

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:	)	
	)	R25-1A
SDWA UPDATE, USEPA AMENDMENTS	)	(Identical-in-Substance
(January 1, 2024, through June 30, 2024)	)	Rulemaking- Public Water Supply)
	)	
SWDA UPDATE, USEPA AMENDMENTS	)	
(July 1, 2024, through December 31, 2024)	)	
	)	
	)	

To: See attached service list.

NOTICE OF ELECTRONIC FILING

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board comments on behalf of the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

Respectfully submitted,

Dated: May 26, 2026

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

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BY: /s/Kaitlyn Hutchison
Kaitlyn Hutchison

THIS FILING IS SUBMITTED ELECTRONICALLY

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	)	
	)	

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY’S PUBLIC COMMENT

NOW COMES the Illinois Environmental Protection Agency (“Illinois EPA”), by and through one of its attorneys, and submits a public comment in the identical-in-substance amendments proposed by the Illinois Pollution Control Board (“Board”) and states the following:

- 1) The Board opened this sub-docket in the January 22, 2026, Board Order to address technical and historical issues that were not previously addressed in R2025-001 and R2025-009.
- 2) Illinois EPA is in agreement with the comments provided by the United States Environmental Protection Agency (“USEPA”) in its March 10, 2026, filing.
- 3) Illinois EPA notes that some of the comments provided by USEPA on March 10, 2026, appear to have been resolved by the Board in its January 22, 2026 Order, namely:
 - a. The comment regarding 35 Ill. Adm. Code Part 611.102 “SM9222 A”¹;
 - b. The comment regarding 35 Ill. Adm. Code Part 611.351(d)(2)²;
 - c. The comment regarding 35 Ill. Adm. Code Part 611.352(j)(1)³;
 - d. The comment regarding 35 Ill. Adm. Code Part 611.255⁴;

¹ See, United States Environmental Protection Agency Comments, p. 20, R 2025-001(A), March 10, 2026.

² *Id.* at p. 23

³ *Id.* at p. 23

⁴ *Id.* at p. 23

- e. The comment regarding 35 Ill. Adm. Code Part 611.1357(d)(1)⁵;
 - f. The comment regarding 35 Ill. Adm. Code Part 611.884(d)⁶;
 - g. The comment regarding 35 Ill. Adm. Code Part 611.331(c)(2)⁷; and
 - h. The comment regarding 35 Ill. Adm. Code Part 611.881(d)⁸.
- 4) USEPA commented that “The proposed state regulatory language in this section and more broadly in 35 Ill. Adm. Code 611.2354(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. While the discrepancy is outside of this IIS proceeding, the difference between the IIS regulations and state statute will need to be reconciled.”⁹

⁵ *Id.* at p. 25

⁶ *Id.* at p. 26

⁷ *Id.* at p. 28

⁸ *Id.* at p. 29

⁹ *Id.* at p. 27

- 5) Illinois EPA agrees with the Board these issues can likely be addressed in this sub-docket because this sub-docket was created specifically to handle historical and technical issues that were unable to be addressed in R2025-001 and R2025-009.¹⁰ The Agency looks forward to addressing these issues in further detail as this sub-docket moves forward.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

Dated: May 26, 2026
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BY: /s/Kaitlyn Hutchison
Kaitlyn Hutchison

¹⁰ See, Opinion and Order of the Board, p. 2, R 2025-001(A), January 22, 2026.

CERTIFICATE OF SERVICE

I, the undersigned, on affirmation certify the following:

That I have electronically served the attached **NOTICE OF FILING and ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S COMMENTS**

by e-mail upon the following

USEPA REGION 5

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That my e-mail address is kaitlyn.hutchison@illinois.gov.

That the e-mail transmission took place before 4:30 p.m. on the date of May , 2026.

Kaitlyn Hutchison
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