



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590**

August 25, 2023

VIA ELECTRONIC FILING
(Clerk's Office On-Line, www.pcb.illinois.gov)

Clerk's Office
Illinois Pollution Control Board
60 E. Van Buren St., Ste. 630
Chicago, IL 60605

RE: EPA Comments on the Illinois Lead and Copper Rule Revisions, Lead and Copper Rule, Lead Free Rule, and Other Drinking Water Regulations
Board Docket R21-10/R22-2

Dear Clerk of the Board:

On July 14, 2023, the Illinois Pollution Control Board ("Board") issued a Notice of Proposed Amendments containing an identical-in-substance ("IIS") rulemaking pursuant to 415 ILCS 5/7.2 and 5/17/5 (2020), which proposes to amend various state drinking water regulations set forth in 35 Ill. Adm. Code 611. The Board rulemaking was necessitated by revisions to, or the adoption of, National Primary Drinking Water Regulations ("NPDWRs") promulgated by the United States Environmental Protection Agency ("U.S. EPA") under authority of the federal Safe Drinking Water Act ("SDWA"), 42 U.S.C. §§ 300f et seq. See 47 Ill. Reg. 9557-10250.

The subjects and issues involved are those identified in Board Docket R21-10/R22-2, with proposed amendments and new sections regarding:

- Lead and Copper Rule Revisions¹ ("LCRR") (styled as "Lead and Copper" at 35 Ill. Adm. Code 611.350-361, Subpart G);
- Lead and Copper Rule² ("LCR") (styled as "Interim Lead and Copper Rules" at 35 Ill. Adm. Code 611.1350-1361, Subpart AG);
- Use of Lead Free Pipes, Fittings, Fixtures, Solder, and Flux for Drinking Water Rule³ ("Lead Free Fixtures Rule") (35 Ill. Adm. Code 611.102, 611.110, 611.126, 611.350, etc.);
- Incorporation by reference of 17 Alternative Test Procedures ("ATPs")⁴ designated by U.S. EPA for analyzing drinking water samples, including laboratory analytical methods

¹ 86 Fed. Reg. 4198 (January 15, 2021); 86 Fed. Reg. 31939 (June 16, 2021).

² 40 C.F.R. Part 141, Subpart I.

³ 40 C.F.R. Part 143, Subpart B; 85 Fed. Reg. 54235 (Sept. 1, 2020)

⁴ 86 Fed. Reg. 28277 (May 26, 2021)

for inorganic, volatile organic, synthetic organic, radiochemical, and microbiological contaminants and disinfectant residuals (35 Ill. Adm. Code 611.531, 611.611, 611.720, etc.); and

- Board-initiated revisions to miscellaneous other rules and regulations identified in the Notice of Proposed Amendments, regarding subjects such as: Definitions, Special Exemption Permits, Variances and Exemptions, Surface Water Treatment Rules, Ground Water Rule, Disinfectant Byproducts Rule, Consumer Confidence Report, Public Notice, and Revised Total Coliform Rule.

The Board is accepting public comments on the proposed IIS rulemaking from interested persons for a period of at least 45 days from the July 14, 2023 publication date of the *Illinois Register* notice.

Staff from the U.S. EPA, Region 5 Office of Groundwater and Drinking Water Branch and Office of Regional Counsel have conducted a review of the proposed LCRR, LCR, Lead Free Rule, ATP, and other amendments for purposes of providing timely comments within the public comment period. These are compiled in the attached table of citations (Enclosure I) for the applicable federal regulations and Illinois rule counterparts.

By this letter, U.S. EPA is providing public comments within the period set forth in the Notice of Proposed Amendments. The attached Enclosure I does not represent an exhaustive set of comments on the amendments set forth in the Notice of Proposed Amendments. U.S. EPA reserves the right to further review and comment upon these or any other amendments or state regulations to be submitted by Illinois in the future as part of any formal request under SDWA for approval to revise Illinois' primacy program to adopt the NPDWRs for the above rules.

Thank you for your attention to these comments. If the Board has further questions, please contact me by phone at 312-353-2106 or by email at bauer.candice@epa.gov, or Board staff may contact Stacy Meyers (meyers.stacy@epa.gov, 312-886-0880) of my staff.

Sincerely,

8/25/2023

X 

Candice Bauer

Signed by: Bauer, Candice

Manager, Ground Water and Drinking Water Branch

Enclosures:

- I. Attachment 1 - Preliminary Public Comment on Illinois R21-10/R22-2 Rulemaking by U.S. EPA Region 5

cc: (via email, with enclosure):

Marie Tipsord, Illinois Pollution Control Board
Stephanie Diers, Illinois Environmental Protection Agency
Sara Terranova, Illinois Environmental Protection Agency
Michael Brown, Illinois Environmental Protection Agency
Joey Logan-Pugh, Illinois Environmental Protection Agency
Chris Johnston, Illinois Environmental Protection Agency

ATTACHMENT 1

PRELIMINARY PUBLIC COMMENT ON ILLINOIS R22-2 / R21-10 RULEMAKING BY U.S. EPA REGION 5

(August 25, 2023)

- I. [CONTENT](#) Comments on proposed state regulations related to LCRR
- II. [PROCEDURAL](#) Comments on proposed state regulations related to LCRR
- III. Comments on the Illinois [INTERIM LCR SECTION](#)
- IV. Comments on the [ANALYTICAL METHODS](#) in proposed state regulations
- V. Comments on OTHER SECTIONS in proposed state regulations
 - a. [GENERAL DEFINITIONS](#)
 - b. [SPECIAL EXEMPTION PERMITS](#)
 - c. [VARIANCES AND EXEMPTIONS](#)
 - d. [SURFACE WATER TREATMENT RULES](#)

SUMMARY OF FEDERAL REGULATIONS	FEDERAL CITATION	STATE CITATION (DOCUMENT TITLE, PAGE NUMBER SECTION/PARAGRAPH)	Preliminary Comment (Not Determinative and Not Primacy Review)
Part 141 National Primary Drinking Water Regulations			
CONTENT-BASED COMMENTS (Questions re: Substance)			
Subpart A – General			
40 C.F.R. 141.2 Definitions.			
<p><i>Lead service line</i> means a portion of pipe that is made of lead, which connects the water main to the building inlet. A lead service line may be owned by the water system, owned by the property owner, or both. For the purposes of this subpart, a galvanized service line is considered a lead service line if it ever was or is currently downstream of any lead service line or service line of unknown material. If the only lead piping serving the home is a lead gooseneck, pigtail, or connector, and it is not a galvanized service line that is considered a lead service line the service line is not a lead service line. For purposes of §141.86(a) only, a galvanized service line is not considered a lead service line.</p>	40 CFR 141.2	35 IAC 611.350(b): “Lead service line” means a portion of pipe made of lead connecting the water main to the building inlet. The water system, property owner, or both may own a lead service line. A galvanized service line is a lead service line if ever downstream of any lead service line or service line of unknown material. If the only lead piping serving a home is a lead gooseneck, pigtail, or connector that is not a galvanized service line that is a lead service line, the service line is not a lead service line. Under Section 611.356(a) only, a galvanized service line is not a lead service line.	EPA observes that the State’s proposed regulatory definition of “lead service line” is not consistent with Illinois law (415 ILCS 5/17.12(c)), which includes a service line connected to a lead pigtail, lead gooseneck, or other lead fitting in its definition of “lead service line”.

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<p><i>Medium-size water system</i>, for the purpose of subpart I of this part only, means a water system that serves greater than 10,000 persons and less than or equal to 50,000 persons.</p>	40 C.F.R. 141.2	35 Ill. Adm. Code 611.350(b): “Medium-sized system” means a water system that regularly serves water to more than 3,300 up to 50,000 or fewer persons.	<p>The state struck the general definition of “medium sized system” from subpart G. While there is a definition of “mid sized suppliers” utilizing >10,000 to ≤50,000 found at 611.351(a)(2), that definition is not applicable to the rest of Subpart G. Reinstate a general definition of Medium-size water system (or mid-sized supplier) in Section 611.350(b), utilizing either the federal content or the former state thresholds.</p>

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<p><i>Partial lead service line replacement</i> means replacement of any portion of a lead service line or galvanized service line requiring replacement, as defined in this section, that leaves in service any length of lead service line or galvanized service line requiring replacement upon completion of the work. Partial lead service line replacements are permitted under limited circumstances under §141.84(d) but do not count towards the mandatory or goal-based lead service line replacement rate.</p>	40 C.F.R. 141.2	<p>35 Ill. Adm. Code 611.350(b): “Partial lead service line replacement” means replacing any portion of a lead service line or galvanized requiring replacement service line leaving any length of the lead service line or galvanized requiring replacement service line in service and requiring replacement upon completion of the work. Section 141.84(d) allows partial lead service line replacements, but these do not count towards the mandatory or goal-based lead service line replacement rate under Section 611.384.”</p>	<p>The sentence beginning with “Section 141.84(d) allows partial lead service line replacement” should include the federal language afterwards: “<u>under limited circumstances</u>”.</p> <p>Please see comments under Ill. Adm. Code Section 611.354(g)(7).</p> <p>Also, the cite to 611.384 is in error; see Procedural Comments section below.</p>
<p><i>Point-of-use treatment device or point of use device (POU)</i> is a water treatment device physically installed or connected to a single fixture, outlet, or tap to reduce or remove contaminants in drinking water. For the purposes of subpart I of this part, it must be certified by an American National Standards Institute accredited certifier to reduce lead in drinking water.</p>	40 C.F.R. 141.2	<p>35 Ill. Adm. Code 611.101: "Point-of-use treatment device", point-of-use device", or "POU" is a water treatment device a consumer applies to a single tap to reduce contaminants in drinking water at that tap. Under Subpart G, a manufacturer, importer, or accredited third-party certifying body must certify a POU device as complying with NSF/ANSI 53 as in effect on the date of manufacture or import to satisfy the rule. <i>(See Board note)</i></p>	<p>Change reference to “NSF/ANSI 53” to be “NSF/ANSI Standard 53 or 58”.</p>

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<p><i>Small water system</i>, for the purpose of subpart I of this part only, means a water system that serves 3,300 persons or fewer.</p>	<p>40 C.F.R. 141.2</p>	<p>35 Ill. Adm. Code 611.350(b): “Small system supplier” means a CWS serving 10,000 3,300 or fewer persons.</p> <p>BOARD NOTE: USEPA did not revise its corresponding definition of “small water system” in 40 CFR 141.2 from 3,300 or fewer to 10,000 or fewer persons. This creates an inconsistency the Board corrected.</p> <p>35 Ill. Adm. Code 611.350(b) also includes: “Small system supplier” or “small CWS supplier” means a CWS serving 10,000 or fewer persons. BOARD NOTE: A small CWS is a small supplier that is a CWS. This definition derives from the preamble of 40 CFR 141.93. Corresponding Section 611.363 distinguishes a small CWS supplier from an NTNCWS supplier.</p>	<p>The current LCRR definition of “small water system” applies to systems serving 3,300 or fewer persons in 40 CFR 141.2, while the proposed state definition applies to systems with <10,000. Using 10,000 as the definitional limit is inconsistent with the federal definition now in place. The state’s definition is also inconsistent with the state’s references to “3,300” in 611.355(b)(8) (public education programs for small systems) and 611.356(g) (monitoring waivers for small systems). The state definition should revert back to “3,300” to maintain consistency with the federal definition in current usage under the LCRR.</p>
<p>Subpart C—Monitoring and Analytical Requirements</p>			
<p>40 CFR 141.28 Certified laboratories.</p>			
<p>Subpart D—Reporting and Recordkeeping</p>			

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40 CFR 141.31 Reporting requirements.			
The public water system, within 10 days of completing the public notification requirements under subpart Q of this part for the initial public notice and any repeat notices, must submit to the primary agency a certification that it has fully complied with the public notification regulations. For Tier 2 and 3 notices, the public water system must include with this certification a representative copy of each type of notice distributed, published, posted, and made available to the persons served by the system and to the media.	40 C.F.R. 141.31(d)(1)	OMISSION	The state's omission of this substantive provision should be addressed or remedied.
For Tier 1 notices for a lead action level exceedance, public water systems must provide a copy of any Tier 1 notice to the Administrator and the head of the primacy agency as soon as practicable, but not later than 24 hours after the public water system learns of the violation or exceedance.	40 C.F.R. 141.31(d)(2)	OMISSION	The state's omission of this substantive provision should be addressed or remedied.
Subpart I – Control of Lead and Copper			
40 CFR 141.80 General requirements.			

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<p>Scope. The regulations in this subpart establish a treatment technique that includes requirements for corrosion control treatment, source water treatment, lead service line inventory, lead service line replacement, public notice, monitoring for lead in schools and child care facilities, and public education. Several of the requirements in this subpart are prompted by the lead and copper action levels or the lead trigger level, specified in paragraph (c) of this section, as measured in samples collected at consumers' taps. The requirements for sampling for lead in schools and child care facilities and public education requirements in this subpart apply to all community water systems regardless of the results of the compliance tap sampling.</p>	40 C.F.R. 141.80(b)	<p>35 Ill. Adm. Code 611.350(a)(2): "Scope. This Subpart G establishes a treatment technique including requirements for corrosion control treatment, source water treatment, lead service line inventory, replacing lead service lines, public notice, monitoring for lead in schools and child care facilities, and public education. Lead and copper action levels and the lead trigger level in samples collected at consumers' taps prompt these requirements. The rules in this Subpart G requiring lead sampling in schools and child care facilities and public education apply to all CWS results."</p> <p>See also 611.1350(a)(2) for parallel provision prior to LCRR. (pp. 10121-22)</p>	<p>The rules must apply to all community water systems (CWSs) regardless of compliance tap sampling results. The state's proposed language applies to all CWS "results", rather than CWSs themselves. The word "results" should be deleted.</p>
<p>The number of samples taken during the tap sampling period shall be multiplied by 0.9.</p>	40 C.F.R. 141.80(c)(4)(A)(ii)	<p>35 Ill. Adm. Code 611.350(c)(4)(ii): To determine the 90th percentile sample, the supplier must multiply the total number of samples taken during the four-month tap sampling period times 0.9.</p>	<p>Strike "4-month". The tap sampling period is not always a <u>4-month</u> sampling period. (This is technically a 6-month tap sampling period while on standard monitoring).</p>
<p>For water systems serving fewer than 100 people that collect 5 samples per tap sampling period, the 90th percentile concentration is the average of the highest and second highest concentration.</p>	40 C.F.R. 141.80(c)(4)(A)(iv)	<p>35 Ill. Adm. Code 611.350(c)(4)(iv): "For a supplier collecting five samples per four-month tap sampling period, the 90th percentile concentration is the average of the highest and second highest concentrations."</p>	<p>Strike "4-month". The tap sampling period is not always a <u>4-month</u> sampling period. (This is technically a 6-month tap sampling period while on standard monitoring).</p>

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The required minimum number of sites listed in §141.86(c) shall be multiplied by 0.9.	40 C.F.R. 141.80(c)(4)(iii)(B)	35 Ill. Adm. Code 611.350(c)(4)(C)(ii): The supplier must multiply the number of samples it took at Tier 1 or Tier 2 sites during the tap sampling period times 0.9.	Delete the phrase "samples it took at". This should be the required minimum number of sites, not the number of samples the supplier took.
40 CFR 141.81 Applicability of corrosion control treatment steps to small, medium, and large water systems.			
<i>Systems deemed to have optimized corrosion control.</i> A system is deemed to have optimal corrosion control treatment (OCCT) or re-optimized OCCT if the system satisfies one of the criteria specified in paragraphs (b)(1) through (3) of this section. Any such system deemed to have OCCT under this paragraph and which has corrosion control treatment in place shall continue to operate and maintain that treatment and meet any additional requirements that the State determines to be appropriate to ensure <i>optimal corrosion control treatment</i> is maintained.	40 C.F.R. 141.81(b)	35 Ill. Adm. Code 611.351(b): Suppliers Deemed to Have Optimized Corrosion Control. Subsection (b)(1), (b)(2), or (b)(3) deems a supplier to have OCCT or reoptimized OCCT if the supplier satisfies the criterion the subsection specifies. Any system subsection (b)(1), (b)(2), or (b)(3) deems to have OCCT having corrosion control treatment in place must continue operating and maintaining that treatment and meeting any additional requirements the Agency determines are appropriate to ensure that the supplier maintains OCCT.	The state text says the supplier must satisfy the criteria "the subsection specifies". That could mean this section, rather than the three sections cited to in the federal text. The State provision should read: "A supplier is deemed to have OCCT or reoptimized OCCT if it satisfies one the criteria specified in subsections (b)(1), (b)(2), or (b)(3)."

<p>Any water system is deemed to have optimized or re-optimized corrosion control if it submits results of tap water monitoring in accordance with §141.86 demonstrating that the (i) 90th percentile tap water lead level is less than or equal to the lead practical quantitation level of 0.005 mg/L and does not exceed the copper action level for two consecutive 6-month tap sampling monitoring periods, and does not have optimal water quality parameters that were set by the State under paragraph (d) or (e) of this section. Any such system with 90th percentile tap sample results that thereafter exceeds the lead practical quantitation level or copper action level during any tap sampling period shall not be eligible to be deemed to have optimized OCCT in accordance with this paragraph (b)(3) without first completing the treatment steps specified in paragraph (d) or (e) of this section.</p>	<p>40 C.F.R. 141.81(b)(3)</p>	<p>35 Ill. Adm. Code 611.351(b)(3): Results Less Than or Equal to the Practical Quantitation Level (PQL) for Lead. Monitoring results deem a supplier to have optimized or re-optimized OCCT if the supplier submits results of tap water monitoring under Section 611.356 demonstrating that the 90th percentile lead concentration is less than or equal to the lead PQL of 0.005 mg/ℓ and does not exceed the copper action level for two consecutive six-month tap monitoring cycles, and the Agency did not issue a SEP setting OWQPs under subsection (d) or (e). Any water system this subsection (b)(3) deems to have optimized corrosion control must continue tap water monitoring for lead and copper no less frequently than once every three calendar years using the reduced number of sites Section 611.356(c) specifies and collecting the samples at times and locations Section 611.356(d)(4)(E) specifies.</p>	<p>The federal regulation says systems with 90th percentile lead exceedances <u>aren't eligible to be deemed to have optimized OCCT</u> unless the systems completes certain treatment steps under 40 C.F.R. 141.81(d) or (e). Under the proposed state rule, systems <u>deemed to have OCCT</u> must follow 611.356(c) and 356(d)(4)(E). The state rule should cite "611.356(d) or (e)" rather than "611.356(d)(4)(E)" in the highlighted section.</p> <p>The state rule doesn't appear to have a trigger out of (b)(3) optimized CCT if the lead levels go up later. Basically, the federal provision says that, if a system exceeds, it must complete treatment steps in paragraphs (d) and (e) before it could be deemed to have optimized CCT. The state doesn't include that</p>
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			option to have optimized CCT.

