

2003

# ILLINOIS

## REGISTER

RULES  
OF GOVERNMENTAL  
AGENCIES



Volume 27 Issue 20  
May 16, 2003  
Pages 8367-8522

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Administrative Code Div.  
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**TABLE OF CONTENTS**

**May 16, 2003 Volume 27, Issue 20**

**PROPOSED RULES**

MILITARY AFFAIRS, DEPARTMENT OF  
Illinois Military Family Relief Fund Act  
95 Ill. Adm. Code 200 .....8367

PUBLIC HEALTH, ILLINOIS DEPARTMENT OF  
Illinois Swimming Facility Code  
77 Ill. Adm. Code 820 .....8369

**ADOPTED RULES**

PUBLIC HEALTH, ILLINOIS DEPARTMENT OF  
Freestanding Emergency Center Demonstration Program Code  
77 Ill. Adm. Code 518 .....8456

TREASURER, OFFICE OF THE  
Illinois State Treasurer and Office of Banks and Real Estate Joint Rules  
Governing the Uniform Disposition of Unclaimed Property  
74 Ill. Adm. Code 761 .....8463

**EMERGENCY RULES**

MILITARY AFFAIRS, DEPARTMENT OF  
Illinois Military Family Relief Fund Act  
95 Ill. Adm. Code 200 .....8468

**REQUEST FOR EXPEDITED CORRECTION**

REVENUE, ILLINOIS DEPARTMENT OF  
Retailers' Occupation Tax  
86 Ill. Adm. Code 130 .....8480

**SECOND NOTICES RECEIVED**

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
Firearm Owner's Identification Card Act  
20 Ill. Adm. Code 1230 .....8500

Transitional Bilingual Education  
23 Ill. Adm. Code 228 .....8500

General Provisions  
23 Ill. Adm. Code 2700 .....8500

Federal Family Education Loan Program (FFELP)  
23 Ill. Adm. Code 2720 .....8500

Illinois National Guard (ING) Grant Program  
23 Ill. Adm. Code 2730 .....8500

Illinois Veteran Grant (IVG) Program  
23 Ill. Adm. Code 2733 .....8500

Monetary Award Program (MAP)  
23 Ill. Adm. Code 2735 .....8500

Illinois Incentive for Access (IIA) Program  
23 Ill. Adm. Code 2736 .....8500

Arthur F. Quern Information Technology Grant Program  
23 Ill. Adm. Code 2740 .....8500

Optometric Education Scholarship Program	
23 Ill. Adm. Code 2741 .....	8500
Robert C. Byrd Honors Scholarship Program	
23 Ill. Adm. Code 2755 .....	8500
College Savings Bond Bonus Incentive Grant (BIG) Program	
23 Ill. Adm. Code 2761 .....	8500
Minority Teachers of Illinois (MTI) Scholarship Program	
23 Ill. Adm. Code 2763 .....	8500
ITEACH Teacher Shortage Scholarship Program	
23 Ill. Adm. Code 2764 .....	8500
Illinois Special Education Teacher Tuition Waiver (SETTW) Program	
23 Ill. Adm. Code 2765 .....	8500
Illinois Teachers and Child Care Providers Loan Repayment Program	
23 Ill. Adm. Code 2767 .....	8500
The Travel Regulation Council	
80 Ill. Adm. Code 3000 .....	8500
Cost Allocation for Large Local Exchange Carriers	
83 Ill. Adm. Code 711 .....	8500
Cost Allocation for Small Local Exchange Carriers	
83 Ill. Adm. Code 712 .....	8500

**EXECUTIVE ORDERS AND PROCLAMATIONS**

**PROCLAMATIONS**

February 16-22, 2003, as Engineers Week	
03 - 107 .....	8503
February 14, 2003, as Pet Theft Awareness Day	
03 - 108 .....	8503
April 2003 as Child Abuse Prevention Month	
03 - 109 .....	8503
February 16-23, 2003, as Jewish Community Hour Week	
03 - 110 .....	8504
May 1, 2003, as Space Day	
03 - 111 .....	8505
May 4-11, 2003, as Music Week	
03 - 112 .....	8505
May 4-10, 2003, as Drinking Water Week	
03 - 113 .....	8506
April 30-May 4, 2003, as Marine Night Fighter Association Days	
03 - 114 .....	8506
May 2003 as Asian Pacific American Heritage Month	
03 - 115 .....	8507
May 12-16, 2003, as National Association of Retired Federal Employees	
03 - 116 .....	8508
April 11, 2003, as Youth Service Day	
03 - 117 .....	8508
May 6-12, 2003, as Nurses Week	
03 - 118 .....	8509

April 26, 2003, as Connexions Enterprise Day 03 - 119	8509
April 25, 2003, as Children's Memorial Flag Day 03 - 120	8510
May 2003 as Alpha-1 Awareness Month 03 - 121	8511
May 17, 2003, as Norwegian Constitution Day 03 - 122	8511

**NOTICES REQUIRED BY LAW TO BE PUBLISHED IN THE ILLINOIS  
BANKS AND REAL ESTATE, OFFICE OF**

Notice of Fine Imposed Under the Residential Mortgage License Act of America's Advantage Mortgage, Inc., Orland Park, Ill	8513
Notice of Fine Imposed Under the Residential Mortgage License Act of Inventive Mortgage Corporation, Westchester, Ill	8514
Notice of Fine Imposed Under the Residential Mortgage License Act of PGNF Home Lending Corporation, Westmont, Ill	8515
Notice of Fine Imposed Under the Residential Mortgage License Act of Approved Financial, Inc., Chicago, Ill	8516
Notice of Fine Imposed Under the Residential Mortgage License Act of Aadus Banc Corporation, Palatine, Ill	8517
Notice of Fine Imposed Under the Residential Mortgage License Act of Purdential Home Mortgage Company, Lombard, Ill	8518
Notice of Fine Imposed Under the Residential Mortgage License Act of Imperial Funding Corporation, Chicago,	8519
Notice of Fine Imposed Under the Residential Mortgage License Act of Pioneer Mortgage Express Company, Chicago, Ill	8520
Notice of Fine Imposed Under the Residential Mortgage License Act of Bass Financial Corporation, Northfield,	8521
Notice of Fine Imposed Under the Residential Mortgage License Act of The First Mortgage Corporation, Flossmoor, Ill	8522

**ISSUES INDEX I – 1**

**Editor’s Note 1:** The Cumulative Index and Sections Affected Index will be printed on a quarterly basis. The printing schedules for the quarterly and annual indexes are (End of March, June, Sept, Dec) as follows:

Issue 28 - July 11, 2003: Data through	June 30, 2003 (2nd Quarter)
Issue 41 - October 10, 2003: Data through	September 29, 2003 (3rd Quarter)
Issue 2 - January 9, 2004: Data through	December 29, 2003 (Annual)
Issue 15 - April 00, 2004: Data through	March 31, 2004 (1st Quarter)

**Editor’s Note 2:** Submit all rulemaking documentation to the following address:

Secretary of State  
Department of Index  
Administrative Code Division  
111 East Monroe Street  
Springfield, Illinois 62756

**Editor's Note3:**

To: All State Agencies  
From: Secretary of State  
Department of Index  
Administrative Code Division

The Code Division will be conducting a monthly workshop. This is the opportunity for the Administrative Code Division to ask the question "How can we help you?" Each month will consist of different discussion topics. State agencies will be able to select one or more workshops to attend. Please return the included registration form at least two weeks prior to the scheduled workshop. Topics will come from the Secretary of State's Style Manual and 1 Ill. Admn. Code 100. All workshops will be scheduled from 8:30am to 12:00pm on selected dates. unless other wise announced workshops will be held at the Illinois State Library, 300 S. Second St., Rm. 403-404, Springfield, IL. 62701. If you have any questions or concerns please contact our office (217)782-6537.

To: All State Agencies in the Chicago Area  
From: Secretary of State  
Department of Index  
Administrative Code Division

Our department will be conducting a bi-monthly workshop. This is the opportunity for the Administrative Code Division to ask the Chicago area "How can I help you?" Each session will consist of different discussion topics. Topics will range from – Trouble shooting with formatting, Secretary Style Manual and 1 Illinois Administrative Code 100.

**WORKSHOP I DATE IS**  
**MAY 28<sup>th</sup>**  
**100 West Randolph, Room 9040**  
**from 9:00 A. M. to 4:00 P.M.**

Workshop Schedule and Signup Sheet on following page:

**Secretary of State**  
**Department of Index**  
**Administrative Code Division**  
**Workshop Schedule and Signup Sheet**

<p><a href="#">CHICAGO May 28, 2003</a></p> <p>Topics:</p> <ul style="list-style-type: none"> <li>• <a href="#">Problems with Word - Sharing Documents</a></li> <li>• Introduction to the Secretary of State Style Manual</li> <li>• Rulemaking Process in Illinois</li> <li>• Organization and Format of Rules</li> </ul>	<p>Number Attending</p>
<p>Springfield - May 14, 2003</p> <p>Topics:</p> <ul style="list-style-type: none"> <li>• Authority Notes</li> <li>• Source Notes</li> <li>• Filing and Publication Procedures</li> </ul>	<p>Number Attending</p>
<p>Springfield - June 25, 2003</p> <p>Topics:</p> <ul style="list-style-type: none"> <li>• Miscellaneous Information <ul style="list-style-type: none"> <li>Emergency Rules</li> <li>Second Notices</li> <li>Executive Orders/Proclamations</li> <li>Regulatory Agenda</li> <li>Other Notices</li> </ul> </li> <li>• Checklists</li> </ul>	<p>Number Attending</p>

Agency Name: \_\_\_\_\_  
Contact Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

<p><u>Please return this registration sheets to:</u></p> <p>Secretary of State  Department of Index  Administrative Code Division  Attn: Brenna Boston  111 E. Monroe  Springfield, IL 62756  <b>Fax Number: (217) 524-0308</b></p>	<p><u>Springfield Workshops</u></p> <p>Illinois State Library  300 S. Second St.  Rm. 403-404  Springfield, IL 62701  8:30am – 12:00pm</p>	<p><u>Chicago Workshops</u></p> <p>Thompson Center  100 West Randolph  Room 9040  Chicago, IL  9:00 am – 4:00pm</p>
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If you have any question please call (217) 782-6537.

### INTRODUCTION

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. The Register will also contain the Cumulative Index and Sections Affected Indices will be printed on a quarterly basis. The printing schedule for the quarterly and annual indexes are the end of March, June, Sept, Dec.

Rulemaking activity consist 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 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'

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

## **2003 REGISTER SCHEDULE      VOLUME # 27**

<b>Issue#</b>	<b>Copy Due by 4:30 pm</b>	<b>Publication Date</b>	<b>Issue#</b>	<b>Copy Due by 4:30 pm</b>	<b>Publication Date</b>
Issue 1	December 23, 2002	January 03, 2003	Issue 38	September 08, 2003	September 19, 2003
Issue 2	December 31, 2002	January 10, 2003	Issue 39	September 15, 2003	September 26, 2003
Issue 3	January 06, 2003	January 17, 2003	Issue 40	September 22, 2003	October 03, 2003
Issue 4	January 13, 2003	January 24, 2003	Issue 41	September 29, 2003	October 10, 2003
Issue 5	January 21, 2003	January 31, 2003	Issue 42	October 06, 2003	October 17, 2003
Issue 6	January 27, 2003	February 07, 2003	Issue 43	October 14, 2003	October 24, 2003
Issue 7	February 03, 2003	February 14, 2003	Issue 44	October 20, 2003	October 31, 2003
Issue 8	February 10, 2003	February 21, 2003	Issue 45	October 27, 2003	November 07, 2003
Issue 9	February 18, 2003	February 28, 2003	Issue 46	November 03, 2003	November 14, 2003
Issue 10	February 24, 2003	March 07, 2003	Issue 47	November 10, 2003	November 21, 2003
Issue 11	March 03, 2003	March 14, 2003	Issue 48	November 17, 2003	November 28, 2003
Issue 12	March 10, 2003	March 21, 2003	Issue 49	November 24, 2003	December 05, 2003
Issue 13	March 17, 2003	March 28, 2003	Issue 50	December 01, 2003	December 12, 2003
Issue 14	March 24, 2003	April 04, 2003	Issue 51	December 08, 2003	December 19, 2003
Issue 15	March 31, 2003	April 11, 2003	Issue 52	December 15, 2003	December 26, 2003
Issue 16	April 07, 2003	April 18, 2003			
Issue 17	April 14, 2003	April 25, 2003			
Issue 18	April 21, 2003	May 02, 2003			
Issue 19	April 28, 2003	May 09, 2003			
Issue 20	May 05, 2003	May 16, 2003			
Issue 21	May 12, 2003	May 23, 2003			
Issue 22	May 19, 2003	May 30, 2003			
Issue 23	May 27, 2003	June 06, 2003			
Issue 24	June 02, 2003	June 13, 2003			
Issue 25	June 09, 2003	June 20, 2003			
Issue 26	June 16, 2003	June 27, 2003			
Issue 27	June 23, 2003	July 04, 2003			
Issue 28	June 30, 2003	July 11, 2003			
Issue 29	July 07, 2003	July 18, 2003			
Issue 30	July 14, 2003	July 25, 2003			
Issue 31	July 21, 2003	August 01, 2003			
Issue 32	July 28, 2003	August 08, 2003			
Issue 33	August 04, 2003	August 15, 2003			
Issue 34	August 11, 2003	August 22, 2003			
Issue 35	August 18, 2003	August 29, 2003			
Issue 36	August 25, 2003	September 05, 2003			
Issue 37	September 02, 2003	September 12, 2003			

Printed by authority of the State of Illinois

July 2001 - 675 - GA -82

## DEPARTMENT OF MILITARY AFFAIRS

## NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Illinois Military Family Relief Fund Act
- 2) Code Citation: 95 Ill. Adm. Code 200
- 3) 

<u>Section Number</u>	<u>Proposed Action</u>
200.5	New
200.10	New
200.20	New
200.30	New
200.40	New
200.50	New
200.60	New
200.70	New
200.80	New
200.90	New
- 4) Statutory Authority: Implementing and authorized by the Illinois Military Code (20 ILCS 1805/22-9).
- 5) A complete description of the subjects and issues involved: Implementation of the Illinois Military Family Relief Fund pursuant to P.A. 93-002.
- 6) Will these proposed amendments replace emergency amendments currently in effect?  
Yes.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Do these proposed amendments contain incorporations by reference? No.
- 9) Are there any other proposed amendments pending to this Part? No.
- 10) Statement of Statewide Policy Objectives: This proposal does not substantively affect local government in any manner.
- 11) Time, place and manner in which interested persons may comment on this proposed rulemaking: Interested parties should submit written comments or views concerning the proposed rulemaking to the attention of:

## DEPARTMENT OF MILITARY AFFAIRS

## NOTICE OF PROPOSED RULES

Michelle Repaal, Legislative Liaison  
Department of Military Affairs  
1301 North MacArthur Boulevard  
Springfield, Illinois 62702  
Telephone: 217-761-3567  
Fax: 217-761-2485

- 12) Initial Regulatory Flexibility Analysis:
- a) Types of small business affected: None
  - b) Reporting, bookkeeping or other procedures required for compliance: None
  - c) Types of professional skills necessary for compliance: None

Regulatory Agenda on which this rulemaking was summarized: May 16, 2003

The full text of the Proposed Amendment is identical to the text of the Emergency Amendment that appears on page 8468 of this issue of the Illinois Register.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Illinois Swimming Facility Code

2) Code Citation:

77 Ill. Adm. Code 820

3) Section Numbers:      Proposed Action:

820.10	Amendment
820.20	Amendment
820.100	Amendment
820.110	Amendment
820.120	Amendment
820.130	Amendment
820.140	Amendment
820.150	Amendment
820.170	New Section
820.200	Amendment
820.210	Amendment
820.220	Amendment
820.230	Amendment
820.240	Amendment
820.250	Amendment
820.270	Amendment
820.290	Amendment
820.300	Amendment
820.310	Amendment
820.315	Amendment
820.320	Amendment
820.330	Amendment
820.340	Amendment
820.350	Amendment
820.360	Amendment
820.380	Amendment
820.400	Amendment

4) Statutory Authority:

Authorized by and implementing the Swimming Facility Act [210 ILCS 125].

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

5) A Complete Description of the Subjects and Issues Involved:

This proposed rulemaking includes the complete text of emergency rules adopted by the Department, effective February 15, 2003. The proposed rulemaking addresses requirements for the design, construction and operation of public swimming pools, wading pools, therapy pools, water slides, lazy rivers, spas and bathing beaches, in addition to the provisions of the emergency rules. The rulemaking adds a definition of "floor slope transition" to replace "transition point"; adds references the National Fuel Gas Code and International Mechanical Code; updates the National Electrical Code to the 2002 edition; and clarifies the requirements for discharging backwash water if it cannot be discharged to a sanitary sewer. Revisions are made to general design criteria relating to bather load, markings on pool bottom and sides, bridges over pools, slopes of spas and wading pools, use of safety ropes, maximum allowable slope, deck drainage, starting platforms, location of emergency phones; and equipment rooms.

New or revised requirements are included for pool water treatment systems, bather preparation facilities, the flow rate at spray pools, the size of water slide stairs, lifeguard approval organizations, evidence of lifeguard CPR certification, positioning of lifeguards, swimming without a lifeguard present, safety equipment, notification of accidents or illnesses at swimming facilities, water quality, swimming facility closings and facility maintenance. In addition, the proposed rulemaking establishes design, construction and operational requirements for spas and provisions for prevention of bather entrapment at new and existing spa facilities. Minimum sanitary requirements for bathing beaches have also been revised to remove the fecal coliform criteria, change the slope requirements to require a maximum 1 to 10 slope in the designated wading area, and a 1 to 6 slope in the swimming area that is less than 5 feet deep, require the beach area to be free of excessive vegetation and algae, and add an advisory to the sign regarding patrons protecting themselves from sun exposure.

6) Will this Rulemaking Replace an Emergency Rule Currently in Effect?

Yes  No

7) Does this Rulemaking Contain an Automatic Repeal Date? Yes  No 

If "yes," please specify the date:

8) Does this Rulemaking Contain any Incorporations by Reference? Yes  No

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

- 9) Are there any Other Proposed Amendments Pending on this Part? Yes \_\_\_ No \_\_\_

If yes:

Section Numbers

Proposed Action

Ill. Reg. Citation

- 10) Statement of Statewide Policy Objectives:

This rulemaking may require additional expenditures by units of local government that own and operate swimming facilities.

- 11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking:

Interested persons may present their comments concerning these rules by writing to:

Peggy Snyder

Division of Legal Services

Illinois Department of Public Health

535 West Jefferson, Fifth Floor

Springfield, Illinois 62761

(217)782-2043 (E-mail: [rules@idph.state.il.us](mailto:rules@idph.state.il.us))

within 45 days after this issue of the Illinois Register.

These rules may have an impact on small businesses. Any small business may present their comments in writing to Peggy Snyder at the above address.

- 12) Initial Regulatory Flexibility Analysis:

- A) Type of Small Businesses, Small Municipalities, and Not-For-Profit Corporations Affected:

These rules affect owners and operators of swimming pools, water slides, lazy rivers, beaches and spas.

- B) Reporting, Bookkeeping or Other Procedures Required for Compliance:

It is proposed to add a requirement that the facility record all fecal and vomit incidents that occur at a swimming facility.

- C) Types of Professional Skills Necessary for Compliance:

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

Ability to operate aquatic facilities.

13) Regulatory agenda on which this rulemaking was summarized:

This rulemaking was summarized on the Department's July 2002 regulatory agenda.

The full text of the Proposed Amendments begins on the next page:

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

TITLE 77: PUBLIC HEALTH  
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH  
SUBCHAPTER n: RECREATIONAL FACILITIES

## PART 820

ILLINOIS SWIMMING POOL ~~AND BATHING BEACH~~ FACILITY CODESUBPART A: ~~GENERAL~~ DEFINITIONS AND INCORPORATED MATERIALS

Section	
820.10	Definitions
820.20	Incorporated Materials

SUBPART B: ~~SWIMMING POOL AND BATHING BEACHES~~ GENERAL REQUIREMENTS

Section	
820.100	Permits
820.110	Water Supplies
820.120	Wastewater Disposal
820.130	Food Service Sanitation
820.140	<del>Exemptions</del> <u>Swimming Facilities in Existence Prior to July 1, 2003</u>
820.150	Variances

SUBPART C: ~~SWIMMING POOL~~ DESIGN REQUIREMENTS FOR POOLS AND WATER SLIDES

Section	
820.170	Application of Subpart C
820.200	General Design Requirements
820.210	Swimming Pool Water Treatment System
820.220	Swimming Pool Bather Preparation Facilities
820.230	<del>Wading Pools</del> <u>Spas</u>
820.240	Spray <del>Pools</del> Areas
820.250	Slides
820.260	New Equipment, Construction and Materials (Repealed)
820.270	Lazy Rivers

SUBPART D: OPERATIONAL REQUIREMENTS FOR POOLS AND WATER SLIDES

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

Section	
820.290	Applicability of Operation Requirements
820.300	Personnel
820.310	Safety Equipment
820.315	Notification
820.320	Water Quality
820.330	Swimming <del>Pool</del> <u>Facility</u> -Closing
820.340	Operation and Maintenance
820.350	Operation Reports and Routine Sampling
820.360	Patron Regulations
820.370	Swimming Suites and Towels Furnished by Management
820.380	<del>Wading Pools</del> , Spray <del>Pools</del> <u>Areas</u> and <del>Therapy Pools</del>
820.390	Refuse Disposal

## SUBPART E: BATHING BEACH DESIGN AND OPERATION

Section	
820.400	Minimum Sanitary Requirements for Bathing Beaches
820.500	Minimum Sanitary Requirements for Bathing Beaches (Renumbered)
820.Appendix A	Illustrations
	Illustration A Slope of Pool Floor
	Illustration B Pool Walls
	Illustration C General Pool Diving Area Dimensions
	Illustration D Pools with Diving Facilities in Excess of Three Meters in Height
	Illustration E Slide Dimensions (Repealed)
	Illustration F Slide Position (Repealed)
	Illustration G Flow Meter Installation
	Illustration H Skimmer Construction
	Illustration I Installation of a Pressure Sand Filter System
	Illustration J Installation of a Pressure Diatomaceous Earth Filter System
	Illustration K Installation of a Vacuum Filter System
	Illustration L Chlorine Injection into Return Line to Pool Using Pump Discharge Pressure
	Illustration M Chlorine Injection into Return Line to Pool Using External Water Source Pressure (Repealed)
	Illustration N Chlorine Injection into Return Line to Pool Using Booster Pump
820.Appendix B	Tables
	Table A Dimensions of Swimming Pools with Diving Facilities in Excess of Three

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

	Meters in Height
Table B	First Aid Kit Contents
Table C	Flows Carried by Inlets
Table D	Sizing Swimming Pool Chlorinators
Table E	Shower, Lavatory and Toilet Fixtures Required Per Bather Load

AUTHORITY: Implementing and authorized by the Swimming ~~Pool and Bathing Beach~~ [Facility](#) Act [210 ILCS 125].

SOURCE: Adopted October 22, 1974; amended and effective February 9, 1976; amended at 4 Ill. Reg. 46, p. 1283, effective November 5, 1980; amended at 5 Ill. Reg. 9593, effective September 16, 1981; rules repealed and new rules adopted at 5 Ill. Reg. 13623, effective December 2, 1981; amended and codified at 8 Ill. Reg. 12366, effective July 5, 1984; amended at 11 Ill. Reg. 12308; effective July 15, 1987; amended at 14 Ill. Reg. 786, effective January 1, 1990; amended at 20 Ill. Reg. 6971, effective May 25, 1996; emergency amendment at 21 Ill. Reg. 7536, effective May 28, 1997, for a maximum of 150 days; amended at 22 Ill. Reg. 9357, effective May 15, 1998; amended at 24 Ill. Reg. 6079, effective May 20, 1999; amended at 24 Ill. Reg. 11271, effective July 15, 2000; emergency amendment at Ill. Reg. , effective February 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. \_\_\_\_ effective \_\_\_\_\_.

SUBPART A: ~~GENERAL~~ [DEFINITIONS AND INCORPORATED MATERIALS](#)

## Section 820.10 Definitions

In addition to the definitions in the Illinois Swimming ~~Pool and Bathing Beach~~ [Facility](#) Act, the following additional definitions shall apply.

"Act" means the Swimming ~~Pool and Bathing Beach~~ [Facility](#) Act [210ILCS 125].

["Anti-vortex Cover" means a cover for a suction outlet in a pool that has a raised center portion and has openings for water flow only around the periphery of the cover, or other suction outlet cover that is not a suction grate and has a configuration designed to prevent bather entrapment.](#)

"Approval" means compliance with the Act and this Part.

"Approved Certification Agency" means an organization that has been accredited by ANSI and found to meet the requirements specified in ANSI Z 34.1 (1993), Third Party Certification Program to evaluate swimming pool equipment for compliance with NSF

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

Standard 50.

"Appurtenance" means an accessory facility or feature at a swimming ~~pool or bathing beach~~ facility, such as a diving board, slide, ~~wading pool~~, plunge pool, spray ~~pool~~ area, or bathhouse. ~~The term does not refer to a therapy pool as defined in this Section.~~

"Attendant" means a person at least 16 years of age, stationed at the top of a water slide and responsible for ensuring safe use of the slide.

"Bather Load" means the maximum number of persons that may be allowed in the pool area at one time without creating undue health or safety hazards. (See Section 820.200(b).)

"Bathing Beach" means a Public Bathing Beach as defined in the Act.

"Community Water System" means a public water system which serves at least 15 service connections used by residents or regularly serves at least 25 residents for at least 60 days a year.

"Construction" means the process of building or fabricating a ~~swimming~~ pool, bathing beach or appurtenance.

"Construction in a Flood Plain" means the placement or erection of structures or earthworks; land filling, excavation or non-agricultural alteration of the ground surface; installation of public utilities; channel modification; storage of materials or any other activity undertaken to modify the existing physical features of a flood plain with respect to the storage and conveyance of flood waters.

"Deep Area" means an area of a swimming pool in which the water depth exceeds five feet.

"Development" means improvement of a site for the purpose of establishing a bathing beach, ~~the addition of an appurtenance to an existing swimming pool or bathing beach, modifying the shape, water surface area or depth of a swimming pool, or changing the design of the water recirculation or water treatment system of a swimming pool. It does not include repairs to existing facilities that do not alter the design of the facility.~~

"Diving Pool" means a pool designed and intended for use exclusively for diving.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

"Drop Slide" means a slide with an exit angle exceeding 11 degrees measure downward from the horizontal.

"Floor Slope Transition" means a location in a pool where there is an abrupt change in floor slope, or a location on a pool floor where an area having a floor slope of no more than 1 foot vertical in 12 feet horizontal adjoins an area having a greater floor slope, with the floor slope increasing in the direction of increasing water depth.

"Flume" means the inclined channel of a water slide.

"Homeowner's Association" is a not-for-profit corporation comprised of members who have common ownership interest in property owned or operated by the association for the benefit of all the members.

"Inlet" means an opening or fitting through which filtered water enters the pool.

"Installation" means the emplacement of a ~~swimming~~ pool manufactured and transported to the intended site.

"Lazy River" means a ~~swimming~~ pool intended for use with flotation devices and consisting of a closed loop with an artificially induced current.

"Main Drain" means ~~the an~~ outlet ~~or outlets~~ in the floor of ~~the a~~ pool.

"Major Alteration" means a substantial modification of a swimming facility. The term includes an alteration of a pool that changes the depth or volume, addition of an appurtenance to a pool or beach, modification of the design of the recirculation system for a pool, or addition, replacement or modification of a bather preparation facility for a swimming facility.

"Make-up Water" means the water added to a pool to replace that which is lost.

"Manager/Operator" means the person or entity responsible for the actual daily operation, or for the supervision of the operation, of a swimming ~~pool or bathing beach~~ facility.

"Office of Water Resources" means the Illinois Department of Natural Resources, Office of Water Resources, 3215 Executive Park Dr., Springfield IL 62703.

"Perimeter Overflow System" means a channel normally extending completely around

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

the pool used to skim the surface layer of water. Also known as an overflow gutter.

"Permit" means a certificate issued by the Department allowing the construction, development, ~~or~~ installation or major alteration of a swimming ~~pool or bathing beach~~ facility under the provisions of the Act.

"Plunge Area" means a location in a pool or bathing beach at the exit of a slide, or the area in a pool below and in front of a diving board or platform.

"Plunge Pool" means a pool designed for and used exclusively as a plunge area for one or more slides.

"Pool" means a swimming pool ~~or a wading pool~~, plunge pool, spa or other ~~recreational~~ water basin utilized ~~in conjunction with or as an appurtenance to a swimming pool by the public~~. The term does not refer to ~~spas and therapy pools not designed or intended for swimming or to~~ basins for individual use that are drained after each use.

"Pool Depth" means the vertical distance between the pool floor and the water level.

"Project Designer" means a licensed design professional ~~primarily~~ responsible for the design of the construction, development, ~~or~~ installation, or major alteration of a swimming ~~pool or bathing beach~~ or aspect thereof.

*"Public bathing beach means any body of water, except as defined in Section 3.01 of the Swimming Facility Act, or that portion thereof used for the purpose of public swimming or recreational bathing, and includes beaches at: Apartments, Condominiums, and other groups or associations having 5 or more living units, clubs, churches, camps, schools, institutions, parks, recreational areas, Motels, Hotels and other commercial establishments. It includes shores, equipment, buildings and appurtenances, pertaining to such areas. It does not include bathing beaches at private residences intended only for the use of the owner and guests.*

"Recirculation Piping" means the piping from the pool to the filters and back to the pool, through which the pool water circulates.

"Safety Cover" means a cover for a pool suction outlet that has been designed to prevent bather entrapment, and has been certified for conformance to ASME/ANSI Standard A112.19.8M.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

"Safety Vacuum Release Device" means a device that has been designed to prevent bather entrapment on a suction fitting in a pool by immediately admitting air into the suction piping or by de-energizing the pump upon sensing an increase in vacuum in the suction pipe.

"Safety Vent Pipe" means a piping arrangement designed to admit air into suction piping to break a vacuum caused by a blocked suction fitting in a pool.

"Shallow Area" means an area in a **swimming** pool, in which the water depth does not exceed five feet at any point.

"Skimmer" means a mechanical device connected to the recirculation piping which is used to skim the pool surface.

"Slide" means a recreational feature, including a water slide or drop slide, with a smooth, inclined flume or channel by which a rider is conveyed downward to a plunge area.

"Slip-Resistant" means not conducive to slipping under contact with bare feet when wet.

"SPA" Means a basin of water designed for recreational or therapeutic use that is not drained, cleaned, or refilled for each user. It may include hydrojet circulation, hot water, cold water mineral bath, air induction bubbles, or some combination thereof. It includes "Therapeutic Pools", "Hydrotherapy Pools", "Whirlpools", "Hot Spas", and "Hot Tubs". It does not include these facilities at individual residences intended only for use by the occupant and his or her guests. The term refers only to pools designed for use by seated users and not designed for swimming or wading.

