

## **The Board Adopts Second Notice Proposal to Update Boron, Fluoride, and Manganese Water Quality Standard Rules, R11-18**

The Illinois Pollution Control Board (Board), on October 4, 2012, proposed amendments for second notice to update the Board's water quality standard (WQS) rules for boron, fluoride and manganese. The rulemaking proposal, docketed as In the Matter of: Triennial Review of Water Quality Standards for Boron, Fluoride and Manganese: Amendments to 35 Ill. Adm. Code 302.Subparts B, C, E, F and 303.312 (R11-18) also includes various other clean-up amendments and updates. The proposal was filed on December 2, 2010, by the Illinois Environmental Protection Agency (IEPA). IEPA's proposal was the culmination of a recent "triennial review" of standards required by the Federal Water Pollution control Act (FWPCA or Clean Water Act). The Board's second-notice proposal includes substantive changes suggested by the Illinois Environmental Regulatory Group and agreed to by IEPA in Section 302.208 to avoid any unintended change in the current mixing zone practice. Also, consistent with IEPA comments, the Board has made additional changes in publication requirements for IEPA publication of determinations concerning certain toxicity criteria and values as articulated in Sections 302.595 and 302.669.

The second notice proposal includes updates to the boron, fluoride, and manganese water quality standards under the General Use standards in 35 Ill. Adm. Code 302.Subpart B, the Public and Food Processing Water Supply standards in 35 Ill. Adm. Code 302.Subpart C, and the Lake Michigan Basin Water Quality Standards in 35 Ill. Adm. Code 302.Subpart E. The Board determined that site specific rules and adjusted standards granted from the existing standards will continue to be valid without reapplication if relief from the standards as proposed continues to be necessary for the affected source.

The proposal also makes other clean-up amendments and updates, including the correction of chronic zinc standard and the repeal of the site-specific fluoride standard at 35 Ill. Adm. Code 303.312. Additionally, the Board adds cyanide test methods to the incorporations by reference in Parts 301 and 302. Finally, the Board is also amending the requirements in Sections 302.595 and 302.669 that the IEPA publish the derived water quality criteria in the *Illinois Register*, but only when the criteria are derived. IEPA retains the option of publishing the criteria on its website in any manner it chooses.

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].

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