TABLE OF CONTENTS
August 10, 2007 Volume 31, Issue 32

PROPOSED RULES
FINANCIAL AND PROFESSIONAL REGULATION, DEPARTMENT OF
Illinois Athletic Trainers Practice Act
68 Ill. Adm. Code 1160 .................................................................11388
HUMAN SERVICES, DEPARTMENT OF
Early Intervention Program
89 Ill. Adm. Code 500 ..................................................................11408
NATURAL RESOURCES, DEPARTMENT OF
Youth Hunting Seasons
17 Ill. Adm. Code 685 .................................................................11501
SECRETARY OF STATE
Issuance of Licenses
92 Ill. Adm. Code 1030 .................................................................11503
Commercial Driver Training Schools
92 Ill. Adm. Code 1060 .................................................................11509
STATE POLICE MERIT BOARD, DEPARTMENT OF
Procedures of the Department of State Police Merit Board
80 Ill. Adm. Code 150 .................................................................11545

ADOPTED RULES
COMMERCE COMMISSION, ILLINOIS
Uniform System of Accounts for Electric Utilities
83 Ill. Adm. Code 415 .................................................................11553
Uniform System of Accounts for Gas Utilities
83 Ill. Adm. Code 505 .................................................................11557
Minimum Safety Standards for Transportation of Gas and For Gas Pipeline Facilities
83 Ill. Adm. Code 590 .................................................................11562
EMERGENCY MANAGEMENT AGENCY, ILLINOIS
Political Subdivision Emergency Services and Disaster Agencies
29 Ill. Adm. Code 301 .................................................................11565
General Provisions for Radiation Protection
32 Ill. Adm. Code 310 .................................................................11573
Standards for Protection Against Radiation
32 Ill. Adm. Code 340 .................................................................11593
Accrediting Persons in the Practice of Medical Radiation Technology
32 Ill. Adm. Code 401 .................................................................11622
HEALTHCARE AND FAMILY SERVICES, DEPARTMENT OF
Medical Assistance Programs
89 Ill. Adm. Code 120 .................................................................11667
Specialized Health Care Delivery Systems
89 Ill. Adm. Code 146 .................................................................11681
Hospital Services
89 Ill. Adm. Code 148 .................................................................11688

NATURAL RESOURCES, DEPARTMENT OF
Squirrel Hunting
17 Ill. Adm. Code 690 .................................................................11700
The Taking of Wild Turkeys - Fall Gun Season
17 Ill. Adm. Code 715 .................................................................11711
The Taking of Wild Turkeys - Fall Archery Season
17 Ill. Adm. Code 720 .................................................................11723
Dove Hunting
17 Ill. Adm. Code 730 .................................................................11738

POLLUTION CONTROL BOARD
Primary Drinking Water Standards
35 Ill. Adm. Code 611 .................................................................11757

EMERGENCY RULES
NATURAL RESOURCES, DEPARTMENT OF
Youth Hunting Seasons
17 Ill. Adm. Code 685 .................................................................12096

NOTICE OF RECODIFICATION CHANGES
FINANCE AUTHORITY, ILLINOIS
Illinois Finance Authority
74 Ill. Adm. Code 1100 .................................................................12104

EMPLOYMENT SECURITY, DEPARTMENT OF
General Provisions
56 Ill. Adm. Code 2960 .................................................................12116

JOINT COMMITTEE ON ADMINISTRATIVE RULES AGENDA
JOINT COMMITTEE ON ADMINISTRATIVE RULES
August Agenda .................................................................12117

SECOND NOTICES RECEIVED
JOINT COMMITTEE ON ADMINISTRATIVE RULES
Second Notices Received .........................................................12122

OTHER INFORMATION REQUIRED BY LAW TO BE PUBLISHED IN THE
ILLINOIS REGISTER
FINANCIAL AND PROFESSIONAL REGULATION, DEPARTMENT OF
Notice of Public Information Regarding the Residential Mortgage License
Act of 1987 .................................................................12123

REVENUE, DEPARTMENT OF
2007 Second Quarter Sales Tax Sunshine Index ................................12124

EXECUTIVE ORDERS AND PROCLAMATIONS
PROCLAMATIONS
Special Session On July 28, 2007
2007-243 .................................................................12138
Lions Clubs International Week
2007-244 .................................................................12138
Support Our Troops Day
2007-245 ......................................................................................................................... 12139
Careers In Construction Week
2007-246 ......................................................................................................................... 12140
15th Annual African/Caribbean International Festival of Life Days
2007-247 ......................................................................................................................... 12141
Lakes Appreciation Month
2007-248 ......................................................................................................................... 12141
Illinois Land Title Association Day
2007-249 ......................................................................................................................... 12142
Captive Nations Week
2007-250 ......................................................................................................................... 12143
Summer Learning Day
2007-251 ......................................................................................................................... 12143
Breastfeeding Promotion Month
2007-252 ......................................................................................................................... 12144
National Baton Twirling Week
2007-253 ......................................................................................................................... 12145
Helping Citizens With Developmental Disabilities Days
2007-254 ......................................................................................................................... 12146
Chamber Of Commerce Week
2007-255 ......................................................................................................................... 12146
National Gymnastics Day
2007-256 ......................................................................................................................... 12147
La Leche League International Week
2007-257 ......................................................................................................................... 12148
Official State BBQ Championships
2007-258 ......................................................................................................................... 12149
Special Session On July 30, 2007
2007-259 ......................................................................................................................... 12149
The Illinois Register is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State Statute; and activities (meeting agendas; Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State Agencies; is also published in the Register.

The Register is a weekly update of the Illinois Administrative Code (a compilation of the rules adopted by State agencies). The most recent edition of the Code, along with the Register, comprise the most current accounting of State agencies’ rulemakings.

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1, et seq.].

<table>
<thead>
<tr>
<th>Issue #</th>
<th>Rules Due Date</th>
<th>Date of Issue</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>December 26, 2006</td>
<td>January 5, 2007</td>
</tr>
<tr>
<td>2</td>
<td>January 2, 2007</td>
<td>January 12, 2007</td>
</tr>
<tr>
<td>3</td>
<td>January 8, 2007</td>
<td>January 19, 2007</td>
</tr>
<tr>
<td>5</td>
<td>January 22, 2007</td>
<td>February 2, 2007</td>
</tr>
<tr>
<td>6</td>
<td>January 29, 2007</td>
<td>February 9, 2007</td>
</tr>
<tr>
<td>7</td>
<td>February 5, 2007</td>
<td>February 16, 2007</td>
</tr>
<tr>
<td>8</td>
<td>February 13, 2007</td>
<td>February 23, 2007</td>
</tr>
<tr>
<td>9</td>
<td>February 20, 2007</td>
<td>March 2, 2007</td>
</tr>
<tr>
<td>10</td>
<td>February 26, 2007</td>
<td>March 9, 2007</td>
</tr>
<tr>
<td>11</td>
<td>March 5, 2007</td>
<td>March 16, 2007</td>
</tr>
<tr>
<td>12</td>
<td>March 12, 2007</td>
<td>March 23, 2007</td>
</tr>
<tr>
<td>13</td>
<td>March 19, 2007</td>
<td>March 30, 2007</td>
</tr>
<tr>
<td>14</td>
<td>March 26, 2007</td>
<td>April 6, 2007</td>
</tr>
<tr>
<td>15</td>
<td>April 2, 2007</td>
<td>April 13, 2007</td>
</tr>
<tr>
<td>16</td>
<td>April 9, 2007</td>
<td>April 20, 2007</td>
</tr>
<tr>
<td>17</td>
<td>April 16, 2007</td>
<td>April 27, 2007</td>
</tr>
<tr>
<td>18</td>
<td>April 23, 2007</td>
<td>May 4, 2007</td>
</tr>
<tr>
<td>19</td>
<td>April 30, 2007</td>
<td>May 11, 2007</td>
</tr>
<tr>
<td>20</td>
<td>May 7, 2007</td>
<td>May 18, 2007</td>
</tr>
<tr>
<td>21</td>
<td>May 14, 2007</td>
<td>May 25, 2007</td>
</tr>
<tr>
<td>22</td>
<td>May 21, 2007</td>
<td>June 1, 2007</td>
</tr>
<tr>
<td>23</td>
<td>May 29, 2007</td>
<td>June 8, 2007</td>
</tr>
<tr>
<td>Issue #</td>
<td>Rules Due Date</td>
<td>Date of Issue</td>
</tr>
<tr>
<td>---------</td>
<td>--------------------</td>
<td>-------------------</td>
</tr>
<tr>
<td>26</td>
<td>June 18, 2007</td>
<td>June 29, 2007</td>
</tr>
<tr>
<td>27</td>
<td>June 25, 2007</td>
<td>July 6, 2007</td>
</tr>
<tr>
<td>28</td>
<td>July 2, 2007</td>
<td>July 13, 2007</td>
</tr>
<tr>
<td>29</td>
<td>July 9, 2007</td>
<td>July 20, 2007</td>
</tr>
<tr>
<td>32</td>
<td>July 30, 2007</td>
<td>August 10, 2007</td>
</tr>
<tr>
<td>33</td>
<td>August 6, 2007</td>
<td>August 17, 2007</td>
</tr>
<tr>
<td>34</td>
<td>August 13, 2007</td>
<td>August 24, 2007</td>
</tr>
<tr>
<td>35</td>
<td>August 20, 2007</td>
<td>August 31, 2007</td>
</tr>
<tr>
<td>36</td>
<td>August 27, 2007</td>
<td>September 7, 2007</td>
</tr>
<tr>
<td>37</td>
<td>September 4, 2007</td>
<td>September 14, 2007</td>
</tr>
<tr>
<td>38</td>
<td>September 10, 2007</td>
<td>September 21, 2007</td>
</tr>
<tr>
<td>39</td>
<td>September 17, 2007</td>
<td>September 28, 2007</td>
</tr>
<tr>
<td>40</td>
<td>September 24, 2007</td>
<td>October 5, 2007</td>
</tr>
<tr>
<td>41</td>
<td>October 1, 2007</td>
<td>October 12, 2007</td>
</tr>
<tr>
<td>42</td>
<td>October 9, 2007</td>
<td>October 19, 2007</td>
</tr>
<tr>
<td>43</td>
<td>October 15, 2007</td>
<td>October 26, 2007</td>
</tr>
<tr>
<td>44</td>
<td>October 22, 2007</td>
<td>November 2, 2007</td>
</tr>
<tr>
<td>45</td>
<td>October 29, 2007</td>
<td>November 12, 2007</td>
</tr>
<tr>
<td>46</td>
<td>November 5, 2007</td>
<td>November 16, 2007</td>
</tr>
<tr>
<td>47</td>
<td>November 12, 2007</td>
<td>November 26, 2007</td>
</tr>
<tr>
<td>48</td>
<td>November 19, 2007</td>
<td>December 1, 2007</td>
</tr>
<tr>
<td>49</td>
<td>November 26, 2007</td>
<td>December 7, 2007</td>
</tr>
<tr>
<td>50</td>
<td>December 3, 2007</td>
<td>December 14, 2007</td>
</tr>
<tr>
<td>51</td>
<td>December 10, 2007</td>
<td>December 21, 2007</td>
</tr>
<tr>
<td>52</td>
<td>December 17, 2007</td>
<td>December 28, 2007</td>
</tr>
</tbody>
</table>
NOTICE OF PROPOSED AMENDMENTS

1) **Heading of the Part:** Illinois Athletic Trainers Practice Act

2) **Code Citation:** 68 Ill. Adm. Code 1160

3) **Section Numbers:** Proposed Action:
   - 1160.20 Amendment
   - 1160.30 Amendment
   - 1160.31 Amendment
   - 1160.35 Amendment
   - 1160.40 Amendment
   - 1160.50 Amendment
   - 1160.60 Amendment
   - 1160.64 Amendment
   - 1160.65 Amendment
   - 1160.80 Amendment

4) **Statutory Authority:** Illinois Athletic Trainers Practice Act [225 ILCS 5]

5) **A Complete Description of the Subjects and Issues Involved:** Public Act 94-246, effective December 31, 2005, is the sunset reauthorization of the Illinois Athletic Trainers Practice Act; this proposed rulemaking implements its various provisions. Among the changes are the updating of references to the Board of Certification for the Athletic Trainer (formerly known as the National Athletic Trainers Association Board of Certification) and updating the accreditation and approval of athletic trainer programs. Makes numerous non-substantive changes, including changing references throughout the entire Part from "Department" to "Division" to reflect the consolidation of agencies into the Department of Financial and Professional Regulation and the creation of the Division of Professional Regulation. Obsolete language is also being removed and other technical changes are being made.

6) **Published studies or reports, and sources of underlying data, used to compose this rulemaking:** None

7) **Will this rulemaking replace any emergency rulemakings currently in effect?** No

8) **Does this rulemaking contain an automatic repeal date?** No

9) **Does this rulemaking contain incorporations by reference?** No
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

10) Are there any other proposed rulemakings pending on this Part? No

11) Statement of Statewide Policy Objectives: This rulemaking has no impact on local government.

12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments to:

Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield, IL  62786

217/785-0813  Fax #: 217/557-4451

All written comments received within 45 days after this issue of the Illinois Register will be considered.

13) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Those providing athletic trainer services

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: Athletic trainer skills are necessary for licensure.

14) Regulatory Agenda on which this rulemaking was summarized: July 2007

The full text of the Proposed Amendments begins on the next page:
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1160

ILLINOIS ATHLETIC TRAINERS PRACTICE ACT

Section
1160.20 Examination
1160.30 Application for Licensure by Examination
1160.31 Approved Programs
1160.35 Fees
1160.40 Renewals
1160.50 Restoration
1160.60 Application for Licensure by Endorsement
1160.64 Supervision
1160.65 Continuing Education
1160.70 Annual Report of Board (Repealed)
1160.80 Granting Variances


Section 1160.20 Examination

a) The examination for licensure shall be the certification examination for the Board of Certification for the Athletic Trainer (formerly known as the National Athletic Trainers Association Board of Certification) or its successor agency.

b) Candidates shall make application for the examination, and pay the examination
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

fee, directly to the designated testing service.

c) Unsuccessful candidates may retake the examination as many times as they wish. Retake application shall be made to the designated testing service.

d) Application to the designated testing service for purposes of taking the examination shall not constitute application to the Department of Financial and Professional Regulation-Division of Professional Regulation (Division of the Department) and shall not entitle an applicant to practice on a temporary basis under the provisions of Section 4(5) of the Act.

(Source: Amended at 31 Ill. Reg. ______, effective ____________)

Section 1160.30 Application for Licensure by Examination

a) Any person seeking licensure as an athletic trainer shall file an application with the Division of Professional Regulation on forms provided by the Division of Professional Regulation. The application shall include the following:

1) Either:
   
   a) Certification of graduation from an athletic training program approved in accordance with Section 1160.31 of this Part or a program approved by the Joint Review Committee on Athletic Training of the Committee on Accreditation of Allied Health Education Programs or its successor agency; or
   
   B) Certification of:

   i) Graduation from a regionally accredited college or university with a baccalaureate degree;

   ii) An official transcript showing successful completion of the required curriculum specified in Section 9 of the Act; and

   iii) Certification of clinical athletic training experience showing successful completion of a minimum of 1500 hours completed in not less than 2 academic years within a 5-calendar-year period;

2) Verification of successful completion of the examination set forth in
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

Section 1160.20 received directly from the designated testing service; and

3) The required fee specified in Section 1160.35(a) of this Part; and

4) Proof of current certification in cardiopulmonary resuscitation (CPR)/automated external defibrillation (AED) for the Healthcare Professional or its equivalent based on American Red Cross or American Heart Association standards.

b) An applicant who applies to the Division in accordance with subsection (a) above is eligible to practice temporarily pending examination in accordance with the provisions of Section 4(5) of the Illinois Athletic Trainers Practice Act (the Act).

1) An applicant who has not yet taken the required examination may practice, under the supervision of a licensed athletic trainer, pending examination in accordance with the provisions of Section 4(5) of the Act, for no longer than 3 months. If an applicant fails the examination, he/she shall cease practice immediately. Practicing after failure of an examination or beyond the 3 months shall be considered the unlicensed practice of athletic training.

2) An applicant who has applied in writing to the Division for licensure and has complied with all the provisions of Section 9 of the Act may practice in accordance with the provisions of Section 4(9) for no longer than 6 months or until notification has been given that licensure has been granted or denied. Practicing after denial of an application or beyond the 6 months shall be considered the unlicensed practice of athletic training.

(Source: Amended at 31 Ill. Reg. ______, effective ____________)

Section 1160.31 Approved Programs

a) In determining whether a program shall be approved, the Division shall take into consideration, but not be bound by, accreditation or approval by the Joint Review Committee on Athletic Training of the Commission on Accreditation of Allied Health Education Programs or its successor entity.
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

b) The Division has determined that all athletic training programs accredited or approved by the Joint Review Committee on Athletic Training of the Commission on Accreditation of Allied Health Education Programs as of January 1, 2006 meet the minimum criteria set forth in this Section and are, therefore, approved.

c) The Division, upon recommendation of the Illinois Board of Athletic Trainers (the Board), may approve athletic training programs that are not accredited or approved by the Joint Review Committee on Athletic Training of the Commission on Accreditation of Allied Health Education Programs, provided they meet the requirements set forth in this Section. The institution:

1) Is legally recognized and authorized by the jurisdiction in which it is located to confer a baccalaureate degree or master's degree;

2) Has a faculty which comprises a sufficient number of full-time instructors to make certain that the educational obligations to the student are fulfilled. The faculty must have demonstrated competence as evidenced by appropriate degrees in their area(s) of teaching from professional colleges or institutions;

3) Has a designated program director;

4) Has a curriculum that covers the domains of athletic training as stated in the Role Delineation Study, 5th Edition, published by the Board of Certification for the Athletic Trainer, 4223 S. 143rd Circle, Omaha NE 68137, 2006 (this incorporation includes no later amendments or editions), or its successor agency, and provides evidence of completion of the clinical competencies established by the Joint Review Committee on Athletic Training of the Commission on Accreditation of Allied Health Education Programs or its successor agency, shall include, but not be limited to, the following:

A) Anatomy

B) Physiology

C) Physiology of Exercise

D) Applied Anatomy and Kinesiology
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

E) Psychology (2 courses)

F) First Aid and Cardiopulmonary Resuscitation or Equivalent Training

G) Nutrition

H) Remedial Exercise or Therapeutic Exercise

I) Personal, Community or School Health

J) Techniques of Athletic Training (fundamentals)

K) Advanced Techniques of Athletic Training (modalities, administration).

d) The DivisionDepartment or Board may require additional information in order to evaluate the program.

e) Programs evaluated under Section 1160.31(c) must be approved on a case-by-case basis for each licensure application.

c) Approved programs may be reviewed at the discretion of the Department to ensure that requirements of this Section continue to be met.

d) In determining whether a program shall be approved, the Department shall take into consideration, but not be bound by, accreditation or approval by the Joint Review Committee on Athletic Training of the Accreditation of Allied Health Education Programs or its successor entity.

e) The Department has determined that all athletic training programs accredited or approved by the Joint Review Committee on Athletic Training of the Accreditation of Allied Health Education Programs as of January 1, 1996, meet the minimum criteria set forth in this Section and are, therefore, approved.

(Source: Amended at 31 Ill. Reg. ______, effective ____________)

Section 1160.35 Fees
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

The following fees shall be paid to the Department and are nonrefundable:

a) The fee for application for a license as an athletic trainer is $200.

b) The fee for application for licensure of a person licensed as an athletic trainer in another jurisdiction is $200.

c) The fee for renewal of an athletic trainer license is $100 per year.

d) The fee for a sponsor of continuing education is $500.

e) The fee for renewal as a sponsor of continuing education is $125 per year.

f) The fee for restoration of a license other than from inactive status is $20 plus payment of all lapsed renewal fees.

g) The fee for issuance of a duplicate license or for the issuance of a replacement license for a license that has been lost or destroyed is $20.

h) The fee for the issuance of a license with a change of name or address other than during the renewal period is $20. No fee is required for name and address changes on Division records when no duplicate license is replaced.

i) The fee for certification of a license for any purpose is $20.

j) The fee for a wall certificate showing licensure is the actual cost of producing the license.

k) The fee for a roster of persons licensed under the Act is the actual cost of producing the roster.

(Source: Amended at 31 Ill. Reg. _______, effective ____________)

Section 1160.40 Renewals

a) Each license issued under the Act shall expire on May 31 of even numbered years. The holder of the license may renew the license during the month preceding the expiration date by paying the required fee and completing 40 hours
NOTICE OF PROPOSED AMENDMENTS

of continuing education in accordance with Section 1160.65.

b) It is the responsibility of each license holder to notify the DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION of any change of address. Failure to receive a renewal form from the DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION shall not constitute an excuse for failure to pay the renewal fee.

c) Practice on an expired license shall be considered the unlicensed practice of athletic training and subject to discipline or other penalties set forth in Section 16 of the Act.

(Source: Amended at 31 Ill. Reg. _____, effective ____________)

Section 1160.50 Restoration

a) A person seeking restoration of a license that has expired for less than 5 years shall have the license restored upon payment of $20 plus all lapsed renewal fees as set forth in Section 1160.35(g) of this Part. A person seeking restoration of a license shall provide evidence of successful completion of 40 hours of continuing education in accordance with Section 1160.65 earned within the 2 years immediately preceding the restoration.

b) A person seeking restoration of a license that has been placed on inactive status for less than 5 years shall have the license restored upon payment of the current renewal fee specified in Section 1160.35(d) of this Part. A person seeking restoration of a license shall provide evidence of successful completion of 40 hours of continuing education in accordance with Section 1160.65 earned within the 2 years immediately preceding the restoration.

c) A person seeking restoration of a license after it has expired or been placed on inactive status for more than 5 years shall file an application, on forms supplied by the DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, together with the fees set forth in Section 1160.35, and shall provide evidence of successful completion of 40 hours of continuing education in accordance with Section 1160.65 earned within 2 years immediately preceding the application for restoration in subsections (a) and (b). The application shall also include one of the following documents:

1) Sworn evidence of active practice in another jurisdiction. Such evidence shall include a statement from the appropriate board or licensing authority
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

in the other jurisdiction that the registrant was authorized to practice during the term of the active practice; or

2) An affidavit attesting to military service as provided in Section 12 of the Act; or

3) Other evidence of continued active participation in athletic training for at least the last 2 years.

A) The evidence shall show that he/she has been employed in a responsible capacity under the supervision of a licensed athletic trainer; or

B) Been an officer or employee of the United States government as a practicing athletic trainer; or

C) Been teaching athletic training in a college or university; or

D) An applicant shall submit proof of an additional 2040 hours of continuing education in accordance with Section 1160.65 of this Part, for a total of 60 hours.

d) Any person seeking restoration of a license within 2 years after discharge from military service pursuant to Section 12 of the Act will be required to pay only the current renewal fee and will not be required to submit proof of meeting the continuing education requirements.

e) When the accuracy of any submitted documentation, or the relevance or sufficiency of the course work or experience, is questioned by the Department because of lack of information, discrepancies or conflicts in information given or a need for clarification, the person seeking restoration of a license shall be required to:

1) Provide such information as may be necessary; and/or
NOTICE OF PROPOSED AMENDMENTS

2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information. Upon recommendation of the Board and approval by the Department, an applicant shall have the license restored.

(Source: Amended at 31 Ill. Reg. ______, effective ____________)

Section 1160.60 Application for Licensure by Endorsement

a) An applicant seeking licensure in Illinois who is licensed/registered under the laws of another jurisdiction shall file an application with the Division, on forms provided by the Division, that includes:

1) Certification of education; 2) Proof of successful completion of the examination set forth in Section 1160.20 of this Part;

2) Certification from the state or territory of the United States in which the applicant was originally licensed, and the states in which the applicant is currently licensed, stating:

A) The time during which the applicant was licensed/registered in that jurisdiction;

B) Whether the file on the applicant contains any record of disciplinary actions taken or pending;

3) Proof of current certification in CPR/AED or its equivalent based on American Red Cross or American Heart Association standards.

b) An applicant licensed in another state who has applied in writing to the Division for licensure by endorsement may practice in accordance with the provisions of Section 4(8) of the Act for no longer than 6 months or until notification has been given that licensure has been granted or denied. Practicing after denial of an application or beyond the 6 months shall be considered the unlicensed practice of athletic training.

c) The Department may request additional information to determine if the requirements in the state or territory of original licensure were substantially
NOTICE OF PROPOSED AMENDMENTS

equivalent to the requirements then in effect in Illinois or to determine whether the requirements of another state or territory, together with education and professional experience qualifications of the applicant, are substantially equivalent to the requirements in Illinois at the time of application.

d) The Division shall either issue a license by endorsement to the applicant or notify him/her of the reasons for the denial of the application.

(Source: Amended at 31 Ill. Reg. _____, effective ____________)

Section 1160.64 Supervision

Individuals, who are completing a course of study in an approved educational program and who are performing athletic training as a part of their supervised experience, or any person who is fulfilling the 1500 hours supervised work experience for licensure pursuant to Section 4(3) and (4) of the Act, shall be supervised by a licensed athletic trainer. If the experience has been completed in another state where licensure is not required, the experience shall be under the supervision of an athletic trainer certified by the Board of Certification for the Athletic Trainer or its successor agency of a NATABOC certified athletic trainer.

(Source: Amended at 31 Ill. Reg. _____, effective ____________)

Section 1160.65 Continuing Education

a) Continuing Education Hour Requirements

1) Beginning with the May 31, 1998 renewal and for every renewal thereafter, renewal applicants shall complete 40 hours of Continuing Education (CE) relevant to the practice of athletic training during each prerenewal period. The Division shall conduct audits to verify compliance with this Section. The prerenewal period is the 24 months preceding the expiration date of the license.

2) A renewal applicant is not required to comply with CE requirements for the first renewal following the original issuance of the license.

3) Athletic trainers licensed in Illinois but residing and practicing in another state must comply with the CE requirements set forth in this Section.
b) Activities for which CE credit may be earned are as follows:

1) Verified attendance or participation in any continuing education course approved by the Board of Certification for the Athletic Trainer, National Athletic Trainers' Association Board of Certification or the Illinois Athletic Trainers' Association, the Illinois High School Association, or their successor agencies.

2) Verified attendance at or participation in a program given by a sponsor as set forth in subsection (c)(1) of this Section.

3) A maximum of 26 hours per prerenewal period for:
   A) Papers prepared for or delivered before recognized athletic trainer organizations;
   B) Papers published in nationally recognized athletic training journals;
   C) Writing a chapter in a book about athletic training;
   D) Self-study courses taken through an accredited college or university or an approved sponsor; and
   E) Training taken via teleconferencing with a live moderator through an accredited college or university or an approved sponsor.

4) A licensee who has completed an Emergency Medical Technician training program for EMT-B, EMT-I or EMT-P certification in accordance with 77 Ill. Adm. Code 515 or who has taken continuing education for renewal of those certifications in accordance with 77 Ill. Code 515.590 may apply up to 10 hours toward meeting the continuing education hours set forth in this Section provided the topics covered during these hours are relevant to the practice of athletic training.

5) A licensee who serves as an instructor, speaker or discussion leader of a course given by an approved sponsor will be allowed CE course credit for actual presentation time, plus actual preparation time of up to 2 hours for each hour of presentation. Preparation time shall not be allowed for
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

presentations of the same course. In no case shall credit for actual time of presentation and preparation be given for more than 9 hours during any renewal period.

6) The continuing education hours used to satisfy the CE requirements for renewal of an athletic trainer license held in another jurisdiction shall be applied toward the CE requirements for renewal of an Illinois athletic trainer license.

7) **College** Three semester hours of course work relevant to athletic training completed at an accredited college or university. One semester hour of course work is equivalent to 15 hours of CE and one quarter hour of course work is equivalent to 10 hours of CE.

8) A CE hour equals 50 minutes. After completion of the initial CE hour, credit may be given in one-half hour increments.

9) **Cardiopulmonary resuscitation (CPR)** certification by the American Red Cross, American Heart Association, National Safety Council, or their international affiliates, or **automated external defibrillation (AED)** certification by the American Red Cross or other qualified organization as authorized by the Automated External Defibrillator Act. Five hours of continuing education may be earned for one CPR or AED certification. No more than 2 certifications may be submitted per renewal.

c) **CE Sponsors and Programs**

1) Sponsor, as used in this Section, shall mean:

A) **The Board of Certification for the Athletic Trainer**, **The National Athletic Trainers' Association Board of Certification** or the Illinois Athletic Trainers' Association, **the Illinois High School Association**, or their successor agencies;

B) Any other school, college or university, State agency, or any other person, firm or association that has been approved and authorized by the **DivisionDepartment** to coordinate and present continuing education courses and programs in conjunction with this Section.
2) An entity seeking approval as a CE sponsor, as provided in Section 1160.65(c)(1)(B), shall file an application, along with the required fee set forth in Section 1160.35(e) of this Part, which includes:

A) Certification:

i) That all courses and programs offered by the sponsor for CE credit will comply with the criteria in subsection (c)(5) below and all other criteria in this Section;

ii) That the sponsor will be responsible for verifying attendance at each course or program and provide a certificate of completion as set forth in subsection (c)(7); and

iii) That, upon request by the Department, the sponsor will submit evidence as is necessary to establish compliance with this Section. Such evidence shall be required when the Department has reason to believe that there is not full compliance with the Act and this Part and that this information is necessary to ensure compliance;

B) A copy of a Certificate of Attendance or Participation that meets the requirements set forth in subsection (c)(7); and

C) A sample of a CE course that includes, but is not limited to, course materials, books, instructor credentials.

3) Each sponsor shall submit by May 31 of even numbered years a renewal application along with the required renewal fee set forth in Section 1160.35(f) of this Part. With the application the sponsor shall be required to submit to the Department a list of all courses and programs offered in the past 2 years that includes a description, location, date and time the course was offered.

4) State agencies, colleges and universities shall submit a sponsor application in accordance with subsections (c)(2) and (3); however, they shall be exempt from payment of the fee.
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

5) All courses and programs shall:
   A) Contain materials that contribute to the advancement, extension and enhancement of professional skills and knowledge in the practice of athletic training;
   B) Specify the course objectives, course content and teaching methods to be used;
   C) Be developed and presented by persons with education and/or experience in the subject matter of the program;
   D) Specify the number of CE hours that may be applied to fulfilling the Illinois CE requirements for license renewal; and
   E) Include some mechanism whereby participants evaluate the overall quality of the program.

6) All programs given by sponsors shall be open to all licensed athletic trainers and not be limited to the members of a single organization or group.

7) Certificate of Attendance or Participation. It shall be the responsibility of the sponsor to provide each participant in an approved program or course with a certificate of attendance or participation that shall contain the following information:
   A) The name, address and license number of the sponsor;
   B) The name and license number of the participant;
   C) A brief statement of the subject matter;
   D) The number of clock hours actually attended in each program;
   E) The date and place of the program; and
   F) The signature of the sponsor.
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

8) The sponsor shall maintain course materials and attendance records containing all information in subsection (c)(7) for not less than 5 years, except for the signature of the sponsor.

9) The sponsor shall be responsible for assuring that no renewal applicant shall receive CE credit for time not actually spent attending the program.

10) The Division, upon recommendation of the Board, shall withdraw, suspend or place on probation the approval of a CE sponsor when, at any time, the quality of the CE fails to meet the established criteria as set forth in this Section or if the sponsorship approval was based upon false or deceptive information or if any other related license of the sponsor or instructor is suspended, revoked or otherwise disciplined.

11) Notwithstanding any other provision of this Section, the Division or Board may evaluate any sponsor of any continuing education program at any time.

12) The Division shall maintain a list of all approved continuing education sponsors.

d) Continuing Education Earned in Other Jurisdictions

1) If a renewal applicant will be earning or has earned CE hours in another jurisdiction, the applicant is not licensed in that jurisdiction and the course is not presented by an approved sponsor, the applicant shall submit an individual program approval request form, along with a $20 processing fee, to have the program reviewed. The Board shall review and recommend approval or disapproval of the program using the criteria set forth in subsection (c)(5) of this Section. Applicants may seek individual program approval prior to participation in the course or program. All individual program approval requests shall be submitted at least 90 days prior to the expiration date of the license.

2) If a licensee fails to submit an out of state CE approval form within the required time frame, late approval may be obtained by submitting the approval request form with the $20 processing fee plus a $10 per CE hour late fee not to exceed $150. The Board shall review and recommend
NOTICE OF PROPOSED AMENDMENTS

approval or disapproval of the program using the criteria set forth in subsection (c)(3) of this Section.

e) Certification of Compliance with CE Requirements

1) Each renewal applicant shall certify, on the renewal application, full compliance with the CE requirements set forth in subsection (a).

2) The Department may require additional documentation in order to demonstrate compliance with the CE requirements. It is the responsibility of each renewal applicant to retain or otherwise produce evidence of compliance. The additional documentation will be required in the context of a Department audit.

3) When there appears to be a lack of compliance with CE requirements, an applicant will be notified and may request an interview with the Board. At that time the Board may recommend that steps be taken to begin formal disciplinary proceedings as required by Section 10-65 of the Illinois Administrative Procedure Act [5 ILCS 100/10-65].

f) Restoration of Nonrenewed License. Upon evidence of compliance with CE requirements, the Department may restore the license upon payment of the required fee.

g) Waiver of CE Requirements

1) Any renewal applicant seeking renewal of a license without having fully complied with these CE requirements shall file with the Department a renewal application, the required renewal fee, a statement setting forth the facts concerning such non-compliance, and a request for waiver of the CE requirements on the basis of these facts. The applicant may request an interview with the Board at the time of the waiver request. If the Department, upon the written recommendation of the Board, finds from the applicant's affidavit or any other evidence submitted that extreme hardship has been shown to substantiate granting of a waiver, the Department shall waive enforcement of the CE requirements for the renewal period for which the applicant has applied.
NOTICE OF PROPOSED AMENDMENTS

2) If an interview with the Board is requested at the time the request for waiver is filed with the Division, the renewal applicant shall be given at least 20 days written notice of the date, time and place of the interview by certified mail, return receipt requested.

3) Extreme hardship shall be determined on an individual basis by the Board and be defined as an inability to devote sufficient hours to fulfilling the CE requirements during the applicable prerenewal period because of:
   A) Full-time service in the armed forces of the United States of America during a substantial part of the prerenewal period;
   B) An incapacitating illness, documented by a currently licensed physician;
   C) A physical inability to travel to the sites of approved programs documented by a currently licensed physician; or
   D) Any other similar extenuating circumstances (i.e., family illness and prolonged hospitalization).

4) Any renewal applicant who, prior to the expiration date of his/her license, submits a request for a waiver, pursuant to the provisions of this Section, shall be deemed to be in good standing and may practice until the Division's final decision on the waiver has been made.

(Source: Amended at 31 Ill. Reg. ______, effective ____________)

Section 1160.80 Granting Variances

a) The Director of the Division of Professional Regulation (Director), with authority delegated by the Secretary, may grant variances from this Part in individual cases where he/she finds that:
   1) The provision from which the variance is granted is not statutorily mandated;
   2) No party will be injured by the granting of the variance;
NOTICE OF PROPOSED AMENDMENTS

3) The rule from which the variance is granted would in the particular case, be unreasonable or unnecessarily burdensome.

b) The Director shall notify the Board of the granting of such variance, and the reasons for granting the variance therefor, at the next meeting of the Board.

(Source: Amended at 31 Ill. Reg. ______, effective ____________)
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

1) **Heading of the Part:** Early Intervention Program

2) **Code Citation:** 89 Ill. Adm. Code 500

3) **Section Numbers:** Proposed Action:

   - 500.20 Amend
   - 500.45 Amend
   - 500.50 Amend
   - 500.55 Amend
   - 500.60 Amend
   - 500.65 Amend
   - 500.75 Amend
   - 500.80 Amend
   - 500.85 Amend
   - 500.90 Amend
   - 500.100 Amend
   - 500.105 Amend
   - 500.110 Amend
   - 500.115 Amend
   - 500.120 Amend
   - 500.125 Amend
   - 500.130 Amend
   - 500.135 Amend
   - 500.140 Amend
   - 500.145 Amend
   - 500.APPENDIX B Repeal
   - 500 APPENDIX C Amend
   - 500.APPENDIX D Amend
   - 500.APPENDIX E Amend

4) **Statutory Authority:** Implementing and authorized by the Early Intervention Services System Act [325 ILCS 20] and Part C of the Individuals with Disabilities Education Act (IDEA) (20 USC 1400 et seq., as amended in 1997)

5) **A Complete Description of the Subjects and Issues involved:** This rulemaking affects Community Health and Prevention. The amendments to this rule will update credentialing and enrollment requirements for service providers of the Early Intervention Program. This rulemaking also adds a definition for Service Provider Agreement and brings procedural safeguards for families into compliance.
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

6) Any published studies or reports, along with the sources of underlying data, that were used when composing this rulemaking: None

7) Will this rulemaking replace any emergency rulemaking currently in effect? No

8) Does this rulemaking contain an automatic repeal date? No

9) Does this rulemaking contain incorporations by reference? Yes

10) Are there any other proposed rulemakings pending on this Part? No

11) Statement of Statewide Policy Objective: This rulemaking does not create or expand a State mandate.

12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after the date of this issue of the Illinois Register. All requests and comments should be submitted in writing to:

   Tracie Drew, Chief
   Bureau of Administrative Rules and Procedures
   Department of Human Services
   100 South Grand Avenue East
   Harris Building, 3rd Floor
   Springfield, Illinois 62762
   217/785-9772

13) Initial Regulatory Flexibility Analysis:

   A) Types of small businesses, small municipalities and not-for-profit corporations affected: Early Intervention Service Providers

   B) Reporting, bookkeeping or other procedures required for compliance: None

   C) Types of professional skills necessary for compliance: None

14) Regulatory agenda on which this rulemaking was summarized: January 2007
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

The full text of the Proposed Amendments begins on the next page.
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER e: EARLY CHILDHOOD SERVICES

PART 500
EARLY INTERVENTION PROGRAM

SUBPART A: GENERAL PROVISIONS

Section 500.10 Purpose
Section 500.15 Incorporation by Reference
Section 500.20 Definitions

SUBPART B: COMPONENTS OF THE STATEWIDE SYSTEM

Section 500.25 Public Awareness and Child Find
Section 500.30 Central Directory
Section 500.35 Local Interagency Councils
Section 500.40 Illinois Interagency Council on Early Intervention
Section 500.45 Regional Intake Entities
Section 500.50 Eligibility
Section 500.55 Early Intervention Services/Devices
Section 500.60 Provider Qualifications/Credentialing and Enrollment
Section 500.65 Monitoring

SUBPART C: SERVICE DELIVERY REQUIREMENTS

Section 500.70 Intake
Section 500.75 Eligibility Determination
Section 500.80 Individualized Family Service Plan Development
Section 500.85 Individualized Family Service Plan Implementation
Section 500.90 Individualized Family Service Plan Updating
Section 500.95 Case Transfer
Section 500.100 Transition to Part B or Other Appropriate Services at Age Three
Section 500.105 Case Closure
Section 500.110 Recordkeeping
Section 500.115 Service Provider Requirements
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

SUBPART D: FINANCIAL MATTERS

Section
500.120 Billing Procedures
500.125 Payor of Last Resort
500.130 Family Fee/Insurance

SUBPART E: PROCEDURAL SAFEGUARDS/CLIENT RIGHTS

Section
500.135 Minimum Procedural Safeguards
500.140 Administrative Resolution of Complaints By Parents
500.145 Mediation
500.150 Confidentiality/Privacy
500.155 Right to Consent
500.160 Surrogate Parents
500.165 Written Prior Notice
500.170 State Complaint Procedure

500.APPENDIX A Sliding Fee Schedule
500.APPENDIX B Assessment Instruments (Repealed)
500.APPENDIX C Requirements for Professional and Associate Level Early Intervention (EI) Credentialing and Enrollment to Bill
500.APPENDIX D Use of Associate Level Providers
500.APPENDIX E Medical Conditions Resulting in High Probability of Developmental Delay (not an exclusive list)


SUBPART A: GENERAL PROVISIONS
DEPARTMENT OF HUMAN SERVICES
NOTICE OF PROPOSED AMENDMENTS

Section 500.20  Definitions

"Act" means the Early Intervention Services System Act [325 ILCS 20].

"Child find" means an activity that identifies potentially eligible infants and toddlers.

"Council" or "IICEI" means the Illinois Interagency Council on Early Intervention established under Section 4 of the Early Intervention Services System Act.

"Credential" means an official documentation from the Department's credentialing office that an individual has met pertinent licensing, degree, and certification requirements as set forth in Appendix C, as well as the applicable education, experience, continuing professional education, and ongoing professional development requirements as set forth in Section 500.60.

"Day", for purposes of this Part, means calendar day.

"Department" means the Illinois Department of Human Services.

"Early intervention services" or "EI services" means services that:

are designed to meet the developmental needs of each child eligible under the Act and the needs of his or her family;

are related to enhancing the child's development;

are selected in collaboration with the child's family;

are provided under public supervision;

are provided at no cost except where a schedule of sliding scale fees or other system of payments by families has been adopted in accordance with State and federal law;

are designed to meet an infant's or toddler's developmental needs in any of the following areas:

cognitive development;
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

physical development, including vision and hearing;

language, speech and communication development;

social-emotional development; or

adaptive self-help skills development;

meet the standards of this Part, including the requirements of the Act;

include one or more of the services set forth in Section 500.55;

are provided by qualified personnel, as set forth in Section 500.60;

are provided in conformity with an Individualized Family Service Plan;

are provided throughout the year; and

are provided to the maximum extent appropriate in natural environments, including the home and community settings that are natural or normal for the child's age peers who have no disability.

"Early Intervention Services System" or "System" means the system of service delivery described in this Part that implements Part C of IDEA in Illinois and the Illinois Early Intervention Services System Act.

"Eligible children" or "eligible child" means infants and toddlers under 36 months of age with any of the following conditions:

Developmental delay;

A physical or mental condition that typically results in developmental delay; or

At risk of having substantial developmental delays, according to informed clinical judgment.

"Developmental delay" means a Department determined eligible level of
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

delay (30% and above) in one or more of the following areas of childhood development: cognitive; physical, including vision and hearing; language, speech and communication; social-emotional; or adaptive self-help skills, as measured by Department approved diagnostic instruments and standard procedures or as confirmed through informed clinical judgment of qualified staff based upon multidisciplinary evaluation and assessment if the child is unable to be appropriately and accurately tested by the standardized measures available.

"Physical or mental condition that typically results in developmental delay" means a medical diagnosis (see Appendix E) approved by the Department as an eligible condition or confirmed by a qualified family physician, pediatrician or pediatric sub-specialist as being a condition with a relatively well known expectancy for developmental outcomes within varying ranges of developmental disabilities. Pediatric subspecialists included are those such as pediatric neurologists, geneticists, pediatric orthopedic surgeons and pediatricians with special interest in disabilities.

"At risk of substantial developmental delay, according to informed clinical judgment" means that there is consensus of qualified staff based upon multidisciplinary evaluation and assessment that development of a Department determined eligible level of delay is probable if early intervention services are not provided, because a child is experiencing either:

a parent who has been medically diagnosed as having a severe disorder as set forth under axis I and axis II of the Diagnostic and Statistical Manual IV (DSM IV) (1994; American Psychiatric Association, 1400 K Street, NW, Washington, D.C. 20005) or a developmental disability; or

three or more of the following risk factors:

- current alcohol or substance abuse by the primary caregiver;
- primary caregiver who is currently less than 15 years of age;
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

current homelessness of the child;

chronic illness of the primary caregiver;

alcohol or substance abuse by the mother during pregnancy with the child;

primary caregiver with a level of education equal to or less than the 10th grade, unless that level is appropriate to the primary caregiver's age;

an indicated case of abuse or neglect regarding the child and the child has not been removed from the abuse or neglect circumstances.

Services for children determined to be "at risk" shall not be funded under Federal Part C funding, nor subject to its requirements, unless Part C funding for "at risk" services is requested by the lead agency.

"Enroll" means to enter into a Service Provider Agreement that establishes duties, expectations and relationships between the Department and the individual or agency provider that provides early intervention services to eligible children and their families. A provider must be enrolled to bill and receive payment for services from the Early Intervention Program.

"Evaluation/Assessment" or "Evaluation" means the initial and ongoing procedures used by appropriate qualified staff to determine:

a child's eligibility under this Part in accordance with the definition of "eligible infants and toddlers";

the child's status in each of the developmental areas set forth in "early intervention services";

the child's unique strengths and needs;

the services appropriate to meet those needs;

the resources, priorities, and concerns of the family; and
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

the supports and services necessary to enhance the family's capacity to meet the developmental needs of its infant or toddler with a disability.

"HIPAA" means the Health Insurance Portability and Accountability Act (42 USC 1320(d) et seq.) and the regulations promulgated thereunder at 45 CFR 160, 162 and 164 (Transaction, Privacy and Security).

"Individualized Family Service Plan" or "Plan" or "IFSP" means a written plan for providing early intervention services to an eligible child and the child's family, as set forth in Subpart C.

"Lead agency" means the State agency, as designated by the Governor and the Act, responsible for administering the Act and this Part in accordance with federal laws and rules. The Illinois Department of Human Services has been so designated.

"Local interagency agreement" means an agreement entered into by local community and State and regional agencies receiving early intervention funds directly from the State and made in accordance with State interagency agreements providing for the delivery of early intervention services within a local community area.

"Local interagency council" or "LIC" means a local advisory body established for each designated geographic intake region as set forth in Section 6 of the Early Intervention Services System Act.

"Local service area" means a local interagency council region.

"Multidisciplinary team", sometimes referred to as the IFSP team, means a group of people concerned with the developmental needs of the child, including the child's parent/guardian and service coordinator and members from pertinent disciplines involved in the provision of integrated and coordinated services, including evaluation and assessment activities, who determine appropriate EI services by consensus as set forth in this Part.

"Natural environment" means home and community settings that are natural or normal for the child's age peers who have no disability.
"Parents" means a parent, a guardian, a person acting as a parent of a child or a surrogate parent appointed as set forth in this Part.

"Part B" means Part B of the Individuals with Disabilities Education Act (20 USC 1400 et seq.) (IDEA) governing "Assistance for Education of All Children with Disabilities".

"Part C" means Part C of IDEA (20 USC 1400 et seq.) governing "Infants and Toddlers with Disabilities".

"Protected health information" means the health information governed by the HIPAA Privacy and Security regulations at 45 CFR 164.501.

"Regional intake entity" means the Department's designated entity responsible for implementation of the Early Intervention Services System within its designated geographic area as set forth in Section 500.45.

"Service Provider Agreement" means the binding written agreement that establishes the duties, expectations and relationship between the Department and the provider of service pursuant to the Illinois Early Intervention Services System Act [325 ILCS 20], Part C of the Individuals with Disabilities Education Act (IDEA) (20 USC 1431 et seq.), the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and EI administrative rules.

"Transition" is the process of transferring eligible children receiving early intervention services under this Part out of such services to Part B services or to other appropriate developmental or educational services.

(Source: Amended at 31 Ill. Reg. _____, effective ____________)

SUBPART B: COMPONENTS OF THE STATEWIDE SYSTEM

Section 500.45 Regional Intake Entities

The Department will assure the designation of regional intake points as necessary to accomplish consistent, System intake and service coordination throughout the State. The regional entity shall be the contracted entity responsible for implementation of the Early Intervention Services System within its designated geographic area. The regional entity shall:
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

a) Participate in public awareness and child find activities by disseminating information to primary referral sources and working with local interagency councils.

b) Provide adequate accessible and secure space/facilities to store permanent early intervention records and to house staff.

c) Select, train, and supervise qualified staff to carry out the following tasks within the System specified time frames:

1) Receive referrals.

2) Develop, maintain and process the permanent early intervention case record in accordance with policies set forth by the Department.

3) Provide information about the Early Intervention Services System, including rights and procedural safeguards and available advocacy services, to families and initiate intake with parental consent.

4) Coordinate EI and non-EI services for enrolled families.

5) Ensure that eligibility is determined according to the Department's early intervention eligibility criteria.

6) Comply with family fee policies and procedures as set by the Department.

7) Develop the initial IFSP with the family, within 45 days after referral, consistent with requirements in this Part and federal regulations.

8) Monitor that the integrity of the IFSP process is maintained and completed through accurate, timely and complete implementation of the services as mutually determined and agreed to by the IFSP Team, and consented to in writing by the child's parent/guardian.

9) Monitor that the Part C funds are the "payor of last resort" to the extent allowed by law. This includes assistance in accessing resource supports, including but not limited to Medicaid (Title XIX), the State Child Health Insurance Program (Title XXI), the Division of Specialized Care for Children (Title V) and private insurance.
10) Assist the family in monitoring IFSP implementation and obtain updated documentation from service providers listed on the IFSP in accordance with this Part, communicating regularly with the family using a variety of face-to-face, telephone, written correspondence, and other methods, including team meetings, to ensure that the family is well informed and an active participant in the implementation of the IFSP.

11) Assure that IFSPs are reviewed at least every six months and updated annually.

12) Assure that transition planning, case transfer and case closure occur consistent with the requirements of this Part.

13) Be knowledgeable of and comply with all applicable federal and State laws, guidelines, procedures, rules, regulations, and executive orders applicable to its activities, including, but not limited to:

A) The Individuals with Disabilities Education Act (20 USC 1400 et seq.). The United States Department of Education regulations for the early intervention program for Infants and Toddlers with Disabilities (34 CFR 303) and the Illinois Early Intervention Services System Act.

B) The federal Family Education Rights and Privacy Act (FERPA) (20 USC 1232g, 1232h) and the United States Department of Education implementing regulations (34 CFR 99); the Illinois School Student Records Act [105 ILCS 10].

C) The Americans with Disabilities Act (42 USC 12131-12134).

D) The Health Insurance Portability and Accountability Act (42 USC 1320 et seq., and the regulations promulgated thereunder at 45 CFR 160, 162 and 164 regarding transactions, privacy and security).

d) Maintain a directory of non-EI financial resources and support services for use with families.
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

e) Assist families in accessing non-EI financial resources and support services by making appropriate referrals while the child is enrolled with the Early Intervention Services System and at transition. Children found ineligible should be offered referrals for non-EI community resources prior to case closure.

f) Maintain administrative and programmatic contact with all EI service providers in the service area.

g) Participate in routine monitoring and technical assistance activities as required by the Department, including on-site monitoring, data collection and reporting obligations, record reviews, financial audits, complaint investigations, and consumer satisfaction surveys.

h) Enroll as an "All KidsKidCare agent" in order to complete the All KidsKidCare application as authorized under Section 22 of the Children's Health Insurance Program Act.

i) Participate in a process to measure family outcomes.

(Source: Amended at 31 Ill. Reg. _____, effective ____________)

Section 500.50 Eligibility

a) An Illinois child under the age of 36 months of age and his or her family are eligible for services set forth in this Part if the child:

1) is experiencing a Department determined eligible level of developmental delay; or

2) is experiencing a medically diagnosed physical or mental condition that typically results in developmental delay; or

3) is, according to informed clinical judgment of qualified staff based upon a multidisciplinary evaluation and assessment, at risk of substantial developmental delay.

b) Eligibility must be determined by consensus of qualified staff based upon multidisciplinary evaluation and assessment, using one or more of the following:
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

1) One or more standardized evaluations or criterion referenced measures approved by the Department. A provider may request Department approval of a developmental test by submitting, in writing, documentation that the test meets the following criteria: is listed in the Mental Measurement Yearbook Series; is nationally distributed; is formally validated; is age appropriate; and is individually administered. The Mental Measurement Yearbook Series can be found at the Early Childhood Intervention Clearinghouse, many local libraries and via the Internet. (See Appendix B.) If a child is unable to be appropriately and accurately tested by the standardized measures available, informed clinical judgment of the qualified staff based upon multidisciplinary evaluation and assessment may be used to document the level of delay. Activities to determine clinical judgment shall include observation and parent report and shall be described in the written report documenting the informed clinical judgment of qualified staff that the child is experiencing delay at a level determined by the Department to be eligible;

2) Specific medical diagnosis as determined by the Department. If a child exhibits a medical condition not approved by the Department as being an eligible condition, written verification by a qualified pediatrician or pediatric sub-specialist (pediatric neurologist, geneticist, pediatric orthopedic surgeon, pediatrician with special interest in disabilities) that the child's medical condition typically results in substantial developmental delay within the varying ranges of developmental disabilities may be used; or

3) Written verification of the consensus that, based on informed clinical judgment, development of substantial developmental delay is probable if early intervention services are not provided to the child who is experiencing risk factors as defined in Section 500.20. This report must also identify which risk factors the child is experiencing.

c) Eligibility shall be determined annually. Children will continue to be eligible if they:

1) have entered the program under any of the eligibility criteria in subsection (a) but no longer meet the current eligibility criteria under this Section; and
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

2) either:

A) continue to have any measurable delay; or

B) have not attained a level of development in each area, including cognitive, physical (including vision and hearing), language, speech and communication, psycho-social, or self-help skills, that is at least at the mean of the child's age equivalent peers; and

3) have been determined by the multidisciplinary team to require the continuation of early intervention services in order to support continuing developmental progress, pursuant to the child's needs, and provided in an appropriate developmental manner. The type, frequency, and intensity of services will differ from the initial individualized family service plan because of the child's developmental progress, and may consist of only service coordination, evaluation and assessments.

d) If a family removes a child from services prior to reaching age three years and the child is later referred again, the child must meet eligibility criteria in effect at the time of the subsequent referral in order to be re-enrolled.

(Source: Amended at 31 Ill. Reg. ______, effective ____________)

Section 500.55 Early Intervention Services/Devices

Early intervention services as defined in Section 500.20 may include the following as deemed necessary under the IFSP:

a) Assistive technology, including:

1) Assistive technology devices, meaning any item, piece of equipment or product system that is used to increase, maintain, or improve the functional capabilities of children with disabilities. Devices must be approved prior to purchase by the Department. Prior approval will not exclude assistive technology devices as defined in this Part that are required in order to meet the child's EI needs. Devices that meet the medical, life sustaining or routine daily needs of the child do not fall within the definition of assistive technology device.
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

2) Assistive technology services, meaning services that directly assist a child with a disability in selection, acquisition, or use of an assistive technology device.

b) Audiology, aural rehabilitation/other related services for the purposes of:
   1) Identification of children with auditory impairment, using appropriate criteria and audiologic screening techniques;
   2) Determination of the range, nature, and degree of hearing loss and communication functions by use of audiological evaluation procedures;
   3) Referral for medical testing and other services necessary for the habilitation or rehabilitation of children with auditory impairment;
   4) Provision of auditory training, aural rehabilitation, speech reading and listening device orientation and training, and other related services;
   5) Determination of the child's need for individual amplification, including selecting, fitting, and dispensing appropriate listening and vibrotactile devices, and evaluating the effectiveness of those devices;
   6) Provision of services for prevention of hearing loss; and
   7) Family training, education and support provided to assist the child's family in understanding the child's special needs as related to audiology, aural rehabilitation and other related services and to enhancing the child's development.

c) Clinical assessment, counseling and other therapeutic services for the purposes of:
   1) Evaluation to determine a child's developmental status and need for early intervention services;
   2) Administering psychological or developmental tests and assessment procedures to determine the need for psychological or other counseling services;
   3) Interpreting evaluation results;
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

4) Obtaining, integrating and interpreting information about child behavior and child and family conditions related to learning, mental health, and development;

5) Planning and managing a program of psychological or other counseling services, including psychological or other counseling for children and parents, family counseling, consultation on child development, parent training, and education programs; and

6) Family training, education and support provided to assist the child's family in understanding the child's needs as related to psychological or other counseling services and to enhancing the child's development; and

7) Identifying, mobilizing, and coordinating community resources and services to enable the child and family to receive maximum benefit from early intervention services.

d) Developmental therapy services for the purposes of:

1) Evaluation/assessment, IFSP development, provider to provider consultation and treatment planning that leads to achieving IFSP outcomes, special instruction activities defined in the IFSP that promote acquisition of skills in various developmental areas, including cognitive processes and social interaction, provision of information and support related to enhancing the child's skill development.

2) Family training, education and support provided to assist the child's family in understanding the child's special needs as related to developmental therapy services and to enhancing the child's development.

e) Family training and support that can include education provided to assist the family of an eligible child in understanding the needs of the child as related to the provider's specific discipline and to enhancing the child's development.

f) Health consultation by a licensed physician who has provided recent and/or ongoing medical treatment for the child with service providers who are identified on a child's IFSP as members of the child's multidisciplinary team concerning the child's health care needs that impact the provision of early intervention services.
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

---

g) Medical services for diagnostic or evaluation purposes provided by a licensed physician to determine a child's developmental status and need for early intervention services.

h) Nursing services for the purposes of:

1) Evaluation to determine a child's developmental status and need for early intervention services;

2) Assessment to determine a child's health status and identify the need for medical referrals;

3) Provision of required nursing care during the time the child is receiving other early intervention services, such as:
   A) administration of medications, treatments, and regimens prescribed by a licensed physician; and
   B) clean intermittent catheterization, tracheostomy care, tube feeding, the changing of dressings or colostomy collection bags, and other health services as required to allow the child to participate in other EI services;

4) Family training, education and support provided to assist the child's family in understanding the child's needs as related to nursing services and to enhancing the child's development. Nursing services do not include hospital or home health nursing care required due to surgical or medical intervention or medical health services such as immunizations and regular "well child" care that are routinely recommended for all children.

i) Nutrition services for the purposes of:

1) Conducting individual assessments in nutritional history and dietary intake, anthropometric, biochemical, and clinical variables, feeding skills and feeding problems, and food habits and food preferences;

2) Developing and monitoring appropriate plans to address the nutritional needs of the eligible child based upon individual assessment;
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

3) Making referrals to appropriate community resources to achieve plans; and

4) Family training, education and support provided to assist the child's family in understanding the child's needs as related to nutrition services and to enhancing the child's development.

j) Occupational therapy services to address the functional needs of a child related to adaptive development; adaptive behavior and play; and sensory, motor, and postural development. These services are designed to improve the child's functional ability to perform tasks in home, school, and community settings and include:

1) Evaluation/assessment and intervention;

2) Adaptation of the environment and selection, design and fabrication of assistive and orthotic devices to facilitate development and promote the acquisition of functional skills;

3) Prevention or minimization of the impact of initial or future impairment, delay in development, or loss of functional ability; and

4) Family training, education and support provided to assist the child's family in understanding the child's needs as related to occupational therapy services and to enhancing the child's development.

k) Physical therapy services to address the promotion of sensorimotor function through enhancement of musculoskeletal status, neurobehavioral organization, perceptual and motor development, cardiopulmonary status, and effective environmental adaptation. These services include:

1) Evaluation/screening/assessment of infants and toddlers to identify movement dysfunction;

2) Obtaining, interpreting, and integrating information appropriate to program planning to prevent, alleviate, or compensate for movement dysfunction and related functional problems;
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

3) Providing individual and group services or treatment to prevent, alleviate, or compensate for movement dysfunction and related functional problems; and

4) Family training, education and support provided to assist the child's family in understanding the child's needs as related to physical therapy services and to enhancing the child's development.

l) Service coordination carried out by a service coordinator to assist and enable a child eligible under Part C and the child's family to receive the rights, procedural safeguards, and services that are authorized to be provided through the State's early intervention program, including:

1) Providing comprehensive case management to coordinate EI and non-EI services provided for the child and family;

2) Contacting the child/family at a minimum of one time per month to coordinate and monitor the provision of needed evaluation/assessments and services;

3) Facilitating and participating in the development, review and updating of Individualized Family Service Plans;

4) Facilitating the development of a transition plan to preschool services;

5) Facilitating referrals for appropriate EI and non-EI services and supports;

6) Developing and maintaining the child's permanent and electronic EI record at the regional intake entity, and

7) Informing families of the availability of advocacy services.

m) Social services for the purposes of:

1) Evaluation to determine a child's developmental status and need for early intervention services;

2) Making home visits to assess a child's living conditions and patterns of parent-child interaction to determine the need for social work or other
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

counseling services;

3) Preparing a social or emotional developmental evaluation of the child within the family context;

4) Providing individual and family group counseling with parents and other family members, and appropriate social skill building activities with the child and parents;

5) Working with those problems in the child's and family's living situation (home, community, and any center where early intervention services are provided) that affect the child's maximum utilization of early intervention services;

6) Identifying, mobilizing, and coordinating community resources and services to enable the child and family to receive maximum benefit from early intervention services; and

7) Family training, education and support provided to assist the child's family in understanding the child's needs as related to social work or other counseling services and to enhancing the child's development.

n) Speech-language therapy services for the purposes of:

1) Evaluation/assessment activities to identify communicative or oropharyngeal disorders and delays in development of communication skills, including the diagnosis and appraisal of specific disorders, and delays in those skills;

2) Referral for medical or other professional services necessary for the habilitation or rehabilitation of children with communicative or oropharyngeal disorders and delays in development of communication skills;

3) Provision of services for the habilitation, rehabilitation, or prevention of communicative or oropharyngeal disorders and delays in development of communication skills; and

4) Family training, education and support provided to assist the child's family
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

in understanding the child's needs as related to speech therapy services and to enhancing the child's development.

o) Transportation services (e.g., loaded mileage for travel by taxi, service car, common carrier or private auto) provided in accordance with the Department's EI transportation policies to enable an eligible child and the child's family to travel to and from the location where the child receives another early intervention service.

p) Vision services for the purposes of:

1) Evaluation/assessment of visual functioning, including the diagnosis and appraisal of specific visual disorders, delays and abilities;

2) Referral for medical or other professional services necessary for the habilitation and/or rehabilitation of visual functioning disorders;

3) Communication skills training, orientation and mobility training for all environments, visual training, independent living skills training, and additional training necessary to activate visual motor abilities;

4) Orientation/mobility and other vision services related to improvement of visual functioning, including orientation and mobility training for all environments, communication skills training, visual training, independent living skills training and additional training necessary to activate visual motor activities; and

5) Family training, education and support provided to assist the child's family in understanding the child's needs as related to vision services and to enhancing the child's development.

(Source: Amended at 31 Ill. Reg. ______, effective ____________)

Section 500.60 Provider Qualifications/Credentialing and Enrollment

a) Credentialing and enrollment, as set forth in this Part, is only for the purpose of providing and being reimbursed for EI services as set forth in this Part. It is not a license.
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

b) An individual shall meet the pertinent licensing, degree, education and/or certification requirements for the service to be provided, as set forth in Appendix C, as well as the requirements set forth in this Section, in order to qualify for and maintain a credential to provide EI services. Credentialed providers must also enroll in order to be reimbursed for services.

c) To be credentialed and maintain the credential the individual shall also:

1) not be delinquent in paying a child support order as specified in Section 10-65 of the Illinois Administrative Procedure Act [5 ILCS 100/10-65];

2) not be in default of an educational loan in accordance with Section 32 of the Education Loan Default Act [5 ILCS 385/32];

3) not have served or completed a sentence for a conviction of any of the felonies set forth in 225 ILCS 46/25(a) and (b) within the preceding five years (see 30 ILCS 500/50-10);

4) not have been determined to be indicated as a perpetrator of an indicated incident of child abuse or neglect in an investigation by Illinois under the Abused and Neglected Child Reporting Act [325 ILCS 5] or by another state under that state’s laws for at least the previous five years;

5) be in compliance with pertinent laws, rules, and government directives regarding the delivery of services for which they seek credentialing.

d) Applicants for a credential shall consent to a background check as set forth in 89 Ill. Adm. Code 385.30(c) through the Illinois Department of Children and Family Services, consisting of review of CANTS/SACWIS, Illinois Sex Offender Registry and criminal history.

d) Education

As of July 1, 2007, to be credentialed and maintain the credential an individual must provide documentation of the completion of educational experiences, as approved by the Department, that include at least 2 semester college hours or the equivalent (30 clock hours or CEU credit hours) in each of the following early intervention core knowledge content areas:

1) The Development of Young Children: Typical and Atypical;
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

2) Working with Families of Young Children with Disabilities;

3) Intervention Strategies for Young Children with Special Needs; and

4) Assessment of Young Children with Special Needs.

Parent Liaisons are not required to provide this documentation.

e) Temporary Credential

An individual who is not currently credentialed and has submitted an application to the Department's credentialing office, including an acceptable plan for ongoing professional development as required in subsection (k)(2), and has met the pertinent requirements provided in Appendix C, as well as documentation of completion of early intervention systems training as defined in subsection (f), the education requirements in subsection (d) and other requirements in this Part, will be issued a temporary credential and may provide EI services.

f) Early Intervention Systems Training During Temporary Credential

1) In order to qualify for a full credential status, an individual must document the completion of 18 hours of early intervention systems training as required and provided by the Department, within 6 months after issuance of the temporary credential. Parent Liaisons and Service Coordinators must complete this training within 90 days after the receipt of the temporary credential for such service. This training shall include at least:

A) Practice and procedures of private insurance;

B) The role of the regional intake entities, service coordination, program eligibility determinations, family fees, All KidsMedicaidKidCare, and the Division of Specialized Care for Children (DSCC) applications, referrals, and coordination with Early Intervention, and procedural safeguards;

C) Introduction to the Early Intervention Program, including provider enrollment and credentialing, overview of Early Intervention Program policies and regulations, and billing requirements; and

D) Evaluation and assessment of birth-to-three children,
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

individualized family service plan development, monitoring and review, early intervention philosophy and best practices, and quality assurance.

Extensions of up to 6 months may be allowed upon request in writing setting forth the facts concerning noncompliance with this requirement. The Department's credentialing office will consider hardship and other extenuating circumstances and determine if an extension should be granted on an individual basis.

2) A temporary credential may be issued to an individual in order to qualify for full credential status as a Parent Liaison or Service Coordinator, who shall document completion of training as required and approved by the Department, within 90 days after the receipt of the temporary credential for such service. This training shall include at least the early intervention systems training, set forth in subsections (f)(1)(A) through (D), as well as:

A) Use of the management information system;

B) Regional intake entity operating philosophies and procedures; and

C) Transition.

Extensions of up to 90 days may be granted upon written request setting forth facts concerning noncompliance with this requirement. The Department's credentialing office will consider extreme hardship and other extenuating circumstances and determine if an extension should be granted on an individual basis.

g) Education

1) Individuals who hold a credential on July 1, 2007, other than individuals who hold a professional license in the State of Illinois, as set forth in Appendix C, as part of the first subsequent credential renewal application process, must provide documentation of the completion of educational experiences, as approved by the Department, that include at least two semester college hours or the equivalent (30 clock hours or CEU credit hours) in each of the following early intervention core knowledge content areas. Parent Liaisons are not required to provide this documentation.
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

A) The Development of Young Children: Typical and Atypical;

B) Working with Families of Young Children with Disabilities;

C) Intervention Strategies for Young Children with Special Needs; and

D) Assessment of Young Children with Special Needs.

2) To qualify for a temporary credential, developmental therapists must document completion of educational experiences, as approved by the Department, that include at least two semester college hours or the equivalent (30 clock hours or CEU credit hours) in each of the early intervention core knowledge content areas listed in subsection (g)(1). As of July 1, 2007, all other applicants for a temporary credential, other than individuals that hold a professional license in the State of Illinois, as set forth in Appendix C, shall document completion of these educational experiences within 18 months after issuance of a temporary credential. Extensions of up to six months may be allowed upon request in writing, received at least 30 days before the expiration of the credential, setting forth the facts concerning noncompliance with this requirement. The Department's credentialing office will consider hardship and other extenuating circumstances and determine if an extension should be granted on an individual basis.

h) Consultation Supervision Requirement Either Prior to or During Temporary Credential

1) In order to qualify for full credential status, an individual must complete and document consultation while providing 240 hours of supervised professional experience providing direct EI services, for which they are being credentialed, to children ages birth to three with special needs infants, toddlers and their families, except that vision developmental therapists, orientation and mobility developmental therapists, and hearing developmental therapists need only document 120 hours. Audiologists or audiologists in supervised professional experience need only document 30 such hours. Documentation must show that the supervisor met with the individual participated in consultation with an appropriately experienced
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

individual of the same discipline/Early Intervention service group who has experience working with children ages birth to three with special needs and their families. The consultation shall be in compliance with the professional standards of the individual seeking the credential as determined and documented by the consultant, at least one hour per week and that the experience was evaluated by the clinical professional supervisor as satisfactory.

2) Individuals who do not meet the consultation requirement without the supervised professional experience required in subsection (hg)(1) shall complete and document 240 hours of such supervised experience within 186 months after issuance of their temporary credential. Extensions of up to six months may be granted upon written request, received at least 30 days before the expiration of the credential, setting forth the facts concerning noncompliance with this requirement. The Department's credentialing office will consider extreme hardship and other extenuating circumstances and determine if an extension should be granted on an individual basis.

j) Full Credential
Once an individual with a temporary credential has documented satisfactory completion of the requirements in subsections (gf) and (hg), as well as the ongoing professional development requirement in subsection (kj)(2), he/she is eligible to be fully credentialed.

j) Evaluation/Assessment Services
For developmental therapists, occupational therapists, physical therapists, and speech therapists and, as of September 1, 2003, Early Intervention Specialists in all credentialed disciplines, evaluation/assessment services for the purpose of determining initial eligibility, participating in the development of an initial comprehensive IFSP, and adding new types of services to existing IFSPs must be provided by a provider with a credential for Evaluation/Assessment as set forth in Appendix C in addition to an Early Intervention Specialist credential in the discipline required by the service being evaluated.

kJ) Renewal of Credential
Full credentials are valid for three years. 60 to 90 days At least one month before his/her credential expires, a provider shall submit a renewal application to the Department in a form required by the Department. To qualify for renewal, the
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

provider must have met and provide documentation of the following continuing professional education and development activities, as well as documentation of maintenance of pertinent licensure/certification requirements and compliance with this Part. Failure to receive a renewal notice from the Department shall not excuse the submission of a renewal application for one's credential.

1) Continuing Professional Education
During the three years that the full credential is valid, a credentialed provider shall receive a total of 30 hours of continuing professional education as approved by the Department, with a minimum of 5 hours during each year of his/her credential. This training shall include two or more of the early intervention core knowledge content areas set forth in subsections (gd)(1)(A) through (D). Extensions of up to three months may be granted upon written request, received at least 30 days before the expiration of the credential, setting forth the facts concerning noncompliance with this subsection (ki)(1). The Department's credentialing office will consider extreme hardship and other extenuating circumstances and determine if an extension should be granted on an individual basis. The extension shall not extend the time within which the subsequent year's training requirements must be received.

2) Ongoing Professional Development

A) A credentialed provider (including temporary) shall participate in a system of ongoing professional development that includes, at a minimum, a once a month non-billable face-to-face meeting held either face-to-face or over the telephone with either an individual specialist-level credentialed provider of the same discipline, or a group, of which at least one member at least one of whom is a specialist-level credentialed provider of the same discipline, in order to facilitate best practices through case review. Each As of April 1, 2003, each provider shall submit an ongoing professional development plan with his/her initial and renewal credential application in a format provided by the Department, and shall also report ongoing professional development activities when moving from temporary to a full credential status and upon credential renewal on an annual basis to the Department's credentialing office or upon request of the Department or its designee in a format provided by the Department. Documentation of ongoing...
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

professional development must demonstrate that a credentialed provider participated in ongoing professional development meetings in at least 75 percent of the months in his/her temporary or full credential period.

B) Service Coordinators and Parent Liaisons employed by regional intake entities shall participate in ongoing professional development experience as defined and implemented through a contractual agreement between the Department and the regional intake entity, instead of the requirement of this subsection (kj)(2).

Ik) Restoration of Lapsed Credential
A credential that has lapsed for one year or less may be restored upon application proving the receipt of 3040 hours of continuing professional education, as continuing professional education is defined in subsection (kj)(1), and documentation of ongoing professional development as defined in subsection (k)(2) during the lapse period.

ml) Enrollment
Credentialed providers (including temporary) must enroll with the Department in order to bill and receive payment for early intervention services. Enrollment requires the payee entity to enter into a Service Provider Agreement with the Department that establishes the duties, expectations, and relationships between the Department and the Individual Provider or the Provider Agency provider. Providers shall submit an enrollment application packet at the same time they submit an application for a credential. Providers credentialed as an "associate", as defined in Appendix C, are not required to enroll, but shall be supervised by a specialist who is credentialed and enrolled in the same discipline, as set forth in Appendix D. The payee entity will bill, and who bills, for the services provided by the associate level provider under the name of the associate's supervisor. The payee entity, supervisor and associate will comply with all his/her supervision and who receives directives and policy and procedural changes. Failure to receive Department payments, directives and policy and procedural changes, due to failure to comply with this subsection, shall not excuse compliance with those directives and changes.

nm) Change of Name or Address
Credentialed providers shall notify the Department's credentialing office of any change of name or address within 30 days prior to billing under the new name
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

and/or address, or 30 days after such change, whichever comes first. Correct information is required for a provider to receive payment for services.

Providers shall also enroll with the Department of [Healthcare and Family Services] Public Aid to become an All Kids Medicaid provider, simultaneously with EI enrollment.

An individual applying for or renewing enrollment shall state whether he or she is also enrolled as a DSCC provider.

Termination of Credential/Enrollment

1) Credentialing/enrollment, as set forth in this Section, is not a license. Rights of credential and enrollment are set forth in the Service Provider Agreement. In addition to the provisions of this subsection (q), the Department may exercise any rights it has under the Service Provider Agreement to terminate the agreement.

2) The following shall result in immediate automatic termination of a provider's credential and enrollment:

A) Failure to comply with the requirements of subsection (g) and/or (h) within the time period or within a Department-granted extension not exceeding the maximum extension time allowed.

B) Failure to successfully enroll in, exclusion from or termination from participation in All Kids Medicaid and/or other programs of federal or State agencies.

C) Lapse of credential/enrollment for over 1 year without complying with subsection (l) or failure to bill for services for more than 12 consecutive months.

D) Suspension or termination of the license and/or certification required for the service for which one is credentialed.

E) Failure to meet or maintain other credential and enrollment requirements set forth in this Section.
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

3) The following shall also result in termination of a provider's credential and enrollment:

A) Failure to comply with provisions of this Part, or with Early Intervention Service Provider Agreements, or with other laws and regulations relevant to the services for which there is a credential.

B) Unprofessional conduct.

C) Complaints the Department has determined are founded and significant.

D) Professional performance not consonant with recognized standard of care or adverse action of a professional society or other professional organization.

E) Lack of timely cooperation regarding the submission of and adequacy of reports, the development of appropriate goals and objectives and the development of multidisciplinary treatment plans.

F) Inappropriate billing practices.

4) The provider shall be notified of the date of termination and the reason, and shall help to transition clients to new providers. The provider may request an informal hearing, but the request shall not affect the termination date, which may proceed prior to the informal hearing. The request must be made within 30 days after the notice of the termination.

5) The provider may present relevant information, witnesses and evidence to the Secretary or his/her designee, in person or in writing. The Secretary or the designee will review the information presented and any supplemental investigation performed by the Department and issue a decision within 30 days after the hearing.

6) The decision of the Secretary or the designee shall be final.

(Source: Amended at 31 Ill. Reg. _______, effective ____________ )
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Section 500.65  Monitoring

a) The Department, or its designee, will conduct comprehensive on-site monitoring visits at the regional intake entities. Other visits may occur at any time. Desk reviews may also be performed and families may be interviewed. The regional intake entities shall help the Department in obtaining representative family interviews.

b) The Department will prepare a written report of its findings that shall be sent to the regional intake entity. The report shall identify issues of non-compliance and may make recommendations about other areas of concern.

c) The regional intake entity shall send a corrective action plan to the Department within 30 days after receipt of the report, proposing timelines for addressing each compliance issue.

d) The Department will approve, within 14 days, an acceptable corrective action plan and timelines and may make follow-up visits as necessary to determine progress and compliance.

e) If the corrective action plan is not acceptable to the Department, it may within 14 days provide a reasonable plan and timelines, and make follow-up visits as necessary to determine progress and compliance.

f) In addition to any other rights the Department may have under contract with the regional intake entity the Department may suspend the contract, or withhold or suspend payments to the regional intake entity due to noncompliance with this Part and with Part C. Suspensions and holds may be lifted upon completion of, or demonstration of satisfactory progress towards, satisfactory corrective action. If an acceptable corrective action plan is not submitted in the required timeframe or the terms of the corrective action plan are not met by the provider, the Department may terminate the contract. This Section does not preclude the Department from exercising any rights it may have under its contract with the regional intake entity.

g) The Department may also visit and review records of individual providers within the area to assure compliance with applicable laws, regulations and Service Provider Agreements. Visits may occur at any time. The Department may withhold or suspend payments to the provider for noncompliance with this Part or with Part C, as set forth in the Service Provider Agreement.
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

h) The monitoring team may also submit written reports to individual providers regarding provider non-compliance and issues of concern.

i) Providers receiving such reports shall submit a corrective action plan within 30 days proposing timelines for addressing issues of compliance. The Department shall follow subsections (d) and (e) if necessary regarding the provider.

j) In addition to other rights the Department may have, it may terminate its Service Provider Agreement with a provider due to non-compliance with this Part, and arrange for the provision of services to eligible children by other providers. This Section does not preclude the Department from exercising any rights it may have under the Service Provider Agreement.

k) The time frames set forth in this Section shall not preclude the Department from taking action immediately, if necessary, to protect the public interest, safety and welfare or to prevent ongoing violation of federal and State laws or threat of such violation. Nothing contained in this Section shall preclude the Department from taking action even if the provider is taking or has taken corrective action.

(Source: Amended at 31 Ill. Reg. ______, effective ____________)

SUBPART C: SERVICE DELIVERY REQUIREMENTS

Section 500.75 Eligibility Determination

a) The service coordinator shall, with informed parental consent:

1) Assist the family in developing an evaluation plan that lists testing activities needed to collect the information and the appropriate available enrolled providers chosen by the family to conduct the tests;

2) Arrange for the evaluation plan to be implemented; and

3) Obtain evaluation reports, including statements of evaluator findings related to the child's eligibility status and the child's functioning level, unique strengths and needs in the developmental areas tested and the services appropriate to meet those needs in all of the following five developmental domains:
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

A) cognitive development;
B) physical development, including vision and hearing;
C) language, speech and communication development;
D) social-emotional development; and
E) adaptive self-help skills development.

b) Providers shall conduct authorized evaluations and provide reports to the service coordinator within 14 calendar days after the receipt of the request to perform an evaluation at least four business days after the evaluation but prior to initial IFSP development.

c) After sufficient information has been collected to determine eligibility status, the service coordinator shall ensure that eligibility is determined as set forth in Section 500.50. Existing records and evaluation reports may be used to assist with the evaluation/assessment process. Evaluations/assessments used in the eligibility determination and/or IFSP development process must have been completed no more than six months prior to the child's eligibility determination and/or IFSP development.

d) If the child is determined eligible, the service coordinator shall:
   1) Inform the parent in writing that the child was determined eligible; and
   2) Assure completion of further comprehensive evaluation/assessment activities with the family.

e) If the child is determined ineligible the service coordinator shall inform the parent in writing and shall close the case as set forth in Section 500.105. Written notice shall be consistent with the requirements of Section 500.165.

f) With informed parental consent, the service coordinator shall notify the referral source in writing of the status of the referral.

(Source: Amended at 31 Ill. Reg. ______, effective ____________)
Section 500.80 Individualized Family Service Plan Development

a) The service coordinator shall:

1) Review existing records to identify whether additional information is needed to determine the child's current health status and medical history and, if so, shall request the information upon receipt of informed parental consent.

2) Review existing records and evaluation reports to identify whether additional information is needed to determine the child's functioning levels, unique strengths and needs and the services appropriate to meet those needs in the five developmental domains (cognitive development; physical development, including vision and hearing; communication development; social-emotional development; and adaptive self-help skills) and, if not, shall arrange for additional evaluation/assessment activities using methods described in Section 500.75.

3) Assist the family in determining its resources, priorities and needs related to being able to enhance its child's development and the supports and services appropriate to meet those needs.

4) Assist the family initially, and annually thereafter or more often as required by change of circumstances, in determining its ability to participate in the cost of services that are subject to family fees. The inability of a family to participate in the cost of services shall not result in the denial of services to the child or the child's family.

5) At the point of early intervention intake, and again at any periodic review of eligibility thereafter or upon a change in family circumstances, collect information regarding any and all public and private insurance under which the child's services may be covered.

6) Explain to each family, orally and in writing, all of the following:

A) That the early intervention program will pay for all early intervention services set forth in the individualized family service plan that are not covered or paid under the family's public or
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

private insurance plan or policy and not eligible for payment through any other third party payor.

B) That services will not be delayed due to any rules or restrictions under the family's insurance plan or policy.

C) That the family may request, with appropriate documentation supporting the request, a determination of an exemption from private insurance use under Section 13.25 of the Act.

D) That responsibility for co-payments or co-insurance under a family's private insurance plan or policy, but only to the extent that those payments plus the balance to be claimed do not exceed the current State rate for early intervention services, will be transferred to the lead agency's central billing office.

E) That families will be responsible for payments of family fees, which will be based on a sliding scale according to income, and that these fees are payable to the central billing office, and that if the family encounters a catastrophic circumstance, as defined under Section 500.130(g)(1), making it unable to pay the fees, the lead agency may, upon proof of inability to pay, waive the fees.

b) The Department shall not pay for services listed on the IFSP that the Department is not required to fund. Early intervention funding is the payor of last resort for IFSP services that the Department is required to fund. When an application or a review of eligibility for EI services is made, and at any eligibility redetermination, or upon a change in family circumstances, the family shall be asked if it is currently enrolled in Medicaid, All KidsKidCare, or the Title V program administered by the University of Illinois Division of Specialized Care for Children (DSCC).

1) If the family is enrolled in any of these programs, that information shall be put on the IFSP and entered into the computerized case management system, and shall require that the IFSP of a child who has been found eligible for services through DSCC state that the child is enrolled in that program.

2) For those programs in which the family is not enrolled, a preliminary
ILLINOIS REGISTER

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

eligibility screen shall be conducted simultaneously for medical assistance
(Medicaid) under Article V of the Illinois Public Aid Code; children's
health insurance program (KidCare) benefits under the Children's Health
Insurance Program Act; and Title V maternal and child health services
provided through DSCC.

3) When a child is determined eligible for and enrolled in the EI program and
has been found to at least meet the threshold income eligibility
requirements for medical assistance under Article V of the Illinois Public
Aid Code or benefits under the Children's Health Insurance Program
Medicaid or KidCare, complete an All Kids-KidCare/Medicaid
application with the family and forward it to the Illinois Department of
Healthcare and Family Service's All Kids-Public Aid's KidCare Unit for a
determination of eligibility.

c) Prior to development of the initial or annual Individualized Family Service Plan,
the service coordinator shall:

1) Arrange for a meeting to be held, at a time and place convenient for the
family, between the child's parent and other family members by parental
request, the service coordinator, a person or persons directly involved in
conducting the evaluations/assessments, potential service providers within
the EI Service System as appropriate, and others, such as an advocate or
person outside the family by parental request, to develop the
Individualized Family Service Plan; and

2) Provide reasonable prior written notice to the family and other participants
of this meeting.

d) At the meeting to develop the Individualized Family Service Plan, the service
coordinator shall:

1) Coordinate and participate in the meeting.

2) Ensure that the meeting is conducted in the parent's native language or
mode of communication, unless it is clearly not feasible to do so, or that
an interpreter is present to translate what is discussed.

3) Seek a consensus by the multidisciplinary team regarding child outcomes.
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

functional goals and objectives and an integrated plan to meet the goals and objectives set forth in subsection (e).

4) If no consensus is reached, the service coordinator shall establish a Department approved service plan reviewed by Department designated experts, and shall provide the parents with prior written notice, pursuant to Section 500.165, of the Department's proposed service plan. The parents may seek mediation or an impartial administrative resolution regarding other requested services.

e) The Individualized Family Service Plan must:

1) Be developed by a multidisciplinary team, including the service coordinator and the parent as set forth in subsection (g).

2) Be based on a multidisciplinary assessment of the unique strengths and needs of the child and a family-directed assessment of resources, priorities and concerns of the family.

3) Include services necessary to provide appropriate developmental benefits for the identified needs.

4) Include supports and services necessary to enhance the family's capacity to meet the identified developmental needs.

5) State the natural environments in which services shall be appropriately provided and justification of why early intervention cannot be achieved satisfactorily in a natural environment if any services are to be provided elsewhere.

6) Include all components as required by the Department.

7) Provide a statement of the child's present developmental levels in the following areas, based on professionally acceptable objective criteria:

A) physical development, including vision and hearing;

B) cognitive development;
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

C) language, speech and communication development;

D) social or emotional development; and

E) adaptive self-help skills development.

8) Provide a statement of the family's resources, priorities and concerns related to enhancing the development of the child.

9) Provide a statement of the functional major outcomes expected to be achieved for the child and family, and the criteria, procedures and timelines used to determine:

A) The degree to which progress toward achieving the outcomes is being made; and

B) Whether modifications or revisions of the outcomes or services are necessary.

10) A statement of the specific EI services to be provided, including:

A) The frequency and intensity for each service, meaning the number of times a service will be provided within a given period and the length of time the service will be provided during each session;

B) The method of delivering the services, meaning whether the service will be provided on a group or individual basis;

C) The location in which early intervention services will be provided, including whether the location would be considered a natural environment for the child and family, as described in subsection (e)(5); and

D) The projected beginning dates as soon as possible after development of the IFSP and the duration or ending dates of the services.

11) A statement of any other services, such as medical services, that the child needs but that are not required early intervention services. The statement
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

should include the funding sources to be used in paying for those services or the steps that will be taken to secure those services through public or private sources. Routine medical services such as immunization or well child care do not need to be listed unless the child is not receiving those services and needs them.

12) The name of the service coordinator qualified to carry out all applicable responsibilities who will be responsible for implementation of the IFSP and coordination with other agencies and persons.

13) The steps to be taken to support the transition of the child to preschool services under Part B of IDEA to the extent that those services are considered appropriate or to other services that may be available, if appropriate. The steps include:

A) Discussions with and training of parents regarding future placements and other matters related to the child's transition at age three years;

B) Procedures to prepare the child for changes in service delivery, including steps to help the child adjust to and function in a new setting; and

C) With informed parental consent, the transmission of information about the child to the local educational agency to ensure continuity of services, including evaluation information and copies of the IFSP.

14) State whether the family has private insurance coverage and, if the family has such coverage, attach a copy of the family's insurance identification card or otherwise include all of the following information:

A) The name, address, and telephone number of the insurance carrier.

B) The contract number and policy number of the insurance plan.

C) The name, address, and social security number of the primary insured.
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

D) The beginning date of the insurance benefit year.

f) During and as part of the IFSP development, and any changes to the IFSP, the multidisciplinary team shall consult Department designated experts, if any, to help determine appropriate services, and frequency and intensity of those services. Services must be justified by the multidisciplinary team in order to be included on the IFSP.

g) The contents of the IFSP shall be fully explained to the parents and informed written consent obtained prior to the provision of services. If the parents do not provide consent for a particular service, the EI services to which consent is obtained shall be provided.

h) The service coordinator shall determine if an Interim Individualized Family Service Plan, as set forth in sections 303.322(e)(2) and 303.345 of Part C of IDEA, is needed to initiate partial services for an eligible child while intake is being completed. An Interim IFSP may be needed if some early intervention services have been determined to be needed immediately for the child or family.

i) If an Interim IFSP is needed, the service coordinator shall:

1) Document the reasons an Interim IFSP is needed;

2) Assist the family in determining its ability to participate in the cost of services that are subject to family fees;

3) Complete the Department required IFSP form with the child's parent and with input from the multidisciplinary team members who recommended immediate services for the child and family;

4) Arrange for the Interim IFSP to be implemented;

5) Request service reports at the end of the Interim IFSP period and monitor provision of services; and

6) Maintain the child's permanent and electronic record with the regional intake entity during the Interim IFSP period.

j) The implementation of an Interim IFSP shall not be used to extend the 45 day intake
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

period. A fee may be assessed for services subject to family fee if the family is assessed as having the ability to participate in the costs of its child's services.

(Source: Amended at 31 Ill. Reg. _____, effective ____________)

Section 500.85 Individualized Family Service Plan Implementation

a) Upon receiving informed written consent from the child's parent to implement the Individualized Family Service Plan, the service coordinator shall:

1) Arrange for implementation of the IFSP utilizing available enrolled providers. Every effort shall be made to refer families eligible for DSCC services to DSCC-enrolled providers;

2) Provide copies of the IFSP to each person the parent has consented to receive a copy, including each enrolled provider who is providing early intervention services to the child who is the subject of that plan;

3) Request direct service reports and monitor provision of services; and

4) Update and maintain the child's permanent and electronic record with the regional intake entity during the IFSP period.

b) The parent has the right to accept or decline any or all services without jeopardy to other services under this Part as set forth in Section 500.155(c). Refusals of services or referrals shall be documented in writing.

c) Providers shall render authorized services as indicated in the IFSP. They shall provide direct service reports to the service coordinator at least every six months and prior to each IFSP update/review or more often if the child's progress/lack of progress warrants.

d) The Illinois Early Intervention Services System is not responsible for funding early intervention services the parent seeks from providers not enrolled with the system unless an enrolled provider cannot be made available to the family. Services outside the System in such situations must be pre-approved by the Department.

e) When a family's insurance coverage is through a managed care arrangement with
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

A network of providers that includes one or more types of early intervention specialists who provide the services set forth in the family’s IFSP, the family shall use those network providers, but only to the extent that:

1) The network provider is immediately available to receive the referral and to begin providing services to the child;

2) The network provider is enrolled as a provider in the Illinois early intervention system and fully credentialed under the current policy or rule of the Department;

3) The network provider can provide the services to the child in the manner required in the IFSP;

4) The family would not have to travel more than an additional 15 miles or an additional 30 minutes to the network provider than it would have to travel to a non-network provider who is available to provide the same service; and

5) The family’s managed care plan does not allow for billing (even at a reduced rate or reduced percentage of the claim) for EI services provided by non-network providers.

f) If a child has been receiving services from a non-network provider and the regional intake entity determines, at the time of enrollment in the EI program or at any point thereafter, that the family is enrolled in a managed care plan, the family shall transfer to a network provider within 45 days after that determination if all the requirements of subsection (e) have been met and the child is less than 26 months of age.

g) If an exemption to use of insurance is granted, it shall be noted on the IFSP, and the family and the providers serving the family shall be notified in writing of the exemption.

(Source: Amended at 31 Ill. Reg. ______, effective ____________)

Section 500.90 Individualized Family Service Plan Updating

a) The IFSP shall be reviewed at least every six months, or more frequently if
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

conditions warrant or upon reasonable request of the child's parent. The review may be carried out by a meeting with multidisciplinary team members.

1) The purpose of the review is to determine:
   A) The degree to which progress toward achieving the outcomes is being made; and
   B) Whether modification or revision of the outcomes, services or supports is necessary.

2) The service coordinator shall facilitate the review and implementation of any changes that are agreed upon by consensus of the multidisciplinary team and that are consistent with requirements of Section 500.80(f). Upon informed parental consent, the child's permanent and electronic record shall be updated.

b) Providers shall conduct authorized assessments using a Department approved test instrument (see Appendix B) as indicated on the IFSP as an ongoing process throughout the period of the child's eligibility and shall provide assessment reports to the service coordinator prior to IFSP updates/reviews. A provider may request Department approval of a developmental test by submitting, in writing, documentation that the test meets the following criteria: is listed in the Mental Measurement Yearbook Series; is nationally distributed; is formally validated; is age appropriate; and is individually administered. The Mental Measurement Yearbook Series can be found at the Early Childhood Intervention Clearinghouse, many local libraries and via the Internet.

c) At least once a year, the service coordinator shall arrange for an annual IFSP meeting to evaluate and revise the IFSP for the child and the child's family. The results of any current evaluations and ongoing evaluations of the child and family must be used in determining what services are needed and shall be provided. The service coordinator shall facilitate development of the annual IFSP by conducting the activities outlined in Section 500.80.

d) The service coordinator shall facilitate implementation of the annual IFSP by conducting the activities outlined in Section 500.85.

(Source: Amended at 31 Ill. Reg. _______, effective ____________)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Section 500.100 Transition to Part B or Other Appropriate Services at Age Three

Children receiving services under this Part shall receive a smooth and effective transition to appropriate preschool programs under Part B of IDEA or to other appropriate services for 3-5 year olds, by their third birthday. The service coordinator shall make all reasonable efforts to ensure the continuity and coordination of services.

a) Six months prior to the child's third birthday, the service coordinator shall begin to communicate with the child's local educational agency, appropriate community programs and the family about transition. The service coordinator shall:

1) Request parental consent to make transition referrals;

2) Inform the child's local educational agency that the child will shortly reach the age of eligibility for preschool services under Part B;

3) Inform the parent in writing of educational rights of students with disabilities under Part B;

4) Complete referral information as requested by the local educational agency (the school district).

b) The service coordinator shall convene a conference (upon the parent's approval), consisting of at least the family, the local educational agency and the service coordinator, to discuss services for the child. The conference shall also include a review of the child's program options for the period from the child's third birthday through the remainder of the school year. The meeting shall be held at least 90 days before the child is eligible for preschool services. If the child is not eligible for preschool services under Part B, the coordinator shall make reasonable efforts to convene a conference (upon the parent's approval) among the coordinator, the family and providers of other appropriate services.

c) The service coordinator shall convene an IFSP team meeting no more than 120 days prior to the child's third birthday, if an annual IFSP meeting is not otherwise due, to discuss and document progress toward child outcomes and functional goals. If the IFSP team is able to participate in the transition conference described in Section 500.100(b) and progress measures can be measured at that
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

time, it is not necessary to convene a separate IFSP team meeting.

de) The service coordinator shall establish a written transition plan based on the
conferences and communications described in subsections (a) and (b). The
transition plan shall provide for discussion with and training of the family, as well
as for the transition of the child.

ed) This plan will document all referrals to other services and all refusals of services
by the parents.

fe) The local educational agency has an obligation under the law to participate in
transition planning conferences.

gf) On the child's third birthday, the service coordinator shall close the case pursuant
to Section 500.105.

(Source: Amended at 31 Ill. Reg. ______, effective ____________)

Section 500.105 Case Closure

a) When a child exits early intervention services other than at transition to Part B or
other appropriate services, as described in Section 500.100, the service
coordinator shall convene an IFSP team meeting no more than 120 days prior to
the child's exit, if an annual IFSP meeting is not otherwise due, to discuss and
document progress toward child outcomes and functional goals.

ba) When a child exits early intervention services, the service coordinator shall update
and close the child's permanent and electronic record with the regional intake
entity.

cb) If an eligible child moves to another state:

1) The service coordinator and regional intake entity shall:

   A) With consent of the parent, refer the child to the Early Intervention
      program in the new state and transfer a copy of the child's
      permanent record to the new state;

   B) Update and close the child's permanent and electronic record with
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

the Illinois regional intake entity; and

C) Maintain the child's original permanent record as a closed file.

2) The Illinois Early Intervention Services System is not responsible for funding services to a child and family who no longer reside in Illinois.

d) The regional intake entity and providers shall store closed records as set forth in Section 500.110.

(Source: Amended at 31 Ill. Reg. ______, effective ____________)

Section 500.110 Recordkeeping

a) All service providers, service coordinators, and regional intake entities shall collect, compile and maintain appropriate records as required in this Part and as required by pertinent professional standards regarding services provided under this Part.

b) The early intervention record shall contain at least:

1) Identifying information, including name, All Kids Medicaid recipient identification number, address and telephone number, sex, date of birth, primary language or method of communication, emergency contact or parent or parent substitute, date of initial contact and initiation of early intervention services, third party coverage, and source of referral;

2) Documentation of appropriate consents for early intervention services and releases of information;

3) Evaluation reports;

4) A current and any past IFSP, progress notes and reviews, and documentation of the relationship of the services to the IFSP goals and child and family progress;

5) Documentation of known child and family movement (referral/transfer) during any active service period to or from the provider's programs or to or from other providers;
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

6) Documentation of any refusal of services and/or referrals;

7) Direct service reports to support each early intervention service rendered;

8) Periodic reviews, minimally at six month intervals, describing the child's overall progress; and

9) If closed, a case closure summary documenting the outcome of interventions and, as necessary, the linkages for continued services.

c) Service providers, service coordinators and regional intake entities shall permit access to records by the Department as the lead agency, by the federal Office of Special Education Programs or its designees, and by its regional intake entity. Each shall obtain consent from clients, upon initiation of services, as may be necessary, to allow the release of records to the State and federal entities for the purpose of providing services, paying for services, and monitoring the provision of services.

d) The compilation, maintenance, storage of and access to records shall be governed by written policies and procedures that comply with the confidentiality provisions of Sections 500.150 and 500.155.

e) Facilities for the handling, processing and storage of records, whether hard copy, magnetic tapes, computer files, or other automated systems, shall be secured from unauthorized access, theft, loss, or fire or other natural occurrences.

f) All entries to records shall be current, legible and dated and the author shall be designated. If hard copy, the author shall sign the entry.

g) The regional intake entity is responsible for maintaining a complete early intervention record as set forth in subsection (b) for each enrolled child in the intake region.

h) Each service provider is required to keep documentation adequately supporting early intervention services provided.

i) All records described in this Section shall be maintained for at least six years from the child's discharge from early intervention services, or until any
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

outstanding audit reviews or exceptions are closed to the satisfaction of the Department, or until any active or pending legal action, hearing request, complaint or other administrative or legal proceedings regarding them are resolved, whichever comes later. Destruction of records shall be consistent with pertinent laws.

(Source: Amended at 31 Ill. Reg. ______, effective ____________)

Section 500.115 Service Provider Requirements

Service providers shall:

a) Not bill families for authorized early intervention services.

b) Participate in evaluation/assessment activities and the development, review and revision of IFSPs in a timely and comprehensive manner, and provide early intervention services in a family centered, ethical and culturally competent manner. Family members are to be an integral part of service planning, the child's participation in early intervention services, and the outcomes identified in the IFSP.

c) Provide accurate services as set forth in the IFSP in a timely manner.

d) Contact the service coordinator to request multidisciplinary team approval for proposed changes in the delivery of services to eligible children and to request parental consent prior to implementing any changes to services listed on the IFSP.

e) Agree that they shall not bill or receive reimbursement from the Department's centralized billing system for services in excess of what is authorized in the IFSP.

f) Agree not to terminate services for an eligible child without written notification to the child's service coordinator at least 30 days prior to the anticipated date of service termination.

g) Meet and maintain all applicable standards and regulations for individual and program licensure, certification and credentialing. Comply with all applicable State and federal laws and regulations for physical facilities in which services are made available.
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

h) Provide evaluation reports and direct service reports to the service coordinator as required by this Part and as necessary to the provision of EI services consistent with federal and State requirements.

i) Submit invoice of charges for billable services following service delivery, according to Department billing requirements.

j) Unless an exemption is granted to a family, bill private insurance and/or any and all other third party payors before submitting invoices for EI reimbursement.

1) Bill the child's insurance carrier for each unit of EI service for which coverage may be available.

2) When the service is not exempted, providers who receive a denial of payment on the basis that the service is not covered under any circumstance under the plan are not required to bill that carrier for that service again until the following insurance benefit year. That explanation of benefits denying the claim, once submitted to the central billing office, shall be sufficient to meet the requirements of this subsection (j)(2) as to subsequent services billed under the same billing code provided to that child during that insurance benefit year.

3) Any time limit on a provider's filing of a claim for payment with the central billing office that is imposed through a policy, procedure, or rule of the Department shall be suspended until the provider receives an explanation of benefits or other final determination of the claim it files with the child's insurance carrier.

4) In all instances when an insurance carrier has been billed for EI services, whether paid in full, paid in part, or denied by the carrier, the provider must provide the central billing office, within 90 days after receipt, a copy of the explanation of benefits form and other required information.

5) When the insurance carrier has denied the claim or paid an amount for the EI service billed that is less than the current State rate for EI services, the provider shall submit the explanation of benefits with a claim for payment, and the Department shall pay the provider the difference between the sum actually paid by the insurance carrier for each unit of service provided under the IFSP and the current State rate for EI services.
6) The State shall also pay the family's co-payment or co-insurance under its plan, but only to the extent that those payments plus the balance of the claim do not exceed the current State rate for EI services.

7) The provider may under no circumstances bill the family for the difference between its charge for services and that paid by the insurance carrier or by the State.

k) Allow the Department to recoup money improperly submitted to provider by:

1) offset from future reimbursements, or

2) submitting repayment in full or in installments negotiated with the Department.

l) Participate in routine monitoring and supervision activities as set forth by the Department, including self-assessment, on-site monitoring, data collection and reporting obligations, record reviews, financial audits, complaint investigation, and consumer satisfaction surveys.

m) Comply with any and all federal and State statutes and regulations, policies, guidelines, directives and procedures, including but not limited to those listed in Section 500.45(c)(13), and others that are applicable to the services being provided.

n) Provide services and communications to clients in a language or mode of communication understood by the client. If necessary, interpreters may be used.

o) Be knowledgeable about and inform families of their rights and procedural safeguards, including requirements as set forth in 20 USC 1439 and 34 CFR 303.400 et seq., and comply with those rights and procedural safeguard requirements.

p) Make himself/herself available as required for administrative hearings, complaint proceedings or legal proceedings involving services under this Part.

q) Assist as required in maintaining the child's EI record at the regional intake entity.
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

r) The evaluators/assessors shall meet criteria as set forth in this Part.

1) Evaluators/assessors shall attend additional training as set forth by the Department and shall agree in writing to operate within the framework of the DHS EI philosophy and best practices, prior to being authorized to perform and bill for evaluations and assessments.

2) In order to be paid for an evaluation/assessment, evaluators/assessors shall meet all deadlines for submitting evaluations/assessments as set forth in this Part and in the Early Intervention Service Provider Agreement.

3) Evaluators/assessors shall participate in the IFSP meeting, for which they will be reimbursed. The meeting shall be held within 45 days after the child is referred to the system, unless there is a delay over which they have no control.

(Source: Amended at 31 Ill. Reg. ______, effective ____________)

SUBPART D: FINANCIAL MATTERS

Section 500.120 Billing Procedures

a) Authorized services and devices shall be billed through the Department's centralized billing system.

b) Individual providers enrolled pursuant to requirements set forth in Section 500.60 may receive payment for authorized services and devices.

c) Direct services, equipment and supplies shall be reimbursed at a Department established rate.

d) Services and devices shall be authorized prior to delivery in order to be reimbursable.

e) EI providers shall bill the Department's centralized billing system as payor of last resort for authorized services, equipment and supplies pursuant to requirements set forth in Section 500.115. Bills must be submitted to the Early Intervention Services System in accordance with billing instructions provided to the EI provider by the System.
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

f) Providers shall maintain and make available to the System, for a minimum of 5 years, adequate books, records and supporting documents regarding provision of and billing for services and devices, and shall comply with other recordkeeping requirements set forth in Section 500.110.

g) Payments are subject to the restrictions set forth in the Illinois Public Aid Code [305 ILCS 5/11-3].

(Source: Amended at 31 Ill. Reg. ______, effective ____________)

Section 500.125 Payor of Last Resort

Early intervention program money provided to the State under Part C may not be used to satisfy a financial commitment for services that would otherwise have been paid for from another public or private source had Part C not been enacted. Part C funds may be used only for services that a child is not otherwise entitled to under any other federal, State, local or private source (including, but not limited to, Medicaid (Title XIX), the State Child Health Insurance Program (Title XXI), and the Division of Specialized Care for Children (Title V) program and private insurance). Nothing contained in the Part shall authorize or require the Department to provide payment for services or devices that would otherwise be paid by All Kids Medicaid or any other insurance plan or policy or third party payor).

(Source: Amended at 31 Ill. Reg. ______, effective ____________)

Section 500.130 Family Fee/Insurance

a) A statewide sliding fee schedule shall be established by the Department annually for direct EI services and assistive technology devices set forth in Section 500.55, except for those services that are required to be provided at no cost to families. (See Appendix A.)

b) Each family's fee obligation shall be established annually. Family fees will be billed and collected in installments through the centralized billing system. Families shall not be required to pay more in annual fees than the cost of EI services and assistive technology devices received during the year and paid by the EI system. At the written request of the family, the fee obligation shall be adjusted prospectively at any point during the year upon proof of change in family income or family size.
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

c) Parents shall have their private insurance billed for services and devices.

d) Recipients of medical assistance under Article V of the Illinois Public Aid Code or the Children's Health Insurance Program Act Medicaid, KidCare and WIC Program recipients shall not be charged an EI fee. Parents of children eligible for Medicaid shall enroll their children with Medicaid so Medicaid funds can be accessed for EI services and devices.

e) No one shall be denied services based on inability to pay.

f) Families with insurance coverage, whether public or private, shall incur no greater or less direct out-of-pocket expenses for EI services than families who are not insured.

g) Exemptions:

1) A family may request exemption from the fee due to documentation of catastrophic circumstances or extraordinary expense, by showing either:

   A) out-of-pocket medical expense in excess of 15% of gross income;
   or

   B) a disaster such as fire, flood, or tornado causing direct out-of-pocket loss in excess of 15% of gross income.

2) A family may request exemption from insurance use upon documentation showing a material risk of losing coverage because:

   A) the insurance plan/policy covering the child is an individually purchased policy/plan purchased by a head of household who is not eligible for group medical insurance; or

   B) the insurance plan/policy has a lifetime cap that applies to one or more specific types of early intervention services specified in the IFSP that coverage could be exhausted during the period covered by the service plan. The exemption will only apply to the early intervention service and/or plan or policy for which there is a showing of material risk of loss of coverage.
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

3) Regional intake entities shall submit requests for exemptions to the Department on the day that they are received, and the Department or its designee shall decide within 10 business days whether to grant the exemption and notify the family.

h) A parent wishing to contest his/her family fee assessment may request mediation or an administrative resolution under Section 500.145 or 500.140. Such request shall be made as soon as possible but at least within 30 days after notice of the fee assessment.

(Source: Amended at 31 Ill. Reg. ______, effective ____________)

SUBPART E: PROCEDURAL SAFEGUARDS/CLIENT RIGHTS

Section 500.135 Minimum Procedural Safeguards

a) The following minimal procedural safeguards are required by IDEA, regarding Part C early intervention services:

1) The timely administrative resolution of complaints by parents and the right to bring civil action with respect to the complaint in State or federal court;

2) The right to confidentiality of personally identifiable information, including the right of parents to written notice and written consent to exchange of information among agencies, consistent with federal and State law;

3) The right of the parents to determine whether they, their child or other family members will accept or decline any early intervention service under this Part without jeopardizing other early intervention services under this Part;

4) The opportunity for parents to examine records relating to evaluation, screening, eligibility determination, and the development and implementation of the Individualized Family Service Plan;

5) Procedures to protect the rights of the child when the parents are not known or cannot be found, or the child is a ward of the State, including the
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

assignment of an individual (who is not an employee of a State agency, a family member or an early intervention services provider) to act as a surrogate;

6) Written prior notice to the parents of the child when the State agency or service provider proposes to initiate or change, or refuses to initiate or change, the identification, evaluation, or placement of the child in, or the provision of, appropriate early intervention services;

7) Procedures designed to ensure that the written prior notice in subsection (a)(6) that fully informs the parents in the parents' native language, unless it is clearly not feasible to do so, of all procedures available as set forth in this Section;

8) The right of parents to use mediation in accordance with 20 USC 1439(a)(8).

b) Regional intake entities and other providers of Part C early intervention services shall not violate the procedural safeguards and rights set forth in subsection (a). Furthermore, to the extent that they participate in any activity requiring procedures and rights in subsection (a), they shall comply with those procedures, assure the protection of those rights, and give clients timely and effective notice of those rights.

(Source: Amended at 31 Ill. Reg. _____, effective __________)

Section 500.140 Administrative Resolution of Complaints By Parents

a) Who May File: The parents of a child between birth to 36 months or a public agency (as defined at 34 CFR 303.21(2007)300.22 (2000)) may request an impartial administrative proceeding to resolve a dispute regarding the evaluation, identification, placement, delivery of services, or provision of appropriate services for their child (or if a public agency, for a child for whom it has responsibility).

b) Where to Send: A request for an impartial administrative proceeding (also called "complaint", "request for hearing" or "request for resolution") shall be made in writing to the Department at:

Chief
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Bureau of Administrative Hearings
Illinois Department of Human Services
100 S. Grand Avenue East – 3rd Floor
Springfield, Illinois 62762

With a copy to the regional intake entity serving the child and to:

Chief
Bureau of Early Intervention
Illinois Department of Human Services
222 South College, 2nd Floor
Springfield, Illinois 62704-1958

c) What Must be Included:

1) The complaint letter requesting the hearing proceeding shall include:

   A1) the name, address, and telephone number of the child's parent, of
       the person making the request for the proceeding, if it is someone
       other than the child's parent, and of the child, or if no address,
       other available contact information;

   B2) the name of the child and the child's birthdate;

   C) the name and address of the child's regional intake entity;

   D3) a description of the nature of the problem of the child relating to
       the proposed or refused initiation or change, including facts
       relating to the problem;

   E4) authorization for release of the child's early intervention service
       records to the Department and the hearing officer;

   F5) the remedy being sought or proposed resolution of the controversy
       to the extent known and available to the parents at the time;

   G6) the primary language spoken by the parents;

   H7) the service delivery agency and/or providers involved in
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

the dispute; and

18) evidence supporting the remedy or proposed resolution (i.e., IFSP, 
family fee calculation form, Family Resource Inventory, bill 
payment, etc.).

2) The complaint letter shall be confidential and only used for purposes of 
resolution of the dispute and as agreed to by the child's parents.

d) Determination of Sufficiency: A party may not have an impartial administrative 
hearing until the party or its representative files a request for hearing containing 
all the information listed in subsection (c). The Request for Administrative 
Resolution of a Complaint by an Impartial Hearing Officer form shall be used, but 
the request will not be denied if the information is otherwise provided in writing. 
If the Department or other party deems the request insufficient, it shall notify the 
hearing officer and the complaining party in writing within 15 calendar days after 
receipt of the request. The hearing officer shall make a determination on the face 
of the notice as to whether or not it is sufficient, within five calendar days after 
receipt of the notification, and shall notify the parties in writing after that 
determination.

e) Child's Record to Department: The regional intake entity shall disclose the 
complete record of the child to the Department within five calendar days after 
receipt of the request for resolution.

f) Content and Assurance of Prior Notice: If "prior written notice" pursuant to 
Section 500.135(a)(6) was not provided to the parent regarding the subject matter 
of the parent's request for impartial administrative hearing, the regional intake 
entity shall send the parent a response within ten calendar days after receiving the 
complaint. This response shall not preclude the assertion that the parent's request 
for hearing is insufficient, where appropriate. The response shall include:

1) An explanation of why the agency proposed or refused to take the action 
raised in the complaint;

2) A description of other options the IFSP team considered and the reason 
why those options were rejected;
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

3) A description of the evaluation procedure, assessment, record or report the agency used as the basis for the proposed or refused action; and

4) A description of factors relevant to the agency’s proposal or refusal.

g) Amendment of Request: A party may amend its request for hearing if the other parties consent in writing to the amendment and are given the opportunity to resolve the complaint through a resolution meeting as described in subsection (h), or if the hearing officer grants permission no later than five business days before an administrative hearing occurs. The timelines for the resolution meeting, described in subsection (h), and for resolution of the hearing request, begin anew with the filing of the amended request.

h) Resolution Period: Upon receipt of a sufficient request for hearing, the regional intake entity will convene a resolution meeting with the parent and the relevant member or members of the IFSP Team who have specific knowledge of the facts identified in the complaint, and with a Department representative if necessary. The purpose of this meeting is to provide the parents with an opportunity to resolve the complaint.

1) The resolution meeting must be held within 15 calendar days after receipt of the request for hearing.

2) The resolution meeting must include a representative who is authorized to make decisions on behalf of each party.

3) A party may not be represented by an attorney at the resolution meeting unless the parent is accompanied by an attorney.

4) If the parties are able to resolve the dispute during the resolution meeting, the parties shall execute a legally binding agreement that is signed by both the parent and the other party representatives and that is enforceable in any State court of competent jurisdiction or in a district court of the United States.

5) A party may void this agreement within three business days after the agreement’s execution.
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

6) Though recommended, the resolution meeting is not mandatory if the parent and parties agree to waive it or agree to use mediation.

id) Mediation Option: Upon receipt of a request for hearing an impartial proceeding, parties involved in the dispute shall be offered the option of mediation as set forth in Section 500.145.

je) Services During Proceeding: During the pendency of any proceeding involving a complaint, unless the parent and the Department agree otherwise, the child must continue to receive the appropriate Part C EI services currently being provided. If the complaint involves application for initial Part C services, the child must receive those services that are not in dispute.

kf) Free and Low-Cost Services: The parent shall be informed of free or low cost legal and other related services available in the area if the parent requests that information or the parent or agency initiates a resolution under this Section. Regional intake entities shall maintain that information and make it available upon request or if a proceeding is initiated under this Section.

lg) Hearing Officer: Upon written request for an impartial proceeding, the Department shall appoint an impartial hearing officer. The Department shall maintain a list of hearing officers. An impartial hearing officer must:

1) be licensed to practice law in Illinois;

2) have knowledge about the provisions of IDEA Part C and the Illinois Early Intervention Services System Act, the needs of eligible children and their families, and services available to them under those statutes;

3) not be an employee of the Department or a State educational agency, LEA or private service provider involved in the provision of early intervention services or care of the child;

4) not have a personal or professional interest that would conflict with his/her objectivity in implementing the process.

mh) Time Limit to File: Complaints under this Part shall be submitted to the Department as soon as possible, but at least within three months after the complainant knew or should have known about the alleged activity in dispute.
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

This timeline does not apply during any period of time that the parent was prevented from filing a complaint due to specific misrepresentations by the regional intake entity that it had resolved the problem, or during the withholding of information from the parent that is required to be provided under this Part, complaint's knowledge of the disputed activity.

ni) Parties: Organizations and/or providers and/or individuals with whom the complainant has a dispute shall be parties to the proceeding as deemed necessary by the impartial hearing officer in order to resolve the dispute.

o) 30-Day Resolution Period Prior to Hearing: If the regional intake entity has not resolved the complaint to the satisfaction of the parent within 30 days after the receipt of the request for hearing, the hearing may occur and the 45-day timeline for resolution of the complaint by the hearing officer begins. This 30-day time period will be delayed by any length of time the parent fails to participate in the resolution meeting, unless the parties have jointly agreed to waive the resolution meeting or to use mediation.

p) Parent or Regional Intake Entity Non-participation: If the regional intake entity is unable to obtain participation of the parent in the resolution meeting after reasonable efforts have been made and documented, the hearing officer may dismiss the complaint. If the regional intake entity fails to hold the resolution meeting within 15 days after receiving notice of the complaint or fails to participate in the meeting, the parent may request the hearing officer to begin the 45-day timeline for resolution of the complaint.

q) 45-Day Hearing Resolution Time Period:

1) The hearing must be resolved within 45 days, with final decision completed and mailed to the parties. The 45-day time period begins the day after one of the following:

A) the parties agree in writing to waive the resolution meeting; or

B) a mediation or resolution meeting starts but the parties agree in writing before the end of the 30-day period that no agreement is possible; or

C) the parties agree in writing to continue the mediation at the end of
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

the 30-day resolution period, but the parent or regional intake entity later withdraws from the mediation process.

2) The regional intake entity shall immediately notify the appointed hearing officer and the Department in writing as soon as any of the events described in subsection (q)(1) occur.

rj) Setting a Hearing: Within five days after receiving written notification that the 45-day time period for resolution has begun pursuant to subsection (q), the Department of Human Services, the appointed hearing officer shall contact the parties to determine a time and place reasonably convenient to the parties for a hearing and any pre-hearing conferences. The hearing officer shall provide the parties and the Department at least 10 days’ written notice of the dates, times, and locations of any pre-hearing conferences and of the hearing.

šk) Pre-hearing Conference: The hearing officer may conduct a pre-hearing conference either in person or by telephone in order to narrow the issues, determine stipulations by the parties, exchange evidence and names of witnesses, and consider other matters that may aid in efficient disposition of the case. At the conclusion of the pre-hearing conference, the hearing officer will prepare a written report of the conference to be entered into the hearing record memorializing the discussion, any stipulations and orders, and scheduling accommodations made for parties or witnesses.

tl) Party’s Rights: Any party to a hearing has a right to:

1) be accompanied (at the party’s expense) and advised by counsel and by individuals with special knowledge or training with respect to children with disabilities;

2) present evidence and confront, cross-examine, and compel the attendance of witnesses;

3) prohibit the introduction of any evidence at the proceeding that has not been disclosed to that party at least five days before the proceedings; and

4) obtain a written or, at the option of the parent, electronic verbatim record of the hearing; and.
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

5) obtain written or, at the option of the parent, electronic findings of fact and decision.

Parents’ Rights: Parents involved in hearings must be given the right to:

1) obtain written findings of fact and decision within 45 days after receipt of the request for impartial resolution;

2) have the child who is the subject of the hearing present; and

3) open the hearing to the public (hearings shall be closed to the public unless the parent requests them to be open); and

3) have the record of the hearing, the findings of fact and decision provided at no cost to the parents.

Disclosure of Evidence and Witnesses: As soon as possible, but at least five business days prior to the hearing, each party shall disclose to all other parties all evaluations completed by that date and recommendations based on those evaluations that the party intends to use at the hearing, as well as other evidence to be offered at hearing, names of all witnesses and the nature of their testimony, and any other relevant documentation whether or not it will be offered at hearing.

The regional intake entity shall disclose the complete record of the child to the Department within five business days after receipt of the letter requesting a proceeding under this Section.

Barring Evidence and Witnesses: The hearing officer may bar any party failing to comply with subsection (vii) from introducing evidence or calling witnesses at hearing that were not produced as required in subsection (vii).

Scope of Hearing: No party shall be allowed to raise issues at the hearing that were not raised in the request for resolution, unless the other parties agree.

Hearing Office Authority: The hearing officer is authorized to conduct the hearing, administer oaths, issue subpoenas to compel testimony or production of documents, rule on motions, grant continuances, call or examine witnesses, and take such other action as may be necessary to provide the parties with an opportunity to be heard fairly and expeditiously.
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

ze) **Burden of Proof:** At the hearing, the party requesting the administrative resolution has the burden of proceeding first and demonstrating by a preponderance of the evidence that the provision or proposed provision of EI services for the child violates Part C, the State Act, or this Part.

aas) **Closing Arguments:** Upon completion of the submission of evidence and testimony, parties shall be given a reasonable period of time to present written or oral arguments to complete the process within 45 days.

bb) **Substantive Versus Procedural Violations:** The hearing officer's determination as to whether the child received appropriate EI services shall be made on substantive grounds. In matters alleging a procedural violation, the hearing officer may find that a child did not receive appropriate EI services only if the procedural inadequacy impeded the child's right to appropriate EI services; or significantly impeded the parent's opportunity to participate in the decision-making process regarding the provision of appropriate EI services; or caused deprivation of developmental benefit. This does not preclude the hearing officer from ordering a regional intake entity to comply with procedural requirements.

cct) **Hearing Record:** The hearing officer shall maintain and prepare a record of the proceeding and shall prepare written findings and a decision that shall be served upon the parties. The record shall contain the request for an impartial administrative letter requesting the proceeding, evidence submitted at the hearing, a transcript or recording of the hearing, prehearing conference reports, motions, orders and all other material that is part of the record.

ddu) **Findings Made Public:** Any and all written findings and decisions shall be transmitted to the Illinois Interagency Council on Early Intervention and be made available to the public without personally identifying information.

ee*) **Request for Delay:** Either party may request a delay in convening the hearing and/or the pre-hearing conference for good cause. The party requesting the delay shall do so in writing to the hearing officer, with a copy served at the same time to all parties. The requesting party shall set forth the reasons for the request and the hearing officer shall, upon receiving the request, either grant or deny the request, taking into account the right to resolution as set forth in subsection (q), which may be waived. The hearing officer shall contact the Department of Human Services with the date and place of the hearing and pre-hearing conference.
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

ffw) Appeal: Any party aggrieved by the findings and decision made in the hearing has a right to bring civil action in a State court of competent jurisdiction or in a district court of the United States regardless of the amount in controversy.

gg) Calculation of Time: Time periods set forth in this Section are calendar days unless otherwise specified.

(Source: Amended at 31 Ill. Reg. ______, effective ____________)

Section 500.145 Mediation

a) Parties/Purpose

1) Any party having a dispute involving the identification, evaluation, or placement of a child for early intervention services, or the provision of early intervention services, may request mediation regardless of whether a request for an impartial administrative proceeding has been or will be made. The mediation request may occur prior to or simultaneously with a request for an administrative proceeding and is open to any and all parties (public agencies, private agencies, parents) having standing in the disputes.

2) The purpose of a mediation process is to provide an alternative to the impartial administrative resolution as a way to resolve disagreements between parents and early intervention services personnel. In virtually all cases, it is less costly and less adversarial than an administrative proceeding. Neither party is asked to abandon its beliefs about the child's ability. Rather, the parties are asked to consider alternatives that could be incorporated into the child's Individualized Family Service Plan and to be aware of the concerns and problems expressed by the other party.

b) Requests for mediation must be made in writing to:

Chief
Bureau of Administrative Hearings
Department of Human Services
100 S. Grand Ave. East – 3rd Floor
Springfield, Illinois 62762
DEPARTMENT OF HUMAN SERVICES
NOTICE OF PROPOSED AMENDMENTS

with a copy sent to the regional intake entity serving the child and to:

Chief
Bureau of Early Intervention
Department of Human Services
222 South College, 2nd Floor
Springfield, Illinois 62704-1958

c) The written request shall include the name and address of the child and of the person requesting mediation, a description of the nature of the problem of the child, including the facts related to the problem, a proposed resolution to the problem, supporting relevant documentation of the facts, and the name and address of service providers.

d) If a request for administrative resolution is made, mediation will be offered. Mediation may not be used to delay or deny the right to an administrative resolution or other rights under Part C.

e) The mediation will be conducted by a qualified and impartial mediator who is trained in effective mediation techniques and who is knowledgeable in laws and regulations relating to early intervention services under Part C. A mediator may not be an employee of an agency providing services to the child at issue nor of the Department, nor have a personal or professional conflict of interest.

f) The mediation is offered at no cost to the parties. It must be voluntary by all parties.

g) The mediator shall assure that a mediation conference is convened and concluded in a timely fashion and in no event later than the administrative resolution of a complaint under Section 500.140 if one was requested.

h) The mediator will contact the parties to set a mutually convenient date, time and location for the mediation conference, to answer any questions the parties may have regarding the process, and to request additional information from the parties.

i) The role of the mediator is that of a neutral facilitator assisting parents and early intervention personnel to resolve their disagreement. Although the mediator is in control of the session, he/she is not the decision maker and may not compel action
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

by either party. The mediator allows the parties to present their positions, establishes an understanding of the disagreement, determines points of agreement, and offers suggestions/proposals for resolution, attempting to help the parties achieve a mutual solution that is in the best interests of the child. The mediator facilitates the process. He or she summarizes positions and may help the parties consider possible alternatives.

j) If agreement is reached by the parties, it shall be set forth in a written mediation agreement signed by authorized representatives of the parties to the dispute. No record is kept of the discussions at the meeting. The mediation agreement will record only the date of the mediation, the parties to the mediation and terms agreed upon.

k) Discussions that occur during the mediation process shall be confidential and may not be used as evidence in any subsequent administrative hearing or civil proceeding. The parties will be asked to sign a confidentiality pledge prior to the commencement of the mediation. Only the fact that mediation occurred and the terms of any mediation agreement reached are admissible in subsequent proceedings.

l) Participants in the mediation conference should be limited to those necessary to resolution of the dispute and shall include persons authorized to act on behalf of the parties. In determining participants, the parties and mediator should be guided by desire to achieve mutual non-adversarial problem solving with the child's interests and the interests of the EI Services System as the goal.

m) The parties are expected to approach the mediation session in good faith and with the intention of attempting to reach an agreement. It is important that all parties approach the session with a willingness to listen and to consider all aspects of the issues in the interests of the child and of the EI Services System. They are active participants in the session and, if agreement is reached, develop the terms of the agreement with the assistance of the mediator.

n) The mediation allows an uninterrupted opportunity for both parties to present their views in a non-adversarial setting. It allows parents and early intervention program personnel to focus on their common concerns, rather than their differences. Even if an agreement is not reached, there is the potential of both parties leaving the session with an enhanced perspective of the issues, and with a more positive working relationship.
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

o) Regional intake entities, service coordinators and other participants in the EI Services System shall encourage resolution of disputes by mediation.

(Source: Amended at 31 Ill. Reg. ______, effective _____________)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Section 500. APPENDIX B  Assessment Instruments (Repealed)

<table>
<thead>
<tr>
<th>DEVELOPMENTAL AREA/TEST NAME</th>
<th>DISCIPLINES</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Cognitive</strong></td>
<td></td>
</tr>
<tr>
<td>Cattell Infant Intelligence Scale</td>
<td></td>
</tr>
<tr>
<td>Clinical Adaptive Test (CAT/CLAMS)</td>
<td></td>
</tr>
<tr>
<td>Bayley Scales of Infant Development (BSID)–Mental</td>
<td></td>
</tr>
<tr>
<td>Hawaii Early Learning Profile (HELP)</td>
<td></td>
</tr>
<tr>
<td>Sensorimotor Profile (Hunt Ordinal Scales of Psychological Development)</td>
<td></td>
</tr>
<tr>
<td>Uzgiris-Hunt—Dunst Revision</td>
<td></td>
</tr>
<tr>
<td><strong>Motor</strong></td>
<td></td>
</tr>
<tr>
<td>Alberta Infant Motor Scale</td>
<td></td>
</tr>
<tr>
<td>Bayley Scales of Infant Development (BSID)–Motor</td>
<td></td>
</tr>
<tr>
<td>Erhardt Developmental Test of Prehension</td>
<td></td>
</tr>
<tr>
<td>Hawaii Early Learning Profile (HELP)</td>
<td></td>
</tr>
<tr>
<td>Gross Motor Functional Measures</td>
<td></td>
</tr>
<tr>
<td>Milani-Comparetti</td>
<td></td>
</tr>
<tr>
<td>Peabody-Developmental/Motor Test</td>
<td></td>
</tr>
<tr>
<td>TIME—Miller</td>
<td></td>
</tr>
<tr>
<td><strong>Communication</strong></td>
<td></td>
</tr>
</tbody>
</table>
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Callier-Azusa Scale
Clinical Linguistic and Auditory Milestone Scale (CLAMS)
Communication and Symbolic Behavior Scales (CSBS)
Goldman-Fristoe Test of Articulation
Hawaii Early Learning Profile (HELP)
McCarthy Communicative Development Inventory
Non-Speech Test
Preschool Language Scale (PLS)—Revised
Receptive Expressive Emergent Language Scale (REEL)
Reynell Developmental Language Scales—American Version
Rosetti Infant Toddler Language Scale
Sequenced Inventory of Communication Development (SICD)

Social/Emotional

Achenbach Child Behavior Checklist
Early Coping Inventory
Functional Emotional Assessment Scales (FEAS)
Functional Independence Measures (WEE FIMS)
Hawaii Early Learning Profile (HELP)
Vineland Adaptive Behavior Scales (VABS)

Adaptive

Early Coping Inventory
Functional Emotional Assessment Scales (FEAS)
Hawaii Early Learning Profile (HELP)
Pediatric Evaluation of Disability Inventory (PEDI)
Test of Sensory-Functioning in Infants
Vineland Adaptive Behavior Scales (VABS)

Global
### DEPARTMENT OF HUMAN SERVICES

#### NOTICE OF PROPOSED AMENDMENTS

<table>
<thead>
<tr>
<th>Assessment Evaluation and Programming System (AEPS)</th>
<th>A professional with training and credentials and meeting the requirements specified by the particular test instrument.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alpem-Boll Developmental Profile II</td>
<td></td>
</tr>
<tr>
<td>Battelle Developmental Inventory</td>
<td></td>
</tr>
<tr>
<td>Child Development Inventory (CDI)</td>
<td></td>
</tr>
<tr>
<td>Infant Development Inventory (IDI)</td>
<td></td>
</tr>
<tr>
<td>Hawaii Early Learning Profile (HELP)</td>
<td></td>
</tr>
<tr>
<td>Infant-Toddler Developmental Assessment (IDA)</td>
<td></td>
</tr>
<tr>
<td>Mullen Scales of Early Learning (MSEL)</td>
<td></td>
</tr>
<tr>
<td>Reynell-Zinkin Scales: Developmental Scales For Young Handicapped Children</td>
<td></td>
</tr>
<tr>
<td>Transdisciplinary Play-Based Assessment (TPBA) (Toni Linder)</td>
<td></td>
</tr>
</tbody>
</table>

#### Hearing

<table>
<thead>
<tr>
<th>Visual Reinforcement Audiometry (VRA)</th>
<th>A professional with training and credentials and meeting the requirements specified by the particular test instrument.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Play Audiometry</td>
<td></td>
</tr>
</tbody>
</table>

#### Vision

<table>
<thead>
<tr>
<th>Erhardt Development Test of Vision</th>
<th>A professional with training and credentials and meeting the requirements specified by the particular test instrument.</th>
</tr>
</thead>
</table>

(Source: Repealed at 31 Ill. Reg. _______, effective ____________)
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Section 500.APPENDIX C   Requirements for Professional and Associate Level Early Intervention (EI) Credentialing and Enrollment to Bill

Nothing in this Appendix C shall exempt any individual from compliance with any and all State licensing requirements and/or supervisory requirements pertinent to the individual’s delivery of services.

<table>
<thead>
<tr>
<th>EI SERVICE</th>
<th>QUALIFIED STAFF</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assistive Technology</td>
<td>Durable medical equipment and supplies; providers may enroll to bill. No credential required.</td>
</tr>
</tbody>
</table>
| Audiology, Aural Rehabilitation/Other Related Services | **Audiologists with a current license in the state where they provide services to Illinois children may enroll to bill.**
Audiologists are not required to obtain a credential.
Audiologists with a current license in the state where they provide services to Illinois children may apply for an EI Specialist: Licensed Audiologist credential and enroll to bill. Additional training is required within 6 months after being issued a temporary credential for full credential status and continued enrollment.* (Provider is automatically enrolled under assistive technology and aural rehabilitation categories.)

Unlicensed individuals with a masters in audiology who are participating in a supervised professional experience may apply for an EI Associate: Audiologist in supervised professional experience credential. Associate services are billed under the enrolled supervisor’s name. Additional training is required within 6 months after being issued a temporary credential for full associate credential status.*

Speech/Language Pathologists with a current license in the state where they provide services to Illinois children may apply for an EI Specialist: Licensed Speech/Language Pathologist credential and enroll to bill for aural rehabilitation services. Additional training is required within 6 months after being issued a temporary credential for full credential status and continued enrollment.* (Provider is
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

automatically enrolled under aural rehabilitation and speech therapy categories.)

Individuals with a masters in speech-language pathology who are participating in a supervised professional experience and hold a temporary license in the state where they provide services to Illinois children may apply for an EI Associate: Speech/Language Pathologist in supervised professional experience credential. Associate services are billed under the enrolled supervisor's name. Additional training is required within 6 months after being issued a temporary credential for full associate credential status.

Unlicensed individuals employed by school districts as School Speech/Language Therapists who will only be providing services through their school employment may apply for an EI Specialist: School Speech/Language Therapist credential and enroll to bill for aural rehabilitation services. Additional training is required within 6 months after being issued a temporary credential for full credential status and continued enrollment.* (Provider is automatically enrolled under aural rehabilitation and speech therapy categories.)

Individuals with a current Special Education degree for Deaf and Hard of Hearing teaching certificate may apply for an EI Specialist: Hearing Developmental Therapist/Hearing credential and enroll to bill for aural rehabilitation services. Additional training is required within 6 months after being issued a temporary credential for full credential status and continued enrollment.* May also provide Developmental Therapy Services. (Provider is automatically enrolled under aural rehabilitation category.)

Clinical Assessment, Counseling, and Other Therapeutic Services

Clinical Psychologists with a current license in the state where they provide services to Illinois children may apply for an EI Specialist: Licensed Clinical Psychologist credential and enroll to bill. Additional training is required within 6 months after being issued a temporary credential for full credential status and continued enrollment.*
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

months after being issued a temporary credential for full credential status and continued enrollment.

Clinical Professional Counselors with a current license in the state where they provide services to Illinois children may apply for an EI Specialist: Licensed Clinical Professional Counselor credential and enroll to bill. Additional training is required within 6 months after being issued a temporary credential for full credential status and continued enrollment.

Marriage and Family Therapists with a current license in the state where they provide services to Illinois children may apply for an EI Specialist: Licensed Marriage and Family Therapist credential and enroll to bill. Additional training is required within 6 months after being issued a temporary credential for full credential status and continued enrollment.

Clinical Social Workers with a current license in the state where they provide services to Illinois children may apply for an EI Specialist: Licensed Clinical Social Worker credential and enroll to bill. Additional training is required within 6 months after being issued a temporary credential for full credential status and continued enrollment.

Behavior Analysts with current national certification as a Board Certified Behavior Analyst from the Behavior Analyst Certification Board may apply for an EI Specialist: Behavior Analyst credential and enroll to bill.

Unlicensed individuals employed by school districts as School Psychologists who will only be providing services through their school employment may apply for an EI Specialist: School Psychologist credential. Additional training is required within 6 months after being issued a temporary credential for full credential status and continued enrollment.

Graduate students in clinical psychology or clinical counseling who submit a letter from the graduate school
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

verifying that they are providing psychological or clinical counseling services in a supervised internship setting in order to complete a comprehensive, culminating training experience prior to granting of a graduate degree in psychology may apply for an EI Associate: Psychology/Counseling Intern credential. Associate services are billed under the enrolled supervisor's name. Additional training is required within 6 months after being issued a temporary credential for full associate credential status.*

Developmental Therapy Individuals with an EI Specialist Developmental Therapist credential on January 1, 2004 or who are applying for an EI Specialist Developmental Therapist credential prior to January 1, 2004 must have (1) a minimum of Teacher Endorsement in Early Childhood Education (ECE) or Special Education or bachelors degree in ECE, Early Childhood Special Education, Special Education, or human service field with one year of experience working hands on with children birth to 3 with developmental disabilities (Persons with a degree in a human service field must submit proof of training on the use of a formal assessment tool that would allow the provider to perform global evaluations/assessments.); or (2) a current license in art, music, recreation, or other type of therapy, rehabilitative or habilitative in nature, in the state where they provide services to Illinois children may apply for credential renewal or, prior to January 1, 2004, may apply for an EI Specialist Developmental Therapist credential and enroll to bill. Additional training is required within 6 months after being issued a temporary credential for full credential status and continued enrollment.

