

**NOTICE TO STATE AGENCIES:**

ORIGINAL

RECEIVED  
CLERK'S OFFICE  
R8317  
SEP 15 2003

As the Index Department, rather than JCAR, is now preparing the weekly Illinois Register for publication, and as your agency's disk, rather than the Illinois Administrative Code database, is being used in that production, several procedures regarding the technical clean-up and amendment of your rulemakings will be affected.

First, JCAR will no longer be able to rectify Code format and other technical problems with your rulemakings prior to their first publication. Please be especially careful that the background text that comes from your database is an accurate depiction of the rule as currently on file and that you show all changes through strikes and underlining as required by statute. We will no longer be able to catch those problems for you prior to publication. Any errors in the published version will need to be corrected later in the rulemaking process, using either the First Notice Changes document or through the JCAR Agreement document (Second Notice Changes).

Second, JCAR will be creating the line-numbered First Notice version of the rulemaking text, on which your First Notice Changes are drafted, from the version of your rulemaking published in the Illinois Register. We will be able to differ from that publication only in such things as line spacing, paragraph alignment, etc., which will be made consistent with the IAC database. If any differences occur between the hardcopy materials you filed with the SOS and the version published in the Register, our First Notice version will reflect the Register. Otherwise, there would be no paper trail for the public to follow in tracking changes in the rulemaking throughout its adoption process.

You will be receiving from JCAR a clean First Notice version of the rulemaking to use in your amendment drafting and a mark-up that shows things JCAR has noted, during its preparation of the First Notice version, that need to be corrected. These will include correction of errors that were created in the preparation of the Register; corrections that need to be made in the agency-generated rulemaking text/format because of inconsistency with current rule text on file; rulemaking and rule format requirements, etc.; and JCAR suggested changes for consistency among agencies, clarity, understandability, etc.

As usual, JCAR staff will be talking to you throughout the rulemaking process about any substantive concerns we may have with the rulemaking and any additional technical corrections we would suggest based on later, more in depth review of your rulemaking.

If, when you file your rulemaking with the SOS for adoption, you do not choose to file the hardcopy and electronic file provided to you by JCAR, you again need to be very careful that your background text accurately reflects existing rule on file and all changes are shown by underlining and striking in your Register version. Any errors in these materials will have to be rectified through Expedited Correction or a new rulemaking. If you are unsure about the background text you have in your word processing system, you can get a Word copy of the JCAR database on which you can draft your rulemaking by calling Terra Lamb at 5-2254.

If you have any questions about the attached mark-up or if JCAR staff can be of any assistance, please feel free to contact us.

m:030108

# 1ST NOTICE VERSION

JCAR350303-0313680r01

C

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE B: WATER POLLUTION  
CHAPTER I: POLLUTION CONTROL BOARD

PART 303  
WATER USE DESIGNATIONS AND SITE SPECIFIC  
WATER QUALITY STANDARDS

Con  
file

SUBPART A: GENERAL PROVISIONS

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11 Section  
12 303.100 Scope and Applicability  
13 303.101 Multiple Designations  
14 303.102 Rulemaking Required

SUBPART B: NONSPECIFIC WATER USE DESIGNATIONS

15  
16  
17  
18 Section  
19 303.200 Scope and Applicability  
20 303.201 General Use Waters  
21 303.202 Public and Food Processing Water Supplies  
22 303.203 Underground Waters  
23 303.204 Secondary Contact and Indigenous Aquatic Life Waters  
24 303.205 Outstanding Resource Waters  
25 303.206 List of Outstanding Resource Waters

