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RULES OF GOVERNMENTAL AGENCIES

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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.

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

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

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

2007 REGISTER SCHEDULE VOLUME #31

Issue #	Rules Due Date	Date of Issue
1	December 26, 2006	January 5, 2007
2	January 2, 2007	January 12, 2007
3	January 8, 2007	January 19, 2007
4	January 16, 2007	January 26, 2007
5	January 22, 2007	February 2, 2007
6	January 29, 2007	February 9, 2007
7	February 5, 2007	February 16, 2007
8	February 13, 2007	February 23, 2007
9	February 20, 2007	March 2, 2007
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14	March 26, 2007	April 6, 2007
15	April 2, 2007	April 13, 2007
16	April 9, 2007	April 20, 2007
17	April 16, 2007	April 27, 2007
18	April 23, 2007	May 4, 2007
19	April 30, 2007	May 11, 2007
20	May 7, 2007	May 18, 2007
21	May 14, 2007	May 25, 2007
22	May 21, 2007	June 1, 2007
23	May 29, 2007	June 8, 2007

24	June 4, 2007	June 15, 2007
Issue #	**Rules Due Date**	**Date of Issue**
25	June 11, 2007	June 22, 2007
26	June 18, 2007	June 29, 2007
27	June 25, 2007	July 6, 2007
28	July 2, 2007	July 13, 2007
29	July 9, 2007	July 20, 2007
30	July 16, 2007	July 27, 2007
31	July 23, 2007	August 3, 2007
32	July 30, 2007	August 10, 2007
33	August 6, 2007	August 17, 2007
34	August 13, 2007	August 24, 2007
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48	November 19, 2007	December 1, 2006
49	November 26, 2007	December 7, 2007
50	December 3, 2007	December 14, 2007
51	December 10, 2007	December 21, 2007
52	December 17, 2007	December 28, 2007

Editor's Note: The Secretary of State Index Department is providing this opportunity to notify you that the filing period for your Regulatory Agenda will occur from April 30, 2007 to July 2, 2007 as July 1, 2007 is a Sunday and the office is closed.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: Sport Fishing Regulations for the Waters of Illinois

2) Code Citation: 17 Ill. Adm. Code 810

3)

Section Number:	Proposed Action:
810.45	Amendment

4) Statutory Authority: Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5]

5) A Complete Description of the Subjects and Issues Involved: This amendment designates fishing in the Fox River Marina in Lake County Forest Preserve, Lake County, as bank fishing only. The Lake County Forest Preserve District is experiencing problems with boat fishermen blocking the entrance into the Marina and snagging parked boats with lures. The Marina is located on public water; however, fishing in such a small Marina interferes with ingress and egress and threatens boat damage and personal injury. Pursuant to 615 ILCS 5/18 of the Rivers, Lakes and Streams Act, the Forest Preserve District does not have authority to prohibit fishing from boats in the Marina and has requested the Department's assistance. The District allows, and will continue to allow, bank fishing.

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

7) Will this rulemaking replace any emergency rulemaking currently in effect? Yes

Section Number:	Emergency Action:	Illinois Register Citation:
810.45	Amendment	31 Ill. Reg 8265; June 8, 2007

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

9) Does this rulemaking contain incorporations by reference? No

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

11) Statement of Statewide Policy Objective: This rulemaking does not affect units of local government.

12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this Notice to:

Jack Price, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

13) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

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

C) Types of professional skills necessary for compliance: None

14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent regulatory agendas.

The full text of this Proposed Amendment is identical to the text of the Emergency Amendment and can be found in this issue of *Illinois Register* on Page 8265:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: Designation of Restricted Waters in the State of Illinois

2) Code Citation: 17 Ill. Adm. Code 2030

3) Section Number: 2030.20 Proposed Action: Amendment

4) Statutory Authority: Implementing and authorized by Sections 5-7 and 5-12 of the Boat Registration and Safety Act [625 ILCS 45/5-7 and 5-12]

5) A Complete Description of the Subjects and Issues Involved: The residents of River Key Subdivision submitted a petition requesting a No Wake Zone designation for the mouth of the canal off of the Rock River leading into their subdivision and throughout the inner canal system. Law Enforcement staff determined that the following safety concerns and boater user conflicts exist: boats entering the narrow canal off the Rock River at greater than no wake speed have to make several blind meandering bends; there are protruding docks within the canal which could lead to possible collision hazards; boats traveling at greater than no wake speed are a safety threat to persons standing on the docks in the narrow channels; and a potential boating user conflict exists between persons fishing within the canal and boats entering or traversing the canal at greater than a no wake speed.

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

7) Will this rulemaking replace any emergency rulemaking currently in effect? Yes. An emergency amendment identical to this proposed amendment has been filed and is published in this issue of the *Illinois Register*.

Section Number:	Emergency Action:	Illinois Register Citation:
2030.20	Amendment	31 Ill. Reg. 8348; June 8, 2007

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

9) Does this rulemaking contain incorporations by reference? No

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

11) Statement of Statewide Policy Objective: This rulemaking does not affect units of local

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

government.

12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this Notice to:

Jack Price, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

13) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

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

C) Types of professional skills necessary for compliance: None

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

The full text of this Proposed Amendment is identical to the text of the Emergency Amendment and can be found in this issue of the *Illinois Register* on Page 8348:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Definitions and General Provisions

2) Code Citation: 35 Ill. Adm. Code Part 211

3)

Section Numbers:	Proposed Action:
211.1740	New
211.1920	Amend

4) Statutory Authority: Section 27 of the Illinois Environmental Protection Act [415 ILCS 5/27]

5) A Complete Description of the Subjects and Issues Involved: This rulemaking was initiated by an April 6, 2007 proposal made by the Illinois Environmental Protection Agency for amendments to 35 Ill. Adm. Code 201.146, 211, and 217, citing authority including the fast track rulemaking procedures of Section 28.5 of the Environmental Protection Act, 415 ILCS 5/28.5. The Board received an objection to the use of the fast-track procedures on April 16, 2007 from ANR Pipeline, Natural Gas Pipeline Company, Trunkline Gas Company, and Panhandle Eastern Pipeline Company, and on April 17, 2007 from the Illinois Environmental Regulatory Group. Consistent with the strict deadlines of Section 28.5 of the Act, the Board filed the entire rule proposal with the Secretary of State for first notice publication, pending receipt of responses to the objections and ruling on them. Nitrogen Oxide (NO_x) Emissions from Stationary Reciprocating Internal Combustion Engines and Turbines: Amendments to 35 Ill. Adm. Code Section 201.146, 211, and 217, R07-18 (April 19, 2007). This was published at 35 Ill. Reg. 6597 (May 4, 2007).

The Board ruled on the objections in a single May 17, 2007 order, finding that the IEPA April 6, 2007 proposal must be handled in two dockets under separate statutory authorities and rulemaking tracks. Since some portions of the proposed new 217.Subpart Q do not meet the standard for a fast track rule under Section 28.5 of the Act, the Board created a new docket to proceed with non-qualifying provisions under Section 27. Accordingly, the Board bifurcated the amendments that were originally proposed. Docket R07-18 was retitled and is continuing under the Section 28.5 hearing schedule only for those amendments that qualify as fast track rules. The text of these rules is identified as Attachment A to the Board's order in R07-18 Fast-Track Rules Under Nitrogen Oxide (NO_x) SIP Call Phase II: Amendments to 35 Ill. Adm. Code Section 201.146, Parts 211 and 217 and R07-19 Section 27 Proposed Rules for Nitrogen Oxide (NO_x) Emissions From Stationary Reciprocating Internal Combustion Engines and Turbines: Amendments to 35 Ill. Adm. Code Parts 211 and 217 (May 17, 2007).

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

In this publication the Board is proposing, under its general rulemaking authority at Section 27 of the Act (415 ILCS 5/27), definitions that apply only to those portions of the proposed amendments in Part 217 that did not qualify as fast track amendments. The Board is in the process of scheduling hearings in this rulemaking.

These amendments are substantively identical to the proposed Part 211 definitions for Section 211.1740 "Diesel Engine" and the amendments to 211.1920 "Emergency or Standby Unit" that were published in the Illinois Register on May 4, 2007 at 31 Ill. Reg. 6597. As was explained in those notice pages, the IEPA's statement of reasons explained that these rules are proposed to meet certain obligations of the State of Illinois under the Clean Air Act, 42 U.S.C. § 7401 et seq. This statewide proposal will regulate NO_x emissions from turbines and smaller engines, as part of the State's obligation to meet NO_x reasonably available control technology (RACT) requirements for the 8-hour ozone and fine particulate matter (PM2.5) National Ambient Air Quality Standards (NAAQS), reasonable further progress (RFP), and attainment demonstration requirements.

6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: The regulatory proposal included the Illinois EPA's Technical Support Document for Controlling NO_x Emissions from Stationary Reciprocating Internal Combustion Engines and Turbines(TSD) that relied on several published studies and reports. Copies of the reports that the Illinois EPA relied upon are available for review with the Pollution Control Board and are listed below.

Technical Support Document for Final Clean Air Interstate Rule, Air Quality Modeling, U.S. EPA, Research Triangle Park, NC, March 2005.

Alternative Control Techniques Document – NO_x Emissions from Stationary Reciprocating Internal Combustion Engines, EPA-453/R-93-032, July 1993, U.S. EPA, OAQPS, RTP, NC 27711.

Alternative Control Techniques Document – NO_x Emissions from Stationary Gas Turbines, EPA-453/R-91-007, January 1993, U.S. EPA, OAQPS, RTP, NC 27711.

Controlling Nitrogen Oxides Under the Clean Air Act: A Menu of Options, July 1994, State and Territorial Air Pollution Program Administrators/Association of Local Air Pollution Control Officials.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Regulatory Impacts Analysis for the NO_x SIP Call, FIP, and Section 126 Petitions, Volume 1: Costs and Economic Impacts, EPA-452/R-98-003, September 1998, U.S. EPA, Office of Air and Radiation, Washington, DC 20460.

Stationary Reciprocating Internal Combustion Engines Technical Support Document for NO_x SIP Call, October 2003, Doug/Grano/Bill Neuffer, EPA OAR, OAQPS, OPSG.

Assessment of Regional NO_x Emissions in the Upper Midwest, Lake Michigan Directors' Consortium, February 15, 2007 (Att. A to TSD).

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

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

9) Does this rulemaking contain incorporations by reference? Yes

10) Are there any other proposed amendments pending on this Part? Yes

Code Citation:	Proposed Action:	Illinois Register Publication:
211.1740	New Section	31 Ill. Reg. 6578, May 4, 2007
211.1920	New Section	31 Ill. Reg. 6578, May 4, 2007

11) Statement of Statewide Policy Objective: This proposed rulemaking does not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b) (2002)].

12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for 45 days after the date of publication in the *Illinois Register*. Comments should reference Docket R07-19 and be addressed to:

Clerk's Office
Illinois Pollution Control Board
100 W. Randolph St., Suite 11-500
Chicago, IL 60601

Interested persons may request copies of the Board's opinion and order by calling the Clerk's office at 312-814-3620, or may download copies from the Board's Web site at www.ipcb.state.il.us.

For more information contact hearing officer Tim Fox at 312/814-6085 or email at foxt@ipcb.state.il.us.

13) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance: The proposed rulemaking requires the owner or operator of an affected source to perform required emissions monitoring, complete required tests, and record, report as required. The owner or operator of an affected source must also maintain emissions monitoring and testing information.

C) Types of Professional skills necessary for compliance: No professional skills beyond those currently required by the existing state and federal air pollution control regulations applicable to affected sources will be required.

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

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER c: EMISSION STANDARDS AND LIMITATIONS
FOR STATIONARY SOURCES

PART 211
DEFINITIONS AND GENERAL PROVISIONS

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211.102 Abbreviations and Conversion Factors

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211.4010 New Grain-Handling Operation (Repealed)
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211.4050 Non-Contact Process Water Cooling Tower

211.4055	Non-Flexible Coating
211.4065	Non-Heatset
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211.4090	One Hundred Percent Acid
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211.4250	Organic Material and Organic Materials
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211.4310	Overall Control
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211.4370	Owner or Operator
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211.7270 Wholesale Purchase – Consumer
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211.APPENDIX A Rule into Section Table
211.APPENDIX B Section into Rule Table

AUTHORITY: Implementing Sections 9, 9.1, 9.9 and 10 and authorized by Sections 27 and 28.5 of the Environmental Protection Act [415 ILCS 5/9, 9.1, 9.9, 10, 27 and 28.5].
SOURCE: Adopted as Chapter 2: Air Pollution, Rule 201: Definitions, R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R74-2 and R75-5, 32 PCB 295, at 3 Ill. Reg. 5, p. 777, effective February 3, 1979; amended in R78-3 and 4, 35 PCB 75 and 243, at 3 Ill. Reg. 30, p. 124, effective July 28, 1979; amended in R80-5, at 7 Ill. Reg. 1244, effective January 21, 1983; codified at 7 Ill. Reg. 13590; amended in R82-1 (Docket A) at 10 Ill. Reg. 12624, effective July 7, 1986; amended in R85-21(A) at 11 Ill. Reg. 11747, effective June 29, 1987; amended in R86-34 at 11 Ill. Reg. 12267, effective July 10, 1987; amended in R86-39 at 11 Ill. Reg. 20804, effective December 14, 1987; amended in R82-14 and R86-37 at 12 Ill. Reg. 787, effective December 24, 1987; amended in R86-18 at 12 Ill. Reg. 7284, effective April 8, 1988; amended in R86-10 at 12 Ill. Reg. 7621, effective April 11, 1988; amended in R88-23 at 13 Ill. Reg. 10862, effective June 27, 1989; amended in R89-8 at 13 Ill. Reg. 17457, effective January 1, 1990; amended in R89-16(A) at 14 Ill. Reg. 9141, effective May 23, 1990; amended in R88-30(B) at 15 Ill. Reg. 5223, effective March 28, 1991; amended in R88-14 at 15 Ill. Reg. 7901, effective May 14, 1991; amended in R91-10 at 15 Ill. Reg. 15564, effective October 11, 1991; amended in R91-6 at 15 Ill. Reg. 15673, effective October 14, 1991; amended in R91-22 at 16 Ill. Reg. 7656, effective May 1, 1992; amended in R91-24 at 16 Ill. Reg. 13526, effective August 24, 1992; amended in R93-9 at 17 Ill. Reg. 16504, effective September 27, 1993; amended in R93-11 at 17 Ill. Reg. 21471, effective December 7, 1993; amended in R93-14 at 18 Ill. Reg. 1253, effective January 18, 1994; amended in R94-12 at 18 Ill. Reg. 14962, effective September 21, 1994; amended in R94-14 at 18 Ill. Reg. 15744, effective October 17, 1994; amended in R94-15 at 18 Ill. Reg. 16379, effective October 25, 1994; amended in R94-16 at 18 Ill. Reg. 16929, effective November 15, 1994; amended in R94-21, R94-31 and R94-32 at 19 Ill. Reg. 6823, effective May 9, 1995; amended in R94-33 at 19 Ill. Reg. 7344, effective May 22, 1995; amended in R95-2 at 19 Ill. Reg. 11066, effective July 12, 1995; amended in R95-16 at 19 Ill. Reg. 15176, effective October 19, 1995; amended in R96-5 at 20 Ill. Reg. 7590, effective May

22, 1996; amended in R96-16 at 21 Ill. Reg. 2641, effective February 7, 1997; amended in R97-17 at 21 Ill. Reg. 6489, effective May 16, 1997; amended in R97-24 at 21 Ill. Reg. 7695, effective June 9, 1997; amended in R96-17 at 21 Ill. Reg. 7856, effective June 17, 1997; amended in R97-31 at 22 Ill. Reg. 3497, effective February 2, 1998; amended in R98-17 at 22 Ill. Reg.11405, effective June 22, 1998; amended in R01-9 at 25 Ill. Reg. 128, effective December 26, 2000; amended in R01-11 at 25 Ill. Reg. 4597, effective March 15, 2001; amended in R01-17 at 25 Ill. Reg. 5900, effective April 17, 2001; amended in R05-16 at 29 Ill. Reg. 8181, effective May 23, 2005; amended in R05-11 at 29 Ill. Reg.8892, effective June 13, 2005; amended in R04-12/20 at 30 Ill. Reg. 9654, effective May 15, 2006; amended in R07-19 at 31 Ill. Reg. _____, effective _____.

SUBPART B: DEFINITIONS

Section 211.1740 Diesel Engine

"Diesel engine" means, for the purposes of 35 Ill. Adm. Code 217, Subpart Q, a compression ignited two- or four-stroke engine in which liquid fuel injected into the combustion chamber ignites when the air charge is compressed to a temperature sufficiently high for auto-ignition.

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

Section 211.1920 Emergency or Standby Unit

"Emergency or standby unit" means, for a stationary gas turbine or a stationary reciprocating internal combustion engine, a unit that:

a) Supplies power for the source at which it is located but operates only when the normal supply of power has been rendered unavailable by circumstances beyond the control of the owner or operator of the source and only as necessary to assure the availability of the engine or turbine. An emergency standby unit may not be operated to supplement a primary power source when the load capacity or rating of the primary power source has been reached or exceeded.~~;~~

b) Operates exclusively for firefighting or flood control or both.~~; or~~

c) Operates in response to and during the existence of any officially declared disaster or state of emergency.

d) Operates for the purpose of testing, repair or routine maintenance to verify its

readiness for emergency standby use.

The term does not include equipment used for purposes other than emergencies, as described above, such as to supply power during high electric demand days.

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Nitrogen Oxides Emissions

2) Code Citation: 35 Ill. Adm. Code Part 217

3)

Section Numbers:	Proposed Action:
217.386	New
217.388	New
217.390	New
217.392	New
217.394	New
217.396	New

4) Statutory Authority: Section 27 of the Illinois Environmental Protection Act [415 ILCS 5/27]

5) A Complete Description of the Subjects and Issues Involved: This rulemaking was initiated by an April 6, 2007 proposal made by the Illinois Environmental Protection Agency for amendments to 35 Ill. Adm. Code 201.146, 211, and 217, citing as authority among other things the fast track rulemaking procedures of Section 28.5 of the Environmental Protection Act, [415 ILCS 5/28.5]. The Board received an objection to the use of the fast-track procedures on April 16, 2007 from ANR Pipeline, Natural Gas Pipeline Company, Trunkline Gas Company, and Panhandle Eastern Pipeline Company, and on April 17, 2007 the Illinois Environmental Regulatory Group. Consistent with the strict timeframes of Section 28.5 of the Act, the Board filed the entire rule proposal with the Secretary of State, pending receipt of responses to the objections and ruling on them. Nitrogen Oxide (NO_x) Emissions from Stationary Reciprocating Internal Combustion Engines and Turbines: Amendments to 35 Ill. Adm. Code Section 201.146, 211 and 217, R07-18 (April 19, 2007). This was published at 35 Ill. Reg. 6597 (May 4, 2007).

The Board ruled on the objections in a single May 17, 2007 order, finding that the IEPA April 6, 2007 proposal must be handled in two dockets under separate statutory authorities and rulemaking tracks. Since some portions of the proposed new 217.Subpart Q do not meet the standard for a fast track rule under Section 28.5 of the Act, the Board created a new docket to proceed with non-qualifying provisions under Section 27. Accordingly, the Board bifurcated the amendments that were originally proposed. Docket R07-18 was retitled and is continuing under the Section 28.5 the hearing schedule for only those amendments that qualify as fast track rules. The text of these rules is identified as Attachment A to the Board's order in R07-18 Fast-Track Rules Under Nitrogen Oxide (NO_x) SIP Call Phase II: Amendments to 35 Ill. Adm. Code Section

POLLUTION CONTROL BOARD

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201.146, Parts 211 and 217 and R07-19 Section 27 Proposed Rules for Nitrogen Oxide (NO_x) Emissions From Stationary Reciprocating Internal Combustion Engines and Turbines: Amendments to 35 Ill. Adm. Code Parts 211 and 217 (May 17, 2007).

In this publication the Board is proposing, under its general rulemaking authority at Section 27 of the Act [415 ILCS 5/27], the new 217.Subpart Q with all text as proposed in the original R07-18 docket, including that text which did not qualify under the fast track process. The Board is in the process of scheduling hearings in this rulemaking.

These amendments are substantively identical to the proposed 217.Subpart Q that was published in the *Illinois Register* on May 4, 2007 at 31 Ill. Reg. 6597. As was explained in those notice pages, the IEPA's statement of reasons explained that these rules are proposed to meet certain obligations of the State of Illinois under the Clean Air Act, 42 USC § 7401 *et seq.*. This Statewide proposal will regulate NO_x emissions from turbines and smaller engines, as part of the State's obligation to meet NO_x reasonably available control technology (RACT) requirements for the 8-hour ozone and fine particulate matter (PM2.5) National Ambient Air Quality Standards (NAAQS), reasonable further progress (RFP), and attainment demonstration requirements.

6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: The regulatory proposal included the Illinois EPA's *Technical Support Document for Controlling NO_x Emissions from Stationary Reciprocating Internal Combustion Engines and Turbines*(TSD) that relied on several published studies and reports. Copies of the reports that the Illinois EPA relied upon are available for review with the Pollution Control Board and are listed below.

Technical Support Document for Final Clean Air Interstate Rule, Air Quality Modeling, U.S. EPA, Research Triangle Park, NC, March 2005.

Alternative Control Techniques Document - NOx Emissions from Stationary Reciprocating Internal Combustion Engines, EPA-453/R-93-032, July 1993, U.S. EPA, OAQPS, RTP, NC 27711.

Alternative Control Techniques Document - NOx Emissions from Stationary Gas Turbines, EPA-453/R-91-007, January 1993, U.S. EPA, OAQPS, RTP, NC 27711.

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Controlling Nitrogen Oxides Under the Clean Air Act: A Menu of Options, July 1994, State and Territorial Air Pollution Program Administrators/Association of Local Air Pollution Control Officials.

Regulatory Impacts Analysis for the NO_x SIP Call, FIP, and Section 126 Petitions, Volume 1: Costs and Economic Impacts, EPA-452/R-98-003, September 1998, U.S. EPA, Office of Air and Radiation, Washington, DC 20460.

Stationary Reciprocating Internal Combustion Engines Technical Support Document for NO_x SIP Call, October 2003, Doug/Grano/Bill Neuffer, EPA OAR, OAQPS, OPSG.

Assessment of Regional NOx Emissions in the Upper Midwest, Lake Michigan Directors' Consortium, February 15, 2007 (Att. A to TSD).

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

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

9) Does this rulemaking contain incorporations by reference? Yes

10) Are there any other proposed amendments pending on this Part? Yes

Section Numbers:	Proposed Action:	Illinois Register Publication:
217.386	New Section	31 Ill. Reg. 6597; May 4, 2007
217.388	New Section	31 Ill. Reg. 6597; May 4, 2007
217.390	New Section	31 Ill. Reg. 6597; May 4, 2007
217.392	New Section	31 Ill. Reg. 6597; May 4, 2007
217.394	New Section	31 Ill. Reg. 6597; May 4, 2007
217.396	New Section	31 Ill. Reg. 6597; May 4, 2007

11) Statement of Statewide Policy Objectives: This proposed rulemaking does not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b) (2002)].

12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for 45 days after the date of publication in the *Illinois Register*. Comments should reference Docket R07-19 and be addressed to:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Clerk's Office
Illinois Pollution Control Board
100 W. Randolph St., Suite 11-500
Chicago, IL 60601

Interested persons may request copies of the Board's opinion and order by calling the Clerk's office at 312/814-3620, or may download copies from the Board's Web site at www.ipcb.state.il.us.

For more information contact hearing officer Tim Fox at 312/814-6085 or email at foxt@ipcb.state.il.us.

13) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance: The proposed rulemaking requires the owner or operator of an affected source to perform required emissions monitoring, complete required tests, and record, report as required. The owner or operator of an affected source must also maintain emissions monitoring and testing information.

C) Types of Professional skills necessary for compliance: No professional skills beyond those currently required by the existing state and federal air pollution control regulations applicable to affected sources will be required.

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

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER c: EMISSION STANDARDS AND LIMITATIONS
FOR STATIONARY SOURCES

PART 217
NITROGEN OXIDES EMISSIONS

SUBPART A: GENERAL PROVISIONS

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217.100 Scope and Organization
217.101 Measurement Methods
217.102 Abbreviations and Units
217.103 Definitions
217.104 Incorporations by Reference

SUBPART B: NEW FUEL COMBUSTION EMISSION SOURCES

Section
217.121 New Emission Sources

SUBPART C: EXISTING FUEL COMBUSTION EMISSION SOURCES

Section
217.141 Existing Emission Sources in Major Metropolitan Areas

SUBPART K: PROCESS EMISSION SOURCES

Section
217.301 Industrial Processes

SUBPART O: CHEMICAL MANUFACTURE

Section
217.381 Nitric Acid Manufacturing Processes

SUBPART Q: STATIONARY RECIPROCATING INTERNAL

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COMBUSTION ENGINES AND TURBINES

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217.386 Applicability
217.388 Control and Maintenance Requirements
217.390 Emissions Averaging Plans
217.392 Compliance
217.394 Testing and Monitoring
217.396 Recordkeeping and Reporting

SUBPART T: CEMENT KILNS

Section
217.400 Applicability
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SUBPART U: NO_x CONTROL AND TRADING PROGRAM FOR SPECIFIED NO_x GENERATING UNITS

Section
217.450 Purpose
217.452 Severability
217.454 Applicability
217.456 Compliance Requirements
217.458 Permitting Requirements
217.460 Subpart U NO_x Trading Budget
217.462 Methodology for Obtaining NO_x Allocations
217.464 Methodology for Determining NO_x Allowances from the New Source Set-Aside
217.466 NO_x Allocations Procedure for Subpart U Budget Units
217.468 New Source Set-Asides for "New" Budget Units
217.470 Early Reduction Credits (ERCs) for Budget Units
217.472 Low-Emitter Requirements
217.474 Opt-In Units
217.476 Opt-In Process
217.478 Opt-In Budget Units: Withdrawal from NO_x Trading Program
217.480 Opt-In Units: Change in Regulatory Status

217.482 Allowance Allocations to Opt-In Budget Units

SUBPART V: ELECTRIC POWER GENERATION

Section
217.521 Lake of Egypt Power Plant
217.700 Purpose
217.702 Severability
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217.706 Emission Limitations
217.708 NO_x Averaging
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Section
217.750 Purpose
217.752 Severability
217.754 Applicability
217.756 Compliance Requirements
217.758 Permitting Requirements
217.760 NO_x Trading Budget
217.762 Methodology for Calculating NO_x Allocations for Budget Electrical Generating Units (EGUs)
217.764 NO_x Allocations for Budget EGUs
217.768 New Source Set-Asides for "New" Budget EGUs
217.770 Early Reduction Credits for Budget EGUs
217.774 Opt-In Units
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217.778 Budget Opt-In Units: Withdrawal from NO_x Trading Program
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217.782 Allowance Allocations to Budget Opt-In Units

SUBPART X: VOLUNTARY NO_x EMISSIONS REDUCTION PROGRAM

Section
217.800 Purpose

217.805 Emission Unit Eligibility
217.810 Participation Requirements
217.815 NO_x Emission Reductions and the Subpart X NO_x Trading Budget
217.820 Baseline Emissions Determination
217.825 Calculation of Creditable NO_x Emission Reductions
217.830 Limitations on NO_x Emission Reductions
217.835 NO_x Emission Reduction Proposal
217.840 Agency Action
217.845 Emissions Determination Methods
217.850 Emissions Monitoring
217.855 Reporting
217.860 Recordkeeping
217.865 Enforcement

217.APPENDIX A Rule into Section Table
217.APPENDIX B Section into Rule Table
217.APPENDIX C Compliance Dates
217.APPENDIX D Non-Electrical Generating Units
217.APPENDIX E Large Non-Electrical Generating Units
217.APPENDIX F Allowances for Electrical Generating Units

AUTHORITY: Implementing Sections 9.9 and 10 and authorized by Sections 27 and 28.5 of the Environmental Protection Act [415 ILCS 5/9.9, 10, 27 and 28.5 (2004)].

SOURCE: Adopted as Chapter 2: Air Pollution, Rule 207: Nitrogen Oxides Emissions, R71-23, 4 PCB 191, April 13, 1972, filed and effective April 14, 1972; amended at 2 Ill. Reg. 17, p. 101, effective April 13, 1978; codified at 7 Ill. Reg. 13609; amended in R01-9 at 25 Ill. Reg. 128, effective December 26, 2000; amended in R01-11 at 25 Ill. Reg. 4597, effective March 15, 2001; amended in R01-16 and R01-17 at 25 Ill. Reg. 5914, effective April 17, 2001; amended in R07-19 at 31 Ill. Reg. _____, effective _____.

SUBPART Q: STATIONARY RECIPROCATING INTERNAL COMBUSTION ENGINES AND TURBINES

Section 217.386 Applicability

a) A stationary reciprocating internal combustion engine or turbine that meets the criteria in subsection (a)(1) or (a)(2) of this Section is an affected unit and is subject to the requirements of this Subpart Q.

1) The engine at nameplate capacity is rated at equal to or greater than 500 bhp output; or

2) The turbine is rated at equal to or greater than 3.5 MW (4,694 bhp) output at 14.7 psia, 59°F, and 60 percent relative humidity.

b) Notwithstanding subsection (a) of this Section, an engine or turbine will not be an affected unit and is not subject to the requirements of this Subpart Q if the engine or turbine is or has:

1) Been used as an emergency or standby unit as defined by 35 Ill. Adm. Code 211.1920;

2) Been used for research or for the purposes of performance verification or testing;

3) Been used to control emissions from landfills, where at least 50 percent of the heat input is gas collected from a landfill;

4) Been used for agricultural purposes, including the raising of crops or livestock that are produced on site, but not associated businesses like packing operations, sale of equipment or repair;

5) A nameplate capacity rated at less than 1500 bhp (1118 kW) output, mounted on a chassis or skids, designed to be moveable, and moved to a different source at least once every 12 months; or

6) Been regulated under Subpart W or a subsequent federal NO_x Trading program for electrical generating units.

c) If an exempt unit ceases to fulfill the criteria specified in subsection (b) of this Section, the owner or operator must notify the Agency in writing within 30 days after becoming aware that the exemption no longer applies and comply with the control requirements of this Subpart Q.

d) The requirements of this Subpart Q will continue to apply to any engine or turbine that has ever been subject to the control requirements of Section 217.388, even if the affected unit ceases to fulfill the rating requirements of subsection (a) of this

Section or becomes eligible for an exemption pursuant to subsection (b) of this Section.

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

Section 217.388 Control and Maintenance Requirements

On and after the applicable compliance date in Section 217.392, an owner or operator of an affected unit must inspect and maintain affected units as required by subsection (d) of this Section and comply with either the applicable emissions concentration as set forth in subsection (a) of this Section, or the requirements for an emissions averaging plan as specified in subsection (b) of this Section or the requirements for operation as a low usage unit as specified in subsection (c) of this Section.

a) The owner or operator must limit the discharge from an affected unit into the atmosphere of any gases that contain NO_x to no more than:

1) 150 ppmv (corrected to 15 percent O_2 on a dry basis) for spark-ignited rich-burn engines;

2) 210 ppmv (corrected to 15 percent O_2 on a dry basis) for spark-ignited lean-burn engines, except for existing spark-ignited Worthington engines that are not listed in Appendix G;

3) 365 ppmv (corrected to 15 percent O_2 on a dry basis) for existing spark-ignited Worthington engines that are not listed in Appendix G;

4) 660 ppmv (corrected to 15 percent O_2 on a dry basis) for diesel engines;

5) 42 ppmv (corrected to 15 percent O_2 on a dry basis) for gaseous fuel-fired turbines; and

6) 96 ppmv (corrected to 15 percent O_2 on a dry basis) for liquid fuel-fired turbines.

b) The owner or operator must comply with the requirements of the applicable emissions averaging plan as set forth in Section 217.390.

c) The owner or operator must operate the affected unit as a low usage unit pursuant to subsection (c)(1) or (c)(2) of this Section. Low usage units are not subject to the requirements of this Subpart Q except for the requirements to inspect and maintain the unit pursuant to subsection (d) of this Section, and retain records pursuant to Sections 217.396(b) and (c). Only one of the following exemptions may be utilized at a particular source:

1) The potential to emit (PTE) is no more than 100 TPY NO_x aggregated from all engines and turbines located at the source that are not otherwise exempt pursuant to Section 217.386(b), and not complying with the requirements of subsection (a) or (b) of this Section and the NO_x PTE limit is contained in a federally enforceable permit; or

2) The aggregate bhp-hr/MW-hr from all affected units located at the source that are not exempt pursuant to Section 217.386(b), and not complying with the requirements of subsection (a) or (b) of this Section, are less than or equal to the bhp-hrs and MW-hrs operation limit listed in subsections (c)(2)(A) and (c)(2)(B) of this Section. For units not located at a natural gas transmission compressor station or storage facility that drive a natural gas compressor station, the operation limits of subsections (c)(2)(A) and (B) of this Section must be contained in a federally enforceable permit.

A) 8 mm bhp-hrs or less on an annual basis for engines; and

B) 20,000 MW-hrs or less on an annual basis for turbines.

d) The owner or operator must inspect and perform periodic maintenance on the affected unit, in accordance with a Maintenance Plan that documents:

1) For a unit not located at a natural gas transmission compressor station or storage facility, either:

A) The manufacturer's recommended inspection and maintenance of the applicable air pollution control equipment, monitoring device, and affected unit; or

B) If the original equipment manual is not available or substantial modifications have been made that require an alternative procedure for the applicable air pollution control device, monitoring device,

or affected unit, the owner or operator must establish a plan for inspection and maintenance in accordance with what is customary for the type of air pollution control equipment, monitoring device, and affected unit.

2) For a unit located at a natural gas compressor station or storage facility, the operator's maintenance procedures for the applicable air pollution control device, monitoring device, and affected unit.

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

Section 217.390 Emissions Averaging Plans

a) An owner or operator of certain affected units may comply through an emissions averaging plan.

1) The unit or units that commenced operation before January 1, 2002 may be included in an emissions averaging plan as follows:

A) Units located at a single source or at multiple sources in Illinois, so long as the units are owned by the same company or parent company where the parent company has working control through stock ownership of its subsidiary corporations. A unit may be listed in only one emissions averaging plan;

B) Units that have a compliance date later than the control period for which the averaging plan is being used for compliance; and

C) Units that the owner or operator may claim as exempt pursuant to Section 217.386(b) but does not claim exempt. For as long as such a unit is included in an emissions averaging plan, it will be treated as an affected unit and subject to the applicable emission concentration limits, testing, monitoring, recordkeeping and reporting requirements.

2) The following types of units may not be included in an emissions averaging plan:

A) Units that commence operation after January 1, 2002, unless the unit replaces an engine or turbine that commenced operation on or before January 1, 2002, or it replaces an engine or turbine that replaced a unit that commenced operation on or before January 1, 2002. The new unit must be used for the same purpose as the replacement unit. The owner or operator of a unit that is shut down and replaced must comply with the provisions of Section 217.396(d)(3) before the replacement unit may be included in an emissions averaging plan.

B) Units that the owner or operator is claiming are exempt pursuant to Section 217.386(b) or as a low usage unit pursuant to Section 217.388(c).

b) An owner or operator must submit an emissions averaging plan to the Agency by the applicable compliance date set forth in Section 217.392. The plan must include, but is not limited to:

1) The list of affected units included in the plan by unit identification number and permit number.

2) A sample calculation demonstrating compliance using the methodology provided in subsection (f) of this Section for both the ozone season and calendar year.

c) An owner or operator may amend an emissions averaging plan only once per calendar year. An amended plan must be submitted to the Agency by May 1 of the applicable calendar year. If an amended plan is not received by the Agency by May 1 of the applicable calendar year, the previous year's plan will be the applicable emissions averaging plan.

d) Notwithstanding subsection (c) of this Section, an owner or operator, and the buyer, if applicable:

1) Must submit an updated emissions averaging plan or plans to the Agency within 60 days, if a unit that is listed in an emissions averaging plan is sold or taken out of service.

2) May amend its emissions averaging plan to include another unit within 30 days after discovering that the unit no longer qualifies as an exempt unit pursuant to Section 217.386(b) or as a low usage unit pursuant to Section 217.388(c).

e) An owner or operator must:

1) Demonstrate compliance for both the ozone season (May 1 through September 30) and the calendar year (January 1 through December 31) by using the methodology and the units listed in the most recent emissions averaging plan submitted to the Agency pursuant to subsection (b) of this Section; the higher of the monitoring or test data determined pursuant to Section 217.394; and the actual hours of operation for the applicable control period;

2) Notify the Agency by October 31 following the ozone season, if compliance cannot be demonstrated for that ozone season; and

3) Submit to the Agency, by January 31 following each calendar year, a compliance report containing the information required by Section 217.396(d)(4).

f) The total mass of actual NO_x emissions from the units listed in the emissions averaging plan must be equal to or less than the total mass of allowable NO_x emissions for those units for both the ozone season and calendar year. The following equation must be used to determine compliance:

$$N_{act} = N_{all}$$

Where:

$$N_{act} = \sum_{i-1}^{n} EM_{act(i)}$$

$$N_{all} = \sum_{i-1}^{n} EM_{all(i)}$$

N_{act} = Total sum of the actual NO_x mass emissions from units included in the averaging plan for each fuel used (lbs per ozone season and calendar year).

N_{all} = Total sum of the allowable NO_x mass emissions from units included in the averaging plan for each fuel used (lbs per ozone season and calendar year).

$EM_{all(i)}$ = Total mass of allowable NO_x emissions in lbs for a unit as determined in subsection (g)(2), (g)(3), (g)(4), (g)(5), or (g)(6) of this Section.

$EM_{act(i)}$ = Total mass of actual NO_x emissions in lbs for a unit as determined in subsection (g)(1), (g)(3), (g)(5) or (h) of this Section.

i = Subscript denoting an individual unit and fuel used.

n = Number of different units in the averaging plan.

g) For each unit in the averaging plan, and each fuel used by a unit, determine actual and allowable NO_x emissions using the following equations, except as provided for in subsection (h) of this Section:

1) Actual emissions must be determined as follows:

$$EM_{act(i)} = E_{act(i)} \times H_i$$

$$E_{act(i)} = \frac{\sum_{j=1}^{m} C_{d(act(j))} \times F_d \times \left(\frac{20.9}{20.9 - \%O_{2d(j)}} \right)}{m}$$

2) Allowable emissions must be determined as follows:

$$EM_{all(i)} = E_{all(i)} \times H_i$$

$$E_{all(i)} = \frac{\sum_{j=1}^{m} C_{d(all)} \times F_d \times \left(\frac{20.9}{20.9 - \%O_{2d(j)}} \right)}{m}$$

Where:

$EM_{act(i)}$ = Total mass of actual NO_x emissions in lbs for a unit.

$EM_{all(i)}$ = Total mass of allowable NO_x emissions in lbs for a unit.

E_{act} = Actual NO_x emission rate (lbs/mmBtu) calculated according to the above equation.

E_{all} = Allowable NO_x emission rate (lbs/mmBtu) calculated according to the above equation.

H = Heat input (mmBtu/ozone season or mmBtu/year) calculated from fuel flow meter and the heating value of the fuel used.

$C_{d(act)}$ = Actual concentration of NO_x in lb/dscf (ppmv x 1.194 x10^{-7}) on a dry basis for the fuel used. Actual concentration is determined on each of the most recent test runs or monitoring passes performed pursuant to Section 217.394, whichever is higher.

$C_{d(all)}$ = Allowable concentration of NO_x in lb/dscf (allowable emission limit in ppmv specified in Section 217.388(a), except as provided for in subsection (g)(6) of this Section, if applicable, multiplied by 1.194 x 10^{-7}) on a dry basis for the fuel used.

F_d = The ratio of the gas volume of the products of combustion to the heat content of the fuel (dscf/mmBtu) as given in the table of F Factors included in 40 CFR 60, appendix A, Method 19 or as determined using 40 CFR 60, appendix A, Method 19.

$\%O_{2d}$ = Concentration of oxygen in effluent gas stream measured on a dry basis during each of the applicable tests or monitoring runs used for determining emissions, as represented by a whole number percent, e.g., for 18.7%O_{2d}, 18.7 would be used.

i = Subscript denoting an individual unit and the fuel used.

j = Subscript denoting each test run or monitoring pass for an affected unit for a given fuel.

m = The number of test runs or monitoring passes for an affected unit using a given fuel.

3) Electric-Powered Replacement Units

A) For a replacement unit that is electric-powered, the allowable NO_x emissions from the affected unit that was replaced should be used in the averaging calculations and the actual NO_x emissions for the electric-powered replacement unit ($EM_{(i)act\ elec}$) are zero.

Allowable NO_x emissions for the electric-powered replacement are calculated using the actual total bhp-hrs generated by the electric-powered replacement unit on an ozone season and on an annual basis multiplied by the allowable NO_x emission rate in lb/bhp-hr of the replaced unit.

B) The allowable mass of NO_x emissions from an electric-powered replacement unit ($EM_{(i)all\ elec}$) must be determined by multiplying the nameplate capacity of the unit by the hours operated during the ozone season or annually and the allowable NO_x emission rate of the replaced unit ($E_{all\ rep}$) in lb/mmBtu converted to lb/bhp-hr. For this calculation the following equation should be used:

$$EM_{all\ elec(i)} = bhp \times OP \times F \times E_{all\ rep(i)}$$

Where:

$EM_{all\ elec(i)}$	=	Mass of allowable NO_x emissions from the electric-powered replacement unit in pounds per ozone season or calendar year.
bhp	=	Nameplate capacity of the electric-powered replacement unit in brake horsepower.
OP	=	Operating hours during the ozone season or calendar year.
F	=	Conversion factor of 0.0077 mmBtu/bhp-hr.
$E_{all\ rep(i)}$	=	Allowable NO_X emission rate (lbs/mmBtu) of the replaced unit.
i	=	Subscript denoting an individual electric unit and the fuel used.

4) For a replacement unit that is not electric, the allowable NO_x emissions rate used in the equations set forth in subsection (g)(2) of this Section must be either:

A) Prior to the applicable compliance date for the replaced unit pursuant to Section 217.392, the higher of the actual NO_x emissions as determined by testing or monitoring data or the applicable uncontrolled NO_x emissions factor from Compilation of Air Pollutant Emission Factors: AP-42, Volume I: Stationary

Point and Area Sources, as incorporated by reference in Section 217.104 for the unit that was replaced; or

B) On and after the applicable compliance date for the replaced unit pursuant to Section 217.392, the applicable emissions concentration for the type of unit replaced, as established by Section 217.388(a).

5) For a unit that is replaced with purchased power, the allowable NO_x emissions rate used in the equations set forth in subsection (g)(2) of this Section must be the emissions concentration set forth in Section 217.388(a) or subsection (g)(6) of this Section, when applicable, for the type of unit that was replaced. For owners or operators replacing units with purchased power, the annual hours of operations that must be used are the calendar year hours of operation for the unit that was shut down, averaged over the three-year period prior to the shutdown. The actual NO_x emissions for the units replaced by purchased power ($EM_{(i)act}$) are zero. These units may be included in any emissions averaging plan for no more than five years beginning with the calendar year that the replaced unit is shut down.

6) For units that have a later compliance date, allowable emissions rate used in the equations set forth in subsection (g)(2) of this Section must be:

A) Prior to the applicable compliance date pursuant to Section 217.392, the higher of the actual NO_x emissions as determined by testing or monitoring data or the applicable uncontrolled NO_x emissions factor from Compilation of Air Pollutant Emission Factors: AP-42, Volume I: Stationary Point and Areas Sources, as incorporated by reference in Section 217.104; and

B) On and after the units' applicable compliance date pursuant to Section 217.392, the applicable emissions concentration for that type of unit, as established by Section 217.388(a).

h) For units that use CEMS the data must show that the total mass of actual NO_x emissions determined pursuant to subsection (h)(1) of this Section is less than or equal to the allowable NO_x emissions calculated in accordance with the equations

in subsections (f) and (h)(2) of this Section for both the ozone season and calendar year. The equations in subsection (g) of this Section will not apply.

1) The total mass of actual NO_x emissions in lbs for a unit (EM_{act}) must be the sum of the total mass of actual NO_x emissions from each affected unit using CEMS data collected in accordance with 40 CFR 60 or 75, or alternate methodology that has been approved by the Agency or USEPA and included in a federally enforceable permit.

2) The allowable NO_x emissions must be determined as follows:

$$EM_{(all)} = \sum_{i=1}^{m} (Cd_j * flowstack_i * 1.194 \times 10^{-7})$$

Where:

$EM_{all(i)}$	=	Total mass of allowable NO_x emissions in lbs for a unit.
$Flow_i$	=	Stack flow (dscf/hr) for a given stack.
Cd_j	=	Allowable concentration of NO_x (ppmv) specified in Section 217.388(a) for a given stack. (1.194×10^{-7}) converts to lb/dscf).
j	=	subscript denoting each hour of operation of a given unit.
m	=	Total number of hours of operation of a unit.
i	=	Subscript denoting an individual unit and the fuel used.

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

Section 217.392 Compliance

a) An owner or operator of an affected unit may not operate that unit unless it meets the applicable concentration limit in Section 217.388(a), or is included in an emissions averaging plan pursuant to Section 217.388(b), or meets the low usage requirements pursuant to Section 217.388(c), and complies with all other

applicable requirements of this Subpart Q by the earliest applicable date, listed as follows:

1) On and after May 1, 2007, an owner or operator of an affected engine listed in Appendix G may not operate the affected engine unless the requirements of this Subpart Q are met or the affected engine is exempt pursuant to Section 217.386(b);

2) On and after January 1, 2009, an owner or operator of an affected unit that is located in Cook, DuPage, Aux Sable Township and Goose Lake Township in Grundy, Kane, Oswego Township in Kendall, Lake, McHenry, Will, Jersey, Madison, Monroe, Randolph Township in Randolph, or St. Clair County, and is not listed in Appendix G may not operate the affected unit unless the requirements of this Subpart Q are met or the affected unit is exempt pursuant to Section 217.386(b);

3) On and after January 1, 2011, an owner or operator of an affected engine with a nameplate capacity rated at 1500 bhp or more, and affected turbines rated at 5 MW (6,702 bhp) or more that is not subject to subsection (a)(1) or (a)(2) of this Section, may not operate the affected unit unless the requirements of this Subpart Q are met or the affected unit is exempt pursuant to Section 217.386(b); or

4) On and after January 1, 2012, an owner or operator of an affected engine with a nameplate capacity rated at less than 1500 bhp, or an affected turbine rated at less than 5 MW (6,702 bhp) that is not subject to subsection (a)(1), (a)(2) or (a)(3) of this Section, may not operate the affected engine or turbine unless the requirements of this Subpart Q are met or the affected unit is exempt pursuant to Section 217.386(b).

b) Owners and operators of an affected unit may use NO_x allowances to meet the compliance requirements in Section 217.388 as specified in this subsection. An NO_x allowance is defined as an allowance used to meet the requirements of an NO_x trading program administered by USEPA where one allowance is equal to one ton of NO_x emissions.

1) NO_x allowances may only be used under the following circumstances:

A) An anomalous or unforeseen operating scenario inconsistent with historical operations for a particular ozone season or calendar year that causes an emissions exceedance.

B) To achieve compliance no more than twice in any rolling five-year period.

C) For a unit that is not listed in Appendix G.

2) The owner or operator of the affected unit must surrender to the Agency one NO_x allowance for each ton or portion of a ton of NO_x by which actual emissions exceed allowed emissions. For noncompliance with a seasonal limit, an NO_x ozone season allowance must be used. For noncompliance with the emissions concentration limits in Section 217.388(a) or an annual limitation in an emissions averaging plan, only an NO_x annual allowance may be used.

3) The owner or operator must submit a report documenting the circumstances that required the use of NO_x allowances, identify what actions will be taken in subsequent years to address these circumstances, and transfer the NO_x allowances to the Agency's federal NO_x retirement account. The report and the transfer of allowances must be submitted by October 31 for exceedances during the ozone season and March 1 for exceedances of the emissions concentration or the annual emission averaging plan limits. The report must contain the NATS serial numbers of the NO_x allowances.

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

Section 217.394 Testing and Monitoring

a) An owner or operator of an engine or turbine must conduct an initial performance test pursuant to subsection (c)(1) or (c)(2) of this Section as follows:

1) By May 1, 2007, for affected engines listed in Appendix G. Performance tests must be conducted on units listed in Appendix G, even if the unit is included in an emissions averaging plan pursuant to Section 217.388(b).

2) By the applicable compliance date set forth in Section 217.392, or within the first 876 hours of operation per calendar year, whichever is later:

A) For affected units not listed in Appendix G that operate more than 876 hours per calendar year; and

B) For units that are not affected units that are included in an emissions averaging plan and operate more than 876 hours per calendar year.

3) Once within the five-year period after the applicable compliance date set forth in Section 217.392:

A) For affected units that operate fewer than 876 hours per calendar year; and

B) For units that are not affected units that are included in an emissions averaging plan and that operate fewer than 876 hours per calendar year

b) An owner or operator of an engine or turbine must conduct subsequent performance tests pursuant to subsection (c)(1) or (c)(2) of this Section as follows:

1) For affected engines listed in Appendix G and all units included in an emissions averaging plan, once every five years. Testing must be performed in the calendar year by May 1 or within 60 days after starting operation, whichever is later;

2) If the monitored data shows that the unit is not in compliance with the applicable emissions concentration or emissions averaging plan, the owner or operator must report the deviation to the Agency in writing within 30 days and conduct a performance test pursuant to subsection (c) of this Section within 90 days after the determination of noncompliance; and

3) When, in the opinion of the Agency or USEPA, it is necessary to conduct testing to demonstrate compliance with Section 217.388, the owner or operator of a unit must, at his or her own expense, conduct the test in accordance with the applicable test methods and procedures specified in

this Section within 90 days after receipt of a notice to test from the Agency or USEPA.

c) Testing Procedures:

1) For an engine: The owner or operator must conduct a performance test using Method 7 or 7E of 40 CFR 60, appendix A, as incorporated by reference in Section 217.104. Each compliance test must consist of three separate runs, each lasting a minimum of 60 minutes. NO_x emissions must be measured while the affected unit is operating at peak load. If the unit combusts more than one type of fuel (gaseous or liquid), including backup fuels, a separate performance test is required for each fuel.

2) For a turbine: The owner or operator must conduct a performance test using the applicable procedures and methods in 40 CFR 60.4400, as incorporated by reference in Section 217.104.

d) Monitoring: Except for those years in which a performance test is conducted pursuant to subsection (a) or (b) of this Section, the owner or operator of an affected unit or a unit included in an emissions averaging plan must monitor NO_x concentrations annually, once between January 1 and May 1 or within the first 876 hours of operation per calendar year, whichever is later. If annual operation is less than 876 hours per calendar year, each affected unit must be monitored at least once every five years. Monitoring must be performed as follows:

1) A portable NO_x monitor and utilizing method ASTM D6522-00, as incorporated by reference in Section 217.104, or a method approved by the Agency must be used. If the engine or turbine combusts both liquid and gaseous fuels as primary or backup fuels, separate monitoring is required for each fuel.