Individuals who do not hold an EI Specialist Developmental Therapist credential on January 1, 2004 must have a bachelors degree or higher and, when applicable, a teaching certificate in Early Childhood Education (Type 04), Early Childhood Special Education (Type 04), Special Education (LBS-1 or LBS-2), Special Education: Deaf/Hard of Hearing or Blind/Partially Sighted (3-21), Child Development/Family Studies, Early Intervention, Elementary Education,
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Developmental Psychology, or Social Work and when applicable a teaching certificate; or with a bachelors degree or higher and a full specialist credential in the Early Intervention program; or a current license in art, music, recreation, or other type of therapy, rehabilitative or habilitative in nature, in the state where they provide services to Illinois children; and can document the completion of educational experiences as approved by the Department that include at least 2 semester college hours or the equivalent (30 clock hours or CEU credit hours) in each of the following EI core knowledge content areas: the Development of Young Children; Typical and Atypical; Working with Families of Young Children with Disabilities; Intervention Strategies for Young Children with Special Needs; and Assessment of Young Children with Special Needs; and can submit proof of training on the use of a formal assessment tool that would allow the provider to perform global evaluations/assessments may apply for an EI Specialist: Developmental Therapist credential and enroll to bill. Additional training is required within 6 months after being issued a temporary credential for full credential status and continued enrollment.*

An emergency waiver of educational requirements for developmental therapists may be applied for and must be accompanied by the recommendation of a regional intake entity manager documenting the need for developmental therapy services in the service area. A bachelors degree or higher is required. If approved, the resulting temporary credential will be reviewed at 6-month intervals for a maximum of 18 months. A training plan toward qualification for full credential status must be submitted with the emergency waiver application. Additional training is required within 6 months for continued enrollment.*

Individuals with a current Special Education degree for Deaf and Hard of Hearing teaching certificate may apply for an EI Specialist: Hearing Developmental Therapist/Hearing credential and enroll to bill. Additional training is required within 6 months after being issued a temporary credential for
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

full credential status and continued enrollment.* They may also provide aural rehabilitation services based on their qualifications and experience. (Provider is automatically enrolled under aural rehabilitation category.)

Individuals with (1) a bachelor’s degree or higher in Orientation and Mobility or (2) a current Special Education degree for Blind and Partially Seeing teaching certificate may apply for an EI Specialist: Vision Developmental Therapist/Vision credential and enroll to bill. Additional training is required within 6 months after being issued a temporary credential for full credential status and continued enrollment.* They may provide Developmental and/or Vision Therapy services related to visual functioning based on their qualifications and experience. (Provider is automatically enrolled under the vision category.)

Individuals with an associate’s degree in early childhood education or child development who have an EI Associate: Developmental Therapy Assistant temporary credential on July 1, 2003 may apply for full associate credential status if additional training requirements are met.* No other new temporary or full associate credentials for Developmental Therapy Assistants will be issued. Individuals who have an associate credential will be allowed to submit an application to have their credential renewed no more than two times after July 1, 2003. Associate services are billed under the enrolled supervisor’s name.

Evaluation/Assessment

Individuals with a current Early Intervention Specialist credential and who also meet all the following requirements may apply for an Evaluation/Assessment credential:

Documentation of a minimum of three years (full time equivalent) pediatric experience within the Early Intervention Specialist credentialed discipline is required with no less than 20% of that experience related to infants and toddlers between birth and three years of age or the equivalent, with a minimum of one
year (full time equivalent) pediatric experience within the Early Intervention Specialist credentialed discipline with no less than 60% of that experience related to infants and toddlers;

Documentation of a minimum of six months pediatric post degree supervision;

Demonstration of competency in using and interpreting a variety of approved assessment tools related to his/her discipline by participating in evaluator specific training;

Demonstration of past work as a member of a service team and agreement to work with the service coordinator, other evaluators, and the family as an effective team member;

Agreement to participate in IFSP meetings as specified in this Part;

Agreement to perform evaluation/assessments and present recommendations thereon, that are consistent with DHS early intervention philosophy and best practices, and to provide adequate justification for recommendations based thereon;

Agreement to participate in routine quality assurance and/or early intervention monitoring activities conducted by the Department or its Designee, or the U.S. Department of Education, Office of Special Education Programs;

Agreement to comply with all applicable federal and/or State laws, rules, regulations, policies, provider agreement and procedure and guidelines;

Documentation of attendance at Evaluation/Assessment training as required and
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

provided by the Department.

The expiration date of an Evaluation/Assessment credential will coincide with the Early Intervention Specialist discipline specific credential. Renewal of the Evaluation/Assessment credential is contingent on the successful renewal of the Early Intervention Specialist discipline specific credential.

Family Training and Support

Individuals with a high school diploma or equivalent who are the parent or guardian of a child with special needs and are employed by an entity such as an agency or hospital that provides early intervention services as a Parent Liaison may apply for an EI Parent Liaison credential and enroll to bill. Completion of Parent Liaison Training is required within 90 days after being issued a temporary credential for full credential status and continued enrollment.

Individuals who are bilingual or an interpreter for the deaf may enroll to bill as an interpreter. Upon application for enrollment, the bilingual applicant must identify the languages for which he/she is applying to interpret and/or translate and document completion of Early Intervention Systems Training as defined in Section 500.60(f) and Early Intervention approved training for bilingual interpreter/translators and oral and/or written language proficiency using approved testing procedures. By September 1, 2008, all enrolled bilingual interpreters must have documented completion of Early Intervention approved training for bilingual interpreters/translators and oral and/or written language proficiency using approved testing procedures to maintain enrollment. Interpreters for the deaf must meet the requirements set forth in 225 ILCS 442 and document completion of Early Intervention Systems Training as defined in Section 500.60(f). Additional training is required within 6 months for continued enrollment. Interpreters are not...
NOTICE OF PROPOSED AMENDMENTS

required to obtain a credential.

Deaf adults who have been certified by Hearing and Vision Connections as a language mentor for the deaf may enroll to bill. Language mentors are not required to obtain a credential.

Health Consultation

Physicians with a current license in the state where they provide services to Illinois children may enroll to bill. Physicians are not required to obtain a credential.

Medical Services

Physicians with a current license in the state where they provide services to Illinois children may enroll to bill. Physicians are not required to obtain a credential.

(Diagnostic/Evaluation Purposes Only)

Individuals on the physician's service team should refer to the service area appropriate to their discipline for credentialing requirements.

Nursing

Registered Nurses with a current license in the state where they provide services to Illinois children may apply for an EI Specialist: Licensed Registered Nurse credential and enroll to bill. Additional training is required within 6 months after being issued a temporary credential for full credential status and continued enrollment.* (Provider is automatically enrolled under nutrition category.)

Nutrition

Licensed Dietitian Nutritionists with a current license in the state where they provide services to Illinois children may apply for an EI Specialist: Licensed Dietitian credential and enroll to bill. Additional training is required within 6 months after being issued a temporary credential for full credential status and continued enrollment.*

Licensed Nutrition Counselors with a current license in the state where they provide EI services to Illinois children may apply for an EI Specialist: Licensed Nutrition Counselor credential and enroll to bill. Additional training is required within 6 months after being issued a temporary credential for full credential status and continued enrollment.*
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Registered Nurses with a current license in the state where they provide services to Illinois children may apply for an EI Specialist: Licensed Registered Nurse credential and enroll to bill. Additional training is required within 6 months after being issued a temporary credential for full credential status and continued enrollment.*

Occupational Therapy

Occupational Therapists with a current license in the state where they provide services to Illinois children may apply for an EI Specialist: Licensed Occupational Therapist credential and enroll to bill. Additional training is required within 6 months after being issued a temporary credential for full credential status and continued enrollment.*

Certified Occupational Therapy Assistants with a current license in the state where they provide services to Illinois children may apply for an EI Associate: Licensed Certified Occupational Therapy Assistant credential. Associate services are billed under the enrolled supervisor's name. Additional training is required within 6 months after being issued a temporary credential for full associate credential status.*

Physical Therapy

Physical Therapists with a current license in the state where they provide Part C EI service to Illinois children may apply for an EI Specialist: Licensed Physical Therapist credential and enroll to bill. Additional training is required within 6 months after being issued a temporary credential for full associate credential status.*

Physical Therapist Assistants with a current license in the state where they provide services to Illinois children may apply for an EI Associate: Licensed Physical Therapist Assistant credential. Associate services are billed under the enrolled supervisor's name. Additional training is required within 6 months after being issued a temporary credential for full associate credential status.*
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Service Coordination

Individuals with an EI Service Coordination credential on January 1, 2003 and: (1) an EI Specialist credential of any type, (2) a bachelors degree or higher in human services, behavioral science, social science or health related field, (3) a current license as a Registered Nurse, (4) current employment as a service coordinator in a Family Case Management Agency, or (5) an associates degree in human services, education, behavioral science, social science, or health related field plus 2 years of experience working with children birth to 5 to provide intervention services or service coordination in a community agency serving children and families, may apply for renewal of their credential.

Individuals who do not hold an EI Service Coordination credential on January 1, 2003 and with a bachelors degree or higher in human services, behavioral science, social science or health related field or a current license as a Registered Nurse may apply for an EI Service Coordination Credential and enroll as an employee of a Child and Family Connections office. Additional training is required within 90 days after being issued a temporary credential for full credential status and continued enrollment.

Social Services

Social Workers with a current license in the state where they provide services to Illinois children may apply for an EI Specialist: Licensed Social Worker credential and enroll to bill. Additional training is required within 6 months after being issued a temporary credential for full credential status and continued enrollment.

Professional Counselors with a current license in the state where they provide services to Illinois children may apply for an EI Specialist: Licensed Professional Counselor credential and enroll to bill. Additional training is required within 6 months after being issued a temporary credential for full credential status and continued enrollment.

Registered Nurses/Advanced Practice Nurses who are masters prepared Psychiatric–Mental Health Clinical Nurse Specialists...
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

with a current license in the state where they provide services may apply for an EI Specialist: Licensed Registered Nurse/Advanced Practice Nurse credential and enroll to bill. Additional training is required within 6 months after being issued a temporary credential for full associate credential status.* The Advanced Practice Nurse must provide a collaborative agreement with a collaborating physician who provides services to children birth to 3. The written collaborative agreement shall describe the working relationship of the Advanced Practice Nurse with the collaborating physician and shall authorize the categories of care, treatment, or procedures to be performed by the Advanced Practice Nurse, including early intervention services to be provided.

Unlicensed individuals employed by school districts as School Social Workers who will only be providing services through their school employment may apply for an EI Specialist: School Social Worker credential and enroll to bill. Additional training is required within 6 months after being issued a temporary credential for full credential status and continued enrollment.*

Graduate students in social work who submit a letter from their graduate school verifying that they are providing social work services in a supervised internship setting in order to complete a comprehensive, culminating training experience prior to granting of a graduate degree in social work may apply for an EI Associate: Social Work Intern credential. Associate services are billed under the enrolled supervisor’s name. Additional training is required within 6 months after being issued a temporary credential for full associate credential status.*

Speech Therapy

Speech/Language Pathologists with a current license in the state where they provide services to Illinois children may apply for an EI Specialist: Licensed Speech/Language Pathologist credential and enroll to bill. Additional training is required within 6 months after being issued a temporary...
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

credential for full credential status and continued enrollment.*
(Provider is automatically enrolled under aural rehabilitation
and speech therapy categories.)

Unlicensed individuals employed by school districts as
School Speech/Language Therapists who will only be
providing services through their school employment may
apply for an EI Specialist: School Speech/Language
Therapist credential and enroll to bill. Additional training is
required within 6 months after being issued a temporary
credential for full credential status and continued enrollment.*

Individuals Unlicensed individuals with a masters in speech-
language pathology who are participating in a supervised
professional experience and hold a temporary license in the
state where they provide services to Illinois children may
apply for an EI Associate: Speech/Language Pathologist in
supervised professional experience credential. Associate
services are billed under the enrolled supervisor's name.
Additional training is required within 6 months for full
associate credential status.*

Speech/Language Pathology Assistants with a current license
in the state where they provide services to Illinois children
may apply for an EI Associate: Speech/Language Therapy
Assistant credential. Associate services are billed under the
enrolled supervisor's name. Additional training is required
within 6 months after being issued a temporary credential for
full associate credential status.*

Transportation Individuals with an appropriate vehicle registration number,
insurance and current driver's license may enroll to bill. Not
required to obtain a credential.

Vision Optometrists or Ophthalmologists with a current license in the
state where they provide services to Illinois children may
enroll to bill. Not required to obtain a credential.

Individuals with (1) a bachelors degree or higher in
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Orientation and Mobility or (2) a current Special Education degree for Blind and Partially Seeing teaching certificate may apply for an EI Specialist: Vision Developmental Therapist/Vision credential and enroll to bill. Additional training is required within 6 months after being issued a temporary credential for full credential status and continued enrollment.* They may provide Developmental and/or Vision Therapy services related to visual functioning based on their qualification and experience.

* See Section 500.60(f) for additional training requirements.

(Source: Amended at 31 Ill. Reg. ______, effective ____________)


DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Section 500. APPENDIX D  Use of Associate Level Providers

Nothing in this Appendix D shall exempt any individual from compliance with any and all State licensing requirements and/or supervisory requirements pertinent to the individual's delivery of services.

In order to enlist the widest pool of qualified service providers, the EI System will support the appropriate use of credentialed, non-enrolled associate level providers who function under the following guidelines and whose services are billed for by their credentialed, enrolled supervisor.

GUIDELINES

Each credentialed associate level provider shall be supervised by a specialist credentialed/enrolled in the same discipline. (Appendix C identifies the requirements for professional and associate level credentialing and enrollment.)

1) The credentialed/enrolled specialist shall:

   a) evaluate/assess the child, develop the plan for intervention services required to accomplish Service Plan outcomes and submit evaluation/assessment report prior to Service Plan development/update/review;

   b) instruct the associate level provider about the intervention services to be provided;

   c) reassess the child as determined by the child's Service Plan and any licensure requirement for the enrolled specialist or associate level staff at least prior to each Service Plan update/review;

   d) revise the intervention activities as needed;

   e) approve all methods and materials selected to implement the intervention plan;

   f) for each child to which an associate level provider provides intervention services, conduct direct supervision during client services at a minimum of once each month;
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

g) submit direct service report prior to each Service Plan update/review and more often if the child's progress/lack of progress warrants;

h) submit bills for services provided by the associate level provider;

i) participate in Service Plan development/update/review; and

j) follow supervision requirements as set forth in his/her licensure or other certification standards.

2) The credentialed associate level provider shall:

a) provide services only as instructed by the supervising specialist;

b) record all early intervention services provided;

c) report all changes in child's condition to the supervising specialist;

d) check authorization to make sure the associate is identified in the comment field as the provider of direct service under the supervisor; and

e) if the associate's name does not appear in the comment field of the authorization, contact the child's service coordinator to correct the oversight.

3) The credentialed associate level Audiologists and Speech/Language Pathologist in his/her supervised professional experience shall:

a) provide services under the supervision of a specialist who is credentialed/enrolled in the same discipline;

b) provide services consistent with the Illinois Speech/Language Pathology and Audiology Practice Act that includes evaluation/assessment and service plan development; and

c) follow the guidelines as listed in (1) and (2) above, except the restriction in (1)(a) that does not allow the associate to provide evaluation/assessment or service plan development and (1)(f) that requires supervision during
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

client services at a minimum of once each month.

NOTE: Supervisory time is non-billable time and is considered to be administrative time that is part of the rate paid.

(Source: Amended at 31 Ill. Reg. _______, effective ____________)
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Section 500. APPENDIX E  Medical Conditions Resulting in High Probability of Developmental Delay (not an exclusive list)

1. Anomalies of Central Nervous System
   - Spina Bifida/Myelomeningocele
   - Spina Bifida with Hydrocephaly
   - Anomalies of the Spinal Cord
   - Encephalocele
   - Hydroencephalopathy
   - Microencephaly
   - Congenital Hydrocephalus
   - Reduction Deformities of Brain
     - Absence
     - Agenesis
     - Agyria
     - Aplasia
     - Arhinecephaly
     - Holoprosencephaly
     - Hypoplasia
     - Lissencephaly
     - Microgyria
     - Schizencephaly


3. Chromosomal Disorders (most common, not to be used as an exclusive list)
   - Trisomy 21 (Down's Syndrome)
   - Trisomy 13
   - Trisomy 18
   - Autosomal Deletion Syndromes
   - Fragile X Syndrome
   - Williams Syndrome
   - Angelmann's Syndrome
   - Prader-Willi Syndrome

4. Congenital Infections
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Toxoplasmosis
Rubella
Syntomegalovirus
Herpes Simplex with CNS involvement

5. Neonatal Meningitis

6. Cerebral Palsy

7. Craniofacial Anomalies (Major)

Cleft Palate

8. Disorders of the Sense Organs

Hearing loss of 30 decibels (dB) or greater at any two of the following frequencies: 500, 1000, 2000, 4000 and 8000 Hertz (Hz), or hearing loss of 35 dB or greater at any one of the following frequencies: 500, 1000 and 2000 Hz involving one or both ears.
Sensorineural Hearing Impairment, Bilateral <40 dB
Visual Impairment
Bilateral Amblyopia
Severe Retinopathy of Prematurity ROP 3+
Bilateral Cataracts
Myopia of 3 Diopters or More
Albinism

9. Disorders of the Central Nervous System

Hyparsrhythmia
Acquired Hydrocephalus
Stroke
Traumatic Brain Injury
Intraventricular Hemorrhage – Grade III, IV
Hypoxic Ischemic Encephalopathy (with organ failure, seizures, renal failure, cardiac failure)
Unspecified Encephalopathy
Spinal Cord Injury
NOTICE OF PROPOSED AMENDMENTS

Neonatal Seizures (secondary to asphyxia or hypoglycemia)
Central Nervous System Cysts
Central Nervous System Tumors
Periventricular Leukomalacia

10. Inborn Errors of Metabolism

11. Neuromuscular Disorders
   Congenital Muscular Dystrophy
   Myotonic Dystrophy
   Werdnig-Hoffman (Spinal Muscular Atrophy)
   Congenital Myopathy
   Duchenne

12. Pervasive Developmental Disorder/Autistic Spectrum

13. Syndromes *(see further instructions for DSCC referral)
   Cornelia de Lange
   Lowe's
   Rett
   Rubenstein-Taybi
   CHARGE (multiple anomalies)
   VATER

14. Fetal Alcohol Syndrome

   Not just exposure to alcohol in utero or fetal alcohol effects, but a diagnosis of the syndrome

15. Orthopedic Abnormalities
   Brachioplexus at Birth
   Caudal Regression
   Proximal Focal Femoral Deformities
   Partial Amputations
   Holt-Oram
   Acquired Amputations
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Arthrogryposis Multiplex Congenita
Osteogenesis Imperfecta *(see further instruction for DSCC referral)

16. Technology Dependent

Tracheostomy
Ventilator Dependent *(see further instruction for DSCC referral)

17. Social Emotional Disorders

Attachment or Relationship Disorder

Children with medical conditions that are not listed may be determined eligible for services by a qualified family physician, pediatrician or pediatric subspecialist (pediatric neurologist, geneticist, pediatric orthopedic surgeon, pediatrician with special interest in disabilities) who provides written verification that the child's medical condition is associated with a high probability of developmental delay as listed in eligibility criteria.

Children with undiagnosed medical conditions or who require further medical evaluation may be referred by the Child and Family Connections (regional intake entity) for a medical diagnostic evaluation.

If you have any questions regarding these eligible medical conditions or medical diagnostic services, please contact your local Illinois Medical Diagnostic Network (IMDN) representative.

* Referring to DSCC – Children with Cleft Palate, Orthopedic Abnormalities, or other potential DSCC eligible diagnoses associated with physical disabilities should be referred to the Division of Specialized Care for Children (DSCC). DSCC may provide medical diagnostic support at no cost to the family. Simultaneously Child and Family Connections should complete the intake process as usual. DSCC will determine the type of ongoing assistance they can provide.

(Source: Amended at 31 Ill. Reg. ______, effective ___________)
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Youth Hunting Seasons

2) Code Citation: 17 Ill. Adm. Code 685

3) Section Numbers: Proposed Action:
   685.10     Amendment
   685.20     Amendment
   685.40     Amendment
   685.50     Amendment

4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 2.24, 2.25, 2.26 and 3.36].

5) A Complete Description of the Subjects and Issues Involved: These amendments will allow youth to hunt many more counties and to take either an antlerless or an antlered deer.

6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None

7) Will this rulemaking replace any emergency rulemaking currently in effect? Yes

   Section Numbers: Emergency Action: Illinois Register Citation:
   685.10     Amendment  31 Ill. Reg. 12096, August 10, 2007
   685.20     Amendment  31 Ill. Reg. 12096, August 10, 2007
   685.40     Amendment  31 Ill. Reg. 12096, August 10, 2007
   685.50     Amendment  31 Ill. Reg. 12096, August 10, 2007

8) Does this rulemaking contain an automatic repeal date? No

9) Does this rulemaking contain incorporations by reference? No

10) Are there any other proposed rulemakings pending on this Part? No

11) Statement of Statewide Policy Objective: This rulemaking does not affect units of local government.

12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

period of 45 days following publication of this Notice to:

Jack Price, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL  62702-1271
217/782-1809

13) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected:  None

B) Reporting, bookkeeping or other procedures required for compliance:  None

C) Types of professional skills necessary for compliance:  None

14) Regulatory Agenda on which this rulemaking was summarized:  This rulemaking was not included on either of the 2 most recent regulatory agendas.

The full text of these Proposed Amendments is identical to that of the Emergency Amendments of this same Title and Part and can be found in this issue of Illinois Register on page 12096:
ILLEINOIS REGISTER

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

1) **Heading of the Part:** Issuance of Licenses

2) **Code Citation:** 92 Ill. Adm. Code 1030

3) **Section Numbers:**
   - 1030.100: Repeal
   - 1030.110: Amendment

4) **Statutory Authority:** 625 ILCS 5/6-110(b); 625 ILCS 5/6-110(c) and 625 ILCS 5/6-521

5) **A Complete Description of the Subjects and Issues Involved:** Section 1030.100 is being repealed since the Office of the Secretary of State no longer places stickers for organ donor on the back of a driver's license. If a person registers to be an organ donor, the information is now printed on the front of the driver's license or identification card. Section 1030.110 is clarifying the location of sticker or decal on the reverse side of the driver's license.

6) **Published studies or reports, and sources of underlying data, used to compose this rulemaking:** None

7) **Will this rulemaking replace any emergency rulemaking currently in effect?** No

8) **Does this rulemaking contain an automatic repeal date?** No

9) **Does this rulemaking contain incorporations by reference?** No

10) **Are there any other proposed rulemakings pending on this Part?**

<table>
<thead>
<tr>
<th>Section Number</th>
<th>Proposed Action</th>
<th>Illinois Register Citation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1030.APPENDIX B</td>
<td>Amendment</td>
<td>31 Ill. Reg. 9828; July 2, 2007</td>
</tr>
</tbody>
</table>

11) **Statement of Statewide Policy Objectives:** The rulemaking will not create or enlarge a State mandate.

12) **Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:** Texts of the prepared amendments are posted on the Secretary of State's website, www.sos.il.us/departments/index/home as part of the Illinois Register. Interested persons may present their comments concerning this proposed rulemaking in writing within 45 days after publication of this Notice to:
SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

Arlene J. Pulley  
Office of the Secretary of State  
Driver Services Department  
2701 South Dirksen Parkway  
Springfield, Illinois 62723  
217/557-4462

13) Initial Regulatory Flexibility Analysis:
   
   A) Types of small businesses, small municipalities and not for profit corporations affected: None
   
   B) Reporting, bookkeeping or other procedures required for compliance: None
   
   C) Types of Professional skills necessary for compliance: None

14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the two most recent agendas because: the need for this rulemaking was not anticipated at the time the agendas were prepared.

The full text of the Proposed Amendments begins on the next page:
SECRETARY OF STATE  
NOTICE OF PROPOSED AMENDMENTS  
TITLE 92: TRANSPORTATION  
CHAPTER II: SECRETARY OF STATE  
PART 1030  
ISSUANCE OF LICENSES  

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>1030.10</td>
<td>What Persons Shall Not be Licensed or Granted Permits</td>
</tr>
<tr>
<td>1030.11</td>
<td>Procedure for Obtaining a Driver's License/Temporary Visitor's Driver's License</td>
</tr>
<tr>
<td>1030.13</td>
<td>Denial of License or Permit</td>
</tr>
<tr>
<td>1030.15</td>
<td>Cite for Re-examination</td>
</tr>
<tr>
<td>1030.16</td>
<td>Physical and Mental Evaluation</td>
</tr>
<tr>
<td>1030.17</td>
<td>Errors in Issuance of Driver's License/Cancellation</td>
</tr>
<tr>
<td>1030.18</td>
<td>Medical Criteria Affecting Driver Performance</td>
</tr>
<tr>
<td>1030.20</td>
<td>Classification of Drivers – References</td>
</tr>
<tr>
<td>1030.30</td>
<td>Classification Standards</td>
</tr>
<tr>
<td>1030.40</td>
<td>Fifth Wheel Equipped Trucks</td>
</tr>
<tr>
<td>1030.50</td>
<td>Bus Driver's Authority, Religious Organization and Senior Citizen Transportation</td>
</tr>
<tr>
<td>1030.55</td>
<td>Commuter Van Driver Operating a For-Profit Ridesharing Arrangement</td>
</tr>
<tr>
<td>1030.60</td>
<td>Third-Party Certification Program</td>
</tr>
<tr>
<td>1030.63</td>
<td>Religious Exemption for Social Security Numbers</td>
</tr>
<tr>
<td>1030.65</td>
<td>Instruction Permits</td>
</tr>
<tr>
<td>1030.70</td>
<td>Driver's License Testing/Vision Screening</td>
</tr>
<tr>
<td>1030.75</td>
<td>Driver's License Testing/Vision Screening With Vision Aid Arrangements Other Than Standard Eye Glasses or Contact Lenses</td>
</tr>
<tr>
<td>1030.80</td>
<td>Driver's License Testing/Written Test</td>
</tr>
<tr>
<td>1030.81</td>
<td>Endorsements</td>
</tr>
<tr>
<td>1030.82</td>
<td>Charter Bus Driver Endorsement Requirements</td>
</tr>
<tr>
<td>1030.83</td>
<td>Hazardous Material Endorsement</td>
</tr>
<tr>
<td>1030.84</td>
<td>Vehicle Inspection</td>
</tr>
<tr>
<td>1030.85</td>
<td>Driver's License Testing/Road Test</td>
</tr>
<tr>
<td>1030.86</td>
<td>Multiple Attempts – Written and/or Road Tests</td>
</tr>
<tr>
<td>1030.88</td>
<td>Exemption of Facility Administered Road Test</td>
</tr>
<tr>
<td>1030.89</td>
<td>Temporary Licenses</td>
</tr>
<tr>
<td>1030.90</td>
<td>Requirement for Photograph and Signature of Licensee on Driver's License</td>
</tr>
<tr>
<td>1030.91</td>
<td>Disabled Person/Handicapped Identification Card</td>
</tr>
<tr>
<td>1030.92</td>
<td>Restrictions</td>
</tr>
<tr>
<td>1030.93</td>
<td>Restricted Local Licenses</td>
</tr>
<tr>
<td>1030.94</td>
<td>Duplicate or Corrected Driver's License or Instruction Permit</td>
</tr>
</tbody>
</table>
SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

1030.95 Consular Licenses (Repealed)
1030.96 Seasonal Restricted Commercial Driver's License
1030.97 Invalidation of a Driver's License, Permit and/or Driving Privilege
1030.98 School Bus Commercial Driver's License
1030.100 Anatomical Gift Donor (Repealed)
1030.110 Emergency Medical Information Card
1030.115 Change-of-Address
1030.120 Issuance of a Probationary License
1030.130 Grounds for Cancellation of a Probationary License
1030.140 Use of Captured Images
1030.APPENDIX A Questions Asked of a Driver's License Applicant
1030.APPENDIX B Acceptable Identification Documents


SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

Section 1030.100  Anatomical Gift Donor (Repealed)

a) Every licensee who is an Anatomical Gift Donor may place a sticker or decal, in appropriate language, on his driver's license indicating that said licensee carries a Uniform Anatomical Gift Card conforming to the provisions of the Uniform Anatomical Gift Act (Ill. Rev. Stat. 1981, ch. 110½ pars 301 et. seq.)

b) The sticker or decal shall not exceed one-half inch in vertical height or one inch in horizontal width and shall be placed on the reverse or back of said donor's license in the upper right hand corner in such a manner so that none of the printed material on said license is in any way obliterated.

(Source: Repealed at 31 Ill. Reg. ______, effective ____________)

Section 1030.110  Emergency Medical Information Card

a) Every licensee who carries an Emergency Medical Information Card may place a sticker or decal, in appropriate language, on his/her driver's license indicating that said licensee carries an Emergency Medical Information Card.

b) The sticker or decal shall be in a form approved by the Secretary of State and shall be placed on the reverse side of the driver's license in an area so designated on the license by the Secretary of State not exceed one-half inch in vertical height or one inch in horizontal width and shall be placed on the reverse of back of said drivers license in the upper right portion immediately beneath the area currently reserved for the Uniform Anatomical Gift Card Sticker, in such a manner so that none of the printed material on said license is in any way obliterated.

(Source: Amended at 31 Ill. Reg. ______, effective ____________)
NOTICE OF PROPOSED AMENDMENTS

1) **Heading of the Part:** Commercial Driver Training Schools

2) **Code Citation:** 92 Ill. Adm. Code 1060

3) **Section Numbers:**
   - 1060.5 Amendment
   - 1060.20 Amendment
   - 1060.50 Amendment
   - 1060.100 Amendment
   - 1060.120 Amendment
   - 1060.180 Amendment
   - 1060.200 Amendment

4) **Statutory Authority:** 625 ILCS 5/6-401, 625 ILCS 5/6-402, 625 ILCS 5/60-406, 625 ILCS 5/6-409, 625 ILCS 5/6-411 and 625 ILCS 5/6-521

5) **A Complete Description of the Subjects and Issues Involved:** The rulemaking updates the Part regarding: definitions pertaining to commercial driver training schools; clarification of the prohibition of the possession of Secretary of State questionnaires; additional motorcycle driving school requirements; additional language prohibiting high school driver education teachers/administrators from being driving school owners; posted hour requirements; requirement for driving school instructors to have their wallet licenses in their possession during instruction; clarification of teenage student classroom and behind-the-wheel instruction requirements and correct the amount of experience required for a teenage accredited instructor; additional restriction on CDL testing of CDL Accredited Driving Schools.

6) **Published studies or reports, and sources of underlying data, used to compose this rulemaking:** None

7) **Will this rulemaking replace any emergency rulemaking currently in effect?** No

8) **Does this rulemaking contain an automatic repeal date?** No

9) **Does this rulemaking contain incorporations by reference?** Yes

10) **Are there any other proposed rulemakings pending on this Part?** No
11) **Statement of Statewide Policy Objectives:** The rulemaking will not create or enlarge a State mandate.

12) **Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:** Text of the prepared amendments is posted on the Secretary of State’s website, www.sos.il.us/departments/index/home as part of the *Illinois Register*. Interested persons may present their comments concerning this proposed rulemaking in writing within 45 days after publication of this notice to:

   Arlene J. Pulley  
   Office of the Secretary of State  
   Driver Services Department  
   2701 South Dirksen Parkway  
   Springfield, Illinois 62723  

   217/557-4462

13) **Initial Regulatory Flexibility Analysis:**

   A) **Types of small businesses, small municipalities and not for profit corporations affected:** None

   B) **Reporting, bookkeeping or other procedures required for compliance:** None

   C) **Types of Professional skills necessary for compliance:** None

14) **Regulatory Agenda on which this rulemaking was summarized:** July 2007

The full text of the Proposed Amendments begins on the next page:
SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATE

PART 1060
COMMERCIAL DRIVER TRAINING SCHOOLS

Section
1060.5 Definitions
1060.10 Unlicensed Person May Not Operate Driver Training School
1060.20 Requirements for School Licenses
1060.30 Driver Training School Names
1060.40 Refund of Application Fees
1060.50 School Locations and Facilities
1060.60 Driver Training School Student Instruction Record
1060.70 Driver Training School Course of Instruction
1060.80 Driver Training School Contracts
1060.90 Inspection of School Facilities
1060.100 Licenses
1060.110 Safety Inspection of Driver Training School Motor Vehicles
1060.120 Requirements to Obtain and Retain a Driver Training Instructor's License
1060.130 Examination for Driver Training Instructor
1060.140 Temporary Permit
1060.150 Driver Training School Responsibility for Employees
1060.160 Solicitation of Students and Pupils for Commercial Driver Training Instruction
1060.170 Hearings
1060.180 Teen Accreditation
1060.190 Denial, Cancellation, Suspension, and Revocation of Commercial Driver Training School's License, Teen Accreditation, CDL Accreditation, and Instructor's License
1060.200 Commercial Driver's License and/or Endorsement and/or Accreditation
1060.210 Driver Training School Responsibility for Employees (Recodified)
1060.220 Solicitation of Students and Pupils for Commercial Driver Training Instruction (Recodified)
1060.230 Hearings (Recodified)
1060.240 Teen Accreditation (Recodified)
1060.250 Denial, Cancellation, Suspension, and Revocation of Commercial Driver Training School's License and Instructor's License (Recodified)
1060.260 Commercial Driver's License and/or Endorsement and/or Restriction Accreditation (Recodified)


Section 1060.5 Definitions

For purposes of this Part, the following definitions shall apply:

"Branch Office" – an office of a Commercial Driver Training School in a distinct location from the main office, but which conducts business under the name and as a part of the school as provided in Article IV of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/6, Art. IV] and which meets the requirements of Section 1060.50 of this Part.

"Business Day" – any day on which the Office of the Secretary of State Commercial Driver School Division is open; Monday through Saturday, excluding State holidays.

"Cancellation" – the without prejudice annulment or termination by formal action of the Secretary of a driver training school's license or a driver training school instructor's license because of some error or defect in the license or because the
SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

licensee is in some form of violation of any of the requirements in the Illinois Vehicle Code or Illinois Administrative Code, which annulment or termination shall not be subject to renewal or restoration except that an application for a new license shall be presented and acted upon by the Secretary after the licensee demonstrates compliance with the provisions of this Part for which the cancellation was issued.

"CDL Accreditation" – the accreditation of a commercial driver training school by the Department, which allows the school to offer instruction to students who wish to obtain a CDL and/or endorsement.

"CDL Study Guide" – a study guide compiled by the Secretary of State from information contained in the Illinois Vehicle Code [625 ILCS 5] and 49 CFR 383, which is designed to aid drivers in preparing for a CDL examination.

"Commercial Driver's License" or "(CDL)" - a driver's license issued by a state or other jurisdiction, in accordance with the standards contained in 49 CFR 383 (2003, no later amendments or editions included), to an individual, which authorizes the individual to operate a certain class of commercial motor vehicle. [625 ILCS 5/6-500(3)]

"Commercial Driver Training School" – an entity licensed by the Secretary of State to engage in the business of giving instruction for a fee in the driving of motor vehicles or in the preparation of an applicant for examination given by the Secretary of State for a driver's license or permit.

"Commercial Driver Training Section" – a unit of the Department of Driver Services which oversees the licensing of commercial driving schools and the instructors in commercial driver training schools.


"Department" – Department of Driver Services within the Office of the Secretary of State.

"Endorsement" – an indication on the driver's license that the driver has qualified to operate certain types and/or combinations of vehicles, and/or carry specified cargo.
"Enhanced Instruction Report" – a report submitted on a form prescribed by the Department showing the name, address, and number of behind-the-wheel instruction periods taken for every student who has had twenty-five (25) hours of behind-the-wheel instruction.

"Fraud" – includes anything calculated to deceive, whether it be a single act or combination of circumstances, whether the suppression of truth or the suggestion of what is false, whether it be by direct falsehood or by innuendo, by speech or by silence.

"Gross Combination Weight Rating (GCWR)" – the GVWR of the power unit plus the GVWR of the towed unit(s) or the combined registered weight of the power unit plus the towed unit, whichever is greater.

"Gross Vehicle Weight Rating" or "(GVWR)" – the value specified by the manufacturer or manufacturers as the maximum loaded weight of a single vehicle. The GVWR of a combination of vehicles (commonly referred to as the "Gross Combination Weight Rating" or GCWR) is the GVWR of the power unit plus the GVWR of the towed unit or units. In the absence of a value specified by the manufacturer, GCWR is determined by adding the GVWR of the power unit and the total weight of the towed unit and any load on the unit, the value specified by the manufacturer(s) as the maximum loaded weight of a single vehicle, or the registered gross weight, whichever is greater.

"Hazardous Materials" – substance or material in a quantity and form which may pose an unreasonable risk to health and safety or property when transported in commerce (49 USC § 1802).

"Instruction Record" – records kept by the instructor to reflect the number of hours a pupil in a Commercial Driver Training School attends behind-the-wheel and classroom instruction as provided in Section 6-418 of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/6-418].

"Main Office" – the primary office of the Commercial Driver Training School which is designed solely for conducting the business of the school as provided in Article IV of the Illinois Driver Licensing Law of the Illinois Vehicle Code.

"Misrepresentation" – a false statement of a substantive fact, or any conduct
which leads to a belief of a substantive fact material to proper understanding of
the matter in hand, made with intent to deceive or mislead.

"Physical Facilities" – the building and items which constitute part of the building,
including the telephone and the furniture.

"Questionnaires" - any and all written examinations and/or forms, including but
not limited to the "Illinois Driver's License Written Examination Basic and
Classification "D"" and "Identification of Signs, Shapes and Colors" forms.

"Restriction" – requirement or condition added to a driver's license which must
first be met by the license holder before he/she may legally operate a motor
vehicle.

"Revocation" – the termination by formal action of the Secretary of a commercial
driver training school's license or a commercial driver training school instructor's
license, which termination shall be subject to renewal or restoration identical to
the provisions for revocation of a driver's license as provided in Section 1-176 of
the Illinois Vehicle Code [625 ILCS 5/1-176].

"Sex and Drug Related Offenses" – offenses of criminal sexual assault [720 ILCS
5/12-13], aggravated criminal sexual assault [720 ILCS 5/12-14], criminal sexual
abuse [720 ILCS 5/12-15], aggravated criminal sexual abuse [720 ILCS 5/12-16],
juvenile pimping [720 ILCS 5/11-19.1], soliciting for a juvenile prostitute [720
ILCS 5/11-15.1], unauthorized manufacture or delivery of a controlled substance
which shall include counterfeit drugs [720 ILCS 570/401], sale, delivery or
exchange of instruments used for illegal drug use or abuse [720 ILCS 5/22-51],
delivery of a controlled substance which includes counterfeit and look alike
substances [720 ILCS 570/407], manufacture or delivery of cannabis [720 ILCS
550/5], delivery of cannabis [720 ILCS 550/7], the production of the cannabis
plant [720 ILCS 550/8], illegal possession in a motor vehicle of any controlled
substance or any cannabis [625 ILCS 5/6-206(a)(28)], the criminal transmission
of HIV [720 ILCS 5/12-16.2], exploitation of a child [720 ILCS 5/11-19.2],
controlled substance trafficking [720 ILCS 570/401.17], cannabis trafficking [720
ILCS 550/5.1], delivery of cannabis on school grounds [720 ILCS 550/5.2],
calculated criminal cannabis conspiracy [720 ILCS 550/9], calculated criminal
drug conspiracy [720 ILCS 570/405], and criminal drug conspiracy [720 ILCS
570/405.1].
SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

"Short Review Course" – a course offered by Commercial Driver Training Schools to pupils who have previously held or currently hold a valid driver's license and which does not meet the requirement of 6 hours of classroom instruction and 6 hours behind-the-wheel instruction.

"Surety Bond" – a written obligation whereby another person assumes liability for another's debts or defaults of obligation.

"Suspension" – the procedures for temporary withdrawal of a commercial driver training school's license or commercial driver training school instructor's license identical to the provisions for the suspension of a driver's license as provided in Section 1-204 of the Illinois Vehicle Code [625 ILCS 5/1-204].

"Teen Accreditation" – the accreditation of a Commercial Driver Training School by the Department, which allows the school to offer instruction to pupils under age 18.

(Source: Amended at 31 Ill. Reg. ______, effective ____________)

Section 1060.20 Requirements for School Licenses

a) The Secretary of State shall not issue, or shall deny, cancel, suspend or revoke, a driver training school license unless:

1) The applicant has at least one motor vehicle owned or leased in the name of the driver training school or school owner indicated on the license, and registered by the Secretary of State Vehicle Services Department, that has been safety inspected and insurance certified as required in subsection (e) for use by the school for driver training purposes and driving instruction.

2) The applicant has at least one person who is employed by or associated with the school, and who is licensed or qualified to be licensed by the Department as a driver training instructor for that school.

3) The physical facilities meet the requirements of this Part.

4) The applicant is of good moral character as required pursuant to Section 6-402(a) of the Illinois Driver Licensing Law of the Illinois Vehicle Code.
NOTICE OF PROPOSED AMENDMENTS

[625 ILCS 5/6-402(a)]. In making a determination of good moral character, the Department is not limited to, but shall consider the following:

A) If the owner has been convicted of a felony:
   i) The relationship of any crime of which the person has been convicted to the ability to operate a driver training school; or
   ii) The opinions of the community members concerning the owner; or
   iii) The length of time that has elapsed since the owner's last criminal conviction.

B) If the owner has been indicted, formally charged or otherwise charged with a felony:
   i) If the owner whose commercial driver training school license has been cancelled under this Part is adjudicated "guilty" by the court systems, the cancellation previously entered on his/her record in accordance with Section 1060.190(b) of this Part shall stand. This action does not preclude further suspension and/or revocation of the commercial driver training school license under another Section of this Part or the Illinois Vehicle Code.
   ii) If the owner whose commercial driver training school license has been cancelled under this Part is adjudicated "not guilty" by the court systems, the cancellation previously entered on the license in accordance with Section 1060.190(b) of this Part shall be rescinded. This action does not preclude further suspension and/or revocation of the commercial driver training school license under another Section of this Part or the Illinois Vehicle Code.
   iii) If the owner whose commercial driver training school
SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

license has been cancelled under this Part is granted a disposition of "court supervision" by the court systems, the cancellation previously entered on the license in accordance with Section 1060.190(b) of this Part shall be rescinded. This action does not preclude further suspension and/or revocation of the commercial driver training school license under another Section of this Part or the Illinois Vehicle Code.

5G) An individual whose commercial driver training school license has been cancelled pursuant to this Part may request an administrative hearing pursuant to 92 Ill. Adm. Code 1001.

b) Only one driver training school license shall be issued to any individual, group, association, partnership or corporation, and the Department shall deny the application of any driver training school if any of the applicants are unqualified or are already licensed or have made application for another driver training school license.

c) The applicant shall not be a current salaried or contractual employee of the Secretary of State as mandated by the guidelines of the Secretary of State's Office policy manual that states that an employee shall not advocate or promote specific professional or commercial services to the public in matters under the jurisdiction of the Office of the Secretary of State.

d) No accreditation program shall remain in operation if properly qualified personnel are not available or if other changes occur that would reduce its qualifications. Exception: in the event of fire, flood or other catastrophe, the school may temporarily continue to operate with facilities that are not up to standards only for the duration of the courses that have been started, if the Director of the Department consents for them to do so. A Secretary of State employee shall determine that no health or safety hazard exists in violation of any local, State or federal ordinance before the Director of the Department shall give his/her consent. No new course can be started until facilities meet the minimum requirements for licensing.

e) No driver training school shall operate in the State of Illinois unless it provides and files with the Department a continuous surety bond in the principal sum of $20,000, underwritten by a company authorized to do business in the State of
ILLINOIS REGISTER

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

Illinois, for the protection of the contractual rights of students as provided in Section 6-402(e) of the Illinois Driver Licensing Law of the Illinois Vehicle Code. All bonds filed pursuant to this provision shall be in substantially the following form:

Know All Persons by These Presents, That We, __________________________, of __________________________, hereinafter referred to as Principal and __________________________, a corporation organized and existing to do business in the State of Illinois, for the use and benefit of all persons who may be damaged by breach of this bond, as Obligees, in the penal sum of Twenty Thousand Dollars ($20,000), lawful money of the United States of America, for the payment of which sum, well and truly to be made, we bind ourselves, our executors, administrators, successors and assigns, firmly by these presents. The Condition Of This Obligation Is such, That whereas, the principal has made application for a license or permit to the State of Illinois for the purpose of exercising the vocation of a Driver Training School. Now Therefore, if the said Principal shall faithfully comply with the Illinois Vehicle Code, as amended, and all rules and regulations which have been or may hereafter be in force concerning the said License or Permit, and shall save and keep harmless the Obligees from all loss or damage which may be sustained as a result of the issuance of said license or permit to the said Principal, this obligation shall be void; otherwise, to remain in full force and effect. The Bond Will Expire but may be continued by renewal certificate signed by Principal and Surety. The Surety may at any time terminate its liability by giving 30 days written notice to the Commercial Driver Training Section of the Department, 650 Roppolo Drive, Elk Grove Village, Illinois 60007, and the Surety shall not be liable for any default after such 30 day notice period, except for defaults occurring prior thereto.

Signed, Sealed and Dated this __________ day of ________________, 20__.  
Principal __________________________

Surety __________________________

By __________________________
Attorney-in-fact

f) Upon receipt of a properly executed application for a driver training school license, or driver training instructor's license, the Department shall investigate the
NOTICE OF PROPOSED AMENDMENTS

qualifications of the applicant, and authorized representatives shall inspect the school property and equipment to determine whether the application should be granted or denied.

g) An owner or manager shall not engage in fraudulent activity as defined in Section 1060.5 of this Part.

h) An owner or employee of a commercial driver training school shall not have been declared to have engaged in fraudulent activity within the 5 years prior to making application.

i) Licenses shall be issued by the Department.

j) An owner shall not have unauthorized possession of application forms or questionnaires used by the Driver Services Department in conjunction with administering driver’s license examinations. This includes questionnaires purposely or inadvertently obtained from any Secretary of State employee or any individual acting on behalf of the Secretary of State.

k) An owner shall not knowingly use unlicensed instructors for the purpose of classroom or behind the wheel instruction.

l) An owner shall not be currently employed as an administrator and/or teacher of a State-approved high school driver education program.

(Source: Amended at 31 Ill. Reg. _____, effective ____________)

Section 1060.50 School Locations and Facilities

a) Each driver training school must comply with Section 6-409 of the Illinois Vehicle Code [625 ILCS 5/6-409]. In addition, the branch classroom shall be identified as such by a permanent sign which indicates the location of the main office and classroom and which is reasonably visible to the general public from outside the branch classroom.

b) The established place of business of each driver training school shall comply with Section 6-406 of the Illinois Vehicle Code [625 ILCS 5/6-406] and, in addition:

1) The main office and each branch office shall have a minimum of 150
SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

square feet of office space;

2) Each school facility must post, in a conspicuous place, on or near the permanent school sign, the days and regular hours when open. A school shall not be deemed open for business unless at least one authorized representative of the school is present; and

3) The main office and each branch office of the driver training school shall have direct access from the outside. Any business may be conducted in the same building providing the business being conducted is legal and that the business has its own entrance.

c) The established place of business or branch office, branch classroom or advertised address of any driver training school shall comply with all restrictions contained in Section 6-405(b) of the Illinois Vehicle Code [625 ILCS 5/6-405].

d) Each established main office and branch office facility must maintain a place of business which shall be open to the general public during posted hours on file with the Secretary of State, a minimum of 8 hours per week. The 8 hours must be on Monday through Friday between the hours of 7 a.m. and 7 p.m.

e) The classroom facility shall contain the following:

1) Sufficient seating facilities and writing surfaces for students;

2) Charts, diagrams, traffic control devices, or pictures relating to the operation of motor vehicles and traffic laws;

3) Blackboards or other forms of illustrative devices which are visible from all seating areas;

4) Textbooks, reference books and pamphlets relating to the proper operation of motor vehicles and traffic laws;

5) Adequate fire extinguishers in operable condition as required pursuant to Section 6-406(c) of the Illinois Drivers Licensing Law of the Illinois Vehicle Code.

f) Each main classroom or branch classroom shall have:
SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

1) a minimum of 300 square feet of classroom space and the main classroom shall be within close proximity of the main office facility;

2) installed a heating and ventilating system adequate to maintain a comfortable room temperature for the occupants;

3) installed an adequate lighting system so as to provide sufficient lighting for the occupants.

g) A driver training school that which has an established place of business and a main classroom facility may operate a branch classroom, provided it meets all requirements of the main classroom.

1) Upon receipt by the Department of a written request to open a branch classroom or branch office, an authorized representative of the Department shall inspect the branch office or branch classroom, and, if it complies with the provisions of Section 6-406(e) of the Illinois Driver Licensing Law of the Illinois Vehicle Code and this Part, the Department shall issue the appropriate license, which must be displayed in a visibly prominent place in the branch facility.

2) When a branch facility is to be closed, the driver training school shall return the branch facility's license to the Secretary of State in a timely manner.

(Source: Amended at 31 Ill. Reg. _____, effective ____________)

Section 1060.100 Licenses

a) No individual, partnership, group, association or corporation may sell, assign, barter, or trade any driver training school license or driver training instructor licensed issued by the Secretary of State. No license issued under the Illinois Vehicle Code to any person to operate a driver training school or to an instructor shall be transferable.

b) When any licensed driver training school ceases to engage in the business of giving instruction for compensation in the driving of motor vehicles or the business of preparing an applicant for examination given by the Secretary of State
SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

for a driver's license or when, upon reasonable investigation, it appears that the school has ceased to do business, the owners, partners, associates, corporate directors, officers or managers of the driver training school shall surrender their driver training school license to the Secretary of State.

c) Driver training school instructors must have their wallet instructor's license on their person during all classroom and behind the wheel instruction.

(Source: Amended at 31 Ill. Reg. _____, effective ____________)

Section 1060.120 Requirements to Obtain and Retain a Driver Training Instructor's License

a) The Secretary of State shall not issue, or shall deny, cancel, suspend or revoke, a driver training instructor's license:

1) To any person who:

   A) has not held a valid driver's license for any 2 year period preceding the date of application for an instructor's license; or to any person intending

   B) intends to instruct in L and/or M classification; and, as defined in 92 Ill. Adm. Code 1030.30(b), who

   C) has not held the representative classification for 3 consecutive years immediately prior to the date of application;

2) To any person who has been convicted of 3 or more offenses against traffic regulations governing the movement of traffic within the 2 year period immediately preceding the date of application for an instructor's license;

3) To any person who has had 2 or more convictions of a violation that caused an auto accident within the 2 year period immediately preceding the date of application for an instructor's license;

4) To any person who has been convicted of driving under the influence of alcohol and/or other drugs, pursuant to Section 11-501 of the Illinois Rules
SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

of the Road of the Illinois Vehicle Code [625 ILCS 5/11-501], leaving the
scene of a fatal accident, pursuant to Section 11-401 of the Illinois Rules
of the Road of the Illinois Vehicle Code [625 ILCS 5/11-401], reckless
homicide, pursuant to Section 9-3 of the Criminal Code of 1961 [720
ILCS 5/9-3], reckless driving, pursuant to Section 11-503 of the Illinois
Rules of the Road of the Illinois Vehicle Code [625 ILCS 5/11-503], or
any sex or drug related offense within 10 years prior to date of application;

5) To any person who has failed to pass the written, vision, or road test
required by the Department for applicants for a driver training instructor's
license;

6) To any person who is physically unable to safely operate a motor vehicle
or to safely instruct or train others in the operation of a motor vehicle as
determined by a licensed physician pursuant to Section 6-411(d) of the
Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/6-
411(d)]. An application/medical examination form provided by the
Secretary of State shall be completed by the applicant and physician. The
physician's medical examination form shall contain the applicant's ability
to safely operate a motor vehicle. The form shall also contain an
indication of the person's eyesight, hearing, mental alertness, reflexes, and
whether the person has normal use of his/her limbs and feet. The
physician must also provide his/her address and the date and place of the
examination. Those persons who are solely classroom instructors shall
comply with subsection (d) of this Section;

7) To any person who fails to properly and fully complete an application for
a license or otherwise indicates that he/she is unqualified to receive a
driver training instructor's license;

8) To any person who is not employed or associated with a driver training
school licensed by the Department as required pursuant to Section 6-417
ILCS 5/6-417];

9) To any person who is currently a salaried or contractual employee of the
Secretary of State as mandated by the guidelines of the Secretary of State's
Office Policy Manual that states that an employee shall not advocate or
promote specific professional or commercial services to the public in
matters under the jurisdiction of the Office of the Secretary of State;

10) To any person who fails to supply a complete set of fingerprints to the Department as required pursuant to Section 6-411(b) of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/6-411(b)];

11) To any person who is not at least 21 years of age and a resident of the State of Illinois;

12) To any person who has failed to comply with the provisions of this Part pursuant to Section 6-411(d) of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/6-411(d)];

13) To any person who is not of good moral character as required pursuant to Section 6-411(a) of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/6-411(a)]. In making a determination of good moral character, the Department is not limited to, but shall consider the following:

A) If the instructor has been convicted of a felony:

i) The relationship of any crime of which the person has been convicted to the ability to operate a driver training school; or

ii) The opinions of the community members concerning the owner; or

iii) The length of time that has elapsed since the owner's last criminal conviction.

B) If the instructor has been indicted, formally charged or otherwise charged with a felony:

i) If the instructor whose commercial driver training school instructor license has been cancelled under this Part is adjudicated "guilty" by the court systems, the cancellation previously entered on his/her record in accordance with Section 1060.190(b) of this Part shall stand. This action
SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

does not preclude further suspension and/or revocation of the commercial driver training school instructor license under another Section of this Part or the Illinois Vehicle Code.

ii) If the instructor whose commercial driver training school instructor license has been cancelled under this Part is adjudicated "not guilty" by the court systems, the cancellation previously entered on the license in accordance with Section 1060.190(b) of this Part shall be rescinded. This action does not preclude further suspension and/or revocation of the commercial driver training school instructor license under another Section of this Part or the Illinois Vehicle Code.

iii) If the instructor whose commercial driver training school instructor license has been cancelled under this Part is granted a disposition of "court supervision" by the court systems, the cancellation previously entered on the license in accordance with Section 1060.190(b) of this Part shall be rescinded. This action does not preclude further suspension and/or revocation of the commercial driver training school instructor license under another Section of this Part or the Illinois Vehicle Code.

C) An individual whose commercial driver training school instructor license has been cancelled pursuant to this Part may request an administrative hearing pursuant to 92 Ill. Adm. Code 1001;

14) To any person whose suspension under Section 11-501.1 of the Illinois Rules of the Road of the Illinois Vehicle Code [625 ILCS 5/11-501.1] has terminated within 10 years prior to date of application;

15) To any person who has not completed a 30 hour course or an equivalent college or university course approved by the Director of the Department.

A) Any person possessing a current and valid commercial driver training instructor's license, or who is renewing a commercial driver training license issued by the Secretary of State's Office,
SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

shall be exempt from this requirement.

B) A driver training school whose instructor provides training to individuals under the age of 18 years is exempt from this requirement and must complete the mandatory 48 hour course as required in Section 1060.180 of this Part;

16) To any person currently licensed by the Secretary of State as a Third Party Certification Program Safety Officer;

17) To any person who is currently an administrator and/or teacher of a State-approved high school driver education program.

b) If an applicant indicates that he/she has been convicted of a felony, the applicant shall submit a signed release allowing the Department to obtain any information regarding the applicant's arrest and conviction, thereby enabling the Department to determine the fitness of an applicant to be licensed as an instructor.

c) No driver training instructor shall provide behind-the-wheel instruction in a vehicle that is classified higher than the classification of the instructor's driver's license. An instructor may hold two classifications; one classification from Classes A, B, C and D, and one classification from Classes L and M, as defined in 92 Ill. Adm. Code 1030.30(b). An instructor holding a Class A commercial driver's license may teach students to drive all Class A, B, C, and D vehicles. An instructor holding a Class B commercial driver's license may teach students to drive all Class B, C, and D vehicles. An instructor holding a Class C commercial driver's license may teach students to drive all Class C and D vehicles. However, an instructor holding a non-commercial driver's license may only teach students who do not require a commercial driver's license. An instructor holding a Class M license may teach students to drive all Class L and M vehicles.

d) Any person who is physically unable to safely operate a motor vehicle but meets all other requirements to be a driver training instructor shall be able to teach only the classroom portion of the driver training course upon receipt of a doctor's statement indicating the person is physically able to teach in the classroom. The person shall also pass the vision test, as provided in 92 Ill. Adm. Code 1030.70, the written test, as provided in 92 Ill. Adm. Code 1030.80, the highway safety sign test, and submit all applicable fees as set out in Section 6-411 of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/6-411] before
being issued an instructor's license for classroom instruction only.

e) All instructors who have ceased to be employed or associated with the designated school on their license must submit a new complete instructor's license application and application fee before being licensed to instruct at another school or in the same school after such cessation.

f) If a driver training instructor license is not renewed within one year after the previous year's expiration date, the applicant shall be required to take examinations pursuant to Section 1060.130 of this Part.

g) An instructor shall not engage in fraudulent activity as defined in Section 1060.5 of this Part.

h) During the course of instruction in either classroom or behind-the-wheel, an instructor shall not engage in activity unrelated to normal driving instruction that puts the student in danger.

i) An instructor shall not have unauthorized possession of application forms or questionnaires used by the Driver Services Department in conjunction with administering driver's license examinations. This includes questionnaires purposely or inadvertently obtained from any Secretary of State employee or any individual acting on behalf of the Secretary of State.

j) An individual whose commercial driver training school instructor license has been cancelled pursuant to this Part may request an administrative hearing pursuant to 92 Ill. Adm. Code 1001.

(Source: Amended at 31 Ill. Reg. ______, effective ____________)

**Section 1060.180  Teen Accreditation**

a) Accreditation of the School – Each commercial driver training school that desires to offer instruction to those under the age of 18 must be accredited by the Secretary of State through the Department of Driver Services before such instruction can be offered or advertised.

1) Upon receipt of proper application for accreditation, the Secretary of State will investigate the school and verify the application. A Secretary of State
NOTICE OF PROPOSED AMENDMENTS

employee shall contact the school and make an appointment to visit the school’s facilities. At the time of the visit, the Secretary of State employee shall verify that the school meets the standards set forth for commercial driving schools in Section 6-401 of the Illinois Vehicle Code [625 ILCS 5/6-401]. In addition, the school shall meet the standards for commercial driver school teen accreditation that are set forth in Section 1060.180(b) through (f) of this Part. These standards shall be furnished to the school by the Secretary of State before the visit if the school requests them. If all qualifications and standards are met, the school shall be certified to offer instruction to students under the age of 18.

2) The accreditation of each school is renewable upon the expiration date of the school license provided all qualifications and standards are met and provided the school has been in compliance with all rules.

3) Only qualified teaching personnel may teach persons under age 18. Exception: in the event of an emergency situation wherein the only available teacher terminates his or her employment, or must take a leave of absence, while a course remains incomplete, other licensed instructors may take over and complete the course. No new courses may be started before properly qualified teaching personnel are again available. In all such cases the Department must give prior approval. Approval shall not be given until the Department has checked the roster of instructors at the school and determined that no other teacher licensed by the Secretary of State to teach students under 18 is available at the school.

b) Required Facilities – All teen accredited driver training schools must provide all classroom and vehicle facilities and equipment as prescribed in the driving school laws and regulations as administered by the Secretary of State. Those who desire to provide instruction for persons under the age of 18 must comply with Section 1060.50 of this Part. Schools in operation at the time that this Part becomes effective may continue to use their present classroom facilities as long as they continue to occupy them.

1) Required Course of Instruction

   A) One copy of an outline covering the topics to be taught in the classroom phase of instruction, and 1 copy of an outline of the behind-the-wheel phase of instruction constructed along the lines
NOTICE OF PROPOSED AMENDMENTS

of the recommended "Illinois Driver Education Curriculum." Said outlines must meet the approval of the Director of the Department.

i) Accredited teen driver training schools must follow the approved classroom and behind-the-wheel course outlines that are submitted to the Director of the Department at the time of application for certification. The Department shall determine compliance with this provision by unannounced inspections of teen classes and records. At least one such inspection shall take place every 2 months.

ii) If such classroom or behind-the-wheel outlines are substantially changed, revised outlines must be submitted in duplicate to the Director of the Department for approval. A letter shall be sent to the driver training school informing them if their classroom or behind-the-wheel outline has been approved.

B) Instructional materials shall be available and shall include one of the following: a 16 mm sound projector and screen, video equipment with films processed on video tape, a film strip or slide projector and films which correspond with the outline described in subsection (b)(2)(A) of this Section.

C) A professional library containing an assortment of reference and textbooks, pamphlets and other publications which is available for the use of students or teachers.

c) Teacher Qualifications

1) Classroom Teacher Qualifications – Each teen accredited driver training school must have at least one classroom instructor employed who meets the standards of Section 6-411 of the Illinois Vehicle Code [625 ILCS 5/6-411], pertaining to classroom instructors who teach approved driver education courses to students under 18 years of age.

A) A classroom driver training instructor teaching the teen accredited program must comply with Sections 1060.120 and 1060.130 of this Part.
SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

B) The instructor must possess good physical and mental health. An application/physical exam form will be provided by the Secretary of State, which must be completed by the instructor and a physician.

C) The instructor must qualify under one of the following requirements:

i) Be a certified teacher meeting the requirements of 23 Ill. Adm. Code 252.40(b)(3). (Minor – 16 semester hours)

ii) Hold a baccalaureate degree, have 1 year of teaching experience in primary, secondary or higher education and complete a 48 hour course approved by the Director of the Department.

iii) Complete the 48 hour course or an equivalent college or university course (a course, at least 48 hours in length, designed to provide individuals with the knowledge, methods and procedures specific to conducting driver education instructional courses, that has been approved by the Director of the Department) and provide written documentation verifying they have had 2 months of experience teaching behind-the-wheel to adults.

iv) Hold a valid State teaching certificate and complete a 48 hour behind-the-wheel and classroom course approved by the Director of Driver Services.

2) Behind-the-wheel Teacher Qualifications – Behind-the-wheel teachers of driving shall be those who have passed an objective type written examination based upon current textbooks and the Motor Vehicle Code; a practical test regarding their ability to drive and to instruct others; and investigation of their moral character and driving record as required in Section 6-411(a) through (f) of the Illinois Vehicle Code [625 ILCS 5/6-411(a) through (f)] and supplementary regulations.

A) A driver training instructor teaching the teen accredited behind-
SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

the-wheel program must comply with Sections 1060.120 and 1060.130 of this Part.

B) The instructor must possess good physical and mental health. An application/physical exam form will be provided by the Secretary of State which must be completed by the instructor and a physician.

C) The instructor must qualify under one of the following requirements:

i) Be a certified teacher meeting the requirements of 23 Ill. Adm. Code 252.40(b)(3).

ii) Hold a baccalaureate degree and have 26 months of experience in teaching behind-the-wheel to adults.

iii) Have 7 years of uninterrupted teaching experience in a commercial driver training school.

iv) Be licensed by the Secretary of State, complete the 48 hour course (48 Hour Course – a course, at least 48 hours in length, designed to provide individuals with the knowledge, methods and procedures specific to conducting driver education instructional courses that has been approved by the Department Director) or an equivalent college or university course approved by the Director of Driver Services, and provide written documentation verifying they have had 2 months of experience teaching behind-the-wheel to adults.

v) Hold a valid State teaching certificate and complete a 48 hour course approved by the Director of Driver Services.

3) Classroom and/or behind-the-wheel driver education teachers are to be assigned not more than 12 clock hours of instructional work daily. No teen instruction, classroom or behind-the-wheel can take place between the hours of 10:00 p.m. and 6:00 a.m.
SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

d) Student Qualifications

1) A driver training school or driver training instructor licensed by the Secretary of State shall comply with all of the requirements of Section 6-408.5 of the Illinois Vehicle Code [625 ILCS 5/6-408.5] prior to requesting a certificate of completion from the Secretary of State.

2) A superintendent or chief school administrator may waive the requirements contained within Section 6-408.5 of the Illinois Vehicle Code if he/she deems it to be in the best interests of the student or dropout. The State Board of Education may, at their discretion, by rule or regulation, establish guidelines for the waiver of the requirements of Section 6-408.5 of the Illinois Vehicle Code [625 ILCS 5/6-408.5].

3) Prior to a driver training school or driver training school instructor requesting a certificate of completion for a student, the driver training school or driver training instructor must verify that the student is enrolled in school and has received a passing grade in at least 8 courses during the 2 semesters. Verification of a student's eligibility to obtain a certificate of completion from the Secretary of State shall be by one of the following methods:

   A) obtain written documentation on a form prepared or approved by the Secretary of State stating the student has received a passing grade in at least 8 courses during the previous 2 semesters;

   B) obtain written waiver from a superintendent or school administrator on a form prepared or approved by the Secretary of State;

   C) obtain written verification on a form prepared or approved by the Secretary of State stating the student is enrolled in a home school;

   D) obtain copies of the student's report card and/or transcript for the previous 2 semesters indicating a passing grade in at least 8 courses during the previous 2 semesters.

4) Verification of eligibility for any person who has dropped out of school and has not yet attained the age of 18 years shall be by one of the
SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

following methods:

A) obtain written documentation verifying the dropout's enrollment in GED or an alternative education program or obtain a copy of the dropout's GED certificate;

B) obtain written verification that the student prior to dropping out had received a passing grade in at least 8 courses during the 2 previous semesters last ending prior to requesting a certificate of completion; or

C) obtain written consent on a form prepared or approved by the Secretary of State from the dropout's parents or guardian and the regional superintendent.

5) Students enrolled in a driver training school shall be informed in writing of the eligibility requirements of Section 6-408.5 of the Illinois Vehicle Code at the time of registration which shall be documented in the student's file.

6) The driver training school and/or driver training school instructor shall maintain a copy and make available for inspection all written documentation required by this Section.

e) Classroom Instruction – for persons under age 18 years

1) No classroom instruction shall be provided to any person who is enrolled as a student in any public or non-public secondary school unless the restrictions contained in Section 6-408.5 of the Illinois Vehicle Code [625 ILCS 5/6-408.5] are complied with.

1)2) Classroom instruction shall include not less than 30 class hours. Instructional periods are to be no longer than 2 hours daily with meetings distributed regularly throughout the minimum of four complete weeks. The maximum number of students cannot exceed 30 per class for classroom instruction unless the size of the classroom exceeds 350 square feet, then a maximum of 35 students shall be allowed.

2)3) Classroom instruction shall include subject matter relating to the rules of
SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

the road, safe driving practices, pedestrian safety, driver responsibility, theory of driving, defensive driving techniques, behavioral characteristics of drivers, auto insurance and financial responsibility, development of perception for driving, emergency situation procedures, the use of automobile safety devices, and the effects of alcohol and/or other drugs on driving.

3) Each classroom course must have a definite starting date and completion date. Late registrations shall not be accepted beyond the third day of the course, at which time the course must be closed to further enrollments.

4) Late registrants and absentees shall be given make-up instruction and assignments. No school shall permit the student to be absent from more than 4 class sessions without requiring the student to re-enroll in a later course and to start over.

5) The teaching facilities must provide adequate, comfortable seating for students. Lighting must be adequate and the maintenance (housekeeping) of the room orderly.

6) A textbook on driver education must be in the possession of each student for the duration of the course, to be used as a regular part of the course content, and consistent with the recommended course outline.

7) Audio-visual materials shall be used as a supplement to the teacher's presentation but not as a replacement. Reference materials are to be available to the students and their use assured by assignments. All assignments are to be made in advance of due dates and should include outside reading as well as preparation for testing.

8) A regular schedule of classroom testing shall be followed. Student progress in acquaintance with information, data, and knowledge is to be periodically evaluated. Criteria for passing or failing the course must be evident to the students and successful completion clearly defined.

9) Each student shall be informed prior to the time instruction begins of the character and amount of any and all fees or charges made for enrollments or registration, tuition, use of equipment, text and reference materials, supplies, and any service, equipment, or materials provided by the
SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

commercial driving school.

10) Instruction for each student in the class shall begin on the date and location designated by advertisement and continue throughout the designated period unless the course is cancelled and the student is refunded any fees already paid.

11) A listing of students enrolled in the classroom shall be sent to the Department of Driver Services Blue Slip Unit within 3 days after the third day of classroom instruction on forms provided by the Secretary of State. A certificate will not be issued to anyone whose name has not been submitted on this form signed by an authorized official of the school.

f) Laboratory Instruction – for persons under age 18 years

1) Laboratory instruction shall not begin until such time as the student is enrolled in a classroom program of driver education and possesses the basic information required for safe operation of a vehicle in traffic. At least 4 hours of classroom instruction must be given before behind-the-wheel lessons are started.

2) Each student must have in his or her possession when engaged in vehicle operation a valid instruction permit issued by the Secretary of State.

3) Not less than two nor more than four students are to occupy the car with an instructor when instruction is in progress. Student driving experiences shall be for periods of not more than 90 minutes for each student per session. The accumulation of 6 hours of practice driving shall be distributed regularly throughout a minimum of two complete weeks. Although observation time in the car may not be counted as practice driving, a minimum of 6 hours is required. The only exception shall be when a parent requests that observers be excluded because the parent has chosen an alternate formula. The alternate formula may substitute 1 additional hour of behind the wheel instruction for 3 hours of observation; or 2 additional hours of behind the wheel instruction for 6 hours of observation. If an alternate formula is chosen the student may drive alone with an instructor. The school must maintain on file a parental signature authorizing the student to take an alternate formula for the behind the wheel portion of instruction.
SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

4) Each student shall receive a minimum of 6 full hours of behind-the-wheel instruction. There can be no allowance for any absences without actual make-up time spent behind-the-wheel. Satisfactory completion denotes that each student has the competencies to be certified by the school for issuance of a certificate.

5) Lesson time or practice driving time may not be used to call for, deliver or dismiss other students to their homes or pick-up points.

6) Practice driving instruction shall include actual experience in starting, stopping, shifting, turning, backing, parking, steering, and emergency situation procedure in a vehicle equipped according to Section 6-410 of the Illinois Vehicle Code [625 ILCS 5/6-410].

g) Records

1) Records shall be maintained by schools which substantiate daily attendance, lesson time, and periodic evaluation of each student. Also recorded shall be the beginning and ending dates of classroom as well as laboratory instruction. Students are to be identified by their social security numbers as well as by name, address and other personal information. Such records are to be on file in the office of the management for a period of 3 years.

2) A Secretary of State form shall be used for submitting the names of those students who have satisfactorily fulfilled the requirements of the complete course in driver education and who qualify for a certificate. The form shall be signed by an authorized official of the school.

(Source: Amended at 31 Ill. Reg. ______, effective ____________)

Section 1060.200 Commercial Driver's License and/or Endorsement and/or Accreditation

a) Accreditation of the Program – Each commercial driver training school that desires to offer instruction to those individuals who wish to obtain a CDL and/or endorsement and/or restriction must be accredited by the Secretary of State through the Department of Driver Services before such instruction can be offered or advertised.
NOTICE OF PROPOSED AMENDMENTS

1) Upon receipt of proper application for accreditation, the Secretary of State shall investigate the program and verify the information contained in the application. A Secretary of State employee shall contact the applicant and make an appointment to inspect the school's facilities. At the time of inspection, the Secretary of State employee shall verify that the school meets the standards for CDL accreditation set forth in Section 1060.190(b) through (f) in addition to all other applicable Sections within this Part. These standards shall be furnished to the school by the Secretary of State before the visit if the school requests them. If all qualifications and standards are met, the school shall be accredited to offer instruction on how to operate a vehicle with CDL and/or endorsement and/or restriction classification.

2) The accreditation of each school is renewable upon the expiration date of the school license, provided all qualifications and standards are met, provided the school has been in compliance with all rules.

3) Only qualified teaching personnel who already possess a CDL and/or endorsement and/or restriction classification may teach the drive portion of instruction.

b) Required facilities – All CDL and or endorsement and/or restriction accredited schools must provide all classroom and vehicle facilities and equipment as prescribed in Article IV of the Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/Ch. 6, Art. IV] and Section 1060.50 of this Part. Those who desire to provide instruction to persons who wish to obtain a CDL and/or endorsement and/or restriction classified license must additionally provide a vehicle training area, owned or leased by the school, with sufficient space to properly accommodate the number of vehicles the school has in operation and appropriate off-street maneuvers.

1) Required course of instruction:

A) CDL accredited driving schools must administer driving instruction that corresponds to a curriculum that will be provided to the school by the Secretary of State. Each CDL accredited driving school must provide the minimum of 160 hours of instruction in not less than a 4 week period to each student as
NOTICE OF PROPOSED AMENDMENTS

indicated in the curriculum.

B) The following curriculum must be offered to each first time CDL student in a minimum of 4 weeks. Each student must receive 160 hours of CDL instruction allocated as outlined in this subsection (b)(1)(B). The training schedule outlined must follow the Illinois Occupational Skill Standards, Entry-Level Truck Driver Manual (March 1999) endorsed for Illinois by the Illinois Occupational Skill Standards and Credentialing Counsel. This Manual is available from the Secretary of State Driver Facility, 650 Roppolo Drive, Elk Grove Village IL 60007, follows:

i) Classroom. 40 hours of classroom instruction; this includes, but is not limited to, preparation for the Secretary of State's written examinations and all chapters of this curriculum.

ii) Range. 16 hours of training yard behind-the-wheel instruction. This requires one on one instruction with a properly licensed CDL instructor and vehicle on an approved training lot.

iii) Over the Road. 16 hours of behind-the-wheel instruction on public streets and highways. This requires one on one instruction with a properly licensed CDL instructor and vehicle.

iv) Observation. 10 hours of observation experience composed of observation of the practice range and over-the-road training.

v) Remedial Training. 78 hours of additional classroom training, observation, and practice range/over-the-road training based on each CDL student's specific needs.

The training schedule outlined above must follow the Illinois Occupational Skill Standards, Entry-Level Truck Driver Manual (March 1999) endorsed for Illinois by the Illinois Occupational Skill Standards and Credentialing Counsel. This Manual is
C) Instructional materials shall be available and shall include at least one of the following: a 16 mm sound projector and screen, video equipment with films processed on video tape, a film or films.

D) A professional library containing an assortment of reference and textbooks, pamphlets, and other publications, including but not limited to the CDL Study Guide, that are available for the use of students and teachers.

E) A brush-up course of instruction may be offered to individuals who currently hold or have held a CDL issued under the requirements of 49 CFR 383 (2005). The school must maintain records that verify students qualify for a brush-up course. This course may be offered on an hourly basis. No brush-up course may be offered to any individual who has never held a CDL or its equivalent.

F) Classroom instruction – CDL and/or endorsement and/or restriction classification instruction.

i) Each classroom course must have a definite starting date and completion date. A listing of students enrolled in each course shall be sent to the Secretary of State, within 3 days after the third day of classroom instruction, on forms provided by the Secretary of State.

ii) Classroom instruction shall include subject matter relating to the rules of the road as contained in the CDL Study Guide, safe driving practices, pedestrian safety, defensive driving techniques, behavioral characteristics of drivers, federal regulations relating to the Department of Transportation and CDL standards (49 CFR 383, as incorporated in Section 1060.5 (Commercial Driver's License)), vehicle insurance, the use of safety devices, and the effects of alcohol and drugs on driving.

iii) Practice driving instruction must comply with the
NOTICE OF PROPOSED AMENDMENTS

curriculum provided by the Office of the Secretary of State.

iv) Audio-visual materials shall be used as a supplement to the teacher's presentation, but not as a replacement. Reference materials are to be available to the students and their use assured by assignments. All assignments are to be made in advance of due dates and shall include outside reading as well as preparation for testing.

v) A regular schedule of classroom testing shall be followed. Student progress is to be periodically evaluated. Criteria for passing or failing the course shall be evident to the student, and successful completion clearly defined.

vi) Each student shall be informed, prior to the time instruction begins, of the amount of any and all fees or charges made for enrollment or registration, tuition, use of equipment, or materials provided by the CDL and/or endorsement and/or restriction accredited driver training program.

vii) Instruction of each student in the class shall begin on the date and location designated by advertisement and continue throughout the designed period, unless the course is cancelled and the student is refunded any fees already paid.

G) Laboratory Instruction – For persons taking instruction for CDL and/or endorsement and/or restriction classification.

i) Behind-the-wheel instruction shall not begin until such time as the student is enrolled in a classroom program of CDL and/or endorsement and/or restriction classification driver training and obtains the required knowledge for the safe operation of a vehicle in traffic as provided in 49 CFR 383.110-121.

ii) Each student must have in his/her possession when engaged in vehicle operation a valid and properly classified instruction permit issued by the Secretary of State, unless previously licensed in a classification representative of the
NOTICE OF PROPOSED AMENDMENTS

vehicle he/she intends to drive.

iii) Practice driving instruction shall include but not be limited to pre-trip inspection, actual experience in starting, stopping, shifting, turning, backing, docking, parking, steering, and emergency situation procedures.

iv) CDL skills testing for “A” classification A must be given in a representative power unit with a multi-range transmission with no fewer than 9 forward gears and a representative trailer at least 48 feet long with a tandem axle.

2) Student ratio per course

A) The total number of students enrolled in each CDL accredited course in any 30 day period shall not exceed 5 students per each currently licensed instructor.

B) The total number of students enrolled in each CDL accredited course in any 30 day period shall not exceed 6 students for each currently registered CDL vehicle.

c) Classroom teacher qualifications

1) Each CDL and/or endorsement and/or restriction accredited driver training school must have at least one classroom instructor employed by the school who meets the standards of Section 6-411 of the Illinois Vehicle Code [625 ILCS 5/6-411].

2) Required classroom teacher qualifications:

A) A driver training instructor teaching the classroom portion of a CDL and/or endorsement and/or restriction accredited course must comply with Sections 1060.120 and 1060.130 of this Part.

B) The instructor must possess good physical and mental health as determined by a physician. An application/physical examination form shall be provided by the Secretary of State which shall be completed by the instructor and a physician.
NOTICE OF PROPOSED AMENDMENTS

C) A classroom instructor must pass an objective type instructor written examination based upon the Illinois Vehicle Code, commercial school rules and regulations, and the Commercial Motor Vehicle Safety Act of 1986 (49 USC 2704). The written examination shall consist of 125 questions (90 multiple choice and 35 true/false) and the instructor must correctly answer 106 questions to pass.

d) CDL and/or endorsement and/or restriction behind-the-wheel teacher qualifications

1) Each CDL and/or endorsement and/or restriction accredited driver training school must have at least one behind-the-wheel instructor employed by the school who meets the standards of Section 6-411 of the Illinois Vehicle Code [625 ILCS 5/6-411].

2) Required behind-the-wheel teacher qualifications:

A) A driver training instructor teaching the behind-the-wheel portion of a CDL and/or endorsement and/or restriction accredited course must comply with the provisions of Sections 1060.120 and 1060.130 of this Part and be licensed in a classification representative of the vehicle in which they intend to teach for at least 3 consecutive years immediately prior to application (a 1 month lapse in renewal will not negate the 3 consecutive years requirement).

B) The instructor must possess good physical and mental health as determined by a physician. An application/physical examination form, provided by the Secretary of State, shall be completed by the instructor and a physician.

C) The instructor shall give instruction only in the classification and/or endorsement and/or restriction in which he/she is licensed.

D) A behind-the-wheel instructor must pass an objective type instructor written examination based upon the Illinois Vehicle Code, commercial school rules and regulations, and the
SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

Commercial Motor Vehicle Safety Act of 1986 (49 USC 2704) as provided for in subsection (c)(1)(C) of this Section. In addition, a behind-the-wheel instructor must pass a practical test regarding his/her ability to drive a vehicle of CDL and/or endorsement and/or restriction classification (92 Ill. Adm. Code 1030.85).

e) Student Instruction Records

1) Records shall be maintained by schools that document daily attendance, lesson time, and periodic evaluation of each student. Also recorded shall be the dates of classroom instruction, behind-the-wheel instruction and observation time. Students are to be identified by their social security numbers as well as by name, address, and other personal information. A driver license number also must be entered on the student record. Such records are to be on file in the office of the management for a period of 3 years.

2) The driver school with a CDL and/or endorsement and/or restriction accreditation must meet all requirements of Section 1060.60 of this Part.

3) The school and each student must maintain separate but identical logs of the student's behind-the-wheel instruction and observation time. The logs must include the dates of instruction, type of instruction, student/instructor signatures and odometer readings of the vehicles used for instruction.

4) A Secretary of State form shall be used for submitting names of those students who have satisfactorily fulfilled the CDL accreditation course. The form shall be signed by an authorized official of the school.

f) The Secretary of State shall suspend or revoke, cancel or deny the license and/or accreditation of any driver training school or driver training instructor if the school or instructor fails to comply with the provisions of this Part or 49 CFR 383.

g) The Secretary of State may reduce the amount of scheduled skills testing for CDL Accredited schools that have a student failure rate of 45% or greater in the preceding 2 calendar months.

(Source: Amended at 31 Ill. Reg. ______, effective __________)
DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF PROPOSED AMENDMENT

1) **Heading of the Part:** Procedures of the Department of State Police Merit Board

2) **Code Citation:** 80 Ill. Adm. Code 150

3) **Section Number:** 150.430  
**Proposed Action:** Amendment

4) **Statutory Authority:** 20 ILCS 2610/10

5) **A Complete Description of the Subjects and Issues Involved:** Section 150.430 – This change describes how the Merit Board calculates the top 65% for certification eligibility.

6) **Published studies or reports, and sources of underlying data, used to compose this rulemaking:** None

7) **Will this rulemaking replace any emergency rulemaking currently in effect?** No

8) **Does this rulemaking contain an automatic repeal date?** No

9) **Does this rulemaking contain incorporations by reference?** No

10) **Are there any other proposed rulemakings pending on this Part?** No

11) **Statement of Statewide Policy Objectives:** This rulemaking will not affect units of local government.

12) **Time, Place and Manner in which interested persons may comment on this proposed rulemaking:** Interested persons may submit written comments within 45 days after this issue of the *Illinois Register* to:

    Mr. James E. Seiber, Executive Director  
    Department of State Police Merit Board  
    3180 Adloff Lane, Suite 100  
    Springfield, Illinois 62703  

    217/786-6240

13) **Initial Regulatory Flexibility Analysis:**
DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF PROPOSED AMENDMENT

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the two most recent agendas because: the Board has just recently voted on the change.

The full text of the Proposed Amendment begins on the next page:
DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF PROPOSED AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE A: MERIT EMPLOYMENT SYSTEMS
CHAPTER IV: DEPARTMENT OF STATE POLICE MERIT BOARD

PART 150
PROCEDURES OF THE DEPARTMENT OF STATE POLICE MERIT BOARD

SUBPART A: DEFINITIONS

Section 150.10 Definitions

SUBPART B: CERTIFICATION FOR APPOINTMENT

Section 150.210 Qualifications
150.220 Selection Procedures
150.230 Recertification
150.240 Probationary Period

SUBPART C: CLASSIFICATION OF RANKS

Section 150.310 Ranks
150.320 Interdivisional Transfers

SUBPART D: CERTIFICATION FOR PROMOTION

Section 150.410 Board Responsibilities
150.420 Eligibility
150.430 Procedures
150.440 Promotion Probationary Period (Repealed)

SUBPART E: DISCIPLINARY ACTION

Section 150.510 Merit Board Jurisdiction
150.520 Discipline Afforded the Deputy Director
DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF PROPOSED AMENDMENT

150.530 Notification to Suspended Officer
150.540 Petition for Review
150.550 Form and Content of Petition for Review
150.560 Filing Procedures
150.565 Procedure for Processing Petition for Review
150.570 Director's Review
150.575 Discipline Afforded the Director
150.580 Complaint Procedures
150.585 Scheduling the Hearing
150.590 Notification to Officer

SUBPART F: HEARINGS

Section
150.610 Board Docket
150.620 Hearing Officer
150.630 Pre-hearing Conferences
150.640 Motions
150.650 Subpoenas
150.655 Request for Witnesses or Documents
150.660 Evidence Depositions
150.665 Hearing Procedures
150.670 Continuances and Extensions of Time
150.675 Computation of Time
150.680 Decisions of the Board
150.685 Service and Form of Papers

150.APPENDIX A Vision Standards (Repealed)
150.APPENDIX B Physical Fitness Standards

AUTHORITY: Implementing Sections 3 through 14 and authorized by Section 8 of the State Police Act [20 ILCS 2610/3 through 14].

DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF PROPOSED AMENDMENT


SUBPART D: CERTIFICATION FOR PROMOTION

Section 150.430 Procedures

a) The Board will provide each officer with official notification announcing the examination and requesting a written response respecting the officer's intention to participate.
DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF PROPOSED AMENDMENT

b) Candidates for promotion must complete examinations at the time designated by the Board in the official notification. No exceptions will be allowed.

c) Such candidates must have taken the most recent examination offered by the Board to be eligible for certification for promotion. All candidates taking the examination for each rank will be advised of their total promotional score and standing.

d) Promotional Process Components
The total promotional score will consist of combined standardized scores or respective percentage weights of the components designated for each rank:

Components

Sergeant:

Job Knowledge Test          50%
Performance Appraisal       45%
Seniority in Rank           Up to 5 points

Master Sergeant, Lieutenant and Captain:

Job Knowledge Test, Performance Appraisal and Assessment Exercise, combined 95%
Seniority in Rank           Up to 5 points

e) Candidates for the ranks of Master Sergeant, Lieutenant and Captain will participate in a written examination and an assessment exercise, as well as receive a performance appraisal and a seniority score. The combined score will be standardized to a 100 point scale. The top 65% of all Sergeants, Master Sergeants and Lieutenants participating in the total promotional process will be certified by the Board. The top 65% of candidates is calculated by taking the total number of candidates on that list, multiplying that number by 0.65 and, in a case of a fraction, rounding up to the next whole integer. Any officer whose rank on the list is equal to or less than that number shall be considered certified for promotion. All candidates competing for the ranks of Lieutenant and Captain
DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF PROPOSED AMENDMENT

must possess a Bachelor's Degree. Those candidates hired before 1999 will be granted 10 years to complete a Bachelor's Degree. The 10 year period will begin on January 1, 2003 and end on December 31, 2013. Candidates must have graduated with a "C" average or better from an accredited college or university, as certified by the registrar of the college or university. The college or university must be accredited by one of the following associations:

1) Middle States Association of Colleges and Schools;
2) North Central Association of Colleges and Schools;
3) New England Association of Schools and Colleges;
4) Northwest Association of Schools and Colleges;
5) Southern Association of Colleges and Schools;
6) Western Association of Schools and Colleges.

f) The Board will certify to the Director the top 65% of those Troopers and Special Agents participating in the total promotional process. The top 65% of candidates is calculated by taking the total number of candidates on that list, multiplying that number by 0.65 and, in a case of a fraction, rounding up to the next whole integer. Any officer whose rank on the list is equal to or less than that number shall be considered certified for promotion.

There will be a statewide certification list for the rank of Captain. The certification lists for Sergeant and Master Sergeant will be according to Districts and the certification lists for Lieutenant will be according to Regions, as defined jointly by the Illinois State Police and the Illinois State Police Merit Board for promotional purposes.

h) The top 10 candidates on each certification list for all ranks are equally eligible for promotion by the Director; however, in the event of a tied score, all candidates obtaining such score shall be equally eligible for promotional consideration. The Director may promote accordingly any one of the eligible candidates in accordance with Equal Employment Opportunity Commission regulations (29 CFR 1600 et seq. (July 1, 1982)) and Illinois Department of Human Rights guidelines.
DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF PROPOSED AMENDMENT

1) As promotions are accepted or waived, that candidate with the next highest total promotional score on the list becomes equally eligible for promotion; however, in the event of a tied score, all candidates obtaining such score shall be equally eligible for promotional consideration;

2) Eligible candidates on the certification list may decline an offer of promotion without losing position on the certification list. In the event of declination, that candidate with the next highest total promotional score becomes equally eligible for promotion; however, in the event of a tied score, all candidates obtaining such score shall be equally eligible for promotional consideration.

i) Upon written notification from the Department to the Board that a candidate on the certification list has been suspended, is on leave of absence, or has applied for disability benefits, the Board will remove the candidate's name from the certification list. The candidate's name will be restored on the list in a position in proper relation to the total promotional scores remaining when the suspension or leave of absence terminates or the disability is removed.

j) The certification list shall remain in force until the new certification list has been established; however, in the event that a certification list becomes exhausted, the Director will file a written request with the Board asking for the certification of additional names on any one list if necessary to fill vacant positions.

k) Candidates for the rank of Major will be nominated to the Board by written request from the Illinois State Police. The Board will review the position requirements, candidate information and any written/oral examinations necessary to determine if the candidate will be certified for promotion.

(Source: Amended at 31 Ill. Reg. _______, effective ____________)
ILLINOIS COMMERCe COMMISSION

NOTICE OF ADOPTED AMENDMENT

1) **Heading of the Part**: Uniform System of Accounts for Electric Utilities

2) **Code Citation**: 83 Ill. Adm. Code 415

3) **Section Number**: 415.10  
   **Adopted Action**: Amendment

4) **Statutory Authority**: Implementing Sections 5-102, 5-103, and authorized by Section 10-101 of the Public Utilities Act [220 ILCS 5/5-102, 5-103, and 10-101].

5) **Effective Date of Amendment**: August 1, 2007

6) Does this rulemaking contain an automatic repeal date?  No

7) **Does this amendment contain incorporations by reference?** Yes

8) A copy of the adopted amendment, including any matter incorporated by reference, is on file in the Commission's Springfield office and is available for public inspection.

9) **Notice of Proposal Published in Illinois Register**: February 16, 2007; 31 Ill. Reg. 2701

10) **Has JCAR issued a Statement of Objection to this amendment?** No

11) **Differences between proposal and final version**: None

12) **Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?** No changes necessary.

13) **Will this amendment replace any emergency amendment currently in effect?** No

14) **Are there any amendments pending on this Part?** No

15) **Summary and Purpose of amendment**: This amendment includes recent changes to the federal rules adopted by the Federal Energy Regulatory Commission concerning the documentation requirements for entities that participated in cash management programs updating the accounting requirements for public utilities and licensees, including independent system operators and regional transmission organizations.

16) **Information and questions regarding this adopted amendment shall be directed to**:
ILLINOIS COMMERCER COMMISSION

NOTICE OF ADOPTED AMENDMENT

Conrad S. Rubinkowski
Office of General Counsel
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL  62701

217/785-3922

The full text of the Adopted Amendment begins on the next page:
ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

TITLE 83:  PUBLIC UTILITIES
CHAPTER I:  ILLINOIS COMMERCE COMMISSION
SUBCHAPTER c: ELECTRIC UTILITIES

PART 415
UNIFORM SYSTEM OF ACCOUNTS FOR ELECTRIC UTILITIES

SUBPART A: GENERAL PROVISIONS AND ADOPTION OF CFR PROVISIONS BY REFERENCE

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>415.10</td>
<td>Adoption of 18 CFR 101 by Reference</td>
</tr>
<tr>
<td>415.20</td>
<td>Adoption of 18 CFR 116 by Reference (Repealed)</td>
</tr>
</tbody>
</table>

SUBPART B: ADDITIONS TO AND DELETIONS FROM CFR PROVISIONS

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>415.200</td>
<td>Definitions</td>
</tr>
<tr>
<td>415.210</td>
<td>General Instruction 1</td>
</tr>
<tr>
<td>415.250</td>
<td>General Instruction 5</td>
</tr>
<tr>
<td>415.270</td>
<td>General Instruction 7 (Repealed)</td>
</tr>
<tr>
<td>415.280</td>
<td>General Instruction 7.1 (Repealed)</td>
</tr>
<tr>
<td>415.330</td>
<td>General Instruction 12 (Repealed)</td>
</tr>
<tr>
<td>415.340</td>
<td>General Instruction 13</td>
</tr>
<tr>
<td>415.380</td>
<td>General Instruction 17</td>
</tr>
<tr>
<td>415.390</td>
<td>General Instruction 18</td>
</tr>
<tr>
<td>415.410</td>
<td>General Instruction 20</td>
</tr>
<tr>
<td>415.411</td>
<td>General Instruction 21</td>
</tr>
<tr>
<td>415.420</td>
<td>Electric Plant Instruction 2 (Repealed)</td>
</tr>
<tr>
<td>415.430</td>
<td>Electric Plant Instruction 3</td>
</tr>
<tr>
<td>415.450</td>
<td>Electric Plant Instruction 5 (Repealed)</td>
</tr>
<tr>
<td>415.470</td>
<td>Electric Plant Instruction 7</td>
</tr>
<tr>
<td>415.500</td>
<td>Electric Plant Instruction 10</td>
</tr>
<tr>
<td>415.940</td>
<td>Income Chart of Accounts</td>
</tr>
<tr>
<td>415.970</td>
<td>Operation and Maintenance Expense Chart of Accounts</td>
</tr>
<tr>
<td>415.1020</td>
<td>Account 102 (Repealed)</td>
</tr>
<tr>
<td>415.1050</td>
<td>Account 105</td>
</tr>
<tr>
<td>415.1080</td>
<td>Account 108 (Repealed)</td>
</tr>
<tr>
<td>415.2010</td>
<td>Accounts 201, 202, 203, and 204</td>
</tr>
</tbody>
</table>
ILLINOIS COMMERCCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

415.2070      Account 207
415.2110      Account 211
415.2140      Account 214
415.4118      Account 411.8
415.4119      Account 411.9
415.4160      Account 416
415.4261      Account 426.1 (Repealed)
415.4390      Account 439
415.5180      Account 518
415.9140      Accounts 914 and 915
415.9302      Account 930.2 (Repealed)

415.APPENDIX G  Operation and Maintenance Expense Accounts

   415.EXHIBIT A  Accounts 914 and 915

AUTHORITY:  Implementing Sections 5-102, 5-103, and authorized by Section 10-101 of the
Public Utilities Act [220 ILCS 5/5-102, 5-103, and 10-101].

SOURCE:  Adopted July 14, 1960, effective January 1, 1962; old rules repealed, new rules
adopted and codified at 8 Ill. Reg. 160, effective January 1, 1984; amended at 9 Ill. Reg. 4016,
effective April 1, 1985; amended at 9 Ill. Reg. 13079, effective August 15, 1985; amended at 12
Ill. Reg. 11710, effective July 15, 1988; amended at 18 Ill. Reg. 10692, effective July 1, 1994;
amended at 18 Ill. Reg. 17996, effective December 15, 1994; amended at 22 Ill. Reg. 6647,
effective April 1, 1998; amended at 23 Ill. Reg. 1346, effective February 1, 1999; amended at 28

SUBPART A:  GENERAL PROVISIONS AND ADOPTION OF
CFR PROVISIONS BY REFERENCE

Section 415.10  Adoption of 18 CFR 101 by Reference

The Illinois Commerce Commission ("Commission") adopts 18 CFR 101, as of [June 15, 2006 August 8, 2003], as its uniform system of accounts for electric utilities, subject to the
exceptions set forth in Section 415.200 et seq. of this Part. No incorporation in this Part includes
any later amendment or edition.

(Source:  Amended at 31 Ill. Reg. 11553, effective August 1, 2007)
ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

1) Heading of the Part: Uniform System of Accounts for Gas Utilities

2) Code Citation: 83 Ill. Adm. Code 505

3) Section Number: Adopted Action:
   505.10 Amendment

4) Statutory Authority: Implementing Sections 5-102 and 5-103 and authorized by Section 10-101 of the Public Utilities Act [220 ILCS 5/5-102, 5-103, and 10-101]

5) Effective Date of Amendment: August 1, 2007

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? Yes

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection

9) Notice of Proposal Published in Illinois Register: February 16, 2007; 31 Ill. Reg. 2705

10) Has JCAR issued a Statement of Objection to this amendment? No

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No changes necessary

13) Will this amendment replace any emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendment? This amendment incorporates federal amendments concerning the documentation requirements for entities that participated in cash management programs.

16) Information and questions regarding this adopted amendment shall be directed to:

Conrad S. Rubinkowski
Office of General Counsel
Illinois Commerce Commission
ILLINOIS COMMERCIAL COMMISSION

NOTICE OF ADOPTED AMENDMENT

527 East Capitol Avenue
Springfield, IL  62701

217/785-3922

The full text of the Adopted Amendment begins on the next page.
ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

TITLE 83: PUBLIC UTILITIES
CHAPTER 1: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER d: GAS UTILITIES

PART 505
UNIFORM SYSTEM OF ACCOUNTS FOR GAS UTILITIES

SUBPART A: GENERAL PROVISIONS AND ADOPTION OF CFR PROVISIONS BY REFERENCE

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>505.10</td>
<td>Adoption of 18 CFR 201 by Reference</td>
</tr>
<tr>
<td>505.20</td>
<td>Adoption of 18 CFR 216 by Reference (Repealed)</td>
</tr>
</tbody>
</table>

SUBPART B: ADDITIONS TO AND DELETIONS FROM CFR PROVISIONS

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>505.200</td>
<td>Definitions</td>
</tr>
<tr>
<td>505.210</td>
<td>General Instruction 1</td>
</tr>
<tr>
<td>505.250</td>
<td>General Instruction 5</td>
</tr>
<tr>
<td>505.270</td>
<td>General Instruction 7 (Repealed)</td>
</tr>
<tr>
<td>505.280</td>
<td>General Instruction 7.1 (Repealed)</td>
</tr>
<tr>
<td>505.330</td>
<td>General Instruction 12</td>
</tr>
<tr>
<td>505.340</td>
<td>General Instruction 13</td>
</tr>
<tr>
<td>505.370</td>
<td>General Instruction 16</td>
</tr>
<tr>
<td>505.380</td>
<td>General Instruction 17</td>
</tr>
<tr>
<td>505.390</td>
<td>General Instruction 18</td>
</tr>
<tr>
<td>505.410</td>
<td>General Instruction 20</td>
</tr>
<tr>
<td>505.420</td>
<td>Gas Plant Instruction 2 (Repealed)</td>
</tr>
<tr>
<td>505.430</td>
<td>Gas Plant Instruction 3</td>
</tr>
<tr>
<td>505.450</td>
<td>Gas Plant Instruction 5 (Repealed)</td>
</tr>
<tr>
<td>505.470</td>
<td>Gas Plant Instruction 7</td>
</tr>
<tr>
<td>505.500</td>
<td>Gas Plant Instruction 10</td>
</tr>
<tr>
<td>505.550</td>
<td>Gas Plant Instruction 15</td>
</tr>
<tr>
<td>505.900</td>
<td>Balance Sheet Chart of Accounts</td>
</tr>
<tr>
<td>505.940</td>
<td>Income Chart of Accounts</td>
</tr>
<tr>
<td>505.970</td>
<td>Operation and Maintenance Expense Chart of Accounts</td>
</tr>
<tr>
<td>505.1020</td>
<td>Account 102 (Repealed)</td>
</tr>
<tr>
<td>505.1030</td>
<td>Account 103</td>
</tr>
</tbody>
</table>
NOTICE OF ADOPTED AMENDMENT

AUTHORITY: Implementing Sections 5-102 and 5-103 and authorized by Section 10-101 of the Public Utilities Act [220 ILCS 5/5-102, 5-103, and 10-101].

SUBPART A: GENERAL PROVISIONS AND ADOPTION OF CFR PROVISIONS BY REFERENCE

Section 505.10 Adoption of 18 CFR 201 by Reference

The Illinois Commerce Commission adopts 18 CFR 201, as of June 15, 2006, as its uniform system of accounts for gas utilities, subject to the exceptions set forth in Subpart B of this Part. No incorporation in this Part includes any later amendment or edition.

(Source: Amended at 31 Ill. Reg. 11557, effective August 1, 2007)
ILLINOIS REGISTER

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

1) **Heading of the Part**: Minimum Safety Standards for Transportation of Gas and for Gas Pipeline Facilities

2) **Code Citation**: 83 Ill. Adm. Code 590

3) **Section Number**: 590.10  
**Adopted Action**: Amendment

4) **Statutory Authority**: Implementing and authorized by Section 3 of the Illinois Gas Pipeline Safety Act [220 ILCS 20/3]

5) **Effective Date of Amendment**: August 1, 2007

6) **Does this rulemaking contain an automatic repeal date?** No

7) **Does this amendment contain incorporations by reference?** Yes

8) **A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection**

9) **Notice of Proposal Published in Illinois Register**: February 16, 2007; 31 Ill. Reg. 2710

10) **Has JCAR issued a Statement of Objection to this amendment?** No

12) **Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?** No changes necessary.

13) **Will this amendment replace any emergency amendment currently in effect?** No

14) **Are there any amendments pending on this Part?** No

15) **Summary and Purpose of Amendment**: The Illinois Commerce Commission has adopted 83 Ill. Adm. Code 590 to incorporate by reference certain federal safety standards. This complies with Section 3 of the Illinois Gas Pipeline Safety Act, which requires the Commission's rules to be as inclusive and as stringent as the Federal safety standards and compatible with the Federal safety standards. Since the last amendment of Part 590 in 2005, the United States Department of Transportation completed rulemakings that amended its safety standards in 49 CFR 192, which the Commission has incorporated by
ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

reference in Part 590. It is appropriate to adopt an amendment to incorporate the USDOT amendments into Part 590.

16) Information and questions regarding this adopted amendment shall be directed to:

    Conrad S. Rubinkowski
    Office of General Counsel
    Illinois Commerce Commission
    527 East Capitol Avenue
    Springfield, IL  62701

    217/785-3922

The full text of the Adopted Amendment begins on the next page:
ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

TITLE 83: PUBLIC UTILITIES
CHAPTER I: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER d: GAS UTILITIES

PART 590
MINIMUM SAFETY STANDARDS FOR TRANSPORTATION
OF GAS AND FOR GAS PIPELINE FACILITIES

Section 590.10  Standards

AUTHORITY: Implementing and authorized by Section 3 of the Illinois Gas Pipeline Safety Act [220 ILCS 20/3].


Section 590.10 Standards

a) The Illinois Commerce Commission adopts the standards contained in 49 CFR 191.23, 192, 193 and 199, as of January 1, 2005, as its minimum safety standards for the transportation of gas and for gas pipeline facilities.

b) No later amendment or editions are incorporated by this Part.

(Source: Amended at 31 Ill. Reg. 11562, effective August 1, 2007)
NOTICE OF ADOPTED AMENDMENT

1) Heading of the Part: Political Subdivision Emergency Services and Disaster Agencies

2) Code Citation: 29 Ill. Adm. Code 301

3) Section Number: Proposed Action:
   301.510    Amendment

4) Statutory Authority: Implementing Sections 3305/1 through 3305/22 of the Illinois Emergency Management Agency Act [20 ILCS 3305/1 through 3305/22] and authorized by Sections 3305/5 (f)(4), 3305/5(f)(5) and 3305/10(i) of the Illinois Emergency Management Agency Act [20 ILCS 3305/5(f)(4), 3305/5(f)(5) and 3305/10(i)] and by Sections 5(f)(4) and 5(f)(5), 5(f)(5.5) and (5)(f)(5.10) of Public Act 92-0073, effective January 1, 2002

5) Effective Date of Amendment: July 26, 2007

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? No

8) A copy of the adopted amendment, including any material incorporated by reference, is on file at the Agency's headquarters located at 1035 Outer Park Drive, Springfield, Illinois and is available for public inspection.

9) Notice of Proposal Published in the Illinois Register: February 2, 2007; 31 Ill. Reg. 2084

10) Has JCAR issued a Statement of Objection to this amendment? No

11) Differences between proposal and final version: No changes

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No changes were needed.

13) Will this amendment replace any emergency rulemaking currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendment: The Agency is proposing this rulemaking to add a new subsection 12 to Section 310.510(b) relating to the completion and submission of
ILLINOIS REGISTER

ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENT

all current National Incident Management System (NIMS) compliance documentations to the Agency.

16) Information and questions regarding this adopted amendment shall be directed to:

Louise Michels
Staff Attorney
Illinois Emergency Management Agency
1035 Outer Park Drive
Springfield, Illinois 62704

217/785-9876

The full text of the Adopted Amendment begins on the next page.
NOTICE OF ADOPTED AMENDMENT

TITLE 29: EMERGENCY SERVICES, DISASTERS, AND CIVIL DEFENSE
CHAPTER 1: EMERGENCY MANAGEMENT AGENCY
SUBCHAPTER c: ADMINISTRATION AND ORGANIZATION OF
POLITICAL SUBDIVISION EMERGENCY SERVICES AND DISASTER AGENCIES

PART 301
POLITICAL SUBDIVISION EMERGENCY SERVICES AND DISASTER AGENCIES

SUBPART A: GENERAL PROVISIONS

Section
301.110 Purpose, Scope, Applicability
301.120 Definitions
301.130 Severability
301.140 Multiple County ESDA Consolidation

SUBPART B: EMERGENCY OPERATIONS PLAN REQUIREMENTS

Section
301.210 Authority
301.220 Initial Analysis and Assessment
301.230 Basic Plan Requirements
301.240 Functional Annex Requirements
301.250 Hazard Specific Annexes
301.260 Other Annexes

SUBPART C: EMERGENCY OPERATIONS PLAN
SUBMISSION AND REVIEW REQUIREMENTS

Section
301.310 EOP Submission and Review Requirements for Mandated ESDAs and Accredited ESDAs
301.320 EOP Submission and Review Requirements for Non-Mandated ESDAs

SUBPART D: EXERCISE REQUIREMENTS

Section
301.410 Exercise Requirements for the Emergency Operations Plan
301.420 Exercise Planning
NOTICE OF ADOPTED AMENDMENT

301.430 Exercise Evaluation and Approval for Mandated ESDAs and Accredited ESDAs
301.440 Exercise Evaluation and Acceptance for Non-Mandated ESDAs
301.450 Waiver of Exercise Requirement

SUBPART E: ACCREDITATION AND CERTIFICATION OF ESDAS

Section
301.510 Accreditation of ESDAs
301.520 Certification of Non-Mandated ESDAs

SUBPART F: WORKERS’ COMPENSATION ACT AND WORKERS’ OCCUPATIONAL DISEASES ACT COVERAGE FOR VOLUNTEERS

Section
301.610 Authority
301.620 Eligibility
301.630 Procedures for Filing a Claim

SUBPART G: REQUIREMENTS FOR THE EMERGENCY MANAGEMENT ASSISTANCE GRANT PROGRAM

Section
301.710 Purpose
301.720 Eligible Applicants
301.730 Application Procedures
301.740 Allocation Determination
301.750 Reimbursement Procedures
301.760 Reconsideration of Reimbursement Denial

AUTHORITY: Implements the Illinois Emergency Management Agency Act [20 ILCS 3305] and authorized by Sections 5(f)(4), (5), (5.5) and (5.10) and 10(i) of the Illinois Emergency Management Agency Act [20 ILCS 3305/5(f)(4), (5), (5.5) and (5.10) and 10(i)].


SUBPART E: ACCREDITATION AND CERTIFICATION OF ESDAS

Section 301.510 Accreditation of ESDAs
a) The following ESDAs are eligible to apply for IEMA accreditation:

1) Mandated ESDAs; and

2) Non-mandated ESDAs determined biennially by the IEMA Director, or his/her designee, to have demonstrated justification to IEMA for accreditation eligibility based on the following political subdivision criteria:

A) Heightened, greater than average disaster vulnerability;

B) An increased need for ESDA services in the political subdivision due to all of the following:

   i) Population size and concentration;

   ii) Insufficiency of county ESDA resources to meet the emergency management needs of the political subdivision; and

   iii) A high concentration of emergency management resources in the political subdivision existing prior to the accreditation eligibility review;

C) Evidence that the ESDA coordinator provides to the political subdivision a paid emergency management work effort as coordinator of at least 50% of the political subdivision's standard full-time work week, not including exercise hours; and

D) Documentation of the emergency management services provided to the political subdivision by the ESDA, including, but not limited to, documentation of emergency operations plans, training, exercises, and actual responses, during a minimum of the past 5 years.

b) For IEMA accreditation, eligible applicants, determined in accordance with subsection (a) of this Section, shall satisfy all of the following requirements:
NOTICE OF ADOPTED AMENDMENT

1) Submit a copy of the political subdivision ordinance creating the ESDA affixed with the official seal by the clerk of the political subdivision.

2) Submit documentation of the ESDA coordinator's Notice of Appointment card.

3) Submit evidence that the political subdivision supports a paid emergency management work effort of at least 50% of the political subdivision's standard full-time work week, not including exercise hours.

4) Submit the following:

A) For ESDA coordinators appointed prior to January 1, 2002, documentation that the ESDA Coordinator has biennially completed 48 hours of professional development training, of which a minimum of 24 hours is IEMA-sponsored professional development training. However, for the first accreditation review pursuant to this rulemaking, eligible applicants may submit documentation that the ESDA coordinator has, at any time prior to the first accreditation review pursuant to this rulemaking, completed the equivalent of 48 hours of professional development training. The IEMA-sponsored professional development training program shall, at a minimum, be consistent with and at least as stringent as the FEMA professional development series. Coordinators may receive credit for up to 24 hours of non-IEMA-sponsored professional development training, including, but not limited to, emergency management conferences, independent study courses, college courses or internet courses, but only if such training is consistent with or at least as stringent as training in the IEMA-sponsored professional development training program and is pre-approved for a specific number of credit hours in writing by IEMA prior to the training.

B) For ESDA coordinators appointed after January 1, 2002, documentation that:

i) Within six months after the date of appointment, unless this time is extended by IEMA up to one year from the date of appointment, the ESDA coordinator has completed the
NOTICE OF ADOPTED AMENDMENT

IEMA New Coordinators Workshop Course and the Principles of Emergency Management Course or courses determined by IEMA to be consistent with or at least as stringent as these courses; and

ii) After the first year of appointment, the ESDA coordinator has biennially completed 48 hours of professional development training, of which a minimum of 24 hours is IEMA-sponsored professional development training. The IEMA-sponsored professional development training program shall, at a minimum, be consistent with and at least as stringent as the FEMA professional development series. Coordinators may receive credit for up to 24 hours of non-IEMA-sponsored professional development training, including, but not limited to, emergency management conferences, independent study courses, college courses or internet courses, but only if such training is consistent with or at least as stringent as training in the IEMA-sponsored professional development training program and is pre-approved for a specific number of credit hours in writing by IEMA prior to the training.

5) Complete an EOP that meets the requirements of Subpart B of this Part no later than July 1, 2002, except ESDAs that have an EOP approved by IEMA within the 18 month period immediately preceding January 1, 2002 shall complete an EOP that meets the requirements of Subpart B of this Part no later than the date of the next IEMA scheduled biennial EOP review.

6) Submit documentation that IEMA has approved the EOP in accordance with the review and approval provisions of Subpart C of this Part, except ESDAs that have an EOP approved by IEMA within the 18 month period immediately preceding January 1, 2002 shall submit documentation of such prior IEMA EOP approval.

7) Conduct an exercise in accordance with the requirements of Subpart D of this Part.

8) Submit documentation of final IEMA approval of the exercise conducted
ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENT

in accordance with the requirements of Subpart D of this Part.

9) Submit a list of non-mandated ESDA EOPs, if any, reviewed by the county or multiple county ESDA in accordance with Section 301.320 of this Part.

10) Submit a list of non-mandated ESDAs, if any, whose exercises and evaluations have been submitted to the county or multiple county ESDA in accordance with the requirements of Section 301.440 of this Part.

11) Submit a list of non-mandated ESDAs, if any, certified by the county or multiple county ESDA in accordance with the requirements of Section 301.520 of this Part.

12) Complete and submit all current National Incident Management System (NIMS) compliance documents as established by IEMA.

c) The term of accreditation is two years, with beginning and ending dates indicated on the accreditation document issued by IEMA. Eligible ESDA applicants may seek accreditation renewal by satisfying the requirements of subsection (b) of this Section.

d) IEMA shall issue an accreditation document under signature of the IEMA Director.

(Source: Amended at 31 Ill. Reg. 11565, effective July 26, 2007)
ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENT

1) **Heading of the Part**: General Provisions for Radiation Protection

2) **Code Citation**: 32 Ill. Adm. Code 310

3) **Section Number**: 
   - Adopted Action: 310.20 Amendment

4) **Statutory Authority**: Implementing and authorized by the Radiation Protection Act of 1990 [420 ILCS 40]

5) **Effective Date of Amendment**: July 26, 2007

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? Yes

8) A copy of the adopted amendment, including any material incorporated by reference is on file at the Agency's headquarters located at 1035 Outer Park Drive, Springfield, Illinois and is available for public inspection.

9) **Notice of Proposal Published in the Illinois Register**: February 2, 2007; 31 Ill. Reg. 2092

10) Has JCAR issued a Statement of Objection to this amendment? No

11) **Differences between proposal and final version**: None

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No agreements were necessary.

13) Will this amendment replace any emergency rulemaking currently in effect? No

14) Are there any amendments pending on this Part? No

15) **Summary and Purpose of Amendment**: The Agency is adopting this rulemaking to amend Section 310.20 by clarifying the definition of shallow dose equivalent and high radiation area. These changes are necessary due to recent changes to the definitions and requirements in federal rules.
ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENT

16) Information and questions regarding this adopted amendment shall be directed to:

Louise Michels
Staff Attorney
Illinois Emergency Management Agency
1035 Outer Park Drive
Springfield, IL  62704

217/785-9876

The full text of the Adopted Amendment begins on the next page:
ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENT

TITLE 32: ENERGY
CHAPTER II: ILLINOIS EMERGENCY MANAGEMENT AGENCY
SUBCHAPTER b: RADIATION PROTECTION

PART 310
GENERAL PROVISIONS FOR RADIATION PROTECTION

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>310.10</td>
<td>Scope</td>
</tr>
<tr>
<td>310.15</td>
<td>Incorporations by Reference</td>
</tr>
<tr>
<td>310.20</td>
<td>Definitions</td>
</tr>
<tr>
<td>310.30</td>
<td>Exemptions</td>
</tr>
<tr>
<td>310.40</td>
<td>Records</td>
</tr>
<tr>
<td>310.50</td>
<td>Inspections</td>
</tr>
<tr>
<td>310.60</td>
<td>Tests</td>
</tr>
<tr>
<td>310.70</td>
<td>Additional Requirements</td>
</tr>
<tr>
<td>310.74</td>
<td>Cost Assessment</td>
</tr>
<tr>
<td>310.75</td>
<td>Emergency Response Cost Recovery</td>
</tr>
<tr>
<td>310.78</td>
<td>Deliberate Misconduct</td>
</tr>
<tr>
<td>310.80</td>
<td>Violations</td>
</tr>
<tr>
<td>310.81</td>
<td>Policy for Assessment of Civil Penalties</td>
</tr>
<tr>
<td>310.82</td>
<td>Procedures for Assessment of Civil Penalties</td>
</tr>
<tr>
<td>310.90</td>
<td>Impounding</td>
</tr>
<tr>
<td>310.100</td>
<td>Prohibited Uses</td>
</tr>
<tr>
<td>310.110</td>
<td>Communications</td>
</tr>
<tr>
<td>310.120</td>
<td>Plans and Specifications</td>
</tr>
<tr>
<td>310.130</td>
<td>The International System of Units (SI) (Repealed)</td>
</tr>
<tr>
<td>310.140</td>
<td>Units of Exposure and Radiation Dose</td>
</tr>
<tr>
<td>310.150</td>
<td>Units of Activity</td>
</tr>
</tbody>
</table>

310.APPENDIX A  Transport Grouping of Radionuclides (Repealed)
310.APPENDIX B  Tests for Special Form Licensed Material (Repealed)
310.APPENDIX C  Penalty Assessment Worksheet (Repealed)

AUTHORITY: Implementing and authorized by the Radiation Protection Act of 1990 [420 ILCS 40].

SOURCE: Filed April 20, 1974 by the Department of Public Health; transferred to the Department of Nuclear Safety by P.A. 81-1516, effective December 3, 1980; codified at 7 Ill. Reg. 15657; amended at 10 Ill. Reg. 17259, effective September 25, 1986; amended at 15 Ill.
NOTICE OF ADOPTED AMENDMENT


Section 310.20 Definitions

As used in 32 Ill. Adm. Code: Chapter II, Subchapters b and d, these terms have the definitions set forth below. Additional definitions used only in a certain Part will be found in that Part.

"Absorbed dose" means the energy imparted by ionizing radiation per unit mass of irradiated material. The units of absorbed dose are the gray (Gy) and the rad.

"Accelerator" or "particle accelerator" means any machine capable of accelerating electrons, protons, deuterons or other charged particles in a vacuum and of discharging the resultant particulate or other radiation into a medium at energies usually in excess of 1 million electron volts (MeV).

"Accelerator-produced material" means any material made radioactive by a particle accelerator.

"Act" means the Radiation Protection Act of 1990 (the Act) [420 ILCS 40].

"Activity" means the rate of disintegration (transformation) or decay of radioactive material. The units of activity are the Bequerel (Bq) and the curie (Ci).

"Adult" means an individual 18 or more years of age.


"Agreement State" means any state with which the U. S. Nuclear Regulatory Commission or the U.S. Atomic Energy Commission has entered into an effective agreement under subsection 274b of the Atomic Energy Act of 1954, as amended (42 USC 2021(b) et seq.).

"Airborne radioactive material" means any radioactive material dispersed in the air in the form of dusts, fumes, particulates, mists, vapors or gases.
"Airborne radioactivity area" means any room, enclosure or operating area in which airborne radioactive material, composed wholly or partly of licensed material, exists in concentrations:

in excess of the derived air concentrations (DACs) specified in appendix Appendix B to 10 CFR 20, effective January 1, 2004, exclusive of subsequent amendments or editions; or

to such a degree that an individual present in the area without respiratory protective equipment could exceed, during the hours an individual is present in a week, an intake of 0.6 percent of the annual limit on intake (ALI) or 12 DAC-hours.

"Annually" means at intervals not to exceed 1 year.

"As low as is reasonably achievable" or "ALARA" means making every reasonable effort to maintain exposures to radiation as far below the dose limits in 32 Ill. Adm. Code: Chapter II, Subchapters b and d as is practical consistent with the purpose for which the licensed or registered activity is undertaken, taking into account the state of technology, the economics of improvements in relation to the state of technology, the economics of improvements in relation to benefits to the public health and safety and other societal and socioeconomic considerations, and in relation to utilization of nuclear energy and licensed or registered sources of radiation in the public interest.

"Background radiation" means radiation from cosmic sources, naturally occurring radioactive materials, including radon (except as a decay product of source or special nuclear material) and global fallout as it exists in the environment from the testing of nuclear explosive devices, or from past nuclear accidents such as Chernobyl that contribute to background radiation and are not under the control of the licensee. Background radiation does not include radiation from radioactive materials regulated by the Agency.

"Becquerel" or "Bq" means the SI unit of activity. One becquerel (Bq) is equal to 1 disintegration (transformation) per second (dps or tps).

"Bioassay" or "radiobioassay" means the determination of kinds, quantities or concentrations and, in some cases, the locations of radioactive material in the
human body, whether by direct measurement (in vivo counting) or by analysis and evaluation of materials excreted or removed from the human body.

"Brachytherapy" means a method of radiation therapy in which sealed sources are used to deliver a radiation dose at a distance of up to a few centimeters, by surface, intracavitory, intraluminal or interstitial application.

"Brachytherapy source" means a radioactive source, a manufacturer-assembled source train or a combination of these sources that is designed to deliver a therapeutic dose within a distance of a few centimeters.

"Byproduct material" means:

any radioactive material (except special nuclear material) yielded in or made radioactive by exposure to radiation incident to the process of producing or utilizing special nuclear material; and

the tailings or wastes produced by the extraction or concentration of uranium or thorium from any ore processed primarily for its source material content, including discrete surface wastes resulting from underground solution extraction processes but not including underground ore bodies depleted by such solution extraction processes. [420 ILCS 40/4(a-5)]

"Calendar quarter" means not less than 12 consecutive weeks nor more than 14 consecutive weeks. The first calendar quarter of each year shall begin in January and subsequent calendar quarters shall be so arranged such that no day is included in more than one calendar quarter and no day in any one year is omitted from inclusion within a calendar quarter. No licensee or registrant shall change the method observed by him for determining calendar quarters except at the beginning of a year.

"Calibration" means the determination of:

the response or reading of an instrument relative to a series of known radiation values over the range of the instrument; or

the strength of a source of radiation relative to a standard.

"Chelating agent" means amine polycarboxylic acids (e.g., EDTA, DTPA), hydroxy-carboxylic acids, and polycarboxylic acids (e.g., citric acid, carbolic acid, and glucinic acid).

"Collective dose" means the sum of the individual doses received in a given period of time by a specified population from exposure to a specified source of radiation.

"Committed dose equivalent" or "$H_{T,50}\$" means the dose equivalent to organs or tissues of reference (T) that will be received from an intake of radioactive material by an individual during the 50-year period following the intake.

"Committed effective dose equivalent" or $H_{E,50}$ means the sum of the products of the weighting factors applicable to each of the body organs or tissues that are irradiated and the committed dose equivalent to each of these organs or tissues ($H_{E,50} = \sum w_T H_{T,50}$).

"Critical group" means the group of individuals reasonably expected to receive the greatest exposure to residual radioactivity for any applicable set of circumstances.

"Curie" means a unit of quantity of radioactivity. One Curie (Ci) is that quantity of radioactive material which decays at the rate of $3.7 \times 10^{10}$ disintegrations (transformations) per second (dps or tps).

"Decommission" means to remove a facility or site safely from service and reduce residual radioactivity to a level that permits release of property for unrestricted use and termination of the license.

"Declared pregnant woman" means any woman who has voluntarily informed the licensee or registrant, in writing, of her pregnancy and the estimated date of conception. The declaration remains in effect until the declared pregnant woman withdraws the declaration in writing or is no longer pregnant.

"Dedicated check source" means a radioactive source that is used to assure the constant operation of a radiation detection or measurement device over several months or years.
"Deep dose equivalent" or "Hd" means the dose equivalent at a tissue depth of 1 centimeter (1000 milligrams per square centimeter) from external whole-body exposure.

"Densitometer" means a device that is used to provide a quantitative measurement of the optical density of x-ray film to determine the response of the film to exposure and development.

"Depleted uranium" means the source material uranium in which the isotope uranium-235 is less than 0.711 weight percent of the total uranium present. Depleted uranium does not include special nuclear material.

"Director" means the Director of the Illinois Emergency Management Agency.

"Distinguishable from background" means the detectable radioactivity is statistically different from background in the vicinity of the site, or, in the case of structures, in similar materials using adequate measurement technology, survey and statistical techniques.

"Dose" or "radiation dose" means either absorbed dose, dose equivalent, effective dose equivalent, committed dose equivalent, committed effective dose equivalent, total organ dose equivalent or total effective dose equivalent.

"Dose equivalent" or "HT" means the sum of the products of the dose equivalent to each organ or tissue (HT) and the weighting factor (WT) applicable.

"Dose limits" or "limits" means the permissible upper bounds of radiation doses established by, or in accordance with, 32 Ill. Adm. Code: Chapter II, Subchapters b and d.

"Dosimetry processor" means an individual or an organization that processes and evaluates individual monitoring devices in order to determine the radiation dose delivered to such devices.

"Effective dose equivalent" or "HE" means the sum of the products of the dose equivalent to each organ or tissue (HT) and the weighting factor (WT) applicable.
to each of the body organs or tissues that are irradiated \((H_E = S w_t H_T)\).

"Embryo/fetus" means the developing human organism from conception until the time of birth.

"Entrance or access point" means any opening through which an individual or extremity of an individual could gain access to radiation areas or to licensed radioactive materials. This includes entry or exit portals of sufficient size to permit human entry, irrespective of their intended use.

"Exposure" means:

the quotient of \(dQ\) divided by \(dm\) where \(dQ\) is the absolute value of the total charge of the ions of one sign produced in air when all the electrons (negatrons and positrons) liberated by photons in a volume element of air having mass \(dm\) are completely stopped in air. (See Section 310.140 of this Part for SI unit coulomb per kilogram (C/kg) and the special unit roentgen (R).); or

irradiation by ionizing radiation or radioactive material.

AGENCY NOTE: The context makes clear which is the appropriate definition.

"Exposure rate" means the exposure per unit of time, such as roentgen per minute (R/min) and milliroentgen per hour (mR/h).

"External dose" means that portion of the dose equivalent received from any source of radiation outside the body.

"Extremity" means a hand, elbow, arm below the elbow, foot, knee and leg below the knee.

"Former U.S. Atomic Energy Commission (AEC) or U.S. Nuclear Regulatory Commission (NRC) licensed facilities" means nuclear reactors, nuclear fuel reprocessing plants, uranium enrichment plants, or critical mass experimental facilities where AEC or NRC licenses have been terminated.

"Gray" or "Gy" means the SI unit of absorbed dose. One gray is equal to an absorbed dose of 1 joule per kilogram (J/kg) (100 rad).
"Healing arts" means the art or science or group of arts or sciences dealing with the prevention and cure or alleviation of human ailments, diseases or infirmities, and has the same meaning as "medicine" when the latter term is used in its comprehensive sense.

"High radiation area" means any area, accessible to individuals, in which radiation levels from radiation sources external to the body could result in an individual receiving a dose equivalent in excess of 0.1 rem (1 mSv) in 1 hour at 30 centimeters from the radiation source or 30 centimeters from any surface that the radiation penetrates.

"Human use" means the internal or external administration of radiation or radioactive materials to human beings.

"Individual" means any human being.

"Individual monitoring" means the assessment of:

   Dose equivalent by the use of individual monitoring devices or by the use of survey data; or

   Committed effective dose equivalent by bioassay or by determination of the time-weighted air concentrations to which an individual has been exposed (i.e., DAC-hours). (For the definition of DAC-hours, see 32 Ill. Adm. Code 340.30.)

"Individual monitoring devices" (personnel dosimeter or dosimeter) means devices designed to be worn by a single individual for the assessment of dose equivalent. Examples of individual monitoring devices are film badges, thermoluminescence dosimeters (TLDs), optically stimulated luminescence dosimeters (OSLs), pocket ionization chambers, personal air sampling devices and electronic dosimeters (e.g., silicon diode dosimeters).

"Inspection" means an official examination or observation including, but not limited to, tests, surveys, and monitoring to determine compliance with rules, regulations, orders, requirements, and conditions of the Agency.

"Interlock" means a device arranged or connected such that the occurrence of an event or condition is required before a second event or condition can occur or
continue to occur.

"Internal dose" means that portion of the dose equivalent received from radioactive material taken into the body.

"License" means any license issued by the Agency in accordance with 32 Ill. Adm. Code: Chapter II, Subchapters b and d.

"Licensed material" means radioactive material received, possessed, used, transferred or disposed of under a general or specific license issued by the Agency.

"Licensee" means any person who is licensed by the Agency in accordance with 32 Ill. Adm. Code: Chapter II, Subchapters b and d.

"Licensing State" means any state which has been provisionally or finally designated as such by the Conference of Radiation Control Program Directors, Inc., which reviews state regulations to establish equivalency with the Suggested State Regulations and ascertains whether a state has an effective program for control of naturally occurring or accelerator-produced radioactive material (NARM). The Conference will designate as licensing states those states with regulations for control of radiation relating to, and an effective program for the regulatory control of, NARM.

"Lost or missing source of radiation" means any licensed or registered source of radiation whose location is unknown. This definition includes, but is not limited to, radioactive material that has been shipped but has not reached its planned destination and whose location cannot be readily traced in the transportation system.

"Major processor" means a person, other than medical programs, universities, industrial radiography services, or wireline service operations, who is licensed to process, handle, or manufacture radioactive material as unsealed sources in quantities exceeding the quantities specified in Appendix C to 10 CFR 20, effective January 1, 2004, exclusive of subsequent amendments or editions, by a factor of at least $10^3$, or radioactive material as sealed sources in quantities exceeding the quantities specified in Appendix C to 10 CFR 20 by a factor of at least $10^{10}$. 
"Member of the public" means any individual, except an individual who is performing assigned duties for the licensee or registrant involving exposure to sources of radiation.

"Minor" means an individual less than 18 years of age.

"Monitoring" or "radiation monitoring" or "radiation protection monitoring" means the measurement of radiation, radioactive material concentrations, surface area activities or quantities of radioactive material and the use of the results of these measurements to evaluate potential exposures and doses.

"NARM" means any naturally occurring or accelerator-produced radioactive material. It does not include byproduct, source, or special nuclear material.

"Natural radioactivity" means radioactivity of naturally occurring nuclides.

"Nuclear Regulatory Commission" or "NRC" means the U.S. Nuclear Regulatory Commission or its duly authorized representatives.

"Occupational dose" means the dose received by an individual in the course of employment in which the individual's assigned duties for the licensee or registrant involve exposure to sources of radiation. Occupational dose does not include dose received from background radiation, from any medical administration the individual has received, from exposure to individuals administered radioactive material and released as authorized by the Agency, from voluntary participation in medical research programs, or as a member of the public.

"Operator" means an individual, group of individuals, partnership, firm, corporation, association, or other entity conducting the business or activities carried on within a radiation installation. [420 ILCS 40/4(d-7)]

"Package" means the packaging, together with its radioactive contents, as presented for transport.

"Packaging" means the assembly of components necessary to ensure compliance with the packaging requirements of 32 Ill. Adm. Code 341. It may consist of one or more receptacles, absorbent materials, spacing structures, thermal insulation, radiation shielding and devices for cooling or absorbing mechanical shocks. The vehicle, tie down system and auxiliary equipment may be designated as part of the
"Person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision of this State, any other State or political subdivision or agency thereof, and any legal successor, representative, agent, or agency of the foregoing, other than the United States Nuclear Regulatory Commission, or any successor thereto, and other than federal government agencies licensed by the United States Nuclear Regulatory Commission, or any successor thereto. "Person" also includes a federal entity (and its contractors) if the federal entity agrees to be regulated by the State or as otherwise allowed under federal law. [420 ILCS 40/4(e)]

"Personnel monitoring equipment" (see "Individual monitoring devices").

"Pharmacist" means an individual licensed by the State pursuant to the Pharmacy Practice Act of 1987 [225 ILCS 85] to compound and dispense drugs, prescriptions, and poisons.

"Protective apron" means any apron made of radiation attenuating materials, at least 0.25 millimeter lead equivalent, that may be used to reduce exposure to radiation.

"Qualified engineering expert" means any person qualified under the Illinois Architecture Practice Act of 1989 [225 ILCS 305], the Structural Engineering Licensing Act of 1989 [225 ILCS 340] and/or any required combination thereof.

"Quality factor" or "Q" means the modifying factor (listed in Section 310.140, Tables 1 and 2 of this Part) that is used to derive dose equivalent from absorbed dose.

"Quarterly" means at intervals not to exceed 3 months.

"Rad" means the special unit of absorbed dose. One rad is equal to an absorbed dose of 100 ergs per gram or 0.01 joule per kilogram (J/kg) (0.01 Gy).

"Radiation" or "ionizing radiation" means gamma rays and x-rays, alpha and beta particles, high-speed electrons, neutrons, protons, and other nuclear particles, or electromagnetic radiations capable of producing ions directly or indirectly in their passage through matter; but does not include sound or radio waves, or
visible infrared or ultraviolet light. [420 ILCS 40/4(f)]

"Radiation area" means an area, accessible to individuals, in which radiation levels could result in an individual receiving a dose equivalent in excess of 0.05 mSv (0.005 rem) in 1 hour at 30 centimeters from the source of radiation or from any surface that the radiation penetrates.

"Radiation dose" (see "Dose").

"Radiation emergency" means the uncontrolled release of radioactive material from a radiation installation which poses a potential threat to the public health, welfare and safety. [420 ILCS 40/4(f-5)]

"Radiation Installation" is any location or facility where radiation machines are used or where radioactive material is produced, transported, stored, disposed or used for any purpose [420 ILCS 40/4(g)], except where such radioactive materials or facility are subject to regulation by the NRC.

"Radiation machine" means any device that produces radiation when in use [420 ILCS 40/4(h)], except those that produce radiation only from radioactive materials.

"Radiation safety officer" means an individual who has the knowledge and responsibility to apply appropriate radiation protection regulations and has been assigned that responsibility by the licensee or registrant.

"Radioactive material" means any solid, liquid, or gaseous substance which emits radiation spontaneously. [420 ILCS 40/4(i)]

"Radioactivity" means the disintegration (transformation) of unstable atomic nuclei by the emission of radiation.

"Radiobioassay" (see "Bioassay").

"Registrant" means any person who is registered with the Agency and is legally obligated to register with the Agency pursuant to the Radiation Protection Act of 1990 [420 ILCS 40] and 32 Ill. Adm. Code 320.10.

"Registration" means registration with the Agency in accordance with 32 Ill.
NOTICE OF ADOPTED AMENDMENT

Adm. Code 320.10.

"Regulations of the U.S. Department of Transportation" or "regulations of USDOT" means the regulations in 49 CFR 100-189, revised as of October 1, 2004, exclusive of any subsequent amendments or editions.

"Rem" means the special unit of any of the quantities expressed as dose equivalent. The dose equivalent in rem is equal to the absorbed dose in rad multiplied by the quality factor (1 rem = 0.01 Sv).

"Research and development" means:

theoretical analysis, exploration, or experimentation; or

the extension of investigative findings and theories of a scientific or technical nature into practical application for experimental and demonstration purposes, including the experimental production and testing of models, devices, equipment, materials, and processes.

Research and development does not include the internal or external administration of radiation or radioactive material to human beings.

"Residual radioactivity" means radioactivity in structures, materials, soils, groundwater and other media at a site resulting from activities under the licensee's control. This includes radioactivity from all licensed and unlicensed sources used by the licensee, but excludes background radiation. It also includes radioactive materials remaining at the site as a result of routine or accidental releases of radioactive material at the site and previous burials at the site, even if those burials were made in accordance with the provisions of 32 Ill. Adm. Code 340 or the equivalent 10 CFR 20.

