

ILLINOIS POLLUTION CONTROL BOARD  
May 21, 2024

IN THE MATTER OF: )  
)  
PROPOSED AMENDMENTS TO ) R22-18  
GROUNDWATER QUALITY ) (Rulemaking – Public Water Supplies)  
35 ILL. ADM. CODE 620 )

**HEARING OFFICER ORDER**

This order poses additional questions to the Illinois Environmental Protection Agency (IEPA). IEPA’s responses to these questions must be included in its first-notice public comment. In addition, anyone else’s public comment may address the rule text that is the subject of these questions. As directed in the April 30, 2024 hearing officer order, all first-notice public comments must be filed by June 17, 2024.

The questions concern Part 620’s Appendix C, which is entitled “Guidelines for Determining When Dose Addition of Similar-Acting Substances in Class I: Potable Resource Groundwaters is Appropriate”. At issue specifically is Appendix C’s subsection (c). Consistent with IEPA’s proposal, the first-notice amendments to subsection (c) read:

- c) Substances which are components of a complex mixture of related compounds which are produced as commercial products (for example, PCBs or technical grade chlordane) are not mixtures, as defined in Appendix B. Such complex mixtures are equivalent to a single substance. In such a case, the Human Threshold Toxicant Advisory Concentration may be derived for threshold effects of the complex mixture, using the procedures described in Appendix A, if valid toxicological or epidemiological data are available for the complex mixture. If the complex mixture is a carcinogen, the Health Advisory Concentration is the one-in-one-million cancer risk concentration, unless the lower concentration for such substance is less than the lowest appropriate LLOQ ~~PQL~~ specified in "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods," EPA Publication No. SW-846, incorporated by reference at Section 620.125, or the LCMRL specified in the drinking water methods incorporated by reference at Section 620.125 for the substance.; If the concentration for the substance is less than in which case the lowest appropriate LLOQ or LCMRL for the substance incorporated by reference at Section 620.125, the guidance level is the lowest appropriate LLOQ or LCMRL ~~PQL shall be the Health Advisory Concentration.~~

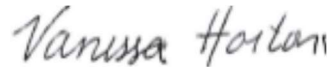
**Questions for IEPA**

1. IEPA proposed retaining the term “Health Advisory Concentration” in the fourth sentence of subsection (c) but replacing it with the term “guidance level” in the subsection’s fifth sentence. Please explain whether this text reflects IEPA’s intent. If it

does, please provide IEPA's reasons for using both terms. If the text does not reflect IEPA's intent, please propose corresponding changes to the rule text.

2. IEPA proposed adding the word "lower" to the fourth sentence of subsection (c), *i.e.*, "unless the lower concentration for such substance". Please clarify whether this was inadvertent. If it was not, please:
  - a. Explain which concentrations must be compared to determine the "lower" concentration;
  - b. Provide IEPA's reasons for requiring that comparison; and
  - c. Propose corresponding rule-text changes to clarify what must be compared.
3. The new fifth sentence of subsection (c) begins with, "If the concentration for the substance". Which concentration does IEPA intend "the concentration" to refer to here?

IT IS SO ORDERED.



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