

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

IN THE MATTER OF: )  
 ) R 2020-21  
RULEMAKING FOR )  
CROSS CONNECTION CONTROL DEVICE ) EMERGENCY  
INSPECTORS OF PUBLIC WATER SUPPLIES ) (Rulemaking – Public Water Supply)  
AT 35 ILL. ADM. CODE PART 604.1520 )

**NOTICE OF FILING**

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board a **NOTICE OF FILING** and **PRE-FILED TESTIMONY** on behalf of the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

BY: /s/ Christine M. Zeivel  
Christine M. Zeivel

Dated: June 4, 2020

Christine M. Zeivel, #6298033  
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**THIS FILING IS SUBMITTED ELECTRONICALLY**

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**PRE-FILED TESTIMONY OF STEVE VANCE FOR ILLINOIS EPA  
ON PROPOSED 35 ILL. ADM. CODE 645.1520**

My name is Steve Vance. I am the Field Operations Section (“FOS”) Manager for the Division of Public Water Supplies (“DPWS” or “Division”) within the Bureau of Water at the Illinois Environmental Protection Agency (“Illinois EPA or Agency”). I graduated from Southern Illinois University with a Bachelor of Science and major in Civil Engineering. I have held my current position as DPWS FOS Manager since October 2017. Prior to this position, I held the position of Environmental Protection Engineer in the Division’s Field Operations Section in the Springfield Regional Office from January 2000 to October 2017. My current duties include establishing goals and objectives for the Division’s Field Operations Section relative to the U.S. Environmental Protection Agency primacy requirements under the Safe Drinking Water Act, supervising staff in six Field Operations Section regional offices, coordinating compliance and enforcement activities within the Agency and with other State and Federal Agencies, and participating in applicable Agency rulemakings. I have attached a copy of my Curriculum Vitae as Attachment 1. My pre-filed testimony focuses on the COVID 19 emergency provisions contained in emergency rule 35 Ill. Adm. Code 604.1520 and proposed for general rulemaking in Illinois Pollution Control Board (“Board”) docket R2020-21. I can give further explanation of my pre-filed testimony and answer additional questions as needed.

**Cross Connection Control Device Inspectors**

Under Section 604.1500 of the Board's Public Water Supplies regulations, certain cross connections are prohibited in Illinois community water supplies. Specifically, no cross connections are allowed 1) whereby an unsafe substance may enter a community water supply, 2) between any portion of a community water supply distribution system and any other water supply that is not a community water supply, or 3) between water plant piping and any drain or sewer. Backflow prevention installed within a water treatment facility must comply with the Illinois Plumbing Code at 77 Ill. Adm. Code 890 and 35 Ill. Adm. Code 604.1510(c).

Cross connection devices must be inspected annually by a person approved by the Agency or its designee as a cross connection control device inspector ("CCCD Inspector"). A CCCD Inspector is capable of performing the inspection of mechanical devices that prevent contamination of a community water supply from a source of an unsafe substance or of unknown water quality. The physical testing of these mechanical devices is required to be done pursuant to 77 Ill. Adm. Code 890 and in accordance with the manufacturer's instructions

Section 604.1505 requires that a community water supply maintain records of all cross connection control devices that require annual testing pursuant to 77 Ill. Adm. Code 890.1130. This includes the submittal of the CCCD Inspector's annual inspection reports, related to a specific device, to the applicable community water supply. Testing of these devices to ensure that they are operational provides a barrier of protection against potential contamination of a community water supply. Each device tested must also have a tag listing the most recent test date, name of the CCCD Inspector, and type and date of repairs.

CCCD Inspectors must be authorized to perform plumbing as described in the Illinois Plumbing License Law [225 ILCS 320/3(1)] and renew their CCCD Inspector approvals annually.

