, Issue 28 of the Illinois Register, dated 7/14/2023.

OTHER INFORMATION REQUIRED BY LAW TO BE PUBLISHED IN THE ILLINOIS REGISTER

Notice of Public Information

Point of Contact: Shannon Bilbruck

10671

PROPOSED RULES

Primary Drinking Water Standards

35 Ill. Adm. Code 611

Point of Contact: Shannon Bilbruck

9557

If you have any questions, you may contact the Administrative Code Division at
(217) 782 - 7017.

ILLINOIS REGISTER

POLLUTION CONTROL BOARD

NOTICE OF PUBLIC INFORMATION ON PROPOSED AMENDMENTS

NOTICE OF PUBLIC HEARING AND COMMENT PERIOD
PURSUANT TO 415 ILCS 5/7.2(b)

Section 17.5 of the Environmental Protection Act (Act) [415 ILCS 5/17.5 (2020)] requires the Illinois Pollution Control Board (Board) to adopt regulations that are "identical in substance" to regulations that USEPA adopts to implement Sections 1412(b), 1414(c), 1217(a), and 1445(a) of the federal Safe Drinking Water Act (SDWA) (42 U.S.C. §§ 300g-1(a), 300g-3(c), 300g-6(a), and 300j-4(a)). The Pollution Control Board (Board) is accepting public comment on these amendments. The NPDWRs implement these sections of SDWA. SDWA regulations are found at 40 D.F.R. 141 through 143.

Section 17.5 also provides that Title VII of the Act [415 ILCS 5/26 et seq. (2020)] and section 5-35 of the Administrative Procedure Act [5 ILCS 100/5-35 (2020)] do not apply to the Board's adoption of identical-in-substance regulations.

Section 7.2(a) of the Act [415 ILCS 5/7.2(a) (2020)] requires the Board to complete its identical-in-substance rulemaking actions within one year after the date of the USEPA action on which they are based. Section 7.2(b) allows the Board to extend the adoption deadline by causing *Illinois Register* publication of a notice of the extension and reasons for delay.

On May 13, 2020, and August 26, 2021, the Board adopted an order in docket R21-10 that set forth reasons for delay in updating 35 Ill. Adm. Code 611. In that order, the Board stated as follows:

EXTENSION OF DUE DATE AND REASONS FOR DELAY

The Board finds it necessary to set forth reasons for delay and again extend the due date for final Board adoption of amendments.

Under Section 7.2(b) of the Act [415 ILCS 5/7.2(b) (2020)], the Board must complete this rulemaking within one year after the corresponding federal action. Based on the date USEPA approved additional methods, the Board's deadline to adopt final rules in this docket was September 1, 2020. Fulfilling that deadline was not possible. For the reasons below, the Board cannot adopt amendments before September 7, 2023. The Board finds it necessary to extend the date for completion until October 1, 2023.

The Board encountered unanticipated delay in development of this proposal for public comment. The volume and complexity of the amendments and unexpected shortage in staff resources delayed this proposal. Significantly, the Board found restructuring the incorporations by reference and changing the naming scheme for analytical procedures were necessary to simplify the rules. Further, unanticipated illness-and injury related absences of Board staff working on

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