"Spa User Capacity" means the maximum number of persons that may be allowed in a spa at one time.

"Spray Pool Area" means an artificially constructed area over which water is sprayed but is not allowed to pool.

"Suction Grate" means a cover for a suction outlet that is flat, normally having a regular and uniform pattern of openings for passage of water. The term does not refer to an anti-vortex cover.

"Superchlorination" means the establishment of an elevated chlorine residual in pool water for the purpose of removing combined chlorine (chlorine that has reacted with

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

nitrogenous compounds) or destroying unwanted organisms in the pool.

~~"Surge Weir" means an opening into a perimeter overflow system channel that allows skimming of the pool water surface when the surface is below the level of the overflow lip of the perimeter overflow system.~~

"Swimming Facility" means a swimming pool, SPA, Public Bathing Beach, Water Slide, Lazy River, or other similar aquatic feature"

"Swimming Pool" means any artificial basin of water which is modified, improved, constructed or installed for the purpose of public swimming, wading, floating, or diving and includes: pools for community use, pools at apartments, condominiums, and other groups or associations having 5 or more living units, clubs, churches, camps, schools, institutions, Y.M.C.A'S, Y.W.C.A'S, parks, recreational areas, motels, hotels and other commercial establishments. It does not include pools at private residences intended only for the use of the owner and guests. The term does not include a spa or spray area.

~~"Therapy Pool" means a pool intended only for medical treatment, physical therapy or muscle relaxation and not intended for swimming or instruction in swimming, and includes spas, whirlpools and hot spas.~~

~~"Transition Point" means a location in a shallow area of a swimming pool where an area, having a floor slope of no more than one foot vertical in 12 feet horizontal, adjoins an area where the floor slope exceeds one in 12.~~

"Turnover Period" means the time required to recirculate a volume of water equivalent to the water volume of the pool through the filtration system.

"Wading Area" means a portion of a pool, other than an area of limited extent such as a stair, seat or ramp, where the water depth does not exceed 30 inches; or ~~the that~~ portion of a bathing beach ~~where the~~ having a water depth of is less than five feet, ~~or that portion thereof and~~ designated by the installation of a buoyed line to separate this area from deeper water.

"Wading Pool" means a swimming pool having a maximum water depth not exceeding 30 inches.

"Water Level" means the level of the overflow lip of a perimeter overflow system ~~or the mid-level of surge weirs, if present,~~ or the mid-level of the skimmer operating range.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

~~"Water Slide" means a slide with a flow of water and having a flume exceeding 30 feet in length.~~ "WATER SLIDE" MEANS A RIDE WITH A FLOW OF WATER AND HAVING A FLUME EXCEEDING 30 FEET IN LENGTH. The term includes a plunge pool associated with a water slide.

"Wave Pool" means a swimming pool designed for the purpose of producing wave action in the water.

"Zero-Depth Edge" means that portion of the perimeter of a zero-depth pool where the pool floor intersects the pool water surface.

"Zero-Depth Pool" means a swimming pool where the pool floor intersects the water surface along a portion of its perimeter.

(Source: Amended at 27 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 820.20 Incorporated Materials

The following materials are incorporated or referenced in this Part and are available for inspection at the Department's Springfield office:

- a) Statute
  - Swimming Pool and Bathing Beach Act [210 ILCS 125]
- b) Regulations
  - 1) Illinois Plumbing Code (77 Ill. Adm. Code 890). (See Sections 820.200(r), 820.2109(c)(1), and 820.210(f)(1)(A).)
  - 2) Regulation of Construction Within Flood Plains (92 Ill. Adm. Code 706). (See Sections 820.10 and 820.100 (b)(3)(A).)
  - 3) Drinking Water Systems Code (77 Ill. Adm. Code 900). (See Section 820.110(a).)
  - 4) Private Sewage Disposal Code (77 Ill. Adm. Code 905). (See Section

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

820.120.)

- 5) Food Service Sanitation Code (77 Ill. Adm. Code 750). (See Section 820.130.)
- 6) Public Water Supplies (35 Ill. Adm. Code: Subtitle F, Chapters I and II). (See Section 820.110(a).)
- 7) Public Area Sanitary Practice Code (77 Ill. Adm. Code 895). (See Section 820.110(a).)

c) Other Materials

- 1) National Electrical Code (~~1999~~ [2002](#) Edition)  
National Fire Protection Association  
Batterymarch Park, Quincy MA 02269
- 2) NSF International  
NSF Standard 50 (~~July 1996~~ [2001](#))  
3475 Plymouth Road  
P.O. Box 13014  
Ann Arbor, Michigan 48113-0140
- 3) ANSI Z 34.1 (1993), Third Party Certification Program  
American National Standards Institute  
11 West 42nd Street  
New York NY 10036
- 4) [National Fuel Gas Code \(1999 Edition\)](#)  
[National Fire Protection Association](#)  
[Batterymarch Park, Quincy MA 02269](#)
- 5) [International Mechanical Code \(2000 Edition\)](#)  
[International Code Council](#)  
[Falls Church VA 22041](#)
- 6) [ASME/ANSI Standard A112.19.8M-1987, Suction Fittings for Use in Swimming Pools, Wading Pools, Spas, Hot Tubs, and Whirlpool Bathtub Appliances](#)

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

[The American Society of Mechanical Engineers](#)  
[345 East 47th Street](#)  
[New York NY 10017](#)

- d) All incorporations by reference of federal regulations and the standards of nationally recognized organizations refer to the regulations and standards on the date specified and do not include any additions or deletions subsequent to the date specified.

(Source: Amended at 27 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

SUBPART B: ~~SWIMMING POOLS AND BATHING BEACHES~~ [GENERAL REQUIREMENTS](#)

Section 820.100 Permits

- a) Construction Permit. A construction permit must be obtained prior to beginning any construction, development ~~or~~ installation, [or a major alteration](#) of a swimming ~~pool or bathing beach~~ [facility](#).
- b) Procedure to Obtain a Construction Permit.
- 1) The owner or his representative must submit to the Department a completed application for a construction permit. ~~The application on~~ forms ~~are~~ available from the Department.
  - 2) One set of detailed construction plans and specifications each bearing the seal and signature of an engineer or architect, licensed to practice in Illinois, shall be submitted for initial review. However, three sets of such drawings shall be submitted prior to the issuance of a construction permit. These plans and specifications shall comply with the following requirements:
    - A) All plans and specifications shall be clear, consistent and legible and include the name of the project, [project location](#), [location plan](#), [facility owner](#), the scale in feet, the north point and date.
    - B) Detailed plans shall consist of plan view, elevations, sections and supplementary views and specifications. Dimensions, [locations](#)

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

and relative elevations of structures and equipment, location and size of piping, water levels, ground elevations, and pump curve(s) shall be included. The plans and specifications shall indicate compliance with all applicable requirements.

- C) No change in location or construction of the project shall be made from plans and specifications that have been approved without first submitting details of the proposed changes to the Department and receiving subsequent approval.
- 3) Construction Requirements in Flood Plains
- A) Scope. All construction, development or installation shall be built in accordance with the flood damage prevention standards of the Flood Plain Regulations of the Illinois Department of Natural Resources, (92 Ill. Adm. Code 706).
  - B) Verification of Compliance. When construction, development or installation is proposed in a flood plain, the applicant shall determine if the site is in a Special Flood Hazard Area. The "Special Flood Hazard Area Location Request Form," available from the Department, shall be completed and submitted to the Department. If the site is located in such an area plans for the project shall be forwarded to the Illinois Department of Natural Resources. No project to be located in a Special Flood Hazard Area shall be approved without written approval from the Illinois Department of Natural Resources.
- c) Revised Plans and Specifications. If Department review of the submitted documentation identifies the need for correction to the plans and/or specifications, corrected copies shall be submitted. If the revised documentation is satisfactory pursuant to this Section, a construction permit shall be issued to the applicant.
- d) Procedure After the Issuance of a Construction Permit. The ~~facility owner or permit applicant~~ shall notify in writing or by telephone the appropriate Department regional office or ~~authorized agent~~ approved governmental entity, as specified with the issuance of the permit, ~~when construction, development or installation of the project~~ work authorized by the permit has been initiated and again ~~when construction, development or installation has been completed~~ upon

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

completion of the work.

~~An~~ The owner of a new swimming ~~pool~~ facility, ~~or a facility that has undergone extensive modification or replacement of the pool structure,~~ shall not operate, or allow to be operated, the swimming ~~pool~~ facility until a license for such operation has been issued by the Department. In order to apply for a license, an original license application form shall be completed and submitted to the Department ~~or approved governmental entity specified in the permit~~ or approved governmental entity specified in the permit with the appropriate fee. The license applicant shall contact the appropriate regional office ~~or approved governmental entity identified on the construction permit~~ or approved governmental entity identified on the construction permit to make arrangements for an inspection of the facility after making application and ensuring that the facility is in an operating condition and in compliance with this Part. A current license for a pool that ~~is to undergo~~ undergoes extensive modification of the pool structure shall expire when the modification is initiated.

No currently licensed facility that has undergone ~~development, or for which development is planned,~~ a major alteration shall be operated ~~during or following such development~~ until authorization of operation has been issued by the Department.

The owner, ~~manager or other responsible party must~~ shall keep a set of plans and specifications bearing the approval stamp of the Department ~~at the pool or beach~~ after the project has been completed.

- e) Alterations or Repairs of Existing Facilities. ~~Repairs~~ Except as is allowed in Section 820.140, repairs or ~~remodeling~~ alterations of existing ~~pools~~ facilities must be in compliance with design requirements in Subpart C of this Part. ~~Alterations that meet the definition of development as defined in Section 820.10 of this Part shall require a construction permit. A permit must be obtained prior to the initiation of a major alteration. For an alteration that is not a major alteration, the facility owner shall notify the Department in writing within 10 days of the alteration or repair.~~
- f) Preliminary Concept Approval. The Department will review innovative design concepts and other design features that are not in strict compliance with this Part in advance of submission of plans and specifications to assure that the proposed concept or design will meet the intent of this Part. Preliminary concept reviews may be conducted at the request of the project designer so that the innovative design(s) can be explained.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 27 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 820.110 Water Supplies

- a) The ~~water supply~~ Water at swimming facilities for drinking, ~~showers, bathing washing, and~~ culinary purposes, and ~~the swimming pool proper for pools, spray grounds and similar recreational features~~ shall be obtained from a community water system in compliance with the Rules for Public Water Supplies (35 Ill. Adm. Code: Subtitle F, Chapters I and II), a non-community public water supply in compliance with the Department's Drinking Water Systems Code (77 Ill. Adm. Code 900), or a semi-private water supply in compliance with the Department's Public Area Sanitary Practice Code (77 Ill. Adm. Code 895).
- b) The water supply used for filling a swimming pool shall be capable of providing enough water to raise the water level in the pool at least ~~1~~ one inch in three hours.

(Source: Amended at 27 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 820.120 Wastewater Disposal

- a) Sewage generated from the operation of a swimming ~~pool or bathing beach~~ facility shall discharge to a public sanitary sewer or to a system which complies with the Department's Private Sewage Disposal Code (77 Ill. Adm. Code 910).
- b) Deck or surface area drainage water may be discharged directly to storm sewers, natural drainage areas, or the ground surface. Such drainage shall not result in nuisance conditions that create an offensive odor, produce a stagnant wet area, or create an environment for the breeding of insects.
- c) Wash or backwash water from ~~sand~~ filters shall be discharged to ~~natural drainage areas, a sanitary sewers, sewer where feasible. If discharge to a sanitary sewer is not feasible, wash and backwash wastewater from filters may be discharged to~~ storm sewers, or to the ground surface in a manner that does not result in a nuisance condition in accordance with Section 905.160 of the Private Sewage Disposal Code.

(Source: Amended at 27 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 820.130 Food Service Sanitation

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

All food service establishments operated in conjunction with swimming ~~pools or bathing beaches~~ facilities shall be constructed and operated in accordance with the Department's Food Service Sanitation Code (77 Ill. Adm. Code 750).

(Source: Amended at 27 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 820.140 ~~Exemptions~~ Swimming Facilities in Existence Prior to July 1, 2003

- a) ~~Design standards contained in Sections 820.200 to 820.250 shall not apply to a licensed swimming pool existing on or before May 20, 1999, except when, in the interest of public health or safety, remedial action to correct a condition not in compliance with a design standard is ordered by the Department or authorized agent. Examples of such conditions may include, but shall not be limited to, inadequate lighting or enclosure barriers, unsafe deck conditions, lack of depth markers, disinfection systems that do not allow the minimum disinfectant levels to be maintained, and previously cited violations that were not corrected as required. However, in accordance with Section 820.100(e) of this Part, development, repairs, remodeling or alterations of existing facilities shall comply with the design standards of this Part.~~ Except for bathing beaches, the following minimum requirements shall apply to swimming facilities that were in existence prior to July 1 2003:
- 1) Except for water slides discharging to bathing beaches, such facilities shall be enclosed in accordance with Section 200(a). In addition, wading pools must be separately enclosed in accordance with Section 200(a) (5).
  - 2) Ladders, slides, diving boards, and other appurtenances shall be designed, constructed and maintained so as not to present a hazard to users. Stairs shall be equipped with handrails.
  - 3) A spa shall have a handrail to designate an entry location. The entry location shall be equipped with a stair or a ladder, unless the vertical distance between the spa rim and the spa floor or a seat at this location is no more than 24 inches.
  - 4) Floors at locations with a water depth of 5 feet or less, pool decks, stair and ladder treads, and other, horizontal surfaces subject to foot contact shall be slip resistant.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

- 5) Decks and walkways shall be of impervious material that can be readily cleaned and disinfected, or shall be covered with a floor covering material that complies with Section 820.200(j)(4). Carpet shall not be utilized.
- 6) The material standards contained in Section 200(d) shall be met, except that the requirement for light-colored interior surfaces shall not apply to a spa.
- 7) There shall be no obstructions that may present a hazard to users.
- 8) A recirculation system that includes a pump, filter, disinfectant feeder, and necessary piping, valves, and fittings shall be provided. The system shall substantially comply with the standards of Section 820.210, and shall be designed for and capable of providing a flow rate that will result in a turnover period that complies with Section 820.210(a). A flowmeter or other means of determining the recirculation flow rate shall be provided.
- 9) Lighting shall be provided in accordance with Section 820.200(o).
- 10) Electrical systems shall be maintained in a safe condition. Conductors shall be properly sized for the required load. Equipment shall be grounded. Except for those that operate at a voltage not exceeding 15 volts, all underwater lights shall be provided with ground-fault circuit interrupter protection for personnel. Electrical receptacles and switches shall not be located within 5 feet of a pool. Each electrical receptacle located within 10 feet of a pool shall be protected by a ground-fault circuit interrupter.
- 11) Restroom facilities maintained in a sanitary condition shall be provided for patrons of swimming facilities. This requirement shall not apply to those facilities available to guests or occupants of residences or living units, and such living units are located within 500 feet of the swimming facility.
- 12) Potable water piping shall be protected against back-siphonage in accordance with the Illinois Plumbing Code.
- 13) Pool equipment, such as pumps, filter, and chemical feeding equipment, and pool chemicals, shall be accessible only to authorized persons.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

- 14) Pool suction outlet systems shall incorporate features to prevent bather entrapment, as follows:
- A) Each outlet, including main drains and suction outlets, but not including skimmers or perimeter overflow system drains, shall be covered with a grate or cover having openings not exceeding one-half inch, and that cannot be removed without the use of tools. Grates shall have sufficient open area so that the velocity through the grate does not exceed 1 ½ feet per second. The velocity through anti-vortex covers shall not exceed 6 feet per second, except that the flow through safety covers shall not exceed the maximum flow rate specified by the manufacturer.
- B) By January 1, 2004, suction outlet systems that are directly connected through piping to a pump shall be equipped with one of the following:
- i) a single outlet equipped with a grate that measures at least 24 inches measured diagonally or at least 12 inches square, or with an anti-vortex cover; or
- ii) a minimum of two hydraulically balanced outlets spaced at least 3 feet apart, center to center. In a spa, two outlets may be installed closer than 3 feet apart if installed on different surfaces, e.g., one outlet in the floor and one in a wall; or
- iii) a single outlet protected by a safety vent pipe or a safety vacuum release device, as specified in Section 820.210(f)(3)(F); or
- iv) a clearly labeled emergency shutoff switch that will stop the operation of each pump connected to the outlet system, located adjacent to, but a minimum of five feet from, the pool.
- b) ~~Exempt facilities may be subject to operational procedures in addition to or in place of those specified in Section 820.340, as specified by the Department, in lieu of compliance with the design standards of this Part. Swimming pools and~~

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

appurtenant facilities that were in existence prior to July 1, 2003, shall also comply with the design requirements in effect when the facility was constructed, installed or modified.

- c) Repairs, remodeling or alterations of existing facilities that are made after July 1, 2003, shall comply with the design standards contained in Subpart C of this Part, except for alterations that are made in order to achieve compliance with this Section.
- d) When, in the opinion of the Department, a condition at a facility jeopardizes public health or safety, the Department may order remedial action, including the following:
- 1) Alteration of the condition according to design standards in Subpart C.
  - 2) If alteration of the condition in accordance with Subpart C is not feasible, or would cause substantial hardship, an alteration that does not comply with Subpart C may be imposed when such modification will effectively reduce the threat to public health or safety caused by the existing condition.
  - 3) In lieu of imposing remedial alteration of the existing condition, or in conjunction with imposition of a remedial alteration not in compliance with Subpart C, the Department may impose special operational requirements that supplement those contained in Subpart D.

(Source: Amended at 27 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 820.150 Variances

- a) The Department may approve variances to this Part when the variance will provide appropriate protection of public health and safety. A request for a variance may be submitted to the Department only by a facility owner or licensee, by a project designer, or by a permit applicant. A variance request must state the specific code requirement(s) for which a variance is sought and a complete description of the condition that does not or would not comply with this Part, the reason for the request, and an explanation of the manner in which the design will provide protection of public health and safety substantially equivalent to that provided by compliance with this Part. Where necessary, or when requested by

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

the Department, plans and/or specifications showing an existing condition or proposed construction or development shall be submitted.

- b) The Department will notify the ~~applicant~~ requestor in writing of its decision whether to approve the variance. The Department will give consideration to difficulties in complying with this Part and to innovative designs.
- c) When granting a variance request, the Department may attach conditions that the permit applicant, facility owner or licensee, as applicable, must comply with as a condition of the variance. Failure to comply with such conditions shall constitute a violation of this Part.
- d) If, at any time, the Department finds that a variance has resulted in a compromise of public health or safety, or if the licensee or permit applicant has failed to comply with conditions attached to the variance, the Department shall revoke the variance. The licensee or permit applicant shall then take such action as is required to comply with this Part.
- e) A person from whom a variance has been revoked shall have an opportunity for a hearing before the Department in accordance with the Department's Rules of Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100).

(Source: Amended at 27 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

SUBPART C: ~~SWIMMING POOL~~ DESIGN REQUIREMENTS FOR POOLS AND WATER SLIDES

Section 820.170      Application of Subpart C

Except where indicated otherwise, this Subpart shall only apply to swimming pools, spas, and water slides and their appurtenances constructed, installed or modified after May 31, 2003. Such swimming facilities or appurtenances of these facilities constructed, installed or modified under authorization of a valid permit issued prior to July 1, 2003, shall be deemed to be in compliance with this Part, if the construction complies with the design standards in effect at the time of issuance of the permit.

(Source: Added at 27 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 820.200 General Design Requirements

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

~~Swimming pools and appurtenances, including other pools associated with or provided as appurtenances to swimming pools, shall comply with this Subpart.~~

## a) Enclosures

- 1) ~~The swimming pool area~~ Swimming pools, spas and water slides shall be completely enclosed by a protective wall, fence or other barrier, at least four feet high, measured on the inside and outside, and not providing ready footing for climbing. The height of an opening under the bottom of the barrier shall not exceed four inches. The openings in any barrier shall not exceed four inches in width and height.
- 2) Each entrance into the pool enclosure shall be equipped with a door or gate that is self-closing and self-latching. This requirement is not necessary when people enter the pool area through the bathhouse and lifeguards are provided in the pool area. Doors and gates at all entrances to the pool enclosure must be equipped with hardware that permits secure locking of the entrance.
- 3) A balcony shall not overhang or extend within 10 feet horizontally of any portion of the water surface of a swimming pool unless the balcony is enclosed by a barrier at least four feet in height and with no openings over 4 inches in width.
- 4) Sand areas shall not be allowed inside of the pool enclosure unless a barrier is provided to control access to the pool. If access is allowed to such areas, an arrangement must be provided that requires bathers passing from the sand area to the pool area to pass through a shower facility with heated or tempered water for removal of sand.
- 5) Wading pools located within an enclosure where another swimming pool or spa having a water depth exceeding 30 inches is also located shall be separated from the deeper pool by a fence or other barrier with a height of at least 42 inches but otherwise conforming to the barrier standards contained in subsection (a)(1) above and having a self-closing, self-latching door or gate at each entrance.
- 6) A water slide having a terminus at a bathing beach shall not be required to

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

be enclosed according to this subsection.

- b) Bather Load. The Department will ~~compute~~ specify a bather load for each ~~swimming new pool area. A bather load shall be specified~~ with the issuance of a construction permit ~~for a new swimming pool~~. In the case of multiple swimming pools contained within a common enclosure, the Department may ~~compute~~ specify a combined bather load for the pool enclosure.
- 1) The criteria to be used for computing the bather load are as follows:
    - ~~1~~ A) Shallow Area. ~~Fifteen~~ In a swimming pool other than a wave pool or a lazy river, fifteen square feet of water surface shall be required for each bather. The bather load for a wave pool shall be figured on the basis of 15 square feet per bather for water depths of 30 inches or less and 25 square feet per bather for water depths of greater than 30 inches. The bather load for a lazy river shall be figured on the basis of 25 square feet per bather.
    - ~~2~~ B) Deep Area. Twenty-five square feet of water surface shall be required for each bather, with 300 square feet deducted for each diving board or platform.
    - ~~3~~) ~~The bather load for wading pools shall be computed at 15 square feet of pool water surface for each bather.~~
    - ~~4~~C) A designated plunge area or landing area for a slide, as specified in Section 820.250 of this Part, shall not be considered in computing a bather load.
    - ~~5~~D) One bather shall be allowed for each 50 square feet of pool deck area in excess of the minimum specified in Section 820.200(j)(1)
  - 2) Spa User Capacity. A spa user capacity shall be figured on the basis of 1 user for each 10 square feet of water surface area or 3 lineal feet of seat length, excluding steps, whichever results in the lesser number.
- c) Structure. A licensed architect or structural engineer shall certify that the pool ~~is~~ has been designed to withstand all anticipated hydraulic structural loadings for both full and empty conditions. All appurtenances to the pool, such as diving

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

boards and slides, shall be designed to carry the anticipated load.

- d) Material. Pools shall be constructed of materials ~~that~~ ~~which~~ provide a rigid watertight shell with a smooth, impervious, ~~light-colored~~ finish that is non-toxic and easily cleaned. The floor of shallow areas shall have a slip-resistant finish. Pool vinyl liners may only be installed over a base of concrete, steel or other such rigid material. Interior surfaces of pools shall be light-colored or highly reflective such as stainless steel, except that the following types of markings shall be allowed: water line markings; racing lane markings with a maximum width of 15 inches; turn targets; depth markings; stair tread markings, slope transition markings; ledge and seat markings, and other safety markings; suction grates and covers and other pool fittings.
- e) Obstruction. An obstruction creating a safety hazard shall not extend into or above the pool, or shall not protrude from the floor of the pool. Bridges over pools shall provide a walkway at least four feet in width, shall be at least 5 feet above the pool water surface and 7 feet above the pool floor, and shall have barriers along the side that conform to the barrier requirements in Section 820.200(a). The walking surface shall be constructed of concrete or other impervious material that provides a slip-resistant surface
- f) Slope of Pool Floor. The floor of a pool shall slope downward toward the main drain. The slope in ~~shallow~~ areas having a water depth of 5 feet or less shall not exceed ~~one~~ 1 foot vertical in 12 feet horizontal except for a slope directed downward from a floor slope transition point, which shall not exceed ~~one~~ 1 foot vertical in ~~three~~ 3 feet horizontal. In portions of the pool with a depth greater than ~~five~~ 5 feet, the ~~front floor~~ slope ~~of the deep area~~ shall not be steeper than one foot in three feet. The floor slope of a wading pool or a spa shall not exceed 1 foot vertical in 12 feet horizontal. The slope requirements are illustrated in Appendix A: Illustration A.
- ~~g) Transition Point. Transition points shall be marked with a stripe on the pool floor having a width of at least four inches and a color that contrasts with that of the floor, and with a buoyed safety rope with colored buoys, installed at least one foot on the shallow side of the transition point. In other pools having adjoining shallow and deep areas, a safety rope with colored buoys shall be installed where the water depth reaches five feet.~~
- g) Safety Ropes and Markings.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

- 1) Floor slope transitions at locations having a water depth of 5 feet or less shall be marked with a stripe on the pool floor having a width of at least four inches and a color that contrasts with that of the floor, and with a buoyed safety rope with colored buoys, installed at least 1 foot but no more than 3 feet on the shallow side of the floor slope transition.
- 2) A safety rope with colored buoys shall be installed to separate adjoining shallow and deep areas in a pool at a water depth between 4 ½ and 5 feet, except where a floor slope transition occurs at a depth shallower than 5 feet and within 10 feet horizontally of the location where the water depth reaches 5 feet

h) Swimming Pool Walls

- 1) Pool walls shall meet the following requirements:
  - A) Where the pool depth is 42 inches or less, pool walls shall be vertical to the floor. The junction of the wall with the floor shall consist of a cove with a radius not exceeding six inches.
  - B) Where the pool depth exceeds 42 inches, pool walls shall meet one of the following criteria:
    - i) The wall shall be vertical for a distance of at least five feet below the water level, below which the wall may angle to the floor with a slope not exceeding 1 in 2 from vertical; or
    - ii) The wall shall be vertical for a distance of at least three feet below the water level, below which the wall shall form a curve to the floor. The curve shall be tangent to the pool wall and shall have a radius of curvature at least equal to the vertical distance between the center of curvature and the pool floor.
- 2) If pool ledges are provided, they shall have a maximum six inch width, shall be located at least three feet below the water level, shall slope away from the pool wall and shall have a slip-resistant surface with a color that contrasts with the pool walls and floor. The pool wall below the ledge shall be constructed in accordance with the requirements of this Section

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

except that the pool wall may slope inward toward the pool at an angle not exceeding 11 degrees from vertical.

- 3) Underwater seat benches shall be located a maximum of 20 inches below the water level, be visually set apart with a minimum 1 inch wide stripe of contrasting color on the front edge, have a slip-resistant surface, and be recessed into the pool wall or be installed so that there are no exposed corners or vertical edges in the pool.
  - 4) ~~All junctions~~ Junctions between pool walls, and between pool walls and the pool floor, shall be covered with a minimum radius of ~~one~~ 1 inch except when one or both surfaces is composed of modular, manufactured panels of smooth material, such as aluminum, stainless steel, or fiberglass. There shall be no sharp protruding edges in the pool.
  - 5) Devices for anchoring safety ropes and racing lane divider ropes shall be recessed into the pool wall.
  - 6) An effective handhold shall be provided at or near the water level where the pool depth is 30 inches or greater. The handhold may consist of the rounded lip of a perimeter overflow system or bullnose coping with round, raised handhold not exceeding ~~two and one-half~~ 2 1/2 inches in thickness, or other effective handhold. The handhold shall not protrude more than two inches into or over the pool.
- i) Depth Markers
- 1) The water depth in swimming pools shall be marked ~~at or above the water surface on the wall of the pool and~~ on the edge of the deck next to the pool so as to be readable by persons ~~entering or in~~ on the deck and facing the pool. Where feasible, depth markings at least four inches high shall be installed on pool walls at or above the water level. Where depth markers cannot be placed on the walls at or above the water level such that at least 50% of the marking is above water level, they shall be placed ~~on the pool wall as high as practicable and also~~ on the fencing or pool enclosure or other location so as to be plainly visible to persons in the pool. Depth markings shall be provided at the shallow and deep ends of the pool, the transition point, and the point of maximum depth, and shall be spaced at not more than 25 foot intervals measured peripherally, except that depth

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

markings are not required at a zero-depth edge or at locations where the water depth is 12 inches or less.

- 2) Depth markers shall indicate pool depth in either feet, feet and inches, or feet and fractions of a foot, and shall be of a color that contrasts with the background. Numerals indicating depth shall be a minimum of ~~four~~ 4 inches high.
- 3) In shallow areas, “no diving” markers or symbols at least ~~four~~ 4 inches high must be located on the pool deck adjacent to the pool at not more than 25 foot intervals around the pool perimeter where the water depth is less than five feet, except at a zero-depth edge.

j) Walkways and Deck Areas

- 1) Except for plunge pools, wave pools ~~and~~ lazy rivers, and spas, pools shall be completely surrounded by a deck that is at least ~~four~~ 4 feet in width and extends completely around and adjacent to the pool. Except as allowed for wave pools in subsection (u)(3), there shall be no obstructions or interruptions of the pool deck within the four feet adjacent to the pool other than necessary structural supports, or appurtenances such as diving boards, slides, perimeter overflow systems, or handrails. A clear, unobstructed walkway at least 42 inches in width shall be maintained at such obstructions or interruptions.
- 2) Structural supports located within the minimum required deck width or within four feet of ~~the~~ a swimming pool shall be no closer than 10 feet apart measured parallel to the adjacent perimeter of the pool, with the dimension of any single support in a plane parallel to the adjacent pool perimeter no greater than three feet and the sum of all such support dimensions no greater than 10 percent of the pool perimeter.
- 3) The deck between two adjacent swimming pools shall be at least ~~eight~~ 8 feet wide. The deck between a spa and a swimming pool shall be at least 4 feet in width. All decks and walkways shall have an unobstructed overhead clearance of at least seven feet.
- 4) Deck Coverings. Synthetic material may be installed if it meets the following criteria:

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

- A) It is non-fibrous and allows drainage such that it will not remain wet or retain moisture;
  - B) It is inert and will not support bacterial or fungal growth;
  - C) It is durable;
  - D) It is cleanable; and
  - E) It provides a slip-resistant finish.
- 5) The deck shall slope at least ~~one~~ 1 inch per ten feet to deck drains or ~~to the surrounding ground surface~~ toward the outer deck edge where water can drain to areas adjacent to the pool deck. Except as allowed in (6) below, portions of pool decks adjacent to pools shall slope away from the pool. The maximum slope of the pool deck shall not exceed ~~one~~ 1 inch per foot.
- 6) ~~Except for linear drains, deck drains shall be located so that not more than 900 square feet of deck area is tributary to each drain, and deck drains shall not be more than 30 feet apart. Deck drains shall be located so that water does not drain more than 15 feet in any one direction. Where deck widths are 15 feet or less, deck drains are not required provided that the deck drains to the ground surface. The deck~~ Deck drains shall not be connected to the pool water recirculation system. Pools designed to operate where the pool water level is at the deck level, may be allowed to drain the first four feet of deck into the pool perimeter overflow system. Up to ten feet of the deck adjacent to a zero-depth edge may be drained into the pool.
- 7) The decks and walkways shall have a paved surface. The surface of the pool deck, and other surfaces used for foot contact, such as gratings of perimeter overflow systems, shall be slip-resistant.
- 8) ~~The outer perimeter of the deck for outdoor pools shall be at least four inches higher than the surrounding ground surface except where access is provided to adjacent turf areas.~~ Areas adjacent to outdoor pool decks, and to pools where there is no deck adjacent to a portion of a pool perimeter, shall be graded to drain away from the pool deck.
- 9) Any opening in the deck shall have a ~~locking type~~ mechanically secured

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

cover which is flush with the deck.