"Restricted area" means any area access to which is limited by the licensee or registrant for purposes of protecting individuals against undue risks from exposure to sources of radiation. Restricted area shall not include areas used for residential quarters, but separate rooms in a residential building may be set apart as a restricted area.

"Roentgen" means the special unit of exposure. One roentgen (R) equals 2.58 x 10^{-4} coulombs per kilogram (C/kg). (See "Exposure" and Section 310.140 of this
"Sealed source" means any device containing radioactive material to be used as a source of radiation which has been constructed in such a manner as to prevent the escape of any radioactive material.

"Sealed source and device registry" means the national registry that contains all the registration certificates generated by the Agency, U.S. Nuclear Regulatory Commission or an Agreement State that summarize the radiation safety information for the sealed sources and devices and describe the licensing and use conditions approved for the product.

"Sensitometer" means a device that is used to test the setup and stability of film processing procedures and equipment by providing a standard pattern of light exposure of x-ray film.

"Shallow dose equivalent" or "Hs", which applies to the external exposure of the skin or an extremity, means the dose equivalent at a tissue depth of 0.007 centimeter (7 milligrams per square centimeter) averaged over an area of 1 square centimeter.

"SI" means the abbreviation for the International System of Units.

"Sievert" or "Sv") means the SI unit of any of the quantities expressed as dose equivalent. The dose equivalent in sievert is equal to the absorbed dose in gray multiplied by the quality factor (1 Sv = 100 rem).

"Source material" means:

- uranium or thorium, or any combination thereof, in any physical or chemical form; or
- ores that contain by weight one-twentieth of one percent (0.05 percent) or more of uranium, thorium or any combination thereof.

Source material does not include special nuclear material.

"Source of radiation" means any radioactive material or any device or equipment emitting, or capable of producing, radiation.
"Special form radioactive material" means radioactive material that satisfies the following conditions:

It is either a single solid piece or is contained in a sealed capsule that can be opened only by destroying the capsule;

The piece or capsule has at least one dimension not less than 5 millimeters (0.197 inch); and

It satisfies the test requirements specified in 10 CFR 71.75 and 71.77, published January 26, 2004, with corrections published February 10, 2004, exclusive of subsequent amendments or editions, except that special form radioactive material designed or constructed prior to July 1, 1985 need only meet the requirements of 10 CFR 71.75 and 71.77 in effect on June 30, 1983.

"Special nuclear material" means:

plutonium, uranium 233, uranium enriched in the isotope 233 or in the isotope 235 and any other material which the Agency declares by order to be special nuclear material after the United States Nuclear Regulatory Commission, or any successor thereto, has determined the material to be such, but does not include source material; or

any material artificially enriched by any of the foregoing, but does not include source material. [420 ILCS 40/4(l)]

"Special nuclear material in quantities not sufficient to form a critical mass" means uranium enriched in the isotope U-235 in quantities not exceeding 350 grams of contained U-235; U-233 in quantities not exceeding 200 grams; plutonium in quantities not exceeding 200 grams; or any combination of them, except source material, in accordance with the following formula: For each kind of special nuclear material, determine the ratio between the quantity of that special nuclear material and the quantity specified above for the same kind of special nuclear material. The sum of such ratios for all of the kinds of special nuclear material in combination shall not exceed one. For example, the following quantities in combination would not exceed the limitation and are within the formula:
"Survey" means an evaluation of the radiological conditions and potential hazards incident to the production, use, transfer, release, disposal, or presence of sources of radiation. Such an evaluation includes, but is not limited to, measurements or calculations of levels of radiation, or concentrations or quantities of radioactive material present.

"Test" means the process of verifying compliance with an applicable regulation.

"Total effective dose equivalent" or "TEDE" means the sum of the deep dose equivalent for external exposures and the committed effective dose equivalent for internal exposures.

"Total organ dose equivalent" or "TODE" means the sum of the deep dose equivalent and the committed dose equivalent to the organ receiving the highest dose as described in 32 Ill. Adm. Code 340.1160(a)(6).

"Unrefined and unprocessed ore" means ore in its natural form prior to any processing, such as grinding, roasting, beneficiating or refining.

"Unrestricted area" means any area access to which is not controlled by the licensee or registrant for purposes of protection of individuals from exposure to radiation and radioactive material, and any area used for residential quarters. AGENCY NOTE: Licensees or registrants may control access to certain areas for purposes other than radiation protection, but such action does not affect whether the areas are unrestricted areas as defined in this Part.

"Uranium fuel cycle" means the operations of milling of uranium ore, chemical conversion of uranium, isotopic enrichment of uranium, fabrication of uranium fuel, generation of electricity by a light-water-cooled nuclear power plant using uranium fuel and reprocessing of spent uranium fuel to the extent that these activities directly support the production of electrical power for public use. Uranium fuel cycle does not include mining operations, operations at waste disposal sites, transportation of radioactive material in support of these operations and the reuse of recovered non-uranium special nuclear and byproduct materials from the cycle.
"U.S. Department of Energy" means the agency created by the Department of Energy Organization Act (established by P.L. 95-91, 91 Stat. 565, 42 USC 7101 et seq.), to the extent that the Department of Energy, or its duly authorized representatives, exercises functions formerly vested in the U.S. Atomic Energy Commission, its Chairman, members, officers and components and transferred to the U.S. Energy Research and Development Administration and to the Administrator thereof pursuant to sections 104(b), (c) and (d) of the Energy Reorganization Act of 1974 (P.L. 93-438, 88 Stat. 1233 at 1237, 42 USC 5814) and retransferred to the Secretary of Energy pursuant to section 301(a) of the Department of Energy Organization Act (P.L. 95-91, 91 Stat. 565 at 577-578, 42 USC 7151).

"Very high radiation area" means an area, accessible to individuals, in which radiation levels from radiation sources external to the body could result in an individual receiving an absorbed dose in excess of 500 rads (5 grays) in 1 hour at 1 meter from a radiation source or 1 meter from any surface that the radiation penetrates.

AGENCY NOTE: For very high doses received at high dose rates, units of absorbed dose (e.g., gray and rad) are appropriate rather than units of dose equivalent (e.g., sievert and rem).

"Waste handling licensee" means a person licensed by the NRC, the Agency, an Agreement State or a Licensing State to receive radioactive wastes for storage or treatment, or both storage and treatment, prior to disposal as well as any person licensed to receive radioactive waste for disposal away from the point of generation.

"Week" means 7 consecutive days starting on Sunday.

"Whole body" means, for purposes of external exposure, head, trunk (including male gonads), arms above the elbow or legs above the knee.

"Worker" means any individual engaged in work under a license or registration issued by the Agency and controlled by a licensee or registrant, but does not include the licensee or registrant.

"Working level" or "(WL)" means any combination of short-lived radon daughters in 1 liter of air that will result in the ultimate emission of 1.3 x 10⁵ MeV
of potential alpha particle energy. The short-lived radon daughters are for radon-222: polonium-218, lead-214, bismuth-214 and polonium-214; and for radon-220: polonium-216, lead-212, bismuth-212 and polonium-212.

"Working level month" or "WLM" means an exposure to 1 working level (WL) for 170 hours. (2,000 working hours per year divided by 12 months per year is approximately equal to 170 hours per month.)

"Year" means the period of time beginning in January used to determine compliance with the provisions of 32 Ill. Adm. Code: Chapter II, Subchapters b and d. The licensee or registrant may change the starting date of the year used to determine compliance by the licensee or registrant provided that the decision to make the change is made not later than December 31 of the previous year. If a licensee or registrant changes a year, the licensee or registrant shall assure that no day is omitted or duplicated in consecutive years.

(Source: Amended at 31 Ill. Reg. ______, effective July 26, 2007)
NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Standards for Protection Against Radiation

2) Code Citation: 32 Ill. Adm. Code 340

3) Section Numbers: Proposed Action:
   340.30 Amendment
   340.210 Amendment
   340.230 Amendment
   340.240 Amendment
   340.320 Amendment
   340.520 Amendment
   340.810 Amendment
   340.950 Amendment
   340.960 Amendment
   340.1030 Amendment
   340.1220 Amendment
   340.APPENDIX A Amendment

4) Statutory Authority: Implementing and authorized by the Radiation Protection Act of 1990 [420 ILCS 40]

5) Effective Date of Amendments: July 26, 2007

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? No

8) A copy of the adopted amendments, including any material incorporated by reference, is on file at the agency's headquarters located at 1035 Outer Park Drive, Springfield, Illinois and is available for public inspection.

9) Notice of Proposal Published in the Illinois Register: February 2, 2007; 31 Ill. Reg. 2111

10) Has JCAR issued a Statement of Objection to these amendments? No

11) Differences between proposal and final version: None

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No changes were necessary.
13) Will these amendments replace any emergency rulemaking currently in effect? No

14) Are there any amendments pending on this Part? No

15) **Summary and Purpose of Amendments:** The Agency adopted this rulemaking to add a subsection (g) to Section 340.810 dealing with the new portable gauge security requirement and to update the latest effective date to 10 CFR 20 Appendix B. These changes are necessary due to recent changes to the definitions and requirements in federal rules.

16) **Information and questions regarding these adopted amendments shall be directed to:**

   Louise Michels
   Staff Attorney
   Illinois Emergency Management Agency
   1035 Outer Park Drive
   Springfield, IL  62704

   217/785-9876

   **The full text of the Adopted Amendments begin on the next page:**
ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENTS

TITLE 32: ENERGY
CHAPTER II: ILLINOIS EMERGENCY MANAGEMENT AGENCY
SUBCHAPTER b: RADIATION PROTECTION

PART 340
STANDARDS FOR PROTECTION AGAINST RADIATION

SUBPART A: GENERAL PROVISIONS

Section
340.10 Purpose
340.20 Scope
340.25 Incorporations by Reference
340.30 Definitions
340.40 Implementation

SUBPART B: RADIATION PROTECTION PROGRAMS

Section
340.110 Radiation Protection Programs

SUBPART C: OCCUPATIONAL DOSE LIMITS

Section
340.210 Occupational Dose Limits for Adults
340.220 Compliance with Requirements for Summation of External and Internal Doses
340.230 Determination of External Dose from Airborne Radioactive Material
340.240 Determination of Internal Exposure
340.250 Determination of Prior Occupational Dose
340.260 Planned Special Exposures
340.270 Occupational Dose Limits for Minors
340.280 Dose Equivalent to an Embryo/Fetus

SUBPART D: RADIATION DOSE LIMITS FOR INDIVIDUAL MEMBERS OF THE PUBLIC

Section
340.310 Dose Limits for Individual Members of the Public
340.320 Compliance with Dose Limits for Individual Members of the Public
ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENTS

SUBPART E: TESTING FOR LEAKAGE OR CONTAMINATION OF SEALED SOURCES

Section 340.410 Testing for Leakage or Contamination of Sealed Sources

SUBPART F: SURVEYS AND MONITORING

Section 340.510 General
340.520 Conditions Requiring Individual Monitoring of External and Internal Occupational Dose
340.530 Location of Individual Monitoring Devices
340.540 Calibration of Survey Instruments

SUBPART G: CONTROL OF EXPOSURE FROM EXTERNAL SOURCES IN RESTRICTED AREAS

Section 340.610 Control of Access to High Radiation Areas
340.620 Control of Access to Very High Radiation Areas
340.630 Control of Access to Very High Radiation Areas – Irradiators

SUBPART H: RESPIRATORY PROTECTION AND CONTROLS TO RESTRICT INTERNAL EXPOSURE IN RESTRICTED AREAS

Section 340.710 Use of Process or Other Engineering Controls
340.720 Use of Other Controls
340.730 Use of Individual Respiratory Protection Equipment

SUBPART I: STORAGE AND CONTROL OF LICENSED OR REGISTERED SOURCES OF RADIATION

Section 340.810 Security and Control of Licensed or Registered Sources of Radiation
340.820 Storage of Volatiles and Gases
340.830 Control of Volatiles and Gases
ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENTS

SUBPART J: PRECAUTIONARY PROCEDURES

Section
340.910 Caution Signs
340.920 Posting Requirements
340.930 Exceptions to Posting Requirements
340.940 Labeling Containers and Radiation Machines
340.950 Exemptions to Labeling Requirements
340.960 Procedures for Receiving and Opening Packages

SUBPART K: WASTE DISPOSAL

Section
340.1010 General Requirements
340.1020 Method for Obtaining Approval of Proposed Disposal Procedures
340.1030 Disposal by Release into Sanitary Sewerage
340.1040 Treatment or Disposal by Incineration
340.1045 Decay-In-Storage
340.1050 Disposal of Specific Wastes
340.1052 Classification of Radioactive Waste for Land Disposal
340.1055 Radioactive Waste Characteristics
340.1057 Labeling
340.1060 Transfer for Disposal and Manifests
340.1070 Compliance with Environmental and Health Protection Regulations

SUBPART L: RECORDS

Section
340.1110 General Provisions
340.1120 Records of Radiation Protection Programs
340.1130 Records of Surveys and Calibrations
340.1135 Records of Tests for Leakage or Contamination of Sealed Sources
340.1140 Records of Prior Occupational Dose
340.1150 Records of Planned Special Exposures
340.1160 Records of Individual Monitoring Results
340.1170 Records of Dose to Members of the Public
340.1180 Records of Waste Disposal
340.1190 Records of Testing Entry Control Devices for Very High Radiation Areas
340.1195 Form of Records
ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENTS

SUBPART M: REPORTS AND NOTIFICATIONS

Section
340.1205 Notification of Credible Threats
340.1210 Reports of Stolen, Lost or Missing Sources of Radiation
340.1220 Notification of Incidents
340.1230 Reports of Exposures, Radiation Levels and Concentrations of Radioactive Material Exceeding the Constraints or Limits
340.1240 Reports of Planned Special Exposures
340.1250 Notifications and Reports to Individuals
340.1260 Reports of Leaking or Contaminated Sealed Sources
340.1270 Reports of Missing Waste Shipments

SUBPART N: ADDITIONAL REQUIREMENTS

Section
340.1310 Vacating Premises
340.1320 Removal of Radioactive Contamination

340.APPENDIX A Decontamination Guidelines
340.ILLUSTRATION A Radiation Symbol

AUTHORITY: Implementing and authorized by the Radiation Protection Act of 1990 [420 ILCS 40].


SUBPART A: GENERAL PROVISIONS
Section 340.30 Definitions

"Air-purifying respirator" or "APR" means a respirator with an air-purifying filter, cartridge or canister that removes specific air contaminants by passing ambient air through the air-purifying element.

"Annual limit on intake" or "ALI" means the derived limit for the amount of radioactive material taken into the body of an adult worker by inhalation or ingestion in a year. ALI is the smaller value of intake of a given radionuclide in a year by the reference man that would result in a committed effective dose equivalent of 0.05 Sv (5 rem) or a committed dose equivalent of 0.5 Sv (50 rem) to any individual organ or tissue. ALI values for intake by ingestion and by inhalation of selected radionuclides are given in Table 1, columns 1 and 2 of Appendix B to 10 CFR 20, effective March 27, 2006, January 1, 2004, exclusive of subsequent amendments or editions.

"Assigned protection factor" or "APF" means the expected workplace level of respiratory protection that would be provided by a properly functioning respirator or a class of respirators to properly trained and fitted users.

"Atmosphere-supplying respirator" means a respirator that supplies the respirator user with breathing air from a source independent of the ambient atmosphere, and includes supplied-air respirators (SARs) and self-contained breathing apparatus (SCBA) units.

"Chelating agent" means amine polycarboxylic acids (e.g., EDTA, DTPA), hydroxy-carboxylic acids, and polycarboxylic acids (e.g., citric acid, carboxylic acid, and gluconic acid).

"Class" (lung class or inhalation class) means a classification scheme for inhaled material according to its rate of clearance from the pulmonary region of the lung. Materials are classified as D, W or Y, which applies to a range of clearance half-times: for Class D (Days) of less than 10 days, for Class W (Weeks) from 10 to 100 days, and for Class Y (Years) of greater than 100 days.

"Collector" means a licensee whose principal purpose is to collect and consolidate waste generated by others, and to transfer this waste, without processing or repackaging the collected waste, to another licensed waste collector, licensed waste processor or licensed land disposal facility.
"Consignee" means the designated receiver of a shipment of low-level radioactive waste.

"Constraint" (dose constraint) means a value above which specified licensee actions are required.

"Demand respirator" means an atmosphere-supplying respirator that admits breathing air to the face piece only when a negative pressure is created inside the face piece by inhalation.

"Derived air concentration" or "(DAC)" means the concentration of a given radionuclide in air, which, if breathed by the reference man for a working year of 2,000 hours under conditions of light work would result in an intake of one ALI. For purposes of this definition, the condition of light work is an inhalation rate of 1.2 cubic meters of air per hour for 2,000 hours in a year. DAC values are given in Table 1, Column 3 of Appendix B to 10 CFR 20, effective March 27, 2006, January 1, 2004, exclusive of subsequent amendments or editions.

"Derived air concentration-hour" or "(DAC-hour)" means the product of the concentration of radioactive material in air (expressed as a fraction or multiple of the derived air concentration for each radionuclide) and the time of exposure to that radionuclide (expressed in hours). A licensee may take 2,000 DAC-hours to represent one ALI, equivalent to a committed effective dose equivalent of 0.05 Sv (5 rem).

"Disposal container" means a container principally used to confine low-level radioactive waste during disposal operations at a land disposal facility (also see "high integrity container"). Note that, for some shipments, the disposal container may be the transport package.

"Disposable respirator" means a respirator for which maintenance is not intended and that is designed to be discarded after excessive breathing resistance, sorbent exhaustion, physical damage, or end-of-service-life renders it unsuitable for use. Examples of this type of respirator are a disposable half-mask respirator or a disposable escape-only self-contained breathing apparatus (SCBA).

"EPA identification number" means the number received by a transporter following application to the Administrator of USEPA as required by 40 CFR 263.
"Filtering face piece" or "dust mask" means a negative pressure particulate respirator with a filter as an integral part of the face piece or with the entire face piece composed of the filtering medium, not equipped with elastomeric sealing surfaces and adjustable straps.

"Fit factor" means a quantitative estimate of the fit of a particular respirator to a specific individual and typically estimates the ratio of the concentration of a substance in ambient air to its concentration inside the respirator when worn.

"Fit Test" means the use of a protocol to qualitatively or quantitatively evaluate the fit of a respirator on an individual.

"Helmet" means a rigid respiratory inlet covering that also provides head protection against impact and penetration.

"Hood" means a respiratory inlet covering that completely covers the head and neck and may also cover portions of the shoulders and torso.

"Inhalation class" (see "class").

"Land disposal facility" means the land, buildings, structures and equipment which are intended to be used for the disposal of radioactive wastes.

"Lens dose equivalent" or "LDE" applies to the external exposure of the lens of the eye and is taken as the dose equivalent at a tissue depth of 0.3 centimeter (300 mg/cm\(^2\)).

"Loose-fitting face piece" means a respiratory inlet covering designed to form a partial seal with the face.

"Lung class" (see "class").

"Negative pressure respirator (tight fitting)" means a respirator in which the air pressure inside the face piece is negative during inhalation with respect to the ambient air pressure outside the respirator.

"Nonstochastic effect" (deterministic effect) means a health effect, the severity of which varies with the dose and for which a threshold is believed to exist.
Radiation-induced cataract formation is an example of a nonstochastic effect.

"Occupational dose" means the dose received by an individual in the course of employment in which the individual's assigned duties involve exposure to radiation or to radioactive material from licensed and unlicensed sources of radiation, whether in the possession of the licensee or another person. Occupational dose does not include doses received from background radiation, from any medical administration the individual has received, from exposure to individuals administered radioactive material and released under 32 Ill. Adm. Code 335, from voluntary participation in medical research programs or as a member of the public.

"Physical description" means the items called for on NRC Form 541 to describe a low-level radioactive waste.

"Planned special exposure" means an infrequent exposure to radiation, the dose from which is separate from and in addition to the annual occupational dose limits.

"Positive pressure respirator" means a respirator in which the pressure inside the respiratory inlet covering exceeds the ambient air pressure outside the respirator.

"Powered air-purifying respirator" or 'PAPR" means an air-purifying respirator that uses a blower to force the ambient air through air-purifying elements to the inlet covering.

"Pressure demand respirator" means a positive pressure atmosphere-supplying respirator that admits breathing air to the face piece when the positive pressure is reduced inside the face piece by inhalation.

"Public dose" means the dose received by a member of the public from exposure to radiation or to radioactive material released by a licensee or to any other source of radiation under the control of a licensee. Public dose does not include occupational dose or doses received from background radiation, from any medical administration the individual has received, from exposure to individuals administered radioactive material and released under 32 Ill. Adm. Code 335, or from voluntary participation in medical research programs.
NOTICE OF ADOPTED AMENDMENTS

"Qualitative fit test" or "QLFT" means a pass/fail fit test to assess the adequacy of respirator fit that relies on the individual's response to the test agent.

"Quantitative fit test" or "QNFT" means an assessment of the adequacy of respirator fit by numerically measuring the amount of leakage into the respirator.

"Reference Man" means a hypothetical aggregation of human physical and physiological characteristics determined by international consensus. These characteristics may be used by researchers and public health workers to standardize results of experiments and to relate biological insult to a common base.


"Respiratory protective equipment" means an apparatus, such as a respirator, used to reduce an individual's intake of airborne radioactive materials.

"Sanitary sewerage" means a system of public sewers for carrying off waste water and refuse, but excluding sewage treatment facilities, septic tanks, and leach fields owned or operated by the licensee.

"Self-contained breathing apparatus" or "SCBA" means an atmosphere-supplying respirator for which the breathing air source is designed to be carried by the user.

"Shipping paper" means NRC Form 540 and, if required, NRC Form 540A, which includes the information required by DOT in 49 CFR 172.

"Stochastic effect" (probabilistic effect) means a health effect that occurs randomly and for which the probability of the effect occurring, rather than its severity, is assumed to be a linear function of dose without threshold. Hereditary effects and cancer incidence are examples of stochastic effects.

"Supplied-air respirator" or "SAR" or "airline respirator" means an atmosphere-supplying respirator for which the source of breathing air is not designed to be carried by the user.

"Tight-fitting face piece" means a respiratory inlet covering that forms a complete seal with the face.
"Uniform Low-Level Radioactive Waste Manifest" or "uniform manifest" means the combination of NRC Forms 540, 541 and, if necessary, 542, and their respective continuation sheets as needed, or equivalent.

"User seal check" or "fit check" means an action conducted by the respirator user to determine if the respirator is properly seated to the face. Examples include negative pressure check, positive pressure check, irritant smoke check, or isoamyl acetate check.

"Waste description" means the physical, chemical and radiological description of a low-level radioactive waste as called for on NRC Form 541.

"Waste processor" means an entity, operating under an Agency, Nuclear Regulatory Commission or Agreement State license, whose principal purpose is to process, repackage, or otherwise treat low-level radioactive material or waste generated by others prior to eventual transfer of waste to a licensed low-level radioactive waste land disposal facility.

"Waste type" means a waste within a disposal container having a unique physical description (i.e., a specific waste descriptor code or description or a waste sorbed on or solidified in a specifically defined media).

"Weighting factor" \((w_T)\), means the proportion of the risk of stochastic effects resulting from irradiation of an organ or tissue \((T)\) to the total risk of stochastic effects when the whole body is irradiated uniformly. For calculating the effective dose equivalent, the values of \((w_T)\) are:

<table>
<thead>
<tr>
<th>Organ or Tissue</th>
<th>((w_T))</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gonads</td>
<td>0.25</td>
</tr>
<tr>
<td>Breast</td>
<td>0.15</td>
</tr>
<tr>
<td>Red bone marrow</td>
<td>0.12</td>
</tr>
<tr>
<td>Lung</td>
<td>0.12</td>
</tr>
<tr>
<td>Thyroid</td>
<td>0.03</td>
</tr>
<tr>
<td>Bone surfaces</td>
<td>0.03</td>
</tr>
<tr>
<td>Remainder</td>
<td>0.30(^a)</td>
</tr>
</tbody>
</table>
ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENTS

Whole Body 1.00\textsuperscript{b}

\textsuperscript{a} 0.30 results from 0.06 for each of 5 "remainder" organs, excluding the skin and the lens of the eye, that receive the highest doses.

\textsuperscript{b} For the purpose of weighting the external whole-body dose, for adding it to the internal dose, a single weighting factor, \((w_T) = 1.0\), has been specified.

(Source: Amended at 31 Ill. Reg. 11593, effective July 26, 2007)

SUBPART C: OCCUPATIONAL DOSE LIMITS

Section 340.210 Occupational Dose Limits for Adults

a) The licensee or registrant shall control the occupational dose to individual adults, except for planned special exposures pursuant to Section 340.260 of this Part, to the following dose limits:

1) An annual limit, which is the more limiting of:

   A) The total effective dose equivalent being equal to 0.05 Sv (5 rem); or

   B) The sum of the deep dose equivalent and the committed dose equivalent to any individual organ or tissue other than the lens of the eye being equal to 0.5 Sv (50 rem).

2) The annual limits to the lens of the eye, to the skin and to the extremities which are:

   A) A lens dose equivalent of 0.15 Sv (15 rem), and

   B) A shallow dose equivalent of 0.5 Sv (50 rem) to the skin or to any extremity.

b) Doses received in excess of the annual limits, including doses received during accidents, emergencies and planned special exposures, shall be subtracted from
ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENTS

the limits for planned special exposures that the individual may receive during the current year and during the individual's lifetime (see Section 340.260(e) of this Part).

c) The assigned deep dose equivalent shall be for the portion of the body receiving the highest exposure. The assigned shallow dose equivalent shall be the dose averaged over the contiguous 10 square centimeters of skin receiving the highest dose.

d) The deep dose equivalent, lens dose equivalent and shallow dose equivalent may be assessed from surveys or other radiation measurements for the purpose of demonstrating compliance with the occupational dose limits, if the individual monitoring device was not in the region of highest potential exposure, or the results of individual monitoring are unavailable.

e) Derived air concentration (DAC) and annual limit on intake (ALI) values are specified in Table 1 of Appendix B to 10 CFR 20, effective March 27, 2006, and may be used to determine the individual's dose (see Section 340.1160 of this Part) and to demonstrate compliance with the occupational dose limits.

f) Notwithstanding the annual dose limits, the licensee shall limit the soluble uranium intake by an individual to 10 milligrams in a week in consideration of chemical toxicity (see footnote 3 of Appendix B to 10 CFR 20, effective March 27, 2006).

g) The licensee or registrant shall reduce the dose that an individual may be allowed to receive in the current year by the amount of occupational dose received while employed by any other person during the current year (see Section 340.250(a) and (d) of this Part).

AGENCY NOTE: The purpose of this requirement is to ensure that no individual receives an annual occupational dose in excess of the occupational dose limits set forth in this Section.

(Source: Amended at 31 Ill. Reg. 11593, effective July 26, 2007)

Section 340.230 Determination of External Dose from Airborne Radioactive Material
ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENTS

a) Licensees shall, when determining the dose from airborne radioactive material, include the contribution to the deep dose equivalent, lens dose equivalent and shallow dose equivalent from external exposure to the radioactive cloud (see footnotes 1 and 2 of Appendix B to 10 CFR 20, effective March 27, 2006, and January 1, 2004, exclusive of subsequent amendments or editions).

b) Airborne radioactivity measurements and DAC values shall not be used as the primary means to assess the deep dose equivalent when the airborne radioactive material includes radionuclides other than noble gases or if the cloud of airborne radioactive material is not relatively uniform. The determination of the deep dose equivalent to an individual shall be based upon measurements using instruments or individual monitoring devices.

(Source: Amended at 31 Ill. Reg. 11593, effective July 26, 2007)

Section 340.240 Determination of Internal Exposure

a) For purposes of assessing dose used to determine compliance with occupational dose equivalent limits, the licensee shall, when required pursuant to Section 340.520 of this Part, take measurements of:

1) Concentrations of radioactive materials in air in work areas during conditions of operations; or

2) Quantities of radionuclides in the body after exposure to materials that could result in an intake; or

3) Quantities of radionuclides excreted from the body after exposure to materials that could result in an intake; or

4) Combinations of these measurements.

b) Unless respiratory protective equipment is used, as provided in Section 340.730 of this Part, or the assessment of intake is based on bioassays, the licensee shall assume that an individual inhales radioactive material at the airborne concentration in which the individual is present.

c) When specific information on the physical and biochemical properties of the
ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENTS

radionuclides taken into the body or the behavior of the material in an individual is known, the licensee may:

1) Use that information to calculate the committed effective dose equivalent, and if used, the licensee shall document that information in the individual's record; and

2) Upon prior approval of the Agency, adjust the DAC or ALI values to reflect the actual physical and chemical characteristics of airborne radioactive material (e.g., aerosol size distribution or density); and

3) Separately assess the contribution of fractional intakes of Class D, W or Y compounds of a given radionuclide (see Appendix B to 10 CFR 20, effective March 27, 2006, January 1, 2004, exclusive of subsequent amendments or editions, to the committed effective dose equivalent).

d) If the licensee chooses to assess intakes of Class Y material using the measurements specified in subsections (a)(2) or (3) of this Section, the licensee may delay the recording and reporting of the assessments for periods up to 7 months, unless otherwise required by Sections 340.1220 or 340.1230 of this Part.

AGENCY NOTE: This delay permits the licensee to make additional measurements basic to the assessments.

e) If the identity and concentration of each radionuclide in a mixture are known, the fraction of the DAC applicable to the mixture for use in calculating DAC-hours shall be either:

1) The sum of the ratios of the concentration to the appropriate DAC value (e.g., D, W or Y) from Appendix B to 10 CFR 20, effective March 27, 2006, January 1, 2004, exclusive of subsequent amendments or editions, for each radionuclide in the mixture; or

2) The ratio of the total concentration for all radionuclides in the mixture to the most restrictive DAC value for any radionuclide in the mixture.

f) If the identity of each radionuclide in a mixture is known, but the concentration of one or more of the radionuclides in the mixture is not known, the DAC for the mixture shall be the most restrictive DAC of any radionuclide in the mixture.
ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENTS

g) When a mixture of radionuclides in air exists, a licensee may disregard certain radionuclides in the mixture if:

1) The licensee uses the total activity of the mixture in demonstrating compliance with the dose limits in Section 340.210 of this Part and in complying with the monitoring requirements in Section 340.520(b) of this Part;

2) The concentration of any radionuclide disregarded is less than ten percent of its DAC; and

3) The sum of these percentages for all of the radionuclides disregarded in the mixture does not exceed 30 percent.

h) When determining the committed effective dose equivalent, the following information may be considered:

1) In order to calculate the committed effective dose equivalent, the licensee may assume that the inhalation of one ALI, or an exposure of 2,000 DAC-hours, results in a committed effective dose equivalent of 0.05 Sv (5 rem) for radionuclides that have their ALIs or DACs based on the committed effective dose equivalent.

2) For an ALI (and the associated DAC) determined by the nonstochastic organ dose limit of 0.5 Sv (50 rem), the intake of radionuclides that would result in a committed effective dose equivalent of 0.05 Sv (5 rem) (the stochastic ALI) is listed in parentheses in Table 1 of Appendix B to 10 CFR 20, effective March 27, 2006, January 1, 2004, exclusive of subsequent amendments or editions. The licensee may, as a simplifying assumption, use the stochastic ALI to determine committed effective dose equivalent. However, if the licensee uses the stochastic ALI the licensee shall also demonstrate that the limit in Section 340.210(a)(1)(B) of this Part is met.

(Source: Amended at 31 Ill. Reg. 11593, effective July 26, 2007)

SUBPART D: RADIATION DOSE LIMITS FOR INDIVIDUAL MEMBERS OF THE PUBLIC
Section 340.320 Compliance with Dose Limits for Individual Members of the Public

a) The licensee or registrant shall make or cause to be made surveys of radiation levels in unrestricted areas. In addition, licensees shall survey radioactive materials in effluents released to unrestricted areas. These surveys are to demonstrate compliance with the dose limits for individual members of the public in Section 340.310 of this Part.

b) A licensee or registrant shall show compliance with the annual dose limit in Section 340.310 of this Part by:

1) Demonstrating by measurement or calculation that the total effective dose equivalent to the individual likely to receive the highest dose from the licensed or registered operation does not exceed the annual dose limit; or

2) Demonstrating that:

A) The annual average concentrations of radioactive material released in gaseous and liquid effluents at the boundary of the unrestricted area do not exceed the values specified in Table 2 of Appendix B to 10 CFR 20, effective March 27, 2006 January 1, 2004, exclusive of subsequent amendments or editions; and

B) If an individual were continuously present in an unrestricted area, the dose from external sources would not exceed 0.02 mSv (0.002 rem) in an hour and 0.5 mSv (0.05 rem) in a year.

c) Upon approval from the Agency, the licensee may adjust the effluent concentration values in Table 2 of Appendix B to 10 CFR 20, effective March 27, 2006 January 1, 2004, exclusive of subsequent amendments or editions, for members of the public, to take into account the actual physical and chemical characteristics of the effluents (e.g., aerosol size distribution, solubility, density, radioactive decay equilibrium and chemical form).

(Source: Amended at 31 Ill. Reg. 11593, effective July 26, 2007)
Section 340.520  Conditions Requiring Individual Monitoring of External and Internal Occupational Dose

Each licensee or registrant shall monitor doses from sources of radiation at levels sufficient to demonstrate compliance with the occupational dose limits of this Part. As a minimum:

a) Each licensee or registrant shall monitor occupational dose from sources of radiation and shall supply and require the use of individual monitoring devices by:

1) Adults likely to receive, in 1 year from sources external to the body, a dose in excess of ten percent of the limits in Section 340.210(a) of this Part;

2) Minors likely to receive, in 1 year from sources external to the body, a dose in excess of ten percent of any of the applicable limits in Section 340.270 of this Part;

3) Declared pregnant women likely to receive during the entire pregnancy, from radiation sources external to the body, a deep dose equivalent in excess of 1 mSv (0.1 rem); and

4) Individuals entering a high or very high radiation area.

b) Each licensee shall monitor, to determine compliance with Section 340.240 of this Part, the occupational intake of radioactive material by and assess the committed effective dose equivalent to:

1) Adults likely to receive, in 1 year, an intake in excess of ten percent of the applicable ALIs in Table 1, columns 1 and 2 of Appendix B to 10 CFR 20, effective March 27, 2006, January 1, 2004, exclusive of subsequent amendments or editions; and

2) Minors and declared pregnant women likely to receive, in 1 year, a committed effective dose equivalent in excess of 0.5 mSv (0.05 rem).

(Source: Amended at 31 Ill. Reg. 11593, effective July 26, 2007)

SUBPART I: STORAGE AND CONTROL OF LICENSED
Section 340.810  Security and Control of Licensed or Registered Sources of Radiation

a) The licensee shall secure licensed radioactive material from unauthorized removal or access.

b) The licensee shall maintain constant surveillance, and use devices or administrative procedures to prevent unauthorized use of licensed radioactive material that is in an unrestricted area and that is not in storage.

c) Unless otherwise specified in 32 Ill. Adm. Code 335, 350 or 351 or by the Agency, the licensee shall conduct a physical inventory at intervals not to exceed 6 months to account for each sealed source received and possessed under the license schedule item and shall maintain a record of such inventories. The inventory records shall include the radionuclide, activity, activity assay date, manufacturer, model and serial number, location of the sealed source, date of the inventory and the identity of the individuals performing the inventory. 32 Ill. Adm. Code 350 and 351 allow for 3 months physical inventory and 32 Ill. Adm. Code 335 allows for physical inventory periods to be determined by the type of radioactive material.

d) For sources that are removed from storage for use or transport, the record shall include:

1) The number and activity of sources removed from storage, the time and date they were removed from storage, the name of the individual who removed them from storage and the location of use; and

2) The number and activity of sources returned to storage, the time and date they were returned to storage and the name of the individual who returned them to storage.

e) Records of inventories shall be maintained for 5 years from the date of each inventory.

f) The registrant shall use devices or administrative procedures to prevent unauthorized use of registered radiation machines.
ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENTS

g) Security requirements for portable gauges. Each portable gauge licensee shall use a minimum of two independent physical controls that form tangible barriers to secure portable gauges from unauthorized removal whenever portable gauges are not under the control and constant surveillance of the licensee.

(Source: Amended at 31 Ill. Reg. 11593, effective July 26, 2007)

SUBPART J: PRECAUTIONARY PROCEDURES

Section 340.950 Exemptions to Labeling Requirements

A licensee is not required to label:

a) Containers holding licensed material in quantities less than the quantities listed in appendix C to 10 CFR 20, effective January 1, 2004, exclusive of subsequent amendments or editions; or

b) Containers holding licensed material in concentrations less than those specified in Table 3 of appendix B to 10 CFR 20, effective March 27, 2006, January 1, 2004, exclusive of subsequent amendments or editions; or

c) Containers attended by an individual who takes the precautions (e.g., controlling access) necessary to prevent the exposure of individuals in excess of the limits established by this Part; or

d) Containers when they are in transport, provided the containers are packaged and labeled in accordance with the regulations of the U.S. Department of Transportation; or

AGENCY NOTE: Labeling of packages containing radioactive materials is required by the U.S. Department of Transportation if the amount and type of radioactive material exceeds the limits for an excepted quantity or article as defined and limited by 49 CFR 173.403 and 173.421 through 173.424, current as October 1, 2004, exclusive of subsequent amendments or editions.

e) Containers that are accessible only to individuals authorized to handle or use them, or to work in the vicinity of the containers, if the contents are identified to these individuals by a readily available written record (examples of containers of this type are containers in locations such as water-filled canals, storage vaults or
hot cells). The record shall be retained as long as the containers are in use for the purpose indicated on the record; or

f) Installed manufacturing or process equipment, such as piping and tanks.

(Source: Amended at 31 Ill. Reg. 11593, effective July 26, 2007)

Section 340.960  Procedures for Receiving and Opening Packages

a) Each licensee who is authorized to receive a package containing quantities of radioactive material in excess of a Type A quantity, as defined in 32 Ill. Adm. Code 341.20, as listed in 49 CFR 173.435 published October 1, 1993, or as derived from 49 CFR 173.433 published October 1, 2004 shall:

1) Make arrangements to receive the package when the carrier offers it for delivery; or

2) Make arrangements to receive the notification of the arrival of the package at the carrier’s terminal and to take possession of the package expeditiously.

b) Each licensee shall:

1) Monitor the external surfaces of a labeled package for radioactive contamination unless the package contains only radioactive material in the form of a gas or in special form radioactive material as defined in 32 Ill. Adm. Code 310.20;


2) Monitor the external surfaces of a labeled package for radiation levels unless the package contains quantities of radioactive material that are less than or equal to the Type A quantity; and

3) Monitor all packages known to contain radioactive material for radioactive contamination and radiation levels if there is evidence of degradation of
NOTICE OF ADOPTED AMENDMENTS

package integrity, such as packages that are crushed, wet or damaged.

c) The licensee shall perform the monitoring required by subsection (b) of this Section as soon as practicable after receipt of the package, but not later than 3 hours after the package is received at the licensee's facility if it is received during the licensee's normal working hours or if there is evidence of degradation of package integrity, such as a package that is crushed, wet or damaged. If a package is received after working hours, and has no evidence of degradation of package integrity, the package shall be monitored no later than 3 hours from the beginning of the next working day.

d) The licensee shall immediately notify the final delivery carrier and the Agency by telephone, and shall confirm the initial contact within 24 hours by overnight letter or telefacsimile to the Agency, when:

1) Removable radioactive surface contamination exceeds the limits of 32 Ill. Adm. Code 341.10 (49 CFR 173.443)341.150(h); or
2) External radiation levels exceed the limits of 32 Ill. Adm. Code 341.10 (49 CFR 173.443)341.150(i) and (j).

e) Each licensee shall:

1) Establish, maintain and retain written procedures for safely opening packages in which radioactive material is received; and
2) Ensure that the procedures are followed and that special instructions for the type of package being opened are adhered to.

(Source: Amended at 31 Ill. Reg. 11593, effective July 26, 2007)

SUBPART K: WASTE DISPOSAL

Section 340.1030 Disposal by Release into Sanitary Sewerage

a) A licensee may discharge licensed material into sanitary sewerage if each of the following conditions is satisfied:

1) The material is readily soluble, or is readily dispersible biological
NOTICE OF ADOPTED AMENDMENTS

material, in water;

2) The quantity of licensed radioactive material that the licensee releases into the sewer in 1 month divided by the average monthly volume of water released into the sewer by the licensee does not exceed the concentration listed in Table 3 of Appendix B to 10 CFR 20, effective March 27, 2006 January 1, 2004, exclusive of subsequent amendments or editions;

3) If more than one radionuclide is released, the following conditions must also be satisfied:

A) The licensee shall determine the fraction of the limit in Table 3 of Appendix B to 10 CFR 20, effective March 27, 2006 January 1, 2004, exclusive of subsequent amendments or editions, represented by discharges into sanitary sewerage by dividing the actual monthly average concentration of each radionuclide released by the licensee into the sewer by the concentration of that radionuclide listed in Table 3 of Appendix B to 10 CFR 20, effective March 27, 2006 January 1, 2004, exclusive of subsequent amendments or editions; and

B) The sum of the fractions for each radionuclide required by subsection (a)(3)(A) of this Section does not exceed unity;

4) The total quantity of licensed radioactive material that the licensee releases into sanitary sewerage in a year does not exceed 185 GBq (5 Ci) of hydrogen-3, 37 GBq (1 Ci) of carbon-14, and 37 GBq (1 Ci) of all other radioactive materials combined; and

5) In determining compliance with subsections (a)(1), (a)(2), (a)(3) and (a)(4) of this Section, the licensee shall not include the activity from radioactive material excluded by subsection (b) of this Section.

b) Excreta from individuals undergoing medical diagnosis or therapy with radioactive material are not subject to the limitations contained in subsection (a) of this Section.
ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENTS

(Source: Amended at 31 Ill. Reg. 11593, effective July 26, 2007)

SUBPART M: REPORTS AND NOTIFICATIONS

Section 340.1220 Notification of Incidents

a) Immediate Notification. Notwithstanding any other requirements for notification, each licensee or registrant shall immediately report to the Agency discovery of an event that prevents immediate protective actions necessary to avoid releases of radioactive material or doses in excess of the regulatory limits, or each event involving a source of radiation possessed by the licensee or registrant that may have caused or threatens to cause any of the following conditions:

1) An individual to receive:
   A) A total effective dose equivalent of 0.25 Sv (25 rem) or more; or
   B) A lens dose equivalent of 0.75 Sv (75 rem) or more; or
   C) A shallow dose equivalent to the skin or extremities or a total organ dose equivalent of 2.5 Gy (250 rad) or more; or

2) The release of radioactive material, inside or outside of a restricted area, so that, had an individual been present for 24 hours, the individual could have received an intake five times the ALI, except the provisions of this subsection do not apply to locations where personnel are not normally stationed during routine operations, such as hot cells or process enclosures.

b) Twenty-four Hour Notification. Each licensee or registrant shall, within 24 hours of discovery of the event, report to the Agency each event involving loss of control of a licensed or registered source of radiation possessed by the licensee or registrant that may have caused, or threatens to cause, any of the following conditions:

1) An individual to receive, in a period of 24 hours:
   A) A total effective dose equivalent exceeding 0.05 Sv (5 rem); or
B) A lens dose equivalent exceeding 0.15 Sv (15 rem); or

C) A shallow dose equivalent to the skin or extremities or a total organ dose equivalent exceeding 0.5 Sv (50 rem); or

2) The release of radioactive material, inside or outside of a restricted area, so that, had an individual been present for 24 hours, the individual could have received an intake in excess of one occupational ALI, except the provisions of this subsection do not apply to locations where personnel are not normally stationed during routine operations, such as hot cells or process enclosures.

c) Additional 24 Hour Notifications for Licensees. Each licensee shall notify the Agency within 24 hours after the discovery of any of the following events involving radioactive material:

1) An unplanned contamination event that:
   A) Requires access to the contaminated area by workers or the public to be restricted for more than 24 hours by imposing radiological controls in addition to those established by the licensee prior to the event or by prohibiting entry into the area;
   B) Involves a quantity of material greater than five times the lowest annual limit on intake specified in 10 CFR 20, Appendix B, effective March 27, 2006, for the material; and
   C) Results in access to the area being restricted for a reason other than to either comply with operating procedures established by the licensee, or to allow radionuclides with a half-life of less than 24 hours to decay prior to decontamination.

2) An event in which equipment is disabled or fails to function as designated when:
   A) The equipment is required by regulation or license condition to prevent releases or doses exceeding regulatory limits, or to mitigate the consequences of an accident;
NOTICE OF ADOPTED AMENDMENTS

B) The equipment is required to be available and operable when it is disabled or fails to function; and

C) No redundant equipment is available and operable to perform the required safety function.

3) An event that requires unplanned medical treatment at a medical facility of an individual with radioactive contamination on the individual's clothing or body.

4) An unplanned fire or explosion damaging any licensed material or any device, container or equipment containing licensed material when:

   A) The quantity of material involved is greater than five times the lowest annual limit on intake specified in 10 CFR 20, Appendix B, effective March 27, 2006, January 1, 2004, for the material; and

   B) The damage affects the integrity of the licensed material or its container.

d) Licensees or registrants shall make the reports required by subsections (a), (b) and (c) of this Section by initial contact by telephone to the Agency and shall confirm the initial contact within 24 hours by overnight letter or telefacsimile to the Agency.

e) The licensee or registrant shall prepare each written report filed with the Agency pursuant to this Section so that names of individuals who have received exposure to sources of radiation are stated in a separate and detachable portion of the report.

f) The provisions of this Section do not apply to doses that result from planned special exposures, provided such doses are within the limits for planned special exposures and are reported pursuant to Section 340.1240 of this Part.

(Source: Amended at 31 Ill. Reg. 11593, effective July 26, 2007)
### Section 340. APPENDIX A  Decontamination Guidelines

#### a) Surface Contamination Guide

**Alpha Emitters:**

<table>
<thead>
<tr>
<th>Source</th>
<th>Activity (Bq/µCi/cm²)</th>
<th>DPM (average)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Removable</td>
<td>555 (15 pCi)</td>
<td>13 dpm</td>
</tr>
<tr>
<td>Total Fixed</td>
<td>16.7 (450 pCi)</td>
<td>22 dpm</td>
</tr>
</tbody>
</table>

**Beta-Gamma Emitters:**

<table>
<thead>
<tr>
<th>Source</th>
<th>Activity (Bq/µCi/cm²)</th>
<th>DPM (average)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Removable (all beta-gamma emitters except hydrogen-3)</td>
<td>3.7 (100 pCi)</td>
<td>2 dpm</td>
</tr>
<tr>
<td>Removable (hydrogen-3)</td>
<td>37 (1,000 pCi)</td>
<td>22 dpm</td>
</tr>
<tr>
<td>Total Fixed</td>
<td>2.5 microSv (250 microrem)</td>
<td>2.5 dpm</td>
</tr>
</tbody>
</table>

Note: Maximum values apply over any one surface.
b) Concentration in air and water: Appendix B, Table I and II of 10 CFR 20.

c) Concentrations in soil and other materials except water:

1) Radioactive material except source material and radium: Column II of 32 Ill. Adm. Code 330.Appendix A.

2) Source material and radium: Concentration of radionuclides above background concentrations for total radium, averaged over areas of 100 square meters, shall not exceed:

   A) 185 mBq (5 pCi) per gram of dry soil, averaged over the first 15 centimeters below the surface; and

   B) 185 mBq (5 pCi) per gram of dry soil, averaged over layers of 15 centimeters thickness more than 15 centimeters below the surface.

d) The level of gamma radiation measured at a distance of 100 centimeters from the surface shall not exceed background.

AGENCY NOTE: This Appendix A shall be used only as a guide. The Agency may require lower values in specific instances, depending upon radionuclides, type of surface, intended present and future use, etc.

(Source: Amended at 31 Ill. Reg. 11593, effective July 26, 2007)
NOTICE OF ADOPTED AMENDMENTS

1) **Heading of the Part:** Accrediting Persons in the Practice of Medical Radiation Technology

2) **Code Citation:** 32 Ill. Adm. Code 401

3) **Section Numbers:**

<table>
<thead>
<tr>
<th>Section Numbers</th>
<th>Adopted Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>401.10</td>
<td>Amendment</td>
</tr>
<tr>
<td>401.20</td>
<td>Amendment</td>
</tr>
<tr>
<td>401.30</td>
<td>Amendment</td>
</tr>
<tr>
<td>401.40</td>
<td>Amendment</td>
</tr>
<tr>
<td>401.50</td>
<td>Amendment</td>
</tr>
<tr>
<td>401.60</td>
<td>Repealed</td>
</tr>
<tr>
<td>401.70</td>
<td>Amendment</td>
</tr>
<tr>
<td>401.80</td>
<td>Repealed</td>
</tr>
<tr>
<td>401.90</td>
<td>New Section</td>
</tr>
<tr>
<td>401.100</td>
<td>Amendment</td>
</tr>
<tr>
<td>401.110</td>
<td>Repealed</td>
</tr>
<tr>
<td>401.120</td>
<td>Amendment</td>
</tr>
<tr>
<td>401.130</td>
<td>Amendment</td>
</tr>
<tr>
<td>401.140</td>
<td>Amendment</td>
</tr>
<tr>
<td>401.150</td>
<td>Repealed</td>
</tr>
<tr>
<td>401.160</td>
<td>Repealed</td>
</tr>
<tr>
<td>401.170</td>
<td>Amendment</td>
</tr>
<tr>
<td>401. APPENDIX A</td>
<td>Amendment</td>
</tr>
<tr>
<td>401. APPENDIX B</td>
<td>Repealed</td>
</tr>
<tr>
<td>401. APPENDIX C</td>
<td>Repealed</td>
</tr>
</tbody>
</table>

4) **Statutory Authority:** Implementing and authorized by Sections 5, 6, 7 and 36 of the Radiation Protection Act of 1990 [420 ILCS 40/5, 6, 7 and 36]

5) **Effective Date of Amendments:** July 26, 2007

6) **Does this rulemaking contain an automatic repeal date?** No

7) **Does this rulemaking contain incorporations by reference?** Yes

8) A copy of the adopted amendments, including any material incorporated by reference, is on file at the Agency's headquarters located at 1035 Outer Park Drive, Springfield, Illinois and is available for public inspection.
9) Notice of Proposal Published in the Illinois Register: February 2, 2007; 31 Ill. Reg. 2140

10) Has JCAR issued a Statement of Objection to these Amendments? No

11) Differences between proposal and final version:
   
   a. Line 29, added APPENDIX before text
   b. Line 38 changed Emergency to emergency
   c. Line 51, added 31
   d. Line 104, changed act(s) to acts.
   e. Line 143, changed Continuing Education Activity to continuing education activity
   f. Line 162, added be before organized
   g. Line 165, changed Continuing Education Credit to "CE Credit"
   h. Line 226, added a comma after Radiography
   i. Line 231, moved comma from after may to after studies
   j. Line 263, changed practitioner to practitioner
   k. Line 263, added comma after who
   l. Line 271, added the or before RCEEM
   m. Line 275, changed a to an
   n. Line 280, took out comma
   o. Line 282, took out comma
   p. Line 294, took out comma
   q. Line 286, took out comma
   r. Line 288, took out comma
   s. Line 290, took out comma
   t. Line 292, took out comma
   u. Line 295, took out comma
   v. Line 297, took out and
   w. Line 311, changed ; and to .
   x. Line 314, took out comma before "whose"
   y. Line 370, changed shall administer to administers
   z. Line 373, added period after business
   aa. Line 589, took out period after Radiography
   bb. Line 591, added and after topics
   cc. Line 692, changed limited diagnostic radiography to Limited Diagnostic Radiography
   dd. Line 696, added or before an
ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENTS

ee. Line 694, changed which to that
ff. Line 788, added a comma after Agency
gg. Line 888 changed transmittable to transmitted
hh. Line 891, changed to on
ii. Line 948, took out comma after removal
jj. Line 1033, changed Radiography to Radiology
kk. Line 1049, changed which to that
ll. Line 1055, changed a to an
mm. Line 1076, took out for a renewal period
nn. Line 1109, changed continuing education to CE
oo. Line 1130, changed continuing education to CE
pp. Line 1130, changed upon to after
qq. Line 1130, changed participated in to acquired
rr. Line 1138, added who are after and
ss. Line 1278, added commas after "initial" and "of"
tt. Line 1300, changed colon to period
uu. Line 1323, changed penalties to Penalties

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these amendments replace any emergency rulemaking currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendments: The Agency is proposing this amendment to: (1) adopt and define three specific levels of supervision: personal, direct and general, and specify throughout the rule that which is required; (2) require personal supervision for individuals enrolled as a Student-In Training; (3) exempt operators of bone densitometry units from accreditation requirements; (4) establish an accreditation category of Radiologist Assistant; (5) adopt the passing score recommended by the American Registry of Radiologic Technologists (ARRT) for the limited scope examination; (6) move the requirements for Student-in-Training from Section 401.80, which is being deleted, to a new Section 401.90; (7) eliminate the direct and indirect categories for continuing education (CE) requirements and adopt the ARRT's option for satisfying CE. As such, non-evaluated CE credit (Category B) will no longer be accepted for CE credit after January 1, 2008; (8) eliminate the requirement for documentation of CE credits by the Agency as a condition of renewal. All technologists will be required to maintain proof of participation in CE activities, and during renewal, attest, subject to a randomly
selected audit by the Agency, that they have participated in the required number of CE credits. Technologists registered with the ARRT or another certifying organization and in compliance with CE requirements or on CE probation at the time of renewal will be considered in compliance with the Agency's CE requirements for renewal, thus eliminating any need for the registry or accreditation periods to coincide; (9) define the Agency's process for reviewing and approving CE; (10) add additional causes for which the Agency may suspend, revoke or deny accreditation; (11) increase, effective January 1, 2008, the fee for the limited exam or for registration as a Student-in-Training from $80 to $100 to account for the exam's cost increase, which was recently announced by the exam's provider, the ARRT; (12) define the process of assessing civil penalties against individuals and radiation installation operators for second and subsequent violations of the Agency's accreditation requirements, and allow either the individual or operator an opportunity to pay the civil penalty before the commencement of any administrative proceedings; (13) add ribs to the list of procedures under the limited chest category and pelvis to the limited extremities and spine categories.

Each of the above items has been reviewed and approved by the Agency's Radiologic Technologist Accreditation Advisory Board.

16) Information and questions regarding these adopted amendments shall be directed to:

Louise Michels  
Staff Attorney  
Illinois Emergency Management Agency  
1035 Outer Park Drive  
Springfield, Illinois 62704  
217/785-9876

The full text of the Adopted Amendments begins on the next page.
ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENTS

TITLE 32: ENERGY
CHAPTER II: ILLINOIS EMERGENCY MANAGEMENT AGENCY
SUBCHAPTER b: RADIATION PROTECTION

PART 401
ACCREDITING PERSONS IN THE PRACTICE OF MEDICAL RADIATION TECHNOLOGY

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>401.10</td>
<td>Policy and Scope</td>
</tr>
<tr>
<td>401.20</td>
<td>Definitions</td>
</tr>
<tr>
<td>401.30</td>
<td>Exemptions</td>
</tr>
<tr>
<td>401.40</td>
<td>Application for Accreditation</td>
</tr>
<tr>
<td>401.50</td>
<td>Categories of Accreditation</td>
</tr>
<tr>
<td>401.60</td>
<td>Examination Requirements (Repealed)</td>
</tr>
<tr>
<td>401.70</td>
<td>Examination Requirements (Acceptable Examinations)</td>
</tr>
<tr>
<td>401.80</td>
<td>Approved Program (Repealed)</td>
</tr>
<tr>
<td>401.90</td>
<td>Student-in-Training in Limited Diagnostic Radiography Practice Requirement—Initial Licensure (Repealed)</td>
</tr>
<tr>
<td>401.100</td>
<td>Initial Issuance of Accreditation</td>
</tr>
<tr>
<td>401.110</td>
<td>Duration of Accreditation (Repealed)</td>
</tr>
<tr>
<td>401.120</td>
<td>Suspension, Revocation and Denial of Accreditation</td>
</tr>
<tr>
<td>401.130</td>
<td>Fees</td>
</tr>
<tr>
<td>401.140</td>
<td>Requirements for Renewal of Accreditation</td>
</tr>
<tr>
<td>401.150</td>
<td>Reciprocity (Repealed)</td>
</tr>
<tr>
<td>401.160</td>
<td>Additional Requirements for Radiographers Performing Mammography (Repealed)</td>
</tr>
<tr>
<td>401.170</td>
<td>Civil Penalties</td>
</tr>
<tr>
<td>401.APPENDIX A</td>
<td>Limited Diagnostic Radiography Procedures by Type of Limited Accreditation</td>
</tr>
<tr>
<td>401.APPENDIX B</td>
<td>Example Topics Directly Related to Radiologic Sciences (Repealed)</td>
</tr>
<tr>
<td>401.APPENDIX C</td>
<td>Minimum Training Requirements for Radiographers Performing Mammography (Repealed)</td>
</tr>
</tbody>
</table>

AUTHORITY: Implementing and authorized by Sections 5, 6, 7 and 36 of the Radiation Protection Act of 1990 [420 ILCS 40/5, 6, 7 and 36].

SOURCE: Adopted at 7 Ill. Reg. 17318, effective January 1, 1984; emergency amendment at 8 Ill. Reg. 17584, effective September 12, 1984, for a maximum of 150 days; amended at 9 Ill.
NOTICE OF ADOPTED AMENDMENTS


Section 401.10 Policy and Scope

a) This Part establishes educational standards and an accreditation program applicable to persons who apply ionizing radiation to human beings. Specifically, this Part provides:

1) Minimum standards of preparatory education and experience for persons who apply ionizing radiation to human beings in the disciplines of medical radiography, nuclear medicine technology, radiation therapy technology and chiropractic radiography.

2) Examination requirements for certain categories of accreditation.

3) Continuing education requirements for renewal of accreditation.

b) This Part shall apply to any person who applies ionizing radiation to human beings for diagnostic, therapeutic or human research purposes in this State or who otherwise engages in the practice of medical radiation technology in this State unless specifically exempted by the Act or under Section 401.30 of this Part. This Part shall also apply to persons who are not appropriately licensed under other statutes or regulations and who supervise students for purposes of instructing them while applying ionizing radiation to human beings.

c) The Board may propose to the Illinois Emergency Management Agency such regulations as it deems to be
ILLINOIS REGISTER

ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENTS

appropriate for purposes of fulfilling the policy and scope of the accreditation program.

(Source: Amended at 31 Ill. Reg. 11622, effective July 26, 2007)

Section 401.20 Definitions

As used in this Part, the following definitions shall apply:

"Accreditation" – The process by which the Illinois Emergency Management Agency grants permission to persons meeting the requirements of the Act and the Agency's rules and regulations to engage in the practice of administering radiation to human beings. [420 ILCS 40/4]


"Act" – The Radiation Protection Act of 1990 [420 ILCS 40].

"Administers Ionizing Radiation" – see "Applies Ionizing Radiation"


"Applies Ionizing Radiation" – The act(s) of using ionizing radiation for diagnostic or therapeutic purposes. Specifically included are those tasks that have a direct impact on the radiation burden of the patient, e.g.: Positioning of the patient, film and beam; preparation, calibration, and injection of radiopharmaceuticals; imaging or laboratory techniques which if performed improperly would result in the re-administration of radiation; selection of technique or treatment parameters.

"Approved Program" – A formal education program that in the respective discipline of radiography, nuclear medicine technology or radiation therapy that is accredited by one or more of the following the Department has determined is adequate to prepare students to meet the education requirements prescribed in 42 CFR 75.3 Appendix A, D, and E (1999), exclusive of subsequent amendments or editions. A copy of 42 CFR 75.3 is available for inspection at the Department's
NOTICE OF ADOPTED AMENDMENTS

offices, 1035 Outer Park Drive, Springfield IL.

Joint Review Committee on Education in Radiologic Technology

Joint Review Committee on Educational Programs in Nuclear Medicine Technology

Regional Institutional Accrediting Agencies

Conjoint Secretariat on the Canadian Medical Association

Australian Institute of Radiography.

"ARRT" - The American Registry of Radiologic Technologists, 1255 Northland Drive, St. Paul MN 55120-1155, Phone (651) 687-0048, web site: www.arrt.org.

"Board" – The Radiologic Technologist Accreditation Advisory Board (RTAAB(R.T.A.A.B.-)).

"Bone Densitometer" – An x-radiation producing device that is manufactured specifically for, and limited to, bone densitometry.

"Bone Densitometry" - The science and art of applying x-radiation to human beings for determination of site specific bone density.

"Category A Credit" - An activity that qualifies as a continuing education activity as defined in this Part.

"CBRPA" - Certification Board for Radiology Practitioner Assistants, 1074 E 2750 N, Ogden UT 84414-2741, Phone (801) 782-8671, web site: www.cbrpa.org.

"Chiropractic Radiographer"/"Radiographic Assistant" – A person other than a licensed practitioner who performs medical radiation procedures and applies x-radiation to the human body for diagnostic evaluation of skeletal anatomy, while under the general supervision of a licensed chiropractor.

"Chiropractic Radiography" – The science and art of applying x-radiation to human beings for diagnostic purposes in Chiropractic.
"Continuing Education Activity" - A learning activity that is planned, organized and administered to enhance the professional knowledge and skills underlying professional performance that a technologist uses to provide services for patients, the public or the medical profession. In order to qualify as continuing education, the activity must be planned, be organized and provide sufficient depth and scope of a subject area.

"Continuing Education Credit" or "CE Credit" - Unit of measurement for continuing education activities. One continuing education credit is awarded for one contact hour (50 minutes). Activities longer than one hour are assigned whole or partial credits based on the 50-minute hour. Educational activities of 30-49 minutes of duration will be awarded one-half of one CE credit. Activities that last less than 30 minutes will receive no credit.

"Credentialing" – Any process whereby a State government or non-governmental agency or association grants recognition to an individual who meets certain predetermined qualifications.

"Department" – The Illinois Department of Nuclear Safety.

"Direct Supervision" – An individual is in the physical presence of a licensed practitioner or medical radiation technologist who holds active status accreditation and assists, evaluates and approves of the individual’s performance of the various tasks involved in the application of ionizing radiation.

"Director" – The Director of the Illinois Emergency Management Agency Department of Nuclear Safety.

"Ionizing Radiation" – Gamma rays, and x-rays, alpha and beta particles, high speed electrons, neutrons, protons, and other nuclear particles; but not sound or radio waves, or visible, infrared or ultraviolet light.

"In vitro" – Isolated from the living organism.

"In vivo" – Occurring within the living organism.

"Licensed Practitioner" – A person licensed or otherwise authorized by law to practice medicine, dentistry, osteopathy, chiropractic or podiatry.
"Limited Diagnostic Radiographer – Bone Densitometry" – A person, other than a licensed practitioner, who, while under the supervision of a licensed practitioner, applies x-radiation to humans with a bone densitometer.

"Limited Diagnostic Radiographer – Chest" – A person, other than a licensed practitioner, who, while under the general supervision of a licensed practitioner, applies x-radiation to the human chest for diagnostic purposes. Radiographic procedures are limited to one or more of the following anatomical regions: chest, extremities, skull/sinus or spine.

"Limited Diagnostic Radiographer – Extremities" – A person, other than a licensed practitioner, who, while under the supervision of a licensed practitioner, applies x-radiation to the human extremities for diagnostic purposes.

"Limited Diagnostic Radiographer – Skull and Sinuses" – A person, other than a licensed practitioner, who, while under the supervision of a licensed practitioner, applies x-radiation to the human skull and sinuses for diagnostic purposes.

"Limited Diagnostic Radiographer – Spine" – A person, other than a licensed practitioner, who, while under the supervision of a licensed practitioner, applies x-radiation to the human spine for diagnostic purposes.

AGENCY NOTE: Specific radiographic examinations appropriate to each type of limited radiography accreditation may be found in Appendix A of this Part.

"Medical Radiation Technology" – The science and art of performing medical radiation procedures involving the application of ionizing radiation to human beings for diagnostic and therapeutic purposes. The five specialized disciplines of Medical Radiation Technology are Medical Radiography, Nuclear Medicine Technology, Radiation Therapy Technology, Chiropractic Radiography, and Radiologist Assistant Podiatric Radiography.

"Medical Radiographer" – A person, other than a licensed practitioner, who, while under general supervision of a licensed practitioner, applies x-radiation to any part of the human body and who, in conjunction with radiation studies, may administer contrast agents and related drugs for diagnostic purposes.

"Medical Radiography" – The science and art of applying x-radiation to human
beings for diagnostic purposes.

"NMTCB" - Nuclear Medicine Technology Certification Board, 2970 Clairmont Road, Suite 935, Atlanta GA 30329, Phone (404) 315-1739, web site: www.nmtcb.org

"Nuclear Medicine Technologist" – A person, other than a licensed practitioner, who administers radiopharmaceuticals and related drugs to human beings for diagnostic purposes, performs in vivo and in vitro detection and measurement of radioactivity and administers radiopharmaceuticals to human beings for therapeutic purposes. A nuclear medicine technologist may perform such procedures only while under the general supervision of a licensed practitioner who is licensed to possess and use radioactive materials.

"Nuclear Medicine Technology" – The science and art of in vivo and in vitro detection and measurement of radioactivity and the administration of radiopharmaceuticals to human beings for diagnostic and therapeutic purposes.

"Radiation Therapist" – A person, other than a licensed practitioner, who performs procedures and applies ionizing radiation emitted from x-ray machines, particle accelerators, or sealed radioactive sources to human beings for therapeutic purposes while under the general supervision of a licensed practitioner who is licensed, as required, to possess and use radioactive materials.

"Radiation Therapy Technology" – The science and art of applying ionizing radiation emitted from x-ray machines, particle accelerators and sealed radioactive sources to human beings for therapeutic purposes.

"Radiologist Assistant" - A person, other than a licensed practitioner, who, as a medical radiographer with advanced-level training and certification, performs a variety of activities under the direct, general or personal supervision of a radiologist, certified by the American Board of Radiology or the American Osteopathic Board of Radiology, in the areas of patient care, patient management, clinical imaging and interventional procedures. The Radiologist Assistant may not interpret images, make diagnoses or prescribe medications or therapies.

"Recognized Continuing Education Evaluation Mechanism" or "RCEEM" - A mechanism for evaluating the content, quality and integrity of an educational activity. The evaluation shall include a review of educational objectives, content
selection, faculty qualifications, and educational methods and materials. Among the requirements for qualification as an RCEEM, an organization shall be national in scope, non-profit, radiology based and willing to evaluate the CE activity developed by any technologist within a given discipline. Organizations with current RCEEM status include:

American College of Radiology

American Healthcare Radiology Administrators

American Institute of Ultrasound in Medicine

American Society of Radiologic Technologists

Canadian Association of Medical Radiation Technologists

Radiological Society of North America

Society of Diagnostic Medical Sonography

Section for Magnetic Resonance Technologist of the International Society for Magnetic Resonance in Medicine

Society of Nuclear Medicine Technologist Section

Society of Vascular Ultrasound.

"Supervision" – Responsibility for, and control of, quality, radiation safety and protection, and technical aspects of the application of ionizing radiation to human beings for diagnostic and/or therapeutic purposes. For purposes of this Part, supervision shall consist of one of the following:

**Personal** - The required individual must be in attendance in the room during the performance of the procedure.

**Direct** - The required individual must be present in at least an adjacent area and immediately available to furnish assistance and direction throughout the performance of the procedure.
ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENTS

General - The procedure is furnished under the overall direction and control of a licensed practitioner whose presence is not required during the performance of the procedure.

(Source: Amended at 31 Ill. Reg. 11622, effective July 26, 2007)

Section 401.30  Exemptions

a) Nothing in the Act or this Part shall be construed to limit or affect in any respect, the practice of persons properly licensed under other statutes or regulations with respect to their professions.

b) The Agency Department shall, upon application therefor or upon its own initiative, grant such exemptions or exceptions from the requirements of this Part as it determines are authorized by law and will not result in a hazard to public health and safety.

c) Exemptions shall include:

1) A student enrolled in an approved program applicable to his/her profession who, as a part of his/her course of study, applies ionizing radiation to human beings while under the direct supervision of a licensed practitioner or medical radiation technologist who holds active status accreditation.

2) A person registered with the Agency Department as a student-in-training in limited diagnostic radiography pursuant to Section 401.90 401.80(c) of this Part who, as a student, applies ionizing radiation to human beings while under the personal supervision of a licensed practitioner or, an accredited medical, chiropractic, or appropriately qualified limited diagnostic radiographer. The procedures performed shall be limited to the procedures as listed in Appendix A of this Part and, applicable to the particular status condition of limited diagnostic radiography for which the student is registered. This exemption shall only apply to individuals who are registered with the Agency Department and shall only apply for 16 months.

3) A person licensed to practice a treatment of human ailments by virtue of the Medical Practice Act of 1987 [225 ILCS 60], the Illinois Dental Practice Act [225 ILCS 25], or the Podiatric Medical Practice Act of 1987
NOTICE OF ADOPTED AMENDMENTS

[225 ILCS 100]. [420 ILCS 40/5]

4) A person employed as a dental assistant who performs dental radiography for a licensed dentist.

5) A technician, nurse or other assistant who performs radiography under the general supervision of a person licensed under the Podiatric Medical Practice Act of 1987.

6) A person who holds Conditional Accreditation Type II issued in accordance with Section 401.100(d) of this Part during such time as that person is under the personal supervision of a licensed practitioner or medical radiation technologist who holds active status accreditation for purposes of being instructed in the use of equipment and/or procedures other than those for which the person is currently accredited. This exemption is specific to the facility at which the accreditation is valid.

7) A nurse, technician, or other assistant who, under the general supervision of a person licensed under the Medical Practice Act of 1987, administers radiation to human beings, but only when such administration is performed on employees of a business at a medical facility owned and operated by that business. [420 ILCS 40/6]

8) A nurse, technician, or other assistant who, under the general supervision of a person licensed under the Medical Practice Act of 1987, performs bone densitometry

(Source: Amended at 31 Ill. Reg. 11622, effective July 26, 2007)

Section 401.40 Application for Accreditation

a) Any person applying to the Agency Department for initial accreditation or renewal of accreditation shall:

1) submit a complete and legible application form;

2) pay the appropriate application fee in accordance with Section 401.130 of this Part; and
3) provide evidence that he/she has met the requirements for the given category and status of accreditation that is sought.

b) Persons applying for Active Status Accreditation shall submit evidence of registration, Board certification, or other examination as appropriate pursuant to Section 401.70 of this Part.

c) Persons applying for accreditation in Limited Diagnostic Radiography (i.e., limited-chest, limited-extremities, limited-skull and sinuses and limited-spine and limited—bone densitometry) shall submit evidence that they have passed the required examinations as specified in Section 401.70(b)(6) of this Part.

d) Persons applying for Temporary Accreditation shall submit evidence of graduation from an approved program.

e) Application fees required by this Part are nonrefundable. Fees and charges collected by the Department shall be paid into the Radiation Protection Fund. Such fees and charges shall be used to defray costs incurred in the administration of this program.

f) Accreditation shall be valid for a specified period of time and shall entitle the individual to privileges consistent with the category and status of accreditation indicated unless the accreditation is suspended or revoked in accordance with Section 401.120 of this Part.

g) The Agency shall refuse to issue or renew accreditation to any individual if the Agency has evidence that the applicant is delinquent in the repayment of an educational loan guaranteed by the Illinois Student Assistance Commission, as set forth in 20 ILCS 3310/805-85.

h) The Agency shall refuse to issue or renew accreditation to any individual if the Agency has evidence that the applicant is delinquent in the payment of child support orders pursuant to the provisions and procedures set forth in 5 ILCS 100/10-65.

(Source: Amended at 31 Ill. Reg. 11622, effective July 26, 2007)

Section 401.50 Categories of Accreditation
a) The Agency shall accredit persons in the practice of Medical Radiation Technology in one or more of these specific categories:

a1) Medical Radiography;
b2) Nuclear Medicine Technology;
c3) Radiation Therapy Technology;
d4) Chiropractic Radiography; and
e5) Limited Diagnostic Radiography; and

f) Radiologist Assistant.

b) The Department shall recognize the following status conditions for the categories of accreditation:

1) Active—An applicant who meets the requirements set forth in Section 401.100(a) of this Part.
2) Temporary—An applicant who meets the requirements set forth in Section 401.100(b) of this Part.
3) Conditional—An applicant who meets the requirements set forth in Section 401.100(c) or (d) of this Part.
4) Limited—Chest—An applicant who meets the requirements set forth in Section 401.100(e) of this Part. This status condition is applicable to the category of Limited Diagnostic Radiography only.
5) Limited—Extremities—An applicant who meets the requirements set forth in Section 401.100(e) of this Part. This status condition is applicable to the category of Limited Diagnostic Radiography only.
6) Limited—Skull and Sinuses—An applicant who meets the requirements set forth in Section 401.100(e) of this Part. This status condition is applicable to the category of Limited Diagnostic Radiography only.
ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENTS

7) Limited—Spine—An applicant who meets the requirements set forth in Section 401.100(e) of this Part. This status condition is applicable to the category of Limited Diagnostic Radiography only.

8) Limited—Bone Densitometry—An applicant who meet the requirements set forth in Section 401.100(e) of this Part. This status condition is applicable to the category of Limited Diagnostic Radiography only.

(Source: Amended at 31 Ill. Reg. 11622, effective July 26, 2007)

Section 401.60 Examination Requirements (Repealed)

a) Active—Persons who seek active status accreditation in medical radiation technology shall pass a Department approved examination as appropriate to the category of accreditation sought in accordance with Section 401.70 of this Part.

b) Temporary—Persons who seek active status accreditation and are awaiting the successful completion of an examination in accordance with Section 401.70 of this Part may apply for and be issued temporary accreditation. Temporary accreditation shall be valid until the person has passed the appropriate examination and has applied for and been issued active status accreditation. In no case shall temporary accreditation be valid for more than two years from the date of issuance.

c) Conditional—Examination shall not be required for conditional accreditation.

d) Limited Diagnostic Radiographer—Chest—Persons who seek accreditation to perform radiography of the chest, but not any other parts of the body, shall pass a Department approved examination on general radiography topics and a Department approved examination on chest anatomy and clinical skills required to perform radiography of the chest in accordance with Section 401.70(c) of this Part.

e) Limited Diagnostic Radiographer—Extremities—Persons who seek accreditation to perform radiography of the extremities, but not any other parts of the body, shall pass a Department approved examination on general radiography topics and a Department approved examination on anatomy of the extremities and clinical skills required to perform radiography of the extremities in accordance with
ILINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENTS

Section 401.70(c) of this Part:

f) Limited Diagnostic Radiographer—Skull and Sinuses—Persons who seek accreditation to perform radiography of the skull and/or sinuses, but not any other parts of the body, shall pass a Department approved examination on general radiography topics and a Department approved examination on anatomy of the skull and sinuses and clinical skills required to perform radiography of the skull and sinuses in accordance with Section 401.70(c) of this Part.

g) Limited Diagnostic Radiographer—Spine—Persons who seek accreditation to perform radiography of the spine, but not any other parts of the body, shall pass a Department approved examination on general radiography topics and a Department approved examination on anatomy of the spine and clinical skills required to perform radiography of the spine in accordance with Section 401.70(c) of this Part.

h) Limited Diagnostic Radiographer—Bone Densitometry—Persons who seek accreditation to perform bone densitometry must pass a Department approved examination on bone densitometry in accordance with Section 401.70(c) of this Part.

AGENCY NOTE: Persons may seek accreditation in more than one status condition of limited diagnostic radiography.

(Source: Repealed at 31 Ill. Reg. 11622, effective July 26, 2007)

Section 401.70 Examination Requirements Acceptable Examinations

a) Persons who seek active or limited accreditation in medical radiation technology shall pass the appropriate examination as the Department shall accept for issuance of Active Status Accreditation examinations identified by this Section. Accreditation shall be specific to the category of examination specified in subsection (b) of this Section.

b) Examinations appropriate to category of accreditation are as follows:

1) Medical Radiography

A) The American Registry of Radiologic Technologists (R)
AGENCY NOTE: Graduation from an approved program set forth in Section 401.80(a) of this Part is a prerequisite for sitting for the A.R.T. examination.

B) The American Registry of Clinical Radiography Technologists (A.R.C.R.T.) provided that the applicant passed the A.R.C.R.T. examination after January 1, 1991, and the applicant has graduated from an approved program set forth in Section 401.80(a) of this Part.

2) Nuclear Medicine Technology

A) The American Registry of Radiologic Technologists (N) (ARRT/N).

B) The Nuclear Medicine Technology Certification Board (NMTCBN.M.T.C.B.).

C) The American Society of Clinical Pathologists (NM) (ASCP/N.C.P.).

3) Radiation Therapy Technology

The American Registry of Radiologic Technologists (T) (ARRT/T).

4) Chiropractic Radiography

American Chiropractic Registry of Radiologic Technologists (ACRRT), provided that the examination was administered after June 30, 1984.

5) Radiologist Assistant

A) The American Registry of Radiologic Technologists (RRA) (ARRT)

B) Certification Board for Radiology Practitioner Assistants (RPA) (CBRPA)
ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENTS

6) Limited Diagnostic Radiography

The American Registry of Radiologic Technologists (ARRT) Examination for the Limited Scope of Practice in Radiography

A) The exam will cover general radiography topics and, depending on the type of limited radiography sought, specific questions related to radiography of the chest, extremities, skull/sinus or spine.

B) All exams shall be scheduled through the Agency.

C) The passing score shall be 65 percent for any combination of sections of the exam.

c) Examinations in Limited Diagnostic Medical Radiography—Applicants for accreditation in one or more areas of limited diagnostic radiography shall have passed a Department approved examination specific to the type of limited accreditation sought. All Department approved examinations shall be approved by and scheduled through the Department. The passing score for Department approved examinations shall be a score of 70 percent.

d) For Active Status Accreditation, examinations by other certifying organizations shall be accepted upon written request to the Department, provided that the Department finds that the certifying organization has met the National Commission for Health Certifying Agencies (NCHCA) requirements. (Publication Title: Perspectives on Health Occupational Credentialing) Contract # 232-78-0187, dated September 30, 1979, DHHS Publication No. (HRA) 81-4, U.S. Government Printing Office, Washington, D.C. 20402.

(Source: Amended at 31 Ill. Reg. 11622, effective July 26, 2007)

Section 401.80 Approved Program (Repealed)

a) The Department shall base its approval of didactic and clinical education for Medical Radiography, Nuclear Medicine Technology, or Radiation Therapy Technology on the standards accepted by the United States Department of Education. (Specific information concerning these standards is available from the Joint Review Committee on Education in Radiologic Technology (JRCERT), 20
b) The Department shall base its approval of didactic and clinical education in Chiropractic Radiography on the standards accepted by the Chiropractic Council on Education (CCE), published January 27, 1985, exclusive of subsequent amendments or editions. Specific information concerning these standards is available from the Department or from the Chiropractic Council on Education, 3209 Ingersoll Avenue, Des Moines, Iowa 50312. Student exemption for persons enrolled in an approved Chiropractic Radiography program shall not exceed 12 months.

c) The Department shall base its approval of didactic and clinical education in Limited Diagnostic Radiography on standards contained in the "Curriculum Guide for Limited Permittee Programs", June 1987, exclusive of subsequent amendments or editions. Copies of these standards are available from the American Society of Radiologic Technologists, 15000 Central Avenue South East, Albuquerque, New Mexico 87123. Students in training in Limited Diagnostic Radiography shall be registered with the Department on forms provided by the Department. Registration with the Department shall include application and payment of applicable fees for examination. Students in training in Limited Diagnostic Radiography shall not begin application of ionizing radiation to humans prior to the Department's approval of the student's proposed training as identified through the student-in-training registration process. The Department shall refuse to register an individual as a student-in-training when the party or facility responsible for the training of the student has demonstrated poor training of students as evidenced by either a cumulative failure rate in excess of 50 percent of the trainer's students or 2 consecutive students who fail the examinations specified in Section 401.70(c) of this Part. Such refusal shall not prohibit the trainer from training students in limited radiography through didactic and clinical education exclusive of the application of ionizing radiation to human beings. Successful examinations by students trained in such a manner may be used to demonstrate improved training and qualification for further students-in-training provided that the cumulative failure rate is reduced to less than 50 percent without 2 consecutive failures.
ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENTS

d) If the employer is not identified as the party responsible for training the student, the Department shall register an individual as a student-in-training in the employer's practice only if the student is concurrently enrolled in a program that meets the minimum requirements for a training program in limited radiography established by the Joint Review Committee on Education in Radiologic Technology, published 1997, by the Joint Review Committee on Education, 20 N. Wacker Drive, Suite 900, Chicago, Illinois 60606-2901. Students-in-training in Limited Diagnostic Radiography shall take the appropriate Department approved and practical examinations not later than the eighth month of training. Students shall not perform radiographic procedures beyond the 16 months of training unless the required examinations have been passed.

e) All approved training programs shall include an overview of the Radiation Protection Act of 1990, this Part and related application forms and procedures.

(Source: Repealed at 31 Ill. Reg. 11622, effective July 26, 2007)

Section 401.90  Student-in-Training in Limited Diagnostic Radiography

a) A Student-in-Training in Limited Diagnostic Radiography shall be registered with the Agency on forms provided by the Agency. Registration with the Agency shall include application and payment of applicable fees for examination. Application fees required by this Part are nonrefundable.

b) A Student-in-Training in Limited Diagnostic Radiography shall not begin application of ionizing radiation to humans prior to the Agency's approval of the student's proposed training as identified through the Student-in-Training registration process.

c) A Student-in-Training in Limited Diagnostic Radiography may only perform those procedures listed in Appendix A of this Part that are applicable to the particular type of limited diagnostic radiography for which the student is registered, but only while under the personal supervision of a licensed practitioner or an accredited medical, chiropractic, or appropriately qualified limited diagnostic radiographer.

d) Students shall not perform radiographic procedures beyond the 16 month registration period.
Section 401.100 Initial Issuance of Accreditation

a) The Agency shall issue and recognize the following types of accreditation:

1) The Department shall issue Active Status Accreditation for persons who have passed an examination as indicated in Section 401.70(b) of this Part. Active Status Accreditation shall be valid for 2 years from the date of issuance.

2b) Temporary accreditation for persons who have completed an approved program in medical radiography, nuclear medicine technology or radiation therapy technology and are eligible for the examination specified in Section 401.70(b) of this Part. The Department shall issue Temporary Accreditation in a category of medical radiation technology and chiropractic radiography to persons who are awaiting an examination in accordance with Section 401.70(b) of this Part and have completed an approved program. Applicants for Temporary Accreditation must provide specific evidence of the intent to take such an examination, the category of examination to be taken, and the date on which the examination will be taken. Temporary Accreditation shall convey the same rights as the Active Status Accreditation for which the individual is awaiting examination. Temporary Accreditation shall be valid until such time as the individual successfully completes the appropriate examination and applies for and is issued Active Status Accreditation in accordance with subsection (a) of this Section, but in no instance longer than 24 months from the date of issuance for medical radiation technology and no longer than 12 months from the date of issuance for Chiropractic Radiography.

3c) The Department shall issue Conditional Accreditation Type I for persons in a category of medical radiation technology upon determining that community hardship exists. When making a determination of the existence of community hardship, the Agency will consult Health Systems Agencies or County or Local Health Departments and will evaluate the availability of alternative radiology services and trained personnel. In addition, the Department shall require the applicant's employer or prospective employer to demonstrate that recruitment of qualified personnel, at competitive compensation, has been attempted and
unsuccessful. Such demonstration can take the form of documented advertising in publications intended to reach radiologic technologists. If based on the information submitted, the Department determines that qualified personnel cannot be recruited, and that the people in the locality in which the conditional accreditation is sought would be denied adequate health care because of the unavailability of appropriately accredited persons, the Department shall issue Conditional Accreditation Type I which shall be valid for a period of 24 months from the date of issuance.

4d) The Department shall issue Conditional Accreditation Type II for persons in a category of medical radiation technology to any person who, 24 months prior to July 1, 1989, were employed in medical radiation technology and who otherwise did not meet the qualifications for accreditation. Conditional accreditation issued pursuant to this Section shall be valid for 2 years from date of issuance. Issuance shall be contingent upon submitting a written Statement of Assurance that the person is competent to apply ionizing radiation to human beings. A Statement of Assurance submitted to the Agency in accordance with this Section shall specify the nature of the equipment and procedures the individual is competent to utilize. The Statement of Assurance shall be provided by a licensed practitioner under whose general supervision the individual is employed or has been employed at some time within the last 12 months. Conditional accreditation issued pursuant to this Section shall be specific to the procedures and equipment indicated in the Statement of Assurance. An individual who is accredited in accordance with this Section may expand the accreditation to additional procedures and/or equipment by receiving training in accordance with Section 401.30(c)(3) of this Part. After such training, the individual may submit an additional Statement of Assurance from a licensed practitioner under whose supervision the individual is employed as to the additional equipment and procedures the individual is competent to utilize. However, an individual may not become accredited pursuant to the provisions of this Section for equipment or procedures outside of those in the category of initial accreditation. Nothing in this Section should be interpreted to limit an individual’s right to make application for and be issued Active Status Accreditation in accordance with subsection (a) of this Section. The Agency shall not issue Conditional Accreditation Type II as provided by this Section after September 7, 1990. However, Conditional Accreditation Type II issued
NOTICE OF ADOPTED AMENDMENTS

on or before September 7, 1990, is renewable in accordance with Section 401.140 of this Part.

5e) The Department shall issue accreditation in one or more areas of Limited Diagnostic Radiography Accreditation for persons who have passed examinations as indicated in Section 401.70(b)(6) of this Part. Such accreditation shall be valid for two years from the date of issuance.

b) All persons who have received accreditation from the Agency, pursuant to the terms of this Section, shall promptly notify the Agency of any permanent or temporary change in their designated mailing address and, or of any change in name due to marriage or for any other reason. Notification to the Agency shall be made in writing, by telephone or electronically through the Agency's Internet Web Site, within 10 days after any such change. Failure of the accredited individual to forward such information to the Agency, as required by this subsection (b)(f), shall not be considered to be a valid cause for delaying any subsequent administrative proceeding involving the particular accredited individual nor excuse the accredited individual from complying with any other legal obligations from the laws and rules administered by the Agency.

c) The duration of issuance of Active Status, Temporary (nonrenewable), Conditional Type I, Conditional Type II or Limited Diagnostic Radiography Accreditation shall be 2 years.

d) The expiration date of a renewed accreditation that has been renewed on or before the expiration of the previous accreditation shall be 2 years from the expiration date of the previous accreditation. For renewal of accreditation that has lapsed, the expiration shall be 2 years from the last day of the month in which the application for renewal is processed.

(Source: Amended at 31 Ill. Reg. 11622, effective July 26, 2007)

Section 401.110 Duration of Accreditation (Repealed)

a) The duration of initial issuance of Active Status Accreditation, regardless of the category of medical radiation technology, shall be 2 years. Active Status Accreditation shall be renewable for periods of 2 years, in accordance with meeting the requirements in Section 401.140 of this Part.
b) The duration of Temporary Accreditation shall not exceed 2 years for the categories of Medical Radiography, Nuclear Medicine Technology, or Radiation Therapy Technology and shall not exceed one year for Chiropractic Radiography. Temporary Accreditation shall not be renewed.

c) The duration of initial issuance of Conditional Accreditation Type I shall be 2 years, renewable thereafter for periods of 2 years. Such renewal shall be based on a re-evaluation by the Department of a condition of community hardship and meeting the requirements of Section 401.140.

d) Conditional Accreditation Type II shall be renewable for periods of 2 years in accordance with meeting the requirements in Section 401.140 of this Part. The renewed accreditation shall be specific to the procedures and equipment indicated in the most recent Statement of Assurance that has been presented to the Department in accordance with Section 401.100(d) of this Part.

e) The duration of initial issuance of accreditation in Limited Diagnostic Radiography shall be 2 years. This accreditation shall be renewable for periods of 2 years in accordance with meeting the requirements in Section 401.140 of this Part.

f) The expiration date of a renewed accreditation that has been renewed on or before the expiration of the previous accreditation shall be 2 years from the expiration date of the previous accreditation. For renewal of accreditation that has lapsed, or that has been surrendered, the expiration shall be 2 years from the last day of the month in which the application for renewal is processed.

(Source: Repealed at 31 Ill. Reg. 11622, effective July 26, 2007)

Section 401.120 Suspension, Revocation and Denial of Accreditation

a) The Agency Department may act to suspend or revoke an individual's accreditation, or refuse to issue or renew accreditation, for any one or a combination of the following causes:

1) Knowingly causing a material misstatement or misrepresentation to be made in the application for initial accreditation or renewal of accreditation if such misstatement or misrepresentation would impair the
ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENTS

AgencyDepartment's ability to assess and evaluate the applicant's qualifications for accreditation under this Part;

2) Knowingly making a false material statement to an AgencyDepartment employee during the course of official AgencyDepartment business;

3) Willfully evading the statute or regulations pertaining to accreditation, or willfully aiding another person in evading such statute or regulations pertaining to accreditation;

4) Performing procedures under or representing as valid to any person either a certificate of accreditation not issued by the AgencyDepartment, or a certificate of accreditation containing on its face unauthorized alterations or changes that are inconsistent with AgencyDepartment records regarding the issuance of such certificate;

5) Having been convicted of a crime that is a felony under the laws of this State or conviction of a felony in a federal court, unless such individual demonstrates to the AgencyDepartment that he/she has been sufficiently rehabilitated, by restoration of all civil rights, to warrant the public trust;

6) Exhibiting significant or repeated incompetence in the performance of professional duties;

7) Having a physical or mental illness or disability that results in the individual's inability to perform professional duties with reasonable judgment, skill and safety;

8) Continuing to practice medical radiation technology when knowingly having a potentially serious disease, such as those listed in 77 Ill. Adm. Code 690.100, which could be transmitted to patients;

9) Having an actual or potential inability to practice radiologic technology with reasonable skill and safety on patients or other individuals due to use of alcohol, narcotics or stimulants; Repeatedly using alcohol, narcotics or stimulants to such an extent as to impair the performance of professional duties;

10) Having had a similar credential by another state or the District of
NOTICE OF ADOPTED AMENDMENTS

Columbia suspended or revoked if the grounds for that suspension or revocation are the same as or equivalent to one or more grounds for suspension or revocation set forth in this Section;

11) Failing to repay an educational loan guaranteed by the Illinois Student Assistance Commission as provided in 20 ILCS 3310/802005/2005-85;

12) Failing to meet child support orders as provided in 5 ILCS 100/10-65. The action will be based solely upon the certification of delinquency made by the Department of Healthcare and Family Services, Division of Child Support Enforcement, or the certification of violation made by the court. Further process, hearing, or redetermination of the delinquency or violation by the Agency shall not be required (see 5 ILCS 100/10-65(c));

13) Failing to pay a fee or civil penalty properly assessed by the Agency;

14) Failing to respond to an audit request by the Agency for documentation of continuing education;

15) Applying ionizing radiation to a human being when not operating in each particular case under the direction of a duly licensed practitioner or to any person or part of the human body other than specified in the law under which the practitioner is licensed;

16) Interpreting a diagnostic image for a physician, a patient, the patient's family or the public;

17) Performing in a way that deviates from accepted professional conduct; and

18) Engaging in conduct with a patient or another individual that is sexual, in any verbal behavior that is sexually demeaning to a patient, or in sexual exploitation of a patient or former patient. This applies to any unwanted sexual behavior, verbal or otherwise.

b) If, based upon any of the grounds in subsection (a) of this Section, the Agency determines that action to suspend or revoke accreditation, or refusal to issue or renew accreditation, is warranted, the Agency shall notify the individual and shall provide an opportunity for a hearing in accordance
NOTICE OF ADOPTED AMENDMENTS

with 32 Ill. Adm. Code 200. An opportunity for a hearing shall be provided before the Agency takes action to suspend or revoke an individual's accreditation unless the Agency finds that an immediate suspension of accreditation is required to protect against immediate danger to the public health or safety (see 420 ILCS 40/38), in which case the Agency shall suspend an individual's accreditation pending a hearing. The Department shall revoke or suspend or shall refuse to issue or renew accreditation under subsection (a)(12) of this Section based solely upon the certification of delinquency made by the Department of Public Aid or the certification of violation made by the court. Further process, hearing, or redetermination of the delinquency or violation by the Department shall not be required. [5 ILCS 100/10-65(c)]

c) If the Agency finds that removal, or refusal to issue or renew accreditation, is warranted, the usual action shall be a suspension or denial of accreditation for up to one year. The term of suspension or denial may be reduced by the Director, based upon evidence presented, if the conditions leading to the Preliminary Order for Suspension can be cured in less than one year. In the case of frequent child support arrearages, the Agency may also impose conditions, restrictions or disciplinary action upon the accreditation. However, if the Agency finds that the causes are of a serious or continuous nature, such as past actions that posed an immediate threat to public health or safety, deficiencies that cannot be cured within one year or frequent child support arrearages, the Agency shall revoke the individual's accreditation or deny the application.

d) When an individual's accreditation is suspended or revoked, the individual shall surrender his/her credential to the Agency until the termination of the suspension period or until reissuance of the accreditation.

e) An individual whose accreditation has been revoked may seek reinstatement of accreditation by filing a petition for reinstatement with the Agency. The petition may be filed one year or more after the beginning of the revocation period. The individual shall be afforded a hearing in accordance with 32 Ill. Adm. Code 200 and shall bear the burden of proof of establishing that the accreditation should be reinstated due to rehabilitation or other just cause.

(Source: Amended at 31 Ill. Reg. 11622, effective July 26, 2007)

Section 401.130 Fees
a) The fees for initial or renewal of accreditation in all categories - Active, Conditional, Temporary or Limited Status shall be $120 per application and shall be non-refundable.

b) The examination fee for Limited Diagnostic Radiography Accreditation shall be $80 for the categories of Chest, Extremities, Spine, Skull and Sinuses, or any combination thereof. Effective January 1, 2008, the examination fee shall be $100. The fee for examination in Limited Bone Densitometry shall be $100.

c) The fee for registration as a limited Student-in-Training shall be $80, which includes the required examination fee. Effective January 1, 2008, this fee shall be $100.

de) The appropriate fees are to accompany the application when filing with the Agency. An application is filed on the date that it is received and stamped by the Agency.

(Source: Amended at 31 Ill. Reg. 11622, effective July 26, 2007)

Section 401.140 Requirements for Renewal of Accreditation

a) Prerequisites

1) An individual shall make application for renewal of accreditation on or before the expiration date of the accreditation. Accreditation shall lapse if not renewed within this time period. An individual may not legally perform medical radiation technology without valid accreditation, or without the expressed approval of the Agency during such time as an application may be pending. Such approval shall be limited to the applicant who meets all requirements for accreditation and requires additional time for the filing of continuing education records, or is undergoing an Agency audit of continuing education records. The duration of such approval shall not exceed 90 days unless the application is received prior to expiration of the current accreditation. Nothing in this Section shall be interpreted to preclude an individual from seeking the renewal of lapsed accreditation.
2) Each applicant shall submit a complete and legible application with the fee for renewal of accreditation in accordance with Section 401.130 of this Part. Submission of a timely and sufficient application for renewal shall hold the prior accreditation valid until such time as the Agency Department acts to grant or deny renewal of accreditation. The Agency Department will grant or deny renewal of accreditation within 90 days after receipt of application for renewal or the expiration date of the current accreditation, whichever is later.

b) Continuing Education Requirements

All applicants for renewal of accreditation, regardless of the category or status of accreditation sought to be renewed, shall provide evidence of having participated in an approved program that includes the amount of continuing education as indicated in subsection (b)(1) of this Section below:

1) The required effort in continuing education credits per year for each category of medical radiation technology, applicable to each year elapsed since the most recent date of issuance of accreditation, not to exceed 2 years beyond the expiration of the last accreditation, is as follows:

   A) Medical Radiology Radiography 24 CE credits
   B) Nuclear Medicine Technology 24 CE credits
   C) Radiation Therapy Technology 24 CE credits
   D) Chiropractic Radiology 24 CE credits
   E) Limited Diagnostic Radiography 12 CE credits
   F) Radiologist Assistant 50 CE credits

2) The options for meeting the CE requirements are:

   A) A continuing education activity approved by the Agency. Relevant CE activities will be approved if submitted 30 days in advance, with appropriate documentation consisting of:
      i) The Agency's CE approved request form,
      ii) Course Outline,
ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENTS

iii) Course Objectives, and

iv) Instructor's curriculum vitae.

B) Category A Activities – A continuing education activity that meets one of the following criteria: surrenders his/her accreditation shall meet the requirements set forth in subsection (b)(1) of this Section but shall not be held responsible for continuing education for the period beyond the date which such accreditation was surrendered.

i) Activities approved by an RCEEM.

ii) Approved academic courses offered by a post-secondary educational institution that are relevant to the radiologic sciences and/or patient care. Courses in the biologic sciences, physical sciences, communication (verbal and written), mathematics, computers, management or education methodology are considered relevant. Credit will be awarded at the rate of 12 CE credits for each academic quarter or 16 CE credits for each academic semester credit.

iii) Advanced Life Support, or Instructor or Instructor Trainer CPR certification through the Heart Association or the Red Cross will be awarded 6 CE credits.

AGENCY NOTE: Illinois is currently approved as meeting ARRT CE criteria. As such, technologists accredited by the Agency may count all Agency approved CE activities as Category A.

C) Technologists may also meet CE requirements (24 credits) by passing an additional primary or post-primary (advance level) exam, approved or acceptable to ARRT. A listing of approved or acceptable exams is available from ARRT or the Agency. can provide evidence that he/she has not been employed to perform radiation procedures in this State during periods of lapsed accreditation shall not be held responsible for continuing education for periods of such lapsed accreditation but shall be responsible for
NOTICE OF ADOPTED AMENDMENTS

continuing education requirements accrued during the period for which the most recent accreditation was valid.

C) applies for renewal of accreditation and meets the provision in either subsection (b)(2)(A) or (b)(2)(B) of this Section shall have completed 12 of the units of continuing education required by subsection (b)(1) of this Section for renewal within 1 year preceding the application for renewal or within 90 days after the submission of the application, if approved by the Department or the expiration date of the current accreditation, whichever is later. Approval by the Department shall be granted only for reasons of deficient continuing education.

3) The continuing education effort may be averaged during the period to which the requirement applies and shall be prorated by month. Individual courses may be applicable to more than one category of accreditation. The Department will base its approval on the relevance of the course work or training to the category or categories of current accreditation. In establishing relevancy, the Department will use standards such as are accepted by Verification of Involvement in Continuing Education (V.O.I.C.E.), Evidence of Continuing Education (E.C.E.), Continuing Medical Education (C.M.E.), and Continuing Education Units (C.E.U.). The Department will also accept relevant course work from accredited colleges and universities to satisfy this requirement.

4) All technologists accredited by the Agency are required to maintain proof of participation in CE activities. This proof may be in the form of a certificate or an itemized list from an ARRT approved record keeping mechanism. All documentation shall include:

A) name of participant,

B) dates of attendance,

C) title and content of the activity,

D) number of contact hours for the activity,

E) name of the sponsor,
ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENTS

5) Technologists seeking renewal will be required to attest that they have acquired the required number of CE credits. Within 30 days after receipt of this attestation, the Agency may perform an audit in which the individual will be asked to provide copies of documentation of CE. Failure to respond to the Agency's audit request and/or failure to provide acceptable documentation may result in a refusal to renew accreditation as provided in Section 401.120(a)(14) of this Part.

6) Technologists who are registered with ARRT, NMTCB, or CBRPA and who are in compliance with CE requirements or on CE probation at the time of renewal with the Agency will be considered in compliance with the CE requirements of this Part.

4) Credit for continuing education other than as indicated in this Section shall be granted by the Department if the individual or activity sponsor seeks approval of the course or activity and the Department finds that the course or activity will be consistent with courses approved in accordance with subsection (b)(1) of this Section.

5) The basis for a unit of continuing education credit shall be the contact hour (50 minutes) of lecture. Activity other than lecture shall be approved for credit by the Department based upon the standards of subsection (b)(3) of this Section.

6) In each category of accreditation the applicant for renewal shall have completed a minimum of 6 units of continuing education for each year elapsed since the most recent date of issuance of accreditation, not to exceed 2 years beyond the expiration of the most recent accreditation, in continuing education in subject matter directly related to radiologic sciences in the applicant's specific category of accreditation. The balance of the requirement may be accomplished either in subject matter directly related to radiologic sciences or in subject matter directly related to patient
c) Nonrenewal of Accreditation

1) The Agency Department shall not renew an individual's accreditation if he/she fails to present satisfactory evidence that he/she possesses the necessary qualifications for accreditation, and that he/she has participated in an approved continuing education program in accordance with this Part.

2) If the Agency Department does not find satisfactory evidence that the individual meets these requirements, the Agency Department shall, within 90 days after receipt of the application for renewal of accreditation or the expiration date of the current accreditation, whichever is later, send the individual a Notice of Intent Not to Renew Accreditation. This notice shall include the areas of deficiency and the individual's rights as set forth in this Section.

3) The individual, at any time while an application is pending, may submit additional information to the Agency Department in order to establish that the identified areas of deficiency have been met or corrected.

4) If the applicant does not provide additional information to the Agency Department within the time frame specified in the Notice of Intent Not to Renew Accreditation, the Agency Department shall issue a Notice of Accreditation Denied.

5) An individual's current credential shall be invalid as of the date of his/her receipt of a Notice of Accreditation Denied pursuant to subsection (c)(4) of this Section. After the Agency Department has sent the Notice of Accreditation Denied, the individual may request a hearing within 30 days in accordance with 32 Ill. Adm. Code 200.70. The individual shall have the burden of proof in accordance with 32 Ill. Adm. Code 200.150.

6) If an individual's accreditation is not renewed, he/she shall have the right at any time to submit an application for renewal of accreditation. The application shall be reviewed and processed in accordance with the...
requirements of this Section, except that an individual may not legally apply ionizing radiation to human beings until and unless the Agency Department has acted to grant the application for renewal of accreditation.

(Source: Amended at 31 Ill. Reg. 11622, effective July 26, 2007)

Section 401.150 Reciprocity (Repealed)

The Department shall accredit an out-of-state applicant provided that:

a) The applicant holds a current credential as a Medical Radiographer, Nuclear Medicine Technologist, Radiation Therapy Technologist or Chiropractic Radiographic Assistant issued by another state or jurisdiction; and

b) The standards and procedures for credentialing in the state or jurisdiction which issued the credential afford the same or comparable credentialing standards as those afforded by the Illinois statute and regulations; and

c) The applicant presents the credential to the Department; and

d) The applicant submits the appropriate application fee in accordance with Section 401.130.

(Source: Repealed at 31 Ill. Reg. 11622, effective July 26, 2007)

Section 401.160 Additional Requirements for Radiographers Performing Mammography (Repealed)

a) In addition to meeting the accreditation requirements set forth in this Part, any medical radiographer who performs mammography shall have completed the required minimum initial training in mammography specified in 32 Ill. Adm. Code 370.70(b)(1) prior to performing mammography.

b) A medical radiographer who performs mammography procedures shall complete continuing education units directly related to mammography specified in 32 Ill. Adm. Code 370.70(b)(2). Subjects identified in Appendix C of this Part shall be considered directly related to mammography and may be utilized toward meeting the continuing education requirements of Section 401.140(b) of this Part.
NOTICE OF ADOPTED AMENDMENTS

c) Programs, courses or other activities intended to meet the requirement for initial mammography training, or continuing education in mammography, shall be approved by the Department.

d) Completion of initial mammography training, and continuing education in mammography, shall be verified to the Department.

AGENCY NOTE: For additional requirements for facilities who perform mammographic procedures see 32 Ill. Adm. Code 370.

(Source: Repealed at 31 Ill. Reg. 11622, effective July 26, 2007)

Section 401.170 Civil Penalties

a) The Agency shall assess civil penalties, in accordance with subsections (c) and (d) of this Section, against any person who performs, and against the operator of the radiation installation where a person performs, medical radiation procedures without valid accreditation, unless the person performing the medical radiation procedures is specifically exempt from the accreditation requirements as specified in Section 401.30 of this Part.

b) Prior to assessing civil penalties, the Agency shall confirm the violation of the accreditation requirements by:

1) Observation of the violation;

2) Obtaining records, documents, or other physical evidence;

3) Obtaining statements from either the employer, or the employee which confirm the existence of the violation; or

4) Obtaining statements from third parties, e.g., patients or co-workers, that corroborate the allegation that a violation has occurred.

c) Civil penalties shall be assessed against persons who perform medical radiation procedures without valid accreditation as follows:

1) First violation by an individual who is fully qualified for accreditation but
ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENTS

has failed to apply for initial, or renewal of, accreditation at the time the violation is discovered:

A) Failure to apply for initial or renewal of accreditation by a person who is fully qualified for accreditation or renewal of accreditation, including continuing education requirements at the time the violation is discovered.

A(i) In violation 30 days or less $100

B(ii) In violation 31 through 90 days $150

C(iii) In violation greater than 90 days $250

B) Failure to apply for renewal of accreditation by a person who would be eligible for renewal of accreditation, but would not currently qualify due to insufficient continuing education at the time the violation is discovered.

(i) In violation 30 days or less $150

(ii) In violation 31 through 90 days $250

(iii) In violation greater than 90 days $350

2C) First violation Performance of a medical radiation procedure requiring accreditation by a person who is not qualified for accreditation at the time the violation is discovered: is $500.

32) Second and subsequent violations by an individual, whether qualified or not, shall be double the fine as assessed under subsection (c)(1)(A) or (c)(1)(B) of this Section. The penalty for second violations by an individual under subsection (c)(1)(C) of this Section shall be assessed civil penalties by the Director in accordance with the provisions of using the factors set out in 32 Ill. Adm. Code 310.81(c). The Agency may assess a civil penalty not to exceed $10,000 per violation for each day the violation continues.

3) The penalty for the third and subsequent violations by an individual, under
subsections (c)(1)(A), (c)(1)(B) and/or (c)(1)(C) of this Section, shall be assessed by the Director in accordance with the provisions of 32 Ill. Adm. Code 310.81.

4) Any violation involving presentation of falsified accreditation certificates or any other documents used to meet accreditation qualifications shall be assessed civil penalties using the factors set out in the Director in accordance with the provisions of 32 Ill. Adm. Code 310.81(c). The Agency may assess a civil penalty not to exceed $10,000 per violation for each day the violation continues.

d) Civil penalties shall be assessed against the operators of a radiation installation where an individual performs medical radiation procedures without valid accreditation as follows:

1) First violation by an operator for violation by an individual assessed under subsection (c)(1)(A) or (c)(1)(B) of this Section shall be double the fine assessed against the individual performing radiography without accreditation.

2) Second and subsequent violations by an operator for violation by an individual assessed under subsection (c)(1)(A) or (c)(1)(B) of this Section shall not exceed $10,000. The Director shall be assessed a civil penalty using the factors set out in 32 Ill. Adm. Code 310.81(c). The Agency may access a civil penalty not to exceed $10,000 per violation for each day the violation continues. The amount of the penalty shall be assessed in accordance with the provisions of 32 Ill. Adm. Code 310.81.

3) Operators who are assessed civil penalties for violations by an individual under subsection (c)(1)(C) of this Section shall not exceed $10,000. The Director shall assess the amount of the penalty in accordance with provisions of 32 Ill. Adm. Code 310.81.

e) The Agency may commence administrative proceedings for the assessment and collection of civil penalties. The Department shall impose civil penalties by sending a Notice of Violation. The Notice shall give the individual/operator of a radiation installation an opportunity to pay the penalty without further action from the Agency. After issuing a Preliminary Order and Notice of Opportunity for Hearing as provided in 32 Ill. Adm. Code 200.60. Each day the violation continues shall constitute a separate
f) Failure of an individual/operator of a radiation installation to abate an accreditation violation or to pay the properly assessed civil penalty as directed, shall cause the Agency Department to issue a Preliminary Order and Notice of Opportunity for Hearing as provided in 32 Ill. Adm. Code 200.60. The Preliminary Order may contain a provision prohibiting the use of any source of radiation at the installation until such time as the violation has been abated and all assessed civil penalties have been paid.

(Source: Amended at 31 Ill. Reg. 11622, effective July 26, 2007)
ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENTS

Section 401.APPENDIX A Limited Diagnostic Radiography Procedures by Type of Limited Accreditation

a) Limited Diagnostic Radiography – Chest
   - Chest: Routine P.A. and Lateral
   - Chest: Lateral Decubitus, Apical Lordotic, Obliques
   - Ribs

b) Limited Diagnostic Radiography – Extremities
   - Fingers
   - Hand
   - Wrist
   - Forearm
   - Elbow
   - Humerus
   - Shoulder
   - Clavicle
   - Scapula
   - Toes
   - Foot
   - Ankle
   - Lower leg
ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENTS

- Knee
- Patella
- Femur
- Hip/Pelvis

**c)** Limited Diagnostic Radiography – Spine

- Cervical Spine
- Thoracic Spine
- Lumbar Spine
- Lumbosacral Spine
- Sacroiliac Joints
- Sacrum
- Coccyx
- Pelvis

**d)** Limited Diagnostic Radiography – Skull and Sinuses

- Skull
- Paranasal Sinuses
- Mandible
- Facial bones

(Source: Amended at 31 Ill. Reg. 11622, effective July 26, 2007)
Section 401. APPENDIX B  Example Topics Directly Related to Radiologic Sciences  
*(Repealed)*

As referenced in Section 401.140(b)(6), applicants may refer to this Appendix for subjects relating directly to radiologic sciences in completing the minimum requirements for continuing education.

<table>
<thead>
<tr>
<th>RADIOGRAPHY</th>
<th>NUCLEAR MEDICINE</th>
<th>RADIATION THERAPY</th>
<th>LIMITED RADIOGRAPHY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medical Terminology</td>
<td>Medical Terminology</td>
<td>Medical Terminology</td>
<td>Medical Terminology</td>
</tr>
<tr>
<td>Radiobiology</td>
<td>Radiobiology</td>
<td>Radiobiology</td>
<td>Radiobiology</td>
</tr>
<tr>
<td>Radiation Physics</td>
<td>Radiation Physics</td>
<td>Radiation Physics</td>
<td>Radiation Physics</td>
</tr>
<tr>
<td>Radiographic Pathology</td>
<td>Radiographic Pathology</td>
<td>Radiographic Pathology</td>
<td>Radiographic Pathology</td>
</tr>
<tr>
<td>Principles of Protection</td>
<td>Principles of Protection</td>
<td>Principles of Protection</td>
<td>Principles of Protection</td>
</tr>
<tr>
<td>Radiographic Procedures</td>
<td>Radiographic Procedures</td>
<td>Radiographic Procedures</td>
<td>Radiographic Procedures</td>
</tr>
<tr>
<td>Principles of Exposure</td>
<td>Principles of Exposure</td>
<td>Principles of Exposure</td>
<td>Principles of Exposure</td>
</tr>
<tr>
<td>Film Processing</td>
<td>Film Processing</td>
<td>Film Processing</td>
<td>Film Processing</td>
</tr>
<tr>
<td>Quality Assurance</td>
<td>Quality Assurance</td>
<td>Quality Assurance</td>
<td>Quality Assurance</td>
</tr>
<tr>
<td>Imaging Equipment</td>
<td>Imaging Equipment</td>
<td>Imaging Equipment</td>
<td>Imaging Equipment</td>
</tr>
<tr>
<td>Introduction to Computer</td>
<td>Introduction to Computer</td>
<td>Introduction to Computer</td>
<td>Introduction to Computer</td>
</tr>
<tr>
<td>Applications in Radiography</td>
<td>Applications in Nuclear Medicine</td>
<td>Applications in Radiation Therapy</td>
<td>Applications in Radiography</td>
</tr>
<tr>
<td>Nuclear-Physics</td>
<td>Nuclear-Physics</td>
<td>Nuclear-Physics</td>
<td>Nuclear-Physics</td>
</tr>
<tr>
<td>Health-Physics</td>
<td>Health-Physics</td>
<td>Health-Physics</td>
<td>Health-Physics</td>
</tr>
<tr>
<td>Mammography</td>
<td>Instrumentation and Statistics</td>
<td>Radiation Oncology Technique</td>
<td></td>
</tr>
<tr>
<td>Biochemistry</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Immunology</td>
<td>Dosimetry</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Radiation Oncology</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENTS

<table>
<thead>
<tr>
<th>Radionuclide Therapy</th>
<th>Radiopharmacy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Radionuclide Chemistry</td>
<td>Oncology Pathology</td>
</tr>
</tbody>
</table>

(Source: Repealed at 31 Ill. Reg. 11622, effective July 26, 2007)
NOTICE OF ADOPTED AMENDMENTS

Section 401.APPENDIX C  Minimum Training Requirements for Radiographers Performing Mammography (Repealed)

As referenced in Section 401.160, applicants may refer to this Appendix for subjects relating directly to mammography in completing the minimum requirements for continuing education.

<table>
<thead>
<tr>
<th>Subject</th>
<th>Contact Hours of Instruction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anatomy and Physiology of the Breast</td>
<td>1 Hour</td>
</tr>
<tr>
<td>Mammographic Equipment and Technique</td>
<td>1 Hour</td>
</tr>
<tr>
<td>Mammographic Quality Control</td>
<td>2 Hours</td>
</tr>
<tr>
<td>Positioning Techniques for Mammography</td>
<td>2 Hours</td>
</tr>
<tr>
<td>Mammographic Film Evaluation</td>
<td>1 Hour</td>
</tr>
<tr>
<td>Special Procedures in Breast Imaging</td>
<td>1 Hour</td>
</tr>
</tbody>
</table>

(Source: Repealed at 31 Ill. Reg. 11622, effective July 26, 2007)
DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

1) **Heading of the Part:** Medical Assistance Programs

2) **Code Citation:** 89 Ill. Adm. Code 120

3) **Section Number:** 120.550
   **Adopted Action:** New Section

4) **Statutory Authority:** Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]

5) **Effective Date of Amendment:** August 1, 2007

6) **Does this rulemaking contain an automatic repeal date?** No

7) **Does this amendment contain incorporations by reference?** No

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) **Notice of Proposal Published in Illinois Register:** 31 Ill. Reg. 5379; April 6, 2007

10) **Has JCAR issued a Statement of Objection to this amendment?** No

11) **Differences Between Proposal and Final Version:** Section 120.550(b)(2) has been changed to read: "Be a resident of Illinois."

12) **Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR?** No agreements were necessary.

13) **Will this amendment replace any emergency amendment currently in effect?** No

14) **Are there any other amendments pending on this Part?** Yes

   **Section Number:** 120.540  
   **Proposed Action:** Amendment  
   **Illinois Register Citation:** 31 Ill. Reg. 7226; May 18, 2007

15) **Summary and Purpose of Amendment:** This adopted amendment adds a new class of persons for medical assistance. The new coverage includes persons who meet income and asset requirements for persons who are aged or disabled, as well as all other non-financial requirements, except immigration status. Under the new provision, individuals
would be eligible if they had applied for asylum in the U.S. or were receiving services through a federally funded torture treatment center. Such individuals may be eligible for two years or longer, if they are appealing a denial of asylum.

16) Information and questions regarding this adopted amendment shall be directed to:

   Tamara Tanzillo Hoffman
   Chief of Staff
   Illinois Department of Healthcare and Family Services
   201 South Grand Avenue E., 3rd Floor
   Springfield IL 62763-0002
   217/557-7157

The full text of the Adopted Amendment begins on the next page.
DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 120
MEDICAL ASSISTANCE PROGRAMS

SUBPART A: GENERAL PROVISIONS

Section
120.1 Incorporation by Reference

SUBPART B: ASSISTANCE STANDARDS

Section
120.10 Eligibility For Medical Assistance
120.11 MANG(P) Eligibility
120.12 Healthy Start – Medicaid Presumptive Eligibility Program For Pregnant Women
120.14 Presumptive Eligibility for Children
120.20 MANG(AABD) Income Standard
120.30 MANG(C) Income Standard
120.31 MANG(P) Income Standard
120.32 KidCare Parent Coverage Waiver Eligibility and Income Standard
120.40 Exceptions To Use Of MANG Income Standard
120.50 AMI Income Standard (Repealed)

SUBPART C: FINANCIAL ELIGIBILITY DETERMINATION

Section
120.60 Cases Other Than Long Term Care, Pregnant Women and Certain Children
120.61 Cases in Intermediate Care, Skilled Nursing Care and DMHDD – MANG(AABD) and All Other Licensed Medical Facilities
120.62 Department of Mental Health and Developmental Disabilities (DMHDD) Approved Home and Community Based Residential Settings Under 89 Ill. Adm. Code 140.643
120.63 Department of Mental Health and Developmental Disabilities (DMHDD) Approved Home and Community Based Residential Settings
120.64 MANG(P) Cases
120.65 Department of Mental Health and Developmental Disabilities (DMHDD)
DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

Licensed Community – Integrated Living Arrangements

SUBPART D: MEDICARE PREMIUMS

Section
120.70 Supplementary Medical Insurance Benefits (SMIB) Buy-In Program
120.72 Eligibility for Medicare Cost Sharing as a Qualified Medicare Beneficiary (QMB)
120.73 Eligibility for Medicaid Payment of Medicare Part B Premiums as a Specified Low-Income Medicare Beneficiary (SLIB)
120.74 Qualified Medicare Beneficiary (QMB) Income Standard
120.75 Specified Low-Income Medicare Beneficiary (SLIB) Income Standards
120.76 Hospital Insurance Benefits (HIB)

SUBPART E: RECIPIENT RESTRICTION PROGRAM

Section
120.80 Recipient Restriction Program

SUBPART F: MIGRANT MEDICAL PROGRAM

Section
120.90 Migrant Medical Program (Repealed)
120.91 Income Standards (Repealed)

SUBPART G: AID TO THE MEDICALLY INDIGENT

Section
120.200 Elimination Of Aid To The Medically Indigent
120.208 Client Cooperation (Repealed)
120.210 Citizenship (Repealed)
120.211 Residence (Repealed)
120.212 Age (Repealed)
120.215 Relationship (Repealed)
120.216 Living Arrangement (Repealed)
120.217 Supplemental Payments (Repealed)
120.218 Institutional Status (Repealed)
120.224 Foster Care Program (Repealed)
120.225 Social Security Numbers (Repealed)
120.230 Unearned Income (Repealed)
DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

120.235 Exempt Unearned Income (Repealed)
120.236 Education Benefits (Repealed)
120.240 Unearned Income In-Kind (Repealed)
120.245 Earmarked Income (Repealed)
120.250 Lump Sum Payments and Income Tax Refunds (Repealed)
120.255 Protected Income (Repealed)
120.260 Earned Income (Repealed)
120.261 Budgeting Earned Income (Repealed)
120.262 Exempt Earned Income (Repealed)
120.270 Recognized Employment Expenses (Repealed)
120.271 Income From Work/Study/Training Program (Repealed)
120.272 Earned Income From Self-Employment (Repealed)
120.273 Earned Income From Roomer and Boarder (Repealed)
120.275 Earned Income In-Kind (Repealed)
120.276 Payments from the Illinois Department of Children and Family Services (Repealed)
120.280 Assets (Repealed)
120.281 Exempt Assets (Repealed)
120.282 Asset Disregards (Repealed)
120.283 Deferral of Consideration of Assets (Repealed)
120.284 Spenddown of Assets (AMI) (Repealed)
120.285 Property Transfers (Repealed)
120.290 Persons Who May Be Included in the Assistance Unit (Repealed)
120.295 Payment Levels for AMI (Repealed)

SUBPART H: MEDICAL ASSISTANCE – NO GRANT

Section
120.308 Client Cooperation
120.309 Caretaker Relative
120.310 Citizenship
120.311 Residence
120.312 Age
120.313 Blind
120.314 Disabled
120.315 Relationship
120.316 Living Arrangements
120.317 Supplemental Payments
120.318 Institutional Status
DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>120.319</td>
<td>Assignment of Rights to Medical Support and Collection of Payment</td>
</tr>
<tr>
<td>120.320</td>
<td>Cooperation in Establishing Paternity and Obtaining Medical Support</td>
</tr>
<tr>
<td>120.321</td>
<td>Good Cause for Failure to Cooperate in Establishing Paternity and Obtaining Medical Support</td>
</tr>
<tr>
<td>120.322</td>
<td>Proof of Good Cause for Failure to Cooperate in Establishing Paternity and Obtaining Medical Support</td>
</tr>
<tr>
<td>120.323</td>
<td>Suspension of Paternity Establishment and Obtaining Medical Support Upon Finding Good Cause</td>
</tr>
<tr>
<td>120.324</td>
<td>Health Insurance Premium Payment (HIPP) Program</td>
</tr>
<tr>
<td>120.325</td>
<td>Health Insurance Premium Payment (HIPP) Pilot Program</td>
</tr>
<tr>
<td>120.326</td>
<td>Foster Care Program</td>
</tr>
<tr>
<td>120.327</td>
<td>Social Security Numbers</td>
</tr>
<tr>
<td>120.330</td>
<td>Unearned Income</td>
</tr>
<tr>
<td>120.332</td>
<td>Budgeting Unearned Income</td>
</tr>
<tr>
<td>120.335</td>
<td>Exempt Unearned Income</td>
</tr>
<tr>
<td>120.336</td>
<td>Education Benefits</td>
</tr>
<tr>
<td>120.338</td>
<td>Incentive Allowance</td>
</tr>
<tr>
<td>120.340</td>
<td>Unearned Income In-Kind</td>
</tr>
<tr>
<td>120.342</td>
<td>Child Support and Spousal Maintenance Payments</td>
</tr>
<tr>
<td>120.345</td>
<td>Earmarked Income</td>
</tr>
<tr>
<td>120.346</td>
<td>Medicaid Qualifying Trusts</td>
</tr>
<tr>
<td>120.347</td>
<td>Treatment of Trusts</td>
</tr>
<tr>
<td>120.350</td>
<td>Lump Sum Payments and Income Tax Refunds</td>
</tr>
<tr>
<td>120.355</td>
<td>Protected Income</td>
</tr>
<tr>
<td>120.360</td>
<td>Earned Income</td>
</tr>
<tr>
<td>120.361</td>
<td>Budgeting Earned Income</td>
</tr>
<tr>
<td>120.362</td>
<td>Exempt Earned Income</td>
</tr>
<tr>
<td>120.363</td>
<td>Earned Income Disregard – MANG(C)</td>
</tr>
<tr>
<td>120.364</td>
<td>Earned Income Exemption</td>
</tr>
<tr>
<td>120.366</td>
<td>Exclusion From Earned Income Exemption</td>
</tr>
<tr>
<td>120.370</td>
<td>Recognized Employment Expenses</td>
</tr>
<tr>
<td>120.371</td>
<td>Income From Work/Study/Training Programs</td>
</tr>
<tr>
<td>120.372</td>
<td>Earned Income From Self-Employment</td>
</tr>
<tr>
<td>120.373</td>
<td>Earned Income From Roomer and Boarder</td>
</tr>
<tr>
<td>120.375</td>
<td>Earned Income In-Kind</td>
</tr>
<tr>
<td>120.376</td>
<td>Payments from the Illinois Department of Children and Family Services</td>
</tr>
<tr>
<td>120.379</td>
<td>Provisions for the Prevention of Spousal Impoverishment</td>
</tr>
<tr>
<td>120.380</td>
<td>Assets</td>
</tr>
<tr>
<td>120.381</td>
<td>Exempt Assets</td>
</tr>
</tbody>
</table>
NOTICE OF ADOPTED AMENDMENT

120.382 Asset Disregard
120.383 Deferral of Consideration of Assets
120.384 Spenddown of Assets (AABD MANG)
120.385 Property Transfers for Applications Filed Prior to October 1, 1989 (Repealed)
120.386 Property Transfers Occurring On or Before August 10, 1993
120.387 Property Transfers Occurring On or After August 11, 1993
120.390 Persons Who May Be Included In the Assistance Unit
120.391 Individuals Under Age 18 Who Do Not Qualify For AFDC/AFDC-MANG And Children Born October 1, 1983, or Later
120.392 Pregnant Women Who Would Not Be Eligible For AFDC/AFDC-MANG If The Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy
120.393 Pregnant Women And Children Under Age Eight Years Who Do Not Qualify As Mandatory Categorically Needy Demonstration Project
120.395 Payment Levels for MANG (Repealed)
120.399 Redetermination of Eligibility
120.400 Twelve Month Eligibility for Persons under Age 19

SUBPART I: SPECIAL PROGRAMS

Section
120.500 Health Benefits for Persons with Breast or Cervical Cancer
120.510 Health Benefits for Workers with Disabilities
120.520 SeniorCare (Repealed)
120.530 Home and Community Based Services Waivers for Medically Fragile, Technology Dependent, Disabled Persons Under Age 21
120.540 Illinois Healthy Women Program
120.550 Asylum Applicants and Torture Victims

120.TABLE A Value of a Life Estate and Remainder Interest
120.TABLE B Life Expectancy


DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT


SUBPART I: SPECIAL PROGRAMS

Section 120.550 Asylum Applicants and Torture Victims

a) To be eligible for medical assistance as an applicant for asylum or a torture victim, an individual must:

1) Have an application for asylum pending before the federal Department of Homeland Security, or an appeal pending regarding a decision of asylum status before a court of competent jurisdiction and is represented either by counsel or by an advocate accredited by the federal Department of Homeland Security and employed by a not-for-profit organization in regard to that application or appeal, or
DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

2) Be receiving treatment services for torture from a federally funded torture treatment center that has been recognized by the Department.

b) Additionally, an individual must meet all of the following eligibility requirements:

1) Cooperate in establishing eligibility as described in Section 120.308.

2) Be a resident of Illinois.

3) Assign rights to medical support and collection of payment as described in Section 120.319.

4) Be 19 years of age or older.

5) Have countable monthly income at or below 100 percent of the Federal Poverty Level as described in Section 120.20(a).

6) Have non-exempt assets at or below the AABD MANG asset disregard level as described in Section 120.382, and certain assets shall be exempt from consideration in determining eligibility in accordance with Section 120.381.

c) An individual shall not be determined eligible if the individual is otherwise eligible for medical assistance under the Public Aid Code [305 ILCS 5], or otherwise eligible for benefits including rebates under the Children's Health Insurance Program Act [215 ILCS 106] or the Covering ALL KIDS Health Insurance Act [215 ILCS 170].

d) Individuals eligible under this Section are exempt from the requirements as described in Section 120.310 pertaining to citizenship and eligible non-citizens.

e) Individuals shall not be denied eligibility under this Section for failure to provide a Social Security Number or proof of having applied for a Social Security Number as otherwise required in Section 120.327.

f) The earned and unearned income of the following persons shall be counted when determining eligibility, except as specified in subsections (g) and (h) of this Section.
DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

1) **Income of the individual.**

2) **Income of the spouse.**

3) **Unearned income of a dependent child under the age of 18 years who is included in the income standard (see Section 120.20) because it is to the advantage of the individual.**

**g)** Monthly earned and unearned income shall be considered as described in Sections 120.330 through 120.345, Sections 120.350 through 120.361 and Sections 120.371 through 120.376 as specified for AABD MANG.

**h)** The Department shall exempt earned income as provided in Section 120.362(a). In addition, work related expenses that are allowed, as deductions for AABD MANG, as described in Section 120.370, shall be deducted.

**i)** **Application Process**

1) Individuals can apply by completing an application provided by the Department and submitting it to an address specified by the Department.

2) The application must meet all requirements found at 89 Ill. Adm. Code 110.10(a), (c) and (e).

3) The application date shall be the date a signed application is received at the address specified by the Department and can be no sooner than July 1, 2007.

**j)** Eligibility will be effective no earlier than the third month before the month of application if the applicant would have met the criteria of this Section had he or she applied. In no case shall eligibility be effective prior to April 1, 2007.

**k)** Eligibility under this Section will be redetermined every 12 months, or when a change is reported.

**l)** Eligibility under this Section shall be limited to 24 continuous months from the initial eligibility date so long as an individual continues to satisfy the criteria of this Section and subject to the following:
DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

1) An individual who has a break in coverage during the 24 months commencing with the initial eligibility date may reenroll if all eligibility criteria are met but such break in coverage shall not extend his or her period of eligibility; and

2) Eligibility under this Section shall be extended an additional 12 months or until a final decision is rendered on the appeal, whichever occurs sooner, for an individual who has an appeal pending regarding an application for asylum before the Department of Homeland Security.

m) An individual's eligibility shall be terminated if the individual no longer meets the requirements of this Section.

n) Persons applying or enrolled under this Section shall be entitled to appeal rights as described in 89 Ill. Adm. Code 102.80 through 102.83.

o) Eligibility under this Section is not an entitlement and is subject to available funding. The Department may take appropriate action to limit enrollment under this Section including, but not limited to, ceasing to accept or process applications or reviewing eligibility more frequently than annually.

(Source: Added at 31 Ill. Reg. 11667, effective August 1, 2007)
DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

1) **Heading of the Part:** Specialized Health Care Delivery Systems

2) **Code Citation:** 89 Ill. Adm. Code 146

3) **Section Number:** 146.225  **Adopted Action:** Amendment

4) **Statutory Authority:** Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]

5) **Effective Date of Amendment:** August 1, 2007

6) **Does this rulemaking contain an automatic repeal date?** No

7) **Does this rulemaking contain incorporations by reference?** No

8) A copy of the adopted amendment, including any materials incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) **Notice of Proposal Published in Illinois Register:** 31 Ill. Reg. 3250; March 2, 2007

10) **Has JCAR issued a Statement of Objection to this rulemaking?** No

11) **Differences Between Proposal and Final Version:** None

12) **Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR?** No changes were necessary.

13) **Will this rulemaking replace any emergency rulemakings currently in effect?** Yes

14) **Are there any other amendments pending on this Part?** No

15) **Summary and Purpose of Amendment:** The proposed amendment will allow for an adjustment of Medicaid rates paid to supportive living facilities (SLFs) on a semi-annual basis in April and October. The current rule allows for an adjustment to occur annually in October of each year. SLFs are paid 60 percent of the weighted average nursing facility geographic group rate, based upon the geographic area in which the SLF is located. With nursing facility rates changing on a quarterly basis, beginning January 1, 2007 under the MDS-based methodology, this amendment allows for SLF rates to be more closely aligned with nursing facility rates.
DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

16) Information and questions regarding this adopted amendment shall be directed to:

Tamara Tanzillo Hoffman
Chief of Staff
Illinois Department of Healthcare and Family Services
201 South Grand Avenue E., 3rd Floor
Springfield IL  62763-0002

217/557-7157

The full text of the Adopted Amendment begins on the next page.
DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES
SUBCHAPTER d: MEDICAL PROGRAMS

PART 146
SPECIALIZED HEALTH CARE DELIVERY SYSTEMS

SUBPART A: AMBULATORY SURGICAL TREATMENT CENTERS

Section
146.100 General Description
146.105 Definitions
146.110 Participation Requirements
146.115 Records and Data Reporting Requirements
146.125 Covered Ambulatory Surgical Treatment Center Services
146.130 Reimbursement for Services

SUBPART B: SUPPORTIVE LIVING FACILITIES

Section
146.200 General Description
146.205 Definitions
146.210 Structural Requirements
146.215 SLF Participation Requirements
146.220 Resident Participation Requirements
146.225 Reimbursement for Medicaid Residents
146.230 Services
146.235 Staffing
146.240 Resident Contract
146.245 Assessment and Service Plan and Quarterly Evaluation
146.250 Resident Rights
146.255 Discharge
146.260 Grievance Procedure
146.265 Records and Reporting Requirements
146.270 Quality Assurance Plan
146.275 Monitoring
146.280 Termination or Suspension of SLF Provider Agreement
146.285 Voluntary Surrender of Certification
146.290 Geographic Groups
DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

146.295 Emergency Contingency Plan
146.300 Waivers

SUBPART C: STATE HEMOPHILIA PROGRAM

Section
146.400 Definitions
146.410 Patient Eligibility
146.420 Hemophilia Treatment Centers
146.430 Comprehensive Care Evaluation
146.440 Home Transfusion Arrangements
146.450 Obligations of the Department

SUBPART D: CHILDREN'S COMMUNITY-BASED HEALTH CARE CENTERS

Section
146.500 General Description
146.510 Definitions
146.520 Participation Requirements
146.530 Records and Data Reporting Requirements
146.540 Covered Children's Community-Based Health Care Center Services
146.550 Reimbursement for Services
146.560 Individuals Eligible for Services Provided in a Children's Community-Based Health Care Center
146.570 Prior and Post Approval of Services


SOURCE: Old Part repealed at 14 Ill. Reg. 13800, effective August 15, 1990; new Part adopted at 20 Ill. Reg. 4419, effective February 29, 1996; emergency amendment at 21 Ill. Reg. 13875, effective October 1, 1997, for a maximum of 150 days; amended at 22 Ill. Reg. 4430, effective February 27, 1998; emergency amendment at 22 Ill. Reg. 13146, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 19914, effective October 30, 1998; amended at 23 Ill. Reg. 5819, effective April 30, 1999; emergency amendment at 23 Ill. Reg. 8256, effective July 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 13663, effective November 1, 1999; amended at 24 Ill. Reg. 8353, effective June 1, 2000; emergency amendment at 26 Ill. Reg. 14882, effective October 1, 2002, for a maximum of 150 days; amended at 27 Ill. Reg. 2176, effective February 1, 2003; emergency amendment at 27 Ill. Reg. 10854, effective July 1, 2003,
DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT


SUBPART B: SUPPORTIVE LIVING FACILITIES

Section 146.225 Reimbursement for Medicaid Residents

SLFs shall accept the reimbursement provided in this Section as payment in full for all services provided to Medicaid residents.

a) The Department shall establish its portion of the reimbursement for Medicaid residents by calculating 60 percent of the weighted average (weighted by Medicaid patient days) nursing facility rates for the geographic grouping as defined in Section 146.290. Each SLF shall be paid 60 percent of the weighted average nursing facility geographic group rate, based upon the nursing facility geographic group in which it is located. The rates paid to SLFs shall be updated semi-annually on April 1 and reviewed annually, and adjusted, if necessary, on October 1 to assure that the rates coincide with 60 percent of weighted average nursing facility geographic group rates. Effective October 1, 2002, SLF rates shall remain at a minimum of the rate in effect as of September 30, 2002.

b) The payment rate received by the SLF from the Department for services, with the exception of meals, provided in accordance with Section 146.230 shall constitute the full and complete charge for services rendered. Additional payment, other than patient credits authorized by the Department, may not be accepted. Meals are included in the room and board amount paid by the resident.

c) Single Occupancy: Each Medicaid resident of an SLF shall be allotted a minimum of $90 per month as a deduction from his or her income as a protected amount for personal use. The SLF may charge each Medicaid resident no more
DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

than the current SSI rate for a single individual less a minimum of $90 for room and board charges. Any income remaining after deduction of the protected minimum of $90 and room and board charges shall be applied first towards medical expenses not covered under the Department's Medical Assistance Program. Any income remaining after that shall be applied to the charges for SLF services paid by the Department.

d) Double Occupancy: In the event a Medicaid eligible resident chooses to share an apartment, the Medicaid resident of an SLF shall be allotted a minimum of $90 per month as a deduction from his or her income as a protected amount for personal use. The SLF may charge each Medicaid resident no more than the resident's share of the current SSI rate for a couple less a minimum of $90 for room and board charges. The room and board rate for two Medicaid eligible individuals sharing an apartment cannot exceed the SSI rate for a married couple even if the two individuals sharing an apartment are unrelated. Any income of an individual remaining after deduction of the protected minimum of $90 and room and board charges shall be applied first towards that individual's medical expenses not covered under the Department's Medical Assistance Program. Any income of an individual remaining after that shall be applied to that individual's charges for SLF services paid by the Department. If one, or both, of the individuals sharing an apartment is not Medicaid eligible, the SLF may negotiate its own rate with the non-Medicaid individual or individuals.

e) The room and board charge for Medicaid residents shall only be increased when the SSI amount is increased. Any room and board charge increase shall not exceed the amount of the SSI increase.

f) Payment shall be made by the Department for up to 30 days per State fiscal year during a Medicaid resident's temporary absence from the SLF when the absence is due to situations such as hospitalizations or vacations. The resident shall continue to be responsible for room and board charges during any absence. Involuntary discharge criteria relating to temporary absence are found at Section 146.255(b) and (d)(7). Nursing facilities that have a distinct part certified as an SLF shall consider converted beds in the nursing facility's licensed capacity when calculating the 93 percent occupancy level for bed reserve payments pursuant to 89 Ill. Adm. Code 140.523.