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<p><i>Corrosion control steps completion for small and medium-size water systems without corrosion control treatment.</i> Any small or medium-sized system without corrosion control treatment required to complete the corrosion control steps in paragraph (e) of this section due to its exceedance of the lead or copper action level that does not exceed either the lead or copper action levels during each of two consecutive 6-month tap sample monitoring periods pursuant to §141.86 prior to the start of Step 3 in paragraph (e)(3) of this section or Step 5 in paragraph (e)(5) of this section may cease completing the steps and is not required to complete Step 3 or Step 5, respectively, except that medium-sized systems with lead service lines and small systems with lead service lines that choose the corrosion control option pursuant to §141.93 must complete a corrosion control treatment study under paragraph (e)(3)(i) of this section. Any system that initiates Step 5 must complete all remaining steps in paragraphs (e)(6) through (8) of this section and is not permitted to cease the steps. Any system that ceases the steps either prior to Step 3 or Step 5 and thereafter exceeds either the lead or copper action level shall not be permitted to cease the steps a second time and shall complete the applicable treatment steps beginning with the first treatment step which was not previously completed in its entirety. The State may require a water system to repeat treatment steps previously completed by the water system when the State determines that this is necessary to implement the treatment requirements of this section. The State must notify the system in writing of such a determination and explain the basis for its decision.</p>	<p>40 C.F.R. 141.81(c)</p>	<p>35 Ill. Adm. Code 611.351(c): Completing Corrosion Control Steps for Small and Mid-Sized Suppliers Applying Corrosion Control Treatment (1) Any small or mid-sized supplier not applying corrosion control treatment, otherwise required to complete the corrosion control steps in subsection (e) because it exceeded the lead or copper action level, may cease completing the treatment steps after not exceeding either the lead or copper action levels during each of two consecutive six-month tap monitoring cycles under Section 611.356 before beginning Step 3 under subsection (e)(3) or Step 5 under subsection (e)(5). The supplier needs not begin the applicable of Step 3 or Step 5, except that a mid-sized supplier with lead service lines or a small supplier with lead service lines choosing the corrosion control option under Section 611.353 must complete a corrosion control treatment study under subsection (e)(3)(A). A supplier initiating Step 5 may not cease the steps and must complete all remaining steps in subsections (e)(6) through (e)(8). (2) A supplier ceasing the steps prior to either Step 3 or Step 5 and later exceeding the lead or copper action level may not cease the steps a second time and must complete the applicable treatment steps, beginning with the first treatment step that the supplier previously did not complete in its entirety. (3) The Agency may issue a SEP requiring a supplier to repeat treatment steps the supplier previously completed if the Agency determines that this is necessary to properly implement the treatment requirements of this Section.</p>	<p>In the header, "Applying" should be "Without Applying" or "Not Applying".</p> <p>A SEP would notify the system in writing. However the state regulation should include the last sentence from 141.81(c), or indicate that the SEP will explain the basis for the Agency's decision.</p> <p>Citation error: The proper state parallel to § 141.93 is 611.363, not 611.353. Change "611.353" to "611.363".</p>

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<p>A water system with lead service lines that exceeds the lead action level must harvest lead pipes from the distribution system and construct flow-through pipe loops and operate the loops with finished water within one year after the end of the tap sampling period during which it exceeds the lead action level. These water systems must proceed to Step 3 in paragraph (e)(3) of this section and conduct the corrosion control studies for optimization under paragraph (e)(3)(i) of this section using the pipe loops.</p>	<p>40 C.F.R. 141.81(e)(1)(ii)</p>	<p>35 Ill. Adm. Code 611.351(e)(1)(B): A supplier having lead service lines and exceeding the lead action level must harvest lead pipes from its distribution system, construct flowthrough pipe loops, and operate the loops with finished water within one year after the end of the tap sampling period during which the supplier exceeds the lead action level. The supplier must proceed to Step 3 in subsection (e)(3) of this section and use the pipe loops to conduct the corrosion control studies for optimizing OCCT under subsection (e)(3)(A).</p>	<p>The highlighted sentence should read: "The supplier must proceed to Step 3 in subsection (e)(3) of this section and <u>conduct the corrosion control studies under subsection (e)(3)(i) using the pipe loops</u>, for optimizing OCCT under subsection (e)(3)(A)." (Emphasis added.) The supplier is not supposed to exclusively use pipe loops to conduct the studies; instead, pipe loops are to be included as one part of the larger study evaluating CCT.</p>

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Any system under this paragraph (a) without corrosion control treatment that is required to recommend a treatment option in accordance with §141.81(e) must, based on the results of lead and copper tap sampling and water quality parameter monitoring, recommend designation of one or more of the corrosion control treatments listed in paragraph (c)(1)(i) of this section. Small community water systems and non-transient non-community water systems that exceed the copper action level must comply with this paragraph (a)(1). The State may require the system to conduct additional water quality parameter monitoring to assist the State in reviewing the system's recommendation.	40 C.F.R. 141.82(a)(1)	35 Ill. Adm. Code 611.352(a)(1): A supplier that must recommend under Section 611.351(e) one or more of the corrosion control treatments in subsection (c)(1)(A) for the Agency to designate must base its recommendation on the results of lead and copper tap monitoring and water quality parameter monitoring. (a)(1)(A): A small CWS supplier or NTNCWS supplier exceeding the copper action level and recommending corrosion control treatment to the Agency under Section 611.363(a) must comply with this subsection (a)(1). (a)(1)(B): The Agency may issue a SEP requiring the supplier to conduct additional water quality parameter monitoring to assist the Agency in reviewing the supplier's recommendation.	Omits "without corrosion control" in first line of 611.352(a)(1). Insert this phrase after "supplier" in the state's first sentence.
Water systems without corrosion control treatment that are required to conduct corrosion control studies must complete the following:	40 C.F.R. 141.82(c)(1)	35 Ill. Adm. Code 611.352(c)(1): A supplier not applying corrosion control treatment conducting corrosion control studies must complete certain actions:	Replace the state's word "conducting" with the phrase "that is required to conduct".
Alkalinity and/or pH adjustment, or re-adjustment;	40 C.F.R. 141.82(c)(2)(i)(A)	35 Ill. Adm. Code 611.352(c)(2)(A)(i): Alkalinity or pH adjustment or re-adjustment;	The state's word "or" should be replaced with "and/or", in order to be inclusive.
Data and documentation showing that a particular corrosion control treatment has adversely affected other drinking water treatment processes when used by another water system with comparable water quality characteristics. Systems using coupon studies to screen and/or pipe loop/rig studies to evaluate treatment options must not exclude treatment strategies from the studies based on the constraints identified in this section.	40 C.F.R. 141.82(c)(1)(iv)(A)	35 Ill. Adm. Code 611.352(c)(1)(D)(i): With data and documents showing that a particular corrosion control treatment adversely affects other water treatment processes when another supplier uses that treatment in a system with water having comparable water quality characteristics.	"Adversely affects" should be "adversely affected". State provision omits last sentence of federal provision – insert it into state provision.

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Data and documentation demonstrating that the water system has previously attempted to evaluate a particular corrosion control treatment and has found that the treatment is ineffective or adversely affects other drinking water quality treatment processes. Systems using coupon studies to screen and/or pipe loop/rig studies to evaluate treatment options must not exclude treatment strategies from the studies based on the constraints identified in this section unless the treatment was found to be ineffective in a previous pipe loop/rig study.	40 C.F.R. 141.82(c)(1)(iv)(B)	35 Ill. Adm. Code 611.352(c)(1)(D)(ii): With data and documents demonstrating that the supplier previously evaluated a particular corrosion control treatment, finding either that the treatment is ineffective or adversely affects other drinking water quality treatment processes.	The state provision omits the last sentence from the federal provision. It is not the same as the other sections before and after this one. Insert the missing federal language into the state text.
Data and documentation showing that a particular corrosion control treatment has adversely affected other drinking water treatment processes when used by another water system with comparable water quality characteristics. Systems using coupon studies to screen and/or pipe loop/rig studies to evaluate treatment options must not exclude treatment strategies from the studies based on the constraints identified in this section.	40 C.F.R. 141.82(c)(2)(iv)(A)	35 Ill. Adm. Code 611.352(c)(2)(D)(i): Data and documents showing that a particular corrosion control treatment adversely affected other drinking water treatment processes when another supplier with comparable water quality characteristics used the treatment. A supplier using coupon studies to screen or pipe loop/rig studies to evaluate treatment options must not exclude treatment strategies from the studies based on the constraints the supplier identifies under this Section; or	The state's phrase "screen or pipe loop/rig studies" should be replaced with "screen and/or pipe loop/rig studies". (Emphases added.) If a system uses both, it still must not exclude treatment strategies from studies.
The water system must evaluate the effect of the chemicals used for corrosion control treatment on other drinking water quality treatment processes. Systems using coupon studies to screen and/or pipe loop/rig studies to evaluate treatment options shall not exclude treatment strategies from the studies based on the effects identified in this section.	40 C.F.R. 141.82(c)(2)(v)	35 Ill. Adm. Code 611.352(c)(2)(E): The supplier must evaluate the effect of the chemicals it uses for corrosion control treatment on other drinking water quality treatment processes. A supplier using coupon studies to screen or pipe loop/rig studies to evaluate treatment options must not exclude treatment strategies from the studies based on the effects the supplier identifies under this Section.	The state's phrase "screen or pipe loop/rig studies" should be replaced with "screen and/or pipe loop/rig studies". (Emphases added.) If a system uses both, it still must not exclude treatment strategies from studies.

SUMMARY OF FEDERAL REGULATIONS	FEDERAL CITATION	STATE CITATION (DOCUMENT TITLE, PAGE NUMBER SECTION/PARAGRAPH)	Preliminary Comment (Not Determinative and Not Primacy Review)
<p><i>State designation of optimized optimal corrosion control treatment and re-optimized optimal corrosion control treatment.</i> When designating optimal corrosion control treatment, the State must consider the effects that additional corrosion control treatment will have on water quality parameters and on other drinking water quality treatment processes. The State must notify the water system of its designation of <i>optimal corrosion control treatment</i> in writing and explain the basis for this determination. If the State requests additional information to aid its review, the water system must provide the information.</p>	40 C.F.R. 141.82(d)	35 Ill. Adm. Code 611.352(d): Agency Approval of Optimized and Re-Optimized Corrosion Control Treatment. When designating OCCT, the Agency must consider the effects of additional corrosion control treatment on water quality parameters and other water quality treatment processes. The Agency must notify the supplier of the basis for designating OCCT in any SEP it issues under this subsection (d).	Insert the last federal sentence. It is a substantive requirement that is missing from the state provision.
<p><i>Designation of OCCT for systems without corrosion control treatment.</i> Based upon considerations of available information including, where applicable, studies conducted under paragraph (c)(1) of this section and/or a system's recommended corrosion control treatment option, the State must either approve the corrosion control treatment option recommended by the system or designate alternative corrosion control treatment(s) from among those listed in paragraph (c)(1)(i) of this section or, where applicable, an alternate <i>small water system compliance flexibility</i> option under §141.93(a).</p>	40 C.F.R. 141.82(d)(1)	35 Ill. Adm. Code 611.352(d)(1): Designating OCCT for a Supplier Applying Corrosion Control Treatment. Considering available information, including applicable studies conducted under subsection (c)(1) or the supplier's recommended corrosion control treatment option, the Agency must issue a SEP designating from among the supplier-recommended corrosion control treatment option, alternative corrosion control treatments from among those in subsection (c)(1)(A), or an applicable alternative small supplier compliance flexibility option under Section 611.363(a).	The header should have the phrase "Without CCT" rather than "Applying CCT".

SUMMARY OF FEDERAL REGULATIONS	FEDERAL CITATION	STATE CITATION (DOCUMENT TITLE, PAGE NUMBER SECTION/PARAGRAPH)	Preliminary Comment (Not Determinative and Not Primacy Review)
<p><i>Modification of State treatment decisions for optimal corrosion control and re-optimized corrosion control.</i> Upon its own initiative or in response to a request by a water system or other interested party, a State may modify its determination of the optimal corrosion control treatment under paragraph (d) of this section, or optimal water quality control parameters under paragraph (f) of this section. A request for modification by a system or other interested party shall be in writing, explaining why the modification is appropriate, and providing supporting documentation. The State may modify its determination where it concludes that such change is necessary to ensure that the water system continues to optimize corrosion control treatment. A revised determination must be made in writing, set forth the new treatment requirements and/or water quality parameters, explain the basis for the State's decision, and provide an implementation schedule for completing the treatment modifications for re-optimized corrosion control treatment.</p>	40 C.F.R. 141.82(h)	<p>35 Ill. Adm. Code 611.352(h): Modifying Agency Treatment Decisions for OCCT and re-optimized OCCT 35 IAC 611.352(h)(1): On its own initiative or in response to a request by the supplier, the Agency may issue a SEP modifying its determination of the OCCT under subsection (d) or of the optimal water quality control parameters under subsection (f). 35 IAC 611.352(h)(2): A supplier must request modification in writing, explaining the propriety of the modification and providing supporting documentation. 35 IAC 611.352(h)(3): The Agency may modify its determination if it determines that a change will ensure that the supplier continues optimizing corrosion control treatment. A revised determination must give the new treatment requirements or water quality parameters, explain the basis for the Agency's decision, and provide an implementation schedule for completing the treatment modifications for re-optimized OCCT. 35 IAC 611.352(h)(3): Any interested person may submit information to the Agency bearing on whether the Agency should exercise its discretion and issue a SEP modifying its determination under subsection (h)(1). An Agency determination not to act on information an interested person submits is not an Agency determination for the purposes of Sections 39 and 40 of the Act.</p>	<p>The Agency determination on revising the determination in response to an interested person's request is a final action, regardless of whether it is a positive or negative decision. Assuming that the final determination is reflected in a SEP, rather than a permit, clarify that third parties can appeal under the SEP provisions, rather than the permit provisions under Sections 39 and 40 of the Act.</p>
<p><i>Step 5:</i> The State shall review the system's installation and operation of source water treatment and specify maximum permissible source water levels (§141.83(b)(4)) within 6 months after completion of step 4.</p>	40 C.F.R. 141.83(a)(5)	<p>35 Ill. Adm. Code 611.353(a)(5): Step 5: The Agency must issue a SEP reviewing the supplier's installation and operation of source water treatment and specify MPCs for lead and copper (under subsection (b)(4)) within six months after the Agency completes step 4.*</p>	<p>Delete "Agency" and replace with "supplier".</p>

SUMMARY OF FEDERAL REGULATIONS	FEDERAL CITATION	STATE CITATION (DOCUMENT TITLE, PAGE NUMBER SECTION/PARAGRAPH)	Preliminary Comment (Not Determinative and Not Primacy Review)
<p><i>State review of source water treatment and specification of maximum permissible source water levels.</i> The State shall review the source water samples taken by the water system both before and after the system installs source water treatment, and determine whether the system has properly installed and operated the source water treatment designated by the State. Based upon its review, the State shall designate the maximum permissible lead and copper concentrations for finished water entering the distribution system. Such levels shall reflect the contaminant removal capability of the treatment properly operated and maintained. The State shall notify the system in writing and explain the basis for its decision.</p>	<p>40 C.F.R. 141.83(b)(4)</p>	<p>35 Ill. Adm. Code 611.353(b)(4)(B). Agency Reviewing Source Water Treatment and Specifying Maximum Permissible Source Water Levels (MPCs) (A) The Agency must review the source water samples the supplier took both before and after the supplier installs source water treatment, and determine whether the supplier properly installs and operates the approved source water treatment. (B) Based on its review, the Agency must issue a SEP approving the lead and copper MPCs for finished water entering the supplier's distribution system. The MPC levels must reflect the contaminant removal capability of the treatment when properly operated and maintained. (C) The Agency must explain the basis for its decision under subsection (b)(4)(B).</p> <p>See also 35 Ill. Adm. Code 611.350(b): "Maximum permissible concentration" or "MPC" means the concentration of lead or copper in for finished water entering the supplier's distribution system, which designated by the Agency designates in by a SEP based on that reflects the contaminant removal ability capability of the treatment properly operated and maintained. BOARD NOTE: This definition derives Derived from 40 CFR 141.83(b)(4).</p>	<p>40 CFR 141.83(b)(4) requires IL to "notify the system in writing and explain the basis for its decision." 35 IAC 611.353(b)(4)(B) omits notification, only stating "the Agency must explain the basis for its decision." Add either that the SEP will explain the basis of the decision or that the basis for its decision must be in writing.</p>

SUMMARY OF FEDERAL REGULATIONS	FEDERAL CITATION	STATE CITATION (DOCUMENT TITLE, PAGE NUMBER SECTION/PARAGRAPH)	Preliminary Comment (Not Determinative and Not Primacy Review)
<p><i>Modification of State treatment decisions.</i> Upon its own initiative or in response to a request by a water system or other interested party, a State may modify its determination of the source water treatment under paragraph (b)(2) of this section, or maximum permissible lead and copper concentrations for finished water entering the distribution system under paragraph (b)(4) of this section. A request for modification by a system or other interested party shall be in writing, explain why the modification is appropriate, and provide supporting documentation. The State may modify its determination where it concludes that such change is necessary to ensure that the system continues to minimize lead and copper concentrations in source water. A revised determination shall be made in writing, set forth the new treatment requirements, explain the basis for the State's decision, and provide an implementation schedule for completing the treatment modifications.</p>	<p>40 C.F.R. 141.83(b)(6)</p>	<p>35 Ill. Adm. Code 611.353(b)(6): Modifying Agency Treatment Decisions</p> <p>A) On its own initiative, or in response to a request by the supplier, the Agency may issue a SEP modifying its determination of the source water treatment under subsection (b)(2) or the lead and copper MPCs under subsection (b)(4).</p> <p>B) A supplier must make a request to modify in writing, explaining the propriety of the modification, and providing supporting documentation.</p> <p>C) The Agency may issue a SEP modifying its determination if it concludes that the change is necessary to ensure that the supplier continues minimizing lead and copper concentrations in source water.</p> <p>D) A revised determination under subsection (b)(6)(C) must state the new treatment requirements, explain the basis for the Agency's decision, and provide a schedule for completing the treatment modifications.</p> <p>E) Any interested person may submit information to the Agency in writing bearing on whether the Agency should exercise its discretion and issue a SEP modifying its determination under subsection (b)(2). An Agency determination not to act on information an interested person submits is not an Agency determination for the purposes of Sections 39 and 40 of the Act.*</p>	<p>The Agency determination on revising the determination in response to an interested person's request is a final action, regardless of whether it is a positive or negative decision. Assuming that the final determination is reflected in a SEP, rather than a permit, clarify that third parties can appeal under the SEP provisions, rather than the permit provisions under Sections 39 and 40 of the Act.</p>
<p>40 CFR 141.84 Lead service line inventory and replacement requirements.</p>			

SUMMARY OF FEDERAL REGULATIONS	FEDERAL CITATION	STATE CITATION (DOCUMENT TITLE, PAGE NUMBER SECTION/PARAGRAPH)	Preliminary Comment (Not Determinative and Not Primacy Review)
The requirements of paragraphs (c)(1), (2), (3), and (5) of this section do not apply if state law includes lead connectors in the definition of lead service lines, prohibits partial lead service line replacements, and requires systems to remove all lead service lines irrespective of a system's 90th percentile lead level.	40 C.F.R. 141.84(c)(6)	OMISSION	No state parallel. Either include the provision or specify how state regulations satisfy all 3 federal conditions for the exception from 141.84(c)(1)-(3) and (5).
The water system must provide the consumer with a pitcher filter or point-of-use device certified by an American National Standards Institute accredited certifier to reduce lead, six months of replacement cartridges, and instructions for use before the affected service line is returned to service. If the affected service line serves more than one residence or non-residential unit (e.g., a multi-unit building), the water system must provide a filter, six months of replacement cartridges and use instructions to every residence in the building.	40 C.F.R. 141.84(d)(1)(iii)	35 Ill. Adm. Code 611.354(d)(1)(C): The supplier must provide the consumer with a pitcher filter or point-of-use treatment device to reduce lead, six months of replacement cartridges, and use instructions before returning the affected service line to service. If the affected service line serves more than one residence or non-residential unit (e.g., a multi-unit building), the supplier must provide a filter, six months of replacement cartridges and use instructions to every unit in the building.	State does not specify "certified by an American National Standards Institute accredited certifier" for point-of-use treatment devices. Include this language in the state regulation.