- 10) Hose bibbs shall be provided for cleaning all parts of the pool and deck (maximum separation 150 feet).
- 11) Except for wave pools, the vertical distance between the surface of the deck, pool curb or pool rim and the water level shall not exceed 10 inches.
- ~~12) A pool perimeter curb or raised rim, if provided, shall be at least four inches in height, measured above the adjacent pool deck surface. This requirement does not apply to a handhold provided in accordance with subsection (h)(6).~~

k) Ladders, Step-Holes, Steps and Ramps

- 1) Swimming pools shall have at least two means of egress, located near opposite ends. Pools 30 feet or more in width shall have at least four means of egress that shall be located near each end and on opposite sides. A means of egress shall consist of a ladder, step-holes and grab rails, stair, ramp, or zero-depth edge. The distance from any point with a depth greater than 30 inches in the swimming pool to a means of egress shall not exceed 50 feet. At least two ladders or sets of step-holes shall be located at the deep area of the swimming pool when more than ~~one~~ 1 diving board is provided.
- 2) Step-holes shall have a minimum tread depth of ~~five~~ 5 inches. Where step-holes or ladders are provided, there shall be a handrail or grabrail at the top on both sides which extends to the edge of the pool.
- 3) ~~Steps~~ Stairs shall ~~be of contrasting color or marked to contrast from the pool floor and~~ have uniform size treads of at least 12 inches and a rise of no more than 12 inches. Stairs shall be visually set apart with a minimum 1 inch wide stripe of contrasting color on the front edge of each tread, ~~Steps~~ Stairs shall be located where the water depth is ~~three and one-half~~ 3½ feet or less, and shall have no pointed or sharp edges. One sturdy handrail or grab rail per 12 feet of step width or fraction thereof, extending the length of the ~~steps~~ stairs to within 6 inches of the bottom riser, shall be provided.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

- 4) All ladders, step-holes, and steps shall have slip-resistant surfaces.
  - 5) Ramps shall slope at no more than ~~one~~ 1 in 12, shall have a slip-resistant surface, shall be no more than four feet wide, and shall have handrails on both sides.
- l) Drinking Fountains. A drinking fountain shall be provided for the use of bathers on the pool deck.
- m) Diving Area
- 1) Handrails shall be provided at all steps and ladders leading to diving boards, except for those ladders set at 15° or less from the vertical. Platforms and diving boards which are ~~one~~ 1 meter or higher shall be protected with guard railings. One meter diving board guard rails shall be at least 30 inches above the diving board and extend to the pool water's edge. All platforms or diving boards higher than one meter shall have guard rails which are at least 36 inches above the diving board or platform and extend to the pool water's edge. Three meter platforms and boards shall have a side rail barrier.
  - 2) The dimensions of the diving area of a pool that has diving boards or platforms of three meters or less in height shall conform to those shown in Appendix A, Illustration C. In such pools, the distance from the plummet to the pool wall ahead shall be at least 34 feet.
  - 3) Swimming pools constructed with diving facilities in excess of three meters in height shall comply with dimensions given in Appendix B, Table A and illustrated in Appendix A, Illustration D. If the pool is used for swimming as well as diving and if slope N transitions from the deep to the shallow end, then transition slope N shall not be steeper than one foot in three.
  - 4) There shall be no obstruction extending from the wall or the floor into the clear area of the diving portion of the pool. There shall be an unobstructed distance of 16 feet above the diving board measured from the center of the front end of the board, and this clearance shall extend at least eight feet behind, eight feet to each side, and 16 feet ahead of the measuring point.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

- 5) A plunge area shall be designated for each diving board or platform. There shall be no overlap from plunge areas of other diving facilities or slides. The plunge area for a diving board of ~~one~~ 1 meter in height or less shall extend four feet laterally from the center of the board on either side and for a distance of 28 feet in front of the tip of the board. For diving boards or platforms greater than ~~one~~ 1 meter in height, the plunge area shall extend ~~six~~ 6 feet laterally from the center of a diving board or from the side of a platform on either side and for a distance of at least 34 feet in front of the board or platform.
- n) Starting Platforms
- 1) ~~For swimming pools issued a construction permit after May 20, 1999, or starting platforms installed after that date at existing pools, starting~~ Starting platforms shall only be installed where the water depth is at least ~~3 ½~~ 4 feet.
- 2) The top front edge of the platform shall be no more than 30 inches above the water level for water depths 4 5 feet or more. For water depths between ~~3 ½~~ 4 and 4 5 feet, the top front edge of the platform shall not exceed 20 inches above the water level.
- o) Electrical Installation – Lighting
- 1) All aspects of the facility shall conform with the ~~1999~~ 2002 National Electrical Code.
- 2) Artificial lighting shall be provided at all indoor pools and at all outdoor pools that are open for use after sunset in accordance with one of the following:
- A) Underwater lighting of at least 8.35 lumens or 0.5 watts per square foot of pool water surface area, located to provide illumination of the entire pool floor; plus area lighting of at least 10 lumens or 0.6 watts per square foot of deck area.
- B) If underwater lights are not provided, at least 33.5 lumens or 2.0 watts per square foot of pool water surface area and deck area.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

- 3) Where portable electric vacuum cleaning equipment is used, electrical receptacles with ground-fault circuit interrupter protection shall be provided. Separation between receptacles shall be a maximum of 100 feet. All receptacles installed in the swimming pool area shall have waterproof covers and ground-fault circuit interrupter protection.
  - 4) Light dimmers may not be installed on underwater lighting or lights for the pool deck.
  - 5) Lighting controls shall not be accessible to the public.
- p) Acoustics. Indoor pools shall receive acoustical treatment [that will effectively reduce sound levels in the pool enclosure](#).
- q) Ventilation. Indoor pools shall be mechanically ventilated and have humidity control. The ventilation system shall be capable of admitting 0.5 cubic feet per minute of outdoor air per square feet of floor area, including water surface area, in the pool enclosure.
- r) Plumbing. All plumbing shall be in accordance with the Illinois Plumbing Code (77 Ill. Adm. Code 890).
- s) Emergency Telephone. Every swimming pool shall have a telephone which is accessible within the confines of the pool area or within 300 feet of the pool area, in case of emergencies.
- t) Equipment Rooms
- 1) Equipment for ~~swimming~~ pool water treatment shall be housed in a lighted and ventilated room ~~which that~~ affords protection from the weather and prevents unauthorized access. [The equipment room shall be of sufficient size to permit ready access to equipment](#).
  - 2) The equipment room floor shall slope toward drains and shall have a slip-resistant finish.
  - 3) A hose bibb shall be installed in the equipment room.
  - 4) Suitable space, if not provided in the equipment room, shall be provided

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

within the premises for storage of chemicals, tools, equipment, supplies and records and shall be weatherproof and protected from unauthorized access.

- 5) Electrical receptacles in the equipment room shall have ground-fault circuit interrupter protection.
- u) Wave Pools. Wave pools shall comply with the following, and, except as specified below, with the requirements of this Section and Sections 820.210 and 820.220 of this Part:
- 1) Overflow gutters, skimmers, and inlets are not required along the deep end wall from which waves are generated.
  - 2) Wave generating equipment must be installed and shall be provided with an emergency shut-off located at lifeguard chairs or stations on each side of the deep end of the pool.
  - 3) A deck as specified in subsection (j) of this Section is required, except at the end of the pool where wave-generating equipment is located. Railings or other barriers may be installed on the deck adjacent to the sidewalls of the pool to control entry into the pool from the sides.
  - 4) A safety rope will not be required if the pool is to be used only as a wave pool.

(Source: Amended at 27 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 820.210 **Swimming** Pool Water Treatment System

a) General.

- 1) A water treatment system, consisting of pumps, piping, filters, water conditioning, disinfection equipment and other accessory equipment shall be provided to clarify, chemically balance and disinfect the **swimming** pool water. The system shall be designed for a recirculation flow rate that will result in a turnover period in each pool not exceeding those specified below. Systems serving pools with skimmers shall be designed for a flow rate of at least 30 gallons per minute for each skimmer.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

Type of Pool	Maximum Turnover Period
Diving Pools	8 Hours
Wading Pools, Wading Areas	2 Hours
Plunge Pools and Plunge Areas for Water Slides	2 Hours
Lazy Rivers	2 Hours
<u>Spas</u>	<u>1/2 Hour</u>
Other Pools	6 Hours

- 2) Other than equipment for circulating, heating, filtering and chemically treating water, as specified in this Section, or for automation of water quality control, no other type of device may be utilized as part of a pool water treatment system.
- 3) There shall be no connection or mixing of water between a wading pool and another pool. There shall be no connection or mixing of water between a spa and a swimming pool.

## b) Pumping Equipment

- 1) The recirculation pump shall deliver the flow necessary to obtain a turnover as specified in subsection (a) of this Section. A valve for regulating the rate of flow shall be provided in the recirculation pump discharge piping.
- 2) The pump shall provide a minimum backwash rate of 15 gallons per minute per square foot of filter area in sand filter systems. The pump shall supply the required recirculation rate at a total dynamic head of at least 50 feet for all vacuum filters, 70 feet for pressure sand or cartridge filters, or 80 feet for pressure diatomaceous earth filters, unless a lower head is shown by the designer to be hydraulically appropriate.
- 3) If the pump operates with static suction lift, it shall be self-priming.
- 4) Where vacuum filters are used, a vacuum limit switch shall be provided on the pump suction line. The vacuum limit switch shall be set for a maximum vacuum of 18 inches of mercury.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

- 5) A compound vacuum-pressure gauge shall be installed on the pump suction line as close to the pump as possible. A vacuum gauge may be used for pumps with suction lift. A pressure gauge shall be installed on the pump discharge line adjacent to the pump, with no valves between the pump and the gauge. Gauges shall be installed where they can be easily read.
  - 6) Hair and Lint Strainer. A hair and lint strainer shall be installed on the suction side of the pump except on vacuum filter systems. The strainer basket shall be easily removable. Valves shall be installed to allow the flow to be shut off during cleaning, switching baskets, or inspection.
- c) Water Heater. A water heater shall be installed at all indoor pools. Pool water heaters shall be installed in accordance with the manufacturer's recommendations.
- 1) The heater piping system shall be equipped with a valve bypass pipe around the heater, sized for the swimming pool design flow rate. The influent and effluent heater piping shall be valved, and shall conform to material specifications as approved for water distribution applications in the Illinois Plumbing Code.
  - 2) A heating coil, pipe or steam hose shall not be installed in a swimming pool.
  - 3) Thermometers shall be provided in the piping to check the temperature of the water returning from the pool and the temperature of the blended water returning to the pool.
  - 4) The design of the water heating system shall prevent the introduction of water in excess of 115° F. to the pool.
  - 5) A pressure relief valve with a maximum pressure rating of 75 pounds per square inch and having a thermal capacity at least equal to the heat input rating of the heater shall be provided, with the discharge piped to within ~~six~~ 6 inches of the floor.
  - 6) Venting of gas or other fuel burning water heaters to the outdoors shall be provided [in accordance with the National Fuel Gas Code\(1999\) or the International Mechanical Code \(2000\)](#).

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

- 7) Heaters for indoor pools shall be capable of maintaining a minimum pool water temperature of 76° F.
  - 8) Combustion and ventilation air shall be provided for fuel burning water heaters as ~~required~~ specified by the heater manufacturer and the National Fuel Gas Code(1999) or the International Mechanical Code (2000).
  - 9) Heaters for indoor swimming pools shall be sized on a basis of 150 BTU per hour input per square foot of pool water surface area.  
  
(1 kilowatt = 3,412 BTU/hr.)
  - 10) Heat exchangers used to heat pool water by use of a toxic transfer fluid, as defined in Section 890.122(a)(4) of the Illinois Plumbing Code, shall be of double-wall construction, with the space between the two walls having a drain open to the atmosphere.
- d) Flowmeter. Flowmeters shall be located so that the rate of recirculation and the backwash rate of sand filters can be read. In a multiple pool system, flowmeters shall be provided for each pool. Separate flowmeters shall be provided to monitor the flow for each area of a pool with a turnover rate that differs from adjacent areas according to subsection (b)(1). Flowmeters shall be provided on inlet supply piping in accordance with subsection (f)(2)(~~F~~ G). Flowmeters shall be installed on a straight length of pipe with no valves, elbows or other sources of turbulence within 10 pipe diameters upstream or ~~five~~ 5 diameters downstream from the flowmeter. (See Appendix A, Illustration G.)
  - e) Vacuum Cleaning System
    - 1) A vacuum cleaning system capable of reaching all parts of the pool floor shall be provided.
    - 2) When the vacuum cleaning system is an integral part of the pool recirculation system, the wall fitting shall connect to the suction side of the pump ahead of the hair and lint strainer. Vacuum outlets in pools shall be equipped with covers that automatically close and latch when the vacuum hose is removed.
  - f) Piping, ~~Skimmer~~ Outlets, Inlets, and Overflow Systems

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

- 1) Piping.
  - A) The pool recirculation piping shall comply with the Illinois Plumbing Code for water service pipe or water distribution pipe as listed in 77 Ill. Adm. Code 890, Appendix A, Table A.
  - B) The piping shall be designed to carry the required flow at velocities not exceeding five feet per second in suction piping, and 10 feet per second in pressure piping, unless greater velocities can be hydraulically provided. Gravity piping shall be sized so that the head loss in piping, fittings, valves, etc., does not exceed the head available during normal operating conditions.
  - C) The following waste lines shall be provided with six inch air gaps at their points of discharge to the waste sump or sewer:
    - i) Main drain bypass or other connections to waste.
    - ii) Sub-surface drains or deck drains around a pool that discharge to a sanitary or combined sewer.
    - iii) Filter backwash or drain lines and overflow lines.
    - iv) Surge tank drain and overflow lines.
    - v) Pump discharge to waste lines.
    - vi) Gutter bypass to waste lines.
- 2) Inlets.
  - A) Inlets for filtered water shall be located and directed to produce uniform circulation of water to facilitate the maintenance of a uniform disinfectant residual throughout the entire pool without the existence of dead spots, and to produce surface flow patterns that effectively assist skimming. A minimum of 2 inlets shall be provided. In pools with skimmers, inlets installed where the water depth is 18 inches or more shall be installed in the pool wall at a depth of eight inches to 16 inches below the mid-~~point on~~ level of

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

the skimmer throat. Each inlet installed in a wall of a pool where skimmers are utilized shall be directional.

- B) The velocity of flow through any inlet orifice shall be in the range of 5 to 20 feet per second, except in pools equipped with skimmers it shall be in the range of 10 to 20 feet per second [through wall inlets](#). Velocities for various flows are shown in Appendix B, Table C.
- C) Inlets installed in pool walls shall be spaced as follows:
- i) In the shallow end wall, each inlet shall serve a linear distance of no more than ~~eight~~ [8](#) feet. In the deep end wall, each inlet shall serve a linear distance of not more than 15 feet.
  - ii) In pools with a water surface area greater than 1,500 square feet or length in excess of 60 feet, additional inlets shall be provided along side walls at no more than 15 foot intervals.
  - iii) The location of inlets in pools with skimmers may vary from the above requirements to allow locations that will assist in skimming.
- D) At least one inlet shall be located in each recessed stairwell or other space where water circulation might be impaired.
- E) Where floor inlets are used, inlets shall be uniformly spaced at a distance of no greater than 20 feet apart and rows of inlets shall be within 15 feet of each side wall. Floor inlets shall be flush with the pool floor and shall include a diffuser plate to evenly distribute the flow in all directions.
- F) Floor inlets are required in wading areas that are more than 30 feet in width.
- G) If both wall and floor inlets are utilized in a swimming pool, the wall inlets and the floor inlets shall be supplied by separate piping, with valves and flowmeters installed in each [pipe](#) so that the flow

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

can be individually regulated and monitored.

## 3) Outlets.

~~A) All pools shall be provided with a main drain at the deepest point. The main drain shall be connected to the recirculation system. Openings must be covered by grating which cannot be removed by bathers without the use of tools. Openings of the grating shall be at least four times the area of the main drain pipe or have an open area so that the maximum velocity of the water passing through the grate does not exceed one and one-half feet per second, or six feet per second when drain grate is of the anti-vortex type. The maximum width of grate openings shall be one-half inch. Main drains and all other suction outlets installed in a pool shall be designed to prevent bather entrapment by one of the following methods:~~

~~i) Multiple drains located at least three feet apart, center to center;~~

~~ii) One anti-vortex drain;~~

~~iii) A single drain with a grate of at least 18 inches by 18 inches.~~

A) Each pool shall be provided with a main drain system installed at the deepest point, which shall be connected to the pool recirculation system. For multiple-purpose pools with a floor consisting of more than 1 drainage area, at least one drain shall be provided in each basin, so that each portion of the pool floor is sloped to a main drain.

B) Each outlet, including main drains and suction outlets, but not including skimmers, shall be covered with a grate or safety cover having openings not exceeding one-half inch, and that is not removable without the use of tools. Grates shall be at least 12 inches square in size, or shall measure at least 24 inches diagonally. The flow through safety covers shall not exceed the maximum flow rate recommended by the manufacturer. Grates

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

shall have sufficient open area so that the velocity through the grate does not exceed 1 ½ feet per second.

- C) Suction outlets shall be recessed into the pool wall or floor and shall include a cavity that extends beneath all openings in the cover or grate. The clearance between the entrance to the suction pipe and the grate or cover shall be at least equal to the diameter of the suction pipe.
- D) Suction outlets shall be equipped with a grate with a diagonal dimension of at least 24 inches, or the suction system shall include a minimum of two hydraulically balanced outlets spaced at least 3 feet apart, center to center. In a spa, the two outlets may be installed closer than 3 feet apart if installed on different surfaces, e.g., one outlet in the floor and one in a wall.
- E) Outlet systems required to have multiple outlets shall comply with the velocity or flow restrictions in subsection (f)(3)(B) with one outlet completely blocked.
- F) Suction outlets located at a water depth of 4 feet or less shall be protected by an approved safety vent pipe, or by a safety vacuum release device. This requirement does not apply to outlet systems comprising multiple grates, each having a diagonal measurement of at least 24 inches.
- i) A safety vent pipe shall introduce air into the suction pipe if the water level in the vent pipe drops to a level of no more than five feet below the water level in the pool, but shall not introduce air into the suction piping when there is no obstruction of a suction outlet or in suction piping. The diameter of the vent pipe shall be at least one-half the diameter of the suction pipe. The top of the vent pipe shall be open to the atmosphere, and shall not be accessible to the public. The opening shall be protected against entry of dirt, rodents, birds, leaves, and other objects.
- ii) A safety vacuum release device shall be installed in accordance with the manufacturer's specifications.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

- G) The requirements of subsection (f)(3)(D) and (F) above shall not apply if the outlet system piping is connected to an open or vented tank, is not directly connected to a pump suction pipe, and the lowest operating water level in the tank is no more than 5 feet lower than the pool water level.
- H) An outlet shall not be installed in a pool stair or seat.
- ~~B~~ I) Multiple outlets shall be provided where the width of the pool is more than 45 feet. In such cases, outlets shall be spaced not less than three feet apart, nor more than 30 feet apart, nor more than 15 feet from side walls, and shall be connected in parallel.
- ~~C~~ J) A hydrostatic relief valve shall be provided for in-ground pools.
- ~~D~~ K) Main drain piping shall be sized for removal of the water through it at a rate of at least 100% of the design recirculation flow rate. The piping system shall be valved to permit adjustment of flow through it.
- ~~E)~~ ~~In cases where the pool cannot be drained completely through the main drain, a portable pump which will effect complete pool drainage shall be provided.~~
- 4) Perimeter Overflow Systems.
- A) Pools which have a width exceeding 30 feet shall have a continuous perimeter overflow system.
- B) A perimeter overflow system shall:
- i) extend completely around the pool except that interruptions not exceeding 25% of the pool perimeter nor 30 feet each may be allowed for steps, water slide entries, and side walls adjacent to zero-depth edges; A perimeter overflow system for a lazy river shall have a total length of at least one-sixth of the outer perimeter, and shall be installed at locations where the flow of water will direct surface debris toward the overflow system.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

- ii) permit inspection, cleaning, and repair;
  - iii) be designed so that no ponding or retention of water occurs;
  - iv) be designed to prevent the entrapment of bather's arms, legs, and feet;
  - v) except at a zero-depth edge, have an overflow lip that provides a good handhold and is level to within one eighth of an inch. At a zero-depth edge, a trench drain covered with a slip-resistant grating installed flush with the pool deck and with the pool floor, and level to within one-eighth inch measured along the pool perimeter, shall be provided;
  - vi) provide for the removal of all surface debris skimmed from the pool;
  - vii) be designed for removal of water from the pool surface at a rate of at least 100% of the design turnover flow rate;
  - viii) discharge to the recirculation system;
  - ix) be provided with drains and piping which will not allow the overflow channel to become flooded when the pool is in use; and
  - x) have drain gratings with open area at least equal to two times the area of the outlet pipe and which can be removed for cleaning.
- C) Surge Capacity. Perimeter overflow systems shall be provided with a surge capacity of at least 0.6 gallon per square foot of pool water surface area. Surge capacity shall be provided either in a vacuum filter tank, in the perimeter overflow system, ~~in the pool in conjunction with provision of surge weirs in the perimeter overflow system;~~ in a surge tank, or combination thereof. Valving shall be provided to maintain the proper operating water level in the pool.

~~Surge weirs shall pass at least 50 percent of the design~~

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

~~recirculation flow rate with the water level at the mid-level of the weir. A minimum of one weir shall be provided for each 500 square feet of pool water surface area or fraction thereof. The combined flow rate through all the surge weirs shall not exceed the design recirculation flow rate. Surge weirs shall be uniformly spaced around the pool perimeter. The mid-level of the weir opening shall be at least one inch but no more than two inches below the overflow lip of the perimeter overflow system. A flow-regulating device that will maintain a relatively constant flow rate as the water level is varied shall be included. Surge weirs shall not be utilized at a zero depth pool.~~

- 5) Skimmers. Skimmers are permitted on pools where the width does not exceed 30 feet. Where skimmers are provided, the following shall be met:
- A) At least one skimmer shall be provided for each 500 square feet of water surface area or fraction thereof;
  - B) Skimmers shall be located to optimize skimming;
  - C) Each skimmer and piping shall be designed so that it is capable of providing a flow-through rate of not less than 30 gallons per minute;
  - D) Skimmers shall be piped to provide approximately equal flow through each skimmer;
  - E) The surface skimmer piping shall have a valve to permit adjustment of flow through it;
  - F) ~~Each skimmer shall be provided with an equalizer line at least 1½ inches in diameter, located at least 1 foot below the lowest overflow level of the skimmer. (See Appendix A, Illustration H) A~~ If an equalizer pipe is installed, the skimmer shall be equipped with a device valve that will restrict flow through the equalizer pipe during normal operation of the skimmer ~~shall be installed, and a grate shall be installed at the intake to the equalizer pipe in the pool. The grate shall be a convex grate intended for this purpose or one that complies with subsection (f)(3);~~ If the skimmer is

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

equipped with a device designed to prevent entrainment of air in the skimmer suction piping by providing a direct suction connection between the pump and the skimmer equalizer piping, the equalizer line shall terminate in the pool in a suction outlet equipped with a safety cover, or shall be connected to the pool main drain pipe.

- G) The skimmer shall be tested in accordance with NSF Standard 50 and listed by an approved certification agency;
  - H) Skimming devices shall be built into the pool wall;
  - I) A basket which can be removed without the use of tools and through which all overflow water must pass, shall be provided;
  - J) The skimmer shall be provided with a floating weir and shall operate at variations in water level over a range of at least 4 inches.
- g) Make-up Water. Make-up water shall be added through a fixed air gap of at least ~~six~~ 6 inches to the pool, surge tank, vacuum filter tank, or other receptacle. When make-up water is added directly to the pool, the fill-spout shall be located under a low diving board or immediately adjacent to a ladder rail, grab rail, or fixed lifeguard chair.
- ~~There shall be no connection between a therapy pool or associated water treatment system with a swimming pool or its recirculation system.~~
- h) Filtration
- 1) Filters shall be certified to comply with NSF Standard 50 and listed as such by an approved certification agency. The design filtration rate in the particular application in which the filter is utilized shall not exceed the maximum design filtration rate for which the filter was certified. An official certification label from the certifying agency shall be permanently affixed to the filter.
  - 2) Pressure gauges that indicate the inlet and outlet pressures of pressure filters shall be installed.
  - 3) For pressure filters, an observable free fall discharge, sight glass or other means of determining the clarity of backwash water shall be provided.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

- 4) Overflow piping shall be connected to vacuum filters if the rim of the filter tank is below the pool water level. Drain piping for vacuum filter tanks shall be provided.
  - 5) The backwash rate for sand filters shall be at least 15 gallons per minute per square foot of filter area. A lesser backwash rate may be allowed when air scouring is utilized in accordance with the filter manufacturer's specifications.
  - 6) A filter backwash disposal facility, designed so that flooding, overflowing or excessive splashing does not occur when the filter is backwashed at the required flow rate, shall be provided where filters designed to be backwashed are utilized.
  - 7) A filter precoat pot or funnel shall be installed on the pump suction piping when pressure diatomaceous earth filters are utilized, unless a precoat pot is provided as an integral part of the filter. The filter piping shall allow recycling or disposal of filter effluent during the precoating operation.
  - 8) If continuous feeding of diatomaceous earth is utilized with a vacuum diatomaceous filter in order to permit a design filtration rate higher than would otherwise be allowable, equipment capable of feeding diatomaceous earth at a rate of at least 1.5 ounces per day per square foot of filter area shall be provided.
  - 9) Filter media for sand filters shall be as specified by the filter manufacturer.
  - 10) Wash or backwash water from diatomaceous earth filters shall be passed through a separation tank designed for removal of suspended diatomaceous earth and solids, prior to disposal.
- i) Chemical Feeders
- 1) Equipment Capacity.
    - A) Chlorine. Equipment for supplying chlorine or chlorine compounds shall be of sufficient capacity to feed chlorine at a rate of ~~eight~~ 8 parts per million for outdoor pools and ~~three~~ 3 parts per million for indoor pools, based on the flow rate required by the

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

table in subsection (a). Feed rates for various chlorinators and solutions are shown in Appendix B, Table D.

- B) Bromine. Equipment for supplying bromine shall be capable of delivering at least 15 parts per million for outdoor pools and ~~five~~ 5 parts per million for indoor pools based on a minimum design flow rate as required by the table in subsection (a).
- C) Ozone.
- i) Ozone may be used as a supplement to chlorination or bromination as required in subsection (i)(1). Ozone generating equipment and its components shall be tested in accordance with NSF Standard 50 and listed by an approved certification agency.
  - ii) The ambient air ozone concentration shall be less than 0.10 parts per million (p.p.m.) in the vicinity of the ozonator and at the pool water surface. Ambient ozone monitors shall be installed in the equipment room, in the vicinity of the ozone generating equipment, and, when the ozonation system is utilized at an indoor swimming pool facility, in the swimming pool enclosure. Audible and visual alarms that are activated by ozone concentrations in excess of .10 parts per million shall be connected to the ozone monitor. The ozone generating equipment shall automatically shut off when the ozone concentration in the air exceeds 0.30 p.p.m. or when the pool recirculation flow is interrupted.
  - iii) All corona discharge systems shall include a method for removing ozone in the water in excess of 0.1 p.p.m. prior to return to the pool.
- 2) Positive Displacement Pumps (Hypochlorinators). Where positive displacement pumps are used to inject the disinfectant solution into the recirculation line, they shall be of variable flow type, be of sufficient capacity to feed the amount of disinfectant required by subsection (i)(1), and shall be installed such that feeding of chemicals is interrupted whenever the swimming pool recirculation flow is interrupted. Positive

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

displacement pumps for feeding chlorine compounds ~~or chemicals for control of pH~~ shall be certified by a ~~certified laboratory~~ approved certification agency to conform to NSF Standard 50. If calcium hypochlorite is used, the concentration of calcium hypochlorite in the solution shall not exceed five percent by weight. The solution container shall have a minimum capacity equal to the volume of solution required per day at the feed rate required in subsection (i)(1).

## 3) Gas Chlorinators.

- A) The chlorine supply and gas feeding equipment shall be housed in a separate, relatively air-tight room with an out-swinging door. The room shall be provided with an exhaust system ~~which~~ that takes its suction not more than ~~eight~~ 8 inches from the floor and discharges outdoors in a direction to minimize exposure to toxic fumes. The fan shall be capable of producing ~~one~~ 1 air change per minute. Means for introducing a fresh air supply to the enclosure through appropriate openings such as filters, grill openings, etc., at a high point opposite the exhaust fan intake shall be provided. The intake to the make-up air supply shall be located where the discharge from the exhaust system will not be drawn back into the room. The room shall have a window with an area of at least 100 sq. inches and shall have artificial lighting. Electrical switches for lighting and ventilation shall be outside and adjacent to the door. Scales for weighing chlorine cylinders in service shall be provided.
- B) The chlorine feeding device shall be designed so that during interruptions of the flow of the water supply, gas feed is automatically terminated. In addition, the release of chlorine shall be terminated when the recirculation pump is shut off. ~~Where other than swimming pool recirculated water is used, the supply line shall be equipped with an electric shutoff valve wired to the recirculation pump and shall be equipped with a suitable backflow preventer. If a system utilizing a booster pump is used, as illustrated in Appendix A, Illustration N, the booster pump shall be electrically interlocked with the recirculation pump, so that the booster pump does not operate when the recirculation pump is not operating, and a device that will automatically interrupt the booster pump when the recirculation flow is interrupted shall be installed.~~

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

(See Appendix A, Illustrations L and N for methods of installation.)