2) NO_x and O_2 concentrations measurements must be taken three times for a duration of at least 20 minutes. Monitoring must be done at highest achievable load. The concentrations from the three monitoring runs must be averaged to determine whether the affected unit is in compliance with the applicable emissions concentration or emissions averaging plan, as specified in Section 217.388.

e) Instead of complying with the requirements of subsections (a), (b), (c) and (d) of this Section, an owner or operator may install and operate a CEMS on an affected unit that meets the applicable requirements of 40 CFR 60, subpart A and appendix B, incorporated by reference in Section 217.104, and complies with the quality assurance procedures specified in 40 CFR 60, appendix F or 40 CFR 75, as incorporated by reference in Section 217.104, or an alternate procedure as approved by the Agency or USEPA in a federally enforceable permit. The CEMS must be used to demonstrate compliance with the applicable emissions concentration or emissions averaging plan only on an ozone season and annual basis.

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

Section 217.396 Recordkeeping and Reporting

a) Recordkeeping. The owner or operator of a unit included in an emissions averaging plan or an affected unit that is not exempt pursuant to Section 217.386(b) and is not subject to the low usage exemption of Section 217.388(c) must maintain records that demonstrate compliance with the requirements of this Subpart Q, which include, but are not limited to:

1) Identification, type (e.g., lean-burn, gas-fired), and location of each unit.

2) Calendar date of the record.

3) The number of hours the unit operated on a monthly basis and during each ozone season.

4) Type and quantity of the fuel used on a daily basis.

5) The results of all monitoring performed on the unit and reported deviations.

6) The results of all tests performed on the unit.

7) The plan for performing inspection and maintenance of the units, air pollution control equipment, and the applicable monitoring device, pursuant to Section 217.388(d).

8) A log of inspections and maintenance performed on the unit's air emissions, monitoring device, and air pollution control device. These records must include, at a minimum, date, load levels and any manual adjustments, along with the reason for the adjustment (e.g., air to fuel ratio, timing or other settings).

9) If complying with the emissions averaging plan provisions of Sections 217.388(b) and 217.390, copies of the calculations used to demonstrate compliance with the ozone season and annual control period limits, noncompliance reports for the ozone season, and ozone and annual control period compliance reports submitted to the Agency.

10) Identification of time periods for which operating conditions and pollutant data were not obtained by either the CEMS or alternate monitoring procedures, including the reasons for not obtaining sufficient data and a description of corrective actions taken.

11) Any NO_x allowance reconciliation reports submitted pursuant to Section 217.392(e).

b) The owner or operator of an affected unit that is complying with the low usage provisions of Section 217.388(c) must:

1) For each unit complying with Section 217.388(c)(1), maintain a record of the NO_x emissions for each calendar year; or

2) For each unit complying with Section 217.388(c)(2), maintain a record of bhp or MW hours operated each calendar year.

c) The owner or operator of an affected unit or unit included in an emissions averaging plan must maintain the records required by subsections (a) and (b) of this Section for a period of five years at the source at which the unit is located. The records must be made available to the Agency and USEPA upon request.

d) Reporting requirements:

1) The owner or operator must notify the Agency in writing 30 days and five days prior to testing, pursuant to Section 217.394(a) and:

A) If, after the 30-days notice for an initially scheduled test is sent, there is a delay (e.g., due to operational problems) in conducting the performance test as scheduled, the owner or operator of the unit must notify the Agency as soon as possible of the delay in the original test date either by providing at least seven days prior notice of the rescheduled date of the performance test or by arranging a new test date with the Agency by mutual agreement;

B) Provide a testing protocol to the Agency 60 days prior to testing; and

C) Not later than 30 days after the completion of the test, submit the results of the test to the Agency.

2) Pursuant to the requirements for monitoring in Section 217.394(d), the owner or operator of the unit must report to the Agency any monitored exceedances of the applicable NO_x concentration from Section 217.388(a) or (b) within 30 days after performing the monitoring.

3) Within 90 days after permanently shutting down an affected unit or a unit included in an emissions averaging plan, the owner or operator of the unit must withdraw or amend the applicable permit to reflect that the unit is no longer in service.

4) If demonstrating compliance through an emissions averaging plan:

A) By October 31 following the applicable ozone season, the owner or operator must notify the Agency if he or she cannot demonstrate compliance for that ozone season; and

B) By January 30 following the applicable calendar year, the owner or operator must submit to the Agency a report that demonstrates the following:

i) For all units that are part of the emissions averaging plan, the total mass of allowable NO_x emissions for the ozone season and for the annual control period;

ii) The total mass of actual NO_x emissions for the ozone season and annual control period for each unit included in the averaging plan;

iii) The calculations that demonstrate that the total mass of actual NO_x emissions are less than the total mass of allowable NO_x emissions using equations in Section 217.390(f) and (g); and

iv) The information required to determine the total mass of actual NO_x emissions and the calculations performed in subsection (d)(4)(B)(iii) of this Section.

5) If operating a CEMS, the owner or operator must submit an excess emissions and monitoring systems performance report in accordance with the requirements of 40 CFR 60.7(c) and 60.13 or 40 CFR 75, incorporated by reference in Section 217.104, or an alternate procedure approved by the Agency or USEPA and included in a federally enforceable permit.

6) If using NO_x allowances to comply with the requirements of Section 217.388, reconciliation reports as required by Section 217.392(b)(3).

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Primary Drinking Water Standards

2) Code citation: 35 Ill. Adm. Code 611

3)

Section Numbers:	Proposed Action:
611.101, 611.102, 611.160	Amend
611.161	New Section
611.310, 611.312, 611.381	Amend
611.382, 611.383, 611.385	Amend
611.490, 611.524, 611.680	Amend
611.685	Repeal
611.800, 611.801, 611.802	New Section
611.803, 611.804, 611.805	New Section
611.860, 611.881, 611.883	Amend
611.902, 611.903	Amend
611.911, 611.920, 611.921	New Section
611.922, 611.923, 611.924	New Section
611.925, 611.970, 611.971	New Section
611.972, 611.973, 611.974	New Section
611.975, 611.976, 611.977	New Section
611.978, 611.979, 611.1000	New Section
611.1001, 611.1002, 611.1003	New Section
611.1004, 611.1005, 611.1006	New Section
611.1007, 611.1008, 611.1009	New Section
611.1010, 611.1011, 611.1012	New Section
611.1013, 611.1014, 611.1015	New Section
611.1016, 611.1017, 611.1018	New Section
611.1019, 611.1020, 611.1021	New Section
611.1022, 611.1023	New Section
611.APPENDIX A, 611.APPENDIX C, 611.APPENDIX G	Amend
611.APPENDIX H, 611.APPENDIX I	Amend
611.TABLE H, 611.TABLE I, 611.TABLE J	New Section
611.TABLE Z	Amend

4) Statutory Authority: 415 ILCS 5/7.2, 17, 17.5, and 27

5) A Complete description of the subjects and issues involved: The following briefly describes the subjects and issues involved in the consolidated docket R07-2/R07-11 rulemaking. A comprehensive description is contained in the Board's opinion and order

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

of May 3, 2007, proposing amendments in consolidated docket R07-2/R07-11, which opinion and order is available from the address below.

This proceeding updates the Illinois Safe Drinking Water Act (SDWA) rules to correspond with amendments adopted by the United States Environmental Protection Agency (USEPA) that appeared in the Federal Register during two update periods. The dockets and time periods that are involved in this proceeding are the following:

R07-2	Federal SDWA amendments that occurred during the period January 1, 2006 through June 30, 2006.
R07-11	Federal SDWA amendments that occurred during the period July 1, 2006 through December 31, 2006.

The consolidated docket R07-2/R07-11 amends rules in Part 611. The following table briefly summarizes the federal actions in the update period:

January 4, 2006 (71 Fed. Reg. 388)	USEPA adopted the Stage 2 Disinfectants and Disinfection Byproducts Rule (DBPR), relating to drinking water disinfection practices and the content of disinfection byproducts in drinking water.
January 5, 2006 (71 Fed. Reg. 654)	USEPA adopted the Long Term 2 Enhanced Surface Water Treatment Rule (LT2ESWTR), requiring the use of treatment techniques and imposing monitoring, reporting, and public notification requirements on all systems that use surface water as a source of raw water. It is a companion to the Stage 2 DBPR, intended to protect against *Cryptosporidium* and other microbial contaminants, like *Giardia lamblia*.
January 27, 2006 (71 Fed. Reg. 4644)	USEPA corrected the January 4, 2006 Stage 2 DBPR.
January 30, 2006 (71 Fed. Reg. 4968)	USEPA corrected the January 5, 2006 LT2ESWTR.
February 6, 2006 (71 Fed. Reg. 6136)	USEPA again corrected the January 5, 2006 LT2ESWTR.
June 29, 2006 (71 Fed. Reg. 37168)	USEPA again corrected the January 4, 2006 Stage 2 DBPR.
November 8, 2006 (71 Fed. Reg. 65574)	USEPA adopted the Ground Water Rule (GWR), which is intended to increase protection against microbial pathogens in public water systems that use ground water

	sources.
November 21, 2006 (71 Fed. Reg. 67427)	USEPA corrected the references to analytical methods for use under GWR.

A comprehensive description is contained in the Board's opinion and order of May 3, 2007, proposing amendments in consolidated docket R07-2/R07-11, which opinion and order is available from the address below.

Tables appear in the Board's opinion and order of May 3, 2007 in consolidated docket R07-2/R07-11 that list numerous corrections and amendments that are not based on current federal amendments. The tables contain deviations from the literal text of the federal amendments underlying these amendments, as well as corrections and clarifications that the Board made in the base text involved. Persons interested in the details of those corrections and amendments should refer to the May 3, 2007 opinion and order in consolidated docket R07-2/R07-11.

Section 17.5 of the Environmental Protection Act [415 ILCS 5/17.5] provides that Section 5-35 of the Administrative Procedure Act [5 ILCS 100/5-35] does not apply to this rulemaking. Because this rulemaking is not subject to Section 5-35 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules (JCAR).

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

7) Will these proposed amendments replace any emergency amendments currently in effect? No

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

9) Do these proposed amendments contain incorporations by reference? No

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

10) Statement of Statewide policy objectives: These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b) (2002)].

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12) Time, Place and manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference consolidated docket R07-2/R07-11 and be addressed to:

John T. Therriault, Assistant Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

Please direct inquiries to the following person and reference consolidated docket R07-2/R07-11:

Michael J. McCambridge
Staff Attorney
Illinois Pollution Control Board
100 W. Randolph 11-500
Chicago, IL 60601
Phone: 312/814-6924
E-mail: mccambm@ipcb.state.il.us

Request copies of the Board's opinion and order at 312/814-3620, or download a copy from the Board's Website at http:\\www.ipcb.state.il.us.

13) Initial regulatory flexibility analysis:

A) Types of small businesses, small municipalities, and not-for-profit corporations affected: This rulemaking may affect those small businesses, small municipalities, and not-for-profit corporations that own or operate a public water supply. These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2002)].

B) Reporting, bookkeeping or other procedures required for compliance: The existing rules and proposed amendments require extensive reporting, bookkeeping and other procedures, including the preparation of reports, water analyses, and maintenance of operating records. These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b) (2002)].

C) Types of professional skills necessary for compliance: Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist, and registered professional engineer. These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b) (2002)].

14) Regulatory agenda on which this rulemaking was summarized: January 2007

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

POLLUTION CONTROL BOARD

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SUBTITLE F: PUBLIC WATER SUPPLIES
CHAPTER I: POLLUTION CONTROL BOARD

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POLLUTION CONTROL BOARD

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AUTHORITY: Implementing Sections 7.2, 17, and 17.5 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 17, 17.5, and 27].

SOURCE: Adopted in R88-26 at 14 Ill. Reg. 16517, effective September 20, 1990; amended in R90-21 at 14 Ill. Reg. 20448, effective December 11, 1990; amended in R90-13 at 15 Ill. Reg. 1562, effective January 22, 1991; amended in R91-3 at 16 Ill. Reg. 19010, effective December 1, 1992; amended in R92-3 at 17 Ill. Reg. 7796, effective May 18, 1993; amended in R93-1 at 17 Ill. Reg. 12650, effective July 23, 1993; amended in R94-4 at 18 Ill. Reg. 12291, effective July 28, 1994; amended in R94-23 at 19 Ill. Reg. 8613, effective June 20, 1995; amended in R95-17 at 20 Ill. Reg. 14493, effective October 22, 1996; amended in R98-2 at 22 Ill. Reg. 5020, effective March 5, 1998; amended in R99-6 at 23 Ill. Reg. 2756, effective February 17, 1999; amended in R99-12 at 23 Ill. Reg. 10348, effective August 11, 1999; amended in R00-8 at 23 Ill. Reg. 14715, effective December 8, 1999; amended in R00-10 at 24 Ill. Reg. 14226, effective September 11, 2000; amended in R01-7 at 25 Ill. Reg. 1329, effective January 11, 2001; amended in R01-20 at 25 Ill. Reg. 13611, effective October 9, 2001; amended in R02-5 at 26 Ill. Reg. 3522, effective February 22, 2002; amended in R03-4 at 27 Ill. Reg. 1183, effective January 10, 2003; amended in R03-15 at 27 Ill. Reg. 16447, effective October 10, 2003; amended in R04-3 at 28 Ill. Reg. 5269, effective March 10, 2004; amended in R04-13 at 28 Ill. Reg. 12666, effective August 26, 2004; amended in R05-6 at 29 Ill. Reg. 2287, effective January 28, 2005; amended in R06-15 at 30 Ill. Reg. 17004, effective October 13, 2006; amended in R07-2/R07-11 at 31 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL

Section 611.101 Definitions

As used in this Part, the following terms have the given meanings:

"Act" means the Environmental Protection Act [415 ILCS 5].

"Agency" means the Illinois Environmental Protection Agency.
BOARD NOTE: The Department of Public Health (Public Health or DPH) regulates non-community water supplies ("non-CWSs," including non-transient, non-community water supplies ("NTNCWSs") and transient non-community water supplies ("transient non-CWSs")). For the purposes of regulation of supplies by Public Health by reference to this Part, "Agency" will mean the Department of Public Health.

~~"Ai" means "inactivation ratio."~~

"Approved source of bottled water~~,~~", for the purposes of Section 611.130(d) (4), means a source of water and the water therefrom, whether it be from a spring, artesian well, drilled well, municipal water supply, or any other source, that has been inspected and the water sampled, analyzed, and found to be a safe and sanitary quality according to applicable laws and regulations of State and local government agencies having jurisdiction, as evidenced by the presence in the plant of current certificates or notations of approval from each government agency or agencies having jurisdiction over the source, the water it bottles, and the distribution of the water in commerce.
BOARD NOTE: Derived from 40 CFR 142.62(g)(2) and 21 CFR 129.3(a) (2006)~~(2003)~~. The Board cannot compile an exhaustive listing of all federal, State, and local laws to which bottled water and bottling water may be subjected. However, the statutes and regulations of which the Board is aware are the following: the Illinois Food, Drug and Cosmetic Act [410 ILCS 620], the Bottled Water Act [815 ILCS 310], the DPH Water Well Construction Code (77 Ill. Adm. Code 920), the DPH Water Well Pump Installation Code (77 Ill. Adm. Code 925), the federal bottled water quality standards (21 CFR 103.35), the federal drinking water processing and bottling standards (21 CFR 129), the federal Current Good Manufacturing Practice in Manufacturing, Packing, or Holding Human Food (21 CFR 110), the federal Fair Packaging and Labeling Act (15 USC 1451 et seq.), and the federal Fair Packaging and Labeling regulations (21 CFR 201).

"Bag filters" means pressure-driven separation devices that remove particulate matter larger than one micrometer using an engineered porous filtration media. They are typically constructed of a non-rigid, fabric filtration media housed in a

pressure vessel in which the direction of flow is from the inside of the bag to outside.

"Bank filtration" means a water treatment process that uses a well to recover surface water that has naturally infiltrated into groundwater through a river bed or banks. Infiltration is typically enhanced by the hydraulic gradient imposed by a nearby pumping water supply or other wells.

"Best available technology" or "BAT" means the best technology, treatment techniques, or other means that USEPA has found are available for the contaminant in question. BAT is specified in Subpart F of this Part.

"Board" means the Illinois Pollution Control Board.

"Cartridge filters" means pressure-driven separation devices that remove particulate matter larger than one micrometer using an engineered porous filtration media. They are typically constructed as rigid or semi-rigid, self-supporting filter elements housed in pressure vessels in which flow is from the outside of the cartridge to the inside.

"CAS No." means "Chemical Abstracts Services Number."

"CT" or "CT_{calc}" is the product of "residual disinfectant concentration" (RDC or C) in mg/l determined before or at the first customer, and the corresponding "disinfectant contact time" (T) in minutes. If a supplier applies disinfectants at more than one point prior to the first customer, it must determine the CT of each disinfectant sequence before or at the first customer to determine the total percent inactivation or "total inactivation ratio." In determining the total inactivation ratio, the supplier must determine the RDC of each disinfection sequence and corresponding contact time before any subsequent disinfection application points. (See "$CT_{99.9}$.")

"$CT_{99.9}$" is the CT value required for 99.9 percent (3-log) inactivation of Giardia lamblia cysts. $CT_{99.9}$ for a variety of disinfectants and conditions appear in Tables 1.1-1.6, 2.1 and 3.1 of Appendix B of this Part. (See "Inactivation Ratio.") BOARD NOTE: Derived from the definition of "CT" in 40 CFR 141.2 (2006)~~(2003)~~.

"Coagulation" means a process using coagulant chemicals and mixing by which

colloidal and suspended materials are destabilized and agglomerated into flocs.

"Combined distribution system" means the interconnected distribution system consisting of the distribution systems of wholesale systems and of the consecutive systems that receive finished water.

"Community water system" or "CWS" means a public water system (PWS) that serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.
BOARD NOTE: This definition differs slightly from that of Section 3.05 of the Act.

"Compliance cycle" means the nine-year calendar year cycle during which public water systems (PWSs) must monitor. Each compliance cycle consists of three three-year compliance periods. The first calendar cycle began January 1, 1993, and ended December 31, 2001; the second began January 1, 2002, and ends December 31, 2010; the third begins January 1, 2011, and ends December 31, 2019.

"Compliance period" means a three-year calendar year period within a compliance cycle. Each compliance cycle has three three-year compliance periods. Within the first compliance cycle, the first compliance period ran from January 1, 1993to December 31, 1995; the second from January 1, 1996 to December 31, 1998; the third from January 1, 1999to December 31, 2001.

"Comprehensive performance evaluation" or "CPE" is a thorough review and analysis of a treatment plant's performance-based capabilities and associated administrative, operation, and maintenance practices. It is conducted to identify factors that may be adversely impacting a plant's capability to achieve compliance and emphasizes approaches that can be implemented without significant capital improvements.
BOARD NOTE: The final sentence of the definition of "comprehensive performance evaluation" in 40 CFR 141.2 is codified as Section 611.160(a)(2), since it contains substantive elements that are more appropriately codified in a substantive provision.

"Confluent growth" means a continuous bacterial growth covering the entire filtration area of a membrane filter or a portion thereof, in which bacterial colonies are not discrete.

"Consecutive system" means a public water system that receives some or all of its finished water from one or more wholesale systems. Delivery may be through a direct connection or through the distribution system of one or more consecutive systems.

"Contaminant" means any physical, chemical, biological, or radiological substance or matter in water.

"Conventional filtration treatment" means a series of processes including coagulation, flocculation, sedimentation, and filtration resulting in substantial particulate removal.

"Diatomaceous earth filtration" means a process resulting in substantial particulate removal in which the following occur:

A precoat cake of diatomaceous earth filter media is deposited on a support membrane (septum); and

While the water is filtered by passing through the cake on the septum, additional filter media known as body feed is continuously added to the feed water to maintain the permeability of the filter cake.

"Direct filtration" means a series of processes including coagulation and filtration but excluding sedimentation resulting in substantial particulate removal.

"Disinfectant" means any oxidant, including but not limited to chlorine, chlorine dioxide, chloramines, and ozone added to water in any part of the treatment or distribution process, that is intended to kill or inactivate pathogenic microorganisms.

"Disinfectant contact time" or "T" means the time in minutes that it takes for water to move from the point of disinfectant application or the previous point of RDC measurement to a point before or at the point where RDC is measured.

Where only one RDC is measured, T is the time in minutes that it takes for water to move from the point of disinfectant application to a point before or at the point where RDC is measured.

Where more than one RDC is measured, T is as follows:

For the first measurement of RDC, the time in minutes that it takes for water to move from the first or only point of disinfectant application to a point before or at the point where the first RDC is measured; and

For subsequent measurements of RDC, the time in minutes that it takes for water to move from the previous RDC measurement point to the RDC measurement point for which the particular T is being calculated.

T in pipelines must be calculated based on "plug flow" by dividing the internal volume of the pipe by the maximum hourly flow rate through that pipe.

T within mixing basins and storage reservoirs must be determined by tracer studies or an equivalent demonstration.

"Disinfection" means a process that inactivates pathogenic organisms in water by chemical oxidants or equivalent agents.

"Disinfection byproduct" or "DBP" means a chemical byproduct that forms when disinfectants used for microbial control react with naturally occurring compounds already present in source water. DBPs include, but are not limited to, bromodichloromethane, bromoform, chloroform, dichloroacetic acid, bromate, chlorite, dibromochloromethane, and certain haloacetic acids.

"Disinfection profile" is a summary of daily Giardia lamblia inactivation through the treatment plant. The procedure for developing a disinfection profile is contained in Section 611.742.

"Distribution system" includes all points downstream of an "entry point" to the point of consumer ownership.

"Domestic or other non-distribution system plumbing problem" means a coliform contamination problem in a PWS with more than one service connection that is limited to the specific service connection from which the coliform-positive sample was taken.

"Dose equivalent" means the product of the absorbed dose from ionizing radiation and such factors as account for differences in biological effectiveness due to the type of radiation and its distribution in the body as specified by the International Commission on Radiological Units and Measurements (ICRU).

"Dual sample set" means a set of two samples collected at the same time and same location, with one sample analyzed for TTHM and the other sample analyzed for HAA5. Dual sample sets are collected for the purposes of conducting an IDSE under Subpart W of this Part and determining compliance with the TTHM and HAA5 MCLs under Subpart Y of this Part.

"Enhanced coagulation" means the addition of sufficient coagulant for improved removal of disinfection byproduct (DBP) precursors by conventional filtration treatment.

"Enhanced softening" means the improved removal of disinfection byproduct (DBP) precursors by precipitative softening.

"Entry point" means a point just downstream of the final treatment operation, but upstream of the first user and upstream of any mixing with other water. If raw water is used without treatment, the "entry point" is the raw water source. If a PWS receives treated water from another PWS, the "entry point" is a point just downstream of the other PWS, but upstream of the first user on the receiving PWS, and upstream of any mixing with other water.

"Filter profile" is a graphical representation of individual filter performance, based on continuous turbidity measurements or total particle counts versus time for an entire filter run, from startup to backwash inclusively, that includes an assessment of filter performance while another filter is being backwashed.

"Filtration" means a process for removing particulate matter from water by passage through porous media.

"Finished water" means water that is introduced into the distribution system of a public water system which is intended for distribution and consumption without further treatment, except that treatment which is necessary to maintain water quality in the distribution system (e.g., booster disinfection, addition of corrosion control chemicals, etc.).

"Flocculation" means a process to enhance agglomeration or collection of smaller floc particles into larger, more easily settleable particles through gentle stirring by hydraulic or mechanical means.

"Flowing stream" means a course of running water flowing in a definite channel.

"40/60 certification" means the certification, submitted by the supplier to the Agency pursuant to Section 611.923, that the supplier had no TTHM or HAA5 monitoring violations, and that no individual sample from its system exceeded 0.040 mg/l TTHM or 0.030 mg/l HAA5 during eight consecutive calendar quarters.
BOARD NOTE: Derived from 40 CFR 141.603(a) (2006).

"GAC10" means granular activated carbon (GAC) filter beds with an empty-bed contact time of 10 minutes based on average daily flow and a carbon reactivation frequency of every 180 days, except that the reactivation frequency for GAC10 that is used as a best available technology for compliance with the MCLs set forth in Subpart Y of this Part pursuant to Section 611.312(b)(2) is 120 days.

"GAC20" means granular activated carbon filter beds with an empty-bed contact time of 20 minutes based on average daily flow and a carbon reactivation frequency of every 240 days.

"GC" means "gas chromatography" or "gas-liquid phase chromatography."

"GC/MS" means gas chromatography (GC) followed by mass spectrometry (MS).

"Gross alpha particle activity" means the total radioactivity due to alpha particle emission as inferred from measurements on a dry sample.

"Gross beta particle activity" means the total radioactivity due to beta particle emission as inferred from measurements on a dry sample.

"Groundwater system" or "GWS" means a public water supply (PWS) that uses only groundwater sources, including a consecutive system that receives finished groundwater.
BOARD NOTE: Derived from 40 CFR 141.23(b)(2) and 141.24(f)(2) note (2006) and 40 CFR 141.400(b), as added at 71 Fed. Reg. 65576 (Nov. 8, 2006).

"Groundwater under the direct influence of surface water" means any water beneath the surface of the ground with significant occurrence of insects or other macroorganisms, algae, or large-diameter pathogens, such as Giardia lamblia or Cryptosporidium, or significant and relatively rapid shifts in water characteristics, such as turbidity, temperature, conductivity, or pH, that closely correlate to climatological or surface water conditions. "Groundwater under the direct influence of surface water" is as determined in Section 611.212.

~~"GWS" means "groundwater system," a public water supply (PWS) that uses only groundwater sources.~~
~~BOARD NOTE: Drawn from 40 CFR 141.23(b)(2) & 141.24(f)(2) note (2003).~~

"Haloacetic acids (five)" or "HAA5" means the sum of the concentrations in milligrams per liter (mg/l) of five haloacetic acid compounds (monochloroacetic acid, dichloroacetic acid, trichloroacetic acid, monobromoacetic acid, and dibromoacetic acid), rounded to two significant figures after addition.