SUMMARY OF FEDERAL REGULATIONS	FEDERAL CITATION	STATE CITATION (DOCUMENT TITLE, PAGE NUMBER SECTION/PARAGRAPH)	Preliminary Comment (Not Determinative and Not Primacy Review)
<p>When a water system is notified by the customer that the customer's portion of the lead service line will be replaced, the water system must make a good faith effort to coordinate simultaneous replacement of its portion of the service line. If simultaneous replacement cannot be conducted, the water system must replace its portion as soon as practicable but no later than 45 days from the date the customer replaces its portion of the lead service line. The water system must provide notification and risk mitigation measure in accordance with paragraphs (d)(1)(i) through (iii) of this section. If the water system fails to replace its portion of the lead service line within 45 days from the date the customer replaces the customer's portion of the lead service line, the water system must notify the State within 30 days of failing to meet the deadline in accordance with §141.90(e) and complete the replacement no later than 180 days of the date the customer replaces its portion.</p>	<p>40 C.F.R. 141.84(d)(3)</p>	<p>35 Ill. Adm. Code 611.354(d)(3): If a customer notifies a supplier that the customer plans to replace the customer's portion of the lead service line, the supplier must make a good faith effort to coordinate simultaneously replacing the supplier's portion. If simultaneously replacing the supplier- and customer-owned portions is not practicable, the supplier must replace the supplier-owned portion as soon as practicable but no later than 45 days after the customer replaces the customer-owned portion of the lead service line. The supplier must notify and provide risk mitigation measures as subsections (d)(1)(A) through (d)(1)(C) require. If the supplier fails to replace its portion of the lead service line within 45 days after the customer replaces the customer's portion of the lead service line, the supplier must notify the Agency under Section 611.360(e) within 30 days after failing to meet the deadline. The supplier must complete replacing the supplier-owned portion of the service line no later than 180 days after the customer replaces the customer-owned portion.</p>	<p>The state's use of "is not practicable" in lieu of "cannot be conducted" is weaker than the federal requirement.</p>
<p>The water system must provide the consumer with a pitcher filter or point-of-use device certified by an American National Standards Institute accredited certifier to reduce lead, six months of replacement cartridges, and instructions for use before the replaced service line is returned to service. If the lead service line serves more than one residence or non-residential unit (e.g., a multi-unit building), the water system must provide a filter and six months of replacement cartridges and use instructions to every residence in the building.</p>	<p>40 C.F.R. 141.84(e)(3)</p>	<p>35 Ill. Adm. Code 611.354(e)(3): The supplier must provide the consumer with a pitcher filter or point-of-use treatment device to reduce lead, six months of replacement cartridges, and use instructions before returning the replaced service line to service. If the lead service line serves more than one residence or non-residential unit (e.g., a multi-unit building), the supplier must provide a filter and six months of replacement cartridges and use instructions to every unit in the building.</p>	<p>State does not specify "certified by an American National Standards Institute accredited certifier" for point-of-use treatment devices. Include this reference in the state rule.</p>
<p>40 CFR 141.85 Public education and supplemental monitoring and mitigation requirements.</p>			

SUMMARY OF FEDERAL REGULATIONS	FEDERAL CITATION	STATE CITATION (DOCUMENT TITLE, PAGE NUMBER SECTION/PARAGRAPH)	Preliminary Comment (Not Determinative and Not Primacy Review)
<p>The water system may also cease mandatory lead service line replacement if the system has no remaining lead status unknown service lines in its inventory and obtains refusals to conduct full lead service line replacement or non-responses from every remaining customer in its distribution system served by either a full or partial lead service line, or a galvanized requiring replacement service line. For purposes of this paragraph (g)(7) and in accordance with §141.90(e), a water system must provide documentation to the State of customer refusals including a refusal signed by the customer, documentation of a verbal statement made by the customer refusing replacement, or documentation of no response from the customer after the water system made a minimum of two good faith attempts to reach the customer regarding full lead service line replacement. If the water system's 90th percentile exceeds the lead action level again, it must contact all customers served by a full or partial lead service line or a galvanized requiring replacement service line with an offer to replace the customer-owned portion. Nothing in this paragraph (g)(7) requires the water system to bear the cost of replacement of the customer-owned lead service line.</p>	<p>40 CFR 141.84(g)(7)</p>	<p>35 Ill. Adm. Code 611.354(g)(7): A supplier may also cease mandatorily replacing lead service lines if the supplier has no remaining lead status unknown service lines in its inventory, and the supplier obtains refusals or non responses to its offer to replace the customer-owned portion of the lead service line from every customer on its distribution system still served by a lead service line or a galvanized requiring replacement service line. For this subsection (g)(7) and under Section 611.360(e), a supplier must document customer refusals to the Agency, including any written refusals signed by the customers, any documents memorializing customers verbally refusing, and any documents memorializing no response from customers after the supplier made at least two good faith attempts to reach each offering to replace the full lead service line. If the supplier's lead 90th percentile concentration later exceeds the lead action level, the supplier must offer to replace the customer-owned portion for every customer served through a full or partial lead service line or galvanized requiring replacement service line. The supplier needs not bear the cost of replacing the customer-owned portion of any lead service line.</p>	<p>EPA observes that the proposed state regulatory language here and more broadly in 35 Ill. Adm. Code 611.354(f) and (g) is not consistent with the State statute in that the proposed regulations do not reflect more stringent requirements under 415 ILCS 5/17.12. For instance, certain requirements under 415 ILCS 5/17.12(ff) are more stringent than the proposed regulation. Section 17.12(ff) expressly prohibits partial LSL replacements, except for limited circumstances, which when applicable, specific steps are provided to limit lead exposure are required.</p>

<p><i>Community water systems and non-transient non-community water systems.</i> Water systems must include the following elements in printed materials (e.g., brochures and pamphlets) in the same order as listed in paragraphs (a)(1)(i) through (vii) of this section. In addition, language in paragraphs (a)(1)(i), (ii), and (vi) of this section must be included in the materials, exactly as written, except for the text in brackets in paragraphs (a)(1)(i), (ii), and (vi) of this section for which the water system must include system-specific information. Any additional information presented by a water system must be consistent with the information in paragraphs (a)(1) through (vii) of this section and be in plain language that can be understood by the general public. Water systems must submit all written public education materials to the State prior to delivery. The State may require the system to obtain approval of the content of written public materials prior to delivery. Water systems may change the mandatory language in paragraphs (a)(1)(i) and (ii) of this section only with State approval.</p>	<p>40 C.F.R. 141.85(a)(1)</p>	<p>35 Ill. Adm. Code 611.355(a)(1): Community Water Systems and Non-Transient Non-Community Water Systems. A CWS or NTNCWS supplier must include the following elements in printed materials (e.g., brochures and pamphlets) in the same order as listed in subsections (a)(1)(A) through (a)(1)(G). In addition, the supplier must use the verbatim language in subsections (a)(1)(A), (a)(1)(B), and (a)(1)(F) except for replacing the text in brackets with the system-specific information. Any additional information a supplier presents must be consistent with the information in subsections (a)(1)(A), through (a)(1)(G), and the supplier must present the additional information in plain language that the general public can understand. The supplier must submit all written public education materials to the Agency [prior to delivery]. A supplier may change the mandatory language in subsections (a)(1)(A) and (a)(1)(B) only as the Agency approves in a SEP.</p> <p>BOARD NOTE: At corresponding 40 CFR 141.85(a)(1), USEPA allowed the State to require prior approval of written public information materials. Rather than require prior Agency approval, the Board chooses to allow the Agency to raise any deficiencies that it may perceive using its existing procedure for review of public education materials. The Agency outlines its standard practice for review of public information materials: The Agency provides a comprehensive public education packet to the supplier together with the notice that the supplier exceeds the lead action level. That packet includes guidance and templates for the supplier to use in preparing and distributing its public education materials. The supplier must send a copy of the public education materials that it distributes to the Agency, and the Agency reviews the copy of the materials after their distribution to the public. The Agency directly communicates to the supplier any perceived defects in</p>	<p>State omits “prior to delivery”. See Board Note: under existing procedure, the state sends the supplier with packet/templates for use by the supplier, after which the supplier will send the state copies of material as actually written and distributed.</p> <p>While the federal regulation does not require prior state approval, States must require that a system send its written public education materials to the Agency prior to disseminating the materials.</p>
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		<p>the materials. When the Agency perceives minor defects, it will request correction in future distributions of the public education materials. When the Agency perceives major defects in the materials, it will request a redistribution of corrected public education materials the supplier already distributed.</p> <p>[This Board Note is actually placed immediately after 35 IAC 611.355(a)(2)(B) in the Illinois Register notice. Placing it here for crosswalk review convenience.]</p>	
<p>If the disturbance of a lead, galvanized requiring replacement, or lead status unknown service line results from the replacement of an inline water meter, a water meter setter, or gooseneck, pigtail, or connector, the water system must provide the person served by the water system at the service connection with information about the potential for elevated lead levels in drinking water as a result of the disturbance, public education materials that meet the content requirements in paragraph (a) of this section, a pitcher filter or point-of-use device certified by an American National Standards Institute accredited certifier to reduce lead, instructions to use the filter, and six months of filter replacement cartridges. The water system must comply with the requirements of this paragraph (f)(2) before the affected service line is returned to service.</p>	<p>40 C.F.R. 141.85(f)(2)</p>	<p>35 Ill. Adm. Code 611.355(f)(2): If a supplier disturbs a lead, galvanized requiring replacement, or lead status unknown service line while replacing an inline water meter, a water meter setter, or gooseneck, pigtail, or connector, the supplier must inform the persons the supplier serves through the service connection about the potential for an elevated lead concentration in their drinking water due to the supplier disturbing the service line, provide public education materials complying with subsection (a), a pitcher filter or point-of-use treatment device to reduce lead, use instructions, and six months of replacement filter cartridges. The supplier must comply with this subsection (f)(2) before returning the affected service line to service.</p>	<p>State omits “certified by an American National Standards Institute accredited certifier to reduce lead” for point-of-use treatment devices. Insert this federal language into the state regulation.</p>
<p>40 CFR 141.86 Monitoring requirements for lead and copper in tap water.</p>			

SUMMARY OF FEDERAL REGULATIONS	FEDERAL CITATION	STATE CITATION (DOCUMENT TITLE, PAGE NUMBER SECTION/PARAGRAPH)	Preliminary Comment (Not Determinative and Not Primacy Review)
<p>A water system must use the information on lead, copper, and galvanized iron or steel that is required to be identified under §141.42(d) when conducting a materials evaluation and the information on lead service lines that is required to be collected under §141.84(a) to identify potential lead service line sampling sites.</p>	<p>40 C.F.R. 141.86(a)(2)</p>	<p>35 Ill. Adm. Code 611.356(a)(2): Materials Evaluation. A supplier must use the information on lead, copper, and galvanized steel it identified under 40 CFR 141.42(d) when conducting a materials evaluation and the information on lead service lines that Section 611.354(a) requires the supplier to collect to identify potential lead service line sampling sites.</p> <p>BOARD NOTE: Suppliers completed identifying and reporting construction materials in their distribution systems under 40 CFR 141.42(d), so the Board omitted this requirement from the Illinois rules.</p>	<p>State omits “iron or” and only lists steel. Revise to “galvanized iron or steel” or simply “galvanized”.</p>
<p>A community water system with insufficient Tier 1, Tier 2, and Tier 3 sampling sites must complete its sampling pool with “Tier 4 sampling sites,” consisting of single-family structures that contain copper pipes with lead solder installed before the effective date of the State's applicable lead ban. Sites with lead status unknown service lines must not be used as Tier 4 sampling sites.</p>	<p>40 C.F.R. 141.86(a)(6)</p>	<p>35 Ill. Adm. Code 611.356(a)(3)(D): CWS Tier 4 Sampling Sites. "CWS Tier 4 sampling sites" include single-family structures or buildings containing copper pipes with lead solder installed before June 19, 1986.</p> <p>BOARD NOTE: This subsection (a)(3)(D) derives from segments of 40 CFR 141.86(a)(6).</p> <p>35 Ill. Adm. Code 611.356(a)(4)(A)(iv): If the CWS supplier does not have a sufficient number of CWS Tier 1 sampling sites, CWS Tier 2 sampling sites, and CWS Tier 3 sampling sites, the supplier must complete its sampling pool with CWS Tier 4 sampling sites.</p> <p>BOARD NOTE: This subsection (a)(4)(A)(iv) derives from segments of 40 CFR 141.86(a)(6).</p>	<p>State omits “Sites with lead status unknown service lines must not be used as Tier 4 sampling sites.” Insert the sentence from the federal regulation into the State provision.</p>

<p><i>Number of samples.</i> Water systems shall collect at least one sample during each monitoring period specified in paragraph (d) of this section from the number of sites listed in the first column (“standard monitoring”) of the table in this paragraph. A system conducting reduced monitoring under paragraph (d)(4) of this section shall collect at least one sample from the number of sites specified in the second column (“reduced monitoring”) of the table in this paragraph during each monitoring period specified in paragraph (d)(4) of this section. Such reduced monitoring sites shall be representative of the sites required for standard monitoring. A public water system that has fewer than five drinking water taps, that can be used for human consumption meeting the sample site criteria of paragraph (a) of this section to reach the required number of sample sites listed in paragraph (c) of this section, must collect at least one sample from each tap and then must collect additional samples from those taps on different days during the monitoring period to meet the required number of sites. Alternatively the State may allow these public water systems to collect a number of samples less than the number of sites specified in paragraph (c) of this section, provided that 100 percent of all taps that can be used for human consumption are sampled. The State must approve this reduction of the minimum number of samples in writing based on a request from the system or onsite verification by the State. States may specify sampling locations when a system is conducting reduced monitoring. The table is as follows:</p>	<p>40 C.F.R. 141.86(c)</p>	<p>35 Ill. Adm. Code 611.356(c). Number of Samples.</p> <p>35 Ill. Adm. Code 611.356(c)(1). Suppliers must collect at least one sample each from the number of sites in the first column of Table D (labelled “standard monitoring”) during each six-month tap monitoring cycle subsection (d) specifies.</p> <p>35 Ill. Adm. Code 611.356(c)(2). A supplier conducting reduced monitoring under subsection (d)(4) must collect one sample from the number of sites in the second column of Table D (labelled “reduced monitoring”) during each reduced tap monitoring cycle subsection (d)(4) specifies. The reduced monitoring sites must represent the sites standard monitoring requires. A supplier whose system has fewer than five drinking water taps capable of use for human consumption that the sampling site criteria of subsection (a) must collect multiple samples from individual to reach the required number of sampling sites Table D requires. To accomplish this, the supplier must collect at least one sample from each tap, then additional samples from those taps on different days during the tap sampling period, to collect a total number of samples meeting the required number of sampling sites. Alternatively, the Agency may issue a SEP allowing the supplier whose system has fewer than five drinking water taps to collect a number of samples that is fewer than the number of sites this subsection (c) specifies if the Agency determines that the supplier samples 100 percent of all taps capable of use for human consumption and that the reduced number of samples will produce the same results as collecting multiple samples from some taps. The Agency must base any SEP approving a reduced minimum number of samples on a request from the supplier or Agency on-site verification. The Agency may</p>	<p>611.356(c)(2): “collect one sample” should be “collect at least one sample.”</p> <p>611.356(c)(2): Omitted Table D (see below). Insert table and then check citation to ensure reference is correct.</p>
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		specify sampling locations in a SEP when a system conducts reduced monitoring.	
<i>Invalidation of lead and copper tap samples used in the calculation of the 90th percentile.</i> A sample invalidated under this paragraph (f) does not count toward determining lead or copper 90th percentile levels under §141.80(c)(4) or toward meeting the minimum monitoring requirements of paragraph (c) of this section.	40 C.F.R. 141.86(f)	35 Ill. Adm. Code 611.356(f). Invalidation of Lead and Copper Tap Samples Used in Calculating the 90th Percentile Concentration. A sample the Agency invalidates under this subsection (f) does not count toward determining lead or copper 90 th percentile concentrations under Section 611.350(c)(4) or toward complying with subsection (c).	Replace the state's phrase "or toward complying with subsection (c)" with the following phrase from the federal language: "or toward meeting the minimum monitoring requirements of subsection (c)."
The State determines that the sample was taken from a site that did not meet the site selection criteria of this section.	40 C.F.R. 141.86(f)(1)(ii)	35 Ill. Adm. Code 611.356(f)(1)(B). The supplier took the sample from a site that did not meet the site selection criteria in this Section;	Omits that the Agency determines this. Rewrite to specify the Agency role.
<i>Monitoring criteria for waiver issuance.</i> The system must have completed at least one 6-month round of standard tap water monitoring for lead and copper at sites approved by the State and from the number of sites required by paragraph (c) of this section and demonstrate that the 90th percentile levels for any and all rounds of monitoring conducted since the system became free of all lead-containing and/or copper-containing materials, as appropriate, meet the following criteria.	40 C.F.R. 141.86(g)(2)	35 Ill. Adm. Code 611.356(g)(2). Monitoring Criteria for Waiver Issuance. The supplier must have completed at least one six-month round of standard tap water monitoring for lead and copper at Agency-approved sites and from the number of sites subsection (c) requires and demonstrate to the Agency that the 90th percentile concentrations for any and all rounds of monitoring conducted since the system became free of all lead-containing or copper-containing materials, as appropriate, meet certain criteria:	The State's use of "or" is weaker here, since the "and/or" used in the federal provision is inclusive, and the State's "or" could be construed as exclusive.