- C) Chlorinator vent lines shall terminate outdoors. A screen made from a chlorine-resistant material shall be installed where the vent line terminates outdoors in order to exclude insects.
  - D) The gas chlorinator shall be the solution feed type capable of delivering chlorine at its maximum rate without releasing chlorine gas to the atmosphere.
  - E) The water supply for the gas feeding equipment shall produce the flow rate and pressure required according to the manufacturer's specifications for proper operation of the equipment.
- 4) pH Control Feeders. At [swimming](#) pools with a volume greater than 100,000 gallons, ~~at spas, or~~ [and at](#) pools utilizing gas chlorine as a disinfectant, a chemical feed system shall be installed to maintain the pH of pool water within the range of 7.2 to 7.6. [Positive displacement pumps utilized for feeding a chemical for the control of pH shall be certified for conformance to NSF Standard 50 by an approved certification agency.](#) The system must be installed so that the feeding of the pH controlling chemical is automatically interrupted whenever the swimming pool recirculation flow is interrupted. A solution tank of at least 15 gallons capacity shall be provided and shall be marked as containing a chemical to control pH. Alternatively, a system incorporating a cylinder of carbon dioxide and injecting mechanism may be employed to lower pH.
- 5) Erosion Type [\(Flow –Through\)](#) Chemical Chlorine Feeders.
- A) Erosion type chlorine and bromine feeders shall be tested in accordance with NSF Standard 50 and listed by an approved certification agency.
  - B) Only the chemical specified by the feeder manufacturer shall be used as the disinfecting agent.
  - C) Erosion type chemical feeders shall be installed in accordance with the equipment manufacturer's instructions.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

D) An auxiliary pump used in conjunction with an erosion-type chemical feeder shall be automatically de-energized when the recirculation flow is interrupted.

- 6) Copper/Silver and Copper Ion Generators. All copper/silver and copper ion generators shall be tested in accordance with NSF Standard 50 and listed by an approved certification agency and may only be used as a supplement to chlorination or bromination as required in subsection (i)(1).

(Source: Amended at 27 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 820.220 Swimming Pool Bather Preparation Facilities

- a) General. Bather preparation facilities shall be provided in accordance with subsections (b), (c) and (d) of this Section except where ~~the~~ a pool is intended to serve living units (such as hotels, motels, apartments, condominiums, dormitories, subdivisions, and resident institutions) where each living unit contains at least one toilet and one shower and is within 500 feet of the pool entrance.
- b) Design Requirements
- 1) Bather preparation facilities to be used by both sexes shall be divided into separate areas designated for each sex.
  - 2) Floors of bather preparation facilities, including showers, restrooms, dressing and locker rooms, and connecting walkways, shall be slip-resistant, impervious to moisture, and sloped to drain at least ~~one~~ 1 inch in 10 feet. Material used for floor covering in these areas shall comply with Section 820.200(j)(4), except that alternative floor coverings may be installed in locker or dressing areas with prior approval of the Department, if the Department determines that the installation is unlikely to result in a condition detrimental to public health. In considering approval of an installation of an alternative product, the Department shall consider factors such as:
    - A) Whether the product is likely to become or to remain wet, considering separation distance between locations where the floor covering product would be installed and wet areas, such as toilet and shower facilities, and anticipated usage of the facility.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

- B) Properties of the product, including factors affecting rate of drying, propensity of the product to support microbial growth, and ease of cleaning and disinfecting.

The Department may waive the requirement for sloped floors and floor drains when granting specific approval of alternate floor coverings. If the Department determines that a condition detrimental to public health results from the installation of an alternative product, or if there is failure to comply with the care and maintenance conditions specified with the approval, the Department may order removal of the alternative product.

- 3) The layout of bather preparation facilities serving pools with bather loads of greater than 200 shall be such that passage from the showers to the swimming pool shall not require passage through dressing room areas and other dry areas of the bathhouse.
- 4) The rooms shall be ventilated and lighted.
- 5) A hose bibb shall be provided in each side of the bather preparation facilities.
- c) Showers, Toilets, and Lavatories. Showers and lavatories shall be provided with liquid or powdered soap dispensers. Showers shall be supplied with water at a temperature of at least 90° F and not more than 115° F with temperature controls that prevent scalding. The number of fixtures provided shall be as shown in Appendix B, Table E. As a minimum, at least 1, toilet, 1 shower, and 1 lavatory for each sex shall be provided. At a swimming pool used by school classes, one shower for every four persons in the largest class shall be provided for each sex, except that in no case shall the number be less than shown in Appendix B, Table E.
- d) Dressing Rooms. For ~~pools~~ pool facilities with a bather load of more than 300, a dressing area shall be provided for each sex. Shower and toilet areas and walkways shall not be considered dressing areas.
- e) Foot Spray. A foot spray, if provided, shall be supplied from the potable water system or the swimming pool recirculation system, have a spray head 18 to 24 inches above the walkway, have a conveniently located valve, be arranged to

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

spray the bathers from knees to feet as they enter the enclosure, and have a drain

- f) Foot Bath. ~~No new footbaths may be constructed or installed after May 20, 1999.~~  
Footbaths shall not be allowed.

(Source: Amended at 27 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 820.230 ~~Wading Pools~~ Spas

- a) ~~Floor. The floor shall be slip resistant and sloped to the main drain. The slope shall not exceed one vertical in 12 horizontal. No obstructions such as raised drains or steps on which children may fall or become injured, shall be placed in the wading pool area. Designed play items shall be of a design and so located to provide maximum safety to the children.~~
- b) ~~Material. The floor and walls shall be of light colored impervious materials. All corners shall be coved.~~
- c) ~~Walk Area. There shall be a walkway at least four feet wide extending entirely around the pool sloped to drain away from the pool. The walks shall be constructed of impervious material with a slip resistant finish. The walks shall slope not less than one inch in 10 feet away from the pool edge. A hose bibb shall be installed in the pool area.~~
- d) ~~Barrier. A fence or other effective barrier, at least 3 ½ feet in height, shall totally enclose wading pool and shall separate the wading pool from other pools. Except with regard to height, the barrier shall comply with Section 820.200 (a). Any entrance into the wading pool enclosure shall be equipped with a self-closing and self-latching door or gate.~~
- e) ~~Inlets. Inlets shall be provided as specified for swimming pools by Section 820.210(f)(2). At least two water inlets shall be installed.~~
- f) ~~Drains. A minimum of two main drains shall be provided at the low point, located at least three feet apart center to center and connected to the recirculation system. The drains shall be piped and valved so that water from the wading pool can be drained by bypassing the filter. Drains shall be provided with grates in compliance with Section 820.210 (f)(3)(A) and shall be flush with the pool floor.~~

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

- ~~g) **Overflow System.** A perimeter overflow system shall be provided along at least one-sixth of the perimeter or a skimmer shall be provided for each 500 square feet of water surface area or fraction thereof. The design of the overflow system shall conform to the requirements listed in Section 820.210, except that if a skimmer equalizer line is provided, it shall be connected to the main drain line.~~
- ~~h) **Water Treatment.** Recirculation and filtration equipment shall be installed and operated at wading pools that cannot be adequately served by an adjacent swimming pool recirculation system or when existing equipment on adjacent swimming pool recirculation systems cannot meet the requirements of Section 820.210. A separate disinfection system shall be installed and operated for the wading pool. The design of water recirculation, filtration, and disinfection systems shall be in conformance with Section 820.210.~~
- a) Except as specified in this Section, spas shall conform to requirements of Sections 820.200, 820.210, and 820.220.
- b) The maximum water depth in a spa shall not exceed 4 feet.
- c) The water depth at a seat or bench shall not exceed 28 inches. Seats at multiple levels may be provided.
- d) A deck at least 4 feet in width that provides an unobstructed walkway of at least 42 inches shall extend around at least 50 percent of the spa perimeter. The deck shall extend to each entry/exit location of the spa.
- e) Handholds shall be provided around the perimeter of a spa where the water depth is greater than 30 inches. Acceptable handholds shall include raised bullnose coping, rounded flanges or lips, or railings. A handhold shall have a slip-resistant surface and shall be located no higher than 12 inches above the water level.
- f) At least one entry/exit location shall be provided and shall consist of stairs, a ladder, or recessed steps conforming to Section 820.200(k). Spas with an area of more than 150 square feet shall have at least one additional point of entry/exit, which may consist of a handrail installed at a location where the spa rim is no more than 24 inches above a seat having a slip-resistant surface or the spa floor at this location. Seats and benches may be attached to stair steps. Where the bottom step is attached to and at the same level as a seat, the bottom riser may exceed 12

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

inches, but shall not exceed 14 inches.

- g) Inside corners and edges in the spa shall be covered for ease of cleaning. All protruding edges shall be rounded.
- h) The open end of an over-the-rim fill spout shall have no sharp edges, and shall not protrude more than 2 inches over the inside edge of the spa.
- i) A depth marking shall be installed on the spa deck at each entry location. The depth marking shall be readable when facing the spa. The marking shall contrast with the deck, and shall conform to requirements in Section 820.200(i)
- j) Spas shall be provided with piping for complete drainage to waste through the main drain.
- k) The recirculation system for a spa shall be equipped with a chemical automation system which shall automatically and continuously monitor the disinfectant activity and the pH of the spa water and control the feeding of disinfectant (chlorine or bromine) and a chemical to control pH in order to maintain the disinfectant concentration and pH in the spa water at appropriate levels.
- l) An air injection system, if provided, shall be designed to prevent water back-up into electrical equipment. The air intake for an air injection or air induction system shall be located or protected so as to prevent introduction of contaminants into the spa.

(Source: Amended at 27 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 820.240 Spray ~~Pools~~ Areas

- a) Material. Spray ~~pools~~ areas shall be constructed of impervious material that has a slip-resistant finish.
- b) Slopes. The floor of a spray ~~pool~~ area shall slope at least one inch in 10 feet and not more than one foot in 12 feet toward the drain. No obstructions other than designed play items shall be placed in the spray pool area.
- c) Drains. The spray ~~pool~~ area shall be equipped at its low point with an unvalved drain. The drain shall be of such size and design that water ~~sprayed into the pool~~

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

will not pond ~~in the pool floor~~.

- d) Water Supply. The water supply shall meet the requirements of Section 820.110, or be provided from the water treatment system from another pool. Alternatively, the water may be circulated from a tank or basin, with a water treatment system as required for a pool by Section 820.210 and designed to provide a turnover rate for the tank or basin of no more than ~~two~~ 1 hours. If the water is supplied directly from a potable water supply, the spray ~~Spray~~ heads shall be installed so that they will not be submerged. If the water is drawn from a basin or tank, the effective volume of the tank in gallons shall be at least equal to 5 times the maximum design spray flow rate in gallons per minute.
- e) Hose Connection. A hose bibb shall be provided within 75 feet of the spray ~~pool~~ area.
- f) Walk Area. The spray ~~pool~~ area shall be entirely surrounded by a walk constructed of impervious material which has a slip-resistant finish.
- g) Barrier. A fence or other effective barrier, at least 3 1/2 feet in height, shall totally enclose the spray ~~pool area and adjacent walk~~, and shall separate the spray pool from ~~other~~ pools. Except with regard to height, the barrier shall comply with the requirements of Section 820.200(a). Each entrance into the spray ~~pool area~~ enclosure shall be equipped with a self-enclosing, self-latching door or gate.

(Source: Amended at 27 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 820.250 Slides

- a) General Requirements
- 1) Structure. All slides shall be designed and constructed in accordance with the manufacturer's instructions to carry the anticipated load. Plans for water slides shall be signed and sealed by a structural engineer licensed to practice in Illinois.
  - 2) Steps. Slide steps shall be slip-resistant and have a minimum tread of two inches and a minimum length of 12 inches. The riser height of the steps shall not exceed 12 inches. Specific requirements that apply to water slides are included in subsection (b)(1) of this Section.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

- 3) Plunge Pools. Plunge pools shall comply with Sections 820.200 and 820.210 except that, for a plunge pool for a water slide, a deck is not required where the slide exits into the pool.
- b) Water Slides
- 1) Design and construction. All curves, turns, and tunnels on the path of a flume shall be designed and constructed in accordance with the manufacturer's instructions.
  - 2) Walkways. Walkways or stairs leading to the top of water slides shall be slip-resistant, rigid, and have a ~~four~~ 3 1/2 foot minimum clear width.
  - 3) Slide Position.
    - A) A flume shall be perpendicular to the pool wall for a distance of at least 10 feet from the exit end of the slide. The last 10 feet of the flume shall have a slope that is not steeper than one in 10.
    - B) A flume shall terminate between a depth of six inches below to two inches above the ~~pool~~ water ~~surface~~ level.
    - C) The plunge area water depth shall be between two and one-half and four feet at the end of the flume and for at least 10 feet beyond. The pool floor slope in the plunge area shall not exceed one foot vertical in 12 feet horizontal.
  - 4) Surge Reservoir. A surge storage reservoir shall be provided except where the pool water elevation will not be lowered more than one inch when the water slide pumps are in operation. The surge reservoir shall not be accessible to the public.
  - 5) Plunge Area. There shall be a slide plunge area extending at least five feet on either side of the centerline of the slide terminus and 25 feet in front of the slide. The plunge area shall be either a plunge pool or a specially designated area of a swimming pool or a bathing beach. This area shall not infringe on the plunge area for any other slides or diving equipment. Steps shall not infringe on this area. A water slide plunge area in a swimming pool or bathing beach shall be roped off from the rest of the

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

pool or beach when the slide is in operation. A means of egress shall be provided ~~near the side of~~ in the plunge area ~~opposite~~ away from the flume terminus and located so that persons exiting the plunge area are not required to pass in front of or near the flume terminus.

- 6) Grates. The intake openings for water pumped from ~~the pool or a~~ a beach must be covered by grating that can not be removed without the use of tools. The grate openings shall be at least four times the area of the intake pipe or have an open area so that the maximum velocity of the water passing through the grate does not exceed one and one-half feet per second. The maximum width of the grate openings shall be one-half inch. ~~Drains~~ Pump suction intakes at beaches shall be designed to prevent bather entrapment as specified in Section 820.210(f)(3) ~~(A)~~ or shall be located or protected so as to be inaccessible to bathers.

## c) Drop Slides

- 1) Slide Position. There shall be a slide landing area extending at least five feet on either side of the centerline of the slide terminus and 20 feet in front of the slide. This area shall not infringe on the landing area for any other slides or diving equipment. Steps shall not infringe on this area.
- 2) Water Depth. The water depth directly below the slide discharge point and for a distance of 12 feet beyond shall comply with the following requirements:

Slide Platform Height above Water Level in Feet	Minimum Water Depth in Feet
3.5 to 5	8
5 to 10	10
10 to 12	12

- 3) Platform Height. The drop slide platform shall not exceed 12 feet in height, measured above the water level in the plunge area.

## d) Other Slides

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

- 1) There shall be a slide plunge area extending at least three feet six inches on either side of the centerline of the slide terminus and 20 feet in front of the slide. This area shall not infringe on the landing area for any other slides, water slides, drop slides, or diving equipment. [Steps, ladders, or other obstruction shall not infringe on the plunge area.](#)
- 2) ~~Unless the slide is designed by the manufacturer for safe exits at lesser water depths, the~~ [The](#) water depth and slide exit height above the water shall be in accordance with the following table. The exit height shall not exceed 48 inches above the water surface.

Exit Height Above Waterline, Inches	Minimum Depth, Feet
0 to 6	2.0
6 to 12	2.5
12 to 18	3.5
18 to 24	5.0
24 to 30	6.0
30 to 42	8.0
42 to 48	10.0

- 3) Slides shall be positioned so that any water flowing off the end of the slide terminus drops into the pool.
- 4) Handrails. Slides shall be equipped with handrails to aid the slider in safely making the transition from the ladder to the runway. Handrails shall begin at a point no more than four feet above the pool deck.

(Source: Amended at 27 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 820.270 Lazy Rivers

- a) Lazy rivers shall be provided with a water treatment system in accordance with Section 820.210. ~~A system for effectively skimming the pool surface and uniformly distributing filtered water shall be provided~~
- b) [Lazy rivers shall be provided with at least one means of egress conforming to Section 820.200\(k\).](#)

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

- c) [The floor of lazy rivers may be installed level, or shall be sloped toward a main drain.](#)
- d) [Inlets shall be installed at intervals not exceeding 15 feet along the lazy river.](#)
- e) [The maximum water depth in a lazy river shall be plainly posted at each entry location.](#)

(Source: Amended at 27 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART D: OPERATIONAL REQUIREMENTS

## Section 820.290 Applicability of Operation Requirements

~~Swimming pools and other pools associated with or provided as an appurtenance to a swimming pool~~ [Pools and water slides](#) shall be operated in accordance with this Subpart D.

(Source: Amended at 27 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 820.300 Personnel

- a) Manager/Operator. A ~~pool~~ manager/operator shall be designated and shall be responsible for the operation of the swimming ~~pool~~ facility in compliance with this Subpart.
- b) Lifeguards. Lifeguards shall be provided at all wave pools, and water slides. In addition, lifeguards shall be provided at all pools, as defined in Section 820.10, when persons under the age of 16 are allowed in the pool enclosure specified in Section 820.200(a) without supervision by a parent, guardian or other responsible person at least 16 years of age. ~~At facilities where lifeguards are not provided, a sign shall be posted that states "This facility is not protected by lifeguards. Persons under the age of 16 must be accompanied by a parent, guardian or other responsible person at least 16 years of age. Swimming alone is not recommended."~~
  - 1) Certification. Lifeguards shall be currently certified as such by the American Red Cross, the National Pool and Water Park Lifeguard Training Program, the YMCA, [the American Safety and Health Institute](#), [the National Aquatic Safety Company](#), [Boy Scouts of America](#), or another

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

lifeguard certifying organization with an equivalent lifeguard certification program, as determined by the Department. Where the certification was issued with restrictions, the certification shall be appropriate for the duty to which the lifeguard is assigned. Lifeguards shall have current certification of completion of a course in infant, child and adult cardio-pulmonary resuscitation (CPR).

- 2) Authority. Lifeguards shall have the authority to order any person who does not comply with the rules of the Department or those of the facility to leave the pool.
- 3) Identification. Lifeguards shall be dressed in swimming attire and be identified as a lifeguard. A copy of each lifeguard's certificate and evidence of current certification in CPR must be available for inspection at the facility.
- 4) Minimum number. ~~At facilities where lifeguards are required,~~ Lifeguards shall be positioned to effectively monitor the entire pool. All pools within an enclosure shall be monitored. The number of lifeguards on duty shall not be less than the following minimum number ~~shall be on duty~~:
  - A) One lifeguard per 100 bathers or 2,000 square feet of water surface area, whichever will result in the lesser number. All areas of the pool must be visible to a lifeguard. At wave pools, in addition to satisfying the other criteria of this subsection (b)(4)(A), the number of lifeguards shall not be less than three. A lifeguard shall not simultaneously guard more than one pool unless the areas under surveillance can be continuously monitored with a clear unobstructed view and immediate assistance can be rendered if needed.
  - B) At water slides or drop slides, one lifeguard within 50 feet of the discharge point of the slide. Such lifeguards shall be responsible for guarding the plunge area for the slide and no other areas and shall be in voice or visual communication with the attendant or lifeguard at the top of the slide in order to facilitate safe use of the slide. One lifeguard may monitor up to three slides, three diving boards or a combination of these not exceeding three and no other areas if they are adjacent ~~to~~ and discharge to ~~the same~~ adjacent

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

plunge ~~area~~ areas.

- 5) Lifeguards shall not be subject to duties that would distract their attention from proper observation of persons in the pool area, or that would prevent immediate assistance to persons in distress in the water.
- c) Attendants. At least one attendant or lifeguard shall be on duty at the top of all water slides and drop slides when the slide is in operation in order to control the traffic of individuals using the slide. Attendants shall ensure that the slide is used in a safe and responsible manner. For multiple slides having a common starting platform, an attendant shall not be assigned to monitor more than two slides concurrently.
- d) At facilities where lifeguards are not provided, a sign shall be posted that states "This facility is not protected by lifeguards. Persons under the age of 16 must be accompanied by a parent, guardian or other responsible person at least 16 years of age. Swimming alone is not recommended." The facility owner or manager/operator shall not knowingly allow access to the swimming facility enclosure by persons under the age of 16 years without supervision as stated above, and the facility owner or manager/operator shall take reasonable action to ensure, to the extent possible, that patrons under the age of 16 are supervised in accordance with this Section.

(Source: Amended at 27 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 820.310 Safety Equipment

The following safety equipment shall be readily available for emergency use at all times when the swimming ~~pool~~ facility is open for use:

- a) Rescue Equipment. The following rescue equipment shall be provided and conspicuously displayed at swimming pools having a maximum water depth in excess of 30 inches except when certified lifeguards are provided and each lifeguard is equipped with a rescue device approved by the lifeguard certifying organization.
- 1) A U.S. Coast Guard approved ring buoy with an attached throw rope with a length at least equal to the maximum width of the swimming pool or 50 feet, whichever is less. One such buoy shall be provided for every 2000

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

square feet of water surface or fraction thereof.

- 2) A life hook or shepherd's crook at least 12 feet in length.
- b) First Aid Kit. One or more first aid kits shall be kept filled with contents as required in Appendix B, Table B. Items which have a shelf life shall be kept current. This requirement shall not apply to swimming facilities located at and exclusively utilized by permanent residents of a residential development such as a complex of apartments or condominiums, or their guests, where each residence is located within 500 feet of an entrance to the swimming facility enclosure.
- c) Emergency Telephone and Emergency Contact List. Except for a water slide at a bathing beach, a ~~A~~ telephone shall be accessible in the vicinity of ~~the~~ a swimming ~~pool facility, in~~ or within a ~~300 feet of the pool~~ 300 foot walking distance from an entrance to the swimming facility enclosure. At a multi-level facility, the emergency telephone shall be located within three levels of the level on which the ~~pool~~ swimming facility is located. The telephone numbers of the local police, State Police, fire department, physician, ambulance service, and a hospital, or 911 where applicable, shall be posted in a conspicuous place near the telephone. The name, address and telephone number of the swimming ~~pool~~ facility shall be listed by the telephone. The location of the emergency telephone shall be posted in the swimming ~~pool-area~~ facility unless the telephone is located in the pool area.
- d) A fine-mesh net shall be available for responding to fecal accidents in the swimming facility in accordance with Section 820.330(g).
- ~~d~~ e) Lifeguard Stations. Lifeguard stations shall be located so as to provide a clear unobstructed view of the pool area under surveillance.

(Source: Amended at 27 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 820.315 Notification

All ~~drownings deaths~~ and injuries or illnesses requiring ~~hospitalization a physician's care~~ shall be reported to the Department by the facility manager, operator or licensee within 24 hours after learning of the incident, and the Department's "Drowning ~~and~~/Injury/Illness Report" form shall be completed and submitted within seven days. This form contains instructions for contacting the Department.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 27 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 820.320 Water Quality

## a) Testing Equipment

- 1) Water testing equipment for determining pH and disinfectant level of pool water shall be provided. The equipment for determining pH shall include at least five color standards with a range of pH 6.8 to 8.0, as a minimum.
- 2) Where chlorine is used as a disinfectant, a DPD-type test kit shall be provided that includes at least four chlorine color standards with a range of 0.5 to ~~3.0~~ 5.0 p.p.m., as a minimum.
- 3) Where bromine is used as a disinfectant, a colorimetric test kit shall be provided that will determine ~~free~~ total bromine residual ~~and pH~~. The test kit shall include at least five bromine standards covering a range of 1.0 to ~~5.0~~ 10 p.p.m.
- 4) ~~Pools using~~ Where chlorinated cyanurates are utilized for disinfection ~~shall have~~ a test kit to measure cyanuric acid concentration shall be provided. The cyanuric acid test kit shall permit readings up to 100 p.p.m.
- 5) Where silver/copper or copper ion generators are used, a test kit to determine the concentration of copper shall be provided.

## b) Disinfectant Residual.

- 1) Where chlorine is used as a disinfectant, the chlorine residual shall be maintained between 1.0 and 4.0 p.p.m. as free chlorine residual. A free chlorine residual of at least 2.0 p.p.m. shall be maintained when the pool water temperature exceeds 85~ F.
- 2) Where bromine is used as a disinfectant, abromine residual shall be maintained between 2.0 and 8.0 p.p.m. as total bromine. A bromine residual of at least 4.0 p.p.m. shall be maintained when the pool water temperature exceeds 85~ F.
- 3) Where chlorinated cyanurates are used, the cyanuric acid concentration

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

shall not exceed 100 p.p.m.

- 4) When combined chlorine in excess of 0.5 p.p.m. is detected, the pool shall be superchlorinated to attain a free chlorine concentration of at least 10 times the combined chlorine concentration, or oxidized by other means to eliminate the combined chlorine.
  - 5) Where silver/copper or copper ion generators are used, the concentration of copper shall not exceed 1.3 p.p.m. and the concentration of silver shall not exceed 0.05 p.p.m.
  - 6) Where ozone is used, the ambient air ozone concentration shall be less than 0.1 p.p.m. at all times either in the vicinity of the ozonator or at the pool water surface.
- c) pH. The pH of the pool water shall be maintained between 7.2 and 7.6.
  - d) Turbidity. The pool water shall be sufficiently clear that the main drain grate and the entire pool floor are ~~is~~ clearly visible from the pool deck.
  - e) Alkalinity. The alkalinity of the pool water shall not be less than 50 nor more than 200 p.p.m. as calcium carbonate.
  - f) Temperature.
    - 1) The pool water temperature for indoor swimming pools shall not be less than 76E F. ~~nor more than 92E F.~~ With the exception of swimming pools used for therapeutic purposes, the water temperature in indoor swimming pools shall not exceed 92EF. The aAir temperature ~~at an indoor pool~~ shall be higher than the water temperature when the water temperature is 85E F. or less.
    - 2) The water temperature in spas shall not exceed 104E F.

(Source: Amended at 27 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 820.330 Swimming ~~Pool~~ Facility Closing

The manager/operator shall immediately close the ~~pool~~ swimming facility whenever any of the

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

following conditions exist:

- a) The manager/operator determines that conditions at a swimming ~~pool~~ facility or ~~bathhouse~~ bather preparation facility create an immediate danger to health or safety.
- b) Bacteriological results show any of the following:
  - 1) ~~Coliform concentration of 10 per 100 ml in two consecutive samples;~~
  - 2) ~~Presence~~ presence of fecal coliform, E coli, beta hemolytic Streptococcus or Pseudomonas in any sample.
- c) Turbidity exceeds the criteria outlined in Section 820.320(d), except when the excessive turbidity is caused by entrained air resulting from the action of an air injection or air induction system of a spa.
- d) A disinfectant residual consisting of a minimum of 0.5 p.p.m. free chlorine or 1.0 p.p.m. bromine is not present or the disinfection system is inoperable.
- e) The total chlorine concentration exceeds ~~5~~ 10 p.p.m. or the total bromine concentration exceeds ~~10~~ 20 p.p.m.
- f) When the recirculation pumps and/or the filters are inoperable.
- g) When the pH of the pool water is less than 6.8 or greater than 8.0.
- h) When a patron has defecated or vomited in the pool. When this occurs the manager/operator shall do the following: remove visible foreign matter and superchlorinate the affected area of the pool. The pool must remain closed for a minimum of 30 minutes following superchlorination, or longer if necessary, for the disinfectant residual to return to prescribed levels. When an incident occurs in a pool with a capacity greater than 50,000 gallons, the pool operator may elect to prohibit use of the affected area only in lieu of closing the pool.
  - 1) For solid stools and vomit, the material shall be scooped with a net and disposed in a toilet. The net used for removal shall be disinfected or discarded. The disinfectant in the pool shall be increased to a free chlorine concentration of 4.0 p.p.m. and maintained at this level for at least 30

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

minutes.

- 2) For diarrhea incidents, as much of the material as possible shall be scooped with a net and disposed in a toilet. The net shall be disinfected or discarded. A CT value, defined as the product of free chlorine concentration in p.p.m. times the time that this concentration is maintained in minutes, of at least 9600 shall be achieved. (For example, a chlorine concentration of 20 p.p.m. would be maintained for at least 9600 )20, or 480, minutes, or 8 hours.) The filter shall be backwashed to waste after the required CT value has been achieved.
  - 3) Bathers shall not be allowed into the pool until the disinfectant level is returned to the water quality levels specified in Section 820.320.
  - 4) All incidents of defecation or vomit at a swimming facility shall be recorded on a log sheet that the facility shall keep for at least 3 years for inspection by Department representatives. The *Fecal/Vomit Incident Report* form provided by the Department, or a form with equivalent information, shall be completed.
- i) When a suction or main drain grate is loose, improperly installed, damaged or missing.
  - j) When a written notice to close is issued by the Department, in which case the notice shall be posted by the owner, operator or licensee at the entrance to the pool area. The pool shall remain closed until the Department has authorized the reopening of the pool.
  - k) When lightning is sighted or thunder is heard at outdoor pool facilities (see Section 820.360).
  - l) When the temperature in a spa exceeds 106<sup>F</sup>

(Source: Amended at 27 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 820.340 Operation and Maintenance

- a) Pool and Pool Area
  - 1) ~~The swimming~~ A pool shall be maintained free from sediment, lint, dirt

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

and hair. Cracks and other defects in the pool shall be repaired. The walls, ceilings, floors, equipment and the pool proper shall be maintained so that they are protected from deterioration. All equipment shall be maintained in proper condition, with all required components in place. Equipment required to be NSF Standard 50 certified, including filters, skimmers and chemical feeding equipment, shall not be altered or modified in any way.

- 2) Pool decks shall be rinsed daily. Indoor pool decks shall be disinfected at least weekly. The walks, overflow gutters, counters, lockers, equipment, furniture, interior partitions and walls shall be kept in good repair, clean, and sanitary. No furniture, plants or other furnishings shall be placed within four feet of the pool. This area shall be kept free of obstructions such as chairs and baby strollers. The deck shall be kept free of tripping hazards, such as deck surface irregularities, hoses, baby strollers, and maintenance equipment. The deck, walkways and floors shall be free of areas with poor drainage that retain water.
  - 3) Floats or tubes not in use must be removed from the pool.
  - 4) Starting Platforms. Starting ~~blocks~~ [platforms](#) shall not be used for any other purpose than competitive swimming activities. Starting blocks shall be securely anchored when in use but removed or prohibited from use when not being used in conjunction with competitive swimming or training. The maximum height of the platform above the water shall be 30 inches where the water depth is 4 feet or greater and 20 inches when the water depth is less than 4 feet. [Starting platforms shall not be allowed in locations where the water depth is less than 3 1/2 feet .](#)
  - 5) Safety ropes shall be kept in place except when the swimming pool is being used exclusively for lap swimming or competition.
  - 6) Access to grass areas shall be prevented when bare areas develop, when the grass is not regularly maintained, when debris is allowed to accumulate, or an unsightly condition, offensive odor, or a muddy condition exists.
- b) Perimeter Overflow and Skimmers. The perimeter overflow systems or automatic surface skimmers shall be clean and free of leaves or other debris which would

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

restrict flow. The strainer baskets for skimmers shall be cleaned daily. Broken or missing skimmer weirs shall be replaced. The flow through each skimmer shall be adjusted as often as necessary to maintain a vigorous skimming action which will remove all floating matter from the surface of the water. The pool water shall be maintained at an elevation such that effective surface skimming is accomplished. A higher water level may be maintained during official swimming competition. For pools with perimeter overflow systems, adequate surge storage capacity shall be maintained so that flooding of the perimeter overflow system does not occur during periods of peak usage. The flow returning from the pool shall be balanced or valved such that the majority of flow is returned through the perimeter overflow or skimmer system.

