



OFFICE OF THE SECRETARY OF STATE

ALEXI GIANNOULIAS • Secretary of State

December 20, 2023

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

Dear DON BROWN

Your rules Listed below met our codification standards and have been published in Volume 47, Issue 51 of the Illinois Register, dated 12/26/2023.

ADOPTED RULES

Primary Drinking Water Standards	
35 Ill. Adm. Code 611	18996
Point of Contact: Shannon Bilbruck	

PROPOSED RULES

Sewer Discharge Criteria	
35 Ill. Adm. Code 307	18866
Point of Contact: Shannon Bilbruck	

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

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NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Primary Drinking Water Standards
- 2) Code Citation: 35 Ill. Adm. Code 611
- 3)

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
611.102	Amendment
611.531	Amendment
611.645	Amendment
611.720	Amendment
- 4) Statutory Authority: Implementing Sections 7.2, 17 and 17.5 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 17, 17.5 and 27].
- 5) Effective date of rule: **DEC - 7 2023**
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? Yes

“ASTM D4107-20” means “Standard Test Method for Tritium in Drinking Water”, approved 2020, referenced in Section 611.720.

“ASTM D4785-20” means “Standard Test Method for Low-Level Iodine-131 in Water”, approved 2020, referenced in Section 611.720.

“ASTM D5317-20” means “Standard Test Method for Determination of Chlorinated Organic Acid Compounds in Water by Gas Chromatography with an Electron Capture Detector”, approved 2020, referenced in Section 611.645.

“Lovibond TB 3500 (21)” means “Measurement of Drinking Water Turbidity of a Captured Sample Using a Lovibond White Light LED Portable Turbidimeter”, Revision 1.0 (2021). Referenced in Section 611.531.

“Lovibond TB 5000 (21)” means “Measurement of Drinking Water Turbidity of a Captured Sample Using a Lovibond 660-nm LED Portable Turbidimeter”, Revision 1.0 (2021). Referenced in Section 611.531.

“Lovibond TB 6000 (21)” means “Measurement of Drinking Water Turbidity of a Captured Sample Using a Lovibond Portable Laser Turbidimeter”, Revision 1.0 (2021). Referenced in Section 611.531.

RECEIVED

DEC 7 2023

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“USEPA 904.0 (22)” means “Radium-228 in Drinking Water—Method 904.0”, Revision 1.0 (2022), in USEPA Radioactivity Methods (80). Referenced in Section 611.720.

- 8) Statement of availability: The adopted rulemaking, a copy of the Board’s opinion and order adopted December 7, 2023, in docket R23-9, and all materials incorporated by reference are on file at the Board’s principal office and are available for public inspection and copying.
- 9) Notice of proposal published in the Illinois Register: 47 Ill. Reg. 11586; August 4, 2023
- 10) Has JCAR issued a Statement of Objections to these rules? Section 10(H) of the Environmental Protection Act [415 ILCS 5/10(H)] provides that Section 5-35 of the Administrative Procedure Act [5 ILCS 100/5-35] does not apply to this rulemaking. Because this rulemaking is not subject to Section 5-35 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules (JCAR).
- 11) Differences between the proposal and the final version:
611.531(b)(3)(B) reinstate "4500" between "DPD Method. SM" and "-C1O2 D (88)"
- 12) Have all the changes agreed upon by the board and JCAR been made as indicated in the agreements issued by JCAR? Section 10(H) of the Environmental Protection Act [415 ILCS 5/10(H)] provides that Section 5-35 of the Administrative Procedure Act [5 ILCS 100/5-35] does not apply to this rulemaking. Because this rulemaking is not subject to Section 5-35 of the APA, it is not subject to First Notice or to Second Notice review by JCAR.
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any other rulemakings pending on this Part? No
- 15) Summary and purpose of rulemaking: The following briefly describes the subjects and issues involved in the docket R23-9 rulemaking which amends Part 611. A comprehensive description is contained in the Board's opinion and order of June 1, 2023, proposing amendments in docket R23-9, which opinion and order is available from the address below.

The Board today proposes amendments to Illinois regulations that are “identical in substance” (IIS) to drinking water regulations adopted by the United States

ILLINOIS REGISTER

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Environmental Protection Agency (USEPA) in the second half of 2022. USEPA did not amend the federal National Primary Drinking Water Regulations (NPDWRs) during this period, but it granted summary approval to seven additional alternative test procedures (ATPs) for analyzing contaminants in drinking water. The Board adds these additional ATPs to the Illinois drinking water monitoring rules.

Sections 7.2 and 17.5 of the Illinois Environmental Protection Act (Act) (415 ILCS 5/7.2 and 17.5 (2020)) provide for quick adoption by the Board of regulations that are IIS to regulations that USEPA adopts to implement Sections 1412(b), 1414(c), 1417(a), and 1445(a) of the federal Safe Drinking Water Act (SDWA) (42 U.S.C. §§ 300g-1(a), 300g-3(c), 300g-6(a), and 300j-4(a) (2021)). The National Primary Drinking Water Regulations (NPDWRs) implement these sections of SDWA. SDWA regulations are found at 40 C.F.R. 141 through 143.

On August 17, 2022, USEPA granted expedited approval to seven ATPs for analysis of contaminants in drinking water. The seven methods consist of one new method developed by USEPA, three updated methods from ASTM International, and three new methods developed by vendors. The methods apply to a wide range of drinking water analyses. The Board incorporates by reference the new ATPs into the Illinois rules. The Board does not deviate from the substance of USEPA's approval of the methods.

- 16) Information and questions regarding this adopted rulemaking shall be directed to: Please reference consolidated docket R23-9 and direct inquiries to the following person:

Don A. Brown, Clerk
Pollution Control Board
60 East Van Buren Street, Suite 630
Chicago, Illinois 60605

312-814-3461
don.brown@illinois.gov

Request copies of the Board's opinion and order at 312-814-3620 or download a copy from the Board's Website at <http://www.pcb.illinois.gov>.

The full text of the adopted amendments begins on the next page: