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FEB 23 2004

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

STATE OF ILLINOIS  
Pollution Control Board

IN THE MATTER OF:	)	
	)	R04-3
SDWA UPDATE, USEPA AMENDMENTS	)	(Identical-in-Substance <u>PC#1</u> )
(January 1, 2003 through	)	Rulemaking- Public Water Supply)
June 30, 2003)	)	

NOTICE OF FILING

Dorothy Gunn, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
100 W. Randolph, Suite 11-500  
Chicago, Illinois 60601-3218

Matthew J. Dunn, Chief  
Environmental Bureau  
Office of the Attorney General  
James R. Thompson Center  
100 West Randolph, 12th Floor  
Chicago, Illinois 60601

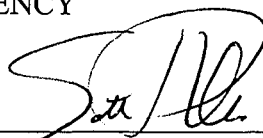
Michael J. McCambridge, Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center  
100 W. Randolph, Suite 11-500  
Chicago, Illinois 60601-3218

Jonathan Furr, Chief Legal Counsel  
Department of Natural Resources  
One Natural Resources Way  
Springfield, Illinois 62702-1271

PLEASE TAKE NOTICE that today I have filed with the Office of the Clerk of the Pollution Control Board the Illinois Environmental Protection Agency's Appearance and Comments for the above-titled proceeding, a copy of which is herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION  
AGENCY

By:   
\_\_\_\_\_  
Scott Phillips  
Manager, Regulatory Section

DATE: February 20, 2004

1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276  
(217) 782-5544

THIS FILING IS SUBMITTED ON RECYCLED PAPER

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**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

FEB 23 2004

IN THE MATTER OF: )

SDWA UPDATE, USEPA AMENDMENTS )  
(January 1, 2003 through )  
June 30, 2003) )

STATE OF ILLINOIS  
Pollution Control Board


R04-3  
(Identical-in-Substance  
Rulemaking- Public Water Supply)

**APPEARANCE**

The undersigned, as one of its attorneys, hereby enters an Appearance on behalf of the  
Illinois Environmental Protection Agency.

ILLINOIS ENVIRONMENTAL PROTECTION  
AGENCY

By: \_\_\_\_\_

  
Scott Phillips  
Manager, Regulatory Section

DATE: February 20, 2004

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STATE OF ILLINOIS  
Pollution Control Board

IN THE MATTER OF: )  
)  
SDWA UPDATE, USEPA AMENDMENTS ) R04-3  
(January 1, 2003 through ) (Identical-in-Substance  
June 30, 2003) ) Rulemaking- Public Water Supply  
)

**AGENCY'S COMMENTS**

The Illinois Environmental Protection Agency ("Agency") respectfully submits its comments in the above-titled matter to the Illinois Pollution Control Board ("Board") pursuant to 35 Ill. Adm. Code 102.108 and 102.610, the Board's Opinion and Order of December 18, 2003 and the Board's Order of December 18, 2003.

With regard to the Board's deletion of past effective dates and the deletion of effective dates that will become past between the date of the Board's Order and when the Board intends to file adopted amendments in February 2004, the Agency recommends that the effective dates not to be deleted. The Agency believes that deleting the effective dates from the following sections: 611.130(f), 611.330(d)-(f), 611.609(a)& (b), 611.611(b), 611.646(o)(1)-(7), 611.648(d)(1)-(5), 611.731(b)-(e), 611.732(a)-(f), 611.733 and 611.957(a)(3) would be confusing to the regulated community due to the different sampling cycles of public water supplies. Due to the complexity of the monitoring periods for the multitude of contaminants regulated, the Agency recommends that the Board retain the effective dates for at least one full sampling cycle (at the least three years) to assist the regulated community in meeting these requirements.

With regard to the Board's deletion of "after June 19, 1986" in Section 611.126(a) pertaining to the prohibition on use of lead, the Agency would like to retain the date on a permanent basis. The Agency believes that the date is needed to ensure compliance when

additions are made to older buildings or when violations are discovered on plumbing installed after the June 19, 1986 date.

With regard to the Board's repealing of Sections 611.680 and 611.685 the Agency would request that they not be repealed. These two Sections are not obsolete. There are community water system (CWS) suppliers that may have obtained data pursuant to these two Sections and in turn will use that data to fulfill the requirements in Section 611.742. Retention of these two Sections will simplify the compliance calculation process for suppliers that can use data collected under these provisions.

Finally, with regard to the proposed amendments in Section 611.742(a)(6), the Agency recommends retaining the mathematical symbol " $\geq$ " and adding the parenthetical phrase "(greater than or equal to)" following the symbol in both places.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By: 

Scott Phillips  
Manager, Regulatory Section

Date: February 20, 2004

1021 North Grand Ave. East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
(217) 782-5544

THIS DOCUMENT SUBMITTED ON RECYCLED PAPER

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF SANGAMON )

**PROOF OF SERVICE**

I, the undersigned, on oath state that I have served the attached the Illinois Environmental Protection Agency's Appearance and Comments upon the person to whom it is directed by placing a copy in an envelope addressed:

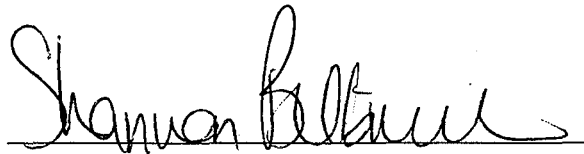
TO: Dorothy Gunn, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
100 W. Randolph, Suite 11-500  
Chicago, Illinois 60601-3218  
(Overnight Mail)

Matthew J. Dunn, Chief  
Environmental Bureau  
Office of the Attorney General  
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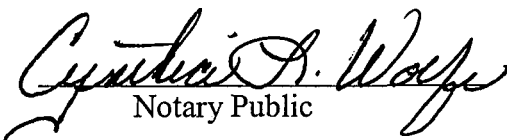
Jonathan Furr, Chief Legal Counsel  
Department of Natural Resources  
One Natural Resources Way  
Springfield, Illinois 62702-1271  
(Overnight Mail)

and mailing it from Springfield, Illinois on February 20, 2004, with sufficient postage affixed, as indicated above.



SUBSCRIBED AND SWORN TO BEFORE ME

This 20<sup>th</sup> day of February, 2004



Notary Public

