

From: [McGill, Richard](#)
To: [Brown, Don](#)
Cc: [Horton, Vanessa](#)
Subject: FW: R18-26 proposed first notice changes
Date: Monday, February 27, 2023 5:03:41 PM
Attachments: [image001.png](#)
[35-611 Board responses.pdf](#)
[35-611RG-P r01 \(46-22\).pdf](#)

Good evening, Mr. Clerk:

Please docket this email exchange with JCAR, including the two attachments, as a public comment in R18-26.

Thank you.

Richard R. McGill, Jr.
Senior Attorney for Research & Writing
Illinois Pollution Control Board
60 E. Van Buren St., Suite 630
Chicago, Illinois 60605
richard.mcgill@illinois.gov (312) 814-6983



From: McGill, Richard
Sent: Monday, February 27, 2023 4:54 PM
To: Eastvold, Jonathan C. <JonathanE@ilga.gov>
Subject: RE: R18-26 proposed first notice changes

Good evening, Jonathan:

I've attached two documents. The first document contains Board staff responses to your proposed Part 611 changes emailed to me on June 24, 2022. The second document is the JCAR line-numbered r01 referenced in your changes and our responses. Our responses include related changes prompted by your suggestions.

Thank you for your careful review. Please let me know if you have any questions.

Best regards,

Richard

Richard R. McGill, Jr.
Senior Attorney for Research & Writing
Illinois Pollution Control Board
60 E. Van Buren St., Suite 630
Chicago, Illinois 60605

richard.mcgill@illinois.gov (312) 814-6983



From: Eastvold, Jonathan C. <JonathanE@ilga.gov>
Sent: Friday, June 24, 2022 9:39 AM
To: McGill, Richard <Richard.McGill@illinois.gov>
Subject: [External] R18-26 proposed first notice changes

Here are some possible technical changes, sorted by Part, for the Board to consider. Any of these changes that you wish to make can be simply copied into your first notice changes document.

Thanks in advance for your consideration.

Sincerely,

Jonathan C. Eastvold, Ph.D.
Rules Analyst III

Illinois General Assembly
Joint Committee on Administrative Rules
700 Stratton Building
Springfield IL 62706
217-524-9010

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From: Eastvold, Jonathan C. <JonathanE@ilga.gov>
Sent: Friday, June 24, 2022 9:39 AM
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Board staff responses and related changes (2/27/23) appear in bold, red font below.

Rulemaking: Primary Drinking Water Standards (35 Ill. Adm. Code 611; 46 Ill. Reg. 8724)

Changes:

1. In line 433, after "require" add "the".
a. Agree.
b. In line 147, delete "(Repealed)".
2. In line 467, after "as" add "a".
Agree.
3. In line 477, strike "(iii)".
a. Agree.
b. In line 492, strike "will".
4. In line 493, after "attributed" add "to".
a. Agree.
b. In line 500, strike "provided" and add "if".
5. In line 513, strike the period.
Agree.

6. In line 583, strike "USC" and add "U.S.C.".
Agree.
7. In line 587, strike "a" and add "an".
Disagree. "SDWA" is most commonly said as a word (i.e., "sid-wuh").
8. In line 607, after "of" add "the".
Agree.
9. In lines 628, 631, and 638, strike "with respect to" and add "for".
Agree.
10. In line 652, strike "time".
Agree.
11. In line 659, after "of" add "the".
Agree.
12. In line 665, after "addition" add a comma.
Agree.
13. In line 666, strike "or104" and add "or 104".
Agree.
14. In line 685, strike "USC" and add "U.S.C.".
Agree.
15. In line 691, strike "USC" and add "U.S.C.".
 - a. **Agree.**
 - b. **In line 759, delete "(Repealed)".**
 - c. **In lines through 761 through 779, restore the text.**
 - d. **In restored line 762, strike the first comma.**
 - e. **In restored line 763, strike "below" and add "in subsection (a), (b), or (c)". Strike "pursuant to" and add "under".**
 - f. **In restored line 764, strike "shall" and add "must".**
 - g. **In restored line 766, strike the comma.**
 - h. **In restored line 769, strike "of this Part,".**
 - i. **In restored line 776, strike the comma and "until".**
 - j. **In line 781, change "Repealed" to "Amended".**
16. In lines 793-794, 797, 802-803, 807-808, and 815-816, strike "a period of not less than" and add "at least".
Agree but the changes are in lines 814-15, 818-19, 824, 829, and 836-37.
17. In lines 822 and 830, strike "a period of not less than" and add "at least".
Agree but the changes are in lines 843 and 851.

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

PART 611
PRIMARY DRINKING WATER STANDARDS

SUBPART A: GENERAL

10	Section	
11	611.100	Purpose, Scope, and Applicability
12	611.101	Definitions
13	611.102	Incorporations by Reference
14	611.103	Severability
15	611.105	Electronic Reporting
16	611.107	Agency Inspection of PWS Facilities (Repealed)
17	611.108	Delegation to Local Government
18	611.109	Enforcement
19	611.110	Special Exception Permits
20	611.111	Relief Equivalent to SDWA Section 1415(a) Variances
21	611.112	Relief Equivalent to SDWA Section 1416 Exemptions
22	611.113	Alternative Treatment Techniques
23	611.114	Siting Requirements
24	611.115	Source Water Quantity (Repealed)
25	611.120	Effective Dates
26	611.121	Maximum Contaminant Levels
27	611.125	Fluoridation Requirement
28	611.126	Prohibition on Use of Lead
29	611.130	Special Requirements for Certain Variances and Adjusted Standards
30	611.131	Relief Equivalent to SDWA Section 1415(e) Small System Variance
31	611.160	Composite Correction Program
32	611.161	Case-by-Case Reduced Subpart Y Monitoring for Wholesale and Consecutive Systems