SUMMARY OF FEDERAL REGULATIONS	FEDERAL CITATION	STATE CITATION (DOCUMENT TITLE, PAGE NUMBER SECTION/PARAGRAPH)	Preliminary Comment (Not Determinative and Not Primacy Review)
<p>Tap samples must be representative of water quality throughout the distribution system, taking into account the number of persons served, the different sources of water, the different treatment methods employed by the system, and seasonal variability. Tap sampling under this section is not required to be conducted at taps targeted for lead and copper sampling under §141.86(a). Sites selected for tap samples under this section must be included in the site sample plan specified under §141.86(a)(1). The site sample plan must be updated prior to changes to the sampling locations. [Note: Systems may find it convenient to conduct tap sampling for water quality parameters at sites used for total coliform sampling under §141.21(a)(1) if they also meet the requirements of this section.]</p>	<p>40 C.F.R. 141.87(a)(1)(i)</p>	<p>35 Ill. Adm. Code 611.357(a)(1)(A). Using Tap Samples. In totality, all tap samples a supplier collects must represent water quality throughout the supplier's distribution system, considering the number of persons served, the different sources of water, the different treatment methods the supplier employs, and seasonal variability. Although a supplier may conveniently conduct tap sampling for water quality parameters at sites it uses for coliform sampling under Subpart L, the supplies needs not do so, and the supplier needs not perform tap sampling under this Section at taps it targeted for lead and copper sampling under Section 611.356(a). The supplier must include sites it selects for tap samples under this Section in the site sample plan under Section 611.356(a)(1). The supplier must update site sample plan before changing sampling locations.</p>	<p>Replace "supplies" with "supplier".</p> <p>The State's sentence on tap sampling at total coliform sampling sites must include that caveat that the supplier can do so "if it also meets the requirements of this section".</p>
<p>40 CFR 141.87 Monitoring requirements for water quality parameters.</p>			
<p>Any water system that maintains the range of values for the water quality parameters reflecting optimal corrosion control treatment specified by the State under §141.82(f) and does not exceed the lead trigger level or copper action level during three consecutive years of monitoring may reduce the frequency with which it collects the number of tap samples for applicable water quality parameters specified in paragraph (e)(1) of this section, from every six months to annually. This sampling begins during the calendar year immediately following the end of the monitoring period in which the third consecutive year of 6-month monitoring occurs.</p>	<p>40 C.F.R. 141.87(e)(2)(i)</p>	<p>35 Ill. Adm. Code 611.357(e)(2). Reduced Monitoring Frequency 35 Ill. Adm. Code 611.357(e)(2)(A). Annual Monitoring. A supplier maintaining the range of values for the water quality parameters reflecting OCCT under Section 611.352(f) exceeding the lead trigger level or copper action level during three consecutive years of monitoring may reduce its tap sampling frequency for applicable water quality parameters subsection (e)(1) specifies from every six months to annually. The supplier must begin this reduced sampling during the calendar year immediately following the end of the water quality monitoring cycle in which the third consecutive year of six-month monitoring occurs.</p>	<p>Replace "exceeding" with "not exceeding".</p>

SUMMARY OF FEDERAL REGULATIONS	FEDERAL CITATION	STATE CITATION (DOCUMENT TITLE, PAGE NUMBER SECTION/PARAGRAPH)	Preliminary Comment (Not Determinative and Not Primacy Review)
A water system that uses a new source of water is not eligible for reduced monitoring for lead and/or copper until concentrations in samples collected from the new source during three consecutive monitoring periods are below the maximum permissible lead and copper concentrations specified by the State in 40 CFR 141.83(a)(5).	40 C.F.R. 141.88(e)(3)	35 Ill. Adm. Code 611.358(e)(3). A supplier using a new source of water may not reduce its monitoring for lead or copper until after the supplier demonstrates by samples it collected from the new source during three consecutive source water monitoring periods subsection (d)(1) provides that lead or copper levels are below the MPC the Agency specifies under Section 611.353(a)(4). BOARD NOTE: This Section derives from 40 CFR 141.88.	Replace "may" with "must". Should 611.353(a)(4) be 353(a)(5)? Sentence structure is unclear.
40 CFR 141.89 Analytical methods.			
Analyze Performance Evaluation samples, which include lead and copper, provided by or acceptable to EPA or the State at least once a year by each method for which the laboratory desires certification; and	40 C.F.R. 141.89(a)(1)(i)	35 Ill. Adm. Code 611.359(a)(1). The laboratory must analyze lead- and copper-containing performance evaluation samples provided by USEPA or the Agency;	Insert the phrase "at least once a year by each method for which the laboratory desires certification", which is missing from the State regulation.
Provide written documentation to the State identifying standing times and locations for enough non-first-draw and fifth liter samples to make up its sampling pool under §141.86(b)(5) by the start of the first applicable monitoring period under §141.86(d) unless the State has waived prior State approval of non-first-draw and fifth liter sample sites selected by the water system pursuant to §141.86(b)(5); or	40 C.F.R. 141.90(a)(2)(i)	35 Ill. Adm. Code Section 611.360(a)(2)(A). The supplier must identify to the Agency in writing standing times and locations for enough non-first-draw and fifth liter tap samples to make up its sampling pool under Section 611.356(b)(5), unless the Agency waives prior Agency approval of non-first-draw and fifth liter tap sampling sites the supplier selects under Section 611.356(b)(5); or	After the reference to Section 611.356(b)(5), the State rule omits "by the start of the first applicable monitoring period under §141.86(d)." Insert this phrase into the state provision.

SUMMARY OF FEDERAL REGULATIONS	FEDERAL CITATION	STATE CITATION (DOCUMENT TITLE, PAGE NUMBER SECTION/PARAGRAPH)	Preliminary Comment (Not Determinative and Not Primacy Review)
No later than 12 months after the end of a tap sampling period in which a water system exceeds the lead action level in sampling conducted pursuant to §141.86, the system must provide to the State its schedule for annually replacing an average annual rate, calculated on a two year rolling basis, of at least three percent, or otherwise specified in §141.84(g)(9), of the number of known lead service lines and galvanized lines requiring replacement when the lead trigger or action level was first exceeded and lead status unknown service lines at the beginning of each year that required replacement occurs in its distribution system.	40 C.F.R. 141.90(e)(9)	35 Ill. Adm. Code Section 611.360(e)(9). No later than 12 months after the end of a tap sampling period during which a supplier exceeds the lead action level in sampling under Section 611.356, the supplier must provide to the Agency its schedule for annually replacing at least the number of service lines in its distribution system that Section 611.254(g) requires.	The state provision is missing the second half of the federal provision. Instead, the state subsection refers generally to 611.254(g) requirements. The state provision should reiterate the text from the federal regulation rather than relying on the citation.
The State has provided the results of the 90th percentile lead and copper calculations, in writing, to the water system before the end of the monitoring period.	40 C.F.R. 141.90(i)(3)	OMISSION	There is no 35 IAC Section 611.360(i)(3). The state's omission of this substantive provision should be addressed or remedied.
40 CFR 141.91 Recordkeeping requirements.			
Any system subject to the requirements of this subpart shall retain on its premises original records of all sampling data and analyses, reports, surveys, letters, evaluations, schedules, State determinations, and any other information required by §§141.81 through 141.88, 141.90, 141.92, and 141.93. Each water system shall retain the records required by this section for no fewer than 12 years.	40 C.F.R. 141.91	35 Ill. Adm. Code Section 611.361. Any supplier subject to this Subpart G must retain original records of all sampling data and analyses, reports, surveys, letters, evaluations, schedules, Agency determinations, and any other information Sections 611.351 through Section 611.360, 611.362, and 611.363 require. Each supplier must retain the records required by this Section for at least 12 years.	The state provision omits "on its premises."
40 CFR 141.154 Required additional health information.			
Appendix A to Subpart O of Part 141—Regulated Contaminants			

SUMMARY OF FEDERAL REGULATIONS						FEDERAL CITATION	STATE CITATION (DOCUMENT TITLE, PAGE NUMBER SECTION/PARAGRAPH)	Preliminary Comment (Not Determinative and Not Primacy Review)
Contaminant (units)	Traditional MCL in mg/L	To convert for CCR, multiply by	MCL in CCR units	MCL G	Major sources in drinking water	Health effects language	35 Ill. Adm. Code Section 611.APPENDIX A Regulated Contaminants. Contaminant (units): Lead (ppb) Traditional MCL in mg/l: AL=0.015 To convert for CCR, multiply by: 1000 MCL in CCR units: AL=15 MCLG: 0 Major sources in drinking water: Corrosion of household plumbing systems; erosion of natural deposits. Health effects language: Infants and children who drink water containing lead in excess of the action level could experience delays in their physical or mental development. Children could show slight deficits in attention span and learning abilities. Adults who drink this water over many years could develop kidney problems or high blood pressure.	The revision for this Appendix is omitted from the Illinois Register notice of proposed rule. The existing Illinois Appendix has weaker language regarding health effects. Insert a revised Appendix that includes the federal Health Effects Language . It is noted that the federal language is correctly reflected in other tables below. It is possible that the IPCB intended to propose to revise the Appendix but did not include it in the Illinois Register.

Inorganic contaminants:								
Lead	AL = .015	1000	AL = 15	0	Corrosion of household plumbing systems, Erosion of natural deposits.	Exposure to lead in drinking water can cause serious health effects in all age groups. Infants and children can have decreases in IQ and attention span. Lead exposure can lead to new learning and behavior problems or exacerbate existing learning and behavior problems. The children of women who are exposed to lead before or during pregnancy can have increased risk of these adverse health effects. Adults can have increased risks of heart disease, high blood pressure, kidney or nervous system problems.		

Key:
AL = Action Level

PROCEDURAL COMMENTS (Citations, Typos, etc.)			
Subpart I – Control of Lead and Copper			
40 CFR 141.80 General requirements.			
<p><i>Partial lead service line replacement</i> means replacement of any portion of a lead service line or galvanized service line requiring replacement, as defined in this section, that leaves in service any length of lead service line or galvanized service line requiring replacement upon completion of the work. Partial lead service line replacements are permitted under limited circumstances under §141.84(d) but do not count towards the mandatory or goal-based lead service line replacement rate.</p>	<p>40 C.F.R. 141.2</p>	<p>35 Ill. Adm. Code 611.350(b): “Partial lead service line replacement” means replacing any portion of a lead service line or galvanized requiring replacement service line leaving any length of the lead service line or galvanized requiring replacement service line in service and requiring replacement upon completion of the work. Section 141.84(d) allows partial lead service line replacements, but these do not count towards the mandatory or goal-based lead service line replacement rate under Section 611.384.”</p>	<p>Citation error: 611.384 should be 611.354</p>

<p>Community water systems and non-transient, non-community water systems must comply with the requirements of this subpart no later than October 16, 2024, except where otherwise specified at §§141.81, 141.84, 141.85, 141.86, and 141.90, or where an exemption in accordance with 40 CFR part 142, subpart C or F, has been established by the Administrator.</p>	<p>40 C.F.R. 141.80(a)(3)</p>	<p>See 35 Ill. Adm. Code 611.350(a)(1)(A)-(1)(C); Sec. 611.350(a)(1)(A) states: A supplier must comply with this Subpart G beginning no later than October 16, 2024, except as otherwise required by Section 611.351, 622.354, 611.385, 611.386, or 611.360. BOARD NOTE: This subsection (a)(1) derives from 40 CFR 141.80(a). USEPA's Lead and Copper Rules Revisions (LCRR) apply to all suppliers on December 16, 2021. However, USEPA delays complying with LCRR until October 16, 2024, when any previously granted exemption expires, or as provided otherwise by any of several specified rules for corrosion control treatment; lead service line replacement; public education, supplemental monitoring, and mitigation; monitoring; and reporting (corresponding with 35 Ill. Adm. Code 611.351, 622.354, 611.355, 611.356, or 611.360). Until a supplier must comply with the LCRR, USEPA requires the supplier to comply with subpart I of 40 CFR 141 (2020). This requires the Board to codify two versions of the Lead and Copper Rule: one in Subpart AG, representing the Lead and Copper Rules prior to the LCRR (40 CFR 141 (2020)), and the other in this Subpart G, representing 40 CFR 141 incorporating the LCRR.</p>	<p>Citation errors:</p> <ul style="list-style-type: none"> • 622.354 - Should be 611.354: Lead Service Line Inventory and Replacement (See 40 CFR 141.84) • 611.385: Should this be 611.355 (Public Education and Supplemental Monitoring and Mitigation?) (See 40 CFR 141.85) • 611.386: Should this be 611.356 (Tap Water Monitoring for Lead and Copper)? (See 40 CFR 141.86)
<p>The lead trigger level is exceeded if the 90th percentile concentration of lead as specified in paragraph (c)(4) of this section is greater than 10 µg/L.</p>	<p>40 C.F.R. 141.80(c)(1)</p>	<p>35 Ill. Adm. Code 611.350(c)(1): The supplier exceeds the lead trigger level if the 90th percentile lead concentration subsection (c)(4) determines is greater than 10 µg/ℓ.</p>	<p>Revise as follows for clarity: "if the 90th percental lead concentration <u>as subsection (c)(4) specifies is determined to be...</u>"</p>
<p>Any small or non-transient non-community water system that complies with the applicable small system compliance flexibility requirements specified by the State under §§141.81(a)(3) and 141.93 is deemed to be in compliance with the treatment requirement in paragraph (d)(1) of this section.</p>	<p>40 C.F.R. 141.80(d)(3)</p>	<p>35 Ill. Adm. Code 611.350(d)(3): A small CWS or NTNCWS supplier complying with the applicable small supplier compliance flexibility requirements the Agency specifies under Sections 611.351(a)(3) and 611.353 complies with the treatment requirement in subsection (d)(1).</p>	<p>Citation error: 611.353 correlates with 141.83. Citation should be 611.363.</p>

Any water system shall notify the State in writing pursuant to §141.90(a)(3) of any upcoming long-term change in treatment or addition of a new source as described in §141.90(a)(3). The State must review and approve the addition of a new source or long-term change in water treatment before it is implemented by the water system. The State may require any such water system to conduct additional monitoring or to take other action the State deems appropriate to ensure that such water system maintains minimal levels of corrosion control in its distribution system.	40 C.F.R. 141.80(d)(4)	35 Ill. Adm. Code 611.350(d)(4): A supplier must notify the Agency in writing under Section 141.90(a)(3) of any upcoming long-term change in water treatment or plan to add a new source as Section 611.360(a)(3) describes. The supplier must not implement a long-term change in water treatment or add a new source until after the Agency reviews and approves the action in a SEP. The SEP may require the supplier to conduct additional monitoring or take other action the Agency deems appropriate to ensure that the supplier maintains minimal levels of corrosion control in its distribution system.	Preface the citation to federal regulations in the state regulation with "40 C.F.R." so that it is not misconstrued as a state rule.
Any water system exceeding the lead action level specified at paragraph (c) of this section shall implement the public education requirements in accordance with §141.85(a) and (b).	40 C.F.R. 141.80(g)(1)	35 Ill. Adm. Code 611.350(g)(1): Any supplier exceeding the lead action level must implement the public education requirements under Section 611.355.	*Technically should be 611.355(a) and (b).
Medium-size water <i>systems without corrosion control treatment</i> that exceed either the lead or copper action level shall complete the corrosion control treatment steps specified in paragraph (e) of this section.	40 C.F.R. 141.81(a)(2)(ii)	35 Ill. Adm. Code 611.351(a)(2)(B): A mid-sized supplier not applying corrosion control treatment but exceeding either the lead or copper action level must complete the corrosion control treatment steps subsection (d) specifies.	Citation error: 40 C.F.R. 141.81(e) is paralleled by 35 IAC 611.351(e). Thus the reference to "subsection (d)" should be "subsection (e)" instead.
Any water system deemed to have optimized corrosion control in accordance with this paragraph (b)(3) shall continue monitoring for lead and copper at the tap no less frequently than once every three calendar years using the reduced number of sites specified in §141.86(c) and collecting samples at times and locations specified in §141.86(d)(4)(v).	40 C.F.R. 141.81(b)(3)(ii)	35 Ill. Adm. Code 611.351(b)(3): Any supplier this subsection (b)(3) deems to have OCCT must continue monitoring for lead and copper at the tap no less frequently than once every three calendar years using the reduced number of sites Section 611.356(c) specifies and collecting samples at times and locations Section 141.86(d)(4)(E) specifies.	Citation error: This should either by 40 C.F.R. 141.86(d)(4)(v) or 611.356(d)(4)(E).