- c) Inlet Fittings. Inlets shall be checked frequently so that the rate of flow through each inlet establishes a uniform distribution pattern. Inlets in pools with surface skimmers shall be adjusted as necessary to provide vigorous skimming.
- d) Bather Preparation Facilities
  - 1) Floors shall be cleaned and disinfected daily.
  - 2) Toilet rooms and fixtures shall be kept clean, free of dirt and debris and in good repair. Floors shall be maintained in a slip-resistant condition. Soap dispensers shall be filled and operable. A supply of toilet paper shall be provided at each toilet at all times.
- e) Foot Baths. Foot baths shall be free of dirt, debris and other floating matter and shall be operated by continuously introducing fresh water and discharging used water to waste.
- f) Security. Doors or gates in the swimming pool enclosure shall be kept closed and locked when the swimming pool is closed.
- g) Bather Loads. The number of persons within a swimming pool enclosure shall not exceed the permissible bather load established by the Department-  ~~, except that additional~~ **Additional** patrons may be allowed at other recreational features within the pool enclosure, such as sand play areas, turf sun-bathing areas and picnic areas, if additional toilet facilities are provided. However, the number of patrons in ~~swimming pools, wading pools or~~ **the pool and** on the pool deck shall not exceed the bather load. The bather load shall be ~~posted at the pool entrance~~

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

~~or at a location where it can be seen by all patrons and shall be~~ enforced by the manager/operator to the extent possible. A spa user capacity established by the Department for a spa shall be posted at the spa and shall be enforced by the spa manager/operator to the extent possible.

- h) Electrical Systems shall be maintained in accordance with the National Electrical Code. Ground-fault circuit interrupters shall be tested at least once per month when the pool is in operation. Defective ground-fault circuit interrupters shall be replaced. Records and results of such tests shall be kept at the facility for a period of at least 3 years.
- i) Diving Equipment. Diving equipment shall be maintained in a safe condition, be securely anchored, and have a slip-resistant surface.
- j) Vacuum Cleaners. Vacuum cleaning shall not be conducted when the pool is in use.
- k) Operation of Mechanical Equipment
  - 1) Manufacturers' instructions for operation and maintenance of mechanical and electrical equipment, as well as pump performance curves, shall be kept available at the pool. All valves and piping in the equipment room must be permanently identified as to use and direction of flow. A valve operating procedure must be provided in the equipment room for each operation (e.g., recirculation, filtration, backwashing, etc.).
  - 2) Pumps, filters, disinfectant feeders, flow indicators, gauges, and all related components of the pool water recirculation system shall be kept in continuous operation 24 hours a day. A recirculation and filtration flow rate that will result in a turnover period as specified in Section 820.210 shall be maintained at all times, except for ~~wading areas in swimming~~ pools constructed prior to ~~May 20, 1999~~ May 1, 2003 where such a flow rate cannot be attained without alteration of the recirculation system, in which case a recirculation flow rate that will result in a turnover period ~~of no more than six hours~~ acceptable to the Department shall be maintained ~~in the wading area.~~
  - 3) Recirculation Pumps. The pump shall not be throttled on the suction side during normal operation except for necessary regulation of flow through

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

main drain piping. Recirculation pumps shall be kept in good repair and condition. The pump discharge or inlet supply line valve shall be adjusted as necessary to maintain the design flow rate.

- 4) Filtration.
  - A) The filtration flow rate shall not exceed the maximum filtration design flow rate specified by the filter manufacturer for public swimming pool usage in accordance with NSF Standard 50. Where this rate is not known or has not been determined, the flow rate shall not exceed 15 gallons per minute per square foot of filter area for high-rate sand filters, 3 gallons per minute per square foot for other sand filters, 1.5 gallons per minute per square foot for diatomaceous earth filters, or 0.375 gallons per minute per square foot for cartridge filters, except that a filtration flow rate of up to 2.0 gallons per minute per square foot may be allowed where continuous feeding of diatomaceous earth is utilized with a diatomaceous earth filter in accordance with subsection (k)(3)(C)(iii).
  - B) Sand Filters.
    - i) The filter air release valve shall be opened as necessary, to remove air which collects in the filter; and following each backwash.
    - ii) The filter shall be backwashed when the design flow rate can no longer be achieved, or when specified by the filter manufacturer, whichever occurs first.
  - C) Diatomaceous Earth Filters.
    - i) The dosage of diatomaceous earth precoat shall be at least one and one-half ounces per square foot of element surface area. Pressure diatomaceous earth filters shall be backwashed when the design flow rate can no longer be achieved or when specified by the filter manufacturer, whichever occurs first. Whenever the recirculation pump stops or is shut off, the filter shall be thoroughly

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

backwashed and the elements shall be precoated before placing the pump back into operation. Vacuum diatomaceous earth filters shall be washed when the design flow rate can no longer be achieved or when specified by the filter manufacturer, whichever occurs first. Backwashing shall not be performed when the pool is in use.

- ii) During the precoating operation, the initial filter effluent shall be either recirculated through the filter until the filter effluent is clear, or the initial filter effluent shall be discharged to waste until properly clarified water is produced.
  - iii) When continuous diatomaceous earth feed is utilized so that a filter may be operated at a filtration rate higher than would otherwise be allowable, it shall be applied at a rate of one-half to one and one-half ounces per square foot of surface area per day, or as needed to extend filter cycles.
- D) Cartridge Filters. A clean extra set of filter cartridges shall be available at the pool.
- 5) Hair and Lint Strainers. Hair and lint strainers shall be cleaned to prevent clogging of the suction line and cavitation. The pump shall be stopped before the strainer is opened to avoid drawing air into the pump and losing the prime. In the case of diatomaceous earth filters, the hair strainer basket shall be cleaned immediately prior to precoating the filter.
- 6) Flowmeters. Flowmeters shall be maintained in an accurate operating condition and readable.
- 7) Vacuum and Pressure Gauges. The lines leading to the gauges shall be bled occasionally to prevent blockage.
- 8) Gas Chlorinators
- A) Gas chlorinators shall be repaired only by a person trained in servicing these units. The manager/operator shall post the

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

telephone numbers of the appropriate emergency personnel to contact in the event of a chlorine gas emergency.

- B) Chlorine cylinders shall be stored indoors in the area designed for that purpose and away from a direct source of heat. They shall be chained or strapped to a rigid support to prevent accidental tipping. Cylinders shall not be moved unless the protection cap is secured over the valve. A National Institute of Occupational Safety and Health (NIOSH) or Mine Safety and Health Administration (MSHA) approved gas mask, approved for use in a chlorine atmosphere, shall be kept outside the chlorine room in an unlocked container at all times. The gas mask canister shall be replaced regularly as per the manufacturer's recommendations.
- C) Chlorinators, gas lines, injectors, vent lines and cylinders shall be checked daily for leaks.

In case of a chlorine leak, corrective measures shall be undertaken only by trained persons wearing proper safety equipment. All other persons shall leave the dangerous area until conditions are again safe.

- 9) Positive Displacement Feeders.
- A) Positive displacement feeders shall be periodically inspected and serviced.
- B) When a chemical feeder is used with calcium hypochlorite solution, to minimize sludge accumulation in the unit, the lowest practicable concentration of solution shall be used, and in no case shall this concentration exceed five percent (about 20 pounds of 65% chlorine powder in 50 gallons of water), and the end of the intake tube shall be suspended above the sediment on the bottom of the solution container. ~~If liquid chlorine solution is used, the dilution with water is not critical to the operation of the unit. After first thoroughly rinsing with water, a small amount of mild acid solution may be fed through the unit periodically, to dissolve sludge accumulations.~~

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

- l) Chlorinated Cyanurates. The use of chlorinated cyanurates is subject to the following requirements:
  - 1) Superchlorination shall be accomplished by using a chlorine product other than a cyanurate; and
  - 2) When the cyanuric acid level exceeds the maximum permissible limit of 100 p.p.m., the pool water must be partially wasted and replenished with fresh water until the cyanuric acid concentration is less than 50 p.p.m.
- m) pH Adjustment
  - 1) Soda ash or caustic soda may be used to raise the pool water pH.
  - 2) Caustic soda shall only be used in accordance with the manufacturer's instructions. Protective equipment and clothing, including rubber gloves and goggles, must be available for the handling and use of this chemical.
  - 3) Sodium bisulfate, carbon dioxide gas or muriatic acid shall be used to lower pool water pH. Carbon dioxide cylinders shall be securely chained or otherwise restrained in a manner that will prevent tipping.
  - 4) Hydrochloric (muriatic) acid shall only be used in accordance with the manufacturer's instructions. Protective equipment and clothing, including rubber gloves and goggles, must be available for handling this chemical.
  - 5) The Department shall be consulted in the event of unusual pH problems including corrosion or scaling or wide fluctuations in pH.
- n) Algae Control
  - 1) The development of algae shall be eliminated by superchlorinating to 10 p.p.m. and maintaining this level for several hours. The pool shall not be open for use during this treatment. If this fails to eliminate the algae, the Department shall be consulted for further advice.
  - 2) Treated algae which cling to the floor and sides of the pool must be brushed loose, and removed by the suction cleaner and filtration system.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

- o) Miscellaneous Chemicals
- 1) Chemicals shall be kept covered and stored in the original, labeled container, away from flammables and heat and in a clean, dry, well-ventilated place which prevents unauthorized access to the chemicals.
  - 2) The chemicals used in controlling the quality of water shall be used only in accordance with the manufacturer's instructions.
  - 3) If polyphosphates are used for sequestering iron, the concentration of polyphosphates shall not exceed 10 p.p.m.
- p) Acoustics. If noise is excessive, such that safety instructions cannot be heard, corrective action shall be taken.
- q) Slides
- 1) Water slide equipment shall be maintained in a safe condition and securely anchored.
  - 2) Only ~~one~~ 1 rider at a time shall be allowed to enter a slide except when designed by the manufacturer for ~~two~~ 2 or more riders.
  - 3) For water slides and drop slides, when the plunge area is not visible from the top of the slide, a means of communication shall be provided between the attendant or lifeguard at the top and the lifeguard at the bottom.
  - 4) At the entrance to water slides and drop slides, a sign shall be posted at the top of the slide warning all sliders not to proceed down the slide until instructed to do so by the slide attendant or lifeguard.
- r) Spas shall be completely drained at intervals not to exceed 2 weeks.
- s) If a pool cannot be completely drained through the main drain, a portable pump and accessories that can be used to completely drain the pool shall be provided.

(Source: Amended at 27 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

- a) Operation Reports. The pool manager/operator shall record ~~swimming pool or other~~ pool operational data daily on a report form furnished by the Department, or equivalent that shall be kept at the facility for a minimum of three years for inspection by the Department. A separate report form shall be completed for each pool in a multiple pool complex.
- b) Water Quality Testing. Disinfectant residual and pH tests shall be made on samples collected from ~~the shallow and deep areas of each swimming pool, and from wading pools, plunge pools and other pools~~ as necessary to ensure maintenance of water quality in accordance with Section 820.320, but at least twice daily. Disinfectant residual and pH tests shall be made on samples collected from opposite ends of pools having a water surface area in excess of 500 square feet. Where chlorine is used as a disinfectant, testing for combined chlorine shall be performed at least weekly. In addition, where chlorinated cyanurates are utilized as a chlorine disinfectant, testing for cyanuric acid concentration shall be performed at least weekly.
- c) Where ozone is utilized, testing to determine the ozone concentration immediately above the pool water surface shall be performed monthly.

(Source: Amended at 27 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 820.360 Patron Regulations

- a) Rules and Instructions. Rules governing the use of the pool and instructions to patrons shall be displayed on placards provided by the Department, or equivalent, at each ~~the~~ entrance to ~~dressing rooms or~~ the pool ~~entrance enclosure~~ and shall be enforced by the pool manager/operator to the extent possible when the manager/operator is aware of violations. Such posting of rules and other instructions shall provide that:
- a 1) Admission to the pool shall be refused to all persons having any contagious disease, infectious conditions such as colds, fever, ringworm, foot infections, skin lesions, diarrhea, vomiting, inflamed eyes, ear discharges, or any other condition which has the appearance of being infectious. Persons with excessive sunburn, abrasions which have not healed, corn plasters, bunion pads, adhesive tape, rubber bandages, or other bandages of any kind shall also be refused admittance. A person under the influence of alcohol or exhibiting erratic behavior shall not be

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

permitted in the pool area.

- b 2) The pool water is not suitable for drinking. Avoid swallowing pool water.
- e 3) Littering is prohibited. In addition, no food, drink, gum or tobacco is allowed in other than specially designated and controlled sections of the pool area. Glass containers are prohibited.
- d 4) All persons are encouraged to take a shower before entering the pool area.
- e 5) Personal conduct within the pool facility must be such that the safety of self and others is not jeopardized. No running, boisterous or rough play, except supervised water sports, is permitted.
- f 6) Only clean footwear, baby strollers, or wheelchairs are allowed in the pool area or bathhouse.
- g 7) Spitting, spouting of water, blowing the nose or otherwise introducing contaminants into the pool is not permitted.
- h 8) Glass, soap, or other material which might create hazardous conditions or interfere with efficient operation of the swimming pool shall not be permitted in the swimming pool or on the pool deck.
- i 9) All apparel worn in the pool shall be clean.
- j 10) All children who are not toilet-trained shall wear tightly fitting rubber or plastic pants.
- k 11) Diving in water less than five feet deep is not permitted except when allowed for competitive swimming and training.
- l 12) Caution shall be exercised in the use of diving facilities.
- m 13) ~~Swimming is prohibited at~~ Use of outdoor swimming pools and spas is prohibited when thunder is heard or lightning is seen, including a 15-minute period after the last lightning or thunder is detected.
- n 14) If present, lifeguards are responsible for enforcing safety rules and

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

responding to emergencies. Parents or guardians should supervise their children.

- ⊖ 15) No one should ~~swim~~ use the pool alone.
- Ⓟ 16) The pool management has the authority to implement and enforce rules that are more stringent or that supplement those listed here.

17) Patrons are encouraged to protect themselves from sun exposure at outdoor pools.

b) The following warnings shall be posted at all spas:

- 1) Elderly persons, pregnant women, persons using prescription medications, and persons suffering from heart disease, diabetes or high blood pressure should consult a physician before using the spa.
- 2) Persons under the influence of alcohol or drugs shall not use the spa.
- 3) Persons should not use the spa alone.
- 4) Persons should not spend more than 15 minutes in the spa at any one session.
- 5) Children under the age of 16 years must be accompanied by a responsible person 16 years of age or older unless a lifeguard is present.
- 6) The posted spa user capacity shall not be exceeded.

(Source: Amended at 27 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 820.380 ~~Wading Pools, Spray Areas Pools and Therapy Pools~~

- a) ~~Aspects of the wading pool operation shall comply with Sections 820.300, 820.310, 820.320, 820.330, 820.340 and 820.350.~~
- b) The spray ~~pool~~ area and associated deck areas shall be cleaned daily. Drains shall be kept clear. For spray ~~pools~~ areas that utilize recirculated water, the water shall be filtered and treated in accordance with Section 820.340, the water quality shall

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

be maintained as specified by Section 820.320, and water quality testing shall be performed as specified by Section 820.350. The water in the tank or basin shall be recirculated through the filtration system with a turnover of no more than 2 hours.

~~e) Water in therapy pools located in a swimming pool enclosure shall be maintained so as to comply with disinfectant residual and pH standards in Section 820.320.~~

(Source: Amended at 27 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART E: BATHING BEACH DESIGN AND OPERATION

## Section 820.400 Minimum Sanitary Requirements for Bathing Beaches

- a) Initial Sanitary Survey. Prior to the issuance of a construction permit, the Department shall conduct a sanitary survey of the proposed beach. This survey shall include an evaluation of the physical, chemical and bacteriological characteristics of the bathing beach area, as well as any potential or actual sources of contamination in the watershed which could affect the beach. The presence of any such sources of contamination shall constitute grounds to deny the permit.
  - 1) Physical Quality. The following characteristics shall not be present in the beach area or watershed:
    - A) Sludge deposits, solid refuse, floating waste solids, oils, grease or scum.
    - B) Hazardous substances being discharged into bathing beach water or watershed.
  - 2) Bacteriological Quality. The bacteriological quality of water at bathing beaches shall comply with the following criteria:
    - A) At least two samples shall be collected from the proposed beach area and additional samples shall be collected from any tributaries as they enter the lake. ~~Fecal coliform bacteria counts of 200 colonies/100 ml or an An~~ E. coli density of 126 colonies/100 ml in one or more samples shall require additional investigation, survey, special analysis and correction of any problems determined to be

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

causing the high counts. Subsequent evaluation and satisfactory bacteriological results must be obtained before a construction permit will be issued.

B) There shall be no sanitary or combined sewer discharges or other raw or partially treated sewage discharges to the bathing beach area or immediate watershed.

3) Chemical Quality. There shall be no discharges of chemical substances capable of creating toxic reactions, or irritations to the skin or mucous membranes of a bather.

b) Design

1) Bather Load. The bather load shall be established at all beaches constructed after May 28, 1997, by the registered engineer or architect who designed the project.

2) Beach and Swimming Areas. The wading areas at all beaches shall be separated from swimming and diving areas by lines securely anchored and buoyed. The slope of the bottom of ~~any portion of the beach having a water depth of less than 5 feet~~ the wading area shall not exceed 1 foot vertical for 10 feet horizontal. ~~The slope and~~ shall be uniform. The bottom slope in the swimming area shall not exceed 1 foot vertical in 6 feet horizontal to a water depth of at least 5 feet. The bottom of the wading and swimming area shall consist of sand or gravel to a water depth of at least 5 feet. If disinfection or filtration is provided, it must comply with the requirements in Section 820.210.

3) Diving Facilities

A) Where diving facilities are provided, the following minimum water depth must be maintained for a distance of at least 12 feet beyond the end and sides of the platform or board:

Height of Platform or Board Above Water	Minimum Water Depth
0 – 1/2 Meter	9.5 feet

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

1 Meter	10 feet
3 Meters	12 feet

- B) Handrails, guardrails and steps shall comply with the requirements of Section 820.200.
- 4) Safety Boundaries. ~~The~~ A wading area shall be designed and separated from swimming and diving areas by a line securely anchored and buoyed at a water depth of 5 feet or less. The limits of the swimming area shall be marked by buoys, poles, or other markers located not over 100 feet apart and visible to bathers from a distance of at least 100 feet. Within such limits of safe swimming, there shall be no boating, underwater obstructions, or other hazards which may be dangerous or cause injury to swimmers. Signs shall be provided on the beach describing such markers and stating that they indicate the limits of the swimming area.
- 5) Slides. Slides shall comply with Section 820.250.
- c) Electrical Wiring. All electrical wiring shall be in accordance with the National Electrical Code in effect at the time of construction.
- d) Bathhouses/Toilets
- 1) Requirements for Beaches Established After May 28, 1997 ~~(New)~~  
For all new beaches established after May 28, 1997, a bathhouse shall be provided within 300 feet of the shoreline unless the beach is intended to serve only a residential development located around the lake, and 50 or fewer bathers are anticipated to be present per day. In such cases, at least one toilet or privy shall be provided within 300 feet of the shoreline. Bathhouses shall be designed in accordance with the requirements of Section 820.220(b) and (c). The bather load to be used to determine the required numbers of fixtures shall be provided by the registered engineer or architect who designed the project.
- 2) Requirements for Beaches Established Before May 28, 1997 ~~(Existing)~~  
All existing beaches shall comply with the bathhouse/toilet facility requirements in effect at the time they were constructed, but at least one toilet or privy must be provided when the number of bathers present per day is 50 or fewer. Two toilets or privies must be provided when the

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

number of bathers present per day is 51 to 100. An additional toilet or privy must be provided for each 100 additional bathers. The maximum number of toilets or privies required is ten. The required toilets or privies must be located within 300 feet of the shoreline.

## e) Bathing Beach Operation

- 1) Samples of bathing beach water shall be taken by the licensee or manager/operator and submitted to the Department at such times and points as designated by the Department within the area utilized for bathing or swimming purposes. Failure by the bathing beach licensee or manager/operator to submit required water samples within seven days after notification by the Department by certified mail shall be cause for the Department to order the beach to be closed until satisfactory samples are received. Additional samples shall also be obtained at any critical point subject to possible pollution as determined by a sanitary survey.
- 2) During operation, the following bacteriological water quality results shall warrant the actions described:
  - A) ~~A fecal coliform count of 500 colonies/100 ml or an~~ An E. coli count of 235 colonies/100 ml in each of two samples collected on the same day shall require closing the beach. The beach shall not be reopened until two additional samples collected on the same day are both less than ~~500 fecal coliform/100 ml or~~ 235 E. coli/100 ml.
  - B) ~~A fecal coliform count of 500 colonies/100 ml or an~~ An E. coli count of 235 colonies/100 ml in any single sample of a two sample set shall require the submission of two additional samples to be collected on the same day within 24 hours after notification by the Department. If either of the two follow-up samples exceeds ~~a fecal coliform count of 500 colonies/100 ml or~~ an E. coli count of 235 colonies/100 ml, the beach shall be closed and not reopened until two additional samples collected on the same day are both less than ~~500 fecal coliform/100 ml or~~ 235 E. coli/100 ml.
- 3) If a survey determines that there are discharges of sanitary or combined sewers, other raw or partially treated sewage, or other hazardous substances to the beach or immediate watershed, or if hazardous materials

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

are found at the beach, the bathing beach shall be closed by written order of the Department.

- 4) Where schistosome dermatitis (swimmers' itch) is known to exist, appropriate measures shall be taken to protect the bathers. Such measures may include posting of warning signs, chemical treatment of the beach or closing the beach. Any chemical treatment shall comply with all federal, State and local requirements, including prior approval of the Department or its agents.
  - 5) The beach manager/operator shall monitor the water depth around diving facilities and prohibit use of any such facilities which do not comply with the minimum water depth requirements of subsection (b)(3) of this Section.
  - 6) For all beaches established after May 28, 1997, the beach manager/operator shall enforce the bather load established in subsection (b)(1) of this Section. Additionally, for all beaches the bather density in water less than 5 feet deep shall not exceed one bather per 25 square feet.
  - 7) The beach area shall be kept free of any debris, including [excessive vegetation, algae, and](#) wastes from waterfowl or other wildlife.
  - 8) Leakproof, covered refuse containers shall be provided at convenient locations in the beach area. They shall be emptied when necessary to avoid odors and insect breeding.
  - 9) At times when the beach is closed seasonally or during normal hours of operation during the operating season, signs proclaiming the closing of the beach shall be prominently posted at the beach unless an effective barrier to prevent access to the beach area is in place.
- f) Lifeguards. Lifeguards shall be provided at bathing beaches which allow bathers under 16 years of age to enter the beach without a responsible person 16 years of age or older present. Lifeguards shall comply with the requirements of Section 820.300(b).
- g) Safety Requirements

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

- 1) A U.S. Coast Guard approved ring buoy with at least 25 feet of rope shall be available at the beach when bathers are present.
  - 2) A telephone shall be available within 500 feet of the beach when bathers are present. The numbers of the local police, fire department, rescue squad and ambulance, and/or 911 numbers shall be posted near the telephone. A portable phone may be used to meet this requirement. The phone may be located in a residence within 500 feet of the beach, provided it will be accessible at all times the beach is in operation. Unless located in the immediate beach area, a sign shall be posted indicating the location of the phone.
  - 3) All ~~drownings~~ deaths and injuries or illnesses requiring ~~hospitalization a~~ physician's care shall be reported to the Department within 24 hours and the Department's "Drowning ~~and~~ /Illness/Injury Report" form shall be completed and submitted within 7 days.
- h) Waiver
- 1) A homeowner's association may apply to the Department for a waiver of the requirements of subsection (d)(2) of this Section by making a written request signed by an officer of the association. The request must contain the following information:
    - A) The requirements from which the homeowner's association seeks a waiver;
    - B) Certification that a majority of the members of the homeowner's association or a majority of the board of directors representing the homeowner's association agreed to be exempt from the requirements requested. If the application for waiver is based on a decision of the board of directors rather than a majority vote of the members, the waiver request must also indicate that all members of the association were notified in writing of the decision to request a waiver and of the requirements from which the association is requesting a waiver. A copy of the notification to members shall be included with the waiver request;
    - C) Certification that the beach normally serves 50 or fewer bathers per

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

day; and

- D) Certification that the use of the beach is intended only for members of the homeowner's association and their guests.
- 2) Upon submission of the waiver application, a waiver shall be granted only if the following conditions are met:
- A) All water samples were submitted during the current or previous year as required by subsection (e)(1) of this Section; and
  - B) The closure standards set forth in subsection (e)(2) of this Section were not exceeded during the current or previous year or, if the closure standards were exceeded, the Department or local health department determined that the cause of the unsatisfactory water quality was not an absence of toilet facilities at the beach.
- 3) A waiver granted by the Department shall be valid indefinitely, except as provided in this subsection:
- A) A waiver shall become invalid immediately if the beach is closed due to a violation of the standards set forth in subsection (e)(2) of this Section, unless the Department or local health department determines that the cause of the unsatisfactory water quality was not an absence of toilet facilities at the beach;
  - B) If the applicant or manager/operator fails to comply with a written order of the Department to submit water samples required by subsection (e)(1), the waiver shall become invalid the date the samples were specified to be submitted;
  - C) A waiver shall not apply on any day the homeowner's association anticipates that the number of bathers will exceed 50 (for example, holiday weekends, special events, or parties).
- 4) When a waiver becomes invalid, the required toilet facilities shall be provided before the beach is allowed to operate. If a waiver is invalidated due to the conditions described in subsection (h)(3)(A) or (B), a new waiver application must be filed with and approved by the Department.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

- i) The following rules governing the use of the beach shall be displayed on placards provided by the Department at the entrance to bathhouses or other conspicuous locations and shall be enforced by the beach manager/operator.

## REGULATIONS – BEACHES

The following rules govern the use of the beach and shall be enforced by the beach manager/operator.

- 1) The beach water is not suitable for drinking. Avoid swallowing beach water.
- 2) Admission to the beach may be refused to all persons having any contagious disease, infectious conditions such as colds, fever, ringworm, foot infections, skin lesions, carbuncles, boils, diarrhea, vomiting, inflamed eyes, ear discharges, or any other condition which has the appearance of being infectious. Persons with excessive sunburn, abrasions which have not healed, corn plasters, bunion pads, adhesive tape, rubber bandages, or other bandages of any kind may also be refused admittance. A person under the influence of alcohol or exhibiting erratic behavior shall not be permitted in the beach area.
- 3) Littering is prohibited. In addition, no food, drink, gum or tobacco is allowed in the water. Glass containers are prohibited throughout the beach area.
- 4) All children who are not toilet-trained shall wear tight fitting rubber or plastic pants.
- 5) No one should swim alone.
- 6) Persons under the age of 16 must be accompanied by a responsible person 16 years of age or older unless a lifeguard is present.
- 7) Personal conduct within the beach must be such that safety is not jeopardized.
- 8) Diving in shallow water is not permitted.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

- 9) Caution shall be exercised in the use of diving facilities.
- 10) Swimming is prohibited after sunset or before sunrise, or when thunder is heard or lightning is seen, including a 15-minute period after the last lightning or thunder is detected.
- 11) No pets are permitted in the beach area.
- 12) Feeding of wildlife or other actions that encourage their presence is prohibited.
- 13) Patrons are encouraged to protect themselves from sun exposure.

(Source: Amended at 27 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



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DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF ADOPTED AMENDMENTS

agreements issued by JCAR? No changes were requested.

13) Will these amendments replace emergency amendments currently in effect? No

14) Are there any other amendments pending on this Part? No

15) Summary and purpose of the amendments:

Section 518.1550 (Personnel Services) is being amended to require a facility, prior to employing any individual in a position that requires a State license, to contact the Department of Professional Regulation to verify that the individual's license is active. Facilities will also be required to check the status of all applicants with the Nurse Aide Registry prior to hiring. A reference to the Control of Tuberculosis Code (77 Ill. Adm. Code 696) is being added.

16) Information and questions regarding these adopted amendments shall be directed to:

Peggy Snyder  
Division of Legal Services  
Department of Public Health  
535 West Jefferson, Fifth Floor  
Springfield, Illinois 62761  
217/782-2043  
e-mail: [rules@idph.state.il.us](mailto:rules@idph.state.il.us)

The full text of the adopted Amendments begins on the next page:

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

## TITLE 77: PUBLIC HEALTH

## CHAPTER I: DEPARTMENT OF PUBLIC HEALTH

## SUBCHAPTER f: EMERGENCY SERVICES AND HIGHWAY SAFETY

## PART 518

## FREESTANDING EMERGENCY CENTER DEMONSTRATION PROGRAM CODE

## Section

518.1000	Definitions
518.1050	Incorporated and Referenced Materials
518.1100	Freestanding Emergency Center Demonstration Program
518.1150	Licensure Application and Renewal
518.1200	Emergency Suspension Orders
518.1250	Violations, Hearings and Fines
518.1300	Governing Board
518.1350	Provision of Emergency Services
518.1400	EMS System Participation
518.1450	Patients' Rights
518.1500	Language Assistance Services
518.1550	Personnel Services
518.1600	Personnel Requirements
518.1610	Health Care Worker Background Check
518.1650	Medical Staff Organization
518.1700	Nursing Services
518.1750	Accounting
518.1800	Quality Assurance and Reporting
518.1850	Orders for Medications and Treatments
518.1900	Infection Control
518.1950	Sterilization and Processing of Supplies
518.2000	Laboratory Services
518.2010	Radiological Services
518.2020	Comprehensive Emergency Treatment Services
518.2030	Notification of Emergency Personnel
518.2040	Community or Areawide Planning
518.2050	Disaster and Mass Casualty Program
518.2060	Emergency Services for Sexual Assault Victims
518.2070	Pharmacy Service
518.2080	Housekeeping Service
518.2090	Insect and Rodent Control

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

518.2100	Laundry Service
518.2110	Food Service
518.2120	Maintenance
518.2130	Fire Safety
518.2140	Water Supply
518.2150	Garbage, Waste and Sewage Handling and Disposal
518.2160	Submission of Architectural Plans
518.2170	Preparation of Drawings and Specifications--Submission Requirements
518.2180	Construction Details
518.2190	Finishes
518.2200	Structural Requirements
518.2210	Mechanical Requirements
518.2220	Plumbing and Other Piping Systems
518.2230	Electrical Requirements
518.2240	Building Requirements
518.ILLUSTRATION A	Seismic Zone Map
518.TABLE A	Piping Locations for Oxygen, Vacuum and Medical Compressed Air
518.TABLE B	Insulation/Building Perimeter

AUTHORITY: Implementing and authorized by Section 32.5 of the Emergency Medical Services (EMS) Systems Act [210 ILCS 50].