SUBPART B: FILTRATION AND DISINFECTION

37	Section	
38	611.201	Requiring a Demonstration
39	611.202	Procedures for Agency Determinations
40	611.211	Filtration Required
41	611.212	Groundwater under Direct Influence of Surface Water
42	611.213	No Method of HPC Analysis
43	611.220	General Requirements

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- 44 611.230 Filtration Effective Dates
- 45 611.231 Source Water Quality Conditions
- 46 611.232 Site-Specific Conditions
- 47 611.233 Treatment Technique Violations
- 48 611.240 Disinfection
- 49 611.241 Unfiltered PWSs
- 50 611.242 Filtered PWSs
- 51 611.250 Filtration
- 52 611.261 Unfiltered PWSs: Reporting and Recordkeeping
- 53 611.262 Filtered PWSs: Reporting and Recordkeeping
- 54 611.271 Protection during Repair Work (Repealed)
- 55 611.272 Disinfection Following Repair (Repealed)
- 56 611.276 Recycle Provisions

57

58 SUBPART C: USE OF NON-CENTRALIZED TREATMENT DEVICES

59

60 Section

- 61 611.280 Point-of-Entry Devices
- 62 611.290 Use of Point-of-Use Devices or Bottled Water

63

64 SUBPART D: TREATMENT TECHNIQUES

65

66 Section

- 67 611.295 General Requirements
- 68 611.296 Acrylamide and Epichlorohydrin
- 69 611.297 Corrosion Control (Repealed)

70

71 SUBPART F: MAXIMUM CONTAMINANT LEVELS (MCLs) AND
72 MAXIMUM RESIDUAL DISINFECTANT LEVELS (MRDLs)

73

74 Section

- 75 611.300 Old MCLs for Inorganic Chemical Contaminants
- 76 611.301 Revised MCLs for Inorganic Chemical Contaminants
- 77 611.310 State-Only Maximum Contaminant Levels (MCLs) for Organic Chemical
78 Contaminants
- 79 611.311 Revised MCLs for Organic Chemical Contaminants
- 80 611.312 Maximum Contaminant Levels (MCLs) for Disinfection Byproducts (DBPs)
- 81 611.313 Maximum Residual Disinfectant Levels (MRDLs)
- 82 611.320 Turbidity (Repealed)
- 83 611.325 Microbiological Contaminants
- 84 611.330 Maximum Contaminant Levels for Radionuclides
- 85 611.331 Beta Particle and Photon Radioactivity (Repealed)

86

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87 SUBPART G: LEAD AND COPPER

88

89 Section

- 90 611.350 General Requirements
- 91 611.351 Applicability of Corrosion Control
- 92 611.352 Corrosion Control Treatment
- 93 611.353 Source Water Treatment
- 94 611.354 Lead Service Line Replacement
- 95 611.355 Public Education and Supplemental Monitoring
- 96 611.356 Tap Water Monitoring for Lead and Copper
- 97 611.357 Monitoring for Water Quality Parameters
- 98 611.358 Monitoring for Lead and Copper in Source Water
- 99 611.359 Analytical Methods
- 100 611.360 Reporting
- 101 611.361 Recordkeeping

102

103 SUBPART I: DISINFECTANT RESIDUALS, DISINFECTION BYPRODUCTS,
104 AND DISINFECTION BYPRODUCT PRECURSORS

105

106 Section

- 107 611.380 General Requirements
- 108 611.381 Analytical Requirements
- 109 611.382 Monitoring Requirements
- 110 611.383 Compliance Requirements
- 111 611.384 Reporting and Recordkeeping Requirements
- 112 611.385 Treatment Technique for Control of Disinfection Byproduct (DBP) Precursors

113

114 SUBPART K: GENERAL MONITORING AND ANALYTICAL REQUIREMENTS

115

116 Section

- 117 611.480 Alternative Analytical Techniques
- 118 611.490 Certified Laboratories
- 119 611.491 Laboratory Testing Equipment (Repealed)
- 120 611.500 Consecutive PWSs
- 121 611.510 Special Monitoring for Unregulated Contaminants (Repealed)

122

123 SUBPART L: MICROBIOLOGICAL MONITORING
124 AND ANALYTICAL REQUIREMENTS

125

126 Section

- 127 611.521 Routine Coliform Monitoring (Repealed)
- 128 611.522 Repeat Coliform Monitoring (Repealed)
- 129 611.523 Invalidation of Total Coliform Samples (Repealed)

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- 130 611.524 Sanitary Surveys (Repealed)
- 131 611.525 Fecal Coliform and E. Coli Testing (Repealed)
- 132 611.526 Analytical Methodology (Repealed)
- 133 611.527 Response to Violation (Repealed)
- 134 611.528 Transition from Subpart L to Subpart AA Requirements (Repealed)
- 135 611.531 Analytical Requirements
- 136 611.532 Unfiltered PWSs
- 137 611.533 Filtered PWSs

138

SUBPART M: TURBIDITY MONITORING AND ANALYTICAL REQUIREMENTS

140

141 Section

142 611.560 Turbidity

143

SUBPART N: INORGANIC MONITORING AND ANALYTICAL REQUIREMENTS

145

146 Section

147 611.591 Violation of a State MCL ([Repealed](#))

148 611.592 Frequency of State Monitoring

149 611.600 Applicability

150 611.601 Monitoring Frequency

151 611.602 Asbestos Monitoring Frequency

152 611.603 Inorganic Monitoring Frequency

153 611.604 Nitrate Monitoring

154 611.605 Nitrite Monitoring

155 611.606 Confirmation Samples

156 611.607 More Frequent Monitoring and Confirmation Sampling

157 611.608 Additional Optional Monitoring

158 611.609 Determining Compliance

159 611.610 Inorganic Monitoring Times

160 611.611 Inorganic Analysis

161 611.612 Monitoring Requirements for Old Inorganic MCLs

162 611.630 Special Monitoring for Sodium

163 611.631 Special Monitoring for Inorganic Chemicals (Repealed)