<p><i>Corrosion control steps completion for small and medium-size water systems without corrosion control treatment.</i> Any small or medium-sized system without corrosion control treatment required to complete the corrosion control steps in paragraph (e) of this section due to its exceedance of the lead or copper action level that does not exceed either the lead or copper action levels during each of two consecutive 6-month tap sample monitoring periods pursuant to §141.86 prior to the start of Step 3 in paragraph (e)(3) of this section or Step 5 in paragraph (e)(5) of this section may cease completing the steps and is not required to complete Step 3 or Step 5, respectively, except that medium-sized systems with lead service lines and small systems with lead service lines that choose the corrosion control option pursuant to §141.93 must complete a corrosion control treatment study under paragraph (e)(3)(i) of this section. Any system that initiates Step 5 must complete all remaining steps in paragraphs (e)(6) through (8) of this section and is not permitted to cease the steps. Any system that ceases the steps either prior to Step 3 or Step 5 and thereafter exceeds either the lead or copper action level shall not be permitted to cease the steps a second time and shall complete the applicable treatment steps beginning with the first treatment step which was not previously completed in its entirety. The State may require a water system to repeat treatment steps previously completed by the water system when the State determines that this is necessary to implement the treatment requirements of this section. The State must notify the system in writing of such a determination and explain the basis for its decision.</p>	<p>40 C.F.R. 141.81(c)</p>	<p>35 Ill. Adm. Code 611.351(c): Completing Corrosion Control Steps for Small and Mid-Sized Suppliers Applying Corrosion Control Treatment (1) Any small or mid-sized supplier not applying corrosion control treatment, otherwise required to complete the corrosion control steps in subsection (e) because it exceeded the lead or copper action level, may cease completing the treatment steps after not exceeding either the lead or copper action levels during each of two consecutive six-month tap monitoring cycles under Section 611.356 before beginning Step 3 under subsection (e)(3) or Step 5 under subsection (e)(5). The supplier needs not begin the applicable of Step 3 or Step 5, except that a mid-sized supplier with lead service lines or a small supplier with lead service lines choosing the corrosion control option under Section 611.353 must complete a corrosion control treatment study under subsection (e)(3)(A). A supplier initiating Step 5 may not cease the steps and must complete all remaining steps in subsections (e)(6) through (e)(8). (2) A supplier ceasing the steps prior to either Step 3 or Step 5 and later exceeding the lead or copper action level may not cease the steps a second time and must complete the applicable treatment steps, beginning with the first treatment step that the supplier previously did not complete in its entirety. (3) The Agency may issue a SEP requiring a supplier to repeat treatment steps the supplier previously completed if the Agency determines that this is necessary to properly implement the treatment requirements of this Section.</p>	<p>Citation error: The proper state parallel to § 141.93 is 611.363, not 611.353. Change "611.353" to "611.363". (See also content-based comments above.)</p>
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<p>A water system other than those covered in paragraph (d)(1)(ii) of this section shall recommend re-optimized optimal corrosion control treatment (§141.82(c)) within six months after the end of the tap sampling period during which it exceeds either the lead trigger level or copper action level. States may approve modifications of the existing corrosion control treatment without a study for systems that exceed the lead trigger level, but do not exceed the lead or copper action level. The State shall specify re-optimized corrosion control treatment within six months of receiving the treatment recommendation. The system shall complete modifications to corrosion control treatment to have re-optimized corrosion control treatment installed within six months of the State specifying re-optimized corrosion control treatment.</p>	<p>40 C.F.R. 141.81(d)(1)(i)</p>	<p>35 Ill. Adm. Code 611.351(d)(1)(A): A supplier other than one to which subsection (d)(1)(ii) applies must recommend re-optimized OCCT (Section 611.352(c)) within six months after the end of the tap sampling period during which the supplier exceeds either the lead trigger level or copper action level. The Agency may issue a SEP allowing a supplier to modify its existing corrosion control treatment without a study for a supplier exceeding the lead trigger level but not the lead or copper action level. The Agency must specify re-optimized OCCT within six months after receiving the supplier's treatment recommendation. The supplier must modify its corrosion control treatment to install re-optimized OCCT within six months after the Agency specifies re-optimized OCCT.</p>	<p>Citation error: The reference to "subsection (d)(1)(ii)" should be "subsection (d)(1)(B)" to correlate with the state rather than federal subsection.</p>
<p>Within 12 months after the end of the tap sampling period during which a small or medium-size water system with corrosion control treatment exceeds the lead trigger level or copper action level, the State may require the water system to perform corrosion control studies for re-optimization (§141.82(c)(2) or (3)). If the State does not require the system to perform such studies, the State must specify re-optimized corrosion control treatment (§141.82(d)(2)) within the timeframes specified in paragraphs (d)(2)(ii)(A) and (B) of this section. The State must provide its determination to the system in writing.</p>	<p>40 C.F.R. 141.81(d)(2)(ii)</p>	<p>35 Ill. Adm. Code 611.351(d)(2)(B): Within 12 months after the end of the tap sampling period during which a small or mid-sized water system supplier applying corrosion control treatment exceeds the lead trigger level or copper action level, the Agency may issue a SEP requiring the supplier to perform corrosion control studies for re-optimizing OCCT (Section 611.352(b)(2) or (b)(3)). If the Agency does not require the supplier to perform corrosion control studies, the Agency must issue a SEP specifying re-optimized OCCT (Section 611.352(d)(2)) within the timeframes subsections (d)(2)(B)(i) and (d)(2)(B)(ii) specify.</p>	<p>Citation error: Neither 611.352(b)(2) nor (b)(3) equate to 141.82(c)(2) or (c)(3). Change "611.352(b)(2) or (b)(3)" to: "611.352(c)(2) or (c)(3)".</p>
<p>The State shall designate re-optimized corrosion control treatment (§141.82(d)(3)) within six months after completion of paragraph (d)(3)(i) of this section (Step 3).</p>	<p>40 C.F.R. 141.81(d)(4)(i)</p>	<p>35 Ill. Adm. Code 611.351(d)(4)(A): The Agency must issue a SEP designating re-optimized OCCT (subsection (d)(4)) within six months after the supplier completes subsection (e)(3)(A) (Step 3).</p>	<p>Citation error: (d)(4) should be (d)(3) and (e)(3)(A) should be (d)(3)(A) to be consistent with federal rule.</p>

<p>Step 2. Within 12 months after the end of the tap sampling period during which a water system exceeds the lead or copper action level, if not otherwise required by this rule, the State may require the water system to perform corrosion control studies (§141.82(b)(1)). The State must notify the system in writing of this requirement. If the State does not require the system to perform such studies, the State must specify optimal corrosion control treatment (§141.82(d)(1) or (2)) within the timeframes established in paragraphs (e)(2)(i) and (ii) of this section. The State must provide its determination to the system in writing.</p>	<p>40 C.F.R. 141.81(e)(2)</p>	<p>35 Ill. Adm. Code 611.351(e)(2): Step 2: Within 12 months after the end of the tap sampling period during which a supplier exceeds the lead or copper action level, if not otherwise required by this rule, the Agency may issue a SEP requiring a supplier to perform corrosion control studies (Section 611.352(b)). If the Agency does not require the supplier to perform corrosion control studies, the Agency must issue a SEP specifying OCCT (under Section 611.352(d)) within the appropriate of the timeframes subsections (e)(2)(A) and (e)(2)(B) establish.</p>	<p>Citation error: Section 611.352(b) should be 611.352(b)(1). Typographical error: includes a period and a colon.</p>
<p>Step 5. The water system must install optimal corrosion control treatment (§141.82(e)(1)) within 24 months after the State designates optimal corrosion control treatment under paragraph (e)(2) or (4) of this section (Step 2 or Step 4).</p>	<p>40 C.F.R. 141.81(e)(5)</p>	<p>35 Ill. Adm. Code 611.351(e)(5): The supplier must install OCCT (Section 611.352(e)) within 24 months after the Agency designates OCCT under subsection (e)(2) or (e)(4) (Step 2 or Step 4).</p>	<p>Citation error: 611.352(e) should be 611.352(e)(1).</p>
<p>Step 7. The State must review the water system's installation of treatment and designate optimal water quality control parameters (§141.82(f)(1)) within six months of completion of paragraph (e)(6) of this section (Step 6).</p>	<p>40 C.F.R. 141.81(e)(7)</p>	<p>35 Ill. Adm. Code 611.351(e)(7): Step 7 The Agency must review the supplier's installation of treatment and issue a SEP approving optimal water quality control parameters (Section 611.352(f)) within six months after the supplier completes subsection (e)(5) (Step 5)</p>	<p>Citation error: 611.352(f) should be 611.352(f)(1).</p>
<p>Step 1. A water system recommends corrosion control treatment as a small system compliance flexibility option under §141.93(a)(2) within six months after the end of the tap sampling period during which it exceeds either the lead trigger level or the lead action level.</p>	<p>40 C.F.R. 141.81(f)(1)</p>	<p>35 Ill. Adm. Code 611.351(f)(1): Step 1. A supplier must recommend the corrosion control treatment option as small supplier compliance flexibility under Section 611.363(a)(2) within six months after the end of the tap sampling period during which the supplier exceeds either the lead trigger level or the lead action level. When recommending to the Agency, the supplier must comply with Section 611.382(a)(1).</p>	<p>Citation error: 611.382(a)(1) should be 611.352(a)(1).</p>

Any small community water system or non-transient non-community water system in this paragraph (a) without corrosion control treatment that chooses to pursue a small water system compliance flexibility option and is required to recommend an option in accordance with §141.81(f) must, based on the results of lead tap sampling and water quality parameter monitoring, recommend designation of one of the options listed in §141.93. Systems with no lead service lines that exceed the lead action level and select corrosion control under §141.93(a)(2) must recommend designation of one or more of the corrosion control treatments listed in paragraph (c)(1) of this section as the optimal corrosion control treatment for that system.	40 C.F.R. 141.82(a)(2)	35 Ill. Adm. Code 611.352(a)(2): A small CWS supplier or NTNCWS supplier subject to this subsection (a) not applying corrosion control treatment that Section 611.361(f) requires to recommend a small supplier compliance flexibility option under Section 611.363 must base its recommendation on the results of lead tap sampling and water quality parameter monitoring. A supplier not having lead service lines, exceeding the lead action level, and selecting corrosion control under Section 611.363(a)(2) must recommend the Agency designate one or more of the corrosion control treatments in subsection (c)(1) as OCCT for that system.	Citation error: 611.361(f) should be 611.351(f). The phrase “requires to recommend” is unclear. First, a system opts to pursue a flexibility option. If it does so, then it must follow requirements in accordance with 141.81(f).
The State may require any small or medium-size system without corrosion control that exceeds either the lead or copper action level to perform corrosion control treatment studies under paragraph (c)(1) of this section to identify <i>optimal corrosion control treatment</i> for the system.	40 C.F.R. 141.82(b)(1)	35 Ill. Adm. Code 611.352(b)(1): The Agency may issue a SEP requiring a small or mid-sized supplier not applying corrosion control treatment exceeding the lead or copper action level to perform corrosion control treatment studies under subsection (c) to identify OCCT for the supplier's system.	Citation error: (c) should be (c)(1).
The water system must measure the following water quality parameters in any tests conducted under this paragraph (c)(1)(iii) before and after evaluating the corrosion control treatments listed in paragraphs (c)(1)(i) and (ii) of this section:	40 C.F.R. 141.82(c)(1)(iii)	35 Ill. Adm. Code 611.352(c)(1)(C): The supplier must measure specific water quality parameters in any tests the supplier conducts under this subsection (c) before and after evaluating the corrosion control treatments in subsections (c)(1)(A) and (c)(1)(B):	Citation error: Citation should be subsection (C) rather than (c). (Capitalized rather than small letter)
Orthophosphate as PO ₄ (when an orthophosphate-based inhibitor is used); and	40 C.F.R. 141.82(c)(1)(iii)(E)	35 Ill. Adm. Code 611.352(c)(1)(C)(v): Orthophosphate as PO ₄ (when the supplier uses an orthophosphate-based; and...	Add "inhibitor" after "orthophosphate-based"

<p><i>Treatment decisions by EPA in lieu of the State on optimal corrosion control treatment and re-optimized corrosion control treatment.</i> Pursuant to the procedures in §142.19 of this chapter, EPA Regional Administrator may review optimal corrosion control treatment determinations made by a State under paragraph (d)(1) or (2), (f), or (h) of this section and issue Federal treatment determinations consistent with the requirements of paragraph (d)(1) or (2), (f), or (h) of this section where the Regional Administrator finds that:</p>	<p>40 C.F.R. 141.82(i)</p>	<p>35 Ill. Adm. Code 611.352(i): USEPA Treatment Decisions on OCCT and re-optimized OCCT. Under 40 CFR 142.19, USEPA reserves the prerogative to review Agency OCCT treatment determinations under subsections (d)(1) or (d)(2), (f), or (h) and issue federal treatment determinations consistent with 40 CFR 141.82(d)(1) or (d)(2), (e), or (h) if USEPA finds that certain conditions exist:</p>	<p>Citation error: Reference to 40 C.F.R. 141.82(e) should be 141.82(f).</p>
<p><i>Step 3.</i> Water systems shall evaluate the results of the monitoring conducted under this paragraph (j)(3) to determine if either localized or centralized adjustment of the <i>optimal corrosion control treatment</i> or other distribution system actions are necessary and submit the recommendation to the State within six months after the end of the tap sampling period in which the site(s) exceeded the lead action level. Corrosion control treatment modification may not be necessary to address every exceedance. Other distribution system actions may include flushing to reduce water age. Water systems must note the cause of the elevated lead level, if known from the site assessment, in their recommendation to the State as site-specific issues can be an important factor in why the system is not recommending any adjustment of corrosion control treatment or other distribution system actions. Systems in the process of optimizing or re-optimizing optimal corrosion control treatment under paragraphs (a) through (f) of this section do not need to submit a treatment recommendation for find-and-fix.</p>	<p>40 C.F.R. 141.82(j)(3)</p>	<p>35 Ill. Adm. Code 611.352(j)(3): Step 3: Evaluating Results and Recommending OCCT or Other Actions. Within six months after the end of the tap sampling period during which a supplier exceeds the lead action level, the supplier must evaluate the results of the monitoring conducted under subsection (j)(2) to determine if the supplier must either locally or centrally adjust the OCCT or other distribution system actions are necessary and submit the recommendation to the Agency. Modifying corrosion control treatment might not be necessary to address every exceedance. Other distribution system actions may include flushing to reduce water residence time in the system. If known from the site assessment, the supplier must note the cause of the elevated lead level in its recommendation to the Agency because site-specific issues can be an important factor in why the supplier does not recommend any adjustment of corrosion control treatment or other distribution system actions. A supplier in the process of optimizing or re-optimizing OCCT under subsections (a) through (f) needs not recommend a find-and-fix treatment to the Agency.</p>	<p>Citation error: Change (j)(2) to (j)(3).</p>

<p><i>Step 1:</i> A system exceeding the lead or copper action level shall complete lead and copper source water monitoring (§141.88(b)) and make a treatment recommendation to the State (§141.83(b)(1)) no later than 180 days after the end of the monitoring period during which the lead or copper action level was exceeded.</p>	<p>40 C.F.R. 141.83(a)(1)</p>	<p>35 Ill. Adm. Code 611.353(a)(1): Step 1: A supplier exceeding the lead or copper action level must complete lead and copper and source water monitoring (under Section 611.358(b)) and recommend treatment to the Agency (under subsection (b)(1)) within 180 days after the end of the tap monitoring period during which the supplier exceeded the action level.*</p>	<p>Delete the second “and” from the state’s first sentence. Note: the word “tap” is not in the corollary 611.1353(a)(1) (in Subpart AG).</p>
<p><i>State determination regarding source water treatment.</i> The State shall complete an evaluation of the results of all source water samples submitted by the water system to determine whether source water treatment is necessary to minimize lead or copper levels in water delivered to users' taps. If the State determines that treatment is needed, the State shall either require installation and operation of the source water treatment recommended by the system (if any) or require the installation and operation of another source water treatment from among the following: Ion exchange, reverse osmosis, lime softening or coagulation/filtration. If the State requests additional information to aid in its review, the water system shall provide the information by the date specified by the State in its request. The State shall notify the system in writing of its determination and set forth the basis for its decision.</p>	<p>40 C.F.R. 141.83(b)(2)</p>	<p>35 Ill. Adm. Code 611.353(b)(2): Agency Determination Regarding Source Water Treatment</p> <p>A) The Agency must evaluate the results of all source water samples the supplier submitted to determine whether source water treatment is necessary to minimize lead or copper levels in water the supplier delivers to users’ taps.</p> <p>B) If the Agency determines treatment [is] necessary, the Agency must issue a SEP requiring the supplier to install and operate either the source water treatment the supplier recommended (if any) or another from among specific source water treatment techniques: i) ion exchange; ii) reverse osmosis; iii) lime softening; or iv) coagulation/filtration.</p> <p>C) The Agency may require the supplier to submit, on or before a certain date, any additional information as the Agency determines is necessary to aid its review.</p> <p>D) The Agency must notify the supplier in writing of its determination, stating the basis for its decision.*</p>	<p>Insert “is”. (Typo)</p>

<p>Upon replacement of any gooseneck, pigtail, or connector that is attached to a lead service line, the water system must follow risk mitigation procedures specified in §141.85(f)(2).</p>	<p>40 C.F.R. 141.84(c)(5)</p>	<p>35 Ill. Adm. Code 611.354(c)(5): When replacing any gooseneck, pigtail, or connector attached to a lead service line, the supplier must follow the risk mitigation procedures [40 C.F.R.] Section 141.85(f)(2) specifies.</p>	<p>Insert "40 C.F.R." to differentiate from state rule sections.</p>
<p>The water system must offer to the consumer to take a follow up tap sample between three months and six months after completion of any full replacement of a lead service line. The water system must provide the results of the sample to the consumer in accordance with paragraph (d) of this section.</p>	<p>40 C.F.R. 141.84(e)(4)</p>	<p>35 Ill. Adm. Code 611.354(e)(4): The supplier must offer to collect a follow up tap sample between three and six months after replacing a lead service line. The supplier must provide the results from the follow up sample under Section 611.355(d).</p>	<p>The proposed state text omits "to the consumer" twice.</p>
<p>The water system may also cease mandatory lead service line replacement if the system has no remaining lead status unknown service lines in its inventory and obtains refusals to conduct full lead service line replacement or non-responses from every remaining customer in its distribution system served by either a full or partial lead service line, or a galvanized requiring replacement service line. For purposes of this paragraph (g)(7) and in accordance with §141.90(e), a water system must provide documentation to the State of customer refusals including a refusal signed by the customer, documentation of a verbal statement made by the customer refusing replacement, or documentation of no response from the customer after the water system made a minimum of two good faith attempts to reach the customer regarding full lead service line replacement. If the water system's 90th percentile exceeds the lead action level again, it must contact all customers served by a full or partial lead service line or a galvanized requiring replacement service line with an offer to replace the customer-owned portion. Nothing in this paragraph (g)(7) requires the water system to bear the cost of replacement of the customer-owned lead service line.</p>	<p>40 C.F.R. 141.84(g)(7)</p>	<p>35 Ill. Adm. Code 611.354(g)(7): A supplier may also cease mandatorily replacing lead service lines if the supplier has no remaining lead status unknown service lines in its inventory, and the supplier obtains refusals or non-responses to its offer to replace the customer-owned portion of the lead service line from every customer on its distribution system still served by a lead service line or a galvanized requiring replacement service line. For this subsection (g)(7) and under Section 611.360(e), a supplier must document customer refusals to the Agency, including any written refusals signed by the customers, any documents memorializing customers verbally refusing, and any documents memorializing no response from customers after the supplier made at least two good faith attempts to reach each [customer] offering to replace the full lead service line. If the supplier's lead 90th percentile concentration later exceeds the lead action level, the supplier must offer to replace the customer-owned portion for every customer served through a full or partial lead service line or galvanized requiring replacement service line. The supplier needs not bear the cost of replacing the customer-owned portion of any lead service line.</p>	<p>The proposed state text omits "customer".</p>

