

ILLINOIS POLLUTION CONTROL BOARD

August 25, 2015

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STATE OF ILLINOIS  
Pollution Control Board

IN THE MATTER OF: )  
 )  
AMENDMENTS TO PRIMARY DRINKING ) R15-23  
WATER STANDARDS ) (Rulemaking - Water)  
35 ILL. ADM. CODE 611 )



ORIGINAL

**HEARING OFFICER ORDER**

On May 20, 2015, the Illinois Environmental Protection Agency (IEPA) filed a new rulemaking to amend the fluoridation requirement in the Board's public water supply regulations. IEPA explains that the Board's rules at Section 611.125 require all community water supplies to maintain a fluoride ion concentration of 0.9 to 1.2 milligrams per liter (mg/L) in the community water supply distribution system. SR. at 1; 35 Ill. Adm. Code 611.125. IEPA continues that the state requirement is based on a statutory fluoridation requirement found in the Public Water Supply Regulation Act, 415 ILCS 40 (2014). SR. at 1. A statutory change in 2011 removed the fluoridation range from the statute and replaced it with a reference to the optimal fluoridation levels recommended by the United States Department of Health and Human Services (HHS). On May 1, 2015, HHS adopted a recommended fluoridation ion concentration of 0.7 mg/L. SR. at 1, 4. IEPA proposes to change the Board's rules to adopt the current HHS recommendation, which will result in a reduction of community water supply's cost of having to meet the existing higher fluoridation levels. IEPA recommends the Board amend the rules to reflect a fluoridation ion concentration of 0.7 mg/L. SR. at 1. In addition, IEPA is proposing that the Board reinstate a secondary fluoride standard in Section 611.858 that IEPA opines to have been inadvertently repealed in 2001. SR. at 1, citing SDWA Update, USEPA Amendments (January 1, 2000, through June 30, 2000), R01-07 (Jan. 4, 2001).

On June 9, 2015, hearing dates were set for July 30, 2015 and August 19, 2015. Those hearings have now concluded and at the August 19, 2015 hearing a public comment deadline was agreed to by participants. All comments must be received by the Board no later than September 9, 2015. The mail box rule does not apply to these filings. See 35 Ill. Adm. Code 101.300.

All filings in this proceeding will be available on the Board's web page at [www.ipcb.state.il.us](http://www.ipcb.state.il.us) and participants may file electronically on the Board's web page.

IT IS SO ORDERED.

A handwritten signature in black ink that reads "Marie E. Tipsord". The signature is written in a cursive, flowing style.

Marie E. Tipsord  
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Illinois Pollution Control Board  
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