1) The day a resident is transferred to the hospital is the first day of the temporary absence.
DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

2) For all other temporary absences, except a long-term care admission, the day after resident leaves the SLF is the first day of the temporary absence.

3) The day before resident returns to the SLF is the last day of the temporary absence.

4) The Department does not pay for temporary absence due to admission to a long-term care facility. In this instance, an SLF shall discharge the resident from the Department's database. An SLF may choose to hold an apartment while a resident is in a long-term care facility.

5) By agreement between the SLF and a resident, an SLF may continue to hold an apartment when a resident has exceeded the 30 days payable by the Department.

(Source: Amended at 31 Ill. Reg. 11681, effective August 1, 2007)
DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

1) **Heading of the Part:** Hospital Services

2) **Code Citation:** 89 Ill. Adm. Code 148

3) **Section Number:** 148.270  
   **Adopted Action:** Amendment

4) **Statutory Authority:** Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]

5) **Effective Date of Amendment:** August 1, 2007

6) **Does this rulemaking contain an automatic repeal date?** No

7) **Does this amendment contain incorporations by reference?** No

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) **Notice of Proposal Published in Illinois Register:** 30 Ill. Reg. 4308; March 16, 2007

10) **Has JCAR issued a Statement of Objection to this amendment?** No

11) **Differences Between Proposal and Final Version:**

    In Section 148.270(b)(1)(B), struck the word "above".
    In Section 148.270(b)(1)(C), struck the word "above".
    In Section 148.270(b)(1)(D), struck the word "below".
    In Section 148.270(b)(2), struck the word "above".
    In Section 148.270(c)(1)(A), struck the word "above".
    In Section 148.270(c)(1)(B), changed sentence to read "provided by Illinois general acute care hospitals on or after July 1, 2007 shall be reimbursed at either of the following:"
    In Section 148.270(c)(1)(B)(i), changed sentence to read, "utilizing the payment methodologies described in 89 Ill. Adm. Code 149 that will only reflect the federal/regional blended rate described in 89 Ill. Adm. Code 149.100. No other payments described in Part 149 will be reimbursed; or"
    In Section 148.270(c)(1)(B)(ii), deleted "shall be" and "above".
    In Section 148.270(c)(1)(C), deleted the word "above".
    In Section 148.270(c)(5)(A), deleted the word "above".
DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

12)  Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? No agreements were necessary.

13)  Will this amendment replace any emergency amendment currently in effect? No

14)  Are there any other amendments pending on this Part? Yes

<table>
<thead>
<tr>
<th>Section Number</th>
<th>Proposed Action</th>
<th>Illinois Register Citation</th>
</tr>
</thead>
</table>

15)  Summary and Purpose of Amendment: This adopted amendment allows new hospitals within Illinois the option of being reimbursed by a per diem rate or by Diagnostic Related Group (DRG).

16)  Information and questions regarding this adopted amendment shall be directed to:

        Tamara Tanzillo Hoffman  
        Chief of Staff  
        Illinois Department of Healthcare and Family Services  
        201 South Grand Avenue E., 3rd Floor  
        Springfield IL  62763-0002  
        217/557-7157

The full text of the Adopted Amendment begins on the next page:
DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES
SUBCHAPTER d: MEDICAL PROGRAMS

PART 148
HOSPITAL SERVICES

SUBPART A: GENERAL PROVISIONS

Section
148.10 Hospital Services
148.20 Participation
148.25 Definitions and Applicability
148.30 General Requirements
148.40 Special Requirements
148.50 Covered Hospital Services
148.60 Services Not Covered as Hospital Services
148.70 Limitation On Hospital Services

SUBPART B: REIMBURSEMENT AND RELATED PROVISIONS

Section
148.80 Organ Transplants Services Covered Under Medicaid (Repealed)
148.82 Organ Transplant Services
148.85 Supplemental Tertiary Care Adjustment Payments
148.90 Medicaid Inpatient Utilization Rate (MIUR) Adjustment Payments
148.95 Medicaid Outpatient Utilization Rate (MOUR) Adjustment Payments
148.100 Outpatient Rural Hospital Adjustment Payments
148.103 Outpatient Service Adjustment Payments
148.105 Psychiatric Adjustment Payments
148.110 Psychiatric Base Rate Adjustment Payments
148.112 High Volume Adjustment Payments
148.115 Rural Adjustment Payments
148.117 Outpatient Assistance Adjustment Payments
148.120 Disproportionate Share Hospital (DSH) Adjustments
148.122 Medicaid Percentage Adjustments
148.126 Safety Net Adjustment Payments
148.130 Outlier Adjustments for Exceptionally Costly Stays
148.140 Hospital Outpatient and Clinic Services
NOTICE OF ADOPTED AMENDMENT

148.150 Public Law 103-66 Requirements
148.160 Payment Methodology for County-Owned Hospitals in an Illinois County with a Population of Over Three Million
148.170 Payment Methodology for Hospitals Organized Under the University of Illinois Hospital Act
148.175 Supplemental Disproportionate Share Payment Methodology for Hospitals Organized Under the Town Hospital Act
148.180 Payment for Pre-operative Days, Patient Specific Orders, and Services Which Can Be Performed in an Outpatient Setting
148.190 Copayments
148.200 Alternate Reimbursement Systems
148.210 Filing Cost Reports
148.220 Pre September 1, 1991, Admissions
148.230 Admissions Occurring on or after September 1, 1991
148.240 Utilization Review and Furnishing of Inpatient Hospital Services Directly or Under Arrangements
148.250 Determination of Alternate Payment Rates to Certain Exempt Hospitals
148.260 Calculation and Definitions of Inpatient Per Diem Rates
148.270 Determination of Alternate Cost Per Diem Rates For All Hospitals; Payment Rates for Certain Exempt Hospital Units; and Payment Rates for Certain Other Hospitals
148.280 Reimbursement Methodologies for Childrens Hospitals and Hospitals Reimbursed Under Special Arrangements
148.285 Excellence in Academic Medicine Payments
148.290 Adjustments and Reductions to Total Payments
148.295 Critical Hospital Adjustment Payments (CHAP)
148.296 Tertiary Care Adjustment Payments
148.297 Pediatric Outpatient Adjustment Payments
148.298 Pediatric Inpatient Adjustment Payments
148.300 Payment
148.310 Review Procedure
148.320 Alternatives
148.330 Exemptions
148.340 Subacute Alcoholism and Substance Abuse Treatment Services
148.350 Definitions (Repealed)
148.360 Types of Subacute Alcoholism and Substance Abuse Treatment Services (Repealed)
148.368 Volume Adjustment (Repealed)
148.370 Payment for Subacute Alcoholism and Substance Abuse Treatment Services
DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

148.380 Rate Appeals for Subacute Alcoholism and Substance Abuse Treatment Services (Repealed)
148.390 Hearings
148.400 Special Hospital Reporting Requirements
148.402 Medicaid Eligibility Payments
148.404 Medicaid High Volume Adjustment Payments
148.406 Intensive Care Adjustment Payments
148.408 Trauma Center Adjustment Payments
148.410 Psychiatric Rate Adjustment Payments
148.412 Rehabilitation Adjustment Payments
148.414 Supplemental Tertiary Care Adjustment Payments
148.416 Crossover Percentage Adjustment Payments
148.418 Long Term Acute Care Hospital Adjustment Payments
148.420 Obstetrical Care Adjustment Payments
148.422 Outpatient Access Payments
148.424 Outpatient Utilization Payments
148.426 Outpatient Complexity of Care Adjustment Payments
148.428 Rehabilitation Hospital Adjustment Payments
148.430 Perinatal Outpatient Adjustment Payments
148.432 Supplemental Psychiatric Adjustment Payments
148.434 Outpatient Community Access Adjustment Payments

SUBPART C: SEXUAL ASSAULT EMERGENCY TREATMENT PROGRAM

Section
148.500 Definitions
148.510 Reimbursement

SUBPART D: STATE CHRONIC RENAL DISEASE PROGRAM

Section
148.600 Definitions
148.610 Scope of the Program
148.620 Assistance Level and Reimbursement
148.630 Criteria and Information Required to Establish Eligibility
148.640 Covered Services

148.TABLE A Renal Participation Fee Worksheet
148.TABLE B Bureau of Labor Statistics Equivalence
DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

148.TABLE C List of Metropolitan Counties by SMSA Definition


Notice of Adopted Amendment

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

effective January 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 4386, effective February 24, 2003; emergency amendment at 27 Ill. Reg. 8320, effective April 28, 2003, for a maximum of 150 days; emergency amendment repealed at 27 Ill. Reg. 12121, effective July 10, 2003; amended at 27 Ill. Reg. 9178, effective May 28, 2003; emergency amendment at 27 Ill. Reg. 11041, effective July 1, 2003, for a maximum of 150 days; emergency amendment at 27 Ill. Reg. 16185, effective October 1, 2003, for a maximum of 150 days; emergency amendment at 27 Ill. Reg. 16268, effective October 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 18843, effective November 26, 2003; emergency amendment at 28 Ill. Reg. 1418, effective January 8, 2004, for a maximum of 150 days; emergency amendment at 28 Ill. Reg. 1766, effective January 10, 2004, for a maximum of 150 days; emergency expired June 7, 2004; amended at 28 Ill. Reg. 2770, effective February 1, 2004; emergency amendment at 28 Ill. Reg. 5902, effective April 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 7101, effective May 3, 2004; amended at 28 Ill. Reg. 8072, effective June 1, 2004; emergency amendment at 28 Ill. Reg. 8167, effective June 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 9661, effective July 1, 2004; emergency amendment at 28 Ill. Reg. 10157, effective July 1, 2004, for a maximum of 150 days; emergency amendment at 28 Ill. Reg. 12036, effective August 3, 2004, for a maximum of 150 days; emergency expired December 30, 2004; emergency amendment at 28 Ill. Reg. 12227, effective August 6, 2004, for a maximum of 150 days; emergency expired January 2, 2005; amended at 28 Ill. Reg. 14557, effective October 27, 2004; amended at 28 Ill. Reg. 15536, effective November 24, 2004; amended at 29 Ill. Reg. 861, effective January 1, 2005; emergency amendment at 29 Ill. Reg. 2026, effective January 21, 2005, for a maximum of 150 days; amended at 29 Ill. Reg. 5514, effective April 1, 2005; emergency amendment at 29 Ill. Reg. 5756, effective April 8, 2005, for a maximum of 150 days; emergency amendment repealed by emergency rulemaking at 29 Ill. Reg. 11622, effective July 5, 2005, for the remainder of the 150 days; amended at 29 Ill. Reg. 8363, effective June 1, 2005; emergency amendment at 29 Ill. Reg. 10275, effective July 1, 2005, for a maximum of 150 days; emergency amendment at 29 Ill. Reg. 12568, effective August 1, 2005, for a maximum of 150 days; emergency amendment at 29 Ill. Reg. 15629, effective October 1, 2005, for a maximum of 150 days; emergency amendment at 29 Ill. Reg. 15629, effective October 1, 2005, for a maximum of 150 days; amended at 29 Ill. Reg. 19973, effective November 23, 2005; amended at 30 Ill. Reg. 383, effective December 28, 2005; emergency amendment at 30 Ill. Reg. 596, effective January 1, 2006, for a maximum of 150 days; emergency amendment at 30 Ill. Reg. 955, effective January 9, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 2827, effective February 24, 2006; emergency amendment at 30 Ill. Reg. 7786, effective April 10, 2006, for a maximum of 150 days; emergency amendment repealed by emergency rulemaking at 30 Ill. Reg. 12400, effective July 1, 2006, for the remainder of the 150 days; emergency expired September 6, 2006; amended at 30 Ill. Reg. 8877, effective May 1, 2006; amended at 30 Ill. Reg. 10393, effective May 26, 2006; emergency amendment at 30 Ill. Reg. 11815, effective July 1, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 18672, effective November 27, 2006; emergency amendment at 31 Ill. Reg. 1602, effective January 1, 2007, for a maximum of 150 days;

SUBPART B: REIMBURSEMENT AND RELATED PROVISIONS

Section 148.270 Determination of Alternate Cost Per Diem Rates For All Hospitals; Payment Rates for Certain Exempt Hospital Units; and Payment Rates for Certain Other Hospitals

a) Calculation of Alternate Cost Per Diem Rates for All Hospitals

For all hospitals, regardless of the hospital's reimbursement methodology, the Department shall first calculate the hospital's alternate cost per diem rate, as calculated under Section 148.260, derived from the provider's base period cost reports, as described in Section 148.25(g)(1).

b) Calculation of Payment Rates for Certain Exempt Hospital Units

1) For admissions occurring within the rate period described in Section 148.25(g)(2)(A):

A) In the case of a distinct part unit, as described in 89 Ill. Adm. Code 149.50(d), the Department shall divide the hospital's Medicaid charges per diem (identified on adjudicated claims submitted by the provider during the most recently completed fiscal year for which complete data are available) related to the distinct part unit by the hospital's total charge per diem for all claims for the same time period.

B) The resulting quotient, as calculated in subsection (b)(1)(A) above, shall be multiplied by the hospital's total operating cost per diem, as calculated in Section 148.260(a)(1)(B).

C) The capital related cost per diem, as calculated in Section 148.260(a)(2), is then added to the resulting product calculated in subsection (b)(1)(B) above, subject to the inflation adjustment described in Section 148.260(c)(1).
NOTICE OF ADOPTED AMENDMENT

D) Subject to the provisions of subsections (b)(1)(E) and (b)(1)(F) below, the final distinct part unit payment rate shall be the lower of:

i) The result of the calculations described in subsections (b)(1)(A) through (b)(1)(B) above; or

ii) The hospital's alternate cost per diem rate, as calculated in subsection (a) of this Section above.

E) In no case shall the hospital's final distinct part unit payment rate be greater than three standard deviations above the mean distinct part unit payment rate.

F) In the case of a new distinct part unit for which the Department has insufficient adjudicated claims history data available, the Department shall utilize the average payment rate calculated under this subsection (b)(1) for like distinct part units.

2) For admissions occurring within a rate period described in Section 148.25(g)(2)(B), the distinct part unit payment rate shall be the distinct part unit payment rate in effect on June 30, 1993, as calculated under subsection (b)(1) above, updated to the midpoint of the current rate period, using the TEFRA price inflation factor.

In the case of a new hospital (not previously owned or operated), a hospital that has significantly changed its case-mix profile (e.g., a general acute care hospital changing its case-mix to reflect a predominance of long term care patients), or an out-of-state non cost-reporting hospital, reimbursement for inpatient services shall be as follows:

1) For general acute-care hospitals, reimbursement for inpatient services:

A) provided by Illinois general acute care hospitals prior to July 1, 2007 shall be at the average payment rate calculated under subsection (a) or (b) above, as applicable, for those hospitals that would otherwise be reimbursed under 89 Ill. Adm. Code 149.
DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

B) provided by Illinois general acute care hospitals on or after July 1, 2007 shall be reimbursed at either of the following:

i) utilizing the payment methodologies described in 89 Ill. Adm. Code 149 that will only reflect the federal/regional blended rate described in 89 Ill. Adm. Code 149.100. No other payments described in Part 149 will be reimbursed; or

ii) at the average payment rate calculated under subsection (a) or (b), as applicable, for those hospitals that would otherwise be reimbursed under 89 Ill. Adm. Code 149.

C) provided by out of state general acute care hospitals shall be at the average payment rate calculated under subsection (a) or (b), as applicable, for those hospitals that would otherwise be reimbursed under 89 Ill. Adm. Code 149.

2) For psychiatric hospitals, as defined in 89 Ill. Adm. Code 149.50(c)(1), reimbursement for inpatient psychiatric services shall be at the average rate calculated under Section 148.260 for those hospitals defined in 89 Ill. Adm. Code 149.50(c)(1).

3) For rehabilitation hospitals, as defined in 89 Ill. Adm. Code 149.50(c)(2), reimbursement for inpatient rehabilitation services shall be at the average rate calculated under Section 148.260 for those hospitals defined in 89 Ill. Adm. Code 149.50(c)(2).

4) For long term stay hospitals, as defined in 89 Ill. Adm. Code 149.50(c)(4), reimbursement for inpatient services shall be at the average rate calculated under Section 148.260 for those hospitals defined in 89 Ill. Adm. Code 149.50(c)(4).

5) For children's hospitals, as defined in 89 Ill. Adm. Code 149.50(c)(3), reimbursement for inpatient services:

A) provided before August 1, 1998, shall be at the average rate calculated under subsection (a) above for those hospitals defined in 89 Ill. Adm. Code 149.50(c)(3);
DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

B) provided on or after August 1, 1998, for a children's hospital that was licensed as such by a municipality after June 30, 1995, shall be equal to the average rate calculated in Section 148.280 for children's hospitals in existence before June 30, 1995, with an average length of stay that was less than 14 days as determined from the hospital's fiscal year 1994 cost report.

(Source: Amended at 31 Ill. Reg. 11688, effective August 1, 2007)
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

1) **Heading of the Part:** Squirrel Hunting

2) **Code Citation:** 17 Ill. Adm. Code 690

3) **Section Number:** 690.30  
**Adopted Action:** Amendment

4) **Statutory Authority:** Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.28 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.28 and 3.5]

5) **Effective Date of Amendment:** July 27, 2007

6) **Does this rulemaking contain an automatic repeal date?** No

7) **Does this rulemaking contain incorporations by reference?** No

8) A copy of the adopted rulemaking, including any material incorporated by reference, is on file in the Department of Natural Resource's principal office and is available for public inspection.

9) **Notice of Proposal Published in Illinois Register:** April 6, 2007; 31 Ill. Reg. 5398

10) **Has JCAR issued a Statement of Objection to this amendment?** No

11) **Differences between proposal and final version:** None

12) **Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR?** No agreements were necessary.

13) **Will this rulemaking replace any emergency rulemaking currently in effect?** No

14) **Are there any amendments pending on this Part?** No

15) **Summary and Purpose of Rulemaking:** This Part was amended to update sites open for hunting and site-specific regulations.

16) **Information and questions regarding this adopted amendment shall be directed to:** Jack Price, Legal Counsel
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

The full text of the Adopted Amendment begins on the next page:
DEPARTMENT OF NATURAL RESOURCES
NOTICE OF ADOPTED AMENDMENT

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFE

PART 690
SQUIRREL HUNTING

Section 690.10 Hunting Seasons
Section 690.20 Statewide Regulations
Section 690.30 Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.28 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.28 and 3.5].


Section 690.30 Regulations at Various Department-Owned or -Managed Sites

a) All the regulations in 17 Ill. Adm. Code 510, General Hunting and Trapping on
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

Department-Owned or Managed Sites, apply in this Part, unless this Part is more restrictive. Violation of a site specific regulation is a petty offense (see 520 ILCS 5/2.28).

b) Hunting with .22 caliber or smaller rimfire firearms or muzzleloading black powder rifles is allowed at those sites listed in the following subsections that are followed by a (1). **Hunting with air rifles is allowed at those sites listed in the following subsections that are followed by a (3).**

c) Check-in, check-out and reporting of harvest is required at those sites listed in the following subsections that are followed by a (2).

d) Statewide regulations apply at the following sites:

- Anderson Lake Conservation Area (2)
- Apple River Canyon State Park – Salem and Thompson Units (2)
- Argyle Lake State Park (2)
- Big Bend State Fish and Wildlife Area (2)
- Big River State Forest (2)
- Cache River State Natural Area (1) (2)
- Campbell Pond Wildlife Management Area
- **Cape Bend State Fish and Wildlife Area (1) (2)**
- Carlyle Lake Lands and Waters – Corps of Engineers managed lands (1)
- Carlyle Lake Wildlife Management Area (subimpoundment area closed 7 days prior to and during the southern zone waterfowl season) (1)
- Chain O'Lakes State Park (opens Wednesday after permit pheasant season for 5 consecutive days, except closed on Christmas Day; 8:00 a.m. to 4:00 p.m.; daily quota filled on first come-first served basis; DNR issued back patch must be worn while hunting; only shot size of No. 3 steel, No. 4
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

bismuth, No. 5 tungsten-iron, tungsten-matrix, tungsten-polymer or smaller may be used) (2)

Crawford County Conservation Area (1) (2)

Cypress Pond State Natural Area (1) (2)

Deer Pond State Natural Area (1) (2)

Devil's Island State Fish and Wildlife Area

Dog Island Wildlife Management Area (1) (2)

Eldon Hazlet State Park (north of Allen Branch (2); and west of Peppenhorst Branch only)

Falling Down Prairie (2)

Ferne Clyffe State Park - Cedar Draper Bluffs Hunting Area (1) (2)

Fort de Chartres Historic Site (muzzleloading firearms or bow and arrow only) (1) (2)

Fort Massac State Park (2)

Hanover Bluff State Natural Area (2)

Kaskaskia River State Fish and Wildlife Area (Doza Creek Waterfowl Management Area closed 7 days prior to and during duck season; the defined Baldwin Lake Waterfowl Rest Area is closed) (1) (2) (3)

Kinkaid Lake Fish and Wildlife Area (1)

Lowden-Miller State Forest (hunting allowed from September 1 through September 30 only; hunting allowed only on the southern one-half of the site) (1) (2)

Marseilles State Fish and Wildlife Area (Monday through Thursday only through October 31; during August, hunting allowed west of E. 2450 Road
DEPARTMENT OF NATURAL RESOURCES  

NOTICE OF ADOPTED AMENDMENT  

only; open daily November 1 through the end of the site archery deer season; closed during the site firearm and muzzleloading deer seasons; unauthorized personnel may not be on the site outside of the posted check station operating hours; hunters may only enter the site from designated parking lots) (2)  

Marshall State Fish and Wildlife Area (1) (2)  

Mermet Lake Conservation Area (non-toxic shot only in waterfowl areas; squirrel hunting closes after September 30, except in upland game area) (1) (2)  

Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26) (1)  

Mississippi River Pools 16, 17, 18 (1)  

Mississippi River Pools 21, 22, 24 (1)  

Morrison Rockwood State Park (opens November 1 and closes the Thursday before the first statewide firearm deer season) (1) (2)  

Nauvoo State Park (Max Rowe Unit only)  

Oakford Conservation Area (1)  

Peabody River King State Fish and Wildlife Area (east and north subunits close November 1) (2)  

Randolph County Conservation Area (2)  

Ray Norbut State Fish and Wildlife Area (1) (2)  

Red Hills State Park (2)  

Rend Lake Project Lands and Waters (1)  

Sahara Woods State Fish and Wildlife Area (1) (2)
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

Saline County Fish and Wildlife Area (1) (2)

Sam Dale Lake Conservation Area (2)

Sam Parr State Park (2)

Sangamon County Conservation Area

Shawnee National Forest – Oakwood Bottoms (non-toxic shot only) (1)

Sielbeck Forest Natural Area (1) (2)

Skinner Farm State Habitat Area (2)

Spoon River State Forest (1) (2)

Stephen A. Forbes State Park (2)

Tapley Woods State Natural Area (2)

Trail of Tears State Forest (1) (2)

Turkey Bluffs State Fish and Wildlife Area (1) (2) (3)

Walnut Point Fish and Wildlife Area (1) (2)

Washington County Conservation Area (2)

Weinberg-King State Park (1) (2)

Weinberg-King State Park - Cecil White Unit

Weinberg-King State Park - Scripps Unit (1) (2)

Weinberg-King State Park - Spunky Bottoms Unit (1) (2)

Wildcat Hollow State Forest (1)

Witkowsky State Wildlife Area (opens after second firearm deer season)
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

(2)

e) Season dates shall be the day following Labor Day through the end of the statewide season at the following sites:

Ferne Clyffe State Park – Ferne Clyffe Hunting Area (2)

Giant City State Park (rimfire cartridges allowed in Union County portion; no rimfire cartridges allowed in Jackson County portion only) (1) (2)

Hamilton County Conservation Area (2)

Pere Marquette State Park (2)

Pyramid State Park (2)

Siloam Springs State Park (2)

f) Season dates shall be the day after Labor Day through September 30 at the following sites:

Johnson-Sauk Trail State Park (season reopens the day after the archery deer season closes and remains open until the end of the statewide season) (2)

Jubilee College State Park (2)

Kankakee River State Park (2)

Sangchris Lake State Park (2)

Silver Springs State Park (2)

Spring Lake Fish and Wildlife Area (2)

g) Statewide regulations apply at the following sites, except that hunters must obtain a free permit from the Department and variations in season dates are in parentheses. Permits must be in possession while hunting. The permit must be returned and harvest reported by March 15 or the hunter will forfeit privileges at
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

that site for the following year:

Beaver Dam State Park (statewide opening through September 30)

Chauncey Marsh (permit may be obtained at Red Hills State Park Headquarters) (1)

Clinton Lake State Recreation Area – North Fork Management Area, North of the County Road at the North Fork Boat Ramp and handicapped upland game area (1)

Coffeen Lake State Fish and Wildlife Area (statewide opening through September 30)

Fox Ridge State Park (1)

Harry "Babe" Woodyard State Natural Area

Hidden Springs State Forest (.22 rimfire firearms and muzzleloading blackpowder rifles prohibited until October 1) (1)

Horseshoe Lake State Park – Gabaret, Mosenthein and Chouteau Island Units (Madison County)

Hurricane Creek Habitat Area (season closes October 31)

Jim Edgar Panther Creek State Fish and Wildlife Area (the Quality Unit and Controlled Unit close October 31) (1)

Kickapoo State Park (season opens day after Labor Day)

Lake Shelbyville – Eagle Creek State Park (closes opening day of site's pheasant season)

Lake Shelbyville – Kaskaskia and West Okaw Wildlife Management Areas (1)

Matthiessen State Park (season opens on statewide opening day and closes the day before the archery deer season opens; permits available at the
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

Starved Rock State Park office; hunting in designated areas only)

Meeker State Habitat Area (obtain permit at Sam Parr State Park headquarters)

Middle Fork Fish and Wildlife Area (season opens day after Labor Day)

Momence Wetlands (season opens day after Labor Day; closes September 30; shotgun only, non-toxic shot only)

Moraine View State Park (closed during the controlled pheasant season)

Newton Lake Fish and Wildlife Area (closes September 30)

Pyramid State Park - Captain Unit (1)

Pyramid State Park - Denmark Unit (1)

Pyramid State Park – East Conant Unit (1)

Pyramid State Park – Galum Unit (1)

Ramsey Lake State Park

Sand Ridge State Forest (closes October 31) (1)

Sanganois State Fish and Wildlife Area (1)

Siloam Springs State Park – Buckhorn Unit (1) (2)

Ten Mile Creek Fish and Wildlife Area (1)

h) Season dates shall be statewide opening through September 30 at the following sites:

Beaver Dam State Park (2)

Castle Rock State Park (2)
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

Iroquois County Wildlife Management Area (1) (2)
Mackinaw State Fish and Wildlife Area (2)
Mt. Vernon Game Propagation Center (2)
Sandy Ford State Natural Area Land and Water Reserve (2)
Weldon Springs - Piatt County Unit (2)
Woodford County Fish and Wildlife Area (2)

i) Season dates shall be statewide opening through October 31 at the following sites:

Green River State Wildlife Area (2)
Horseshoe Lake Conservation Area (season on the controlled goose hunting area shall close October 31, remainder of the public hunting area statewide season; non-toxic shot only) (1)
Union County Conservation Area (season on the controlled goose hunting area closes October 31; firing line unit – statewide closing; non-toxic shot only) (1)

(Source: Amended at 31 Ill. Reg. 11700, effective July 27, 2007)
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

1) **Heading of the Part:** The Taking of Wild Turkeys – Fall Gun Season

2) **Code Citation:** 17 Ill. Adm. Code 715

3) **Section Numbers:**
   - 715.21 Amendment
   - 715.25 Amendment
   - 715.30 Amendment
   - 715.40 Amendment

4) **Statutory Authority:** Implementing and authorized by Sections 1.3, 1.4, 1.20, 2.9, 2.10 and 2.11 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.20, 2.9, 2.10 and 2.11]

5) **Effective Date of Amendments:** July 27, 2007

6) **Does this rulemaking contain an automatic repeal date?** No

7) **Does this rulemaking contain incorporations by reference?** No

8) A copy of the adopted rulemaking, including any material incorporated by reference, is on file in the Department of Natural Resource's principal office and is available for public inspection.

9) **Notice of Proposal Published in Illinois Register:** April 6, 2007; 31 Ill. Reg. 5409

10) **Has JCAR issued a Statement of Objection to these amendments?** No

11) **Differences between proposal and final version:** Section 715.25(j)(3) – the semi-colon following "company" was changed to a comma and "becomes" was changed to "became".

12) **Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR?** Yes

13) **Will this rulemaking replace any emergency rulemaking currently in effect?** No

14) **Are there any amendments pending on this Part?** No

15) **Summary and Purpose of Rulemaking:** This Part was amended to: add Crab Orchard National Wildlife Refuge (Williamson County) to the list of sites having special hunts,
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

add information that bona fide equity members of limited liability companies and bona fide equity partners of a general or limited partnership owning 40 or more acres of land in a county may apply for a free permit to hunt the company/partnership lands, add information on harvest registration and add Cape Bend State Fish and Wildlife Area to the list of Department-owned or -managed sites open for hunting.

16) Information and questions regarding these adopted amendments shall be directed to:

    Jack Price, Legal Counsel
    Department of Natural Resources
    One Natural Resources Way
    Springfield IL  62702-1271
    217/782-1809

The full text of the Adopted Amendments begins on the next page:
Section 715.21  Turkey Permit Requirements – Special Hunst

Special hunt sites are defined as those sites which are owned or controlled by agencies/entities other than the Department, or sites at which the Department only controls a portion of the property designated for hunting, which issue hunting permits through the Department of Natural Resources' Permit Office. The Permit Office issues turkey hunting permits for sites listed below:
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Crab Orchard National Wildlife Refuge (Williamson County)

Savanna Army Depot (JoDaviess County)

(Source: Amended at 31 Ill. Reg. 11711, effective July 27, 2007)

Section 715.25 Turkey Permit Requirements – Landowner/Tenant Permits

a) The "immediate family" is defined as the spouse, children, and parents permanently residing on the same property as the landowner or tenant.

b) A tenant for the purpose of this Part is one who rents 40 acres or more land for commercial agricultural purposes under an agreement with a landowner. Commercial agriculture shall be defined as utilization of land for the raising of hay, grain crops or livestock for profit. A hunting rights lease, or other non-agricultural lease, is not valid for a landowner or tenant permit.

c) Resident landowners who own 40 acres or more of land, and resident tenants renting or leasing 40 acres or more of commercial agricultural land, and members of their immediate family may apply for one free turkey permit for their property only in counties open for turkey hunting. Non-resident Illinois landowners of 40 or more acres of land and members of their immediate family are eligible to receive a permit for their property only for a fee of $37.50. All landowners/tenants who do not reside on the property must possess a valid hunting license.

d) Applicants for Landowner/Tenant permits must apply using the official application form. Applications for Landowner/Tenant wild turkey permits must be submitted to:

Illinois Department of Natural Resources
POH Fall Shotgun Wild Turkey Permit
One Natural Resources Way
P.O. Box 19227
Springfield IL 62794-9227

e) Landowners or tenants are not required to participate in the public drawing for permits and are not counted towards the total number of permits issued for a particular county.
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

f) Recipients of Landowner/Tenant permits to hunt their owned or leased property may apply for one additional county-wide permit beginning the third Monday in September from any permits remaining. Fees for this additional permit are set in Section 715.20(a).

g) Proof of ownership for all landowner or tenant applications must be provided by one of the following methods:

1) Submittal of a copy of property deed;

2) Submittal of a copy of contract for deed;

3) Submittal of a copy of most recent real estate tax statement upon which landowner's name appears;

4) Submittal of a copy of a Farm Service Agency 156EZ form; or

5) Submittal of a copy of a trust agreement which must indicate that the trust owns at least 40 acres and the applicant is a current income beneficiary of the trust.

h) If you are applying for a tenant permit, you are required to submit, in addition to the landowner certification and proof of ownership, a copy of one of the following:

1) A lease (not a hunting rights lease) or rental agreement, file stamped as recorded by the county clerk, covering the current year; or

2) The authorized form from the Farm Service Agency.

i) If the property is owned or rented by more than one person: Only one landowner (and immediate family) or one tenant (and immediate family) will be issued a permit for every 40 acres of owned or rented land. For example, if 3 persons own 90 acres, only 2 of the landowners and their immediate family may receive turkey permits.

j) Shareholder/Member/Partner Landowner Permits
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

1) Bona fide equity shareholders of corporations, bona fide equity members of limited liability companies and bona fide equity partners of a general or limited partnership owning 40 or more acres of land in a county may apply for one permit to hunt the corporation, limited liability company or partnership lands only. Only one permit per 40 acres, for a maximum number of 15 permits per county, shall be issued based on ownership of lands by corporations and limited liability companies. Only one permit per 40 acres, for a maximum of 3 permits per county, shall be issued based on ownership of lands by partnerships. Lands leased to corporations, limited liability companies or partnerships shall not be considered as a basis for a permit for the shareholders/members/partners of the lessee. Lands held in trust by corporations, limited liability companies or partnerships shall not be considered as a basis for a permit by the shareholders/members/partners of the trustee. If application is made for a permit based upon lands owned by the corporation, limited liability company or partnership, a duly authorized officer of the corporation, limited liability company or partnership must sign a notarized statement authorizing the applicant to hunt on the corporate, company or partnership lands for which a permit is being requested. This statement must identify the applicant as a bona fide equity shareholder, member or partner as defined in subsections (j)(2), (3) and (4), subsection (i)(2), identify authorization to hunt and identify that no more than 15 authorizations will be requested per county for the corporation, limited liability company or partnership lands. This document must be attached to the application upon submittal to the Permit Office. The shareholder/member/partner turkey permit shall be free to resident shareholders/members/partners and the cost to nonresident shareholders and members shall be $37.50. Nonresident partners are not eligible to receive permits for partnership lands.

2) Bona fide equity shareholder means an individual who:

A) purchased, for market price, publicly sold stock shares in a corporation; purchased shares of a privately-held corporation for a value equal to the percentage of the appraised value of the corporate assets represented by the ownership in the corporation; or is a member of a closely-held family-owned corporation and has purchased or been gifted with shares of stock in the corporation accurately reflecting his or her percentage of ownership; and
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

B) intends to retain the ownership of the shares of stock for at least 5 years.

3) Bona fide equity member means an individual who:

A) became a member upon the formation of the limited liability company, or has purchased a distributional interest in a limited liability company for a value equal to the percentage of the appraised value of the limited liability company assets represented by the distributional interest in the limited liability company and subsequently became a member of the company pursuant to Article 30 of the Limited Liability Company Act; and

B) intends to retain the membership for at least 5 years.

4) Bona fide equity partner means an individual who:

A) became a partner, either general or limited, upon the formation of a partnership or limited partnership, or has purchased, acquired, or been gifted a partnership interest accurately representing his or her percentage distributional interest in the profits, losses, and assets of a partnership or limited partnership;

B) intends to retain ownership of the partnership interest for at least 5 years; and

C) is a resident of Illinois.

k) Providing false or deceptive information is a Class A misdemeanor (see 520 ILCS 5/2.38).

(Source: Amended at 31 Ill. Reg. 11711, effective July 27, 2007)

Section 715.30  Turkey Hunting Regulations

a) Violation of this Section is a Class B misdemeanor (see 520 ILCS 5/2.9), except that hunting prior to ½ hour before sunrise or after ½ hour after sunset is a Class A misdemeanor with a minimum $500 fine and a maximum $5,000 fine in addition to other statutory penalties (see 520 ILCS 5/2.33(y)). It is unlawful:
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

1) to use live or electronic turkey decoys, recorded calls, dogs or bait. An area is considered as baited during the presence of and for 10 consecutive days following the removal of bait;

2) to take, or attempt to take, more than one wild turkey per valid permit (either sex may be harvested);

3) to use any weapon except a shotgun. #4 shot is the largest and #7½ is the smallest size shot that may be legally used;

4) to hunt except from ½ hour before sunrise to sunset during each day of the season;

5) for any person to hunt wild turkeys without having a signed Wild Turkey Hunting Permit in possession, except that a person without a weapon may accompany a turkey hunter as a caller or observer;

6) to transport a wild turkey without first affixing the adhesive-backed turkey permit securely around the leg. Leg tag must be affixed to the turkey immediately upon kill. No person shall leave a turkey that has been killed without properly attaching the turkey permit around the leg;

7) for any person to shoot a wild turkey while it is in a tree before 7:00 a.m.; and

8) to possess while in the field, during turkey season, any turkey permit issued to another person. (Permits are non-transferrable.)

b) Successful hunters must register their harvest by 10:00 p.m. on the same calendar day the turkey was taken by calling the toll-free telephone check-in system at 1-866-ILCHECK or by accessing the on-line check-in system at http://dnr.state.il.us/vcheck. Hunters must provide all information requested by the check-in system, and will be provided with a confirmation number to verify that they checked in their harvest. The confirmation number must be written by the hunter onto the leg tag. The leg tag must remain attached to the leg of the turkey until it is at the legal residence of the person who legally took or possessed the turkey and the turkey has been checked in. The turkey must remain whole (or field dressed) until it has been checked in.
c) Failure to comply with the regulations in this Part is a Class B misdemeanor (see 520 ILCS 5/2.9).

(Source: Amended at 31 Ill. Reg. 11711, effective July 27, 2007)

Section 715.40 Regulations at Various Department-Owned or -Managed Sites

a) Statewide regulations shall apply for the following sites:

- Kaskaskia River State Fish and Wildlife Area (except that area north of Hwy. 154, east of the Kaskaskia River and south of Risdon School Road and Beck's Landing access road)
- Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26)
- Mississippi River Pools 16, 17, 18
- Mississippi River Pools 21, 22, 24
- Nauvoo State Park (Max Rowe Unit only)
- Rend Lake Project Lands (portion in Jefferson County only)
- Weinberg-King State Park (Cecil White Unit)

b) Statewide regulations shall apply except that all hunters must check in, check out, and report harvest at those sites listed below. Quotas, where listed, shall be on a first come-first served basis. Hunters shall not be allowed to sign in prior to 4 a.m. each day of the season.

- Argyle Lake State Park
- Big River State Forest
- Cache River State Natural Area (Johnson County portion only)

Cape Bend State Fish and Wildlife Area
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Cypress Pond State Natural Area

Devil's Island State Fish and Wildlife Area

Dog Island Wildlife Management Area

Falling Down Prairie

Ferne Clyffe State Park

Fort de Chartres Historic Site (muzzleloading shotguns only)

Giant City State Park

Hanover Bluff State Natural Area

Horseshoe Lake Conservation Area (public hunting area except for controlled goose hunting area)

Kinkaid Lake Fish and Wildlife Area

Pere Marquette State Park (only that portion of site south of Graham Hollow Road)

Ray Norbut State Fish and Wildlife Area

Sahara Woods State Fish and Wildlife Area

Saline County Conservation Area

Siloam Springs State Park

Siloam Springs State Park – Buckhorn Unit (resident hunters only)

Skinner Farm State Habitat Area

Spoon River State Forest
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Tapley Woods State Natural Area
Trail of Tears State Forest
Turkey Bluffs State Fish and Wildlife Area
Union County Conservation Area – Firing Line Management Unit Only
Weinberg-King State Park
Weinberg-King State Park – Scripps Unit
Weinberg-King State Park – Spunky Bottoms Unit

c) Statewide regulations shall apply except that all hunting is allowed by site-specific permit only. The Department of Natural Resources allocates permits for these areas through the lottery process set forth in Section 715.20. This permit is only valid for the specific site indicated on the permit.

Apple River Canyon State Park – Salem and Thompson Units
Crawford County Conservation Area
Jim Edgar Panther Creek State Fish and Wildlife Area
Meeker State Habitat Area
Newton Lake Fish and Wildlife Area
Sam Parr State Park
Sand Ridge State Forest
Witkowsky State Wildlife Area

d) Special program for hunters with disabilities. Statewide regulations shall apply unless designated otherwise by site regulations. Only disabled persons participating in the site's firearm deer hunt are eligible to participate. This hunt will run concurrent with the site's firearm deer hunt (refer to 17 Ill. Adm. Code
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

650.67 for hunt dates). Permits will be $15 each; site specific for Rock Cut; issued at the site during check in for firearm deer hunting. Any additional availability will be publicly announced.

Rock Cut State Park

e) Violation of a site specific regulation is a Class B misdemeanor (see 520 ILCS 5/2.9).

(Source: Amended at 31 Ill. Reg. 11711, effective July 27, 2007)
**DEPARTMENT OF NATURAL RESOURCES**

**NOTICE OF ADOPTED AMENDMENTS**

1) **Heading of the Part**: The Taking of Wild Turkeys – Fall Archery Season

2) **Code Citation**: 17 Ill. Adm. Code 720

3) **Section Numbers**:  
   - 720.20 Amendment
   - 720.25 Amendment
   - 720.30 Amendment
   - 720.40 Amendment

4) **Statutory Authority**: Implementing and authorized by Sections 1.3, 1.4, 2.9, 2.10 and 2.11 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 2.9, 2.10 and 2.11]

5) **Effective Date of Amendments**: July 27, 2007

6) **Does this rulemaking contain an automatic repeal date?** No

7) **Does this rulemaking contain incorporations by reference?** No

8) A copy of the adopted rulemaking, including any material incorporated by reference, is on file in the Department of Natural Resource's principal office and is available for public inspection.

9) **Notice of Proposal Published in Illinois Register**: April 6, 2007; 31 Ill. Reg. 5421

10) **Has JCAR issued a Statement of Objection to these amendments?** No

11) **Differences between proposal and final version**: Section 720.25(g)(1) – changed "shall be issued based on ownership of lands and partnerships" to "shall be issued based on ownership of lands by partnerships". Section 720.25(g)(3) – changed semi-colon following "company" to a comma and changed "becomes" to "became"

12) **Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR?** Yes

13) **Will this rulemaking replace any emergency rulemaking currently in effect?** No

14) **Are there any amendments pending on this Part?** No
15) **Summary and Purpose of Rulemaking:** This Part was amended to add language indicating that lifetime licenses issued after August 15, 2006 shall not qualify a non-resident of Illinois for a resident turkey permit, add information that bona fide equity members of limited liability companies and bona fide equity partners of a general or limited partnership owning 40 or more acres of land in a county may apply for a free permit to hunt the company/partnership lands, add information on how hunters can register their harvest and update the list of sites and site-specific regulations at Department-owned or -managed sites.

16) **Information and questions regarding these adopted amendments shall be directed to:**

Jack Price, Legal Counsel  
Department of Natural Resources  
One Natural Resources Way  
Springfield IL 62702-1271

217/782-1809

*The full text of the Adopted Amendments begins on the next page.*
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFE

PART 720
THE TAKING OF WILD TURKEYS – FALL ARCHERY SEASON

Section 720.10  Hunting Seasons and Counties Open to Hunting
Section 720.20  Statewide Turkey Permit Requirements
Section 720.25  Turkey Permit Requirements – Landowner/Tenant Permits
Section 720.30  Turkey Hunting Regulations
Section 720.40  Regulations at Various Department-Owned or -Managed Sites
Section 720.50  Releasing or Stocking of Turkeys (Repealed)

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 2.9, 2.10 and 2.11 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 2.9, 2.10 and 2.11].


Section 720.20  Statewide Turkey Permit Requirements
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

a) To take, or attempt to take, a wild turkey, Illinois residents must first obtain an archery "Wild Turkey Hunting Permit" for a fee of $5. Lifetime licenses issued after August 15, 2006 shall not qualify a non-resident of Illinois for a resident turkey permit. Non-resident turkey hunters shall be charged $75 for wild turkey hunting permits. Paid archery turkey permits are only available over-the-counter (OTC) from license vendors located throughout the State. The permit will authorize the holder to hunt in any of the open counties of the State, on property where permission to hunt has been obtained from the property owner. All hunters, except those exempted by Section 3.1 of the Wildlife Code [520 ILCS 5/3.1] are required to obtain a hunting license before hunting wild turkey. Hunting without a valid permit is a Class B misdemeanor (see 520 ILCS 5/2.9).

b) Hunters purchasing an archery turkey permit must supply all necessary applicant information to the license vendor in order to properly complete the permit.

c) An individual may purchase a maximum of two archery turkey permits per season. Permits are not transferable and refunds will not be granted.

d) A $3 service fee will be charged for replacement permits issued by the Department. The procedures for obtaining a replacement license are detailed in 17 Ill. Adm. Code 2520.50. Monies from this source will be deposited in the Wildlife and Fish Fund.

e) It shall be unlawful to:

1) Purchase or attempt to purchase or receive more than two archery turkey permits. Violation is a Class B misdemeanor (see 520 ILCS 5/2.9).

2) Provide false and/or deceptive information to a vendor when purchasing a permit. In addition to criminal charges, individuals found guilty of violating this Section shall have their permit revoked and fees forfeited. The procedure by which an individual may appeal an application rejection, permit revocation, and the forfeiture of fees is set forth in 17 Ill. Adm. Code 2530 (Department Formal Hearings Conducted for Rulemaking and Contested Cases). Violation is a Class A misdemeanor (see 520 ILCS 5/2.38).

(Source: Amended at 31 Ill. Reg. 11723, effective July 27, 2007)
Section 720.25  Turkey Permit Requirements – Landowner/Tenant Permits

a) The "immediate family" is defined as the spouse, children, and parents permanently residing on the same property as the landowner or tenant.

b) A tenant for the purpose of this Part is one who rents 40 acres or more land for commercial agricultural purposes under an agreement with a landowner. Commercial agriculture shall be defined as utilization of land for the raising of hay, grain crops or livestock for profit. A hunting rights lease, or other non-agricultural lease, is not valid for a landowner or tenant permit.

c) Resident landowners who own 40 acres or more of land, and resident tenants renting or leasing 40 acres or more of commercial agricultural land, and members of their immediate family may apply for one free turkey permit for their property only in counties open for turkey hunting. Non-resident Illinois landowners of 40 or more acres of land and members of their immediate family are eligible to receive a permit for their property only for a fee of $25. All landowners/tenants who do not reside on the property must possess a valid hunting license.

d) Proof of ownership for all landowner or tenant applications must be provided by one of the following methods:

1) Submittal of a copy of property deed;

2) Submittal of a copy of contract for deed;

3) Submittal of a copy of most recent real estate tax statement upon which landowner's name appears;

4) Submittal of a copy of a Farm Service Agency 156EZ form; or

5) Submittal of a copy of trust agreement which must indicate that the trust owns at least 40 acres and the applicant is a current income beneficiary of the trust.

e) If applying for a tenant permit, applicants are required to submit, in addition to the landowner certification and proof of ownership, a copy of one of the following:

1) A lease (not a hunting rights lease) or rental agreement, file stamped as
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

recorded by the county clerk, covering the current year; or

2) The authorized form from the Farm Service Agency.

f) If the property is owned or rented by more than one person: Only one landowner (and immediate family) or one tenant (and immediate family) will be issued a permit for every 40 acres of owned or rented land. For example, if 3 persons own 90 acres, only 2 of the landowners and their immediate family may receive turkey permits.

g) Shareholder/Member/Partner Landowner Permits

1) Bona fide equity shareholders of corporations, bona fide equity members of limited liability companies and bona fide equity partners of a general or limited partnership owning 40 or more acres of land in a county may apply for one permit to hunt the corporation, limited liability company or partnership lands only. Only one permit per 40 acres, for a maximum number of 15 permits per county, shall be issued based on ownership of lands by corporations and limited liability companies. Only one permit per 40 acres, for a maximum of 3 permits per county, shall be issued based on ownership of lands by partnerships. Lands leased to corporations, limited liability companies or partnerships shall not be considered as a basis for a permit for the shareholders/members/partners of the lessee. Lands held in trust by corporations, limited liability companies or partnerships shall not be considered as a basis for a permit by the shareholders/members/partners of the trustee. If application is made for a permit based upon lands owned by the corporation, limited liability company or partnership, a duly authorized officer of the corporation, limited liability company or partnership must sign a notarized statement authorizing the applicant to hunt on the corporate, or company or partnership lands for which a permit is being requested. This statement must identify the applicant as a bona fide equity shareholder, member or partner as defined in subsections (g)(2), (3) and (4)subsection (g)(2), identify authorization to hunt and identify that no more than 15 authorizations will be requested per county for the corporation, limited liability company or partnership lands. This document must be attached to the application upon submittal to the Permit Office. The shareholder/member/partner turkey permit shall be free to resident shareholders/members/partners and the cost to nonresident shareholders
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

and members shall be $25. Nonresident partners are not eligible to receive permits for partnership lands.

2) Bona fide equity shareholder means an individual who:

A) purchased, for market price, publicly sold stock shares in a corporation; purchased shares of a privately-held corporation for a value equal to the percentage of the appraised value of the corporate assets represented by the ownership in the corporation; or is a member of a closely-held family-owned corporation and has purchased or been gifted with shares of stock in the corporation accurately reflecting his or her percentage of ownership; and

B) intends to retain the ownership of the shares of stock for at least 5 years.

3) Bona fide equity member means an individual who:

A) became a member upon the formation of the limited liability company, or has purchased a distributional interest in a limited liability company for a value equal to the percentage of the appraised value of the limited liability company assets represented by the distributional interest in the limited liability company and subsequently became a member of the company pursuant to Article 30 of the Limited Liability Company Act; and

B) intends to retain the membership for at least 5 years.

4) Bona fide equity partner means an individual who:

A) became a partner, either general or limited, upon the formation of a partnership or limited partnership, or has purchased, acquired, or been gifted a partnership interest accurately representing his or her percentage distributional interest in the profits, losses, and assets of a partnership or limited partnership;

B) intends to retain ownership of the partnership interest for at least 5 years; and
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

C) is a resident of Illinois.

h) Providing false or deceptive information is a Class A misdemeanor (see 520 ILCS 5/2.38).

(Source: Amended at 31 Ill. Reg. 11723, effective July 27, 2007)

Section 720.30 Turkey Hunting Regulations

a) It is unlawful:

1) to use live or electronic turkey decoys, recorded calls, dogs or bait. An area is considered as baited during the presence of and for 10 consecutive days following the removal of bait;

2) to take, or attempt to take, more than 1 wild turkey per valid permit during the fall archery season (either sex may be harvested);

3) to use any weapon except a long, recurved or compound bow with a minimum pull of 40 pounds at some point within a 28 inch draw. Minimum arrow length is 20 inches, and broadheads must be used. Broadheads may have fixed or expandable blades, but they must have a minimum \( \frac{1}{4} \) inch diameter when fully opened. Broadheads with fixed blades must be metal or flint-, chert-, or obsidian-napped; broadheads with expandable blades must be metal. All other bows and arrows, including electronic arrow tracking systems, are illegal. Any mechanical device capable of maintaining a drawn or partially drawn position on a bow without the hunter exerting full string tension is illegal, unless authorized for eligible disabled persons by 17 Ill. Adm. Code 760. Crossbows may be used as provided by 520 ILCS 5/2.33;

4) for any person having taken the limit of wild turkeys to further participate with a weapon in any hunting party for the purpose of taking additional turkeys;

5) for any person to hunt wild turkeys without having a signed Archery Wild Turkey Hunting Permit in possession, except that a person without a weapon may accompany a turkey hunter as a caller or observer;
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

6) to transport or move a wild turkey without first affixing and properly sealing the adhesive-backed turkey permit securely around the leg. Leg tag must be affixed to the turkey immediately upon kill. No person shall leave any turkey that has been killed without properly attaching the turkey permit around the leg; and

7) to possess, while in the field during archery turkey season, any turkey permit issued to another person.

b) Successful hunters must register their harvest by 10:00 p.m. on the same calendar day the turkey was taken by calling the toll-free telephone check-in system at 1-866-IL-CHECK or by accessing the on-line check-in system at http://dnr.state.il.us/vcheck. Hunters must provide all information requested by the check-in system, and will be provided with a confirmation number to verify that they checked in their harvest. The confirmation number must be written by the hunter onto the leg tag. The leg tag must remain attached to the leg of the turkey until it is at the legal residence of the person who legally took or possessed the turkey and the turkey has been checked in. The turkey must remain whole (or field dressed) until it has been checked in.

c) Violation of this Section is a Class B misdemeanor (see 520 ILCS 5/2.9).

(Source: Amended at 31 Ill. Reg. 11723, effective July 27, 2007)

Section 720.40 Regulations at Various Department-Owned or -Managed Sites

Statewide regulations shall apply for the following sites, except those sites designated below by asterisk (*) shall be open to archery turkey hunting without regard to firearm deer season. Those sites followed by (1) require hunters to check in and check out. Violation of a site specific regulation is a Class B misdemeanor (see 520 ILCS 5/2.9). Those sites followed by a (2) require hunters to obtain a permit from the site before hunting:

* Anderson Lake Conservation Area (1)

Apple River Canyon State Park – Salem and Thompson Units (1)

Argyle Lake State Park (1)

Beaver Dam State Park (2)
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Big Bend State Fish and Wildlife Area (1)

Big River State Forest (1)

Cache River State Natural Area (1)

Campbell Pond Wildlife Management Area

**Cape Bend State Fish and Wildlife Area (1)**

Carlyle Lake Lands and Waters – Corps of Engineers Managed Lands

Carlyle Lake Wildlife Management Area (subimpoundment area closed 7 days prior to and during the southern zone waterfowl season)

Castle Rock State Park (1)

Chain O'Lakes State Park (closed Wednesday through Sunday of pheasant season; opens Monday prior to pheasant season and closes Tuesday following close of pheasant season; reopens December 26 through the close of regular season) (1)

Chauncey Marsh (permit available at Red Hills State Park) (2)

Clinton Lake State Recreation Area (2)

Coffeen Lake State Fish and Wildlife Area (2)

Crawford County Conservation Area (1)

Cypress Pond State Natural Area (1)

Deer Pond State Natural Area (1)

Devil's Island State Fish and Wildlife Area

Dixon Springs State Park (1)

Dog Island Wildlife Management Area (1)
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Eagle Creek State Park (2)

Falling Down Prairie (1)

Ferne Clyffe State Park (1)

Fort de Chartres Historic Site

* Fort Kaskaskia Historic Site (opens November 1) (1)

Fort Massac State Park (1)

Franklin Creek State Park (hunting in designated area only) (1)

Giant City State Park (1)

Green River State Wildlife Area (1)

Hamilton County Conservation Area (must possess valid site archery permit) (2)

Hanover Bluff State Natural Area (1)

Harry "Babe" Woodyard State Natural Area (2)

Horseshoe Lake Conservation Area (Alexander County) (controlled goose hunting area closed 7 days prior to Quota Zone goose season through the close of the Quota Zone goose season; remainder of the public hunting area open during the statewide season) (1) (2)

* Horseshoe Lake State Park – Gabaret, Mosenthein and Chouteau Island Units (Madison County) (2)

Iroquois County State Wildlife Area

Jim Edgar Panther Creek State Fish and Wildlife Area (2)

Johnson-Sauk Trail State Park (closed Wednesday through Sunday during site's pheasant permit season) (1)
Jubilee College State Park (1)

Kaskaskia River State Fish and Wildlife Area (no hunting within 50 yards of the Baldwin Lake Waterfowl Rest Area's main north-south road; this defined waterfowl rest area is closed until the Columbus Day holiday) (1 – except south of Highway 154 and north of Highway 13)

Kickapoo State Park (2)

Kinkaid Lake Fish and Wildlife Area

Kishwaukee River State Fish and Wildlife Area (1)

Lowden-Miller State Forest (1)

Mackinaw River State Fish and Wildlife Area (1)

Marseilles State Fish and Wildlife Area (closed each Friday, Saturday, and Sunday in October; unauthorized personnel may not be on the site outside of the posted check station operating hours; hunters may only enter the site from designated parking lots) (1)

Marshall State Fish and Wildlife Area (Duck Ranch Unit closed 7 days prior to the duck season through the close of duck season) (1)

Matthiessen State Park (hunting in designated areas only; must have valid archery deer permit in possession to hunt turkeys; open concurrent with site archery deer season; during the statewide firearm deer seasons, hunters must meet orange-clothing requirements) (1)

Mautino State Fish and Wildlife Area (2)

Meeker State Habitat Area (obtain permit at Sam Parr State Park) (2)

Mermet Lake State Fish and Wildlife Area (1)

Middle Fork State Fish and Wildlife Area (2)

Mississippi Palisades State Park (November 1 through December 31) (2)
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26)
Mississippi River Pools 16, 17 and 18
Mississippi River Pools 21, 22 and 24
Moraine View State Park (closed Wednesday through Sunday during site's controlled pheasant season) (2)
Nauvoo State Park (Max Rowe Unit only)
Newton Lake Fish and Wildlife Area (must possess valid site archery permit) (2)
Oakford Conservation Area
Peabody River King State Fish and Wildlife Area (east and north subunits closed November 1) (1)
Pere Marquette State Park (1)
Pyramid State Park
Pyramid State Park – East Conant Unit (2)
Ramsey Lake State Park (2)
Randolph County Conservation Area
Rauchfuss Hill State Recreation Area (1)
Ray Norbut State Fish and Wildlife Area (1)
Red Hills State Park (1)
Rend Lake Project Lands and Waters
Sahara Woods State Fish and Wildlife Area (1)
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Saline County Conservation Area (1)

* Sam Dale Lake Conservation Area (2)

* Sam Parr State Park (1)

Sand Ridge State Forest (2)

* Sandy Ford State Natural Area Land and Water Reserve (1)

Sanganois State Fish and Wildlife Area (2)

Sangchris Lake State Park (1) (2)

* Shabbona Lake State Park (1)

Shelbyville Lake – Corps of Engineers Managed Lands

Shelbyville Wildlife Management Area (2)

Sielbeck Forest Natural Area (1)

Siloam Springs State Park (1) (2)

* Siloam Springs State Park – Buckhorn Unit (resident hunters only) (1) (2)

Skinner Farm State Habitat Area (1)

Spoon River State Forest (1)

* Spring Lake State Fish and Wildlife Area (2)

Starved Rock State Park/Matthiessen State Park (no turkey hunting in the nature preserves; open only in areas where archery deer hunting is allowed other than nature preserves; must have valid archery deer permit in possession to hunt turkeys; open concurrent with site archery deer season) (1)

* Stephen A. Forbes State Park (2)
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Tapley Woods State Natural Area (1)

Ten Mile Creek Fish and Wildlife Area (2)

Trail of Tears State Forest (1)

Turkey Bluffs State Fish and Wildlife Area

Union County Conservation Area (firing line unit – Statewide season, Public Hunting Area October 1 through October 31, reopens with the close of the Quota Zone goose season) (1)

* Washington County Conservation Area (1)

Wayne Fitzgerrell State Park (no hunting during controlled hunts as posted at the site) (1)

Weinberg-King State Park (1)

Weinberg-King State Park – Cecil White Unit

Weinberg-King State Park – Scripps Unit (resident hunters only) (1)

Weinberg-King State Park – Spunky Bottoms Unit (resident hunters only) (1)

Wildcat Hollow State Forest

Witkowsky State Wildlife Area (1)

(Source: Amended at 31 Ill. Reg. 11723, effective July 27, 2007)
NOTICE OF ADOPTED AMENDMENTS

1) **Heading of the Part:** Dove Hunting

2) **Code Citation:** 17 Ill. Adm. Code 730

3) **Section Numbers:**
   - 730.10 Amendment
   - 730.20 Amendment
   - 730.40 Amendment

4) **Statutory Authority:** Implementing and authorized by Sections 1.3, 1.4, 2.9, 2.10 and 2.11 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 2.9, 2.10 and 2.11]

5) **Effective Date of Amendments:** July 27, 2007

6) **Does this rulemaking contain an automatic repeal date?** No

7) **Does this rulemaking contain incorporations by reference?** No

8) A copy of the adopted rulemaking, including any material incorporated by reference, is on file in the Department of Natural Resource's principal office and is available for public inspection.

9) **Notice of Proposal Published in Illinois Register:** April 6, 2007; 31 Ill. Reg. 5436

10) **Has JCAR issued a Statement of Objection to these amendments?** No

11) **Differences between proposal and final version:** None

12) **Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR?** No agreements were necessary.

13) **Will this rulemaking replace any emergency rulemaking currently in effect?** No

14) **Are there any amendments pending on this Part?** No

15) **Summary and Purpose of Rulemaking:** This Part was amended to clarify types of doves that may possessed, update the list of sites open for hunting and update site-specific regulations.
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

16) Information and questions regarding these adopted amendments shall be directed to:

Jack Price, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL  62702-1271

217/782-1809

The full text of the Adopted Amendments begins on the next page: 
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFE

PART 730
DOVE HUNTING

Section
730.10 Statewide Regulations
730.20 Regulations at Various Department-Owned or -Managed Sites
730.30 Youth and Youth/Adult Dove Hunts at Various Department-Owned or -Managed Sites (Repealed)
730.40 Youth Dove Hunting

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 2.9, 2.10 and 2.11 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 2.9, 2.10 and 2.11].

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Section 730.10 Statewide Regulations

a) Dove regulations are in accordance with Federal Regulations, unless the regulations in this rule are more restrictive. (50 CFR 20.103, 1990)

b) Season dates, daily limits and possession limits for mourning doves are in accordance with federal regulations. Collared, ringed turtle, and white-winged turtle doves (Genus Streptopelia) shall be included in the daily limits and possession limits established for mourning doves.

c) Hunting hours: Sunrise to sunset.

d) Violation is a Class B misdemeanor (see 520 ILCS 5/2.18), except that hunting prior to ½ hour before sunrise or after ½ hour after sunset is a Class A misdemeanor with a minimum $500 fine and a maximum $5,000 fine in addition to other statutory penalties (see 520 ILCS 5/2.33(y)).

(Source: Amended at 31 Ill. Reg. 11738, effective July 27, 2007)

Section 730.20 Regulations at Various Department-Owned or -Managed Sites

a) All the regulations in 17 Ill. Adm. Code 510 – General Hunting and Trapping apply in this Section, unless this Section is more restrictive.

b) General Regulations

1) Hunters shall possess only bismuth or lead shot size #7½, 8, 9 or size #6 steel or smaller for taking of doves, except as noted under subsection (b)(2), and except these restrictions do not apply during the November portion of dove season.

2) Only non-toxic shot (as defined by the U.S. Fish and Wildlife Service in 50 CFR 20), #6 steel shot or #7½ bismuth shot or smaller may be possessed on the following areas:

   Anderson Lake Conservation Area

   Banner Marsh State Fish and Wildlife Area
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Big Bend State Fish and Wildlife Area (#)

Cache River State Natural Area

Cape Bend State Fish and Wildlife Area

Carlyle Lake Wildlife Management Area (subimpoundments only)

Chain O'Lakes State Park

Clinton Lake State Recreation Area (dove management fields only)

Des Plaines Conservation Area

Double T State Fish and Wildlife Area

Eldon Hazlet State Park

Green River State Wildlife Area

Hennepin Canal Parkway State Park

Horseshoe Lake Conservation Area (Alexander County)

Horseshoe Lake State Park (Madison County) (#)

Horseshoe Lake State Park (Madison County) Gabaret, Mosenthein, Chouteau Island Unit (#)

Johnson-Sauk Trail State Park

Jubilee College State Park

Kankakee River State Park (#)

Kaskaskia River State Fish and Wildlife Area (designated areas)

Lake Shelbyville – Kaskaskia and West Okaw Wildlife Management Areas (waterfowl management units and designated non-toxic shot units
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

only)

Mackinaw River State Fish and Wildlife Area

Mautino State Fish and Wildlife Area

Mazonia State Fish and Wildlife Area (#)

Mississippi River State Fish and Wildlife Area (Pools 25 and 26)

Moraine View State Park

Mt. Vernon Game Propagation Center (#)

Peabody River King State Fish and Wildlife Area

Pyramid State Park – Captain Unit

Pyramid State Park – Denmark Unit

Pyramid State Park – East Conant Unit

Pyramid State Park – Galum Unit

Rend Lake State Fish and Wildlife Area and Corps of Engineers managed areas of Rend Lake

Sam Parr State Fish and Wildlife Area (#)

Sand Prairie Pheasant Habitat Area

Sanganois State Fish and Wildlife Area

Sangchris Lake State Park

Shabbona Lake State Park

Silver Springs State Fish and Wildlife Area
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Snakeden Hollow State Fish and Wildlife Area/Victoria Pheasant Habitat Area

Spoon River State Forest

Ten Mile Creek State Fish and Wildlife Area (areas posted as rest area on the Eads and Belle Rive Units)

Union County Conservation Area

3) On areas where hunters are required to hunt from marked or staked sites, hunters must hunt within 10 feet of the marked site.

4) No hunting is allowed within 100 yards of a designated dove management field except for hunters who are part of the hunter quota for that field.

5) At sites indicated by (#), hunters are required to check in and/or sign out as provided in 17 Ill. Adm. Code 510.

6) At sites where additional regulations apply, they are noted in parentheses after the site name.

7) Hunting hours and hunting dates at all sites that are open during the upland game season shall coincide with hunting hours and hunting dates listed for the respective sites listed in 17 Ill. Adm. Code 530.

c) Statewide season regulations as provided for in this rule shall apply at the following sites:

Argyle Lake State Park (season opens day after Labor Day)(#)

Cache River State Natural Area (#)

Campbell Pond Wildlife Management Area (#)

Cape Bend State Fish and Wildlife Area (#)

Carlyle Lake Lands and Waters – Corps of Engineers managed lands (#)
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Chauncey Marsh (permit required; may be obtained at Red Hills State Park headquarters; permits must be returned by 15 February)

Corps of Engineers managed areas of Rend Lake

Cypress Pond State Natural Area (#)

Deer Pond State Natural Area

Devil's Island State Fish and Wildlife Area

Dog Island Wildlife Management Area (#)

Ferne Clyffe State Park (#)

Ft. de Chartres State Historic Site (muzzleloading shotgun only) (#)

Ft. Massac State Park (#)

Freeman Mine (permit required)

Marshall State Fish and Wildlife Area (#)

Mazonia State Fish and Waterfowl Management Area (Pools 25 and 26)

Meeker State Habitat Area (permit required; may be obtained at Sam Parr State Fish and Wildlife Area Park headquarters; must be returned by February 15)

Mermet Lake State Fish and Wildlife Area (#)

Mississippi River Pools 16, 17 and 18

Mississippi River Pools 21, 22, 24

Mississippi River State Fish and Waterfowl Management Area (Pools 25 and 26)

Oakford Conservation Area
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Red Hills State Park (#)

Sahara Woods State Fish and Wildlife Area (#)

Sand Ridge State Forest (permit required; must be returned by February 15)

Sangamon County Conservation Area

Sielbeck Forest Natural Area (#)

Spoon River State Forest (#)

Tapley Woods State Natural Area (#)

Ten Mile Creek State Fish and Wildlife Area (permit required; must be returned by February 15)

Trail of Tears State Forest (#)

Weinberg-King State Park – Spunky Bottoms Unit (#)

Wildcat Hollow State Forest

d) Statewide regulations as provided in this Part shall apply at the following sites except that hunting hours are 12 noon to 5 p.m. daily September 1-5; season closes September 30. A drawing will be held at 11 a.m. if more hunters show up than can be accommodated.

Banner Marsh State Fish and Wildlife Area (sunrise to noon daily September 1-5, drawing one hour before sunrise; black powder firearms only on September 2) (#)

Double T State Fish and Wildlife Area (#)

Hennepin Canal State Park (#)

Iroquois County Wildlife Management Area (#)
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Jubilee College State Park (hunting allowed only on opening day, Saturdays, Sundays, Wednesdays and holidays) (#)

Matthiessen State Park (#)

Mautino State Fish and Wildlife Area (#)

Morrison Rockwood State Park (#)

Sam Dale Lake Conservation Area (#)

Sanganois State Fish and Wildlife Area

Snakeden Hollow State Fish and Wildlife Area/Victoria Pheasant Habitat Area

e) Statewide regulations as provided for in this Part shall apply at the following sites, except that hunting hours are 12 noon to 5 p.m. daily September 1-5. A drawing will be held at 11 a.m. if more hunters show up than can be accommodated.

Anderson Lake Conservation Area (#)

Big Bend State Fish and Wildlife Area

Big River State Forest (#)

Carlyle Lake Wildlife Management Area (#)

Chain O'Lakes State Park (closes September 5) (#)

Clinton Lake State Recreation Area (dove management fields only) (#)

Eldon Hazlet State Park (closes October 14) (#)

Fox Ridge State Park (dove management fields only)

Harry "Babe" Woodyard State Natural Area (permit required) (#)
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Hidden Springs State Forest (dove management fields only)

Horseshoe Lake State Fish and Wildlife Area (Alexander County) (season closes at the end of the first statewide split season) (#)

Kaskaskia River State Fish and Wildlife Area (Doza Creek Waterfowl Management Area closes October 14; the defined Baldwin Lake Waterfowl Rest Area is closed) (#)

Kinkaid State Fish and Wildlife Area (#)

Lake Shelbyville – Kaskaskia and West Okaw Wildlife Management Areas (dove management fields only)

Marseilles State Fish and Wildlife Area (after Labor Day, site is closed on Fridays, Saturdays, and Sundays through October; hunters must leave their guns at the stake site when retrieving downed birds; unauthorized personnel may not be on the site outside of the posted check station operating hours; hunters may only enter the site from designated parking lots) (#)

Middle Fork State Fish and Wildlife Area (dove management fields only) (#)

Moraine View State Park (dove management fields only; season closes October 14) (#)

Newton Lake Fish and Wildlife Area (dove management units) (#)

Peabody River King State Fish and Wildlife Area (east subunit closes October 14) (#)

Pyramid State Park (no dove hunting is allowed September 1-5 within 200 yards of a designated dove management field, except for hunters who are part of the hunter quota for that field; all hunters must register as a group not to exceed 4 names per card; a hunter's name may only appear on one lottery card; the lottery card shall be in the possession of the hunter or group while hunting) (#)
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Pyramid State Park – Captain Unit (permit required; permit must be returned by February 15; successful lottery participants must report their daily harvest during September 1-5 in harvest boxes on each management unit; unsuccessful lottery participants and other hunters not participating in the lottery drawing may only hunt in designated areas during September 1-5 (i.e., all land west of the Western Haul Road and all land east of the Eastern Haul Road to the shore of Super Lake to South Haul Road); all hunters must register as a group not to exceed 4 names per card; a hunter’s name may only appear on one lottery card; the lottery card shall be in the possession of the hunter or group while hunting)

Pyramid State Park – Denmark Unit (permit required; permit must be returned by February 15; successful lottery participants must report their daily harvest during September 1-5 in harvest boxes on each management unit; unsuccessful lottery participants and other hunters not participating in the lottery drawing may only hunt in designated areas during September 1-5 (i.e., all land south of Quonset Hut Road to Tangen Cemetery Road to Brushy Creek Road); all hunters must register as a group not to exceed 4 names per card; a hunter’s name may only appear on one lottery card; the lottery card shall be in the possession of the hunter or group while hunting)

Pyramid State Park – East Conant Unit (permit required; permit must be returned by February 15; successful lottery participants must report their daily harvest during September 1-5 in harvest boxes on each management unit; no dove hunting is allowed September 1-5 within 200 yards of a designated dove management field except for hunters who are part of the hunter quota for that field; all hunters must register as a group not to exceed 4 names per card; a hunter’s name may only appear on one lottery card; the lottery card shall be in the possession of the hunter or group while hunting)

Pyramid State Park – Galum Unit (permit required; permit must be returned by February 15; successful lottery participants must report their daily harvest during September 1-5 in harvest boxes on each management unit; no dove hunting is allowed September 1-5 within 200 yards of a designated dove management field except for hunters who are part of the hunter quota for that field; all hunters must register as a group not to exceed 4 names per card; a hunter’s name may only appear on one lottery card; the lottery card shall be in the possession of the hunter or group while hunting)
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

card; the lottery card shall be in the possession of the hunter or group while hunting)

Randolph County State Conservation Area (#)
Ray Norbut State Fish and Wildlife Area (#)
Siloam Springs State Park (#)
Turkey Bluffs State Fish and Wildlife Area (#)
Union County State Fish and Wildlife Area (season closes at the end of the first statewide split season) (#)
Washington County Conservation Area (closes October 14) (#)
Weinberg-King State Park (#)

f) Statewide regulations as provided for in this Part shall apply at the following sites, except that hunting hours are 12 noon to 5 p.m. daily September 1-30. A drawing will be held at 11 a.m. if more hunters show up than can be accommodated.

Crawford County State Fish and Wildlife Area (#)
Hamilton County State Fish and Wildlife Area (#)
Jubilee College State Park (#)
Lake Le Aqua Na State Park (#)
Saline County State Fish and Wildlife Area (#)
Sam Dale Lake Conservation Area (#)
Sam Parr State Fish and Wildlife Area (#)
Shabbona Lake State Park (#)
Skinner Farm State Habitat Area (#)
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Stephen A. Forbes State Park (season opens day after Labor Day) (#)

\[\text{g) Statewide regulations as provided for in this Part shall apply at the following sites, except that hunting hours are 12 noon to 5 p.m. daily. Hunting is allowed on opening day, Wednesday, and Saturday only. A drawing will be held at 11 a.m. if more hunters show up than can be accommodated.}\]

Giant City State Park (#)

Rend Lake State Fish and Wildlife Area and Corps of Engineers managed areas of Rend Lake

Saline County State Fish and Wildlife Area (#)

\[\text{h) Statewide regulations apply except that hunting hours are 12 noon to 5 p.m. from September 1-5; hunters must obtain a free permit from the Department; permits must be in possession while hunting on the site. Permit must be returned and harvest reported by February 15 or hunter will forfeit hunting privileges for that site for the following season.}\]

Clinton Lake State Recreation Area (except dove management fields)

Fox Ridge State Park (except dove management units; shooting hours after September 5 are 12 noon to sunset)

Hidden Springs State Forest (except dove management fields)

Kickapoo State Park

Lake Shelbyville – Eagle Creek State Park (season opens day after Labor Day; closes October 14; shooting hours are 12 noon to sunset)

Lake Shelbyville – Kaskaskia and West Okaw Wildlife Management Areas (except dove management fields; shooting hours after September 5 are 12 noon to sunset)

Middle Fork State Fish and Wildlife Area (except dove management units)
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Moraine View State Park (except dove management fields; season closes October 14)

Newton Lake Fish and Wildlife Area (except dove management units)

i) Statewide regulations as provided for in this Part shall apply at the following sites, except that hunting hours are sunrise to 11:30 a.m. daily September 1-5; season closes September 30. A drawing will be held one hour before sunrise if more hunters show up than can be accommodated.

Johnson-Sauk Trail State Recreation Area (#)

Mt. Vernon Game Propagation Center (#)

Rend Lake State Fish and Wildlife Area (#)

Ten Mile Creek State Fish and Wildlife Area (season closes on statewide closing date; permit required; must be returned by February 15)

j) Permit Areas

1) Permit Season Regulations

A) Permit season dates shall be September 1-5 and hunting hours are 12 noon to 5 p.m. at the sites listed at the end of this subsection.

B) Permit Applications

Applicants must contact the Department to obtain a permit reservation. Starting dates and methods for making reservations will be publicly announced. Applicants making reservations will be sent confirmation. Up to 6 reservations, but only one per applicant, may be made. Multiple reservations for the same person will not be accepted; further, persons attempting to make multiple reservations will forfeit the privilege to obtain a reservation for that season.

C) Each person may apply for only one area and receive one permit per season. An applicant may reapply only if his previous application was unsuccessful.
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

D) Hunting at these areas is by special permit only for the first five days of the season; thereafter, no permits are required for hunting these sites, except at Jim Edgar Panther Creek State Fish and Wildlife Area as indicated in subsection (i)(3). All permits will be issued from Springfield and not from the site, except at Panther Creek State Fish and Wildlife Area as indicated in subsection (i)(3).

E) Check in time for registration shall be between 9 a.m. and 11 a.m. each day. Openings after 11 a.m. will be filled by drawing for standbys if more hunters register than there are vacancies.

F) All hunters must wear a DNR issued backpatch.

2) Non-Permit Season Regulations

A) Non-permit season shall be September 6-30 except as indicated in parentheses.

B) Non-permit hunting hours shall be 12 noon to sunset except as indicated in parentheses.

C) No permits are required except as indicated in parentheses.

D) Check in and check out is required except as indicated in parentheses.

E) Hunter quotas will be filled on a first come-first served basis.

3) Sites

Coffeen Lake State Fish and Wildlife Area (non-permit hunting hours are 12 noon to 5:00 p.m.)

Des Plaines Conservation Area (non-permit hunting hours are 12 noon to 5 p.m.)

Edward R. Madigan State Park
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Green River State Wildlife Area/Sand Prairie Habitat Area (non-permit hunting hours are sunrise to sunset)

Horseshoe Lake State Park (Madison County) (non-permit hunting hours are 12 noon to 5 p.m.)

Horseshoe Lake State Park (Madison County) Gabaret, Mosenthein, Chouteau Island Unit (non-permit hunting hours are 12 noon to 5:00 p.m.)

Jim Edgar Panther Creek State Fish and Wildlife Area (for days 6 through 10 of the season, hunting hours are noon to 6:00 p.m. and hunters must check in and out at the site office; permit required as indicated in subsection (i) for days 11 through the end of the statewide dove season; hunting hours for days 11 through the end of the statewide dove season are sunrise to sunset; on the Controlled Unit only those hunters engaged in the controlled pheasant hunting program may take doves during the November portion of the dove season; on the Quail Management Unit only those hunters with Quail Management Unit Permits may take doves during the November portion of the dove season)

Kankakee River State Park

Mackinaw River State Fish and Wildlife Area (non-permit hunting hours are sunrise to sunset; each permit authorizes the holder to bring one hunting partner)

Matthiessen State Park (non-permit hunting hours are sunrise to sunset)

Ramsey Lake State Park (non-permit hunting hours are 12 noon to 5 p.m.)

Sangchris Lake State Park (closed after Sunday of the third weekend in September)

Silver Springs State Park (closed during National Hunting and Fishing Day Weekend)

k) Violation of a site specific regulation is a petty offense (see 520 ILCS 5/2.20).
Section 730.40  Youth Dove Hunting

a) A one-day Youth Dove Hunt will be held the first weekend day in September or Labor Day, whichever comes first, at the following sites:

Horseshoe Lake State Park (Madison County)

Silver Springs State Park

Stephen A. Forbes State Park

b) A one-day youth/adult dove hunt will be held the first weekend day in September or Labor Day, whichever comes first, where both the youth and adult will be permitted to hunt at the following sites:

Kankakee River State Park

Mackinaw River State Fish and Wildlife Area (only nontoxic shot, as defined by the U.S. Fish and Wildlife Service in 50 CFR 20, #6 steel shot or #7½ bismuth shot or smaller may be possessed)

Mt. Vernon Game Farm

Ramsey Lake State Park

Sam Parr State Fish and Wildlife Area Park

Sangchris Lake State Park

c) Hunting hours are from 12:00 p.m. to 5:00 p.m. Check-in time is from 10:00 a.m. to 11:00 a.m.

d) Hunter quota will be announced by public news release. Hunter quota is determined by the formula: one hunter per 10 to 40 huntable acres. Huntable acres are determined by, but not limited to, the biological studies on the number of the species available; the condition, topography, and configuration of the land at the site; and the number of employees available to work at the site.
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

e) All hunters must have a hunting permit and wear a back patch while hunting. Stand-by permits will be available at the site by lottery drawing if vacancies occur.

f) Applicants must be between the ages of 10-15 inclusive, with a valid Illinois hunting license.

g) Each youth must be accompanied by a supervising adult. If the hunter does not have a valid Firearm Owner's Identification (FOID) card, the supervising adult is required to have a FOID card. Only one supervising adult in a hunting party is required to have a valid FOID card if the hunters in the hunting party stay under the immediate control (accompany youth hunters at all times) of the supervising adult possessing the valid FOID card. All adult hunters must have a valid FOID card. The supervising adults shall be criminally liable for the actions of the youth in the hunting party and be subject to the criminal penalties provided by law.

h) Applicants must contact the Department to obtain a permit reservation. Starting dates and methods for making reservations will be publicly announced. Applicants making reservations will be sent confirmation. Up to 6 reservations, but only one per applicant, may be made. Multiple reservations for the same person will not be accepted and that person will forfeit his right to acquire a reservation for the season.

i) Violation of this Section is a Class B misdemeanor (see 520 ILCS 5/2.18).

(Source: Amended at 31 Ill. Reg. 11738, effective July 27, 2007)
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

1) **Heading of the Part:** Primary Drinking Water Standards

2) **Code citation:** 35 Ill. Adm. Code 611

3) **Section Numbers:**

<table>
<thead>
<tr>
<th>Section Numbers</th>
<th>Adopted Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>611.101, 611.102, 611.160</td>
<td>Amend</td>
</tr>
<tr>
<td>611.161</td>
<td>New Section</td>
</tr>
<tr>
<td>611.310, 611.312, 611.381</td>
<td>Amend</td>
</tr>
<tr>
<td>611.382, 611.383, 611.385</td>
<td>Amend</td>
</tr>
<tr>
<td>611.490, 611.524, 611.680</td>
<td>Amend</td>
</tr>
<tr>
<td>611.685</td>
<td>Repealed</td>
</tr>
<tr>
<td>611.800, 611.801, 611.802</td>
<td>New Section</td>
</tr>
<tr>
<td>611.803, 611.804, 611.805</td>
<td>New Section</td>
</tr>
<tr>
<td>611.860, 611.881, 611.883</td>
<td>Amend</td>
</tr>
<tr>
<td>611.902, 611.903</td>
<td>Amend</td>
</tr>
<tr>
<td>611.911, 611.920, 611.921</td>
<td>New Section</td>
</tr>
<tr>
<td>611.922, 611.923, 611.924</td>
<td>New Section</td>
</tr>
<tr>
<td>611.925, 611.970, 611.971</td>
<td>New Section</td>
</tr>
<tr>
<td>611.972, 611.973, 611.974</td>
<td>New Section</td>
</tr>
<tr>
<td>611.975, 611.976, 611.977</td>
<td>New Section</td>
</tr>
<tr>
<td>611.978, 611.979, 611.1000</td>
<td>New Section</td>
</tr>
<tr>
<td>611.1001, 611.1002, 611.1003</td>
<td>New Section</td>
</tr>
<tr>
<td>611.1004, 611.1005, 611.1006</td>
<td>New Section</td>
</tr>
<tr>
<td>611.1007, 611.1008, 611.1009</td>
<td>New Section</td>
</tr>
<tr>
<td>611.1010, 611.1011, 611.1012</td>
<td>New Section</td>
</tr>
<tr>
<td>611.1013, 611.1014, 611.1015</td>
<td>New Section</td>
</tr>
<tr>
<td>611.1016, 611.1017, 611.1018</td>
<td>New Section</td>
</tr>
<tr>
<td>611.1019, 611.1020, 611.1021</td>
<td>New Section</td>
</tr>
<tr>
<td>611.1022, 611.1023</td>
<td>New Section</td>
</tr>
<tr>
<td>611.APPENDIX. A, 611.APPENDIX. C</td>
<td>Amend</td>
</tr>
<tr>
<td>611.APPENDIX. G</td>
<td>Amend</td>
</tr>
<tr>
<td>611. APPENDIX. H, 611. APPENDIX. I</td>
<td>Amend</td>
</tr>
<tr>
<td>611.TABLE. H, 611.TABLE. I, 611.TABLE. J</td>
<td>New Section</td>
</tr>
<tr>
<td>611.TABLE. Z</td>
<td>Amend</td>
</tr>
</tbody>
</table>

4) **Statutory authority:** 415 ILCS 5/7.2, 17.5, and 27.

5) **Effective date of amendments:** July 27, 2007
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

6) Does this rulemaking contain an automatic repeal date? No

7) Do these amendments contain incorporations by reference? Yes. Section 611.102 is the centralized listing of all documents incorporated by reference for the purposes of Part 611. The present amendments include incorporation of new and updated analytical methods by reference, as well as the amendment of several existing incorporations by reference.

8) Statement of availability: The adopted amendments, a copy of the Board's opinion and order adopted July 26, 2007 in consolidated docket R07-2/R07-11, and all materials incorporated by reference are on file at the Board's principal office and are available for public inspection and copying.

9) Notice of proposal published in the Illinois Register: June 8, 2007; 31 Ill. Reg. 7729

10) Has JCAR issued a statement of objections to these amendments? No

Section 17.5 of the Environmental Protection Act [415 ILCS 5/17.5] provides that Section 5-35 of the Administrative Procedure Act [5 ILCS 100/5-35] does not apply to this rulemaking. Because this rulemaking is not subject to Section 5-35 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules (JCAR).

11) Differences between the proposal and the final version: A table that appears in the Board's opinion and order of July 26, 2007 in consolidated docket R07-2/R07-11 summarizes the differences between the amendments adopted in that order and those proposed by the Board in an opinion and order dated May 3, 2007, in consolidated docket R07-2/R07-11. Many of the differences are explained in greater detail in the Board's opinion and order adopting the amendments.

The substantive differences are limited to added references to "WHPAs" or "wellhead protection areas" to Section 611.801(d), relating to the federal sanitary survey requirements, and a definition of "wellhead protection area" to the general definitions provision, Section 611.101.

There are a number of other changes that are of a corrective or stylistic nature. Those are intended to have no substantive effect. Their intent is to add clarity to the rules without deviation from the substance of the federal amendments on which this proceeding is based.
12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreements issued by JCAR? Section 17.5 of the Environmental Protection Act [415 ILCS 5/17.5] provides that Section 5-35 of the Administrative Procedure Act [5 ILCS 100/5-35] does not apply to this rulemaking. Because this rulemaking is not subject to Section 5-35 of the APA, it is not subject to First Notice or to Second Notice review by JCAR.

Since the Notices of Proposed Amendments appeared in the June 8, 2007 issue of the Illinois Register, the Board received a number of suggestions for revisions from JCAR. The Board evaluated each suggestion and incorporated a number of changes into the text as a result, as detailed in the opinion and order of July 26, 2007 in consolidated docket R07-2/R07-11, as indicated in item 11 above. See the July 26, 2007 opinion and order in consolidated docket R07-2/R07-11 for additional details on the JCAR suggestions and the Board actions with regard to each. One table in that opinion itemizes the changes made in response to various suggestions. Another table indicates JCAR suggestions not incorporated into the text, with a brief explanation for each.

13) Will these amendments replace any emergency amendments currently in effect? No

14) Are there any other amendments pending on this Part? No

15) Summary and Purpose of amendments: The following briefly describes the subjects and issues involved in the consolidated docket R07-2/R07-11 rulemaking. A comprehensive description is contained in the Board's opinion and order of July 26, 2007, adopting amendments in consolidated docket R07-2/R07-11, which opinion and order is available from the address below.

This proceeding updates the Illinois Safe Drinking Water Act (SDWA) rules to correspond with amendments adopted by the United States Environmental Protection Agency (USEPA) that appeared in the Federal Register during two consecutive update periods. The two individual dockets and the time periods that are involved in this proceeding are the following:

<table>
<thead>
<tr>
<th>Docket</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>R07-2</td>
<td>Federal SDWA amendments that occurred during the period January 1, 2006 through June 30, 2006.</td>
</tr>
<tr>
<td>R07-11</td>
<td>Federal SDWA amendments that occurred during the period July 1, 2006 through December 31, 2006.</td>
</tr>
</tbody>
</table>
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

The consolidated docket R07-2/R07-11 amends rules in Part 611. The following table briefly summarizes the federal actions in the two update periods:

<table>
<thead>
<tr>
<th>Date</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 4, 2006</td>
<td>USEPA adopted the Stage 2 Disinfectants and Disinfection Byproducts Rule (DBPR). The DBPR regulates drinking water disinfection practices and the content of disinfection byproducts in drinking water. The Stage 2 DBPR is intended to further reduce the risks of cancer and reproductive and other adverse health effects associated with disinfection byproducts. The Stage 2 rule includes maximum contaminant level standards and monitoring, reporting, and public notification requirements for these contaminants. The Stage 2 rule applies to any community water supply or non-transient, non-community water system that adds a disinfectant other than ultraviolet light to drinking water. The DBPR is a companion to the Enhanced Surface Water Treatment Rule (see the entry below for the January 5, 2006 USEPA action).</td>
</tr>
<tr>
<td>January 5, 2006</td>
<td>USEPA adopted the Long Term 2 Enhanced Surface Water Treatment Rule (LT2ESWTR). The LT2ESWTR requires the use of treatment techniques and imposes monitoring, reporting, and public notification requirements on all systems that use surface water as a source of raw water. USEPA intends that the rule protect against Cryptosporidium and other microbial contaminants, like Giardia lamblia. The LT2ESWTR is a companion to the Stage 2 DBPR (see the entry for the USEPA action of January 4, 2006, above).</td>
</tr>
<tr>
<td>January 27, 2006</td>
<td>USEPA corrected the January 4, 2006 Stage 2 DBPR.</td>
</tr>
<tr>
<td>January 30, 2006</td>
<td>USEPA corrected the January 5, 2006 LT2ESWTR.</td>
</tr>
<tr>
<td>February 6, 2006</td>
<td>USEPA again corrected the January 5, 2006 LT2ESWTR.</td>
</tr>
<tr>
<td>June 29, 2006</td>
<td>USEPA again corrected the January 4, 2006 Stage 2 DBPR.</td>
</tr>
<tr>
<td>November 8, 2006</td>
<td>USEPA adopted the Ground Water Rule (GWR). The GWR is intended to increase protection against microbial pathogens in public water systems that use groundwater sources. Under the GWR, disinfection is required as a treatment technique for all public water systems that are susceptible to fecal</td>
</tr>
</tbody>
</table>
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>November 21, 2006 (71 Fed. Reg. 67427)</td>
<td>USEPA corrected the references to analytical methods for use under GWR.</td>
</tr>
</tbody>
</table>

A comprehensive description of the amendments is contained in the Board's opinion and order of July 26, 2007, adopting amendments in consolidated docket R07-2/R07-11, which opinion and order is available from the address below.

Tables appear in the Board's opinion and order of July 26, 2007 in consolidated docket R07-2/R07-11 that list numerous corrections and amendments that are not based on current federal amendments. The tables contain deviations from the literal text of the federal amendments underlying these amendments, as well as corrections and clarifications that the Board made in the base text involved. Persons interested in the details of those corrections and amendments should refer to the July 26, 2007 opinion and order in consolidated docket R07-2/R07-11.

16) Information and questions regarding these adopted amendments shall be adopted to:

Please reference consolidated docket R07-2/R07-11 and direct inquiries to the following person:

Michael J. McCambridge  
Staff Attorney  
Illinois Pollution Control Board  
100 W. Randolph  11-500  
Chicago, IL  60601  
312-814-6924

Request copies of the Board's opinion and order of July 26, 2007 from the Clerk's office at 312-814-3620. Alternatively, you may obtain a copy of the Board's opinion and order from the Internet at http://www.ipcb.state.il.us.

The full text of the Adopted Amendments begins on the next page:
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE F: PUBLIC WATER SUPPLIES
CHAPTER I: POLLUTION CONTROL BOARD

PART 611
PRIMARY DRINKING WATER STANDARDS

SUBPART A: GENERAL

Section
611.100 Purpose, Scope, and Applicability
611.101 Definitions
611.102 Incorporations by Reference
611.103 Severability
611.105 Electronic Reporting
611.107 Agency Inspection of PWS Facilities
611.108 Delegation to Local Government
611.109 Enforcement
611.110 Special Exception Permits
611.111 Relief Equivalent to SDWA Section 1415(a) Variances
611.112 Relief Equivalent to SDWA Section 1416 Exemptions
611.113 Alternative Treatment Techniques
611.114 Siting Requirements
611.115 Source Water Quantity
611.120 Effective Dates
611.121 Maximum Contaminant Levels and Finished Water Quality
611.125 Fluoridation Requirement
611.126 Prohibition on Use of Lead
611.130 Special Requirements for Certain Variances and Adjusted Standards
611.131 Relief Equivalent to SDWA Section 1415(e) Small System Variance
611.160 Composite Correction Program
611.161 Case-by-Case Reduced Subpart Y Monitoring for Wholesale and Consecutive Systems

SUBPART B: FILTRATION AND DISINFECTION

Section
611.201 Requiring a Demonstration
611.202 Procedures for Agency Determinations
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

611.211 Filtration Required
611.212 Groundwater under Direct Influence of Surface Water
611.213 No Method of HPC Analysis
611.220 General Requirements
611.230 Filtration Effective Dates
611.231 Source Water Quality Conditions
611.232 Site-Specific Conditions
611.233 Treatment Technique Violations
611.240 Disinfection
611.241 Unfiltered PWSs
611.242 Filtered PWSs
611.250 Filtration
611.261 Unfiltered PWSs: Reporting and Recordkeeping
611.262 Filtered PWSs: Reporting and Recordkeeping
611.271 Protection during Repair Work
611.272 Disinfection Following Repair
611.276 Recycle Provisions

SUBPART C: USE OF NON-CENTRALIZED TREATMENT DEVICES

Section
611.280 Point-of-Entry Devices
611.290 Use of Point-of-Use Devices or Bottled Water

SUBPART D: TREATMENT TECHNIQUES

Section
611.295 General Requirements
611.296 Acrylamide and Epichlorohydrin
611.297 Corrosion Control

SUBPART F: MAXIMUM CONTAMINANT LEVELS (MCLs) AND MAXIMUM RESIDUAL DISINFECTANT LEVELS (MRDLs)

Section
611.300 Old MCLs for Inorganic Chemical Contaminants
611.301 Revised MCLs for Inorganic Chemical Contaminants
611.310 State-OnlyOld Maximum Contaminant Levels (MCLs) for Organic Chemical Contaminants
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

611.311 Revised MCLs for Organic Chemical Contaminants
611.312 Maximum Contaminant Levels (MCLs) for Disinfection Byproducts (DBPs)
611.313 Maximum Residual Disinfectant Levels (MRDLs)
611.320 Turbidity (Repealed)
611.325 Microbiological Contaminants
611.330 Maximum Contaminant Levels for Radionuclides
611.331 Beta Particle and Photon Radioactivity (Repealed)

SUBPART G: LEAD AND COPPER

Section
611.350 General Requirements
611.351 Applicability of Corrosion Control
611.352 Corrosion Control Treatment
611.353 Source Water Treatment
611.354 Lead Service Line Replacement
611.355 Public Education and Supplemental Monitoring
611.356 Tap Water Monitoring for Lead and Copper
611.357 Monitoring for Water Quality Parameters
611.358 Monitoring for Lead and Copper in Source Water
611.359 Analytical Methods
611.360 Reporting
611.361 Recordkeeping

SUBPART I: DISINFECTANT RESIDUALS, DISINFECTION BYPRODUCTS, AND DISINFECTION BYPRODUCT PRECURSORS

Section
611.380 General Requirements
611.381 Analytical Requirements
611.382 Monitoring Requirements
611.383 Compliance Requirements
611.384 Reporting and Recordkeeping Requirements
611.385 Treatment Technique for Control of Disinfection Byproduct (DBP) Precursors

SUBPART K: GENERAL MONITORING AND ANALYTICAL REQUIREMENTS

Section
611.480 Alternative Analytical Techniques
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

611.490 Certified Laboratories
611.491 Laboratory Testing Equipment
611.500 Consecutive PWSs
611.510 Special Monitoring for Unregulated Contaminants (Repealed)

SUBPART L: MICROBIOLOGICAL MONITORING AND ANALYTICAL REQUIREMENTS

Section
611.521 Routine Coliform Monitoring
611.522 Repeat Coliform Monitoring
611.523 Invalidation of Total Coliform Samples
611.524 Sanitary Surveys
611.525 Fecal Coliform and E. Coli Testing
611.526 Analytical Methodology
611.527 Response to Violation
611.531 Analytical Requirements
611.532 Unfiltered PWSs
611.533 Filtered PWSs

SUBPART M: TURBIDITY MONITORING AND ANALYTICAL REQUIREMENTS

Section
611.560 Turbidity

SUBPART N: INORGANIC MONITORING AND ANALYTICAL REQUIREMENTS

Section
611.591 Violation of a State MCL
611.592 Frequency of State Monitoring
611.600 Applicability
611.601 Monitoring Frequency
611.602 Asbestos Monitoring Frequency
611.603 Inorganic Monitoring Frequency
611.604 Nitrate Monitoring
611.605 Nitrite Monitoring
611.606 Confirmation Samples
611.607 More Frequent Monitoring and Confirmation Sampling
611.608 Additional Optional Monitoring
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

611.609 Determining Compliance
611.610 Inorganic Monitoring Times
611.611 Inorganic Analysis
611.612 Monitoring Requirements for Old Inorganic MCLs
611.630 Special Monitoring for Sodium
611.631 Special Monitoring for Inorganic Chemicals (Repealed)

SUBPART O: ORGANIC MONITORING AND ANALYTICAL REQUIREMENTS

Section
611.640 Definitions
611.641 Old MCLs
611.645 Analytical Methods for Organic Chemical Contaminants
611.646 Phase I, Phase II, and Phase V Volatile Organic Contaminants
611.647 Sampling for Phase I Volatile Organic Contaminants (Repealed)
611.648 Phase II, Phase IIB, and Phase V Synthetic Organic Contaminants
611.650 Monitoring for 36 Contaminants (Repealed)
611.657 Analytical Methods for 36 Contaminants (Repealed)
611.658 Special Monitoring for Organic Chemicals (Repealed)

SUBPART P: THM MONITORING AND ANALYTICAL REQUIREMENTS

Section
611.680 Sampling, Analytical, and other Requirements
611.683 Reduced Monitoring Frequency (Repealed)
611.684 Averaging (Repealed)
611.685 Analytical Methods (Repealed)
611.686 Modification to System (Repealed)
611.687 Sampling for THM Potential (Repealed)
611.688 Applicability Dates (Repealed)

SUBPART Q: RADIOLOGICAL MONITORING AND ANALYTICAL REQUIREMENTS

Section
611.720 Analytical Methods
611.731 Gross Alpha
611.732 Beta Particle and Photon Radioactivity
611.733 General Monitoring and Compliance Requirements
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

SUBPART R: ENHANCED FILTRATION AND DISINFECTION:
SYSTEMS THAT SERVE 10,000 OR MORE PEOPLE

Section
611.740 General Requirements
611.741 Standards for Avoiding Filtration
611.742 Disinfection Profiling and Benchmarking
611.743 Filtration
611.744 Filtration Sampling Requirements
611.745 Reporting and Recordkeeping Requirements

SUBPART S: GROUNDWATER RULE

Section
611.800 General Requirements and Applicability
611.801 Sanitary Surveys for GWS Suppliers
611.802 Groundwater Source Microbial Monitoring and Analytical Methods
611.803 Treatment Technique Requirements for GWS Suppliers
611.804 Treatment Technique Violations for GWS Suppliers
611.805 Reporting and Recordkeeping for GWS Suppliers

SUBPART T: REPORTING AND RECORDKEEPING

Section
611.830 Applicability
611.831 Monthly Operating Report
611.832 Notice by Agency (Repealed)
611.833 Cross Connection Reporting
611.840 Reporting
611.851 Reporting MCL, MRDL, and other Violations (Repealed)
611.852 Reporting other Violations (Repealed)
611.853 Notice to New Billing Units (Repealed)
611.854 General Content of Public Notice (Repealed)
611.855 Mandatory Health Effects Language (Repealed)
611.856 Fluoride Notice (Repealed)
611.858 Fluoride Secondary Standard (Repealed)
611.860 Record Maintenance
611.870 List of 36 Contaminants (Repealed)

SUBPART U: CONSUMER CONFIDENCE REPORTS
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Section
611.881 Purpose and Applicability
611.882 Compliance Dates
611.883 Content of the Reports
611.884 Required Additional Health Information
611.885 Report Delivery and Recordkeeping

SUBPART V: PUBLIC NOTIFICATION OF DRINKING WATER VIOLATIONS

Section
611.901 General Public Notification Requirements
611.902 Tier 1 Public Notice: Form, Manner, and Frequency of Notice
611.903 Tier 2 Public Notice: Form, Manner, and Frequency of Notice
611.904 Tier 3 Public Notice: Form, Manner, and Frequency of Notice
611.905 Content of the Public Notice
611.906 Notice to New Billing Units or New Customers
611.907 Special Notice of the Availability of Unregulated Contaminant Monitoring Results
611.908 Special Notice for Exceedence of the Fluoride Secondary Standard
611.909 Special Notice for Nitrate Exceedences above the MCL by a Non-Community Water System
611.910 Notice by the Agency on Behalf of a PWS
611.911 Special Notice for Cryptosporidium

SUBPART W: INITIAL DISTRIBUTION SYSTEM EVALUATIONS

Section
611.920 General Requirements
611.921 Standard Monitoring
611.922 System-Specific Studies
611.923 40/30 Certification
611.924 Very Small System Waivers
611.925 Subpart Y Compliance Monitoring Location Recommendations

SUBPART X: ENHANCED FILTRATION AND DISINFECTION – SYSTEMS SERVING FEWER THAN 10,000 PEOPLE

Section
611.950 General Requirements
611.951 Finished Water Reservoirs
### NOTICE OF ADOPTED AMENDMENTS

**611.952** Additional Watershed Control Requirements for Unfiltered Systems  
**611.953** Disinfection Profile  
**611.954** Disinfection Benchmark  
**611.955** Combined Filter Effluent Turbidity Limits  
**611.956** Individual Filter Turbidity Requirements  
**611.957** Reporting and Recordkeeping Requirements  

#### SUBPART Y: STAGE 2 DISINFECTION BYPRODUCTS REQUIREMENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>611.970</td>
<td>General Requirements</td>
</tr>
<tr>
<td>611.971</td>
<td>Routine Monitoring</td>
</tr>
<tr>
<td>611.972</td>
<td>Subpart Y Monitoring Plan</td>
</tr>
<tr>
<td>611.973</td>
<td>Reduced Monitoring</td>
</tr>
<tr>
<td>611.974</td>
<td>Additional Requirements for Consecutive Systems</td>
</tr>
<tr>
<td>611.975</td>
<td>Conditions Requiring Increased Monitoring</td>
</tr>
<tr>
<td>611.976</td>
<td>Operational Evaluation Levels</td>
</tr>
<tr>
<td>611.977</td>
<td>Requirements for Remaining on Reduced TTHM and HAA5 Monitoring Based on Subpart I Results</td>
</tr>
<tr>
<td>611.978</td>
<td>Requirements for Remaining on Increased TTHM and HAA5 Monitoring Based on Subpart I Results</td>
</tr>
<tr>
<td>611.979</td>
<td>Reporting and Recordkeeping Requirements</td>
</tr>
</tbody>
</table>

#### SUBPART Z: ENHANCED TREATMENT FOR CRYPTOSPORIDIUM

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>611.1000</td>
<td>General Requirements</td>
</tr>
<tr>
<td>611.1001</td>
<td>Source Water Monitoring Requirements: Source Water Monitoring</td>
</tr>
<tr>
<td>611.1002</td>
<td>Source Water Monitoring Requirements: Sampling Schedules</td>
</tr>
<tr>
<td>611.1003</td>
<td>Source Water Monitoring Requirements: Sampling Locations</td>
</tr>
<tr>
<td>611.1004</td>
<td>Source Water Monitoring Requirements: Analytical Methods</td>
</tr>
<tr>
<td>611.1005</td>
<td>Source Water Monitoring Requirements: Approved Laboratories</td>
</tr>
<tr>
<td>611.1006</td>
<td>Source Water Monitoring Requirements: Reporting Source Water Monitoring Results</td>
</tr>
<tr>
<td>611.1007</td>
<td>Source Water Monitoring Requirements: Grandfathering Previously Collected Data</td>
</tr>
<tr>
<td>611.1008</td>
<td>Disinfection Profiling and Benchmarking Requirements: Requirements When Making a Significant Change in Disinfection Practice</td>
</tr>
<tr>
<td>611.1009</td>
<td>Disinfection Profiling and Benchmarking Requirements: Developing the Disinfection Profile and Benchmark</td>
</tr>
<tr>
<td>611.1010</td>
<td>Treatment Technique Requirements: Bin Classification for Filtered Suppliers</td>
</tr>
</tbody>
</table>
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

611.1011  Treatment Technique Requirements:  Filtered System Additional Cryptosporidium Treatment Requirements
611.1012  Treatment Technique Requirements:  Unfiltered System Cryptosporidium Treatment Requirements
611.1013  Treatment Technique Requirements:  Schedule for Compliance with Cryptosporidium Treatment Requirements
611.1014  Treatment Technique Requirements:  Requirements for Uncovered Finished Water Storage Facilities
611.1015  Requirements for Microbial Toolbox Components:  Microbial Toolbox Options for Meeting Cryptosporidium Treatment Requirements
611.1016  Requirements for Microbial Toolbox Components:  Source Toolbox Components
611.1017  Requirements for Microbial Toolbox Components:  Pre-Filtration Treatment Toolbox Components
611.1018  Requirements for Microbial Toolbox Components:  Treatment Performance Toolbox Components
611.1019  Requirements for Microbial Toolbox Components:  Additional Filtration Toolbox Components
611.1020  Requirements for Microbial Toolbox Components:  Inactivation Toolbox Components
611.1021  Reporting and Recordkeeping Requirements:  Reporting Requirements
611.1022  Reporting and Recordkeeping Requirements:  Recordkeeping Requirements
611.1023  Requirements to Respond to Significant Deficiencies Identified in Sanitary Surveys Performed by USEPA or the Agency

611.APPENDIX A Regulated Contaminants
611.APPENDIX B Percent Inactivation of G. Lamblia Cysts
611.APPENDIX C Common Names of Organic Chemicals
611.APPENDIX D Defined Substrate Method for the Simultaneous Detection of Total Coliforms and Eschericia Coli from Drinking Water
611.APPENDIX E Mandatory Lead Public Education Information for Community Water Systems
611.APPENDIX F Mandatory Lead Public Education Information for Non-Transient Non-Community Water Systems
611.APPENDIX G NPDWR Violations and Situations Requiring Public Notice
611.APPENDIX H Standard Health Effects Language for Public Notification
611.APPENDIX I Acronyms Used in Public Notification Regulation
611.TABLE A Total Coliform Monitoring Frequency
611.TABLE B Fecal or Total Coliform Density Measurements
611.TABLE C Frequency of RDC Measurement
NOTICE OF ADOPTED AMENDMENTS

AUTHORITY: Implementing Sections 7.2, 17, and 17.5 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 17, 17.5, and 27].


SUBPART A: GENERAL

Section 611.101 Definitions

As used in this Part, the following terms have the given meanings:
"Act" means the Environmental Protection Act [415 ILCS 5].

"Agency" means the Illinois Environmental Protection Agency. BOARD NOTE: The Department of Public Health (Public Health or DPH) regulates non-community water supplies ("non-CWSs," including non-transient, non-community water supplies ("NTNCWSs") and transient non-community water supplies ("transient non-CWSs")). For the purposes of regulation of supplies by Public Health by reference to this Part, "Agency" will mean the Department of Public Health.

"Ai" means "inactivation ratio."

"Approved source of bottled water," for the purposes of Section 611.130(d) (4), means a source of water and the water therefrom, whether it be from a spring, artesian well, drilled well, municipal water supply, or any other source, that has been inspected and the water sampled, analyzed, and found to be a safe and sanitary quality according to applicable laws and regulations of State and local government agencies having jurisdiction, as evidenced by the presence in the plant of current certificates or notations of approval from each government agency or agencies having jurisdiction over the source, the water it bottles, and the distribution of the water in commerce. BOARD NOTE: Derived from 40 CFR 142.62(g)(2) and 21 CFR 129.3(a) (2006)(2003). The Board cannot compile an exhaustive listing of all federal, State, and local laws to which bottled water and bottling water may be subjected. However, the statutes and regulations of which the Board is aware are the following: the Illinois Food, Drug and Cosmetic Act [410 ILCS 620], the Bottled Water Act [815 ILCS 310], the DPH Water Well Construction Code (77 Ill. Adm. Code 920), the DPH Water Well Pump Installation Code (77 Ill. Adm. Code 925), the federal bottled water quality standards (21 CFR 103.35), the federal drinking water processing and bottling standards (21 CFR 129), the federal Current Good Manufacturing Practice in Manufacturing, Packing, or Holding Human Food (21 CFR 110), the federal Fair Packaging and Labeling Act (15 USC 1451 et seq.), and the federal Fair Packaging and Labeling regulations (21 CFR 201).

"Bag filters" means pressure-driven separation devices that remove particulate matter larger than one micrometer using an engineered porous filtration media. They are typically constructed of a non-rigid, fabric filtration media housed in a
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

pressure vessel in which the direction of flow is from the inside of the bag to outside.

"Bank filtration" means a water treatment process that uses a well to recover surface water that has naturally infiltrated into groundwater through a river bed or banks. Infiltration is typically enhanced by the hydraulic gradient imposed by a nearby pumping water supply or other wells.

"Best available technology" or "BAT" means the best technology, treatment techniques, or other means that USEPA has found are available for the contaminant in question. BAT is specified in Subpart F of this Part.

"Bin classification" or "bin" means, for the purposes of Subpart Z of this Part, the appropriate of the four treatment categories (Bin 1, Bin 2, Bin 3, or Bin 4) that is assigned to a filtered system supplier pursuant to Section 611.1010 based on the results of the source water Cryptosporidium monitoring described in the previous section. This bin classification determines the degree of additional Cryptosporidium treatment, if any, the filtered PWS must provide. BOARD NOTE: Derived from 40 CFR 141.710 and the preamble discussion at 71 Fed. Reg. 654, 657 (Jan. 5, 2006).

"Board" means the Illinois Pollution Control Board.

"Cartridge filters" means pressure-driven separation devices that remove particulate matter larger than 1 micrometer using an engineered porous filtration media. They are typically constructed as rigid or semi-rigid, self-supporting filter elements housed in pressure vessels in which flow is from the outside of the cartridge to the inside.

"CAS No." means "Chemical Abstracts Services Number."

"CT" or "CT_{calc}" is the product of "residual disinfectant concentration" (RDC or C) in mg/l determined before or at the first customer, and the corresponding "disinfectant contact time" (T) in minutes. If a supplier applies disinfectants at more than one point prior to the first customer, it must determine the CT of each disinfectant sequence before or at the first customer to determine the total percent inactivation or "total inactivation ratio." In determining the total inactivation ratio, the supplier must determine the RDC of each disinfection sequence and corresponding contact time before any subsequent disinfection application points.
NOTICE OF ADOPTED AMENDMENTS

(See "CT99.9.")

"CT99.9" is the CT value required for 99.9 percent (3-log) inactivation of Giardia lamblia cysts. CT99.9 for a variety of disinfectants and conditions appear in Tables 1.1-1.6, 2.1 and 3.1 of Appendix B of this Part. (See "Inactivation Ratio.")


"Coagulation" means a process using coagulant chemicals and mixing by which colloidal and suspended materials are destabilized and agglomerated into flocs.

"Combined distribution system" means the interconnected distribution system consisting of the distribution systems of wholesale systems and of the consecutive systems that receive finished water.

"Community water system" or "CWS" means a public water system (PWS) that serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.

BOARD NOTE: This definition differs slightly from that of Section 3.05 of the Act.

"Compliance cycle" means the nine-year calendar year cycle during which public water systems (PWSs) must monitor. Each compliance cycle consists of three three-year compliance periods. The first calendar cycle began January 1, 1993, and ended December 31, 2001; the second began January 1, 2002, and ends December 31, 2010; the third begins January 1, 2011, and ends December 31, 2019.

"Compliance period" means a three-year calendar year period within a compliance cycle. Each compliance cycle has three three-year compliance periods. Within the first compliance cycle, the first compliance period ran from January 1, 1993 to December 31, 1995; the second from January 1, 1996 to December 31, 1998; the third from January 1, 1999 to December 31, 2001.

"Comprehensive performance evaluation" or "CPE" is a thorough review and analysis of a treatment plant's performance-based capabilities and associated administrative, operation, and maintenance practices. It is conducted to identify factors that may be adversely impacting a plant's capability to achieve compliance and emphasizes approaches that can be implemented without significant capital.
improvements.

BOARD NOTE: The final sentence of the definition of "comprehensive performance evaluation" in 40 CFR 141.2 is codified as Section 611.160(a)(2), since it contains substantive elements that are more appropriately codified in a substantive provision.

"Confluent growth" means a continuous bacterial growth covering the entire filtration area of a membrane filter or a portion thereof, in which bacterial colonies are not discrete.

"Consecutive system" means a public water system that receives some or all of its finished water from one or more wholesale systems. Delivery may be through a direct connection or through the distribution system of one or more consecutive systems.

"Contaminant" means any physical, chemical, biological, or radiological substance or matter in water.

"Conventional filtration treatment" means a series of processes including coagulation, flocculation, sedimentation, and filtration resulting in substantial particulate removal.

"Diatomaceous earth filtration" means a process resulting in substantial particulate removal in which the following occur:

A precoat cake of diatomaceous earth filter media is deposited on a support membrane (septum); and

While the water is filtered by passing through the cake on the septum, additional filter media known as body feed is continuously added to the feed water to maintain the permeability of the filter cake.

"Direct filtration" means a series of processes including coagulation and filtration but excluding sedimentation resulting in substantial particulate removal.

"Disinfectant" means any oxidant, including but not limited to chlorine, chlorine dioxide, chloramines, and ozone added to water in any part of the treatment or distribution process, that is intended to kill or inactivate pathogenic microorganisms.
"Disinfectant contact time" or "T" means the time in minutes that it takes for water to move from the point of disinfectant application or the previous point of RDC measurement to a point before or at the point where RDC is measured.

Where only one RDC is measured, T is the time in minutes that it takes for water to move from the point of disinfectant application to a point before or at the point where RDC is measured.

Where more than one RDC is measured, T is as follows:

For the first measurement of RDC, the time in minutes that it takes for water to move from the first or only point of disinfectant application to a point before or at the point where the first RDC is measured; and

For subsequent measurements of RDC, the time in minutes that it takes for water to move from the previous RDC measurement point to the RDC measurement point for which the particular T is being calculated.

T in pipelines must be calculated based on "plug flow" by dividing the internal volume of the pipe by the maximum hourly flow rate through that pipe.

T within mixing basins and storage reservoirs must be determined by tracer studies or an equivalent demonstration.

"Disinfection" means a process that inactivates pathogenic organisms in water by chemical oxidants or equivalent agents.

"Disinfection byproduct" or "DBP" means a chemical byproduct that forms when disinfectants used for microbial control react with naturally occurring compounds already present in source water. DBPs include, but are not limited to, bromodichloromethane, bromoform, chloroform, dichloroacetic acid, bromate, chlorite, dibromochloromethane, and certain haloacetic acids.

"Disinfection profile" is a summary of daily Giardia lamblia inactivation through the treatment plant. The procedure for developing a disinfection profile is
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

contained in Section 611.742.

"Distribution system" includes all points downstream of an "entry point" to the point of consumer ownership.

"Domestic or other non-distribution system plumbing problem" means a coliform contamination problem in a PWS with more than one service connection that is limited to the specific service connection from which the coliform-positive sample was taken.

"Dose equivalent" means the product of the absorbed dose from ionizing radiation and such factors as account for differences in biological effectiveness due to the type of radiation and its distribution in the body as specified by the International Commission on Radiological Units and Measurements (ICRU).

"Dual sample set" means a set of two samples collected at the same time and same location, with one sample analyzed for TTHM and the other sample analyzed for HAA5. Dual sample sets are collected for the purposes of conducting an IDSE under Subpart W of this Part and determining compliance with the TTHM and HAA5 MCLs under Subpart Y of this Part.

"Enhanced coagulation" means the addition of sufficient coagulant for improved removal of disinfection byproduct (DBP) precursors by conventional filtration treatment.

"Enhanced softening" means the improved removal of disinfection byproduct (DBP) precursors by precipitative softening.

"Entry point" means a point just downstream of the final treatment operation, but upstream of the first user and upstream of any mixing with other water. If raw water is used without treatment, the "entry point" is the raw water source. If a PWS receives treated water from another PWS, the "entry point" is a point just downstream of the other PWS, but upstream of the first user on the receiving PWS, and upstream of any mixing with other water.

"Filter profile" is a graphical representation of individual filter performance, based on continuous turbidity measurements or total particle counts versus time for an entire filter run, from startup to backwash inclusively, that includes an assessment of filter performance while another filter is being backwashed.
"Filtration" means a process for removing particulate matter from water by passage through porous media.

"Finished water" means water that is introduced into the distribution system of a public water system which is intended for distribution and consumption without further treatment, except that treatment which is necessary to maintain water quality in the distribution system (e.g., booster disinfection, addition of corrosion control chemicals, etc.).

"Flocculation" means a process to enhance agglomeration or collection of smaller floc particles into larger, more easily settleable particles through gentle stirring by hydraulic or mechanical means.

"Flowing stream" means a course of running water flowing in a definite channel.

"40/30 certification" means the certification, submitted by the supplier to the Agency pursuant to Section 611.923, that the supplier had no TTHM or HAA5 monitoring violations, and that no individual sample from its system exceeded 0.040 mg/l TTHM or 0.030 mg/l HAA5 during eight consecutive calendar quarters.


"GAC10" means granular activated carbon (GAC) filter beds with an empty-bed contact time of 10 minutes based on average daily flow and a carbon reactivation frequency of every 180 days, except that the reactivation frequency for GAC10 that is used as a best available technology for compliance with the MCLs set forth in Subpart Y of this Part pursuant to Section 611.312(b)(2) is 120 days.

"GAC20" means granular activated carbon filter beds with an empty-bed contact time of 20 minutes based on average daily flow and a carbon reactivation frequency of every 240 days.

"GC" means "gas chromatography" or "gas-liquid phase chromatography."

"GC/MS" means gas chromatography (GC) followed by mass spectrometry (MS).

"Gross alpha particle activity" means the total radioactivity due to alpha particle emission as inferred from measurements on a dry sample.
"Gross beta particle activity" means the total radioactivity due to beta particle emission as inferred from measurements on a dry sample.

"Groundwater system" or "GWS" means a public water supply (PWS) that uses only groundwater sources, including a consecutive system that receives finished groundwater. 
BOARD NOTE: Derived from 40 CFR 141.23(b)(2) and 141.24(f)(2) note (2006) and 40 CFR 141.400(b), as added at 71 Fed. Reg. 65576 (Nov. 8, 2006).

"Groundwater under the direct influence of surface water" means any water beneath the surface of the ground with significant occurrence of insects or other macroorganisms, algae, or large-diameter pathogens, such as Giardia lamblia or Cryptosporidium, or significant and relatively rapid shifts in water characteristics, such as turbidity, temperature, conductivity, or pH, that closely correlate to climatological or surface water conditions. "Groundwater under the direct influence of surface water" is as determined in Section 611.212.

"Haloacetic acids (five)" or "HAA5" means the sum of the concentrations in milligrams per liter (mg/l) of five haloacetic acid compounds (monochloroacetic acid, dichloroacetic acid, trichloroacetic acid, monobromoacetic acid, and dibromoacetic acid), rounded to two significant figures after addition.

"Halogen" means one of the chemical elements chlorine, bromine, or iodine.

"HPC" means "heterotrophic plate count," measured as specified in Section 611.531(c).

"Hydrogeologic sensitivity assessment," for the purposes of Subpart S of this Part, means a determination of whether a GWS supplier obtains water from a hydrogeologically sensitive setting. 
BOARD NOTE: Derived from 40 CFR 141.400(c)(5), as added at 71 Fed. Reg. 65574 (Nov. 8, 2006).

"Inactivation ratio" or "\(\frac{A_0}{A_0}\)" means as follows:
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

\[
Ai = \frac{CT_{\text{calc}}}{CT_{99.9}}
\]

The sum of the inactivation ratios, or "total inactivation ratio" (B) is calculated by adding together the inactivation ratio for each disinfection sequence as follows:

\[
B = S(Ai)
\]

A total inactivation ratio equal to or greater than 1.0 is assumed to provide a 3-log inactivation of Giardia lamblia cysts.


"Initial compliance period" means the three-year compliance period that begins January 1, 1993, except for the MCLs for dichloromethane, 1,2,4-trichlorobenzene, 1,1,2-trichloroethane, benzo(a)pyrene, dalapon, di(2-ethylhexyl)adipate, di(2-ethylhexyl)phthalate, dinoseb, diquat, endothall, endrin, glyphosate, hexachlorobenzene, hexachlorocyclopentadiene, oxamyl, picloram, simazine, 2,3,7,8-TCDD, antimony, beryllium, cyanide, nickel, and thallium, as they apply to a supplier whose system has fewer than 150 service connections, for which it means the three-year compliance period that began on January 1, 1996.

"Initial distribution system evaluation" or "IDSE" means the evaluation, performed by the supplier pursuant to Section 611.921(c), to determine the locations in a distribution system that are representative of high TTHM and HAA5 concentrations throughout the distribution system. An IDSE is used in conjunction with, but is distinct from, the compliance monitoring undertaken to identify and select monitoring locations used to determine compliance with Subpart X.


"Inorganic contaminants" or "IOCs" refers to that group of contaminants designated as such in United States Environmental Protection Agency (USEPA) regulatory discussions and guidance documents. IOCs include antimony, arsenic, asbestos, barium, beryllium, cadmium, chromium, cyanide, mercury, nickel, nitrate, nitrite, selenium, and thallium.

"I " means "liter."

"Lake or reservoir" means a natural or man made basin or hollow on the Earth's surface in which water collects or is stored that may or may not have a current or single direction of flow.

"Legionella" means a genus of bacteria, some species of which have caused a type of pneumonia called Legionnaires Disease.

"Locational running annual average" or "LRAA" means the average of sample analytical results for samples taken at a particular monitoring location during the previous four calendar quarters.

"Man-made beta particle and photon emitters" means all radionuclides emitting beta particles or photons listed in "Maximum Permissible Body Burdens and Maximum Permissible Concentrations of Radionuclides in Air and in Water for Occupational Exposure,” NCRP Report Number 22, incorporated by reference in Section 611.102, except the daughter products of thorium-232, uranium-235 and uranium-238.

"Maximum contaminant level" or "MCL" means the maximum permissible level of a contaminant in water that is delivered to any user of a public water system. (See Section 611.121.)

"Maximum contaminant level goal" or "MCLG" means the maximum level of a contaminant in drinking water at which no known or anticipated adverse effect on the health of persons would occur, and which allows an adequate margin of safety. MCLGs are nonenforceable health goals.

BOARD NOTE: The Board has not routinely adopted the regulations relating to the federal MCLGs because they are outside the scope of the Board's identical-in-substance mandate under Section 17.5 of the Act [415 ILCS 5/17.5].

"Maximum residual disinfectant level" or "MRDL" means the maximum permissible level of a disinfectant added for water treatment that may not be exceeded at the consumer's tap without an unacceptable possibility of adverse health effects. MRDLs are enforceable in the same manner as are MCLs. (See Section 611.313 and Section 611.383.)
"Maximum residual disinfectant level goal" or "MRDLG" means the maximum level of a disinfectant added for water treatment at which no known or anticipated adverse effect on the health of persons would occur, and which allows an adequate margin of safety. MRDLGs are nonenforceable health goals and do not reflect the benefit of the addition of the chemical for control of waterborne microbial contaminants.

"Maximum total trihalomethane potential" or "MTP" means the maximum concentration of total trihalomethanes (TTHMs) produced in a given water containing a disinfectant residual after seven days at a temperature of 25° C or above.

"Membrane filtration" means a pressure or vacuum driven separation process in which particulate matter larger than one micrometer is rejected by an engineered barrier, primarily through a size exclusion mechanism, and which has a measurable removal efficiency of a target organism that can be verified through the application of a direct integrity test. This definition includes the common membrane technologies of microfiltration, ultrafiltration, nanofiltration, and reverse osmosis.

"MFL" means millions of fibers per liter larger than 10 micrometers.

"mg" means milligrams (1/1000 of a gram).

"mg/l " means milligrams per liter.

"Mixed system" means a PWS that uses both groundwater and surface water sources.

"MUG" means 4- methyl-umbelliferyl-beta-d-glucuronide.

"Near the first service connection" means at one of the 20 percent of all service connections in the entire system that are nearest the public water system (PWS) treatment facility, as measured by water transport time within the distribution system.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

"nm" means nanometer (1/1,000,000,000 of a meter).

"Non-community water system" or "NCWS" or "non-CWS" means a public water system (PWS) that is not a community water system (CWS). A non-community water system is either a "transient non-community water system (TWS)" or a "non-transient non-community water system (NTNCWS)."

"Non-transient non-community water system" or "NTNCWS" means a public water system (PWS) that is not a community water system (CWS) and that regularly serves at least 25 of the same persons over six months per year.

"NPDWR" means "national primary drinking water regulation."

"NTU" means "nephelometric turbidity units."

"Old MCL" means one of the inorganic maximum contaminant levels (MCLs), codified at Section 611.300, or organic MCLs, codified at Section 611.310, including any marked as "additional State requirements."

BOARD NOTE: Old MCLs are those derived prior to the implementation of the USEPA "Phase II" regulations. The Section 611.640 definition of this term, which applies only to Subpart O of this Part, differs from this definition in that the definition does not include the Section 611.300 inorganic MCLs.

"P-A Coliform Test" means "Presence-Absence Coliform Test."

"Paired sample" means two samples of water for Total Organic Carbon (TOC). One sample is of raw water taken prior to any treatment. The other sample is taken after the point of combined filter effluent and is representative of the treated water. These samples are taken at the same time. (See Section 611.382.)

"Performance evaluation sample" or "PE sample" means a reference sample provided to a laboratory for the purpose of demonstrating that the laboratory can successfully analyze the sample within limits of performance specified by the Agency; or, for bacteriological laboratories, Public Health; or, for radiological laboratories, the Illinois Department of Nuclear Safety. The true value of the concentration of the reference material is unknown to the laboratory at the time of the analysis.

"Person" means an individual, corporation, company, association, partnership,
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

state, unit of local government, or federal agency.

"Phase I" refers to that group of chemical contaminants and the accompanying regulations promulgated by USEPA on July 8, 1987, at 52 Fed. Reg. 25712.


"Phase IIB" refers to that group of chemical contaminants and the accompanying regulations promulgated by USEPA on July 1, 1991, at 56 Fed. Reg. 30266.

"Phase V" refers to that group of chemical contaminants promulgated by USEPA on July 17, 1992, at 57 Fed. Reg. 31776.

"Picocurie" or "pCi" means the quantity of radioactive material producing 2.22 nuclear transformations per minute.

"Plant intake" means the works or structures at the head of a conduit through which water is diverted from a source (e.g., a river or lake) into the treatment plant.

"Point of disinfectant application" is the point at which the disinfectant is applied and downstream of which water is not subject to recontamination by surface water runoff.

"Point-of-entry treatment device" or "POE" is a treatment device applied to the drinking water entering a house or building for the purpose of reducing contaminants in the drinking water distributed throughout the house or building.

"Point-of-use treatment device" or "POU" is a treatment device applied to a single tap used for the purpose of reducing contaminants in drinking water at that one tap.

"Presedimentation" means a preliminary treatment process used to remove gravel, sand, and other particulate material from the source water through settling before the water enters the primary clarification and filtration processes in a treatment plant.

"Public Health" or "DPH" means the Illinois Department of Public Health.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

BOARD NOTE: The Department of Public Health ("Public Health") regulates non-community water supplies ("non-CWSs," including non-transient, non-community water supplies ("NTNCWSs") and transient non-community water supplies ("transient non-CWSs")). For the purposes of regulation of supplies by Public Health by reference to this Part, "Agency" must mean Public Health.

"Public water system" or "PWS" means a system for the provision to the public of water for human consumption through pipes or other constructed conveyances, if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year. A PWS is either a community water system (CWS) or a non-community water system (non-CWS).

A PWS does not include any facility defined as "special irrigation district." Such term includes the following:

Any collection, treatment, storage, and distribution facilities under control of the operator of such system and used primarily in connection with such system; and

Any collection or pretreatment storage facilities not under such control that are used primarily in connection with such system.

BOARD NOTE: Where used in Subpart F of this Part, "public water supply" means the same as "public water system."

"Radioactive contaminants" refers to that group of contaminants designated "radioactive contaminants" in USEPA regulatory discussions and guidance documents. "Radioactive contaminants" include tritium, strontium-89, strontium-90, iodine-131, cesium-134, gross beta emitters, and other nuclides.

BOARD NOTE: Derived from 40 CFR 141.25(c) Table B (2006)(2003). These radioactive contaminants must be reported in Consumer Confidence Reports under Subpart U of this Part when they are detected above the levels indicated in Section 611.720(c)(3).

"Reliably and consistently" below a specified level for a contaminant means an Agency determination based on analytical results following the initial detection of a contaminant to determine the qualitative condition of water from an individual sampling point or source. The Agency must base this determination on the consistency of analytical results, the degree below the MCL, the susceptibility of source water to variation, and other vulnerability factors pertinent to the
contaminant detected that may influence the quality of water.


"Rem" means the unit of dose equivalent from ionizing radiation to the total body or any internal organ or organ system. A "millirem (mrem)" is 1/1000 of a rem.

"Repeat compliance period" means a compliance period that begins after the initial compliance period.

"Representative" means that a sample must reflect the quality of water that is delivered to consumers under conditions when all sources required to supply water under normal conditions are in use and all treatment is properly operating.

"Residual disinfectant concentration" ("RDC" or "C" in CT calculations) means the concentration of disinfectant measured in mg/l in a representative sample of water. For purposes of the requirement of Section 611.241(d) of maintaining a detectable RDC in the distribution system, "RDC" means a residual of free or combined chlorine.

"Safe Drinking Water Act" or "SDWA" means the Public Health Service Act, as amended by the Safe Drinking Water Act, Pub. L. 93-523, 42 USC 300f et seq.

"Sanitary survey" means an onsite review of the delineated WHPAs, identifying sources of contamination within the WHPAs and evaluations or the hydrogeologic sensitivity of the delineated WHPAs conducted under source water assessments or utilizing other relevant information where available, to evaluate the adequacy of the system, its sources, and operations for the production of safe drinking water.

"Sedimentation" means a process for removal of solids before filtration by gravity or separation.

"SEP" means special exception permit (Section 611.110).
"Service connection," as used in the definition of public water system, does not include a connection to a system that delivers water by a constructed conveyance other than a pipe if any of the following is true:

The water is used exclusively for purposes other than residential use (consisting of drinking, bathing, and cooking, or other similar uses);

The Agency determines by issuing a SEP that alternative water for residential use or similar uses for drinking and cooking is provided to achieve the equivalent level of public health protection provided by the applicable national primary drinking water regulations; or

The Agency determines by issuing a SEP that the water provided for residential use or similar uses for drinking, cooking, and bathing is centrally treated or treated at the point of entry by the provider, a pass-through entity, or the user to achieve the equivalent level of protection provided by the applicable national primary drinking water regulations.

BOARD NOTE: See sections 1401(4)(B)(i)(II) and (4)(B)(i)(III) of SDWA (42 USC 300f(4)(B)(i)(II) and (4)(B)(i)(III) (2000)).

"Significant deficiency" means a deficiency identified by the Agency in a groundwater system pursuant to Section 611.803. A significant deficiency might include, but is not limited to, a defect in system design, operation, or maintenance or a failure or malfunction of the sources, treatment, storage, or distribution system that the Agency determines to be causing or have potential for causing the introduction of contamination into the water delivered to consumers.

BOARD NOTE: Derived from 40 CFR 142.16(o)(2)(iv), as added at 71 Fed. Reg. 65574 (Nov. 8, 2006). The Agency must submit to USEPA a definition and description of at least one significant deficiency in each of the eight sanitary survey elements listed in Section 611.801(c) as part of the federal primacy requirements. The Board added the general description of what a significant deficiency might include in non-limiting terms, in order to provide this important definition within the body of the Illinois rules. No Agency submission to USEPA can provide definition within the context of Board regulations.

"Slow sand filtration" means a process involving passage of raw water through a bed of sand at low velocity (generally less than 0.4 meters per hour (m/h)) resulting in substantial particulate removal by physical and biological
mechanisms.