164

SUBPART O: ORGANIC MONITORING AND ANALYTICAL REQUIREMENTS

166

167 Section

168 611.640 Definitions

169 611.641 Old MCLs

170 611.645 Analytical Methods for Organic Chemical Contaminants

171 611.646 Phase I, Phase II, and Phase V Volatile Organic Contaminants

172 611.647 Sampling for Phase I Volatile Organic Contaminants (Repealed)

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- 173 611.648 Phase II, Phase IIB, and Phase V Synthetic Organic Contaminants
- 174 611.650 Monitoring for 36 Contaminants (Repealed)
- 175 611.657 Analytical Methods for 36 Contaminants (Repealed)
- 176 611.658 Special Monitoring for Organic Chemicals (Repealed)

177

178 SUBPART P: THM MONITORING AND ANALYTICAL REQUIREMENTS

179

180 Section

- 181 611.680 Sampling, Analytical, and other Requirements (Repealed)
- 182 611.683 Reduced Monitoring Frequency (Repealed)
- 183 611.684 Averaging (Repealed)
- 184 611.685 Analytical Methods (Repealed)
- 185 611.686 Modification to System (Repealed)
- 186 611.687 Sampling for Maximum THM Potential (Repealed)
- 187 611.688 Applicability Dates (Repealed)

188

189 SUBPART Q: RADIOLOGICAL MONITORING AND ANALYTICAL REQUIREMENTS

190

191 Section

- 192 611.720 Analytical Methods
- 193 611.731 Gross Alpha
- 194 611.732 Beta Particle and Photon Radioactivity
- 195 611.733 General Monitoring and Compliance Requirements

196

197 SUBPART R: ENHANCED FILTRATION AND DISINFECTION:
198 SYSTEMS THAT SERVE 10,000 OR MORE PEOPLE

199

200 Section

- 201 611.740 General Requirements
- 202 611.741 Standards for Avoiding Filtration
- 203 611.742 Disinfection Profiling and Benchmarking
- 204 611.743 Filtration
- 205 611.744 Filtration Sampling Requirements
- 206 611.745 Reporting and Recordkeeping Requirements

207

208 SUBPART S: GROUNDWATER RULE

209

210 Section

- 211 611.800 General Requirements and Applicability
- 212 611.801 Sanitary Surveys for GWS Suppliers
- 213 611.802 Groundwater Source Microbial Monitoring and Analytical Methods
- 214 611.803 Treatment Technique Requirements for GWS Suppliers
- 215 611.804 Treatment Technique Violations for GWS Suppliers

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216	611.805	Reporting and Recordkeeping for GWS Suppliers
217		
218		SUBPART T: REPORTING AND RECORDKEEPING
219		
220	Section	
221	611.830	Applicability
222	611.831	Monthly Operating Report (Repealed)
223	611.832	Notice by Agency (Repealed)
224	611.833	Cross Connection Reporting (Repealed)
225	611.840	Reporting
226	611.851	Reporting MCL, MRDL, and other Violations (Repealed)
227	611.852	Reporting other Violations (Repealed)
228	611.853	Notice to New Billing Units (Repealed)
229	611.854	General Content of Public Notice (Repealed)
230	611.855	Mandatory Health Effects Language (Repealed)
231	611.856	Fluoride Notice (Repealed)
232	611.858	Fluoride Secondary Standard (Repealed)
233	611.860	Record Maintenance
234	611.870	List of 36 Contaminants (Repealed)
235		
236		SUBPART U: CONSUMER CONFIDENCE REPORTS
237		
238	Section	
239	611.881	Purpose and Applicability
240	611.882	Compliance Dates
241	611.883	Content of the Reports
242	611.884	Required Additional Health Information
243	611.885	Report Delivery and Recordkeeping
244		
245		SUBPART V: PUBLIC NOTIFICATION OF DRINKING WATER VIOLATIONS
246		
247	Section	
248	611.901	General Public Notification Requirements
249	611.902	Tier 1 Public Notice: Form, Manner, and Frequency of Notice
250	611.903	Tier 2 Public Notice: Form, Manner, and Frequency of Notice
251	611.904	Tier 3 Public Notice: Form, Manner, and Frequency of Notice
252	611.905	Content of the Public Notice
253	611.906	Notice to New Billing Units or New Customers
254	611.907	Special Notice of the Availability of Unregulated Contaminant Monitoring Results
255		
256	611.908	Special Notice for Exceedance of the Fluoride Secondary Standard
257	611.909	Special Notice for Nitrate Exceedances above the MCL by a Non-Community Water System
258		

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259 611.910 Notice by the Agency on Behalf of a PWS

260 611.911 Special Notice for Cryptosporidium

261

262 SUBPART W: INITIAL DISTRIBUTION SYSTEM EVALUATIONS

263

264 Section

265 611.920 General Requirements

266 611.921 Standard Monitoring

267 611.922 System-Specific Studies

268 611.923 40/30 Certification

269 611.924 Very Small System Waivers

270 611.925 Subpart Y Compliance Monitoring Location Recommendations

271

272 SUBPART X: ENHANCED FILTRATION AND DISINFECTION –

273 SYSTEMS SERVING FEWER THAN 10,000 PEOPLE

274

275 Section

276 611.950 General Requirements

277 611.951 Finished Water Reservoirs

278 611.952 Additional Watershed Control Requirements for Unfiltered Systems

279 611.953 Disinfection Profile

280 611.954 Disinfection Benchmark

281 611.955 Combined Filter Effluent Turbidity Limits

282 611.956 Individual Filter Turbidity Requirements

283 611.957 Reporting and Recordkeeping Requirements

284

285 SUBPART Y: STAGE 2 DISINFECTION BYPRODUCTS REQUIREMENTS

286

287 Section

288 611.970 General Requirements

289 611.971 Routine Monitoring

290 611.972 Subpart Y Monitoring Plan

291 611.973 Reduced Monitoring

292 611.974 Additional Requirements for Consecutive Systems

293 611.975 Conditions Requiring Increased Monitoring

294 611.976 Operational Evaluation Levels

295 611.977 Requirements for Remaining on Reduced TTHM and HAA5 Monitoring Based
296 on Subpart I Results