CCCD Inspector applicants are initially required to obtain CCCDI approval through completion of a training course and subsequent successful completion of written and performance examinations. A CCCD Inspector must then submit an application for CCCDI approval. Renewal of CCCDI approval is required annually through re-submittal of the application. Additionally, pursuant to 604.1510(b)(2), CCCD Inspectors must complete an eight-hour recertification course every three years that includes written and practical examinations to demonstrate competency in backflow prevention testing. The recertification course and examinations are currently under development by ERTC and will be administered in an on-line, virtual format. It is noted that CCCD Inspector training, testing, certification and recertification is administered by Southern Illinois University's Environmental Resources Training Center (ERTC), designee of the Agency via contractual agreement.

### **Illinois Department of Public Health Emergency Rulemaking**

Due to the public health emergency related to the Covid-19 outbreak, on March 31, 2019, the Illinois Department of Public Health ("Illinois DPH") published emergency rules extending the deadline for plumbers' license renewals, apprentice plumbers' license renewal, and plumbing inspectors' certificate renewal deadlines contained in the Illinois Plumbing Code by 120 days, from March 31, 2020 to August 28, 2020. Given that approval for obtaining or renewing a CCCD Inspector certification with Illinois EPA requires possession of a valid plumbers' license, extension of the renewal period for CCCD Inspector certification is necessary for applicants not receiving their respective plumbers' license renewals prior to the CCCD Inspector renewal period of May 1 to June 30 contained in 604.1510.

### **Section 604.1520 Emergency Rulemaking**

In response to the emergency rulemaking adopted by Illinois DPH that extended the

renewal deadlines for licensed plumbers 120 days, on April 10, 2020, Illinois EPA filed an emergency rulemaking proposal with the Board, requesting that the renewal period for CCCD Inspectors also be extended by 120 days. Because CCCD Inspectors are also licensed plumbers, the emergency rule was needed so that CCCD Inspectors would not miss their opportunity to renew their CCCD Inspector approval with the Illinois EPA for failure to have a plumbers' license issued by Illinois DPH. I signed an affidavit attesting to the Statement of Reasons filed with the emergency rulemaking proposal. The Board agreed that an emergency exists and adopted the emergency rule as proposed by the Agency.

However, in contrast to Illinois DPH's singular recurring renewal deadline of April 30, Section 604.1510 contains a renewal "window" of sixty days, spanning from May 1 to June 30. Accordingly, the Board recognized that extending the renewal period for the same 120 days as Illinois DPH's emergency rule results in the CCCD Inspector renewal period contained in Section 604.1520 extending beyond the 150 days allowed for emergency rules. The purpose of this rulemaking is to ensure that CCCD Inspectors are allowed the full time allowed for renewal after the expiration of the emergency rule.

Section 604.1520 states that due to the public health emergency related to the COVID-19 outbreak, the CCCDI approval renewal application deadlines for 2020 pursuant to Section 604.1510(b)(2) are extended. For renewal year 2020, CCCD Inspectors must renew their CCCD Inspector approval between August 31 and October 30. An application for CCCD Inspector renewal will be sent by the Agency or its designee and must be completed and returned by October 30, 2020. Section 604.1520 modifies Section 604.1510(b)(2) for the 2020 renewal year by adding 122 days to May 1, 2020, and proposing August 31, 2020, and adding 120 days to June 30, 2020, and proposing October 30, 2020. Because the 120th day from the May 1, 2020 deadline in

604.1510(b)(2) fell on a Saturday, the Illinois EPA proposed to extend this deadline by 122 days instead of the 120 days.

**Applicability & Impact**

Without the emergency provision in Section 604.1520, approximately 2500 candidates with previous CCCD Inspector certification were at risk of not being able to renew their certification due to an inability to obtain the requisite plumbers' license by the existing May 1 to June 30 renewal period. If the emergency rule extending the renewal deadline expires 150 days after its adoption without the promulgation of a permanent rule, an unknown amount of CCCDI inspectors may have their approvals expire and be deprived of an opportunity to renew within the time period afforded by the emergency rule while it was effective.