"Halogen" means one of the chemical elements chlorine, bromine, or iodine.

"HPC" means "heterotrophic plate count," measured as specified in Section 611.531(c).

"Hydrogeologic sensitivity assessment", for the purposes of Subpart S of this Part, means a determination of whether a GWS supplier obtains water from a hydrogeologically sensitive setting.
BOARD NOTE: Derived from 40 CFR 141.400(c)(5), as added at 71 Fed. Reg. 65574 (Nov. 8, 2006).

"Inactivation ratio" or "~~(~~Ai~~)~~" means as follows:

$$Ai = CT_{calc}/CT_{99.9}$$

The sum of the inactivation ratios~~,~~ or "total inactivation ratio" (B) is calculated by adding together the inactivation ratio for each disinfection sequence as follows:

$$B = S(Ai)$$

A total inactivation ratio equal to or greater than 1.0 is assumed to provide a 3-log inactivation of Giardia lamblia cysts.

BOARD NOTE: Derived from the definition of "CT" in 40 CFR 141.2 (2006)~~(2003)~~.

"Initial compliance period" means the three-year compliance period that begins January 1, 1993, except for the MCLs for dichloromethane, 1,2,4-trichlorobenzene, 1,1,2-trichloroethane, benzo(a)pyrene, dalapon, di(2-ethylhexyl)adipate, di(2-ethylhexyl)phthalate, dinoseb, diquat, endothall, endrin, glyphosate, hexachlorobenzene, hexachlorocyclopentadiene, oxamyl, picloram, simazine, 2,3,7,8-TCDD, antimony, beryllium, cyanide, nickel, and thallium, as they apply to a supplier whose system has fewer than 150 service connections, for which it means the three-year compliance period that began on January 1, 1996.

"Initial distribution system evaluation" or "IDSE" means the evaluation, performed by the supplier pursuant to Section 611.921(c), to determine the locations in a distribution system that are representative of high TTHM and HAA5 concentrations throughout the distribution system. An IDSE is used in conjunction with, but is distinct from, the compliance monitoring undertaken to identify and select monitoring locations used to determine compliance with Subpart X.
BOARD NOTE: Derived from 40 CFR 611.921(c) (2006).

"Inorganic contaminants" or "IOCs" refers to that group of contaminants designated as such in United States Environmental Protection Agency (USEPA) regulatory discussions and guidance documents. IOCs include antimony, arsenic, asbestos, barium, beryllium, cadmium, chromium, cyanide, mercury, nickel, nitrate, nitrite, selenium, and thallium.
BOARD NOTE: The IOCs are derived from 40 CFR 141.23(a)(4) (2006)~~(2003)~~.

"l " means "liter."

"Lake or reservoir" means a natural or man made basin or hollow on the Earth's surface in which water collects or is stored that may or may not have a current or single direction of flow.

"Legionella" means a genus of bacteria, some species of which have caused a type of pneumonia called Legionnaires Disease.

"Locational running annual average" or "LRAA" means the average of sample analytical results for samples taken at a particular monitoring location during the previous four calendar quarters.

"Man-made beta particle and photon emitters" means all radionuclides emitting beta particles or photons listed in "Maximum Permissible Body Burdens and Maximum Permissible Concentrations of Radionuclides in Air and in Water for Occupational Exposure," NCRP Report Number 22, incorporated by reference in Section 611.102, except the daughter products of thorium-232, uranium-235 and uranium-238.

"Maximum contaminant level" or "MCL" means the maximum permissible level of a contaminant in water that is delivered to any user of a public water system. (See Section 611.121.)

"Maximum contaminant level goal" or "MCLG" means the maximum level of a contaminant in drinking water at which no known or anticipated adverse effect on the health of persons would occur, and which allows an adequate margin of safety. MCLGs are nonenforceable health goals.
BOARD NOTE: The Board has not routinely adopted the regulations relating to the federal MCLGs because they are outside the scope of the Board's identical-in-substance mandate under Section 17.5 of the Act [415 ILCS 5/17.5].

"Maximum residual disinfectant level" or "MRDL" means the maximum permissible level of a disinfectant added for water treatment that may not be exceeded at the consumer's tap without an unacceptable possibility of adverse health effects. MRDLs are enforceable in the same manner as are MCLs. (See Section 611.313 and Section 611.383.)

"Maximum residual disinfectant level goal" or "MRDLG" means the maximum level of a disinfectant added for water treatment at which no known or anticipated adverse effect on the health of persons would occur, and which allows an adequate margin of safety. MRDLGs are nonenforceable health goals and do not reflect the benefit of the addition of the chemical for control of waterborne microbial contaminants.

"Maximum total trihalomethane potential" or "MTP" means the maximum concentration of total trihalomethanes (TTHMs) produced in a given water

containing a disinfectant residual after seven days at a temperature of 25° C or above.

"Membrane filtration" means a pressure or vacuum driven separation process in which particulate matter larger than one micrometer is rejected by an engineered barrier, primarily through a size exclusion mechanism, and which has a measurable removal efficiency of a target organism that can be verified through the application of a direct integrity test. This definition includes the common membrane technologies of microfiltration, ultrafiltration, nanofiltration, and reverse osmosis.

"MFL" means millions of fibers per liter larger than 10 micrometers.
BOARD NOTE: Derived from 40 CFR 141.23(a)(4)(i) (2006)~~(2003)~~.

"mg" means milligrams (1/1000 of a gram).

"mg/l " means milligrams per liter.

"Mixed system" means a PWS that uses both groundwater and surface water sources.
BOARD NOTE: Drawn from 40 CFR 141.23(b)(2) and 141.24(f)(2) note (2006)~~(2003)~~.

"MUG" means 4-methyl-umbelliferyl-beta-d-glucuronide.

"Near the first service connection" means at one of the 20 percent of all service connections in the entire system that are nearest the public water system (PWS) treatment facility, as measured by water transport time within the distribution system.

"nm" means nanometer (1/1,000,000,000 of a meter).

"Non-community water system" or "NCWS" or "non-CWS" means a public water system (PWS) that is not a community water system (CWS). A non-community water system is either a "transient non-community water system (TWS)" or a "non-transient non-community water system (NTNCWS)."

"Non-transient non-community water system" or "NTNCWS" means a public water system (PWS) that is not a community water system (CWS) and that

regularly serves at least 25 of the same persons over six months per year.

"NPDWR" means "national primary drinking water regulation."

"NTU" means "nephelometric turbidity units."

"Old MCL" means one of the inorganic maximum contaminant levels (MCLs), codified at Section 611.300, or organic MCLs, codified at Section 611.310, including any marked as "additional State requirements."
BOARD NOTE: Old MCLs are those derived prior to the implementation of the USEPA "Phase II" regulations. The Section 611.640 definition of this term, which applies only to Subpart O of this Part, differs from this definition in that the definition does not include the Section 611.300 inorganic MCLs.

"P-A Coliform Test" means "Presence-Absence Coliform Test."

"Paired sample" means two samples of water for Total Organic Carbon (TOC). One sample is of raw water taken prior to any treatment. The other sample is taken after the point of combined filter effluent and is representative of the treated water. These samples are taken at the same time. (See Section 611.382.)

"Performance evaluation sample" or "PE sample" means a reference sample provided to a laboratory for the purpose of demonstrating that the laboratory can successfully analyze the sample within limits of performance specified by the Agency; or, for bacteriological laboratories, Public Health; or, for radiological laboratories, the Illinois Department of Nuclear Safety. The true value of the concentration of the reference material is unknown to the laboratory at the time of the analysis.

"Person" means an individual, corporation, company, association, partnership, state, unit of local government, or federal agency.

"Phase I" refers to that group of chemical contaminants and the accompanying regulations promulgated by USEPA on July 8, 1987, at 52 Fed. Reg. 25712.

"Phase II" refers to that group of chemical contaminants and the accompanying regulations promulgated by USEPA on January 30, 1991, at 56 Fed. Reg. 3578.

"Phase IIB" refers to that group of chemical contaminants and the accompanying

regulations promulgated by USEPA on July 1, 1991, at 56 Fed. Reg. 30266.

"Phase V" refers to that group of chemical contaminants promulgated by USEPA on July 17, 1992, at 57 Fed. Reg. 31776.

"Picocurie" or "pCi" means the quantity of radioactive material producing 2.22 nuclear transformations per minute.

"Plant intake" means the works or structures at the head of a conduit through which water is diverted from a source (e.g., a river or lake) into the treatment plant.

"Point of disinfectant application" is the point at which the disinfectant is applied and downstream of which water is not subject to recontamination by surface water runoff.

"Point-of-entry treatment device" or "POE" is a treatment device applied to the drinking water entering a house or building for the purpose of reducing contaminants in the drinking water distributed throughout the house or building.

"Point-of-use treatment device" or "POU" is a treatment device applied to a single tap used for the purpose of reducing contaminants in drinking water at that one tap.

"Presedimentation" means a preliminary treatment process used to remove gravel, sand, and other particulate material from the source water through settling before the water enters the primary clarification and filtration processes in a treatment plant.

"Public Health" or "DPH" means the Illinois Department of Public Health.
BOARD NOTE: The Department of Public Health ("Public Health") regulates non-community water supplies ("non-CWSs," including non-transient, non-community water supplies ("NTNCWSs") and transient non-community water supplies ("transient non-CWSs")). For the purposes of regulation of supplies by Public Health by reference to this Part, "Agency" must mean Public Health.

"Public water system" or "PWS" means a system for the provision to the public of water for human consumption through pipes or other constructed conveyances, if such system has at least 15 service connections or regularly serves an average of

at least 25 individuals daily at least 60 days out of the year. A PWS is either a community water system (CWS) or a non-community water system (non-CWS). A PWS does not include any facility defined as "special irrigation district". Such term includes the following:

> Any collection, treatment, storage, and distribution facilities under control of the operator of such system and used primarily in connection with such system; and
>
> Any collection or pretreatment storage facilities not under such control that are used primarily in connection with such system.

BOARD NOTE: Where used in Subpart F of this Part, "public water supply" means the same as "public water system."

"Radioactive contaminants" refers to that group of contaminants designated "radioactive contaminants" in USEPA regulatory discussions and guidance documents. "Radioactive contaminants" include tritium, strontium-89, strontium-90, iodine-131, cesium-134, gross beta emitters, and other nuclides.
BOARD NOTE: Derived from 40 CFR 141.25(c) Table B (2006)~~(2003)~~. These radioactive contaminants must be reported in Consumer Confidence Reports under Subpart U of this Part when they are detected above the levels indicated in Section 611.720(c)(3).

"Reliably and consistently" below a specified level for a contaminant means an Agency determination based on analytical results following the initial detection of a contaminant to determine the qualitative condition of water from an individual sampling point or source. The Agency must base this determination on the consistency of analytical results, the degree below the MCL, the susceptibility of source water to variation, and other vulnerability factors pertinent to the contaminant detected that may influence the quality of water.
BOARD NOTE: Derived from 40 CFR 141.23(b)(9), 141.24(f)(11)(ii), and 141.24(f)(11)(iii) (2006)~~(2003)~~.

"Rem" means the unit of dose equivalent from ionizing radiation to the total body or any internal organ or organ system. A "millirem (mrem)" is 1/1000 of a rem.

"Repeat compliance period" means a compliance period that begins after the initial compliance period.

"Representative" means that a sample must reflect the quality of water that is delivered to consumers under conditions when all sources required to supply water under normal conditions are in use and all treatment is properly operating.

"Residual disinfectant concentration" ("RDC" or "C" in CT calculations) means the concentration of disinfectant measured in mg/l in a representative sample of water. For purposes of the requirement of Section 611.241(d) of maintaining a detectable RDC in the distribution system, "RDC" means a residual of free or combined chlorine.

"Safe Drinking Water Act" or "SDWA" means the Public Health Service Act, as amended by the Safe Drinking Water Act, Pub. L. 93-523, 42 USC 300f et seq.

"Sanitary survey" means an onsite review of the water sources (identifying sources of contamination by using results of source water assessments or other relevant information where available), facilities, equipment, operation, ~~and~~ maintenance, and monitoring compliance of a public water system (PWS) to evaluate~~for the purpose of evaluating~~ the adequacy of the system, its sources, and operations~~such source, facilities, equipment, operation, and maintenance for producing~~ and the distributing of safe drinking water.
BOARD NOTE: Derived from 40 CFR 141.2 (2006) and 40 CFR 142.16(o)(2), as added at 71 Fed. Reg. 65574 (Nov. 8, 2006).

"Sedimentation" means a process for removal of solids before filtration by gravity or separation.

"SEP" means special exception permit (Section 611.110).

"Service connection," as used in the definition of public water system, does not include a connection to a system that delivers water by a constructed conveyance other than a pipe if any of the following is true:

The water is used exclusively for purposes other than residential use (consisting of drinking, bathing, and cooking, or other similar uses);

The Agency determines by issuing a SEP that alternative water for residential use or similar uses for drinking and cooking is provided to achieve the equivalent level of public health protection provided by the

applicable national primary drinking water regulations; or

The Agency determines by issuing a SEP that the water provided for residential use or similar uses for drinking, cooking, and bathing is centrally treated or treated at the point of entry by the provider, a pass-through entity, or the user to achieve the equivalent level of protection provided by the applicable national primary drinking water regulations.

BOARD NOTE: See sections 1401(4)(B)(i)(II) and (4)(B)(i)(III) of SDWA (42 USC 300f(4)(B)(i)(II) and (4)(B)(i)(III) (2000)).

"Significant deficiency" means a deficiency identified by the Agency in a groundwater system pursuant to Section 611.803. A significant deficiency might include, but is not limited to, a defect in system design, operation, or maintenance or a failure or malfunction of the sources, treatment, storage, or distribution system that the Agency determines to be causing or have potential for causing the introduction of contamination into the water delivered to consumers.

BOARD NOTE: Derived from 40 CFR 142.16(o)(2)(iv), as added at 71 Fed. Reg. 65574 (Nov. 8, 2006). The Agency must submit to USEPA a definition and description of at least one significant deficiency in each of the eight sanitary survey elements listed in Section 611.801(c) as part of the federal primacy requirements. The Board added the general description of what a significant deficiency might include in non-limiting terms, in order to provide this important definition within the body of the Illinois rules. No Agency submission to USEPA can provide definition within the context of Board regulations.

"Slow sand filtration" means a process involving passage of raw water through a bed of sand at low velocity (generally less than 0.4 meters per hour (m/h)) resulting in substantial particulate removal by physical and biological mechanisms.

"SOC" or "Synthetic organic chemical contaminant" refers to that group of contaminants designated as "SOCs," or "synthetic organic chemicals" or "synthetic organic contaminants," in USEPA regulatory discussions and guidance documents. "SOCs" include alachlor, aldicarb, aldicarb sulfone, aldicarb sulfoxide, atrazine, benzo(a)pyrene, carbofuran, chlordane, dalapon, dibromoethylene (ethylene dibromide or EDB), dibromochloropropane (DBCP), di(2-ethylhexyl)adipate, di(2-ethylhexyl)phthalate, dinoseb, diquat, endothall, endrin, glyphosate, heptachlor, heptachlor epoxide, hexachlorobenzene, hexachlorocyclopentadiene, lindane, methoxychlor, oxamyl, pentachlorophenol,

picloram, simazine, toxaphene, polychlorinated biphenyls (PCBs), 2,4-D, 2,3,7,8-TCDD, and 2,4,5-TP.
BOARD NOTE: See the Board note appended to Section 611.311 for information relating to implementation of requirements relating to aldicarb, aldicarb sulfone, and aldicarb sulfoxide.

"Source" means a well, reservoir, or other source of raw water.

"Special irrigation district" means an irrigation district in existence prior to May 18, 1994 that provides primarily agricultural service through a piped water system with only incidental residential use or similar use, where the system or the residential users or similar users of the system comply with either of the following exclusion conditions:

The Agency determines by issuing a SEP that alternative water is provided for residential use or similar uses for drinking or cooking to achieve the equivalent level of public health protection provided by the applicable national primary drinking water regulations; or

The Agency determines by issuing a SEP that the water provided for residential use or similar uses for drinking, cooking, and bathing is centrally treated or treated at the point of entry by the provider, a pass-through entity, or the user to achieve the equivalent level of protection provided by the applicable national primary drinking water regulations.

BOARD NOTE: Derived from 40 CFR 141.2 (2006)~~(2003)~~ and sections 1401(4)(B)(i)(II) and (4)(B)(i)(III) of SDWA (42 USC 300f(4)(B)(i)(II) and (4)(B)(i)(III) (2000)).

"Standard monitoring" means the monitoring, performed by the supplier pursuant to Section 611.921(a) and (b), at various specified locations in a distribution system including near entry points, at points that represent the average residence time in the distribution system, and at points in the distribution system that are representative of high TTHM and HAA5 concentrations throughout the distribution system.
BOARD NOTE: Derived from 40 CFR 141.601(a) and (b) (2006).

"Standard sample" means the aliquot of finished drinking water that is examined for the presence of coliform bacteria.

"Subpart B system" means a public water system that uses surface water or groundwater under the direct influence of surface water as a source and which is subject to the requirements of Subpart B of this Part and the analytical and monitoring requirements of Sections 611.531, 611.532, 611.533, Appendix B of this Part, and Appendix C of this Part.

"Subpart I compliance monitoring" means monitoring required to demonstrate compliance with disinfectant residuals, disinfection byproducts, and disinfection byproduct precursors requirements of Subpart I of this Part.

"Subpart I system" means a public water system that uses surface water or groundwater as a source and which is subject to the disinfectant residuals, disinfection byproducts, and disinfection byproduct precursors requirements of Subpart I of this Part.

"Subpart Y compliance monitoring" means monitoring required to demonstrate compliance with Stage 2 disinfection byproducts requirements of Subpart Y of this Part.

"Supplier of water" or "supplier" means any person who owns or operates a public water system (PWS). This term includes the "official custodian."

"Surface water" means all water that is open to the atmosphere and subject to surface runoff.

"SUVA" means specific ultraviolet absorption at 254 nanometers (nm), which is an indicator of the humic content of water. It is a calculated parameter obtained by dividing a sample's ultraviolet absorption at a wavelength of 254 nm (UV_{254}) (in m^{-1}) by its concentration of dissolved organic carbon (in mg/l).

"SWS" means "surface water system," a public water supply (PWS) that uses only surface water sources, including "groundwater under the direct influence of surface water."
BOARD NOTE: Derived from 40 CFR 141.23(b)(2) and 141.24(f)(2) note (2006)~~(2003)~~.

"System-specific study plan" means the plan, submitted by the supplier to the Agency pursuant to Section 611.922, for studying the occurrence of TTHM and

HAA5 in a supplier's distribution system based on either monitoring results or modelling of the system.
BOARD NOTE: Derived from 40 CFR 141.602 (2006).

"System with a single service connection" means a system that supplies drinking water to consumers via a single service line.

"Too numerous to count" means that the total number of bacterial colonies exceeds 200 on a 47-mm diameter membrane filter used for coliform detection.

"Total organic carbon" or "TOC" means total organic carbon (in mg/l) measured using heat, oxygen, ultraviolet irradiation, chemical oxidants, or combinations of these oxidants that convert organic carbon to carbon dioxide, rounded to two significant figures.

"Total trihalomethanes" or "TTHM" means the sum of the concentration of trihalomethanes (THMs), in milligrams per liter (mg/l), rounded to two significant figures.
BOARD NOTE: See the definition of " trihalomethanes" for a listing of the four compounds that USEPA considers TTHMs to comprise.

"Transient, non-community water system" or "transient non-CWS" means a non-CWS that does not regularly serve at least 25 of the same persons over six months of the year.
BOARD NOTE: The federal regulations apply to all "public water systems," which are defined as all systems that have~~having~~ at least 15 service connections or which regularly serve~~serving~~ water to at least 25 persons. (See 42 USC 300f(4).) The Act mandates that the Board and the Agency regulate "public water supplies," which it defines as having at least 15 service connections or regularly serving 25 persons daily at least 60 days per year. (See Section 3.28 of the Act [415 ILCS 5/3.28].) The Department of Public Health regulates transient, non-community water systems.

"Treatment" means any process that changes the physical, chemical, microbiological, or radiological properties of water, is under the control of the supplier, and is not a point-of-use treatment device or a point-of-entry treatment device as defined in this Section. Treatment includes, but is not limited to, aeration, coagulation, sedimentation, filtration, activated carbon treatment, disinfection, and fluoridation.

"Trihalomethane" or "THM" means one of the family of organic compounds, named as derivatives of methane, in which three of the four hydrogen atoms in methane are each substituted by a halogen atom in the molecular structure. The THMs are the following compounds:

Trichloromethane (chloroform),
Dibromochloromethane,
Bromodichloromethane, and
Tribromomethane (bromoform)

"Two-stage lime softening" means a process in which chemical addition and hardness precipitation occur in each of two distinct unit clarification processes in series prior to filtration.

"µg" means micrograms (1/1,000,000 of a gram).

"USEPA" means the U.S. Environmental Protection Agency.

"Uncovered finished water storage facility" is a tank, reservoir, or other facility that is used to store water which will undergo no further treatment to reduce microbial pathogens except residual disinfection and which is directly open to the atmosphere ~~and which is used to store water that will undergo no further treatment except residual disinfection~~.

"Very small system waiver" means the conditional waiver from the requirements of Subpart W of this Part applicable to a supplier that serves fewer than 500 persons and which has taken TTHM and HAA5 samples pursuant to Subpart I of this Part.
BOARD NOTE: Derived from 40 CFR 141.604 (2006).

"Virus" means a virus of fecal origin that is infectious to humans by waterborne transmission.

"VOC" or "volatile organic chemical contaminant" refers to that group of contaminants designated as "VOCs," "volatile organic chemicals," or "volatile organic contaminants," in USEPA regulatory discussions and guidance documents. "VOCs" include benzene, dichloromethane, tetrachloromethane (carbon tetrachloride), trichloroethylene, vinyl chloride, 1,1,1-trichloroethane

(methyl chloroform), 1,1-dichloroethylene, 1,2-dichloroethane, cis-1,2-dichloroethylene, ethylbenzene, monochlorobenzene, o-dichlorobenzene, styrene, 1,2,4-trichlorobenzene, 1,1,2-trichloroethane, tetrachloroethylene, toluene, trans-1,2-dichloroethylene, xylene, and 1,2-dichloropropane.

"Waterborne disease outbreak" means the significant occurrence of acute infectious illness, epidemiologically associated with the ingestion of water from a public water system (PWS) that is deficient in treatment, as determined by the appropriate local or State agency.

"Wellhead protection program" means the wellhead protection program for the State of Illinois, approved by USEPA under Section 1428 of the SDWA, 42 USC 300h-7.
BOARD NOTE: Derived from 40 CFR 141.71(b) (2006)~~(2003)~~. The wellhead protection program includes the "groundwater protection needs assessment" under Section 17.1 of the Act [415 ILCS 5/17.1] and 35 Ill. Adm. Code 615-617.

"Wholesale system" means a public water system that treats source water as necessary to produce finished water, which then delivers some or all of that finished water to another public water system. Delivery by a wholesale system may be through a direct connection or through the distribution system of one or more consecutive systems.

BOARD NOTE: Derived from 40 CFR 141.2 (2006)~~(2003)~~.

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

Section 611.102 Incorporations by Reference

a) Abbreviations and short-name listing of references. The following names and abbreviated names, presented in alphabetical order, are used in this Part to refer to materials incorporated by reference:

"ASTM Method" means a method published by and available from the American Society for Testing and Materials (ASTM).

"Colisure Test" means "Colisure Presence/Absence Test for Detection and Identification of Coliform Bacteria and Escherichia Coli in Drinking Water," available from Millipore Corporation, Technical Services

Department.

"Colitag® Test" means "Colitag® Product as a Test for Detection and Identification of Coliforms and E. coli Bacteria in Drinking Water and Source Water as Required in National Primary Drinking Water Regulations," available from CPI International.

"Determination of Inorganic Oxyhalide" means "Determination of Inorganic Oxyhalide Disinfection By-Products in Drinking Water Using Ion Chromatography with the Addition of a Postcolumn Reagent for Trace Bromate Analysis," available from NTIS.

"Dioxin and Furan Method 1613" means "Tetra- through Octa-Chlorinated Dioxins and Furans by Isotope-Dilution HRGC/HRMS," available from NTIS.

"E*Colite Test" means "Charm E*Colite Presence/Absence Test for Detection and Identification of Coliform Bacteria and Escherichia coli in Drinking Water," available from Charm Sciences, Inc. and USEPA, Water Resource Center.

"EC-MUG" means "Method 9221 F: Multiple-Tube Fermentation Technique for Members of the Coliform Group, Escherichia coli Procedure (Proposed)," available from American Public Health Association and American Waterworks Association.

"Enterolert" means "Evaluation of Enterolert for Enumeration of Enterococci in Recreational Waters," available from American Society for Microbiology.

"GLI Method 2" means GLI Method 2, "Turbidity," Nov. 2, 1992, available from Great Lakes Instruments, Inc.

"Hach FilterTrak Method 10133" means "Determination of Turbidity by Laser Nephelometry," available from Hach Co.

"HASL Procedure Manual" means HASL Procedure Manual, HASL 300, available from ERDA Health and Safety Laboratory.

"Kelada 01" means "Kelada Automated Test Methods for Total Cyanide, Acid Dissociable Cyanide, And Thiocyanate," Revision 1.2, August 2001, EPA 821/B-01/009~~EPA #821-B-01-009~~, available from the National Technical Information Service (NTIS).

"m-ColiBlue24 Test" means "Total Coliforms and E. coli Membrane Filtration Method with m-ColiBlue24® Broth," available from Hach Company and USEPA, Water Resource Center.