297 611.978 Requirements for Remaining on Increased TTHM and HAA5 Monitoring Based
298 on Subpart I Results

299 611.979 Reporting and Recordkeeping Requirements

300

301 SUBPART Z: ENHANCED TREATMENT FOR CRYPTOSPORIDIUM

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302		
303	Section	
304	611.1000	General Requirements
305	611.1001	Source Water Monitoring Requirements: Source Water Monitoring
306	611.1002	Source Water Monitoring Requirements: Sampling Schedules
307	611.1003	Source Water Monitoring Requirements: Sampling Locations
308	611.1004	Source Water Monitoring Requirements: Analytical Methods
309	611.1005	Source Water Monitoring Requirements: Approved Laboratories
310	611.1006	Source Water Monitoring Requirements: Reporting Source Water Monitoring
311		Results
312	611.1007	Source Water Monitoring Requirements: Grandfathering Previously Collected
313		Data
314	611.1008	Disinfection Profiling and Benchmarking Requirements: Requirements When
315		Making a Significant Change in Disinfection Practice
316	611.1009	Disinfection Profiling and Benchmarking Requirements: Developing the
317		Disinfection Profile and Benchmark
318	611.1010	Treatment Technique Requirements: Bin Classification for Filtered System
319		Suppliers
320	611.1011	Treatment Technique Requirements: Filtered System Additional
321		Cryptosporidium Treatment Requirements
322	611.1012	Treatment Technique Requirements: Unfiltered System Cryptosporidium
323		Treatment Requirements
324	611.1013	Treatment Technique Requirements: Schedule for Compliance with
325		Cryptosporidium Treatment Requirements
326	611.1014	Treatment Technique Requirements: Requirements for Uncovered Finished
327		Water Storage Facilities
328	611.1015	Requirements for Microbial Toolbox Components: Microbial Toolbox Options
329		for Meeting Cryptosporidium Treatment Requirements
330	611.1016	Requirements for Microbial Toolbox Components: Source Toolbox Components
331	611.1017	Requirements for Microbial Toolbox Components: Pre-Filtration Treatment
332		Toolbox Components
333	611.1018	Requirements for Microbial Toolbox Components: Treatment Performance
334		Toolbox Components
335	611.1019	Requirements for Microbial Toolbox Components: Additional Filtration Toolbox
336		Components
337	611.1020	Requirements for Microbial Toolbox Components: Inactivation Toolbox
338		Components
339	611.1021	Reporting and Recordkeeping Requirements: Reporting Requirements
340	611.1022	Reporting and Recordkeeping Requirements: Recordkeeping Requirements
341	611.1023	Requirements to Respond to Significant Deficiencies Identified in Sanitary
342		Surveys Performed by USEPA or the Agency
343		
344		

SUBPART AA: REVISED TOTAL COLIFORM RULE

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345		
346	Section	
347	611.1051	General
348	611.1052	Analytical Methods and Laboratory Certification
349	611.1053	General Monitoring Requirements for all PWSs
350	611.1054	Routine Monitoring Requirements for Non-CWSs That Serve 1,000 or Fewer
351		People Using Only Groundwater
352	611.1055	Routine Monitoring Requirements for CWSs That Serve 1,000 or Fewer People
353		Using Only Groundwater
354	611.1056	Routine Monitoring Requirements for Subpart B Systems That Serve 1,000 or
355		Fewer People
356	611.1057	Routine Monitoring Requirements for PWSs That Serve More Than 1,000 People
357	611.1058	Repeat Monitoring and E. coli Requirements
358	611.1059	Coliform Treatment Technique Triggers and Assessment Requirements for
359		Protection Against Potential Fecal Contamination
360	611.1060	Violations
361	611.1061	Reporting and Recordkeeping
362		
363	611.APPENDIX A	Regulated Contaminants
364	611.APPENDIX B	Percent Inactivation of G. Lamblia Cysts
365	611.APPENDIX C	Common Names of Organic Chemicals
366	611.APPENDIX D	Defined Substrate Method for the Simultaneous Detection of Total
367		Coliforms and Escherichia Coli from Drinking Water (Repealed)
368	611.APPENDIX E	Mandatory Lead Public Education Information for Community Water
369		Systems
370	611.APPENDIX F	Mandatory Lead Public Education Information for Non-Transient Non-
371		Community Water Systems
372	611.APPENDIX G	NPDWR Violations and Situations Requiring Public Notice
373	611.APPENDIX H	Standard Health Effects Language for Public Notification
374	611.APPENDIX I	Acronyms Used in Public Notification Regulation
375	611.TABLE A	Total Coliform Monitoring Frequency (Repealed)
376	611.TABLE B	Fecal or Total Coliform Density Measurements
377	611.TABLE C	Frequency of RDC Measurement
378	611.TABLE D	Number of Lead and Copper Monitoring Sites
379	611.TABLE E	Lead and Copper Monitoring Start Dates (Repealed)
380	611.TABLE F	Number of Water Quality Parameter Sampling Sites
381	611.TABLE G	Summary of Section 611.357 Monitoring Requirements for Water Quality
382		Parameters
383	611.TABLE H	CT Values (mg·min/ℓ) for Cryptosporidium Inactivation by Chlorine
384		Dioxide
385	611.TABLE I	CT Values (mg·min/ℓ) for Cryptosporidium Inactivation by Ozone
386	611.TABLE J	UV Dose Table for Cryptosporidium, Giardia lamblia, and Virus
387		Inactivation Credit

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388 611.TABLE Z Federal Effective Dates

389

390 AUTHORITY: Implementing Sections 7.2, 17, and 17.5 and authorized by Section 27 of the
391 Environmental Protection Act [415 ILCS 5/7.2, 17, 17.5, and 27].

