

ILLINOIS POLLUTION CONTROL BOARD  
January 9, 1992

IN THE MATTER OF: )  
 )  
SDWA UPDATE, USEPA REGULATIONS ) R91-3  
(7/1/90 - 1/31/91) ) (Identical in Substance  
 ) Rules)

EXTENSION OF TIME

ORDER OF THE BOARD (by J. Anderson):

Section 17.5 of the Environmental Protection Act (Act) requires the Board to adopt regulations which are identical in substance to federal regulations promulgated by USEPA to implement the public water supply aspects of the federal Safe Drinking Water Act. Section 7.2(b) of the Act requires that identical in substance rulemakings be completed within one year after the first USEPA action in any six month batch period. If the Board is unable to do so it must find that an "extension of time" is necessary, give the reasons why the one year period is insufficient for completion of the rulemaking, publish the finding and reasons in the Illinois Register and specify a date when the Board anticipates completion of the rulemaking.

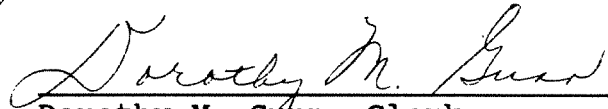
The Board hereby finds that an extension of time is needed. June 4, 1992 is the anticipated completion date and the reasons are as follows:

USEPA did not take any regulatory action during the normal six month batch period for this Update, i.e. 7/1/90 - 12/31/90. However, USEPA did adopt a major rulemaking in the January 30, 1991, Federal Register (the "Phase II Rules"). The Board therefore expanded the scope of this Update Docket to include the Phase II rules, and promptly began developing a Proposal. However, the Phase II rules have a large number of errors, and the Board is addressing them now so as not to repeat them in the Board rules. Although many of these are errors which can be easily corrected, others are more complex. In many cases, it is unclear what USEPA intended to say in the rule. Moreover, these errors are so numerous that they frequently interact, so that the interpretation of one provision depends on the interpretation of several other unclear provisions. Both the USEPA and the Illinois Environmental Protection Agency have given some preliminary guidance. This has been a very time consuming process. The Board hopes to have a Proposal for Public Comment out by March 1, 1992.

Pursuant to Section 7.2(b) of the Act, this Order will be published expeditiously in the Illinois Register.

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 9<sup>th</sup> day of January, 1992, by a vote of 6-0.

  
\_\_\_\_\_  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board