<p>The State shall require a system to replace lead service lines on a shorter schedule than that required by this section, taking into account the number of lead service lines in the system, where the State determines a shorter replacement schedule is feasible. The State shall make this determination in writing and notify the system of its finding within six months after the system is required to begin lead service line replacement under paragraph (g) of this section.</p>	<p>40 C.F.R. 141.84(g)(9)</p>	<p>35 Ill. Adm. Code 611.354(g)(9): If the Agency determines a shorter schedule is feasible, the Agency must issue a SEP requiring a supplier to replace lead service lines on a shorter schedule than that this Section otherwise requires, taking into account the number of lead service lines in the supplier's system. The Agency must issue this SEP within six months after the supplier must begin replacing lead service lines under subsection (g).</p>	<p>Typographical error: Delete "that".</p>
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<p>All water systems must deliver a consumer notice of lead tap water monitoring results to persons served by the water system at sites that are sampled, as specified in paragraph (d) of this section. A water system with lead, galvanized requiring replacement, or lead status unknown service lines must deliver public education materials to persons with a lead, galvanized requiring replacement, or lead status unknown service line as specified in paragraphs (e) through (g) of this section. All community water systems must conduct annual outreach to local and State health agencies as outlined in paragraph (i) of this section. A community water system serving more than 10,000 persons that fails to meet its annual lead service line replacement goal as required under §141.84(f) shall conduct outreach activities as specified in paragraph (h) of this section. A water system that exceeds the lead action level based on tap water samples collected in accordance with §141.86 shall deliver the public education materials contained in paragraph (a) of this section and in accordance with the requirements in paragraph (b) of this section. Water systems that exceed the lead action level shall offer to sample the tap water of any customer who requests it in accordance with paragraph (c) of this section. All small community water systems and non-transient non-community water systems that elect to implement POU devices under §141.93 must provide public education materials to inform users how to properly use POU devices in accordance with paragraph (j) of this section.</p>	<p>40 C.F.R. 141.85</p>	<p>35 Ill. Adm. Code 611.355: A supplier exceeding the lead action level based on tap water samples under Section 611.356 must deliver the public education materials subsection (a) requires under subsection (b). A supplier exceeding the lead action level must sample the tap water of any customer requesting sampling under subsection (c). A small CWS or NTNCWS supplier electing to implement POU devices as a small supplier compliance flexibility option under Section 611.363 must provide public education materials as subsection (j) requires to inform users how to properly use POU devices. A supplier must deliver a consumer notice of lead tap water monitoring results to persons the supplier serves at each site that the supplier samples, as subsection (d) specifies. A supplier with lead, galvanized requiring replacement, or lead status unknown service lines, as defined in Section 611.384(a)(4), must deliver public education materials to persons served through these service lines as subsections (e) through (g) specify. A CWS supplier must conduct annual outreach to the Illinois Department of Public Health and local health agencies as subsection (i) provides. A CWS supplier serving more than 10,000 persons failing to meet its annual lead service line replacement goal under Section 611.354(f) must conduct outreach activities as subsection (h) specifies.</p>	<p>Citation error: 611.384(a)(4) does not exist. The state should replace "611.384(a)(4)" with the correct reference or delete the citation. The state provision should cite to 611.354(a)(4), which identifies the service line categories to be included in the supplier's inventory. Otherwise the state service line definitions are in 611.350(b.)</p>
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<p>Contact customers who are most at risk by delivering education materials that meet the content requirements of paragraph (a) of this section to local public health agencies even if they are not located within the water system's service area, along with an informational notice that encourages distribution to all the organization's potentially affected customers or community water system's users. The water system must contact the local public health agencies directly by phone or in person. The local public health agencies may provide a specific list of additional community based organizations serving target populations, which may include organizations outside the service area of the water system. If such lists are provided, systems must deliver education materials that meet the content requirements of paragraph (a) of this section to all organizations on the provided lists.</p>	<p>40 C.F.R. 141.85(b)(2)(ii)(A)</p>	<p>35 Ill. Adm. Code 611.355(b)(2)(B): Methods of Delivery for a CWS Supplier 35 Ill. Adm. Code 611.355(b)(2)(B)(i): The CWS supplier must contact customers who are most at risk by delivering education materials complying with subsection (a) to local public health agencies, even if those agencies are not located within the supplier's service area, along with an informational notice encouraging distribution to all of the agencies' potentially affected customers or the supplier's consumers. The supplier must contact the local public health agencies directly by phone or in person. The local public health agencies may provide a specific list of additional community-based organizations serving the target populations, which may include organizations outside the service area of the supplier. If local health agencies provide lists, the supplier must deliver education materials that comply with subsection (a) to each of the organizations on the provided lists.</p>	<p>Typographical error: State should reinsert "are".</p>
<p>Schools, child care facilities, and school boards.</p>	<p>40 C.F.R. 141.85(b)(2)(ii)(B)(1)</p>	<p>35 Ill. Adm. Code 611.355(b)(2)(H): Organizations That the CWS Supplier Must Contact When Required to Do So under Subsection (b)(2)(B)(iii) 35 Ill. Adm. Code 611.355(b)(2)(H)(i): Schools, child care facilities, and school boards.</p>	<p>Citation error: The (iii) should be (ii).</p>
<p>Obstetricians-Gynecologists and Midwives.</p>	<p>40 C.F.R. 141.85(b)(2)(ii)(B)(7)</p>	<p>35 Ill. Adm. Code 611.355(b)(2)(H)(vii): Obstetricians-Gynecologists and midwives. BOARD NOTE: This subsection (b)(2)(H) derives from 40 CFR 141.85(b)(2)(ii)(B)(1) through (b)(2)(ii)(B)(7), moved here to comport with allowed indent levels.</p>	<p>Typographical error: Italics in citation should be removed.</p>

<p>No less often than quarterly, provide information on or in each water bill as long as the system exceeds the action level for lead. The message on the water bill must include the following statement exactly as written except for the text in brackets for which the water system must include system-specific information: [INSERT NAME OF WATER SYSTEM] found high levels of lead in drinking water in some homes. Lead can cause serious health problems. For more information please call [INSERT NAME OF WATER SYSTEM] [or visit (INSERT YOUR WEB SITE HERE)]. The message or delivery mechanism can be modified in consultation with the State; specifically, the State may allow a separate mailing of public education materials to customers if the water system cannot place the information on water bills.</p>	<p>40 C.F.R. 141.85(b)(2)(iii)</p>	<p>35 Ill. Adm. Code 611.355(b)(2)(C): No less often than quarterly, the CWS supplier must provide information on or in each water bill as long as the system exceeds the action level for lead. The message on the water bill must include the verbatim text of the paragraph below, except replacing the text in brackets with system-specific information:</p> <p>[INSERT NAME OF SUPPLIER] found high levels of lead in drinking water in some homes. Lead can cause serious health problems. For more information please call [INSERT NAME OF SUPPLIER] [or visit (INSERT SUPPLIER'S WEB SITE HERE)].</p> <p>The message or delivery mechanism can be modified in consultation with the Illinois Environmental Protection Agency, Division of Public Water Supply; specifically, the Agency may allow a separate mailing of public education materials to customers if the water system cannot place the information on water bills.</p>	<p>The yellow highlighted text should not be included in the indented message – indent only the message in the state’s rule in order to differentiate it from the rest of the text.</p>
<p>A community water system shall repeat the tasks contained in paragraphs (b)(2)(i), (ii) and (vi) of this section every 12 months.</p>	<p>40 C.F.R. 141.85(b)(3)(i)</p>	<p>35 Ill. Adm. Code 611.355(b)(3)(A): The CWS supplier must repeat the tasks in subsections (b)(2)(A), (b)(2)(B), and (b)(2)(D) every 12 months.</p>	<p>Citation error: This should be (b)(2)(F), not (b)(2)(D).</p>
<p><i>Persons served by a lead status unknown service line.</i> The notice must include a statement that the person's service line material is unknown but may be lead, an explanation of the health effects of lead that meets the requirements of paragraph (a)(1)(ii) of this section, steps persons at the service connection can take to reduce exposure to lead in drinking water, and information about opportunities to verify the material of the service line.</p>	<p>40 C.F.R. 141.85(e)(3)(iii)</p>	<p>35 Ill. Adm. Code 611.355(e)(3)(C): Persons the Supplier Serves Through a Lead Service Line. The notice must state that the supplier serves the person through a lead status unknown service line (a service line whose material is unknown but may be lead), explain the health effects of lead in a way complying with subsection (a)(1)(B), give steps persons at the service connection can take to reduce exposure to lead in drinking water, and inform about opportunities to verify the material of the service line.</p>	<p>The proposed State rule omits “unknown” in the title. Insert “unknown” for title to be consistent with text.</p>

<p>A non-transient non-community water system with insufficient Tier 1 and Tier 3 sampling sites must complete its sampling pool with “Tier 5 sampling sites,” consisting of sampling sites that are representative of sites throughout the distribution system. For the purpose of this paragraph (a)(10), a representative site is a site in which the plumbing materials used at that site would be commonly found at other sites served by the water system.</p>	<p>40 C.F.R. 141.86(a)(10)</p>	<p>35 Ill. Adm. Code 611.356(a)(3)(H): NTNCWS Tier 5 Sampling Sites. "NTNCWS Tier 5 sampling sites" include sites representing sites throughout the supplier's distribution system. Under this subsection (a)(3)(H), a site representing sites throughout the distribution system has plumbing materials commonly found at the other sites the supplier serves.</p> <p>BOARD NOTE: This subsection (a)(3)(H) derives from segments of 40 CFR 141.86(a)(10).</p> <p>35 Ill. Adm. Code 611.356(a)(4)(B)(iii): If the NTNCWS supplier has an insufficient number of NTNCWS Tier 1 and Tier 3 sampling sites, the supplier must complete its sampling pool with Tier 5 NTNCWS sampling sites. For the purpose of this subsection (a)(4)(B)(ii), a representative site is a site where the plumbing materials are commonly found at other sites the water system serves.</p> <p>BOARD NOTE: This subsection (a)(4)(B)(iii) derives from segments of 40 CFR 141.86(a)(10).</p>	<p>Citation error: The reference to (a)(4)(B)(ii) should be (a)(4)(B)(iii).</p>
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<p>Each first draw tap sample for lead and copper must be one liter in volume and have stood motionless in the plumbing system of each sampling site for at least six hours. Bottles used to collect first draw samples must be wide-mouth one-liter sample bottles. First draw samples from residential housing must be collected from the cold-water kitchen or bathroom sink tap. First draw samples from a nonresidential building must be one liter in volume and collected at a tap from which water is typically drawn for consumption. State-approved non-first-draw samples collected in lieu of first draw samples pursuant to paragraph (b)(5) of this section must be one liter in volume and shall be collected at an interior tap from which water is typically drawn for [First draw samples may be collected by the system or the system may allow residents to collect first draw samples after instructing the residents of the sampling procedures specified in this paragraph (b)(2). Sampling instructions provided to residents must not include instructions for aerator removal and cleaning or flushing of taps prior to the start of the minimum six-hour stagnation period. To avoid problems of residents handling nitric acid, acidification of first draw samples may be done up to 14 days after the sample is collected. After acidification to resolubilize the metals, the sample must stand in the original container for the time specified in the approved EPA method before the sample can be analyzed. If a system allows residents to perform sampling, the system may not challenge, based on alleged errors in sample collection, the accuracy of sampling results.</p>	<p>40 C.F.R. 141.86(b)(2)</p>	<p>35 Ill. Adm. Code 611.356(b)(2)(A). A first-draw tap sample for lead and copper must be one liter in volume and have stood motionless at least six hours in the plumbing system of the sampling site. 35 Ill. Adm. Code 611.356(b)(2)(B). The supplier must use wide-mouthed bottles to collect first-draw tap samples. 35 Ill. Adm. Code 611.356(b)(2)(C). For residential housing, the supplier must collect first-draw samples from the cold-water cold water kitchen tap or bathroom sink tap. 35 Ill. Adm. Code 611.356(b)(2)(D). For non-residential buildings, the supplier must collect first-draw samples one-liter in volume from a tap occupants typically use for consuming water. 35 Ill. Adm. Code 611.356(b)(2)(E). The Agency-approved substitute non-first-draw tap samples the supplier collects in lieu of first-draw tap samples under subsection (b)(5) must be one liter in volume from an interior tap occupants typically use for consuming water. 35 Ill. Adm. Code 611.356(b)(2)(F). The supplier may collect first-draw samples or allow residents to collect first-draw tap samples after instructing the residents in the sampling procedures specified in this subsection (b) specifies. 35 Ill. Adm. Code 611.356(b)(2)(F)(i). Sampling instructions the supplier provides to residents must not include instructions for removing the aerator and cleaning or flushing taps before the minimum six-hour stagnation period begins. 35 Ill. Adm. Code 611.356(b)(2)(F)(ii). To avoid problems of residents handling nitric acid, the supplier may acidify first-draw tap samples up to 14 days after the supplier or a resident collects the sample. 35 Ill. Adm. Code 611.356(b)(2)(F)(iii). After adding acid to resolubilize the metals, a sample must stand in its</p>	<p>Citation errors: 356(b)(2)(F): Citation just should be (b)(2). 356(b)(2)(G): Citation (b)(2)(D) should either be struck or revised to (b)(2)(F).</p>
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				original container for the time the USEPA-approved method specifies before the laboratory analyzes the sample. 35 Ill. Adm. Code 611.356(b)(2)(G). If a supplier allows residents to perform sampling under subsection (b)(2)(D), the supplier may not challenge the accuracy of sampling results based on alleged errors in sample collection.	
System size (number of people served)	Number of sites (standard monitoring)	Number of sites (reduced monitoring)	40 C.F.R. 141.86(b)(2)	OMISSION	The State cites to “Table D (labelled ‘reduced monitoring’)”. However, the proposed text in R22-2/R21-10 does not include the table. Insert the table as shown in the federal regulation into the state provision.
>100,000	100	50			
10,001 to 100,000	60	30			
3,301 to 10,000	40	20			
501 to 3,300	20	10			
101 to 500	10	5			
≤100	5	5			
All water systems with lead service lines, including those deemed optimized under §141.81(b)(3), and systems that did not conduct monitoring that meets all requirements of this section (e.g., sites selected in accordance with paragraph (a) of this section, samples collected in accordance with paragraph (b) of this section, etc.) between January 15, 2021 and October 16, 2024, must begin the first standard monitoring period on January 1 or July 1 in the year following the October 16, 2024, whichever is sooner. Upon completion of this monitoring, systems must monitor in accordance with paragraph (d)(82) of this section.			40 C.F.R. 141.86(d)(1)(i)	35 Ill. Adm. Code 611.356(d)(1)(A). A supplier having lead service lines, including a supplier Section 611.351(b)(3) deems to have optimized or re-optimized OCCT or a supplier that did not monitor complying with this Section (i.e., selecting sites under subsection (a), collecting samples under subsection (b), etc.) before January 16, 2024, must begin its first standard tap monitoring cycle on January 1, 2025. After completing the first standard monitoring cycle, the supplier must monitor under subsection (d)(1)(B).	Citation errors: The federal crosswalk should cite to (d)(2) rather than (d)(82). The State regulation should cite to (d)(2) rather than (d)(1)(B).

<p>The State at its discretion may approve a different tap sampling period for conducting the lead and copper tap sampling for systems collecting samples at a reduced frequency. Such a period must be no longer than four consecutive months, within one calendar year, and must represent a time of normal operation where the highest levels of lead are most likely to occur. For a non-transient non-community water system that does not operate during the months of June through September and for which the period of normal operation where the highest levels of lead are most likely to occur is not known, the State must designate a period that represents normal operation for the system. This monitoring must begin during the period approved or designated by the State in the calendar year immediately following the end of the second 6-month monitoring period for systems initiating annual monitoring and during the 3-year period following the end of the third consecutive year of annual monitoring for systems initiating triennial monitoring.</p>	<p>40 C.F.R. 141.86(d)(4)(i)(A)</p>	<p>35 Ill. Adm. Code 611.356(d)(4)(A)(i). The Agency may grant a SEP approving different tap sampling period for a supplier to conduct lead and copper tap sampling to a supplier collecting samples at a reduced frequency. The duration of the period must not exceed four consecutive months within one calendar year and must represent a time of normal operation when the highest lead levels are most likely to occur. For a NTNCWS supplier not operating during any of June through September and whose normal operating period when the highest levels of lead are most likely to occur is not known, the Agency must designate a period that represents a time of normal operation for the system. This reduced monitoring may only begin during the Agency-designated period in the calendar year immediately following the end of the second consecutive six-month tap monitoring cycle, for a supplier initiating annual monitoring, or in the three-year period following the end of the third consecutive year of annual monitoring, for a supplier initiating triennial monitoring.</p>	<p>Highlighted grammar is confusing. Suggest striking highlighted text after “conduct lead and copper tap sampling”.</p> <p>Appears that the word “months” is missing after highlighted “June through September”.</p> <p>Replace “may only” with “can only” to connote “must”.</p>
<p>Systems monitoring annually that have been collecting samples during the months of June through September and that receive State approval to alter their tap sampling monitoring period under paragraph (d)(4)(i)(A) of this section must collect their next round of samples during a time period that ends no later than 21 months after the previous round of sampling. Systems monitoring triennially that have been collecting samples during the month of June through September and receive State approval to alter their sampling collection period as per paragraph (d)(4)(i)(A) of this section must collect their next round of samples during a time period that ends no later than 45 months after the previous tap sampling period. Subsequent monitoring must be conducted annually or triennially, as required by this section.</p>	<p>40 C.F.R. 141.86(d)(4)(i)(B)</p>	<p>35 Ill. Adm. Code 611.356(d)(4)(A)(ii). A supplier monitoring annually and collecting samples during the months of June through September that receives Agency approval to alter its tap Sampling period under subsection (d)(4)(D)(i) must collect its next round of samples during a time period ending no later than 21 months after its previous round of sampling. A supplier monitoring once every three years and collecting samples during the months of June through September that receives Agency approval to alter its tap sampling period under subsection (d)(4)(A)(i) must collect its next round of samples during a time period ending no later than 45 months after the previous tap sampling period. The supplier must conduct subsequent monitoring annually or once every three years, as this Section requires.</p>	<p>Citation error: The state citation “(d)(4)(D)(i)” should be “(d)(4)(A)(i)”.</p>

<p>Small systems with waivers granted pursuant to paragraph (g) of this section that have been collecting samples during the months of June through September and receive State approval to alter their tap sampling period as per paragraph (d)(4)(i)(A) of this section must collect their next round of samples before the end of the 9-year period.</p>	<p>40 C.F.R. 141.86(d)(4)(i)(C)</p>	<p>35 Ill. Adm. Code 611.356(d)(4)(A)(iii). A small supplier collecting samples during the months of June through September, receiving a waiver under subsection (g) and receiving Agency approval to alter its tap sampling period under subsection (d)(4)(D)(i) must collect its next round of samples before the end of the nine-year tap monitoring cycle (as Section 611.101 defines the term).</p>	<p>Citation error: The state citation “(d)(4)(D)(i)” should be “(d)(4)(A)(i)”.</p>
<p>Any system that meets the lead trigger level and the copper action levels during two consecutive 6-month tap sampling monitoring periods may reduce the monitoring frequency to annual monitoring and must sample at the standard number of sampling sites for lead and the reduced number of sites for copper as specified in paragraph (c) of this section. Systems operating OCCT must also have maintained the range of OWQPs set by the State in accordance with §141.82(f) for the same period and receive a written determination from the State approving annual monitoring based on the State's review of monitoring, treatment, and other relevant information submitted by the system as required by §141.90. This sampling must begin no later than the calendar year immediately following the last calendar year in which the system sampled.</p>	<p>40 C.F.R. 141.86(d)(4)(ii)</p>	<p>35 Ill. Adm. Code 611.356(d)(4)(B). A supplier meeting the lead trigger level and copper action level during two consecutive six-month tap monitoring cycles may reduce its monitoring frequency to annually monitoring and must sample at the standard number of sampling sites for lead and reduced number of sites for copper that subsection (c) specifies. A supplier operating OCCT must also maintain the range of OWQPs the Agency set under Section 611.352(f) during the same period and receive a SEP from the Agency approving annual monitoring based on the Agency's review of the supplier's monitoring, treatment, and other relevant information the supplier reports under Section 611.360. The supplier must begin this sampling no later than the calendar year immediately following the last calendar year during which the supplier sampled.</p>	<p>Typo: “Annually” should be “annual”.</p>
<p>If a system with a full or partial waiver becomes aware that it is no longer free of lead-containing or copper-containing materials, as appropriate, (e.g., as a result of new construction or repairs), the system shall notify the State in writing no later than 60 days after becoming aware of such a change.</p>	<p>40 C.F.R. 141.86(g)(4)(iv)</p>	<p>35 Ill. Adm. Code 611.356(g)(4)(D). If a supplier with a full or partial waiver becomes aware that its system is no longer free of lead- or copper-containing materials, as appropriate (e.g., as a result of new construction or repairs), the supplier must notify the Agency in writing no later than 60 days after becoming aware of the such a change.</p>	<p>Missing word. Write out “lead-containing” to be clear.</p>