392

393 SOURCE: Adopted in R88-26 at 14 Ill. Reg. 16517, effective September 20, 1990; amended in
394 R90-21 at 14 Ill. Reg. 20448, effective December 11, 1990; amended in R90-13 at 15 Ill. Reg.
395 1562, effective January 22, 1991; amended in R91-3 at 16 Ill. Reg. 19010, effective December 1,
396 1992; amended in R92-3 at 17 Ill. Reg. 7796, effective May 18, 1993; amended in R93-1 at 17
397 Ill. Reg. 12650, effective July 23, 1993; amended in R94-4 at 18 Ill. Reg. 12291, effective July
398 28, 1994; amended in R94-23 at 19 Ill. Reg. 8613, effective June 20, 1995; amended in R95-17
399 at 20 Ill. Reg. 14493, effective October 22, 1996; amended in R98-2 at 22 Ill. Reg. 5020,
400 effective March 5, 1998; amended in R99-6 at 23 Ill. Reg. 2756, effective February 17, 1999;
401 amended in R99-12 at 23 Ill. Reg. 10348, effective August 11, 1999; amended in R00-8 at 23 Ill.
402 Reg. 14715, effective December 8, 1999; amended in R00-10 at 24 Ill. Reg. 14226, effective
403 September 11, 2000; amended in R01-7 at 25 Ill. Reg. 1329, effective January 11, 2001;
404 amended in R01-20 at 25 Ill. Reg. 13611, effective October 9, 2001; amended in R02-5 at 26 Ill.
405 Reg. 3522, effective February 22, 2002; amended in R03-4 at 27 Ill. Reg. 1183, effective January
406 10, 2003; amended in R03-15 at 27 Ill. Reg. 16447, effective October 10, 2003; amended in
407 R04-3 at 28 Ill. Reg. 5269, effective March 10, 2004; amended in R04-13 at 28 Ill. Reg. 12666,
408 effective August 26, 2004; amended in R05-6 at 29 Ill. Reg. 2287, effective January 28, 2005;
409 amended in R06-15 at 30 Ill. Reg. 17004, effective October 13, 2006; amended in R07-2/R07-11
410 at 31 Ill. Reg. 11757, effective July 27, 2007; amended in R08-7/R08-13 at 33 Ill. Reg. 633,
411 effective December 30, 2008; amended in R10-1/R10-17/R11-6 at 34 Ill. Reg. 19848, effective
412 December 7, 2010; amended in R12-4 at 36 Ill. Reg. 7110, effective April 25, 2012; amended in
413 R13-2 at 37 Ill. Reg. 1978, effective February 4, 2013; amended in R14-8 at 38 Ill. Reg. 3608,
414 effective January 27, 2014; amended in R14-9 at 38 Ill. Reg. 9792, effective April 21, 2014;
415 amended in R15-6 at 39 Ill. Reg. 3713, effective February 24, 2015; amended in R15-23 at 39 Ill.
416 Reg. 15144, effective November 9, 2015; amended in R16-4 at 39 Ill. Reg. 15352, effective
417 November 13, 2015; amended in R17-12 at 42 Ill. Reg. 1140, effective January 4, 2018;
418 amended in R18-9 at 42 Ill. Reg. 9316, effective May 29, 2018; amended in R18-17 at 43 Ill.
419 Reg. 8206, effective July 26, 2019; amended in R19-16 at 44 Ill. Reg. 6996, effective April 17,
420 2020; amended in R18-26 at 46 Ill. Reg. _____, effective _____.

421

422

SUBPART A: GENERAL

423

Section 611.105 Electronic Reporting

425

426 The submission of any document under any provision of this Part as an electronic document in
427 lieu of a paper document is subject to this Section.

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429 a) Scope and Applicability

430

1st Notice

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- 1) The USEPA, the Board, or the Agency may allow for the submission of electronic documents in lieu of paper documents. This Section does not require submission of electronic documents in lieu of paper documents. This Section sets forth the requirements for the optional electronic submission of any document that must be submitted to the appropriate of the following:
 - A) To USEPA directly under Title 40 of the Code of Federal Regulations; or
 - B) To the Board or the Agency under any provision of 35 Ill. Adm. Code 702 through 705, 720 through 728, 730, 733, 738, or 739.
 - 2) Electronic document submission under this Section can occur only as follows:
 - A) For submissions of documents to USEPA, submissions may occur only after USEPA has published a notice in the Federal Register announcing that USEPA is prepared to receive, in an electronic format, documents required or permitted by the identified part or subpart of Title 40 of the Code of Federal Regulations; or
 - B) For submissions of documents to the State, submissions may occur only under the following circumstances: the Board or the Agency may use any electronic document receiving system for which USEPA has granted approval under 40 CFR 3.1000, so long as the system complies with 40 CFR 3.2000, incorporated by reference in Section 611.102(c), and USEPA has not withdrawn its approval of the system in writing.
 - 3) This Section does not apply to any of the following documents, whether or not the document is a document submitted to satisfy the requirements cited in subsection (a)(1):
 - A) Any document submitted via facsimile;
 - B) Any document submitted via magnetic or optical media, such as diskette, compact disc, digital video disc, or tape; or
 - C) Any data transfer between USEPA, any state, or any local government and either the Board or the Agency as part of administrative arrangements between the parties to the transfer to share data.