"Membrane Filter Technique using Chromocult Doliform Agar" means "Chromocult Coliform Agar Presence/Absence Membrane Filter Test Method for Detection and Identification of Coliform Bacteria and Escherichia coli in Finished Waters," available from EMD Chemicals Inc.

"NA-MUG" means "Method 9222 G: Membrane Filter Technique for Members of the Coliform Group, MF Partition Procedures," available from American Public Health Association and American Waterworks Association.

"NCRP" means "National Council on Radiation Protection."

"NTIS" means "National Technical Information Service."

"New Jersey Radium Method" means "Determination of Radium 228 in Drinking Water," available from the New Jersey Department of Environmental Protection.

"New York Radium Method" means "Determination of Ra-226 and Ra-228 (Ra-02)," available from the New York Department of Public Health.

"ONPG-MUG~~ONGP-MUG~~ Test" (meaning "minimal medium ortho-nitrophenyl-beta-d-galactopyranoside-4-methyl-umbelliferyl -beta-d-glucuronide test"), also called the "Autoanalysis Colilert System," is Method 9223, available in "Standard Methods for the Examination of Water and Wastewater," 18th, 19th, 20th, or 21st ed., from American Public Health Association and the American Water Works Association.

"Palintest Method 1001" means "Method Number 1001," available from Palintest, Ltd. or the Hach Company.

"QuikChem Method 10-204-00-1-X" means "Digestion and distillation of total cyanide in drinking and wastewaters using MICRO DIST and determination of cyanide by flow injection analysis," available from Lachat Instruments.

"Readycult Coliforms 100 Presence/Absence Test" means "Readycult Coliforms 100 Presence/Absence Test for Detection and Identification of Coliform Bacteria and Escherichia coli in Finished Waters," available from EMD Chemicals Inc.

"SimPlate Method" means "IDEXX SimPlate TM HPC Test Method for Heterotrophs in Water," available from IDEXX Laboratories, Inc.

"Radiochemical Methods" means "Interim Radiochemical Methodology for Drinking Water," available from NTIS.

"Standard Methods" means "Standard Methods for the Examination of Water and Wastewater," available from the American Public Health Association or the American Waterworks Association.

"Syngenta AG-625" means "Atrazine in Drinking Water by Immunoassay," February 2001 is available from Syngenta Crop Protection, Inc.

"Technical Bulletin 601" means "Technical Bulletin 601, Standard Method of Testing for Nitrate in Drinking Water," July 1994, available from Analytical Technology, Inc.

"Technicon Methods" means "Fluoride in Water and Wastewater," available from Bran & Luebbe.

"USDOE Manual" means "EML Procedures Manual," available from the United State Department of Energy.

"USEPA Asbestos Methods-100.1" means Method 100.1, "Analytical Method for Determination of Asbestos Fibers in Water," September 1983, available from NTIS.

"USEPA Asbestos Methods-100.2" means Method 100.2, "Determination of Asbestos Structures over 10-mm in Length in Drinking Water," June 1994, available from NTIS.

"USEPA Environmental Inorganics Methods" means "Methods for the Determination of Inorganic Substances in Environmental Samples," August 1993, available from NTIS.

"USEPA Environmental Metals Methods" means "Methods for the Determination of Metals in Environmental Samples," available from NTIS.

"USEPA Inorganic Methods" means "Methods for Chemical Analysis of Water and Wastes," March 1983, available from NTIS.

"USEPA Interim Radiochemical Methods" means "Interim Radiochemical Methodology for Drinking Water," EPA 600/4-75/008~~EPA 600/4-75-008~~ (revised), March 1976. Available from NTIS.

"USEPA Method 1600" means "Method 1600: Enterococci in Water by Membrane Filtration Using membrane-Enterococcus Indoxyl-b-D-Glucoside Agar (mEI)," available from USEPA, Water Resource Center.

"USEPA Method 1601" means "Method 1601: Male-specific (F^+) and Somatic Coliphage in Water by Two-step Enrichment Procedure," available from USEPA, Water Resource Center.

"USEPA Method 1602" means "Method 1602: Male-specific (F^+) and Somatic Coliphage in Water by Single Agar Layer (SAL) Procedure," available from USEPA, Water Resource Center.

"USEPA Method 1604" means "Method 1604: Total Coliforms and Escherichia coli in Water by Membrane Filtration Using a Simultaneous Detection Technique (MI Medium)," available from USEPA, Water Resource Center.

"USEPA Method 1622 (05)" means "Method 1622: Cryptosporidium in Water by Filtration/IMS/FA," December 2005, available from USEPA,

Office of Ground Water and Drinking Water, as listed in subsection (b) of this Section.

"USEPA Method 1622 (01)" means "Method 1622: Cryptosporidium in Water by Filtration/IMS/FA," April 2001, available from USEPA, Office of Ground Water and Drinking Water, as listed in subsection (b) of this Section.

"USEPA Method 1622 (99)" means "Method 1622: Cryptosporidium in Water by Filtration/IMS/FA," January 1999, available from USEPA, Office of Ground Water and Drinking Water, as listed in subsection (b) of this Section.

"USEPA Method 1623 (05)" means "Method 1623: Cryptosporidium and Giardia in Water by Filtration/IMS/FA," December 2005, available from the USEPA, Office of Ground Water and Drinking Water, as listed in subsection (b) of this Section.

"USEPA Method 1623 (01)" means "Method 1623: Cryptosporidium and Giardia in Water by Filtration/IMS/FA," April 2001, available from USEPA, Office of Ground Water and Drinking Water, as listed in subsection (b) of this Section.

"USEPA Method 1623 (99)" means "Method 1623: Cryptosporidium and Giardia in Water by Filtration/IMS/FA," April 1999, available from USEPA, Office of Ground Water and Drinking Water, as listed in subsection (b) of this Section.

"USEPA NERL Method 415.3 (rev. 1.1)" means Method 415.3, Revision 1.1, "Determination of Total Organic Carbon and Specific UV Absorbance at 254 nm in Source Water and Drinking Water," USEPA, February 2005, EPA 600/R-05/055. Available from the USEPA, Office of Research and Development.

"USEPA OGWDW Method" means one of the methods listed as available from USEPA, Office of Ground Water and Drinking Water, as listed in subsection (b) of this Section (Methods 317.0 (rev. 2.0), 326.0 (rev. 1.0), 327.0 (rev. 1.1), 515.4 (rev. 1.0), 531.2 (rev. 1.0), and 552.3 (rev. 1.0)).

"USEPA Organic Methods" means "Methods for the Determination of Organic Compounds in Drinking Water," July 1991, for Methods 502.2, 505, 507, 508, 508A, 515.1, and 531.1; "Methods for the Determination of Organic Compounds in Drinking Water – Supplement I," July 1990, for Methods 506, 547, 550, 550.1, and 551; ~~and~~ "Methods for the Determination of Organic Compounds in Drinking Water - Supplement II," August 1992, for Methods 504.1, 508.1, 515.2, 524.2, 525.2, 548.1, 549.1, 552.1, 552.2, and 555~~, available from NTIS. Methods 504.1, 508.1, and 525.2 are available from EPA EMSL; "Methods for the Determination of Organic Compounds" in Drinking Water - Supplement II, August 1992, for Method 552.1~~; and "Methods for the Determination of Organic Compounds in Drinking Water - Supplement III," August 1995, for Methods 502.2, 524.2, 551.1, and 552.2. Method 515.4, "Determination of Chlorinated Acids in Drinking Water by Liquid-Liquid Microextraction, Derivatization and Fast Gas Chromatography with Electron Capture Detection," Revision 1.0, April 2000, EPA 815/B-00/001, and Method 531.2, "Measurement of N-methylcarbamoyloximes and N-methylcarbamates in Water by Direct Aqueous Injection HPLC with Postcolumn Derivatization," Revision 1.0, September 2001, EPA 815/B-01/002~~EPA 815/B/01/002~~, are both available on-line from USEPA, Office of Ground Water and Drinking Water.

"USEPA Organic and Inorganic Methods" means "Methods for the Determination of Organic and Inorganic Compounds in Drinking Water, Volume 1," EPA 815/R-00/014, PB2000-106981, August 2000. Available from NTIS.

"USEPA Radioactivity Methods" means "Prescribed Procedures for Measurement of Radioactivity in Drinking Water," EPA 600/4-80/032~~EPA 600/4-80-032~~, August 1980. Available from NTIS.

"USEPA Radiochemical Analyses" means "Radiochemical Analytical Procedures for Analysis of Environmental Samples," March 1979. Available from NTIS.

"USEPA Radiochemistry Methods" means "Radiochemistry Procedures Manual," EPA 520/5-84/006~~EPA 520/5-84-006~~, December 1987. Available from NTIS.

"USEPA Technical Notes" means "Technical Notes on Drinking Water Methods," available from NTIS.

"USGS Methods" means "Methods of Analysis by the U.S. Geological Survey National Water Quality Laboratory – Determination of Inorganic and Organic Constituents in Water and Fluvial Sediments," available from NTIS and USGS.

"Waters Method B-1011" means "Waters Test Method for the Determination of Nitrite/Nitrate in Water Using Single Column Ion Chromatography," available from Waters Corporation, Technical Services Division.

b) The Board incorporates the following publications by reference:

APHA. American Public Health Association, 1015 Fifteenth Street NW, Washington, DC 20005, 202-777-2742~~(800-645-5476)~~.

"Standard Methods for the Examination of Water and Wastewater," 17th Edition, 1989 (referred to as "Standard Methods, 17th ed."). See the methods listed separately for the same references under American Waterworks Association.

"Standard Methods for the Examination of Water and Wastewater," 18th Edition, 1992, including "Supplement to the 18th Edition of Standard Methods for the Examination of Water and Wastewater," 1994 (collectively referred to as "Standard Methods, 18th ed."). See the methods listed separately for the same references under American Waterworks Association.

"Standard Methods for the Examination of Water and Wastewater," 19th Edition, 1995 (referred to as "Standard Methods, 19th ed."). See the methods listed separately for the same references under American Waterworks Association.

"Standard Methods for the Examination of Water and Wastewater," 20th Edition, 1998 (referred to as "Standard Methods, 20th ed."). See the methods listed separately for the same references under American Waterworks Association.

"Standard Methods for the Examination of Water and Wastewater," 21st Edition, 2005 (referred to as "Standard Methods, 21st ed."). See the methods listed separately for the same references under American Waterworks Association.

American Society for Microbiology, 1752 N Street N.W., Washington, DC 20036, 202-737-3600:

"Evaluation of Enterolert for Enumeration of Enterococci in Recreational Waters," Applied and Environmental Microbiology, Oct. 1996, vol. 62, no. 10, p. 3881 (referred to as "Enterolert"), referenced in Section 611.802.

BOARD NOTE: At the table to 40 CFR 141.402(c)(2), USEPA approved the method as described in the above literature review. The method itself is embodied in the printed instructions to the proprietary kit available from IDEXX Laboratories, Inc. (accessible on-line and available by download from www.asm.org, as "Enterolert™ Procedure"). ASTM approved the method as "Standard Test Method for Enterococci in Water Using Enterolert™," which is available in two versions from ASTM: ASTM D 6503-99 (superceded) and ASTM D 6503-99 (2005). While it is more conventional to incorporate the method as presented in the kit instructions or as approved by ASTM by reference, the Board is constrained to incorporate the version that appears in the technical literature by reference, which is the version that USEPA has explicitly approved.

AWWA. American Water Works~~Waterworks~~ Association et al., 6666 West Quincy Ave., Denver, CO 80235 (303-794-7711).

"National Field Evaluation of a Defined Substrate Method for the Simultaneous Enumeration of Total Coliforms and Escherichia coli for Drinking Water: Comparison with the Standard Multiple Tube Fermentation Method," S.C. Edberg, M.J. Allen & D.B. Smith, Applied Environmental Microbiology, vol. 54, iss. 6, pp 1595-1601 (1988), referenced in Appendix D to this Part.

"Standard Methods for the Examination of Water and Wastewater," 13th Edition, 1971 (referred to as "Standard Methods, 13th ed.").

Method 302, Gross Alpha and Gross Beta Radioactivity in Water (Total, Suspended, and Dissolved), referenced in Section 611.720.

Method 303, Total Radioactive Strontium and Strontium 90 in Water, referenced in Section 611.720.

Method 304, Radium in Water by Precipitation, referenced in Section 611.720.

Method 305, Radium 226 by Radon in Water (Soluble, Suspended, and Total), referenced in Section 611.720.

Method 306, Tritium in Water, referenced in Section 611.720.

"Standard Methods for the Examination of Water and Wastewater," 17th Edition, 1989 (referred to as "Standard Methods, 17th ed.").

Method 7110 B, Gross Alpha and Gross Beta Radioactivity in Water (Total, Suspended, and Dissolved), referenced in Section 611.720.

Method 7500-Cs B, Radioactive Cesium, Precipitation Method, referenced in Section 611.720.

Method 7500-^{3}H B, Tritium in Water, referenced in Section 611.720.

Method 7500-I B, Radioactive Iodine, Precipitation Method, referenced in Section 611.720.

Method 7500-I C, Radioactive Iodine, Ion-Exchange Method, referenced in Section 611.720.

Method 7500-I D, Radioactive Iodine, Distillation Method, referenced in Section 611.720.

Method 7500-Ra B, Radium in Water by Precipitation, referenced in Section 611.720.

Method 7500-Ra C, Radium 226 by Radon in Water (Soluble, Suspended, and Total), referenced in Section 611.720.

Method 7500-Ra D, Radium, Sequential Precipitation Method (Proposed), referenced in Section 611.720.

Method 7500-Sr B, Total Radioactive Strontium and Strontium 90 in Water, referenced in Section 611.720.

Method 7500-U B, Uranium, Radiochemical Method (Proposed), referenced in Section 611.720.

Method 7500-U C, Uranium, Isotopic Method (Proposed), referenced in Section 611.720.

"Standard Methods for the Examination of Water and Wastewater," 18th Edition, 1992 (referred to as "Standard Methods, 18th ed.").

Method 2130 B, Turbidity, Nephelometric Method, referenced in Section 611.531.

Method 2320 B, Alkalinity, Titration Method, referenced in Section 611.611.

Method 2510 B, Conductivity, Laboratory Method, referenced in Section 611.611.

Method 2550, Temperature, Laboratory and Field Methods, referenced in Section 611.611.

Method 3111 B, Metals by Flame Atomic Absorption Spectrometry, Direct Air-Acetylene Flame Method, referenced in Sections 611.611 and 611.612.

Method 3111 D, Metals by Flame Atomic Absorption Spectrometry, Direct Nitrous Oxide-Acetylene Flame Method, referenced in Section 611.611.

Method 3112 B, Metals by Cold-Vapor Atomic Absorption Spectrometry, Cold-Vapor Atomic Absorption Spectrometric Method, referenced in Section 611.611.

Method 3113 B, Metals by Electrothermal Atomic Absorption Spectrometry, Electrothermal Atomic Absorption Spectrometric Method, referenced in Sections 611.611 and 611.612.

Method 3114 B, Metals by Hydride Generation/Atomic Absorption Spectrometry, Manual Hydride Generation/Atomic Absorption Spectrometric Method, referenced in Section 611.611.

Method 3120 B, Metals by Plasma Emission Spectroscopy, Inductively Coupled Plasma (ICP) Method, referenced in Sections 611.611 and 611.612.

Method 3500-Ca D, Calcium, EDTA Titrimetric Method, referenced in Section 611.611.

Method 3500-Mg E, Magnesium, Calculation Method, referenced in Section 611.611.

Method 4110 B, Determination of Anions by Ion Chromatography, Ion Chromatography with Chemical Suppression of Eluent Conductivity, referenced in Section 611.611.

Method 4500-CN^- C, Cyanide, Total Cyanide after Distillation, referenced in Section 611.611.

Method 4500-CN^- E, Cyanide, Colorimetric Method, referenced in Section 611.611.

Method 4500-CN^- F, Cyanide, Cyanide-Selective Electrode Method, referenced in Section 611.611.

Method 4500-CN^- G, Cyanide, Cyanides Amenable to Chlorination after Distillation, referenced in Section 611.611.

Method 4500-Cl D, Chlorine, Amperometric Titration Method, referenced in Section 611.531.

Method 4500-Cl E, Chlorine, Low-Level Amperometric Titration Method, referenced in Section 611.531.

Method 4500-Cl F, Chlorine, DPD Ferrous Titrimetric Method, referenced in Section 611.531.

Method 4500-Cl G, Chlorine, DPD Colorimetric Method, referenced in Section 611.531.

Method 4500-Cl H, Chlorine, Syringaldazine (FACTS) Method, referenced in Section 611.531.

Method 4500-Cl I, Chlorine, Iodometric Electrode Method, referenced in Section 611.531.

Method 4500-ClO_2 C, Chlorine Dioxide, Amperometric Method I, referenced in Section 611.531.

Method 4500-ClO_2 D, Chlorine Dioxide, DPD Method, referenced in Section 611.531.

Method 4500-ClO_2 E, Chlorine Dioxide, Amperometric Method II (Proposed), referenced in Section 611.531.

Method 4500-F^- B, Fluoride, Preliminary Distillation Step,

referenced in Section 611.611.

Method 4500-F^- C, Fluoride, Ion-Selective Electrode Method, referenced in Section 611.611.

Method 4500-F^- D, Fluoride, SPADNS Method, referenced in Section 611.611.

Method 4500-F^- E, Fluoride, Complexone Method, referenced in Section 611.611.

Method 4500-H^+ B, pH Value, Electrometric Method, referenced in Section 611.611.

Method 4500-NO_2^- B, Nitrogen (Nitrite), Colorimetric Method, referenced in Section 611.611.

Method 4500-NO_3^- D**,** Nitrogen (Nitrate), Nitrate Electrode Method, referenced in Section 611.611.

Method 4500-NO_3^- E, Nitrogen (Nitrate), Cadmium Reduction Method, referenced in Section 611.611.

Method 4500-NO_3^- F, Nitrogen (Nitrate), Automated Cadmium Reduction Method, referenced in Section 611.611.

Method 4500-O_3 B, Ozone (Residual) (Proposed), Indigo Colorimetric Method, referenced in Section 611.531.

Method 4500-P E, Phosphorus, Ascorbic Acid Method, referenced in Section 611.611.

Method 4500-P F, Phosphorus, Automated Ascorbic Acid Reduction Method, referenced in Section 611.611.

Method 4500-Si D, Silica, Molybdosilicate Method, referenced in Section 611.611.

Method 4500-Si E, Silica, Heteropoly Blue Method, referenced in Section 611.611.

Method 4500-Si F, Silica, Automated Method for Molybdate-Reactive Silica, referenced in Section 611.611.

Method 6651, Glyphosate Herbicide (Proposed), referenced in Section 611.645.

Method 7110 B, Gross Alpha and Beta Radioactivity (Total, Suspended, and Dissolved), Evaporation Method for Gross Alpha-Beta, referenced in Section 611.720.

Method 7110 C, Gross Alpha and Beta Radioactivity (Total, Suspended, and Dissolved), Coprecipitation Method for Gross Alpha Radioactivity in Drinking Water (Proposed), referenced in Section 611.720.

Method 7500-Cs B, Radioactive Cesium, Precipitation Method, referenced in Section 611.720.

Method 7500-^{3}H B, Tritium, Liquid Scintillation Spectrometric Method, referenced in Section 611.720.

Method 7500-I B, Radioactive Iodine, Precipitation Method, referenced in Section 611.720.

Method 7500-I C, Radioactive Iodine, Ion-Exchange Method, referenced in Section 611.720.

Method 7500-I D, Radioactive Iodine, Distillation Method, referenced in Section 611.720.

Method 7500-Ra B, Radium, Precipitation Method, referenced in Section 611.720.

Method 7500-Ra C, Radium, Emanation Method, referenced in Section 611.720.

Method 7500-Ra D, Radium, Sequential Precipitation Method (Proposed), referenced in Section 611.720.

Method 7500-Sr B, Total Radioactive Strontium and Strontium 90, Precipitation Method, referenced in Section 611.720.

Method 7500-U B, Uranium, Radiochemical Method (Proposed), referenced in Section 611.720.

Method 7500-U C, Uranium, Isotopic Method (Proposed), referenced in Section 611.720.

Method 9215 B, Heterotrophic Plate Count, Pour Plate Method, referenced in Section 611.531.

Method 9221 A, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Introduction, referenced in Sections 611.526 and 611.531.

Method 9221 B, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Standard Total Coliform Fermentation Technique, referenced in Sections 611.526 and 611.531.

Method 9221 C, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Estimation of Bacterial Density, referenced in Sections 611.526 and 611.531.

Method 9221 D, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Presence-Absence (P-A) Coliform Test, referenced in Section 611.526.

Method 9221 E, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Fecal Coliform Procedure, referenced in Sections 611.526 and 611.531.

Method 9222 A, Membrane Filter Technique for Members

of the Coliform Group, Introduction, referenced in Sections 611.526 and 611.531.

Method 9222 B, Membrane Filter Technique for Members of the Coliform Group, Standard Total Coliform Membrane Filter Procedure, referenced in Sections 611.526 and 611.531.

Method 9222 C, Membrane Filter Technique for Members of the Coliform Group, Delayed-Incubation Total Coliform Procedure, referenced in Sections 611.526 and 611.531.

Method 9222 D, Membrane Filter Technique for Members of the Coliform Group, Fecal Coliform Membrane Filter Procedure, referenced in Section 611.531.

Method 9223, Chromogenic Substrate Coliform Test (Proposed) (also referred to as the variations "Autoanalysis Colilert System" and "Colisure Test"), referenced in Sections 611.526, ~~and~~ 611.531, and 611.1004.

"Supplement to the 18th Edition of Standard Methods for the Examination of Water and Wastewater," American Public Health Association, 1994.

Method 6610, Carbamate Pesticide Method, referenced in Section 611.645.

"Standard Methods for the Examination of Water and Wastewater," 19th Edition, 1995 (referred to as "Standard Methods, 19th ed.").

Method 2130 B, Turbidity, Nephelometric Method, referenced in Section 611.531.

Method 2320 B, Alkalinity, Titration Method, referenced in Section 611.611.

Method 2510 B, Conductivity, Laboratory Method,

referenced in Section 611.611.

Method 2550, Temperature, Laboratory, and Field Methods, referenced in Section 611.611.

Method 3111 B, Metals by Flame Atomic Absorption Spectrometry, Direct Air-Acetylene Flame Method, referenced in Sections 611.611 and 611.612.

Method 3111 D, Metals by Flame Atomic Absorption Spectrometry, Direct Nitrous Oxide-Acetylene Flame Method, referenced in Section 611.611.

Method 3112 B, Metals by Cold-Vapor Atomic Absorption Spectrometry, Cold-Vapor Atomic Absorption Spectrometric Method, referenced in Section 611.611.

Method 3113 B, Metals by Electrothermal Atomic Absorption Spectrometry, Electrothermal Atomic Absorption Spectrometric Method, referenced in Sections 611.611 and 611.612.

Method 3114 B, Metals by Hydride Generation/Atomic Absorption Spectrometry, Manual Hydride Generation/Atomic Absorption Spectrometric Method, referenced in Section 611.611.

Method 3120 B, Metals by Plasma Emission Spectroscopy, Inductively Coupled Plasma (ICP) Method, referenced in Sections 611.611 and 611.612.

Method 3500-Ca D, Calcium, EDTA Titrimetric Method, referenced in Section 611.611.

Method 3500-Mg E, Magnesium, Calculation Method, referenced in Section 611.611.

Method 4110 B, Determination of Anions by Ion Chromatography, Ion Chromatography with Chemical

Suppression of Eluent Conductivity, referenced in Section 611.611.

Method 4500-Cl D, Chlorine, Amperometric Titration Method, referenced in Sections 611.381 and 611.531.

Method 4500-Cl E, Chlorine, Low-Level Amperometric Titration Method, referenced in Sections 611.381 and 611.531.

Method 4500-Cl F, Chlorine, DPD Ferrous Titrimetric Method, referenced in Sections 611.381 and 611.531.

Method 4500-Cl G, Chlorine, DPD Colorimetric Method, referenced in Sections 611.381 and 611.531.

Method 4500-Cl H, Chlorine, Syringaldazine (FACTS) Method, referenced in Sections 611.381 and 611.531.

Method 4500-Cl I, Chlorine, Iodometric Electrode Method, referenced in Sections 611.381 and 611.531.

Method 4500-ClO_2 C, Chlorine Dioxide, Amperometric Method I, referenced in Section 611.531.

Method 4500-ClO_2 D, Chlorine Dioxide, DPD Method, referenced in Sections 611.381 and 611.531.

Method 4500-ClO_2 E, Chlorine Dioxide, Amperometric Method II ~~(Proposed)~~, referenced in Sections 611.381 and 611.531.

Method 4500-CN^- C, Cyanide, Total Cyanide after Distillation, referenced in Section 611.611.

Method 4500-CN^- E, Cyanide, Colorimetric Method, referenced in Section 611.611.

Method 4500-CN^- F, Cyanide, Cyanide-Selective Electrode

Method, referenced in Section 611.611.

Method 4500-CN^- G, Cyanide, Cyanides Amenable to Chlorination after Distillation, referenced in Section 611.611.

Method 4500-F^- B, Fluoride, Preliminary Distillation Step, referenced in Section 611.611.

Method 4500-F^- C, Fluoride, Ion-Selective Electrode Method, referenced in Section 611.611.

Method 4500-F^- D, Fluoride, SPADNS Method, referenced in Section 611.611.

Method 4500-F^- E, Fluoride, Complexone Method, referenced in Section 611.611.

Method 4500-H^+ B, pH Value, Electrometric Method, referenced in Section 611.611.

Method 4500-NO_2^- B, Nitrogen (Nitrite), Colorimetric Method, referenced in Section 611.611.

Method 4500-NO_3^- D, Nitrogen (Nitrate), Nitrate Electrode Method, referenced in Section 611.611.