I don't anticipate any negative economic impacts from the emergency rule or this rulemaking. In fact, extending the deadlines and ensuring that the extension remains in place long enough to allow for CCCD Inspectors to take advantage of the full renewal window, may net positive economic impacts on the State given that CCCD Inspectors will be afforded the opportunity to retain their CCCD Inspector designation by utilizing the extension provided by Illinois DPH to renew their plumbing licenses and the extension provided by the emergency rule adopted by the Board. Extending the renewal deadline for CCCD Inspectors and ensuring that the extension remains effective for the entire window of time allowed by the emergency rule, in tandem with their plumbing licenses renewal requirements, will reduce the possibility of job loss during the pandemic because those that submit a renewal application will have had adequate time to obtain a plumbing license renewal and CCCD Inspector approval. If not, there could be a gap where a CCCD Inspector would lose CCCD Inspector certification because they did not yet have their plumber's licenses renewed on time or relied upon the emergency rule that expired before the

renewal window closed.

**Conclusion**

This concludes my pre-filed testimony. I will supplement this testimony as needed at hearing and am happy to address any questions.

By: /s/ Steve Vance  
Steve Vance  
Field Operations Section, Manager  
Division of Public Water Supplies

DATE: 6/4/20

Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
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**Attachment 1**

**Steven E. Vance**

99 Janes Way  
Raymond, Illinois 62560

**Professional Experience**

**Illinois Environmental Protection Agency  
Bureau of Water  
Division of Water Pollution Control  
Planning and Standards Section  
Springfield, Illinois**

**Title: Environmental Protection Engineer (June, 1995 to January, 2000)**

**Duties Include:** interpretation and application of water quality standards and regulations; development of water quality based effluent limits for inclusion in the National Pollution Discharge Elimination System (NPDES) permits; respond to inquiries regarding water quality standards, regulations, procedures, and interpretation of water quality data; development of computer models used in the determination of potential impacts of pollutant discharges; review and supervision of site-specific standard projects; development of regulatory and procedural documents used in the interpretation and administration of water quality standards; participate in public hearings related to NPDES permit issuances; and assist in the development and proposal of water quality standards to the Illinois Pollution Control Board.

**Illinois Environmental Protection Agency  
Bureau of Water  
Division of Public Water Supplies  
Field Operations Section – Springfield Regional Office  
Springfield, Illinois**

**Title: Environmental Protection Engineer (January, 2000 to October, 2017)**

**Duties Include:** Under the direct supervision of the Springfield Regional Office Manager, performing engineering duties of technical nature and participating in the implementation of Division programs. Specific duties include conducting Engineering Evaluations of community water supplies; preparing Engineering Evaluation reports; assisting community water supplies in achieving compliance with State and/or Federal laws, rules, and regulations; providing technical assistance to community water supply owners, operators, and consultants in order to resolve problems in operation, maintenance, and management of community water supply facilities; responding to emergencies related to community water supplies; responding to community water supply customer complaints and inquiries; assisting Agency management and Legal



Counsel in enforcement proceeding; participating in training for community water supply officials; and attending staff meetings, conferences, seminars, and training sessions to increase professional experience and knowledge.