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475 4) Upon USEPA conferring written approval for the submission of any types
476 of documents as electronic documents in lieu of paper documents, as
477 described in subsection (a)(2)(B)(iii), the Agency or the Board, as
478 appropriate, must publish a Notice of Public Information in the Illinois
479 Register that describes the documents approved for submission as
480 electronic documents, the electronic document receiving system approved
481 to receive them, the acceptable formats and procedures for their
482 submission, and, as applicable, the date on which the Board or the Agency
483 will begin to receive those submissions. In the event of written cessation
484 of USEPA approval for receiving any type of document as an electronic
485 document in lieu of a paper document, the Board or the Agency must
486 similarly cause publication of a Notice of Public Information in the Illinois
487 Register.
488

489 BOARD NOTE: Subsection (a) is derived from 40 CFR 3.1, 3.2, 3.10, 3.20, and
490 3.1000.

491
492 b) Definitions. For the purposes of this Section, terms will have the meaning
493 attributed them in 40 CFR 3.3, incorporated by reference in 35 Ill. Adm. Code
494 611.102(c).

495
496 c) Procedures for Submitting ~~of~~ Electronic Documents to USEPA in Lieu of Paper
497 Documents. Except as provided in subsection (a)(3), any person who is required
498 under Title 40 of the Code of Federal Regulations to create and submit or
499 otherwise provide a document to USEPA may satisfy this requirement with an
500 electronic document, in lieu of a paper document, provided the following
501 conditions are met:

- 502
503 1) The person satisfies the requirements of 40 CFR 3.10, incorporated by
504 reference in Section 611.102(c); and
505
506 2) USEPA has first published a notice in the Federal Register as described in
507 subsection (a)(2)(A).
508

509 BOARD NOTE: Subsection (c) is derived from 40 CFR 3.2(a) and subpart B of
510 40 CFR 3.

511
512 d) Procedures for Submitting ~~of~~ Electronic Documents to the Board or the Agency in
513 Lieu of Paper Documents.

- 514
515 1) The Board or the Agency may, but is not required to, establish procedural
516 rules for the electronic submission of documents. The Board or the

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517 Agency must establish any such procedural rules under the Administrative
518 Procedure Act [5 ILCS 100/5].

519
520 2) The Board or the Agency may accept electronic documents under this
521 Section only as provided in subsection (a)(2)(B).

522
523 BOARD NOTE: Subsection (d) is derived from 40 CFR 3.2(b) and subpart D of
524 40 CFR 3.

525
526 e) Effects of Submitting an Electronic Document in Lieu of a Paper Document

527
528 1) If a person who submits a document as an electronic document fails to
529 comply with the requirements of this Section, that person is subject to the
530 penalties prescribed for failure to comply with the requirement that the
531 electronic document was intended to satisfy.

532
533 2) ~~If~~Where a document submitted as an electronic document to satisfy a
534 reporting requirement bears an electronic signature, the electronic
535 signature legally binds, obligates, and makes the signer responsible to the
536 same extent as the signer's handwritten signature would on a paper
537 document submitted to satisfy the same reporting requirement.

538
539 3) Proof that a particular signature device was used to create an electronic
540 signature will suffice to establish that the individual uniquely entitled to
541 use the device did so with the intent to sign the electronic document and
542 give it effect.

543
544 4) Nothing in this Section limits the use of electronic documents or
545 information derived from electronic documents as evidence in
546 enforcement or other proceedings.

547
548 BOARD NOTE: Subsection (e) is derived from 40 CFR 3.4 and 3.2000(c).

549
550 f) Public Document Subject to State Laws. Any electronic document filed with the
551 Board is a public document. The document, its submission, its retention by the
552 Board, and its availability for public inspection and copying are subject to various
553 State laws, including, ~~but not limited to~~, the following:

554
555 1) The Administrative Procedure Act [5 ILCS 100];

556
557 2) The Freedom of Information Act [5 ILCS 140];

558
559 3) The State Records Act [5 ILCS 160];

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- 560
561 4) The Electronic Commerce Security Act [5 ILCS 175];
562
563 5) The Environmental Protection Act;
564
565 6) Regulations relating to public access to Board records (2 Ill. Adm. Code
566 2175); and
567
568 7) Board procedural rules relating to protection of trade secrets and
569 confidential information (35 Ill. Adm. Code 130).
570
571 g) Nothing in this Section or in any provisions adopted under subsection (d)(1) will
572 create any right or privilege to submit any document as an electronic document.
573

574 BOARD NOTE: Subsection (g) is derived from 40 CFR 3.2(c).
575

576 BOARD NOTE: Derived from 40 CFR 3 and 142.10(g).
577

578 (Source: Amended at 46 Ill. Reg. _____, effective _____)
579

580 **Section 611.111 Relief Equivalent to SDWA Section 1415(a) Variances**
581

582 This Section is intended to describe how the Board grants State relief equivalent to that available
583 from USEPA under section 1415(a)(1)(A) and (a)(1)(B) of the SDWA (42 USC 300g-4(a)(1)(A)
584 and (a)(1)(B)). SDWA section 1415 variances do not require ultimate compliance within five
585 years in every situation. Variances under Sections 35 through [3837](#) of the Act do require
586 compliance within five years in every case. Consequently, a PWS may have the option of
587 seeking State regulatory relief equivalent to a SDWA section 1415 variance through one of three
588 procedural mechanisms: a variance under Sections 35 through [3837](#) of the Act and Subpart B of
589 35 Ill. Adm. Code 104; a site-specific rule under Sections 27 and 28 of the Act and 35 Ill. Adm.
590 Code 102; or an adjusted standard under Section 28.1 of the Act and Subpart D of 35 Ill. Adm.
591 Code 104.
592