Method 4500-NO_3^- E, Nitrogen (Nitrate), Cadmium Reduction Method, referenced in Section 611.611.

Method 4500-NO_3^- F, Nitrogen (Nitrate), Automated Cadmium Reduction Method, referenced in Section 611.611.

Method 4500-O_3 B, Ozone (Residual) (Proposed), Indigo Colorimetric Method, referenced in Section 611.531.

Method 4500-P E, Phosphorus, Ascorbic Acid Method, referenced in Section 611.611.

Method 4500-P F, Phosphorus, Automated Ascorbic Acid Reduction Method, referenced in Section 611.611.

Method 4500-Si D, Silica, Molybdosilicate Method, referenced in Section 611.611.

Method 4500-Si E, Silica, Heteropoly Blue Method, referenced in Section 611.611.

Method 4500-Si F, Silica, Automated Method for Molybdate-Reactive Silica, referenced in Section 611.611.

Method 5910 B, UV Absorbing Organic Constituents, Ultraviolet Absorption Method, referenced in Section 611.381.

Method 6251 B, Disinfection Byproducts: Haloacetic Acids and Trichlorophenol, Micro Liquid-Liquid Extraction Gas Chromatographic Method, referenced in Section 611.381.

Method 6610, Carbamate Pesticide Method, referenced in Section 611.645.

Method 6651, Glyphosate Herbicide (Proposed), referenced in Section 611.645.

Method 7110 B, Gross Alpha and Gross Beta Radioactivity, Evaporation Method for Gross Alpha-Beta, referenced in Section 611.720.

Method 7110 C, Gross Alpha and Beta Radioactivity (Total, Suspended, and Dissolved), Coprecipitation Method for Gross Alpha Radioactivity in Drinking Water (Proposed), referenced in Section 611.720.

Method 7120 B, Gamma-Emitting Radionuclides, Gamma Spectrometric Method, referenced in Section 611.720.

Method 7500-Cs B, Radioactive Cesium, Precipitation Method, referenced in Section 611.720.

Method 7500-^{3}H B, Tritium, Liquid Scintillation Spectrometric Method, referenced in Section 611.720.

Method 7500-I B, Radioactive Iodine, Precipitation Method, referenced in Section 611.720.

Method 7500-I C, Radioactive Iodine, Ion-Exchange Method, referenced in Section 611.720.

Method 7500-I D, Radioactive Iodine, Distillation Method, referenced in Section 611.720.

Method 7500-Ra B, Radium, Precipitation Method, referenced in Section 611.720.

Method 7500-Ra C, Radium, Emanation Method, referenced in Section 611.720.

Method 7500-Ra D, Radium, Sequential Precipitation Method, referenced in Section 611.720.

Method 7500-Sr B, Total Radiactive Strontium and Strontium 90, Precipitation Method, referenced in Section 611.720.

Method 7500-U B, Uranium, Radiochemical Method, referenced in Section 611.720.

Method 7500-U C, Uranium, Isotopic Method, referenced in Section 611.720.

Method 9215 B, Heterotrophic Plate Count, Pour Plate Method, referenced in Section 611.531.

Method 9221 A, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Introduction, referenced in Sections 611.526 and 611.531.

Method 9221 B, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Standard Total Coliform Fermentation Technique, referenced in Sections 611.526 and 611.531.

Method 9221 C, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Estimation of Bacterial Density, referenced in Sections 611.526 and 611.531.

Method 9221 D, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Presence-Absence (P-A) Coliform Test, referenced in Section 611.526.

Method 9221 E, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Fecal Coliform Procedure, referenced in Sections 611.526 and 611.531.

Method 9222 A, Membrane Filter Technique for Members of the Coliform Group, Introduction, referenced in Sections 611.526 and 611.531.

Method 9222 B, Membrane Filter Technique for Members of the Coliform Group, Standard Total Coliform Membrane Filter Procedure, referenced in Sections 611.526 and 611.531.

Method 9222 C, Membrane Filter Technique for Members of the Coliform Group, Delayed-Incubation Total Coliform Procedure, referenced in Sections 611.526 and 611.531.

Method 9222 D, Membrane Filter Technique for Members of the Coliform Group, Fecal Coliform Membrane Filter Procedure, referenced in Section 611.531.

Method 9222 G, Membrane Filter Technique for Members of the Coliform Group, MF Partition Procedures, referenced in Section 611.526.

Method 9223, Chromogenic Substrate Coliform Test (also referred to as the variations "Autoanalysis Colilert System" and "Colisure Test")~~(Proposed)~~, referenced in Sections 611.526~~, and~~ 611.531, and 611.1004.

"Supplement to the 19th Edition of Standard Methods for the Examination of Water and Wastewater," American Public Health Association, 1996.

Method 5310 B, TOC, Combustion-Infrared Method, referenced in Section 611.381.

Method 5310 C, TOC, Persulfate-Ultraviolet Oxidation Method, referenced in Section 611.381.

Method 5310 D, TOC, Wet-Oxidation Method, referenced in Section 611.381.

"Standard Methods for the Examination of Water and Wastewater," 20th Edition, 1998 (referred to as "Standard Methods, 20th ed.").

Method 2130 B, Turbidity, Nephelometric Method, referenced in Section 611.531.

Method 2320 B, Alkalinity, Titration Method, referenced in Section 611.611.

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Method 4500-CN^- E, Cyanide, Colorimetric Method, referenced in Section 611.611.

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USEPA Method 531.2, Revision 1.0, "Measurement of N-methylcarbamoyloximes and N-methylcarbamates in Water by Direct Aqueous Injection HPLC with Postcolumn Derivatization," ~~Revision 1.0,~~ September 2001, EPA 815/B-01/002 ~~EPA 815/B-01-002~~ (document file name "met531_2.pdf") (referred to as "OGWDW Methods, Method 531.2, rev. 1.0"), referenced in Section 611.645.

USEPA Method 552.3, Revision 1.0, "Determination of Haloacetic Acids and Dalapon in Drinking Water by Liquidliquid Microextraction, Derivatization, and Gas Chromatography with Electron Capture Detection," USEPA, July 2003, EPA 815/B-03/002 (referred to as "OGWDW Methods, Method 552.3, rev. 1.0"), referenced in Section 611.381.

USEPA Method 1622 (05), "Method 1622: Cryptosporidium in Water by Filtration/IMS/FA," December 2005, EPA 815/R-05/001 (referred to as "USEPA Method 1622 (05)"), referenced in Sections 611.1004 and 611.1007.

USEPA Method 1622 (01), "Method 1622: Cryptosporidium in Water by Filtration/IMS/FA," April 2001, EPA 821/R-01/026, (referred to as "USEPA Method 1622 (01)"), referenced in Section 611.1007.

USEPA Method 1622 (99), "Method 1622: Cryptosporidium in Water by Filtration/IMS/FA," April 1999, EPA 821/R-99/001, (referred to as "USEPA Method 1622 (99)"), referenced in Section 611.1007.

USEPA Method 1623 (05), "Method 1623: Cryptosporidium and Giardia in Water by Filtration/IMS/FA," December 2005, EPA 815/R-05/002 (referred to as "USEPA Method 1623 (05)"), referenced in Sections 611.1004 and 611.1007.

USEPA Method 1623 (01), "Method 1623: Cryptosporidium and Giardia in Water by Filtration/IMS/FA," April 2001, EPA 821/R-01/025 (referred to as "USEPA Method 1623 (01)"), referenced in Section 611.1007.

USEPA Method 1623 (99), "Method 1623: Cryptosporidium and Giardia in Water by Filtration/IMS/FA," January 1999, EPA 821/R-99/006 (referred to as "USEPA Method 1623 (99)"), referenced in Sections 611.1007.

United States Environmental Protection Agency, EMSL, Cincinnati, OH 45268 (513-569-7586).

"Interim Radiochemical Methodology for Drinking Water," EPA 600/4-75/008~~EPA 600/4-75-008~~ (revised), March 1976 (referred to as "USEPA Interim Radiochemical Methods"), referenced in Section 611.720. See NTIS.

"Methods for the Determination of Organic Compounds in Drinking Water," December 1988, revised July 1991, EPA 600/4-88/039~~EPA 600/4-88/039 "~~ (referred to as "USEPA Organic Methods"), referenced in Sections 611.645 and 611.648. (For methods 504.1, 508.1, and 525.2 only.) See NTIS.

"Procedures for Radiochemical Analysis of Nuclear Reactor Aqueous Solutions," referenced in Section 611.720. See NTIS.

USEPA, Office of Research and Development, National Exposure Research Laboratory, Microbiological & Chemical Exposure Assessment Research Division (accessible on-line and available by download from http://www.epa.gov/nerlcwww/ordmeth.htm).

USEPA Method 415.3, Revision 1.1, "Determination of Total Organic Carbon and Specific UV Absorbance at 254 nm in Source Water and Drinking Water," February 2005, EPA 600/R-05/055 (referred to as "USEPA NERL Method 415.3 (rev. 1.1)"), referenced in Section 611.381.

USEPA, Science and Technology Branch, Criteria and Standards Division, Office of Drinking Water, Washington, D.C. 20460.

"Guidance Manual for Compliance with the Filtration and Disinfection Requirements for Public Water Systems using Surface Water Sources," October 1989, referenced in Sections 611.111 and 611.212.

USEPA Water Resource Center (RC-4100T), 1200 Pennsylvania Avenue, NW, Washington, DC 20460:

"Charm E*Colite Presence/Absence Test for Detection and Identification of Coliform Bacteria and Escherichia coli in Drinking Water," January 9, 1998 (referred to as "E*Colite Test"), referenced in Section 611.802 (also available from Charm Sciences, Inc.).

"Total Coliforms and E. coli Membrane Filtration Method with m-ColiBlue24® Broth," Method No. 10029, Revision 2, August 17, 1999 (referred to as "m-ColiBlue24 Test"), referenced in Section 611.802 (also available from the Hach Company).

"EPA Method 1600: Enterococci in Water by Membrane Filtration Using membrane-Enterococcus Indoxyl-b-D-Glucoside Agar (mEI)," September 2002, EPA 821/R-02/022 (referred to as

"USEPA Method 1600") is an approved variation of Standard Methods, Method 9230 C, "Fecal Streptococcus and Enterococcus Groups, Membrane Filter Techniques" (which has not itself been approved for use by USEPA) (accessible on-line and available by download from http://www.epa.gov/nerlcwww/1600sp02.pdf), referenced in Section 611.802.

"Method 1601: Male-specific (F^+) and Somatic Coliphage in Water by Two-step Enrichment Procedure," April 2001, EPA 821/R-01/030 (referred to as "USEPA Method 1601") (accessible on-line and available by download from http://www.epa.gov/nerlcwww/1601ap01.pdf), referenced in Section 611.802.

"Method 1602: Male-specific (F^+) and Somatic Coliphage in Water by Single Agar Layer (SAL) Procedure," April 2001, EPA 821/R-01/029 (referred to as "USEPA Method 1602") (accessible on-line and available by download from http://www.epa.gov/nerlcwww/1602ap01.pdf), referenced in Section 611.802.

"Method 1604: Total Coliforms and Escherichia coli in Water by Membrane Filtration Using a Simultaneous Detection Technique (MI Medium)," September 2002, EPA 821/R-02/024 (referred to as "USEPA Method 1604") (accessible on-line and available by download from http://www.epa.gov/nerlcwww/1604sp02.pdf), referenced in Section 611.802.

USGS. Books and Open-File Reports Section, United States Geological Survey, Federal Center, Box 25286, Denver, CO 80225-0425.

Methods available upon request by method number from "Methods for Analysis by the U.S. Geological Survey National Water Quality Laboratory - Determination of Inorganic and Organic Constituents in Water and Fluvial Sediments," Open File Report 93-125, 1993, or Book 5, Chapter A-1, "Methods for Determination of Inorganic Substances in Water and Fluvial Sediments," 3rd ed., Open-File Report 85-495, 1989, as appropriate (referred to as "USGS Methods").

I-1030-85, referenced in Section 611.611.

I-1601-85, referenced in Section 611.611.

I-1700-85, referenced in Section 611.611.

I-2598-85, referenced in Section 611.611.

I-2601-90, referenced in Section 611.611.

I-2700-85, referenced in Section 611.611.

I-3300-85, referenced in Section 611.611.

Methods available upon request by method number from "Methods for Determination of Radioactive Substances in Water and Fluvial Sediments," Chapter A5 in Book 5 of "Techniques of Water-Resources Investigations of the United States Geological Survey," 1997.

R-1110-76, referenced in Section 611.720.

R-1111-76, referenced in Section 611.720.

R-1120-76, referenced in Section 611.720.

R-1140-76, referenced in Section 611.720.

R-1141-76, referenced in Section 611.720.

R-1142-76, referenced in Section 611.720.

R-1160-76, referenced in Section 611.720.

R-1171-76, referenced in Section 611.720.

R-1180-76, referenced in Section 611.720.

R-1181-76, referenced in Section 611.720.

R-1182-76, referenced in Section 611.720.

Waters Corporation, Technical Services Division, 34 Maple St., Milford, MA 01757 (800-252-4752).

"Waters Test Method for Determination of Nitrite/Nitrate in Water Using Single Column Ion Chromatography," Method B-1011, August 1987 (referred to as "Waters Method B-1011"), referenced in Section 611.611.

c) The Board incorporates the following federal regulations by reference:

40 CFR 3.2 (2006)~~, as added at 70 Fed. Reg. 59848 (Oct. 13, 2005)~~ (How Does This Part Provide for Electronic Reporting?), referenced in Section 611.105.

40 CFR 3.3 (2006)~~, as added at 70 Fed. Reg. 59848 (Oct. 13, 2005)~~ (What Definitions Are Applicable to This Part?), referenced in Section 611.105.

40 CFR 3.10 (2006)~~, as added at 70 Fed. Reg. 59848 (Oct. 13, 2005)~~ (What Are the Requirements for Electronic Reporting to EPA?), referenced in Section 611.105.

40 CFR 3.2000 (2006)~~, as added at 70 Fed. Reg. 59848 (Oct. 13, 2005)~~ (What Are the Requirements Authorized State, Tribe, and Local Programs' Reporting Systems Must Meet?), referenced in Section 611.105.

40 CFR 136.3(a) (2006), referenced in Section 611.1004.

Appendix B to 40 CFR 136 (2006)~~(2005)~~, referenced in Sections 611.359, 611.609, and 611.646.

d) This Part incorporates no later amendments or editions.

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

Section 611.160 Composite Correction Program

a) The Agency may require in writing that a PWS conduct a Composite Correction Program (CCP). The CCP must consist of two elements: a Comprehensive Performance Evaluation (CPE) and a Comprehensive Technical Assistance (CTA).

1) A CPE is a thorough review and analysis of a plant's performance-based capabilities and associated administrative, operation, and maintenance practices. It must identify factors that may be adversely impacting a plant's capability to achieve compliance and emphasize approaches that can be implemented without significant capital improvements.

2) For purposes of compliance with Subparts R and X of this Part, the comprehensive performance evaluation must consist of at least the following components: Assessment of plant performance; evaluation of major unit processes; identification and prioritization of performance limiting factors; assessment of the applicability of comprehensive technical assistance; and preparation of the CPE report.

BOARD NOTE: Subsection (a)(2) of this Section is derived from the third sentence of the definition of "comprehensive performance evaluation" in 40 CFR 141.2 (2006)~~(2002)~~.

3) A CTA is the performance improvement phase that is implemented if the CPE results indicate improved performance potential. During the CTA phase, the PWS must identify and systematically address plant-specific factors. The CTA is a combination of utilizing CPE results as a basis for followup, implementing process control priority-setting techniques and maintaining long-term involvement to systematically train staff and administrators.

b) A PWS must implement any followup recommendations made in writing by the Agency that result as part of the CCP.

c) A PWS may appeal to the Board, pursuant to Section 40 of the Act [415 ILCS 5/40], any Agency requirement that it conduct a CCP or any followup recommendations made in writing by the Agency that result as part of the CCP, except when a CPE is required under Section 611.745(b)(4).

BOARD NOTE: Derived from 40 CFR 142.16(g) (2006) ~~(2002)~~.

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

Section 611.161 Case-by-Case Reduced Subpart Y Monitoring for Wholesale and Consecutive Systems

The Agency may, by a SEP issued pursuant to Section 611.110, reduce the monitoring requirements of Subpart Y of this Part as they apply to a wholesale system or a consecutive system, otherwise than by use of the provisions of Section 611.500 subject to the following limitations:

a) The Agency must consider the following system-specific knowledge in making its determination:

1) The amount and percentage of finished water provided;

2) Whether finished water is provided seasonally, intermittently, or full-time;

3) Improved DBP occurrence information based on IDSE results;

4) Significant changes in the supplier's raw water quality, treatment, or distribution system after completion of the IDSE; and

5) Such other considerations as would bear on the occurrence of DBP in the distribution system and the ability of the reduced monitoring to detect DBP in the supplier's distribution system.

b) Any reduced monitoring allowed pursuant to this Section must require a minimum of one compliance monitoring location for each supplier.

c) The supplier must report any changes in its raw water quality, treatment, or distribution system or any other factors that come to its attention after the issuance of a SEP that allows reduced monitoring pursuant to this Section that would bear on the occurrence of DBP in the distribution system and the ability of the reduced monitoring to detect DBP in the supplier's distribution system.

d) The Agency may allow the reduced monitoring provided by this Section only after USEPA has approved the State program revisions involving Subparts W and Y of this Part.

BOARD NOTE: Derived from 40 CFR 142.16(m) and the discussion at 71 Fed. Reg. 388, 430-31 (Jan. 4, 2006). USEPA stated that it will allow the State to elect to authorize reduced monitoring according to a procedure devised by the State. The Board borrowed from the special primacy requirements applicable to the Subpart Y provisions and the accompanying preamble discussion to derive the procedure set forth in this Section.

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

SUBPART F: MAXIMUM CONTAMINANT LEVELS (MCLs)
AND MAXIMUM RESIDUAL DISINFECTANT LEVELS (MRDLs)

Section 611.310 State-Only~~Old~~ Maximum Contaminant Levels (MCLs) for Organic Chemical Contaminants

The following are State-only MCLs for organic chemical contaminants. The State-only MCLs for organic chemical contaminants in this Section apply to all CWSs. They are additional State requirements. Compliance with the State-only MCLs in subsections (a) and (b) is calculated pursuant to Subpart O of this Part.

Contaminant	MCL (mg/l)
Aldrin	0.001
DDT	0.05
Dieldrin	0.001
Heptachlor	0.0001
Heptachlor epoxide	0.0001
2,4-D	0.01

BOARD NOTE: Originally derived from 40 CFR 141.12 (1992)~~(1994)~~, USEPA removed the last entry in subsections (a) and (b) and marked them reserved at 57 Fed. Reg. 31838 (July 17, 1992). USEPA removed all of 40 CFR 141.12 and marked it "reserved" at 71 Fed. Reg. 388 (Jan. 4, 2006). USEPA added another listing of organic MCLs at 40 CFR 141.61 (2006)~~(2002)~~. Heptachlor, heptachlor epoxide, and 2,4-D appear in both this Section and in Section 611.311, with a different MCL in each Section. The heptachlor, heptachlor epoxide, and 2,4-D MCLs in this Section are Illinois limitations that are more stringent than the federal requirements. However, detection of these contaminants or violation of their federally-derived revised Section

611.311 MCLs imposes more stringent monitoring, reporting, and notice requirements.

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

Section 611.312 Maximum Contaminant Levels (MCLs) for Disinfection Byproducts (DBPs)

a) Bromate and chlorite. The maximum contaminant levels (MCLs) for bromate and chlorite~~disinfection byproducts (DBPs)~~ are as follows:

Disinfection Byproduct~~byproduct~~	MCL (mg/l)
~~Total trihalomethanes (TTHM)~~	~~0.080~~
~~Haloacetic acids (five) (HAA5)~~	~~0.060~~
Bromate	0.010
Chlorite	1.0

1) Compliance dates for CWSs and NTNCWSs. A Subpart B system that serves 10,000 or more persons must comply with this subsection (a). A Subpart B system that serves fewer than 10,000 persons and systems using only groundwater not under the direct influence of surface water must comply with this subsection (a).

2) USEPA has identified the following as the best available technology, treatment techniques, or other means available for achieving compliance with the maximum contaminant levels for bromate and chlorite identified in this subsection (a):

Disinfection Byproduct	Best Available Technology
Bromate	Control of ozone treatment process to reduce production of bromate.
Chlorite	Control of treatment processes to reduce disinfectant demand and control of disinfection treatment processes to reduce disinfectant levels.

~~b) Compliance dates.~~

~~1) CWSs and NTNCWSs. A Subpart B system supplier serving 10,000 or~~

~~more persons must comply with this Section beginning January 1, 2002. A Subpart B system supplier serving fewer than 10,000 persons or a supplier using only groundwater not under the direct influence of surface water must comply with this Section beginning January 1, 2004.~~

~~2) A PWS that is installing GAC or membrane technology to comply with this Section may apply to the Board for an extension of up to 24 months past the dates in subsection (b)(1) of this Section, but not beyond December 31, 2003. The Board must grant the extension, and must set a schedule for compliance and may specify any interim measures that the PWS must take. Failure to meet the schedule or interim treatment requirements constitutes a violation of an NPDWR.~~

b) TTHM and HAA5.

1) Subpart I - Running annual average compliance.

A) Compliance dates. A Subpart B system that serves 10,000 or more persons must comply with this subsection (b)(1) beginning January 1, 2002. A Subpart B system that serves fewer than 10,000 persons and systems using only groundwater not under the direct influence of surface water must comply with this subsection (b)(1). All systems must comply with these MCLs until the date specified for Subpart Y compliance in Section 611.980(c).

Disinfection Byproduct	MCL (mg/l)
Total trihalomethanes (TTHM)	0.080
Haloacetic acids (five) (HAA5)	0.060

B) USEPA has identified the following as the best available technology, treatment techniques, or other means available for achieving compliance with the maximum contaminant levels for TTHM and HAA5 identified in this subsection (b)(1):

Disinfection Byproduct	Best Available Technology
Total trihalomethanes (TTHM) and	Enhanced coagulation or enhanced softening or

Haloacetic acids (five) (HAA5)	GAC10, with chlorine as the primary and residual disinfectant.

2) Subpart Y - Locational running annual average compliance.

A) Compliance dates. The Subpart Y MCLs for TTHM and HAA5 must be complied with as a locational running annual average at each monitoring location beginning the date specified for Subpart Y compliance in Section 611.980(c).

Disinfection Byproduct	MCL (mg/l)
Total trihalomethanes (TTHM)	0.080
Haloacetic acids (five) (HAA5)	0.060

B) USEPA has identified the following as the best available technology, treatment techniques, or other means available for achieving compliance with the maximum contaminant levels for TTHM and HAA5 identified in this subsection (b)(2) for any supplier that disinfects its source water:

Disinfection Byproduct	Best Available Technology
Total trihalomethanes (TTHM) and Haloacetic acids (five) (HAA5)	Enhanced coagulation or enhanced softening, plus GAC10; or nanofiltration with a molecular weight cutoff = 1000 Daltons; or GAC20.

C) USEPA has identified the following as the best available technology, treatment techniques, or other means available for achieving compliance with the maximum contaminant levels for TTHM and HAA5 identified in this subsection (b)(2) for consecutive systems and applies only to the disinfected water that a consecutive system buys or otherwise receives from a wholesale system:

Disinfection Byproduct	Best Available Technology
Total trihalomethanes (TTHM) and Haloacetic acids (five) (HAA5)	Any system that serves 10,000 or more persons: Improved distribution system and storage tank management to reduce residence time, plus the use of chloramines for disinfectant residual maintenance; or Any system that serves fewer than 10,000 persons: Improved distribution system and storage tank management to reduce residence time.

~~e)~~ ~~The following are identified as the best technology, treatment techniques, or other means available for achieving compliance with the maximum contaminant levels for disinfection byproducts (DBPs) identified in subsection (a) of this Section.~~

~~Disinfection byproduct (DBP)~~	~~Best available technology (BAT)~~
~~TTHM~~	~~Enhanced coagulation or enhanced softening or GAC10, with chlorine as the primary and residual disinfectant~~
~~HAA5~~	~~Enhanced coagulation or enhanced softening or GAC10, with chlorine as the primary and residual disinfectant~~
~~Bromate~~	~~Control of ozone treatment process to reduce production of bromate~~
~~Chlorite~~	~~Control of treatment processes to reduce disinfectant demand and control of disinfection treatment processes to reduce disinfectant levels~~

BOARD NOTE: Derived from 40 CFR 141.64 (2006)~~(2002)~~.

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

SUBPART I: DISINFECTANT RESIDUALS, DISINFECTION BYPRODUCTS, AND DISINFECTION BYPRODUCT PRECURSORS

Section 611.381 Analytical Requirements

a) A supplier must use only the analytical methods specified in this Section or their equivalents as approved by the Agency to demonstrate compliance with the requirements of this Subpart I and with the requirements of Subparts W and Y of this Part.

b) Disinfection byproducts (DBPs).

1) A supplier must measure disinfection byproducts (DBPs) by the appropriate of the following methods ~~(as modified by the footnotes) listed in the following table~~:

A) TTHM:

i) By purge and trap, gas chromatography, electrolytic conductivity detector, and photoionization detector: USEPA Organic Methods, Method 502.2. If TTHMs are the only analytes being measured in the sample, then a photoionization detector is not required.

ii) By purge and trap, gas chromatography, mass spectrometer: USEPA Organic Methods, Method 524.2.

iii) By liquid/liquid extraction, gas chromatography, electron capture detector: USEPA Organic Methods, Method 551.1.

