

ILLINOIS POLLUTION CONTROL BOARD
April 21, 1988

IN THE MATTER OF:)
)
REVISION OF THE FLUORIDE) R88-13
DRINKING WATER STANDARD:)
AMENDMENTS TO 35 ILL. ADM. CODE)
604.202 AND 604.203)

ORDER OF THE BOARD (by J. Anderson):

Sections 604.202 and 604.203 of the Board's public water supply rules establish maximum allowable concentrations (MAC) of fluoride in drinking water based on a public water supply's geographical location. The counties north of and including the counties of Henderson, McDonough, Fulton, Tazewell, McLean, Ford and Iroquois is 2.0 mg/l, while that for counties south of these is 1.8 mg/l. The standards contained in these rules were no more stringent than the standards promulgated by USEPA in 1975.

On April 2, 1986, the USEPA amended its fluoride regulations to establish a maximum contaminant level of 4.0 mg/l and a secondary maximum contaminant level of 2.0 mg/l. 51 Fed. Reg. 11396-11412.

The Board is opening this docket to consider relaxation of the fluoride standard so as to be consistent with USEPA requirements. A technical record was developed in the R85-14 proceeding concerning the cosmetic and/or health effects from consumption of water containing fluoride at various levels. The Board will incorporate relevant testimony and materials from the R85-14 docket into this one, and directs the Hearing Officer to specifically identify such materials for introduction as exhibits in this proceeding.


The Board will develop a proposal for first notice publication in the Illinois Register. It appears that a complete proposal would require more than change of the number "2.0" to "4.0" in Section 604.202 and deletion of Section 604.203(a). As briefly discussed in the R85-14 proceeding (R.330-332), it would appear that any proposal would need to incorporate other amendments to maintain consistency between the state's regulatory program and the federal one. While it would appear that a proposal should include the public notification requirements of 40 CFR Sections 141.32 and 143.5, there may be other program elements which should be added.

The Board is accordingly requesting the assistance of the Agency in analyzing the state and federal rules for the purpose

of developing a comprehensive proposal for first notice publication to avoid delay which could be caused by failure to notice necessary amendments. The Board intends to expedite this proceeding, and wishes to receive Agency comments as early as is practicable. The Board is, however, aware that the Agency may wish to take time to consult with USEPA in order to fully respond to the Board's request. The Board accordingly requests the Agency to file comments responsive to this Order on or before May 23, 1988; if complete comments cannot be filed by that date, the Board would appreciate a status report and estimate of additional time needed.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 21st day of April, 1988, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board