"SOC" or "Synthetic organic chemical contaminant" refers to that group of contaminants designated as "SOCs," or "synthetic organic chemicals" or "synthetic organic contaminants," in USEPA regulatory discussions and guidance documents. "SOCs" include alachlor, aldicarb, aldicarb sulfone, aldicarb sulfoxide, atrazine, benzo(a)pyrene, carbofuran, chlor dane, dalapon, dibromoethylene (ethylene dibromide or EDB), dibromochloropropane (DBCP), di(2-ethylhexyl)adipate, di(2-ethylhexyl)phthalate, dinoseb, diquat, endothall, endrin, glyphosate, heptachlor, heptachlor epoxide, hexachlorobenzene, hexachlorocyclopentadiene, lindane, methoxychlor, oxamyl, pentachlorophenol, picloram, simazine, toxaphene, polychlorinated biphenyls (PCBs), 2,4-D, 2,3,7,8-TCDD, and 2,4,5-TP.

BOARD NOTE: See the Board note appended to Section 611.311 for information relating to implementation of requirements relating to aldicarb, aldicarb sulfone, and aldicarb sulfoxide.

"Source" means a well, reservoir, or other source of raw water.

"Special irrigation district" means an irrigation district in existence prior to May 18, 1994 that provides primarily agricultural service through a piped water system with only incidental residential use or similar use, where the system or the residential users or similar users of the system comply with either of the following exclusion conditions:

The Agency determines by issuing a SEP that alternative water is provided for residential use or similar uses for drinking or cooking to achieve the equivalent level of public health protection provided by the applicable national primary drinking water regulations; or

The Agency determines by issuing a SEP that the water provided for residential use or similar uses for drinking, cooking, and bathing is centrally treated or treated at the point of entry by the provider, a pass-through entity, or the user to achieve the equivalent level of protection provided by the applicable national primary drinking water regulations.

"Standard monitoring" means the monitoring, performed by the supplier pursuant to Section 611.921(a) and (b), at various specified locations in a distribution system including near entry points, at points that represent the average residence time in the distribution system, and at points in the distribution system that are representative of high TTHM and HAA5 concentrations throughout the distribution system. 

BOARD NOTE: Derived from 40 CFR 141.601(a) and (b) (2006).

"Standard sample" means the aliquot of finished drinking water that is examined for the presence of coliform bacteria.

"Subpart B system" means a public water system that uses surface water or groundwater under the direct influence of surface water as a source and which is subject to the requirements of Subpart B of this Part and the analytical and monitoring requirements of Sections 611.531, 611.532, 611.533, Appendix B of this Part, and Appendix C of this Part.

"Subpart I compliance monitoring" means monitoring required to demonstrate compliance with disinfectant residuals, disinfection byproducts, and disinfection byproduct precursors requirements of Subpart I of this Part.

"Subpart I system" means a public water system that uses surface water or groundwater as a source and which is subject to the disinfectant residuals, disinfection byproducts, and disinfection byproduct precursors requirements of Subpart I of this Part.

"Subpart Y compliance monitoring" means monitoring required to demonstrate compliance with Stage 2 disinfection byproducts requirements of Subpart Y of this Part.

"Supplier of water" or "supplier" means any person who owns or operates a public water system (PWS). This term includes the "official custodian."

"Surface water" means all water that is open to the atmosphere and subject to surface runoff.

"SUVA" means specific ultraviolet absorption at 254 nanometers (nm), which is an indicator of the humic content of water. It is a calculated parameter obtained by dividing a sample's ultraviolet absorption at a wavelength of 254 nm (UV254)
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

(in m$^{-1}$) by its concentration of dissolved organic carbon (in mg/l).

"SWS" means "surface water system," a public water supply (PWS) that uses only surface water sources, including "groundwater under the direct influence of surface water."


"System-specific study plan" means the plan, submitted by the supplier to the Agency pursuant to Section 611.922, for studying the occurrence of TTHM and HAA5 in a supplier's distribution system based on either monitoring results or modelling of the system.


"System with a single service connection" means a system that supplies drinking water to consumers via a single service line.

"Too numerous to count" means that the total number of bacterial colonies exceeds 200 on a 47-mm diameter membrane filter used for coliform detection.

"Total organic carbon" or "TOC" means total organic carbon (in mg/l) measured using heat, oxygen, ultraviolet irradiation, chemical oxidants, or combinations of these oxidants that convert organic carbon to carbon dioxide, rounded to two significant figures.

"Total trihalomethanes" or "TTHM" means the sum of the concentration of trihalomethanes (THMs), in milligrams per liter (mg/l), rounded to two significant figures.

BOARD NOTE: See the definition of " trihalomethanes" for a listing of the four compounds that USEPA considers TTHMs to comprise.

"Transient, non-community water system" or "transient non-CWS" means a non-CWS that does not regularly serve at least 25 of the same persons over six months of the year.

BOARD NOTE: The federal regulations apply to all "public water systems," which are defined as all systems that have at least 15 service connections or which regularly serve water to at least 25 persons. (See 42 USC 300f(4).) The Act mandates that the Board and the Agency regulate "public water supplies," which it defines as having at least 15 service connections or regularly
serving 25 persons daily at least 60 days per year. (See Section 3.28 of the Act [415 ILCS 5/3.28].) The Department of Public Health regulates transient, non-community water systems.

"Treatment" means any process that changes the physical, chemical, microbiological, or radiological properties of water, is under the control of the supplier, and is not a point-of-use treatment device or a point-of-entry treatment device as defined in this Section. Treatment includes, but is not limited to, aeration, coagulation, sedimentation, filtration, activated carbon treatment, disinfection, and fluoridation.

"Trihalomethane" or "THM" means one of the family of organic compounds, named as derivatives of methane, in which three of the four hydrogen atoms in methane are each substituted by a halogen atom in the molecular structure. The THMs are the following compounds:

- Trichloromethane (chloroform),
- Dibromochloromethane,
- Bromodichloromethane, and
- Tribromomethane (bromoform)

"Two-stage lime softening" means a process in which chemical addition and hardness precipitation occur in each of two distinct unit clarification processes in series prior to filtration.

"µg" means micrograms (1/1,000,000 of a gram).

"USEPA" means the U.S. Environmental Protection Agency.

"Uncovered finished water storage facility" is a tank, reservoir, or other facility that is used to store water which will undergo no further treatment to reduce microbial pathogens except residual disinfection and which is directly open to the atmosphere and which is used to store water that will undergo no further treatment except residual disinfection.

"Very small system waiver" means the conditional waiver from the requirements of Subpart W of this Part applicable to a supplier that serves fewer than 500 persons and which has taken TTHM and HAA5 samples pursuant to Subpart I of this Part.
"Virus" means a virus of fecal origin that is infectious to humans by waterborne transmission.

"VOC" or "volatile organic chemical contaminant" refers to that group of contaminants designated as "VOCs," "volatile organic chemicals," or "volatile organic contaminants," in USEPA regulatory discussions and guidance documents. "VOCs" include benzene, dichloromethane, tetrachloromethane (carbon tetrachloride), trichloroethylene, vinyl chloride, 1,1,1-trichloroethane (methyl chloroform), 1,1-dichloroethylene, 1,2-dichloroethane, cis-1,2-dichloroethylene, ethylbenzene, monochlorobenzene, o-dichlorobenzene, styrene, 1,2,4-trichlorobenzene, 1,1,2-trichloroethane, tetrachloroethylene, toluene, trans-1,2-dichloroethylene, xylene, and 1,2-dichloropropane.

"Waterborne disease outbreak" means the significant occurrence of acute infectious illness, epidemiologically associated with the ingestion of water from a public water system (PWS) that is deficient in treatment, as determined by the appropriate local or State agency.

"Wellhead protection area" or "WHPA" means the surface and subsurface recharge area surrounding a community water supply well or well field, delineated outside of any applicable setback zones (pursuant to Section 17.2 of the Act (415 ILCS 5/17.2)) pursuant to Illinois’ Wellhead Protection Program, through which contaminants are reasonably likely to move toward such well or well field.

BOARD NOTE: The Agency uses two guidance documents for identification of WHPAs:


"Wellhead protection program" means the wellhead protection program for the State of Illinois, approved by USEPA under Section 1428 of the SDWA, 42 USC
NOTICE OF ADOPTED AMENDMENTS

300h-7.

"Wholesale system" means a public water system that treats source water as necessary to produce finished water, which then delivers some or all of that finished water to another public water system. Delivery by a wholesale system may be through a direct connection or through the distribution system of one or more consecutive systems.


(Source: Amended at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.102 Incorporations by Reference

a) Abbreviations and short-name listing of references. The following names and abbreviated names, presented in alphabetical order, are used in this Part to refer to materials incorporated by reference:


"Colisure Test" means "Colisure Presence/Absence Test for Detection and Identification of Coliform Bacteria and Escherichia Coli in Drinking Water," available from Millipore Corporation, Technical Services Department.

"Colitag® Test" means "Colitag® Product as a Test for Detection and Identification of Coliforms and E. coli Bacteria in Drinking Water and Source Water as Required in National Primary Drinking Water Regulations," available from CPI International.

"Determination of Inorganic Oxyhalide" means "Determination of Inorganic Oxyhalide Disinfection By-Products in Drinking Water Using Ion Chromatography with the Addition of a Postcolumn Reagent for Trace Bromate Analysis," available from NTIS.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

"Dioxin and Furan Method 1613" means "Tetra- through Octa-Chlorinated Dioxins and Furans by Isotope-Dilution HRGC/HRMS," available from NTIS.


"Enterolert" means "Evaluation of Enterolert for Enumeration of Enterococci in Recreational Waters," available from American Society for Microbiology.


"Hach FilterTrak Method 10133" means "Determination of Turbidity by Laser Nephelometry," available from Hach Co.


"m-ColiBlue24 Test" means "Total Coliforms and E. coli Membrane Filtration Method with m-ColiBlue24® Broth," available from Hach Company and USEPA, Water Resource Center.

"Membrane Filter Technique using Chromocult Doliform Agar" means "Chromocult Coliform Agar Presence/Absence Membrane Filter Test Method for Detection and Identification of Coliform Bacteria and
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Escherichia coli in Finished Waters," available from EMD Chemicals Inc.


"NCRP" means "National Council on Radiation Protection."

"NTIS" means "National Technical Information Service."

"New Jersey Radium Method" means "Determination of Radium 228 in Drinking Water," available from the New Jersey Department of Environmental Protection.

"New York Radium Method" means "Determination of Ra-226 and Ra-228 (Ra-02)," available from the New York Department of Public Health.


"Palintest Method 1001" means "Method Number 1001," available from Palintest, Ltd. or the Hach Company.

"QuikChem Method 10-204-00-1-X" means "Digestion and distillation of total cyanide in drinking and wastewaters using MICRO DIST and determination of cyanide by flow injection analysis," available from Lachat Instruments.

"Readycult Coliforms 100 Presence/Absence Test" means "Readycult Coliforms 100 Presence/Absence Test for Detection and Identification of Coliform Bacteria and Escherichia coli in Finished Waters," available from EMD Chemicals Inc.

"SimPlate Method" means "IDEXX SimPlate TM HPC Test Method for
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Heterotrophs in Water," available from IDEXX Laboratories, Inc.

"Radiochemical Methods" means "Interim Radiochemical Methodology for Drinking Water," available from NTIS.


"Syngenta AG-625" means "Atrazine in Drinking Water by Immunoassay," February 2001 is available from Syngenta Crop Protection, Inc.


"Technicon Methods" means "Fluoride in Water and Wastewater," available from Bran & Luebbe.


"USEPA Asbestos Methods-100.2" means Method 100.2, "Determination of Asbestos Structures over 10-mm in Length in Drinking Water," June 1994, available from NTIS.


"USEPA Environmental Metals Methods" means "Methods for the Determination of Metals in Environmental Samples," available from NTIS.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS


"USEPA Interim Radiochemical Methods" means "Interim Radiochemical Methodology for Drinking Water," EPA 600/4-75/008 (revised), March 1976. Available from NTIS.


"USEPA Method 1604" means "Method 1604: Total Coliforms and Escherichia coli in Water by Membrane Filtration Using a Simultaneous Detection Technique (MI Medium)," available from USEPA, Water Resource Center.


POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS


"USEPA OGWDW Methods" means one of the methods listed as available from the USEPA, Office of Ground Water and Drinking Water (Methods 317.0 (rev. 2.0), 326.0 (rev. 1.0), 327.0 (rev. 1.1), 515.4 (rev. 1.0), 531.2 (rev. 1.0), and 552.3 (rev. 1.0)).

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

815/B-01/002 EPA 815/B/01/002, are both available on-line from USEPA, Office of Ground Water and Drinking Water.


"USEPA Radiochemical Analyses" means "Radiochemical Analytical Procedures for Analysis of Environmental Samples," March 1979. Available from NTIS.


"USEPA Technical Notes" means "Technical Notes on Drinking Water Methods," available from NTIS.


b) The Board incorporates the following publications by reference:


"Standard Methods for the Examination of Water and
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS


American Society for Microbiology, 1752 N Street N.W., Washington, DC 20036, 202-737-3600:


BOARD NOTE: At the table to 40 CFR 141.402(c)(2), USEPA approved the method as described in the above literature review. The method itself is embodied in the printed instructions to the proprietary kit available from IDEXX Laboratories, Inc. (accessible on-line and available by download from www.asm.org.
ILLINOIS REGISTER  11801

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

As "Enterolert™ Procedure"). ASTM approved the method as "Standard Test Method for Enterococci in Water Using Enterolert™," which is available in two versions from ASTM: ASTM D 6503-99 (superceded) and ASTM D 6503-99 (2005). While it is more conventional to incorporate the method as presented in the kit instructions or as approved by ASTM by reference, the Board is constrained to incorporate the version that appears in the technical literature by reference, which is the version that USEPA has explicitly approved.

AWWA American Water Works Association et al., 6666 West Quincy Ave., Denver, CO 80235 (303-794-7711).


Method 302, Gross Alpha and Gross Beta Radioactivity in Water (Total, Suspended, and Dissolved), referenced in Section 611.720.

Method 303, Total Radioactive Strontium and Strontium 90 in Water, referenced in Section 611.720.

Method 304, Radium in Water by Precipitation, referenced in Section 611.720.

Method 305, Radium 226 by Radon in Water (Soluble, Suspended, and Total), referenced in Section 611.720.

Method 306, Tritium in Water, referenced in Section 611.720.

Method 7110 B, Gross Alpha and Gross Beta Radioactivity in Water (Total, Suspended, and Dissolved), referenced in Section 611.720.

Method 7500-Cs B, Radioactive Cesium, Precipitation Method, referenced in Section 611.720.

Method 7500-$^3$H B, Tritium in Water, referenced in Section 611.720.

Method 7500-I B, Radioactive Iodine, Precipitation Method, referenced in Section 611.720.


Method 7500-I D, Radioactive Iodine, Distillation Method, referenced in Section 611.720.

Method 7500-Ra B, Radium in Water by Precipitation, referenced in Section 611.720.

Method 7500-Ra C, Radium 226 by Radon in Water (Soluble, Suspended, and Total), referenced in Section 611.720.

Method 7500-Ra D, Radium, Sequential Precipitation Method (Proposed), referenced in Section 611.720.

Method 7500-Sr B, Total Radioactive Strontium and Strontium 90 in Water, referenced in Section 611.720.

Method 7500-U B, Uranium, Radiochemical Method (Proposed), referenced in Section 611.720.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Method 7500-U C, Uranium, Isotopic Method (Proposed), referenced in Section 611.720.


Method 2130 B, Turbidity, Nephelometric Method, referenced in Section 611.531.

Method 2320 B, Alkalinity, Titration Method, referenced in Section 611.611.

Method 2510 B, Conductivity, Laboratory Method, referenced in Section 611.611.

Method 2550, Temperature, Laboratory and Field Methods, referenced in Section 611.611.


Method 3111 D, Metals by Flame Atomic Absorption Spectrometry, Direct Nitrous Oxide-Acetylene Flame Method, referenced in Section 611.611.

Method 3112 B, Metals by Cold-Vapor Atomic Absorption Spectrometry, Cold-Vapor Atomic Absorption Spectrometric Method, referenced in Section 611.611.


Method 3114 B, Metals by Hydride Generation/Atomic Absorption Spectrometry, Manual Hydride
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Generation/Atomic Absorption Spectrometric Method, referenced in Section 611.611.


Method 3500-Ca D, Calcium, EDTA Titrimetric Method, referenced in Section 611.611.

Method 3500-Mg E, Magnesium, Calculation Method, referenced in Section 611.611.

Method 4110 B, Determination of Anions by Ion Chromatography, Ion Chromatography with Chemical Suppression of Eluent Conductivity, referenced in Section 611.611.

Method 4500-CN^- C, Cyanide, Total Cyanide after Distillation, referenced in Section 611.611.

Method 4500-CN^- E, Cyanide, Colorimetric Method, referenced in Section 611.611.

Method 4500-CN^- F, Cyanide, Cyanide-Selective Electrode Method, referenced in Section 611.611.

Method 4500-CN^- G, Cyanide, Cyanides Amenable to Chlorination after Distillation, referenced in Section 611.611.

Method 4500-Cl D, Chlorine, Amperometric Titration Method, referenced in Section 611.531.

Method 4500-Cl E, Chlorine, Low-Level Amperometric Titration Method, referenced in Section 611.531.

Method 4500-Cl F, Chlorine, DPD Ferrous Titrimetric Method, referenced in Section 611.531.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Method 4500-Cl G, Chlorine, DPD Colorimetric Method, referenced in Section 611.531.

Method 4500-Cl H, Chlorine, Syngaldazine (FACTS) Method, referenced in Section 611.531.

Method 4500-Cl I, Chlorine, Iodometric Electrode Method, referenced in Section 611.531.

Method 4500-ClO₂ C, Chlorine Dioxide, Amperometric Method I, referenced in Section 611.531.

Method 4500-ClO₂ D, Chlorine Dioxide, DPD Method, referenced in Section 611.531.

Method 4500-ClO₂ E, Chlorine Dioxide, Amperometric Method II (Proposed), referenced in Section 611.531.

Method 4500-F⁻ B, Fluoride, Preliminary Distillation Step, referenced in Section 611.611.

Method 4500-F⁻ C, Fluoride, Ion-Selective Electrode Method, referenced in Section 611.611.

Method 4500-F⁻ D, Fluoride, SPADNS Method, referenced in Section 611.611.

Method 4500-F⁻ E, Fluoride, Complexone Method, referenced in Section 611.611.

Method 4500-H⁺ B, pH Value, Electrometric Method, referenced in Section 611.611.

Method 4500-NO₂⁻ B, Nitrogen (Nitrite), Colorimetric Method, referenced in Section 611.611.

Method 4500-NO₃⁻ D, Nitrogen (Nitrate), Nitrate Electrode Method, referenced in Section 611.611.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Method 4500-NO₃⁵ E, Nitrogen (Nitrate), Cadmium Reduction Method, referenced in Section 611.611.

Method 4500-NO₃⁵ F, Nitrogen (Nitrate), Automated Cadmium Reduction Method, referenced in Section 611.611.

Method 4500-O₃ B, Ozone (Residual) (Proposed), Indigo Colorimetric Method, referenced in Section 611.531.

Method 4500-P E, Phosphorus, Ascorbic Acid Method, referenced in Section 611.611.

Method 4500-P F, Phosphorus, Automated Ascorbic Acid Reduction Method, referenced in Section 611.611.

Method 4500-Si D, Silica, Molybdosilicate Method, referenced in Section 611.611.

Method 4500-Si E, Silica, Heteropoly Blue Method, referenced in Section 611.611.

Method 4500-Si F, Silica, Automated Method for Molybdate-Reactive Silica, referenced in Section 611.611.

Method 6651, Glyphosate Herbicide (Proposed), referenced in Section 611.645.

Method 7110 B, Gross Alpha and Beta Radioactivity (Total, Suspended, and Dissolved), Evaporation Method for Gross Alpha-Beta, referenced in Section 611.720.

Method 7110 C, Gross Alpha and Beta Radioactivity (Total, Suspended, and Dissolved), Coprecipitation Method for Gross Alpha Radioactivity in Drinking Water (Proposed), referenced in Section 611.720.

Method 7500-Cs B, Radioactive Cesium, Precipitation
NOTICE OF ADOPTED AMENDMENTS

Method, referenced in Section 611.720.

Method 7500-3H B, Tritium, Liquid Scintillation Spectrometric Method, referenced in Section 611.720.

Method 7500-I B, Radioactive Iodine, Precipitation Method, referenced in Section 611.720.


Method 7500-I D, Radioactive Iodine, Distillation Method, referenced in Section 611.720.

Method 7500-Ra B, Radium, Precipitation Method, referenced in Section 611.720.

Method 7500-Ra C, Radium, Emanation Method, referenced in Section 611.720.

Method 7500-Ra D, Radium, Sequential Precipitation Method (Proposed), referenced in Section 611.720.

Method 7500-Sr B, Total Radioactive Strontium and Strontium 90, Precipitation Method, referenced in Section 611.720.

Method 7500-U B, Uranium, Radiochemical Method (Proposed), referenced in Section 611.720.

Method 7500-U C, Uranium, Isotopic Method (Proposed), referenced in Section 611.720.

Method 9215 B, Heterotrophic Plate Count, Pour Plate Method, referenced in Section 611.531.

Method 9221 A, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Introduction, referenced in Sections 611.526 and 611.531.
NOTICE OF ADOPTED AMENDMENTS

Method 9221 B, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Standard Total Coliform Fermentation Technique, referenced in Sections 611.526 and 611.531.

Method 9221 C, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Estimation of Bacterial Density, referenced in Sections 611.526 and 611.531.

Method 9221 D, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Presence-Absence (P-A) Coliform Test, referenced in Section 611.526.

Method 9221 E, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Fecal Coliform Procedure, referenced in Sections 611.526 and 611.531.

Method 9222 A, Membrane Filter Technique for Members of the Coliform Group, Introduction, referenced in Sections 611.526 and 611.531.

Method 9222 B, Membrane Filter Technique for Members of the Coliform Group, Standard Total Coliform Membrane Filter Procedure, referenced in Sections 611.526 and 611.531.

Method 9222 C, Membrane Filter Technique for Members of the Coliform Group, Delayed-Incubation Total Coliform Procedure, referenced in Sections 611.526 and 611.531.

Method 9222 D, Membrane Filter Technique for Members of the Coliform Group, Fecal Coliform Membrane Filter Procedure, referenced in Section 611.531.

Method 9223, Chromogenic Substrate Coliform Test (Proposed) (also referred to as the variations "Autoanalysis Colilert System" and "Colisure Test"), referenced in
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Sections 611.526, and 611.531.

Method 9223 B, Chromogenic Substrate Coliform Test (Proposed), referenced in Section 611.1004.


Method 6610, Carbamate Pesticide Method, referenced in Section 611.645.


Method 2130 B, Turbidity, Nephelometric Method, referenced in Section 611.531.

Method 2320 B, Alkalinity, Titration Method, referenced in Section 611.611.

Method 2510 B, Conductivity, Laboratory Method, referenced in Section 611.611.

Method 2550, Temperature, Laboratory, and Field Methods, referenced in Section 611.611.


Method 3111 D, Metals by Flame Atomic Absorption Spectrometry, Direct Nitrous Oxide-Acetylene Flame Method, referenced in Section 611.611.

Method 3112 B, Metals by Cold-Vapor Atomic Absorption Spectrometry, Cold-Vapor Atomic Absorption Spectrometric Method, referenced in Section 611.611.
NOTICE OF ADOPTED AMENDMENTS


Method 3500-Ca D, Calcium, EDTA Titrimetric Method, referenced in Section 611.611.

Method 3500-Mg E, Magnesium, Calculation Method, referenced in Section 611.611.

Method 4110 B, Determination of Anions by Ion Chromatography, Ion Chromatography with Chemical Suppression of Eluent Conductivity, referenced in Section 611.611.

Method 4500-Cl D, Chlorine, Amperometric Titration Method, referenced in Sections 611.381 and 611.531.

Method 4500-Cl E, Chlorine, Low-Level Amperometric Titration Method, referenced in Sections 611.381 and 611.531.

Method 4500-Cl F, Chlorine, DPD Ferrous Titrimetric Method, referenced in Sections 611.381 and 611.531.

Method 4500-Cl G, Chlorine, DPD Colorimetric Method, referenced in Sections 611.381 and 611.531.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Method 4500-Cl H, Chlorine, Syringaldazine (FACTS) Method, referenced in Sections 611.381 and 611.531.

Method 4500-Cl I, Chlorine, Iodometric Electrode Method, referenced in Sections 611.381 and 611.531.

Method 4500-ClO$_2$ C, Chlorine Dioxide, Amperometric Method I, referenced in Section 611.531.

Method 4500-ClO$_2$ D, Chlorine Dioxide, DPD Method, referenced in Sections 611.381 and 611.531.

Method 4500-ClO$_2$ E, Chlorine Dioxide, Amperometric Method II (Proposed), referenced in Sections 611.381 and 611.531.

Method 4500-CN$^-$/C, Cyanide, Total Cyanide after Distillation, referenced in Section 611.611.

Method 4500-CN$^-$/E, Cyanide, Colorimetric Method, referenced in Section 611.611.

Method 4500-CN$^-$/F, Cyanide, Cyanide-Selective Electrode Method, referenced in Section 611.611.

Method 4500-CN$^-$/G, Cyanide, Cyanides Amenable to Chlorination after Distillation, referenced in Section 611.611.

Method 4500-F$^-$/B, Fluoride, Preliminary Distillation Step, referenced in Section 611.611.


Method 4500-F$^-$/D, Fluoride, SPADNS Method, referenced in Section 611.611.

Method 4500-F$^-$/E, Fluoride, Complexone Method,
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

referred in Section 611.611.

Method 4500-H+ B, pH Value, Electrometric Method, referred in Section 611.611.

Method 4500-NO$_2^-$ B, Nitrogen (Nitrite), Colorimetric Method, referred in Section 611.611.

Method 4500-NO$_3^-$ D, Nitrogen (Nitrate), Nitrate Electrode Method, referred in Section 611.611.

Method 4500-NO$_3^-$ E, Nitrogen (Nitrate), Cadmium Reduction Method, referred in Section 611.611.

Method 4500-NO$_3^-$ F, Nitrogen (Nitrate), Automated Cadmium Reduction Method, referred in Section 611.611.

Method 4500-O$_3$ B, Ozone (Residual) (Proposed), Indigo Colorimetric Method, referred in Section 611.531.

Method 4500-P E, Phosphorus, Ascorbic Acid Method, referred in Section 611.611.

Method 4500-P F, Phosphorus, Automated Ascorbic Acid Reduction Method, referred in Section 611.611.

Method 4500-Si D, Silica, Molybdosilicate Method, referred in Section 611.611.

Method 4500-Si E, Silica, Heteropoly Blue Method, referred in Section 611.611.

Method 4500-Si F, Silica, Automated Method for Molybdate-Reactive Silica, referred in Section 611.611.

Method 5910 B, UV Absorbing Organic Constituents, Ultraviolet Absorption Method, referred in Section 611.381.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS


Method 6610, Carbamate Pesticide Method, referenced in Section 611.645.

Method 6651, Glyphosate Herbicide (Proposed), referenced in Section 611.645.

Method 7110 B, Gross Alpha and Gross Beta Radioactivity, Evaporation Method for Gross Alpha-Beta, referenced in Section 611.720.

Method 7110 C, Gross Alpha and Beta Radioactivity (Total, Suspended, and Dissolved), Coprecipitation Method for Gross Alpha Radioactivity in Drinking Water (Proposed), referenced in Section 611.720.

Method 7120 B, Gamma-Emitting Radionuclides, Gamma Spectrometric Method, referenced in Section 611.720.

Method 7500-Cs B, Radioactive Cesium, Precipitation Method, referenced in Section 611.720.

Method 7500-3H B, Tritium, Liquid Scintillation Spectrometric Method, referenced in Section 611.720.

Method 7500-I B, Radioactive Iodine, Precipitation Method, referenced in Section 611.720.


Method 7500-I D, Radioactive Iodine, Distillation Method, referenced in Section 611.720.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Method 7500-Ra B, Radium, Precipitation Method, referenced in Section 611.720.

Method 7500-Ra C, Radium, Emanation Method, referenced in Section 611.720.

Method 7500-Ra D, Radium, Sequential Precipitation Method, referenced in Section 611.720.

Method 7500-Sr B, Total Radiactive Strontium and Strontium 90, Precipitation Method, referenced in Section 611.720.

Method 7500-U B, Uranium, Radiochemical Method, referenced in Section 611.720.

Method 7500-U C, Uranium, Isotopic Method, referenced in Section 611.720.

Method 9215 B, Heterotrophic Plate Count, Pour Plate Method, referenced in Section 611.531.

Method 9221 A, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Introduction, referenced in Sections 611.526 and 611.531.

Method 9221 B, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Standard Total Coliform Fermentation Technique, referenced in Sections 611.526 and 611.531.

Method 9221 C, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Estimation of Bacterial Density, referenced in Sections 611.526 and 611.531.

Method 9221 D, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Presence-Absence (P-A) Coliform Test, referenced in Section 611.526.
NOTICE OF ADOPTED AMENDMENTS

Method 9221 E, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Fecal Coliform Procedure, referenced in Sections 611.526 and 611.531.

Method 9222 A, Membrane Filter Technique for Members of the Coliform Group, Introduction, referenced in Sections 611.526 and 611.531.

Method 9222 B, Membrane Filter Technique for Members of the Coliform Group, Standard Total Coliform Membrane Filter Procedure, referenced in Sections 611.526 and 611.531.

Method 9222 C, Membrane Filter Technique for Members of the Coliform Group, Delayed-Incubation Total Coliform Procedure, referenced in Sections 611.526 and 611.531.

Method 9222 D, Membrane Filter Technique for Members of the Coliform Group, Fecal Coliform Membrane Filter Procedure, referenced in Section 611.531.

Method 9222 G, Membrane Filter Technique for Members of the Coliform Group, MF Partition Procedures, referenced in Section 611.526.

Method 9223, Chromogenic Substrate Coliform Test (also referred to as the variations "Autoanalysis Colilert System" and "Colisure Test") (Proposed), referenced in Sections 611.526 and 611.531.

Method 9223 B, Chromogenic Substrate Coliform Test (Proposed), referenced in Section 611.1004.


Method 5310 B, TOC, Combustion-Infrared Method,
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

referenced in Section 611.381.

Method 5310 C, TOC, Persulfate-Ultraviolet Oxidation Method, referenced in Section 611.381.

Method 5310 D, TOC, Wet-Oxidation Method, referenced in Section 611.381.


Method 2130 B, Turbidity, Nephelometric Method, referenced in Section 611.531.

Method 2320 B, Alkalinity, Titration Method, referenced in Section 611.611.

Method 2510 B, Conductivity, Laboratory Method, referenced in Section 611.611.

Method 2550, Temperature, Laboratory, and Field Methods, referenced in Section 611.611.


Method 3500-Ca B, Calcium, EDTA Titrimetric Method, referenced in Section 611.611.

Method 3500-Mg B, Magnesium, EDTA Titrimetric Method, referenced in Section 611.611.

Method 4110 B, Determination of Anions by Ion Chromatography, Ion Chromatography with Chemical Suppression of Eluent Conductivity, referenced in Section 611.611.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Method 4500-CN’ C, Cyanide, Total Cyanide after Distillation, referenced in Section 611.611.

Method 4500-CN’ E, Cyanide, Colorimetric Method, referenced in Section 611.611.

Method 4500-CN’ F, Cyanide, Cyanide-Selective Electrode Method, referenced in Section 611.611.

Method 4500-CN’ G, Cyanide, Cyanides Amenable to Chlorination after Distillation, referenced in Section 611.611.

Method 4500-Cl D, Chlorine, Amperometric Titration Method, referenced in Section 611.531.

Method 4500-Cl E, Chlorine, Low-Level Amperometric Titration Method, referenced in Section 611.531.

Method 4500-Cl F, Chlorine, DPD Ferrous Titrmetric Method, referenced in Section 611.531.

Method 4500-Cl G, Chlorine, DPD Colorimetric Method, referenced in Section 611.531.

Method 4500-Cl H, Chlorine, Syringaldazine (FACTS) Method, referenced in Section 611.531.

Method 4500-Cl I, Chlorine, Iodometric Electrode Method, referenced in Section 611.531.

Method 4500-ClO₂ C, Chlorine Dioxide, Amperometric Method I, referenced in Section 611.531.

Method 4500 ClO₂ D, Chlorine Dioxide, DPD Method, referenced in Section 611.531.

Method 4500-ClO₂ E, Chlorine Dioxide, Amperometric Method II (Proposed), referenced in Section 611.531.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Method 4500-F B, Fluoride, Preliminary Distillation Step, referenced in Section 611.611.

Method 4500-F C, Fluoride, Ion-Selective Electrode Method, referenced in Section 611.611.

Method 4500-F D, Fluoride, SPADNS Method, referenced in Section 611.611.

Method 4500-F E, Fluoride, Complexone Method, referenced in Section 611.611.

Method 4500-H+ B, pH Value, Electrometric Method, referenced in Section 611.611.

Method 4500-NO2 B, Nitrogen (Nitrite), Colorimetric Method, referenced in Section 611.611.

Method 4500-NO3 D, Nitrogen (Nitrate), Nitrate Electrode Method, referenced in Section 611.611.

Method 4500-NO3 E, Nitrogen (Nitrate), Cadmium Reduction Method, referenced in Section 611.611.

Method 4500-NO3 F, Nitrogen (Nitrate), Automated Cadmium Reduction Method, referenced in Section 611.611.

Method 4500-O3 B, Ozone (Residual) (Proposed), Indigo Colorimetric Method, referenced in Section 611.531.

Method 4500-P E, Phosphorus, Ascorbic Acid Method, referenced in Section 611.611.

Method 4500-P F, Phosphorus, Automated Ascorbic Acid Reduction Method, referenced in Section 611.611.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Method 4500-Si C, Silica, Molybdosilicate Method, referenced in Section 611.611.

Method 4500-Si D, Silica, Heteropoly Blue Method, referenced in Section 611.611.

Method 4500-Si E, Silica, Automated Method for Molybdate-Reactive Silica, referenced in Section 611.611.

Method 5910 B, UV-Absorbing Organic Constituents, Ultraviolet Absorption Method, referenced in Sections 611.381 and 611.382.

Method 6251, Disinfection By-Products: Haloacetic Acids and Trichlorophenol, referenced in Section 611.381.

Method 6610, Carbamate Pesticide Method, referenced in Section 611.645.

Method 6651, Glyphosate Herbicide (Proposed), referenced in Section 611.645.

Method 7110 B, Gross Alpha and Gross Beta Radioactivity, Evaporation Method for Gross Alpha-Beta, referenced in Section 611.720.

Method 7110 C, Gross Alpha and Beta Radioactivity (Total, Suspended, and Dissolved), Coprecipitation Method for Gross Alpha Radioactivity in Drinking Water (Proposed), referenced in Section 611.720.

Method 7120-B, Gamma-Emitting Radionuclides, Gamma Spectrometric Method, referenced in Section 611.720.

Method 7500-Cs B, Radioactive Cesium, Precipitation Method, referenced in Section 611.720.

Method 7500-3H B, Tritium, Liquid Scintillation Spectrometric Method, referenced in Section 611.720.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Method 7500-I B, Radioactive Iodine, Precipitation Method, referenced in Section 611.720.


Method 7500-I D, Radioactive Iodine, Distillation Method, referenced in Section 611.720.

Method 7500-Ra B, Radium, Precipitation Method, referenced in Section 611.720.

Method 7500-Ra C, Radium, Emanation Method, referenced in Section 611.720.

Method 7500-Sr B, Total Radiactive Strontium and Strontium 90, Precipitation Method, referenced in Section 611.720.

Method 7500-U B, Uranium, Radiochemical Method, referenced in Section 611.720.

Method 7500-U C, Uranium, Isotopic Method, referenced in Section 611.720.

Method 9215 B, Heterotrophic Plate Count, Pour Plate Method, referenced in Section 611.531.

Method 9221 A, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Introduction referenced in Sections 611.526 and 611.531.

Method 9221 B, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Standard Total Coliform Fermentation Technique, referenced in Sections 611.526 and 611.531.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Method 9221 C, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Estimation of Bacterial Density, referenced in Sections 611.526 and 611.531.

Method 9221 D, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Presence-Absence (P-A) Coliform Test, referenced in Sections 611.526.

Method 9221 E, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Fecal Coliform Procedure, referenced in Sections 611.526 and 611.531.

Method 9221 F, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Escherichia Coli Procedure (Proposed), referenced in Section 611.802.

Method 9222 A, Membrane Filter Technique for Members of the Coliform Group, Introduction, referenced in Sections 611.526 and 611.531.

Method 9222 B, Membrane Filter Technique for Members of the Coliform Group, Standard Total Coliform Membrane Filter Procedure, referenced in Sections 611.526 and 611.531.

Method 9222 C, Membrane Filter Technique for Members of the Coliform Group, Delayed-Incubation Total Coliform Procedure, referenced in Sections 611.526 and 611.531.

Method 9222 D, Membrane Filter Technique for Members of the Coliform Group, Fecal Coliform Membrane Filter Procedure, referenced in Section 611.531.

Method 9222 G, Membrane Filter Technique for Members of the Coliform Group, MF Partition Procedures, referenced in Section 611.526.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Method 9223, Chromogenic Substrate Coliform Test (also referred to as the variations "Autoanalysis Colilert System" and "Colisure Test") (Proposed), referenced in Sections 611.526, and 611.531.

Method 9223 B, Chromogenic Substrate Coliform Test (also referred to as the variations "Autoanalysis Colilert System" and "Colisure Test"), referenced in Sections 611.802 and 611.1004.

Method 9230 B, Fecal Streptococcus and Enterococcus Groups, Multiple Tube Techniques, referenced in Section 611.802.

Method 9230 C, Fecal Streptococcus and Enterococcus Groups, Membrane Filter Techniques, referenced in Section 611.802.


Method 4500-Cl D, Chlorine, Amperometric Titration Method, referenced in Section 611.381.

Method 4500-Cl E, Chlorine, Low-Level Amperometric Titration Method, referenced in Section 611.381.

Method 4500-Cl F, Chlorine, DPD Ferrous Titrimetric Method, referenced in Section 611.381.

Method 4500-Cl G, Chlorine, DPD Colorimetric Method, referenced in Section 611.381.

Method 4500-Cl H, Chlorine, Syringaldazine (FACTS) Method, referenced in Section 611.381.

Method 4500-Cl I, Chlorine, Iodometric Electrode Method, referenced in Section 611.381.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Method 4500-ClO₂ E, Chlorine Dioxide, Amperometric Method II (Proposed), referenced in Section 611.381.

Method 5310 B, TOC, Combustion-Infrared Method, referenced in Section 611.381.

Method 5310 C, TOC, Persulfate-Ultraviolet Oxidation Method, referenced in Section 611.381.

Method 5310 D, TOC, Wet-Oxidation Method, referenced in Section 611.381.

Method 5910 B, UV-Absorbing Organic Constituents, Ultraviolet Absorption Method, referenced in Sections 611.381 and 611.382.

Method 6251, Disinfection By-Products: Haloacetic Acids and Trichlorophenol, referenced in Section 611.381.

BOARD NOTE: Standard Methods is available online at www.standardmethods.org.

Analytical Technology, Inc. ATI Orion, 529 Main Street, Boston, MA 02129.


ASTM. American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959 (610-832-9585).

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS


POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS


ASTM Method D3559-96 D, "Standard Test Methods for Lead in
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS


POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS


Bran & Luebbe, 1025 Busch Parkway, Buffalo Grove, IL 60089.


Charm Sciences, Inc., 659 Andover St., Lawrence, MA 01843-1032:

"Charm E*Colite Presence/Absence Test for Detection and Identification of Coliform Bacteria and Escherichia coli in Drinking Water," January 9, 1998 (referred to as "E*Colite Test"), referenced in Section 611.802 (also available from USEPA, Water Resource Center).


"Colitag® Product as a Test for Detection and Identification of Coliforms and E. coli Bacteria in Drinking Water and Source
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS


EMD Chemicals Inc. (an affiliate of Merck KGaA, Darmstadt, Germany), 480 S. Democrat Road, Gibbstown, NJ 08027–1297. (800-222-0342/e-mail:adellenbusch@emscience.com).


ERDA Health and Safety Laboratory, New York, NY.


Great Lakes Instruments, Inc., 8855 North 55th Street, Milwaukee, WI 53223.


The Hach Company, P.O. Box 389, Loveland, CO 80539-0389 (800-227-4224).

"Lead in Drinking Water by Differential Pulse Anodic Stripping Voltammetry," Method 1001, August 1999, referenced in Section 611.611.

"Determination of Turbidity by Laser Nephelometry," January 2000, Revision 2.0 (referred to as "Hach FilterTrak Method 10133"), referenced in Section 611.531.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

"Total Coliforms and E. coli Membrane Filtration Method with m-ColiBlue24® Broth," Method No. 10029, Revision 2, August 17, 1999 (referred to as "m-ColiBlue24 Test"), referenced in Section 611.802 (also available from USEPA, Water Resource Center).

IDEXX Laboratories, Inc., One IDEXX Drive, Westbrook, Maine 04092 (800-321-0207).

"IDEXX SimPlate TM HPC Test Method for Heterotrophs in Water," November 2000 (referred to as "SimPlate method"), referenced in Section 611.531.


"Digestion and distillation of total cyanide in drinking and wastewaters using MICRO DIST and determination of cyanide by flow injection analysis," Revision 2.1, November 30, 2000 (referred to as "QuikChem Method 10-204-00-1-X"), referenced in Section 611.611.

Millipore Corporation, Technical Services Department, 80 Ashby Road, Milford, MA 01730 (800-654-5476).

Colisure Presence/Absence Test for Detection and Identification of Coliform Bacteria and Escherichia Coli in Drinking Water, February 28, 1994 (referred to as "Colisure Test"), referenced in Section 611.526.

NCRP. National Council on Radiation Protection, 7910 Woodmont Ave., Bethesda, MD (301-657-2652).


NSF. National Sanitation Foundation International, 3475 Plymouth Road, PO Box 130140, Ann Arbor, Michigan 48113-0140 (734-769-8010).
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

NSF Standard 61, section 9, November 1998, referenced in Sections 611.126 and 611.356.


"Interim Radiochemical Methodology for Drinking Water," EPA 600/4-75-008 (revised), March 1976 (referred to as "USEPA Interim Radiochemical Methods"), referenced in Section 611.720. (Pages 1, 4, 6, 9, 13, 16, 24, 29, 34) "Kelada Automated Test Methods for Total Cyanide, Acid Dissociable Cyanide, And Thiocyanate," Revision 1.2, August 2001, EPA 821/B-01-009 EPA # 821-B-01-009 (referred to as "Kelada 01"), referenced in Section 611.611.


Method 100.1, "Analytical Method for Determination of Asbestos Fibers in Water," EPA 600/4-83-043 EPA-600/4-83-043, September 1983, Doc. No. PB83-260471 (referred to as "USEPA Asbestos Methods-100.1"), referenced in Section 611.611.

Method 100.2, "Determination of Asbestos Structures over 10-mm in Length in Drinking Water," EPA 600/R-94-134 EPA-600/R-94-134, June 1994, Doc. No. PB94-201902 (referred to as "USEPA Asbestos Methods-100.2"), referenced in Section 611.611.

"Methods for Chemical Analysis of Water and Wastes," March 1983, EPA 600/4-79-020, Doc. No. PB84-128677 (referred to as "USEPA Inorganic Methods"). (Methods 150.1, 150.2, and 245.2, which formerly appeared in this reference, are available from USEPA EMSL.), referenced in Section 611.611.
"Methods for the Determination of Inorganic Substances in Environmental Samples," August 1993, EPA 600/R-93-100, Doc. No. PB94-120821 (referred to as "USEPA Environmental Inorganic Methods"), referenced in Sections 611.381, 611.531, and 611.611. (For methods 180.1, 300.0, 335.4, 353.2, and 365.1.)


"Methods for the Determination of Organic and Inorganic Compounds in Drinking Water, Volume 1" August 2000, EPA 815/R-00/014, Doc. No. PB2000-106981 (referred to as "USEPA Organic and Inorganic Methods"), referenced in Section 611.381. (For methods 300.1 and 321.8.)


POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

552.1, and 555.)


"Prescribed Procedures for Measurement of Radioactivity in Drinking Water," EPA 600/4-80/032 EPA 600/4-80-032, August 1980 (Doc. No. document number PB 80-224744) (referred to as "USEPA Radioactivity Methods"), referenced in Section 611.720. (For methods Methods 900, 901, 901.1, 902, 903, 903.1, 904, 905, 906, 908, 908.1)


"Radiochemical Analytical Procedures for Analysis of Environmental Samples," March 1979, Doc. No. EMSL LV 053917 (referred to as "USEPA Radiochemical Analyses"), referenced in Section 611.720. (Pages 1, 19, 33, 65, 87, 92)

"Radiochemistry Procedures Manual," EPA 520/5-84-006 EPA 520/5-84-006, August 1984, December 1987, Doc. No. PB84-215581PB 84-215584 (referred to as "USEPA Radiochemistry Methods"), referenced in Section 611.720. (Methods 00-01, 00-02, 00-07, H-02, Ra-03, Ra-04, Ra-05, Sr-04)


BOARD NOTE: USEPA made the following assertion with regard to this reference at 40 CFR 141.23(k)(1) and 141.24(e) and (n)(11) (2006)(2005): "This document contains other analytical
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Test procedures and approved analytical methods that remain available for compliance monitoring until July 1, 1996.


USEPA Method 326.0, Revision 1.0, "Determination of Inorganic Oxyhalide Disinfection By-Products in Drinking Water Using Ion Chromatography Incorporating the Addition of a Suppressor Acidified Postcolumn Reagent for Trace Bromate Analysis," USEPA, June 2002, EPA 815/R-03/007, Doc. No. PB2003-107402 (referred to as "OGWWDW Methods, Method 326.0, rev. 1.0"), referenced in Sections 611.381 and 611.382.

BOARD NOTE: Also available from United States Environmental Protection Agency, Office of Ground Water and Drinking Water.

New Jersey Department of Environment, Division of Environmental Quality, Bureau of Radiation and Inorganic Analytical Services, 9 Ewing Street, Trenton, NJ 08625.

"Determination of Radium 228 in Drinking Water," August 1990 (referred to as "New Jersey Radium Method"), referenced in Section 611.720.

New York Department of Health, Radiological Sciences Institute, Center for Laboratories and Research, Empire State Plaza, Albany, NY 12201.

"Determination of Ra-226 and Ra-228 (Ra-02)," January 1980, Revised June 1982 (referred to as "New York Radium Method"), referenced in Section 611.720.

Palintest, Ltd., 21 Kenton Lands Road, P.O. Box 18395, Erlanger, KY (800-835-9629).

"Lead in Drinking Water by Differential Pulse Anodic Stripping
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Voltammetry," Method 1001, August 1999 (referred to as "Palintest Method 1001"), referenced in Section 611.611.

Syngenta Crop Protection, Inc., 410 Swing Road, Post Office Box 18300, Greensboro, NC 27419 (336-632-6000).

"Atrazine in Drinking Water by Immunoassay," February 2001 (referred to as "Syngenta AG-625"), referenced in Section 611.645.


United States Environmental Protection Agency, Office of Ground Water and Drinking Water (accessible on-line and available by download from http://www.epa.gov/safewater/methods/).

USEPA Method 317.0, Revision 2.0, "Determination of Inorganic Oxyhalide Disinfection By-Products in Drinking Water Using Ion Chromatography with the Addition of a Postcolumn Reagent for Trace Bromate Analysis," USEPA, July 2001, EPA 815/B-01/001 (referred to as "OGWDW Methods, Method 317.0, rev. 2.0"), referenced in Sections 611.381 and 611.382.

USEPA Method 326.0, Revision 1.0, "Determination of Inorganic Oxyhalide Disinfection By-Products in Drinking Water Using Ion Chromatography Incorporating the Addition of a Suppressor Acidified Postcolumn Reagent for Trace Bromate Analysis," USEPA, June 2002, EPA 815/R-03/007 (referred to as "OGWDW Methods, Method 326.0, rev. 1.0"), referenced in Sections 611.381 and 611.382.

BOARD NOTE: Also available from NTIS.
NOTICE OF ADOPTED AMENDMENTS

USEPA Method 327.0, Revision 1.1, "Determination of Chlorine Dioxide and Chlorite Ion in Drinking Water Using Lissamine Green B and Horseradish Peroxidase with Detection by Visible Spectrophotometry," USEPA, May 2005, EPA 815/R-05/008 (referred to as "OGWDW Methods, Method 327.0, rev. 1.1"), referenced in Section 611.381.

USEPA Method 515.4, Revision 1.0, "Determination of Chlorinated Acids in Drinking Water by Liquid-Liquid Microextraction, Derivatization and Fast Gas Chromatography with Electron Capture Detection," Revision 1.0, April 2000, EPA 815/B-00/001 EPA 815/B-00-004 (document file name "met515_4.pdf") (referred to as "OGWDW Methods, Method 515.4, rev. 1.0"), referenced in Section 611.645.

USEPA Method 531.2, Revision 1.0, "Measurement of N-methylcarbamoyloximes and N-methylcarbamates in Water by Direct Aqueous Injection HPLC with Postcolumn Derivatization," Revision 1.0, September 2001, EPA 815/B-01/002 EPA 815/B-01-002 (document file name "met531_2.pdf") (referred to as "OGWDW Methods, Method 531.2, rev. 1.0"), referenced in Section 611.645.

USEPA Method 552.3, Revision 1.0, "Determination of Haloacetic Acids and Dalapon in Drinking Water by Liquid-liquid Microextraction, Derivatization, and Gas Chromatography with Electron Capture Detection," USEPA, July 2003, EPA 815/B-03/002 (referred to as "OGWDW Methods, Method 552.3, rev. 1.0"), referenced in Section 611.381.

USEPA Method 1622 (05), "Method 1622: Cryptosporidium in Water by Filtration/IMS/FA," December 2005, EPA 815/R-05/001 (referred to as "USEPA Method 1622 (05)"), referenced in Sections 611.1004 and 611.1007.

NOTICE OF ADOPTED AMENDMENTS


USEPA Method 1623 (05), "Method 1623: Cryptosporidium and Giardia in Water by Filtration/IMS/FA," December 2005, EPA 815/R-05/002 (referred to as "USEPA Method 1623 (05)"). referenced in Sections 611.1004 and 611.1007.


United States Environmental Protection Agency, EMSL, Cincinnati, OH 45268 (513-569-7586).

"Interim Radiochemical Methodology for Drinking Water," EPA 600/4-75/008EPA-600/4-75-008 (revised), March 1976 (referred to as "USEPA Interim Radiochemical Methods"). referenced in Section 611.720. See NTIS.

"Methods for the Determination of Organic Compounds in Drinking Water," December 1988, revised July 1991, EPA 600/4-88/039EPA-600/4-88/039 (referred to as "USEPA Organic Methods"). referenced in Sections 611.645 and 611.648. (For methods 504.1, 508.1, and 525.2 only.) See NTIS.

"Procedures for Radiochemical Analysis of Nuclear Reactor Aqueous Solutions," referenced in Section 611.720. See NTIS.
NOTICE OF ADOPTED AMENDMENTS

USEPA, Office of Research and Development, National Exposure Research Laboratory, Microbiological & Chemical Exposure Assessment Research Division (accessible on-line and available by download from http://www.epa.gov/nerlcwww/ordmeth.htm).

USEPA Method 415.3, Revision 1.1, "Determination of Total Organic Carbon and Specific UV Absorbance at 254 nm in Source Water and Drinking Water," February 2005, EPA 600/R-05/055 (referred to as "USEPA NERL Method 415.3 (rev. 1.1)"), referenced in Section 611.381.


USEPA Water Resource Center (RC-4100T), 1200 Pennsylvania Avenue, NW, Washington, DC 20460:

'Charm E*Colite Presence/Absence Test for Detection and Identification of Coliform Bacteria and Escherichia coli in Drinking Water," January 9, 1998 (referred to as "E*Colite Test"), referenced in Section 611.802 (also available from Charm Sciences, Inc.).

"Total Coliforms and E. coli Membrane Filtration Method with m-ColiBlue24® Broth," Method No. 10029, Revision 2, August 17, 1999 (referred to as "m-ColiBlue24 Test"), referenced in Section 611.802 (also available from The Hach Company).

"EPA Method 1600: Enterococci in Water by Membrane Filtration Using Membrane-Enterococcus Indoxyl-b-D-Glucoside Agar (mEI)," September 2002, EPA 821/R-02/022 (referred to as "USEPA Method 1600") is an approved variation of Standard Methods, Method 9230 C, "Fecal Streptococcus and Enterococcus Groups, Membrane Filter Techniques" (which has not itself been
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

approved for use by USEPA) (accessible on-line and available by download from http://www.epa.gov/nerlcwww/1600sp02.pdf), referenced in Section 611.802.


"Method 1604: Total Coliforms and Escherichia coli in Water by Membrane Filtration Using a Simultaneous Detection Technique (MI Medium)," September 2002, EPA 821/R-02/024 (referred to as "USEPA Method 1604") (accessible on-line and available by download from http://www.epa.gov/nerlcwww/1604sp02.pdf), referenced in Section 611.802.

USGS. Books and Open-File Reports Section, United States Geological Survey, Federal Center, Box 25286, Denver, CO 80225-0425.


I-1030-85, referenced in Section 611.611.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

I-1601-85, referenced in Section 611.611.
I-1700-85, referenced in Section 611.611.
I-2598-85, referenced in Section 611.611.
I-2601-90, referenced in Section 611.611.
I-2700-85, referenced in Section 611.611.
I-3300-85, referenced in Section 611.611.


R-1110-76, referenced in Section 611.720.
R-1111-76, referenced in Section 611.720.
R-1120-76, referenced in Section 611.720.
R-1140-76, referenced in Section 611.720.
R-1141-76, referenced in Section 611.720.
R-1142-76, referenced in Section 611.720.
R-1160-76, referenced in Section 611.720.
R-1171-76, referenced in Section 611.720.
R-1180-76, referenced in Section 611.720.
R-1181-76, referenced in Section 611.720.
R-1182-76, referenced in Section 611.720.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Waters Corporation, Technical Services Division, 34 Maple St., Milford, MA 01757 (800-252-4752).


c) The Board incorporates the following federal regulations by reference:


40 CFR 136.3(a) (2006), referenced in Section 611.1004.

Appendix B to 40 CFR 136 (2006), referenced in Sections 611.359, 611.609, and 611.646.

d) This Part incorporates no later amendments or editions.

(Source: Amended at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.160 Composite Correction Program

a) The Agency may require in writing that a PWS conduct a Composite Correction Program (CCP). The CCP must consist of two elements: a Comprehensive
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Performance Evaluation (CPE) and a Comprehensive Technical Assistance (CTA).

1) A CPE is a thorough review and analysis of a plant's performance-based capabilities and associated administrative, operation, and maintenance practices. It must identify factors that may be adversely impacting a plant's capability to achieve compliance and emphasize approaches that can be implemented without significant capital improvements.

2) For purposes of compliance with Subparts R and X of this Part, the comprehensive performance evaluation must consist of at least the following components: Assessment of plant performance; evaluation of major unit processes; identification and prioritization of performance limiting factors; assessment of the applicability of comprehensive technical assistance; and preparation of the CPE report.

BOARD NOTE: Subsection (a)(2) of this Section is derived from the third sentence of the definition of "comprehensive performance evaluation" in 40 CFR 141.2 (2006)(2002).

3) A CTA is the performance improvement phase that is implemented if the CPE results indicate improved performance potential. During the CTA phase, the PWS must identify and systematically address plant-specific factors. The CTA is a combination of utilizing CPE results as a basis for followup, implementing process control priority-setting techniques and maintaining long-term involvement to systematically train staff and administrators.

b) A PWS must implement any followup recommendations made in writing by the Agency that result as part of the CCP.

c) A PWS may appeal to the Board, pursuant to Section 40 of the Act [415 ILCS 5/40], any Agency requirement that it conduct a CCP or any followup recommendations made in writing by the Agency that result as part of the CCP, except when a CPE is required under Section 611.745(b)(4).


(Source: Amended at 31 Ill. Reg. 11757, effective July 27, 2007)
**Illinois Register**

**Pollution Control Board**

**Notice of Adopted Amendments**

**Section 611.161  Case-by-Case Reduced Subpart Y Monitoring for Wholesale and Consecutive Systems**

The Agency may, by a SEP issued pursuant to Section 611.110, reduce the monitoring requirements of Subpart Y of this Part as they apply to a wholesale system or a consecutive system, otherwise than by use of the provisions of Section 611.500 subject to the following limitations:

a) The Agency must consider the following system-specific knowledge in making its determination:

1) The amount and percentage of finished water provided;

2) Whether finished water is provided seasonally, intermittently, or full-time;

3) Improved DBP occurrence information based on IDSE results;

4) Significant changes in the supplier's raw water quality, treatment, or distribution system after completion of the IDSE; and

5) Such other considerations as would bear on the occurrence of DBP in the distribution system and the ability of the reduced monitoring to detect DBP in the supplier's distribution system.

b) Any reduced monitoring allowed pursuant to this Section must require a minimum of one compliance monitoring location for each supplier.

c) The supplier must report any changes in its raw water quality, treatment, or distribution system or any other factors that come to its attention after the issuance of a SEP that allows reduced monitoring pursuant to this Section that would bear on the occurrence of DBP in the distribution system and the ability of the reduced monitoring to detect DBP in the supplier's distribution system.

d) The Agency may allow the reduced monitoring provided by this Section only after USEPA has approved the State program revisions involving Subparts W and Y of this Part.
POLLUTION CONTROL BOARD  
NOTICE OF ADOPTED AMENDMENTS  

BOARD NOTE: Derived from 40 CFR 142.16(m) and the preamble discussion at 71 Fed. Reg. 388, 430-31 (Jan. 4, 2006). USEPA stated that it will allow the State to elect to authorize reduced monitoring according to a procedure devised by the State. The Board borrowed from the special primacy requirements applicable to the Subpart Y provisions and the accompanying preamble discussion to derive the procedure set forth in this Section.

(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

SUBPART F: MAXIMUM CONTAMINANT LEVELS (MCLs) AND MAXIMUM RESIDUAL DISINFECTANT LEVELS (MRDLs)

Section 611.310 State-Only Maximum Contaminant Levels (MCLs) for Organic Chemical Contaminants

The following are State-only MCLs for organic chemical contaminants. The State-only MCLs for organic chemical contaminants in this Section apply to all CWSs. They are additional State requirements. Compliance with the State-only MCLs in subsections (a) and (b) is calculated pursuant to Subpart O of this Part.

<table>
<thead>
<tr>
<th>Contaminant</th>
<th>MCL (mg/l)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aldrin</td>
<td>0.001</td>
</tr>
<tr>
<td>DDT</td>
<td>0.05</td>
</tr>
<tr>
<td>Dieldrin</td>
<td>0.001</td>
</tr>
<tr>
<td>Heptachlor</td>
<td>0.0001</td>
</tr>
<tr>
<td>Heptachlor epoxide</td>
<td>0.0001</td>
</tr>
<tr>
<td>2,4-D</td>
<td>0.01</td>
</tr>
</tbody>
</table>

BOARD NOTE: Originally derived from 40 CFR 141.12 (1992), USEPA removed the last entry in subsections (a) and (b) and marked them reserved at 57 Fed. Reg. 31838 (July 17, 1992). USEPA removed all of 40 CFR 141.12 and marked it "reserved" at 71 Fed. Reg. 388 (Jan. 4, 2006). USEPA added another listing of organic MCLs at 40 CFR 141.61 (2002). Heptachlor, heptachlor epoxide, and 2,4-D appear in both this Section and in Section 611.311, with a different MCL in each Section. The heptachlor, heptachlor epoxide, and 2,4-D MCLs in this Section are Illinois limitations that are more stringent than the federal requirements. However, detection of these contaminants or violation of their federally-derived revised Section 611.311 MCLs imposes more stringent monitoring, reporting, and notice requirements.

(Source: Amended at 31 Ill. Reg. 11757, effective July 27, 2007)
Section 611.312 Maximum Contaminant Levels (MCLs) for Disinfection Byproducts (DBPs)

a) **Bromate and chlorite.** The maximum contaminant levels (MCLs) for bromate and chlorite disinfection byproducts (DBPs) are as follows:

<table>
<thead>
<tr>
<th>Disinfection Byproduct</th>
<th>MCL (mg/l)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total trihalomethanes (TTHM)</td>
<td>0.080</td>
</tr>
<tr>
<td>Haloacetic acids (five) (HAAS)</td>
<td>0.060</td>
</tr>
<tr>
<td>Bromate</td>
<td>0.010</td>
</tr>
<tr>
<td>Chlorite</td>
<td>1.0</td>
</tr>
</tbody>
</table>

1) **Compliance dates for CWSs and NTNCWSs.** A Subpart B system supplier that serves 10,000 or more persons must comply with this subsection (a). A Subpart B system supplier that serves fewer than 10,000 persons and systems using only groundwater not under the direct influence of surface water must comply with this subsection (a).

2) USEPA has identified the following as the best available technology, treatment techniques, or other means available for achieving compliance with the maximum contaminant levels for bromate and chlorite identified in this subsection (a):

<table>
<thead>
<tr>
<th>Disinfection Byproduct</th>
<th>Best Available Technology</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bromate</td>
<td>Control of ozone treatment process to reduce production of bromate.</td>
</tr>
<tr>
<td>Chlorite</td>
<td>Control of treatment processes to reduce disinfectant demand and control of disinfection treatment processes to reduce disinfectant levels.</td>
</tr>
</tbody>
</table>

b) **Compliance dates.**

1) **CWSs and NTNCWSs.** A Subpart B system supplier serving 10,000 or more persons must comply with this Section beginning January 1, 2002. A Subpart B system supplier serving fewer than 10,000 persons or a supplier using only groundwater not under the direct influence of surface water must comply with this Section beginning January 1, 2004.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

2) A PWS that is installing GAC or membrane technology to comply with this Section may apply to the Board for an extension of up to 24 months past the dates in subsection (b)(1) of this Section, but not beyond December 31, 2003. The Board must grant the extension, and must set a schedule for compliance and may specify any interim measures that the PWS must take. Failure to meet the schedule or interim treatment requirements constitutes a violation of an NPDWR.

b) TTHM and HAA5.

1) Subpart I - Running annual average compliance.

A) Compliance dates. A Subpart B system supplier that serves 10,000 or more persons must comply with this subsection (b)(1) beginning January 1, 2002. A Subpart B system supplier that serves fewer than 10,000 persons and systems using only groundwater not under the direct influence of surface water must comply with this subsection (b)(1). All systems must comply with these MCLs until the date specified for Subpart Y compliance in Section 611.980(c).

<table>
<thead>
<tr>
<th>Disinfection Byproduct</th>
<th>MCL (mg/l)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total trihalomethanes (TTHM)</td>
<td>0.080</td>
</tr>
<tr>
<td>Haloacetic acids (five) (HAA5)</td>
<td>0.060</td>
</tr>
</tbody>
</table>

B) USEPA has identified the following as the best available technology, treatment techniques, or other means available for achieving compliance with the maximum contaminant levels for TTHM and HAA5 identified in this subsection (b)(1):

<table>
<thead>
<tr>
<th>Disinfection Byproduct</th>
<th>Best Available Technology</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total trihalomethanes (TTHM) and Haloacetic acids (five) (HAA5)</td>
<td>Enhanced coagulation or enhanced softening or GAC10, with chlorine as the primary and residual disinfectant.</td>
</tr>
</tbody>
</table>
2) **Subpart Y - Locational running annual average compliance.**

**A)** Compliance dates. The Subpart Y MCLs for TTHM and HAA5 must be complied with as a locational running annual average at each monitoring location beginning the date specified for Subpart Y compliance in Section 611.980(c).

<table>
<thead>
<tr>
<th>Disinfection Byproduct</th>
<th>MCL (mg/l)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total trihalomethanes (TTHM)</td>
<td>0.080</td>
</tr>
<tr>
<td>Haloacetic acids (five) (HAA5)</td>
<td>0.060</td>
</tr>
</tbody>
</table>

**B)** USEPA has identified the following as the best available technology, treatment techniques, or other means available for achieving compliance with the maximum contaminant levels for TTHM and HAA5 identified in this subsection (b)(2) for any supplier that disinfects its source water:

<table>
<thead>
<tr>
<th>Disinfection Byproduct</th>
<th>Best Available Technology</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total trihalomethanes (TTHM) and Haloacetic acids (five) (HAA5)</td>
<td>Enhanced coagulation or enhanced softening, plus GAC10; or nanofiltration with a molecular weight cutoff = 1000 Daltons; or GAC20.</td>
</tr>
</tbody>
</table>

**C)** USEPA has identified the following as the best available technology, treatment techniques, or other means available for achieving compliance with the maximum contaminant levels for TTHM and HAA5 identified in this subsection (b)(2) for consecutive systems and applies only to the disinfected water that a consecutive system buys or otherwise receives from a wholesale system:

<table>
<thead>
<tr>
<th>Disinfection Byproduct</th>
<th>Best Available Technology</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total trihalomethanes (TTHM) and</td>
<td>Any system that serves 10,000 or more persons:</td>
</tr>
</tbody>
</table>
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

| Haloacetic acids (five) (HAA5) | Improved distribution system and storage tank management to reduce residence time, plus the use of chloramines for disinfectant residual maintenance; or
|                              | Any system that serves fewer than 10,000 persons: Improved distribution system and storage tank management to reduce residence time. |

c) The following are identified as the best technology, treatment techniques, or other means available for achieving compliance with the maximum contaminant levels for disinfection byproducts (DBPs) identified in subsection (a) of this Section.

<table>
<thead>
<tr>
<th>Disinfection byproduct (DBP)</th>
<th>Best available technology (BAT)</th>
</tr>
</thead>
<tbody>
<tr>
<td>TTHM</td>
<td>Enhanced coagulation or enhanced softening or GAC10, with chlorine as the primary and residual disinfectant</td>
</tr>
<tr>
<td>HAA5</td>
<td>Enhanced coagulation or enhanced softening or GAC10, with chlorine as the primary and residual disinfectant</td>
</tr>
<tr>
<td>Bromate</td>
<td>Control of ozone treatment process to reduce production of bromate</td>
</tr>
<tr>
<td>Chlorite</td>
<td>Control of treatment processes to reduce disinfectant demand and control of disinfection treatment processes to reduce disinfectant levels</td>
</tr>
</tbody>
</table>


(Source: Amended at 31 Ill. Reg. 11757, effective July 27, 2007)
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

SUBPART I: DISINFECTANT RESIDUALS, DISINFECTION BYPRODUCTS, AND DISINFECTION BYPRODUCT PRECURSORS

Section 611.381 Analytical Requirements

a) A supplier must use only the analytical methods specified in this Section or their equivalents as approved by the Agency to demonstrate compliance with the requirements of this Subpart I and with the requirements of Subparts W and Y of this Part.

b) Disinfection byproducts (DBPs).

1) A supplier must measure disinfection byproducts (DBPs) by the appropriate methods (as modified by the footnotes) listed in the following table:

   A) TTHM:

   i) By purge and trap, gas chromatography, electrolytic conductivity detector, and photoionization detector: USEPA Organic Methods, Method 502.2. If TTHMs are the only analytes being measured in the sample, then a photoionization detector is not required.

   ii) By purge and trap, gas chromatography, mass spectrometer: USEPA Organic Methods, Method 524.2.

   iii) By liquid-liquid extraction, gas chromatography, electron capture detector: USEPA Organic Methods, Method 551.1.

   B) HAA5:

   i) By liquid-liquid extraction (diazomethane), gas chromatography, electron capture detector: Standard Methods, 19th or 21st ed., Method 6251 B.

   ii) By solid phase extractor (acidic methanol), gas chromatography, electron capture detector: USEPA Organic Methods, Method 552.1.
iii) By liquid-liquid extraction (acidic methanol), gas chromatography, electron capture detector: USEPA Organic Methods, Method 552.2 or 552.3.

C) Bromate:

i) By ion chromatography: USEPA Organic and Inorganic Methods, Method 300.1.

ii) By ion chromatography and post-column reaction: USEPA OGWDW Methods, Method 317.0, rev 2.0, or 326.0, rev. 1.0.


BOARD NOTE: Ion chromatography and post column reaction or inductively-coupled plasma/mass spectrometry must be used for monitoring of bromate for purposes of demonstrating eligibility of reduced monitoring, as prescribed in Section 611.382(b)(3)(B). For inductively-coupled plasma/mass spectrometry, samples must be preserved at the time of sampling with 50 mg ethylenediamine (EDA) per liter of sample, and the samples must be analyzed within 28 days.

D) Chlorite:

i) By amperometric titration: Standard Methods, 19th or 21st ed., Method 4500-ClO₂ E.

ii) By spectrophotometry: USEPA OGWDW Methods, Method 327.0, rev 1.1.

iii) By ion chromatography: USEPA Environmental Inorganic Methods, Method 300.0; USEPA Organic and Inorganic Methods, Method 300.1; USEPA OGWDW Methods, Method 317.0, rev. 2.0, or 326.0, rev. 1.0; or ASTM Method D6581-00.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

BOARD NOTE: Amperometric titration or spectrophotometry may be used for routine daily monitoring of chlorite at the entrance to the distribution system, as prescribed in Section 611.382(b)(2)(A)(i). Ion chromatography must be used for routine monthly monitoring of chlorite and additional monitoring of chlorite in the distribution system, as prescribed in Section 611.382(b)(2)(A)(ii) and (b)(2)(B).

Approved Methods for Disinfection Byproduct (DBP) Compliance Monitoring

<table>
<thead>
<tr>
<th>Methodology²</th>
<th>EPA Method</th>
<th>Standard Methods, 19th ed., Method</th>
<th>Byproduct Measured¹</th>
</tr>
</thead>
<tbody>
<tr>
<td>P&amp;T/GC/EiCD &amp; PID</td>
<td>502.2</td>
<td></td>
<td>TTHM</td>
</tr>
<tr>
<td>P&amp;T/GC/MS</td>
<td>524.3</td>
<td></td>
<td>TTHM</td>
</tr>
<tr>
<td>LLE/GC/ECD</td>
<td>551.1</td>
<td></td>
<td>TTHM</td>
</tr>
<tr>
<td>LLE/GC/ECD</td>
<td>6251-B</td>
<td></td>
<td>HAAS</td>
</tr>
<tr>
<td>SPE/GC/ECD</td>
<td>552.1</td>
<td></td>
<td>HAAS</td>
</tr>
<tr>
<td>LLE/GC/ECD</td>
<td>552.2</td>
<td></td>
<td>HAAS</td>
</tr>
<tr>
<td>Amperometric Titration</td>
<td>4500-ClO₂-E</td>
<td></td>
<td>Chlorite⁴</td>
</tr>
<tr>
<td>IC</td>
<td>300.0</td>
<td></td>
<td>Chlorite⁴, Bromate</td>
</tr>
<tr>
<td>IC</td>
<td>300.1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

¹ The listed method is approved for measuring specified disinfection byproduct.

² P&T = purge and trap; GC = gas chromatography; EiCD = electrolytic conductivity detector; PID = photoionization detector; MS = mass spectrometer; LLE = liquid/liquid extraction; ECD = electron capture detector; SPE = solid phase extractor; IC = ion chromatography.

³ If TTHMs are the only analytes being measured in the sample, then a PID is not required.
Amperometric titration may be used for routine daily monitoring of chlorite at the entrance to the distribution system, as prescribed in Section 611.382(b)(2)(A)(i). Ion chromatography must be used for routine monthly monitoring of chlorite and additional monitoring of chlorite in the distribution system, as prescribed in Sections 611.382(b)(2)(A)(ii) and (b)(2)(B).

2) **Analyses** under this Section for DBPs must be conducted by laboratories that have received certification by USEPA or the Agency except as specified under subsection (b)(3) of this Section. To receive certification to conduct analyses for the DBP contaminants listed in Sections 611.312 and 611.381 and Subparts W and Y of this Part, the laboratory must fulfill the requirements of subsections (b)(2)(A), (b)(2)(C), and (b)(2)(D) of this Section, carry out annual analyses of performance evaluation (PE) samples approved by USEPA or the Agency. In these analyses of PE samples, the laboratory must achieve quantitative results within the acceptance limit on a minimum of 80% of the analytes included in each PE sample. The acceptance limit is defined as the 95% confidence interval calculated around the mean of the PE study data between a maximum and minimum acceptance limit of ±50% and ±15% of the study mean.

A) The laboratory must analyze performance evaluation (PE) samples that are acceptable to USEPA or the Agency at least once during each consecutive 12-month period by each method for which the laboratory desires certification.

B) This subsection corresponds with 40 CFR 141.131(b)(2)(ii), which has expired by its own terms. This statement maintains structural consistency with the corresponding federal rule.

C) The laboratory must achieve quantitative results on the PE sample analyses that are within the acceptance limits set forth in subsections (b)(2)(C)(i) through (b)(2)(B)(xi) of this Section, subject to the conditions of subsections (b)(2)(C)(xii) and (b)(2)(C)(xiii) of this Section:

i) Chloroform (a THM): ±20% of true value;
ii) Bromodichloromethane (a THM): ± 20% of true value;  

iii) Dibromochloromethane (a THM): ± 20% of true value;  

iv) Bromoform (a THM): ± 20% of true value;  

v) Monochloroacetic Acid (an HAA5): ± 40% of true value;  

vi) Dichloroacetic Acid (an HAA5): ± 40% of true value;  

vii) Trichloroacetic Acid (an HAA5): ± 40% of true value;  

viii) Monobromoacetic Acid (an HAA5): ± 40% of true value;  

ix) Dibromoacetic Acid (an HAA5): ± 40% of true value;  

x) Chlorite: ± 30% of true value; and  

xi) Bromate: ± 30% of true value.  

xii) The laboratory must meet all four of the individual THM acceptance limits set forth in subsections (b)(2)(B)(i) through (b)(2)(B)(iv) of this Section in order to successfully pass a PE sample for TTHM.  

xiii) The laboratory must meet the acceptance limits for four out of the five HAA5 compounds set forth in subsections (b)(2)(B)(v) through (b)(2)(B)(ix) of this Section in order to successfully pass a PE sample for HAA5.  

D) The laboratory must report quantitative data for concentrations at least as low as the minimum reporting levels (MRLs) listed in subsections (b)(2)(D)(i) through (b)(2)(D)(xi) of this Section, subject to the limitations of subsections (b)(2)(D)(xii) and (b)(2)(D)(xiii) of this Section, for all DBP samples analyzed for compliance with Sections 611.312 and 611.385 and Subparts W and Y of this Part:  

i) Chloroform (a THM): 0.0010 mg/l;
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

ii) Bromodichloromethane (a THM): 0.0010 mg/l;

iii) Dibromochloromethane (a THM): 0.0010 mg/l;

iv) Bromoform (a THM): 0.0010 mg/l;

v) Monochloroacetic Acid (an HAA5): 0.0020 mg/l;

vi) Dichloroacetic Acid (an HAA5): 0.0010 mg/l;

vii) Trichloroacetic Acid (an HAA5): 0.0010 mg/l;

viii) Monobromoacetic Acid (an HAA5): 0.0010 mg/l;

ix) Dibromoacetic Acid (an HAA5): 0.0010 mg/l;

x) Chlorite: 0.020 mg/l, applicable to monitoring as required by Section 611.382(b)(2)(A)(ii) and (b)(2)(B); and

xi) Bromate: 0.0050, or 0.0010 mg/l if the laboratory uses USEPA OGWDW Methods, Method 317.0, rev. 2.0, or 326.0 or USEPA Organic and Inorganic Methods, Method 321.8.

xii) The calibration curve must encompass the regulatory MRL concentration. Data may be reported for concentrations lower than the regulatory MRL as long as the precision and accuracy criteria are met by analyzing an MRL check standard at the lowest reporting limit chosen by the laboratory. The laboratory must verify the accuracy of the calibration curve at the MRL concentration by analyzing an MRL check standard with a concentration less than or equal to 110% of the MRL with each batch of samples. The measured concentration for the MRL check standard must be ±50% of the expected value, if any field sample in the batch has a concentration less than five times the regulatory MRL. Method requirements to analyze higher concentration check standards and meet tighter acceptance
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

criteria for them must be met in addition to the MRL check standard requirement.

xiii) When adding the individual trihalomethane or haloacetic acid concentrations, for the compounds listed in subsections (b)(2)(D)(v) through (b)(2)(D)(ix) of this Section, to calculate the TTHM or HAA5 concentrations, respectively, a zero is used for any analytical result that is less than the MRL concentration for that DBP, unless otherwise specified by the Agency.

3) A party approved by USEPA or the Agency must measure daily chlorite samples at the entrance to the distribution system.

c) Disinfectant residuals.

1) A supplier must measure residual disinfectant concentrations for free chlorine, combined chlorine (chloramines), and chlorine dioxide by the appropriate of the methods (as modified by the footnotes) listed in subsections (c)(1)(A) through (c)(1)(D) of this Section, subject to the provisions of subsection (c)(1)(E) of this Section in the following table:

A) Free Chlorine:


ii) DPD ferrous titration using Standard Methods, 19th, 20th, or 21st ed., Method 4500-Cl F;

iii) DPD colorimetric using Standard Methods, 19th, 20th, or 21st ed., Method 4500-Cl G; or

iv) Syringaldazine (FACTS) using Standard Methods, 19th, 20th, or 21st ed., Method 4500-Cl H.

B) Combined Chlorine:
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS


ii) DPD ferrous titration using Standard Methods, 19th, 20th, or 21st ed., Method 4500-Cl F; or

iii) DPD colorimetric using Standard Methods, 19th, 20th, or 21st ed., Method 4500-Cl G.

C) Total Chlorine:


ii) Low-level amperometric titration using Standard Methods, 19th, 20th, or 21st ed., Method 4500-Cl E;

iii) DPD ferrous titration using Standard Methods, 19th, 20th, or 21st ed., Method 4500-Cl F;

iv) DPD colorimetric using Standard Methods, 19th, 20th, or 21st ed., Method 4500-Cl G; or

v) Iodometric electrode using Standard Methods, 19th, 20th, or 21st ed., Method 4500-Cl I.

D) Chlorine Dioxide:

i) DPD using Standard Methods, 19th, 20th, or 21st ed., Method 4500-ClO₂ D;

ii) Amperometric Method II using Standard Methods, 19th, 20th, or 21st ed., Method 4500-ClO₂ E; or

iii) Lissamine Green spectrophotometric using USEPA OGWDW Method 327.0 (rev. 1.1).
The methods listed are approved for measuring the specified disinfectant residual. The supplier may measure free chlorine or total chlorine for demonstrating compliance with the chlorine MRDL and combined chlorine, or total chlorine may be measured for demonstrating compliance with the chloramine MRDL.

Approved Methods for Disinfectant Residual Compliance Monitoring

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Amperometric Titration</td>
<td>4500-Cl-D</td>
<td>D1253-86</td>
<td>Free-chlorine, Combined-chlorine, Total-chlorine</td>
</tr>
<tr>
<td>Low-Level Amperometric Titration</td>
<td>4500-C1-E</td>
<td></td>
<td>Total-chlorine</td>
</tr>
<tr>
<td>DPD-Ferrous Titrimetric</td>
<td>4500-C1-F</td>
<td></td>
<td>Free-chlorine, Combined-chlorine, Total-chlorine</td>
</tr>
<tr>
<td>DPD-Colorimetric</td>
<td>4500-C1-G</td>
<td></td>
<td>Free-chlorine, Combined-chlorine, Total-chlorine</td>
</tr>
<tr>
<td>Syringaldazine (FACTS)</td>
<td>4500-C1-H</td>
<td></td>
<td>Free-chlorine</td>
</tr>
<tr>
<td>Iodometric Electrode</td>
<td>4500-C1-I</td>
<td></td>
<td>Total-chlorine</td>
</tr>
<tr>
<td>DPD</td>
<td>4500-ClO2-D</td>
<td></td>
<td>Chlorine-dioxide</td>
</tr>
<tr>
<td>Amperometric Method II</td>
<td>4500-ClO2-E</td>
<td></td>
<td>Chlorine-dioxide</td>
</tr>
</tbody>
</table>

1. The listed method is approved for measuring specified disinfectant residual.

2) If approved by the Agency, a supplier may also measure residual disinfectant concentrations for chlorine, chloramines, and chlorine dioxide by using DPD colorimetric test kits.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

3) A party approved by USEPA or the Agency must measure residual disinfectant concentration.

d) A supplier required to analyze parameters not included in subsections (b) and (c) of this Section must use the methods listed below. A party approved by USEPA or the Agency must measure the following parameters:

1) Alkalinity. All methods allowed in Section 611.611(a)(21) for measuring alkalinity;

2) Bromide—USEPA Method 300.0 or USEPA Method 300.1;
   A) USEPA Inorganic Methods, Method 300.0;
   B) USEPA Organic and Inorganic Methods, Method 300.1;
   C) USEPA OGWDW Methods, Method 317.0 (rev. 2.0) or Method 326.0 (rev. 1.0); or
   D) ASTM Method D6581-00.

3) Total Organic Carbon (TOC), by any of the methods listed in subsection (d)(3)(A)(i), (d)(3)(A)(ii), (d)(3)(A)(iii), or (d)(3)(B) of this Section, subject to the limitations of subsection (d)(3)(C) of this Section;—Standard Methods, 19th ed., Method 5310 B (High Temperature Combustion Method), Standard Methods, 19th ed., Method 5310 C (Persulfate-Ultraviolet or Heated Persulfate Oxidation Method), or Standard Methods, 19th ed., Method 5310 D (Wet Oxidation Method). TOC samples may not be filtered prior to analysis. TOC samples must be analyzed within 28 days.
   A) Standard Methods, 19th, 20th, or 21st ed., using one of the following methods:
      i) Method 5310 B (High-Temperature Combustion Method);
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

ii) Method 5310 C (Persulfate-Ultraviolet or Heated-Persulfate Oxidation Method); or

iii) Method 5310 D (Wet-Oxidation Method).

B) USEPA NERL Method 415.3 (rev. 1.1).

C) Inorganic carbon must be removed from the samples prior to analysis. TOC samples may not be filtered prior to analysis. TOC samples must be acidified at the time of sample collection to achieve pH less than or equal to 2 with minimal addition of the acid specified in the method or by the instrument manufacturer. Acidified TOC samples must be analyzed within 28 days.

4) Specific Ultraviolet Absorbance (SUVA). SUVA is equal to the UV absorption at 254 nm (UV$_{254}$) (measured in m$^{-1}$) divided by the dissolved organic carbon (DOC) concentration (measured as mg/l). In order to determine SUVA, it is necessary to separately measure UV$_{254}$ and DOC. When determining SUVA, a supplier must use the methods stipulated in subsection (d)(4)(A) of this Section to measure UV$_{254}$ and DOC. When determining SUVA, a supplier must use the methods stipulated in subsection (d)(4)(A) of this Section to measure DOC and the method stipulated in subsection (d)(4)(B) of this Section to measure UV$_{254}$. SUVA must be determined on water prior to the addition of disinfectants/oxidants by the supplier. DOC and UV$_{254}$ samples used to determine a SUVA value must be taken at the same time and at the same location;

A) Dissolved Organic Carbon (DOC). Standard Methods, 19$^{th}$ ed., 20$^{th}$ ed., or 21$^{st}$ ed., Method 5310 B (High-Temperature Combustion Method), Standard Methods, 19$^{th}$ ed., Method 5310 C (Persulfate-Ultraviolet or Heated-Persulfate Oxidation Method), or Standard Methods, 19$^{th}$ ed., Method 5310 D (Wet-Oxidation Method) or USEPA NERL Method 415.3 (rev. 1.1). Prior to analysis, DOC samples must be filtered through a 0.45 µm pore-diameter filter as soon as practical after sampling, not to exceed 48 hours. After filtration, DOC samples must be acidified to achieve pH less than or equal to 2 with minimal addition of the acid specified in the method or by the instrument manufacturer. Acidified DOC samples must be analyzed within 28 days after sample collection. Inorganic carbon must be removed from the samples prior to analysis. Water passed through the filter prior to filtration of the
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

A sample must serve as the filtered blank. This filtered blank must be analyzed using procedures identical to those used for analysis of the samples and must meet the following standards: DOC less than 0.5 mg/l. DOC samples must be filtered through the 0.45 µm pore-diameter filter prior to acidification. DOC samples must either be analyzed or must be acidified to achieve pH less than 2.0 by minimal addition of phosphoric or sulfuric acid as soon as practical after sampling, not to exceed 48 hours. Acidified DOC samples must be analyzed within 28 days; and

B) Ultraviolet Absorption at 254 nm (UV$_{254}$). Method 5910 B (Ultraviolet Absorption Method). UV absorption must be measured at 253.7 nm (may be rounded off to 254 nm). Prior to analysis, UV$_{254}$ samples must be filtered through a 0.45 µm pore-diameter filter. The pH of UV$_{254}$ samples may not be adjusted. Samples must be analyzed as soon as practical after sampling, not to exceed 48 hours; and

5) pH. All methods allowed in Section 611.611(a)(17) for measuring pH.

6) Magnesium. All methods allowed in Section 611.611(a) for measuring magnesium.


(Source: Amended at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.382 Monitoring Requirements

a) General requirements.

1) A supplier must take all samples during normal operating conditions.

2) A supplier may consider multiple wells drawing water from a single aquifer as one treatment plant for determining the minimum number of TTHM and HAA5 samples required with Agency approval.

3) Failure to monitor in accordance with the monitoring plan required under
sub. (f) of this Section is a monitoring violation.

4) Where compliance is based on a running annual average of monthly or quarterly samples or averages and the supplier’s failure to monitor makes it impossible to determine compliance with MCLs or MRDLs, this failure to monitor will be treated as a violation for the entire period covered by the annual average.

5) A supplier must use only data collected under the provisions of this Subpart I to qualify for reduced monitoring.

b) Monitoring requirements for disinfection byproducts (DBPs).

1) TTHMs and HAA5.

A) Routine monitoring. A supplier must monitor at the following frequency:

i) A Subpart B system supplier that serves 10,000 or more persons must collect four water samples per quarter per treatment plant. At least 25 percent of all samples collected each quarter must be collected at locations representing maximum residence time. The remaining samples may be taken at locations representative of at least average residence time in the distribution system and representing the entire distribution system, taking into account the number of persons served, the different sources of water, and the different treatment methods.

ii) A Subpart B system supplier that serves from 500 to 9,999 persons must collect one water sample per quarter per treatment plant. The samples must be collected from locations representing maximum residence time.

iii) A Subpart B system supplier that serves fewer than 500 persons must collect one sample per year per treatment plant during month of warmest water temperature. The samples must be collected from locations representing maximum residence time. If the sample (or average of
annual samples, if more than one sample is taken) exceeds the MCL, the supplier must increase the monitoring frequency to one sample per treatment plant per quarter, taken at a point reflecting the maximum residence time in the distribution system, until the supplier meets the standards in subsection (b)(1)(D) of this Section.

iv) A supplier that uses only groundwater not under direct influence of surface water, which uses chemical disinfectant, and which serves 10,000 or more persons must collect one water sample per quarter per treatment plant. The samples must be collected from locations representing maximum residence time.

v) A supplier that uses only groundwater not under direct influence of surface water, which uses chemical disinfectant, and which serves fewer than 10,000 persons must collect one sample per year per treatment plant during month of warmest water temperature. The samples must be collected from locations representing maximum residence time. If the sample (or average of annual samples, if more than one sample is taken) exceeds MCL, the supplier must increase monitoring to one sample per treatment plant per quarter, taken at a point reflecting the maximum residence time in the distribution system, until the supplier meets standards in subsection (b)(1)(D) of this Section.

BOARD NOTE: If a supplier elects to sample more frequently than the minimum required, at least 25 percent of all samples collected each quarter (including those taken in excess of the required frequency) must be taken at locations that represent the maximum residence time of the water in the distribution system. The remaining samples must be taken at locations representative of at least average residence time in the distribution system. For a supplier using groundwater not under the direct influence of surface water, multiple wells drawing water from a single aquifer may be considered one treatment plant for determining the minimum number of samples required, with Agency approval.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

B) A supplier may reduce monitoring, except as otherwise provided, in accordance with the following:

i) A Subpart B system supplier that serves 10,000 or more persons and which has a source water annual average TOC level, before any treatment, of less than or equal to 4.0 mg/l may reduce monitoring if it has monitored for at least one year and its TTHM annual average is less than or equal to 0.040 mg/l and HAA5 annual average is less than or equal to 0.030 mg/l. The reduced monitoring allowed is a minimum of one sample per treatment plant per quarter at a distribution system location reflecting maximum residence time.

ii) A Subpart B system supplier that serves from 500 to 9,999 persons and which has a source water annual average TOC level, before any treatment, of less than or equal to 4.0 mg/l may reduce monitoring if it has monitored at least one year and its TTHM annual average is less than or equal to 0.040 mg/l and HAA5 annual average is less than or equal to 0.030 mg/l. The reduced monitoring allowed is a minimum of one sample per treatment plant per year at a distribution system location reflecting maximum residence time during month of warmest water temperature.

BOARD NOTE: Any Subpart B system supplier that serves fewer than 500 persons may not reduce its monitoring to less than one sample per treatment plant per year.

iii) A supplier using only groundwater not under direct influence of surface water using chemical disinfectant and that serves 10,000 or more persons may reduce monitoring if it has monitored at least one year and its TTHM annual average is less than or equal to 0.040 mg/l and HAA5 annual average is less than or equal to 0.030 mg/l. The reduced monitoring allowed is a minimum of one sample per treatment plant per year at a distribution...
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

system location reflecting maximum residence time during month of warmest water temperature.

iv) A supplier using only groundwater not under direct influence of surface water that uses chemical disinfectant and which serves fewer than 10,000 persons may reduce monitoring if it has monitored at least one year and its TTHM annual average is less than or equal to 0.040 mg/l and HAA5 annual average is less than or equal to 0.030 mg/l for two consecutive years or TTHM annual average is less than or equal to 0.020 mg/l and HAA5 annual average is less than or equal to 0.015 mg/l for one year. The reduced monitoring allowed is a minimum of one sample per treatment plant per three year monitoring cycle at a distribution system location reflecting maximum residence time during month of warmest water temperature, with the three-year cycle beginning on January 1 following the quarter in which the supplier qualifies for reduced monitoring.

C) Monitoring requirements for source water TOC. In order to qualify for reduced monitoring for TTHM and HAA5 under subsection (b)(1)(B) of this Section, a Subpart B system supplier not monitoring under the provisions of subsection (d) of this Section must take monthly TOC samples every 30 days at a location prior to any treatment, beginning no later than April 1, 2008. In addition to meeting other criteria for reduced monitoring in subsection (b)(1)(B) of this Section, the source water TOC running annual average must be \( \leq 4.0 \) mg/l (based on the most recent four quarters of monitoring) on a continuing basis at each treatment plant to reduce or remain on reduced monitoring for TTHM and HAA5. Once qualified for reduced monitoring for TTHM and HAA5 under subsection (b)(1)(B) of this Section, a system may reduce source water TOC monitoring to quarterly TOC samples taken every 90 days at a location prior to any treatment.

DC) A Subpart B system supplier on a reduced monitoring schedule may remain on that reduced schedule as long as the average of all
NOTICE OF ADOPTED AMENDMENTS

samples taken in the year (for a supplier that must monitor quarterly) or the result of the sample (for a supplier that must monitor no more frequently than annually) is no more than 0.060 mg/l and 0.045 mg/l for TTHMs and HAA5, respectively. A supplier that does not meet these levels must resume monitoring at the frequency identified in subsection (b)(1)(A) of this Section (minimum monitoring frequency column) in the quarter immediately following the monitoring period in which the supplier exceeds 0.060 mg/l for TTHMs or 0.045 mg/l for HAA5. For a supplier that uses only groundwater not under the direct influence of surface water and which serves fewer than 10,000 persons, if either the TTHM annual average is greater than 0.080 mg/l or the HAA5 annual average is greater than 0.060 mg/l, the supplier must go to increased monitoring identified in subsection (b)(1)(A) of this Section (sample location column) in the quarter immediately following the monitoring period in which the supplier exceeds 0.080 mg/l for TTHMs or 0.060 mg/l for HAA5.

D) A supplier on increased monitoring may return to routine monitoring if, after at least one year of monitoring, its TTHM annual average is less than or equal to 0.060 mg/l and its HAA5 annual average is less than or equal to 0.045 mg/l.

E) The Agency may return a supplier to routine monitoring.

2) Chlorite. A CWS or NTNCWS supplier using chlorine dioxide, for disinfection or oxidation, must conduct monitoring for chlorite.

A) Routine monitoring.

i) Daily monitoring. A supplier must take daily samples at the entrance to the distribution system. For any daily sample that exceeds the chlorite MCL, the supplier must take additional samples in the distribution system the following day at the locations required by subsection (b)(2)(B) of this Section, in addition to the sample required at the entrance to the distribution system.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

ii) Monthly monitoring. A supplier must take a three-sample set each month in the distribution system. The supplier must take one sample at each of the following locations: near the first customer, at a location representative of average residence time, and at a location reflecting maximum residence time in the distribution system. Any additional routine sampling must be conducted in the same manner (as three-sample sets, at the specified locations). The supplier may use the results of additional monitoring conducted under subsection (b)(2)(B) of this Section to meet the requirement for monitoring in this subsection (b)(2)(A)(ii).

B) Additional monitoring. On each day following a routine sample monitoring result that exceeds the chlorite MCL at the entrance to the distribution system, the supplier must take three chlorite distribution system samples at the following locations: as close to the first customer as possible, in a location representative of average residence time, and as close to the end of the distribution system as possible (reflecting maximum residence time in the distribution system).

C) Reduced monitoring.

i) Chlorite monitoring at the entrance to the distribution system required by subsection (b)(2)(A)(i) of this Section may not be reduced.

ii) Chlorite monitoring in the distribution system required by subsection (b)(2)(A)(ii) of this Section may be reduced to one three-sample set per quarter after one year of monitoring where no individual chlorite sample taken in the distribution system under subsection (b)(2)(A)(ii) of this Section has exceeded the chlorite MCL and the supplier has not been required to conduct monitoring under subsection (b)(2)(B) of this Section. The supplier may remain on the reduced monitoring schedule until either any of the three individual chlorite samples taken quarterly in the distribution system under subsection (b)(2)(A)(ii) of this
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Section exceeds the chlorite MCL or the supplier is required to conduct monitoring under subsection (b)(2)(B) of this Section, at which time the supplier must revert to routine monitoring.

3) Bromate.

A) Routine monitoring. A CWS or NTNCWS supplier using ozone, for disinfection or oxidation, must take one sample per month for each treatment plant in the system using ozone. A supplier must take samples monthly at the entrance to the distribution system while the ozonation system is operating under normal conditions.

B) Reduced monitoring.

i) Until March 31, 2009, a supplier required to analyze for bromate may reduce monitoring from monthly to quarterly once per quarter, if the supplier demonstrates that the average source water bromide concentration is less than 0.05 mg/l based upon representative monthly bromide measurements for one year. The supplier may remain on reduced bromate monitoring until the running annual average source water bromide concentration, computed quarterly, is equal to or greater than 0.05 mg/l based upon representative monthly measurements. If the running annual average source water bromide concentration is equal to or greater than 0.05 mg/l, the supplier must resume routine monitoring required by subsection (b)(3)(A) of this Section in the following month.

ii) Beginning April 1, 2009, a Subpart B system supplier may no longer use the provisions of subsection (b)(3)(B)(i) of this Section to qualify for reduced monitoring. A supplier required to analyze for bromate may reduce monitoring from monthly to quarterly, if the supplier's running annual average bromate concentration is not greater than 0.0025 mg/l based on monthly bromate measurements under subsection (b)(3)(A) of this Section for the most recent four quarters, with samples analyzed using USEPA OGWDW.
NOTICE OF ADOPTED AMENDMENTS

Methods, Method 317.0 (rev. 2.0) or Method 326.0 (rev. 1.0) or USEPA Organic and Inorganic Methods, Method 321.8. If a supplier has qualified for reduced bromate monitoring under subsection (b)(3)(B)(i) of this Section, that supplier may remain on reduced monitoring as long as the running annual average of quarterly bromate samples not greater than 0.0025 mg/l based on samples analyzed using USEPA OGWDW Methods, Method 317.0 (rev. 2.0) or Method 326.0 (rev. 1.0) or USEPA Organic and Inorganic Methods, Method 321.8. If the running annual average bromate concentration is greater than 0.0025 mg/l, the supplier must resume routine monitoring required by subsection (b)(3)(A) of this Section.

c) Monitoring requirements for disinfectant residuals.

1) Chlorine and chloramines.
   A) Routine monitoring. A CWS or NTNCWS supplier that uses chlorine or chloramines must measure the residual disinfectant level in the distribution system at the same point in the distribution system and at the same time as total coliforms are sampled, as specified in Section 611.521. A Subpart B system supplier may use the results of residual disinfectant concentration sampling conducted under Section 611.532 for unfiltered systems or Section 611.533 for systems that filter, in lieu of taking separate samples.

   B) Reduced monitoring. Monitoring may not be reduced.

2) Chlorine dioxide.
   A) Routine monitoring. A CWS, an NTNCWS, or a transient non-CWS supplier that uses chlorine dioxide for disinfection or oxidation must take daily samples at the entrance to the distribution system. For any daily sample that exceeds the MRDL, the supplier must take samples in the distribution system the following day at the locations required by subsection (c)(2)(B) of this Section, in addition to the sample required at the entrance to the distribution system.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

B) Additional monitoring. On each day following a routine sample monitoring result that exceeds the MRDL, the supplier must take three chlorine dioxide distribution system samples. If chlorine dioxide or chloramines are used to maintain a disinfectant residual in the distribution system, or if chlorine is used to maintain a disinfectant residual in the distribution system and there are no disinfection addition points after the entrance to the distribution system (i.e., no booster chlorination), the supplier must take three samples as close to the first customer as possible, at intervals of at least six hours. If chlorine is used to maintain a disinfectant residual in the distribution system and there are one or more disinfection addition points after the entrance to the distribution system (i.e., booster chlorination), the supplier must take one sample at each of the following locations: as close to the first customer as possible, in a location representative of average residence time, and as close to the end of the distribution system as possible (reflecting maximum residence time in the distribution system).

C) Reduced monitoring. Monitoring may not be reduced.

d) Monitoring requirements for disinfection byproduct (DBP) precursors.

1) Routine monitoring. A Subpart B system supplier that uses conventional filtration treatment (as defined in Section 611.101) must monitor each treatment plant for TOC not past the point of combined filter effluent turbidity monitoring and representative of the treated water. A supplier required to monitor under this subsection (d)(1) must also monitor for TOC in the source water prior to any treatment at the same time as monitoring for TOC in the treated water. These samples (source water and treated water) are referred to as paired samples. At the same time as the source water sample is taken, a system must monitor for alkalinity in the source water prior to any treatment. A supplier must take one paired sample and one source water alkalinity sample per month per plant at a time representative of normal operating conditions and influent water quality.

2) Reduced monitoring. A Subpart B system supplier with an average treated
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

water TOC of less than 2.0 mg/l for two consecutive years, or less than 1.0 mg/l for one year, may reduce monitoring for both TOC and alkalinity to one paired sample and one source water alkalinity sample per plant per quarter. The supplier must revert to routine monitoring in the month following the quarter when the annual average treated water TOC greater than or equal to 2.0 mg/l.

e) Bromide. A supplier required to analyze for bromate may reduce bromate monitoring from monthly to once per quarter, if the supplier demonstrates that the average source water bromide concentration is less than 0.05 mg/l based upon representative monthly measurements for one year. The supplier must continue bromide monitoring to remain on reduced bromate monitoring.

f) Monitoring plans. Each supplier required to monitor under this Subpart I must develop and implement a monitoring plan. The supplier must maintain the plan and make it available for inspection by the Agency and the general public no later than 30 days following the applicable compliance dates in Section 611.380(b). A Subpart B system supplier that serves more than 3,300 persons must submit a copy of the monitoring plan to the Agency no later than the date of the first report required under Section 611.384. After review, the Agency may require changes in any plan elements. The plan must include at least the following elements:

1) Specific locations and schedules for collecting samples for any parameters included in this Subpart I;

2) How the supplier will calculate compliance with MCLs, MRDLs, and treatment techniques; and

3) If approved for monitoring as a consecutive system, or if providing water to a consecutive system, under the provisions of Section 611.500, the sampling plan must reflect the entire distribution system.


(Source: Amended at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.383 Compliance Requirements
a) General requirements.

1) Where compliance is based on a running annual average of monthly or quarterly samples or averages and the supplier fails to monitor for TTHM, HAA5, or bromate, this failure to monitor will be treated as a monitoring violation for the entire period covered by the annual average. Where compliance is based on a running annual average of monthly or quarterly samples or averages and the supplier's failure to monitor makes it impossible to determine compliance with the MRDL for chlorine or chloramines, this failure to monitor will be treated as a monitoring violation for the entire period covered by the annual average.

2) All samples taken and analyzed under the provisions of this Subpart I must be included in determining compliance, even if that number is greater than the minimum required.

3) If, during the first year of monitoring under Section 611.382, any individual quarter's average will cause the running annual average of that supplier to exceed the MCL for total trihalomethanes, haloacetic acids (five), or bromate or the MRDL for chlorine or chloramine, the supplier is out of compliance at the end of that quarter.

b) Disinfection byproducts (DBPs).

1) TTHMs and HAA5.

   A) For a supplier monitoring quarterly, compliance with MCLs in Section 611.312 must be based on a running annual arithmetic average, computed quarterly, of quarterly arithmetic averages of all samples collected by the supplier as prescribed by Section 611.382(b)(1).

   B) For a supplier monitoring less frequently than quarterly, the supplier demonstrates MCL compliance if the average of samples taken that year under the provisions of Section 611.382(b)(1) does not exceed the MCLs in Section 611.312. If the average of these samples exceeds the MCL, the supplier must increase monitoring to once per quarter per treatment plant, and such a system is not in violation of the MCL until it has completed one year of quarterly
monitoring, unless the result of fewer than four quarters of monitoring will cause the running annual average to exceed the MCL, in which case the supplier is in violation at the end of that quarter. A supplier required to increase to quarterly monitoring must calculate compliance by including the sample that triggered the increased monitoring plus the following three quarters of monitoring.

C) If the running annual arithmetic average of quarterly averages covering any consecutive four-quarter period exceeds the MCL, the supplier is in violation of the MCL and must notify the public pursuant to Subpart V of this Part in addition to reporting to the Agency pursuant to Section 611.384.

D) If a PWS fails to complete four consecutive quarter's monitoring, compliance with the MCL for the last four-quarter compliance period must be based on an average of the available data.

2) Bromate. Compliance must be based on a running annual arithmetic average, computed quarterly, of monthly samples (or, for months in which the supplier takes more than one sample, the average of all samples taken during the month) collected by the supplier, as prescribed by Section 611.382(b)(3). If the average of samples covering any consecutive four-quarter period exceeds the MCL, the supplier is in violation of the MCL and must notify the public pursuant to Subpart V of this Part, in addition to reporting to the Agency pursuant to Section 611.384. If a PWS supplier fails to complete 12 consecutive months' monitoring, compliance with the MCL for the last four-quarter compliance period must be based on an average of the available data.

3) Chlorite. Compliance must be based on an arithmetic average of each three sample set taken in the distribution system as prescribed by Section 611.382(b)(2)(A)(ii) and Section 611.382(b)(2)(B). If the arithmetic average of any three sample set exceeds the MCL, the supplier is in violation of the MCL and must notify the public pursuant to Subpart V of this Part, in addition to reporting to the Agency pursuant to Section 611.384.

c) Disinfectant residuals.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

1) Chlorine and chloramines.
   A) Compliance must be based on a running annual arithmetic average, computed quarterly, of monthly averages of all samples collected by the supplier under Section 611.382(c)(1). If the average of quarterly averages covering any consecutive four-quarter period exceeds the MRDL, the supplier is in violation of the MRDL and must notify the public pursuant to Subpart V of this Part, in addition to reporting to the Agency pursuant to Section 611.384.
   B) In cases where a supplier switches between the use of chlorine and chloramines for residual disinfection during the year, compliance must be determined by including together all monitoring results of both chlorine and chloramines in calculating compliance. Reports submitted pursuant to Section 611.384 must clearly indicate that residual disinfectant was analyzed for each sample.

2) Chlorine dioxide.
   A) Acute violations. Compliance must be based on consecutive daily samples collected by the supplier under Section 611.382(c)(2). If any daily sample taken at the entrance to the distribution system exceeds the MRDL, and on the following day one (or more) of the three samples taken in the distribution system exceeds the MRDL, the supplier is in violation of the MRDL and must take immediate corrective action to lower the level of chlorine dioxide below the MRDL and must notify the public pursuant to the procedures for acute health risks in Subpart V of this Part, in addition to reporting to the Agency pursuant to Section 611.384. Failure to take samples in the distribution system the day following an exceedence of the chlorine dioxide MRDL at the entrance to the distribution system will also be considered an MRDL violation and the supplier must notify the public of the violation in accordance with the provisions for acute violations under Subpart V of this Part, in addition to reporting to the Agency pursuant to Section 611.384.
   B) Nonacute violations. Compliance must be based on consecutive daily samples collected by the supplier under Section
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

611.382(c)(2). If any two consecutive daily samples taken at the entrance to the distribution system exceed the MRDL and all distribution system samples taken are below the MRDL, the supplier is in violation of the MRDL and must take corrective action to lower the level of chlorine dioxide below the MRDL at the point of sampling and must notify the public pursuant to the procedures for nonacute health risks in Subpart V of this Part, in addition to reporting to the Agency pursuant to Section 611.384. Failure to monitor at the entrance to the distribution system the day following an exceedence of the chlorine dioxide MRDL at the entrance to the distribution system is also an MRDL violation and the supplier must notify the public of the violation in accordance with the provisions for nonacute violations under Subpart V of this Part, in addition to reporting to the Agency pursuant to Section 611.384.

d) Disinfection byproduct (DBP) precursors. Compliance must be determined as specified by Section 611.385(c). A supplier may begin monitoring to determine whether Step 1 TOC removals can be met 12 months prior to the compliance date for the supplier. This monitoring is not required and failure to monitor during this period is not a violation. However, any supplier that does not monitor during this period, and then determines in the first 12 months after the compliance date that it is not able to meet the Step 1 requirements in Section 611.141(b)(2) and must therefore apply for alternate minimum TOC removal (Step 2) requirements, is not eligible for retroactive approval of alternate minimum TOC removal (Step 2) requirements as allowed pursuant to Section 611.385(b)(3) and is in violation of an NPDWR. A supplier may apply for alternate minimum TOC removal (Step 2) requirements any time after the compliance date. For a supplier required to meet Step 1 TOC removals, if the value calculated under Section 611.385(c)(1)(D) is less than 1.00, the supplier is in violation of the treatment technique requirements and must notify the public pursuant to Subpart V of this Part, in addition to reporting to the Agency pursuant to Section 611.384.


(Source: Amended at 31 Ill. Reg. 11757, effective July 27, 2007)

**Section 611.385  Treatment Technique for Control of Disinfection Byproduct (DBP) Precursors**
a) Applicability.

1) A Subpart B system supplier using conventional filtration treatment (as defined in Section 611.101) must operate with enhanced coagulation or enhanced softening to achieve the TOC percent removal levels specified in subsection (b) of this Section unless the supplier meets at least one of the alternative compliance standards listed in subsection (a)(2) or (a)(3) of this Section.

2) Alternative compliance standards for enhanced coagulation and enhanced softening systems. A Subpart B system supplier using conventional filtration treatment may use the alternative compliance standards in subsections (a)(2)(A) through (a)(2)(F) of this Section to comply with this Section in lieu of complying with subsection (b). A supplier must comply with monitoring requirements in Section 611.382(d) of this Part.

A) The supplier's source water TOC level, measured according to Section 611.381(d)(3), is less than 2.0 mg/l, calculated quarterly as a running annual average.

B) The supplier's treated water TOC level, measured according to Section 611.381(d)(3), is less than 2.0 mg/l, calculated quarterly as a running annual average.

C) The supplier's source water TOC level, measured according to Section 611.381(d)(3), is less than 4.0 mg/l, calculated quarterly as a running annual average; the source water alkalinity, measured according to Section 611.381(d)(1), is greater than 60 mg/l (as CaCO₃), calculated quarterly as a running annual average; and either the TTHM and HAA5 running annual averages are no greater than 0.040 mg/l and 0.030 mg/l, respectively; or prior to the effective date for compliance in Section 611.380(b), the system has made a clear and irrevocable financial commitment, not later than the effective date for compliance in Section 611.380(b), to use technologies that will limit the levels of TTHMs and HAA5 to no more than 0.040 mg/l and 0.030 mg/l, respectively. A supplier must submit evidence of a clear and irrevocable financial commitment, in addition to a schedule containing milestones and
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

periodic progress reports for installation and operation of appropriate technologies, to the Agency for approval not later than the effective date for compliance in Section 611.380(b). These technologies must be installed and operating not later than June 30, 2005. Failure to install and operate these technologies by the date in the approved schedule will constitute a violation of an NPDWR.

D) The TTHM and HAA5 running annual averages are no greater than 0.040 mg/l and 0.030 mg/l, respectively, and the supplier uses only chlorine for primary disinfection and maintenance of a residual in the distribution system.

E) The supplier's source water SUVA, prior to any treatment and measured monthly according to Section 611.381(d)(4), is less than or equal to 2.01/mg-m, calculated quarterly as a running annual average.

F) The supplier's finished water SUVA, measured monthly according to Section 611.381(d)(4), is less than or equal to 2.0l/mg-m, calculated quarterly as a running annual average.

3) Additional alternative compliance standards for softening systems. A supplier practicing enhanced softening that cannot achieve the TOC removals required by subsection (b)(2) of this Section may use the alternative compliance standards in subsections (a)(3)(A) and (a)(3)(B) of this Section in lieu of complying with subsection (b) of this Section. A supplier must comply with monitoring requirements in Section 611.382(d). The alternative compliance standards are as follows:

A) The supplier may undertake softening that results in lowering the treated water alkalinity to less than 60 mg/l (as CaCO$_3$), measured monthly according to Section 611.381(d)(1) and calculated quarterly as a running annual average; and

B) The supplier may undertake softening that results in removing at least 10 mg/l of magnesium hardness (as CaCO$_3$), measured monthly according to Section 611.381(d)(6) and calculated quarterly as an annual running annual average.
b) Enhanced coagulation and enhanced softening performance requirements.

1) A supplier must achieve the percent reduction of TOC specified in subsection (b)(2) of this Section between the source water and the combined filter effluent, unless the Agency approves a supplier's request for alternate minimum TOC removal (Step 2) requirements under subsection (b)(3) of this Section.

2) Required Step 1 TOC reductions, indicated in the following table, are based upon specified source water parameters measured in accordance with Section 611.381(d). A supplier practicing softening must meet the Step 1 TOC reductions in the far-right column (source water alkalinity greater than 120 mg/l) for the following specified source water TOC:

<table>
<thead>
<tr>
<th>Source-water TOC, mg/l</th>
<th>Source-water alkalinity, mg/l as CaCO₃</th>
<th>0-60</th>
<th>&gt; 60-120</th>
<th>&gt; 120³</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>&gt; 2.0-4.0</td>
<td>35.0%</td>
<td>25.0%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>&gt; 4.0-8.0</td>
<td>45.0%</td>
<td>35.0%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>&gt; 8.0</td>
<td>50.0%</td>
<td>40.0%</td>
</tr>
</tbody>
</table>

1 A supplier meeting at least one of the conditions in subsections (a)(2)(A) through (a)(2)(F) of this Section are not required to operate with enhanced coagulation.

2 A softening system that meets one of the alternative compliance standards in subsection (a)(3) of this Section is not required to operate with enhanced softening.

3 A supplier that practices softening must meet the TOC removal requirements in this column.

3) A Subpart B conventional treatment system supplier that cannot achieve the Step 1 TOC removals required by subsection (b)(2) of this Section due to water quality parameters or operational constraints must apply to the Agency, within three months after failure to achieve the TOC removals...
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

required by subsection (b)(2) of this Section, for approval of alternative minimum TOC (Step 2) removal requirements submitted by the supplier. If the PWS cannot achieve the Step 1 TOC removal requirement due to water quality parameters or operational constraints, the Agency must approve the use of the Step 2 TOC removal requirement. If the Agency approves the alternative minimum TOC removal (Step 2) requirements, the Agency may make those requirements retroactive for the purposes of determining compliance. Until the Agency approves the alternative minimum TOC removal (Step 2) requirements, the supplier must meet the Step 1 TOC removals contained in subsection (b)(2) of this Section.

4) Alternative minimum TOC removal (Step 2) requirements. An application made to the Agency by an enhanced coagulation system supplier for approval of alternative minimum TOC removal (Step 2) requirements under subsection (b)(3) of this Section must include, at a minimum, results of bench- or pilot-scale testing conducted under subsection (b)(4)(B) of this Section. The submitted bench- or pilot-scale testing must be used to determine the alternative enhanced coagulation level.

A) For the purposes of this Subpart I, "alternative enhanced coagulation level" is defined as coagulation at a coagulant dose and pH, as determined by the method described in subsections (b)(4)(A) through (E) of this Section, such that an incremental addition of 10 mg/l of alum (or equivalent amount of ferric salt) results in a TOC removal of less than or equal to 0.3 mg/l. The percent removal of TOC at this point on the "TOC removal versus coagulant dose" curve is then defined as the minimum TOC removal required for the supplier. Once approved by the Agency, this minimum requirement supersedes the minimum TOC removal required by the table in subsection (b)(2) of this Section. This requirement will be effective until such time as the Agency approves a new value based on the results of a new bench- and pilot-scale test. Failure to achieve alternative minimum TOC removal levels is a violation of National Primary Drinking Water Regulations.

B) Bench- or pilot-scale testing of enhanced coagulation must be conducted by using representative water samples and adding 10 mg/l increments of alum (or equivalent amounts of ferric salt)
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

until the pH is reduced to a level less than or equal to the enhanced coagulation Step 2 target pH shown in the following table:

<table>
<thead>
<tr>
<th>Alkalinity (mg/l as CaCO₃)</th>
<th>Target pH</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-60</td>
<td>5.5</td>
</tr>
<tr>
<td>&gt; 60-120</td>
<td>6.3</td>
</tr>
<tr>
<td>&gt; 120-240</td>
<td>7.0</td>
</tr>
<tr>
<td>&gt; 240</td>
<td>7.5</td>
</tr>
</tbody>
</table>

C) For waters with alkalinites of less than 60 mg/l for which addition of small amounts of alum or equivalent addition of iron coagulant drives the pH below 5.5 before significant TOC removal occurs, the supplier must add necessary chemicals to maintain the pH between 5.3 and 5.7 in samples until the TOC removal of 0.3 mg/l per 10 mg/l alum added (or equivalent addition of iron coagulant) is reached.

D) The supplier may operate at any coagulant dose or pH necessary (consistent with other NPDWRs) to achieve the minimum TOC percent removal approved under subsection (b)(3) of this Section.

E) If the TOC removal is consistently less than 0.3 mg/l of TOC per 10 mg/l of incremental alum dose at all dosages of alum (or equivalent addition of iron coagulant), the water is deemed to contain TOC not amenable to enhanced coagulation. The supplier may then apply to the Agency for a waiver of enhanced coagulation requirements. If the TOC removal is consistently less than 0.3 mg/l of TOC per 10 mg/l of incremental alum dose at all dosages of alum (or equivalent addition of iron coagulant), the Agency must grant the waiver of enhanced coagulation requirements.

c) Compliance calculations.

1) A Subpart B system supplier other than those identified in subsection (a)(2) or (a)(3) of this Section must comply with requirements contained
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

in subsection (b)(2) or (b)(3) of this Section. A supplier must calculate compliance quarterly, beginning after the supplier has collected 12 months of data, by determining an annual average using the following method:

A) Determine actual monthly TOC percent removal, equal to the following:

\[
100 \times \left(1 - \frac{treatedwaterTOC}{sourcewaterTOC}\right)
\]

B) Determine the required monthly TOC percent removal.

C) Divide the value in subsection (c)(1)(A) of this Section by the value in subsection (c)(1)(B) of this Section.

D) Add together the results of subsection (c)(1)(C) of this Section for the last 12 months and divide by 12.

E) If the value calculated in subsection (c)(1)(D) of this Section is less than 1.00, the supplier is not in compliance with the TOC percent removal requirements.

2) A supplier may use the provisions in subsections (c)(2)(A) through (c)(2)(E) of this Section in lieu of the calculations in subsection (c)(1)(A) through (c)(1)(E) of this Section to determine compliance with TOC percent removal requirements.

A) In any month that the supplier's treated or source water TOC level, measured according to Section 611.381(d)(3), is less than 2.0 mg/l, the supplier may assign a monthly value of 1.0 (in lieu of the value calculated in subsection (c)(1)(C) of this Section) when calculating compliance under the provisions of subsection (c)(1) of this Section.

B) In any month that a system practicing softening removes at least 10 mg/l of magnesium hardness (as CaCO₃), the supplier may assign a monthly value of 1.0 (in lieu of the value calculated in subsection (c)(1)(C) of this Section) when calculating compliance under the
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

provisions of subsection (c)(1) of this Section.

C) In any month that the system's source water SUVA, prior to any treatment and measured according to Section 611.381(d)(4), is less than or equal to 2.0 l/mg-m, the supplier may assign a monthly value of 1.0 (in lieu of the value calculated in subsection (c)(1)(C) of this Section) when calculating compliance under the provisions of subsection (c)(1) of this Section.

D) In any month that the system's finished water SUVA, measured according to Section 611.381(d)(4), is less than or equal to 2.0 l/mg-m, the supplier may assign a monthly value of 1.0 (in lieu of the value calculated in subsection (c)(1)(C) of this Section) when calculating compliance under the provisions of subsection (c)(1) of this Section.

E) In any month that a system practicing enhanced softening lowers alkalinity below 60 mg/l (as CaCO$_3$), the supplier may assign a monthly value of 1.0 (in lieu of the value calculated in subsection (c)(1)(C) of this Section) when calculating compliance under the provisions of subsection (c)(1) of this Section.

3) A Subpart B system supplier using conventional treatment may also comply with the requirements of this Section by meeting the standards in subsection (a)(2) or (a)(3) of this Section.

d) Treatment technique requirements for disinfection byproduct (DBP) precursors. Treatment techniques to control the level of disinfection byproduct (DBP) precursors in drinking water treatment and distribution systems, for a Subpart B system supplier using conventional treatment, are enhanced coagulation or enhanced softening.


(Source: Amended at 31 Ill. Reg. 11757, effective July 27, 2007)

SUBPART K: GENERAL MONITORING AND ANALYTICAL REQUIREMENTS

Section 611.490 Certified Laboratories
a) For the purpose of determining compliance with Subparts G, K, L, through Q, and S of this Part, samples will be considered only if they have been analyzed as follows:

1) By a laboratory certified pursuant to Section 4(o) of the Act [415 ILCS 5/4(o)];

2) By a laboratory certified by USEPA; or

3) For measurements of alkalinity, calcium, conductivity, disinfectant residual, orthophosphate, silica, turbidity, free chlorine residual, temperature, and pH, by a person may be performed under the supervision of a certified operator (35 Ill. Adm. Code 603.103).

b) Nothing in this Part must be construed to preclude the Agency or any duly designated representative of the Agency from taking samples or from using the results from such samples to determine compliance by a supplier of water with the applicable requirements of this Part.

BOARD NOTE: Subsections (a) and (b) are derived from 40 CFR 141.28 (2002).

c) The CWS supplier must have required analyses performed either at an Agency laboratory or a certified laboratory. The Agency may require that some or all of the required samples be submitted to its laboratories.

BOARD NOTE: Subsections (a) and (b) are derived from 40 CFR 141.28 (2006), as amended at 71 Fed. Reg. 65574 (Nov. 8, 2006). Subsection (c) is an additional State requirement.

BOARD NOTE: This is an additional State requirement.

(Source: Amended at 31 Ill. Reg. 11757, effective July 27, 2007)

SUBPART L: MICROBIOLOGICAL MONITORING AND ANALYTICAL REQUIREMENTS

Section 611.524 Sanitary Surveys
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

a) Requirement to conduct a sanitary survey.

1) Suppliers that do not collect five or more routine samples per month must undergo a sanitary survey at least once every five years, except that non-CWS suppliers using only disinfected groundwater, from a source that is not under the direct influence of surface water, must undergo a sanitary survey at least once every ten years. The Agency or, for a non-CWS, Public Health must review the results of each sanitary survey to determine whether the existing monitoring frequency is adequate and what additional measures, if any, the supplier needs to undertake to improve drinking water quality.

2) In conducting a sanitary survey of a PWS using groundwater, information on sources of contamination within the delineated wellhead protection area that was collected in the course of developing and implementing the wellhead protection program should be considered instead of collecting new information, if the information was collected since the last time the PWS was subject to a sanitary survey.

b) Sanitary surveys must be performed by the Agency. The PWS is responsible for ensuring that the survey takes place.

c) A sanitary survey conducted by the Agency for the purposes of Subpart S of this Part may be used to meet the sanitary survey requirements of this Section.


(Source: Amended at 31 Ill. Reg. 11757, effective July 27, 2007)

SUBPART P: THM MONITORING AND ANALYTICAL REQUIREMENTS

Section 611.680 Sampling, Analytical, and other Requirements

a) Required monitoring.

1) A CWS supplier that serves a population of 10,000 or more individuals and which adds a disinfectant (oxidant) to the water in any part of the drinking water treatment process must analyze for TTHMs in accordance
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

with this Subpart P.

2) For the purpose of this Subpart P, the minimum number of samples required to be taken by the supplier must be based on the number of treatment plants used by the supplier. However, the Agency shall, by a SEP issued pursuant to Section 611.110, provide that multiple wells drawing raw water from a single aquifer be considered one treatment plant for determining the minimum number of samples.

3) All samples taken within an established frequency must be collected within a 24-hour period.

b) A CWS supplier that serving 10,000 or more individuals.

1) For a CWS supplier utilizing surface a water source in whole or in part, and for a CWS supplier utilizing only a groundwater source, except as provided in Section 611.683, analyses for TTHMs must be performed at quarterly intervals on at least four water samples for each treatment plant used by the system. At least 25 percent of the samples must be taken at locations within the distribution system reflecting the maximum residence time (MRT) of the water in the system. The remaining 75 percent must be taken at representative locations in the distribution system, taking into account the number of persons served, different sources of water and different treatment methods employed. The results of all analyses per quarter must be arithmetically averaged and reported to the Agency within 30 days after the supplier's receipt of such results. All samples collected must be used in the computation of the average, unless the analytical results are invalidated for technical reasons. Sampling and analyses must be conducted in accordance with the methods listed in Section 611.685.

2) Upon application by a CWS supplier, the Agency must, by a SEP issued pursuant to Section 611.110, reduce the monitoring frequency required by subsection (b)(1) to a minimum of one sample analyzed for TTHMs per quarter taken at a point in the distribution system reflecting the MRT of the water in the system, if the Agency determines that the data from at least one year of monitoring in accordance with subsection (b)(1) and local conditions demonstrate that TTHM concentrations will be consistently below the MCL.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

3) If at any time during which the reduced monitoring frequency prescribed under this subsection (b) applies, the results from any analysis exceed 0.10 mg/l TTHMs and such results are confirmed by at least one check sample taken promptly after such results are received, or if the CWS supplier makes any significant change to its source of water or treatment program, the supplier must immediately begin monitoring in accordance with the requirements of subsection (b)(1), which monitoring must continue for at least 1 year before the frequency may be reduced again. The Agency must, by a SEP issued pursuant to Section 611.110, require monitoring in excess of the minimum frequency where it is necessary to detect variations of TTHM levels within the distribution system.

BOARD NOTE: Subsections (a) and (b) of this Section are derived from 40 CFR 141.30(a) and (b) (2002), modified to remove the limitation regarding addition of disinfectant.

 c) Surface water sources for a CWS supplier serving fewer than 10,000 individuals. Suppliers must have submitted at least one initial sample per treatment plant for analysis or analytical results from a certified laboratory for MRT concentration taken between May 1, 1990, and October 31, 1990. After written request by the supplier and the determination by the Agency that the results of the sample indicate that the CWS supplier is not likely to exceed the MCL, the CWS must continue to submit one annual sample per treatment plant for analysis or analytical results from a certified laboratory to the Agency taken between May 1 and October 31 of succeeding years. If the sample exceeds the MCL, the CWS must submit to the Agency samples in accordance with the sampling frequency specified in subsection (b) of this Section.

BOARD NOTE: This is an additional State requirement.

d) Groundwater sources for a CWS supplier serving fewer than 10,000 individuals. Suppliers are not required to submit samples for THM analysis under this Subpart P.

BOARD NOTE: This is an additional State requirement.

(Source: Amended at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.685 Analytical Methods (Repealed)
Sampling and analyses made pursuant to this Subpart V must be conducted by one of the total trihalomethanes (TTHM) methods, as directed in Section 611.645; in USEPA Technical Notes, incorporated by reference in Section 611.102; or in Section 611.381(b). Samples for TTHM must be dechlorinated upon collection to prevent further production of trihalomethanes according to the procedures described in the methods, except acidification is not required if only THMs or TTHMs are to be determined. Samples for maximum TTHM potential must not be dechlorinated or acidified, and should be held for seven days at 25º C (or above) prior to analysis.

BOARD NOTE: Derived from 40 CFR 141.30(e) (2002).

(Source: Repealed at 31 Ill. Reg. 11757, effective July 27, 2007)

**SUBPART S: GROUNDWATER RULE**

**Section 611.800 General Requirements and Applicability**

a) **Scope of this Subpart S.** The requirements of this Subpart S constitute NPDWRs.

b) **Applicability.** This Subpart S applies to all PWS suppliers that use groundwater, except that it does not apply to public water systems that combine all of their groundwater with surface water or with groundwater under the direct influence of surface water prior to treatment pursuant to Subpart B. For the purposes of this Subpart S, "GWS" is defined as any PWS that meets this applicability statement, including a consecutive system receiving finished groundwater.

c) **General requirements.** A supplier subject to this Subpart S must comply with the following requirements:

1) Sanitary survey information requirements for all GWS suppliers, as described in Section 611.801.

2) Microbial source water monitoring requirements for GWS suppliers that do not treat all of their groundwater to at least 99.99 percent (4-log) treatment of viruses (using inactivation, removal, or an Agency-approved combination of 4-log virus inactivation and removal) before or at the first customer, as described in Section 611.802.

3) Treatment technique requirements, described in Section 611.803, that apply to GWS suppliers that have fecally contaminated source waters, as
determined by source water monitoring conducted pursuant to Section 611.802, or which have significant deficiencies that are identified by the Agency, by a SEP issued pursuant to Section 611.110, or which are identified by USEPA pursuant to SDWA section 1445 (42 USC 300j-4). A GWS supplier with fecally contaminated source water or with significant deficiencies subject to the treatment technique requirements of this Subpart S must implement one or more of the following corrective action options: correct all significant deficiencies; provide an alternate source of water; eliminate the source of contamination; or provide treatment that reliably achieves at least 4-log treatment of viruses (using inactivation, removal, or an Agency-approved combination of 4-log virus inactivation and removal) before or at the first customer.

4) A GWS supplier that provides at least 4-log treatment of viruses (using inactivation, removal, or an Agency-approved combination of 4-log virus inactivation and removal) before or at the first customer is required to conduct compliance monitoring to demonstrate treatment effectiveness, as described in Section 611.803(b).

5) If requested by the Agency, a GWS supplier must provide the Agency with any existing information that will enable the Agency to perform a hydrogeologic sensitivity assessment.

BOARD NOTE: The Board moved the definition of "hydrogeologic sensitivity assessment" to the definitions provision of this Part: Section 611.101.

d) Compliance date. A GWS supplier must comply, unless otherwise noted, with the requirements of this Subpart S beginning December 1, 2009.

BOARD NOTE: Derived from 40 CFR 141.400, as added at 71 Fed. Reg. 65574 (Nov. 8, 2006).

(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.801 Sanitary Surveys for GWS Suppliers

a) A GWS supplier must provide the Agency, at the Agency's request, any existing information that will enable the Agency to conduct a sanitary survey.
b) For the purposes of this Subpart S, a "sanitary survey," as conducted by the Agency, includes but is not limited to, an onsite review of the delineated WHPAs (identifying sources of contamination within the WHPAs and evaluations or the hydrogeologic sensitivity of the delineated WHPAs conducted under source water assessments or utilizing other relevant information where available), facilities, equipment, operation, maintenance, and monitoring compliance of a public water system to evaluate the adequacy of the system, its sources and operations and the distribution of safe drinking water.

c) The sanitary survey must include an evaluation of the applicable components listed in subsections (c)(1) through (c)(8) of this Section:

1) Source,
2) Treatment,
3) Distribution system,
4) Finished water storage,
5) Pumps, pump facilities, and controls,
6) Monitoring, reporting, and data verification,
7) System management and operation, and
8) Operator compliance with Agency requirements.

d) The Agency must repeat the sanitary survey as follows:

1) The Agency must conduct a sanitary survey that addresses the eight sanitary survey components listed in subsection (c) of this Section no less frequently than every three years for a CWS supplier, except as provided in subsection (d)(3) of this Section, and every five years for a non-CWS supplier. The Agency may conduct more frequent sanitary surveys for any supplier. The initial sanitary survey for each community water system must be conducted before December 31, 2012, unless the supplier meets the requirements of subsection (d)(3) of this Section. The initial sanitary
survey for each CWS supplier that meets the requirements of subsection (d)(3) of this Section and for each non-CWS supplier must be conducted before December 31, 2014. The sanitary survey must include an evaluation of each of the elements set forth in subsection (c) of this Section, as applicable.

2) The Agency may use a phased review process to meet the requirements of subsection (d)(1) of this Section if all the applicable elements of subsection (c) of this Section are evaluated within the required interval.

3) The Agency may conduct sanitary surveys once every five years for community water systems under any of the following circumstances:

A) If the system either provides at least 4-log treatment of viruses (using inactivation, removal, or an Agency-approved combination of 4-log inactivation and removal) before or at the first customer for all its groundwater sources; or

B) If the supplier has an outstanding performance record, as determined by the Agency and documented in previous sanitary surveys, and the supplier has no history of total coliform MCL or monitoring violations under Sections 611.521 through 611.527 since the last sanitary survey.

4) This subsection (d)(4) corresponds with 40 CFR 142.16(o)(2)(iv), which imposes requirements for describing the elements of the State's regulatory system. This statement maintains structural consistency with the corresponding federal provision.

5) The Agency must provide a GWS supplier with written notice by a SEP issued pursuant to Section 611.110 that describes any significant deficiency which it has found no later than 30 days after the Agency has identified the significant deficiency. The notice may specify corrective actions and deadlines for completion of corrective actions. The Agency may provide the written notice at the time of the sanitary survey.
Section 611.802  Groundwater Source Microbial Monitoring and Analytical Methods

a) Triggered source water monitoring.

1) General requirements. A GWS supplier must conduct triggered source water monitoring if the following conditions exist:

A) The supplier does not provide at least 4-log treatment of viruses (using inactivation, removal, or an Agency-approved combination of 4-log virus inactivation and removal) before or at the first customer for each groundwater source; and

B) The supplier is notified that a sample collected pursuant to Section 611.521 is total coliform-positive, and the sample is not invalidated by the Agency pursuant to Section 611.523.

2) Sampling requirements. A GWS supplier must collect, within 24 hours after notification of the total coliform-positive sample, at least one groundwater source sample from each groundwater source in use at the time the total coliform-positive sample was collected pursuant to Section 611.521, except as provided in subsection (a)(2)(B) of this Section.

A) The Agency may, by a SEP issued pursuant to Section 611.110, extend the 24-hour time limit on a case-by-case basis if it determines that the supplier cannot collect the groundwater source water sample within 24 hours due to circumstances beyond the supplier's control. In the case of an extension, the Agency must specify how much time the supplier has to collect the sample.

B) If approved by the Agency, a supplier with more than one groundwater source may meet the requirements of this subsection (a)(2) by sampling a representative groundwater source or sources. If directed by the Agency by a SEP issued pursuant to Section 611.110, the supplier must submit for Agency approval a triggered source water monitoring plan that identifies one or more groundwater sources that are representative of each monitoring site.
NOTICE OF ADOPTED AMENDMENTS

in the system's sample siting plan pursuant to Section 611.521 and that the system intends to use for representative sampling pursuant to this subsection (a).

C) A GWS supplier that serves 1,000 or fewer people may use a repeat sample collected from a groundwater source to meet both the requirements of Section 611.522 and to satisfy the monitoring requirements of subsection (a)(2) of this Section for that groundwater source only if the Agency approves the use of E. coli as a fecal indicator for source water monitoring pursuant to this subsection (a) by a SEP issued pursuant to Section 611.110. If the repeat sample collected from the groundwater source is E. coli positive, the system must comply with subsection (a)(3) of this Section.

3) Additional requirements. If the Agency does not require corrective action pursuant to Section 611.803(a)(2) for a fecal indicator-positive source water sample collected pursuant to subsection (a)(2) of this Section that is not invalidated pursuant to subsection (d) of this Section, the system must collect five additional source water samples from the same source within 24 hours after being notified of the fecal indicator-positive sample.

4) Consecutive and wholesale systems.

A) In addition to the other requirements of this subsection (a), a consecutive GWS supplier that has a total coliform-positive sample collected pursuant to Section 611.521 must notify the wholesale systems within 24 hours after being notified of the total coliform-positive sample.

B) In addition to the other requirements of this subsection (a), a wholesale GWS supplier must comply with the following requirements:

i) A wholesale GWS supplier that receives notice from a consecutive system it serves that a sample collected pursuant to Section 611.521 is total coliform-positive must, within 24 hours after being notified, collect a sample from its groundwater sources pursuant to subsection (a)(2) of this
Section and analyze it for a fecal indicator pursuant to subsection (c) of this Section.

ii) If the sample collected pursuant to subsection (a)(4)(B)(i) of this section is fecal indicator-positive, the wholesale GWS supplier must notify all consecutive systems served by that groundwater source of the fecal indicator source water positive within 24 hours of being notified of the groundwater source sample monitoring result and must meet the requirements of subsection (a)(3) of this Section.