SUBPART C: SPECIFIC USE DESIGNATIONS AND SITE  
SPECIFIC WATER QUALITY STANDARDS

26  
27  
28  
29  
30 Section  
31 303.300 Scope and Applicability  
32 303.301 Organization  
33 303.311 Ohio River Temperature  
34 303.312 Waters Receiving Fluorspar Mine Drainage  
35 303.321 Wabash River Temperature  
36 303.322 Unnamed Tributary of the Vermilion River  
37 303.323 Sugar Creek and Its Unnamed Tributary  
38 303.326 Unnamed Tributary of Salt Creek, Salt Creek, and Little Wabash River  
39 303.331 Mississippi River North Temperature  
40 303.341 Mississippi River North Central Temperature  
41 303.351 Mississippi River South Central Temperature  
42 303.352 Unnamed Tributary of Wood River Creek  
43 303.353 Schoenberger Creek; Unnamed Tributary of Cahokia Canal

- 44 303.361 Mississippi River South Temperature
- 45 303.400 Bankline Disposal Along the Illinois Waterway/River
- 46 303.430 Unnamed Tributary to Dutch Creek
- 47 303.431 Long Point Slough and Its Unnamed Tributary
- 48 303.441 Secondary Contact Waters
- 49 303.442 Waters Not Designated for Public Water Supply
- 50 303.443 Lake Michigan Basin
- 51 303.444 Salt Creek, Higgins Creek, West Branch of the DuPage River, Des Plaines River

SUBPART D: THERMAL DISCHARGES

- 55 Section
- 56 303.500 Scope and Applicability
- 57 303.502 Lake Sangchris Thermal Discharges
- 58
- 59 303.APPENDIX A References to Previous Rules
- 60 303.APPENDIX B Sources of Codified Sections

62 AUTHORITY: Implementing Section 13 and authorized by Sections 11(b) and 27 of the  
63 Environmental Protection Act [415 ILCS 5/13, 11(b) and 27].

64  
65 SOURCE: Filed with the Secretary of State January 1, 1978; amended at 2 Ill. Reg. 27, p. 221,  
66 effective July 5, 1978; amended at 3 Ill. Reg. 20, p. 95, effective May 17, 1979; amended at 5 Ill.  
67 Reg. 11592, effective October 19, 1981; codified at 6 Ill. Reg. 7818; amended at 6 Ill. Reg.  
68 11161, effective September 7, 1982; amended at 7 Ill. Reg. 8111, effective June 23, 1983;  
69 amended in R87-27 at 12 Ill. Reg. 9917, effective May 27, 1988; amended in R87-2 at 13 Ill.  
70 Reg. 15649, effective September 22, 1989; amended in R87-36 at 14 Ill. Reg. 9460, effective  
71 May 31, 1990; amended in R86-14 at 14 Ill. Reg. 20724, effective December 18, 1990; amended  
72 in R89-14(C) at 16 Ill. Reg. 14684, effective September 10, 1992; amended in R92-17 at 18 Ill.  
73 Reg. 2981, effective February 14, 1994; amended in R91-23 at 18 Ill. Reg. 13457, effective  
74 August 19, 1994; amended in R93-13 at 19 Ill. Reg. 1310, effective January 30, 1995; amended  
75 in R95-14 at 20 Ill. Reg. 3534, effective February 8, 1996; amended in R97-25 at 22 Ill. Reg.  
76 1403, effective December 24, 1997; amended in R01-13 at 26 Ill. Reg. 3517, effective February  
77 22, 2002; amended in R03-11 at at 27 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

78  
79 SUBPART C: SPECIFIC USE DESIGNATIONS AND SITE  
80 SPECIFIC WATER QUALITY STANDARDS

81  
82 Section 303.326 Unnamed Tributary of Salt Creek, Salt Creek, and Little Wabash River.