- 593 a) The Board will grant a PWS a variance, a site-specific rule, or an adjusted
594 standard from an MCL or a treatment technique under this Section.
595
596 1) The PWS must file a petition under 35 Ill. Adm. Code 102 or 104, as
597 applicable.
598
599 2) If a State requirement does not have a federal counterpart, the Board may
600 grant relief from the State requirements without following this Section.
601
602 b) Relief from an MCL

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645
- 1) As part of the justification for relief from an MCL under this Section, the PWS must demonstrate the following:
 - A) Because of characteristics of the raw water sources and alternative sources that are reasonably available to the system, the PWS cannot meet the MCL;
 - B) The PWS will install or has installed the best available technology (BAT) (as identified in Subpart F), treatment technique, or other means that the Agency finds available. BAT may vary depending on the following:
 - i) The number of persons served by the system;
 - ii) Physical conditions related to engineering feasibility; and
 - iii) Costs of compliance; and
 - C) The variance will not result in an unreasonable risk to health.
 - 2) In any order granting relief under this subsection (b), the Board will prescribe a schedule for the following:
 - A) Compliance, including increments of progress, by the PWS, with each MCL with respect to which the relief was granted; and
 - B) Implementation by the PWS of each additional control measure for each MCL with respect to which the relief is granted, during the period ending on the date compliance with such requirement is required.
 - 3) Schedule of Compliance for Relief from an MCL
 - A) A schedule of compliance will require compliance with each MCL with respect to which the relief was granted as expeditiously as practicable.
 - B) If the Board prescribes a schedule requiring compliance with an MCL for which the relief is granted later than five years from the date of issuance of the relief, the Board will do the following:
 - i) Document its rationale for the extended compliance

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- 646 schedule;
- 647
- 648 ii) Discuss the rationale for the extended compliance schedule
- 649 in the required public notice and opportunity for public
- 650 hearing; and
- 651
- 652 iii) Provide the shortest practicable time schedule feasible
- 653 under the circumstances.
- 654
- 655 c) Relief from a Treatment Technique Requirement
- 656
- 657 1) As part of the justification for relief from a treatment technique
- 658 requirement under this Section, the PWS must demonstrate that the
- 659 treatment technique is not necessary to protect the health of persons served
- 660 because of the nature of the raw water source.
- 661
- 662 2) The Board may prescribe monitoring and other requirements as a
- 663 condition for relief from a treatment technique requirement.
- 664
- 665 d) The Board will hold at least one public hearing. In addition the Board will accept
- 666 comments as appropriate under 35 Ill. Adm. Code 102 or 104.
- 667
- 668 e) The Board will not grant relief from any of the following:
- 669
- 670 1) From the MCLs for total coliforms and E. coli. The Board can no longer
- 671 grant relief from the total coliform MCL.
- 672
- 673 BOARD NOTE: As provided in Section 611.131(c)(1) and 40 CFR
- 674 142.304(a), a small system variance is not available for rules that address
- 675 microbial contaminants, which include Subparts B, R, S, X, Z, and AA.
- 676
- 677 2) From any of the treatment technique requirements of Subpart B.
- 678
- 679 3) From the residual disinfectant concentration (RDC) requirements of
- 680 Sections 611.241(c) and 611.242(b).
- 681
- 682 f) The Agency must promptly send USEPA the opinion and order of the Board
- 683 granting relief under this Section. The Board may reconsider and modify a grant
- 684 of relief, or relief conditions, if USEPA notifies the Board of a finding under
- 685 section 1415 of the SDWA (42 USC 300g-4).
- 686
- 687 g) In addition to the requirements of this Section, the provisions of Section 611.130
- 688 or 611.131 may apply to relief granted under this Section.

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689
690 BOARD NOTE: Derived from 40 CFR 141.4, from section 1415(a)(1)(A) and (a)(1)(B) of the
691 SDWA (42 USC 300g-4(a)(1)(A) and (a)(1)(B)) and from the Guidance Manual for Filtration
692 and Disinfection (91), incorporated by reference in Section 611.102 and available from USEPA,
693 NSCEP. USEPA has established a procedure at 40 CFR 142.23 to review and potentially modify
694 or nullify state determinations granting relief from NPDWRs ifwhere USEPA finds that the state
695 has abused its discretion or failed to prescribe required schedules for compliance in a substantial
696 number of instances.

697
698 (Source: Amended at 46 Ill. Reg. _____, effective _____)

699
700 SUBPART B: FILTRATION AND DISINFECTION

701
702 **Section 611.276 Recycle Provisions**

- 703
704 a) Applicability. A Subpart B system supplier that employs conventional filtration
705 or direct filtration treatment and thatwhich recycles spent filter backwash water,
706 thickener supernatant, or liquids from dewatering processes must meet the
707 requirements in subsections (b) through (d).
708
- 709 b) Reporting. A supplier must notify the Agency in writing if the supplier recycles
710 spent filter backwash water, thickener supernatant, or liquids from dewatering
711 processes. This notification must include, at a minimum, the information
712 specified in subsections (b)(1) and (b)(2), as follows:
713
- 714 1) A plant schematic showing the origin of all flows that are recycled
715 (including, ~~but not limited to,~~ spent filter backwash water, thickener
716 supernatant, and liquids from dewatering processes), the hydraulic
717 conveyance used to transport them, and the location where they are re-
718 introduced back into the treatment plant.
719
- 720 2) Typical recycle flow in gallons per minute (gpm), the highest observed
721 plant flow experienced in the previous year (gpm), design flow for the
722 treatment plant (gpm), and Agency-approved operating capacity for the
723 plant ifwhere the Agency has made such a determination.
724
- 725 c) Treatment Technique Requirement. Any supplier that recycles spent filter
726 backwash water, thickener supernatant, or liquids from dewatering processes must
727 return these flows through the processes of the supplier's existing conventional or
728 direct filtration system, as defined in Section 611.101, or at an alternative location
729 approved by a permit issued by the Agency.
730
- 731 d) Recordkeeping. The supplier must collect and retain on file recycle flow

