

BOARD PROPOSES AMENDMENTS TO PUBLIC WATER SUPPLY PERMITTING RULES FOR SECOND NOTICE

On September 4, 2003, the Illinois Pollution Control Board adopted a second-notice opinion and order in the rulemaking entitled Radionuclide Restricted Status, Amendments to 35 Ill. Adm. Code 602.105, 602.106, 602.108, and 602.115, R03-21, which proposes amendments to the permitting rules for public water supplies (PWS). The proposed amendments now go to the Joint Committee on Administrative Rules (JCAR) for review.

The second-notice proposal would extend an existing exemption, allowing the Illinois Environmental Protection Agency (IEPA) to continue issuing construction and operating permits to qualifying PWS though the water supplies do not comply with the radionuclide standards for drinking water. However, a PWS not meeting these drinking water standards would qualify for the exemption *only if* the water supply is bound to a specific schedule for meeting the radionuclide standards under an enforceable court order or IEPA Compliance Commitment Agreement. The proposed exemption would “sunset” (*i.e.*, no longer be effective) on December 8, 2009. The Board expects to adopt final rules before December 8, 2003, the date on which the current exemption expires.

Under the Board’s permit ban or “restricted status” rule, a PWS generally cannot receive a permit if it is out of compliance with a drinking water standard. The proposed exemption to this rule, like the current exemption, would *not* exempt any PWS from meeting the radionuclide drinking water standards, but rather would allow qualifying PWS to receive permits to modify and operate their systems. Illinois’ drinking water standards for radionuclides, which must be and are the same as the federal standards, are 5 pico curies per liter (pCi/L) for combined radium (radium-226 and radium-228), 15 pCi/L for gross alpha particle activity, and 30 micrograms per liter (µg/L) for uranium. *See* 35 Ill. Adm. Code 611.330. Compliance with these standards is required effective December 8, 2003.

The Board held two public hearings in this rulemaking and received public comment. Opinions and orders of the Board, hearing transcripts, and other documents in this rulemaking record are posted on the Board’s Web site and may be downloaded from the Web without charge. Hard copies may be obtained for \$.75 per page from the Clerk’s office at 312-814-3629, or by writing to the Clerk’s office:

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