

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
In the Matter of Amendments to)
35 Ill. Adm. Code Parts 101, 310, 502, 620,) R2025-023
704, 721, 733, 739, 742, 807.Illustration E,)
811.Illustration E, 840.Illustration C, 1010,)
and 1501)

To: See attached service list

NOTICE OF FILING

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois
Pollution Control Board the **Illinois Environmental Protection Agency’s Responses**, a copy of
which is served upon you.

By: /s/ Kaitlyn Hutchison
Kaitlyn Hutchison
Assistant Counsel
Division of Legal Counsel

DATED: May XX, 2025

2520 West Iles Ave.
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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY’S RESPONSES

NOW COMES the Illinois Environmental Protection Agency (“Illinois EPA” or “Agency”), by and through one of its attorneys, and submits the following responses:

On April 17, 2025, the Illinois Pollution Control Board (“Board”), in a hearing, requested that the Agency respond to the following question.

Question 1.

The Board notes that for the anticipated first notice publication of the proposal in the Illinois Register, the Secretary of State has indicated that in Section 724.210A, which is a lengthy list of incorporations by reference. The web address for some of the U.S. EPA publications no longer linked to the incorporated document, they have spotted this issue at the end of the many incorporations by reference in this subsection. The Board does expect first notice publication in the next couple of weeks, and expects also that when it appears it will have updated links to a handful of those incorporated publications. **The board also notes that two of those publications do not apparently have updated current or active links, the first of which is test methods in SW-846 through Revision IV, Roman numeral IV B dated 2007, and promulgated test methods 3C and 16 also dated 2007.**

The Board would request that IEPA address these incorporations in writing.

Agency Response 1.

The Agency would suggest deleting the weblinks. Section 5-75(a) of the Illinois Administrative Procedure Act only requires that “reference in the agency rules must fully identify the incorporated matter by publisher address and date in order to specify how a copy of the material may be obtained...” 5 ILCS 100/5-75(a).

Respectfully submitted,

By: /s/ Kaitlyn Hutchison
Kaitlyn Hutchison
Assistant Counsel
Division of Legal Counsel

DATED: May XX, 2025

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SERVICE LIST

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ILLINOIS DEPARTMENT OF NATURAL RESOURCES

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CERTIFICATE OF SERVICE

I, the undersigned counsel, hereby certify that on May XX, 2025, I served true and correct electronic copies of the **Illinois Environmental Protection Agency's Responses** upon the persons listed in the attached service list via email.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/ Kaitlyn Hutchison
Kaitlyn Hutchison
Assistant Counsel
Division of Legal Counsel

DATED: May XX, 2025

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