<p>Public availability of tap monitoring results used in the 90th percentile calculation. All water systems must make available to the public the results of compliance tap water monitoring data, including data used in the 90th percentile calculation under §141.80(c)(4), within 60 days of the end of the applicable tap sampling period. Nothing in this section requires water systems to make publicly available the addresses of the sites where the tap samples were collected. Large systems shall make available the monitoring results in a digital format. Small and medium-size systems shall make available the monitoring results in either a written or digital format. Water systems shall retain tap sampling monitoring data in accordance to recordkeeping requirements under §141.91.</p>	<p>40 C.F.R. 141.86(i)</p>	<p>35 Ill. Adm. Code 611.356(i). Public Availability of Tap Monitoring Results the Supplier Used in Calculating its 90th Percentile Concentration. A supplier must make the results of its compliance tap water monitoring data, including data the supplier used in calculating its 90th percentile concentration under Section 611.350(c)(4), available to the public within 60 days after the end of the applicable tap sampling period. This Section does not require a supplier to make publicly available the addresses of the sites where the supplier collected tap samples. A large supplier must make available the monitoring results in a digital format. A small or mid-sized supplier must make available the monitoring results in either a written or digital format. A supplier must retain tap sampling monitoring data under Section 611.361.</p>	<p>In the state’s last sentence, “under” could mean the supplier must only retain the data, rather than meet all the relevant recordkeeping requirements. It would be clearer to state “per the recordkeeping requirements under Section 611.361” or “in accordance with the recordkeeping requirements under Section 611.361”, rather than simply “under”.</p>
<p>Any small or medium-size water system that exceeds an action level must begin monitoring during the six-month period immediately following the tap sampling monitoring period in which the exceedance occurs and continue monitoring until the water system no longer exceeds the lead and copper action levels and meets the optimal water quality control parameters in two consecutive 6-month tap sampling monitoring periods under §141.86(d)(3). For any such small and medium-size system that is subject to a reduced monitoring frequency pursuant to §141.86(d)(4) at the time of the action level exceedance, the start of the applicable 6-month monitoring period under this paragraph must coincide with the start of the applicable tap sampling monitoring period under §141.86(d)(4).</p>	<p>40 C.F.R. 141.87(d)(1)(ii)</p>	<p>35 Ill. Adm. Code 611.357(d)(1)(B). Small and Mid-Sized Suppliers. A small or mid-sized supplier must exceeding an action level must begin monitoring during the six-month water quality monitoring period immediately following the tap monitoring cycle during which the exceedance occurs and continue monitoring until the supplier no longer exceeds the lead or the copper action level and meets the OWQPs in two consecutive six-month tap monitoring cycles under Section 611.356(d)(3). For a small or mid-sized supplier subject to a reduced water quality monitoring cycle frequency under Section 611.356(d)(4) at the time it exceeds the action level, the start of the applicable six-month water quality monitoring cycle under this subsection (d) coincides with the start of the applicable tap monitoring cycle under Section 611.356(d)(4).</p>	<p>Typo: Strike the highlighted “must” in the beginning of the state subsection as redundant. Replace “coincides” with “must coincide” in the last sentence of the state provision to parallel the federal regulation.</p>

States have the discretion to continue to require systems described in paragraph (d)(2) of this section to monitor optimal water quality control parameters.	40 C.F.R. 141.87(d)(3)	35 Ill. Adm. Code 611.357(d)(3). The Agency may issue a SEP requiring a supplier of this section to continue monitoring OWQPs under subsection (d)(2) if the Agency determines this necessary to demonstrate that the supplier will continue to comply.	Should "of this section" be "under this section"? Specify the citation with which the supplier must comply.
A water system may reduce the frequency with which it collects tap samples for applicable water quality parameters specified in paragraph (e)(1) of this section to every year if it demonstrates during two consecutive monitoring periods that its tap water lead level at the 90th percentile is less than or equal to the PQL for lead of 0.005 mg/L that its tap water copper level at the 90th percentile is less than or equal to 0.65 mg/L in §141.80(c)(3), and that it also has maintained the range of values for the water quality parameters reflecting optimal corrosion control treatment specified by the State under §141.82(f).	40 C.F.R. 141.87(e)(2)(ii)	35 Ill. Adm. Code 611.357(e)(2)(B). A supplier may reduce its tap sampling frequency for applicable water quality parameters in subsection (e)(1) to once every year if the supplier demonstrates that it complies with subsections (e)(2)(B)(i) through (e)(2)(B)(iii) during two consecutive water quality monitoring cycles, subject to subsection (e)(2)(B)(iv). 35 Ill. Adm. Code 611.357(e)(2)(B)(i). The supplier must demonstrate that its tap water 90th percentile concentration for lead is less than or equal to the PQL for lead of 0.005 mg/ℓ. 35 Ill. Adm. Code 611.357(e)(2)(B)(ii). The supplier must demonstrate that its tap water 90th percentile concentration for copper is less than or equal to 0.65 mg/ℓ in Section 611.350(c)(3). 35 Ill. Adm. Code 611.357(e)(2)(B)(iii). The supplier must demonstrate that it maintains the range of values for the water quality parameters reflecting OCCT the Agency specified under Section 611.352(f).	Citation error: There is no subsection (e)(2)(B)(iv) – it ends at (iii).
<i>Additional monitoring by systems.</i> The results of any monitoring conducted in addition to the minimum requirements of this section must be considered by the water system and the State in making any determinations (i.e., determining concentrations of water quality parameters) under this section or §141.82.	40 C.F.R. 141.87(f)	35 Ill. Adm. Code 611.357(f). Additional Monitoring by Suppliers. The supplier and the Agency must consider any monitoring results and what this Section requires in making any determinations (i.e., determining concentrations of water quality parameters) under this Section or Section 611.352.	The state provision omits "in addition to the minimum requirements of this section". Include in state provision.

<p>The State may reduce the total number of samples which must be analyzed by allowing the use of compositing. Compositing of samples must be done by certified laboratory personnel. Composite samples from a maximum of five samples are allowed, provided that if the lead concentration in the composite sample is greater than or equal to 0.001 mg/L or the copper concentration is greater than or equal to 0.160 mg/L, then either:</p>	<p>40 C.F.R. 141.88(a)(1)(iv)</p>	<p>35 Ill. Adm. Code 611.358(a)(1)(D). The Agency may issue a SEP reducing the total number of samples a supplier must analyze by allowing the supplier to composite samples. Certified laboratory personnel must composite the samples. A composite sample may include a maximum of five samples. However, if the lead concentration in the composite sample is greater than or equal to 0.001 mg/ℓ or the copper concentration is greater than or equal to 0.160 mg/ℓ, then the supplier must do either of two things:</p>	<p>For clarity, EPA suggests editing the phrase "... a supplier must analyze..." to instead read "... a supplier must have analyzed..." to emphasize that while the supplier is responsible for making sure the samples are analyzed, the analytical work, including compositing, requires use of certified lab personnel.</p>
<p>A water system using only groundwater shall collect samples once during the three-year compliance period (as that term is defined in 40 CFR 141.2) in effect when the applicable State determination under paragraph (d)(1) of this section is made. Such systems shall collect samples once during each subsequent compliance period. Triennial samples shall be collected every third calendar year.</p>	<p>40 C.F.R. 141.88(d)(1)(i)</p>	<p>35 Ill. Adm. Code 611.358(d)(1)(A). GWS Suppliers 35 Ill. Adm. Code 611.358(d)(1)(A)(i). A GWS supplier sampling under subsection (d)(1) must collect samples once during the three-year compliance period (as Section 611.101 defines the term) during which the Agency makes its determination under Section 611.353(b)(4) or 611.353(b)(2). 35 Ill. Adm. Code 611.358(d)(1)(A)(ii). A GWS supplier sampling under subsection (d)(1) must sample once during each subsequent compliance period. 35 Ill. Adm. Code 611.358(d)(1)(A)(iii). A supplier must triennially collect samples every third calendar year.</p>	<p>Citation error. 358(d)(1)(A)(i): The state rule cites to "611.353(b)(4) or 611.353(b)(2)" rather than subsection (d)(1). The State's (d)(1) and the federal rule both point to 611.353(b)(4). The State gives "611.353(b)(2)" as an alternative to 611.353(b)(4), which is not in the federal rule. The "or 611.353(b)(2)" reference should be struck.</p>

A water system using surface water (or a combination of surface and ground water) shall collect samples once during each calendar year, the first annual monitoring period to begin during the year in which the applicable State determination is made under paragraph (d)(1) of this section.	40 C.F.R. 141.88(d)(1)(ii)	35 Ill. Adm. Code 611.358(d)(1)(B). A SWS or mixed system supplier must collect samples once during each calendar year, the first annual source water monitoring period to begin during the year in which the Agency makes its determination under Section 611.353(b)(4) or 611.353(b)(2) .	Strike "or 611.353(b)(2)" or just cite to subsection (d)(1). Is "mixed system supplier" defined?
For lead service line systems with insufficient lead service line sites to meet the minimum number required in §141.86, documentation in support of the conclusion that there are an insufficient number of lead service line sites meeting the criteria under §141.86(a)(3) or (4) for community water systems or §141.86(a)(8) for non-transient, non-community water systems, as applicable;	40 C.F.R. 141.90(a)(1)(iii)(B)	35 Ill. Adm. Code Section 611.360(a)(1)(C)(ii). For a supplier having lead service line sites but an insufficient number to meet the minimum number Section 611.356 requires, the supplier must document support for its conclusion that it has an insufficient number of lead service line sites complying with the applicable of Section 141.86(a)(3) or (a)(4) (for a CWS supplier) or Section 141.86(a)(8) (for an NTNCWS supplier);	Citation error: Preface citations to federal regulations with 40 C.F.R. to distinguish from state regulatory sections.
The 90th percentile lead and copper concentrations measured from among all lead and copper tap water samples collected during each tap sampling period (calculated in accordance with §141.80(c)(4)), unless the State calculates the water system's 90th percentile lead and copper levels under paragraph (h) of this section;	40 C.F.R. 141.90(a)(1)(iv)	35 Ill. Adm. Code Section 611.360(a)(1)(D). The 90th percentile lead and copper concentrations the supplier measures from among all lead and copper tap samples the supplier collects during each tap sampling period (calculated under with Section 611.350(c)(3)), unless the Agency calculates the supplier 90th percentile lead and copper concentrations under subsection (h);	Check citation: Should this be 611.350(c)(4)?
The results of all water quality parameter tap samples that are required to be collected under §141.87(b) through (g) ;	40 C.F.R. 141.90(a)(1)(vi)	35 Ill. Adm. Code Section 611.360(a)(1)(F). The results of all water quality parameter tap samples the supplier must under Section 611.357(b) through (e) ;	Citation error: 611.357(e) should be 611.357(g).
For a non-transient non-community water system, or a community water system meeting the criteria of §141.86(b)(5) , that does not have enough taps that can provide first draw or fifth liter samples, the water system must either:	40 C.F.R. 141.90(a)(2)	35 Ill. Adm. Code section 611.360(a)(2). For a NTNCWS supplier, or a CWS supplier complying with Section 611.355(b)(5) not having enough taps for first-draw or fifth liter tap samples, the supplier must do one of two things:	Citation error: Should this be 611.356(b)(5)?

<p>Any system which collects samples following a partial lead service line replacement required by §141.84 must report the results to the State within the first ten days of the month following the month in which the system receives the laboratory results, or as specified by the State. States, at their discretion may eliminate this requirement to report these monitoring results, but water systems shall still retain such records. Systems must also report any additional information as specified by the State, and in a time and manner prescribed by the State, to verify that all partial lead service line replacement activities have taken place.</p>	<p>40 C.F.R. 141.90(e)(12)</p>	<p>35 Ill. Adm. Code Section 611.360(e)(12). Any supplier collecting samples following partial lead service line replacement Section 611.354 requires must report the results to the Agency before the tenth day of the next month after the supplier receives the laboratory results the Agency specifies in a SEP. The Agency may issue a SEP waiving the supplier reporting these monitoring results, but the supplier must retain these records. A supplier must also report any additional information the Agency specifies, in a time and manner the Agency prescribes, to verify that the supplier completed all partial lead service line replacement activities.</p>	<p>Should “requires” be “requirements” or “as Section.... requires”?</p>
<p><i>Reporting of additional monitoring data.</i> Any water system which collects more samples than the minimum required, shall report the results to the State within the first 10 days following the end of the applicable monitoring period under §§141.86, 141.87, and 141.88 during which the samples are collected. This includes the monitoring data pertaining to “find-and-fix” pursuant to §§141.86(h) and 141.87(g). The system must certify to the State the number of customer refusals or non-responses for follow-up sampling under §141.82(j) it received and information pertaining to the accuracy of the refusals or non-responses, within the first 10 days following the end of the applicable tap sampling period in which an individual sample exceeded the action level.</p>	<p>40 C.F.R. 141.90(g)</p>	<p>35 Ill. Adm. Code Section 611.360(g). Reporting Additional Monitoring Data. Any supplier collecting more samples than the required minimum must report those sampling data to the Agency within the first ten days following the end of the applicable sampling periods Sections 611.356 through 611.358 specify during which the supplier collected the samples. This includes the monitoring data for “find-and-fix” under Sections 611.356(h) and 611.357(g). The supplier must certify to the Agency the number of customer refusals or nonresponses for follow-up sampling it received under Section 611.352(j) with information supporting the accuracy of the refusals or non-responses. The supplier must certify within the first ten days after the end of the applicable tap sampling period during which any individual sample exceeded the lead action level.</p>	<p>Change “those sampling data” to state: “those sampling data results”</p>

<p>All community water systems must conduct directed public education and lead monitoring at the schools and child care facilities they serve if those schools or child care facilities were constructed prior to January 1, 2014 or the date the State adopted standards that meet the definition of lead free in accordance with Section 1417 of the Safe Drinking Water Act, as amended by the Reduction of Lead in Drinking Water Act, whichever is earlier. Water systems must conduct lead sampling at elementary schools and child care facilities they serve once and on request of the facility thereafter. Water systems shall also conduct lead sampling at secondary schools they serve on request. The provisions of this section do not apply to a school or child care facility that is regulated as a public water system. The provisions in paragraph (a) of this section apply until a water system samples all the elementary schools and child care facilities they serve once as specified in paragraph (c) of this section. Thereafter, water systems shall follow the provisions as specified in paragraph (g) of this section.</p>	<p>40 C.F.R. 141.92</p>	<p>35 Ill. Adm. Code 611.362: A CWS supplier must conduct directed public education and lead monitoring at those schools and child care facilities it serves that were constructed prior to January 1, 2014. A supplier must sample for lead at elementary schools and child care facilities it serves once and afterwards on request of the school or facility. The supplier must also sample for lead at secondary schools it serves on request. This Section does not apply to a school or child care facility that is a regulated PWS. This subsection (a) applies until the supplier samples all the elementary schools and child care facilities it serves once under subsection (c). After sampling all elementary schools and child care facilities, the supplier must comply with subsection (g).</p>	<p>The state regulation should reference the date the state adopted the lead-free definition if it is earlier than 2014.</p>
<p>Information about sampling for lead in schools and child care facilities (EPA's 3Ts for Reducing Lead in Drinking Water Toolkit, EPA-815-B-18-007 or subsequent EPA guidance); and</p>	<p>40 C.F.R. 141.92(a)(2)(ii)(B)</p>	<p>35 Ill. Adm. Code Section 611.362(a)(2)(B)(ii). Information about sampling for lead in schools and child care facilities; and BOARD NOTE: USEPA has guidance available from USEPA, National Center for Environmental Publications: "3Ts for Reducing Lead in Drinking Water in Schools and Child Care Facilities: A Training, Testing, and Taking Action Approach, Revised Manual" (October 2018), USEPA, Office of Water, doc. no. EPA 815-B-18-007 (search: "815B18007") and "U.S. EPA 3Ts Program Training, Testing & Taking Action: Lead Sample Collection Field Guide for Schools and Child Care Facilities" (July 2022), USEPA, Office of Water, doc. no. EPA 815-F-22-009 (search: "815F22009").</p>	<p>The Board should insert in its note the phrase "or subsequent EPA guidance" at the end so that this does not become dated.</p>

All elementary schools and child care facilities must be sampled at least once in the five years following the compliance date in §141.80(a)(3).	40 C.F.R. 141.92(c)(2)	35 Ill. Adm. Code Section 611.362(c)(2). A supplier must sample all elementary schools and child care facilities it serves at least once in the five years following the compliance date under Section 611.360(a)(3).	Citation error: 611.360(a)(3) should be 611.350(a)(3)
A water system must sample at the request of a secondary school as specified in paragraph (g) of this section. If a water system receives requests from more than 20 percent of secondary schools identified in paragraph (a)(1) of this section in any of the five years following the compliance date in §141.80(a)(3), the water system may schedule the requests that exceed 20 percent for the following year and is not required to sample an individual secondary school more than once in the five year period.	40 C.F.R. 141.92(c)(4)	35 Ill. Adm. Code Section 611.362(c)(4). A supplier must sample at the request of a secondary school under subsection (g). If a supplier receives requests from more than 20 percent of secondary schools it listed under subsection (a)(1) in any of the five years following the compliance date under Section 141.80(a)(3), the supplier may schedule the requests exceeding 20 percent for the following year, and the supplier needs not sample an individual secondary school more than once during the five-years.	Section 141.80(a)(3) should be prefaced by 40 C.F.R.
If the sampling is consistent with the requirements in paragraphs (b)(1)(i) through (vi) and (c) of this section and it is coupled with any of the following remediation actions:	40 C.F.R. 141.92(d)(1)(ii)	35 Ill. Adm. Code Section 611.362(d)(1)(B). If the sampling under that State or local law or program is consistent with subsections (b)(1)(A) through (b)(1)(vi) and (c) and the sampling is coupled with certain remediation actions:	Citation error: should be "through (b)(1)(F)" instead of "through (b)(1)(vi)".
Information about sampling for lead in schools and child care facilities (EPA's 3Ts for Reducing Lead in Drinking Water Toolkit, EPA-815-B-18-007, or subsequent EPA guidance).	40 C.F.R. 141.92(g)(1)(iii)	35 Ill. Adm. Code Section 611.362(g)(1)(C). Information about sampling for lead in schools and child care facilities. BOARD NOTE: USEPA has guidance available from USEPA, National Center for Environmental Publications: "3Ts for Reducing Lead in Drinking Water in Schools and Child Care Facilities: A Training, Testing, and Taking Action Approach, Revised Manual" (October 2018), USEPA, Office of Water, doc. no. EPA 815-B-18-007 (search: "815B18007") and "U.S. EPA 3Ts Program Training, Testing & Taking Action: Lead Sample Collection Field Guide for Schools and Child Care Facilities" (July 2022), USEPA, Office of Water, doc. no. EPA 815-F-22- 009 (search: "815F22009").	The Board should insert in its note the phrase "or subsequent EPA guidance" at the end so that this does not become dated.