5) Exceptions to the triggered source water monitoring requirements. A GWS supplier is not required to comply with the source water monitoring requirements of subsection (a) of this Section if either of the following conditions exists:

A) The Agency determines, and documents in writing, by a SEP issued pursuant to Section 611.110, that the total coliform-positive sample collected pursuant to Section 611.521 is caused by a distribution system deficiency; or

B) The total coliform-positive sample collected pursuant to Section 611.521 is collected at a location that meets Agency criteria for distribution system conditions that will cause total coliform-positive samples.

b) Assessment source water monitoring. If directed by the Agency by a SEP issued pursuant to Section 611.110, a GWS supplier must conduct assessment source water monitoring that meets Agency-determined requirements for such monitoring. A GWS supplier conducting assessment source water monitoring may use a triggered source water sample collected pursuant to subsection (a)(2) of this Section to meet the requirements of subsection (b) of this Section. Agency-determined assessment source water monitoring requirements may include the following:

1) Collection of a total of 12 groundwater source samples that represent each month the system provides groundwater to the public;
NOTICE OF ADOPTED AMENDMENTS

2) Collection of samples from each well, unless the system obtains written Agency approval to conduct monitoring at one or more wells within the GWS that are representative of multiple wells used by that system and which draw water from the same hydrogeologic setting;

3) Collection of a standard sample volume of at least 100 ml for fecal indicator analysis, regardless of the fecal indicator or analytical method used;

4) Analysis of all groundwater source samples using one of the analytical methods listed in subsection (c)(2) of this Section for the presence of E. coli, enterococci, or coliphage;

5) Collection of groundwater source samples at a location prior to any treatment of the groundwater source unless the Agency approves a sampling location after treatment; and

6) Collection of groundwater source samples at the well itself, unless the system's configuration does not allow for sampling at the well itself and the Agency approves an alternate sampling location by a SEP issued pursuant to Section 611.110 that is representative of the water quality of that well.

c) Analytical methods.

1) A GWS supplier subject to the source water monitoring requirements of subsection (a) of this Section must collect a standard sample volume of at least 100 ml for fecal indicator analysis, regardless of the fecal indicator or analytical method used.

2) A GWS supplier must analyze all groundwater source samples collected pursuant to subsection (a) of this Section using one of the analytical methods listed in subsections (c)(2)(A) through (c)(2)(C) of this Section, subject to the limitations of subsection (c)(2)(D) of this Section, for the presence of E. coli, enterococci, or coliphage:

   A) E. coli:
NOTICE OF ADOPTED AMENDMENTS


ii) Colisure Test, Standard Methods, 20th ed., Method 9223 B.

iii) Membrane Filter Method with MI Agar, USEPA Method 1604.

iv) m-ColiBlue24 Test.

v) E*Colite Test.


BOARD NOTE: EC–MUG (Standard Methods, Method 9221F) or NA–MUG (Standard Methods, Method 9222G) can be used for E. coli testing step, as described in Section 611.526(a) or (b) after use of Standard Methods, Method 9221 B, 9221 D, 9222 B, or 9222 C.

B) Enterococci:

i) Multiple-Tube Technique, Standard Methods, 20th ed., Method 9230 B.


BOARD NOTE: The holding time and temperature for groundwater samples are specified in subsection (c)(2)(D) of this Section, rather than as specified in Section 8 of USEPA Method 1600.

iii) Enterolert.

BOARD NOTE: Medium is available through IDEXX Laboratories, Inc., at the address set forth in Section
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

611.102(b). Preparation and use of the medium must be as set forth in the article that embodies the method as incorporated by reference in Section 611.102(b).

C) Coliphage:


D) Limitation on methods use. The time from sample collection to initiation of analysis may not exceed 30 hours. The GWS supplier is encouraged but is not required to hold samples below 10°C during transit.

d) Invalidation of a fecal indicator-positive groundwater source sample.

1) A GWS supplier may obtain Agency invalidation of a fecal indicator-positive groundwater source sample collected pursuant to subsection (a) of this Section only under either of the following conditions:

A) The supplier provides the Agency with written notice from the laboratory that improper sample analysis occurred; or

B) The Agency determines and documents in writing by a SEP issued pursuant to Section 611.110 that there is substantial evidence that a fecal indicator-positive groundwater source sample is not related to source water quality.

2) If the Agency invalidates a fecal indicator-positive groundwater source sample, the GWS supplier must collect another source water sample pursuant to subsection (a) of this Section within 24 hours after being notified by the Agency of its invalidation decision, and the supplier must have it analyzed for the same fecal indicator using the analytical methods in subsection (c) of this Section. The Agency may extend the 24-hour time limit on a case-by-case basis if the supplier cannot collect the source water sample within 24 hours due to circumstances beyond its control. In
the case of an extension, the Agency must specify how much time the system has to collect the sample.

e) Sampling location.

1) Any groundwater source sample required pursuant to subsection (a) of this Section must be collected at a location prior to any treatment of the groundwater source unless the Agency approves a sampling location after treatment.

2) If the supplier's system configuration does not allow for sampling at the well itself, it may collect a sample at an Agency-approved location to meet the requirements of subsection (a) of this Section if the sample is representative of the water quality of that well.

f) New sources. If directed by the Agency by a SEP issued pursuant to Section 611.110, a GWS supplier that places a new groundwater source into service after November 30, 2009 must conduct assessment source water monitoring pursuant to subsection (b) of this Section. If directed by the SEP, the system must begin monitoring before the groundwater source is used to provide water to the public.

g) Public Notification. A GWS supplier with a groundwater source sample collected pursuant to subsection (a) or (b) of this Section that is fecal indicator-positive and which is not invalidated pursuant to subsection (d) of this Section, including a consecutive system supplier served by the groundwater source, must conduct public notification pursuant to Section 611.902.

h) Monitoring Violations. A failure to meet the requirements of subsections (a) through (f) of this Section is a monitoring violation that requires the GWS supplier to provide public notification pursuant to Section 611.904.


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.803 Treatment Technique Requirements for GWS Suppliers

a) GWS suppliers with significant deficiencies or source water fecal contamination.
1) The treatment technique requirements of this Section must be met by GWS suppliers when a significant deficiency is identified or when a groundwater source sample collected pursuant to Section 611.802(a)(3) is fecal indicator-positive.

2) If directed by the Agency by a SEP issued pursuant to Section 611.110, a GWS supplier with a groundwater source sample collected pursuant to Section 611.802(a)(2), (a)(4), or (b) that is fecal indicator-positive must comply with the treatment technique requirements of this Section.

3) When a significant deficiency is identified at a Subpart B PWS that uses both groundwater and surface water or groundwater under the direct influence of surface water, the system must comply with provisions of this subsection (a) except in cases where the Agency determines that the significant deficiency is in a portion of the distribution system that is served solely by surface water or groundwater under the direct influence of surface water.

4) Unless the Agency, by a SEP issued pursuant to Section 611.110, directs the GWS supplier to implement a specific corrective action, the GWS supplier must consult with the Agency regarding the appropriate corrective action within 30 days after receiving written notice from the Agency of a significant deficiency, written notice from a laboratory that a groundwater source sample collected pursuant to Section 611.802(a)(3) was found to be fecal indicator-positive, or direction from the Agency that a fecal indicator-positive sample collected pursuant to Section 611.802(a)(2), (a)(4), or (b) requires corrective action. For the purposes of this Subpart S, significant deficiencies include, but are not limited to, defects in design, operation, or maintenance, or a failure or malfunction of the sources, treatment, storage, or distribution system that the Agency determines to be causing, or have potential for causing, the introduction of contamination into the water delivered to consumers.

5) Within 120 days (or earlier if directed by the Agency) after receiving written notification from the Agency of a significant deficiency, written notice from a laboratory that a groundwater source sample collected pursuant to Section 611.802(a)(3) was found to be fecal indicator-positive, or written notice from the Agency that a fecal indicator-positive sample
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

collected pursuant to Section 611.802(a)(2), (a)(4), or (b) requires corrective action, the GWS supplier must do either of the following:

A) It must have completed corrective action in accordance with any applicable plan review processes adopted by the Agency or with any SEP issued by the Agency, if any, including Agency-specified interim measures; or

B) It must be in compliance with an Agency-approved corrective action plan and schedule, subject to the following conditions:

   i) Any subsequent modifications to an Agency-approved corrective action plan and schedule must also be approved by the Agency; and

   ii) If the Agency specifies interim measures for protection of the public health pending Agency approval of the corrective action plan and schedule or pending completion of the corrective action plan, the supplier must comply with those interim measures, as well as with any schedule specified by the Agency.

6) Corrective action alternatives. A GWS supplier that meets the conditions of subsection (a)(1) or (a)(2) of this Section must implement one or more of the following corrective action alternatives:

A) It must correct all significant deficiencies;

B) It must provide an alternate source of water;

C) It must eliminate the source of contamination; or

D) It must provide treatment that reliably achieves at least 4-log treatment of viruses (using inactivation, removal, or an Agency-approved combination of 4-log virus inactivation and removal) before or at the first customer for the groundwater source.

7) Special notice to the public of significant deficiencies or source water fecal contamination.
NOTICE OF ADOPTED AMENDMENTS

A) In addition to the applicable public notification requirements of Section 611.902, a community GWS supplier that receives notice from the Agency of a significant deficiency or notification of a fecal indicator-positive groundwater source sample that is not invalidated by the Agency pursuant to Section 611.802(d) must inform the public served by the water system pursuant to Section 611.883(h)(6) of the fecal indicator-positive source sample or of any significant deficiency that has not been corrected. The supplier must continue to inform the public annually until the significant deficiency is corrected or the fecal contamination in the groundwater source is determined by the Agency to be corrected pursuant to subsection (a)(5) of this Section.

B) In addition to the applicable public notification requirements of Section 611.902, a non-community GWS supplier that receives notice from the Agency of a significant deficiency must inform the public served by the water system in a manner approved by the Agency of any significant deficiency that has not been corrected within 12 months after being notified by the Agency, or earlier if directed by the Agency. The supplier must continue to inform the public annually until the significant deficiency is corrected. The information must include the following information:

i) The nature of the significant deficiency and the date the significant deficiency was identified by the Agency;

ii) The Agency-approved plan and schedule for correction of the significant deficiency, including interim measures, progress to date, and any interim measures completed; and

iii) For a supplier with a large proportion of non-English speaking consumers, as determined by the Agency, information in the appropriate languages regarding the importance of the notice or a telephone number or address where consumers may contact the system to obtain a translated copy of the notice or assistance in the appropriate language.
C) If directed by the Agency, a non-CWS supplier with significant deficiencies that have been corrected must inform its customers of the significant deficiencies, how the deficiencies were corrected, and the dates of correction pursuant to subsection (a)(7)(B) of this Section.

b) Compliance monitoring.

1) Existing groundwater sources. A GWS supplier that is not required to meet the source water monitoring requirements of this Subpart S for any groundwater source because it provides at least 4-log treatment of viruses (using inactivation, removal, or an Agency-approved combination of 4-log virus inactivation and removal) before or at the first customer for any groundwater source before December 1, 2009 must notify the Agency in writing that it provides at least 4-log treatment of viruses (using inactivation, removal, or an Agency-approved combination of 4-log virus inactivation and removal) before or at the first customer for the specified groundwater source and begin compliance monitoring in accordance with subsection (b)(3) of this Section before December 1, 2009. Notification to the Agency must include engineering, operational, or other information that the Agency requests to evaluate the submission. If the supplier subsequently discontinues 4-log treatment of viruses (using inactivation, removal, or an Agency-approved combination of 4-log virus inactivation and removal) before or at the first customer for a groundwater source, the supplier must conduct groundwater source monitoring, as required pursuant to Section 611.802.

2) New groundwater sources. A GWS supplier that places a groundwater source in service after November 30, 2009, which is not required to meet the source water monitoring requirements of this Subpart S because the supplier provides at least 4-log treatment of viruses (using inactivation, removal, or an Agency-approved combination of 4-log virus inactivation and removal) before or at the first customer for the groundwater source must comply with the requirements of subsections (b)(2)(A), (b)(2)(B) and (b)(2)(C) of this Section.

A) The supplier must notify the Agency in writing that it provides at least 4-log treatment of viruses (using inactivation, removal, or an Agency-approved combination of 4-log virus inactivation and
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

removal) before or at the first customer for the groundwater source. Notification to the Agency must include engineering, operational, or other information that the Agency requests by a SEP issued pursuant to Section 611.110 to evaluate the submission.

B) The supplier must conduct compliance monitoring, as required pursuant to Section 611.803(b)(3), within 30 days after placing the source in service.

C) The supplier must conduct groundwater source monitoring pursuant to Section 611.802 if it subsequently discontinues 4-log treatment of viruses (using inactivation, removal, or an Agency-approved combination of 4-log virus inactivation and removal) before or at the first customer for the groundwater source.

3) Monitoring requirements. A GWS supplier subject to the requirements of subsection (a), (b)(1) or (b)(2) of this Section must monitor the effectiveness and reliability of treatment for that groundwater source before or at the first customer as follows:

A) Chemical disinfection.

i) GWS suppliers serving more than 3,300 people. A GWS supplier that serves more than 3,300 people must continuously monitor the residual disinfectant concentration using analytical methods specified in Section 611.531(b) at a location approved by the Agency and must record the lowest residual disinfectant concentration each day that water from the groundwater source is served to the public. The GWS supplier must determine and maintain the Agency-approved residual disinfectant concentration every day that it serves water from the groundwater source to the public. If there is a failure in the continuous monitoring equipment, the GWS supplier must conduct grab sampling every four hours until the continuous monitoring equipment is returned to service. The supplier must resume continuous residual disinfectant monitoring within 14 days.
ii) GWS suppliers serving 3,300 or fewer people. A GWS supplier that serves 3,300 or fewer people must monitor the residual disinfectant concentration using analytical methods specified in Section 611.531(b) at a location approved by the Agency and record the residual disinfection concentration each day that water from the groundwater source is served to the public. The GWS supplier must maintain the Agency-approved residual disinfectant concentration every day it serves water from the groundwater source to the public. The GWS supplier must take a daily grab sample during the hour of peak flow or at another time specified by the Agency. If any daily grab sample measurement falls below the Agency-approved residual disinfectant concentration, the GWS supplier must take follow-up samples every four hours until the residual disinfectant concentration is restored to the Agency-approved level. Alternatively, a GWS supplier that serves 3,300 or fewer people may monitor continuously and meet the requirements of subsection (b)(3)(A)(i) of this Section.

B) Membrane filtration. A GWS supplier that uses membrane filtration to meet the requirements of this Subpart S must monitor the membrane filtration process in accordance with all Agency-specified monitoring requirements and must operate the membrane filtration in accordance with all Agency-specified compliance requirements. A GWS supplier that uses membrane filtration is in compliance with the requirement to achieve at least 4-log removal of viruses when it fulfills the following conditions:

i) The membrane has an absolute molecular weight cut-off, or an alternative parameter that describes the exclusion characteristics of the membrane, that can reliably achieve at least 4-log removal of viruses;

ii) The membrane process is operated in accordance with Agency-specified compliance requirements; and

iii) The integrity of the membrane is intact.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

C) Alternative treatment. A GWS supplier that uses an Agency-approved alternative treatment to meet the requirements of this Subpart S by providing at least 4-log treatment of viruses (using inactivation, removal, or an Agency-approved combination of 4-log virus inactivation and removal) before or at the first customer must do both of the following:

i) It must monitor the alternative treatment in accordance with all Agency-specified monitoring requirements; and

ii) It must operate the alternative treatment in accordance with all operational requirements determined by the supplier that the Agency has approved as necessary to achieve at least 4-log treatment of viruses.

c) Discontinuing treatment. A GWS supplier may discontinue 4-log treatment of viruses (using inactivation, removal, or an Agency-approved combination of 4-log virus inactivation and removal) before or at the first customer for a groundwater source if the supplier determines and documents and the Agency approves in writing that 4-log treatment of viruses is no longer necessary for that groundwater source. A system that discontinues 4-log treatment of viruses is subject to the source water monitoring and analytical methods requirements of Section 611.802 of this Subpart S.

d) A failure to meet the monitoring requirements of subsection (b) of this Section is a monitoring violation and requires the GWS supplier to provide public notification pursuant to Section 611.904.

BOARD NOTE: Derived from 40 CFR 141.403, as added at 71 Fed. Reg. 65574 (Nov. 8, 2006).

(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.804 Treatment Technique Violations for GWS Suppliers

a) A GWS supplier with a significant deficiency is in violation of the treatment technique requirement if, within 120 days (or earlier if directed by the Agency by a SEP issued pursuant to Section 611.110) of receiving written notice from the
Agency of the significant deficiency, the system does not do either of the following:

1) It does not complete corrective action in accordance with any applicable Agency plan review processes or other Agency guidance and direction, including Agency specified interim actions and measures, or

2) It is not in compliance with an Agency-approved corrective action plan and schedule.

b) Unless the Agency invalidates a fecal indicator-positive groundwater source sample pursuant to Section 611.802(d), a GWS supplier is in violation of the treatment technique requirement if, within 120 days (or earlier if directed by the Agency) after meeting the conditions of Section 611.803(a)(1) or (a)(2), the supplier does not do either of the following:

1) It does not complete corrective action in accordance with any applicable Agency plan review processes or other Agency guidance and direction, including Agency-specified interim measures, or

2) It is not in compliance with an Agency-approved corrective action plan and schedule.

c) A GWS supplier subject to the requirements of Section 611.803(b)(3) that fails to maintain at least 4-log treatment of viruses (using inactivation, removal, or an Agency-approved combination of 4-log virus inactivation and removal) before or at the first customer for a groundwater source is in violation of the treatment technique requirement if the failure is not corrected within four hours after determining the supplier is not maintaining at least 4-log treatment of viruses before or at the first customer.

d) A GWS supplier must give public notification pursuant to Section 611.903 for the treatment technique violations specified in subsections (a), (b) and (c) of this Section.

BOARD NOTE: Derived from 40 CFR 141.404, as added at 71 Fed. Reg. 65574 (Nov. 8, 2006).

(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)
Section 611.805 Reporting and Recordkeeping for GWS Suppliers

a) Reporting. In addition to the requirements of Section 611.840, a GWS supplier regulated pursuant to this Subpart S must provide the following information to the Agency:

1) A GWS supplier conducting compliance monitoring pursuant to Section 611.803(b) must notify the Agency any time the supplier fails to meet any Agency-specified requirements including, but not limited to, minimum residual disinfectant concentration, membrane operating criteria or membrane integrity, and alternative treatment operating criteria, if operation in accordance with the criteria or requirements is not restored within four hours. The GWS supplier must notify the Agency as soon as possible, but in no case later than the end of the next business day.

2) After completing any corrective action pursuant to Section 611.803(a), a GWS supplier must notify the Agency within 30 days after completion of the corrective action.

3) If a GWS supplier subject to the requirements of Section 611.802(a) does not conduct source water monitoring pursuant to Section 611.802(a)(5)(B), the supplier must provide documentation to the Agency within 30 days of the total coliform-positive sample that it met the Agency criteria.

b) Recordkeeping. In addition to the requirements of Section 611.860, a GWS supplier regulated pursuant to this Subpart S must maintain the following information in its records:

1) Documentation of corrective actions. Documentation must be kept for a period of not less than ten years.

2) Documentation of notice to the public as required pursuant to Section 611.803(a)(7). Documentation must be kept for a period of not less than three years.

3) Records of decisions pursuant to Section 611.802(a)(5)(B) and records of invalidation of fecal indicator-positive groundwater source samples.
NOTICE OF ADOPTED AMENDMENTS

pursuant to Section 611.802(d). Documentation must be kept for a period of not less than five years.

4) For a consecutive system supplier, documentation of notification to the wholesale systems of total-coliform positive samples that are not invalidated pursuant to Section 611.523. Documentation must be kept for a period of not less than five years.

5) For a supplier, including a wholesale system supplier, that is required to perform compliance monitoring pursuant to Section 611.803(b), the following information:

   A) Records of the supplier-specified, Agency-approved minimum disinfectant residual. Documentation must be kept for a period of not less than ten years;

   B) Records of the lowest daily residual disinfectant concentration and records of the date and duration of any failure to maintain the Agency-prescribed minimum residual disinfectant concentration for a period of more than four hours. Documentation must be kept for a period of not less than five years; and

   C) Records of supplier-specified, Agency-approved compliance requirements for membrane filtration and of parameters specified by the Supplier for Agency-approved alternative treatment and records of the date and duration of any failure to meet the membrane operating, membrane integrity, or alternative treatment operating requirements for more than four hours. Documentation must be kept for a period of not less than five years.

BOARD NOTE: Derived from 40 CFR 141.405, as added at 71 Fed. Reg. 65574 (Nov. 8, 2006).

(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

SUBPART T: REPORTING AND RECORDKEEPING

Section 611.860 Record Maintenance
A supplier must retain on its premises or at a convenient location near its premises the following records:

a) Records of bacteriological analyses and turbidity analyses made pursuant to this Part must be kept for not less than five years. Records of chemical analyses made pursuant to this Part must be kept for not less than ten years. Actual laboratory reports may be kept, or data may be transferred to tabular summaries, provided that the following information is included:

1) The date, place, and time of sampling, and the name of the person who collected the sample;

2) Identification of the sample as to whether it was a routine distribution system sample, check sample, raw or process water sample, or other special purpose sample;

3) The date of analysis;

4) The laboratory and person responsible for performing analysis;

5) The analytical technique or method used; and

6) The results of the analysis.

b) Records of action taken by the supplier to correct violations of this Part must be kept for a period not less than three years after the last action taken with respect to the particular violation involved.

c) Copies of any written reports, summaries, or communications relating to sanitary surveys of the system conducted by the supplier itself, by a private consultant, by USEPA, the Agency, or a unit of local government delegated pursuant to Section 611.108, must be kept for a period not less than ten years after completion of the sanitary survey involved.

d) Records concerning a variance or adjusted standard granted to the supplier must be kept for a period ending not less than five years following the expiration of such variance or adjusted standard.

e) Copies of public notices issued pursuant to Subpart V of this Part and
certifications made to the Agency pursuant to Section 611.840 must be kept for three years after issuance.

f) Copies of monitoring plans developed pursuant to this Part must be kept for the same period of not less than five years that applies to the records of analyses taken under the plan pursuant to subsection (a) of this Section, except as specified otherwise elsewhere in this Part.

BOARD NOTE: Derived from 40 CFR 141.33 (20062002).

(Source: Amended at 31 Ill. Reg. 11757, effective July 27, 2007)

SUBPART U: CONSUMER CONFIDENCE REPORTS

Section 611.881 Purpose and Applicability

a) This Subpart U establishes the minimum requirements for the content of annual reports that community water systems (CWSs) must deliver to their customers. These reports must contain information on the quality of the water delivered by the systems and characterize the risks (if any) from exposure to contaminants detected in the drinking water in an accurate and understandable manner.

b) Notwithstanding the provisions of Section 611.100(d), this Subpart U only applies to CWSs.

c) For the purpose of this Subpart U, "customers" are defined as billing units or service connections to which water is delivered by a CWS.

d) For the purpose of this Subpart U, "detected" means the following: at or above the detection limit levels prescribed by Section 611.600(d) for inorganic contaminants; at or above the levels prescribed by Section 611.646(a) for Phase I, II, and V VOCs; at or above the levels prescribed by Section 611.648(r) for Phase II, IIB, and V SOCs at or above the levels prescribed by Section 611.381(b)(2)(D) for the disinfection byproducts listed in Section 611.312; and at or above the levels prescribed by Section 611.720(c)(3) for radioactive contaminants.

BOARD NOTE: Derived from 40 CFR 141.151 (20062002).

(Source: Amended at 31 Ill. Reg. 11757, effective July 27, 2007)
Section 611.883 Content of the Reports

a) Each CWS must provide to its customers an annual report that contains the information specified in this Section and Section 611.884.

b) Information on the source of the water delivered.

1) Each report must identify the sources of the water delivered by the CWS by providing information on the following:

   A) The type of the water (e.g., surface water, groundwater); and

   B) The commonly used name (if any) and location of the body (or bodies) of water.

2) If a source water assessment has been completed, the report must notify consumers of the availability of this information and the means to obtain it. In addition, systems are encouraged to highlight in the report significant sources of contamination in the source water area if they have readily available information. Where a system has received a source water assessment from the Agency, the report must include a brief summary of the system's susceptibility to potential sources of contamination, using language provided by the Agency or written by the supplier.

c) Definitions.

1) Each report must include the following definitions:

   A) Maximum Contaminant Level Goal or MCLG: The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.

   BOARD NOTE: Although an MCLG is not an NPDWR that the Board must include in the Illinois SDWA regulations, the use of this definition is mandatory where the term "MCLG" is defined.

   B) Maximum Contaminant Level or MCL: The highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

2) A report for a CWS operating under relief from an NPDWR issued under Sections 611.111, 611.112, 611.130, or 611.131 must include the following definition: "Variances, Adjusted Standards, and Site-specific Rules: State permission not to meet an MCL or a treatment technique under certain conditions."

3) A report that contains data on contaminants that USEPA regulates using any of the following terms must include the applicable definitions:

A) Treatment technique: A required process intended to reduce the level of a contaminant in drinking water.

B) Action level: The concentration of a contaminant that, if exceeded, triggers treatment or other requirements that a water system must follow.

C) Maximum residual disinfectant level goal or MRDLG: The level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants.

BOARD NOTE: Although an MRDLG is not an NPDWR that the Board must include in the Illinois SDWA regulations, the use of this definition is mandatory where the term "MRDLG" is defined.

D) Maximum residual disinfectant level or MRDL: The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.

d) Information on detected contaminants.

1) This subsection (d) specifies the requirements for information to be included in each report for contaminants subject to mandatory monitoring (except Cryptosporidium). It applies to the following:

A) Contaminants subject to an MCL, action level, MRDL, or
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

treatment technique (regulated contaminants);

B) Contaminants for which monitoring is required by Section 611.510
(unregulated contaminants); and

C) Disinfection byproducts or microbial contaminants for which
monitoring is required by Section 611.382 and Subpart L of this
Part, except as provided under subsection (e)(1) of this Section,
and which are detected in the finished water.

2) The data relating to these contaminants must be displayed in one table or
in several adjacent tables. Any additional monitoring results that a CWS
chooses to include in its report must be displayed separately.

3) The data must have been derived from data collected to comply with
monitoring and analytical requirements during calendar year 1998 for the
first report and must be derived from the data collected in subsequent
calendar years, except that the following requirements also apply:

A) Where a system is allowed to monitor for regulated contaminants
less often than once a year, the tables must include the date and
results of the most recent sampling, and the report must include a
brief statement indicating that the data presented in the report is
from the most recent testing done in accordance with the
regulations. No data older than five years need be included.

B) Results of monitoring in compliance with Section 611.382 and
Subpart L need only be included for five years from the date of last
sample or until any of the detected contaminants becomes
regulated and subject to routine monitoring requirements,
whichever comes first.

4) For detected regulated contaminants (listed in Appendix A of this Part),
the tables must contain the following:

A) The MCL for that contaminant expressed as a number equal to or
greater than 1.0 (as provided in Appendix A of this Part);

B) The federal Maximum Contaminant Level Goal (MCLG) for that
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

contaminant expressed in the same units as the MCL;

C) If there is no MCL for a detected contaminant, the table must indicate that there is a treatment technique, or specify the action level, applicable to that contaminant, and the report must include the definitions for treatment technique or action level, as appropriate, specified in subsection (c)(3) of this Section;

D) For contaminants subject to an MCL, except turbidity and total coliforms, the highest contaminant level used to determine compliance with an NPDWR, and the range of detected levels, as follows:

i) When compliance with the MCL is determined annually or less frequently: the highest detected level at any sampling point and the range of detected levels expressed in the same units as the MCL.

ii) When compliance with the MCL is determined by calculating a running annual average of all samples taken at a monitoring location sampling point: the highest average of any of the monitoring locations sampling points and the range of all monitoring locations sampling points expressed in the same units as the MCL. For the MCLs for TTHM and HAA5 in Section 611.312(b)(2), the supplier must include the highest locational running annual average for TTHM and HAA5 and the range of individual sample results for all monitoring locations expressed in the same units as the MCL. If results from more than one location exceed the TTHM or HAA5 MCL, the supplier must include the locational running annual average for each location whose results exceed the MCL.

iii) When compliance with the MCL is determined on a system-wide basis by calculating a running annual average of all samples at all monitoring locations sampling points: the average and range of detection expressed in the same units as the MCL; The supplier is required to include individual sample results for the IDSE conducted under
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Subpart W of this Part when determining the range of TTHM and HAA5 results to be reported in the annual consumer confidence report for the calendar year that the IDSE samples were taken.

BOARD NOTE to subsection (d)(4)(D): When rounding of results to determine compliance with the MCL is allowed by the regulations, rounding should be done prior to multiplying the results by the factor listed in Appendix A of this Part; derived from 40 CFR 153 (2006-2003).

E) For turbidity the following:

i) When it is reported pursuant to Section 611.560: the highest average monthly value.

ii) When it is reported pursuant to the requirements of Section 611.211(b): the highest monthly value. The report must include an explanation of the reasons for measuring turbidity.

iii) When it is reported pursuant to Section 611.250, 611.743, or 611.955(b): the highest single measurement and the lowest monthly percentage of samples meeting the turbidity limits specified in Section 611.250, 611.743, or 611.955(b) for the filtration technology being used. The report must include an explanation of the reasons for measuring turbidity;

F) For lead and copper the following: the 90th percentile value of the most recent round of sampling and the number of sampling sites exceeding the action level;

G) For total coliform the following:

i) The highest monthly number of positive samples for systems collecting fewer than 40 samples per month; or

ii) The highest monthly percentage of positive samples for
systems collecting at least 40 samples per month;

H) For fecal coliform the following: the total number of positive samples; and

I) The likely sources of detected contaminants to the best of the supplier's knowledge. Specific information regarding contaminants may be available in sanitary surveys and source water assessments, and must be used when available to the supplier. If the supplier lacks specific information on the likely source, the report must include one or more of the typical sources for that contaminant listed in Appendix G of this Part that are most applicable to the CWS.

5) If a CWS distributes water to its customers from multiple hydraulically independent distribution systems that are fed by different raw water sources, the table must contain a separate column for each service area and the report must identify each separate distribution system. Alternatively, a CWS may produce separate reports tailored to include data for each service area.

6) The tables must clearly identify any data indicating violations of MCLs, MRDLs, or treatment techniques, and the report must contain a clear and readily understandable explanation of the violation including the following: the length of the violation, the potential adverse health effects, and actions taken by the CWS to address the violation. To describe the potential health effects, the CWS must use the relevant language of Appendix A of this Part.

7) For detected unregulated contaminants for which monitoring is required (except Cryptosporidium), the tables must contain the average and range at which the contaminant was detected. The report may include a brief explanation of the reasons for monitoring for unregulated contaminants.

e) Information on Cryptosporidium, radon, and other contaminants as follows:

1) If the CWS has performed any monitoring for Cryptosporidium, including monitoring performed to satisfy the requirements of Subpart L of this Part, that indicates that Cryptosporidium may be present in the source water or
the finished water, the report must include the following:

A) A summary of the results of the monitoring; and

B) An explanation of the significance of the results.

2) If the CWS has performed any monitoring for radon that indicates that radon may be present in the finished water, the report must include the following:

A) The results of the monitoring; and

B) An explanation of the significance of the results.

3) If the CWS has performed additional monitoring that indicates the presence of other contaminants in the finished water, the report must include the following:

A) The results of the monitoring; and

B) An explanation of the significance of the results noting the existence of any health advisory or proposed regulation.

f) Compliance with an NPDWR. In addition to the requirements of subsection (d)(6) of this Section, the report must note any violation that occurred during the year covered by the report of a requirement listed below, and include a clear and readily understandable explanation of the violation, any potential adverse health effects, and the steps the CWS has taken to correct the violation.

1) Monitoring and reporting of compliance data.

2) Filtration and disinfection prescribed by Subpart B of this Part. For CWSs that have failed to install adequate filtration or disinfection equipment or processes, or have had a failure of such equipment or processes that constitutes a violation, the report must include the following language as part of the explanation of potential adverse health effects: Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.
3) Lead and copper control requirements prescribed by Subpart G of this Part. For systems that fail to take one or more actions prescribed by Section 611.350(d), 611.351, 611.352, 611.353, or 611.354, the report must include the applicable language of Appendix A of this Part for lead, copper, or both.

4) Treatment techniques for acrylamide and epichlorohydrin prescribed by Section 611.296. For systems that violate the requirements of Section 611.296, the report must include the relevant language from Appendix A of this Part.

5) Recordkeeping of compliance data.

6) Special monitoring requirements prescribed by Sections 611.510 and 611.630.

7) Violation of the terms of a variance, adjusted standard, site-specific rule, or administrative or judicial order.

g) Variances, adjusted standards, and site-specific rules. If a system is operating under the terms of a variance, adjusted standard, or site-specific rule issued under Section 611.111, 611.112, or 611.131, the report must contain the following:

1) An explanation of the reasons for the variance, adjusted standard, or site-specific rule;

2) The date on which the variance, adjusted standard, or site-specific rule was issued;

3) A brief status report on the steps the CWS is taking to install treatment, find alternative sources of water, or otherwise comply with the terms and schedules of the variance, adjusted standard, or site-specific rule; and

4) A notice of any opportunity for public input in the review, or renewal, of the variance, adjusted standard, or site-specific rule.

h) Additional information.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

1) The report must contain a brief explanation regarding contaminants that may reasonably be expected to be found in drinking water, including bottled water. This explanation may include the language of subsections (h)(1)(A) through (h)(1)(C) of this Section or CWSs may use their own comparable language. The report also must include the language of subsection (h)(1)(D) of this Section.

A) The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally-occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity.

B) Contaminants that may be present in source water include the following:

i) Microbial contaminants, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife;

ii) Inorganic contaminants, such as salts and metals, which can be naturally-occurring or result from urban stormwater runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming;

iii) Pesticides and herbicides, which may come from a variety of sources such as agriculture, urban stormwater runoff, and residential uses;

iv) Organic chemical contaminants, including synthetic and volatile organic chemicals, which are byproducts of industrial processes and petroleum production, and can also come from gas stations, urban stormwater runoff, and septic systems; and

v) Radioactive contaminants, which can be naturally-occurring or be the result of oil and gas production and mining activities.
C) In order to ensure that tap water is safe to drink, USEPA prescribes regulations that limit the amount of certain contaminants in water provided by public water systems. United States Food and Drug Administration (USFDA) regulations establish limits for contaminants in bottled water that must provide the same protection for public health.

D) Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the USEPA Safe Drinking Water Hotline (800-426-4791).

2) The report must include the telephone number of the owner, operator, or designee of the CWS as a source of additional information concerning the report.

3) In communities with a large proportion of non-English speaking residents, as determined by the Agency, the report must contain information in the appropriate languages regarding the importance of the report or contain a telephone number or address where such residents may contact the system to obtain a translated copy of the report or assistance in the appropriate language.

4) The report must include information about opportunities for public participation in decisions that may affect the quality of the water.

5) The CWS may include such additional information as it deems necessary for public education consistent with, and not detracting from, the purpose of the report.

6) Suppliers required to comply with Subpart S of this Part.

A) Any GWS supplier that receives written notice from the Agency of a significant deficiency or which receives notice from a laboratory of a fecal indicator-positive groundwater source sample that is not invalidated by the Agency pursuant to Section 611.802(d) must
inform its customers of any significant deficiency that is uncorrected at the time of the next report or of any fecal indicator-positive groundwater source sample in the next report. The supplier must continue to inform the public annually until the Agency, by a SEP issued pursuant to Section 611.110, determines that particular significant deficiency is corrected or the fecal contamination in the groundwater source is addressed pursuant to Section 611.803(a). Each report must include the following information:

i) The nature of the particular significant deficiency or the source of the fecal contamination (if the source is known) and the date the significant deficiency was identified by the Agency or the dates of the fecal indicator-positive groundwater source samples;

ii) Whether or not the fecal contamination in the groundwater source has been addressed pursuant to Section 611.803(a) and the date of such action;

iii) For each significant deficiency or fecal contamination in the groundwater source that has not been addressed pursuant to Section 611.803(a), the Agency-approved plan and schedule for correction, including interim measures, progress to date, and any interim measures completed; and

iv) If the system receives notice of a fecal indicator-positive groundwater source sample that is not invalidated by the Agency pursuant to Section 611.802(d), the potential health effects using the health effects language of Appendix A of this Part.

B) If directed by the Agency by a SEP issued pursuant to Section 611.110, a supplier with significant deficiencies that have been corrected before the next report is issued must inform its customers of the significant deficiency, how the deficiency was corrected, and the date of correction pursuant to subsection (h)(6)(A) of this Section.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS


(Source: Amended at 31 Ill. Reg. 11757, effective July 27, 2007)

SUBPART V: PUBLIC NOTIFICATION OF DRINKING WATER VIOLATIONS

Section 611.902 Tier 1 Public Notice: Form, Manner, and Frequency of Notice

a) Violations or situations that require a Tier 1 public notice. This subsection (a) lists the violation categories and other situations requiring a Tier 1 public notice. Appendix G of this Part identifies the tier assignment for each specific violation or situation.

1) Violation of the MCL for total coliforms when fecal coliform or E. coli are present in the water distribution system (as specified in Section 611.325(b)), or when the water supplier fails to test for fecal coliforms or E. coli when any repeat sample tests positive for coliform (as specified in Section 611.525).

2) Violation of the MCL for nitrate, nitrite, or total nitrate and nitrite, as defined in Section 611.301, or when the water supplier fails to take a confirmation sample within 24 hours after the supplier's receipt of the results from the first sample showing an exceedence of the nitrate or nitrite MCL, as specified in Section 611.606.

3) Exceedence of the nitrate MCL by a non-CWS supplier, where permitted to exceed the MCL by the Agency under Section 611.300(d), as required under Section 611.909.

4) Violation of the MRDL for chlorine dioxide, as defined in Section 611.313(a), when one or more samples taken in the distribution system the day following an exceedence of the MRDL at the entrance of the distribution system exceed the MRDL, or when the water supplier does not take the required samples in the distribution system, as specified in Section 611.383(c)(2)(A).

5) This subsection (a)(5) refers to a violation of the former turbidity standard of Section 611.320, which the Board repealed because it applied to no
suppliers in Illinois. This statement maintains structural consistency with the federal regulations.

6) Violation of the Surface Water Treatment Rule (SWTR), Interim Enhanced Surface Water Treatment Rule (IESWTR), or Long Term 1 Enhanced Surface Water Treatment Rule (LT1ESWTR) treatment technique requirement resulting from a single exceedence of the maximum allowable turbidity limit (as identified in Appendix G), where the Agency determines after consultation that a Tier 1 notice is required or where consultation does not take place within 24 hours after the supplier learns of the violation.

7) Occurrence of a waterborne disease outbreak, as defined in Section 611.101, or other waterborne emergency (such as a failure or significant interruption in key water treatment processes, a natural disaster that disrupts the water supply or distribution system, or a chemical spill or unexpected loading of possible pathogens into the source water that significantly increases the potential for drinking water contamination).

8) Detection of E. coli, enterococci, or coliphage in source water samples, as specified in Section 611.802(a) and (b).

9) Other violations or situations with significant potential to have serious adverse effects on human health as a result of short-term exposure, as determined by the Agency by a SEP issued pursuant to Section 611.110.

b) When the Tier 1 public notice is to be provided. Additional steps required. A PWS supplier must do the following:

1) It must provide a public notice as soon as practical but no later than 24 hours after the supplier learns of the violation;

2) It must initiate consultation with the Agency as soon as practical, but no later than 24 hours after the PWS supplier learns of the violation or situation, to determine additional public notice requirements; and

3) It must comply with any additional public notification requirements (including any repeat notices or direction on the duration of the posted notices) that are established as a result of the consultation with the
Agency. Such requirements may include the timing, form, manner, frequency, and content of repeat notices (if any) and other actions designed to reach all persons served.

c) The form and manner of the public notice. A PWS supplier must provide the notice within 24 hours in a form and manner reasonably calculated to reach all persons served. The form and manner used by the PWS supplier are to fit the specific situation, but must be designed to reach residential, transient, and non-transient users of the water system. In order to reach all persons served, a water supplier is to use, at a minimum, one or more of the following forms of delivery:

1) Appropriate broadcast media (such as radio and television);

2) Posting of the notice in conspicuous locations throughout the area served by the water supplier;

3) Hand delivery of the notice to persons served by the water supplier; or

4) Another delivery method approved in writing by the Agency by a SEP issued pursuant to Section 611.110.

(Source: Amended at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.903 Tier 2 Public Notice: Form, Manner, and Frequency of Notice

a) Violations or situations that require a Tier 2 public notice. This subsection (a) lists the violation categories and other situations requiring a Tier 2 public notice. Appendix G to this Part identifies the tier assignment for each specific violation or situation.

1) All violations of the MCL, MRDL, and treatment technique requirements, except where a Tier 1 notice is required under Section 611.902(a) or where the Agency determines by a SEP issued pursuant to Section 611.110 that a Tier 1 notice is required.

2) Violations of the monitoring and testing procedure requirements, where
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

the Agency determines by a SEP issued pursuant to Section 611.110 that a Tier 2 rather than a Tier 3 public notice is required, taking into account potential health impacts and persistence of the violation.

3) Failure to comply with the terms and conditions of any relief equivalent to a SDWA section 1415 variance or a SDWA section 1416 exemption in place.

4) Failure to take corrective action or failure to maintain at least 4-log treatment of viruses (using inactivation, removal, or an Agency-approved combination of 4-log virus inactivation and removal) before or at the first customer pursuant to Section 611.803(a).

b) When Tier 2 public notice is to be provided.

1) A PWS supplier must provide the public notice as soon as practical, but no later than 30 days after the supplier learns of the violation. If the public notice is posted, the notice must remain in place for as long as the violation or situation persists, but in no case for less than seven days, even if the violation or situation is resolved. The Agency may, in appropriate circumstances, by a SEP issued pursuant to Section 611.110, allow additional time for the initial notice of up to three months from the date the supplier learns of the violation. It is not appropriate for the Agency to grant an extension to the 30-day deadline for any unresolved violation or to allow across-the-board extensions by rule or policy for other violations or situations requiring a Tier 2 public notice. Extensions granted by the Agency must be in writing.

2) The PWS supplier must repeat the notice every three months as long as the violation or situation persists, unless the Agency determines that appropriate circumstances warrant a different repeat notice frequency. In no circumstance may the repeat notice be given less frequently than once per year. It is not appropriate for the Agency to allow less frequent repeat notice for an MCL violation under the Total Coliform Rule or a treatment technique violation under the Surface Water Treatment Rule or Interim Enhanced Surface Water Treatment Rule. It is also not appropriate for the Agency to allow across-the-board reductions in the repeat notice frequency for other ongoing violations requiring a Tier 2 repeat notice. An Agency determination allowing repeat notices to be given less
frequently than once every three months must be in writing.

3) For the turbidity violations specified in this subsection (b)(3), a PWS supplier must consult with the Agency as soon as practical but no later than 24 hours after the supplier learns of the violation, to determine whether a Tier 1 public notice under Section 611.902(a) is required to protect public health. When consultation does not take place within the 24-hour period, the water system must distribute a Tier 1 notice of the violation within the next 24 hours (i.e., no later than 48 hours after the supplier learns of the violation), following the requirements under Section 611.902(b) and (c). Consultation with the Agency is required for the following:

A) Violation of the turbidity MCL under Section 611.320(b); or

B) Violation of the SWTR, IESWTR, or treatment technique requirement resulting from a single exceedence of the maximum allowable turbidity limit.

c) The form and manner of Tier 2 public notice. A PWS supplier must provide the initial public notice and any repeat notices in a form and manner that is reasonably calculated to reach persons served in the required time period. The form and manner of the public notice may vary based on the specific situation and type of water system, but it must at a minimum meet the following requirements:

1) Unless directed otherwise by the Agency in writing, by a SEP issued pursuant to Section 611.110, a CWS supplier must provide notice by the following:

A) Mail or other direct delivery to each customer receiving a bill and to other service connections to which water is delivered by the PWS supplier; and

B) Any other method reasonably calculated to reach other persons regularly served by the supplier, if they would not normally be reached by the notice required in subsection (c)(1)(A) of this Section. Such persons may include those who do not pay water bills or do not have service connection addresses (e.g., house renters, apartment dwellers, university students, nursing home
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

patients, prison inmates, etc.). Other methods may include: Publication in a local newspaper; delivery of multiple copies for distribution by customers that provide their drinking water to others (e.g., apartment building owners or large private employers); posting in public places served by the supplier or on the Internet; or delivery to community organizations.

2) Unless directed otherwise by the Agency in writing, by a SEP issued pursuant to Section 611.110, a non-CWS supplier must provide notice by the following means:

   A) Posting the notice in conspicuous locations throughout the distribution system frequented by persons served by the supplier, or by mail or direct delivery to each customer and service connection (where known); and

   B) Any other method reasonably calculated to reach other persons served by the system if they would not normally be reached by the notice required in subsection (c)(2)(A) of this Section. Such persons may include those served who may not see a posted notice because the posted notice is not in a location they routinely pass by. Other methods may include the following: Publication in a local newspaper or newsletter distributed to customers; use of E-mail to notify employees or students; or delivery of multiple copies in central locations (e.g., community centers).


Section 611.911 Special Notice for Cryptosporidium

a) When the special notice for repeated failure to monitor must be given. The owner or operator of a CWS or non-CWS that is required to monitor source water pursuant to Section 611.1001 must notify persons served by its water system that monitoring has not been completed as specified no later than 30 days after the system has failed to collect any three months of monitoring, as specified in
Section 611.1001(c). The notice must be repeated as specified in Section 611.903(b).

b) When the special notice for failure to determine bin classification or mean Cryptosporidium level must be given. The owner or operator of a CWS or non-CWS that is required to determine a bin classification pursuant to Section 611.1010, or one that is required to determine mean Cryptosporidium level pursuant to Section 611.1012, must notify persons served by its water system that the determination has not been made as required no later than 30 days after the system has failed to report the determination as specified in Section 611.1010(e) or Section 611.1012(a), respectively. The supplier must repeat the notice as specified in Section 611.903(b). The notice is not required if the system is complying with an Agency-approved schedule to address the violation.

c) The form and manner of the special notice. The form and manner of the public notice must follow the requirements for a Tier 2 public notice prescribed in Section 611.903(c). The public notice must be presented as required in Section 611.905(c).

d) Mandatory language that must be contained in the special notice. The notice must contain all of the following language, including the language necessary to fill in the blanks:

1) The special notice for repeated failure to conduct monitoring must contain the following mandatory language:

We are required to monitor the source of your drinking water for Cryptosporidium. Results of the monitoring are to be used to determine whether water treatment at the [treatment plant name] is sufficient to adequately remove Cryptosporidium from your drinking water. We are required to complete this monitoring and make this determination before [required bin determination date]. We [insert the applicable of the following at this point: "did not monitor or test" or "did not complete all monitoring or testing"] on schedule and, therefore, we may not be able to determine before the required date what treatment modifications, if any, must be made to ensure adequate Cryptosporidium removal. Missing this deadline may, in turn, jeopardize our ability to have the required treatment modifications, if any, completed before the deadline.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

required [date]. For more information, please call [name of water system contact] of [name of water system] at [phone number].

2) The special notice for failure to determine bin classification or mean Cryptosporidium level must contain the following mandatory language:

We are required to monitor the source of your drinking water for Cryptosporidium in order to determine before [date] whether water treatment at the [treatment plant name] is sufficient to adequately remove Cryptosporidium from your drinking water. We have not made this determination before the required date. Our failure to do this may jeopardize our ability to have the required treatment modifications, if any, completed before the required deadline of [date]. For more information, please call [name of water system contact] of [name of water system] at [phone number].

3) Each special notice must also include a description of what the supplier is doing to correct the violation and when the supplier expects to return to compliance or resolve the situation.


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

SUBPART W: INITIAL DISTRIBUTION SYSTEM EVALUATIONS

Section 611.920 General Requirements

a) USEPA has designated that the requirements of this Subpart W constitute National Primary Drinking Water Regulations. The regulations in this Subpart W establish monitoring and other requirements for identifying Subpart Y compliance monitoring locations for determining compliance with maximum contaminant levels for TTHMs and HAA5. The supplier must use an initial distribution system evaluation (IDSE) to determine the locations in its distribution system that are representative of high TTHM and HAA5 concentrations throughout the supplier's distribution system. An IDSE is used in conjunction with, but separate from, Subpart I compliance monitoring, to identify and select Subpart Y compliance monitoring locations.
b) **Applicability.** A supplier is subject to the requirements of this Subpart W if it fulfills any of the following conditions:

1) The supplier owns or operates a community water system that uses a primary or residual disinfectant other than ultraviolet light;

2) The supplier delivers water that has been treated with a primary or residual disinfectant other than ultraviolet light; or

3) The supplier owns or operates a non-transient non-community water system that serves at least 10,000 people, and it either uses a primary or residual disinfectant other than ultraviolet light, or it delivers water that has been treated with a primary or residual disinfectant other than ultraviolet light.

c) **Schedule.** A supplier must comply with the requirements of this Subpart W on the schedule provided in subsection (c)(1) of this Section based on its system type, as set forth in the applicable of subsections (c)(1)(A) through (c)(1)(D) of this Section, subject to the conditions of subsections (c)(1)(E) through (c)(1)(G) of this Section:

1) **Compliance dates.**

   A) A supplier that serves a population of 100,000 or more persons must either have submitted its standard monitoring plan, its system-specific study plan, or its 40/30 certification or must have obtained or have been subject to a very small system waiver before October 1, 2006. The supplier must further complete its standard monitoring or system-specific study before September 30, 2008 and submit its IDSE report to the Agency before January 1, 2009.

   B) A supplier that serves a population of 50,000 to 99,999 persons must either have submitted its standard monitoring plan, its system-specific study plan, or its 40/30 certification or must have obtained or have been subject to a very small system waiver before April 1, 2007. The supplier must further complete its standard monitoring or system specific study before March 31, 2009 and submit its IDSE report to the Agency before July 1, 2009.
NOTICE OF ADOPTED AMENDMENTS

C) A supplier that serves a population of 10,000 to 49,999 persons must submit its standard monitoring plan, its system-specific study plan, or its 40/30 certification or must obtain or be subject to a very small system waiver before October 1, 2007. The supplier must further complete its standard monitoring or system-specific study before September 30, 2009 and submit its IDSE report to the Agency before January 1, 2010.

D) A supplier that serves a population of fewer than 10,000 persons (and which is a CWS) must submit its standard monitoring plan, its system-specific study plan, or its 40/30 certification or must obtain or be subject to a very small system waiver before April 1, 2008. The supplier must further complete its standard monitoring or system-specific study before March 31, 2010 and submit its IDSE report to the Agency before July 1, 2010.

E) If, within 12 months after the date when submission of the standard monitoring plan, the system-specific study plan, or the 40/30 certification or becoming subject to a very small system waiver is due, as identified in the applicable of subsections (a)(1) through (a)(4) of this Section, the Agency does not approve a supplier’s plan or notify the supplier that it has not yet completed its review, the supplier may consider the plan that it submitted as approved. The supplier must implement that plan, and it must complete standard monitoring or a system-specific study no later than the date when completion of the standard monitoring or system-specific study is due, as identified in the applicable of subsections (a)(1) through (a)(4) of this Section.

F) The supplier must submit its 40/30 certification pursuant to Section 611.923 before the date indicated in the applicable of subsections (a)(1) through (a)(4) of this Section.

G) If, within three months after the due date for submission of the IDSE report identified in this subsection (c)(1) (nine months after this date if the supplier must comply on the schedule in subsection (c)(1)(C) of this Section), the Agency does not approve the supplier’s IDSE report or notify the supplier that it has not yet completed its review, the supplier may consider the report that it
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

submitted to the Agency, and the supplier must implement the recommended Subpart Y monitoring as required.

2) For the purpose of determining the applicable compliance schedule in subsection (c)(1) of this Section, the Agency may, by a SEP issued pursuant to Section 611.110, determine that a combined distribution system does not include certain consecutive systems based on such factors as the receipt of water from a wholesale system only on an emergency basis or the receipt of only a small percentage and small volume of water from a wholesale system. The Agency may also determine, by a SEP issued pursuant to Section 611.110, that a combined distribution system does not include certain wholesale systems based on such factors as the delivery of water to a consecutive system only on an emergency basis or the delivery of only a small percentage and small volume of water to a consecutive system.

d) A supplier must do one of the following: it must conduct standard monitoring that meets the requirements in Section 611.921; it must conduct a system-specific study that meets the requirements in Section 611.922; it must certify to the Agency that it meets the 40/30 certification criteria under Section 611.923; or it must qualify for a very small system waiver under Section 611.924.

1) The supplier must have taken the full complement of routine TTHM and HAA5 compliance samples required of a system that serves the appropriate population and which uses the appropriate source water under Subpart I of this Part (or the supplier must have taken the full complement of reduced TTHM and HAA5 compliance samples required of a system with the supplier's population and source water under Subpart I of this Part if the supplier meets reduced monitoring criteria under Subpart I of this Part) during the period specified in Section 611.923(a) to meet the 40/30 certification criteria in Section 611.923. The supplier must have taken TTHM and HAA5 samples under Sections 611.381 and 611.382 to be eligible for the very small system waiver in Section 611.924.

2) If the supplier has not taken the required samples, the supplier must conduct standard monitoring that meets the requirements in Section 611.921, or a system-specific study that meets the requirements in Section 611.922.
e) The supplier must use only the analytical methods specified in Section 611.381, or otherwise approved by the Agency for monitoring under this Subpart W, to demonstrate compliance with the requirements of this Subpart W.

f) IDSE results will not be used for the purpose of determining compliance with MCLs in Section 611.312.

NOTICE OF ADOPTED AMENDMENTS

1) The supplier must monitor as indicated in the applicable of subsections (b)(1)(A) through (b)(1)(P) of this Section, subject to the limitations of subsections (b)(1)(Q) and (b)(1)(R) of this Section. The supplier must collect dual sample sets at each monitoring location. One sample in the dual sample set must be analyzed for TTHM. The other sample in the dual sample set must be analyzed for HAA5. The supplier must conduct one monitoring period during the peak historical month for TTHM levels or HAA5 levels or the month of warmest water temperature. The supplier must review available compliance, study, or operational data to determine the peak historical month for TTHM or HAA5 levels or warmest water temperature.

A) A Subpart B system supplier that serves fewer than 500 persons and which operates a consecutive system must collect samples once each calendar year during the peak historical month: one near an entry point to the distribution system and one at a high TTHM location, for a total of two samples during each monitoring period.

B) A Subpart B system supplier that serves fewer than 500 persons and which does not operate a consecutive system must collect samples once each calendar year during the peak historical month: one at a high TTHM location and one at a high HAA5 location, for a total of two samples during each monitoring period.

C) A Subpart B system supplier that serves 500 to 3,300 persons and which operates a consecutive system must collect samples four times each calendar year (once every 90 days): one near an entry point to the distribution system and one at a high TTHM location, for a total of two samples during each monitoring period.

D) A Subpart B system supplier that serves 500 to 3,300 persons and which does not operate a consecutive system must collect samples four times each calendar year (once every 90 days): one at a high TTHM location and one at a high HAA5 location, for a total of two samples during each monitoring period.

E) A Subpart B system supplier that serves 3,301 to 9,999 persons must collect samples four times each calendar year (once every 90 days):
NOTICE OF ADOPTED AMENDMENTS

days): one at a location in the distribution system that represents the average residence time, two at high TTHM locations, and one at a high HAA5 location, for a total of four samples during each monitoring period.

F) A Subpart B system supplier that serves 10,000 to 49,999 persons must collect samples six times each calendar year (once every 60 days): one near an entry point to the distribution system, two at locations in the distribution system that represent the average residence time, three at each TTHM location, and two at high HAA5 locations, for a total of eight samples during each monitoring period.

G) A Subpart B system supplier that serves 50,000 to 249,999 persons must collect samples six times each calendar year (once every 60 days): three near entry points to the distribution system, four at locations in the distribution system that represent the average residence time, five at high TTHM locations, and four at high HAA5 locations, for a total of 16 samples during each monitoring period.

H) A Subpart B system supplier that serves 250,000 to 999,999 persons must collect samples six times each calendar year (once every 60 days): four near entry points to the distribution system, six at locations in the distribution system that represent the average residence time, eight at high TTHM locations, and six at high HAA5 locations, for a total of 24 samples during each monitoring period.

I) A Subpart B system supplier that serves 1,000,000 to 4,999,999 persons must collect samples six times each calendar year (once every 60 days): six near entry points to the distribution system, eight at locations in the distribution system that represent the average residence time, 10 at high TTHM locations, and eight at high HAA5 locations, for a total of 32 samples during each monitoring period.

J) A Subpart B system supplier that serves 5,000,000 or more persons must collect samples six times each calendar year (once every 60
NOTICE OF ADOPTED AMENDMENTS

days): eight near entry points to the distribution system, 10 at locations in the distribution system that represent the average residence time, 12 at high TTHM locations, and 10 at high HAA5 locations, for a total of 40 samples during each monitoring period.

K) A groundwater system supplier that serves fewer than 500 persons and which operates a consecutive system must collect samples once each calendar year during the peak historical month: one near an entry point to the distribution system and one at a high TTHM location, for a total of two samples during each monitoring period.

L) A groundwater system supplier that serves fewer than 500 persons and which does not operate a consecutive system must collect samples once each calendar year during the peak historical month: one at a high TTHM location and one at a high HAA5 location, for a total of two samples during each monitoring period.

M) A groundwater system supplier that serves 500 to 9,999 persons must collect samples four times each calendar year (once every 90 days): one at a high TTHM location and one at a high HAA5 location, for a total of two samples during each monitoring period.

N) A groundwater system supplier that serves 10,000 to 99,999 persons must collect samples four times each calendar year (once every 90 days): one near an entry point to the distribution system, one at a location in the distribution system that represents the average residence time, two at high TTHM locations, and two at high HAA5 locations, for a total of six samples during each monitoring period.

O) A groundwater system supplier that serves 100,000 to 499,999 persons must collect samples four times each calendar year (once every 90 days): one near an entry point to the distribution system, one at a location in the distribution system that represents the average residence time, three at high TTHM locations, and three at high HAA5 locations, for a total of eight samples during each monitoring period.
P) A groundwater system supplier that serves 500,000 or more persons must collect samples four times each calendar year (once every 90 days): two near an entry point to the distribution system, two at locations in the distribution system that represent the average residence time, four at high TTHM locations, and four at high HAA5 locations, for a total of 12 samples during each monitoring period.

Q) A dual sample set (i.e., a TTHM and an HAA5 sample) must be taken at each monitoring location during each monitoring period.

R) The "peak historical month," for the purposes of subsections (b)(1)(A), (b)(1)(B), (b)(1)(K), and (b)(1)(L) of this Section means the month with the highest TTHM or HAA5 levels or the warmest water temperature.

2) The supplier must take samples at locations other than the existing Subpart I monitoring locations. Monitoring locations must be distributed throughout the distribution system.

3) If the number of entry points to the distribution system is fewer than the specified number of entry point monitoring locations, excess entry point samples must be equally replaced at high TTHM and HAA5 locations. If there is an odd extra location number, the supplier must take a sample at a high TTHM location. If the number of entry points to the distribution system is more than the specified number of entry point monitoring locations, the supplier must take samples at the entry points to the distribution system that have the highest annual water flows.

4) The supplier's monitoring under this subsection (b) may not be reduced under the provisions of Section 611.500, and the Agency may not reduce the supplier's monitoring using the provisions of Section 611.161.

c) IDSE report. A supplier's IDSE report must include the elements required in subsections (c)(1) through (c)(4) of this Section. The supplier must submit its IDSE report to the Agency according to the applicable of the schedules set forth in Section 611.920(c).
1) The supplier's IDSE report must include all TTHM and HAA5 analytical results from Subpart I compliance monitoring and all standard monitoring conducted during the period of the IDSE as individual analytical results and LRAAs presented in a tabular or spreadsheet format acceptable to the Agency. If changed from the supplier's standard monitoring plan submitted pursuant to subsection (a) of this Section, the supplier's report must also include a schematic of the supplier's distribution system, the population served, and system type (Subpart B system or groundwater system).

2) The supplier's IDSE report must include an explanation of any deviations from the supplier's approved standard monitoring plan.

3) The supplier must recommend and justify Subpart Y compliance monitoring locations and timing based on the protocol in Section 611.925.

4) The supplier must retain a complete copy of its IDSE report submitted under this Section for 10 years after the date on which the supplier submitted the supplier's report. If the Agency modifies the Subpart Y monitoring requirements that the supplier recommended in its IDSE report or if the Agency approves alternative monitoring locations pursuant to Section 611.161, the supplier must keep a copy of the Agency's notification on file for 10 years after the date of the Agency's notification. The supplier must make the IDSE report and any Agency notification available for review by the Agency or the public.


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.922 System-Specific Studies

a) System-specific study plan. A supplier's system-specific study plan must be based on either existing monitoring results, as required under subsection (a)(1) of this Section, or modeling, as required under subsection (a)(2) of this Section. The supplier must prepare and submit the supplier's system-specific study plan to the Agency according to the schedule in Section 611.920(c).
NOTICE OF ADOPTED AMENDMENTS

1) Existing monitoring results. A supplier may comply by submitting monitoring results collected before it is required to begin monitoring pursuant to Section 611.920(c). The monitoring results and analysis must meet the criteria in subsections (a)(1)(A) and (a)(1)(B) of this Section.

A) Minimum requirements.

i) TTHM and HAA5 results must be based on samples collected and analyzed in accordance with Section 611.381. Samples must be collected no earlier than five years prior to the study plan submission date.

ii) The monitoring locations and frequency must meet the conditions identified in the applicable of subsections (a)(1)(A)(iii) through (a)(1)(A)(xv) of this Section. Each location must be sampled once during the peak historical month for TTHM levels or HAA5 levels or the month of warmest water temperature for every 12 months of data submitted for that location. Monitoring results must include all Subpart I compliance monitoring results, plus additional monitoring results as necessary to meet minimum sample requirements.

iii) A Subpart B system supplier that serves fewer than 500 persons must collect samples from three monitoring locations: three samples for TTHM and three samples for HAA5.

iv) A Subpart B system supplier that serves 500 to 3,300 persons must collect samples from three monitoring locations: nine samples for TTHM and nine samples for HAA5.

v) A Subpart B system supplier that serves 3,301 to 9,999 persons must collect samples from six monitoring locations: 36 samples for TTHM and 36 samples for HAA5.
vi) A Subpart B system supplier that serves 10,000 to 49,999 persons must collect samples from each of 12 monitoring locations: 72 samples for TTHM and 72 samples for HAA5.

vii) A Subpart B system supplier that serves 50,000 to 249,999 persons must collect samples from 24 monitoring locations: 144 samples for TTHM and 144 samples for HAA5.

viii) A Subpart B system supplier that serves 250,000 to 999,999 persons must collect samples from 36 monitoring locations: 216 samples for TTHM and 216 samples for HAA5.

ix) A Subpart B system supplier that serves 1,000,000 to 4,999,999 persons must collect samples from 48 monitoring locations: 288 samples for TTHM and 288 samples for HAA5.

ox) A Subpart B system supplier that serves 5,000,000 or more persons must collect samples from 60 monitoring locations: 360 samples for TTHM and 360 samples for HAA5.

xi) A groundwater system supplier that serves fewer than 500 persons must collect samples from three monitoring locations: three samples for TTHM and three samples for HAA5.

xii) A groundwater system supplier that serves 500 to 9,999 persons must collect samples from three monitoring locations: nine samples for TTHM and nine samples for HAA5.

xiii) A groundwater system supplier that serves 10,000 to 99,999 persons must collect samples from 12 monitoring locations: 48 samples for TTHM and 48 samples for HAA5.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

xiv) A groundwater system supplier that serves 100,000 to 499,999 persons must collect samples from 18 monitoring locations: 72 samples for TTHM and 72 samples for HAA5.

xv) A groundwater system supplier that serves 500,000 or more persons must collect samples from 24 monitoring locations: 96 samples for TTHM and 96 samples for HAA5.

B) Reporting monitoring results. A supplier must report the following information:

i) The supplier must report previously collected monitoring results and certify that the reported monitoring results include all compliance and noncompliance results generated during the time period that began with the first reported result and which ended with the most recent Subpart I results;

ii) The supplier must certify that the samples were representative of the entire distribution system and treatment and that the distribution system and treatment have not changed significantly since the samples were collected;

iii) The supplier’s study monitoring plan must include a schematic of its distribution system (including distribution system entry points and their sources and storage facilities in the system), with notes indicating the locations and dates of all completed or planned system-specific study monitoring;

iv) The supplier's system-specific study plan must specify the population served and its system type (i.e., that it is a Subpart B or groundwater system);

v) The supplier must retain a complete copy of its system-specific study plan submitted under this subsection (a)(1), including any Agency modification of the supplier's
system-specific study plan, for as long as the supplier is required to retain its IDSE report under subsection (b)(5) of this Section; and

vi) If the supplier submits previously collected data that fully meet the number of samples required under subsection (a)(1)(A)(ii) of this Section, and the Agency rejects some of the data in writing, by a SEP issued pursuant to Section 611.110, the supplier must either conduct additional monitoring to replace rejected data on a schedule approved by the Agency in the SEP, or it must conduct standard monitoring under Section 611.921.

2) Modeling. A supplier may comply through analysis of an extended-period simulation hydraulic model. The extended-period simulation hydraulic model and analysis must meet the following criteria:

A) Minimum extended-period hydraulic model requirements.

i) The extended-period hydraulic model must simulate 24 hour variation in demand and show a consistently repeating 24 hour pattern of residence time.

ii) The extended-period hydraulic model must represent the criteria listed in subsection (a)(2)(D) of this Section.


iii) The extended-period hydraulic model must be calibrated or have calibration plans for the current configuration of the distribution system during the period of high TTHM formation potential. All storage facilities in the system must be evaluated as part of the calibration process. All
required calibration must be completed no later than 12 months after the supplier has submitted the plan.

B) Reporting modeling. The supplier's system-specific study plan must include the information described in subsections (a)(2)(B)(i) through (a)(2)(B)(vii) of this Section, subject to the requirements of subsection (a)(2)(B)(vii) of this Section.

i) Tabular or spreadsheet data demonstrating that the model meets requirements in subsections (a)(2)(A)(ii) and (a)(2)(D) of this Section.

ii) A description of all calibration activities undertaken and, if calibration is complete, a graph of predicted tank levels versus measured tank levels for the system storage facility with the highest residence time in each pressure zone, and a time-series graph of the residence time at the longest residence time storage facility in the distribution system showing the predictions for the entire simulation period (i.e., from time zero until the time it takes for the model to reach a consistently repeating pattern of residence time).

iii) Model output showing preliminary 24-hour average residence time predictions throughout the distribution system.

iv) The timing and the number of samples representative of the distribution system planned for at least one monitoring period of TTHM and HAA5 dual-sample monitoring at a number of locations no fewer than would be required for the system under standard monitoring in Section 611.921 during the historical month of high TTHM. These samples must be taken at locations other than existing Subpart I compliance monitoring locations.

v) A description of how all requirements will be completed no later than 12 months after the supplier submits the supplier's system-specific study plan.
NOTICE OF ADOPTED AMENDMENTS

vi) A schematic of the supplier’s distribution system (including distribution system entry points and their sources and system storage facilities), with notes indicating the locations and dates of all completed system-specific study monitoring (if calibration is complete) and all Subpart I compliance monitoring.

vii) The population served and system type (i.e., that it is a Subpart B or groundwater system).

viii) The supplier must retain a complete copy of the supplier’s system-specific study plan submitted under this subsection (a)(2), including any Agency modification of the supplier’s system-specific study plan, for as long as the supplier is required to retain the supplier’s IDSE report under subsection (b)(7) of this Section.

C) If the supplier submits a model that does not fully meet the requirements under subsection (a)(2) of this Section, the supplier must correct the Agency-cited deficiencies and respond to Agency inquiries concerning the model. If the supplier fails to correct deficiencies or respond to inquiries to the Agency’s satisfaction, the supplier must conduct standard monitoring under Section 611.921.

D) The extended-period hydraulic model must represent the following criteria:

i) 75 percent of pipe volume;

ii) 50 percent of pipe length;

iii) All pressure zones;

iv) All 12-inch diameter and larger pipes;

v) All eight-inch and larger pipes that connect pressure zones, influence zones from different sources, storage facilities,
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

major demand areas, pumps, and control valves or which are known or expected to be significant conveyors of water;

vi) All six-inch and larger pipes that connect remote areas of a distribution system to the main portion of the system;

vii) All storage facilities with standard operations represented in the model;

viii) All active pump stations with controls represented in the model; and

ix) All active control valves.


b) IDSE report. The supplier's IDSE report must include the elements required in subsections (b)(1) through (b)(6) of this Section. The supplier must submit its IDSE report according to the applicable of the schedules in Section 611.920(c).

1) The supplier's IDSE report must include all TTHM and HAA5 analytical results from Subpart I compliance monitoring and all system-specific study monitoring conducted during the period of the system-specific study presented in a tabular or spreadsheet format acceptable to the Agency. If changed from the supplier's system-specific study plan submitted under subsection (a) of this Section, the supplier's IDSE report must also include a schematic of its distribution system, the population served, and system type (i.e., that it is a Subpart B or groundwater system).

2) If the supplier used the modeling provision under subsection (a)(2) of this Section, it must include final information for the elements described in subsection (a)(2)(B) of this Section, and a 24-hour time-series graph of residence time for each Subpart Y compliance monitoring location selected.
3) The supplier must recommend and justify Subpart Y compliance monitoring locations and timing based on the protocol in Section 611.925.

4) The supplier's IDSE report must include an explanation of any deviations from its approved system-specific study plan.

5) The supplier's IDSE report must include the basis (analytical and modeling results) and justification that it used to select the recommended Subpart Y monitoring locations.

6) The supplier may submit its IDSE report in lieu of its system-specific study plan on the schedule identified in Section 611.920(c) for submission of the system-specific study plan if the supplier believes that it has the necessary information before the time that the system-specific study plan is due. If the supplier elects this approach, its IDSE report must also include all information required under subsection (a) of this Section.

7) The supplier must retain a complete copy of its IDSE report submitted under this Section for 10 years after the date that the supplier submitted its IDSE report. If the Agency modifies the Subpart Y monitoring requirements that the supplier recommended in the supplier's IDSE report or if the Agency approves alternative monitoring locations, the supplier must keep a copy of the Agency's notification on file for 10 years after the date of the Agency's notification. The supplier must make the IDSE report and any Agency notification available for review by the Agency or the public.


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.923 40/30 Certification

a) Eligibility. A supplier is eligible for 40/30 certification if it had no TTHM or HAA5 monitoring violations under Subpart I of this Part and no individual sample exceeded 0.040 mg/l for TTHM or 0.030 mg/l for HAA5 during an eight consecutive calendar quarter period beginning no earlier than the date specified in
the applicable of subsections (a)(1) through (a)(4) of this Section, subject to the limitations of subsection (a)(5) of this Section.

1) If the supplier's 40/30 certification is due no later than October 1, 2006, then its eligibility for 40/30 certification is based on eight consecutive calendar quarters of Subpart I compliance monitoring results beginning no earlier than January 2004.

2) If the supplier's 40/30 certification is due no later than April 1, 2007, then its eligibility for 40/30 certification is based on eight consecutive calendar quarters of Subpart I compliance monitoring results beginning no earlier than January 2004.

3) If the supplier's 40/30 certification is due no later than October 1, 2007, then its eligibility for 40/30 certification is based on eight consecutive calendar quarters of Subpart I compliance monitoring results beginning no earlier than January 2005.

4) If the supplier's 40/30 certification is due no later than April 1, 2008, then its eligibility for 40/30 certification is based on eight consecutive calendar quarters of Subpart I compliance monitoring results beginning no earlier than January 2005.

5) Eligibility for 40/30 certification is based on eight consecutive calendar quarters of Subpart I compliance monitoring results beginning no earlier than the date set forth in the applicable of subsections (a)(1) through (a)(4) of this Section, unless the supplier is on reduced monitoring under Subpart I of this Part and was not required to monitor during the specified period. If the supplier did not monitor during the specified period, the supplier must base its eligibility on compliance samples taken during the 12 months preceding the specified period.

b) 40/30 certification.

1) A supplier must certify to the Agency that every individual compliance sample taken under Subpart I of this Part during the applicable of the periods specified in subsection (a) of this Section were no more than 0.040 mg/l for TTHM and 0.030 mg/l for HAA5, and that the supplier has not
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

had any TTHM or HAA5 monitoring violations during the period specified in subsection (a) of this Section.

2) The Agency may require the supplier to submit compliance monitoring results, distribution system schematics, or recommended Subpart Y compliance monitoring locations in addition to the supplier's certification. If the supplier fails to submit the requested information, the Agency may require standard monitoring under Section 611.921 or a system-specific study under Section 611.922.

3) The Agency may still require standard monitoring under Section 611.921 or a system-specific study under Section 611.922 even if the supplier meets the criteria in subsection (a) of this Section.

4) The supplier must retain a complete copy of its certification submitted under this Section for 10 years after the date that it submitted the supplier's certification. The supplier must make the certification, all data upon which the certification is based, and any Agency notification available for review by the Agency or the public.


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.924 Very Small System Waivers

a) If the supplier serves fewer than 500 people and it has taken TTHM and HAA5 samples pursuant to Subpart I of this Part, the supplier is not required to comply with this Subpart W unless the Agency notifies the supplier, by a SEP issued pursuant to Section 611.110, that it must conduct standard monitoring pursuant to Section 611.921 or a system-specific study pursuant to Section 611.922.

b) If the supplier has not taken TTHM and HAA5 samples pursuant to Subpart I of this Part or if the Agency notifies the supplier, by a SEP issued pursuant to Section 611.110, that it must comply with this Subpart W, the supplier must conduct standard monitoring pursuant to Section 611.921 or a system-specific study pursuant to Section 611.922.

Section 611.925 Subpart Y Compliance Monitoring Location Recommendations

a) A supplier's IDSE report must include its recommendations and justification for where and during what months it will conduct TTHM and HAA5 monitoring for Subpart Y of this Part. The supplier must base its recommendations on the criteria set forth in subsections (b) through (e) of this Section.

b) The supplier must select the number of monitoring locations specified in the applicable of subsections (b)(1) through (b)(13) of this Section, subject to the limitations of subsections (b)(14) and (b)(15) of this Section. The supplier will use these recommended locations as Subpart Y routine compliance monitoring locations, unless the Agency requires different or additional locations. The supplier should distribute locations throughout the distribution system to the extent possible.

1) A Subpart B system supplier that serves fewer than 500 persons must annually collect samples from two monitoring locations: one sample from the highest TTHM location and one sample from the highest HAA5 location.

2) A Subpart B system supplier that serves 500 to 3,300 persons must quarterly collect samples from two monitoring locations: one sample from the highest TTHM location and one sample from the highest HAA5 location.

3) A Subpart B system supplier that serves 3,301 to 9,999 persons must quarterly collect samples from two monitoring locations: one sample from the highest TTHM location and one sample from the highest HAA5 location.

4) A Subpart B system supplier that serves 10,000 to 49,999 persons must quarterly collect samples from four monitoring locations: two samples from the highest TTHM locations, one sample from the highest HAA5 location, and one sample from an existing Subpart I compliance location.
A Subpart B system supplier that serves 50,000 to 249,999 persons must quarterly collect samples from eight monitoring locations: three samples from the highest TTHM location, three samples from the highest HAA5 locations, and two samples from existing Subpart I compliance locations.

A Subpart B system supplier that serves 250,000 to 999,999 persons must quarterly collect samples from 12 monitoring locations: five samples from the highest TTHM location, four samples from the highest HAA5 locations, and three samples from existing Subpart I compliance locations.

A Subpart B system supplier that serves 1,000,000 to 4,999,999 persons must quarterly collect samples from 16 monitoring locations: six samples from the highest TTHM location, six samples from the highest HAA5 locations, and four samples from existing Subpart I compliance locations.

A Subpart B system supplier that serves more than 5,000,000 persons must quarterly collect samples from 20 monitoring locations: eight samples from the highest TTHM location, seven samples from the highest HAA5 locations, and five samples from existing Subpart I compliance locations.

A groundwater system supplier that serves fewer than 500 persons must annually collect samples from two monitoring locations: one sample from the highest TTHM location and one sample from the highest HAA5 location.

A groundwater system supplier that serves 500 to 9,999 persons must annually collect samples from two monitoring locations: one sample from the highest TTHM location and one sample from the highest HAA5 location.

A groundwater system supplier that serves 10,000 to 99,999 persons must quarterly collect samples from four monitoring locations: two samples from the highest TTHM locations, one sample from the highest HAA5 location, and one sample from an existing Subpart I compliance location.

A groundwater system supplier that serves 100,000 to 499,999 persons must quarterly collect samples from six monitoring locations: three samples from the highest TTHM locations, two samples from the highest...
HAA5 locations, and one sample from an existing Subpart I compliance location.

13) A groundwater system supplier that serves more than 500,000 persons must quarterly collect samples from eight monitoring locations: three samples from the highest TTHM locations, three samples from the highest HAA5 locations, and two samples from existing Subpart I compliance locations.

14) The supplier must monitor during the month of highest DBP concentrations.

15) A supplier on quarterly monitoring must take dual sample sets every 90 days at each monitoring location, except for a Subpart B system supplier that serves 500 to 3,300 persons. A supplier on annual monitoring and a Subpart B system supplier that serves 500 to 3,300 persons is required to take individual TTHM and HAA5 samples (instead of a dual sample set) at the locations with the highest TTHM and HAA5 concentrations, respectively. Only one location with a dual sample set per monitoring period is needed if the highest TTHM and HAA5 concentrations occur at the same location and month, if monitored annually.

c) The supplier must recommend Subpart Y compliance monitoring locations based on standard monitoring results, system-specific study results, and Subpart I compliance monitoring results. The supplier must follow the protocol in subsections (c)(1) through (c)(8) of this Section. If required to monitor at more than eight locations, the supplier must repeat the protocol as necessary. If the supplier does not have existing Subpart I compliance monitoring results or if the supplier does not have enough existing Subpart I compliance monitoring results, the supplier must repeat the protocol, skipping the provisions of subsections (c)(3) and (c)(7) of this Section as necessary, until the supplier has identified the required total number of monitoring locations.

1) The location with the highest TTHM LRAA not previously selected as a Subpart Y monitoring location.

2) The location with the highest HAA5 LRAA not previously selected as a Subpart Y monitoring location.
3) The existing Subpart I average residence time compliance monitoring location (maximum residence time compliance monitoring location for a groundwater system) with the highest HAA5 LRAA not previously selected as a Subpart Y monitoring location.

4) The location with the highest TTHM LRAA not previously selected as a Subpart Y monitoring location.

5) The location with the highest TTHM LRAA not previously selected as a Subpart Y monitoring location.

6) The location with the highest HAA5 LRAA not previously selected as a Subpart Y monitoring location.

7) The existing Subpart I average residence time compliance monitoring location (maximum residence time compliance monitoring location for a groundwater system) with the highest TTHM LRAA not previously selected as a Subpart Y monitoring location.

8) The location with the highest HAA5 LRAA not previously selected as a Subpart Y monitoring location.

d) The supplier may recommend locations other than those specified in subsection (c) of this Section if the supplier includes a rationale for selecting other locations. If the Agency approves the alternative locations, the supplier must monitor at these locations to determine compliance under Subpart Y of this Part.

e) The supplier’s recommended schedule must include Subpart Y monitoring during the peak historical month for TTHM and HAA5 concentration, unless the Agency approves another month. Once the supplier has identified the peak historical month, and if the supplier is required to conduct routine monitoring at least quarterly, the supplier must schedule Subpart Y compliance monitoring at a regular frequency of every 90 or fewer days.


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

SUBPART Y: STAGE 2 DISINFECTION BYPRODUCTS REQUIREMENTS
Section 611.970  General Requirements

a) General. The requirements of this Subpart Y constitute NPDWRs. The regulations in this Subpart Y establish monitoring and other requirements for achieving compliance with MCLs based on LRAAs for TTHM and HAA5, and for achieving compliance with MRDLs for chlorine and chloramine for certain consecutive systems.

b) Applicability. A supplier is subject to these requirements if its system is a CWS or a NTNCWS that uses a primary or residual disinfectant other than ultraviolet light or which delivers water that has been treated with a primary or residual disinfectant other than ultraviolet light.

c) Schedule. A supplier must comply with the requirements in this Subpart Y on the applicable schedule set forth in subsections (c)(1) through (c)(6) of this Section based on the supplier's system type, subject to the limitations of subsection (b)(7) of this Section.

1) A supplier that is not part of a combined distribution system, or a supplier whose system serves the largest population in a combined system, and whose system serves 100,000 or more persons must comply with the requirements of this Subpart Y before April 1, 2012.

2) A supplier that is not part of a combined distribution system, or a supplier whose system serves the largest population in a combined system, and whose system serves 50,000 to 99,999 persons must comply with the requirements of this Subpart Y before October 1, 2012.

3) A supplier that is not part of a combined distribution system, or a supplier whose system serves the largest population in a combined system, and whose system serves 10,000 to 49,999 persons must comply with the requirements of this Subpart Y before October 1, 2013.

4) A supplier that is not part of a combined distribution system, or a supplier whose system serves the largest population in a combined system, and whose system serves fewer than 10,000 persons must comply with the requirements of this Subpart Y before October 1, 2013 if no
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Cryptosporidium monitoring is required pursuant to Section 611.1001(a)(4).

5)  A supplier that is not part of a combined distribution system, or a supplier whose system serves the largest population in a combined system, and whose system serves fewer than 10,000 persons must comply with the requirements of this Subpart Y before October 1, 2014 if Cryptosporidium monitoring is required pursuant to Section 611.1001(a)(4) or (a)(6).

6)  A supplier whose consecutive system or wholesale system that is part of a combined system, other than a supplier that is subject to any of subsections (c)(1) through (c)(4) of this Section, must comply with the requirements of this Subpart Y before the earliest compliance date applicable to any segment of the combined distribution system.

7)  The Agency must, by a SEP issued pursuant to Section 611.110, grant up to an additional 24 months for compliance with MCLs and operational evaluation levels if it finds that the additional time is needed because the supplier requires capital improvements to comply with an MCL.

8)  The supplier's monitoring frequency is specified in Section 611.971(a)(2).

A)  If a supplier is required to conduct quarterly monitoring, it must begin monitoring in the first full calendar quarter that includes the applicable compliance date set forth in this subsection (c).

B)  If a supplier is required to conduct monitoring less frequently than quarterly, it must begin monitoring in the calendar month recommended in the IDSE report prepared pursuant to Section 611.921 or Section 611.922 or in the calendar month identified in the Subpart Y monitoring plan developed pursuant to Section 611.972, but in no instance later than 12 months after the applicable compliance date set forth in this subsection (c).

9)  If a supplier is required to conduct quarterly monitoring, it must make compliance calculations at the end of the fourth calendar quarter that follows the compliance date and at the end of each subsequent quarter (or earlier if the LRAA calculated based on fewer than four quarters of data would cause the MCL to be exceeded regardless of the monitoring results.
NOTICE OF ADOPTED AMENDMENTS

of subsequent quarters). If a supplier is required to conduct monitoring less frequently than quarterly, it must make compliance calculations beginning with the first compliance sample taken after the compliance date.

10) For the purpose of the schedule set forth in this subsection (c), the Agency may, by a SEP issued pursuant to Section 611.110, determine that the combined distribution system does not include certain consecutive systems based on factors such as receipt of water from a wholesale system only on an emergency basis or receipt of only a small percentage and small volume of water from a wholesale system. The Agency may also determine that the combined distribution system does not include certain wholesale systems based on factors such as delivery of water to a consecutive system only on an emergency basis or delivery of only a small percentage and small volume of water to a consecutive system.

BOARD NOTE: The Board found it necessary to deviate from the structure of 40 CFR 141.620(c) when incorporating this subsection (c). Subsections (c)(1) through (c)(4) of this Section correspond with 40 CFR 141.620(c)(1) through (c)(4). Subsections (c)(5) and (c)(6) of this Section correspond with the two segments of 40 CFR 141.620(c)(5). Subsection (c)(7) of this Section corresponds with the footnote to the table in 40 CFR 141.620(c). Subsections (c)(8) through (c)(10) of this Section correspond with 40 CFR 141.620(c)(6) through (c)(8).

d) Monitoring and compliance.

1) Suppliers required to monitor quarterly. To comply with Subpart Y MCLs in Section 611.312(b)(2), the supplier must calculate LRAAs for TTHM and HAA5 using monitoring results collected under this Subpart Y, and it must determine that each LRAA does not exceed the MCL. If the supplier fails to complete four consecutive quarters of monitoring, it must calculate compliance with the MCL based on the average of the available data from the most recent four quarters. If the supplier takes more than one sample per quarter at a monitoring location, it must average all samples taken in the quarter at that location to determine a quarterly average to be used in the LRAA calculation.

2) Suppliers required to monitor yearly or less frequently. To determine compliance with Subpart Y MCLs in Section 611.312(b)(2), the supplier
must determine that each sample taken is less than the MCL. If any sample exceeds the MCL, the supplier must comply with the requirements of Section 611.975. If no sample exceeds the MCL, the sample result for each monitoring location is considered the LRAA for that monitoring location.

e) Violation for failure to monitor. A supplier is in violation of the monitoring requirements for each quarter that a monitoring result would be used in calculating an LRAA if the supplier fails to monitor.


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.971 Routine Monitoring

a) Monitoring.

1) If a supplier submitted an IDSE report, it must begin monitoring at the locations and during the months that the supplier has recommended in its IDSE report submitted pursuant to Section 611.925, following the schedule set forth in Section 611.970(c), unless the Agency, by a SEP issued pursuant to Section 611.110, requires other locations or additional locations after its review. If the supplier submitted a 40/30 certification pursuant to Section 611.923, it qualified for a very small system waiver pursuant to Section 611.924, or it is a NTNCWS that serves fewer than 10,000 persons, the supplier must monitor at the locations and on the dates identified in its monitoring plan as described in Section 611.382(f), updated as required by Section 611.972.

2) The supplier must monitor at no fewer than the number of locations identified in the applicable of subsections (a)(2)(A) through (a)(2)(M) of this Section, subject to the limitations of subsections (a)(2)(N) and (a)(2)(O) of this Section.

A) A Subpart B system supplier that serves fewer than 500 persons must monitor annually at two distribution system monitoring locations during each monitoring period.
### NOTICE OF ADOPTED AMENDMENTS

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>B</td>
<td>A Subpart B system supplier that serves 500 to 3,300 persons must monitor quarterly at two distribution system monitoring locations during each monitoring period.</td>
</tr>
<tr>
<td>C</td>
<td>A Subpart B system supplier that serves 3,301 to 9,999 persons must monitor quarterly at two distribution system monitoring locations during each monitoring period.</td>
</tr>
<tr>
<td>D</td>
<td>A Subpart B system supplier that serves 10,000 to 49,999 persons must monitor quarterly at four distribution system monitoring locations during each monitoring period.</td>
</tr>
<tr>
<td>E</td>
<td>A Subpart B system supplier that serves 50,000 to 249,999 persons must monitor quarterly at eight distribution system monitoring locations during each monitoring period.</td>
</tr>
<tr>
<td>F</td>
<td>A Subpart B system supplier that serves 250,000 to 999,999 persons must monitor quarterly at 12 distribution system monitoring locations during each monitoring period.</td>
</tr>
<tr>
<td>G</td>
<td>A Subpart B system supplier that serves 1,000,000 to 4,999,999 persons must monitor quarterly at 16 distribution system monitoring locations during each monitoring period.</td>
</tr>
<tr>
<td>H</td>
<td>A Subpart B system supplier that serves 5,000,000 or more persons must monitor quarterly at 20 distribution system monitoring locations during each monitoring period.</td>
</tr>
<tr>
<td>I</td>
<td>A groundwater system supplier that serves fewer than 500 persons must monitor annually at two distribution system monitoring locations during each monitoring period.</td>
</tr>
<tr>
<td>J</td>
<td>A groundwater system supplier that serves 500 to 9,999 persons must monitor annually at two distribution system monitoring locations during each monitoring period.</td>
</tr>
<tr>
<td>K</td>
<td>A groundwater system supplier that serves 10,000 to 99,999 persons must monitor quarterly at four distribution system monitoring locations during each monitoring period.</td>
</tr>
</tbody>
</table>
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

L) A groundwater system supplier that serves 100,000 to 499,999 persons must monitor quarterly at six distribution system monitoring locations during each monitoring period.

M) A groundwater system supplier that serves 500,000 or more persons must monitor quarterly at eight distribution system monitoring locations during each monitoring period.

N) The supplier must monitor during month of highest DBP concentrations.

O) A supplier on quarterly monitoring must take dual sample sets every 90 days at each monitoring location, except for a Subpart B system supplier that serves 500 to 3,300. A supplier on annual monitoring or a Subpart B system supplier that serves 500 to 3,300 is required to take individual TTHM and HAA5 samples (instead of a dual sample set) at the locations with the highest TTHM and HAA5 concentrations, respectively. Only one location with a dual sample set per monitoring period is needed if the highest TTHM and HAA5 concentrations occur at the same location (and month, if monitored annually).

3) If a supplier is an undisinfected system that begins using a disinfectant other than UV light after the dates set forth in Subpart W of this Part for complying with the IDSE requirements, the supplier must consult with the Agency to identify compliance monitoring locations for this Subpart Y. The supplier must then develop a monitoring plan pursuant to Section 611.972 that includes those monitoring locations.

b) Analytical methods. A supplier must use an approved method listed in Section 611.381 for TTHM and HAA5 analyses in this Subpart Y. Analyses must be conducted by laboratories that have received certification by USEPA or the Agency as specified in Section 611.381.


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Section 611.972 Subpart Y Monitoring Plan

a) Development of a monitoring plan.

1) A supplier must develop and implement a monitoring plan that it must keep on file for Agency and public review. The monitoring plan must contain the following elements, and it must be complete no later than the date when the supplier conducts its initial monitoring pursuant to this Subpart Y:

   A) The monitoring locations;
   B) The monitoring dates;
   C) The compliance calculation procedures; and
   D) The monitoring plans for any other systems in the combined distribution system if the Agency has reduced monitoring requirements pursuant to Section 611.161.

2) If the supplier was not required to submit an IDSE report pursuant to either Section 611.921 or Section 611.922, and it does not have sufficient Subpart I monitoring locations to identify the required number of Subpart Y compliance monitoring locations indicated in Section 611.925(b), the supplier must identify additional locations by alternating selection of locations representing high TTHM levels and high HAA5 levels until the required number of compliance monitoring locations have been identified. The supplier must also provide the rationale for identifying the locations as having high levels of TTHM or HAA5. If the supplier has more Subpart I monitoring locations than required for Subpart Y compliance monitoring in Section 611.925(b), it must identify which locations it will use for Subpart Y compliance monitoring by alternating selection of locations representing high TTHM levels and high HAA5 levels until the required number of Subpart Y compliance monitoring locations have been identified.

b) A Subpart B system supplier that serves more than 3,300 people must submit a copy of its monitoring plan to the Agency prior to the date it conducts its initial monitoring pursuant to this Subpart Y, unless the supplier's IDSE report
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

submitted pursuant to Subpart W of this Part contains all the information required by this Section.

c) After consultation with the Agency regarding the need for and appropriateness of changes and issuance of a SEP pursuant to Section 611.110 that provides for the changes, a supplier may revise its monitoring plan to reflect changes in treatment, distribution system operations and layout (including new service areas), or other factors that may affect TTHM or HAA5 formation, or for Agency-approved reasons. If the supplier changes monitoring locations, the supplier must replace existing compliance monitoring locations with the lowest LRAA with new locations that reflect the current distribution system locations with expected high TTHM or HAA5 levels. The Agency may, by a SEP issued pursuant to Section 611.110, also require modifications in the supplier's monitoring plan. If a supplier is a Subpart B system supplier that serves more than 3,300 people, it must submit a copy of its modified monitoring plan to the Agency prior to the date when it is required to comply with the revised monitoring plan.


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.973 Reduced Monitoring

a) A supplier may reduce monitoring to the level specified in the applicable of subsections (a)(1) through (a)(13) of this Section, subject to the limitation of subsection (a)(14) of this Section, any time the LRAA is 0.040 mg/l or less for TTHM and 0.030 mg/l or less for HAA5 at all monitoring locations. The supplier may only use data collected pursuant to the provisions of this Subpart Y or pursuant to Subpart I of this Part to qualify for reduced monitoring. In addition, the source water annual average TOC level, before any treatment, must be 4.0 mg/l or less at each treatment plant treating surface water or groundwater under the direct influence of surface water, based on monitoring conducted pursuant to either Section 611.382(b)(1)(C) or Section 611.382(d).

1) A Subpart B system supplier that serves fewer than 500 persons may not qualify for reduced monitoring.

2) A Subpart B system supplier that serves 500 to 3,300 persons qualifies for reduced monitoring to a minimum of one TTHM sample collected.
annually from the location and during the quarter with the highest single TTHM measurement and one HAA5 sample collected annually from the location and during the quarter with the highest single HAA5 measurement, with the two samples collected as one dual sample set if the highest TTHM and HAA5 measurements occurred at the same location and during the same quarter.

3) A Subpart B system supplier that serves 3,301 to 9,999 persons qualifies for reduced monitoring to a minimum of one dual sample set collected annually for TTHM from the location and during the quarter with the highest single TTHM measurement and one dual sample set collected annually for HAA5 from the location and during the quarter with the highest single HAA5 measurement.

4) A Subpart B system supplier that serves 10,000 to 49,999 persons qualifies for reduced monitoring to a minimum of two dual sample sets collected quarterly from the locations with the highest TTHM and HAA5 LRAAs.

5) A Subpart B system supplier that serves 50,000 to 249,999 persons qualifies for reduced monitoring to a minimum of four dual sample sets collected quarterly from the locations with the two highest TTHM and two HAA5 LRAAs.

6) A Subpart B system supplier that serves 250,000 to 999,999 persons qualifies for reduced monitoring to a minimum of six dual sample sets collected quarterly from the locations with the three highest TTHM and three HAA5 LRAAs.

7) A Subpart B system supplier that serves 1,000,000 to 4,999,999 persons qualifies for reduced monitoring to a minimum of eight dual sample sets collected quarterly from the locations with the four highest TTHM and four HAA5 LRAAs.

8) A Subpart B system supplier that serves more than 5,000,000 persons qualifies for reduced monitoring to a minimum of 10 dual sample sets collected quarterly from the locations with the five highest TTHM and five HAA5 LRAAs.
9) A groundwater system supplier that serves fewer than 500 persons qualifies for reduced monitoring to a minimum of one TTHM sample collected triennially from the location and during the quarter with the highest single TTHM measurement and one HAA5 sample collected annually from the location and during the quarter with the highest single HAA5 measurement, with the two samples collected as one dual sample set if the highest TTHM and HAA5 measurements occurred at the same location and during the same quarter.

10) A groundwater system supplier that serves 500 to 9,999 persons qualifies for reduced monitoring to a minimum of one TTHM sample collected annually from the location and during the quarter with the highest single TTHM measurement and one HAA5 sample collected annually from the location and during the quarter with the highest single HAA5 measurement, with the two samples collected as one dual sample set if the highest TTHM and HAA5 measurements occurred at the same location and during the same quarter.

11) A groundwater system supplier that serves 10,000 to 99,999 persons qualifies for reduced monitoring to a minimum of one TTHM dual sample set collected annually from the location and during the quarter with the highest single TTHM measurement and one HAA5 dual sample set collected annually from the location and during the quarter with the highest single HAA5 measurement.

12) A groundwater system supplier that serves 100,000 to 499,999 persons qualifies for reduced monitoring to a minimum of two dual sample sets collected quarterly from the locations with the highest TTHM and highest HAA5 LRAAs.

13) A groundwater system supplier that serves more than 500,000 persons qualifies for reduced monitoring to a minimum of four dual sample sets collected quarterly from the two locations with the highest TTHM and two highest HAA5 LRAAs.

14) A supplier on quarterly monitoring must take dual sample sets every 90 days.
POLLUTION CONTROL BOARD
NOTICE OF ADOPTED AMENDMENTS

b) The supplier may remain on reduced monitoring as long as the TTHM LRAA does not exceed 0.040 mg/l and the HAA5 LRAA does not exceed 0.030 mg/l at each monitoring location (for a supplier with quarterly reduced monitoring) or each TTHM sample does not exceed 0.060 mg/l and each HAA5 sample does not exceed 0.045 mg/l (for a supplier with annual or less frequent monitoring). In addition, the source water annual average TOC level, before any treatment, must not exceed 4.0 mg/l at each treatment plant treating surface water or groundwater under the direct influence of surface water, based on monitoring conducted pursuant to either Section 611.382(b)(1)(C) or (d).

c) If the LRAA based on quarterly monitoring at any monitoring location exceeds either 0.040 mg/l for TTHM or 0.030 mg/l for HAA5, if the annual (or less frequent) sample at any location exceeds either 0.060 mg/l for TTHM or 0.045 mg/l for HAA5, or if the source water annual average TOC level, before any treatment, exceeds 4.0 mg/l at any treatment plant treating surface water or groundwater under the direct influence of surface water, the supplier must resume routine monitoring pursuant to Section 611.971 or begin increased monitoring if Section 611.975 applies.

d) The Agency may return a supplier to routine monitoring by a SEP issued pursuant to Section 611.110.


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.974 Additional Requirements for Consecutive Systems

If a supplier has a consecutive system that does not add a disinfectant but which delivers water that has been treated with a primary or residual disinfectant other than ultraviolet light, it must comply with the analytical and monitoring requirements for chlorine and chloramines in Sections 611.381(c) and 611.382(c)(1) and with the compliance requirements in Section 611.383(c)(1) beginning April 1, 2009, unless the supplier is required to comply earlier by the Agency, and the supplier must report monitoring results pursuant to Section 611.384(c).


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)
Section 611.975  Conditions Requiring Increased Monitoring

a) If a supplier is required to monitor at a particular location annually or less frequently than annually pursuant to Section 611.971 or Section 611.973, it must increase monitoring to dual sample sets once per quarter (taken every 90 days) at all locations if a TTHM sample exceeds 0.080 mg/l or an HAA5 sample exceeds 0.060 mg/l at any location.

b) A supplier is in violation of the MCL when the LRAA exceeds the Subpart Y MCLs in Section 611.312(b)(2), calculated based on four consecutive quarters of monitoring (or the LRAA calculated based on fewer than four quarters of data if the MCL would be exceeded regardless of the monitoring results of subsequent quarters). The supplier is in violation of the monitoring requirements for each quarter that a monitoring result would be used in calculating an LRAA if it fails to monitor.

c) A supplier may return to routine monitoring once it has conducted increased monitoring for at least four consecutive quarters, and the LRAA for every monitoring location does not exceed 0.060 mg/l for TTHM and 0.045 mg/l for HAA5.


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.976  Operational Evaluation Levels

a) A supplier has exceeded the operational evaluation level at any monitoring location where the sum of the two previous quarters' TTHM results plus twice the current quarter's TTHM result, divided by four to determine an average, exceeds 0.080 mg/l, or where the sum of the two previous quarters' HAA5 results plus twice the current quarter's HAA5 result, divided by four to determine an average, exceeds 0.060 mg/l.

b) Effects of exceeding the operational evaluation level.

1) If a supplier exceeds the operational evaluation level, the supplier must conduct an operational evaluation and submit a written report of the evaluation to the Agency no later than 90 days after being notified of the
NOTICE OF ADOPTED AMENDMENTS

analytical result that causes it to exceed the operational evaluation level. The written report must be made available to the public upon request.

2) The supplier’s operational evaluation must include an examination of system treatment and distribution operational practices, including storage tank operations, excess storage capacity, distribution system flushing, changes in sources or source water quality, and treatment changes or problems that may contribute to TTHM and HAA5 formation and what steps could be considered to minimize future exceedences.

A) A supplier may request and the Agency may allow the supplier to limit the scope of its evaluation if the supplier is able to identify the cause of the operational evaluation level exceedence.

B) A supplier's request to limit the scope of the evaluation does not extend the schedule in subsection (b)(1) of this Section for submitting the written report. The Agency must approve this limited scope of evaluation in writing, and the supplier must keep that approval with the completed report.


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.977 Requirements for Remaining on Reduced TTHM and HAA5 Monitoring Based on Subpart I Results

A supplier may remain on reduced monitoring after the applicable dates identified in Section 611.970(c) for compliance with this Subpart Y only if the supplier fulfills each of the requirements set forth in subsections (a) through (c) of this Section, subject to the limitations of subsection (d) of this Section:

a) The supplier qualifies for a 40/30 certification pursuant to Section 611.923 or it has received a very small system waiver pursuant to Section 611.924;

b) The supplier meets the reduced monitoring criteria set forth in Section 611.973(a); and.
c) The supplier does not change or add monitoring locations from those used for compliance monitoring under Subpart I of this Part.

d) If the supplier's monitoring locations pursuant to this Subpart Y differ from its monitoring locations pursuant to Subpart I of this Part, the supplier may not remain on reduced monitoring after the dates identified in Section 611.970(c) for the purposes of compliance with this Subpart Y.


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.978 Requirements for Remaining on Increased TTHM and HAA5 Monitoring Based on Subpart I Results

If a supplier was on increased monitoring pursuant to Section 611.382(b)(1), it must remain on increased monitoring until it qualifies for a return to routine monitoring pursuant to Section 611.975(c). The supplier must conduct increased monitoring pursuant to Section 611.975 at the monitoring locations in the monitoring plan developed pursuant to Section 611.972 beginning at the applicable date identified in Section 611.970(c) for compliance with this Subpart Y, and it must remain on increased monitoring until the supplier qualifies for a return to routine monitoring pursuant to Section 611.975(c).


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.979 Reporting and Recordkeeping Requirements

a) Reporting.

1) A supplier must report the following information to the Agency within 10 days after the end of any quarter in which monitoring is required for each monitoring location:

A) The number of samples taken during the last quarter;

B) The date and results of each sample taken during the last quarter;
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

C) The arithmetic average of quarterly results for the last four quarters for each monitoring location (LRAA), beginning at the end of the fourth calendar quarter that follows the compliance date and at the end of each subsequent quarter. If the LRAA calculated based on fewer than four quarters of data would cause the MCL to be exceeded regardless of the monitoring results of subsequent quarters, the supplier must report this information to the Agency as part of the first report due following the compliance date or anytime thereafter that this determination is made. If the supplier is required to conduct monitoring at a frequency that is less than quarterly, it must make compliance calculations beginning with the first compliance sample taken after the compliance date, unless the supplier is required to conduct increased monitoring pursuant to Section 611.975;

D) A statement whether, based on Section 611.312(b)(2) and this Subpart Y, the MCL was violated at any monitoring location; and

E) Any operational evaluation levels that were exceeded during the quarter and, if so, the location and date, and the calculated TTHM and HAA5 levels.

2) If a supplier is a Subpart B system supplier that seeks to qualify for or remain on reduced TTHM and HAA5 monitoring, it must report the following source water TOC information for each treatment plant that treats surface water or groundwater under the direct influence of surface water to the Agency within 10 days after the end of any quarter in which monitoring is required:

A) The number of source water TOC samples taken each month during last quarter;

B) The date and result of each sample taken during last quarter;

C) The arithmetic average of monthly samples taken during the last quarter or the result of the quarterly sample;

D) The running annual average (RAA) of quarterly averages from the past four quarters; and
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

E) Whether the RAA exceeded 4.0 mg/l.

3) The Agency may, by a SEP issued pursuant to Section 611.110, choose to perform calculations and determine whether the MCL was exceeded or the system is eligible for reduced monitoring in lieu of having the system report that information pursuant to this Section.

b) Recordkeeping. A supplier must retain any Subpart Y monitoring plans and the supplier's Subpart Y monitoring results as required by Section 611.860.


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

SUBPART Z: ENHANCED TREATMENT FOR CRYPTOSPORIDIUM

Section 611.1000 General Requirements

a) The requirements of this Subpart Z are NPDWRs. The regulations in this Subpart Z establish or extend treatment technique requirements in lieu of maximum contaminant levels for Cryptosporidium. These requirements are in addition to requirements for filtration and disinfection in Subparts B, R, and X of this Part.

b) Applicability. The requirements of this Subpart Z apply to all Subpart B systems, which are PWSs supplied by a surface water source and PWSs supplied by a groundwater source under the direct influence of surface water.

1) A wholesale system supplier, as defined in Section 611.102, must comply with the requirements of this Subpart Z based on the population of the largest system in the combined distribution system.

2) The requirements of this Subpart Z for filtered system suppliers apply to a supplier required by NPDWRs to provide filtration treatment, whether or not the supplier is currently operating a filtration system.

3) The requirements of this Subpart Z for an unfiltered system supplier apply only to an unfiltered system supplier that timely met and has continued to
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

meet the filtration avoidance criteria in Subparts B, R, and X of this Part, as applicable.

c) Requirements. A supplier subject to this Subpart Z must comply with the following requirements:

1) The supplier must conduct an initial and a second round of source water monitoring for each plant that treats a surface water or groundwater under the direct influence of surface water source. This monitoring may include sampling for Cryptosporidium, E. coli, and turbidity as described in Sections 611.1001 through 611.1006, to determine what level, if any, of additional Cryptosporidium treatment the supplier must provide.

2) The supplier that plans to make a significant change to its disinfection practice must develop disinfection profiles and calculate disinfection benchmarks, as described in Sections 611.1008 through 611.1009.

3) A filtered system supplier must determine its Cryptosporidium treatment bin classification as described in Section 611.1010, and provide additional treatment for Cryptosporidium, if required, as described in Section 611.1011. An unfiltered system supplier must provide treatment for Cryptosporidium as described in Section 611.1012. A filtered or unfiltered system supplier must implement Cryptosporidium treatment according to the schedule in Section 611.1013.

4) A supplier whose system has uncovered finished water storage facilities must comply with the requirements to cover the facility or treat the discharge from the facility as described in Section 611.1014.

5) A supplier required to provide additional treatment for Cryptosporidium must implement microbial toolbox options that are designed and operated as described in Sections 611.1015 through 611.1020.

6) The supplier must comply with the applicable recordkeeping and reporting requirements described in Sections 611.1021 and 611.1022.

7) The supplier must address significant deficiencies identified in sanitary surveys performed by USEPA or the Agency, as described in Section 611.1023.
Section 611.1001  Source Water Monitoring Requirements: Source Water Monitoring

a) Initial round of source water monitoring. A supplier must conduct the following monitoring on the schedule in subsection (c) of this Section, unless it meets the monitoring exemption criteria in subsection (d) of this Section.

1) A filtered system supplier that serves 10,000 or more people must sample its source water for Cryptosporidium, E. coli, and turbidity at least monthly for 24 months.

2) An unfiltered system supplier that serves 10,000 or more people must sample its source water for Cryptosporidium at least monthly for 24 months.

3) Smaller system suppliers monitoring for E. coli.

A) A filtered system supplier that serves fewer than 10,000 people must sample its source water for E. coli at least once every two weeks for 12 months.

B) A filtered system supplier that serves fewer than 10,000 people may avoid E. coli monitoring if the system notifies the Agency that it will monitor for Cryptosporidium as described in subsection (a)(4) of this Section. The system must notify the Agency no later than three months prior to the date before which the system is otherwise required to start E. coli monitoring pursuant to Section 611.1001(c).

4) Smaller system suppliers monitoring for Cryptosporidium. A filtered system supplier that serves fewer than 10,000 people must sample its source water for Cryptosporidium at least twice per month for 12 months or at least monthly for 24 months if it meets any of the conditions set forth in subsections (a)(4)(A) through (a)(4)(C) of this Section, subject to the
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

limitations of subsection (a)(4)(D) of this Section, based on monitoring conducted pursuant to subsection (a)(3) of this Section.

A) For a supplier that uses lake or reservoir source, the annual mean E. coli concentration is greater than 10 E. coli/100 ml.

B) For a supplier that uses a flowing stream source the annual mean E. coli concentration is greater than 50 E. coli/100 ml.

C) The supplier does not conduct E. coli monitoring as described in subsection (a)(3) of this Section.

D) A supplier that uses groundwater under the direct influence of surface water must comply with the requirements of subsection (a)(4) of this Section based on the E. coli level that applies to the nearest surface water body. If no surface water body is nearby, the system must comply based on the requirements that apply to a supplier that uses a lake or reservoir source.

5) For a filtered system supplier that serves fewer than 10,000 people, the Agency may, by a SEP issued pursuant to Section 611.110, approve monitoring for an indicator other than E. coli pursuant to subsection (a)(3) of this Section. The Agency may also, by a SEP issued pursuant to Section 611.110, approve an alternative to the E. coli concentration in subsection (a)(4)(A), (a)(4)(B) or (a)(4)(D) of this Section to trigger Cryptosporidium monitoring. This approval by the Agency must be provided to the supplier in writing, and it must include the basis for the Agency's determination that the alternative indicator or trigger level will provide a more accurate identification of whether a system will exceed the Bin 1 Cryptosporidium level set forth in Section 611.1010.

6) An unfiltered system supplier that serves fewer than 10,000 people must sample its source water for Cryptosporidium at least twice per month for 12 months or at least monthly for 24 months.

7) A supplier may sample more frequently than required by this Section if the sampling frequency is evenly spaced throughout the monitoring period.
b) Second round of source water monitoring. A supplier must conduct a second round of source water monitoring that meets the requirements for monitoring parameters, frequency, and duration described in subsection (a) of this Section, unless it meets the monitoring exemption criteria in subsection (d) of this Section. The supplier must conduct this monitoring on the schedule set forth in subsection (c) of this Section.

c) Monitoring schedule. A supplier must begin the monitoring required in subsections (a) and (b) of this Section no later than the month beginning with the applicable date listed in subsections (c)(1) through (c)(5) of this Section.

1) A supplier that serves 100,000 or more persons must begin the first round of source water monitoring no later than the month beginning October 1, 2006, and it must begin the second round of source water monitoring no later than the month beginning April 1, 2015.

2) A supplier that serves 50,000 to 99,999 persons must begin the first round of source water monitoring no later than the month beginning April 1, 2007, and it must begin the second round of source water monitoring no later than the month beginning October 1, 2015.

3) A supplier that serves 10,000 to 49,999 persons must begin the first round of source water monitoring no later than the month beginning April 1, 2008, and it must begin the second round of source water monitoring no later than the month beginning October 1, 2016.

4) A supplier that serves fewer than 10,000 persons, that is a filtered system supplier, and which monitors for E. coli must begin the first round of source water monitoring no later than the month beginning October 1, 2008, and it must begin the second round of source water monitoring no later than the month beginning October 1, 2017.

5) A supplier that serves fewer than 10,000 persons, that is an unfiltered system supplier, or that is a filtered system supplier which meets the conditions of subsection (a)(4) of this Section, and which monitors for Cryptosporidium, must begin the first round of source water monitoring no later than the month beginning April 1, 2010, and it must begin the second round of source water monitoring no later than the month beginning April 1, 2019.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

d) Monitoring avoidance.

1) A filtered system supplier is not required to conduct source water monitoring pursuant to this Subpart Z if the system will provide a total of at least 5.5-log of treatment for Cryptosporidium, equivalent to meeting the treatment requirements of Bin 4 in Section 611.1011.

2) An unfiltered system supplier is not required to conduct source water monitoring pursuant to this Subpart Z if the system will provide a total of at least 3-log Cryptosporidium inactivation, equivalent to meeting the treatment requirements for an unfiltered system supplier with a mean Cryptosporidium concentration of greater than 0.01 oocysts/l in Section 611.1012.

3) If a supplier chooses to provide the level of treatment set forth in subsection (d)(1) or (d)(2) of this Section, as applicable, rather than start source water monitoring, it must notify the Agency in writing no later than the date on which the system is otherwise required to submit a sampling schedule for monitoring pursuant to Section 611.1002. Alternatively, a supplier may choose to stop sampling at any point after it has initiated monitoring if it notifies the Agency in writing that it will provide this level of treatment. The supplier must install and operate technologies to provide this level of treatment before the applicable treatment compliance date set forth in Section 611.1013.

e) Plants operating only part of the year. A supplier that has a Subpart B plant that operates for only part of the year must conduct source water monitoring in accordance with this Subpart Z, but with the following modifications:

1) The supplier must sample its source water only during the months that the plant operates, unless the Agency, by a SEP issued pursuant to Section 611.110, specifies another monitoring period based on plant operating practices.

2) A supplier with plants that operate less than six months per year and which monitors for Cryptosporidium must collect at least six Cryptosporidium samples per year during each of two years of monitoring.
Samples must be evenly spaced throughout the period during which the plant operates.

f) New sources and new systems.

1) New sources. A supplier that begins using a new source of surface water or groundwater under the direct influence of surface water after the supplier is required to begin monitoring pursuant to subsection (c) of this Section must monitor the new source on a schedule that the Agency has approved by a SEP issued pursuant to Section 611.110. Source water monitoring must meet the requirements of this Subpart Z. The supplier must also meet the bin classification and Cryptosporidium treatment requirements of Sections 611.1010 and 611.1011 or Section 611.1012, as applicable, for the new source on a schedule that the Agency has approved by a SEP issued pursuant to Section 611.110.

2) The requirements of Section 611.1001(f) apply to a Subpart B system supplier that begins operation after the applicable monitoring start date set forth in subsection (c) of this Section.

3) The supplier must begin a second round of source water monitoring no later than six years following initial bin classification pursuant to Section 611.1010 or determination of the mean Cryptosporidium level pursuant to Section 611.1012.

g) Failure to collect any source water sample required under this Section in accordance with the sampling schedule, sampling location, analytical method, approved laboratory, and reporting requirements of Sections 611.1002 through 611.1006 is a monitoring violation.

h) Grandfathering monitoring data. A supplier may use (grandfather) monitoring data collected prior to the applicable monitoring start date in subsection (c) of this Section to meet the initial source water monitoring requirements in subsection (a) of this Section. Grandfathered data may substitute for an equivalent number of months at the end of the monitoring period. All data submitted pursuant to this subsection must meet the requirements set forth in Section 611.1007.

Section 611.1002  Source Water Monitoring Requirements: Sampling Schedules

a) A supplier required to conduct source water monitoring pursuant to Section 611.1001 must submit a sampling schedule that specifies the calendar dates on which it will collect each required sample.

1) The supplier must submit sampling schedules no later than three months prior to the applicable date listed in Section 611.1001(c) for each round of required monitoring.

2) Submission of the sampling schedule to USEPA.

A) A supplier that serves 10,000 or more people must submit its sampling schedule for the initial round of source water monitoring pursuant to Section 611.1001(a) to USEPA electronically at https://intranet.epa.gov/lt2/.

B) If a supplier is unable to submit the sampling schedule electronically, the supplier may use an alternative approach for submitting the sampling schedule that USEPA approves.

3) A supplier that serves fewer than 10,000 people must submit to the Agency its sampling schedules for the initial round of source water monitoring Section 611.1001(a).

4) A supplier must submit to the Agency sampling schedules for the second round of source water monitoring required by Section 611.1001(b).

5) If USEPA or the Agency does not respond to a supplier regarding its sampling schedule, the supplier must sample at the reported schedule.

b) A supplier must collect samples within two days before or two days after the dates indicated in its sampling schedule (i.e., within a five-day period around the schedule date) unless one of the conditions of subsection (b)(1) or (b)(2) of this Section applies.
NOTICE OF ADOPTED AMENDMENTS

1) If an extreme condition or situation exists that may pose danger to the sample collector, or one that cannot be avoided and which causes the supplier to be unable to sample in the scheduled five-day period, the supplier must sample as close to the scheduled date as is feasible, unless the Agency approves an alternative sampling date by a SEP issued pursuant to Section 611.110. The supplier must submit an explanation for the delayed sampling date to the Agency concurrent with the shipment of the sample to the laboratory.

2) Replacement samples.

A) If a supplier is unable to report a valid analytical result for a scheduled sampling date due to equipment failure; loss of or damage to the sample; failure to comply with the analytical method requirements, including the quality control requirements in Section 611.1004; or the failure of an approved laboratory to analyze the sample, then the supplier must collect a replacement sample.

B) The supplier must collect the replacement sample not later than 21 days after receiving information that an analytical result cannot be reported for the scheduled date, unless the supplier demonstrates that collecting a replacement sample within this time frame is not feasible or the Agency approves an alternative resampling date by a SEP issued pursuant to Section 611.110. The supplier must submit an explanation for the delayed sampling date to the Agency concurrent with the shipment of the sample to the laboratory.

c) A supplier that fails to meet the criteria of subsection (b) of this Section for any source water sample required pursuant to Section 611.1001 must revise its sampling schedule to add dates for collecting all missed samples. A supplier must submit the revised schedule to the Agency for approval prior to collecting the missed samples.


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.1003 Source Water Monitoring Requirements: Sampling Locations
NOTICE OF ADOPTED AMENDMENTS

a) A supplier required to conduct source water monitoring pursuant to Section 611.1001 must collect samples for each plant that treats a surface water or groundwater under the direct influence of surface water source. Where multiple plants draw water from the same influent, such as the same pipe or intake, the Agency may, by a SEP issued pursuant to Section 611.110, approve one set of monitoring results to be used to satisfy the requirements of Section 611.1001 for all of the plants.

b) Source water sampling.

1) A supplier must collect source water samples prior to chemical treatment, such as coagulants, oxidants, and disinfectants, unless the supplier meets the condition of subsection (b)(2) of this Section.

2) The Agency may, by a SEP issued pursuant to Section 611.110, approve a supplier to collect a source water sample after chemical treatment. To grant this approval, the Agency must determine that collecting a sample prior to chemical treatment is not feasible for the supplier and that the chemical treatment is unlikely to have a significant adverse effect on the analysis of the sample.

c) A supplier that recycles filter backwash water must collect source water samples prior to the point of filter backwash water addition.

d) Bank filtration.

1) A supplier that receives Cryptosporidium treatment credit for bank filtration pursuant to Section 611.743(b) or Section 611.955(c)(1), as applicable, must collect source water samples in the surface water prior to bank filtration.

2) A supplier that uses bank filtration as pretreatment to a filtration plant must collect source water samples from the well (i.e., after bank filtration). The use of bank filtration during monitoring must be consistent with routine operational practice. A supplier collecting samples after a bank filtration process may not receive treatment credit for the bank filtration pursuant to Section 611.1017(c).
NOTICE OF ADOPTED AMENDMENTS

e) Multiple sources. A supplier with plants that use multiple water sources, including multiple surface water sources and blended surface water and groundwater sources, must collect samples as specified in subsection (e)(1) or (e)(2) of this Section. The use of multiple sources during monitoring must be consistent with routine operational practice.

1) If a sampling tap is available where the sources are combined prior to treatment, the supplier must collect samples from the tap.

2) If a sampling tap where the sources are combined prior to treatment is not available, the supplier must collect samples at each source near the intake on the same day, and it must follow either of the following procedures for sample analysis:

A) The supplier may composite samples from each source into one sample prior to analysis. The volume of sample from each source must be weighted according to the proportion of the source in the total plant flow at the time the sample is collected; or

B) The supplier may analyze samples from each source separately and calculate a weighted average of the analysis results for each sampling date. The weighted average must be calculated by multiplying the analysis result for each source by the fraction the source contributed to total plant flow at the time the sample was collected and then summing these values.

f) Additional Requirements. A supplier must submit a description of its sampling locations to the Agency at the same time as the sampling schedule required pursuant to Section 611.1002. This description must address the position of the sampling location in relation to the supplier's water sources and treatment processes, including pretreatment, points of chemical treatment, and filter backwash recycle. If the Agency does not respond to a supplier regarding sampling locations, the supplier must sample at the reported locations.


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

a) Cryptosporidium. A supplier must analyze for Cryptosporidium using USEPA Method 1623 (05) or USEPA Method 1622 (05), each incorporated by reference in Section 611.102.

1) The supplier must analyze at least a 10 l sample or a packed pellet volume of at least 2 ml as generated by the methods listed in subsection (a) of this Section. A supplier unable to process a 10 l sample must analyze as much sample volume as can be filtered by two filters approved by USEPA for the methods listed in subsection (a) of this Section, up to a packed pellet volume of at least 2 ml.

2) Matrix spike (MS) samples.

   A) MS samples, as required by the methods in subsection (a) of this Section, must be spiked and filtered by a laboratory approved for Cryptosporidium analysis pursuant to Section 611.1005.

   B) If the volume of the MS sample is greater than 10 l, the supplier may filter all but 10 l of the MS sample in the field, and ship the filtered sample and the remaining 10 l of source water to the laboratory. In this case, the laboratory must spike the remaining 10 l of water and filter it through the filter used to collect the balance of the sample in the field.

3) Flow cytometer-counted spiking suspensions must be used for MS samples and ongoing precision and recovery samples.

b) E. coli. A supplier must use methods for enumeration of E. coli in source water approved in 40 CFR 136.3(a), incorporated by reference in Section 611.102.

1) The time from sample collection to initiation of analysis may not exceed 30 hours, unless the supplier meets the condition of subsection (b)(2) of this Section.

2) The Agency may, by a SEP issued pursuant to Section 611.110, approve on a case-by-case basis the holding of an E. coli sample for up to 48 hours between sample collection and initiation of analysis if it determines that analyzing an E. coli sample within 30 hours is not feasible.
samples held between 30 to 48 hours must be analyzed by the Autoanalysis Colilert System reagent version of Standard Methods, 18th, 19th, or 20th ed., Method 9223 B, as listed in 40 CFR 136.3(a), incorporated by reference in Section 611.102.

3) A supplier must maintain the temperature of its samples between 0ºC and 10ºC during storage and transit to the laboratory.

c) Turbidity. A supplier must use methods for turbidity measurement approved in Section 611.531(a).


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.1005 Source Water Monitoring Requirements: Approved Laboratories

a) Cryptosporidium. A supplier must have Cryptosporidium samples analyzed by a laboratory that is approved under USEPA's Laboratory Quality Assurance Evaluation Program for Analysis of Cryptosporidium in Water or a laboratory that has been certified for Cryptosporidium analysis by the Agency.

b) E. coli. Any laboratory certified by the USEPA, by the National Environmental Laboratory Accreditation Conference, or by the Agency for total coliform or fecal coliform analysis pursuant to Section 611.531 is approved for E. coli analysis pursuant to this Subpart Z when the laboratory uses the same technique for E. coli that the laboratory uses for the purposes of Section 611.531.

c) Turbidity. Measurements of turbidity must be made by a party approved by the Agency.


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.1006 Source Water Monitoring Requirements: Reporting Source Water Monitoring Results
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

a) A supplier must report results from the source water monitoring required pursuant to Section 611.1001 no later than 10 days after the end of the first month following the month when the sample is collected.

b) Submission of analytical results to USEPA.

1) A supplier that serves at least 10,000 people must report the results from the initial source water monitoring required pursuant to Section 611.1001(a) to USEPA electronically at https://intranet.epa.gov/lt2/.

2) If a supplier is unable to report monitoring results electronically, the supplier may use an alternative approach for reporting monitoring results that USEPA approves.

c) A supplier that serves fewer than 10,000 people must report results from the initial source water monitoring required pursuant to Section 611.1001(a) to the Agency.

d) A supplier must report results from the second round of source water monitoring required pursuant to Section 611.1001(b) to the Agency.

e) A supplier must report the applicable information in subsections (e)(1) and (e)(2) of this Section for the source water monitoring required pursuant to Section 611.1001.

1) A supplier must report the data elements set forth in subsection (e)(1)(D) of this Section for each Cryptosporidium analysis.

   A) For matrix spike samples, a supplier must also report the sample volume spiked and estimated number of oocysts spiked. These data are not required for field samples.

   B) For samples in which less than 10 l is filtered or less than 100% of the sample volume is examined, the supplier must also report the number of filters used and the packed pellet volume.

   C) For samples in which less than 100% of sample volume is examined, the supplier must also report the volume of resuspended
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

concentrate and volume of this resuspension processed through immunomagnetic separation.

D) Data elements.

i) The PWS ID;

ii) The Facility ID;

iii) The sample collection date;

iv) The sample type (field or matrix spike);

v) The sample volume filtered (l), to nearest ¼ l;

vi) Whether 100 percent of filtered volume was examined; and

vii) The number of oocysts counted.


2) A supplier must report the following data elements for each E. coli analysis:

A) The PWS ID;

B) The Facility ID;

C) The sample collection date;

D) The analytical method number;

E) The method type;

F) The Source type (flowing stream, lake or reservoir, groundwater under the direct influence of surface water);

G) The E. coli count per 100 ml.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

H) The turbidity, except that a supplier which serves fewer than 10,000 people that is not required to monitor for turbidity pursuant to Section 611.1001 is not required to report turbidity with its E. coli results.


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.1007 Source Water Monitoring Requirements: Grandfathering Previously Collected Data

a) Initial source monitoring and Cryptosporidium samples.

1) A supplier may comply with the initial source water monitoring requirements of Section 611.1001(a) by grandfathering sample results collected before the supplier is required to begin monitoring (i.e., previously collected data). To be grandfathered, the sample results and analysis must meet the criteria in this Section and the Agency must approve the use of the data by a SEP issued pursuant to Section 611.110. A filtered system supplier may grandfather Cryptosporidium samples to meet the requirements of Section 611.1001(a) when the supplier does not have corresponding E. coli and turbidity samples. A supplier that grandfathers Cryptosporidium samples without E. coli and turbidity samples is not required to collect E. coli and turbidity samples when it completes the requirements for Cryptosporidium monitoring pursuant to Section 611.1001(a).

b) E. coli sample analysis. The analysis of E. coli samples must meet the analytical method and approved laboratory requirements of Sections 611.1004 and 611.1005.

c) Cryptosporidium sample analysis. The analysis of Cryptosporidium samples must meet the criteria in this subsection (c).

1) Laboratories analyzed Cryptosporidium samples using one of the following analytical methods:
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

A) USEPA Method 1623 (05), incorporated by reference in Section 611.102;

B) USEPA Method 1622 (05), incorporated by reference in Section 611.102;

C) USEPA Method 1623 (01), incorporated by reference in Section 611.102;

D) USEPA Method 1622 (01), incorporated by reference in Section 611.102;

E) USEPA Method 1623 (99), incorporated by reference in Section 611.102; or

F) USEPA Method 1622 (99), incorporated by reference in Section 611.102.

2) For each Cryptosporidium sample, the laboratory analyzed at least 10 l of sample or at least 2 ml of packed pellet or as much volume as could be filtered by two filters that USEPA approved for the methods listed in subsection (c)(1) of this Section.

d) Sampling location. The sampling location must meet the conditions in Section 611.1003.

e) Sampling frequency. Cryptosporidium samples were collected no less frequently than each calendar month on a regular schedule, beginning no earlier than January 1999. Sample collection intervals may vary for the conditions specified in Section 611.1002(b)(1) and (b)(2) if the supplier provides documentation of the condition when reporting monitoring results.

1) The Agency may, by a SEP issued pursuant to Section 611.110, approve grandfathering of previously collected data where there are time gaps in the sampling frequency if the supplier conducts additional monitoring that the Agency has specified by a SEP issued pursuant to Section 611.110 to ensure that the data used to comply with the initial source water
monitoring requirements of Section 611.1001(a) are seasonally representative and unbiased.

2) A supplier may grandfather previously collected data where the sampling frequency within each month varied. If the Cryptosporidium sampling frequency varied, the supplier must follow the monthly averaging procedure in Section 611.1010(b)(5) or Section 611.1012(a)(3), as applicable, when calculating the bin classification for a filtered system supplier or the mean Cryptosporidium concentration for an unfiltered system supplier.

f) Reporting monitoring results for grandfathering. A supplier that requests to grandfather previously collected monitoring results must report the following information by the applicable dates listed in this subsection. A supplier must report this information to the Agency.

1) A supplier must report that it intends to submit previously collected monitoring results for grandfathering. This report must specify the number of previously collected results the supplier will submit, the dates of the first and last sample, and whether a supplier will conduct additional source water monitoring to meet the requirements of Section 611.1001(a). The supplier must report this information no later than the applicable date set forth in Section 611.1002.

2) A supplier must report previously collected monitoring results for grandfathering, along with the associated documentation listed in subsections (f)(2)(A) through (f)(2)(D) of this Section, no later than two months after the applicable date listed in Section 611.1001(c).

A) For each sample result, a supplier must report the applicable data elements in Section 611.1006.

B) A supplier must certify that the reported monitoring results include all results that it generated during the time period beginning with the first reported result and ending with the final reported result. This applies to samples that were collected from the sampling location specified for source water monitoring pursuant to this Subpart Z, which were not spiked, and which were analyzed using
the laboratory's routine process for the analytical methods listed in this Section.

C) The supplier must certify that the samples were representative of a plant's source waters and the source waters have not changed. It must report a description of the sampling locations, which must address the position of the sampling location in relation to its water sources and treatment processes, including points of chemical addition and filter backwash recycle.

D) For Cryptosporidium samples, the laboratory or laboratories that analyzed the samples must provide a letter certifying that the quality control criteria specified in the methods listed in subsection (c)(1) of this Section were met for each sample batch associated with the reported results. Alternatively, the laboratory may provide bench sheets and sample examination report forms for each field, matrix spike, initial precision and recovery, ongoing precision and recovery, and method blank sample associated with the reported results.

g) If the Agency determines that a previously collected data set submitted for grandfathering was generated during source water conditions that were not normal for the supplier, such as a drought, the Agency may, by a SEP issued pursuant to Section 611.110, disapprove the data. Alternatively, the Agency may, by a SEP issued pursuant to Section 611.110, approve the previously collected data if the supplier reports additional source water monitoring data, as determined by the Agency, to ensure that the data set used pursuant to Section 611.1010 or Section 611.1012 represents average source water conditions for the supplier.

h) If a supplier submits previously collected data that fully meet the number of samples required for initial source water monitoring pursuant to Section 611.1001(a), and some of the data are rejected due to not meeting the requirements of this Section, the supplier must conduct additional monitoring to replace rejected data on a schedule that the Agency has approved by a SEP issued pursuant to Section 611.110. A supplier is not required to begin this additional monitoring until two months after notification that data have been rejected and additional monitoring is necessary.

Section 611.1008 Disinfection Profiling and Benchmarking Requirements: Requirements When Making a Significant Change in Disinfection Practice

a) Following the completion of initial source water monitoring pursuant to Section 611.1001(a), a supplier that plans to make a significant change to its disinfection practice, as defined in subsection (b) of this Section, must develop disinfection profiles and calculate disinfection benchmarks for Giardia lamblia and viruses, as described in Section 611.1009. Prior to changing the disinfection practice, the supplier must notify the Agency, and it must include in this notice the following information:

1) A completed disinfection profile and disinfection benchmark for Giardia lamblia and viruses, as described in Section 611.1009;
2) A description of the proposed change in disinfection practice; and
3) An analysis of how the proposed change will affect the current level of disinfection.

b) Significant changes to disinfection practice are defined as any of the following:

1) Changes to the point of disinfection;
2) Changes to the disinfectants used in the treatment plant;
3) Changes to the disinfection process; or
4) Any other modification identified by the Agency, by a SEP issued pursuant to Section 611.110, as a significant change to disinfection practice.


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)
Section 611.1009 Disinfection Profiling and Benchmarking Requirements: Developing the Disinfection Profile and Benchmark

a) A supplier required to develop disinfection profiles pursuant to Section 611.1008 must follow the requirements of this Section. The supplier must monitor at least weekly for a period of 12 consecutive months to determine the total log inactivation for Giardia lamblia and viruses. If the supplier monitors more frequently than weekly, the monitoring frequency must be evenly spaced. A supplier that operates for fewer than 12 months per year must monitor weekly during the period of operation. A supplier must determine log inactivation for Giardia lamblia through the entire plant, based on the applicable CT<sub>99.9</sub> values in Appendix B to this Part. A supplier must determine log inactivation for viruses through the entire treatment plant based on a protocol approved by the Agency by a SEP issued pursuant to Section 611.110.

b) A supplier with a single point of disinfectant application prior to the entrance to the distribution system must conduct the monitoring in subsections (b)(1) through (b)(4) of this Section. A supplier with more than one point of disinfectant application must conduct the monitoring in subsections (b)(1) through (b)(4) of this Section for each disinfection segment. A supplier must monitor the parameters necessary to determine the total inactivation ratio, using analytical methods in Section 611.531.

1) For a supplier using a disinfectant other than UV, the temperature of the disinfected water must be measured at each residual disinfectant concentration sampling point during peak hourly flow or at an alternative location approved by the Agency by a SEP issued pursuant to Section 611.110.

2) For a supplier using chlorine, the pH of the disinfected water must be measured at each chlorine residual disinfectant concentration sampling point during peak hourly flow or at an alternative location approved by the Agency by a SEP issued pursuant to Section 611.110.

3) The disinfectant contact times (t) must be determined during peak hourly flow.
4) The residual disinfectant concentrations (C) of the water before or at the first customer and prior to each additional point of disinfectant application must be measured during peak hourly flow.

c) In lieu of conducting new monitoring pursuant to subsection (b) of this Section, a supplier may elect to meet the following requirements:

1) A supplier that has at least one year of existing data that are substantially equivalent to data collected pursuant to the provisions of subsection (b) of this Section may use these data to develop disinfection profiles as specified in this Section if the supplier has neither made a significant change to its treatment practice nor changed sources since the data were collected. The supplier may develop disinfection profiles using up to three years of existing data.

2) A supplier may use disinfection profiles developed pursuant to Section 611.742 or Section 611.953 in lieu of developing a new profile if the supplier has neither made a significant change to its treatment practice nor changed sources since the profile was developed. A supplier that has not developed a virus profile pursuant to Section 611.742 or Section 611.953 must develop a virus profile using the same monitoring data on which the Giardia lamblia profile is based.

d) A supplier must calculate the total inactivation ratio for Giardia lamblia, as specified in subsections (d)(1) through (d)(3) of this Section.