SOURCE: Adopted at 22 Ill. Reg. 13756, effective July 10, 1998; amended at 24 Ill. Reg. 14026, effective August 31, 2000; amended at 27 Ill. Reg. 8456, effective May 15, 2003.

Section 518.1550 Personnel Services

- a) An organized personnel department or service shall be established and designed to meet the needs of the personnel.
- b) Personnel policies and practices that adequately support freestanding emergency center services and quality of patient care shall be established and maintained.
- c) Sufficient, qualified personnel shall be employed to properly operate the various departments and the adjunct services requiring technical skill, such as laboratory, x-ray, pharmacy, nursing, etc.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

- d) Sufficient service personnel shall be employed to properly operate service departments.
- e) Qualified personnel shall mean those persons who hold necessary licenses for the activities they perform. If no license is required, qualified personnel shall mean those persons who are registered or certified by the Department, the Illinois Department of Professional Regulation, the Council on Medical Education of the American Medical Association or Agencies or Committees established in collaboration with the Council, other accrediting agencies approved by the Department, or an acceptable experience equivalent to the above.
- f) Personnel policies shall be written and available to all personnel.
- g) Personnel policies shall be reviewed and/or revised periodically, but no less than once every two years. The date of review or revision shall be indicated on the personnel policies.
- h) The personnel service shall have available organizational charts that identify all departments and/or services.
- i) All positions shall be authorized by the Board, either directly or through delegation to the administrator.
- j) A job description shall be written for each position in the freestanding emergency center, including minimum qualifications.
- k) Personnel records
  - 1) Accurate, current and complete personnel records shall be maintained for each employee during his/her term of employment and for the years thereafter as may be necessary to satisfy other State or federal requirements.
  - 2) An established standard of content shall be established for personnel records, which shall contain at least the following:
    - A) Application form and/or resume with current and background information sufficient to justify the initial and continuing employment of the individual.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

- B) Verification of license, if the position requires a license. A licensed person shall be employed only after verification of the license is obtained.
  - C) A record regarding the employee's specialized education, training, and experience.
  - D) Verification of identity.
  - E) Employment health examination and subsequent health services rendered to the employees as are necessary to ensure that all employees are physically able to perform their duties.
  - F) Record of orientation to the job.
  - G) Continuance of education.
  - H) Current information relative to periodic work performance evaluations.
- l) Employees shall not be assigned duties that exceed their education, training, experience, and qualifications.
  - m) Orientation and in-service training programs shall be provided so that personnel may maintain skills and learn new developments.
  - n) Personnel health requirements
    - 1) Each FEC shall establish an employee health program that includes the following:
      - A) An assessment of the employee's health and immunization status at the time of employment;
      - B) Policies regarding required immunizations; and
      - C) Policies and procedures for the periodic health assessment of all personnel. These policies must specify the content of the health assessment and the interval between assessments and must comply

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

with [the Control of Tuberculosis Code \(77 Ill. Adm. Code 696\)](#)  
~~Section 690.720 (Tuberculosis) of the Department's rules entitled~~  
~~"Control of Communicable Diseases Code" (77 Ill. Adm. Code~~  
~~690).~~

- 2) Personnel absent from duty because of any communicable disease shall not return to duty until examined for freedom from any condition that might endanger the health of patients or employees.
- o) Personnel services may be provided by the owning or controlling hospital, provided that standards are established in accordance with this Section that are specific to the FEC.
- p) [Prior to employing any individual in a position that requires a State license, the facility shall contact the Illinois Department of Professional Regulation to verify that the individual's license is active. A copy of the license shall be placed in the individual's personnel file.](#)
- q) [The facility shall check the status of all applicants with the Nurse Aide Registry prior to hiring.](#)

(Source: Amended at 27 Ill. Reg. [8456](#), effective [May 15, 2003](#))

## OFFICE OF THE TREASURER

## NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Illinois State Treasurer and Office of Banks and Real Estate Joint Rules Governing the Uniform Disposition of Unclaimed Property Act
- 2) Code Citation: 74 Ill. Adm. Code 761
- 3) 

<u>Section Numbers:</u>	<u>Adopted Action:</u>
761.10	New Section
761.20	New Section
- 4) Statutory Authority: 15 ILCS 505/0.05
- 5) Effective Date of Rules: May 13, 2003
- 6) Does this rule contain an automatic repeal date? No  
If so, please specify date:
- 7) Does this rule contain incorporation by reference? No
- 8) A statement that a copy of the adopted rule, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notices of Proposal Published in Illinois Register:

May 5, 2002	26 Ill. Reg. 8078
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- 10) Has JCAR issued a Statement of Objection to this rule? If answer is "yes," please complete the following: No
- 11) Differences between proposal and final version: The final version incorporates recommendations from JCAR.
- 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 rule replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No

## OFFICE OF THE TREASURER

## NOTICE OF ADOPTED RULES

- 15) Summary and Purpose of rule: The adopted rules establishes authority for the Office of Banks and Real Estate to conduct Unclaimed Property examinations on behalf of the State Treasurer.
- 16) Information and questions regarding this adopted rule may be directed to:

Patrick Conlon  
Office of the Illinois State Treasurer  
100 W. Randolph Street, Suite 15-600  
Chicago, IL 60601  
(312) 814-3573

The full text of the Adopted Rules begin on the next page:

## OFFICE OF THE TREASURER

## NOTICE OF ADOPTED RULES

## TITLE 74: PUBLIC FINANCE

## CHAPTER V: TREASURER

## PART 761

ILLINOIS STATE TREASURER AND OFFICE OF BANKS AND REAL ESTATE JOINT  
RULES GOVERNING THE UNIFORM DISPOSITION OF UNCLAIMED PROPERTY ACT

## Section

761.10	Definitions
761.20	Examination of Property Holders

AUTHORITY: Authorized by Section 26 of the Uniform Disposition of Unclaimed Property Act [765 ILCS 1025/26].

SOURCE: Adopted at 27 Ill. Reg. 8456, effective May 13, 2003.

Section 761.10 Definitions

“Commissioner” means the Commissioner of Banks and Real Estate or any authorized representative.

“OBRE” means the Office of Banks and Real Estate.

“Treasurer” means the Illinois State Treasurer or any authorized representative.

“Act” means the Uniform Disposition of Unclaimed Property Act [765 ILCS 1025].

Section 761.20 Examination of Property Holders

Examination of property holders by the Office of Banks and Real Estate (OBRE). The following provisions shall govern the examination by OBRE of persons or financial organizations regulated by OBRE pursuant to the Illinois Banking Act [205 ILCS 5], the Corporate Fiduciary Act [205 ILCS 620], the Foreign Banking Office Act [205 ILCS 645], the Savings Bank Act [205 ILCS 205] or the Illinois Savings and Loan Act of 1985 [205 ILCS 105].

- a) Primary Point of Contact. Within 14 calendar days after the adoption of this Part, the Treasurer and the Commissioner shall each designate in writing an individual to act as their primary point of contact for the

## OFFICE OF THE TREASURER

## NOTICE OF ADOPTED RULES

purpose of conducting unclaimed property examinations. The primary point of contact shall receive all correspondence regarding unclaimed property examinations. If circumstances require a change of the designated primary point of contact, written notice shall be provided to all parties as soon as reasonably practical, but no later than 14 calendar days after the change.

- b) Examination Direction. If the Treasurer has reason to believe, based upon the criteria contained in 38 Ill. Adm. Code 180.90(c), that a holder subject to examination by OBRE has failed to report property that should have been reported, the Treasurer shall direct OBRE in writing to conduct an examination. The direction shall contain sufficient detail to enable OBRE to conduct a thorough examination and shall include, but not be limited to, the Treasurer's reasons for concluding that the property holder has failed to comply with reporting requirements and all information in the Treasurer's possession that could assist OBRE in conducting the examination. Unclaimed property examinations other than those described in subsection (d) shall be conducted during the next regularly scheduled examination of the holder by OBRE. The Treasurer shall make every effort to direct OBRE to make examinations on a periodic basis.
- c) OBRE shall provide the Treasurer with the date for the next regularly scheduled examination of the property holder identified in an examination direction within 10 calendar days after the receipt of the direction. The Treasurer will not disclose the scheduled examination date provided by OBRE.
- d) Accelerated Examination Direction. If the Treasurer has concluded, based upon the criteria contained in Section 23 of the Act, that an accelerated examination of a property holder regulated by OBRE is necessary to protect the State's interest, the Treasurer shall prepare and deliver a written accelerated examination direction to OBRE. The accelerated examination direction shall contain sufficient detail to enable OBRE to conduct a thorough examination and shall include, but not be limited to, the Treasurer's reasons for concluding the necessity of an accelerated examination, an explanation of why the Treasurer concluded that the examination cannot wait until the next regularly scheduled examination, and all other information in the Treasurer's possession that could assist OBRE in conducting the examination.

## OFFICE OF THE TREASURER

## NOTICE OF ADOPTED RULES

- e) As soon as reasonably practical after receiving the accelerated examination direction, OBRE shall provide the Treasurer with the accelerated examination date that has been scheduled in accordance with Section 23(b) of the Act. The Treasurer will not disclose the scheduled accelerated examination date provided by OBRE.
- f) Examination Report. Upon the completion of an examination by OBRE, OBRE will prepare and deliver an examination report to the Treasurer.
- g) Fines and Penalties. The Treasurer shall provide OBRE a copy of any enforcement action authorized pursuant to Sections 25 and 25.5 of the Act that has been entered against any holder regulated or subject to examination pursuant to the Act by OBRE.
- h) Compensation. At least once each month following the adoption of this Part, OBRE shall document and certify to the Treasurer the actual expenditures that have been incurred in performing the examinations pursuant to the Act. The Treasurer shall forward a request for reimbursement to the Illinois State Comptroller for the actual cost of any examination performed by OBRE within 45 days after receiving any statement or report certifying the actual costs. Where applicable, the Governor's guidelines on State travel shall govern recoverable sums.
- i) Training. When requested by OBRE, the Treasurer shall provide appropriate training to employees or representatives of the Commissioner regarding the examination of property holders. OBRE shall be responsible for all expenses incurred for the training of OBRE employees or representatives.

## DEPARTMENT OF MILITARY AFFAIRS

## NOTICE OF EMERGENCY RULES

- 1) Heading of the Part: Illinois Military Family Relief Fund Act
- 2) Code Citation: 95 Ill. Adm. Code 200
- 3) 

<u>Section Number</u>	<u>Emergency Action</u>
200.5	New
200.10	New
200.20	New
200.30	New
200.40	New
200.50	New
200.60	New
200.70	New
200.80	New
200.90	New
- 4) Statutory Authority: Implementing and authorized by the Illinois Military Code (20 ILCS 1805/22-9).
- 5) Effective date of rules: May 6, 2003
- 6) Will these rules expire before the end of the 150-day period? No.
- 7) Date filed in agency's principal office: April 30, 2003.
- 8) Reason for the emergency: Taxpayers will be allowed to contribute to the Illinois Military Family Relief Fund through income tax checkoffs in 2004. In the meantime, individual and corporate donations have been made, requiring the need for emergency rules to distribute the grants.
- 9) Complete description of the subjects and issues involved: The Illinois Military Family Relief Fund was signed into law by Governor Blagojevich to provide monetary grants to families of Illinois National Guard members and Illinois residents serving in the Reserve components as a result of the September 11, 2001 terrorist attacks. The majority of the revenue will be garnered through income tax checkoff donations, while other funds have been raised from individual and corporate donations. The grants will be distributed three ways: status-based, need-based and casualty-based.

## DEPARTMENT OF MILITARY AFFAIRS

## NOTICE OF EMERGENCY RULES

- 10) Are there any other proposed amendments pending on this Part? No.
- 11) Statement of Statewide Policy Objectives: These rules do not substantively affect local government in any manner.
- 12) Information and questions regarding this emergency Part shall be directed to:  
Michelle Repaal, Legislative Liaison  
Department of Military Affairs  
1301 North MacArthur Boulevard  
Springfield, Illinois 62702  
Telephone: 217-761-3567  
Fax: 217-761-2485

The full text of the Proposed Amendments begins on the next page.

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DEPARTMENT OF MILITARY AFFAIRS

NOTICE OF EMERGENCY RULES

TITLE 95: VETERANS AND MILITARY AFFAIRS  
CHAPTER II: DEPARTMENT OF MILITARY AFFAIRS

PART 200  
ILLINOIS MILITARY FAMILY RELIEF FUND ACT

SUBPART A: DEFINITIONS

Section

200.5 General Purpose

[EMERGENCY](#)

200.10 Definition of Terms Used

[EMERGENCY](#)

SUBPART B: ELIGIBILITY

Section

200.20 Determination of Eligibility for Need Based Grants

[EMERGENCY](#)

200.30 Determination of Eligibility for Status Based Grants

[EMERGENCY](#)

200.40 Determination of Eligibility for Casualty Based Grants

[EMERGENCY](#)

SUBPART C: GRANTS

Section

200.50 Need Based Grant Levels and Limits

[EMERGENCY](#)

200.60 Status Based Grant Levels and Limits

[EMERGENCY](#)

200.70 Casualty Based Grant Levels and Limits

[EMERGENCY](#)

200.80 Documentation, Application, Payment and Denial

[EMERGENCY](#)

SUBPART D: REPORTING

## DEPARTMENT OF MILITARY AFFAIRS

## NOTICE OF EMERGENCY RULES

## Section

## 200.90 Reporting

[EMERGENCY](#)

AUTHORITY: Implementing and authorized by the Illinois Military Code (20 ILCS 1805/22-9).

SOURCE: Emergency rule adopted at 27 Ill. Reg. [8468](#), effective May 6, 2003 for a maximum of 150 days.

## SUBPART A: DEFINITIONS

## Section 200.5 General Purpose

[EMERGENCY](#)

The intent of “AN ACT in relation to taxation” is to provide a provision on standard individual income tax forms to allow taxpayers to contribute to the Illinois Military Family Relief Fund, and to provide the Illinois Department of Military Affairs the power to make grants from the fund to families of Illinois National Guard members or other Reserve component members (including National Guard members of other states) who are Illinois residents and were called to active military service as a result of the September 11, 2001 terrorist attacks.

The grants shall be in the form of three types of payments: (1) payments based on the need of the member or the member’s family as determined eligible under Section 200.20; (2) payments based on the member’s status as a member of the Illinois National Guard or other Reserve component, made to the member or the member’s family as determined eligible under Section 200.30; and (3) payments to the member’s next of kin as determined eligible under Section 200.40.

## Section 200.10 Definition of Terms Used

[EMERGENCY](#)

- a) “Families of members” means:
    - 1) A husband, wife, child, mother, father, brother, sister, or other person who has been approved as a dependent and is enrolled in the Defense Enrollment Eligibility Reporting System (DEERS) in accordance with applicable military regulations. A custodial parent or guardian of a member’s dependent may apply for a grant on behalf of that dependent.
- “Next of kin” means:

## DEPARTMENT OF MILITARY AFFAIRS

## NOTICE OF EMERGENCY RULES

- 1) The person listed as next of kin for the member in DEERS. In the case of multiple entries for next of kin, the first person listed shall be considered next of kin for the purposes of this rule.
- a) “Active duty” means:
- 1) Military service performed as State Active Duty under the Illinois Military Code (20 ILCS 1805/1 et seq.), or corresponding provision of the applicable state statute for Illinois residents who are National Guard members of other states; or
  - 2) Military service performed under the provisions of Title 32, United States Code; or
  - 3) Military service performed under the provisions of Title 10, United States Code.
- b) “Duty as a result of September 11, 2001 terrorist attacks” means:
- 1) Active duty service of a minimum of 30 consecutive days, directly related to the President’s Partial Mobilization Authority in response to the attacks (currently referred to as Operation Noble Eagle and Operation Enduring Freedom); or
  - 2) Any future operations as determined by the President; or
  - 3) Any future operations as determined by the Governor of Illinois.

## SUBPART B: ELIGIBILITY

Section 200.20 Determination of Eligibility for Need Based Grants  
[EMERGENCY](#)

The grant applicant must show proof of the following:

- 1) He or she is a member of the Illinois National Guard or an Illinois resident who is a member of another U.S. Armed Forces Reserve component, applying on behalf of his or her family, or is a family member of that

## DEPARTMENT OF MILITARY AFFAIRS

## NOTICE OF EMERGENCY RULES

member. Proof of residency for military members will consist of information obtained from DEERS. Proof of a familial relationship will also consist of information obtained from DEERS.

- 2) The Illinois National Guard or Reserve component member was on active military duty for at least 30 consecutive days as a result of the September 11, 2001 terrorist attacks. Proof of active duty will consist of a copy of the orders issued by an authorized headquarters ordering the member to such duty, and documentation showing that such duty was actually performed. Eligible active duty includes any active duty since September 11, 2001.
- 3) A copy of a payroll record from the member's civilian employer that indicates member's monthly salary plus a copy of a military payroll record that indicates the member's monthly salary.
- 4) Proof that the military salary (including Basic Allowance for Housing) of the member has decreased by 30% or greater from his or her civilian salary.
- 5) Proof that the member or family member has incurred or is about to incur a specific monetary expense relating to clothing, food, housing, utilities, medical services, medical prescriptions, insurance or vehicle payments. Such proof shall include, but is not limited to, a copy of a bill, invoice, estimate, cancellation notice, or any other similar record.
- 6) A signed statement that the grant request is for the purpose identified in the application and that the grant funds will be used for the purposes requested.
- 7) The Illinois National Guard or Reserve component member holds a pay grade no higher than O-3, if a commissioned officer, or W-2, if a warrant officer. Individuals or families will be eligible for the grant based upon rank at the time of the mobilization; and proof of pay grades will consist of information obtained from DEERS.
- 8) If a custodial parent or guardian is applying for a grant on behalf of a member's dependant then the custodial parent or guardian must provide proof of guardianship of a member's dependant currently enrolled in

## DEPARTMENT OF MILITARY AFFAIRS

## NOTICE OF EMERGENCY RULES

DEERS.

- 9) The Adjutant General is authorized to waive the requirements in subsection (a)(4) upon a written request indicating the circumstances justifying such a waiver, and upon proof that there has in fact been some decrease from the member's civilian salary. Such circumstances include, but are not limited to, death, injury or incapacity of the member, long-term deployment of the member and unexpected expenses incurred by the member's family. The Adjutant General may use discretion in granting or denying such requests.
- b) The following members are ineligible to receive grants:
  - 1) All commissioned and warrant officers with pay grades of O-4 and W-3, or higher;
  - 2) Personnel serving in Active Guard/Reserve (AGR) or similar full-time unit support programs unless called to Title 10 service;
  - 3) Members who are unmarried and have no family members enrolled in DEERS.
  - 4) Members who, at any time prior to the disbursement of funds pursuant to a grant application under this section, receive a punitive discharge, or an administrative discharge with service characterized as Under Other Than Honorable Conditions.

Section 200.30 Determination of Eligibility for Status Based Grants

EMERGENCY

- a) The grant applicant must show proof of the following:
  - 1) He or she is a member of the Illinois National Guard or an Illinois resident who is a member of another U.S. Armed Forces Reserve component, applying on behalf of his or her family, or is a family member of that member. Proof of residency for military members will consist of information obtained from the Defense Enrollment Eligibility Reporting System (DEERS). Proof of a familial relationship will also consist of information obtained from DEERS.

## DEPARTMENT OF MILITARY AFFAIRS

## NOTICE OF EMERGENCY RULES

- 2) The Illinois National Guard or Reserve component member was on active military duty for at least 30 consecutive days as a result of the September 11, 2001 terrorist attacks. Proof of active duty will consist of a copy of the orders issued by an authorized headquarters ordering the member to such duty, and documentation showing that such duty was actually performed. Eligible active duty includes any active duty since September 11, 2001.
  - 3) The Illinois National Guard or Reserve component member holds a pay grade no higher than O-3, if a commissioned officer, or W-2, if a warrant officer. Individuals or families will be eligible for the grant based upon rank at the time of mobilization; and proof of pay grades will consist of information obtained from DEERS.
- b) The following members are ineligible to receive grants:
- 1) All commissioned and warrant officers with pay grades of O-4 and W-3, or higher;
  - 2) Personnel serving in Active Guard/Reserve (AGR) or similar full-time unit support programs unless called to Title 10 service;
  - 3) Members who are unmarried and who have no family members enrolled in DEERS;
  - 4) Members who receive a punitive discharge, or an administrative discharge with service characterized as Under Other Than Honorable Conditions.

## Section 200.40 Determination of Eligibility for Casualty Based Grants

EMERGENCY

- a) The grant applicant must show proof of the following:
- 1) He or she is a member of the Illinois National Guard or an Illinois resident who is a member of another U.S. Armed Forces Reserve component, applying on behalf of his or her family, or is next of kin of that member. Proof of residency for military members will consist of information obtained from DEERS. Proof of a familial relationship will also consist of information obtained from DEERS.
  - 2) The Illinois National Guard or Reserve component member was on active military duty for at least 30 consecutive days as a result of the September

## DEPARTMENT OF MILITARY AFFAIRS

## NOTICE OF EMERGENCY RULES

11, 2001 terrorist attacks. Proof of active duty will consist of a copy of the orders issued by an authorized headquarters ordering the member to such duty, and documentation showing that such duty was actually performed;

- 3) A statement, signed by the member or next of kin of the member, stating that the member sustained a service-connected injury, illness, death, is killed, missing in action, or a prisoner of war.
  - 4) Proof of next of kin status may include, but is not limited to, an affidavit signed by the applicant, or information obtained from DEERS.
  - 5) The Adjutant General is authorized to waive the 30-day requirement in subsection (a)(2) upon a written request indicating the circumstances justifying such a waiver. The Adjutant General may use discretion in granting or denying such requests.
  - 6) The Department of Military Affairs must verify with the U.S. Department of Defense that the member has been wounded, killed, is missing in action, is a prisoner of war, or otherwise incapacitated while on active duty. No payments shall be made without such verification.
- b) Applications submitted under this section shall take precedence over all other applications.
  - c) The following members are ineligible to receive grants under this section:
    - 1) Members who, at any time prior to the disbursement of funds pursuant to a grant application under this section, receive a punitive discharge, or an administrative discharge with service characterized as Under Other Than Honorable Conditions.

## SUBPART C: GRANTS

## Section 200.50 Need Based Grant Levels and Limits

EMERGENCY

- a) Payments to an Illinois National Guard or Reserve component member's family shall not exceed \$2,000.00, to include any amounts paid under the provision of

## DEPARTMENT OF MILITARY AFFAIRS

## NOTICE OF EMERGENCY RULES

Section 200.60, during any State of Illinois fiscal year.

- b) If a grant payment is to be used for the purpose of payments for food, housing, utilities, medical services or medical prescriptions, it shall be noted on the application and this information shall be sent to the Illinois Comptrollers office when a payment request is granted. These payments shall be identified as responsive to Health and Welfare issues.
- c) No additional applications from a member or a member's family shall be accepted within a 180-day time frame from receipt of any prior applications.
- d) All grants will be paid directly to the applicant -- payments will not be made directly to creditors.
- e) The Adjutant General is authorized to waive the requirements in subsections (a) and (c) of this Section upon a written request indicating the circumstances justifying such a waiver. The Adjutant General may use discretion in granting or denying such requests; however, in no event will payments authorized by this Section exceed \$3,000 during any State of Illinois fiscal year.

Section 200.60 Status Based Grant Levels and Limits

EMERGENCY

- a) All grants will be a flat rate of \$500, unless the number of requests and fund balance necessitate a lesser amount as determined by the State Comptroller.
- b) Illinois National Guard or Reserve component members' families may receive a grant only one time per State of Illinois fiscal year, and only one time per active duty order.
- c) All grants will be paid directly to the applicant – payments will not be made directly to creditors.

Section 200.70 Casualty Based Grant Levels and Limits

EMERGENCY

## DEPARTMENT OF MILITARY AFFAIRS

## NOTICE OF EMERGENCY RULES

- a) All grants will be a flat rate of \$1,000, unless the number of requests and fund balance necessitate a lesser amount, as determined by the State Comptroller.
- b) Illinois National Guard or Reserve component members or next of kin may receive a grant only one time per active duty order.
- c) All grants will be paid directly to the applicant – payments will not be made directly to creditors.

## Section 200.80 Documentation, Application, Payment and Denial

EMERGENCY

- a) Application & Documentation. The rules governing the acceptance of applications are as follows.
  - 1) To receive consideration for a grant, applicants must request and submit an application provided by the Illinois Department of Military Affairs:
  - 2) All necessary documentation, as stated in Section 200.20 or Section 200.30 or Section 200.40, must be included with the application, unless otherwise provided under DEERS, and the applicant shall authorize access to DEERS for purposes of verification.
  - 3) Applications can be submitted via facsimile, but the original documentation must be submitted before any grant payments can be authorized.
  - 4) Incomplete applications will be returned to the applicant.
  - 5) The Department of Military Affairs, upon receipt of a complete original application, will verify required information under DEERS and will then process the information for payment. The application shall be processed in an expeditious manner.
- b) Payments.
  - 1) Payment will be made to the applicant who has met all eligibility requirements under Section 200.20, Section 200.30 or Section 200.40.

## DEPARTMENT OF MILITARY AFFAIRS

## NOTICE OF EMERGENCY RULES

- 2) The timeliness of payment will be determined by the amount of funds available at the time of application.
  - 3) If adequate funds are not available, the application will be held in a queue until funds are available.
  - 4) Applications for casualty based grants shall take precedence over all others.
- c) Denials.
- 1) Grant applications from those not meeting eligibility requirements will be denied.
  - 2) A letter explaining the denial, as well as providing additional sources of available relief, will be sent to the applicant within 30 days of receipt.

## Section 200.90 Reporting Requirements

EMERGENCY

- a) The Adjutant General shall provide the Governor, Lieutenant Governor and the Comptroller a monthly report detailing the funds requested and amount disbursed. The Comptroller is responsible for reporting grant amounts to the Illinois Department of Revenue.
- b) If an application is denied for any reason, The Adjutant General shall include this information in the report called for in subsection (a).
- c) The Adjutant General shall provide the Governor, Lieutenant Governor and the Comptroller a monthly report containing a monthly accounting of the amount of funds donated to the fund.