83  
84 The fluoride general use water quality standard of 35 Ill. Adm. Code 302.208(g) does not apply  
85 to the waters of the State which are located from the point of discharge of the POTW located at  
86 903 E. Eichie Avenue in Effingham, Illinois, owned by the City of Effingham, to an unnamed

*that*

87 tributary of Salt Creek, said point being located in Effingham County, T8N, R6E, Sec. 28, Lat:  
88 39°06'24", Long: 88°31'55", to the confluence of said unnamed tributary with Salt Creek; to the  
89 confluence of Salt Creek with the Little Wabash River; to the confluence of Buck Creek and the  
90 Little Wabash River. Fluoride levels in such waters must meet a water quality standard for  
91 fluoride (STORET Number 00951) as set forth ~~below~~ in this Section

- 92 a) From the point of discharge of the City of Effingham POTW to the unnamed  
93 tributary to the confluence of the unnamed tributary with Salt Creek and from the  
94 confluence of the unnamed tributary with Salt Creek to the confluence of Salt  
95 Creek with the Little Wabash River, the fluoride water quality standard is 5.0  
96 mg/L.
- 97 b) From the confluence of Salt Creek with the Little Wabash River to monitoring  
98 station C-19 located on the Little Wabash River approximately 2.8 miles  
99 downstream of Louisville, Illinois, the fluoride water quality standard is 3.2 mg/L.
- 100 c) From monitoring station C-19 located on a point on the Little Wabash River  
101 approximately 2.8 miles downstream of Louisville, Illinois to the confluence of  
102 Buck Creek and the Little Wabash River, a point on the Little Wabash River  
103 located approximately 9.8 miles downstream of Louisville, Illinois, the fluoride  
104 water quality standard is 2.0 mg/L.

105  
106 (Source: Added at 27 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

# 1ST NOTICE VERSION

JCAR350303-0313680r01

1 TITLE 35: ENVIRONMENTAL PROTECTION  
2 SUBTITLE B: WATER POLLUTION  
3 CHAPTER I: POLLUTION CONTROL BOARD  
4

5 PART 303  
6 WATER USE DESIGNATIONS AND SITE SPECIFIC  
7 WATER QUALITY STANDARDS  
8

9 SUBPART A: GENERAL PROVISIONS  
10

11	Section	
12	303.100	Scope and Applicability
13	303.101	Multiple Designations
14	303.102	Rulemaking Required
15		

16 SUBPART B: NONSPECIFIC WATER USE DESIGNATIONS  
17

18	Section	
19	303.200	Scope and Applicability
20	303.201	General Use Waters
21	303.202	Public and Food Processing Water Supplies
22	303.203	Underground Waters
23	303.204	Secondary Contact and Indigenous Aquatic Life Waters
24	303.205	Outstanding Resource Waters
25	303.206	List of Outstanding Resource Waters
26		

27 SUBPART C: SPECIFIC USE DESIGNATIONS AND SITE  
28 SPECIFIC WATER QUALITY STANDARDS  
29

30	Section	
31	303.300	Scope and Applicability
32	303.301	Organization
33	303.311	Ohio River Temperature
34	303.312	Waters Receiving Fluorspar Mine Drainage
35	303.321	Wabash River Temperature
36	303.322	Unnamed Tributary of the Vermilion River
37	303.323	Sugar Creek and Its Unnamed Tributary
38	<u>303.326</u>	<u>Unnamed Tributary of Salt Creek, Salt Creek, and Little Wabash River</u>
39	303.331	Mississippi River North Temperature
40	303.341	Mississippi River North Central Temperature
41	303.351	Mississippi River South Central Temperature
42	303.352	Unnamed Tributary of Wood River Creek
43	303.353	Schoenberger Creek; Unnamed Tributary of Cahokia Canal

- 44 303.361 Mississippi River South Temperature
- 45 303.400 Bankline Disposal Along the Illinois Waterway/River
- 46 303.430 Unnamed Tributary to Dutch Creek
- 47 303.431 Long Point Slough and Its Unnamed Tributary
- 48 303.441 Secondary Contact Waters
- 49 303.442 Waters Not Designated for Public Water Supply
- 50 303.443 Lake Michigan Basin
- 51 303.444 Salt Creek, Higgins Creek, West Branch of the DuPage River, Des Plaines River

52  
53                                   SUBPART D: THERMAL DISCHARGES

- 54
- 55 Section
- 56 303.500           Scope and Applicability
- 57 303.502           Lake Sangchris Thermal Discharges
- 58
- 59 303.APPENDIX A   References to Previous Rules
- 60 303.APPENDIX B   Sources of Codified Sections

61

62 AUTHORITY: Implementing Section 13 and authorized by Sections 11(b) and 27 of the  
63 Environmental Protection Act [415 ILCS 5/13, 11(b), and 27].