1) A supplier using only one point of disinfectant application may determine the total inactivation ratio for the disinfection segment based on either of the following methods:

A) It may determine one inactivation ratio (Ai) before or at the first customer during peak hourly flow; or

B) It may determine successive Ai values, representing sequential inactivation ratios, between the point of disinfectant application and a point before or at the first customer during peak hourly flow. The supplier must calculate the total inactivation ratio by determining Ai for each sequence and then adding the Ai values together to determine the total inactivation ratio (S Ai).
2) A supplier using more than one point of disinfectant application before the first customer must determine the CT value of each disinfection segment immediately prior to the next point of disinfectant application, or for the final segment, before or at the first customer, during peak hourly flow. The Ai value of each segment and S Ai must be calculated using the method in subsection (d)(1)(B) of this Section.

3) The supplier must determine the total logs of inactivation by multiplying the value calculated in subsection (d)(1) or (d)(2) of this Section by 3.0.

4) The supplier must calculate the log of inactivation for viruses using a protocol approved by the Agency by regulation or by a SEP issued pursuant to Section 611.110.

e) A supplier must use the following procedures to calculate a disinfection benchmark:

1) For each year of profiling data collected and calculated pursuant to subsections (a) through (d) of this Section, the supplier must determine the lowest mean monthly level of both Giardia lamblia and virus inactivation. A supplier must determine the mean Giardia lamblia and virus inactivation for each calendar month for each year of profiling data by dividing the sum of daily or weekly Giardia lamblia and virus log inactivation by the number of values calculated for that month.

2) The disinfection benchmark is the lowest monthly mean value (for a supplier with one year of profiling data) or the mean of the lowest monthly mean values (for a supplier with more than one year of profiling data) of Giardia lamblia and virus log inactivation in each year of profiling data.


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.1010  Treatment Technique Requirements:  Bin Classification for Filtered Suppliers
a) Following completion of the initial round of source water monitoring required pursuant to Section 611.1001(a), a filtered system supplier must calculate an initial Cryptosporidium bin concentration for each plant for which monitoring was required. Calculation of the bin concentration must use the Cryptosporidium results reported pursuant to Section 611.1001(a) and must follow the appropriate of the procedures set forth in subsection (b) of this Section.

b) Bin concentration calculation procedures.

1) For a supplier that collects a total of at least 48 samples, the bin concentration is equal to the arithmetic mean of all sample concentrations.

2) For a supplier that collects a total of at least 24 samples, but not more than 47 samples, the bin concentration is equal to the highest arithmetic mean of all sample concentrations in any 12 consecutive months during which Cryptosporidium samples were collected.

3) For a supplier that serves fewer than 10,000 people and which monitors for Cryptosporidium for only one year (i.e., collect 24 samples in 12 months), the bin concentration is equal to the arithmetic mean of all sample concentrations.

4) For a supplier with plants operating only part of the year that monitors fewer than 12 months per year pursuant to Section 611.1001(e), the bin concentration is equal to the highest arithmetic mean of all sample concentrations during any year of Cryptosporidium monitoring.

5) If the monthly Cryptosporidium sampling frequency varies, a supplier must first calculate a monthly average for each month of monitoring. A supplier must then use these monthly average concentrations, rather than individual sample concentrations, in the applicable calculation for bin classification in subsections (b)(1) through (b)(4) of this Section.

c) A filtered system supplier must determine its initial bin classification according to subsections (c)(1) through (c)(5), subject to the limitations of subsection (c)(6) of this Section, and using the Cryptosporidium bin concentration calculated pursuant to subsections (a) and (b) of this Section.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

1) For a supplier that is required to monitor for Cryptosporidium pursuant to Section 611.1001 and which has a Cryptosporidium bin concentration of less than 0.075 oocysts/l, the bin classification is Bin 1.

2) For a supplier that is required to monitor for Cryptosporidium pursuant to Section 611.1001 and which has a Cryptosporidium bin concentration of 0.075 oocysts/l or more, but less than 1.0 oocysts/l, the bin classification is Bin 2.

3) For a supplier that is required to monitor for Cryptosporidium pursuant to Section 611.1001 and which has a Cryptosporidium bin concentration of 1.0 oocysts/l or more, but less than 3.0 oocysts/l, the bin classification is Bin 3.

4) For a supplier that is required to monitor for Cryptosporidium pursuant to Section 611.1001 and which has a Cryptosporidium bin concentration of 3.0 oocysts/l or more, the bin classification is Bin 4.

5) For a supplier that serves fewer than 10,000 people and which is not required to monitor for Cryptosporidium pursuant to Section 611.1001(a)(4), the bin classification is Bin 1.

6) The Cryptosporidium concentration is based on the applicable of the calculations set forth in subsection (a) or (d) of this Section.

d) Following completion of the second round of source water monitoring required pursuant to Section 611.1001(b), a filtered system supplier must recalculate its Cryptosporidium bin concentration using the Cryptosporidium results reported pursuant to Section 611.1001(b) and following the applicable of the procedures set forth in subsection (b)(1) through (b)(4) of this Section. A supplier must then redetermine its bin classification using this bin concentration and subsection (c) of this Section.

e) Reporting the bin classification.

1) A filtered system supplier must report its initial bin classification pursuant to subsection (c) of this Section to the Agency for approval no later than six months after the supplier is required to complete initial source water
monitoring based on the applicable schedule set forth in Section 611.1001(c).

2) A supplier must report its bin classification pursuant to subsection (d) of this Section to the Agency for approval no later than six months after the supplier is required to complete the second round of source water monitoring based on the applicable schedule set forth in Section 611.1001(c).

3) The bin classification report to the Agency must include a summary of source water monitoring data and the calculation procedure used to determine bin classification.

f) A failure to comply with the conditions of subsection (e) of this Section is a violation of the treatment technique requirement.


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.1011 Treatment Technique Requirements: Filtered System Additional Cryptosporidium Treatment Requirements

a) A filtered system supplier must provide the level of additional treatment for Cryptosporidium specified in subsections (a)(1) through (a)(4) of this Section based on its bin classification, as determined pursuant to Section 611.1010, and according to the applicable schedule set forth in Section 611.1013.

1) If the supplier's bin classification is Bin 1, and the supplier uses conventional filtration treatment (including softening) in full compliance with the applicable provisions of Subparts B, R, and X of this Part, no additional treatment is required.

2) If the supplier's bin classification is Bin 2, and the supplier uses conventional filtration treatment (including softening) in full compliance with the applicable provisions of Subparts B, R, and X of this Part, then the additional Cryptosporidium treatment requirements are a 1-log treatment.
3) If the supplier's bin classification is Bin 2, and the supplier uses direct filtration in full compliance with the applicable provisions of Subparts B, R, and X of this Part, then the additional Cryptosporidium treatment requirements are a 1.5-log treatment.

4) If the supplier's bin classification is Bin 2, and the supplier uses slow sand or diatomaceous earth filtration in full compliance with the applicable provisions of Subparts B, R, and X of this Part, then the additional Cryptosporidium treatment requirements are a 1-log treatment.

5) If the supplier's bin classification is Bin 2, and the supplier uses alternative filtration technologies in full compliance with the applicable provisions of Subparts B, R, and X of this Part, then the additional Cryptosporidium treatment requirements are as determined by the Agency, by a SEP issued pursuant to Section 611.110, such that the total Cryptosporidium removal and inactivation is at least 4.0-log.

6) If the supplier's bin classification is Bin 3, and the supplier uses conventional filtration treatment (including softening) in full compliance with the applicable provisions of Subparts B, R, and X of this Part, then the additional Cryptosporidium treatment requirements are a 2-log treatment.

7) If the supplier's bin classification is Bin 3, and the supplier uses direct filtration in full compliance with the applicable provisions of Subparts B, R, and X of this Part, then the additional Cryptosporidium treatment requirements are a 2.5-log treatment.

8) If the supplier's bin classification is Bin 3, and the supplier uses slow sand or diatomaceous earth filtration in full compliance with the applicable provisions of Subparts B, R, and X of this Part, then the additional Cryptosporidium treatment requirements are a 2-log treatment.

9) If the supplier's bin classification is Bin 3, and the supplier uses alternative filtration technologies in full compliance with the applicable provisions of Subparts B, R, and X of this Part, then the additional Cryptosporidium treatment requirements are as determined by the Agency, by a SEP issued pursuant to Section 611.110, such that the total Cryptosporidium removal and inactivation is at least 5.0-log.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

10) If the supplier's bin classification is Bin 4, and the supplier uses conventional filtration treatment (including softening) in full compliance with the applicable provisions of Subparts B, R, and X of this Part, then the additional Cryptosporidium treatment requirements are a 2.5-log treatment.

11) If the supplier's bin classification is Bin 4, and the supplier uses direct filtration in full compliance with the applicable provisions of Subparts B, R, and X of this Part, then the additional Cryptosporidium treatment requirements are a 3-log treatment.

12) If the supplier's bin classification is Bin 4, and the supplier uses slow sand or diatomaceous earth filtration in full compliance with the applicable provisions of Subparts B, R, and X of this Part, then the additional Cryptosporidium treatment requirements are a 2.5-log treatment.

13) If the supplier's bin classification is Bin 4, and the supplier uses alternative filtration technologies in full compliance with the applicable provisions of Subparts B, R, and X of this Part, then the additional Cryptosporidium treatment requirements are as determined by the Agency, by a SEP issued pursuant to Section 611.110, such that the total Cryptosporidium removal and inactivation is at least 5.5-log.

b) Required treatment.

1) A filtered system supplier must use one or more of the treatment and management options listed in Section 611.1015, termed the microbial toolbox, to comply with the additional Cryptosporidium treatment required in subsection (a) of this Section.

2) A supplier classified in Bin 3 or Bin 4 must achieve at least 1-log of the additional Cryptosporidium treatment required pursuant to subsection (a) of this Section using either one or a combination of the following: bag filters, bank filtration, cartridge filters, chlorine dioxide, membranes, ozone, or UV, as described in Sections 611.1016 through 611.1020.

c) A failure by a supplier in any month to achieve treatment credit by meeting criteria in Sections 611.1016 through 611.1020 for microbial toolbox options that
is at least equal to the level of treatment required in subsection (a) of this Section is a violation of the treatment technique requirement.

d) If the Agency determines, by a SEP issued pursuant to Section 611.110, during a sanitary survey or an equivalent source water assessment that after a supplier completed the monitoring conducted pursuant to Section 611.1001(a) or 611.1001(b), significant changes occurred in the supplier’s watershed that could lead to increased contamination of the source water by Cryptosporidium, the supplier must take actions specified by the Agency in the SEP to address the contamination. These actions may include additional source water monitoring or implementing microbial toolbox options listed in Section 611.1015.


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.1012 Treatment Technique Requirements: Unfiltered System Cryptosporidium Treatment Requirements

a) Determination of the mean Cryptosporidium level.

1) Following completion of the initial source water monitoring required by Section 611.1001(a), an unfiltered system supplier must calculate the arithmetic mean of all Cryptosporidium sample concentrations reported pursuant to Section 611.1001(a). The supplier must report this value to the Agency for approval no later than six months after the month the supplier is required to complete initial source water monitoring based on the applicable schedule set forth in Section 611.1001(c).

2) Following completion of the second round of source water monitoring required by Section 611.1001(b), an unfiltered system supplier must calculate the arithmetic mean of all Cryptosporidium sample concentrations reported pursuant to Section 611.1001(b). The supplier must report this value to the Agency for approval no later than six months after the month the supplier is required to complete the second round of source water monitoring based on the applicable schedule set forth in Section 611.1001(c).
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

3) If the monthly Cryptosporidium sampling frequency varies, a supplier must first calculate a monthly average for each month of monitoring. The supplier must then use these monthly average concentrations, rather than individual sample concentrations, in the calculation of the mean Cryptosporidium level in subsection (a)(1) or (a)(2) of this Section.

4) The report to the Agency of the mean Cryptosporidium levels calculated pursuant to subsections (a)(1) and (a)(2) of this Section must include a summary of the source water monitoring data used for the calculation.

5) A failure to comply with the conditions of subsection (a) of this Section is a violation of the treatment technique requirement.

b) Cryptosporidium inactivation requirements. An unfiltered system supplier must provide the level of inactivation for Cryptosporidium specified in this subsection, based on its mean Cryptosporidium levels, as determined pursuant to subsection (a) of this Section and according to the applicable schedule set forth in Section 611.1013.

1) An unfiltered system supplier with a mean Cryptosporidium level of 0.01 oocysts/l or less must provide at least 2-log Cryptosporidium inactivation.

2) An unfiltered system supplier with a mean Cryptosporidium level of greater than 0.01 oocysts/l must provide at least 3-log Cryptosporidium inactivation.

c) Inactivation treatment technology requirements. An unfiltered system supplier must use chlorine dioxide, ozone, or UV, as described in Section 611.1020, to meet the Cryptosporidium inactivation requirements of this Section.

1) A supplier that uses chlorine dioxide or ozone and fails to achieve the Cryptosporidium inactivation required in subsection (b) of this Section on more than one day in the calendar month is in violation of the treatment technique requirement.

2) A supplier that uses UV light and fails to achieve the Cryptosporidium inactivation required in subsection (b) of this Section by meeting the criteria in Section 611.1020(d)(3)(B) is in violation of the treatment technique requirement.
d) Use of two disinfectants. An unfiltered system supplier must meet the combined Cryptosporidium inactivation requirements of this Section and Giardia lamblia and virus inactivation requirements of Section 611.241 using a minimum of two disinfectants, and each of two disinfectants must separately achieve the total inactivation required for any of Cryptosporidium, Giardia lamblia, or viruses.


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.1013 Treatment Technique Requirements: Schedule for Compliance with Cryptosporidium Treatment Requirements

a) Following initial bin classification pursuant to Section 611.1010(c), a filtered system supplier must provide the level of treatment for Cryptosporidium required by Section 611.1011 according to the applicable schedule set forth in subsection (c) of this Section.

b) Following initial determination of the mean Cryptosporidium level pursuant to Section 611.1012(a)(1), an unfiltered system supplier must provide the level of treatment for Cryptosporidium required by Section 611.1012 according to the applicable schedule set forth in subsection (c) of this Section.

c) Cryptosporidium treatment compliance dates.

1) A supplier that serves 100,000 or more persons must comply with Cryptosporidium treatment requirements before April 1, 2012.

2) A supplier that serves 50,000 to 99,999 persons must comply with Cryptosporidium treatment requirements before October 1, 2012.

3) A supplier that serves 10,000 to 49,999 persons must comply with Cryptosporidium treatment requirements before October 1, 2013.

4) A supplier that serves fewer than 10,000 persons must comply with Cryptosporidium treatment requirements before October 1, 2014.
5) The Agency may, by a SEP issued pursuant to Section 611.110, allow up to an additional two years from the applicable date set forth in this subsection (c) for complying with the treatment requirement if it determines that the additional time is necessary for the supplier to make capital improvements to implement the treatment.

d) If the bin classification for a filtered system supplier changes following the second round of source water monitoring, as determined pursuant to Section 611.1010(d), the supplier must provide the level of treatment for Cryptosporidium required by Section 611.1011 on a schedule approved by the Agency by a SEP issued pursuant to Section 611.110.

e) If the mean Cryptosporidium level for an unfiltered system supplier changes following the second round of monitoring, as determined pursuant to Section 611.1012(a)(2), and if the supplier must provide a different level of Cryptosporidium treatment pursuant to Section 611.1012 due to this change, the supplier must meet this treatment requirement on a schedule approved by the Agency by a SEP issued pursuant to Section 611.110.


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.1014 Treatment Technique Requirements: Requirements for Uncovered Finished Water Storage Facilities

a) A supplier that uses uncovered finished water storage facilities must comply with the conditions of this Section.

b) A supplier must notify the Agency in writing of the use of each uncovered finished water storage facility no later than April 1, 2008.

c) A supplier must meet either of the following conditions for each uncovered finished water storage facility, or it must be in compliance with an Agency-approved schedule to meet these conditions, no later than April 1, 2009:

1) The supplier must cover any uncovered finished water storage facility; or
2) The supplier must treat the discharge from the uncovered finished water storage facility to the distribution system to achieve inactivation or removal of at least 4-log virus, 3-log Giardia lamblia, and 2-log Cryptosporidium using a protocol approved by the Agency.

d) A failure to comply with the requirements of this Section is a violation of the treatment technique requirement.


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.1015 Requirements for Microbial Toolbox Components: Microbial Toolbox Options for Meeting Cryptosporidium Treatment Requirements

a) Treatment credits.

1) A supplier receives the applicable of the treatment credits set forth in subsection (b) of this Section by meeting the conditions for microbial toolbox options described in Sections 611.1016 through 611.1020. The supplier applies these treatment credits to meet the applicable treatment requirements set forth in Section 611.1011 or Section 611.1012.

2) An unfiltered system supplier is eligible for treatment credits for the microbial toolbox options described in Section 611.1020 only.

b) Subsections (b)(1) through (b)(5) of this Section summarize options in the microbial toolbox:

1) Source protection and management toolbox options.

A) Watershed control program: 0.5-log credit for Agency-approved program comprising required elements, annual program status report to Agency, and regular watershed survey. An unfiltered system supplier is not eligible for credit. Specific criteria are set forth in Section 611.1016(a).

B) Alternative source or intake management: No prescribed credit. A supplier may conduct simultaneous monitoring for treatment bin
classification at alternative intake locations or under alternative intake management strategies. Specific criteria are set forth in Section 611.1016(b).

2) Pre-filtration toolbox options.

A) Presedimentation basin with coagulation: 0.5-log credit during any month that presedimentation basins achieve a monthly mean reduction of 0.5-log or greater in turbidity or alternative Agency-approved performance criteria. To be eligible, basins must be operated continuously with coagulant addition and all plant flow must pass through basins. Specific criteria are set forth in Section 611.1017(a).

B) Two-stage lime softening: 0.5-log credit for two-stage softening where chemical addition and hardness precipitation occur in both stages. All plant flow must pass through both stages. Single-stage softening is credited as equivalent to conventional treatment. Specific criteria are set forth in Section 611.1017(b).

C) Bank filtration: 0.5-log credit for 25-foot setback or 1.0-log credit for 50-foot setback; the aquifer must be unconsolidated sand containing at least 10 percent fines and average turbidity in the wells must be less than 1 NTU. A supplier using wells followed by filtration when conducting source water monitoring must sample the well to determine bin classification and is not eligible for additional credit. Specific criteria are set forth in Section 611.1017(c).

3) Treatment performance toolbox options.

A) Combined filter performance: 0.5-log credit for combined filter effluent turbidity less than or equal to 0.15 NTU in at least 95 percent of measurements each month. Specific criteria are set forth in Section 611.1018(a).

B) Individual filter performance: 0.5-log credit (in addition to 0.5-log combined filter performance credit) if individual filter effluent turbidity is less than or equal to 0.15 NTU in at least 95 percent of
samples each month in each filter and is never greater than 0.3 NTU in two consecutive measurements in any filter. Specific criteria are set forth in Section 611.1018(b).

C) Demonstration of performance: Credit awarded to unit process or treatment train based on a demonstration to the Agency with an Agency-approved protocol. Specific criteria are set forth in Section 611.1018(c).

4) Additional filtration toolbox options.

A) Bag or cartridge filters (individual filters): Up to 2-log credit based on the removal efficiency demonstrated during challenge testing with a 1.0-log factor of safety. Specific criteria are set forth in Section 611.1019(a).

B) Bag or cartridge filters (in series): Up to 2.5-log credit based on the removal efficiency demonstrated during challenge testing with a 0.5-log factor of safety. Specific criteria are set forth in Section 611.1019(a).

C) Membrane filtration: Log credit equivalent to removal efficiency demonstrated in challenge test for device if supported by direct integrity testing. Specific criteria are set forth in Section 611.1019(b).

D) Second stage filtration: 0.5-log credit for second separate granular media filtration stage if treatment train includes coagulation prior to first filter. Specific criteria are set forth in Section 611.1019(c).

E) Slow sand filters: 2.5-log credit as a secondary filtration step or 3.0-log credit as a primary filtration process. No prior chlorination for either option. Specific criteria are set forth in Section 611.1019(d).

5) Inactivation toolbox options.

A) Chlorine dioxide: Log credit based on measured CT in relation to CT table. Specific criteria are set forth in Section 611.1020(b).
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

B) Ozone: Log credit based on measured CT in relation to CT table. Specific criteria are set forth in Section 611.1020(b).

C) UV: Log credit based on validated UV dose in relation to UV dose table; reactor validation testing required to establish UV dose and associated operating conditions. Specific criteria are set forth in Section 611.1020(d).


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.1016 Requirements for Microbial Toolbox Components: Source Toolbox Components

a) Watershed control program. A supplier receives 0.5-log Cryptosporidium treatment credit for implementing a watershed control program that meets the requirements of this Section.

1) A supplier that intends to apply for the watershed control program credit must notify the Agency of its intent no later than two years prior to the treatment compliance date applicable to the supplier in Section 611.1013.

2) A supplier must submit to the Agency a proposed watershed control plan no later than one year before the applicable treatment compliance date in Section 611.1013. The Agency must approve the watershed control plan for the supplier to receive watershed control program treatment credit. The watershed control plan must include the following elements:

A) Identification of an "area of influence" outside of which the likelihood of Cryptosporidium or fecal contamination affecting the treatment plant intake is not significant. This is the area to be evaluated in future watershed surveys pursuant to subsection (a)(5)(B) of this Section;

B) Identification of both potential and actual sources of Cryptosporidium contamination and an assessment of the relative impact of these sources on the supplier's source water quality;
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

C) An analysis of the effectiveness and feasibility of control measures that could reduce Cryptosporidium loading from sources of contamination to the supplier's source water; and

D) A statement of goals and specific actions the supplier will undertake to reduce source water Cryptosporidium levels. The plan must explain how the actions are expected to contribute to specific goals, identify watershed partners and their roles, identify resource requirements and commitments, and include a schedule for plan implementation with deadlines for completing specific actions identified in the plan.

3) A supplier with an existing watershed control program (i.e., a program in place on January 5, 2006) is eligible to seek this credit. Its watershed control plans must meet the criteria in subsection (a)(2) of this Section and must specify ongoing and future actions that will reduce source water Cryptosporidium levels.

4) If the Agency does not respond to a supplier regarding approval of a watershed control plan submitted pursuant to this Section and the supplier meets the other requirements of this Section, the watershed control program will be considered approved and 0.5 log Cryptosporidium treatment credit will be awarded, unless and until the Agency subsequently withdraws such approval by a SEP issued pursuant to Section 611.110.

5) A supplier must complete each of the following actions to maintain the 0.5-log credit.

A) It must submit an annual watershed control program status report to the Agency. The annual watershed control program status report must describe the supplier's implementation of the approved plan and assess the adequacy of the plan to meet its goals. The report must explain how the supplier is addressing any shortcomings in plan implementation, including those previously identified by the Agency or as the result of the watershed survey conducted pursuant to subsection (a)(5)(B) of this Section. The report must also describe any significant changes that have
NOTICE OF ADOPTED AMENDMENTS

occurred in the watershed since the last watershed sanitary survey. If a supplier determines during implementation that making a significant change to its approved watershed control program is necessary, the supplier must notify the Agency prior to making any such changes. If any change is likely to reduce the level of source water protection, the supplier must also list in its notification the actions the supplier will take to mitigate this effect:

B) The supplier must undergo a watershed sanitary survey every three years for a CWS supplier and every five years for a non-CWS supplier and submit the survey report to the Agency. The survey must be conducted according to Agency guidelines and by persons that the Agency approves.

i) The watershed sanitary survey must meet the following criteria: it must encompass the region identified in the Agency-approved watershed control plan as the area of influence; assess the implementation of actions to reduce source water Cryptosporidium levels; and identify any significant new sources of Cryptosporidium.

ii) If the Agency determines that significant changes may have occurred in the watershed since the previous watershed sanitary survey, the supplier must undergo another watershed sanitary survey before a date the Agency requires by a SEP issued pursuant to Section 611.110, which may be earlier than the regular date in subsection (a)(5)(B) of this Section; and

C) The supplier must make the watershed control plan, annual status reports, and watershed sanitary survey reports available to the public upon request. These documents must be in a plain language style and include criteria by which to evaluate the success of the program in achieving plan goals. The Agency may, by a SEP issued pursuant to Section 611.110, approve that a supplier withhold from the public portions of the annual status report, watershed control plan, and watershed sanitary survey based on water supply security considerations.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

6) If the Agency determines that a supplier is not carrying out the approved watershed control plan, the Agency may, by a SEP issued pursuant to Section 611.110, withdraw the watershed control program treatment credit.

b) Alternative source.

1) A supplier may conduct source water monitoring that reflects a different intake location (either in the same source or for an alternate source) or a different procedure for the timing or level of withdrawal from the source (alternative source monitoring). If the Agency approves by a SEP issued pursuant to Section 611.110, a supplier may determine its bin classification pursuant to Section 611.1010 based on the alternative source monitoring results.

2) If a supplier conducts alternative source monitoring pursuant to subsection (b)(1) of this Section, it must also monitor their current plant intake concurrently as described in Section 611.1001.

3) Alternative source monitoring pursuant to subsection (b)(1) of this Section must meet the requirements for source monitoring to determine bin classification, as described in Sections 611.1001 through 611.1006. A supplier must report the alternative source monitoring results to the Agency, along with supporting information documenting the operating conditions under which the samples were collected.

4) If a supplier determines its bin classification pursuant to Section 611.1010 using alternative source monitoring results that reflect a different intake location or a different procedure for managing the timing or level of withdrawal from the source, the supplier must relocate the intake or permanently adopt the withdrawal procedure, as applicable, no later than the applicable treatment compliance date in Section 611.1013.


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.1017 Requirements for Microbial Toolbox Components: Pre-Filtration Treatment Toolbox Components

Section 611.1017 Requirements for Microbial Toolbox Components: Pre-Filtration Treatment Toolbox Components
a) Presedimentation. A supplier receives 0.5-log Cryptosporidium treatment credit for a presedimentation basin during any month the process meets the criteria in this subsection (a).

1) The presedimentation basin must be in continuous operation and must treat the entire plant flow taken from a surface water or groundwater under the direct influent of surface water source.

2) The supplier must continuously add a coagulant to the presedimentation basin.

3) The presedimentation basin must achieve both of the following performance criteria:

A) It demonstrates at least 0.5-log mean reduction of influent turbidity. This reduction must be determined using daily turbidity measurements in the presedimentation process influent and effluent, and it must be calculated as follows: \( \log_{10}(\text{monthly mean of daily influent turbidity}) - \log_{10}(\text{monthly mean of daily effluent turbidity}) \); and

B) It complies with Agency-approved performance criteria that demonstrate at least 0.5-log mean removal of micronsized particulate material through the presedimentation process.

b) Two-stage lime softening. A supplier receives an additional 0.5-log Cryptosporidium treatment credit for a two-stage lime softening plant if chemical addition and hardness precipitation occur in two separate and sequential softening stages prior to filtration. Both softening stages must treat the entire plant flow taken from a surface water or groundwater under the direct influent of surface water source.

c) Bank filtration. A supplier receives Cryptosporidium treatment credit for bank filtration that serves as pretreatment to a filtration plant by meeting the criteria in this subsection (c). A supplier using bank filtration when it begins source water monitoring pursuant to Section 611.1001(a) must collect samples as described in Section 611.1003(d), and it is not eligible for this credit.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

1) A well with a groundwater flow path of at least 25 feet receives 0.5-log treatment credit, or a well with a groundwater flow path of at least 50 feet receives 1.0-log treatment credit. The groundwater flow path must be determined as specified in subsection (c)(4) of this Section.

2) Only a well in granular aquifers is eligible for treatment credit. A granular aquifer is one comprised of sand, clay, silt, rock fragments, pebbles or larger particles, and minor cement. A supplier must characterize the aquifer at the well site to determine aquifer properties. A supplier must extract a core from the aquifer and demonstrate that in at least 90 percent of the core length, grains less than 1.0 mm in diameter constitute at least 10 percent of the core material.

3) Only a horizontal or vertical well is eligible for treatment credit.

4) For a vertical well, the groundwater flow path is the measured distance from the edge of the surface water body under high flow conditions (determined by the 100 year floodplain elevation boundary or by the floodway, as defined in Federal Emergency Management Agency flood hazard maps) to the well screen. For a horizontal well, the groundwater flow path is the measured distance from the bed of the river under normal flow conditions to the closest horizontal well lateral screen.

5) The supplier must monitor each wellhead for turbidity at least once every four hours while the bank filtration process is in operation. If monthly average turbidity levels, based on daily maximum values in the well, exceed 1 NTU, the supplier must report this result to the Agency and conduct an assessment within 30 days to determine the cause of the high turbidity levels in the well. If the Agency determines that microbial removal has been compromised, it may, by a SEP issued pursuant to Section 611.110, revoke treatment credit until the supplier implements corrective actions approved by the Agency to remediate the problem.

6) Springs and infiltration galleries are not eligible for treatment credit pursuant to this Section, but are eligible for credit pursuant to Section 611.1018(c).

7) Bank filtration demonstration of performance. The Agency may, by a SEP issued pursuant to Section 611.110, approve Cryptosporidium
treatment credit for bank filtration based on a demonstration of 
performance study that meets the criteria in this subsection. This 
treatment credit may be greater than 1.0-log and may be awarded to bank 
filtration that does not meet the criteria in subsections (c)(1) through (c)(5) 
of this Section.

A) The study must follow an Agency-approved protocol and must 
involve the collection of data on the removal of Cryptosporidium 
or a surrogate for Cryptosporidium and related hydrogeologic and 
water quality parameters during the full range of operating 
conditions.

B) The study must include sampling both from the production wells 
and from monitoring wells that are screened and located along the 
shortest flow path between the surface water source and the 
production wells.


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.1018 Requirements for Microbial Toolbox Components: Treatment 
Performance Toolbox Components

a) Combined filter performance. A supplier that uses conventional filtration 
treatment or direct filtration treatment receives an additional 0.5-log 
Cryptosporidium treatment credit during any month it meets the criteria in this 
subsection (a). Its combined filter effluent (CFE) turbidity must be less than or 
equal to 0.15 NTU in at least 95 percent of the measurements. Turbidity must be 
measured as described in Sections 611.531 and 611.533.

b) Individual filter performance. A supplier that uses conventional filtration 
treatment or direct filtration treatment receives 0.5-log Cryptosporidium treatment 
credit, which can be in addition to the 0.5-log credit pursuant to subsection (a) of 
this Section, during any month it meets the criteria in this subsection (b). 
Compliance with these criteria must be based on individual filter turbidity 
monitoring as described in Section 611.744 or 611.956(a), as applicable.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

1) The filtered water turbidity for each individual filter must be less than or equal to 0.15 NTU in at least 95 percent of the measurements recorded each month.

2) No individual filter may have a measured turbidity greater than 0.3 NTU in two consecutive measurements taken 15 minutes apart.

3) Any supplier that has received treatment credit for individual filter performance and fails to meet the requirements of subsection (b)(1) or (b)(2) of this Section during any month does not receive a treatment technique violation pursuant to Section 611.1011(c) if the Agency determines the following:

A) The failure was due to unusual and short-term circumstances that could not reasonably be prevented through optimizing treatment plant design, operation, and maintenance; and

B) The supplier has experienced no more than two such failures in any calendar year.

c) Demonstration of performance. The Agency may, by a SEP issued pursuant to Section 611.110, approve Cryptosporidium treatment credit for drinking water treatment processes based on a demonstration of performance study that meets the criteria in this subsection (c). This treatment credit may be greater than or less than the prescribed treatment credits in Section 611.1011 or Sections 611.1017 through 611.1020 and may be awarded to treatment processes that do not meet the criteria for the prescribed credits.

1) The supplier cannot receive the prescribed treatment credit for any toolbox option in Sections 611.1017 through 611.1020 if that toolbox option is included in a demonstration of performance study for which treatment credit is awarded pursuant to this subsection (b).

2) The demonstration of performance study must follow an Agency-approved protocol and must demonstrate the level of Cryptosporidium reduction the treatment process will achieve under the full range of expected operating conditions for the supplier.
3) Approval by the Agency must be in writing and may include monitoring and treatment performance criteria that the supplier must demonstrate and report on an ongoing basis to remain eligible for the treatment credit. The Agency may, by a SEP issued pursuant to Section 611.110, designate such criteria where necessary to verify that the conditions under which the demonstration of performance credit was approved are maintained during routine operation.


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.1019 Requirements for Microbial Toolbox Components: Additional Filtration Toolbox Components

a) Bag and cartridge filters. A supplier receives Cryptosporidium treatment credit of up to 2.0-log for individual bag or cartridge filters and up to 2.5-log for bag or cartridge filters operated in series by meeting the criteria set forth in subsections (a)(1) through (a)(10) of this Section. To be eligible for this credit, the supplier must report the results of challenge testing that meets the requirements of subsections (a)(2) through (a)(9) of this Section to the Agency. The filters must treat the entire plant flow taken from a Subpart B source.

1) The Cryptosporidium treatment credit awarded to bag or cartridge filters must be based on the removal efficiency demonstrated during challenge testing that is conducted according to the criteria set forth in subsections (a)(2) through (a)(9) of this Section. A factor of safety equal to 1-log for individual bag or cartridge filters and 0.5-log for bag or cartridge filters in series must be applied to challenge testing results to determine removal credit. A supplier may use results from challenge testing conducted prior to January 5, 2006 if the prior testing was consistent with the criteria specified in subsections (a)(2) through (a)(9) of this Section.

2) Challenge testing must be performed on full-scale bag or cartridge filters, and the associated filter housing or pressure vessel, that are identical in material and construction to the filters and housings the supplier will use for removal of Cryptosporidium. Bag or cartridge filters must be challenge tested in the same configuration that the supplier will use, either as individual filters or as a series configuration of filters.
3) Challenge testing must be conducted using Cryptosporidium or a surrogate that is removed no more efficiently than Cryptosporidium. The microorganism or surrogate used during challenge testing is referred to as the challenge particulate. The concentration of the challenge particulate must be determined using a method capable of discreetly quantifying the specific microorganism or surrogate used in the test; gross measurements such as turbidity may not be used.

4) The maximum feed water concentration that can be used during a challenge test must be based on the detection limit of the challenge particulate in the filtrate (i.e., filtrate detection limit) and must be calculated using the following equation:

\[
\text{Maximum Feed Concentration} = 1 \times 10^4 \times (\text{Filtrate Detection Limit})
\]

5) Challenge testing must be conducted at the maximum design flow rate for the filter as specified by the manufacturer.

6) Each filter evaluated must be tested for a duration sufficient to reach 100 percent of the terminal pressure drop, which establishes the maximum pressure drop under which the filter may be used to comply with the requirements of this Subpart Z.

7) Removal efficiency of a filter must be determined from the results of the challenge test and expressed in terms of log removal values using the following equation:

\[
\text{LRV} = \log_{10} (C_f) - \log_{10} (C_p)
\]

Where:

\[
\text{LRV} = \text{log removal value demonstrated during challenge testing} \\
C_f = \text{the feed concentration measured during the challenge test} \\
C_p = \text{the filtrate concentration measured during the challenge test. In applying this equation, the same units must be used for the feed and filtrate concentrations. If the challenge particulate is not detected in the filtrate, then the term } C_p \text{ must be set equal to the}
\]
8) Each filter tested must be challenged with the challenge particulate during three periods over the filtration cycle: within two hours of start-up of a new filter; when the pressure drop is between 45 and 55 percent of the terminal pressure drop; and at the end of the cycle after the pressure drop has reached 100 percent of the terminal pressure drop. An LRV must be calculated for each of these challenge periods for each filter tested. The LRV for the filter ($LRV_{filter}$) must be assigned the value of the minimum LRV observed during the three challenge periods for that filter.

9) If fewer than 20 filters are tested, the overall removal efficiency for the filter product line must be set equal to the lowest $LRV_{filter}$ among the filters tested. If 20 or more filters are tested, the overall removal efficiency for the filter product line must be set equal to the 10th percentile of the set of $LRV_{filter}$ values for the various filters tested. The percentile is defined by $(i/(n+1))$ where $i$ is the rank of $n$ individual data points ordered lowest to highest. If necessary, the 10th percentile may be calculated using linear interpolation.

10) If a previously tested filter is modified in a manner that could change the removal efficiency of the filter product line, challenge testing to demonstrate the removal efficiency of the modified filter must be conducted and submitted in writing to the Agency.

b) Membrane filtration.

1) A supplier receives Cryptosporidium treatment credit for membrane filtration that meets the criteria of this subsection (b). Membrane cartridge filters that meet the definition of membrane filtration in Section 611.102 are eligible for this credit. The level of treatment credit a supplier receives is equal to the lower of the following values:

A) The removal efficiency demonstrated during challenge testing conducted pursuant to the conditions in subsection (b)(2) of this Section; or
B) The maximum removal efficiency that can be verified through direct integrity testing used with the membrane filtration process pursuant to the conditions in subsection (b)(3) of this Section.

2) Challenge testing. The membrane used by the supplier must undergo challenge testing to evaluate removal efficiency, and the supplier must report the results of challenge testing to the Agency. Challenge testing must be conducted according to the criteria set forth in subsections (b)(2)(A) through (b)(2)(G) of this Section. A supplier may use data from challenge testing conducted prior to January 5, 2006 if the prior testing was consistent with the criteria set forth in subsections (b)(2)(A) through (b)(2)(G) of this Section.

A) Challenge testing must be conducted on either a full-scale membrane module, identical in material and construction to the membrane modules used in the supplier's treatment facility, or a smaller-scale membrane module, identical in material and similar in construction to the full-scale module. A module is defined as the smallest component of a membrane unit in which a specific membrane surface area is housed in a device with a filtrate outlet structure.

B) Challenge testing must be conducted using Cryptosporidium oocysts or a surrogate that is removed no more efficiently than Cryptosporidium oocysts. The organism or surrogate used during challenge testing is referred to as the challenge particulate. The concentration of the challenge particulate, in both the feed and filtrate water, must be determined using a method capable of discretely quantifying the specific challenge particulate used in the test; gross measurements such as turbidity may not be used.

C) The maximum feed water concentration that can be used during a challenge test is based on the detection limit of the challenge particulate in the filtrate and must be determined according to the following equation:

\[
\text{Maximum Feed Concentration} = 3.16 \times 10^6 \times (\text{Filtrate Detection Limit})
\]
D) Challenge testing must be conducted under representative hydraulic conditions at the maximum design flux and maximum design process recovery specified by the manufacturer for the membrane module. Flux is defined as the throughput of a pressure driven membrane process expressed as flow per unit of membrane area. Recovery is defined as the volumetric percent of feed water that is converted to filtrate over the course of an operating cycle uninterrupted by events such as chemical cleaning or a solids removal process (i.e., backwashing).

E) Removal efficiency of a membrane module must be calculated from the challenge test results and expressed as a log removal value according to the following equation:

$$LRV = \log_{10}(C_f) - \log_{10}(C_p)$$

Where:

- $LRV$ = log removal value demonstrated during the challenge test
- $C_f$ = the feed concentration measured during the challenge test
- $C_p$ = the filtrate concentration measured during the challenge test. Equivalent units must be used for the feed and filtrate concentrations. If the challenge particulate is not detected in the filtrate, the term $C_p$ is set equal to the detection limit for the purpose of calculating the LRV. An LRV must be calculated for each membrane module evaluated during the challenge test.

F) The removal efficiency of a membrane filtration process demonstrated during challenge testing must be expressed as a log removal value ($LRV_{C-Test}$). If fewer than 20 modules are tested, then $LRV_{C-Test}$ is equal to the lowest of the representative LRVs among the modules tested. If 20 or more modules are tested, then $LRV_{C-Test}$ is equal to the $10^{th}$ percentile of the representative LRVs among the modules tested. The percentile is defined by $(i/(n+1))$ where $i$ is the rank of $n$ individual data points ordered lowest to
highest. If necessary, the 10th percentile may be calculated using linear interpolation.

G) The challenge test must establish a quality control release value (QCRV) for a non-destructive performance test that demonstrates the Cryptosporidium removal capability of the membrane filtration module. This performance test must be applied to each production membrane module used by the supplier that was not directly challenge tested in order to verify Cryptosporidium removal capability. Production modules that do not meet the established QCRV are not eligible for the treatment credit demonstrated during the challenge test.

H) If a previously tested membrane is modified in a manner that could change the removal efficiency of the membrane or the applicability of the non-destructive performance test and associated QCRV, additional challenge testing to demonstrate the removal efficiency of, and determine a new QCRV for, the modified membrane must be conducted and submitted to the Agency.

3) Direct integrity testing. A supplier must conduct direct integrity testing in a manner that demonstrates a removal efficiency equal to or greater than the removal credit awarded to the membrane filtration process and meets the requirements described in subsections (b)(3)(A) through (b)(3)(F) of this Section. A "direct integrity test" is defined as a physical test applied to a membrane unit in order to identify and isolate integrity breaches (i.e., one or more leaks that could result in contamination of the filtrate).

A) The direct integrity test must be independently applied to each membrane unit in service. A membrane unit is defined as a group of membrane modules that a share common valving that allows the unit to be isolated from the rest of the treatment system for the purpose of integrity testing or other maintenance.

B) The direct integrity method must have a resolution of three micrometers or less, where resolution is defined as the size of the smallest integrity breach that contributes to a response from the direct integrity test.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

C) The direct integrity test must have a sensitivity sufficient to verify the log treatment credit awarded to the membrane filtration process by the Agency, where sensitivity is defined as the maximum log removal value that can be reliably verified by a direct integrity test. Sensitivity must be determined using the appropriate of the following approaches, considering the type of direct integrity test the supplier uses:

i) For a direct integrity test that uses an applied pressure or vacuum, the direct integrity test sensitivity must be calculated according to the following equation:

\[
LRV_{DIT} = \log_{10} \left( \frac{Q_p}{VCF \times Q_{\text{breach}}} \right)
\]

Where:

\[
\begin{align*}
LRV_{DIT} & = \text{the sensitivity of the direct integrity test} \\
Q_p & = \text{total design filtrate flow from the membrane unit} \\
Q_{\text{breach}} & = \text{flow of water from an integrity breach associated with the smallest integrity test response that can be reliably measured} \\
VCF & = \text{volumetric concentration factor. The volumetric concentration factor is the ratio of the suspended solids concentration on the high pressure side of the membrane relative to that in the feed water; or}
\end{align*}
\]

ii) For a direct integrity test that uses a particulate or molecular marker, the direct integrity test sensitivity must be calculated according to the following equation:

\[
LRV_{DIT} = \log_{10} (C_f) - \log_{10} (C_p)
\]

Where:

\[
\begin{align*}
LRV_{DIT} & = \text{the sensitivity of the direct integrity test}
\end{align*}
\]
D) A supplier must establish a control limit within the sensitivity limits of the direct integrity test that is indicative of an integral membrane unit capable of meeting the removal credit awarded by the Agency.

E) If the result of a direct integrity test exceeds the control limit established pursuant to subsection (b)(3)(D) of this Section, the supplier must remove the membrane unit from service. The supplier must conduct a direct integrity test to verify any repairs, and it may return the membrane unit to service only if the direct integrity test is within the established control limit.

F) A supplier must conduct direct integrity testing on each membrane unit at a frequency of not less than once each day that the membrane unit is in operation. The Agency may, by a SEP issued pursuant to Section 611.110, approve less frequent testing, based on demonstrated process reliability, the use of multiple barriers effective for Cryptosporidium, or reliable process safeguards.
NOTICE OF ADOPTED AMENDMENTS

A)  Unless the Agency approves an alternative parameter by a SEP issued pursuant to Section 611.110, continuous indirect integrity monitoring must include continuous filtrate turbidity monitoring.

B)  Continuous indirect integrity monitoring must be conducted at a frequency of no less than once every 15 minutes.

C)  Continuous indirect integrity monitoring must be separately conducted on each membrane unit.

D)  If continuous indirect integrity monitoring includes turbidity and if the filtrate turbidity readings are above 0.15 NTU for a period greater than 15 minutes (i.e., two consecutive 15-minute readings above 0.15 NTU), direct integrity testing must immediately be performed on the associated membrane unit, as specified in subsections (b)(3)(A) through (b)(3)(E) of this Section.

E)  If indirect integrity monitoring includes an Agency-approved alternative parameter and if the alternative parameter exceeds an Agency-approved control limit for a period greater than 15 minutes, direct integrity testing must immediately be performed on the associated membrane units, as specified in subsections (b)(3)(A) through (b)(3)(E) of this Section.

c)  Second stage filtration. A supplier receives 0.5-log Cryptosporidium treatment credit for a separate second stage of filtration that consists of sand, dual media, GAC, or other fine grain media following granular media filtration if the Agency approves by a SEP issued pursuant to Section 611.110. To be eligible for this credit, the first stage of filtration must be preceded by a coagulation step and both filtration stages must treat the entire plant flow taken from a surface water or groundwater under the direct influence of surface water source. A cap, such as GAC, on a single stage of filtration is not eligible for this credit. The Agency must approve the treatment credit based on an assessment of the design characteristics of the filtration process.

d)  Slow sand filtration (as secondary filter). A supplier is eligible to receive 2.5-log Cryptosporidium treatment credit by a SEP issued pursuant to Section 611.110 for a slow sand filtration process that follows a separate stage of filtration if both filtration stages treat entire plant flow taken from a surface water or groundwater.
under the direct influence of surface water source and no disinfectant residual is present in the influent water to the slow sand filtration process. The Agency must approve the treatment credit based on an assessment of the design characteristics of the filtration process. This subsection (d) does not apply to treatment credit awarded to slow sand filtration used as a primary filtration process.


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.1020 Requirements for Microbial Toolbox Components: Inactivation Toolbox Components

a) Calculation of CT values.

1) CT is the product of the disinfectant contact time (T, in minutes) and disinfectant concentration (C, in milligrams per liter). A supplier with treatment credit for chlorine dioxide or ozone pursuant to subsection (b) or (c) of this Section must calculate CT at least once each day, with both C and T measured during peak hourly flow, as specified in Sections 611.531 and 611.532.

2) A supplier with several disinfection segments in sequence may calculate CT for each segment, where a disinfection segment is defined as a treatment unit process with a measurable disinfectant residual level and a liquid volume. Under this approach, the supplier must add the Cryptosporidium CT values in each segment to determine the total CT for the treatment plant.

b) CT values for chlorine dioxide and ozone.

1) A supplier receives the Cryptosporidium treatment credit listed in Table H to this Part by meeting the corresponding chlorine dioxide CT value for the applicable water temperature, as described in subsection (a) of this Section.

2) A supplier receives the Cryptosporidium treatment credit listed in Table I to this Part by meeting the corresponding ozone CT values for the
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

applicable water temperature, as described in subsection (a) of this Section.

c) Site-specific study. The Agency may, by a SEP issued pursuant to Section 611.110, approve alternative chlorine dioxide or ozone CT values to those listed in Tables H and I to this Part on a site-specific basis. The Agency must base this approval on a site-specific study conducted by the supplier according to an Agency-approved protocol.

d) Ultraviolet light. A supplier receives Cryptosporidium, Giardia lamblia, and virus treatment credits for ultraviolet (UV) light reactors by achieving the corresponding UV dose values shown in Table J to this Part. The supplier must validate and monitor UV reactors, as described in subsections (d)(2) and (d)(3) of this Section, to demonstrate that they are achieving a particular UV dose value for treatment credit.

1) UV dose table. The treatment credits listed in Table J to this Part are for UV light at a wavelength of 254 nm as produced by a low-pressure mercury vapor lamp. To receive treatment credit for other lamp types, a supplier must demonstrate an equivalent germicidal dose through reactor validation testing, as described in subsection (d)(2) of this Section. The UV dose values in this table are applicable only to post-filter applications of UV in a filtered system supplier and to an unfiltered system supplier.

2) Reactor validation testing. A supplier must use UV reactors that have undergone validation testing to determine the operating conditions under which the reactor delivers the UV dose required in subsection (d)(1) of this Section (i.e., validated operating conditions). These operating conditions must include flow rate; UV intensity, as measured by a UV sensor; and UV lamp status.

A) When determining validated operating conditions, a supplier must account for the following factors: UV absorbance of the water; lamp fouling and aging; measurement uncertainty of on-line sensors; UV dose distributions arising from the velocity profiles through the reactor; failure of UV lamps or other critical treatment system components; and inlet and outlet piping or channel configurations of the UV reactor.
B) Validation testing must include the following: Full scale testing of a reactor that conforms uniformly to the UV reactors used by the supplier and inactivation of a test microorganism whose dose response characteristics have been quantified with a low pressure mercury vapor lamp.

C) The Agency may, by a SEP issued pursuant to Section 611.110, approve an alternative approach to validation testing.

3) Reactor monitoring.

A) A supplier must monitor its UV reactors to determine if the reactors are operating within validated conditions, as determined pursuant to subsection (d)(2) of this Section. This monitoring must include UV intensity, as measured by a UV sensor; flow rate; lamp status; and other parameters that the Agency has designated by a SEP issued pursuant to Section 611.110 based on UV reactor operation. A supplier must verify the calibration of UV sensors and must recalibrate sensors in accordance with a protocol that the Agency has approved by the SEP issued pursuant to Section 611.110.

B) To receive treatment credit for UV light, a supplier must treat at least 95 percent of the water delivered to the public during each month by UV reactors operating within validated conditions for the required UV dose, as described in subsections (d)(1) and (d)(2) of this Section. The supplier must demonstrate compliance with this condition by the monitoring required pursuant to subsection (d)(3)(A) of this Section.


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.1021 Reporting and Recordkeeping Requirements: Reporting Requirements

a) A supplier must report sampling schedules pursuant to Section 611.1002 and source water monitoring results pursuant to Section 611.1006 unless it notifies the Agency that it will not conduct source water monitoring because the supplier
meets the criteria of Section 611.1001(d).

b) A supplier must report the use of uncovered finished water storage facilities to the Agency, as described in Section 611.1014.

c) A filtered system supplier must report its Cryptosporidium bin classification, as described in Section 611.1010.

d) An unfiltered system supplier must report its mean source water Cryptosporidium level, as described in Section 611.1012.

e) A supplier must report disinfection profiles and benchmarks to the Agency, as described in Sections 611.1008 and 611.1009, prior to making a significant change in disinfection practice.

f) A supplier must report to the Agency in accordance with subsections (f)(1) through (f)(15) of this Section for any microbial toolbox options used to comply with treatment requirements pursuant to Section 611.1011 or Section 611.1012. Alternatively, the Agency may, by a SEP issued pursuant to Section 611.110, approve a supplier to certify operation within required parameters for treatment credit rather than reporting monthly operational data for toolbox options.

1) A supplier that uses the watershed control program toolbox option must submit the following information on the indicated schedule:

A) A notice of intention to develop a new or continue an existing watershed control program no later than two years before the applicable treatment compliance date in Section 611.1013;

B) A watershed control plan no later than one year before the applicable treatment compliance date in Section 611.1013;

C) An annual watershed control program status report every 12 months, beginning one year after the applicable treatment compliance date in Section 611.1013; and

D) A watershed sanitary survey report: for a CWS supplier, every three years beginning three years after the applicable treatment compliance date in Section 611.1013 or, for a non-CWS supplier,
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

every five years beginning five years after the applicable treatment compliance date in Section 611.1013.

2) A supplier that uses the alternative source or intake management toolbox option must submit verification that it has relocated the intake or adopted the intake withdrawal procedure reflected in monitoring results no later than the applicable treatment compliance date in Section 611.1013.

3) A supplier that uses the presedimentation toolbox option must submit monthly verification of the information set forth in each of subsections (f)(3)(A) through (f)(3)(D) of this Section, subject to the limitations of subsection (f)(3)(E) of this Section.

A) Continuous basin operation;
B) Treatment of 100% of the flow;
C) Continuous addition of a coagulant; and
D) At least 0.5-log mean reduction of influent turbidity or compliance with alternative Agency-approved performance criteria.
E) Monthly reporting must occur within 10 days following the month in which the monitoring was conducted, beginning on the applicable treatment compliance date in Section 611.1013.

4) A supplier using the two-stage lime softening toolbox option must submit monthly verification of the information set forth in each of subsections (f)(4)(A) and (f)(4)(B) of this Section, subject to the limitations of subsection (f)(4)(C) of this Section.

A) That chemical addition and hardness precipitation occurred in two separate and sequential softening stages prior to filtration and
B) That both stages treated 100% of the plant flow.
C) Monthly reporting must occur within 10 days following the month in which the monitoring was conducted, beginning on the applicable treatment compliance date in Section 611.1013.
5) A supplier that uses the bank filtration toolbox option must submit the following information on the indicated schedule:

   A) An initial demonstration of the following no later than the applicable treatment compliance date in Section 611.1013:
      
      i) The existence of unconsolidated, predominantly sandy aquifer; and
      
      ii) A setback distance of at least 25 ft. (0.5-log credit) or 50 ft. (1.0-log credit).

   B) If the monthly average of daily maximum turbidity is greater than 1 NTU, then the supplier must report that result and submit an assessment of the cause within 30 days following the month in which the monitoring was conducted, beginning on the applicable treatment compliance date in Section 611.1013.

6) A supplier that uses the combined filter performance toolbox option must submit monthly verification of combined filter effluent (CFE) turbidity levels less than or equal to 0.15 NTU in at least 95 percent of the four-hour CFE measurements taken each month. Monthly reporting must occur within 10 days following the month in which the monitoring was conducted, beginning on the applicable treatment compliance date in Section 611.1013.

7) A supplier that uses the individual filter performance toolbox option must submit monthly verification of the information set forth in each of subsections (f)(7)(A) and (f)(7)(B) of this Section, subject to the limitations of subsection (f)(7)(c) of this Section.

   A) That individual filter effluent (IFE) turbidity levels were less than or equal to 0.15 NTU in at least 95 percent of samples each month in each filter; and

   B) That no individual filter measured greater than 0.3 NTU in two consecutive readings 15 minutes apart.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

C) Monthly reporting must occur within 10 days following the month in which the monitoring was conducted, beginning on the applicable treatment compliance date in Section 611.1013.

8) A supplier that uses the demonstration of performance toolbox option must submit the information set forth in each of subsections (f)(8)(A) and (f)(8)(B) of this Section on the indicated schedule:

A) Results from testing following an Agency-approved protocol no later than the applicable treatment compliance date in Section 611.1013; and

B) As required by the Agency, monthly verification of operation within conditions of Agency approval for demonstration of performance credit within 10 days following the month in which monitoring was conducted, beginning on the applicable treatment compliance date in Section 611.1013.

9) A supplier that uses the bag filters and cartridge filters toolbox option must submit the information set forth in each of subsections (f)(9)(A) and (f)(9)(B) of this Section on the indicated schedule:

A) A demonstration, no later than the applicable treatment compliance date in Section 611.1013, that the following criteria are met:

i) It must demonstrate that the process meets the definition of bag or cartridge filtration; and

ii) It must demonstrate that the removal efficiency established through challenge testing that meets criteria in this Subpart Z; and

B) Monthly verification, within 10 days following the month in which monitoring was conducted, beginning on the applicable treatment compliance date in Section 611.1013, that 100% of plant flow was filtered.

10) A supplier that uses the membrane filtration toolbox option must submit the following information on the indicated schedule:
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

A) Results of verification testing no later than the applicable treatment compliance date in Section 611.1013 that demonstrate the following:

i) It must demonstrate that the removal efficiency established through challenge testing that meets criteria set forth in this Subpart Z; and

ii) It must demonstrate the integrity test method and parameters, including resolution, sensitivity, test frequency, control limits, and associated baseline; and

B) A monthly report within 10 days following the month in which monitoring was conducted, beginning on the applicable treatment compliance date in Section 611.1013, that summarizes the following:

i) It must summarize all direct integrity tests above the control limit; and

ii) If applicable, it must summarize any turbidity or alternative Agency-approved indirect integrity monitoring results triggering direct integrity testing and the corrective action that was taken.

11) A supplier that uses the second stage filtration toolbox option must submit monthly verification within 10 days following the month in which monitoring was conducted, beginning on the applicable treatment compliance date in Section 611.1013, that 100% of flow was filtered through both stages and that first stage was preceded by coagulation step.

12) A supplier that uses the slow sand filtration (as secondary filter) toolbox option must submit monthly verification within 10 days following the month in which monitoring was conducted, beginning on the applicable treatment compliance date in Section 611.1013, that both a slow sand filter and a preceding separate stage of filtration treated 100% of flow from Subpart B sources.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

13) A supplier that uses the chlorine dioxide toolbox option must submit a monthly summary of CT values for each day within 10 days following the month in which monitoring was conducted, beginning on the applicable treatment compliance date in Section 611.1013, as described in Section 611.1020.

14) A supplier that uses the ozone toolbox option must submit a monthly summary of CT values for each day within 10 days following the month in which monitoring was conducted, beginning on the applicable treatment compliance date in Section 611.1013, as described in Section 611.1020.

15) A supplier that uses the UV toolbox option must submit the following information on the indicated schedule:

A) Validation test results no later than the applicable treatment compliance date in Section 611.1013, that demonstrate operating conditions that achieve required UV dose.

B) A monthly report summarizing the percentage of water entering the distribution system that was not treated by UV reactors operating within validated conditions for the required dose within 10 days following the month in which monitoring was conducted, beginning on the applicable treatment compliance date in Section 611.1013, as specified in Section 611.1020(d).


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.1022 Reporting and Recordkeeping Requirements: Recordkeeping Requirements

a) A supplier must keep results from the initial round of source water monitoring pursuant to Section 611.1001(a) and the second round of source water monitoring pursuant to Section 611.1001(b) until three years after bin classification pursuant to Section 611.1010 for a filtered system supplier or determination of the mean Cryptosporidium level pursuant to Section 611.1010 for an unfiltered system supplier for the particular round of monitoring.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

b) A supplier must keep any notification to the Agency that it will not conduct source water monitoring due to meeting the criteria of Section 611.1001(d) for three years.

c) A supplier must keep the results of treatment monitoring associated with microbial toolbox options pursuant to Sections 611.1016 through 611.1020 and with uncovered finished water reservoirs pursuant to Section 611.1014, as applicable, for three years.


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)

Section 611.1023 Requirements to Respond to Significant Deficiencies Identified in Sanitary Surveys Performed by USEPA or the Agency

a) A "sanitary survey" is an onsite review of the water source (identifying sources of contamination by using results of source water assessments where available), facilities, equipment, operation, maintenance, and monitoring compliance of a PWS to evaluate the adequacy of the PWS, its sources and operations, and the distribution of safe drinking water.

b) For the purposes of this Section, a "significant deficiency" includes a defect in design, operation, or maintenance, or a failure or malfunction of the sources, treatment, storage, or distribution supplier that USEPA or the Agency determines to be causing, or has the potential for causing, the introduction of contamination into the water delivered to consumers.

c) For sanitary surveys performed by USEPA or the Agency, the supplier must respond in writing to significant deficiencies identified in sanitary survey reports no later than 45 days after receipt of the report, indicating how and on what schedule the supplier will address significant deficiencies noted in the survey.

d) A supplier must correct significant deficiencies identified in sanitary survey reports according to the schedule approved by USEPA or the Agency, or if there is no approved schedule, according to the schedule reported pursuant to subsection (c) of this Section if such deficiencies are within the control of the supplier.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS


(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)
Microbiological contaminants.

Contaminant (units): Total Coliform Bacteria
Traditional MCL in mg/l: MCL: (a supplier that collects 40 or more samples/month) five percent or fewer of monthly samples are positive; (systems that collect fewer than 40 samples/month) one or fewer positive monthly samples.
To convert for CCR, multiply by: –
MCL in CCR units: MCL: (a supplier that collects 40 or more samples/month) five percent or fewer of monthly samples are positive; (a supplier that collects fewer than 40 samples/month) one or fewer positive monthly samples.
MCLG: 0
Major sources in drinking water: Naturally present in the environment.
Health effects language: Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.

Contaminant (units): Fecal coliform and E. coli
Traditional MCL in mg/l: 0
To convert for CCR, multiply by: –
MCL in CCR units: 0
MCLG: 0
Major sources in drinking water: Human and animal fecal waste.
Health effects language: Fecal coliforms and E. coli are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Microbes in these wastes can cause short-term effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, some of the elderly, and people with severely-compromised immune systems.

Contaminant (units): Fecal Indicators (enterococci or coliphage).
Traditional MCL in mg/l: TT.
To convert for CCR, multiply by: –
MCL in CCR units: TT.
MCLG: N/A
Major sources in drinking water: Human and animal fecal waste.
Health effects language: Fecal indicators are microbes whose presence indicates that the water may be contaminated with human or animal wastes. Microbes in these wastes can cause short-term health effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, some of the elderly, and people with severely compromised immune systems.

Contaminant (units): Total organic carbon (ppm)
Traditional MCL in mg/l: TT
To convert for CCR, multiply by: –
MCL in CCR units: TT
MCLG: N/A

Major sources in drinking water: Naturally present in the environment.
Health effects language: Total organic carbon (TOC) has no health effects. However, total organic carbon provides a medium for the formation of disinfection byproducts. These byproducts include trihalomethanes (THMs) and haloacetic acids (HAAs). Drinking water containing these byproducts in excess of the MCL may lead to adverse health effects, liver or kidney problems, or nervous system effects, and may lead to an increased risk of getting cancer.

Contaminant (units): Turbidity (NTU)
Traditional MCL in mg/l: TT
To convert for CCR, multiply by: –
MCL in CCR units: TT
MCLG: N/A

Major sources in drinking water: Soil runoff.
Health effects language: Turbidity has no health effects. However, turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.

Radioactive contaminants.

Contaminant (units): Beta/photon emitters (mrem/yr)
Traditional MCL in mg/l: 4 mrem/yr
To convert for CCR, multiply by: –
MCL in CCR units: 4
MCLG: 0

Major sources in drinking water: Decay of natural and man-made deposits.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Health effects language: Certain minerals are radioactive and may emit forms of radiation known as photons and beta radiation. Some people who drink water containing beta particle and photon radioactivity in excess of the MCL over many years may have an increased risk of getting cancer.

Contaminant (units): Alpha emitters (pCi/l)
Traditional MCL in mg/l: 15 pCi/l
To convert for CCR, multiply by: –
MCL in CCR units: 15
MCLG: 0
Major sources in drinking water: Erosion of natural deposits.
Health effects language: Certain minerals are radioactive and may emit a form of radiation known as alpha radiation. Some people who drink water containing alpha emitters in excess of the MCL over many years may have an increased risk of getting cancer.

Contaminant (units): Combined radium (pCi/l)
Traditional MCL in mg/l: 5 pCi/l
To convert for CCR, multiply by: –
MCL in CCR units: 5
MCLG: 0
Major sources in drinking water: Erosion of natural deposits.
Health effects language: Some people who drink water containing radium-226 or -228 in excess of the MCL over many years may have an increased risk of getting cancer.

Contaminant (units): Uranium (µg/l)
Traditional MCL in mg/l: 30 µg/l
To convert for CCR, multiply by: –
MCL in CCR units: 30
MCLG: 0
Major sources in drinking water: Erosion of natural deposits.
Health effects language: Some people who drink water containing uranium in excess of the MCL over many years may have an increased risk of getting cancer and kidney toxicity.

Inorganic contaminants.

Contaminant (units): Antimony (ppb)
Traditional MCL in mg/l: 0.006
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

To convert for CCR, multiply by: 1000

MCL in CCR units: 6
MCLG: 6

Major sources in drinking water: Discharge from petroleum refineries; fire retardants; ceramics; electronics; solder.

Health effects language: Some people who drink water containing antimony well in excess of the MCL over many years could experience increases in blood cholesterol and decreases in blood sugar.

Contaminant (units): Arsenic (ppb)
Traditional MCL in mg/l: 0.05 until January 23, 2006 or 0.010 effective January 23, 2006
To convert for CCR, multiply by: 1000
MCL in CCR units: 50
MCLG: 0 (effective January 26, 2006)

Major sources in drinking water: Erosion of natural deposits; runoff from orchards; runoff from glass and electronics production wastes.

Health effects language: Some people who drink water containing arsenic in excess of the MCL over many years could experience skin damage or problems with their circulatory system, and may have an increased risk of getting cancer.

Contaminant (units): Asbestos (MFL)
Traditional MCL in mg/l: 7 MFL
To convert for CCR, multiply by: –
MCL in CCR units: 7
MCLG: 7

Major sources in drinking water: Decay of asbestos cement water mains; erosion of natural deposits.

Health effects language: Some people who drink water containing asbestos in excess of the MCL over many years may have an increased risk of developing benign intestinal polyps.

Contaminant (units): Barium (ppm)
Traditional MCL in mg/l: 2
To convert for CCR, multiply by: –
MCL in CCR units: 2
MCLG: 2

Major sources in drinking water: Discharge of drilling wastes; discharge from metal refineries; erosion of natural deposits.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Health effects language: Some people who drink water containing barium in excess of the MCL over many years could experience an increase in their blood pressure.

Contaminant (units): Beryllium (ppb)
Traditional MCL in mg/l: 0.004
To convert for CCR, multiply by: 1000
MCL in CCR units: 4
MCLG: 4
Major sources in drinking water: Discharge from metal refineries and coal-burning factories; discharge from electrical, aerospace, and defense industries.
Health effects language: Some people who drink water containing beryllium well in excess of the MCL over many years could develop intestinal lesions.

Contaminant (units): Bromate (ppb)
Traditional MCL in mg/l: 0.010
To convert for CCR, multiply by: 1000
MCL in CCR units: 10
MCLG: 0
Major sources in drinking water: By-product of drinking water disinfection.
Health effects language: Some people who drink water containing bromate in excess of the MCL over many years may have an increased risk of getting cancer.

Contaminant (units): Cadmium (ppb)
Traditional MCL in mg/l: 0.005
To convert for CCR, multiply by: 1000
MCL in CCR units: 5
MCLG: 5
Major sources in drinking water: Corrosion of galvanized pipes; erosion of natural deposits; discharge from metal refineries; runoff from waste batteries and paints.
Health effects language: Some people who drink water containing cadmium in excess of the MCL over many years could experience kidney damage.

Contaminant (units): Chloramines (ppm)
Traditional MCL in mg/l: MRDL=4
To convert for CCR, multiply by: –
MCL in CCR units: MRDL=4
MCLG: MRDLG=4
Major sources in drinking water: Water additive used to control microbes.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Health effects language: Some people who drink water containing chloramines well in excess of the MRDL could experience irritating effects to their eyes and nose. Some people who drink water containing chloramines well in excess of the MRDL could experience stomach discomfort or anemia.

Contaminant (units): Chlorine (ppm)
Traditional MCL in mg/l: MRDL=4
To convert for CCR, multiply by: -
MCL in CCR units: MRDL=4
MCLG: MRDLG=4
Major sources in drinking water: Water additive used to control microbes.
Health effects language: Some people who drink water containing chlorine well in excess of the MRDL could experience irritating effects to their eyes and nose. Some people who drink water containing chlorine well in excess of the MRDL could experience stomach discomfort.

Contaminant (units): Chlorine dioxide (ppb)
Traditional MCL in mg/l: MRDL=800
To convert for CCR, multiply by: 1000
MCL in CCR units: MRDL=800
MCLG: MRDLG=800
Major sources in drinking water: Water additive used to control microbes.
Health effects language: Some infants and young children who drink water containing chlorine dioxide well in excess of the MRDL could experience nervous system effects. Similar effects may occur in fetuses of pregnant women who drink water containing chlorine dioxide in excess of the MRDL. Some people may experience anemia.

Contaminant (units): Chlorite (ppm)
Traditional MCL in mg/l: MRDL=1
To convert for CCR, multiply by: -
MCL in CCR units: MRDL=1
MCLG: MRDLG=0.8
Major sources in drinking water: By-product of drinking water disinfection.
Health effects language: Some infants and young children who drink water containing chlorite well in excess of the MCL could experience nervous system effects. Similar effects may occur in fetuses of pregnant women who drink water containing chlorite in excess of the MCL. Some people may experience anemia.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Contaminant (units): Chromium (ppb)
Traditional MCL in mg/l: 0.1
To convert for CCR, multiply by: 1000
MCL in CCR units: 100
MCLG: 100
Major sources in drinking water: Discharge from steel and pulp mills; erosion of natural deposits.
Health effects language: Some people who use water containing chromium well in excess of the MCL over many years could experience allergic dermatitis.

Contaminant (units): Copper (ppm)
Traditional MCL in mg/l: AL=1.3
To convert for CCR, multiply by: –
MCL in CCR units: AL=1.3
MCLG: 1.3
Major sources in drinking water: Corrosion of household plumbing systems; erosion of natural deposits.
Health effects language: Copper is an essential nutrient, but some people who drink water containing copper in excess of the action level over a relatively short amount of time could experience gastrointestinal distress. Some people who drink water containing copper in excess of the action level over many years could suffer liver or kidney damage. People with Wilson's Disease should consult their personal doctor.

Contaminant (units): Cyanide (ppb)
Traditional MCL in mg/l: 0.2
To convert for CCR, multiply by: 1000
MCL in CCR units: 200
MCLG: 200
Major sources in drinking water: Discharge from steel/metal factories; discharge from plastic and fertilizer factories.
Health effects language: Some people who drink water containing cyanide well in excess of the MCL over many years could experience nerve damage or problems with their thyroid.

Contaminant (units): Fluoride (ppm)
Traditional MCL in mg/l: 4
To convert for CCR, multiply by: –
MCL in CCR units: 4
MCLG: 4
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Major sources in drinking water:  Erosion of natural deposits; water additive that promotes strong teeth; discharge from fertilizer and aluminum factories.

Health effects language:  Some people who drink water containing fluoride in excess of the MCL over many years could get bone disease, including pain and tenderness of the bones.  Fluoride in drinking water at half the MCL or more may cause mottling of children's teeth, usually in children less than nine years old.  Mottling, also known as dental fluorosis, may include brown staining or pitting of the teeth, and occurs only in developing teeth before they erupt from the gums.

Contaminant (units):  Lead (ppb)
Traditional MCL in mg/l :  AL=0.015
To convert for CCR, multiply by:  1000
MCL in CCR units:  AL=15
MCLG:  0

Major sources in drinking water:  Corrosion of household plumbing systems; erosion of natural deposits.

Health effects language:  Infants and children who drink water containing lead in excess of the action level could experience delays in their physical or mental development.  Children could show slight deficits in attention span and learning abilities.  Adults who drink this water over many years could develop kidney problems or high blood pressure.

Contaminant (units):  Mercury (inorganic) (ppb)
Traditional MCL in mg/l :  0.002
To convert for CCR, multiply by:  1000
MCL in CCR units:  2
MCLG:  2

Major sources in drinking water:  Erosion of natural deposits; discharge from refineries and factories; runoff from landfills; runoff from cropland.

Health effects language:  Some people who drink water containing inorganic mercury well in excess of the MCL over many years could experience kidney damage.

Contaminant (units):  Nitrate (ppm)
Traditional MCL in mg/l :  10
To convert for CCR, multiply by:  –
MCL in CCR units:  10
MCLG:  10

Major sources in drinking water:  Runoff from fertilizer use; leaching from septic tanks, sewage; erosion of natural deposits.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Health effects language: Infants below the age of six months who drink water containing nitrate in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue baby syndrome.

Contaminant (units): Nitrite (ppm)
Traditional MCL in mg/l: 1
To convert for CCR, multiply by: –
MCL in CCR units: 1
MCLG: 1
Major sources in drinking water: Runoff from fertilizer use; leaching from septic tanks, sewage; erosion of natural deposits.
Health effects language: Infants below the age of six months who drink water containing nitrite in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue baby syndrome.

Contaminant (units): Selenium (ppb)
Traditional MCL in mg/l: 0.05
To convert for CCR, multiply by: 1000
MCL in CCR units: 50
MCLG: 50
Major sources in drinking water: Discharge from petroleum and metal refineries; erosion of natural deposits; discharge from mines.
Health effects language: Selenium is an essential nutrient. However, some people who drink water containing selenium in excess of the MCL over many years could experience hair or fingernail losses, numbness in fingers or toes, or problems with their circulation.

Contaminant (units): Thallium (ppb)
Traditional MCL in mg/l: 0.002
To convert for CCR, multiply by: 1000
MCL in CCR units: 2
MCLG: 0.5
Major sources in drinking water: Leaching from ore-processing sites; discharge from electronics, glass, and drug factories.
Health effects language: Some people who drink water containing thallium in excess of the MCL over many years could experience hair loss, changes in their blood, or problems with their kidneys, intestines, or liver.

Synthetic organic contaminants including pesticides and herbicides.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Contaminant (units): 2,4-D (ppb)
Traditional MCL in mg/l: 0.07
To convert for CCR, multiply by: 1000
MCL in CCR units: 70
MCLG: 70
Major sources in drinking water: Runoff from herbicide used on row crops.
Health effects language: Some people who drink water containing the weed killer 2,4-D well in excess of the MCL over many years could experience problems with their kidneys, liver, or adrenal glands.

Contaminant (units): 2,4,5-TP (silvex) (ppb)
Traditional MCL in mg/l: 0.05
To convert for CCR, multiply by: 1000
MCL in CCR units: 50
MCLG: 50
Major sources in drinking water: Residue of banned herbicide.
Health effects language: Some people who drink water containing silvex in excess of the MCL over many years could experience liver problems.

Contaminant (units): Acrylamide
Traditional MCL in mg/l: TT
To convert for CCR, multiply by: –
MCL in CCR units: TT
MCLG: 0
Major sources in drinking water: Added to water during sewage/wastewater treatment.
Health effects language: Some people who drink water containing high levels of acrylamide over a long period of time could have problems with their nervous system or blood, and may have an increased risk of getting cancer.

Contaminant (units): Alachlor (ppb)
Traditional MCL in mg/l: 0.002
To convert for CCR, multiply by: 1000
MCL in CCR units: 2
MCLG: 0
Major sources in drinking water: Runoff from herbicide used on row crops.
Health effects language: Some people who drink water containing alachlor in excess of the MCL over many years could have problems with their eyes, liver, kidneys, or spleen, or experience anemia, and may have an increased risk of getting cancer.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Contaminant (units): Atrazine (ppb)
Traditional MCL in mg/l: 0.003
To convert for CCR, multiply by: 1000
MCL in CCR units: 3
MCLG: 3
Major sources in drinking water: Runoff from herbicide used on row crops.
Health effects language: Some people who drink water containing atrazine well in excess of the MCL over many years could experience problems with their cardiovascular system or reproductive difficulties.

Contaminant (units): Benzo(a)pyrene (PAH) (nanograms/l)
Traditional MCL in mg/l: 0.0002
To convert for CCR, multiply by: 1,000,000
MCL in CCR units: 200
MCLG: 0
Major sources in drinking water: Leaching from linings of water storage tanks and distribution lines.
Health effects language: Some people who drink water containing benzo(a)pyrene in excess of the MCL over many years may experience reproductive difficulties and may have an increased risk of getting cancer.

Contaminant (units): Carbofuran (ppb)
Traditional MCL in mg/l: 0.04
To convert for CCR, multiply by: 1000
MCL in CCR units: 40
MCLG: 40
Major sources in drinking water: Leaching of soil fumigant used on rice and alfalfa.
Health effects language: Some people who drink water containing carbofuran in excess of the MCL over many years could experience problems with their blood, or nervous or reproductive systems.

Contaminant (units): Chlordane (ppb)
Traditional MCL in mg/l: 0.002
To convert for CCR, multiply by: 1000
MCL in CCR units: 2
MCLG: 0
Major sources in drinking water: Residue of banned termiticide.
Health effects language: Some people who drink water containing chlordane in excess of
the MCL over many years could experience problems with their liver or nervous system, and may have an increased risk of getting cancer.

Contaminant (units): Dalapon (ppb)
Traditional MCL in mg/l : 0.2
To convert for CCR, multiply by: 1000
MCL in CCR units: 200
MCLG: 200
Major sources in drinking water: Runoff from herbicide used on rights of way.
Health effects language: Some people who drink water containing dalapon well in excess of the MCL over many years could experience minor kidney changes.

Contaminant (units): Di(2-ethylhexyl)adipate (ppb)
Traditional MCL in mg/l : 0.4
To convert for CCR, multiply by: 1000
MCL in CCR units: 400
MCLG: 400
Major sources in drinking water: Discharge from chemical factories.
Health effects language: Some people who drink water containing di(2-ethylhexyl)adipate well in excess of the MCL over many years could experience toxic effects, such as weight loss, liver enlargement, or possible reproductive difficulties.

Contaminant (units): Di(2-ethylhexyl)phthalate (ppb)
Traditional MCL in mg/l : 0.006
To convert for CCR, multiply by: 1000
MCL in CCR units: 6
MCLG: 0
Major sources in drinking water: Discharge from rubber and chemical factories.
Health effects language: Some people who drink water containing di(2-ethylhexyl)phthalate well in excess of the MCL over many years may have problems with their liver or experience reproductive difficulties, and they may have an increased risk of getting cancer.

Contaminant (units): Dibromochloropropane (DBCP) (ppt)
Traditional MCL in mg/l : 0.0002
To convert for CCR, multiply by: 1,000,000
MCL in CCR units: 200
MCLG: 0
Major sources in drinking water: Runoff/leaching from soil fumigant used on soybeans,
cotton, pineapples, and orchards.

Health effects language: Some people who drink water containing DBCP in excess of the MCL over many years could experience reproductive problems and may have an increased risk of getting cancer.

Contaminant (units): Dinoseb (ppb)
Traditional MCL in mg/l: 0.007
To convert for CCR, multiply by: 1000
MCL in CCR units: 7
MCLG: 7
Major sources in drinking water: Runoff from herbicide used on soybeans and vegetables.

Health effects language: Some people who drink water containing dinoseb well in excess of the MCL over many years could experience reproductive difficulties.

Contaminant (units): Diquat (ppb)
Traditional MCL in mg/l: 0.02
To convert for CCR, multiply by: 1000
MCL in CCR units: 20
MCLG: 20
Major sources in drinking water: Runoff from herbicide use.

Health effects language: Some people who drink water containing diquat in excess of the MCL over many years could get cataracts.

Contaminant (units): Dioxin (2,3,7,8-TCDD) (ppq)
Traditional MCL in mg/l: 0.00000003
To convert for CCR, multiply by: 1,000,000,000
MCL in CCR units: 30
MCLG: 0
Major sources in drinking water: Emissions from waste incineration and other combustion; discharge from chemical factories.

Health effects language: Some people who drink water containing dioxin in excess of the MCL over many years could experience reproductive difficulties and may have an increased risk of getting cancer.

Contaminant (units): Endothall (ppb)
Traditional MCL in mg/l: 0.1
To convert for CCR, multiply by: 1000
MCL in CCR units: 100
NOTICE OF ADOPTED AMENDMENTS

MCLG: 100
Major sources in drinking water: Runoff from herbicide use.
Health effects language: Some people who drink water containing endothall in excess of the MCL over many years could experience problems with their stomach or intestines.

Contaminant (units): Endrin (ppb)
Traditional MCL in mg/l : 0.002
To convert for CCR, multiply by: 1000
MCL in CCR units: 2
MCLG: 2
Major sources in drinking water: Residue of banned insecticide.
Health effects language: Some people who drink water containing endrin in excess of the MCL over many years could experience liver problems.

Contaminant (units): Epichlorohydrin
Traditional MCL in mg/l : TT
To convert for CCR, multiply by: –
MCL in CCR units: TT
MCLG: 0
Major sources in drinking water: Discharge from industrial chemical factories; an impurity of some water treatment chemicals.
Health effects language: Some people who drink water containing high levels of epichlorohydrin over a long period of time could experience stomach problems, and may have an increased risk of getting cancer.

Contaminant (units): Ethylene dibromide (ppt)
Traditional MCL in mg/l : 0.00005
To convert for CCR, multiply by: 1,000,000
MCL in CCR units: 50
MCLG: 0
Major sources in drinking water: Discharge from petroleum refineries.
Health effects language: Some people who drink water containing ethylene dibromide in excess of the MCL over many years could experience problems with their liver, stomach, reproductive system, or kidneys, and may have an increased risk of getting cancer.

Contaminant (units): Glyphosate (ppb)
Traditional MCL in mg/l : 0.7
NOTICE OF ADOPTED AMENDMENTS

To convert for CCR, multiply by: 1000
MCL in CCR units: 700
MCLG: 700
Major sources in drinking water: Runoff from herbicide use.
Health effects language: Some people who drink water containing glyphosate in excess of the MCL over many years could experience problems with their kidneys or reproductive difficulties.

Contaminant (units): Heptachlor (ppt)
Traditional MCL in mg/l: 0.0004
To convert for CCR, multiply by: 1,000,000
MCL in CCR units: 400
MCLG: 0
Major sources in drinking water: Residue of banned pesticide.
Health effects language: Some people who drink water containing heptachlor in excess of the MCL over many years could experience liver damage and may have an increased risk of getting cancer.

Contaminant (units): Heptachlor epoxide (ppt)
Traditional MCL in mg/l: 0.0002
To convert for CCR, multiply by: 1,000,000
MCL in CCR units: 200
MCLG: 0
Major sources in drinking water: Breakdown of heptachlor.
Health effects language: Some people who drink water containing heptachlor epoxide in excess of the MCL over many years could experience liver damage, and may have an increased risk of getting cancer.

Contaminant (units): Hexachlorobenzene (ppb)
Traditional MCL in mg/l: 0.001
To convert for CCR, multiply by: 1000
MCL in CCR units: 1
MCLG: 0
Major sources in drinking water: Discharge from metal refineries and agricultural chemical factories.
Health effects language: Some people who drink water containing hexachlorobenzene in excess of the MCL over many years could experience problems with their liver or kidneys, or adverse reproductive effects, and may have an increased risk of getting cancer.
NOTICE OF ADOPTED AMENDMENTS

Contaminant (units): Hexachlorocyclopentadiene (ppb)
Traditional MCL in mg/l: 0.05
To convert for CCR, multiply by: 1000
MCL in CCR units: 50
MCLG: 50
Major sources in drinking water: Discharge from chemical factories.
Health effects language: Some people who drink water containing hexachlorocyclopentadiene well in excess of the MCL over many years could experience problems with their kidneys or stomach.

Contaminant (units): Lindane (ppt)
Traditional MCL in mg/l: 0.0002
To convert for CCR, multiply by: 1,000,000
MCL in CCR units: 200
MCLG: 200
Major sources in drinking water: Runoff/leaching from insecticide used on cattle, lumber, gardens.
Health effects language: Some people who drink water containing lindane in excess of the MCL over many years could experience problems with their kidneys or liver.

Contaminant (units): Methoxychlor (ppb)
Traditional MCL in mg/l: 0.04
To convert for CCR, multiply by: 1000
MCL in CCR units: 40
MCLG: 40
Major sources in drinking water: Runoff/leaching from insecticide used on fruits, vegetables, alfalfa, livestock.
Health effects language: Some people who drink water containing methoxychlor in excess of the MCL over many years could experience reproductive difficulties.

Contaminant (units): Oxamyl (vydate) (ppb)
Traditional MCL in mg/l: 0.2
To convert for CCR, multiply by: 1000
MCL in CCR units: 200
MCLG: 200
Major sources in drinking water: Runoff/leaching from insecticide used on apples, potatoes and tomatoes.
Health effects language: Some people who drink water containing oxamyl in excess of
the MCL over many years could experience slight nervous system effects.

Contaminant (units): PCBs (polychlorinated biphenyls) (ppt)
Traditional MCL in mg/l : 0.0005
To convert for CCR, multiply by: 1,000,000
MCL in CCR units: 500
MCLG: 0
Major sources in drinking water: Runoff from landfills; discharge of waste chemicals.
Health effects language: Some people who drink water containing PCBs in excess of the
MCL over many years could experience changes in their skin, problems with their
thymus gland, immune deficiencies, or reproductive or nervous system difficulties,
and may have an increased risk of getting cancer.

Contaminant (units): Pentachlorophenol (ppb)
Traditional MCL in mg/l : 0.001
To convert for CCR, multiply by: 100
MCL in CCR units: 1
MCLG: 0
Major sources in drinking water: Discharge from wood preserving factories.
Health effects language: Some people who drink water containing pentachlorophenol in
excess of the MCL over many years could experience problems with their liver or
kidneys, and may have an increased risk of getting cancer.

Contaminant (units): Picloram (ppb)
Traditional MCL in mg/l : 0.5
To convert for CCR, multiply by: 1000
MCL in CCR units: 500
MCLG: 500
Major sources in drinking water: Herbicide runoff.
Health effects language: Some people who drink water containing picloram in excess of
the MCL over many years could experience problems with their liver.

Contaminant (units): Simazine (ppb)
Traditional MCL in mg/l : 0.004
To convert for CCR, multiply by: 1000
MCL in CCR units: 4
MCLG: 4
Major sources in drinking water: Herbicide runoff.
Health effects language: Some people who drink water containing simazine in excess of
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

the MCL over many years could experience problems with their blood.

Contaminant (units): Toxaphene (ppb)
Traditional MCL in mg/l : 0.003
To convert for CCR, multiply by: 1000
MCL in CCR units: 3
MCLG: 0
Major sources in drinking water: Runoff/leaching from insecticide used on cotton and cattle.
Health effects language: Some people who drink water containing toxaphene in excess of the MCL over many years could have problems with their kidneys, liver, or thyroid, and may have an increased risk of getting cancer.

Volatile organic contaminants.

Contaminant (units): Benzene (ppb)
Traditional MCL in mg/l : 0.005
To convert for CCR, multiply by: 1000
MCL in CCR units: 5
MCLG: 0
Major sources in drinking water: Discharge from factories; leaching from gas storage tanks and landfills.
Health effects language: Some people who drink water containing benzene in excess of the MCL over many years could experience anemia or a decrease in blood platelets, and may have an increased risk of getting cancer.

Contaminant (units): Carbon tetrachloride (ppb)
Traditional MCL in mg/l : 0.005
To convert for CCR, multiply by: 1000
MCL in CCR units: 5
MCLG: 0
Major sources in drinking water: Discharge from chemical plants and other industrial activities.
Health effects language: Some people who drink water containing carbon tetrachloride in excess of the MCL over many years could experience problems with their liver and may have an increased risk of getting cancer.

Contaminant (units): Chlorobenzene (ppb)
Traditional MCL in mg/l : 0.1
ILLINOIS REGISTER

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

To convert for CCR, multiply by:  1000
MCL in CCR units:  100
MCLG:  100
Major sources in drinking water: Discharge from chemical and agricultural chemical factories.
Health effects language: Some people who drink water containing chlorobenzene in excess of the MCL over many years could experience problems with their liver or kidneys.

Contaminant (units): o-Dichlorobenzene (ppb)
Traditional MCL in mg/l : 0.6
To convert for CCR, multiply by:  1000
MCL in CCR units:  600
MCLG:  600
Major sources in drinking water: Discharge from industrial chemical factories.
Health effects language: Some people who drink water containing o-dichlorobenzene well in excess of the MCL over many years could experience problems with their liver, kidneys, or circulatory systems.

Contaminant (units): p-Dichlorobenzene (ppb)
Traditional MCL in mg/l : 0.075
To convert for CCR, multiply by:  1000
MCL in CCR units:  75
MCLG:  75
Major sources in drinking water: Discharge from industrial chemical factories.
Health effects language: Some people who drink water containing p-dichlorobenzene in excess of the MCL over many years could experience anemia; damage to their liver, kidneys, or spleen; or changes in their blood.

Contaminant (units): 1,2-Dichloroethane (ppb)
Traditional MCL in mg/l : 0.005
To convert for CCR, multiply by:  1000
MCL in CCR units:  5
MCLG:  0
Major sources in drinking water: Discharge from industrial chemical factories.
Health effects language: Some people who drink water containing 1,2-dichloroethane in excess of the MCL over many years may have an increased risk of getting cancer.

Contaminant (units): 1,1-Dichloroethylene (ppb)
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Traditional MCL in mg/l: 0.007
To convert for CCR, multiply by: 1000
MCL in CCR units: 7
MCLG: 7
Major sources in drinking water: Discharge from industrial chemical factories.
Health effects language: Some people who drink water containing 1,1-dichloroethylene in excess of the MCL over many years could experience problems with their liver.

Contaminant (units): cis-1,2-Dichloroethylene (ppb)
Traditional MCL in mg/l: 0.07
To convert for CCR, multiply by: 1000
MCL in CCR units: 70
MCLG: 70
Major sources in drinking water: Discharge from industrial chemical factories.
Health effects language: Some people who drink water containing cis-1,2-dichloroethylene in excess of the MCL over many years could experience problems with their liver.

Contaminant (units): trans-1,2-Dichloroethylene (ppb)
Traditional MCL in mg/l: 0.1
To convert for CCR, multiply by: 1000
MCL in CCR units: 100
MCLG: 100
Major sources in drinking water: Discharge from industrial chemical factories.
Health effects language: Some people who drink water containing trans-1,2-dichloroethylene in excess of the MCL over many years could experience problems with their liver.

Contaminant (units): Dichloromethane (ppb)
Traditional MCL in mg/l: 0.005
To convert for CCR, multiply by: 1000
MCL in CCR units: 5
MCLG: 0
Major sources in drinking water: Discharge from pharmaceutical and chemical factories.
Health effects language: Some people who drink water containing dichloromethane in excess of the MCL over many years could have liver problems and may have an increased risk of getting cancer.

Contaminant (units): 1,2-Dichloropropane (ppb)
Traditional MCL in mg/l: 0.005
To convert for CCR, multiply by: 1000
MCL in CCR units: 5
MCLG: 0
Major sources in drinking water: Discharge from industrial chemical factories.
Health effects language: Some people who drink water containing 1,2-dichloropropane in excess of the MCL over many years may have an increased risk of getting cancer.

Contaminant (units): Ethylbenzene (ppb)
Traditional MCL in mg/l: 0.7
To convert for CCR, multiply by: 1000
MCL in CCR units: 700
MCLG: 700
Major sources in drinking water: Discharge from petroleum refineries.
Health effects language: Some people who drink water containing ethylbenzene well in excess of the MCL over many years could experience problems with their liver or kidneys.

Contaminant (units): Haloacetic acids (HAA5) (ppb)
Traditional MCL in mg/l: 0.060
To convert for CCR, multiply by: 1000
MCL in CCR units: 60
MCLG: N/A
Major sources in drinking water: Byproduct of drinking water disinfection.
Health effects language: Some people who drink water containing haloacetic acids in excess of the MCL over many years may have an increased risk of getting cancer.

Contaminant (units): Styrene (ppb)
Traditional MCL in mg/l: 0.1
To convert for CCR, multiply by: 1000
MCL in CCR units: 100
MCLG: 100
Major sources in drinking water: Discharge from rubber and plastic factories; leaching from landfills.
Health effects language: Some people who drink water containing styrene well in excess of the MCL over many years could have problems with their liver, kidneys, or circulatory system.

Contaminant (units): Tetrachloroethylene (ppb)
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Traditional MCL in mg/l : 0.005
To convert for CCR, multiply by: 1000
MCL in CCR units: 5
MCLG: 0
Major sources in drinking water: Discharge from factories and dry cleaners.
Health effects language: Some people who drink water containing tetrachloroethylene in excess of the MCL over many years could have problems with their liver, and may have an increased risk of getting cancer.

Contaminant (units): 1,2,4-Trichlorobenzene (ppb)
Traditional MCL in mg/l : 0.07
To convert for CCR, multiply by: 1000
MCL in CCR units: 70
MCLG: 70
Major sources in drinking water: Discharge from textile-finishing factories.
Health effects language: Some people who drink water containing 1,2,4-trichlorobenzene well in excess of the MCL over many years could experience changes in their adrenal glands.

Contaminant (units): 1,1,1-Trichloroethane (ppb)
Traditional MCL in mg/l : 0.2
To convert for CCR, multiply by: 1000
MCL in CCR units: 200
MCLG: 200
Major sources in drinking water: Discharge from metal degreasing sites and other factories.
Health effects language: Some people who drink water containing 1,1,1-trichloroethane in excess of the MCL over many years could experience problems with their liver, nervous system, or circulatory system.

Contaminant (units): 1,1,2-Trichloroethane (ppb)
Traditional MCL in mg/l : 0.005
To convert for CCR, multiply by: 1000
MCL in CCR units: 5
MCLG: 3
Major sources in drinking water: Discharge from industrial chemical factories.
Health effects language: Some people who drink water containing 1,1,2-trichloroethane well in excess of the MCL over many years could have problems with their liver, kidneys, or immune systems.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Contaminant (units): Trichloroethylene (ppb)
Traditional MCL in mg/l: 0.005
To convert for CCR, multiply by: 1000
MCL in CCR units: 5
MCLG: 0
Major sources in drinking water: Discharge from metal degreasing sites and other factories.
Health effects language: Some people who drink water containing trichloroethylene in excess of the MCL over many years could experience problems with their liver and may have an increased risk of getting cancer.

Contaminant (units): TTHMs (total trihalomethanes) (ppb)
Traditional MCL in mg/l: 0.10/0.080
To convert for CCR, multiply by: 1000
MCL in CCR units: 100/80
MCLG: N/A
Major sources in drinking water: Byproduct of drinking water disinfection.
Health effects language: Some people who drink water containing trihalomethanes in excess of the MCL over many years may experience problems with their liver, kidneys, or central nervous system, and may have an increased risk of getting cancer.

Contaminant (units): Toluene (ppm)
Traditional MCL in mg/l: 1
To convert for CCR, multiply by: –
MCL in CCR units: 1
MCLG: 1
Major sources in drinking water: Discharge from petroleum factories.
Health effects language: Some people who drink water containing toluene well in excess of the MCL over many years could have problems with their nervous system, kidneys, or liver.

Contaminant (units): Vinyl Chloride (ppb)
Traditional MCL in mg/l: 0.002
To convert for CCR, multiply by: 1000
MCL in CCR units: 2
MCLG: 0
Major sources in drinking water: Leaching from PVC piping; discharge from plastics factories.
NOTICE OF ADOPTED AMENDMENTS

Health effects language: Some people who drink water containing vinyl chloride in excess of the MCL over many years may have an increased risk of getting cancer.

Contaminant (units): Xylenes (ppm)
Traditional MCL in mg/l: 10
To convert for CCR, multiply by: –
MCL in CCR units: 10
MCLG: 10
Major sources in drinking water: Discharge from petroleum factories; discharge from chemical factories.
Health effects language: Some people who drink water containing xylenes in excess of the MCL over many years could experience damage to their nervous system.

Key.

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Meaning</th>
</tr>
</thead>
<tbody>
<tr>
<td>AL</td>
<td>action level</td>
</tr>
<tr>
<td>MCL</td>
<td>maximum contaminant level</td>
</tr>
<tr>
<td>MCLG</td>
<td>maximum contaminant level goal</td>
</tr>
<tr>
<td>MFL</td>
<td>million fibers per liter</td>
</tr>
<tr>
<td>MRDL</td>
<td>maximum residual disinfectant level</td>
</tr>
<tr>
<td>MRDLG</td>
<td>maximum residual disinfectant level goal</td>
</tr>
<tr>
<td>mrem/year</td>
<td>millirems per year (a measure of radiation absorbed by the body)</td>
</tr>
<tr>
<td>N/A</td>
<td>not applicable</td>
</tr>
<tr>
<td>NTU</td>
<td>nephelometric turbidity units (a measure of water clarity)</td>
</tr>
<tr>
<td>pCi/l</td>
<td>picocuries per liter (a measure of radioactivity)</td>
</tr>
<tr>
<td>ppm</td>
<td>parts per million, or milligrams per liter (mg/l)</td>
</tr>
<tr>
<td>ppb</td>
<td>parts per billion, or micrograms per liter (µg/l)</td>
</tr>
<tr>
<td>ppt</td>
<td>parts per trillion, or nanograms per liter</td>
</tr>
<tr>
<td>ppq</td>
<td>parts per quadrillion, or picograms per liter</td>
</tr>
<tr>
<td>TT</td>
<td>treatment technique</td>
</tr>
</tbody>
</table>

### Section 611. Appendix C  Common Names of Organic Chemicals

The following common names are used for certain organic chemicals:

<table>
<thead>
<tr>
<th>Common Name</th>
<th>CAS No.</th>
<th>CAS Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aldrin</td>
<td>309-00-2</td>
<td>1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a-hexahydro-, (1alpha, 4alpha, 4beta, 5alpha, 8alpha, 8beta)-</td>
</tr>
<tr>
<td>Bromoform</td>
<td>75-25-2</td>
<td>Methane, tribromo-</td>
</tr>
<tr>
<td>Chlordane</td>
<td>57-74-9</td>
<td>4,7-Methano-1H-indene, 1,2,4,5,6,7,8,8-octachloro-2,3,3a,4,7,7a-hexahydro-</td>
</tr>
<tr>
<td>Chloroform</td>
<td>67-66-3</td>
<td>Methane, trichloro-</td>
</tr>
<tr>
<td>2,4-D</td>
<td>94-75-7</td>
<td>Acetic acid, 2,4-dichlorophenoxy-</td>
</tr>
<tr>
<td>DDT</td>
<td>50-29-3</td>
<td>Benzene, 1,1'-(2,2,2-trichloroethylidene)bis(4-chloro-</td>
</tr>
<tr>
<td>Dieldrin</td>
<td>60-57-1</td>
<td>2,7:3,6-Dimethanonaphth(2,3-b)oxirene, 3,4,5,6,9,9-hexachloro-1a,2,2a,3,6,6a,7,7a-octahydro-, (1alpha, 2beta, 2alpha, 3beta, 6beta, 6alpha, 7beta, 7alpha)-</td>
</tr>
<tr>
<td>Endrin</td>
<td>72-20-8</td>
<td>2,7:3,6-Dimethanonaphth(2,3-b)oxirene, 3,4,5,6,9,9-hexachloro-1a,2,2a,3,6,6a,7,7a-octahydro-, (1alpha, 2beta, 2alpha, 3alpha, 6alpha, 6beta, 7beta, 7alpha)-</td>
</tr>
<tr>
<td>Heptachlor</td>
<td>76-44-8</td>
<td>4,7-Methano-1H-indene, 1,4,5,6,7,8,8-heptachloro-3a,4,7,7a-tetrahydro-</td>
</tr>
<tr>
<td>Heptachlor epoxide</td>
<td>1024-57-3</td>
<td>2,5-Methano-2H-indeno(1,2b) oxirene, 2,3,4,5,6,7,7-heptachloro-1a,1b,5,5a,6,6a-hexahydro-, (1a alpha, 1b beta, 2 alpha, 5 alpha, 5a beta, 6 beta, 6a alpha)-</td>
</tr>
</tbody>
</table>
### POLLUTION CONTROL BOARD

**NOTICE OF ADOPTED AMENDMENTS**

<table>
<thead>
<tr>
<th>Chemical</th>
<th>CAS Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lindane</td>
<td>58-89-9</td>
<td>Cyclohexane, 1,2,3,4,5,6-hexachloro-, (1alpha, 2alpha, 3beta, 4alpha, 5alpha, 6beta)-</td>
</tr>
<tr>
<td>Methoxychlor</td>
<td>72-43-5</td>
<td>Benzene, 1,1'-(2,2,2-trichloroethylidene)bis(4-methoxy-</td>
</tr>
<tr>
<td>Silvex (2,4,5-TP)</td>
<td>93-72-1</td>
<td>Propanoic acid, 2-(2,4,5-trichlorophenoxy)-</td>
</tr>
<tr>
<td>Toxaphene</td>
<td>8001-35-2</td>
<td>Toxaphene</td>
</tr>
<tr>
<td>TTHM</td>
<td></td>
<td>Total trihalomethanes (See Section 611.101)</td>
</tr>
</tbody>
</table>


(Source: Amended at 31 Ill. Reg. 11757, effective July 27, 2007)
Section 611. APPENDIX G  NPDWR Violations and Situations Requiring Public Notice

See note 1 at the end of this Appendix G for an explanation of the Agency's authority to alter the magnitude of a violation from that set forth in the following table.

<table>
<thead>
<tr>
<th>Contaminant</th>
<th>MCL/MRDL/TT violations (^t)</th>
<th>Monitoring &amp; testing procedure violations</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Citation Tier of public notice required</td>
<td>Citation Tier of public notice required</td>
</tr>
<tr>
<td></td>
<td>Citation</td>
<td></td>
</tr>
</tbody>
</table>

I. Violations of National Primary Drinking Water Regulations (NPDWR). \(^3\)

A. Microbiological Contaminants

<table>
<thead>
<tr>
<th>Step</th>
<th>Contaminant</th>
<th>MCL/MRDL/TT violations (^t)</th>
<th>Monitoring &amp; testing procedure violations</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Total coliform</td>
<td>2</td>
<td>611.325(a)</td>
</tr>
<tr>
<td>2</td>
<td>Fecal coliform/E. coli</td>
<td>1</td>
<td>611.325(b)</td>
</tr>
<tr>
<td>3</td>
<td>Turbidity MCL</td>
<td>2</td>
<td>611.320(a)</td>
</tr>
<tr>
<td>4</td>
<td>Turbidity MCL (average of two days' samples greater than 5 NTU)</td>
<td>(^5) 2, 1</td>
<td>611.320(b)</td>
</tr>
<tr>
<td>5</td>
<td>Turbidity (for TT violations resulting from a single exceedence of maximum allowable turbidity level)</td>
<td>(^6) 2, 1</td>
<td>611.231(b), 611.233(b)(1), 611.250(a)(2), 611.250(b)(2), 611.250(c)(2), 611.250(d), 611.743(a)(2), 611.743(b), 611.955(b)(2)</td>
</tr>
<tr>
<td>6</td>
<td>Surface Water Treatment Rule violations, other than violations resulting from single exceedence of max. allowable turbidity level (TT)</td>
<td>2</td>
<td>611.211, 611.213, 611.220, 611.230-611.233, 611.240-611.242, 611.250</td>
</tr>
</tbody>
</table>
### NOTICE OF ADOPTED AMENDMENTS

<table>
<thead>
<tr>
<th>Rule violations</th>
<th>Section Numbers</th>
<th>Code(s)</th>
<th>▼&lt;br&gt;</th>
<th>Section Numbers</th>
<th>Code(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>7. Interim Enhanced Surface Water Treatment Rule violations, other than violations resulting from single exceedence of max. turbidity level (TT)</td>
<td>611.740-611.743, 611.950-611.955</td>
<td>611.742, 611.744, 611.953, 611.954, 611.956</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8. Filter Backwash Recycling Rule violations</td>
<td>611.276(c)</td>
<td>611.276(b), (d)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. Long Term 1 Enhanced Surface Water Treatment Rule violations</td>
<td>611.950-611.955</td>
<td>611.953, 611.954, 611.956</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10. LT2ESWTR violations</td>
<td>611.1010-611.1020</td>
<td>611.1001-611.1005 and 611.1008-611.1009</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11. Groundwater Rule violations</td>
<td>611.804</td>
<td>611.802(h)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### B. Inorganic Chemicals (IOCs)

<table>
<thead>
<tr>
<th>Element</th>
<th>Section Numbers</th>
<th>Code(s)</th>
<th>▼&lt;br&gt;</th>
<th>Section Numbers</th>
<th>Code(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Antimony</td>
<td>611.301(b)</td>
<td>611.600, 611.601, 611.603</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Arsenic</td>
<td>611.301(b)</td>
<td>611.600, 611.601, 611.602</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Asbestos (fibers greater than 10 µm)</td>
<td>611.301(b)</td>
<td>611.600, 611.601, 611.602</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Barium</td>
<td>611.301(b)</td>
<td>611.600, 611.601, 611.602</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Beryllium</td>
<td>611.301(b)</td>
<td>611.600, 611.601, 611.602</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. Cadmium</td>
<td>611.301(b)</td>
<td>611.600, 611.601, 611.602</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
POLLUTION CONTROL BOARD
NOTICE OF ADOPTED AMENDMENTS

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>7. Chromium (total)</td>
<td>2</td>
<td>611.301(b)</td>
<td>3</td>
</tr>
<tr>
<td>8. Cyanide</td>
<td>2</td>
<td>611.301(b)</td>
<td>3</td>
</tr>
<tr>
<td>9. Fluoride</td>
<td>2</td>
<td>611.301(b)</td>
<td>3</td>
</tr>
<tr>
<td>10. Mercury (inorganic)</td>
<td>2</td>
<td>611.301(b)</td>
<td>3</td>
</tr>
<tr>
<td>11. Nitrate</td>
<td>1</td>
<td>611.301(b)</td>
<td>124</td>
</tr>
<tr>
<td>12. Nitrite</td>
<td>1</td>
<td>611.301(b)</td>
<td>124</td>
</tr>
<tr>
<td>13. Total Nitrate and Nitrite</td>
<td>1</td>
<td>611.301(b)</td>
<td>3</td>
</tr>
<tr>
<td>14. Selenium</td>
<td>2</td>
<td>611.301(b)</td>
<td>3</td>
</tr>
<tr>
<td>15. Thallium</td>
<td>2</td>
<td>611.301(b)</td>
<td>3</td>
</tr>
</tbody>
</table>

C. Lead and Copper Rule (Action Level for lead is 0.015 mg/l, for copper is 1.3 mg/l)

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Lead and Copper Rule (TT)</td>
<td>2</td>
<td>611.350-611.355</td>
<td>3</td>
</tr>
</tbody>
</table>

D. Synthetic Organic Chemicals (SOCs)

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. 2,4-D</td>
<td>2</td>
<td>611.310(c)</td>
<td>3</td>
</tr>
<tr>
<td>2. 2,4,5-TP (silvex)</td>
<td>2</td>
<td>611.310(c)</td>
<td>3</td>
</tr>
<tr>
<td>3. Alachlor</td>
<td>2</td>
<td>611.310(c)</td>
<td>3</td>
</tr>
<tr>
<td>4. Atrazine</td>
<td>2</td>
<td>611.310(c)</td>
<td>3</td>
</tr>
</tbody>
</table>
### NOTICE OF ADOPTED AMENDMENTS

<table>
<thead>
<tr>
<th></th>
<th>Pollutant Description</th>
<th>Section(s) Adopted</th>
<th>Section(s) Adopted 611.648</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Benzo(a)pyrene (PAHs)</td>
<td>2, 611.310(c)</td>
<td>3, 611.648</td>
</tr>
<tr>
<td>6</td>
<td>Carbofuran</td>
<td>2, 611.310(c)</td>
<td>3, 611.648</td>
</tr>
<tr>
<td>7</td>
<td>Chlordane</td>
<td>2, 611.310(c)</td>
<td>3, 611.648</td>
</tr>
<tr>
<td>8</td>
<td>Dalapon</td>
<td>2, 611.310(c)</td>
<td>3, 611.648</td>
</tr>
<tr>
<td>9</td>
<td>Di(2-ethylhexyl)adipate</td>
<td>2, 611.310(c)</td>
<td>3, 611.648</td>
</tr>
<tr>
<td>10</td>
<td>Di(2-ethylhexyl)phthalate</td>
<td>2, 611.310(c)</td>
<td>3, 611.648</td>
</tr>
<tr>
<td>11</td>
<td>Dibromochloropropane (DBCP)</td>
<td>2, 611.310(c)</td>
<td>3, 611.648</td>
</tr>
<tr>
<td>12</td>
<td>Dinoseb</td>
<td>2, 611.310(c)</td>
<td>3, 611.648</td>
</tr>
<tr>
<td>13</td>
<td>Dioxin (2,3,7,8-TCDD)</td>
<td>2, 611.310(c)</td>
<td>3, 611.648</td>
</tr>
<tr>
<td>14</td>
<td>Diquat</td>
<td>2, 611.310(c)</td>
<td>3, 611.648</td>
</tr>
<tr>
<td>15</td>
<td>Endothall</td>
<td>2, 611.310(c)</td>
<td>3, 611.648</td>
</tr>
<tr>
<td>16</td>
<td>Endrin</td>
<td>2, 611.310(c)</td>
<td>3, 611.648</td>
</tr>
<tr>
<td>17</td>
<td>Ethylene dibromide</td>
<td>2, 611.310(c)</td>
<td>3, 611.648</td>
</tr>
<tr>
<td>18</td>
<td>Glyphosate</td>
<td>2, 611.310(c)</td>
<td>3, 611.648</td>
</tr>
<tr>
<td>19</td>
<td>Heptachlor</td>
<td>2, 611.310(c)</td>
<td>3, 611.648</td>
</tr>
<tr>
<td>20</td>
<td>Heptachlor epoxide</td>
<td>2, 611.310(c)</td>
<td>3, 611.648</td>
</tr>
<tr>
<td>21</td>
<td>Hexachlorobenzene</td>
<td>2, 611.310(c)</td>
<td>3, 611.648</td>
</tr>
<tr>
<td>22</td>
<td>Hexachlorocyclopentadiene</td>
<td>2, 611.310(c)</td>
<td>3, 611.648</td>
</tr>
<tr>
<td>23</td>
<td>Lindane</td>
<td>2, 611.310(c)</td>
<td>3, 611.648</td>
</tr>
<tr>
<td>24</td>
<td>Methoxychlor</td>
<td>2, 611.310(c)</td>
<td>3, 611.648</td>
</tr>
<tr>
<td>25</td>
<td>Oxamyl (Vydate)</td>
<td>2, 611.310(c)</td>
<td>3, 611.648</td>
</tr>
<tr>
<td>26</td>
<td>Pentachlorophenol</td>
<td>2, 611.310(c)</td>
<td>3, 611.648</td>
</tr>
<tr>
<td>27</td>
<td>Picloram</td>
<td>2, 611.310(c)</td>
<td>3, 611.648</td>
</tr>
<tr>
<td>28</td>
<td>Polychlorinated biphenyls (PCBs)</td>
<td>2, 611.310(c)</td>
<td>3, 611.648</td>
</tr>
<tr>
<td>29</td>
<td>Simazine</td>
<td>2, 611.310(c)</td>
<td>3, 611.648</td>
</tr>
<tr>
<td>30</td>
<td>Toxaphene</td>
<td>2, 611.310(c)</td>
<td>3, 611.648</td>
</tr>
</tbody>
</table>

**E. Volatile Organic Chemicals (VOCs)**

<table>
<thead>
<tr>
<th></th>
<th>Pollutant Description</th>
<th>Section(s) Adopted</th>
<th>Section(s) Adopted 611.646</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Benzene</td>
<td>2, 611.310(a)</td>
<td>3, 611.646</td>
</tr>
<tr>
<td>2</td>
<td>Carbon tetrachloride</td>
<td>2, 611.310(a)</td>
<td>3, 611.646</td>
</tr>
<tr>
<td>3</td>
<td>Chlorobenzene (monochlorobenzene)</td>
<td>2, 611.310(a)</td>
<td>3, 611.646</td>
</tr>
<tr>
<td>4</td>
<td>o-Dichlorobenzene</td>
<td>2, 611.310(a)</td>
<td>3, 611.646</td>
</tr>
<tr>
<td>5</td>
<td>p-Dichlorobenzene</td>
<td>2, 611.310(a)</td>
<td>3, 611.646</td>
</tr>
<tr>
<td>6</td>
<td>1,2-Dichloroethane</td>
<td>2, 611.310(a)</td>
<td>3, 611.646</td>
</tr>
</tbody>
</table>
### NOTICE OF ADOPTED AMENDMENTS

<table>
<thead>
<tr>
<th></th>
<th>Substance</th>
<th>Subpart</th>
<th>Method</th>
<th>Method 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.</td>
<td>1,1-Dichloroethylene</td>
<td>2</td>
<td>611.310(a)</td>
<td>3</td>
</tr>
<tr>
<td>8.</td>
<td>cis-1,2-Dichloroethylene</td>
<td>2</td>
<td>611.310(a)</td>
<td>3</td>
</tr>
<tr>
<td>9.</td>
<td>trans-1,2-Dichloroethylene</td>
<td>2</td>
<td>611.310(a)</td>
<td>3</td>
</tr>
<tr>
<td>10.</td>
<td>Dichloromethane</td>
<td>2</td>
<td>611.310(a)</td>
<td>3</td>
</tr>
<tr>
<td>11.</td>
<td>1,2-Dichloropropane</td>
<td>2</td>
<td>611.310(a)</td>
<td>3</td>
</tr>
<tr>
<td>12.</td>
<td>Ethylbenzene</td>
<td>2</td>
<td>611.310(a)</td>
<td>3</td>
</tr>
<tr>
<td>13.</td>
<td>Styrene</td>
<td>2</td>
<td>611.310(a)</td>
<td>3</td>
</tr>
<tr>
<td>14.</td>
<td>Tetrachloroethylene</td>
<td>2</td>
<td>611.310(a)</td>
<td>3</td>
</tr>
<tr>
<td>15.</td>
<td>Toluene</td>
<td>2</td>
<td>611.310(a)</td>
<td>3</td>
</tr>
<tr>
<td>16.</td>
<td>1,2,4-Trichlorobenzene</td>
<td>2</td>
<td>611.310(a)</td>
<td>3</td>
</tr>
<tr>
<td>17.</td>
<td>1,1,1-Trichloroethane</td>
<td>2</td>
<td>611.310(a)</td>
<td>3</td>
</tr>
<tr>
<td>18.</td>
<td>1,1,2-Trichloroethane</td>
<td>2</td>
<td>611.310(a)</td>
<td>3</td>
</tr>
<tr>
<td>19.</td>
<td>Trichloroethylene</td>
<td>2</td>
<td>611.310(a)</td>
<td>3</td>
</tr>
<tr>
<td>20.</td>
<td>Vinyl chloride</td>
<td>2</td>
<td>611.310(a)</td>
<td>3</td>
</tr>
<tr>
<td>21.</td>
<td>Xylenes (total)</td>
<td>2</td>
<td>611.310(a)</td>
<td>3</td>
</tr>
</tbody>
</table>

#### F. Radioactive Contaminants

<table>
<thead>
<tr>
<th></th>
<th>Substance</th>
<th>Subpart</th>
<th>Method</th>
<th>Method 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Beta/photon emitters</td>
<td>2</td>
<td>611.330(d)</td>
<td>3</td>
</tr>
<tr>
<td>2.</td>
<td>Alpha emitters</td>
<td>2</td>
<td>611.330(c)</td>
<td>3</td>
</tr>
<tr>
<td>3.</td>
<td>Combined radium (226 &amp; 228)</td>
<td>2</td>
<td>611.330(b)</td>
<td>3</td>
</tr>
<tr>
<td>4.</td>
<td>Uranium</td>
<td>2</td>
<td>611.330(e)</td>
<td>3</td>
</tr>
</tbody>
</table>

#### G. Disinfection Byproducts (DBPs), Byproduct Precursors, Disinfectant Residuals.

Where disinfection is used in the treatment of drinking water, disinfectants combine with organic and inorganic matter present in water to form chemicals called disinfection byproducts (DBPs). USEPA sets standards for controlling the levels of disinfectants and DBPs in drinking water, including trihalomethanes (THMs) and haloacetic acids (HAAs).[^1]

<table>
<thead>
<tr>
<th></th>
<th>Substance</th>
<th>Subpart</th>
<th>Method</th>
<th>Method 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Total trihalomethanes (TTHMs)</td>
<td>2</td>
<td>611.312(b)</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>611.312(a)</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Haloacetic Acids (HAA5)</td>
<td>2</td>
<td>611.312(b)</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>611.312(a)</td>
<td></td>
</tr>
</tbody>
</table>
# Pollution Control Board

## Notice of Adopted Amendments

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Bromate</td>
<td>2</td>
<td>611.312(a)</td>
<td>3</td>
</tr>
<tr>
<td>4. Chlorite</td>
<td>2</td>
<td>611.312(a)</td>
<td>3</td>
</tr>
<tr>
<td>5. Chlorine (MRDL)</td>
<td>2</td>
<td>611.313(a)</td>
<td>3</td>
</tr>
<tr>
<td>6. Chloramine (MRDL)</td>
<td>2</td>
<td>611.313(a)</td>
<td>3</td>
</tr>
<tr>
<td>7. Chlorine dioxide (MRDL), where any two consecutive daily samples at entrance to distribution system only are above MRDL</td>
<td>2</td>
<td>611.313(a), 611.383(c)(3)</td>
<td>2&lt;sup&gt;15&lt;/sup&gt;, 3</td>
</tr>
<tr>
<td>8. Chlorine dioxide (MRDL), where samples in distribution system the next day are also above MRDL</td>
<td>16&lt;sup&gt;1&lt;/sup&gt;</td>
<td>611.313(a), 611.383(c)(3)</td>
<td>1</td>
</tr>
<tr>
<td>9. Control of DBP precursors – TOC (TT)</td>
<td>2</td>
<td>611.385(a)-(b)</td>
<td>3</td>
</tr>
<tr>
<td>10. Benchmarking and disinfection profiling</td>
<td>N/A</td>
<td>N/A</td>
<td>3</td>
</tr>
<tr>
<td>11. Development of monitoring plan</td>
<td>N/A</td>
<td>N/A</td>
<td>3</td>
</tr>
</tbody>
</table>

### H. Other Treatment Techniques

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Acrylamide (TT)</td>
<td>2</td>
<td>611.296</td>
<td>N/A</td>
</tr>
<tr>
<td>2. Epichlorohydrin (TT)</td>
<td>2</td>
<td>611.296</td>
<td>N/A</td>
</tr>
</tbody>
</table>

### II. Unregulated Contaminant Monitoring: <sup>17</sup>

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A. Unregulated contaminants</td>
<td>N/A</td>
<td>N/A</td>
<td>3</td>
</tr>
<tr>
<td>B. Nickel</td>
<td>N/A</td>
<td>N/A</td>
<td>3</td>
</tr>
</tbody>
</table>

### III. Public Notification for Relief Equivalent to a SDWA section 1415 Variance or a section 1416 Exemption.

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A. Operation under relief equivalent to a SDWA section 1415 variance or a section 1416 exemption</td>
<td>3</td>
<td>18&lt;sup&gt;18&lt;/sup&gt; 1415, 1416</td>
<td>N/A</td>
</tr>
</tbody>
</table>
### B. Violation of conditions of relief equivalent to a SDWA section 1415 variance or a section 1416 exemption

|   |   | 1415, 1416, 19611.111, 611.112 | N/A | N/A |

### IV. Other Situations Requiring Public Notification.

#### A. Fluoride secondary maximum contaminant level (SMCL) exceedence

|   |   | 611.858 | N/A | N/A |

#### B. Exceedence of nitrate MCL for a non-CWS supplier, as allowed by the Agency

|   |   | 611.300(d) | N/A | N/A |

#### C. Availability of unregulated contaminant monitoring data

|   |   | 611.510 | N/A | N/A |

#### D. Waterborne disease outbreak

|   |   | 611.101, 611.233(b)(2) | N/A | N/A |

#### E. Other waterborne emergency

|   |   | N/A | N/A | N/A |

#### F. Source water sample positive for Groundwater Rule fecal indicators: E. coli, enterococci, or coliphage

|   |   | 611.802(g) | N/A | N/A |

#### G.F. Other situations as determined by the Agency by a SEP issued pursuant to Section 611.110

|   |   | N/A | N/A | N/A |

### Appendix G – Endnotes

1. Violations and other situations not listed in this table (e.g., failure to prepare Consumer Confidence Reports) do not require notice, unless otherwise determined by the Agency by a SEP issued pursuant to Section 611.110. The Agency may, by a SEP issued pursuant to Section 611.110, further require a more stringent public notice tier (e.g., Tier 1 instead of Tier 2 or Tier 2 instead of Tier 3) for specific violations and situations listed in this Appendix, as authorized under Sections 611.902(a) and 611.903(a).

2. Definition of the abbreviations used: "MCL" means maximum contaminant level, "MRDL" means maximum residual disinfectant level, and "TT" means treatment technique.
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

3. The term "violations of National Primary Drinking Water Regulations (NPDWR)" is used here to include violations of MCL, MRDL, treatment technique, monitoring, and testing procedure requirements.

4. Failure to test for fecal coliform or E. coli is a Tier 1 violation if testing is not done after any repeat sample tests positive for coliform. All other total coliform monitoring and testing procedure violations are Tier 3 violations.

5. A supplier that violates the turbidity MCL of 5 NTU based on an average of measurements over two consecutive days must consult with the Agency within 24 hours after learning of the violation. Based on this consultation, the Agency may subsequently decide to issue a SEP pursuant to Section 611.110 that elevates the violation to a Tier 1 violation. If a supplier is unable to make contact with the Agency in the 24-hour period, the violation is automatically elevated to a Tier 1 violation.

6. A supplier with a treatment technique violation involving a single exceedence of a maximum turbidity limit under the Surface Water Treatment Rule (SWTR), the Interim Enhanced Surface Water Treatment Rule (IESWTR), or the Long Term 1 Enhanced Surface Water Treatment Rule are required to consult with the Agency within 24 hours after learning of the violation. Based on this consultation, the Agency may subsequently decide to issue a SEP pursuant to Section 611.110 that elevates the violation to a Tier 1 violation. If a supplier is unable to make contact with the Agency in the 24-hour period, the violation is automatically elevated to a Tier 1 violation.

7. The Surface Water Treatment Rule (SWTR) remains in effect for a supplier that serves at least 10,000 persons; the Interim Enhanced Surface Water Treatment Rule adds additional requirements and does not in many cases supersede the SWTR.

8. This endnote 8 corresponds with the endnote to the table in appendix A to subpart Q of 40 CFR 141 (2006), which stated a past effective date. This statement maintains structural consistency with the federal regulations. The arsenic MCL citations are effective January 23, 2006. Until then, the citations are Sections 611.330(b) and 611.612(c).

9. This endnote 8 corresponds with the endnote to the table in appendix A to subpart Q of 40 CFR 141 (2006), which stated a past effective date. This statement maintains structural consistency with the federal regulations. The arsenic Tier 3 violation MCL citations are effective January 23, 2006. Until then, the citations are Sections 611.100, 611.101, and 611.612.

10. Failure to take a confirmation sample within 24 hours for nitrate or nitrite after an initial
sample exceeds the MCL is a Tier 1 violation. Other monitoring violations for nitrate are Tier 3.

11. This endnote 11 corresponds with the endnote to the table in Appendix A to Subpart Q of 40 CFR 141 (2006), which stated a past effective date. This statement maintains structural consistency with the federal regulations.

12. Failure to take a confirmation sample within 24 hours for nitrate or nitrite after an initial sample exceeds the MCL is a Tier 1 violation. Other monitoring violations for nitrate are Tier 3. This endnote 12 corresponds with the endnote to the table in Appendix A to Subpart Q of 40 CFR 141 (2003), which stated a past effective date. This statement maintains structural consistency with the federal regulations.

13. A Subpart B community or non-transient non-community system supplier must comply with new DBP MCLs, disinfectant MRDLs, and related monitoring requirements. A Subpart B transient non-community system supplier that serves 10,000 or more persons that uses chlorine dioxide as a disinfectant or oxidant or a Subpart B transient non-community system supplier that serves fewer than 10,000 persons, which uses only groundwater not under the direct influence of surface water, and which uses chlorine dioxide as a disinfectant or oxidant must comply with the chlorine dioxide MRDL.

14. Sections 611.312(b)(1) and 611.382(a) and (b) apply until Subpart Y of this Part takes effect under the schedule set forth in Section 611.970(c). This endnote 14 corresponds with the endnote to the table in Appendix A to Subpart Q of 40 CFR 141 (2003), which stated a past effective date. This statement maintains structural consistency with the federal regulations.

15. Failure to monitor for chlorine dioxide at the entrance to the distribution system the day after exceeding the MRDL at the entrance to the distribution system is a Tier 2 violation.

16. If any daily sample taken at the entrance to the distribution system exceeds the MRDL for chlorine dioxide and one or more samples taken in the distribution system the next day exceed the MRDL, Tier 1 notification is required. A failure to take the required samples in the distribution system after the MRDL is exceeded at the entry point also triggers Tier 1 notification.

17. Some water suppliers must monitor for certain unregulated contaminants listed in Section 611.510.

18. This citation refers to sections 1415 and 1416 of the federal Safe Drinking Water Act. Sections 1415 and 1416 require that "a schedule prescribed...for a public water system granted
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

relief equivalent to a SDWA section 1415 variance or a section 1416 exemption must require compliance by the system...." 

19. In addition to sections 1415 and 1416 of the federal Safe Drinking Water Act, 40 CFR 142.307 specifies the items and schedule milestones that must be included in relief equivalent to a SDWA section 1415 small system variance. In granting any form of relief from an NPDWR, the Board will consider all applicable federal requirements for and limitations on the State's ability to grant relief consistent with federal law.

20. Other waterborne emergencies require a Tier 1 public notice under Section 611.902(a) for situations that do not meet the definition of a waterborne disease outbreak given in Section 611.101, but which still have the potential to have serious adverse effects on health as a result of short-term exposure. These could include outbreaks not related to treatment deficiencies, as well as situations that have the potential to cause outbreaks, such as failures or significant interruption in water treatment processes, natural disasters that disrupt the water supply or distribution system, chemical spills, or unexpected loading of possible pathogens into the source water.

21. The Agency may place any other situation in any tier it deems appropriate in writing, based on the prospective threat which it determines that the situation poses to public health, and subject to Board review pursuant to Section 40 of the Act [415 ILCS 5/40].

22. A failure to collect three or more samples for Cryptosporidium analysis is a Tier 2 violation requiring special notice, as specified in Section 611.911. All other monitoring and testing procedure violations are Tier 3.


(Source: Amended at 31 Ill. Reg. 11757 effective July 27, 2007)
### National Primary Drinking Water Regulations (NPDWR):

#### A. Microbiological Contaminants

<table>
<thead>
<tr>
<th>Contaminant</th>
<th>MCLG (^1) mg/l</th>
<th>MCL (^2) mg/l</th>
<th>Standard health effects language for public notification</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1a. Total coliform</strong></td>
<td>Zero</td>
<td>See footnote 3</td>
<td>Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.</td>
</tr>
<tr>
<td><strong>1b. Fecal coliform/E. coli</strong></td>
<td>Zero</td>
<td>Zero</td>
<td>Fecal coliforms and E coli are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Microbes in these wastes can cause short-term effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, some of the elderly, and people with severely compromised immune systems.</td>
</tr>
<tr>
<td><strong>1c. Fecal indicators (GWR):</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>i. E. coli</td>
<td>Zero</td>
<td>TT</td>
<td>Fecal indicators are microbes whose presence indicates that the water may be contaminated with human or animal wastes. Microbes in these wastes can cause short-term health effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, some of the elderly, and people with severely compromised immune systems.</td>
</tr>
<tr>
<td>ii. enterococci</td>
<td>None</td>
<td>TT</td>
<td></td>
</tr>
<tr>
<td>iii. coliphage</td>
<td>None</td>
<td>TT</td>
<td></td>
</tr>
</tbody>
</table>
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

<table>
<thead>
<tr>
<th>1d. Groundwater Rule TT violations</th>
<th>None</th>
<th>TT</th>
<th>Inadequately treated or inadequately protected water may contain disease-causing organisms. These organisms can cause symptoms such as diarrhea, nausea, cramps, and associated headaches.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2a. Turbidity (MCL) (^4)</td>
<td>None</td>
<td>1 NTU (^{3/5}) NTU</td>
<td>Turbidity has no health effects. However, turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.</td>
</tr>
<tr>
<td>2b. Turbidity (SWTR TT)</td>
<td>None</td>
<td>TT (^7)</td>
<td>Turbidity has no health effects. However, turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.</td>
</tr>
<tr>
<td>2c. Turbidity (IESWTR TT and LT1ESWTR TT)</td>
<td>None</td>
<td>TT</td>
<td>Turbidity has no health effects. However, turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.</td>
</tr>
</tbody>
</table>
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

B. Surface Water Treatment Rule (SWTR), Interim Enhanced Surface Water Treatment Rule (IESWTR), Long Term 1 Enhanced Surface Water Treatment Rule (LT1ESWTR), and Filter Backwash Recycling Rule (FBRR) violations:

<table>
<thead>
<tr>
<th>Violation Description</th>
<th>Limit</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Giardia lamblia (SWTR/IESWTR/LT1ESWTR)</td>
<td>Zero</td>
<td>TT 10</td>
</tr>
<tr>
<td>4. Viruses (SWTR/IESWTR/LT1ESWTR)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Heterotrophic plate count (HPC) bacteria (SWTR/IESWTR/LT1ESWTR)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. Legionella (SWTR/IESWTR/LT1ESWTR)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. Cryptosporidium (IESWTR/FBRR/LT1ESWTR)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
C. Inorganic Chemicals (IOCs)

<table>
<thead>
<tr>
<th>8. Antimony</th>
<th>0.006</th>
<th>0.006</th>
<th>Some people who drink water containing antimony well in excess of the MCL over many years could experience increases in blood cholesterol and decreases in blood sugar.</th>
</tr>
</thead>
<tbody>
<tr>
<td>9. Arsenic</td>
<td>0</td>
<td>0.010</td>
<td>Some people who drink water containing arsenic in excess of the MCL over many years could experience skin damage or problems with their circulatory system, and may have an increased risk of getting cancer.</td>
</tr>
<tr>
<td>10. Asbestos (10 µm)</td>
<td>7 MFL</td>
<td>7 MFL</td>
<td>Some people who drink water containing asbestos in excess of the MCL over many years may have an increased risk of developing benign intestinal polyps.</td>
</tr>
<tr>
<td>11. Barium</td>
<td>2</td>
<td>2</td>
<td>Some people who drink water containing barium in excess of the MCL over many years could experience an increase in their blood pressure.</td>
</tr>
<tr>
<td>12. Beryllium</td>
<td>0.004</td>
<td>0.004</td>
<td>Some people who drink water containing beryllium well in excess of the MCL over many years could develop intestinal lesions.</td>
</tr>
<tr>
<td>13. Cadmium</td>
<td>0.005</td>
<td>0.005</td>
<td>Some people who drink water containing cadmium in excess of the MCL over many years could experience kidney damage.</td>
</tr>
<tr>
<td>14. Chromium (total)</td>
<td>0.1</td>
<td>0.1</td>
<td>Some people who use water containing chromium well in excess of the MCL over many years could experience allergic dermatitis.</td>
</tr>
</tbody>
</table>
## NOTICE OF ADOPTED AMENDMENTS

<table>
<thead>
<tr>
<th></th>
<th>MCL</th>
<th>MCL amended to</th>
</tr>
</thead>
<tbody>
<tr>
<td>15. Cyanide</td>
<td>0.2</td>
<td>0.2</td>
</tr>
<tr>
<td>16. Fluoride</td>
<td>4.0</td>
<td>4.0</td>
</tr>
<tr>
<td>17. Mercury (inorganic)</td>
<td>0.002</td>
<td>0.002</td>
</tr>
<tr>
<td>18. Nitrate</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>19. Nitrite</td>
<td>1</td>
<td>1</td>
</tr>
</tbody>
</table>
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

<table>
<thead>
<tr>
<th>20. Total Nitrate and Nitrite</th>
<th>10</th>
<th>10</th>
<th>Infants below the age of six months who drink water containing nitrate and nitrite in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue baby syndrome.</th>
</tr>
</thead>
<tbody>
<tr>
<td>21. Selenium</td>
<td>0.05</td>
<td>0.05</td>
<td>Selenium is an essential nutrient. However, some people who drink water containing selenium in excess of the MCL over many years could experience hair or fingernail losses, numbness in fingers or toes, or problems with their circulation.</td>
</tr>
<tr>
<td>22. Thallium</td>
<td>0.0005</td>
<td>0.002</td>
<td>Some people who drink water containing thallium in excess of the MCL over many years could experience hair loss, changes in their blood, or problems with their kidneys, intestines, or liver.</td>
</tr>
</tbody>
</table>

D. Lead and Copper Rule

| 23. Lead                      | Zero | TT\textsuperscript{13} | Infants and children who drink water containing lead in excess of the action level could experience delays in their physical or mental development. Children could show slight deficits in attention span and learning abilities. Adults who drink this water over many years could develop kidney problems or high blood pressure. |
Copper is an essential nutrient, but some people who drink water containing copper in excess of the action level over a relatively short amount of time could experience gastrointestinal distress. Some people who drink water containing copper in excess of the action level over many years could suffer liver or kidney damage. People with Wilson's Disease should consult their personal doctor.

E. Synthetic Organic Chemicals (SOCs)

<table>
<thead>
<tr>
<th>Substance</th>
<th>MCL</th>
<th>MCL Current</th>
</tr>
</thead>
<tbody>
<tr>
<td>25. 2,4-D</td>
<td>0.07</td>
<td>0.07</td>
</tr>
<tr>
<td>26. 2,4,5-TP (silvex)</td>
<td>0.05</td>
<td>0.05</td>
</tr>
<tr>
<td>27. Alachlor</td>
<td>Zero</td>
<td>0.002</td>
</tr>
<tr>
<td>28. Atrazine</td>
<td>0.003</td>
<td>0.003</td>
</tr>
</tbody>
</table>

Some people who drink water containing the weed killer 2,4-D well in excess of the MCL over many years could experience problems with their kidneys, liver, or adrenal glands.

Some people who drink water containing silvex in excess of the MCL over many years could experience liver problems.

Some people who drink water containing alachlor in excess of the MCL over many years could have problems with their eyes, liver, kidneys, or spleen, or experience anemia, and may have an increased risk of getting cancer.