**Illinois Environmental Protection Agency**

**Bureau of Water**

**Division of Public Water Supplies**

**Field Operations Section Manager**

Springfield, Illinois

**Title: Senior Public Service Administrator (October, 2017 to present)**

**Duties Include:** Establishes goals and objectives relative to the U.S. Environmental Protection Agency primacy requirements under the Safe Drinking Water Act; directs, coordinates and reviews activities of six offices within the Division at locations throughout the State; supervises staff within the Field Operations Section and monitors productivity and staffing needs to accomplish primacy measures under the Federal PWSS Program; monitors technical personnel with Field Operations Section to ensure proper and timely response is provided during emergency situations; coordinates with Federal Emergency Management Agency, Illinois EPA environmental media, Illinois Department of Public Health, Illinois Emergency Management Agency and other agencies as necessary to ensure the safety of community water supplies; coordinates compliance and enforcement activities with other Illinois EPA sections/units, Illinois Attorney General's Office, U.S. Environmental Protection Agency and other State and Federal agencies to assure compliance with all applicable regulations subject to the authority of the Illinois EPA; ensures all field operations aspects of the State and Federal Revolving Loan Fund program are performed; coordinates regional field operations participation in the U.S EPA Drinking Water Infrastructure Needs Survey used to determine national funding allocation; reviews and provides comment regarding new Federal regulations, policies, and proposals; implements new State and Federal rules, regulations, and policies, within IEPA's regulatory authority, within required time frames; represents the Illinois EPA at professional conferences, water supply organizations, seminars and meetings with regard to State and Federal regulations and technical and compliance issues; provides documentation and prepares testimony for regulatory proceedings and judicial cases; provides briefing documents for government officials concerning Illinois rules/regulations and the Safe Drinking Water Act requirements; and responds to citizen inquiries and complaints.

## Other Work Experience

### **Village of Farmersville (June, 1982 to April, 1986)**

**Title: General Laborer**

**Duties Include:** general maintenance and repair of water and wastewater distribution and collection system; sample collection and analyses of water and wastewater parameters; monitor and compile daily water consumption and water quality characteristics related to the potable water system; daily operation and maintenance of the water treatment facilities; and general street maintenance and repair.

### **SMK Lawn & Garden (April, 1986 to August, 1986)**

**Title: General Laborer (seasonal)**

**Duties Include:** Responsible for operating the pickup and delivery service for the customer service department.

### **Capitol Records, EMI Inc. (April 1987 to June, 1988)**

**Title: Electronic Technician**

**Duties Include:** operation and maintenance of molding, resin-coating, and metalizing equipment used in the replication of compact discs.

### **Stewart-Warner Hobbs Corporation (June 1988 to March, 1991)**

**Title: Senior Engineering Technician**

**Duties Include:** testing prototype and existing products to ensure quality and reliability; organizing test results for future product modification and development; fabrication and maintenance of environmental, electrical, and mechanical equipment used for testing product design and specifications; routine repair and maintenance of lab equipment.

## Education

### **Lincoln Land Community College (August, 1985 to June, 1987)**

Springfield, Illinois

Associates in Applied Science (Electronic Technology)

### **Lincoln Land Community College (August, 1991 to June, 1992)**

Springfield, Illinois

Course work to complete pre-requisite requirements

### **Southern Illinois University at Edwardsville (September, 1992 to May, 1995)**

Edwardsville, Illinois

Bachelor of Science (Civil Engineering)

**CERTIFICATE OF SERVICE**

I, the undersigned, on affirmation state the following:

That I have served the attached **NOTICE OF FILING** and **PRE-FILED TESTIMONY** by e-mail upon Don Brown at the e-mail address of [don.brown@illinois.gov](mailto:don.brown@illinois.gov), upon Daniel Pauley at the e-mail address of [daniel.pauley@illinois.gov](mailto:daniel.pauley@illinois.gov), upon Renee Snow at the e-mail address of [renee.snow@Illinois.Gov](mailto:renee.snow@Illinois.Gov), upon Virginia I. Yang at the e-mail address of [virginia.yang@illinois.gov](mailto:virginia.yang@illinois.gov), upon Jason Boltz at the e-mail address of [jason.boltz@illinois.gov](mailto:jason.boltz@illinois.gov), and upon Matt Dunn at the e-mail address of [mdunn@atg.state.il.us](mailto:mdunn@atg.state.il.us),

That my e-mail address is [Christine.Zeivel@Illinois.gov](mailto:Christine.Zeivel@Illinois.gov).

That the number of pages in the e-mail transmission is eleven (11).

That the e-mail transmission took place before 4:30 p.m. on the date of June 4, 2020.

/s/ Christine M. Zeivel  
Christine M. Zeivel  
June 4, 2020