

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
) R2018-017
PUBLIC WATER SUPPLIES:)
PROPOSED NEW 35 ILL. ADM.) (Rulemaking – Water)
CODE 604 AND AMENDMENTS)
TO 35 ILL. ADM. CODE PARTS 601,)
602, 607 AND 611)


NOTICE OF FILING

To:

Don Brown, Clerk of the Board Illinois Pollution Control Board James R. Thompson Center, Suite 11-500 100 W. Randolph Street Chicago, IL 60601 don.brown@illinois.gov (via electronic mail)	Attached Service List
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PLEASE TAKE NOTICE that I have today caused to be electronically filed with the Office of the Clerk of the Pollution Control Board the Illinois Attorney General's Office's Motion for Leave to Accept First Notice Comments, a copy of which is herewith served upon you.

PEOPLE OF THE STATE OF ILLINOIS,
ex rel. LISA MADIGAN, Attorney
General of the State of Illinois

By: 
Kathryn A. Pamerter
Assistant Attorney General
Environmental Bureau
69 W. Washington St., 18th Floor
Chicago, IL 60602
(312) 814-0608
kpamerter@atg.state.il.us

SERVICE LIST

Tim Fox, Hearing Officer Illinois Pollution Control Board 100 W. Randolph Street Suite 11-500 Chicago, IL 60601 Tim.fox@illinois.gov	Joanne M. Olson Rex L. Gradeless Illinois Environmental Protection Agency 1021 North Grand Avenue East Springfield, IL 62794 Joanne.olson@illinois.gov Rex.gradeless@illinois.gov
Janet Kuefler Cynthia Meyer United States Environmental Protection Agency, Region 5 77 West Jackson Blvd. Chicago, IL 60604 Kuefler.janet@epa.gov Meyer.cynthia@epa.gov	Eric Lohrenz Virginia Yang Illinois Department of Natural Resources One Natural Resources Way Springfield, IL 62702-1271 Eric.lohrenz@illinois.gov Virginia.yang@illinois.gov
Katy Khayyat DCEO Small Business Office 500 E. Monroe Street Springfield, Illinois 62701 Katy.khayyat@illinois.gov	Deborah J. Williams The City of Springfield, Office of Public Utilities 800 East Monroe, 4 th Floor Springfield, Illinois 62701 Deborah.williams@cwlp.com

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)	
)	
PUBLIC WATER SUPPLIES: PROPOSED)	
NEW 35 ILL. ADM. CODE 604 AND)	R18-17
AMENDMENTS TO 35 ILL. ADM. CODE)	(Rulemaking- Public Water
PARTS 601, 602, 607, AND 611)	Supplies)

ILLINOIS ATTORNEY GENERAL'S OFFICE'S MOTION FOR LEAVE TO ACCEPT FIRST NOTICE COMMENTS

Pursuant to 35 Ill. Adm. Code § 101.500, the Illinois Attorney General's Office ("IAGO"), on behalf of the People of the State of Illinois, hereby submit the attached first notice comments to the Illinois Pollution Control Board (the "Board") for its consideration in the above-referenced matter.

1. On August 3, 2017, the Illinois Environmental Protection Agency (the "Illinois EPA") filed a procedural rulemaking proposing that the Board amend its public water supplies rules by adopting a new Part 604 entitled "Design, Operation and Maintenance Criteria" and amending Parts 601, 602, 607 and 611.

2. On July 26, 2018, the Board issued an Opinion and Order that, in part, directed the Clerk of the Board to file the first notice proposal regarding the above-captioned rulemaking with the Secretary of State.

3. On August 10, 2018, the Board's regulatory proposal was published in the Illinois Register.

4. Through this Motion for Leave, the IAGO respectfully requests that the Board grant leave to accept the IAGO's First Notice Comments attached hereto as Exhibit 1. The IAGO was unable to file its comments on or before September 24, 2018, due to deadlines in, and the press of, other matters.