B) HAA5:

i) By liquid/liquid extraction (diazomethane), gas chromatography, electron capture detector: Standard Methods, 19th or 21st ed., Method 6251 B.

ii) By solid phase extractor (acidic methanol), gas chromatography, electron capture detector: USEPA Organic Methods, Method 552.1.

iii) By liquid/liquid extraction (acidic methanol), gas chromatography, electron capture detector: USEPA Organic Methods, Method 552.2 or 552.3.

C) Bromate:

i) By ion chromatography: USEPA Organic and Inorganic Methods, Method 300.1.

ii) By ion chromatography and post-column reaction: USEPA OGWDW Methods, Method 317.0, rev 2.0, or 326.0, rev. 1.0.

iii) By inductively-coupled plasma/mass spectrometer: USEPA Organic and Inorganic Methods, Method 321.8.

BOARD NOTE: Ion chromatography and post column reaction or inductively-coupled plasma/mass spectrometry must be used for monitoring of bromate for purposes of demonstrating eligibility of reduced monitoring, as prescribed in Section 611.382(b)(3)(B). For inductively-coupled plasma/mass spectrometry, samples must be preserved at the time of sampling with 50 mg ethylenediamine (EDA) per liter of sample, and the samples must be analyzed within 28 days.

D) Chlorite:

i) By amperometric titration: Standard Methods, 19th or 21st ed., Method 4500-ClO_2 E.

ii) By spectrophotometry: USEPA OGWDW Methods, Method 327.0, rev. 1.1.

iii) By ion chromatography: USEPA Environmental Inorganic Methods, Method 300.0; USEPA Organic and Inorganic Methods, Method 300.1; USEPA OGWDW Methods, Method 317.0, rev. 2.0, or 326.0, rev. 1.0; or ASTM Method D6581-00.

BOARD NOTE: Amperometric titration or spectrophotometry may be used for routine daily monitoring of chlorite at the entrance to the distribution system, as prescribed in Section 611.382(b)(2)(A)(i). Ion chromatography must be used for routine monthly monitoring of chlorite and additional monitoring of chlorite in the distribution system, as prescribed in Section 611.382(b)(2)(A)(ii) and (b)(2)(B).

~~Approved Methods for Disinfection Byproduct (DBP) Compliance Monitoring~~

~~Methodology[2]~~	~~EPA Method~~	~~Standard Methods, 19th ed., Method~~	~~Byproduct Measured[1]~~
~~P&T/GC/ElCD & PID~~	~~[3]502.2~~		~~TTHM~~
~~P&T/GC/MS~~	~~524.2~~		~~TTHM~~
~~LLE/GC/ECD~~	~~551.1~~		~~TTHM~~
~~LLE/GC/ECD~~		~~6251 B~~	~~HAA5~~
~~SPE/GC/ECD~~	~~552.1~~		~~HAA5~~
~~LLE/GC/ECD~~	~~552.2~~		~~HAA5~~
~~Amperometric Titration~~		~~4500-ClO_2-E~~	~~Chlorite[4]~~
~~IC~~	~~300.0~~		~~Chlorite[4]~~
~~IC~~	~~300.1~~		~~Chlorite[4], Bromate~~

~~[1] The listed method is approved for measuring specified disinfection byproduct.~~

~~[2] P&T = purge and trap; GC = gas chromatography; ElCD = electrolytic conductivity detector; PID = photoionization detector; MS = mass~~

~~spectrometer; LLE = liquid/liquid extraction; ECD = electron capture detector; SPE = solid phase extractor; IC = ion chromatography.~~

~~3 If TTHMs are the only analytes being measured in the sample, then a PID is not required.~~

~~4 Amperometric titration may be used for routine daily monitoring of chlorite at the entrance to the distribution system, as prescribed in Section 611.382(b)(2)(A)(i). Ion chromatography must be used for routine monthly monitoring of chlorite and additional monitoring of chlorite in the distribution system, as prescribed in Sections 611.382(b)(2)(A)(ii) and (b)(2)(B).~~

2) Analyses~~Analysis~~ under this Section for DBPs must be conducted by laboratories that have received certification by USEPA or the Agency except as specified under subsection (b)(3) of this Section. To receive certification to conduct analyses for the DBP contaminants listed in Sections~~Section~~ 611.312 and 611.381 and Subparts W and Y of this Part, the laboratory must fulfill the requirements of subsections (b)(2)(A), (b)(2)(C), and (b)(2)(D) of this Section.~~carry out annual analyses of performance evaluation (PE) samples approved by USEPA or the Agency. In these analyses of PE samples, the laboratory must achieve quantitative results within the acceptance limit on a minimum of 80% of the analytes included in each PE sample. The acceptance limit is defined as the 95% confidence interval calculated around the mean of the PE study data between a maximum and minimum acceptance limit of ±50% and ±15% of the study mean.~~

A) The laboratory must analyze performance evaluation (PE) samples that are acceptable to USEPA or the Agency at least once during each consecutive 12-month period by each method for which the laboratory desires certification.

B) This subject corresponds with 40 CFR 141.131(b)(2)(ii), which has expired by its own terms. This statement maintains structural consistency with the corresponding federal rule.

C) The laboratory must achieve quantitative results on the PE sample analyses that are within the acceptance limits listed in this

subsection (b)(2)(C). The laboratory must meet all four of the individual THM acceptance limits set forth in subsections (b)(2)(B)(i) through (b)(2)(B)(iv) of this Section in order to successfully pass a PE sample for TTHM. The laboratory must meet the acceptance limits for four out of the five HAA5 compounds set forth in subsections (b)(2)(B)(v) through (b)(2)(B)(ix) of this Section in order to successfully pass a PE sample for HAA5.

i) Chloroform (a THM): ± 20% of true value;

ii) Bromodichloromethane (a THM): ± 20% of true value;

iii) Dibromochloromethane (a THM): ± 20% of true value;

iv) Bromoform (a THM): ± 20% of true value;

v) Monochloroacetic Acid (an HAA5): ± 40% of true value;

vi) Dichloroacetic Acid (an HAA5): ± 40% of true value;

vii) Trichloroacetic Acid (an HAA5): ± 40% of true value;

viii) Monobromoacetic Acid (an HAA5): ± 40% of true value;

ix) Dibromoacetic Acid (an HAA5): ± 40% of true value;

x) Chlorite: ± 30% of true value; and

xi) Bromate: ± 30% of true value.

D) For all DBP samples analyzed for compliance with Sections 611.312 and 611.385 and Subparts W and Y of this Part, the laboratory must report quantitative data for concentrations at least as low as the minimum reporting levels (MRLs) listed in subsections (b)(2)(D)(i) through (b)(2)(D)(xi) of this Section. The calibration curve must encompass the regulatory MRL concentration. Data may be reported for concentrations lower than the regulatory MRL as long as the precision and accuracy criteria

are met by analyzing an MRL check standard at the lowest reporting limit chosen by the laboratory. The laboratory must verify the accuracy of the calibration curve at the MRL concentration by analyzing an MRL check standard with a concentration less than or equal to 110% of the MRL with each batch of samples. The measured concentration for the MRL check standard must be ± 50% of the expected value, if any field sample in the batch has a concentration less than five times the regulatory MRL. Method requirements to analyze higher concentration check standards and meet tighter acceptance criteria for them must be met in addition to the MRL check standard requirement. When adding the individual trihalomethane or haloacetic acid concentrations, for the compounds listed in subsections (b)(2)(D)(v) through (b)(2)(D)(ix) of this Section, to calculate the TTHM or HAA5 concentrations, respectively, a zero is used for any analytical result that is less than the MRL concentration for that DBP, unless otherwise specified by the State.

i) Chloroform (a THM): 0.0010 mg/l ;

ii) Bromodichloromethane (a THM): 0.0010 mg/l ;

iii) Dibromochloromethane (a THM): 0.0010 mg/l ;

iv) Bromoform (a THM): 0.0010 mg/l ;

v) Monochloroacetic Acid (an HAA5): 0.0020 mg/l ;

vi) Dichloroacetic Acid (an HAA5): 0.0010 mg/l ;

vii) Trichloroacetic Acid (an HAA5): 0.0010 mg/l ;

viii) Monobromoacetic Acid (an HAA5): 0.0010 mg/l ;

ix) Dibromoacetic Acid (an HAA5): 0.0010 mg/l ;

x) Chlorite: 0.020 mg/l, applicable to monitoring as required by Section 611.382(b)(2)(A)(ii) and (b)(2)(B); and

xi) Bromate: 0.0050, or 0.0010 mg/l if the laboratory uses USEPA OGWDW Methods, Method 317.0, rev. 2.0, or 326.0 or USEPA Organic and Inorganic Methods, Method 321.8.

3) A party approved by USEPA or the Agency must measure daily chlorite samples at the entrance to the distribution system.

c) Disinfectant residuals.

1) A supplier must measure residual disinfectant concentrations for free chlorine, combined chlorine (chloramines), and chlorine dioxide by the appropriate of the methods ~~(as modified by the footnotes)~~ listed in subsections (c)(1)(A) through (c)(1)(D) of this Section, subject to the provisions of subsection (c)(1)(E) of this Section~~in the following table~~:

A) Free Chlorine:

i) Amperometric titration using Standard Methods, 19th, 20th, or 21st ed., Method 4500-Cl D, or ASTM Method 1253-86, 1253-96, or 1253-03;

ii) DPD ferrous titration using Standard Methods, 19th, 20th, or 21st ed., Method 4500-Cl F;

iii) DPD colorimetric using Standard Methods, 19th, 20th, or 21st ed., Method 4500-Cl G; or

iv) Syringaldazine (FACTS) using Standard Methods, 19th, 20th, or 21st ed., Method 4500-Cl H.

B) Combined Chlorine:

i) Amperometric titration using Standard Methods, 19th, 20th, or 21st ed., Method 4500-Cl D, or ASTM Method 1253-86, 1253-96, or 1253-03;

ii) DPD ferrous titration using Standard Methods, 19th, 20th, or 21st ed., Method 4500-Cl F; or

iii) DPD colorimetric using Standard Methods, 19th, 20th, or 21st ed., Method 4500-Cl G.

C) Total Chlorine:

i) Amperometric titration using Standard Methods, 19th, 20th, or 21st ed., Method 4500-Cl D, or ASTM Method 1253-86, 1253-96, or 1253-03;

ii) Low-level amperometric titration using Standard Methods, 19th, 20th, or 21st ed., Method 4500-Cl F;

iii) DPD ferrous titration using Standard Methods, 19th, 20th, or 21st ed., Method 4500-Cl F;

iv) DPD colorimetric using Standard Methods, 19th, 20th, or 21st ed., Method 4500-Cl G; or

v) Iodometric electrode using Standard Methods, 19th, 20th, or 21st ed., Method 4500-Cl I.

D) Chlorine Dioxide:

i) DPD using Standard Methods, 19th, 20th, or 21st ed., Method 4500-ClO_2 D;

ii) Amperometric Method II using Standard Methods, 19th, 20th, or 21st ed., Method 4500-ClO_2 E; or

iii) Lissamine Green spectrophotometric using USEPA OGWDW Method 327.0 (rev. 1.1).

E) The methods listed are approved for measuring the specified disinfectant residual. The supplier may measure free chlorine or total chlorine for demonstrating compliance with the chlorine MRDL and combined chlorine, or total chlorine may be measured for demonstrating compliance with the chloramine MRDL.

~~Approved Methods for Disinfectant Residual Compliance Monitoring~~

~~Methodology~~	~~Standard Methods, 19th ed., Method~~	~~ASTM Method~~	~~Residual Measured[1]~~
~~Amperometric Titration~~	~~4500-Cl D~~	~~D1253-86~~	~~Free chlorine, Combined chlorine, Total chlorine~~
~~Low Level Amperometric Titration~~	~~4500-Cl E~~		~~Total chlorine~~
~~DPD Ferrous Titrimetric~~	~~4500-Cl F~~		~~Free chlorine, Combined chlorine, Total chlorine~~
~~DPD Colorimetric~~	~~4500-Cl G~~		~~Free chlorine, Combined chlorine, Total chlorine~~
~~Syringaldazine (FACTS)~~	~~4500-Cl H~~		~~Free chlorine~~
~~Iodometric Electrode~~	~~4500-Cl I~~		~~Total chlorine~~
~~DPD~~	~~4500-ClO_2 D~~		~~Chlorine dioxide~~
~~Amperometric Method II~~	~~4500-ClO_2 E~~		~~Chlorine dioxide~~

~~[1] The listed method is approved for measuring specified disinfectant residual.~~

2) If approved by the Agency, a supplier may also measure residual disinfectant concentrations for chlorine, chloramines, and chlorine dioxide by using DPD colorimetric test kits.

3) A party approved by USEPA or the Agency must measure residual disinfectant concentration.

d) A supplier required to analyze parameters not included in subsections (b) and (c) of this Section must use the methods listed below. A party approved by USEPA or the Agency must measure the following parameters:

1) Alkalinity. All methods allowed in Section 611.611(a)(21) for measuring alkalinity.~~;~~

2) Bromide:~~. USEPA Method 300.0 or USEPA Method 300.1;~~

A) SEPA Inorganic Methods, Method 300.0;

B) USEPA Organic and Inorganic Methods, Method 300.1;

C) USEPA OGWDW Methods, Method 317.0 (rev. 2.0) or Method 326.0 (rev. 1.0); or

D) ASTM Method D6581-00.

3) Total Organic Carbon (TOC), by any of the methods listed in subsection (d)(3)(A)(i), (d)(3)(A)(ii), (d)(3)(A)(iii), or (d)(3)(B) of this Section, subject to the limitations of subsection (d)(3)(C) of this Section:~~. Standard Methods, 19th ed.,Method 5310 B (High-Temperature Combustion Method), Standard Methods, 19th ed., Method 5310 C (Persulfate-Ultraviolet or Heated-Persulfate Oxidation Method), or Standard Methods, 19th ed., Method 5310 D (Wet-Oxidation Method). TOC samples may not be filtered prior to analysis. TOC samples must either be analyzed or must be acidified to achieve pH less than 2.0 by minimal addition of phosphoric or sulfuric acid as soon as practical after sampling, not to exceed 24 hours. Acidified TOC samples must be analyzed within 28 days;~~

A) Standard Methods, 19th, 20th, or 21st ed., using one of the following methods:

i) Method 5310 B (High-Temperature Combustion Method);

ii) Method 5310 C (Persulfate-Ultraviolet or Heated-Persulfate Oxidation Method); or

iii) Method 5310 D (Wet-Oxidation Method).

B) USEPA NERL Method 415.3 (rev. 1.1).

C) Inorganic carbon must be removed from the samples prior to analysis. TOC samples may not be filtered prior to analysis. TOC samples must be acidified at the time of sample collection to achieve pH less than or equal to 2 with minimal addition of the acid specified in the method or by the instrument manufacturer. Acidified TOC samples must be analyzed within 28 days.

4) Specific Ultraviolet Absorbance (SUVA). SUVA is equal to the UV absorption at 254 nm (UV_{254}) (measured in m^{-1}) divided by the dissolved organic carbon (DOC) concentration (measured as mg/l). In order to determine SUVA, it is necessary to separately measure UV_{254} and DOC. When determining SUVA, a supplier must use the methods stipulated in subsection (d)(4)(A) of this Section to measure DOC and the method stipulated in subsection (d)(4)(B) of this Section to measure UV_{254}. SUVA must be determined on water prior to the addition of disinfectants/oxidants by the supplier. DOC and UV_{254} samples used to determine a SUVA value must be taken at the same time and at the same location.~~;~~

A) Dissolved Organic Carbon (DOC). Standard Methods, 19th ~~ed.~~, 20th, or 21st ed., Method 5310 B (High-Temperature Combustion Method), ~~Standard Methods, 19th ed.,~~ Method 5310 C (Persulfate-Ultraviolet or Heated-Persulfate Oxidation Method), ~~or Standard Methods, 19th ed.,~~ Method 5310 D (Wet-Oxidation Method) or USEPA NERL Method 415.3 (rev. 1.1). Prior to analysis, DOC samples must be filtered through the~~a~~ 0.45 µm pore-diameter filter as soon as practical after sampling, not to exceed 48 hours. After filtration, DOC samples must be acidified to achieve pH less than or equal to 2 with minimal addition of the acid specified in the method or by the instrument manufacturer. Acidified DOC samples must be analyzed within 28 days after sample collection. Inorganic carbon must be removed from the samples prior to analysis. Water passed through the filter prior to filtration of the sample must serve as the filtered blank. This filtered blank must be analyzed using procedures identical to those used for analysis of the samples and must meet the following standards: DOC less than 0.5 mg/l ~~. DOC samples must be filtered through the 0.45 µm pore-diameter filter prior to acidification. DOC samples must either be analyzed or must be acidified to achieve pH less than 2.0 by be~~

~~analyzed or must be acidified to achieve pH less than 2.0 by minimal addition of phosphoric or sulfuric acid as soon as practical after sampling, not to exceed 48 hours. Acidified DOC samples must be analyzed within 28 days~~; and

B) Ultraviolet Absorption at 254 nm (UV_{254}). Method 5910 B (Ultraviolet Absorption Method). UV absorption must be measured at 253.7 nm (may be rounded off to 254 nm). Prior to analysis, UV_{254} samples must be filtered through a 0.45 µm pore-diameter filter. The pH of UV_{254} samples may not be adjusted. Samples must be analyzed as soon as practical after sampling, not to exceed 48 hours.~~; and~~

5) pH. All methods allowed in Section 611.611(a)(17) for measuring pH.

BOARD NOTE: Derived from 40 CFR 141.131 (2006)~~(2004)~~.

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

Section 611.382 Monitoring Requirements

a) General requirements.

1) A supplier must take all samples during normal operating conditions.

2) A supplier may consider multiple wells drawing water from a single aquifer as one treatment plant for determining the minimum number of TTHM and HAA5 samples required with Agency approval.

3) Failure to monitor in accordance with the monitoring plan required under subsection (f) of this Section is a monitoring violation.

4) Where compliance is based on a running annual average of monthly or quarterly samples or averages and the supplier's failure to monitor makes it impossible to determine compliance with MCLs or MRDLs, this failure to monitor will be treated as a violation for the entire period covered by the annual average.

5) A supplier must use only data collected under the provisions of this

Subpart I to qualify for reduced monitoring.

b) Monitoring requirements for disinfection byproducts (DBPs).

1) TTHMs and HAA5.

A) Routine monitoring. A supplier must monitor at the following frequency:

i) A Subpart B system supplier that serves 10,000 or more persons must collect four water samples per quarter per treatment plant. At least 25 percent of all samples collected each quarter must be collected at locations representing maximum residence time. The remaining samples may be taken at locations representative of at least average residence time in the distribution system and representing the entire distribution system, taking into account the number of persons served, the different sources of water, and the different treatment methods.

ii) A Subpart B system supplier that serves from 500 to 9,999 persons must collect one water sample per quarter per treatment plant. The samples must be collected from locations representing maximum residence time.

iii) A Subpart B system supplier that serves fewer than 500 persons must collect one sample per year per treatment plant during month of warmest water temperature. The samples must be collected from locations representing maximum residence time. If the sample (or average of annual samples, if more than one sample is taken) exceeds the MCL, the supplier must increase the monitoring frequency to one sample per treatment plant per quarter, taken at a point reflecting the maximum residence time in the distribution system, until the supplier meets the standards in subsection (b)(1)(D) of this Section.

iv) A supplier that uses only groundwater not under direct influence of surface water, which uses chemical

disinfectant, and which serves 10,000 or more persons must collect one water sample per quarter per treatment plant. The samples must be collected from locations representing maximum residence time.

v) A supplier that uses only groundwater not under direct influence of surface water, which uses chemical disinfectant, and which serves fewer than 10,000 persons must collect one sample per year per treatment plant during month of warmest water temperature. The samples must be collected from locations representing maximum residence time. If the sample (or average of annual samples, if more than one sample is taken) exceeds MCL, the supplier must increase monitoring to one sample per treatment plant per quarter, taken at a point reflecting the maximum residence time in the distribution system, until the supplier meets standards in subsection (b)(1)(D) of this Section.

BOARD NOTE: If a supplier elects to sample more frequently than the minimum required, at least 25 percent of all samples collected each quarter (including those taken in excess of the required frequency) must be taken at locations that represent the maximum residence time of the water in the distribution system. The remaining samples must be taken at locations representative of at least average residence time in the distribution system. For a supplier using groundwater not under the direct influence of surface water, multiple wells drawing water from a single aquifer may be considered one treatment plant for determining the minimum number of samples required, with Agency approval.

B) A supplier may reduce monitoring, except as otherwise provided, in accordance with the following:

i) A Subpart B system supplier that serves 10,000 or more persons and which has a source water annual average TOC level, before any treatment, of less than or equal to 4.0 mg/l may reduce monitoring if it has monitored for at least one year and its TTHM annual average is less than or equal to 0.040 mg/l and HAA5 annual average is less than or

equal to 0.030 mg/l. The reduced monitoring allowed is a minimum of one sample per treatment plant per quarter at a distribution system location reflecting maximum residence time.

ii) A Subpart B system supplier that serves from 500 to 9,999 persons and which has a source water annual average TOC level, before any treatment, of less than or equal to 4.0 mg/l may reduce monitoring if it has monitored at least one year and its TTHM annual average is less than or equal to 0.040 mg/l and HAA5 annual average is less than or equal to 0.030 mg/l. The reduced monitoring allowed is a minimum of one sample per treatment plant per year at a distribution system location reflecting maximum residence time during month of warmest water temperature.

BOARD NOTE: Any Subpart B system supplier that serves~~serving~~ fewer than 500 persons may not reduce its monitoring to less than one sample per treatment plant per year.

iii) A supplier using only groundwater not under direct influence of surface water using chemical disinfectant and that serves~~serving~~ 10,000 or more persons may reduce monitoring if it has monitored at least one year and its TTHM annual average is less than or equal to 0.040 mg/l and HAA5 annual average is less than or equal to 0.030 mg/l. The reduced monitoring allowed is a minimum of one sample per treatment plant per year at a distribution system location reflecting maximum residence time during month of warmest water temperature.

iv) A supplier using only groundwater not under direct influence of surface water that uses~~using~~ chemical disinfectant and which serves~~serving~~ fewer than 10,000 persons may reduce monitoring if it has monitored at least one year and its TTHM annual average is less than or equal to 0.040 mg/l and HAA5 annual average is less than or equal to 0.030 mg/l for two consecutive years or TTHM

annual average is less than or equal to 0.020 mg/l and HAA5 annual average is less than or equal to 0.015 mg/l for one year. The reduced monitoring allowed is a minimum of one sample per treatment plant per three year monitoring cycle at a distribution system location reflecting maximum residence time during month of warmest water temperature, with the three-year cycle beginning on January 1 following the quarter in which the supplier qualifies for reduced monitoring.

C) Monitoring requirements for source water TOC. In order to qualify for reduced monitoring for TTHM and HAA5 under subsection (b)(1)(B) of this Section, a Subpart B system supplier not monitoring under the provisions of subsection (d) of this Section must take monthly TOC samples every 30 days at a location prior to any treatment, beginning no later than April 1, 2008. In addition to meeting other criteria for reduced monitoring in subsection (b)(1)(B) of this Section, the source water TOC running annual average must be ≤ 4.0 mg/l (based on the most recent four quarters of monitoring) on a continuing basis at each treatment plant to reduce or remain on reduced monitoring for TTHM and HAA5. Once qualified for reduced monitoring for TTHM and HAA5 under subsection (b)(1)(B) of this Section, a system may reduce source water TOC monitoring to quarterly TOC samples taken every 90 days at a location prior to any treatment.

D~~C~~) A Subpart B system supplier on a reduced monitoring schedule may remain on that reduced schedule as long as the average of all samples taken in the year (for a supplier that must monitor quarterly) or the result of the sample (for a supplier that must monitor no more frequently than annually) is no more than 0.060 mg/l and 0.045 mg/l for TTHMs and HAA5, respectively. A supplier that does not meet these levels must resume monitoring at the frequency identified in subsection (b)(1)(A) of this Section (minimum monitoring frequency column) in the quarter immediately following the monitoring period in which the supplier exceeds 0.060 mg/l for TTHMs or 0.045 mg/l for HAA5. For a supplier that uses~~using~~ only groundwater not under the direct

influence of surface water and which serves~~serving~~ fewer than 10,000 persons, if either the TTHM annual average is greater than 0.080 mg/l or the HAA5 annual average is greater than 0.060 mg/l, the supplier must go to increased monitoring identified in subsection (b)(1)(A) of this Section (sample location column) in the quarter immediately following the monitoring period in which the supplier exceeds 0.080 mg/l for TTHMs or 0.060 mg/l for HAA5.

~~D) A supplier on increased monitoring may return to routine monitoring if, after at least one year of monitoring, its TTHM annual average is less than or equal to 0.060 mg/l and its HAA5 annual average is less than or equal to 0.045 mg/l.~~

E) The Agency may return a supplier to routine monitoring.

2) Chlorite. A CWS or NTNCWS supplier using chlorine dioxide, for disinfection or oxidation, must conduct monitoring for chlorite.

A) Routine monitoring.

i) Daily monitoring. A supplier must take daily samples at the entrance to the distribution system. For any daily sample that exceeds the chlorite MCL, the supplier must take additional samples in the distribution system the following day at the locations required by subsection (b)(2)(B) of this Section, in addition to the sample required at the entrance to the distribution system.

ii) Monthly monitoring. A supplier must take a three-sample set each month in the distribution system. The supplier must take one sample at each of the following locations: near the first customer, at a location representative of average residence time, and at a location reflecting maximum residence time in the distribution system. Any additional routine sampling must be conducted in the same manner (as three-sample sets, at the specified locations). The supplier may use the results of additional monitoring conducted under subsection (b)(2)(B) of this Section to

meet the requirement for monitoring in this subsection (b)(2)(A)(ii).