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732 information specified in subsections (d)(1) through (d)(6) for review and
733 evaluation by the Agency, as follows:

- 734
- 735 1) A copy of the recycle notification and information submitted to the State
736 under subsection (b).
 - 737
 - 738 2) A list of all recycle flows and the frequency with which they are returned.
739
 - 740 3) The average and maximum backwash flow rate through the filters and the
741 average and maximum duration of the filter backwash process in minutes.
742
 - 743 4) The typical filter run length and a written summary of how filter run
744 length is determined.
 - 745
 - 746 5) The type of treatment provided for the recycle flow.
747
 - 748 6) Data on the physical dimensions of the equalization or treatment units,
749 typical and maximum hydraulic loading rates, type of treatment chemicals
750 used and average dose and frequency of use, and frequency at which
751 solids are removed, if applicable.
- 752

753 BOARD NOTE: Derived from 40 CFR 141.76.

754
755 (Source: Amended at 46 Ill. Reg. _____, effective _____)
756

757 SUBPART N: INORGANIC MONITORING AND ANALYTICAL REQUIREMENTS
758

759 **Section 611.591 Violation of a State MCL (Repealed)**
760

761 ~~This Section applies to old MCLs that are marked as "additional State requirements" at Section~~
762 ~~611.300, and for which no specific monitoring, reporting, or public notice requirements are~~
763 ~~specified below. If the result of analysis pursuant to this Part indicates that the level of any~~
764 ~~contaminant exceeds the old MCL, the CWS supplier shall do the following:~~
765

- 766 a) ~~Report to the Agency within seven days, and initiate three additional analyses at~~
767 ~~the same sampling point within one month;~~
- 768
- 769 b) ~~Notify the Agency and give public notice as specified in Subpart T of this Part,~~
770 ~~when the average of four analyses, rounded to the same number of significant~~
771 ~~figures as the old MCL for the contaminant in question, exceeds the old MCL;~~
772 ~~and~~
- 773
- 774 e) ~~Monitor, after public notification, at a frequency designated by the Agency, and~~

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~~continue monitoring until the old MCL has not been exceeded in two consecutive samples, or until a monitoring schedule as a condition of a variance or enforcement action becomes effective.~~

~~BOARD NOTE: This is an additional State requirement.~~

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

SUBPART S: GROUNDWATER RULE

Section 611.805 Reporting and Recordkeeping for GWS Suppliers

a) Reporting. In addition to the requirements of Section 611.840, a GWS supplier regulated ~~underpursuant to~~ this Subpart S must provide the following information to the Agency:

1) A GWS supplier conducting compliance monitoring ~~underpursuant to~~ Section 611.803(b) must notify the Agency any time the supplier fails to meet any Agency-specified requirements including, ~~but not limited to,~~ minimum residual disinfectant concentration, membrane operating criteria or membrane integrity, and alternative treatment operating criteria, if operation in accordance with the criteria or requirements is not restored within four hours. The GWS supplier must notify the Agency as soon as possible, but in no case later than the end of the next business day.

2) After completing any corrective action ~~underpursuant to~~ Section 611.803(a), a GWS supplier must notify the Agency within 30 days after completion of the corrective action.

3) If a GWS supplier subject to the requirements of Section 611.802(a) does not conduct source water monitoring ~~underpursuant to~~ Section 611.802(a)(5)(B), the supplier must provide documentation to the Agency within 30 days after the total coliform-positive sample that it met the Agency criteria.

b) Recordkeeping. In addition to the requirements of Section 611.860, a GWS supplier regulated ~~underpursuant to~~ this Subpart S must maintain the following information in its records:

1) Documentation of corrective actions. Documentation must be kept for a period of not less than ten years.

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- 817 2) Documentation of notice to the public as required ~~underpursuant to~~
818 Section 611.803(a)(7). Documentation must be kept for a period of not
819 less than three years.
820
- 821 3) Records of decisions ~~underpursuant to~~ Section 611.802(a)(5)(B) and
822 records of invalidation of fecal indicator-positive groundwater source
823 samples ~~underpursuant to~~ Section 611.802(d). Documentation must be
824 kept for a period of not less than five years.
825
- 826 4) For a consecutive system supplier, documentation of notification to the
827 wholesale systems of total coliform-positive samples that are not
828 invalidated ~~underpursuant to~~ Section 611.1053. Documentation must be
829 kept for a period of not less than five years.
830
- 831 5) For a supplier, including a wholesale system supplier, that is required to
832 perform compliance monitoring ~~underpursuant to~~ Section 611.803(b), the
833 following information:
834
- 835 A) Records of the supplier-specified, Agency-approved minimum
836 disinfectant residual. Documentation must be kept for a period of
837 not less than ten years;
838
- 839 B) Records of the lowest daily residual disinfectant concentration and
840 records of the date and duration of any failure to maintain the
841 Agency-prescribed minimum residual disinfectant concentration
842 for a period of more than four hours. Documentation must be kept
843 for a period of not less than five years; and
844
- 845 C) Records of supplier-specified, Agency-approved compliance
846 requirements for membrane filtration and of parameters specified
847 by the supplier for Agency-approved alternative treatment and
848 records of the date and duration of any failure to meet the
849 membrane operating, membrane integrity, or alternative treatment
850 operating requirements for more than four hours. Documentation
851 must be kept for a period of not less than five years.
852

853 BOARD NOTE: Derived from 40 CFR 141.405 ~~(2016)~~.
854

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