<p>For lead and copper: the 90th percentile concentration of the most recent round(s) of sampling, the number of sampling sites exceeding the action level, and the range of tap sampling results;</p>	<p>40 C.F.R. 141.153(d)(4)(vi)</p>	<p>35 Ill. Adm. Code 611.833(d)(4)(F). For lead and copper: the 90th percentile concentration of the most recent rounds of sampling the number of sampling sites exceeding the action level, and the range of tap sampling results;</p>	<p>Place a comma between “recent rounds of sampling” and “the number of sampling”.</p>
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Interim Lead and Copper Rule (LCR Prior to LCRR) All pre-LCRR state rules should include the date "(2020)" in any federal citations so that the pre-LCRR state provisions don't erroneously cite to current federal rules.

		Subpart G: Interim Lead and Copper Rules. (35 Ill. Adm. Code 611.1350-1361)	General Comment: Several Subpart AG provisions still refer to Subpart G.
		35 Ill. Adm. Code 611.1350(a)(2). Scope. This Subpart G establishes a treatment technique including corrosion control treatment, source water treatment, lead service line replacement, and public education. Lead and copper action levels the supplier measures in samples collected at consumers' taps trigger some of these requirements.	Typo: References to Subpart G should be changed to Subpart AG
		35 Ill. Adm. Code Section 611.1350(b). Definitions. For this Subpart G only, this subsection (b) defines certain terms:	Typo: References to Subpart G should be changed to Subpart AG
		35 Ill. Adm. Code Section 611.1350(b). "Action level" means the computed concentration of lead or copper in water under subsection (c) determining applicability of some treatment requirements under this Subpart G...	Typo: References to Subpart G should be changed to Subpart AG
		35 Ill. Adm. Code Section 611.1350(b). "Monitoring period" means any of the six-month periods during which a supplier must complete a cycle of monitoring under this Subpart G.	Typo: References to Subpart G should be changed to Subpart AG
		35 Ill. Adm. Code Section 611.1350(b). "Multiple-family residence" means a building in which multiple families currently reside , but not one that is also a "single-family structure".	The definition in the former version of the rule (under what was 611.350(b)) states "used as a multi-family residence" rather than "in which multiple families currently reside." If the building is a three-flat and

			only one floor is occupied, this definition would not cover such a building. The language should be reverted to the original text.
		35 Ill. Adm. Code Section 611.1350(h). Monitoring and Analytical Requirements. A supplier must complete all tap water monitoring for lead and copper, monitoring for water quality parameters, and source water monitoring for lead and copper and analyze the monitoring results under this Subpart G as Sections 611.1356, 611.1357, 611.1358, and 611.1359 require.	Typo: References to Subpart G should be changed to Subpart AG
		35 Ill. Adm. Code Section 611.1350(i). Reporting Requirements. A supplier must report any information the treatment provisions of this Subpart G and Section 611.1360 require to the Agency.	Typo: References to Subpart G should be changed to Subpart AG
		35 Ill. Adm. Code Section 611.1350(k). Violation of National Primary Drinking Water Regulations. Failing to comply with this Subpart G , including conditions the Agency imposes in a SEP, violates the lead or copper NPDWRs.	Typo: References to Subpart G should be changed to Subpart AG
		35 Ill. Adm. Code Section 611.1350(a)(1). Large Systems. Each large system supplier (one regularly serving more than 50,000 persons) must complete the corrosion control treatment steps subsection (d) specifies, unless subsection (b)(2) or (b)(3) deems the supplier to have optimized corrosion control.	Subsections would not deem the supplier to have optimized CCT. This should read either the Agency or supplier , whichever is responsible for designation. (Check if same in 611.350)
		35 Ill. Adm. Code Section 611.1350(a)(2). Small and Medium-Sized Systems. Each small system supplier (one regularly serving 3,300 or fewer persons) and each medium-sized water system (one regularly serving 3,301 to 50,000 persons) must complete the corrosion control treatment steps subsection (e) specifies, unless	Subsections would not deem the supplier to have optimized CCT. This should read either the Agency or supplier , whichever is responsible for designation.

		subsection (b)(1), (b)(2), or (b)(3) deems the supplier to have optimized corrosion control.	(Check if same in 611.350)
		35 Ill. Adm. Code Section 611.1352(f)(4). The Agency must explain these determinations giving the basis for its decisions when issuing a SEP.	This should read "in a SEP" rather than "when issuing" a SEP, to ensure the explanation is in writing.
<i>Step 3:</i> If the State requires installation of source water treatment, the system shall install the treatment (§141.83(b)(3)) within 24 months after completion of step 2.	40 C.F.R. 141.83(a)(3)	35 Ill. Adm. Code Section 611.1353(a)(3): Step 3: If the Agency requires installing source water treatment, the supplier must install that treatment (under subsection (b)(3)) within 24 months after the Agency completes step 2.*	The State section 611.1353(a)(3) excludes "installing".
<i>System treatment recommendation.</i> Any system which exceeds the lead or copper action level shall recommend in writing to the State the installation and operation of one of the source water treatments listed in paragraph (b)(2) of this section. A system may recommend that no treatment be installed based upon a demonstration that source water treatment is not necessary to minimize lead and copper levels at users' taps.	40 C.F.R. 141.83(b)(1)	35 Ill. Adm. Code Section 611.1353(b)(1): System Treatment Recommendation. Any supplier exceeding the lead or copper action level must recommend to the Agency in writing one of the source water treatments in subsection (b)(2). A supplier may recommend installing no treatment based on a demonstration that source water treatment is not necessary to minimize lead and copper levels at users' taps.*	The state provision omits "installing" in 611.1353(b)(1).
		35 Ill. Adm. Code Section 611.1355(b)(1). All tap samples a supplier collects for lead and copper under this Subpart G , with the exception of lead service line samples under Section 611.1354(d) and samples under subsection (b)(5), must be first-draw tap samples.	Typo: References to Subpart G should be changed to Subpart AG
		35 Ill. Adm. Code Section 611.1356(g)(6)(A). If the supplier exceeds the lead or copper action level, the supplier must implement corrosion control treatment within the deadlines Section 611.1351(e) specifies and any other applicable requirements under this Subpart G .	Typo: References to Subpart G should be changed to Subpart AG
		35 Ill. Adm. Code Section 611.1359(a). Only a certified laboratory in one of the categories in Section 611.490(a) may conduct analyses for lead and copper to	Typo: References to Subpart G should be changed to Subpart AG

		demonstrate that a supplier complies with this Subpart G	
		35 Ill. Adm. Code Section 611.1359(b). The Agency must issue a SEP allowing a supplier to use previously collected monitoring data under this Subpart G if the supplier collected and analyzed the data complying with this Subpart G .	Typo: References to Subpart G should be changed to Subpart AG
		35 Ill. Adm. Code Section 611.1360(f)(1)(B). A list of all newspapers, radio stations, television stations, and facilities and organizations to which the supplier delivered public education materials when this Subpart G required the supplier to perform public education tasks.	Typo: References to Subpart G should be changed to Subpart AG
		35 Ill. Adm. Code Section 611.1360(g). Reporting Additional Monitoring Data. Any supplier collecting sampling data in addition to what this Subpart G requires must report those sampling data to the Agency....	Typo: References to Subpart G should be changed to Subpart AG
		35 Ill. Adm. Code Section 611.1361. Recordkeeping. Any supplier subject to this Subpart G must retain original records of all sampling data and analyses, reports, surveys, letters,	Typo: References to Subpart G should be changed to Subpart AG
		35 Ill. Adm. Code Section Section 611.TABLE Z Federal Effective Dates Lead and Copper (40 CFR141, subpart I) (1991) (corresponding with Subpart G of this Part)	Should the original LCR correspond to both Subparts G and AG? Typo: Need a space after C.F.R.
		35 Ill. Adm. Code Section Section 611.TABLE Z Federal Effective Dates Lead and Copper (40 CFR141, subpart I) (1992) (corresponding with Subpart G of this Part)	Should the original LCR correspond to both Subparts G and AG? Typo: Insert a space between C.F.R. and 141.

PRELIMINARY EPA COMMENTS ON PROPOSED ANALYTICAL METHODS IN R22-2; R21-10			
Analytical Method	State Regulatory Description / EPA Approved Date	IL R22-2 Rule Citation	EPA Preliminary Technical Comment
ASTM D4327-17	Standard Test Method for Anions in Water by Ion Chromatography (approved 2017)	35 Ill. Adm. Code Section 611.611	This method is approved but it is a multi-analyte method (fluoride, nitrate, nitrite, orthophosphate, chloride, and sulfate). The State's analyte table should specify the analytes approved by this method. Include chloride/sulfate methods under 611.611, since the Illinois EPA may request or require chloride and sulfate as a WQPs.
ASTM D6919-17	Standard Test Method for Determination of Dissolved Alkali and Alkaline Earth Cations and Ammonium in Water and Wastewater by Ion Chromatography (Approved 2017)	35 Ill. Adm. Code Section 611.611	This method is approved but it is a multi-analyte method (calcium, magnesium, and sodium). The analyte table in the State provision should specify the analytes approved by this method.
USEPA 127 (21)	Method 127: Determination of Monochloramine Concentration in Drinking Water", document number EPA 815-B-21-004, Version 1.0 (Available from USEPA, NSCEP (search for "815B21004") BOARD NOTE: Also individually available from NEMI	35 Ill. Adm. Code Section 611.531	The corollary federal rule does not include "Version 1.0." Reference to this version should be struck from state rule language.
USEPA 903.1 (21)	Method 903.1, Revision 1.0: Radium-226 in Drinking Water Radon Emanation Technique", doc. no. EPA 815-B-21-003 (January 2021). Available from USEPA, NSCEP (nepis.epa.gov; search: "815B21003	35 Ill. Adm. Code Section 611.720	The proposed state subsection 611.720 includes a reference that is missing from this incorporation by reference subsection. The state rule should add the following language to its incorporation by reference list: EPA Method 903.0, Rev. 1.0. "Alpha-Emitting Radium Isotopes in Drinking Water." January 2021. EPA 815-B-21-002. Available at the National Service Center for Environmental Publications (EPA Method 903.0). (it's listed as an approved method under eCFR :: Appendix A to Subpart C of Part 141, Title 40 -- Alternative Testing Methods Approved for Analyses Under the Safe Drinking Water Act

PRELIMINARY EPA COMMENTS ON OTHER SECTIONS IN R22-2; R21-10			
Federal Citation / Text	State Citation (35 Ill. Adm. Code)	Proposed IL-R22-2 Text	Comment
Definitions			
SDWA sections 1401(4)(B)(i)(II) and (4)(B)(i)(III) (42 U.S.C. 300f(4)(B)(i)(II) and (4)(B)(i)(III))	611.101	"Man-made beta particle and photon emitters" means all radionuclides emitting beta particles or photons listed in NBS Handbook 69 (63), incorporated by reference in Section 611.102, except the daughter products of thorium-232, uranium-235 and uranium-238. BOARD NOTE: The USEPA-recognized naturally occurring daughter products are 227,228Ac, 210,212Bi, 212Pb, 232Pa, 210Pb, 210Po, 223,224, 226,228Ra, 220,222Rn, 227, 230,231,232,234Th, and 234,235,238U. See 56 Fed. Reg. 33050, 33063-65 (July 18, 1991).	If the proposed state rule includes the list in the Board note, the provision should clarify which are beta emitters and/or which are only mentioned in this subsection because of photon emitting. In addition, the state rule should include all relevant isotopes. In comparison to Figure 1 of the referenced July 1991 Rads Rule Preamble, the list in the proposed state rule does not include alpha emitters Pa-231, Rn-219, Po-215, Bi-211, Tl-207, Th-228, Po-216, Po-212); and is missing is beta emitters Pb-211, Tl-208, Pa-234, Pb-214, Bi-214, Po-214 and stable products Pb-206, Pb-207, Pb-208. Further the state rule lists U-235, U-238, and Th-232, which are the beginnings of the series (i.e. not 'daughter products'). Last, the state rule lists Pa-232 which is not referenced in Figure 1.
Special Exemption Permits			
40 C.F.R. 141.24(f)(8) and (h)(6).	611.110(a)	The Agency must evaluate a request for a SEP granting relief from the monitoring requirements of Section 611.601, 611.602, or 611.603 (IOCs, excluding the Section 611.603 monitoring frequency requirements for cyanide); Section 611.646(e) and (f) (a GWS supplier for Phase I, Phase II, and Phase V VOCs); Section 611.646(d), (only as to initial monitoring for 1,2,4-trichlorobenzene); or	Language regarding IOC waivers (e.g. asbestos) was removed from the state rule by striking "Section 611.601, 611.602, or 611.603 (IOCs, excluding the Section 611.603 monitoring frequency requirements for cyanide)". How will the State address this?

		<p>Section 611.648(d) (for Phase II, Phase IIB, and Phase V SOCs) under this Section. The Agency must evaluate on the basis of known knowledge of previous use (including transport, storage, or disposal) of the contaminant in the watershed or zone of influence of the system, as determined under 35 Ill. Adm. Code 671. BOARD NOTE: The Agency may only issue a SEP from the Section 611.603 monitoring frequency requirements for cyanide based on subsection (c), not based on this subsection (a).</p>	
<p>40 C.F.R. 141.23(c)(2)</p>	<p>611.110(c)</p>	<p>The Agency must issue a SEP allowing a supplier to discontinue monitoring for cyanide upon determining that the supplier's water is not vulnerable to any industrial source of cyanide. BOARD NOTE: Subsection (a) derives from 40 CFR 141.24(f)(8) and (h)(6). Subsection (b) derives from 40 CFR 141.82(d)(2), and 141.83(b)(2). Subsection (c) derives from 40 CFR 141.23(c)(2). At 40 CFR 142.18, USEPA reserves the discretion to review and nullify Agency determinations of the kinds made under Sections 611.602, 611.603, 611.646, and 611.648. At 40 CFR 141.82(i), 141.83(b)(7), and 142.19, USEPA maintains authority to establish federal standards for any supplier, superseding any Agency determination under Sections 611.352(d), 611.352(f), 611.353(b)(2), and 611.353(b)(4).</p>	<p>See comment for 611.110(a).</p>

Variances and Exemptions			
40 C.F.R. 141.62(d)	611.301	Revised MCLs for Inorganic Chemical Contaminants (Amended). Board Note: "Section 1412(b)(4)(E)(ii) of SDWA (42 USC 300g-1(b)(4)(E)(ii)) specifies that SSCTs must be affordable and technically feasible for a small system supplier."	Consider changing the following SDWA reference to small system designations: 42 U.S.C. 300g-1(b)(4)(E)(ii) to include a reference to (E)(i), which addresses 'feasible', along with (E)(ii), which addresses 'affordable' for small systems.
	611.641(a)(2)	State-Only MCLs (Amended). The Agency must issue a SEP requiring C2WS suppliers utilizing only groundwater sources to collect samples at least once every three years.	Typographical error: The State provision states: "requiring C2WS."
40 C.F.R. 141.24(h)	611.648(e)	Phase II, Phase IIB, and Phase V Synthetic Organic Contaminants (Amended) Reduction to Annual Monitoring Frequency. A CWS or NTNCWS supplier may apply to the Agency for a SEP releasing the supplier from the requirements of subsection (d). A SEP from the requirement of subsection (d) may must last for only a single three-year compliance period.	The state language should state "must" rather than "may" in subsection (e). SOC waivers must be renewed every 3 years under federal rules.
	611.720(a); 611.720(a)(3)(A)	Analytical Methods [Radionuclides] (Amended). 35 Ill. Adm. Code 611.720(a). <u>A certified laboratory must use specific</u> The methods specified below, or alternative methods approved by the Agency approved under Section 611.480, incorporated by reference in Section 611.102, are to be used to determine whether the supplier complies compliance with Section 611.330, except in cases where alternative methods have been approved in accordance with Section 611.480. 611.720(a)(3)(A). Radiochemical Methods. ASTM D2460-97; ASTM D2460-07; Georgia Radium (04); New York Radium (82); SM 304 (71); SM 7500-Ra B (88); SM 7500-Ra B (93); SM	The Incorporations by Reference section (9) of the Notice of Proposed Amendments in the Illinois Register Notice includes analytical methods (see p. 9565), which are referenced in Section 611.720(a)(3)(A), but are not listed accordingly under Section 611.102 Incorporations by Reference in the proposed rule. <i>E.g.</i> , "USEPA 903.0 (21)" means "Method 903.0, Revision 1.0: Alpha-Emitting Radium Isotopes in Drinking Water", doc. no. EPA 815-B-21-002 (January 2021). Available from USEPA, NSCEP (nepis.epa.gov ; search: "815B21002"). Referenced in Section 611.720.

		7500-Ra B (01); USEPA 903.0 (80); <u>USEPA 903.0(21)</u> ; ...	611.720(a) strikes the "incorporation by reference" phrase, but it is kept in 611.720(b). Should 611.720(a) retain the incorporation by reference?
40 C.F.R. 141.26(a)(1)(ii). <i>"Applicability and sampling location for new community water systems or sources.</i> All new CWSs or CWSs that use a new source of water must begin to conduct initial monitoring for the new source within the first quarter after initiating use of the source. CWSs must conduct more frequent monitoring when ordered by the State in the event of possible contamination or when changes in the distribution system or treatment processes occur which may increase the concentration of radioactivity in finished water."	611.731(a)	Gross Alpha (Amended). A community water system (CWS) supplier must monitor conduct initial monitoring to determine whether it complies compliance with Section 611.330(b), (c), and (e). For the purposes of monitoring for gross alpha particle activity, radium-226, radium-228, uranium, and beta particle and photon radioactivity in drinking water, "detection limit" is defined as in Section 611.720(e).	Restore the reference to the detection limit. The sentence doesn't make sense after striking it. The state rule does not have language equivalent to 40 C.F.R. 141.26(a)(1)(ii). Does the State require that a CWS begin quarterly monitoring as soon as possible after activating, even if IEPA fails to issue a SEP?
	611.Table R	Radionuclide Conversion Factors Table R section 611 10239-10244 Rads Conversion factors	Rhenium-183 is not in the Radionuclides Rule Appendix I, check original source. There is a typographical error in Table R: Terbium 160 is Tb , not Te . (The conversion factor matches App. I of Rads Rule Implementation Guidance)
Surface Water Treatment Rules.			
	611.201	Requiring a Demonstration The Agency must issue a SEP notifying and notify each supplier when the Agency requires the supplier to make in writing of the date on which any demonstrations under this Subpart B pursuant to the Section are required. The Agency must require demonstrations when at times that meet the USEPA requires the requirements for that type of demonstration, allowing sufficient time for the supplier to collect the necessary information.	The index at the beginning of R22-2/R21-10 states this state section is repealed. However, rule text in the body of the rule includes amendments, not a repeal. Either the index must be corrected to reflect that the rule is to be amended, or the rule shouldn't have corrected substantive language.