Some people who drink water containing atrazine well in excess of the MCL over many years could experience problems with their cardiovascular system or reproductive difficulties.
# POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>29. Benzo(a)pyrene</strong> (PAHs).</td>
<td>Zero</td>
<td>0.0002</td>
</tr>
<tr>
<td></td>
<td>Some people who drink water containing benzo(a)pyrene in excess of the MCL over many years may experience reproductive difficulties and may have an increased risk of getting cancer.</td>
<td></td>
</tr>
<tr>
<td><strong>30. Carbofuran</strong></td>
<td>0.04</td>
<td>0.04</td>
</tr>
<tr>
<td></td>
<td>Some people who drink water containing carbofuran in excess of the MCL over many years could experience problems with their blood, or nervous or reproductive systems.</td>
<td></td>
</tr>
<tr>
<td><strong>31. Chlordane</strong></td>
<td>Zero</td>
<td>0.002</td>
</tr>
<tr>
<td></td>
<td>Some people who drink water containing chlordane in excess of the MCL over many years could experience problems with their liver or nervous system, and may have an increased risk of getting cancer.</td>
<td></td>
</tr>
<tr>
<td><strong>32. Dalapon</strong></td>
<td>0.2</td>
<td>0.2</td>
</tr>
<tr>
<td></td>
<td>Some people who drink water containing dalapon well in excess of the MCL over many years could experience minor kidney changes.</td>
<td></td>
</tr>
<tr>
<td><strong>33. Di(2-ethylhexyl)adipate</strong></td>
<td>0.4</td>
<td>0.4</td>
</tr>
<tr>
<td></td>
<td>Some people who drink water containing di(2-ethylhexyl)adipate well in excess of the MCL over many years could experience toxic effects, such as weight loss, liver enlargement, or possible reproductive difficulties.</td>
<td></td>
</tr>
<tr>
<td><strong>34. Di(2-ethylhexyl)-phthalate</strong></td>
<td>Zero</td>
<td>0.006</td>
</tr>
<tr>
<td></td>
<td>Some people who drink water containing di(2-ethylhexyl)phthalate well in excess of the MCL over many years may have problems with their liver or experience reproductive difficulties, and they may have an increased risk of getting cancer.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pollutant Description</td>
<td>Level MCL</td>
</tr>
<tr>
<td>---</td>
<td>-----------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>35.</td>
<td>Dibromochloropropane (DBCP)</td>
<td>Zero</td>
</tr>
<tr>
<td>36.</td>
<td>Dinoseb</td>
<td>0.007</td>
</tr>
<tr>
<td>37.</td>
<td>Dioxin (2,3,7,8-TCDD)</td>
<td>Zero</td>
</tr>
<tr>
<td>38.</td>
<td>Diquat</td>
<td>0.02</td>
</tr>
<tr>
<td>39.</td>
<td>Endothall</td>
<td>0.1</td>
</tr>
<tr>
<td>40.</td>
<td>Endrin</td>
<td>0.002</td>
</tr>
<tr>
<td>41.</td>
<td>Ethylene dibromide</td>
<td>Zero</td>
</tr>
</tbody>
</table>
### POLLUTION CONTROL BOARD

**NOTICE OF ADOPTED AMENDMENTS**

<table>
<thead>
<tr>
<th></th>
<th>Compound</th>
<th>MCL</th>
<th>MCL</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>42.</td>
<td>Glyphosate</td>
<td>0.7</td>
<td>0.7</td>
<td>Some people who drink water containing glyphosate in excess of the MCL over many years could experience problems with their kidneys or reproductive difficulties.</td>
</tr>
<tr>
<td>43.</td>
<td>Heptachlor</td>
<td>Zero</td>
<td>0.0004</td>
<td>Some people who drink water containing heptachlor in excess of the MCL over many years could experience liver damage and may have an increased risk of getting cancer.</td>
</tr>
<tr>
<td>44.</td>
<td>Heptachlor epoxide</td>
<td>Zero</td>
<td>0.0002</td>
<td>Some people who drink water containing heptachlor epoxide in excess of the MCL over many years could experience liver damage, and may have an increased risk of getting cancer.</td>
</tr>
<tr>
<td>45.</td>
<td>Hexachlorobenzene</td>
<td>Zero</td>
<td>0.001</td>
<td>Some people who drink water containing hexachlorobenzene in excess of the MCL over many years could experience problems with their liver or kidneys, or adverse reproductive effects, and may have an increased risk of getting cancer.</td>
</tr>
<tr>
<td>46.</td>
<td>Hexachlorocyclopentadiene</td>
<td>0.05</td>
<td>0.05</td>
<td>Some people who drink water containing hexachlorocyclopentadiene well in excess of the MCL over many years could experience problems with their kidneys or stomach.</td>
</tr>
<tr>
<td>47.</td>
<td>Lindane</td>
<td>0.0002</td>
<td>0.0002</td>
<td>Some people who drink water containing lindane in excess of the MCL over many years could experience problems with their kidneys or liver.</td>
</tr>
<tr>
<td></td>
<td>Substance</td>
<td>MCL</td>
<td>Compliance</td>
<td>Health Effects</td>
</tr>
<tr>
<td>---</td>
<td>-------------------------------</td>
<td>------</td>
<td>------------</td>
<td>--------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>48.</td>
<td>Methoxychlor</td>
<td>0.04</td>
<td>0.04</td>
<td>Some people who drink water containing methoxychlor in excess of the MCL over many years could experience reproductive difficulties.</td>
</tr>
<tr>
<td>49.</td>
<td>Oxamyl (Vydate)</td>
<td>0.2</td>
<td>0.2</td>
<td>Some people who drink water containing oxamyl in excess of the MCL over many years could experience slight nervous system effects.</td>
</tr>
<tr>
<td>50.</td>
<td>Pentachlorophenol</td>
<td>Zero</td>
<td>0.001</td>
<td>Some people who drink water containing pentachlorophenol in excess of the MCL over many years could experience problems with their liver or kidneys, and may have an increased risk of getting cancer.</td>
</tr>
<tr>
<td>51.</td>
<td>Picloram</td>
<td>0.5</td>
<td>0.5</td>
<td>Some people who drink water containing picloram in excess of the MCL over many years could experience problems with their liver.</td>
</tr>
<tr>
<td>52.</td>
<td>Polychlorinated biphenyls (PCBs)</td>
<td>Zero</td>
<td>0.0005</td>
<td>Some people who drink water containing PCBs in excess of the MCL over many years could experience changes in their skin, problems with their thymus gland, immune deficiencies, or reproductive or nervous system difficulties, and may have an increased risk of getting cancer.</td>
</tr>
<tr>
<td>53.</td>
<td>Simazine</td>
<td>0.004</td>
<td>0.004</td>
<td>Some people who drink water containing simazine in excess of the MCL over many years could experience problems with their blood.</td>
</tr>
</tbody>
</table>
### NOTICE OF ADOPTED AMENDMENTS

<table>
<thead>
<tr>
<th>54. Toxaphene</th>
<th>Zero</th>
<th>0.003</th>
<th>Some people who drink water containing toxaphene in excess of the MCL over many years could have problems with their kidneys, liver, or thyroid, and may have an increased risk of getting cancer.</th>
</tr>
</thead>
<tbody>
<tr>
<td>55. Benzene</td>
<td>Zero</td>
<td>0.005</td>
<td>Some people who drink water containing benzene in excess of the MCL over many years could experience anemia or a decrease in blood platelets, and may have an increased risk of getting cancer.</td>
</tr>
<tr>
<td>56. Carbon tetrachloride</td>
<td>Zero</td>
<td>0.005</td>
<td>Some people who drink water containing carbon tetrachloride in excess of the MCL over many years could experience problems with their liver and may have an increased risk of getting cancer.</td>
</tr>
<tr>
<td>57. Chlorobenzene (monochlorobenzene)</td>
<td>0.1</td>
<td>0.1</td>
<td>Some people who drink water containing chlorobenzene in excess of the MCL over many years could experience problems with their liver or kidneys.</td>
</tr>
<tr>
<td>58. o-Dichlorobenzene</td>
<td>0.6</td>
<td>0.6</td>
<td>Some people who drink water containing o-dichlorobenzene well in excess of the MCL over many years could experience problems with their liver, kidneys, or circulatory systems.</td>
</tr>
<tr>
<td>59. p-Dichlorobenzene</td>
<td>0.075</td>
<td>0.075</td>
<td>Some people who drink water containing p-dichlorobenzene in excess of the MCL over many years could experience anemia, damage to their liver, kidneys, or spleen, or changes in their blood.</td>
</tr>
<tr>
<td></td>
<td>Substance</td>
<td>MCL</td>
<td>Health Risk</td>
</tr>
<tr>
<td>---</td>
<td>----------------------------</td>
<td>-----</td>
<td>-------------------------------------------------</td>
</tr>
<tr>
<td>60</td>
<td>1,2-Dichloroethane</td>
<td>Zero</td>
<td>Some people who drink water containing 1,2-dichloroethane in excess of the MCL over many years may have an increased risk of getting cancer.</td>
</tr>
<tr>
<td>61</td>
<td>1,1-Dichloroethylene</td>
<td>0.007</td>
<td>Some people who drink water containing 1,1-dichloroethylene in excess of the MCL over many years could experience problems with their liver.</td>
</tr>
<tr>
<td>62</td>
<td>cis-1,2-Dichloroethylene</td>
<td>0.07</td>
<td>Some people who drink water containing cis-1,2-dichloroethylene in excess of the MCL over many years could experience problems with their liver.</td>
</tr>
<tr>
<td>63</td>
<td>trans-1,2-Dichloroethylene</td>
<td>0.1</td>
<td>Some people who drink water containing trans-1,2-dichloroethylene well in excess of the MCL over many years could experience problems with their liver.</td>
</tr>
<tr>
<td>64</td>
<td>Dichloromethane</td>
<td>Zero</td>
<td>Some people who drink water containing dichloromethane in excess of the MCL over many years could have liver problems and may have an increased risk of getting cancer.</td>
</tr>
<tr>
<td>65</td>
<td>1,2-Dichloropropane</td>
<td>Zero</td>
<td>Some people who drink water containing 1,2-dichloropropane in excess of the MCL over many years may have an increased risk of getting cancer.</td>
</tr>
<tr>
<td>66</td>
<td>Ethylbenzene</td>
<td>0.7</td>
<td>Some people who drink water containing ethylbenzene well in excess of the MCL over many years could experience problems with their liver or kidneys.</td>
</tr>
</tbody>
</table>
### Pollutants and Health Risks

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>MCL 2017</th>
<th>MCL 2022</th>
<th>Health Effects</th>
</tr>
</thead>
<tbody>
<tr>
<td>67. Styrene</td>
<td>0.1</td>
<td>0.1</td>
<td>Some people who drink water containing styrene well in excess of the MCL over many years could have problems with their liver, kidneys, or circulatory system.</td>
</tr>
<tr>
<td>68. Tetrachloroethylene</td>
<td>Zero</td>
<td>0.005</td>
<td>Some people who drink water containing tetrachloroethylene in excess of the MCL over many years could have problems with their liver, and may have an increased risk of getting cancer.</td>
</tr>
<tr>
<td>69. Toluene</td>
<td>1</td>
<td>1</td>
<td>Some people who drink water containing toluene well in excess of the MCL over many years could have problems with their nervous system, kidneys, or liver.</td>
</tr>
<tr>
<td>70. 1,2,4-Trichlorobenzene</td>
<td>0.07</td>
<td>0.07</td>
<td>Some people who drink water containing 1,2,4-trichlorobenzene well in excess of the MCL over many years could experience changes in their adrenal glands.</td>
</tr>
<tr>
<td>71. 1,1,1-Trichloroethane</td>
<td>0.2</td>
<td>0.2</td>
<td>Some people who drink water containing 1,1,1-trichloroethane in excess of the MCL over many years could experience problems with their liver, nervous system, or circulatory system.</td>
</tr>
<tr>
<td>72. 1,1,2-Trichloroethane</td>
<td>0.003</td>
<td>0.005</td>
<td>Some people who drink water containing 1,1,2-trichloroethane well in excess of the MCL over many years could have problems with their liver, kidneys, or immune systems.</td>
</tr>
<tr>
<td>73. Trichloroethylene</td>
<td>Zero</td>
<td>0.005</td>
<td>Some people who drink water containing trichloroethylene in excess of the MCL over many years could experience problems with their liver and may have an increased risk of getting cancer.</td>
</tr>
</tbody>
</table>
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

<table>
<thead>
<tr>
<th>74. Vinyl chloride</th>
<th>Zero</th>
<th>0.002</th>
<th>Some people who drink water containing vinyl chloride in excess of the MCL over many years may have an increased risk of getting cancer.</th>
</tr>
</thead>
<tbody>
<tr>
<td>75. Xylenes (total)</td>
<td>10</td>
<td>10</td>
<td>Some people who drink water containing xylenes in excess of the MCL over many years could experience damage to their nervous system.</td>
</tr>
<tr>
<td>G. Radioactive Contaminants</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>76. Beta/photon emitters</td>
<td>Zero</td>
<td>4 mrem/yr</td>
<td>Certain minerals are radioactive and may emit forms of radiation known as photons and beta radiation. Some people who drink water containing beta and photon emitters in excess of the MCL over many years may have an increased risk of getting cancer.</td>
</tr>
<tr>
<td>77. Alpha emitters</td>
<td>Zero</td>
<td>15 pCi/l</td>
<td>Certain minerals are radioactive and may emit a form of radiation known as alpha radiation. Some people who drink water containing alpha emitters in excess of the MCL over many years may have an increased risk of getting cancer.</td>
</tr>
<tr>
<td>78. Combined radium (226 &amp; 228)</td>
<td>Zero</td>
<td>5 pCi/l</td>
<td>Some people who drink water containing radium 226 or 228 in excess of the MCL over many years may have an increased risk of getting cancer.</td>
</tr>
<tr>
<td>79. Uranium</td>
<td>Zero</td>
<td>30 µg/l</td>
<td>Some people who drink water containing uranium in excess of the MCL over many years may have an increased risk of getting cancer and kidney toxicity.</td>
</tr>
</tbody>
</table>
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

H. Disinfection Byproducts (DBPs), Byproduct Precursors, and Disinfectant Residuals: Where disinfection is used in the treatment of drinking water, disinfectants combine with organic and inorganic matter present in water to form chemicals called disinfection byproducts (DBPs). USEPA sets standards for controlling the levels of disinfectants and DBPs in drinking water, including trihalomethanes (THMs) and haloacetic acids (HAA5).

<table>
<thead>
<tr>
<th>Property</th>
<th>Standard (mg/L)</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>80. Total trihalomethanes (TTHMs)</td>
<td>N/A 0.080&lt;sup&gt;19,20&lt;/sup&gt;</td>
<td>Some people who drink water containing trihalomethanes in excess of the MCL over many years may experience problems with their liver, kidneys, or central nervous system, and may have an increased risk of getting cancer.</td>
</tr>
<tr>
<td>81. Haloacetic Acids (HAA5)</td>
<td>N/A 0.060&lt;sup&gt;21&lt;/sup&gt;</td>
<td>Some people who drink water containing haloacetic acids in excess of the MCL over many years may have an increased risk of getting cancer.</td>
</tr>
<tr>
<td>82. Bromate</td>
<td>Zero 0.010</td>
<td>Some people who drink water containing bromate in excess of the MCL over many years may have an increased risk of getting cancer.</td>
</tr>
<tr>
<td>83. Chlorite</td>
<td>0.08 1.0</td>
<td>Some infants and young children who drink water containing chlorite in excess of the MCL could experience nervous system effects. Similar effects may occur in fetuses of pregnant women who drink water containing chlorite in excess of the MCL. Some people may experience anemia.</td>
</tr>
</tbody>
</table>
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

<table>
<thead>
<tr>
<th>Chlorine</th>
<th>4 (MRDLG)</th>
<th>4.0 (MRDL)</th>
<th>Some people who use water containing chlorine well in excess of the MRDL could experience irritating effects to their eyes and nose. Some people who drink water containing chlorine well in excess of the MRDL could experience stomach discomfort.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chloramines</td>
<td>4 (MRDLG)</td>
<td>4.0 (MRDL)</td>
<td>Some people who use water containing chloramines well in excess of the MRDL could experience irritating effects to their eyes and nose. Some people who drink water containing chloramines well in excess of the MRDL could experience stomach discomfort or anemia.</td>
</tr>
</tbody>
</table>
### NOTICE OF ADOPTED AMENDMENTS

<table>
<thead>
<tr>
<th>85a. Chlorine dioxide, where any two consecutive daily samples taken at the entrance to the distribution system are above the MRDL</th>
<th>0.8 (MRDLG)</th>
<th>0.8 (MRDL)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Some infants and young children who drink water containing chlorine dioxide in excess of the MRDL could experience nervous system effects. Similar effects may occur in fetuses of pregnant women who drink water containing chlorine dioxide in excess of the MRDL. Some people may experience anemia. Add for public notification only: The chlorine dioxide violations reported today are the result of exceedences at the treatment facility only, not within the distribution system that delivers water to consumers. Continued compliance with chlorine dioxide levels within the distribution system minimizes the potential risk of these violations to consumers.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

<table>
<thead>
<tr>
<th>86a. Chlorine dioxide, where one or more distribution system samples are above the MRDL</th>
<th>0.8 (MRDLG)</th>
<th>0.8 (MRDL)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Some infants and young children who drink water containing chlorine dioxide in excess of the MRDL could experience nervous system effects. Similar effects may occur in fetuses of pregnant women who drink water containing chlorine dioxide in excess of the MRDL. Some people may experience anemia. Add for public notification only: The chlorine dioxide violations reported today include exceedences of the USEPA standard within the distribution system that delivers water to consumers. Violations of the chlorine dioxide standard within the distribution system may harm human health based on short-term exposures. Certain groups, including fetuses, infants, and young children, may be especially susceptible to nervous system effects from excessive chlorine dioxide exposure.</td>
</tr>
</tbody>
</table>
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

87. Control of DBP precursors (TOC)

<table>
<thead>
<tr>
<th>None</th>
<th>TT</th>
</tr>
</thead>
</table>

Total organic carbon (TOC) has no health effects. However, total organic carbon provides a medium for the formation of disinfection byproducts. These byproducts include trihalomethanes (THMs) and haloacetic acids (HAAs). Drinking water containing these byproducts in excess of the MCL may lead to adverse health effects, liver or kidney problems, or nervous system effects, and may lead to an increased risk of getting cancer.

I. Other Treatment Techniques:

88. Acrylamide

<table>
<thead>
<tr>
<th>Zero</th>
<th>TT</th>
</tr>
</thead>
</table>

Some people who drink water containing high levels of acrylamide over a long period of time could have problems with their nervous system or blood, and may have an increased risk of getting cancer.

89. Epichlorohydrin

<table>
<thead>
<tr>
<th>Zero</th>
<th>TT</th>
</tr>
</thead>
</table>

Some people who drink water containing high levels of epichlorohydrin over a long period of time could experience stomach problems, and may have an increased risk of getting cancer.

Appendix H – Endnotes

1. "MCLG" means maximum contaminant level goal.

2. "MCL" means maximum contaminant level.

3. For a water supplier analyzing at least 40 samples per month, no more than 5.0 percent of the monthly samples may be positive for total coliforms. For a supplier analyzing fewer than 40 samples per month, no more than one sample per month may be positive for total coliforms.
4. There are various regulations that set turbidity standards for different types of systems, including Section 611.320, the 1989 Surface Water Treatment Rule (SWTR), the 1998 Interim Enhanced Surface Water Treatment Rule (IESWTR), and the 2002 Long Term 1 Enhanced Surface Water Treatment Rule (LT1ESWTR). The MCL for the monthly turbidity average is 1 NTU; the MCL for the 2-day average is 5 NTU for a supplier that is required to filter but has not yet installed filtration (Section 611.320).

5. "NTU" means nephelometric turbidity unit.

6. There are various regulations that set turbidity standards for different types of systems, including Section 611.320, the 1989 SWTR, the 1998 IESWTR, and the 2002 LT1ESWTR. A supplier subject to the SWTR (both filtered and unfiltered) may not exceed 5 NTU. In addition, in filtered systems, 95 percent of samples each month must not exceed 0.5 NTU in systems using conventional or direct filtration and must not exceed 1 NTU in systems using slow sand or diatomaceous earth filtration or other filtration technologies approved by the Agency.

7. "TT" means treatment technique.

8. There are various regulations that set turbidity standards for different types of systems, including Section 611.320, the 1989 SWTR, the 1998 IESWTR, and the 2002 LT1ESWTR. For a supplier subject to the IESWTR (a supplier serving at least 10,000 people, using surface water or groundwater under the direct influence of surface water), that use conventional filtration or direct filtration, the turbidity level of a system's combined filter effluent may not exceed 0.3 NTU in at least 95 percent of monthly measurements, and the turbidity level of a system's combined filter effluent must not exceed 1 NTU at any time. A supplier subject to the IESWTR using technologies other than conventional, direct, slow sand, or diatomaceous earth filtration must meet turbidity limits set by the Agency. For a supplier subject to the LT1ESWTR (a supplier that serves fewer than 10,000 people, using surface water or groundwater under the direct influence of surface water) that uses conventional filtration or direct filtration, after January 1, 2005, the turbidity level of the supplier's combined filter effluent may not exceed 0.3 NTU in at least 95 percent of monthly measurements, and the turbidity level of the supplier's combined filter effluent must not exceed 1 NTU at any time. A supplier subject to the LT1ESWTR using technologies other than conventional, direct, slow sand, or diatomaceous earth filtration must meet turbidity limits set by the Agency.

9. The bacteria detected by heterotrophic plate count (HPC) are not necessarily harmful. HPC is simply an alternative method of determining disinfectant residual levels. The number of such bacteria is an indicator of whether there is enough disinfectant in the distribution system.
10. SWTR, IESWTR, and LTIESWTR treatment technique violations that involve turbidity exceedences may use the health effects language for turbidity instead.

11. These arsenic values are effective January 23, 2006. Until then, the MCL is 0.05 mg/l and there is no MCLG.

12. Millions of fibers per liter.

13. Action Level = 0.015 mg/l.

14. Action Level = 1.3 mg/l.

15. Millirems per year.

16. Picocuries per liter.

17. This endnote 17 corresponds with the endnote to the table in Appendix B to Subpart Q of 40 CFR 141 (2006), which stated a past effective date. This statement maintains structural consistency with the federal regulations.

18. A surface water system supplier or a groundwater system supplier under the direct influence of surface water is regulated under Subpart B of this Part. A Subpart B community water system supplier or a non-transient non-community system supplier serving 10,000 or more persons must comply with Subpart I DBP MCLs and disinfectant maximum residual disinfectant levels (MRDLs). All other community and non-transient non-community system suppliers must meet the MCLs and MRDLs beginning January 1, 2004. A Subpart B transient non-community system supplier that uses suppliers serving 10,000 or more persons and using chlorine dioxide as a disinfectant or oxidant must comply with the chlorine dioxide MRDL. Subpart B transient non-community system suppliers serving fewer than 10,000 persons and systems using only groundwater not under the direct influence of surface water and using chlorine dioxide as a disinfectant or oxidant must comply with the chlorine dioxide MRDL beginning January 1, 2004.

19. Community and non-transient non-community systems must comply with Subpart Y TTHM and HAA5 MCLs of 0.080 mg/l and 0.060 mg/l, respectively (with compliance calculated as a locational running annual average) on the schedule in Section 611.970. This endnote 19 corresponds with the endnote to the table in Appendix B to Subpart Q of 40 CFR 141 (2003), which expired by its own terms on January 1, 2004. This statement maintains structural consistency with the federal regulations.
20. The MCL for total trihalomethanes is the sum of the concentrations of the individual trihalomethanes.

21. The MCL for haloacetic acids is the sum of the concentrations of the individual haloacetic acids.

22. "MRDLG" means maximum residual disinfectant level goal.

23. "MRDL" means maximum residual disinfectant level.


(Source: Amended at 31 Ill. Reg. 11757, effective July 27, 2007)
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Section 611. APPENDIX I  Acronyms Used in Public Notification Regulation

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>CCR</td>
<td>Consumer Confidence Report</td>
</tr>
<tr>
<td>CWS</td>
<td>Community Water System</td>
</tr>
<tr>
<td>DBP</td>
<td>Disinfection Byproduct</td>
</tr>
<tr>
<td><strong>GWR</strong></td>
<td><strong>Groundwater Rule</strong></td>
</tr>
<tr>
<td>HPC</td>
<td>Heterotrophic Plate Count</td>
</tr>
<tr>
<td>IESWTR</td>
<td>Interim Enhanced Surface Water Treatment Rule</td>
</tr>
<tr>
<td>IOC</td>
<td>Inorganic Chemical</td>
</tr>
<tr>
<td>LCR</td>
<td>Lead and Copper Rule</td>
</tr>
<tr>
<td>MCL</td>
<td>Maximum Contaminant Level</td>
</tr>
<tr>
<td>MCLG</td>
<td>Maximum Contaminant Level Goal</td>
</tr>
<tr>
<td>MRDL</td>
<td>Maximum Residual Disinfectant Level</td>
</tr>
<tr>
<td>MRDLG</td>
<td>Maximum Residual Disinfectant Level Goal</td>
</tr>
<tr>
<td>NCWS</td>
<td>Non-Community Water System</td>
</tr>
<tr>
<td>NPDWR</td>
<td>National Primary Drinking Water Regulation</td>
</tr>
<tr>
<td>NTNCWS</td>
<td>Non-Transient Non-Community Water System</td>
</tr>
<tr>
<td>NTU</td>
<td>Nephelometric Turbidity Unit</td>
</tr>
<tr>
<td>OGWDW</td>
<td>USEPA, Office of Ground Water and Drinking Water</td>
</tr>
<tr>
<td>OW</td>
<td>USEPA, Office of Water</td>
</tr>
<tr>
<td>PN</td>
<td>Public Notification</td>
</tr>
<tr>
<td>PWS</td>
<td>Public Water System</td>
</tr>
<tr>
<td>SDWA</td>
<td>Safe Drinking Water Act</td>
</tr>
<tr>
<td>SMCL</td>
<td>Secondary Maximum Contaminant Level</td>
</tr>
<tr>
<td>SOC</td>
<td>Synthetic Organic Chemical</td>
</tr>
<tr>
<td>SWTR</td>
<td>Surface Water Treatment Rule</td>
</tr>
<tr>
<td>TCR</td>
<td>Total Coliform Rule</td>
</tr>
<tr>
<td>TT</td>
<td>Treatment Technique</td>
</tr>
<tr>
<td>TWS</td>
<td>Transient Non-Community Water System</td>
</tr>
<tr>
<td>USEPA</td>
<td>United States Environmental Protection Agency</td>
</tr>
<tr>
<td>VOC</td>
<td>Volatile Organic Chemical</td>
</tr>
</tbody>
</table>


(Source: Amended at 31 Ill. Reg. 11757, effective July 27, 2007)
### Section 611, TABLE H  CT Values (mg·min/l) for Cryptosporidium Inactivation by Chlorine Dioxide

<table>
<thead>
<tr>
<th>Log Credit</th>
<th>0.25</th>
<th>0.5</th>
<th>1.0</th>
<th>1.5</th>
<th>2.0</th>
<th>2.5</th>
<th>3.0</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>159</td>
<td>319</td>
<td>637</td>
<td>956</td>
<td>1275</td>
<td>1594</td>
<td>1912</td>
</tr>
<tr>
<td></td>
<td>153</td>
<td>305</td>
<td>610</td>
<td>915</td>
<td>1220</td>
<td>1525</td>
<td>1830</td>
</tr>
<tr>
<td></td>
<td>140</td>
<td>279</td>
<td>558</td>
<td>838</td>
<td>1117</td>
<td>1396</td>
<td>1675</td>
</tr>
<tr>
<td></td>
<td>128</td>
<td>256</td>
<td>511</td>
<td>767</td>
<td>1023</td>
<td>1278</td>
<td>1534</td>
</tr>
<tr>
<td></td>
<td>107</td>
<td>214</td>
<td>429</td>
<td>643</td>
<td>858</td>
<td>1072</td>
<td>1286</td>
</tr>
<tr>
<td></td>
<td>90</td>
<td>180</td>
<td>360</td>
<td>539</td>
<td>719</td>
<td>899</td>
<td>1079</td>
</tr>
<tr>
<td></td>
<td>69</td>
<td>138</td>
<td>277</td>
<td>415</td>
<td>553</td>
<td>691</td>
<td>830</td>
</tr>
<tr>
<td></td>
<td>45</td>
<td>89</td>
<td>179</td>
<td>268</td>
<td>357</td>
<td>447</td>
<td>536</td>
</tr>
<tr>
<td></td>
<td>29</td>
<td>58</td>
<td>116</td>
<td>174</td>
<td>232</td>
<td>289</td>
<td>347</td>
</tr>
<tr>
<td></td>
<td>19</td>
<td>38</td>
<td>75</td>
<td>113</td>
<td>150</td>
<td>188</td>
<td>226</td>
</tr>
<tr>
<td></td>
<td>12</td>
<td>24</td>
<td>49</td>
<td>73</td>
<td>98</td>
<td>122</td>
<td>147</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

A supplier may use the following equation to determine log credit between the indicated values:

$$\text{Log credit} = (0.001506 \times (1.09116)^{\text{Temp(in }{^\circ}\text{C})}) \times CT$$

**BOARD NOTE:** Derived from the table at 40 CFR 141.720(b)(1) (2006), which corresponds with Section 611.1020(b)(1).

(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)
POLLUTION CONTROL BOARD
NOTICE OF ADOPTED AMENDMENTS

Section 611, TABLE I  CT Values (mg·min/l) for Cryptosporidium Inactivation by Ozone

<table>
<thead>
<tr>
<th>Water Temperature (°C)</th>
<th>Log Credit</th>
<th>0.25</th>
<th>0.5</th>
<th>1.0</th>
<th>1.5</th>
<th>2.0</th>
<th>2.5</th>
<th>3.0</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>5.8</td>
<td>5.2</td>
<td>4.8</td>
<td>4.0</td>
<td>3.3</td>
<td>2.5</td>
<td>1.6</td>
</tr>
<tr>
<td></td>
<td>= 0.5</td>
<td>6.0</td>
<td>12</td>
<td>12</td>
<td>10</td>
<td>9.5</td>
<td>7.9</td>
<td>6.5</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>5.0</td>
<td>24</td>
<td>23</td>
<td>21</td>
<td>19</td>
<td>16</td>
<td>13</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>4.0</td>
<td>24</td>
<td>36</td>
<td>35</td>
<td>31</td>
<td>29</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>3.0</td>
<td>48</td>
<td>46</td>
<td>42</td>
<td>38</td>
<td>32</td>
<td>26</td>
</tr>
<tr>
<td></td>
<td>4</td>
<td>2.0</td>
<td>60</td>
<td>58</td>
<td>52</td>
<td>48</td>
<td>40</td>
<td>33</td>
</tr>
<tr>
<td></td>
<td>5</td>
<td>1.0</td>
<td>72</td>
<td>69</td>
<td>63</td>
<td>57</td>
<td>47</td>
<td>39</td>
</tr>
</tbody>
</table>

A supplier may use the following equation to determine log credit between the indicated values:

\[
\text{Log credit} = (0.0397 \times (1.09757)^{\text{Temp}(in \, ^{\circ}C)}) \times \text{CT}
\]

BOARD NOTE: Derived from the table at 40 CFR 141.720(b)(2) (2006), which corresponds with Section 611.1020(b)(2).

(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Section 611, TABLE J  UV Dose Table for Cryptosporidium, Giardia lamblia, and Virus Inactivation Credit

<table>
<thead>
<tr>
<th>UV dose (mJ/cm²)</th>
<th>Log credit</th>
<th>Cryptosporidium</th>
<th>Giardia lamblia</th>
<th>Virus</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0.5</td>
<td>1.6</td>
<td>1.5</td>
<td>39</td>
</tr>
<tr>
<td></td>
<td>1.0</td>
<td>2.5</td>
<td>2.1</td>
<td>58</td>
</tr>
<tr>
<td></td>
<td>1.5</td>
<td>3.9</td>
<td>3.0</td>
<td>79</td>
</tr>
<tr>
<td></td>
<td>2.0</td>
<td>5.8</td>
<td>5.2</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>2.5</td>
<td>8.5</td>
<td>7.7</td>
<td>121</td>
</tr>
<tr>
<td></td>
<td>3.0</td>
<td>12</td>
<td>11</td>
<td>143</td>
</tr>
<tr>
<td></td>
<td>3.5</td>
<td>15</td>
<td>15</td>
<td>163</td>
</tr>
<tr>
<td></td>
<td>4.0</td>
<td>22</td>
<td>22</td>
<td>186</td>
</tr>
</tbody>
</table>

BOARD NOTE: Derived from the table at 40 CFR 141.720(d)(1) (2006), which corresponds with Section 611.1020(d)(1).

(Source: Added at 31 Ill. Reg. 11757, effective July 27, 2007)
Section 611. TABLE Z  Federal Effective Dates

The following are the effective dates of the various federal NPDRs:

Fluoride (40 CFR 141.60(b)(1))
(corresponding with Section 611.301(b))  October 2, 1987

Phase I VOCs (40 CFR 141.60(a)(1))
(corresponding with Section 611.311(a))
(benzene, carbon tetrachloride, p-dichlorobenzene, 1,2-dichloroethane, 1,1-dichloroethylene, 1,1,1-trichloroethane, trichloroethylene, and vinyl chloride)  July 9, 1989

Lead and Copper (40 CFR141, subpartSubpart I)
(corresponding with Subpart G of this Part)
(lead and copper monitoring, reporting, and recordkeeping requirements of 40 CFR 141.86 through 141.91)  July 7, 1991

Phase II IOCs (40 CFR 141.60(b)(2))
(corresponding with Section 611.301(b))  July 30, 1992
(asbestos, cadmium, chromium, mercury, nitrate, nitrite, and selenium)

Phase II VOCs (40 CFR 141.60(a)(2))
(corresponding with Section 611.311(a))
(o-dichlorobenzene, cis-1,2-dichloroethylene, trans-1,2-dichloroethylene, 1,2-dichloropropane, ethylbenzene, monochlorobenzene, styrene, tetrachloroethylene, toluene, and xylenes (total))  July 30, 1992

Phase II SOCs (40 CFR 141.60(a)(2))
(corresponding with Section 611.311(c))
(alachlor, atrazine, carbofuran, chlordane, dibromochloropropane, ethylene dibromide, heptachlor, heptachlor epoxide, lindane, methoxychlor, polychlorinated biphenyls, toxaphene, 2,4-D, and 2,4,5-TP (silvex))  July 30, 1992
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Lead and Copper (40 CFR 141, subpart I) (corresponding with Subpart G of this Part) (lead and copper corrosion control, water treatment, public education, and lead service line replacement requirements of 40 CFR 141.81 through 141.85)

December 7, 1992

Phase IIB IOC (40 CFR 141.60(b)(2)) (corresponding with Section 611.301(b)) (barium)

January 1, 1993

Phase IIB SOCs (40 CFR 141.60(a)(2)) (corresponding with Section 611.311(c)) (aldicarb, aldicarb sulfone, aldicarb sulfoxide, and pentachlorophenol. See the Board note appended to Section 611.311(c) for information relating to implementation of requirements relating to aldicarb, aldicarb sulfone, and aldicarb sulfoxide.)

January 1, 1993

Phase V IOCs (40 CFR 141.60(b)(3)) (corresponding with Section 611.301(b)) (antimony, beryllium, cyanide, nickel, and thallium)

January 17, 1994

Phase V VOCs (40 CFR 141.60(a)(3)) (corresponding with Section 611.311(a)) (dichloromethane, 1,2,4-trichlorobenzene, and 1,1,2-trichloroethane)

January 17, 1994

Phase V SOCs (40 CFR 141.60(a)(3)) (corresponding with Section 611.311(c)) (benzo(a)pyrene, dalapon, di(2-ethylhexyl)adipate, di(2-ethylhexyl)phthalate dinoseb, diquat, endothall, endrin, glyphosate, hexachlorobenzene, hexachlorocyclopentadiene, oxamyl, picloram, simazine, and 2,3,7,8-TCDD)

January 17, 1994

Consumer Confidence Report Rule (40 CFR 141, subpart Q) (corresponding with Subpart O) (notification to public of drinking water quality)

September 18, 1998
Interim Enhanced Surface Water Treatment Rule (40 CFR 141, subpart P) (corresponding with Subpart R of this Part) (applicable to suppliers providing water to fewer than 10,000 persons) (Giardia lamblia, viruses, heterotrophic plate count bacteria, Legionella, Cryptosporidium, and turbidity) February 16, 1999

Public Notification Rule (40 CFR 141, subpart Q) (corresponding with Subpart V of this Part) (notification to public of NPDWR violations, variances or exemptions, or other situations that could bear on public health) June 5, 2000

Filter Backwash Rule (40 CFR 141.76) (corresponding with Section 611.276) (reuse of spent filter backwash water, thickener supernatant, or liquids from dewatering processes) August 7, 2001

Disinfection/Disinfectant Byproducts Rule (40 CFR 141.64, 141.65 & 141, subpart L) Smaller Systems (serving 10,000 or fewer persons) December 16, 2001
Larger Systems (serving more than 10,000 persons) December 16, 2003 (corresponding with Sections 611.312 & 611.313) (total trihalomethanes, haloacetic acids (five), bromate, chlorite, chlorine, chloramines, and chlorine dioxide)

Long Term 1 Enhanced Surface Water Treatment Rule (40 CFR 141, Subpart T) (corresponding with Subpart X of this Part) (applicable to suppliers providing water to 10,000 or more persons) (Giardia lamblia, viruses, heterotrophic plate count bacteria, Legionella, Cryptosporidium, and turbidity) February 13, 2002
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Radionuclides (40 CFR 141.66) December 8, 2003
(corresponding with Section 611.330)
(combined radium (Ra-226 + Ra-228), gross alpha particle
activity, beta particle and photon activity, and uranium)

Arsenic (40 CFR 141.62(b)(16)) January 23, 2006
(corresponding with Section 611.301(b))
(arsenic)

Stage 2 Disinfection/Disinfectant Byproducts Rule (40 CFR 141, subparts U & V)
Systems that serve fewer than 10,000 persons
Submit plan April 1, 2008
Complete monitoring or study March 31, 2010
Submit IDSE report July 1, 2010
Compliance with monitoring requirements
If no Cryptosporidium monitoring is required October 1, 2013
If Cryptosporidium monitoring is required October 1, 2014

Systems that serve 10,000 to 49,999 persons
Submit plan October 1, 2007
Complete monitoring or study September 30, 2009
Submit IDSE report January 1, 2010
Compliance with monitoring requirements October 1, 2013

Systems that serve 50,000 to 99,999 persons
Submit plan April 1, 2007
Complete monitoring or study March 31, 2009
Submit IDSE report July 1, 2009
Compliance with monitoring requirements October 1, 2012

Systems that serve 100,000 or more persons
Submit plan October 1, 2006
Complete monitoring or study September 30, 2008
Submit IDSE report January 1, 2009
Compliance with monitoring requirements April 1, 2012
(corresponding with Subparts W & Y of this Part)
(total trihalomethanes and haloacetic acids (five))

Long Term 2 Enhanced Surface Water Treatment Rule (40 CFR 141, subpart W)
Systems that serve fewer than 10,000 persons
And which monitor for E. coli
POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

<table>
<thead>
<tr>
<th>Category</th>
<th>Start Date</th>
<th>End Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Begin first round of monitoring</td>
<td>October 1, 2008</td>
<td>October 1, 2008</td>
</tr>
<tr>
<td>Begin treatment for Cryptosporidium</td>
<td>October 1, 2014</td>
<td>October 1, 2014</td>
</tr>
<tr>
<td>Begin second round of monitoring</td>
<td>October 1, 2017</td>
<td>October 1, 2017</td>
</tr>
<tr>
<td>And which monitor for cryptosporidum</td>
<td>April 1, 2010</td>
<td>April 1, 2019</td>
</tr>
<tr>
<td>Begin first round of monitoring</td>
<td>April 1, 2010</td>
<td>April 1, 2019</td>
</tr>
<tr>
<td>Begin treatment for Cryptosporidium</td>
<td>October 1, 2014</td>
<td>October 1, 2014</td>
</tr>
<tr>
<td>Begin second round of monitoring</td>
<td>October 1, 2017</td>
<td>October 1, 2017</td>
</tr>
<tr>
<td>Systems that serve 10,000 to 49,999 persons</td>
<td>April 1, 2008</td>
<td>April 1, 2008</td>
</tr>
<tr>
<td>Begin first round of monitoring</td>
<td>April 1, 2008</td>
<td>April 1, 2008</td>
</tr>
<tr>
<td>Begin treatment for Cryptosporidium</td>
<td>October 1, 2013</td>
<td>October 1, 2013</td>
</tr>
<tr>
<td>Begin second round of monitoring</td>
<td>October 1, 2016</td>
<td>October 1, 2016</td>
</tr>
<tr>
<td>Systems that serve 50,000 to 99,999 persons</td>
<td>April 1, 2007</td>
<td>April 1, 2007</td>
</tr>
<tr>
<td>Begin first round of monitoring</td>
<td>April 1, 2007</td>
<td>April 1, 2007</td>
</tr>
<tr>
<td>Begin treatment for Cryptosporidium</td>
<td>October 1, 2012</td>
<td>October 1, 2012</td>
</tr>
<tr>
<td>Begin second round of monitoring</td>
<td>October 1, 2015</td>
<td>October 1, 2015</td>
</tr>
<tr>
<td>Systems that serve 100,000 or more persons</td>
<td>October 1, 2006</td>
<td>October 1, 2006</td>
</tr>
<tr>
<td>Begin first round of monitoring</td>
<td>October 1, 2006</td>
<td>October 1, 2006</td>
</tr>
<tr>
<td>Begin treatment for Cryptosporidium</td>
<td>April 1, 2012</td>
<td>April 1, 2012</td>
</tr>
<tr>
<td>Begin second round of monitoring</td>
<td>April 1, 2015</td>
<td>April 1, 2015</td>
</tr>
<tr>
<td>(corresponding with Subpart Z of this Part)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(E. coli, Cryptosporidium, Giardia lamblia, viruses, and turbidity)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Groundwater Rule (40 CFR 141, subpart S)</td>
<td>December 1, 2009</td>
<td></td>
</tr>
<tr>
<td>(corresponding with Subpart S of this Part)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(E. coli, enterococci, and coliphage)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(Source: Amended at 31 Ill. Reg. 11757, effective July 27, 2007)
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENTS

1) **Heading of the Part**: Youth Hunting Seasons

2) **Code Citation**: 17 Ill. Adm. Code 685

3) **Section Numbers**: Emergency Action:
   - 685.10 Amendment
   - 685.20 Amendment
   - 685.40 Amendment
   - 685.50 Amendment

4) **Statutory Authority**: Implementing and authorized by Sections 1.3, 1.4, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 2.24, 2.25, 2.26 and 3.36]

5) **Effective Date of Emergency Amendment**: August 1, 2007

6) **If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire**: Not applicable

7) **Date filed with the Index Department**: July 27, 2007

8) A copy of the emergency amendments, including any material incorporated by reference, is on file in the Department of Natural Resource’s principal office and is available for public inspection.

9) **Reason for Emergency**: Because the Department begins accepting applications for the youth deer season on August 1, this emergency is necessary to ensure these changes are in place for the application period.

10) **A Complete Description of the Subjects and Issues Involved**: These amendments will allow youth to hunt many more counties and to take either an antlerless or an antlered deer.

11) **Are there any proposed amendments pending on this Part?** Yes

<table>
<thead>
<tr>
<th>Section Numbers</th>
<th>Proposed Action</th>
<th>Illinois Register Citation</th>
</tr>
</thead>
<tbody>
<tr>
<td>685.10</td>
<td>Amendment</td>
<td>31 Ill. Reg. 12096; August 10, 2007</td>
</tr>
<tr>
<td>685.20</td>
<td>Amendment</td>
<td>31 Ill. Reg. 12096; August 10, 2007</td>
</tr>
<tr>
<td>685.40</td>
<td>Amendment</td>
<td>31 Ill. Reg. 12096; August 10, 2007</td>
</tr>
<tr>
<td>685.50</td>
<td>Amendment</td>
<td>31 Ill. Reg. 12096; August 10, 2007</td>
</tr>
</tbody>
</table>
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENTS

12) **Statement of Statewide Policy Objective:** This rulemaking will not affect units of local governments.

13) **Information and questions regarding these emergency amendments shall be directed to:**

   Jack Price, Legal Counsel
   Department of Natural Resources
   One Natural Resources Way
   Springfield IL  62702-1271
   217/782-1809

The full text of the Emergency Amendments begins on the next page:
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFE

PART 685
YOUTH HUNTING SEASONS

Section 685.10 Statewide Season for White-Tailed Deer Hunting

EMERGENCY

685.20 Statewide Deer Permit Requirements

EMERGENCY

685.30 Statewide Firearm Requirements for Hunting the Youth Deer Season

685.40 Statewide Deer Hunting Rules

EMERGENCY

685.50 Reporting Harvest of Deer

EMERGENCY

685.60 Rejection of Application/Revocation of Deer Permits

685.70 Regulations at Various Department-Owned or -Managed Sites

685.80 Youth White-Tailed Deer Hunt

685.90 Heritage Youth Wild Turkey Hunt – Spring Season (Repealed)

685.100 Youth Pheasant Hunting (Repealed)

685.110 Youth Waterfowl Hunting

685.120 Youth Dove Hunting (Repealed)

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 2.24, 2.25, 2.26 and 3.36].


Section 685.10 Statewide Season for White-Tailed Deer Hunting

EMERGENCY
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENTS

a) Season: One-half hour before sunrise on Saturday of the State designated Columbus Day Holiday weekend to ½ hour after sunset on Sunday of that weekend. Shooting hours are ½ hour before sunrise to ½ hour after sunset. Hunting outside the set season dates is a Class B misdemeanor (see 520 ILCS 5/2.24); hunting after sunset is a Class B misdemeanor (see 520 ILCS 5/2.24); and hunting prior to ½ hour before sunset or after ½ hour after sunset is a Class A misdemeanor with a minimum $500 fine and a maximum $5,000 fine, in addition to other statutory penalties (see 520 ILCS 5/2.33(y)).

b) Permit quotas shall be set by the Department of Natural Resources (Department) on a county or special hunt area basis. Cook, DuPage and Lake Counties, and that portion of Kane County east of State Route 47, are closed to firearm deer hunting. The Department of Natural Resources (Department) shall open a select county or counties to harvest surplus deer via youth deer hunting using shotgun or muzzleloader. The Department shall notify the public which county or counties will be open via a news release.

c) Hunting outside the set season dates is a Class B misdemeanor (see 520 ILCS 5/2.24); and hunting prior to ½ hour before sunset or after ½ hour after sunset is a Class A misdemeanor with a minimum $500 fine and a maximum $5,000 fine, in addition to other statutory penalties (see 520 ILCS 5/2.33(y)).

(Source: Amended by emergency rulemaking at 31 Ill. Reg. 12096, effective August 1, 2007, for a maximum of 150 days)

Section 685.20 Statewide Deer Permit Requirements

EMERGENCY

a) Illinois resident hunters must have a current, valid "Youth Deer Hunt Permit" ($10). The Youth Deer Season is only open to Illinois residents who have not reached their 16th birthday, have completed a State-approved Hunter Education course and have a hunting license, unless exempt, by the start of the Youth Deer Season. A permit is issued for one county or special hunt area and is valid only in the county or special hunt area stated on the permit. For permit applications and other information write to:

Department of Natural Resources
Youth Deer Permit
One Natural Resources Way
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENTS

P.O. Box 19227
Springfield IL 62794-9227

b) Applications shall be accepted beginning August 1 and ending on the tenth weekday in August for the Youth Deer Season in October. Applications received after the tenth weekday shall not be included in the drawing. Permits shall be allocated in a random drawing. Applications not correctly filled out shall be rejected from the random drawing. Permits shall be issued as antlerless only. If more space is available than the number of applications received, remaining permits will be filled in random daily drawings.

c) In-person and mail-in applications shall receive equal treatment in the drawings.

d) Each applicant must apply using the official agency Youth Deer Hunt Permit Application, and must complete all portions of the form. No more than six applications per envelope shall be accepted. Each applicant must submit a separate personal check or money order. Separate envelopes must be used to send permit applications for regular firearm, muzzleloading rifle, archery, handgun, free or paid landowner/tenant permits, and youth deer season permits.

e) For the applicant to be eligible to receive a Youth Deer Season Permit ($10), applicant must be an Illinois resident and not have had his or her deer hunting privileges suspended or revoked in this State pursuant to Section 3.36 of the Wildlife Code [520 ILCS 5/3.36].

f) Deer hunting seminars covering deer hunting safety and aspects of deer hunting will be made available to participating youths.

g) Recipients of the Youth Deer Season Hunt Permit shall record their signature on the permit and must carry it on their person while hunting.

h) Permits are not transferable. Refunds shall not be granted unless the Department has erroneously issued the permit after the quota has been depleted or where the applicant was unsuccessful in obtaining a permit.

i) A $3 service fee shall be charged for replacement permits issued by the Department, except when permits are lost in the mail there will be no charge. Monies derived from this source will be deposited in the Wildlife and Fish Fund.
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENTS

j) Each applicant must enclose a separate $10 check or money order payable to the Department of Natural Resources, or the application shall be returned. Applicants should not send cash with their applications. The Department shall not be responsible for cash sent through the mail.

k) Permits issued for the Youth Deer Hunt season will not be counted in the number of gun permits a person can receive for the Firearm and Muzzleloader-Only Deer Season.

l) Providing false information on an application is a Class A misdemeanor (see 520 ILCS 5/2.38).

m) Hunting without a valid permit is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended by emergency rulemaking at 31 Ill. Reg. 12096, effective August 1, 2007, for a maximum of 150 days)

Section 685.40 Statewide Deer Hunting Rules

EMERGENCY

a) Bag limits: One antlerless deer per legally authorized permit. All either-sex permits are subject to the following restrictions: no hunter, regardless of the quantity or type of permits in his/her possession, may harvest more than 2 antlered deer during a year, including the youth, archery, muzzleloader and firearm seasons. For purposes of this Section, deer seasons are considered to be in the same year if their opening dates fall within the same 12-month period that begins on July 1. An antlerless deer is a deer without antlers or a deer having antlers less than 3 inches long. Violation is a Class B misdemeanor (see 520 ILCS 5/2.24).

b) Each hunter participating in the Youth Deer Hunt must be accompanied by a nonhunting supervisor (parent, guardian, or responsible adult) who has in his or her possession a valid Firearm Owners Identification (FOID) Card. The nonhunting supervisor must wear the orange garments required of gun deer hunters, and must remain with the hunting youth so as to have the youth under immediate control. Each supervisor may only accompany a single youth at any given time during the hunt. The supervising adult shall be criminally liable for the actions of the youth in the hunting party, and be subject to the criminal penalties provided by law.
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENTS

c) The temporary harvest tag must be attached and properly sealed immediately upon kill and before the deer is moved, transported or field dressed. No person shall leave any deer that has been killed without properly attaching the temporary harvest tag to the deer in the manner prescribed in Section 685.50 and on the permit.

d) Hunters shall not have in their possession, while in the field during the Youth Deer Season, any deer permit issued to another person (permits are non-transferrable). Violation is a Class B misdemeanor (see 520 ILCS 5/2.24).

e) Permits shall not be re-issued in cases involving deer taken which are found to be diseased or spoiled due to previous injury. Disposal of unfit deer taken shall be the responsibility of the hunter.

(Source: Amended by emergency rulemaking at 31 Ill. Reg. 12096, effective August 1, 2007, for a maximum of 150 days)

Section 685.50 Reporting Harvest of Deer

a) Successful hunters must register their harvest by 10:00 p.m. on the same calendar day the deer was taken by calling the toll-free telephone check-in system at 1-866-ILCHECK or by accessing the on-line check-in system at http://dnr.state.il.us/vcheck. They will be provided with a confirmation number to verify that they checked in their harvest. This number must be written by the hunter on the temporary harvest tag (leg tag). If the condition of the tag precludes writing on the tag in the appropriate space (i.e., bloody, etc.), the confirmation number shall be written elsewhere on the tag, or onto a piece of paper and attached to the deer along with the temporary harvest tag. The deer must remain whole (or field dressed) until it has been checked in. In instances where deer are checked in while the hunter is still afield, the deer may not be dismembered while afield beyond quartering the animal. If quartered, all parts of the carcass (except the entrails removed during field dressing) must be transported together and evidence of sex must remain naturally attached to one quarter. Evidence of sex is:

1) For a buck: head with antlers attached to carcass or attached testicle, scrotum, or penis.
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENTS

2) For a doe: head attached to carcass or attached udder (mammary) or vulva.

b) The harvest tag (leg tag) and confirmation number must remain attached to the deer until it is at the legal residence of the person who legally took or possessed the deer and final processing is completed. If the head/antlers are delivered to a taxidermist for processing, the confirmation number must be recorded on the "head tag" portion of the permit and both must remain with the deer while at the taxidermist's. If the carcass is taken to a meat processor, the harvest tag (leg tag) with confirmation number must remain with the deer while it is processed and until it is at the legal residence of the person who legally took or possessed the deer. Persons delivering deer/parts of deer to a tanner for processing must supply the tanner with either their deer permit number, their confirmation number, or a written certification by the person from whom the deer was received that the specimen was legally taken or obtained.

c) Site specific reporting requirements must be followed in addition to this Section.

d) Violation is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended by emergency rulemaking at 31 Ill. Reg. 12096, effective August 1, 2007, for a maximum of 150 days)
ILLINOIS REGISTER
12104
07

ILLINOIS FINANCE AUTHORITY

NOTICE OF RECODIFICATION

1) **Heading of the Part:** Illinois Finance Authority

2) **Code Citation:** 74 Ill. Adm. Code 1100

3) **Date of Administrative Code Division Review:** June 30, 2007

4) **Headings and Section Numbers of the Parts Being Recodified:**

<table>
<thead>
<tr>
<th>Section Numbers</th>
<th>Headings</th>
</tr>
</thead>
<tbody>
<tr>
<td>TITLE 8</td>
<td>Definitions</td>
</tr>
<tr>
<td>1400.10</td>
<td>Composition, Appointment and Terms of Office</td>
</tr>
<tr>
<td>1400.20</td>
<td>Officers</td>
</tr>
<tr>
<td>1400.40</td>
<td>Executive Director</td>
</tr>
<tr>
<td>1400.50</td>
<td>Meetings</td>
</tr>
<tr>
<td>1400.60</td>
<td>Quorum</td>
</tr>
<tr>
<td>1400.70</td>
<td>Reimbursement</td>
</tr>
<tr>
<td>1400.80</td>
<td>Rules of Order</td>
</tr>
<tr>
<td>1400.90</td>
<td>Records and Reports</td>
</tr>
<tr>
<td>1400.100</td>
<td>Public Participation</td>
</tr>
<tr>
<td>1400.110</td>
<td>Rulemaking Procedures</td>
</tr>
<tr>
<td>1400.120</td>
<td>Purchasing Rules and Regulations</td>
</tr>
<tr>
<td>1400.130</td>
<td>Rules and Guidelines Applicable to All Bond Programs</td>
</tr>
<tr>
<td>1400.140</td>
<td>Bond Programs and Rules Applicable to Each</td>
</tr>
<tr>
<td>1400.145</td>
<td>Rules and Guidelines Applicable to the Interest Buy Down Program</td>
</tr>
<tr>
<td>1400.146</td>
<td>Rules and Guidelines Applicable to the Young Farmer Guarantee Program</td>
</tr>
<tr>
<td>1400.147</td>
<td>Rules and Guidelines Applicable to the State Guarantee Program for Restructuring Agricultural Debt</td>
</tr>
<tr>
<td>1400.148</td>
<td>Rules and Guidelines Applicable to the Specialized Livestock Guarantee Program</td>
</tr>
<tr>
<td>1400.149</td>
<td>Rules and Guidelines Applicable to the State Guarantee Program for Agri-Industries</td>
</tr>
<tr>
<td>1400.150</td>
<td>Seal</td>
</tr>
</tbody>
</table>
ILLINOIS FINANCE AUTHORITY

NOTICE OF RECODIFICATION

1400.160 Principal Office
1400.170 Revision
1400.180 Construction; Waiver; Severability
1400.ILLUSTRATION A OIALP Regions (Repealed)

TITLE 14

1200.100 Summary and Purpose
1200.110 Definitions
1200.120 Incorporation by Reference
1200.200 Eligible Applicants
1200.210 Eligible Projects
1200.220 Municipal Approval
1200.230 Application Requirements
1200.240 Technical Assistance
1200.250 On-Site Inspection
1200.300 Selection Criteria
1200.310 Deadlines
1200.320 Funding Restrictions and Eligible Costs
1200.330 Grant Agreement
1200.340 Disbursement of Grants
1200.400 Record Keeping and Access to Information
1200.410 Progress Reports
1200.420 Audit Requirements
1200.430 Grant Monitoring and Recovery
1200.440 Project Completion Notice
1200.TABLE A Income Limits

1210.100 Summary and Purpose
1210.110 Definitions
1210.120 Incorporation by Reference
1210.200 Eligible Applicants
1210.210 Eligible Projects
1210.220 Municipal Approval
1210.230 Application Requirements
1210.240 On-Site Inspection
1210.300 Selection Criteria
1210.310 Deadlines
1210.320 Funding Restrictions and Eligible Costs
ILLINOIS FINANCE AUTHORITY

NOTICE OF RECODIFICATION

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1210.330</td>
<td>Loan Agreement</td>
</tr>
<tr>
<td>1210.340</td>
<td>Disbursement and Repayment of Loans</td>
</tr>
<tr>
<td>1210.350</td>
<td>Loan Terms</td>
</tr>
<tr>
<td>1210.400</td>
<td>Record Keeping and Access to Information</td>
</tr>
<tr>
<td>1210.410</td>
<td>Progress Reports</td>
</tr>
<tr>
<td>1210.420</td>
<td>Audit Requirements</td>
</tr>
<tr>
<td>1210.430</td>
<td>Loan Monitoring and Recovery</td>
</tr>
<tr>
<td>1210.440</td>
<td>Project Completion Notice</td>
</tr>
<tr>
<td>1210.TABLE A</td>
<td>Income Limits</td>
</tr>
<tr>
<td>1220.100</td>
<td>Summary and Purpose</td>
</tr>
<tr>
<td>1220.110</td>
<td>Definitions</td>
</tr>
<tr>
<td>1220.120</td>
<td>Application Forms</td>
</tr>
<tr>
<td>1220.130</td>
<td>Notice to Municipalities</td>
</tr>
<tr>
<td>1220.140</td>
<td>Changes in Information and Additional Information</td>
</tr>
<tr>
<td>1220.150</td>
<td>Meetings of the Authority</td>
</tr>
<tr>
<td>1220.160</td>
<td>Eligible Projects</td>
</tr>
<tr>
<td>1220.200</td>
<td>Scheduling of Project Consideration</td>
</tr>
<tr>
<td>1220.210</td>
<td>Staff Review</td>
</tr>
<tr>
<td>1220.220</td>
<td>Authority Action</td>
</tr>
<tr>
<td>1220.230</td>
<td>General Criteria for Approval</td>
</tr>
<tr>
<td>1220.240</td>
<td>Additional Criteria for Commercial Projects</td>
</tr>
<tr>
<td>1220.250</td>
<td>Submission of Documents</td>
</tr>
<tr>
<td>1220.300</td>
<td>Public Hearing Procedures and Responsibilities</td>
</tr>
<tr>
<td>1220.310</td>
<td>Final Public Approval</td>
</tr>
<tr>
<td>1220.320</td>
<td>Requests for Allocation</td>
</tr>
<tr>
<td>1220.330</td>
<td>Amendatory Resolutions</td>
</tr>
<tr>
<td>1220.400</td>
<td>Bond Counsel on Pooled Bond Issues</td>
</tr>
<tr>
<td>1220.410</td>
<td>Program Requirements; Standardized Documents</td>
</tr>
<tr>
<td>1220.500</td>
<td>Transcripts</td>
</tr>
<tr>
<td>1220.510</td>
<td>Authority Fees</td>
</tr>
<tr>
<td>1220.520</td>
<td>Noncompliance and Waiver</td>
</tr>
</tbody>
</table>

TITLE 23

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2310.5</td>
<td>Introduction</td>
</tr>
<tr>
<td>2310.10</td>
<td>Who May Apply for Financing</td>
</tr>
<tr>
<td>2310.20</td>
<td>Types of Educational and Cultural Facilities that Can Be Financed</td>
</tr>
</tbody>
</table>
ILLINOIS FINANCE AUTHORITY

NOTICE OF RECODIFICATION

2310.30 Types of Costs that Can Be Financed: Outstanding Debt
2310.40 Interest Rate on the Authority's Bonds
2310.50 Method of Financing
2310.60 Length of Bond Issue
2310.70 Type of Bond Issue
2310.80 Fees
2310.90 Authority Bond Issues and bond Ratings (Repealed)
2310.EXHIBIT A Estimated Fee Schedule as Special Bond Consel with Respect to Bonds Issued by Illinois Educational Facilities Authority (Repealed)

2320.5 Introduction
2320.10 Pre-filing Stage
2320.20 Filing and Acceptance of Application
2320.30 Approval of Application

TITLE 47

400.102 Definitions
400.103 Purposes and Objectives
400.104 Compliance with Federal Law
400.105 Forms for Program
400.106 Composition, Appointment and Terms of Office
400.107 Officers
400.108 Executive Director
400.109 Meetings
400.110 Quorum
400.111 Reimbursement
400.112 Rules of Order
400.113 Records and Reports
400.114 Public Participation
400.115 Purchasing Rules
400.116 Seal
400.117 Principal Office
400.118 Revision

410.101 General Description
410.102 Applicant Eligibility
410.103 Pre-Filing Stage
ILLINOIS REGISTER

07

ILLINOIS FINANCE AUTHORITY

NOTICE OF RECODIFICATION

410.104 Filing of Application
410.105 Approval of Application
410.106 Denial of Application
410.107 Priority of Application
410.108 Source of Payment and Nature of Obligation
410.109 Fees

420.101 Purchase of Governmental Unit Bonds
420.102 Yield on Bonds
420.103 Arbitrage and Investment Gain
420.104 Bond Rating
420.105 Printing Costs
420.106 Trustee Fees
420.107 Title Insurance
420.108 Length of Bond Issue
420.109 Type of Bond Issue

5) Outline of the Section Numbers and Headings of the Part as Recodified:

<table>
<thead>
<tr>
<th>Section Numbers</th>
<th>Headings</th>
</tr>
</thead>
<tbody>
<tr>
<td>TITLE 74</td>
<td></td>
</tr>
<tr>
<td>1100.50</td>
<td>Definitions</td>
</tr>
<tr>
<td>1100.100</td>
<td>Composition, Appointment, and Terms of Office</td>
</tr>
<tr>
<td>1100.105</td>
<td>Board Chairman</td>
</tr>
<tr>
<td>1100.110</td>
<td>Executive Director</td>
</tr>
<tr>
<td>1100.115</td>
<td>Meetings</td>
</tr>
<tr>
<td>1100.120</td>
<td>Records and Reports</td>
</tr>
<tr>
<td>1100.125</td>
<td>Public Participation</td>
</tr>
<tr>
<td>1100.130</td>
<td>Rulemaking Procedures</td>
</tr>
<tr>
<td>1100.135</td>
<td>Purchasing Rules and Regulations</td>
</tr>
<tr>
<td>1100.140</td>
<td>Seal</td>
</tr>
<tr>
<td>1100.145</td>
<td>Principal Office</td>
</tr>
<tr>
<td>1100.150</td>
<td>Revision</td>
</tr>
<tr>
<td>1100.155</td>
<td>Construction; Waiver; Severability</td>
</tr>
<tr>
<td>1100.200</td>
<td>Summary and Purpose</td>
</tr>
<tr>
<td>1100.202</td>
<td>Definitions</td>
</tr>
<tr>
<td>1100.204</td>
<td>Application Forms</td>
</tr>
<tr>
<td>1100.206</td>
<td>Notice to Municipalities</td>
</tr>
</tbody>
</table>
ILLINOIS REGISTER

ILLINOIS FINANCE AUTHORITY

NOTICE OF RECODIFICATION

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1100.208</td>
<td>Changes in Information and Additional Information</td>
</tr>
<tr>
<td>1100.210</td>
<td>Meetings of the Authority</td>
</tr>
<tr>
<td>1100.212</td>
<td>Eligible Projects</td>
</tr>
<tr>
<td>1100.215</td>
<td>Scheduling of Project Consideration</td>
</tr>
<tr>
<td>1100.220</td>
<td>Staff Review</td>
</tr>
<tr>
<td>1100.225</td>
<td>Authority Action</td>
</tr>
<tr>
<td>1100.230</td>
<td>General Criteria for Approval</td>
</tr>
<tr>
<td>1100.235</td>
<td>Additional Criteria for Commercial Projects</td>
</tr>
<tr>
<td>1100.240</td>
<td>Submission of Documents</td>
</tr>
<tr>
<td>1100.245</td>
<td>Public Hearing Procedures and Responsibilities</td>
</tr>
<tr>
<td>1100.250</td>
<td>Final Public Approval</td>
</tr>
<tr>
<td>1100.255</td>
<td>Requests for Allocation</td>
</tr>
<tr>
<td>1100.260</td>
<td>Amendatory Resolutions</td>
</tr>
<tr>
<td>1100.265</td>
<td>Bond Counsel on Pooled Bond Issues</td>
</tr>
<tr>
<td>1100.270</td>
<td>Program Requirements; Standardized Documents</td>
</tr>
<tr>
<td>1100.275</td>
<td>Transcripts</td>
</tr>
<tr>
<td>1100.280</td>
<td>Authority Fees</td>
</tr>
<tr>
<td>1100.285</td>
<td>Noncompliance and Waiver</td>
</tr>
<tr>
<td>1100.300</td>
<td>Purposes and Objectives; Compliance with Federal Law; Forms for Program</td>
</tr>
<tr>
<td>1100.305</td>
<td>Applicant Eligibility</td>
</tr>
<tr>
<td>1100.310</td>
<td>Pre-Filing Stage</td>
</tr>
<tr>
<td>1100.315</td>
<td>Filing of Application</td>
</tr>
<tr>
<td>1100.320</td>
<td>Approval of Application</td>
</tr>
<tr>
<td>1100.325</td>
<td>Denial of Application</td>
</tr>
<tr>
<td>1100.330</td>
<td>Priority of Application</td>
</tr>
<tr>
<td>1100.335</td>
<td>Source of Payment and Nature of Obligation</td>
</tr>
<tr>
<td>1100.340</td>
<td>Fees</td>
</tr>
<tr>
<td>1100.345</td>
<td>Purchase of Governmental Unit Bonds</td>
</tr>
<tr>
<td>1100.400</td>
<td>Purpose; Definitions; Incorporation by Reference</td>
</tr>
<tr>
<td>1100.405</td>
<td>Eligible Applicants; Eligible Projects</td>
</tr>
<tr>
<td>1100.410</td>
<td>Municipal Approval</td>
</tr>
<tr>
<td>1100.415</td>
<td>Application Requirements</td>
</tr>
<tr>
<td>1100.420</td>
<td>Technical Assistance</td>
</tr>
<tr>
<td>1100.425</td>
<td>On-Site Inspection</td>
</tr>
<tr>
<td>1100.430</td>
<td>Selection Criteria</td>
</tr>
<tr>
<td>1100.435</td>
<td>Deadlines</td>
</tr>
<tr>
<td>1100.440</td>
<td>Funding Restrictions and Eligible Costs</td>
</tr>
<tr>
<td>1100.445</td>
<td>Grant Agreement</td>
</tr>
</tbody>
</table>
ILLINOIS REGISTER

ILLINOIS FINANCE AUTHORITY

NOTICE OF RECODIFICATION

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1100.450</td>
<td>Disbursement of Grants</td>
</tr>
<tr>
<td>1100.455</td>
<td>Recordkeeping and Access to Information</td>
</tr>
<tr>
<td>1100.460</td>
<td>Progress Reports</td>
</tr>
<tr>
<td>1100.465</td>
<td>Audit Requirements</td>
</tr>
<tr>
<td>1100.470</td>
<td>Grant Monitoring and Recovery</td>
</tr>
<tr>
<td>1100.475</td>
<td>Project Completion Notice</td>
</tr>
<tr>
<td>1100.500</td>
<td>Purpose; Definitions; Incorporation by Reference</td>
</tr>
<tr>
<td>1100.505</td>
<td>Eligible Applicants; Eligible Projects</td>
</tr>
<tr>
<td>1100.510</td>
<td>Municipal Approval</td>
</tr>
<tr>
<td>1100.515</td>
<td>Application Requirements</td>
</tr>
<tr>
<td>1100.520</td>
<td>On-Site Inspection</td>
</tr>
<tr>
<td>1100.525</td>
<td>Selection Criteria</td>
</tr>
<tr>
<td>1100.530</td>
<td>Deadlines</td>
</tr>
<tr>
<td>1100.535</td>
<td>Funding Restrictions and Eligible Costs</td>
</tr>
<tr>
<td>1100.540</td>
<td>Loan Agreement</td>
</tr>
<tr>
<td>1100.545</td>
<td>Disbursement and Repayment of Loans</td>
</tr>
<tr>
<td>1100.550</td>
<td>Loan Terms</td>
</tr>
<tr>
<td>1100.555</td>
<td>Recordkeeping and Access to Information</td>
</tr>
<tr>
<td>1100.560</td>
<td>Progress Reports</td>
</tr>
<tr>
<td>1100.565</td>
<td>Audit Requirements</td>
</tr>
<tr>
<td>1100.570</td>
<td>Loan Monitoring and Recovery</td>
</tr>
<tr>
<td>1100.575</td>
<td>Project Completion Notice</td>
</tr>
<tr>
<td>1100.600</td>
<td>Introduction</td>
</tr>
<tr>
<td>1100.610</td>
<td>Who May Apply for Financing</td>
</tr>
<tr>
<td>1100.620</td>
<td>Types of Educational and Cultural Facilities that Can Be Financed</td>
</tr>
<tr>
<td>1100.630</td>
<td>Types of Costs that Can Be Financed: Outstanding Debt</td>
</tr>
<tr>
<td>1100.640</td>
<td>Application Guidelines</td>
</tr>
<tr>
<td>1100.650</td>
<td>Interest Rate on the Authority's Bonds</td>
</tr>
<tr>
<td>1100.660</td>
<td>Method of Financing</td>
</tr>
<tr>
<td>1100.670</td>
<td>Length of Bond Issue</td>
</tr>
<tr>
<td>1100.680</td>
<td>Type of Bond Issue</td>
</tr>
<tr>
<td>1100.690</td>
<td>Fees</td>
</tr>
<tr>
<td>1100.700</td>
<td>Definitions</td>
</tr>
<tr>
<td>1100.705</td>
<td>Rules and Guidelines Applicable to Bond Programs under this Subpart</td>
</tr>
<tr>
<td>1100.710</td>
<td>Bond Programs and Rules Applicable to Each</td>
</tr>
<tr>
<td>1100.715</td>
<td>Rules and Guidelines Applicable to the Interest Buy</td>
</tr>
</tbody>
</table>
ILLINOIS REGISTER

ILLINOIS FINANCE AUTHORITY

NOTICE OF RECODIFICATION

Down Program

1100.720 Rules and Guidelines Applicable to the Young Farmer Guarantee Program

1100.725 Rules and Guidelines Applicable to the State Guarantee Program for Restructuring Agricultural Debt

1100.730 Rules and Guidelines Applicable to the Specialized Livestock Guarantee Program

1100.735 Rules and Guidelines Applicable to the State Guarantee Program for Agri-Industries

1100. TABLE A Income Limits

6) Conversion Table of Present and Recodified Sections:

<table>
<thead>
<tr>
<th>Present Section</th>
<th>Recodified Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>TITLE 8</td>
<td>TITLE 74</td>
</tr>
<tr>
<td>1400.10</td>
<td>1100.50, 1100.700</td>
</tr>
<tr>
<td>1400.20</td>
<td>1100.100</td>
</tr>
<tr>
<td>1400.30</td>
<td>1100.105</td>
</tr>
<tr>
<td>1400.40</td>
<td>1100.110</td>
</tr>
<tr>
<td>1400.50</td>
<td>1100.115</td>
</tr>
<tr>
<td>1400.60</td>
<td>1100.115</td>
</tr>
<tr>
<td>1400.70</td>
<td>1100.115</td>
</tr>
<tr>
<td>1400.80</td>
<td>1100.115</td>
</tr>
<tr>
<td>1400.90</td>
<td>1100.120</td>
</tr>
<tr>
<td>1400.100</td>
<td>1100.125</td>
</tr>
<tr>
<td>1400.110</td>
<td>1100.130</td>
</tr>
<tr>
<td>1400.120</td>
<td>1100.135</td>
</tr>
<tr>
<td>1400.130</td>
<td>1100.705</td>
</tr>
<tr>
<td>1400.140</td>
<td>1100.710</td>
</tr>
<tr>
<td>1400.145</td>
<td>1100.715</td>
</tr>
<tr>
<td>1400.146</td>
<td>1100.720</td>
</tr>
<tr>
<td>1400.147</td>
<td>1100.725</td>
</tr>
<tr>
<td>1400.148</td>
<td>1100.730</td>
</tr>
<tr>
<td>1400.149</td>
<td>1100.735</td>
</tr>
<tr>
<td>1400.150</td>
<td>1100.140</td>
</tr>
<tr>
<td>1400.160</td>
<td>1100.145</td>
</tr>
<tr>
<td>1400.170</td>
<td>1100.150</td>
</tr>
<tr>
<td>1400.180</td>
<td>1100.155</td>
</tr>
</tbody>
</table>
ILLINOIS REGISTER

ILLINOIS FINANCE AUTHORITY

NOTICE OF RECODIFICATION

1400.ILLUSTRATION A            None

<table>
<thead>
<tr>
<th>TITLE 14</th>
<th>TITLE 74</th>
</tr>
</thead>
<tbody>
<tr>
<td>1200.100</td>
<td>1100.400</td>
</tr>
<tr>
<td>1200.110</td>
<td>1100.400</td>
</tr>
<tr>
<td>1200.120</td>
<td>1100.400</td>
</tr>
<tr>
<td>1200.200</td>
<td>1100.405</td>
</tr>
<tr>
<td>1200.210</td>
<td>1100.405</td>
</tr>
<tr>
<td>1200.220</td>
<td>1100.410</td>
</tr>
<tr>
<td>1200.230</td>
<td>1100.415</td>
</tr>
<tr>
<td>1200.240</td>
<td>1100.420</td>
</tr>
<tr>
<td>1200.250</td>
<td>1100.425</td>
</tr>
<tr>
<td>1200.300</td>
<td>1100.430</td>
</tr>
<tr>
<td>1200.310</td>
<td>1100.435</td>
</tr>
<tr>
<td>1200.320</td>
<td>1100.440</td>
</tr>
<tr>
<td>1200.330</td>
<td>1100.445</td>
</tr>
<tr>
<td>1200.340</td>
<td>1100.450</td>
</tr>
<tr>
<td>1200.400</td>
<td>1100.455</td>
</tr>
<tr>
<td>1200.410</td>
<td>1100.460</td>
</tr>
<tr>
<td>1200.420</td>
<td>1100.465</td>
</tr>
<tr>
<td>1200.430</td>
<td>1100.470</td>
</tr>
<tr>
<td>1200.440</td>
<td>1100.475</td>
</tr>
<tr>
<td>1200.TABLE A</td>
<td>1100.TABLE A</td>
</tr>
<tr>
<td>1210.100</td>
<td>1100.500</td>
</tr>
<tr>
<td>1210.110</td>
<td>1100.500</td>
</tr>
<tr>
<td>1210.120</td>
<td>1100.500</td>
</tr>
<tr>
<td>1210.200</td>
<td>1100.505</td>
</tr>
<tr>
<td>1210.210</td>
<td>1100.505</td>
</tr>
<tr>
<td>1210.220</td>
<td>1100.510</td>
</tr>
<tr>
<td>1210.230</td>
<td>1100.515</td>
</tr>
<tr>
<td>1210.240</td>
<td>1100.520</td>
</tr>
<tr>
<td>1210.300</td>
<td>1100.525</td>
</tr>
<tr>
<td>1210.310</td>
<td>1100.530</td>
</tr>
<tr>
<td>1210.320</td>
<td>1100.535</td>
</tr>
<tr>
<td>1210.330</td>
<td>1100.540</td>
</tr>
<tr>
<td>1210.340</td>
<td>1100.545</td>
</tr>
<tr>
<td>1210.350</td>
<td>1100.550</td>
</tr>
<tr>
<td>1210.400</td>
<td>1100.555</td>
</tr>
</tbody>
</table>
# ILLINOIS FINANCE AUTHORITY

## NOTICE OF RECODIFICATION

| 1210.410 | 1100.560 |
| 1210.420 | 1100.565 |
| 1210.430 | 1100.570 |
| 1210.440 | 1100.575 |
| 1210.TABLE A | None |

| 1220.100 | 1100.200 |
| 1220.110 | 1100.201, 1100.202 |
| 1220.120 | 1100.204 |
| 1220.130 | 1100.206 |
| 1220.140 | 1100.208 |
| 1220.150 | 1100.210 |
| 1220.160 | 1100.212 |
| 1220.200 | 1100.215 |
| 1220.210 | 1100.220 |
| 1220.220 | 1100.225 |
| 1220.230 | 1100.230 |
| 1220.240 | 1100.235 |
| 1220.250 | 1100.240 |
| 1220.300 | 1100.245 |
| 1220.310 | 1100.250 |
| 1220.320 | 1100.255 |
| 1220.330 | 1100.260 |
| 1220.400 | 1100.265 |
| 1220.410 | 1100.270 |
| 1220.500 | 1100.275 |
| 1220.510 | 1100.280 |
| 1220.520 | 1100.285 |

### TITLE 23

| 2310.5 | 1100.600 |
| 2310.10 | 1100.610 |
| 2310.20 | 1100.620 |
| 2310.30 | 1100.630 |
| 2310.40 | 1100.650 |
| 2310.50 | 1100.660 |
| 2310.60 | 1100.670 |
| 2310.70 | 1100.680 |
| 2310.80 | 1100.690 |

### TITLE 74
ILLINOIS REGISTER

07

ILLINOIS FINANCE AUTHORITY

NOTICE OF RECODIFICATION

<table>
<thead>
<tr>
<th>2310.90</th>
<th>None</th>
</tr>
</thead>
<tbody>
<tr>
<td>2310.EXHIBIT A</td>
<td>None</td>
</tr>
</tbody>
</table>

| 2320.5      | 1100.640   |
| 2320.10     | 1100.640   |
| 2320.20     | 1100.640   |
| 2320.30     | 1100.640   |

<table>
<thead>
<tr>
<th>TITLE 47</th>
<th>TITLE 74</th>
</tr>
</thead>
<tbody>
<tr>
<td>400.102</td>
<td>1100.50</td>
</tr>
<tr>
<td>400.103</td>
<td>1100.300</td>
</tr>
<tr>
<td>400.104</td>
<td>1100.300</td>
</tr>
<tr>
<td>400.105</td>
<td>1100.300</td>
</tr>
<tr>
<td>400.106</td>
<td>None</td>
</tr>
<tr>
<td>400.107</td>
<td>None</td>
</tr>
<tr>
<td>400.108</td>
<td>None</td>
</tr>
<tr>
<td>400.109</td>
<td>None</td>
</tr>
<tr>
<td>400.110</td>
<td>None</td>
</tr>
<tr>
<td>400.111</td>
<td>None</td>
</tr>
<tr>
<td>400.112</td>
<td>None</td>
</tr>
<tr>
<td>400.113</td>
<td>None</td>
</tr>
<tr>
<td>400.114</td>
<td>None</td>
</tr>
<tr>
<td>400.115</td>
<td>None</td>
</tr>
<tr>
<td>400.116</td>
<td>None</td>
</tr>
<tr>
<td>400.117</td>
<td>None</td>
</tr>
<tr>
<td>400.118</td>
<td>None</td>
</tr>
<tr>
<td>410.101</td>
<td>None</td>
</tr>
<tr>
<td>410.102</td>
<td>1100.305</td>
</tr>
<tr>
<td>410.103</td>
<td>1100.310</td>
</tr>
<tr>
<td>410.104</td>
<td>1100.315</td>
</tr>
<tr>
<td>410.105</td>
<td>1100.320</td>
</tr>
<tr>
<td>410.106</td>
<td>1100.325</td>
</tr>
<tr>
<td>410.107</td>
<td>1100.330</td>
</tr>
<tr>
<td>410.108</td>
<td>1100.335</td>
</tr>
<tr>
<td>410.109</td>
<td>1100.340</td>
</tr>
<tr>
<td>420.101</td>
<td>1100.345</td>
</tr>
<tr>
<td>420.102</td>
<td>None</td>
</tr>
</tbody>
</table>
ILLINOIS FINANCE AUTHORITY

NOTICE OF RECODIFICATION

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>420.103</td>
<td>None</td>
</tr>
<tr>
<td>420.104</td>
<td>None</td>
</tr>
<tr>
<td>420.105</td>
<td>None</td>
</tr>
<tr>
<td>420.106</td>
<td>None</td>
</tr>
<tr>
<td>420.107</td>
<td>None</td>
</tr>
<tr>
<td>420.108</td>
<td>None</td>
</tr>
<tr>
<td>420.109</td>
<td>None</td>
</tr>
</tbody>
</table>
PA 94-99 transferred the Veterans’ Employment Act Program from the Department of Employment Security to the Department of Commerce and Economic Opportunity. This Recodification transfers the rules for that program (56 Ill. Adm. Code 2960, Subpart C) to the DCEO Chapter at 56 Ill. Adm. Code 2670.
NOTICES: The scheduled date and time for the JCAR meeting are subject to change. Due to Register submittal deadlines, the Agenda below may be incomplete. Other items not contained in this published Agenda are likely to be considered by the Committee at the meeting and items from the list can be postponed to future meetings.

*If members of the public wish to express their views with respect to a rulemaking, they should submit written comments to the Office of the Joint Committee on Administrative Rules at the following address:*

*Joint Committee on Administrative Rules*
*700 Stratton Office Building*
*Springfield, Illinois 62706*
*Email: jcar@ilga.gov*
*Phone: 217/785-2254*

**RULEMAKINGS CURRENTLY BEFORE JCAR**

**PROPOSED RULEMAKINGS**

Children and Family Services

1. Licensing Enforcement (Repealer) (89 Ill. Adm. Code 383)
   - First Notice Published: 31 Ill. Reg. 4499 – 3/23/07
   - Expiration of Second Notice: 9/1/07

2. Licensing Enforcement (89 Ill. Adm. Code 383)
   - First Notice Published: 31 Ill. Reg. 4511 – 3/23/07
   - Expiration of Second Notice: 9/1/07

Elections

   - First Notice Published: 31 Ill. Reg. 6363 – 4/27/07
JOINT COMMITTEE ON ADMINISTRATIVE RULES
AUGUST AGENDA

-Expiration of Second Notice: 8/25/07

Financial and Professional Regulation

4. Advertising and Sales Promotion of Life Insurance and Annuities (50 Ill. Adm. Code 909)
   -First Notice Published: 31 Ill. Reg. 3228 – 3/2/07
   -Expiration of Second Notice: 8/29/07

5. Licensing Requirements for the Solicitation of Variable Contracts (50 Ill. Adm. Code 3117)
   -First Notice Published: 31 Ill. Reg. 3236 – 3/2/07
   -Expiration of Second Notice: 8/29/07

   -First Notice Published: 31 Ill. Reg. 3241 – 3/2/07
   -Expiration of Second Notice: 8/29/07

Healthcare and Family Services

7. Medical Assistance Programs (89 Ill. Adm. Code 120)
   -First Notice Published: 31 Ill. Reg. 7226 – 5/18/07
   -Expiration of Second Notice: 9/12/07

   -First Notice Published: 31 Ill. Reg. 4550 – 3/23/07
   -Expiration of Second Notice: 9/22/07

Housing Development Authority

   -First Notice Published: 31 Ill. Reg. 7228 – 5/18/07
   -Expiration of Second Notice: 8/23/07

Human Services

10. Provider Requirements, Type Services, and Rates of Payment (89 Ill. Adm. Code 686)
    -First Notice Published: 31 Ill. Reg. 4967 – 3/30/07
    -Expiration of Second Notice: 8/24/07
JOINT COMMITTEE ON ADMINISTRATIVE RULES
AUGUST AGENDA

Investments

11. Rules and Regulations of the Board (74 Ill. Adm. Code 800)
   - First Notice Published: 31 Ill. Reg. 6667 – 5/4/07
   - Expiration of Second Notice: 8/15/07

Natural Resources

12. Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote and Woodchuck (Groundhog) Hunting (17 Ill. Adm. Code 550)
   - First Notice Published: 31 Ill. Reg. 6279 – 4/27/07
   - Expiration of Second Notice: 8/18/07

13. Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, Badger, Beaver and Woodchuck (Groundhog) Trapping (17 Ill. Adm. Code 570)
   - First Notice Published: 31 Ill. Reg. 6290 – 4/27/07
   - Expiration of Second Notice: 8/18/07

   - First Notice Published: 31 Ill. Reg. 6301 – 4/27/07
   - Expiration of Second Notice: 8/18/07

15. Late-Winter Deer Hunting Season (17 Ill. Adm. Code 680)
   - First Notice Published: 31 Ill. Reg. 7487 – 6/1/07
   - Expiration of Second Notice: 9/8/07

   - First Notice Published: 31 Ill. Reg. 5737 – 4/13/07
   - Expiration of Second Notice: 8/30/07

Pollution Control Board

17. Control of Emissions from Large Combustion Sources (35 Ill. Adm. Code 225)
   - First Notice Published: 31 Ill. Reg. 6769 – 5/11/07
   - Expiration of Second Notice: 9/9/07

Public Health

JOINT COMMITTEE ON ADMINISTRATIVE RULES
AUGUST AGENDA

-First Notice Published: 31 Ill. Reg. 3442 – 3/2/07
-Expiration of Second Notice: 9/4/07

Racing Board

19. Medication (11 Ill. Adm. Code 603)
   -First Notice Published: 31 Ill. Reg. 6665 – 5/4/07
   -Expiration of Second Notice: 8/15/07

Revenue

   -First Notice Published: 31 Ill. Reg. 7494 – 6/1/07
   -Expiration of Second Notice: 9/1/07

   -First Notice Published: 31 Ill. Reg. 7504 – 6/1/07
   -Expiration of Second Notice: 9/1/07

22. Public List of Delinquent Taxpayers (86 Ill. Adm. Code 710)
   -First Notice Published: 31 Ill. Reg. 7519 – 6/1/07
   -Expiration of Second Notice: 9/2/07

EMERGENCY RULEMAKINGS

Central Management Services

23. Pay Plan (80 Ill. Adm. Code 310)
   -Notice Published: 31 Ill. Reg. 10056 – 7/13/07

Financial and Professional Regulation

24. Supplemental Reports for Accident and Health Insurers (50 Ill. Adm. Code 937)
   -Notice Published: 31 Ill. Reg. 10699 – 7/27/07

Healthcare and Family Services

25. Medical Payment (89 Ill. Adm. Code 140)
   -Notice Published: 31 Ill. Reg. 10115 – 7/13/07
JOINT COMMITTEE ON ADMINISTRATIVE RULES
AUGUST AGENDA

   -Notice Published: 31 Ill. Reg. 10137 – 7/13/07

Human Services

27. Medicaid Community Mental Health Services Program (59 Ill. Adm. Code 132)
   -Notice Published: 31 Ill. Reg. 10159 – 7/13/07

State Police

   -Notice Published: 31 Ill. Reg. 10188 – 7/13/07

PEREMPTORY RULEMAKING

Central Management Services

29. Pay Plan (80 Ill. Adm. Code 310)
   -Notice Published: 31 Ill. Reg. 10496 – 7/20/07
The following second notices were received by the Joint Committee on Administrative Rules during the period of July 24, 2007 through July 30, 2007 and have been scheduled for review by the Committee at its August 14, 2007 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

<table>
<thead>
<tr>
<th>Second Notice Expires</th>
<th>Agency and Rule</th>
<th>Start Of First Notice</th>
<th>JCAR Meeting</th>
</tr>
</thead>
<tbody>
<tr>
<td>9/8/07</td>
<td>Department of Natural Resources, Late-Winter Deer Hunting Season (17 Ill. Adm. Code 680)</td>
<td>6/1/07</td>
<td>8/14/07</td>
</tr>
<tr>
<td></td>
<td></td>
<td>31 Ill. Reg. 7487</td>
<td></td>
</tr>
<tr>
<td>9/9/07</td>
<td>Pollution Control Board, Control of Emissions from Large Combustion Sources (35 Ill. Adm. Code 225)</td>
<td>5/11/07</td>
<td>8/14/07</td>
</tr>
<tr>
<td></td>
<td></td>
<td>31 Ill. Reg. 6769</td>
<td></td>
</tr>
<tr>
<td>9/12/07</td>
<td>Department of Healthcare and Family Services, Medical Assistance Programs (89 Ill. Adm. Code 120)</td>
<td>5/18/07</td>
<td>8/14/07</td>
</tr>
<tr>
<td></td>
<td></td>
<td>31 Ill. Reg. 7226</td>
<td></td>
</tr>
</tbody>
</table>
Pursuant to Section 4-5(h) of the Residential Mortgage License Act of 1987 (the "Act") [205 ILCS 635/4-5(h)], notice is hereby given that the Department of Financial and Professional Regulation, Division of Banking, of the State of Illinois has revoked the license Bridge Capital Corporation, License No. MB.0005576 of Mission Viejo, California, a licensee under the Act, for violating the terms of the Act and the rules and regulations adopted thereunder, effective July 20, 2007. For further reference link to: www.idfpr.com
DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

1. Statute requiring agency to publish information concerning Private Letter Rulings and General Information Letters in the Illinois Register:

Name of Act: Illinois Department of Revenue Sunshine Act
Citation: 20 ILCS 2515/1

2. Summary of information:

Index of Department of Revenue sales tax Private Letter Rulings and General Information Letters issued for the Second Quarter of 2007. Private letter rulings are issued by the Department in response to specific taxpayer inquiries concerning the application of a tax statute or rule to a particular fact situation. Private letter rulings are binding on the Department only as to the taxpayer who is the subject of the request for ruling. (See 2 Ill. Adm. Code 1200.110) General information letters are issued by the Department in response to written inquiries from taxpayers, taxpayer representatives, business, trade, industrial associations or similar groups. General information letters contain general discussions of tax principles or applications. General information letters are designed to provide general background information on topics of interest to taxpayers. General information letters do not constitute statements of agency policy that apply, interpret, or prescribe tax laws administered by the Department. General information letters may not be relied upon by taxpayers in taking positions with reference to tax issues and create no rights for taxpayers under the Taxpayers' Bill of Rights Act. (See 2 Ill. Adm. Code 1200.120)

The letters are listed numerically, are identified as either a General Information Letter or a Private Letter Ruling and are summarized with a brief synopsis under the following subjects:

Agricultural Producers and Products
Certificate of Registration
Computer Software
Construction Contractors
Delivery Charges
Drugs
Exempt Organizations
Farm Machinery & Equipment
Food, Drugs & Medical Appliances
Gas Use Tax

Governmental Bodies
Gross Receipts
Hotel Operators' Tax
Interstate Commerce
Leasing
Local Taxes
Manufacturers
Manufacturing Machinery & Equipment
Medical Appliances
DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

Miscellaneous                  Sale for Resale
Motor Fuel Tax                 Service Occupation Tax
Newsprint & Ink                Telecommunications Excise Tax
Nexus                         Trade-Ins
Occasional Sale               Use Tax
Repairs
Returns
Sale at Retail

Copies of the ruling letters themselves are available for inspection and may be purchased for a minimum of $1.00 per opinion plus 50¢ per page for each page over one. Copies of the ruling letters may be downloaded free of charge from the Department's World Wide Web site at www.tax.illinois.gov/.

The annual index of Sales and Excise Tax letter rulings (all four quarters) is available for $3.00.

3. Name and address of person to contact concerning this information:

Marie Keeney
Legal Services Office
101 West Jefferson Street
Springfield, Illinois 62794
217/782-2844
DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

AGRICULTURAL PRODUCERS AND PRODUCTS

ST 07-0031-GIL 05/17/2007 Preservatives used for drying hay may qualify for the farm chemical exemption. See 86 Ill. Adm. Code 130.1955.

CERTIFICATE OF REGISTRATION

ST 07-0061-GIL 06/11/2007 The responsible individual named at Step 9 of Form REG-1 is subject to personal liability penalty if he or she willfully fails to file returns and/or pay tax when due. See 35 ILCS 120/2a and 735/3-7, and 86 Ill. Adm. Code 130.701(d) and 700.340.

COMPUTER SOFTWARE

ST 07-0035-GIL 05/21/2007 A license of canned software is subject to Retailers' Occupation Tax liability if all of the criteria set out in 86 Ill. Adm. Code 130.1935(a)(1) are not met.

ST 07-0036-GIL 05/21/2007 A license of canned software is subject to Retailers' Occupation Tax liability if all of the criteria set out in 86 Ill. Adm. Code 130.1935(a)(1) are not met.

CONSTRUCTION CONTRACTORS

ST 07-0009-GIL 04/12/2007 This letter concerns sales of cabinetry.

ST 07-0019-GIL 05/04/2007 For information on construction contractors, see 86 Ill. Adm. Code 130.1940 and 130.2075.

ST 07-0025-GIL 05/16/2007 To claim the exemption at 86 Ill. Adm. Code 130.2075(e), contractors must provide their suppliers with the exemption identification number of the governmental unit to which the public improvements will be transferred upon completion.

ST 07-0044-GIL 05/22/2007 Persons who permanently affix tangible personal property to real estate act as construction contractors and incur Use Tax liability on
DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

their cost price of tangible personal property they physically incorporate into realty.  See 86 Ill. Adm. Code 130.1940 and 130.2075.

ST 07-0058-GIL  06/08/2007 Where a construction contractor permanently affixes tangible personal property to real property, the contractor is deemed the end user.  As the end user, the contractor incurs Use Tax on the cost price of the tangible personal property that is incorporated into real property.  See 86 Ill. Adm. Code 130.1940 and 86 Ill. Adm. Code 130.2075.

DELIVERY CHARGES

ST 07-0045-GIL  05/23/2007 The Department's regulation on the treatment of transportation and delivery charges under the Retailers' Occupation Tax Act may be found at 86 Ill. Adm. Code 130.415.

ST 07-0053-GIL  06/06/2007 The best evidence that transportation or delivery charges were agreed to separately and apart from the selling price, is a separate and distinct contract for transportation or delivery.  See 86 Ill. Adm. Code 130.415.

ST 07-0055-GIL  06/06/2007 The Department's regulation on the treatment of transportation and delivery charges under the Retailers' Occupation Tax Act may be found at 86 Ill. Adm. Code 130.415.

DRUGS

ST 07-0069-GIL  06/21/2007 This letter concerns the low 1% State rate of tax applicable to drugs and medicines.  See 86 Ill. Adm. Code 130.310.

EXEMPT ORGANIZATIONS

ST 07-0011-GIL  04/23/2007 A limited liability partnership can qualify for an "E" number as an association as long as all other requirements for an "E" number are met.  See 35 ILCS 120/2-5(11) and 35 ILCS 105/3-5(4).
NOTICE OF PUBLIC INFORMATION

FARM MACHINERY & EQUIPMENT

ST 07-0018-GIL 05/04/2007 Chemicals that are required to provide a specific temperature and humidity in order to grow a crop to be sold do not qualify as farm chemicals for purposes of the exemption. See 86 Ill. Adm. Code 130.1955.

ST 07-0064-GIL 06/13/2007 Accessories, not essential to the operation of exempt machinery, except when sold as an integral part of a qualified machine at the time of purchase, do not qualify for the exemption.

FOOD, DRUGS & MEDICAL APPLIANCES

ST 07-0037-GIL 05/22/2007 For more information regarding whether the 6.25% rate or the 1% rate of tax applies to catheters, we refer you to the Department’s regulation at 86 Ill. Adm. Code 130.310(c) and to letter ST 93-0526.

ST 07-0039-GIL 05/22/2007 Items such as sleep apnea monitors for example do not qualify for the 1% rate of tax because these items do not directly substitute for a malfunctioning part of the body. See 86 Ill. Admin. Code 130.310(c).

GAS USE TAX


ST 07-0079-GIL 06/28/2007 This letter discusses the exemption under the Gas Use Tax Law for business enterprises located in enterprise zones certified by the Department of Commerce and Economic Opportunity. See 35 ILCS 173/5-50.
DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

ST 07-0010-GIL 04/23/2007  Sales made to Medicare, Medicaid and other government healthcare providers are exempt from tax as sales to a government body so long as the exemption is properly documented through provision of an active exemption identification number and payment is made directly by the government agency. See 86 Ill. Adm. Code 130.2080.

ST 07-0051-GIL 05/25/2007  86 Ill. Adm. Code 130.2055 provides that governmental units, incur Retailers Occupation Tax liability when selling tangible personal property to the public for use or consumption. The only exception is the sale of an item by a governmental unit in the performance of its governmental function.

GROSS RECEIPTS

ST 07-0015-GIL 05/03/2007  This letter discusses how sales tax is applied when a vehicle is replaced under the New Vehicle Buyer Protection Act (a.k.a. the "Lemon Law"), 815 ILCS 380/1 et seq.

ST 07-0024-GIL 05/09/2007  This letter discusses sales of prescription drugs by servicemen. See 86 Ill. Adm. Code Part 140.

ST 07-0056-GIL 06/07/2007  For information regarding installation, alteration and special service charges see 86 Ill. Adm. Code 130.450.

HOTEL OPERATORS' TAX


INTERSTATE COMMERCE

ST 07-0001-GIL 01/04/2007  Retailers' Occupation Tax does not apply where sellers ship goods by carrier or by mail, according to the terms of agreements with
DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

purchasers, and the seller delivers the goods from a point within Illinois to a point outside Illinois and the goods are not to be returned to Illinois. See 86 Ill. Adm. Code 130.605.

LEASING

ST 07-0046-GIL 05/23/2007 Lessors of tangible personal property under true leases in Illinois are deemed end users of the property to be leased. See 86 Ill. Adm. Code 130.220.

ST 07-0065-GIL 06/14/2007 This letter concerns leasing. See 86 Ill. Adm. Code 130.220.

LOCAL TAXES

ST 07-0043-GIL 05/22/2007 The Department's opinion is that the most important element of selling is the seller's acceptance of the purchase order. Consequently, if a purchase order is accepted in a jurisdiction that imposes a local tax, that tax will be incurred. See 86 Ill. Adm. Code 270.115.


MANUFACTURERS

ST 07-0060-GIL 06/11/2007 This letter concerns electricity, gas, and water services provided to manufacturers. See 86 Ill. Adm. Code 130.330.

MANUFACTURING MACHINERY & EQUIPMENT

ST 07-0003-GIL 01/04/2007 Machinery and equipment that is used primarily (over 50% of the time) in the manufacturing or assembling of tangible personal property for wholesale or retail sale or lease is exempt from Retailers' Occupation Tax. See the Department's regulation at 86 Ill. Adm. Code 130.330.
DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

ST 07-0054-GIL 06/06/2007 The manufacturing machinery and equipment exemption includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a product being manufactured or assembled for sale or lease. See 86 Ill. Adm. Code 130.330(c)(6).

MEDICAL APPLIANCES

ST 07-0002-GIL 01/04/2007 This letter provides a reference to the Department's rules regarding food, drugs, medicines and medical appliances. See 86 Ill. Adm. Code 130.310.

ST 07-0014-GIL 04/30/2007 Products that qualify as medicines, drugs, or medical appliances are taxed at the reduced sales tax rate of 1% plus applicable local taxes. See 86 Ill. Adm. Code 130.310.

ST 07-0026-GIL 05/16/2007 Medicines and medical appliances are not taxed at the general State rate of 6.25%. These items are taxed at a lower State rate of 1%. See 86 Ill. Adm. Code 130.310.

ST 07-0038-GIL 05/22/2007 The definition of medical appliance is "an item which is intended by its manufacturer for use in directly substituting for a malfunctioning part of the body." See 86 Ill. Adm. Code 130310(c)(2).

ST 07-0040-GIL 05/22/2007 Generally, medical tools, devices and equipment used for diagnostic, rehabilitative and treatment purposes do not qualify for the reduced State rate of tax for medical appliances as such items, while being used for treatment of patients, are not directly substituting for a malfunctioning part of the body. See 86 Ill. Adm. Code 130.310.

ST 07-0041-GIL 05/22/2007 Generally, medical tools, devices and equipment used for diagnostic, rehabilitative and treatment purposes do not qualify for the reduced State rate of tax for medical appliances as such items, while being used for treatment of patients, are not directly substituting for a malfunctioning part of the body. See 86 Ill. Adm. Code 130.310.

MISCELLANEOUS
DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

<table>
<thead>
<tr>
<th>ST 07-0016-GIL</th>
<th>05/03/2007</th>
<th>This letter concerns the tax rate imposed on biodiesel. See 35 ILCS 120/2-10.</th>
</tr>
</thead>
<tbody>
<tr>
<td>ST 07-0017-GIL</td>
<td>05/03/2007</td>
<td>This letter discusses several sales tax issues for lessors of durable medical equipment. See 35 ILCS 130.310.</td>
</tr>
<tr>
<td>ST 07-0023-GIL</td>
<td>05/04/2007</td>
<td>Please note that the Department has no authority to compel the seller to file a claim for credit. Whether or not the seller files a claim for credit with the Department is a private business matter.</td>
</tr>
<tr>
<td>ST 07-0052-GIL</td>
<td>06/06/2007</td>
<td>This letter discusses Illinois sales taxes, nexus, local taxes, and warranties. See 35 ILCS 120/1 et seq.</td>
</tr>
<tr>
<td>ST 07-0057-GIL</td>
<td>06/07/2007</td>
<td>Information concerning the tax liabilities of biodiesel-blended fuel under the Retailers’ Occupation Tax Act may be found at 35 ILCS 120/2-10.</td>
</tr>
<tr>
<td>ST 07-0066-GIL</td>
<td>06/18/2007</td>
<td>This letter concerns sales of music and videos downloaded from the Internet. See 86 Ill. Adm. Code 130.101.</td>
</tr>
<tr>
<td>ST 07-0068-GIL</td>
<td>06/19/2007</td>
<td>Information or data that is electronically downloaded is not considered the transfer of tangible personal property in this State. See 86 Ill. Adm. Code 130.2105.</td>
</tr>
<tr>
<td>ST 07-0073-GIL</td>
<td>06/25/2007</td>
<td>This letter discusses sales tax issues of concern to a business that provides both traditional and virtual file room services. See 86 Ill. Adm. Code 130.101.</td>
</tr>
<tr>
<td>ST 07-0078-GIL</td>
<td>06/27/2007</td>
<td>Information or data that is electronically downloaded is not considered the transfer of tangible personal property in this State. See 86 Ill. Adm. Code 130.2105.</td>
</tr>
</tbody>
</table>

MOTOR FUEL TAX
DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

ST 07-0008-GIL 04/04/07 This letter concerns home blenders who blend bio-diesel fuel for their own use. See 35 ILCS 105.310 and 35 ILCS 505/1 et seq.

NEWSPRINT & INK

ST 07-0047-GIL 05/23/2007 Gross receipts from the sale of newspapers and magazines in Illinois are not subject to sales tax. See 86 Ill. Adm. Code Section 130.2105.

NEXUS


ST 07-0077-GIL 06/26/2007 This letter discusses basic principles of nexus. See 35 ILCS 105/1 et seq., 35 ILCS 120/1 et seq., and 86 Ill. Adm. Code 150.201.

OCCASIONAL SALE

ST 07-0020-GIL 05/04/2007 Tangible personal property transferred pursuant to a business reorganization may qualify for the occasional sales exemption if the
DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

transferor of such tangible personal property has not ordinarily sold like-kind property at retail. See 86 Ill. Adm. Code 130.110.

ST 07-0021-GIL 05/04/2007 This letter discusses limitations on the meaning of "occasional sales." See 86 Ill. Adm. Code 130.110.

REPAIRS

ST 07-0029-GIL 05/17/2007 The taxability of maintenance agreements depends upon whether charges for the agreements are included in the selling price of the tangible personal property. See 86 Ill. Adm. Code 140.301.

ST 07-0030-GIL 05/17/2007 The taxability of maintenance agreements depends upon whether charges for the agreements are included in the selling price of the tangible personal property. See 86 Ill. Adm. Code 140.301.

RETURNS

ST 07-0072-GIL 06/25/2007 This letter discusses who must file a return when a leasing portfolio is acquired by a company that has a division that is already registered to file returns for the resale and leasing of property. See 86 Ill. Adm. Code 130.701.

SALE AT RETAIL

ST 07-0001-PLR 05/01/2007 An partnership that owns and operates a coal mine is not subject to Retailers' Occupation Tax on coal that is used in that same partnership's electric generating facility because the coal will be conveyed from the mine to the electric generating facility without any sale at retail taking place. See 86 Ill. Adm. Code 130.101.

SALE FOR RESALE

ST 07-0028-GIL 05/16/2007 Unless an exemption is documented, the sale and delivery of tangible personal property to an Illinois customer creates a legal presumption that the sale is for use in Illinois and subject to tax. See 86 Ill. Adm. Code 130.1405.

SERVICE OCCUPATION TAX

ST 07-0022-GIL 05/04/2007 The issue of whether a person incurs a Retailers' Occupation Tax or Service Occupation Tax liability depends upon the nature of the items being produced and the nature of the design work involved. See 86 Ill. Adm. Code 130.2115.

ST 07-0067-GIL 06/18/2007 This letter discusses the tax liabilities of persons who retread tires. See 86 Ill. Adm. Code Part 140.

ST 07-0076-GIL 06/26/2007 The Service Occupation Tax is a tax imposed upon servicemen engaged in the business of making sales of service in this State, based on the tangible personal property transferred incident to sales of service. See 86 Ill. Adm. Code Part 140.

ST 07-0080-GIL 06/29/2007 Under the Service Occupation Tax, servicemen are taxed on tangible personal property transferred incident to a sale of service. See 86 Ill. Adm. Code Part 140.

TELECOMMUNICATIONS EXCISE TAX

ST 07-0050-GIL 05/24/2007 The Telecommunications Excise Tax Act provides that "[s]ervice address' means the location of telecommunications equipment from which the telecommunications services are originated or at which telecommunications services are received by a taxpayer. See 35 ILCS 630/1 et seq.

ST 07-0074-GIL 06/26/2007 If telecommunications retailers provide "concierge type services" and also transmission services, the charges for each must be
DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

disaggregated and separately stated from telecommunications charges in the books and records of the retailers. See 35 ILCS 630/2(a) and 630(c).

TRADE-INS

ST 07-0007-GIL  03/28/07  The language of 86 Ill. Admin. Code 130.455(c)(C), that "[a] third party trade-in authorization may not be used in conjunction with an advance trade transaction" means not only that the car being traded in the advance trade must be owned by the purchaser of the new vehicle, but also that regular trade-in transactions involving third parties may not be part of an advance trade transaction.

ST 07-0034-GIL  05/17/2007  The acceptance of trade-ins of like kind and character may be used to reduce a retailer's gross receipts from a retail transaction as described in the Department's administrative rules regarding trade-ins. See 86 Ill. Adm. Code 130.425 and 130.455.

USE TAX

ST 07-0004-GIL  01/04/2007  Under the Use Tax Act, a tax is imposed upon the privilege of using in this State tangible personal property purchased at retail from a retailer. See 86 Ill. Adm. Code 150.101.

ST 07-0006-GIL  01/12/2007  Citizens of foreign countries are not exempt from Use Tax liability for purchases of merchandise at retail within the State of Illinois. See 86 Ill. Adm. Code 130.605.

ST 07-0012-GIL  04/23/2007  Retailers are prohibited from advertising or holding out that they will absorb the purchaser's Use Tax obligation. See 35 ILCS 105/7.

ST 07-0013-GIL  04/24/2007  Retailers are prohibited from advertising or holding out that they will absorb the purchaser's Use Tax obligation. See 86 Ill. Adm. Code 150.515.
DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

ST 07-0042-GIL 05/22/2007 Foreign or domestic travelers are not exempt from Use Tax liability for purchases of merchandise at retail within the State of Illinois. See 86 Ill. Adm. Code 130.605.
WHEREAS, the Illinois Constitution requires the General Assembly to make appropriations for the expenditure of public funds for the fiscal year for State departments, authorities, and public agencies; and

WHEREAS, the General Assembly has passed, and I have signed, a temporary, one-month budget providing spending authority to State departments, authorities, and public agencies through July 31, 2007; and

WHEREAS, the temporary, one-month budget providing spending authority to State departments, authorities, and public agencies will expire on July 31, 2007; and

WHEREAS, in order to avoid a costly government shutdown potentially injurious to the health, safety, and welfare of Illinois, the General Assembly must pass, at a minimum, a second temporary, one-month budget to provide spending authority to State departments, authorities, and public agencies which will expire on August 31, 2007;

THEREFORE, pursuant to Article IV, Section 5 (b) of the Illinois Constitution of 1970, I hereby call and convene the 95th General Assembly in a special session to commence on July 28, 2007, at 9:00 a.m., to consider a second temporary, one-month budget to provide spending authority to State departments, authorities, and public agencies through August 31, 2007.

Dated: July 27, 2007
Filed: July 27, 2007

2007-244
Lions Clubs International Week

WHEREAS, the Lions Club was founded in 1917 by Melvin Jones. His goal was to create an organization of businesses who shared a common goal of bettering the community; and

WHEREAS, Lions Club International has grown to incorporate 1.4 million members who participate in 46,000 clubs in 193 countries across the globe; and

WHEREAS, the Lions Club of Illinois has raised an unprecedented amount of money for those who are visually and hearing impaired over the years through various charitable events and programs; and
WHEREAS, Chicago has been selected as the host city for the Lions Clubs International 90th International Convention, taking place July 2 - 5, 2007. Highlights of the many activities scheduled throughout convention week include three plenary sessions, the festive International Parade of Nations, the exciting international show, and the installation of the Club's 2007-2008 International President; and

WHEREAS, as a special treat for all conference attendees, this year's guest speaker is Lion Past District Governor, and 39th President of the United States of America, the Honorable Jimmy Carter; and

WHEREAS, Illinois is honored to host this year's event, and is proud to welcome President Carter to this great state to address Lions Clubs members from across the globe:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim July 2 - 5, 2007 as LIONS CLUBS INTERNATIONAL WEEK in Illinois, and applaud the Lions Club for their continued service to our communities.

Issued by the Governor June 27, 2007
Filed by the Secretary of State July 27, 2007.

2007-245
Support Our Troops Day

WHEREAS, the people of Illinois believe in providing a compassionate and supportive community for residents of the state in all branches of the Armed Forces, the Reserves and those called to perform homeland security duties, as well as the families and friends of those serving; and

WHEREAS, Illinois citizens exercise a patriotic duty by acknowledging the fathers, mothers, sons and daughters of the State, and from every corner of the United States and allied nations, who heroically defend our country; and

WHEREAS, on this day, which has been designated as a day to show our support for our troops, Illinoians are encouraged to display the community's unwavering commitment to honoring the members of the Armed Forces for their courageous and patriotic duty in defending our country, its freedoms, and its way of life:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 30, 2007 as SUPPORT OUR TROOPS DAY in Illinois, and urge all citizens to join in this important observance.
WHEREAS, National Careers in Construction Week is an annual week designated to increase public awareness and appreciation of the construction professional and the entire construction workforce; and

WHEREAS, during this week, employers, trade associations, and schools are encouraged to conduct job fairs, panel discussions, and local community events to inform students of the vast employment opportunities in construction; and

WHEREAS, the construction industry is one of our nation’s largest industries, employing 7.2 million individuals in the US alone and the number of wage and salary jobs in the construction industry is expected to grow about 15 percent through the year 2012; and

WHEREAS, the construction industry must fill 240,000 jobs each year just to meet the growing workforce demand; and

WHEREAS, we are pleased to honor the construction craft professional and the critical role they play in the development of our state; and

WHEREAS, the National Center for Construction Education and Research was created by the construction industry to standardize training and enhance the industry image by promoting the hard work and dedication of our nation’s craft professionals; and

WHEREAS, the National Center for Construction Education and Research is supported by thirty-two national associations and their state chapters, representing more than 150,000 contractor employers; and

WHEREAS, through this unprecedented partnership, the construction industry is leading the way in providing young people career opportunities while increasing the quality of the future workforce:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim October 15 – 19, 2007 as CAREERS IN CONSTRUCTION WEEK in Illinois.
PROCLAMATIONS

Issued by the Governor June 29, 2007
Filed by the Secretary of State July 27, 2007.

2007-247
15th Annual African/Caribbean International Festival of Life Days

WHEREAS, on July 4 – 8, 2007, the 15th Annual African/Caribbean International Festival of Life will be hosted by Martin's International Culture, Inc., and several sponsors; and

WHEREAS, the year's African/Caribbean International Festival of Life is dedicated to "Teens In Crisis", and to Peace, Love, and Unity among all Nations with the belief that "Out of Many Nationalities We Are One People"; and

WHEREAS, the primary objective of the Festival is to bring together under one umbrella, people of various nationalities, cultures, and ethnic backgrounds; and

WHEREAS, the African/Caribbean International Festival of Life will feature a variety of music, including reggae, calypso, gospel, salsa, blues, rhythm & blues, highlife, soukous, hip hop, rap, spoken word, and more; and

WHEREAS, exhibitors from various parts of the country will journey to Illinois to offer a variety of international crafts, cultural clothing, other ethnic items, along with food from Africa, the Caribbean and other parts of the globe:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim July 4 – 8, 2007 as the 15TH ANNUAL AFRICAN/CARIBBEAN INTERNATIONAL FESTIVAL OF LIFE DAYS in Illinois, and encourage all citizens to participate in this family event.

Issued by the Governor June 29, 2007
Filed by the Secretary of State July 27, 2007.

2007-248
Lakes Appreciation Month

WHEREAS, the State of Illinois is fortunate to have more than 84,000 lakes, ponds and reservoirs within its boundaries; and

WHEREAS, lakes and ponds are important resources to the State of Illinois' way of life and its environment, providing sources of recreation, scenic beauty and habitat for wildlife; and
WHEREAS, Illinois lakes are valuable economic resources for Illinois businesses, tourism and municipal governments; and

WHEREAS, thousands of citizen volunteers have demonstrated their interest in Illinois lakes by actively monitoring lake quality over the last 26 years through the Volunteer Lake Monitoring Program; and

WHEREAS, the State of Illinois recognizes the need to protect these lakes and ponds for future generations:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim July 2007 as **LAKES APPRECIATION MONTH** in Illinois.

Issued by the Governor July 2, 2007
Filed by the Secretary of State July 27, 2007.

2007-249

**Illinois Land Title Association Day**

WHEREAS, the Illinois Land Title Association is celebrating its 100th Anniversary of serving the public and land title insurance industry in Illinois; and

WHEREAS, the Illinois Land Title Association's members share a rich heritage with Abraham Lincoln the 16th President of the United States when he worked as a land surveyor and later as a lawyer; and

WHEREAS, the members of the Illinois Land Title Association have been entrusted with the responsibility of protecting the public land records by maintaining plat books, title plants, and through systematic searches and examinations of recorded documents to insure the reality of attaining the "American Dream" of home ownership; and

WHEREAS, in Illinois over 825,000 title insurance policies were issued in 2006 insuring title of both private and public real estate:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim July 14, 2007 as **ILLINOIS LAND TITLE ASSOCIATION DAY** in Illinois, in honor of this Association's historical presence and the professional service of its more than 300 member locations throughout Illinois.

Issued by the Governor July 5, 2007
Filed by the Secretary of State July 27, 2007.

**2007-250**

**Captive Nations Week**

WHEREAS, *Captive Nations Week* has been recognized since July 17, 1959, originating from U.S. Public Law 86-90, a joint resolution of the 86th Congress; and

WHEREAS, every year, *Captive Nations Week* organizers focus international attention on the plight and struggle of captive nations to rid themselves of oppressive rulers by organizing and unifying these country’s voices of freedom; and

WHEREAS, although several former Captive Nations have been liberated from devastating and militaristic rule, the United States and the international community must remain cognizant of those countries still straining for freedom under precarious regimes; and

WHEREAS, this week should serve as a time of reflection and remembrance for all of the millions of people tragically lost to genocide and other forms of persecution under these cruel governments; and

WHEREAS, the 49th Annual *Captive Nations Week* will highlight the struggle for freedom around the world in occupied territories:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim July 15 – 21, 2007 as **CAPTIVE NATIONS WEEK** in Illinois, and encourage all citizens to join in observance of this important week.

Issued by the Governor July 5, 2007
Filed by the Secretary of State July 27, 2007.

**2007-251**

**Summer Learning Day**

WHEREAS, a wide array of public agencies, non-profit organizations, schools, universities, museums, libraries, and summer camps across the country will celebrate annual *Summer Learning Day* on July 12, 2007; and

WHEREAS, this will be a day to reflect on the importance of high-quality summer learning opportunities in the lives of young people and their families; and
PROCLAMATIONS

WHEREAS, **Summer Learning Day** is designed to highlight the need for more young people to be engaged in learning activities over the summer and to support local summer programs that benefit children, families, and communities; and

WHEREAS, Summer Learning programs have been proven to have a meaningful impact on the education, health and safety of children; and

WHEREAS, Illinois is proud to join with the Center for Summer Learning at Johns Hopkins University and our national partners in promoting learning activities for our young people:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim July 12, 2007 as **SUMMER LEARNING DAY** in Illinois.

Issued by the Governor July 5, 2007
Filed by the Secretary of State July 27, 2007.

**2007-252**

**Breastfeeding Promotion Month**

WHEREAS, human breastmilk is the best possible food for infants, providing them with optimal nutrition for their stage of growth and cognitive development, in a manner that is easily digestible for them; and

WHEREAS, human breastmilk provides health benefits from infancy and throughout the rest of their lives, protecting the infant against infections and allergies, helping defend against obesity and diabetes, and in the promotion of maternal infant bonding; and

WHEREAS, breastfeeding is an important part of preventive health care, providing nursing mothers with short and long-term benefits, including decreased risk of certain reproductive cancers, and reducing the risk for long term maternal obesity; and

WHEREAS, **Illinois Breastfeeding Promotion Month** reminds us that breastfeeding benefits infants, mothers and society through lower health care costs, a healthier workforce, stronger family bonds, and less waste; and

WHEREAS, August is the opportunity for government to join forces with families, healthcare professionals, and hospitals to help promote and maintain communities where breastfeeding is encouraged, protected and supported to advance the health of current and future Illinois residents; and
ILLINOIS REGISTER

PROCLAMATIONS

WHEREAS, the Illinois Department of Human Services will continue to establish links between maternity facilities and community breastfeeding support networks to ensure that all families will live, work and receive health care in a breastfeeding friendly culture:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim August 2007 as BREASTFEEDING PROMOTION MONTH in Illinois.

Issued by the Governor July 5, 2007
Filed by the Secretary of State July 27, 2007.

2007-253
National Baton Twirling Week

WHEREAS, the art of baton twirling positively affects the lives of nearly one-half million young Americans; and

WHEREAS, baton twirling can build the confidence of these young girls and boys, and the dedication learned in training for and practicing the sport is beneficial to many situations in life; and

WHEREAS, baton twirling is one of the largest nationwide beneficial movements for today's young girls; and

WHEREAS, baton twirling is used in children's hospitals as a unique and effective method of physical therapy; and

WHEREAS, baton twirlers provide inspiration and wholesome entertainment in our communities; and

WHEREAS, baton twirlers from all over the United States will gather at the University of Notre Dame July 15 – 21, 2007, to conduct a colorful pageant entitled "America's Youth On Parade":

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim July 15 – 21, 2007 as NATIONAL BATON TWIRLING WEEK in Illinois, and encourage our citizens to appreciate and support the colorful and beneficial youth movement of baton twirling.

Issued by the Governor July 5, 2007
Filed by the Secretary of State July 27, 2007.
HELPING CITIZENS WITH DEVELOPMENTAL DISABILITIES DAYS

WHEREAS, a "developmental disability" is defined as a disorder caused by mental retardation, cerebral palsy, epilepsy, autism, or any other condition which results in impairment similar to that of mental retardation. A developmental disability originates before the age of 18 and is expected to continue indefinitely; and,

WHEREAS, approximately 1.5 percent of the U.S. population is afflicted with a developmental disability or mental retardation. Due to the early onset and debilitating nature of these disorders, many more children are affected than adults; and

WHEREAS, one of the main purposes of the Knights of Columbus, a fraternal order with 1.7 million members around the world, is to support various charitable causes that seek to make our families and communities stronger. It has donated $1 billion and volunteered 400 million hours of service in the past decade; and

WHEREAS, the Illinois State Council of the Knights of Columbus will hold their 38th Annual Fund Drive for the Mental Retardation / Learning Disabilities Program from September 21 – 23, 2007, distributing the funds they raise to more than 300 organizations throughout Illinois:

THERFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 21 – 23, 2007 as HELPING CITIZENS WITH DEVELOPMENTAL DISABILITIES DAYS in Illinois, and encourage all citizens to contribute what they can to assist the people that are afflicted with these terrible disorders.

Issued by the Governor July 5, 2007
Filed by the Secretary of State July 27, 2007.

CHAMBER OF COMMERCE WEEK

WHEREAS, chambers of commerce encourage the growth of existing industries, services, and commercial firms, encourage new businesses and individuals to invest locally, and act as liaisons with government and the larger business community; and

WHEREAS, Illinois is home to international chambers of commerce, the Great Lakes Regional Office of the U.S. Chamber of Commerce, the Illinois Chamber of Commerce, and more than 456 local chambers of commerce; and
WHEREAS, this year marks the 88th anniversary of the Illinois Chamber of Commerce, which represents businesses throughout the state; and

WHEREAS, this year also marks the 92nd anniversary of the Illinois Association of Chamber of Commerce Executives (IACCE), a career development organization for chamber of commerce professionals; and

WHEREAS, during the week of September 10 – 14, various local chambers of commerce in Illinois will be hosting open houses, business expos, business of the year awards, and other promotional events in order to promote their involvement in the local economy:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 10 – 14, 2007 as CHAMBER OF COMMERCE WEEK in Illinois, and encourage all citizens to recognize the important role that chambers of commerce play in the economic well being of their communities.

Issued by the Governor July 5, 2007
Filed by the Secretary of State July 27, 2007.

2007-256
National Gymnastics Day

WHEREAS, gymnastics is a great way to engage Illinois children in healthy activities while teaching them valuable personal and social skills such as teamwork, commitment, and sportsmanship; and

WHEREAS, USA Gymnastics, whose mission it is to encourage participation and the pursuit of excellence in sports, established National Gymnastics Day in 1999 to promote physical fitness and healthy lifestyles; and

WHEREAS, in support of National Gymnastics Day, gymnastics clubs across the United States partner with USA Gymnastics to heighten the visibility of the sport and encourage participation at the grassroots level; and

WHEREAS, National Gymnastics Day aims to serve the community and our nation's youth by raising funds and awareness for the Children's Miracle Network in order to provide comfort and assistance to children who are unable to provide for themselves:
THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim August 4, 2007 as NATIONAL GYMNASTICS DAY in Illinois to encourage citizens of the state to support the worthy and charitable efforts of USA Gymnastics.

Issued by the Governor July 9, 2007
Filed by the Secretary of State July 27, 2007.

2007-257
La Leche League International Week

WHEREAS, La Leche League International, a nonprofit organization dedicated to the promotion and support of breastfeeding and recognized as a world authority on breastfeeding, is celebrating its 50th Anniversary; and

WHEREAS, La Leche League International, founded and incorporated in the state of Illinois, has spread to all 50 states and has a presence in over 75 other countries worldwide; and

WHEREAS, the health and well being of mothers and babies in Illinois have been greatly improved because of the efforts of La Leche League International for the past 50 years; and

WHEREAS, six of the organization's seven Founders are life long residents of Illinois: Marian Tompson, Mary White, Viola Lennon, Edwina Froehlich, Mary Ann Cahill, and Betty Wagner Spandikow; and

WHEREAS, breastfeeding has been endorsed worldwide by health professional organizations, governmental health ministries and departments and international agencies as the optimal infant feeding method; and

WHEREAS, the LLLI Founders and La Leche League International are deserving of recognition for their dedication and achievements in educating and supporting parents and professionals in every aspect of breastfeeding; and

WHEREAS, the La Leche League International 50th Anniversary will be celebrated at a number of events in Chicago during the month of July, 2007:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim July 16 – 23, 2007 as LA LECHE LEAGUE INTERNATIONAL WEEK in Illinois, in recognition of the seven LLLI Founders – Mary White, Marian Tompson, Edwina Froehlich, Viola Lennon,
Betty Wagner Spandikow, Mary Ann Cahill, and Mary Ann Kerwin, for 50 years of dedicated service to mothers and babies.

Issued by the Governor July 9, 2007
Filed by the Secretary of State July 27, 2007.

2007-258
Official State BBQ Championships

WHEREAS, multiple cities from around the state of Illinois hold BBQ competitions throughout the year, and Illinois has fast become a favored destination of top BBQ teams, judges, and enthusiasts from around the country; and

WHEREAS, the Illinois Barbecue Society is committed to raising the awareness of BBQ in the state through education, tourism, and support of Backyard and Professional BBQ Competitions, Festivals, and Events; and

WHEREAS, these competitions, festivals and events attract BBQ teams, judges and spectators from all over the United States which contribute to our local economies; and

WHEREAS, these competitions, festivals and events give Illinois communities the opportunity to bring family oriented events that will showcase the community's amenities; as well as afford entertainment for Illinois citizens by providing them another reason to spend leisure time in the State of Illinois; and

WHEREAS, BBQ competitions must be considered Official State Championships in order for the winners to qualify for National competitions:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim all BBQ contests in the State of Illinois that are officially recognized by the Illinois BBQ Society, as Official State BBQ Championships in the State of Illinois.

Issued by the Governor July 9, 2007
Filed by the Secretary of State July 27, 2007.

2007-259
SPECIAL SESSION ON JULY 30, 2007

WHEREAS, the Illinois Constitution requires the General Assembly to make appropriations for the expenditure of public funds for the fiscal year for State departments, authorities, and public agencies; and
WHEREAS, the General Assembly has passed, and I have signed, a temporary, one-month budget providing spending authority to State departments, authorities, and public agencies through July 31, 2007; and

WHEREAS, the temporary, one-month budget providing spending authority to State departments, authorities, and public agencies will expire on July 31, 2007; and

WHEREAS, in order to avoid a costly government shutdown potentially injurious to the health, safety, and welfare of Illinois, the General Assembly must pass, at a minimum, a second temporary, one-month budget to provide spending authority to State departments, authorities, and public agencies which will expire on August 31, 2007; and

WHEREAS, the Department of Healthcare and Family Services’s (HFS) State Hemophilia Program provides financial assistance to persons with hemophilia by covering the cost of antihemophilic factors and annual comprehensive medical visits related to the disease; and

WHEREAS, the General Assembly failed to provide for the expenditure of public funds after July of Fiscal Year 2008 for the HFS’s State Hemophilia Program;

THEREFORE, pursuant to Article IV, Section 5 (b) of the Illinois Constitution of 1970, I hereby call and convene the 95th General Assembly in a special session to commence on July 30, 2007, at 2:00 p.m., to consider a second temporary, one-month budget to provide spending authority to State departments, authorities, and public agencies through August 31, 2007, and to consider any legislation, new or pending, which will address funding for the Department of Healthcare and Family Services’s State Hemophilia Program.

Dated: July 28, 2007
Filed: July 28, 2007
ILLINOIS ADMINISTRATIVE CODE
Issue Index - With Effective Dates

Rules acted upon in Volume 31, Issue 32 are listed in the Issues Index by Title number, Part number, Volume and Issue. Inquires about the Issue Index may be directed to the Administrative Code Division at (217) 782-7017/18.

PROPOSED RULES

<table>
<thead>
<tr>
<th>Title</th>
<th>Part</th>
<th>Volume</th>
<th>Issue</th>
<th>Effective Date</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>68</td>
<td>1160</td>
<td></td>
<td></td>
<td></td>
<td>11388</td>
</tr>
<tr>
<td>89</td>
<td>500</td>
<td></td>
<td></td>
<td></td>
<td>11408</td>
</tr>
<tr>
<td>17</td>
<td>685</td>
<td></td>
<td></td>
<td></td>
<td>11501</td>
</tr>
<tr>
<td>92</td>
<td>1030</td>
<td></td>
<td></td>
<td></td>
<td>11503</td>
</tr>
<tr>
<td>92</td>
<td>1060</td>
<td></td>
<td></td>
<td></td>
<td>11509</td>
</tr>
<tr>
<td>80</td>
<td>150</td>
<td></td>
<td></td>
<td></td>
<td>11545</td>
</tr>
</tbody>
</table>

ADOPTED RULES

<table>
<thead>
<tr>
<th>Title</th>
<th>Part</th>
<th>Volume</th>
<th>Issue</th>
<th>Effective Date</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>83</td>
<td>415</td>
<td>08/01/2007</td>
<td></td>
<td></td>
<td>11553</td>
</tr>
<tr>
<td>83</td>
<td>505</td>
<td>08/01/2007</td>
<td></td>
<td></td>
<td>11557</td>
</tr>
<tr>
<td>83</td>
<td>590</td>
<td>08/01/2007</td>
<td></td>
<td></td>
<td>11562</td>
</tr>
<tr>
<td>29</td>
<td>301</td>
<td>07/26/2007</td>
<td></td>
<td></td>
<td>11565</td>
</tr>
<tr>
<td>32</td>
<td>310</td>
<td>07/26/2007</td>
<td></td>
<td></td>
<td>11573</td>
</tr>
<tr>
<td>32</td>
<td>340</td>
<td>07/26/2007</td>
<td></td>
<td></td>
<td>11593</td>
</tr>
<tr>
<td>32</td>
<td>401</td>
<td>07/26/2007</td>
<td></td>
<td></td>
<td>11622</td>
</tr>
<tr>
<td>89</td>
<td>120</td>
<td>08/01/2007</td>
<td></td>
<td></td>
<td>11667</td>
</tr>
<tr>
<td>89</td>
<td>146</td>
<td>08/01/2007</td>
<td></td>
<td></td>
<td>11681</td>
</tr>
<tr>
<td>89</td>
<td>148</td>
<td>08/01/2007</td>
<td></td>
<td></td>
<td>11688</td>
</tr>
<tr>
<td>17</td>
<td>690</td>
<td>07/27/2007</td>
<td></td>
<td></td>
<td>11700</td>
</tr>
<tr>
<td>17</td>
<td>715</td>
<td>07/27/2007</td>
<td></td>
<td></td>
<td>11711</td>
</tr>
<tr>
<td>17</td>
<td>720</td>
<td>07/27/2007</td>
<td></td>
<td></td>
<td>11723</td>
</tr>
<tr>
<td>17</td>
<td>730</td>
<td>07/27/2007</td>
<td></td>
<td></td>
<td>11738</td>
</tr>
<tr>
<td>35</td>
<td>611</td>
<td>07/27/2007</td>
<td></td>
<td></td>
<td>11757</td>
</tr>
</tbody>
</table>

EMERGENCY RULES

<table>
<thead>
<tr>
<th>Title</th>
<th>Part</th>
<th>Volume</th>
<th>Issue</th>
<th>Effective Date</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>17</td>
<td>685</td>
<td>08/01/2007</td>
<td></td>
<td></td>
<td>12096</td>
</tr>
</tbody>
</table>

NOTICE OF CODIFICATION CHANGES

<table>
<thead>
<tr>
<th>Title</th>
<th>Volume</th>
<th>Issue</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>74</td>
<td>1100</td>
<td></td>
<td>12104</td>
</tr>
<tr>
<td>56</td>
<td>2960</td>
<td></td>
<td>12116</td>
</tr>
</tbody>
</table>

EXECUTIVE ORDERS AND PROCLAMATIONS

<table>
<thead>
<tr>
<th>Title</th>
<th>Volume</th>
<th>Issue</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>07</td>
<td>243</td>
<td>07/27/2007</td>
<td>12138</td>
</tr>
<tr>
<td>07</td>
<td>244</td>
<td>06/27/2007</td>
<td>12138</td>
</tr>
<tr>
<td>07</td>
<td>245</td>
<td>06/28/2007</td>
<td>12139</td>
</tr>
<tr>
<td>07</td>
<td>246</td>
<td>06/29/2007</td>
<td>12140</td>
</tr>
<tr>
<td>07</td>
<td>248</td>
<td>07/02/2007</td>
<td>12141</td>
</tr>
<tr>
<td>07</td>
<td>247</td>
<td>06/29/2007</td>
<td>12141</td>
</tr>
<tr>
<td>07</td>
<td>249</td>
<td>07/05/2007</td>
<td>12142</td>
</tr>
<tr>
<td>07</td>
<td>251</td>
<td>07/05/2007</td>
<td>12143</td>
</tr>
<tr>
<td>07</td>
<td>250</td>
<td>07/05/2007</td>
<td>12143</td>
</tr>
<tr>
<td>07</td>
<td>252</td>
<td>07/05/2007</td>
<td>12144</td>
</tr>
<tr>
<td>07</td>
<td>253</td>
<td>07/05/2007</td>
<td>12145</td>
</tr>
<tr>
<td>07</td>
<td>254</td>
<td>07/05/2007</td>
<td>12146</td>
</tr>
<tr>
<td>07</td>
<td>255</td>
<td>07/05/2007</td>
<td>12146</td>
</tr>
<tr>
<td>07</td>
<td>256</td>
<td>07/09/2007</td>
<td>12147</td>
</tr>
<tr>
<td>07</td>
<td>257</td>
<td>07/09/2007</td>
<td>12148</td>
</tr>
<tr>
<td>07</td>
<td>258</td>
<td>07/09/2007</td>
<td>12149</td>
</tr>
<tr>
<td>07</td>
<td>259</td>
<td>07/28/2007</td>
<td>12149</td>
</tr>
</tbody>
</table>
**ORDER FORM**

- Subscription to the Illinois Register (52 Issues)
  - New
  - Renewal
  - $290.00 (annually)

- Electronic Version of the Illinois Register (E-mail Address Required)
  - New
  - Renewal
  - $290.00 (annually)

- Back Issues of the Illinois Register (Current Year Only)
  - Volume #__________ Issue#__________ Date__________
  - $ 10.00 (each)

  - Specify Year(s) _____________________________
  - $ 200.00 (per set)

- Cumulative/Sections Affected Indices 1990 - 2005
  - Specify Year(s) _____________________________
  - $ 5.00 (per set)

(Processing fee for credit cards purchases, if applicable.)

**TOTAL AMOUNT OF ORDER**

$ __________

☐ Check  Make Checks Payable To: Secretary of State

☐ VISA  ☐ Master Card  ☐ Discover  (There is a $2.00 processing fee for credit card purchases.)

Card #: __________________________ Expiration Date: _______

Signature: __________________________

**Send Payment To:**  Secretary of State  **Fax Order To:** (217) 524-0308

Department of Index  Administrative Code Division
111 E. Monroe  Springfield, IL  62756

Name:  Attention:  ID #:
Address:
City:  State:  Zip Code:
Phone:  Fax:  E-Mail:

Published by **JESSE WHITE** • Secretary of State

www.cyberdriveillinois.com