

Board Adopts First Notice Proposal to Establish a Setback Zone for Several Community Water Supply Wells Owned by Fayette Water Company

On March 1, 2012, the Board adopted a first notice rulemaking proposal to establish a maximum setback zone for six community water supply (CWS) wells owned by Fayette Water Company in Fayette County. The wells are situated in the Kaskaskia River flood plain and serve portions of Fayette, Shelby, and Kaskaskia Counties. The proposal was filed by the Illinois Environmental Protection Agency (IEPA) on April 21, 2011, and is docketed as In the Matter of: Setback Zone for Fayette Water Company Community Water Supply: Amendments to 35 Ill. Adm. Code 618, (R11-25).

The rulemaking proposes a maximum circular setback zone of 1,000 feet. The IEPA states that it “considers these wells to be geologically sensitive and concluded that all the water system’s wells are highly vulnerable to contamination.” The IEPA states the regulation is intended to prevent contamination of the groundwater.

After conducting two public hearings in this matter and considering the entire record the Board proposes for first notice the amendments to Part 618. Publication of these proposed amendments in the *Illinois Register* will begin a 45-day public comment period, during which anyone may file a public comment with the Board. The Board encourages persons to file public comments on these proposed amendments. The docket number for this rulemaking, R11-25, should be indicated on the public comment.

Public comments must be filed with the Clerk of the Board. Public comments may be filed at the following address:

Pollution Control Board
James R. Thompson Center
100 W. Randolph Street, Suite 11-500
Chicago, IL 60601

In addition, public comments may be filed electronically through COOL at www.ipcb.state.il.us. Any questions about electronic filing through COOL should be directed to the Clerk’s Office at (312) 814-3629.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board’s Web site and may be downloaded from the Web without charge. Hard copies may be obtained from the Clerk’s office upon payment of reproduction fees as prescribed by Section 6 of the Freedom of Information Act [5 ILCS 140/6].

For more information contact Tim Fox at 312-814-6085 or email at foxt@ipcb.state.il.us.