64

65 SOURCE: Filed with the Secretary of State January 1, 1978; amended at 2 Ill. Reg. 27, p. 221,  
66 effective July 5, 1978; amended at 3 Ill. Reg. 20, p. 95, effective May 17, 1979; amended at 5 Ill.  
67 Reg. 11592, effective October 19, 1981; codified at 6 Ill. Reg. 7818; amended at 6 Ill. Reg.  
68 11161 effective September 7, 1982; amended at 7 Ill. Reg. 8111, effective June 23, 1983;  
69 amended in R87-27 at 12 Ill. Reg. 9917, effective May 27, 1988; amended in R87-2 at 13 Ill.  
70 Reg. 15649, effective September 22, 1989; amended in R87-36 at 14 Ill. Reg. 9460, effective  
71 May 31, 1990; amended in R86-14 at 14 Ill. Reg. 20724, effective December 18, 1990; amended  
72 in R89-14(C) at 16 Ill. Reg. 14684, effective September 10, 1992; amended in R92-17 at 18 Ill.  
73 Reg. 2981, effective February 14, 1994; amended in R91-23 at 18 Ill. Reg. 13457, effective  
74 August 19, 1994; amended in R93-13 at 19 Ill. Reg. 1310, effective January 30, 1995; amended  
75 in R95-14 at 20 Ill. Reg. 3534, effective February 8, 1996; amended in R97-25 at 22 Ill. Reg.  
76 1403, effective December 24, 1997; amended in R01-13 at 26 Ill. Reg. 3517, effective February  
77 22, 2002; amended in R03-11 at at 27 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

78

79                                   SUBPART C: SPECIFIC USE DESIGNATIONS AND SITE  
80                                   SPECIFIC WATER QUALITY STANDARDS

81

82 **Section 303.326 Unnamed Tributary of Salt Creek, Salt Creek, and Little Wabash River.**

83

84 The fluoride general use water quality standard of 35 Ill. Adm. Code 302.208(g) does not apply  
85 to the waters of the State which are located from the point of discharge of the POTW located at  
86 903 E. Eichie Avenue in Effingham, Illinois, owned by the City of Effingham, to an unnamed

87 tributary of Salt Creek, said point being located in Effingham County, T8N, R6E, Sec. 28, Lat:  
88 39°06'24", Long: 88°31'55", to the confluence of said unnamed tributary with Salt Creek; to the  
89 confluence of Salt Creek with the Little Wabash River; to the confluence of Buck Creek and the  
90 Little Wabash River. Fluoride levels in such waters must meet a water quality standard for  
91 fluoride (STORET Number 00951) as set forth below.

- 92 a) From the point of discharge of the City of Effingham POTW to the unnamed  
93 tributary to the confluence of the unnamed tributary with Salt Creek and from the  
94 confluence of the unnamed tributary with Salt Creek to the confluence of Salt  
95 Creek with the Little Wabash River, the fluoride water quality standard is 5.0  
96 mg/L.
- 97 b) From the confluence of Salt Creek with the Little Wabash River to monitoring  
98 station C-19 located on the Little Wabash River approximately 2.8 miles  
99 downstream of Louisville, Illinois, the fluoride water quality standard is 3.2 mg/L.
- 100 c) From monitoring station C-19 located on a point on the Little Wabash River  
101 approximately 2.8 miles downstream of Louisville, Illinois to the confluence of  
102 Buck Creek and the Little Wabash River, a point on the Little Wabash River  
103 located approximately 9.8 miles downstream of Louisville, Illinois, the fluoride  
104 water quality standard is 2.0 mg/L.

105  
106 (Source: Added at 27 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)