## DEPARTMENT OF REVENUE

## NOTICE OF REQUEST FOR EXPEDITED CORRECTION

- 1) Heading of the Part: Retailers' Occupation Tax
- 2) Code Citation: 86 Ill. Adm. Code 130
- 3) Section Numbers: 130.120
- 4) Date Proposal published in Illinois Register: November 2, 2001, 25 Ill. Reg. 14070
- 5) Date Adoption published in Illinois Register: April 12, 2002, 26 Ill. Reg. 5369
- 6) Summary and Purpose of Expedited Correction:

Amendments to Section 130.2135, as part of the same rulemaking, correctly referenced the effective dates for the exemption for merchandise sold in bulk vending machines. This request corrects inadvertent errors made in Section 130.120(n) regarding the effective date of the same exemption as follows:

until ~~January 1, 2001~~ December 31, 2001, of merchandise in bulk when sold from a vending machine for 1¢; on and after January 1, 2002, the exemption applies to merchandise in bulk when sold from a vending machine for \$0.50 or less (see 35 ILCS 120/1 and Section 130.2135 of this Part);

- 7) Information and questions regarding this request shall be directed to:

Martha Mote  
Associate Counsel  
Legal Services Office 5-500  
Illinois Department of Revenue  
101 West Jefferson Street  
Springfield IL 62794  
(217) 782-2844

## DEPARTMENT OF REVENUE

## NOTICE OF REQUEST FOR EXPEDITED CORRECTION

## TITLE 86: REVENUE

## CHAPTER I: DEPARTMENT OF REVENUE

## PART 130

## RETAILERS' OCCUPATION TAX

## SUBPART A: NATURE OF TAX

Section	
130.101	Character and Rate of Tax
130.105	Responsibility of Trustees, Receivers, Executors or Administrators
130.110	Occasional Sales
130.111	Sale of Used Motor Vehicles by Leasing or Rental Business
130.115	Habitual Sales
130.120	Nontaxable Transactions

## SUBPART B: SALE AT RETAIL

Section	
130.201	The Test of a Sale at Retail
130.205	Sales for Transfer Incident to Service
130.210	Sales of Tangible Personal Property to Purchasers for Resale
130.215	Further Illustrations of Sales for Use or Consumption Versus Sales for Resale
130.220	Sales to Lessors of Tangible Personal Property
130.225	Drop Shipments

## SUBPART C: CERTAIN STATUTORY EXEMPTIONS

Section	
130.305	Farm Machinery and Equipment
130.310	Food, Drugs, Medicines and Medical Appliances
130.315	Fuel Sold for Use in Vessels on Rivers Bordering Illinois
130.320	Gasohol
130.321	Fuel Used by Air Common Carriers in International Flights
130.325	Graphic Arts Machinery and Equipment Exemption
130.330	Manufacturing Machinery and Equipment
130.331	Manufacturer's Purchase Credit
130.332	Automatic Vending Machines
130.335	Pollution Control Facilities

## DEPARTMENT OF REVENUE

## NOTICE OF REQUEST FOR EXPEDITED CORRECTION

130.340	Rolling Stock
130.345	Oil Field Exploration, Drilling and Production Equipment
130.350	Coal Exploration, Mining, Off Highway Hauling, Processing, Maintenance and Reclamation Equipment
130.351	Aggregate Manufacturing

## SUBPART D: GROSS RECEIPTS

Section	
130.401	Meaning of Gross Receipts
130.405	How to Avoid Paying Tax on State or Local Tax Passed on to the Purchaser
130.410	Cost of Doing Business Not Deductible
130.415	Transportation and Delivery Charges
130.420	Finance or Interest Charges – Penalties – Discounts
130.425	Traded-In Property
130.430	Deposit or Prepayment on Purchase Price
130.435	State and Local Taxes Other Than Retailers' Occupation Tax
130.440	Penalties
130.445	Federal Taxes
130.450	Installation, Alteration and Special Service Charges
130.455	Motor Vehicle Leasing and Trade-In Allowances

## SUBPART E: RETURNS

Section	
130.501	Monthly Tax Returns – When Due – Contents
130.502	Quarterly Tax Returns
130.505	Returns and How to Prepare
130.510	Annual Tax Returns
130.515	First Return
130.520	Final Returns When Business is Discontinued
130.525	Who May Sign Returns
130.530	Returns Covering More Than One Location Under Same Registration – Separate Returns for Separately Registered Locations
130.535	Payment of the Tax, Including Quarter Monthly Payments in Certain Instances
130.540	Returns on a Transaction by Transaction Basis
130.545	Registrants Must File a Return for Every Return Period
130.550	Filing of Returns for Retailers by Suppliers Under Certain Circumstances
130.551	Prepayment of Retailers' Occupation Tax on Motor Fuel

## DEPARTMENT OF REVENUE

## NOTICE OF REQUEST FOR EXPEDITED CORRECTION

- 130.555 Vending Machine Information Returns
- 130.560 Verification of Returns

## SUBPART F: INTERSTATE COMMERCE

- Section
- 130.601 Preliminary Comments
- 130.605 Sales of Property Originating in Illinois
- 130.610 Sales of Property Originating in Other States

## SUBPART G: CERTIFICATE OF REGISTRATION

- Section
- 130.701 General Information on Obtaining a Certificate of Registration
- 130.705 Procedure in Disputed Cases Involving Financial Responsibility Requirements
- 130.710 Procedure When Security Must be Forfeited
- 130.715 Sub-Certificates of Registration
- 130.720 Separate Registrations for Different Places of Business of Same Taxpayer Under Some Circumstances
- 130.725 Display
- 130.730 Replacement of Certificate
- 130.735 Certificate Not Transferable
- 130.740 Certificate Required For Mobile Vending Units
- 130.745 Revocation of Certificate

## SUBPART H: BOOKS AND RECORDS

- Section
- 130.801 General Requirements
- 130.805 What Records Constitute Minimum Requirement
- 130.810 Records Required to Support Deductions
- 130.815 Preservation and Retention of Records
- 130.820 Preservation of Books During Pendency of Assessment Proceedings
- 130.825 Department Authorization to Destroy Records Sooner Than Would Otherwise be Permissible

## SUBPART I: PENALTIES AND INTEREST

Section

## DEPARTMENT OF REVENUE

## NOTICE OF REQUEST FOR EXPEDITED CORRECTION

- 130.901 Civil Penalties
- 130.905 Interest
- 130.910 Criminal Penalties

## SUBPART J: BINDING OPINIONS

- Section
- 130.1001 When Opinions from the Department are Binding

## SUBPART K: SELLERS LOCATED ON, OR SHIPPING TO, FEDERAL AREAS

- Section
- 130.1101 Definition of Federal Area
- 130.1105 When Deliveries on Federal Areas Are Taxable
- 130.1110 No Distinction Between Deliveries on Federal Areas and Illinois Deliveries Outside Federal Areas

## SUBPART L: TIMELY MAILING TREATED AS TIMELY FILING AND PAYING

- Section
- 130.1201 General Information
- 130.1205 Due Date that Falls on Saturday, Sunday or a Holiday

## SUBPART M: LEASED PORTIONS OF LESSOR'S BUSINESS SPACE

- Section
- 130.1301 When Lessee of Premises Must File Return for Leased Department
- 130.1305 When Lessor of Premises Should File Return for Business Operated on Leased Premises
- 130.1310 Meaning of "Lessor" and "Lessee" in this Regulation

## SUBPART N: SALES FOR RESALE

- Section
- 130.1401 Seller's Responsibility to Determine the Character of the Sale at the Time of the Sale
- 130.1405 Seller's Responsibility to Obtain Certificates of Resale and Requirements for Certificates of Resale
- 130.1410 Requirements for Certificates of Resale (Repealed)

## DEPARTMENT OF REVENUE

## NOTICE OF REQUEST FOR EXPEDITED CORRECTION

- 130.1415 Resale Number – When Required and How Obtained
- 130.1420 Blanket Certificate of Resale (Repealed)

## SUBPART O: CLAIMS TO RECOVER ERRONEOUSLY PAID TAX

## Section

- 130.1501 Claims for Credit – Limitations – Procedure
- 130.1505 Disposition of Credit Memoranda by Holders Thereof
- 130.1510 Refunds
- 130.1515 Interest

SUBPART P: PROCEDURE TO BE FOLLOWED UPON  
SELLING OUT OR DISCONTINUING BUSINESS

## Section

- 130.1601 When Returns are Required After a Business is Discontinued
- 130.1605 When Returns Are Not Required After Discontinuation of a Business
- 130.1610 Cross Reference to Bulk Sales Regulation

## SUBPART Q: NOTICE OF SALES OF GOODS IN BULK

## Section

- 130.1701 Bulk Sales: Notices of Sales of Business Assets

## SUBPART R: POWER OF ATTORNEY

## Section

- 130.1801 When Powers of Attorney May be Given
- 130.1805 Filing of Power of Attorney With Department
- 130.1810 Filing of Papers by Agent Under Power of Attorney

## SUBPART S: SPECIFIC APPLICATIONS

## Section

- 130.1901 Addition Agents to Plating Baths
- 130.1905 Agricultural Producers
- 130.1910 Antiques, Curios, Art Work, Collectors' Coins, Collectors' Postage Stamps and Like Articles
- 130.1915 Auctioneers and Agents

## DEPARTMENT OF REVENUE

## NOTICE OF REQUEST FOR EXPEDITED CORRECTION

130.1920	Barbers and Beauty Shop Operators
130.1925	Blacksmiths
130.1930	Chiropodists, Osteopaths and Chiropractors
130.1935	Computer Software
130.1940	Construction Contractors and Real Estate Developers
130.1945	Co-operative Associations
130.1950	Dentists
130.1951	Enterprise Zones
130.1952	Sales of Building Materials to a High Impact Business
130.1955	Farm Chemicals
130.1960	Finance Companies and Other Lending Agencies – Installment Contracts – Bad Debts
130.1965	Florists and Nurserymen
130.1970	Hatcheries
130.1971	Sellers of Pets and the Like
130.1975	Operators of Games of Chance and Their Suppliers
130.1980	Optometrists and Opticians
130.1985	Pawnbrokers
130.1990	Peddlers, Hawkers and Itinerant Vendors
130.1995	Personalizing Tangible Personal Property
130.2000	Persons Engaged in the Printing, Graphic Arts or Related Occupations, and Their Suppliers
130.2004	Sales to Nonprofit Arts or Cultural Organizations
130.2005	Persons Engaged in Nonprofit Service Enterprises and in Similar Enterprises Operated As Businesses, and Suppliers of Such Persons
130.2006	Sales by Teacher-Sponsored Student Organizations
130.2007	Exemption Identification Numbers
130.2008	Sales by Nonprofit Service Enterprises
130.2009	Personal Property Purchased Through Certain Fundraising Events for the Benefit of Certain Schools
130.2010	Persons Who Rent or Lease the Use of Tangible Personal Property to Others
130.2011	Sales to Persons Who Lease Tangible Personal Property to Exempt Hospitals
130.2012	Sales to Persons Who Lease Tangible Personal Property to Governmental Bodies
130.2013	Persons in the Business of Both Renting and Selling Tangible Personal Property – Tax Liabilities, Credit
130.2015	Persons Who Repair or Otherwise Service Tangible Personal Property
130.2020	Physicians and Surgeons
130.2025	Picture-Framers
130.2030	Public Amusement Places

## DEPARTMENT OF REVENUE

## NOTICE OF REQUEST FOR EXPEDITED CORRECTION

130.2035	Registered Pharmacists and Druggists
130.2040	Retailers of Clothing
130.2045	Retailers on Premises of the Illinois State Fair, County Fairs, Art Shows, Flea Markets and the Like
130.2050	Sales and Gifts By Employers to Employees
130.2055	Sales by Governmental Bodies
130.2060	Sales of Alcoholic Beverages, Motor Fuel and Tobacco Products
130.2065	Sales of Automobiles for Use In Demonstration (Repealed)
130.2070	Sales of Containers, Wrapping and Packing Materials and Related Products
130.2075	Sales To Construction Contractors, Real Estate Developers and Speculative Builders
130.2076	Sales to Purchasers Performing Contracts with Governmental Bodies
130.2080	Sales to Governmental Bodies, Foreign Diplomats and Consular Personnel
130.2085	Sales to or by Banks, Savings and Loan Associations and Credit Unions
130.2090	Sales to Railroad Companies
130.2095	Sellers of Gasohol, Coal, Coke, Fuel Oil and Other Combustibles
130.2100	Sellers of Feeds and Breeding Livestock
130.2101	Sellers of Floor Coverings
130.2105	Sellers of Newspapers, Magazines, Books, Sheet Music and Musical Recordings, and Their Suppliers; Transfer of Data Downloaded Electronically
130.2110	Sellers of Seeds and Fertilizer
130.2115	Sellers of Machinery, Tools and Special Order Items
130.2120	Suppliers of Persons Engaged in Service Occupations and Professions
130.2125	Trading Stamps and Discount Coupons
130.2130	Undertakers and Funeral Directors
130.2135	Vending Machines
130.2140	Vendors of Curtains, Slip Covers, Floor Covering and Other Similar Items Made to Order
130.2145	Vendors of Meals
130.2150	Vendors of Memorial Stones and Monuments
130.2155	Tax Liability of Sign Vendors
130.2156	Vendors of Steam
130.2160	Vendors of Tangible Personal Property Employed for Premiums, Advertising, Prizes, Etc.
130.2165	Veterinarians
130.2170	Warehousemen

## SUBPART T: DIRECT PAYMENT PROGRAM

## DEPARTMENT OF REVENUE

## NOTICE OF REQUEST FOR EXPEDITED CORRECTION

## Section

130.2500	Direct Payment Program
130.2505	Qualifying Transactions, Non-transferability of Permit
130.2510	Permit Holder's Payment of Tax
130.2515	Application for Permit
130.2520	Qualification Process and Requirements
130.2525	Application Review
130.2530	Recordkeeping Requirements
130.2535	Revocation and Withdrawal

## ILLUSTRATION A Examples of Tax Exemption Card

**AUTHORITY:** Implementing the Illinois Retailers' Occupation Tax Act [35 ILCS 120] and authorized by Section 2505-25 of the Civil Administrative Code of Illinois [20 ILCS 2505/2505-25].

**SOURCE:** Adopted July 1, 1933; amended at 2 Ill. Reg. 50, p. 71, effective December 10, 1978; amended at 3 Ill. Reg. 12, p. 4, effective March 19, 1979; amended at 3 Ill. Reg. 13, pp. 93 and 95, effective March 25, 1979; amended at 3 Ill. Reg. 23, p. 164, effective June 3, 1979; amended at 3 Ill. Reg. 25, p. 229, effective June 17, 1979; amended at 3 Ill. Reg. 44, p. 193, effective October 19, 1979; amended at 3 Ill. Reg. 46, p. 52, effective November 2, 1979; amended at 4 Ill. Reg. 24, pp. 520, 539, 564 and 571, effective June 1, 1980; amended at 5 Ill. Reg. 818, effective January 2, 1981; amended at 5 Ill. Reg. 3014, effective March 11, 1981; amended at 5 Ill. Reg. 12782, effective November 2, 1981; amended at 6 Ill. Reg. 2860, effective March 3, 1982; amended at 6 Ill. Reg. 6780, effective May 24, 1982; codified at 6 Ill. Reg. 8229; recodified at 6 Ill. Reg. 8999; amended at 6 Ill. Reg. 15225, effective December 3, 1982; amended at 7 Ill. Reg. 7990, effective June 15, 1983; amended at 8 Ill. Reg. 5319, effective April 11, 1984; amended at 8 Ill. Reg. 19062, effective September 26, 1984; amended at 10 Ill. Reg. 1937, effective January 10, 1986; amended at 10 Ill. Reg. 12067, effective July 1, 1986; amended at 10 Ill. Reg. 19538, effective November 5, 1986; amended at 10 Ill. Reg. 19772, effective November 5, 1986; amended at 11 Ill. Reg. 4325, effective March 2, 1987; amended at 11 Ill. Reg. 6252, effective March 20, 1987; amended at 11 Ill. Reg. 18284, effective October 27, 1987; amended at 11 Ill. Reg. 18767, effective October 28, 1987; amended at 11 Ill. Reg. 19138, effective October 29, 1987; amended at 11 Ill. Reg. 19696, effective November 23, 1987; amended at 12 Ill. Reg. 5652, effective March 15, 1988; emergency amendment at 12 Ill. Reg. 14401, effective September 1, 1988, for a maximum of 150 days, modified in response to an objection of the Joint Committee on Administrative Rules at 12 Ill. Reg. 19531, effective November 4, 1988, not to exceed the 150 day time limit of the original rulemaking; emergency expired January 29, 1989; amended at 13 Ill. Reg. 11824, effective June 29, 1989; amended at 14

## DEPARTMENT OF REVENUE

## NOTICE OF REQUEST FOR EXPEDITED CORRECTION

Ill. Reg. 241, effective December 21, 1989; amended at 14 Ill. Reg. 872, effective January 1, 1990; amended at 14 Ill. Reg. 15463, effective September 10, 1990; amended at 14 Ill. Reg. 16028, effective September 18, 1990; amended at 15 Ill. Reg. 6621, effective April 17, 1991; amended at 15 Ill. Reg. 13542, effective August 30, 1991; amended at 15 Ill. Reg. 15757, effective October 15, 1991; amended at 16 Ill. Reg. 1642, effective January 13, 1992; amended at 17 Ill. Reg. 860, effective January 11, 1993; amended at 17 Ill. Reg. 18142, effective October 4, 1993; amended at 17 Ill. Reg. 19651, effective November 2, 1993; amended at 18 Ill. Reg. 1537, effective January 13, 1994; amended at 18 Ill. Reg. 16866, effective November 7, 1994; amended at 19 Ill. Reg. 13446, effective September 12, 1995; amended at 19 Ill. Reg. 13568, effective September 11, 1995; amended at 19 Ill. Reg. 13968, effective September 18, 1995; amended at 20 Ill. Reg. 4428, effective March 4, 1996; amended at 20 Ill. Reg. 5366, effective March 26, 1996; amended at 20 Ill. Reg. 6991, effective May 7, 1996; amended at 20 Ill. Reg. 9116, effective July 2, 1996; amended at 20 Ill. Reg. 15753, effective December 2, 1996; expedited correction at 21 Ill. Reg. 4052, effective December 2, 1996; amended at 20 Ill. Reg. 16200, effective December 16, 1996; amended at 21 Ill. Reg. 12211, effective August 26, 1997; amended at 22 Ill. Reg. 3097, effective January 27, 1998; amended at 22 Ill. Reg. 11874, effective June 29, 1998; amended at 22 Ill. Reg. 19919, effective October 28, 1998; amended at 22 Ill. Reg. 21642, effective November 25, 1998; amended at 23 Ill. Reg. 9526, effective July 29, 1999; amended at 23 Ill. Reg. 9898, effective August 9, 1999; amended at 24 Ill. Reg. 10713, effective July 7, 2000; emergency amendment at 24 Ill. Reg. 11313, effective July 12, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 15104, effective October 2, 2000; amended at 24 Ill. Reg. 18376, effective December 1, 2000; amended at 25 Ill. Reg. 941, effective January 8, 2001; emergency amendment at 25 Ill. Reg. 1792, effective January 16, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 4674, effective March 15, 2001; amended at 25 Ill. Reg. 4950, effective March 19, 2001; amended at 25 Ill. Reg. 5398, effective April 2, 2001; amended at 25 Ill. Reg. 6515, effective May 3, 2001; expedited correction at 25 Ill. Reg. 15681, effective May 3, 2001; amended at 25 Ill. Reg. 6713, effective May 9, 2001; amended at 25 Ill. Reg. 7264, effective May 25, 2001; amended at 25 Ill. Reg. 10917, effective August 13, 2001; amended at 25 Ill. Reg. 12841, effective October 1, 2001; amended at 26 Ill. Reg. 958, effective January 15, 2002; amended at 26 Ill. Reg. 1303, effective January 17, 2002; amended at 26 Ill. Reg. 3196, effective February 13, 2002; amended at 26 Ill. Reg. 5369, effective April 1, 2002; expedited correction at 26 Ill. Reg. \_\_\_\_\_, effective April 1, 2002; amended at 26 Ill. Reg. 5946, effective April 15, 2002; amended at 26 Ill. Reg. 8423, effective May 24, 2002; amended at 26 Ill. Reg. 9885, effective June 24, 2002; amended at 27 Ill. Reg. 795, effective January 3, 2003.

## SUBPART A: NATURE OF TAX

Section 130.120 Nontaxable Transactions

## DEPARTMENT OF REVENUE

## NOTICE OF REQUEST FOR EXPEDITED CORRECTION

The tax does not apply to receipts from sales:

- a) of intangible personal property, such as shares of stocks, bonds, evidences of interest in property, corporate or other franchises and evidences of debt;
- b) of real property, such as lands and buildings that are permanently attached to the land;
- c) of tangible personal property for purposes of resale in any form as tangible personal property, provided that the purchaser (except in the case of an out-of-State purchaser who will always resell and deliver the property to his customers outside Illinois) has an active registration number or active resale number from the Department and gives such number to the vendor in connection with certifying to the vendor that the sale to such purchaser is nontaxable on the ground of being a sale for resale (see Subparts B and N of this Part);
- d) of personal services, where rendered as such (see various rules relating to particular service occupations); however, for information concerning the tax on persons engaged in the business of making sales of service, see the Regulations pertaining to the Service Occupation Tax Act (86 Ill. Adm. Code 140);
- e) which are within the protection of the Commerce Clause of the Constitution of the United States (see Subpart F of this Part);
- f) which are isolated or occasional (see Section 130.110 of this Subpart);
- g) of newspapers and magazines (see Section 130.2105 of this Part);
- h) which are made to any corporation, society, association, foundation or institution organized and operated exclusively for charitable, religious or educational purposes, or any not-for-profit corporation, society, association, foundation, institution or organization which has no compensated officers or employees and which is organized and operated primarily for the recreation of persons 55 years of age or older. A limited liability company may qualify for the exemption under this subsection only if the limited liability company is organized and operated exclusively for educational purposes (see Section 130.2005 of this Part);
- i) which are made to any governmental body (see Section 130.2080 of this Part);

## DEPARTMENT OF REVENUE

## NOTICE OF REQUEST FOR EXPEDITED CORRECTION

- j) of pollution control facilities (see Section 130.335 of this Part);
- k) *of fuel consumed or used in the operation of ships, barges or vessels that are used primarily in or for the transportation of property or the conveyance of persons for hire on rivers bordering on this State if the fuel is delivered by the seller to the purchaser's barge, ship or vessel while it is afloat upon that bordering river* [35 ILCS 120/2-5(24)] (see Section 130.315 of this Part);
- l) of tangible personal property to interstate carriers for hire for use as rolling stock moving in interstate commerce (see Section 130.340 of this Part);
- m) of a motor vehicle in this State to a nonresident even though such motor vehicle is delivered to such nonresident in this State, if such motor vehicle is not to be titled in this State, and if a driveaway decal permit is issued to such motor vehicle as provided in Section 3-603 of the Illinois Vehicle Code [625 ILCS 5/3-603], or if the nonresident purchaser has vehicle registration plates to transfer to the motor vehicle upon returning to his home state ([see Section 130.605](#));
- n) until [December 31, 2001](#) ~~January 1, 2001~~, of merchandise in bulk when sold from a vending machine for 1¢; on and after January 1, 2002, the exemption applies to merchandise in bulk when sold from a vending machine for \$0.50 or less (see 35 ILCS 120/1 and Section 130.2135 of this Part);
- o) of food and beverages by a person who is the recipient of a grant or contract under Title VII of the Older Americans Act of 1965 (42 USC 3021) and serves meals to participants in the Federal Nutrition Program for the Elderly in return for contributions established in amount by the individual participant pursuant to a schedule of suggested fees as provided for in the Federal Act;
- p) of farm chemicals (see Section 130.1955 of this Part);
- q) of manufacturing machinery and equipment that qualifies for exemption under provisions of Section 130.330 of this Part;
- r) of services included in gross receipts for purposes of the Retailers' Occupation Tax and which are designated mandatory service charges by vendors of meals to the extent that the proceeds of the service charge are in fact turned over to the employees who would normally have received tips had the service charge policy not been introduced. Service charges which are used to fund or pay wages, labor

## DEPARTMENT OF REVENUE

## NOTICE OF REQUEST FOR EXPEDITED CORRECTION

costs, employee benefits or employer costs of doing business are taxable gross receipts;

- s) *of any petroleum product, if the seller is prohibited by federal law from charging tax to the purchaser [35 ILCS 120/2-5(16)].*
- 1) For example, federal law prohibits sellers from charging tax to Amtrak when it purchases petroleum products. However, federal law does not relieve the seller of Retailers' Occupation Tax liability in these transactions. For that reason, the exemption set out in this subsection is necessary to relieve the seller of Retailers' Occupation Tax liability when making sales of petroleum products to Amtrak.
  - 2) The nontaxable transaction set out above is also applicable to local Retailers' Occupation Taxes imposed by municipalities, counties, the Regional Transportation Authority and Metro East Mass Transit District;
- t) *of farm machinery and equipment, both new and used including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture, or state or federal agricultural programs, including individual replacement parts for the machinery and equipment and including machinery and equipment purchased for lease [35 ILCS 120/2-5(2)] (see Section 130.305);*
- u) *of distillation machinery and equipment, sold as a unit or kit, certified by the user to be used only for the production of ethyl alcohol that will be used for consumption as a motor fuel or as a component of motor fuel for personal use of the user and not subject to sale or resale [35 ILCS 120/2-5(3)];*
- v) *of graphic arts machinery and equipment, including repair and replacement parts [35 ILCS 120/2-5(4)] (see Section 130.325);*
- w) *a motor vehicle of the first division, a motor vehicle of the second division that is a self-contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping, or travel use, with direct walk through access to the living quarters from the driver's seat, or a motor vehicle of the second division that is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers, as defined in Section 1-146 of the Illinois Vehicle Code that is used for automobile renting as defined in the*

## DEPARTMENT OF REVENUE

## NOTICE OF REQUEST FOR EXPEDITED CORRECTION

*Automobile Renting Occupation and Use Tax Act* [35 ILCS 120/2-5(5)];

- x) *of personal property sold by a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois* [35 ILCS 120/2-5(6)] (see Section 130.2006);
- y) *of that portion of the selling price of a passenger car, the sale of which is subject to the replacement vehicle tax of the Illinois Vehicle Code* [625 ILCS 5/3-2001] [35 ILCS 120/2-5(7)];
- z) *of personal property sold to an Illinois county fair association for use in conducting, operating or promoting the county fair* [35 ILCS 120/2-5(8)];
- aa) *of personal property sold to any not-for-profit arts or cultural organization that establishes that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code (26 USCA 501) and that is organized and operated for the presentation or support of arts or cultural programming, activities, or services. On and after July 1, 2001, the qualifying organizations listed in this subsection (aa) must also be organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations* [35 ILCS 120/2-5(9)] (see Section 130.2004 of this Part);
- bb) *of personal property sold by a corporation, society, association, foundation, institution or organization that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise* [35 ILCS 120/2-5(10)] (see Section 130.2008);
- cc) *of legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America or the government of any foreign country and bullion* [35 ILCS 120/2-5(11)], unless such items are transferred as jewelry and therefore subject to tax;
- dd) *of oil field exploration, drilling and production equipment* [35 ILCS 120/2-5(19)] (see Section 130.345);

## DEPARTMENT OF REVENUE

## NOTICE OF REQUEST FOR EXPEDITED CORRECTION

- ee) *of photoprocessing machinery and equipment, including repair and replacement parts* [35 ILCS 120/2-5(20)] (see Section 130.2000);
- ff) *of coal exploration, mining, off highway hauling, processing, maintenance and reclamation equipment, including replacement parts and equipment* [35 ILCS 120/2-5(21)] (see Section 130.350);
- gg) *of fuel and petroleum products sold to or used by an air common carrier, certified by the carrier to be used for consumption, shipment or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers* [35 ILCS 120/2-5(22)] (see Section 130.321);
- hh) *of semen used for artificial insemination of livestock for direct agricultural production.* [35 ILCS 120/2-5(26)] Exemption certifications must be executed by the purchaser. The certificate must include the seller's name and address, the purchaser's name and address, the purchaser's registration number with the Department, the purchaser's signature and date of signing and a statement that the semen purchased will be used for artificial insemination of livestock for direct agricultural production. The certificates shall be retained by the retailer and shall be made available to the Department for inspection or audit;
- ii) *beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, of personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.* [35 ILCS 120/2-5(30)] Exemption certifications must be executed by the purchaser. The certificate must include the seller's name and address, the purchaser's name and address, the purchaser's registration number with the Department, if applicable, the purchaser's signature and the date of signing, a description of the items being purchased for donation, a statement that the property purchased will be donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the

## DEPARTMENT OF REVENUE

## NOTICE OF REQUEST FOR EXPEDITED CORRECTION

disaster who reside within the declared disaster area, and that entity's sales tax exemption identification number. The certificates shall be retained by the retailer and shall be made available to the Department for inspection or audit;

- jj) *beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, of personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster. [35 ILCS 120/2-5(31)]* Exemption certifications must be executed by the purchaser. The certificate must include the seller's name and address, the purchaser's name and address, the purchaser's registration number with the Department, if applicable, the purchaser's signature and date of signing, a description of the items being purchased, and a statement that the property purchased is for use in the performance of infrastructure repairs initiated on facilities located in the declared disaster area within six months after the disaster in this State resulting from a State or federally declared disaster area in Illinois or bordering Illinois. The certificates shall be retained by the retailer and shall be made available to the Department for inspection or audit;
- kk) *of a transaction in which the purchase order is received by a florist who is located outside Illinois, but who has a florist located in Illinois deliver the property to the purchaser or the purchaser's donee in Illinois [35 ILCS 120/2-5(23)];*
- ll) *until June 1, 2000, of horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes [35 ILCS 120/2-5(27)];*
- mm) *effective January 1, 1996 through December 31, 2000, and on and after August 2, 2001, of computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or*

## DEPARTMENT OF REVENUE

## NOTICE OF REQUEST FOR EXPEDITED CORRECTION

*longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act [35 ILCS 120/2-5(28)] (see Section 130.2011 of this Part);*

- nn) *effective January 1, 1996 through December 31, 2000, and on and after August 2, 2001, of personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act [35 ILCS 120/2-5(29)] (see Section 130.2012 of this Part);*
- oo) *of tangible personal property sold to a common carrier by rail or motor that receives the physical possession of the property in Illinois and that transports the property, or shares with another common carrier in the transportation of the property, out of Illinois on a standard uniform bill of lading showing the seller of the property as the shipper or consignor of the property to a destination outside Illinois, for use outside Illinois [35 ILCS 120/2-5(17)];*
- pp) *of aggregate exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code [35 ILCS 120/7];*
- qq) beginning July 20, 1999, game or game birds purchased at:
  - 1) a game breeding and hunting preserve area licensed by the Department of Natural Resources (see Section 3.27 of the Wildlife Code [520 ILCS 5/3.27]);
  - 2) an exotic game hunting area licensed by the Department of Natural Resources (see Section 3.34 of the Wildlife Code [520 ILCS 5/3.34]); or
  - 3) a hunting enclosure approved through rules adopted by the Department of Natural Resources;
- rr) *beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are*

## DEPARTMENT OF REVENUE

## NOTICE OF REQUEST FOR EXPEDITED CORRECTION

*sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This subsection (rr) does not apply to fundraising events:*

- 1) *for the benefit of private home instruction; or*
  - 2) *for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity [35 ILCS 120/2-5(34)];*
- ss) *of machinery or equipment used in the operation of a high impact service facility located within an enterprise zone established pursuant to the Illinois Enterprise Zone Act. "High impact service facility" means a facility used primarily for the sorting, handling and redistribution of mail, freight, cargo, or other parcels received from agents or employees of the handler or shipper for processing at a common location and redistribution to other employees or agents for delivery to an ultimate destination on an item-by-item basis, and which:*
- 1) *will make an investment in a business enterprise project of \$100,000,000 or more;*
  - 2) *will cause the creation of at least 750 to 1,000 jobs or more in an enterprise zone established pursuant to the Illinois Enterprise Zone Act; and*
  - 3) *is certified by the Department of Commerce and Community Affairs as contractually obligated to meet the requirements specified in subsection (11)(1) and (2) within the time period as specified by the certification. The certificate of eligibility for exemption shall be presented by the business enterprise to its supplier when making the initial purchase of machinery and equipment for which an exemption is granted by Section 1j of the Act, together with a certification by the business enterprise that such machinery and equipment is exempt from taxation under Section 1j of the Act and by indicating the exempt status of each subsequent purchase on the face of the purchase order [35 ILCS 120/1i];*
- tt) *of jet fuel and petroleum products sold to and used in the conduct of its business of sorting, handling and redistribution of mail, freight, cargo or other parcels in*

## DEPARTMENT OF REVENUE

## NOTICE OF REQUEST FOR EXPEDITED CORRECTION

*the operation of a high impact service facility located within an enterprise zone established pursuant to the Illinois Enterprise Zone Act, provided that the business enterprise has waived its right to a tax exemption of the charges imposed under Section 9-222.1 of the Public Utilities Act [35 ILCS 120/1j.1]. High impact service facilities qualifying under the Act and seeking the exemption under Section 1j.1 shall be ineligible for the exemptions of taxes imposed under Section 9-222.1 of the Public Utilities Act. High impact service facilities qualifying under the Act and seeking the exemption under Section 9-222.1 of the Public Utilities Act shall be ineligible for the exemptions of taxes as described in Section 1j.1 of the Act. [35 ILCS 120/1j.2] The certification of eligibility for exemption shall be presented by the business enterprise to its supplier when making the purchase of jet fuel and petroleum products for which an exemption is granted by Section 1j.1 of the Act, together with a certification by the business enterprise that such jet fuel and petroleum product is exempt from taxation under Section 1j.1 of the Act, and by indicating the exempt status of each subsequent purchase on the face of the purchase order [35 ILCS 120/1i];*

- uu) *of a motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation. [35 ILCS 120/2-5(33)] Exemption certifications must be executed by the purchaser. The certificate must include: the seller's name and address; the purchaser's name and address; the purchaser's registration number with the Department, if applicable; the purchaser's signature and date of signing; a description of the motor vehicle that is being purchased for immediate donation to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes (see Section 130.2005); the donee's sales tax exemption identification number; and a statement that the motor vehicle is being*

## DEPARTMENT OF REVENUE

## NOTICE OF REQUEST FOR EXPEDITED CORRECTION

purchased for immediate donation to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. The certificates shall be retained by the retailer and shall be made available to the Department for inspection or audit;

- vv) *of food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article 5 of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act [35 ILCS 120/2-5(36)];*
- ww) *beginning January 1, 2000 through December 31, 2001, of new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002, of machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts from the use of the commercial, coin-operated amusement and vending machines. [35 ILCS 120/2-5(35)] (See Section 130.332 of this Part.)*

(Source: Expedited correction at 27 Ill. Reg. \_\_\_\_\_, effective April 1, 2002)

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of April 29, 2003 through May 5, 2003 and have been scheduled for review by the Committee at its June 10, 2003 meeting in Chicago. 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.