WHEREFORE, the IAGO respectfully requests that the Board grant leave to accept the IAGO's First Notice Comments and such other relief as the Board deems appropriate.

LISA MADIGAN,
Attorney General of the State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

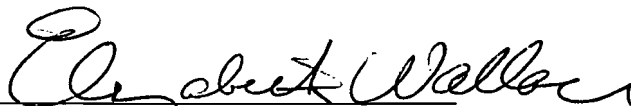
BY: 
ELIZABETH WALLACE, Chief
Environmental Bureau
Assistant Attorney General
69 W. Washington St., 18th Floor
Chicago, IL 60602
(312) 814-5396
EWallace@atg.state.il.us

EXHIBIT 1

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)	
)	
PUBLIC WATER SUPPLIES: PROPOSED)	
NEW 35 ILL. ADM. CODE 604 AND)	R18-17
AMENDMENTS TO 35 ILL. ADM. CODE)	(Rulemaking- Public Water
PARTS 601, 602, 607, AND 611)	Supplies)

FIRST NOTICE COMMENTS OF THE ILLINOIS ATTORNEY GENERAL'S OFFICE

The Illinois Attorney General's Office ("IAGO"), on behalf of the People of the State of Illinois, hereby submit the following first notice comments to the Illinois Pollution Control Board (the "Board") for its consideration in the above-referenced matter.

1. On August 3, 2017, the Illinois Environmental Protection Agency (the "Illinois EPA") filed a procedural rulemaking proposing that the Board amend its public water supplies rules by adopting a new Part 604 entitled "Design, Operation and Maintenance Criteria" and amending Parts 601, 602, 607 and 611. The People appreciate the efforts of the Illinois EPA and the Board to amend the public water supplies rules.

2. The IAGO's comments are as follows:

- a. Section 601.101(b)(3) – The Illinois EPA should consider including "lead" as one of the constituents given concerns about lead in drinking water.
- b. Section 602.245(d)(2) – Recommend clarifying the use of "the flood or record".
- c. Section 604.105(b) – Add the word "the" before "requirements".
- d. Section 604.515 – In the first sentence, change "purpose" to "purposes".
- e. Section 604.1140(d)(7) – How "near" must the residential or developed areas be to trigger this requirement? What "provisions" must be made?

- f. Section 604.1335(a)(2) – Delete the first word “to”, so as to start with “ensure”.
- g. Section 604.1440(b)(1)(D)(ii) – Change the punctuation at the end of the sentence from a period to a semi-colon.
- h. Section 604.1510(a)(2) – Add the word “the” before “date of the most recent test”.
- i. Section 604.1510(c) – The short-form “CCCDI” is used for “cross-connection control device inspector” before this subsection.
- j. Section 611.350(k) – Add “a” before “SEP” therein.
- k. Section 611.381(c)(2)(B) – Is the reference to “, by an SEP,” correct?

WHEREFORE, the IAGO respectfully requests that the foregoing first notice comments be considered.

LISA MADIGAN,
Attorney General of the State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

BY: 

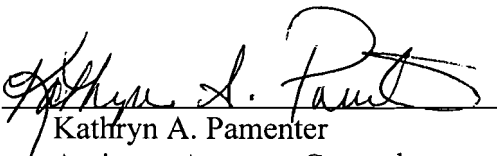
ELIZABETH WALLACE, Chief
Environmental Bureau
Assistant Attorney General
69 W. Washington St., 18th Floor
Chicago, IL 60602
(312) 814-5396
EWallace@atg.state.il.us

CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that a true copy of the foregoing Notice of Filing and Motion for Leave to Accept First Notice Comments of the Illinois Attorney General's Office was electronically filed on October 2, 2018 with the following:

Don Brown, Clerk of the Board
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, IL 60601
don.brown@illinois.gov

and that copies were electronically sent on October 2, 2018 to the parties listed on the foregoing Service List.

By: 
Kathryn A. Pamerter
Assistant Attorney General
Environmental Bureau
69 W. Washington St., 18th Floor
Chicago, IL 60602
(312) 814-0608
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