Second Notice Expires	Agency and Rule	Start Of First Notice	JCAR Meeting
6/13/03	<u>Illinois Commerce Commission</u> , Cost Allocation for Large Local Exchange Carriers (83 Ill. Adm. Code 711)	2/14/03 27 Ill. Reg. 2378	6/10/03
6/13/03	<u>Illinois Commerce Commission</u> , Cost Allocation for Small Local Exchange Carriers (83 Ill. Adm. Code 712)	2/14/03 27 Ill. Reg. 2485	6/10/03
6/14/03	<u>Travel Regulation Council</u> , The Travel Regulation Council (80 Ill. Adm. Code 3000)	2/7/03 27 Ill. Reg. 1798	6/10/03
6/15/03	<u>Department of State Police</u> , Firearm Owner's Identification Card Act (20 Ill. Adm. Code 1230)	3/14/03 27 Ill. Reg. 4502	6/10/03
6/15/03	<u>State Board of Education</u> , Transitional Bilingual Education (23 Ill. Adm. Code 228)	2/7/03 27 Ill. Reg. 1851	6/10/03
6/18/03	<u>Illinois Student Assistance Commission</u> , General Provisions (23 Ill. Adm. Code 2700)	2/7/03 27 Ill. Reg. 1933	6/10/03
6/18/03	<u>Illinois Student Assistance Commission</u> , Federal Family Education Loan Program (FFELP) (23 Ill. Adm. Code 2720)	2/7/03 27 Ill. Reg. 1941	6/10/03

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

6/18/03	<u>Illinois Student Assistance Commission</u> , Illinois National Guard (ING) Grant Program (23 Ill. Adm. Code 2730)	2/7/03 27 Ill. Reg. 1954	6/10/03
6/18/03	<u>Illinois Student Assistance Commission</u> , Illinois Veteran Grant (IVG) Program (23 Ill. Adm. Code 2733)	2/7/03 27 Ill. Reg. 1958	6/10/03
6/18/03	<u>Illinois Student Assistance Commission</u> , Monetary Award Program (MAP) (23 Ill. Adm. Code 2735)	2/7/03 27 Ill. Reg. 1965	6/10/03
6/18/03	<u>Illinois Student Assistance Commission</u> , Illinois Incentive for Access (IIA) Program (23 Ill. Adm. Code 2736)	2/7/03 27 Ill. Reg. 1974	6/10/03
6/18/03	<u>Illinois Student Assistance Commission</u> , Arthur F. Quern Information Technology Grant Program (Repeal) (23 Ill. Adm. Code 2740)	2/7/03 27 Ill. Reg. 1979	6/10/03
6/18/03	<u>Illinois Student Assistance Commission</u> , Optometric Education Scholarship Program (23 Ill. Adm. Code 2741)	2/7/03 27 Ill. Reg. 1986	6/10/03
6/18/03	<u>Illinois Student Assistance Commission</u> , Robert C. Bryd Honors Scholarship Program (23 Ill. Adm. Code 2755)	2/7/03 27 Ill. Reg. 1994	6/10/03
6/18/03	<u>Illinois Student Assistance Commission</u> , Minority Teachers of Illinois (MTI) Scholarship Program (23 Ill. Adm. Code 2763)	2/7/03 27 Ill. Reg. 2002	6/10/03
6/18/03	<u>Illinois Student Assistance Commission</u> , David A. DeBolt Teacher Shortage Scholarship (DTSS) Program (23 Ill. Adm. Code 2764)	2/7/03 27 Ill. Reg. 2013	6/10/03
6/18/03	<u>Illinois Student Assistance Commission</u> , Illinois	2/7/03	6/10/03

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JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

## SECOND NOTICES RECEIVED

	Special Education Teacher Tuition Waiver (SETTW) Program (23 Ill. Adm. Code 2765)	27 Ill. Reg. 2024	
6/18/03	<u>Illinois Student Assistance Commission</u> , Illinois Teachers and Child Care Providers Loan Repayment Program (23 Ill. Adm. Code 2767)	2/7/03 27 Ill. Reg. 2032	6/10/03
6/18/03	<u>Illinois Student Assistance Commission</u> , College Savings Bond Bonus Incentive Grant (BIG) Program (23 Ill. Adm. Code 2771)	2/7/03 27 Ill. Reg. 2036	6/10/03

## PROCLAMATIONS

**2003-107****February 16-22, 2003, as Engineers Week**

WHEREAS, the engineering community of this state has provided a wealth of innovation in the fields of agriculture, industry, transportation, construction and education; and

WHEREAS, increasingly, we must depend upon these professional men and women to find technological solutions to the problems we will face in the future; and

WHEREAS, in order to emphasize the role of professional engineers in our society, the 2003 theme for National Engineers Week is "Engineers: Turning Ideas Into Reality";

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, proclaim February 16-22, 2003, as ENGINEERS WEEK in Illinois, to recognize their achievements in improving the quality of life.

Issued by the Governor February 13, 2003

Filed by the Secretary of State May 06, 2003

**2003-108****February 14, 2003, as Pet Theft Awareness Day**

WHEREAS, up to two million American pets are stolen each year; and

WHEREAS, only 10 percent of stolen pets are returned home; and

WHEREAS, stolen pets may be unlawfully sold to research facilities, dog fighting rings, or puppy mills, killed for their meat or used in sadistic acts; and

WHEREAS, the United States government condemns the unlawful sale of dog, cats and other pets; and

WHEREAS, the strong bond that exists between humans and their companion animals is well recognized in our community; and

WHEREAS, there are steps citizens can take to protect their pets from theft;

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, proclaim February 14, 2003, as PET THEFT AWARENESS DAY in Illinois.

Issued by the Governor February 13, 2003

Filed by the Secretary of State May 06, 2003

**2003-109****April 2003 as Child Abuse Prevention Month**

WHEREAS, people across the country join forces to raise awareness of the terrible tragedy of child abuse and to promote specific ways we can all help to prevent these occurrences in our communities; and

WHEREAS, each year, close to 3 million reports of suspected abuse are filed in the United States. Last year, 100,000 children were reported abused in Illinois. Many more cases never get reported; and

## PROCLAMATIONS

WHEREAS, children who are abused may show physical and behavioral signs; and  
WHEREAS, effective child abuse prevention programs have contributed to the state's dramatic decline in reports of child abuse and neglect, from 139,720 child reports in Fiscal Year 1995 to 98,304 child reports in Fiscal year 2002; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships created by the Illinois Department of Children and Family Services, Prevent Child Abuse-Illinois and other government entities, social services agencies, schools, religious organizations, law enforcement agencies, businesses and individual citizens; and

WHEREAS, the Illinois Department of Children and Family Services is a nationally recognized leader in developing innovations aimed at protecting children from abuse and re-abuse and is the nation's largest welfare agency whose quality services have earned accreditation from the Council on Accreditation for Children and Family Services; and

WHEREAS, all citizens throughout Illinois should learn the warning signs of child abuse and neglect and report suspected cases to the Illinois Child Abuse Hotline at (800) 25-ABUSE; and

WHEREAS, all communities should support child abuse prevention programs and support parents to raise their children in safe nurturing environments;

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, proclaim April 2003 as CHILD ABUSE PREVENTION MONTH in Illinois.

Issued by the Governor March 10, 2003

Filed by the Secretary of State May 06, 2003

**2003-110****February 16-23, 2003, as Jewish Community Hour Week**

WHEREAS, The Jewish Community Hour is a variety show of music, commentary, humor, special features, Torah thoughts, interviews, weather reports, and news from Israel and the Metropolitan Chicago area Jewish community, nearby areas of Indiana, Michigan, and Wisconsin; and

WHEREAS, Bernard Finkel, took over the show from its founder, the late Cantor Jerry Rabin, at the start of 1976, and has been providing countless Jewish Americans with a program dedicated to their language, music, culture, and heritage, and serving as an exceptional source of news and current events; and

WHEREAS, today, The Jewish Community Hour has an estimated listenership of 50,000 and is heard "live" every Sunday from 11:00 a.m. to 12 noon on radio station WONX 1590 AM in Evanston, Illinois; and

WHEREAS, since Bernie Finkel took over the show, The Jewish Community Hour has been cited for its distinguished community and public service by former President Ronald Reagan, the United States Congress, the Illinois State Senate, and three previous Governors of Illinois; and

WHEREAS, The Jewish Community Hour has also been honored by the Chicago Rabbinical Council, the Chicago Board of Rabbis, the Hebrew Theological College, and the Holocaust Memorial Foundation of Illinois to name a few; and

## PROCLAMATIONS

WHEREAS, in conjunction with the 40th Anniversary celebration, Bernie Finkel is inviting his listeners to participate in the celebration by sending in postcards and letters with their name, age, address, and telephone number to be eligible for a wide variety of prizes offered by his advertising sponsors and other supporters of the show; and will read letters of congratulations and take on-the-air phone calls; and

WHEREAS, The Jewish Community Hour is the oldest continuously running radio program in the Chicago area and Bernie Finkel can take pride in its many accomplishments;

THEREFORE, I, Rod Blagojevich, Governor of the State of Illinois, proclaim February 16-23, 2003, as JEWISH COMMUNITY HOUR WEEK in Illinois in recognition and appreciation of the show's 40th anniversary and Bernie Finkel's 28th year as owner, producer, and host of the show, and urge all citizens to be cognizant of the events arranged for this time.

Issued by the Governor February 14, 2003

Filed by the Secretary of State May 06, 2003

**2003-111****May 1, 2003, as Space Day**

WHEREAS, the Space Day global celebration, on the first Thursday of May, is the culminating event for the year-round educational initiative of The Space Day Foundation, Inc. and is supported by Space Day Partners who represent educational, professional, trade associations, youth organizations, corporations and governmental agencies; and

WHEREAS, the Space Day educational initiative encourages people of all ages from around the world to advance in science, math, technology and engineering education; and

WHEREAS, Space Day events and activities are held to inspire future generations to continue the vision of our space pioneers, and also to celebrate the extraordinary achievements, benefits and opportunities in the exploration and use of space; and

WHEREAS, Illinois will conduct Space Day programs that educate and communicate the excitement and importance of space in our lives;

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, proclaim May 1, 2003, as SPACE DAY in Illinois.

Issued by the Governor April 28, 2003

Filed by the Secretary of State May 06, 2003

**2003-112****May 4-11, 2003, as Music Week**

WHEREAS, the period of May 4-11, 2003, will mark the 80th annual observance of National Music Week; and

WHEREAS, music is a vital part of the culture of every civilized nation, and the people of the United States are proving themselves to be a great music-producing and music-loving nation; and

## PROCLAMATIONS

WHEREAS, it is incumbent upon all of us to join together to advance the cause of music as an art and harmonious force and to extend the radius of its influence among nations, groups, and individuals; and

WHEREAS, the pursuit of music, whether it be through study, composing, listening, performing, or participation, gives rich experience in human life; and

WHEREAS, the National Federation of Music Clubs through National Music Week provides an opportunity for the organized musical forces of the country, as well as religious and educational and civic groups, to join music lovers in emphasizing the joys and pleasures to be gained from making music;

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, proclaim May 4-11, 2003, as MUSIC WEEK in Illinois.

Issued by the Governor April 29, 2003

Filed by the Secretary of State May 06, 2003

**2003-113****May 4-10, 2003, as Drinking Water Week**

WHEREAS, safe drinking water is essential to life; and

WHEREAS, Illinois residents have traditionally relied on its abundant surface and groundwater resources for drinking water; and

WHEREAS, protection of drinking water sources were among the first community projects undertaken by settlers moving into the Illinois territory two centuries ago; and

WHEREAS, dedicated water treatment operators in ensuing generations have worked to protect existing drinking water and improve the quantity and quality of drinking water sources for Illinois residents and millions of visitors annually; and

WHEREAS, there are 4,740 dedicated men and women currently certified as drinking water operators in Illinois; and

WHEREAS, Illinois citizens can confidently look forward to safe, clean drinking water delivered in amounts satisfactory to meet everyday human needs as well as the demands of thriving industries; and

WHEREAS, the State of Illinois is making steady progress toward the goal that by the year 2005, more than 95 percent of all Illinois community water supply consumers will receive drinking water that meets all health protective requirements;

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, proclaim May 4-10, 2003, as DRINKING WATER WEEK in Illinois.

Issued by the Governor April 29, 2003

Filed by the Secretary of State May 06, 2003

**2003-114****April 30-May 4, 2003, as Marine Night Fighter Association Days**

## PROCLAMATIONS

WHEREAS, the Marine Night Fighter Association (MNFA) is an umbrella association of all Night Fighter and Air Warning Squadron members from World War II and the Korean War; and

WHEREAS, the purpose of the MNFA is to encourage social relations among its members; and

WHEREAS, it seeks to preserve traditions, to commemorate the honors won on the field of battle, and to celebrate with appropriate ceremonies the outstanding deeds performed by its members; and

WHEREAS, the MNFA honors the memory of individuals of the United States Marine Corps who gave their lives in the defense of this country; and

WHEREAS, the MNFA fosters and promotes the principles of American freedom and democracy; and

WHEREAS, the MNFA bands together in fellowship those who have honorably served in or with the United States Marine Corps and preserves the bond of comradeship between those in the service and those who have returned to civilian life;

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, proclaim April 30-May 4, 2003, as MARINE NIGHT FIGHTER ASSOCIATION DAYS in Illinois.

Issued by the Governor April 29, 2003

Filed by the Secretary of State May 06, 2003

**2003-115****May 2003 as Asian Pacific American Heritage Month**

WHEREAS, each May is officially recognized as Asian Pacific Heritage Month; and

WHEREAS, in June 1977, Congressman Frank Horton of New York and Norman Y. Mineta of California introduced a House resolution calling upon the president to proclaim the first 10 days of May as Asian/Pacific Heritage Week. The following month, Senators Daniel Inouye and Spark Matsunaga introduced a similar bill in the Senate. Both were passed; and

WHEREAS, on October 5, 1978, President Jimmy Carter signed a joint resolution designating the annual celebration; and

WHEREAS, in May 1990, the holiday was further expanded when President George Bush designated May to be Asian Pacific American Heritage Month; and

WHEREAS, May was chosen to commemorate the immigration of the first Japanese immigrants to the United States in 1843;

WHEREAS, many immigrants of Asian heritage came to the United States in the nineteenth century to work in the transportation industry; and

WHEREAS, in 1869, laboring under very difficult conditions, Asian immigrants helped construct the transcontinental railroad which vastly expanded economic growth and development across the country; and

WHEREAS, Asian Pacific American Heritage Month is celebrated with community festivals, government-sponsored activities and educational activities for students; and

WHEREAS, Asian Pacific Americans have made valuable contributions to the history and

## PROCLAMATIONS

growth of the United States; and

WHEREAS, Asian Pacific Americans have made achievements in government, business, science, technology and in the arts;

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, proclaim May 2003 as ASIAN PACIFIC AMERICAN HERITAGE MONTH in Illinois, and ask all citizens to learn more about the rich traditions and cultural heritage of the Asian community.

Issued by the Governor April 29, 2003

Filed by the Secretary of State May 06, 2003

**2003-116****May 12-16, 2003, as National Association of Retired Federal Employees Week**

WHEREAS, the National Association of Retired Federal Employees (NARFE) was organized in 1921 to protect the earned benefits of all federal civilian retirees, postal retirees and survivor annuitants of these retirees; and

WHEREAS, the chapters in Illinois were organized and chartered in 1957 as the Illinois Federation of the National Association of Retired Federal Employees; and

WHEREAS, membership has grown to more than 400,000 federal, District of Columbia, postal employees, retirees, spouses and survivors united to preserve the economic security and well-being of federal employees on the job and in retirement; and

WHEREAS, NARFE sponsors, support or oppose legislation to protect the benefits and general welfare of its members on issues such as health benefits, retirement, etc; and

WHEREAS, all members are left with the knowledge and understanding that their needs and wants are being taken to the highest levels of government for resolution;

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, proclaim May 12-16, 2003, as NATIONAL ASSOCIATION OF RETIRED FEDERAL EMPLOYEES WEEK in Illinois.

Issued by the Governor May 01, 2003

Filed by the Secretary of State May 06, 2003

**2003-117****April 11, 2003, as Youth Service Day**

WHEREAS, National Youth Service Day is the largest service event in the world, mobilizing millions of young Americans to identify and address the needs of their communities through service; and

WHEREAS, Youth Service America plays an integral role in youth services; and

WHEREAS, Youth Service America is a resource center and premier alliance of more than 300 organizations committed to increasing the quantity and quality of opportunities for young Americans to serve locally, nationally, or globally; and

WHEREAS, 70 percent of young people, between ages 15 and 21, have participated in

## PROCLAMATIONS

activities to help strengthen their community at some point in their lives; and

WHEREAS, the number of students involved in service-related programs has increased from 900,000 to 12,600,000 (1,400 percent) in the past 15 years; and

WHEREAS, a strong youth service network will create healthy communities, and foster citizenship, knowledge, and the personal development of young people;

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, proclaim April 11, 2003, as YOUTH SERVICE DAY in Illinois.

Issued by the Governor May 04, 2003

Filed by the Secretary of State May 06, 2003

**2003-118****May 6-12, 2003, as Nurses Week**

WHEREAS, the nearly 2.7 million nurses in the United States comprise our nations largest health care profession; and

WHEREAS, the depth and breadth of the registered nursing profession meets the different and emerging health care needs of the American population in a wide range of settings; and

WHEREAS, the American Nurses Association, as the voice for the registered nurses of this country, is working to chart a new course for a health nation that relies on increasing the delivery of primary and preventive health care; and

WHEREAS, a renewed emphasis on primary and preventive health care will require the better utilization of all of our nation's registered nursing resources; and

WHEREAS, professional nursing has been demonstrated to be an indispensable component in the safety and quality care of hospitalized patients; and

WHEREAS, the demand for registered nursing services will be greater than ever because of the aging of the American population, the continuing expansion of life-sustaining technology, and the explosive growth of home health care services; and

WHEREAS, the cost-effective, safe and quality health care services provided by registered nurses will be an ever more important component of the U.S. health care services; and

WHEREAS, more qualified registered nurses will be needed in the future to meet the increasingly complex needs of health care consumers in this community;

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, proclaim May 6-12, 2003, as NURSES WEEK in Illinois.

Issued by the Governor May 01, 2003

Filed by the Secretary of State May 06, 2003

**2003-119****April 26, 2003, as Connexions Enterprise Day**

WHEREAS, founded on March 3, 1994, Connexions Enterprise was established to help provide residential and support services for the homeless and mentally ill in the Chicagoland

## PROCLAMATIONS

area; and

WHEREAS, Connexions, Inc. programs are designed to address homeless men and women by providing “holistic uplifting services” consisting of residential shelter, day treatment and life skills training; and

WHEREAS, Connexions started their not-for-profit agency with very little resources and staff, but have received support and funding from businesses, foundations and community groups to be able to extend its services beyond its two locations; and

WHEREAS, Connexions will celebrate its anniversary on April 26, 2003, at the DuSable Museum of African American History in Chicago;

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, proclaim April 26, 2003, as CONNEXIONS ENTERPRISE DAY in Illinois, and ask all citizens to recognize the efforts made by the organization in assisting the homeless and mentally ill.

Issued by the Governor April 17, 2003

Filed by the Secretary of State May 06, 2003

**2003-120****April 25, 2003, as Children's Memorial Flag Day**

WHEREAS, the Child Welfare League of America has promoted the Children's Memorial Flag as a way of memorializing the thousands of children and teenagers in the United States who die violently each year; and

WHEREAS, each year, numerous governors become involved in an impressive bipartisan effort, flying the flag or arranging for related events to memorialize children; and

WHEREAS, the Children's Memorial Flag has become a recognizable symbol of the need to do a better job of protecting children; and

WHEREAS, the response of the public has been overwhelmingly positive as the program progresses each year; and

WHEREAS, the effects of child abuse are felt by whole communities and need to be addressed by the entire community; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, religious and civic organizations, law enforcement agencies, and the business community; and

WHEREAS, all citizens should become more aware of the negative effects of child abuse and its prevention within their communities and become involved in supporting parents to raise their children in a safe, nurturing environment;

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, proclaim April 25, 2003, as CHILDREN'S MEMORIAL FLAG DAY in Illinois.

Issued by the Governor April 16, 2003

Filed by the Secretary of State May 06, 2003

## PROCLAMATIONS

**2003-121****May 2003 as Alpha-1 Awareness Month**

WHEREAS, Alpha-1 Antitrypsin Deficiency (AAT Deficiency or Alpha 1) is one of the most common genetic causes of liver disease in children and emphysema in adults; and

WHEREAS, Alpha-1 antitrypsin is a protease (a digestive enzyme that causes the breakdown of protein) inhibitor (PI), genotype MM, which protects tissues from the effects of neutrophil (a type of white blood cell which can ingest and kill bacteria). It is mainly produced in the liver; and

WHEREAS, in families who know that certain members carry the Alpha-1 antitrypsin deficiency gene, tests are usually carried out soon after a baby's birth. In families who do not know that family members carry the gene, the problem can become apparent when a baby develops jaundice which fails to clear; and

WHEREAS, in some children, the signs do not become apparent until early childhood or adolescence when they may develop hepatitis, enlarged spleen, ascites, pruritus and other signs of liver injury; and

WHEREAS, there is no specific treatment. Supportive treatment is given as necessary depending on the severity of liver disease; and

WHEREAS, during the month of May, an awareness campaign will take place throughout the state to include educating the public as well as out medical community on Alpha-1 and detection and treatment for those affected by this condition; and

WHEREAS, a nationwide awareness campaign by the entire Alpha-1 Community will take place throughout the U.S. during the month of May;

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, proclaim May 2003 as ALPHA-1 AWARENESS MONTH in Illinois.

Issued by the Governor April 16, 2003

Filed by the Secretary of State May 06, 2003

**2003-122****May 17, 2003, as Norwegian Constitution Day**

WHEREAS, Norway has the longest standing democratic constitution in Europe, and has defended and maintained democracy over this long period; and

WHEREAS, this year commemorates the 189th Anniversary of the signing of the Norwegian Constitution on May 17, 1814 (Syttende Mai); and

WHEREAS, Norwegian Americans play a significant role in the progress of Illinois and continue to proudly share their rich traditions and cultural contributions with the state; and

WHEREAS, the Norwegian National League, which was founded in 1899, sponsors many of the celebrations commemorating Norwegian Constitution Day; and

WHEREAS, the Norwegian National League is sponsoring this year's parade "Norsk Notes" in celebration of the rich musical heritage of Norway;

PROCLAMATIONS

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, proclaim May 17, 2003, as NORWEGIAN CONSTITUTION DAY in Illinois.

Issued by the Governor April 17, 2003

Filed by the Secretary of State May 06, 2003

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OFFICE OF BANKS AND REAL ESTATE

NOTICE OF PUBLIC INFORMATION

NOTICE OF FINE IMPOSED UNDER  
THE RESIDENTIAL MORTGAGE LICENSE ACT OF 1987

Pursuant to Section 4-5(h) of the Residential Mortgage License Act of 1987 ("the Act") and 205 ILCS 635/4-5 (H), notice is hereby given that the Commissioner of the Office of Banks and Real Estate of the State of Illinois has issued a fine of \$500 against America's Advantage Mortgage, Inc., License No. #4057 of Orland Park, Illinois, a licensee under the Act, for violating the terms of the Act and the rules and regulations adopted thereunder, effective April 16, 2003.

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OFFICE OF BANKS AND REAL ESTATE

NOTICE OF PUBLIC INFORMATION

NOTICE OF FINE IMPOSED UNDER  
THE RESIDENTIAL MORTGAGE LICENSE ACT OF 1987

Pursuant to Section 4-5(h) of the Residential Mortgage License Act of 1987 ("the Act") and 205 ILCS 635/4-5 (H), notice is hereby given that the Commissioner of the Office of Banks and Real Estate of the State of Illinois has issued a fine of \$500 against Inventive Mortgage Corporation, License No. #4644 of Westchester, Illinois, a licensee under the Act, for violating the terms of the Act and the rules and regulations adopted thereunder, effective April 16, 2003.

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OFFICE OF BANKS AND REAL ESTATE

NOTICE OF PUBLIC INFORMATION

NOTICE OF FINE IMPOSED UNDER  
THE RESIDENTIAL MORTGAGE LICENSE ACT OF 1987

Pursuant to Section 4-5(h) of the Residential Mortgage License Act of 1987 ("the Act") and 205 ILCS 635/4-5 (H), notice is hereby given that the Commissioner of the Office of Banks and Real Estate of the State of Illinois has issued a fine of \$500 against PGNF Home Lending Corporation, (Mortgage Express, Inc.) License No. #5174 of Westmont, Illinois, a licensee under the Act, for violating the terms of the Act and the rules and regulations adopted thereunder, effective April 16, 2003.

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OFFICE OF BANKS AND REAL ESTATE

NOTICE OF PUBLIC INFORMATION

NOTICE OF FINE IMPOSED UNDER  
THE RESIDENTIAL MORTGAGE LICENSE ACT OF 1987

Pursuant to Section 4-5(h) of the Residential Mortgage License Act of 1987 ("the Act") and 205 ILCS 635/4-5 (H), notice is hereby given that the Commissioner of the Office of Banks and Real Estate of the State of Illinois has issued a fine of \$500 against Approved Financial, Inc., License No. #5364 of Chicago, Illinois, a licensee under the Act, for violating the terms of the Act and the rules and regulations adopted thereunder, effective April 16, 2003.

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OFFICE OF BANKS AND REAL ESTATE

NOTICE OF PUBLIC INFORMATION

NOTICE OF FINE IMPOSED UNDER  
THE RESIDENTIAL MORTGAGE LICENSE ACT OF 1987

Pursuant to Section 4-5(h) of the Residential Mortgage License Act of 1987 ("the Act") and 205 ILCS 635/4-5 (H), notice is hereby given that the Commissioner of the Office of Banks and Real Estate of the State of Illinois has issued a fine of \$500 against Aadus Banc Corporation, License No. #5430 of Palatine, Illinois, a licensee under the Act, for violating the terms of the Act and the rules and regulations adopted thereunder, effective April 16, 2003.

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OFFICE OF BANKS AND REAL ESTATE

NOTICE OF PUBLIC INFORMATION

NOTICE OF FINE IMPOSED UNDER  
THE RESIDENTIAL MORTGAGE LICENSE ACT OF 1987

Pursuant to Section 4-5(h) of the Residential Mortgage License Act of 1987 ("the Act") and 205 ILCS 635/4-5 (H), notice is hereby given that the Commissioner of the Office of Banks and Real Estate of the State of Illinois has issued a fine of \$500 against Prudential Home Mortgage Company, License No. #5743 of Lombard, Illinois, a licensee under the Act, for violating the terms of the Act and the rules and regulations adopted thereunder, effective April 17, 2003.

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OFFICE OF BANKS AND REAL ESTATE

NOTICE OF PUBLIC INFORMATION

NOTICE OF FINE IMPOSED UNDER  
THE RESIDENTIAL MORTGAGE LICENSE ACT OF 1987

Pursuant to Section 4-5(h) of the Residential Mortgage License Act of 1987 ("the Act") and 205 ILCS 635/4-5 (H), notice is hereby given that the Commissioner of the Office of Banks and Real Estate of the State of Illinois has issued a fine of \$500 against Imperial Funding Corporation, License No. #6157 of Chicago, Illinois, a licensee under the Act, for violating the terms of the Act and the rules and regulations adopted thereunder, effective April 21, 2003.

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OFFICE OF BANKS AND REAL ESTATE

NOTICE OF PUBLIC INFORMATION

NOTICE OF FINE IMPOSED UNDER  
THE RESIDENTIAL MORTGAGE LICENSE ACT OF 1987

Pursuant to Section 4-5(h) of the Residential Mortgage License Act of 1987 ("the Act") and 205 ILCS 635/4-5 (H), notice is hereby given that the Commissioner of the Office of Banks and Real Estate of the State of Illinois has issued a fine of \$500 against Pioneer Mortgage Express Company, License No. #6366 of Chicago, Illinois, a licensee under the Act, for violating the terms of the Act and the rules and regulations adopted thereunder, effective April 16, 2003.

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OFFICE OF BANKS AND REAL ESTATE

NOTICE OF PUBLIC INFORMATION

NOTICE OF FINE IMPOSED UNDER  
THE RESIDENTIAL MORTGAGE LICENSE ACT OF 1987

Pursuant to Section 4-5(h) of the Residential Mortgage License Act of 1987 ("the Act") and 205 ILCS 635/4-5 (H), notice is hereby given that the Commissioner of the Office of Banks and Real Estate of the State of Illinois has issued a fine of \$500 against Bass Financial Corporation, License No. #6674 of Northfield, Illinois, a licensee under the Act, for violating the terms of the Act and the rules and regulations adopted thereunder, effective April 16, 2003.

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OFFICE OF BANKS AND REAL ESTATE

NOTICE OF PUBLIC INFORMATION

NOTICE OF FINE IMPOSED UNDER  
THE RESIDENTIAL MORTGAGE LICENSE ACT OF 1987

Pursuant to Section 4-5(h) of the Residential Mortgage License Act of 1987 ("the Act") and 205 ILCS 635/4-5 (H), notice is hereby given that the Commissioner of the Office of Banks and Real Estate of the State of Illinois has issued a fine of \$500 against The First Mortgage Corporation, License No. #0302 of Flossmoor, Illinois, a licensee under the Act, for violating the terms of the Act and the rules and regulations adopted thereunder, effective April 16, 2003.

# ILLINOIS ADMINISTRATIVE CODE

## Issue Index

Rules acted upon in Volume 27, Issue 20 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

95 - 200 ..... 8367  
77 - 820 ..... 8369

### ADOPTED RULES

77 - 518 ..... 8456  
74 - 761 ..... 8463

### EMERGENCY RULES

95 - 200 ..... 8468

### REQUEST FOR EXPEDITED CORRECTION

86 - 130 ..... 8480

### SECOND NOTICES RECEIVED

23 - 228 ..... 8500  
23 - 2755 ..... 8500  
23 - 2741 ..... 8500  
23 - 2740 ..... 8500  
23 - 2736 ..... 8500  
23 - 2735 ..... 8500  
23 - 2733 ..... 8500  
23 - 2730 ..... 8500  
23 - 2700 ..... 8500  
23 - 2765 ..... 8500  
20 - 1230 ..... 8500  
80 - 3000 ..... 8500  
83 - 712 ..... 8500  
83 - 711 ..... 8500  
23 - 2720 ..... 8500  
23 - 2763 ..... 8500  
23 - 2767 ..... 8500  
23 - 2761 ..... 8500  
23 - 2764 ..... 8500

### EXECUTIVE ORDERS AND PROCLAMATIONS

03 - 107 ..... 8503  
03 - 108 ..... 8503  
03 - 109 ..... 8503  
03 - 110 ..... 8504  
03 - 112 ..... 8505  
03 - 111 ..... 8505  
03 - 113 ..... 8506  
03 - 114 ..... 8506  
03 - 115 ..... 8507  
03 - 116 ..... 8508  
03 - 117 ..... 8508  
03 - 118 ..... 8509  
03 - 119 ..... 8509  
03 - 120 ..... 8510  
03 - 122 ..... 8511  
03 - 121 ..... 8511

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