B) Additional monitoring. On each day following a routine sample monitoring result that exceeds the chlorite MCL at the entrance to the distribution system, the supplier must take three chlorite distribution system samples at the following locations: as close to the first customer as possible, in a location representative of average residence time, and as close to the end of the distribution system as possible (reflecting maximum residence time in the distribution system).

C) Reduced monitoring.

i) Chlorite monitoring at the entrance to the distribution system required by subsection (b)(2)(A)(i) of this Section may not be reduced.

ii) Chlorite monitoring in the distribution system required by subsection (b)(2)(A)(ii) of this Section may be reduced to one three-sample set per quarter after one year of monitoring where no individual chlorite sample taken in the distribution system under subsection (b)(2)(A)(ii) of this Section has exceeded the chlorite MCL and the supplier has not been required to conduct monitoring under subsection (b)(2)(B) of this Section. The supplier may remain on the reduced monitoring schedule until either any of the three individual chlorite samples taken quarterly in the distribution system under subsection (b)(2)(A)(ii) of this Section exceeds the chlorite MCL or the supplier is required to conduct monitoring under subsection (b)(2)(B) of this Section, at which time the supplier must revert to routine monitoring.

3) Bromate.

A) Routine monitoring. A CWS or NTNCWS supplier using ozone, for disinfection or oxidation, must take one sample per month for each treatment plant in the system using ozone. A supplier must

take samples monthly at the entrance to the distribution system while the ozonation system is operating under normal conditions.

B) Reduced monitoring.

i) Until March 31, 2009, a~~A~~ supplier required to analyze for bromate may reduce monitoring from monthly to quarterly~~once per quarter~~, if the supplier demonstrates that the average source water bromide concentration is less than 0.05 mg/l based on~~upon~~ representative monthly bromide measurements for one year. The supplier may remain on reduced bromate monitoring until the running annual average source water bromide concentration, computed quarterly, is equal to or greater than 0.05 mg/l based on~~upon~~ representative monthly measurements. If the running annual average source water bromide concentration is equal to or greater than 0.05 mg/l, the supplier must resume routine monitoring required by subsection (b)(3)(A) of this Section in the following month.

ii) Beginning April 1, 2009, a Subpart B system supplier may no longer use the provisions of subsection (b)(3)(B)(i) of this Section to qualify for reduced monitoring. A supplier required to analyze for bromate may reduce monitoring from monthly to quarterly, if the supplier's running annual average bromate concentration is = 0.0025 mg/l based on monthly bromate measurements under subsection (b)(3)(A) of this Section for the most recent four quarters, with samples analyzed using USEPA OGWDW Methods, Method 317.0 (rev. 2.0) or Method 326.0 (rev. 1.0) or USEPA Organic and Inorganic Methods, Method 321.8. If a supplier has qualified for reduced bromate monitoring under subsection (b)(3)(B)(i) of this Section, that supplier may remain on reduced monitoring as long as the running annual average of quarterly bromate samples δ0.0025 mg/l based on samples analyzed using USEPA OGWDW Methods, Method 317.0 (rev. 2.0) or Method 326.0 (rev. 1.0) or USEPA Organic and Inorganic Methods, Method 321.8. If the running annual average bromate concentration

is > 0.0025 mg/l, the supplier must resume routine monitoring required by subsection (b)(3)(A) of this Section.

c) Monitoring requirements for disinfectant residuals.

1) Chlorine and chloramines.

A) Routine monitoring. A CWS or NTNCWS supplier that uses chlorine or chloramines must measure the residual disinfectant level in the distribution system at the same point in the distribution system and at the same time as total coliforms are sampled, as specified in Section 611.521. A Subpart B system supplier may use the results of residual disinfectant concentration sampling conducted under Section 611.532 for unfiltered systems or Section 611.533 for systems that filter, in lieu of taking separate samples.

B) Reduced monitoring. Monitoring may not be reduced.

2) Chlorine dioxide.

A) Routine monitoring. A CWS, an NTNCWS, or a transient non-CWS supplier that uses chlorine dioxide for disinfection or oxidation must take daily samples at the entrance to the distribution system. For any daily sample that exceeds the MRDL, the supplier must take samples in the distribution system the following day at the locations required by subsection (c)(2)(B) of this Section, in addition to the sample required at the entrance to the distribution system.

B) Additional monitoring. On each day following a routine sample monitoring result that exceeds the MRDL, the supplier must take three chlorine dioxide distribution system samples. If chlorine dioxide or chloramines are used to maintain a disinfectant residual in the distribution system, or if chlorine is used to maintain a disinfectant residual in the distribution system and there are no disinfection addition points after the entrance to the distribution system (i.e., no booster chlorination), the supplier must take three samples as close to the first customer as possible, at intervals of at least six hours. If chlorine is used to maintain a disinfectant

residual in the distribution system and there are one or more disinfection addition points after the entrance to the distribution system (i.e., booster chlorination), the supplier must take one sample at each of the following locations: as close to the first customer as possible, in a location representative of average residence time, and as close to the end of the distribution system as possible (reflecting maximum residence time in the distribution system).

C) Reduced monitoring. Monitoring may not be reduced.

d) Monitoring requirements for disinfection byproduct (DBP) precursors.

1) Routine monitoring. A Subpart B system supplier that uses conventional filtration treatment (as defined in Section 611.101) must monitor each treatment plant for TOC not past the point of combined filter effluent turbidity monitoring and representative of the treated water. A supplier required to monitor under this subsection (d)(1) must also monitor for TOC in the source water prior to any treatment at the same time as monitoring for TOC in the treated water. These samples (source water and treated water) are referred to as paired samples. At the same time as the source water sample is taken, a system must monitor for alkalinity in the source water prior to any treatment. A supplier must take one paired sample and one source water alkalinity sample per month per plant at a time representative of normal operating conditions and influent water quality.

2) Reduced monitoring. A Subpart B system supplier with an average treated water TOC of less than 2.0 mg/l for two consecutive years, or less than 1.0 mg/l for one year, may reduce monitoring for both TOC and alkalinity to one paired sample and one source water alkalinity sample per plant per quarter. The supplier must revert to routine monitoring in the month following the quarter when the annual average treated water TOC greater than or equal to 2.0 mg/l.

e) Bromide. A supplier required to analyze for bromate may reduce bromate monitoring from monthly to once per quarter, if the supplier demonstrates that the average source water bromide concentration is less than 0.05 mg/l based upon representative monthly measurements for one year. The supplier must continue

bromide monitoring to remain on reduced bromate monitoring.

f) Monitoring plans. Each supplier required to monitor under this Subpart I must develop and implement a monitoring plan. The supplier must maintain the plan and make it available for inspection by the Agency and the general public no later than 30 days following the applicable compliance dates in Section 611.380(b). A Subpart B system supplier that serves~~serving~~ more than 3,300 persons must submit a copy of the monitoring plan to the Agency no later than the date of the first report required under Section 611.384. After review, the Agency may require changes in any plan elements. The plan must include at least the following elements:

1) Specific locations and schedules for collecting samples for any parameters included in this Subpart I;

2) How the supplier will calculate compliance with MCLs, MRDLs, and treatment techniques; and

3) If approved for monitoring as a consecutive system, or if providing water to a consecutive system, under the provisions of Section 611.500, the sampling plan must reflect the entire distribution system.

BOARD NOTE: Derived from 40 CFR 141.132 (2006)~~(2003)~~.

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

Section 611.383 Compliance Requirements

a) General requirements.

1) Where compliance is based on a running annual average of monthly or quarterly samples or averages and the supplier fails to monitor for TTHM, HAA5, or bromate, this failure to monitor will be treated as a monitoring violation for the entire period covered by the annual average. Where compliance is based on a running annual average of monthly or quarterly samples or averages and the supplier's failure to monitor makes it impossible to determine compliance with the MRDL for chlorine or chloramines, this failure to monitor will be treated as a monitoring violation for the entire period covered by the annual average.

2) All samples taken and analyzed under the provisions of this Subpart I must be included in determining compliance, even if that number is greater than the minimum required.

3) If, during the first year of monitoring under Section 611.382, any individual quarter's average will cause the running annual average of that supplier to exceed the MCL for total trihalomethanes, haloacetic acids (five), or bromate or the MRDL for chlorine or chloramine, the supplier is out of compliance at the end of that quarter.

b) Disinfection byproducts (DBPs).

1) TTHMs and HAA5.

A) For a supplier monitoring quarterly, compliance with MCLs in Section 611.312 must be based on a running annual arithmetic average, computed quarterly, of quarterly arithmetic averages of all samples collected by the supplier as prescribed by Section 611.382(b)(1).

B) For a supplier monitoring less frequently than quarterly, the supplier demonstrates MCL compliance if the average of samples taken that year under the provisions of Section 611.382(b)(1) does not exceed the MCLs in Section 611.312. If the average of these samples exceeds the MCL, the supplier must increase monitoring to once per quarter per treatment plant, and such a system is not in violation of the MCL until it has completed one year of quarterly monitoring, unless the result of fewer than four quarters of monitoring will cause the running annual average to exceed the MCL, in which case the supplier is in violation at the end of that quarter. A supplier required to increase to quarterly monitoring must calculate compliance by including the sample that triggered the increased monitoring plus the following three quarters of monitoring.

C) If the running annual arithmetic average of quarterly averages covering any consecutive four-quarter period exceeds the MCL, the supplier is in violation of the MCL and must notify the public

pursuant to Subpart V of this Part in addition to reporting to the Agency pursuant to Section 611.384.

D) If a PWS fails to complete four consecutive quarter's monitoring, compliance with the MCL for the last four-quarter compliance period must be based on an average of the available data.

2) Bromate. Compliance must be based on a running annual arithmetic average, computed quarterly, of monthly samples (or, for months in which the supplier takes more than one sample, the average of all samples taken during the month) collected by the supplier, as prescribed by Section 611.382(b)(3). If the average of samples covering any consecutive four-quarter period exceeds the MCL, the supplier is in violation of the MCL and must notify the public pursuant to Subpart V of this Part, in addition to reporting to the Agency pursuant to Section 611.384. If a PWS supplier fails to complete 12 consecutive months' monitoring, compliance with the MCL for the last four-quarter compliance period must be based on an average of the available data.

3) Chlorite. Compliance must be based on an arithmetic average of each three sample set taken in the distribution system as prescribed by Section 611.382(b)(2)(A)(ii) and Section 611.382(b)(2)(B). If the arithmetic average of any three sample set exceeds the MCL, the supplier is in violation of the MCL and must notify the public pursuant to Subpart V of this Part, in addition to reporting to the Agency pursuant to Section 611.384.

c) Disinfectant residuals.

1) Chlorine and chloramines.

A) Compliance must be based on a running annual arithmetic average, computed quarterly, of monthly averages of all samples collected by the supplier under Section 611.382(c)(1). If the average of quarterly averages covering any consecutive four-quarter period exceeds the MRDL, the supplier is in violation of the MRDL and must notify the public pursuant to Subpart V of this Part, in addition to reporting to the Agency pursuant to Section 611.384.

B) In cases where a supplier switches between the use of chlorine and chloramines for residual disinfection during the year, compliance must be determined by including together all monitoring results of both chlorine and chloramines in calculating compliance. Reports submitted pursuant to Section 611.384 must clearly indicate that residual disinfectant was analyzed for each sample.

2) Chlorine dioxide.

A) Acute violations. Compliance must be based on consecutive daily samples collected by the supplier under Section 611.382(c)(2). If any daily sample taken at the entrance to the distribution system exceeds the MRDL, and on the following day one (or more) of the three samples taken in the distribution system exceeds the MRDL, the supplier is in violation of the MRDL and must take immediate corrective action to lower the level of chlorine dioxide below the MRDL and must notify the public pursuant to the procedures for acute health risks in Subpart V of this Part, in addition to reporting to the Agency pursuant to Section 611.384. Failure to take samples in the distribution system the day following an exceedence of the chlorine dioxide MRDL at the entrance to the distribution system will also be considered an MRDL violation and the supplier must notify the public of the violation in accordance with the provisions for acute violations under Subpart V of this Part, in addition to reporting to the Agency pursuant to Section 611.384.

B) Nonacute violations. Compliance must be based on consecutive daily samples collected by the supplier under Section 611.382(c)(2). If any two consecutive daily samples taken at the entrance to the distribution system exceed the MRDL and all distribution system samples taken are below the MRDL, the supplier is in violation of the MRDL and must take corrective action to lower the level of chlorine dioxide below the MRDL at the point of sampling and must notify the public pursuant to the procedures for nonacute health risks in Subpart V of this Part, in addition to reporting to the Agency pursuant to Section 611.384. Failure to monitor at the entrance to the distribution system the day following an exceedence of the chlorine dioxide MRDL at the entrance to the distribution system is also an MRDL violation and

the supplier must notify the public of the violation in accordance with the provisions for nonacute violations under Subpart V of this Part, in addition to reporting to the Agency pursuant to Section 611.384.

d) Disinfection byproduct (DBP) precursors. Compliance must be determined as specified by Section 611.385(c). A supplier may begin monitoring to determine whether Step 1 TOC removals can be met 12 months prior to the compliance date for the supplier. This monitoring is not required and failure to monitor during this period is not a violation. However, any supplier that does not monitor during this period, and then determines in the first 12 months after the compliance date that it is not able to meet the Step 1 requirements in Section 611.141(b)(2) and must therefore apply for alternate minimum TOC removal (Step 2) requirements, is not eligible for retroactive approval of alternate minimum TOC removal (Step 2) requirements as allowed pursuant to Section 611.385(b)(3) and is in violation of an NPDWR. A supplier may apply for alternate minimum TOC removal (Step 2) requirements any time after the compliance date. For a supplier required to meet Step 1 TOC removals, if the value calculated under Section 611.385(c)(1)(D) is less than 1.00, the supplier is in violation of the treatment technique requirements and must notify the public pursuant to Subpart V of this Part, in addition to reporting to the Agency pursuant to Subpart V of this Part~~Section 611.384~~.

BOARD NOTE: Derived from 40 CFR 141.133 (2006)~~(2003)~~.

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

Section 611.385 Treatment Technique for Control of Disinfection Byproduct (DBP) Precursors

a) Applicability.

1) A Subpart B system supplier using conventional filtration treatment (as defined in Section 611.101) must operate with enhanced coagulation or enhanced softening to achieve the TOC percent removal levels specified in subsection (b) of this Section unless the supplier meets at least one of the alternative compliance standards listed in subsection (a)(2) or (a)(3) of this Section.

2) Alternative compliance standards for enhanced coagulation and enhanced

softening systems. A Subpart B system supplier using conventional filtration treatment may use the alternative compliance standards in subsections (a)(2)(A) through (a)(2)(F) of this Section to comply with this Section in lieu of complying with subsection (b). A supplier must comply with monitoring requirements in Section 611.382(d) of this Part.

A) The supplier's source water TOC level, measured according to Section 611.381(d)(3), is less than 2.0 mg/l, calculated quarterly as a running annual average.

B) The supplier's treated water TOC level, measured according to Section 611.381(d)(3), is less than 2.0 mg/l, calculated quarterly as a running annual average.

C) The supplier's source water TOC level, measured according to Section 611.381(d)(3), is less than 4.0 mg/l, calculated quarterly as a running annual average; the source water alkalinity, measured according to Section 611.381(d)(1), is greater than 60 mg/l (as $CaCO_3$), calculated quarterly as a running annual average; and either the TTHM and HAA5 running annual averages are no greater than 0.040 mg/l and 0.030 mg/l, respectively; or prior to the effective date for compliance in Section 611.380(b), the system has made a clear and irrevocable financial commitment, not later than the effective date for compliance in Section 611.380(b), to use technologies that will limit the levels of TTHMs and HAA5 to no more than 0.040 mg/l and 0.030 mg/l, respectively. A supplier must submit evidence of a clear and irrevocable financial commitment, in addition to a schedule containing milestones and periodic progress reports for installation and operation of appropriate technologies, to the Agency for approval not later than the effective date for compliance in Section 611.380(b). These technologies must be installed and operating not later than June 30, 2005. Failure to install and operate these technologies by the date in the approved schedule will constitute a violation of an NPDWR.

D) The TTHM and HAA5 running annual averages are no greater than 0.040 mg/l and 0.030 mg/l, respectively, and the supplier uses only chlorine for primary disinfection and maintenance of a residual in the distribution system.

E) The supplier's source water SUVA, prior to any treatment and measured monthly according to Section 611.381(d)(4), is less than or equal to 2.0 l/mg-m, calculated quarterly as a running annual average.

F) The supplier's finished water SUVA, measured monthly according to Section 611.381(d)(4), is less than or equal to 2.0l/mg-m, calculated quarterly as a running annual average.

3) Additional alternative compliance standards for softening systems. A supplier practicing enhanced softening that cannot achieve the TOC removals required by subsection (b)(2) of this Section may use the alternative compliance standards in subsections (a)(3)(A) and (a)(3)(B) of this Section in lieu of complying with subsection (b) of this Section. A supplier must comply with monitoring requirements in Section 611.382(d). The alternative compliance standards are as follows:

A) The supplier may undertake softening that results in lowering the treated water alkalinity to less than 60 mg/l (as $CaCO_3$), measured monthly according to Section 611.381(d)(1) and calculated quarterly as a running annual average; and

B) The supplier may undertake softening that results in removing at least 10 mg/l of magnesium hardness (as $CaCO_3$), measured monthly according to Section 611.381(d)(6) and calculated quarterly as a~~an annual~~ running annual average.

b) Enhanced coagulation and enhanced softening performance requirements.

1) A supplier must achieve the percent reduction of TOC specified in subsection (b)(2) of this Section between the source water and the combined filter effluent, unless the Agency approves a supplier's request for alternate minimum TOC removal (Step 2) requirements under subsection (b)(3) of this Section.

2) Required Step 1 TOC reductions, indicated in the following table, are based upon specified source water parameters measured in accordance with Section 611.381(d). A supplier practicing softening must meet the

Step 1 TOC reductions in the far-right column (source water alkalinity greater than 120 mg/l) for the following specified source water TOC:

Treatment[1,2]

Source-water TOC, mg/l	Source-water alkalinity, mg/l as $CaCO_3$		
	0-60	> 60-120	> 120[3]
> 2.0-4.0	35.0%	25.0%	15.0%
> 4.0-8.0	45.0%	35.0%	25.0%
> 8.0	50.0%	40.0%	30.0%

[1] A supplier meeting at least one of the conditions in subsections (a)(2)(A) through (a)(2)(F) of this Section are not required to operate with enhanced coagulation.

[2] A softening system that meets one of the alternative compliance standards in subsection (a)(3) of this Section is not required to operate with enhanced softening.

[3] A supplier that practices softening must meet the TOC removal requirements in this column.

3) A Subpart B conventional treatment system supplier that cannot achieve the Step 1 TOC removals required by subsection (b)(2) of this Section due to water quality parameters or operational constraints must apply to the Agency, within three months after failure to achieve the TOC removals required by subsection (b)(2) of this Section, for approval of alternative minimum TOC (Step 2) removal requirements submitted by the supplier. If the PWS cannot achieve the Step 1 TOC removal requirement due to water quality parameters or operational constraints, the Agency must approve the use of the Step 2 TOC removal requirement. If the Agency approves the alternative minimum TOC removal (Step 2) requirements, the Agency may make those requirements retroactive for the purposes of determining compliance. Until the Agency approves the alternative minimum TOC removal (Step 2) requirements, the supplier must meet the Step 1 TOC removals contained in subsection (b)(2) of this Section.

4) Alternative minimum TOC removal (Step 2) requirements. An application made to the Agency by an enhanced coagulation system supplier for approval of alternative minimum TOC removal (Step 2) requirements

under subsection (b)(3) of this Section must include, at a minimum, results of bench- or pilot-scale testing conducted under subsection (b)(4)(B) of this Section. The submitted bench- or pilot-scale testing must be used to determine the alternative enhanced coagulation level.

A) For the purposes of this Subpart I, "alternative enhanced coagulation level" is defined as coagulation at a coagulant dose and pH, as determined by the method described in subsections (b)(4)(A) through (E) of this Section, such that an incremental addition of 10 mg/l of alum (or equivalent amount of ferric salt) results in a TOC removal of less than or equal to 0.3 mg/l. The percent removal of TOC at this point on the "TOC removal versus coagulant dose" curve is then defined as the minimum TOC removal required for the supplier. Once approved by the Agency, this minimum requirement supersedes the minimum TOC removal required by the table in subsection (b)(2) of this Section. This requirement will be effective until such time as the Agency approves a new value based on the results of a new bench- and pilot-scale test. Failure to achieve alternative minimum TOC removal levels is a violation of National Primary Drinking Water Regulations.

B) Bench- or pilot-scale testing of enhanced coagulation must be conducted by using representative water samples and adding 10 mg/l increments of alum (or equivalent amounts of ferric salt) until the pH is reduced to a level less than or equal to the enhanced coagulation Step 2 target pH shown in the following table:

Enhanced Coagulation Step 2 Target pH

Alkalinity (mg/l) as $CaCO_3$	Target pH
0-60	5.5
> 60-120	6.3
> 120-240	7.0
> 240	7.5

C) For waters with alkalinities of less than 60 mg/l for which addition of small amounts of alum or equivalent addition of iron coagulant

drives the pH below 5.5 before significant TOC removal occurs, the supplier must add necessary chemicals to maintain the pH between 5.3 and 5.7 in samples until the TOC removal of 0.3 mg/l per 10 mg/l alum added (or equivalent addition of iron coagulant) is reached.

D) The supplier may operate at any coagulant dose or pH necessary (consistent with other NPDWRs) to achieve the minimum TOC percent removal approved under subsection (b)(3) of this Section.

E) If the TOC removal is consistently less than 0.3 mg/l of TOC per 10 mg/l of incremental alum dose at all dosages of alum (or equivalent addition of iron coagulant), the water is deemed to contain TOC not amenable to enhanced coagulation. The supplier may then apply to the Agency for a waiver of enhanced coagulation requirements. If the TOC removal is consistently less than 0.3 mg/l of TOC per 10 mg/l of incremental alum dose at all dosages of alum (or equivalent addition of iron coagulant), the Agency must grant the waiver of enhanced coagulation requirements.

c) Compliance calculations.

1) A Subpart B system supplier other than those identified in subsection (a)(2) or (a)(3) of this Section must comply with requirements contained in subsection (b)(2) or (b)(3) of this Section. A supplier must calculate compliance quarterly, beginning after the supplier has collected 12 months of data, by determining an annual average using the following method:

A) Determine actual monthly TOC percent removal, equal to the following:

$$\left(1-\left(\frac{treatedwaterTOC}{sourcewaterTOC}\right)\right) \times 100$$

B) Determine the required monthly TOC percent removal.

C) Divide the value in subsection (c)(1)(A) of this Section by the

value in subsection (c)(1)(B) of this Section.

D) Add together the results of subsection (c)(1)(C) of this Section for the last 12 months and divide by 12.

E) If the value calculated in subsection (c)(1)(D) of this Section is less than 1.00, the supplier is not in compliance with the TOC percent removal requirements.

2) A supplier may use the provisions in subsections (c)(2)(A) through (c)(2)(E) of this Section in lieu of the calculations in subsection (c)(1)(A) through (c)(1)(E) of this Section to determine compliance with TOC percent removal requirements.

A) In any month that the supplier's treated or source water TOC level, measured according to Section 611.381(d)(3), is less than 2.0 mg/l, the supplier may assign a monthly value of 1.0 (in lieu of the value calculated in subsection (c)(1)(C) of this Section) when calculating compliance under the provisions of subsection (c)(1) of this Section.

B) In any month that a system practicing softening removes at least 10 mg/l of magnesium hardness (as $CaCO_3$), the supplier may assign a monthly value of 1.0 (in lieu of the value calculated in subsection (c)(1)(C) of this Section) when calculating compliance under the provisions of subsection (c)(1) of this Section.

C) In any month that the system's source water SUVA, prior to any treatment and measured according to Section 611.381(d)(4), is less than or equal to 2.0 l/mg-m, the supplier may assign a monthly value of 1.0 (in lieu of the value calculated in subsection (c)(1)(C) of this Section) when calculating compliance under the provisions of subsection (c)(1) of this Section.

D) In any month that the system's finished water SUVA, measured according to Section 611.381(d)(4), is less than or equal to 2.0 l/mg-m, the supplier may assign a monthly value of 1.0 (in lieu of the value calculated in subsection (c)(1)(C) of this Section) when calculating compliance under the provisions of subsection (c)(1) of

this Section.

E) In any month that a system practicing enhanced softening lowers alkalinity below 60 mg/l (as $CaCO_3$), the supplier may assign a monthly value of 1.0 (in lieu of the value calculated in subsection (c)(1)(C) of this Section) when calculating compliance under the provisions of subsection (c)(1) of this Section.

3) A Subpart B system supplier using conventional treatment may also comply with the requirements of this Section by meeting the standards in subsection (a)(2) or (a)(3) of this Section.

d) Treatment technique requirements for disinfection byproduct (DBP) precursors. Treatment techniques to control the level of disinfection byproduct (DBP) precursors in drinking water treatment and distribution systems, for a Subpart B system supplier using conventional treatment, are enhanced coagulation or enhanced softening.

BOARD NOTE: Derived from 40 CFR 141.135 (2006)~~(2002)~~.

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

SUBPART K: GENERAL MONITORING AND ANALYTICAL REQUIREMENTS

Section 611.490 Certified Laboratories

a) For the purpose of determining compliance with Subparts G, K~~I~~ through O, Q and S of this Part, samples will be considered only if they have been analyzed as follows:

1) By a laboratory certified pursuant to Section 4(o) of the Act [415 ILCS 5/4(o)];

2) By a laboratory certified by USEPA; or

3) for measurements of~~Measurements for~~ alkalinity, calcium, conductivity, disinfectant residual, orthophosphate, silica, turbidity, free chlorine residual, temperature, and pH, by a person~~may be performed~~ under the supervision of a certified operator [35 Ill. Adm. Code 603.103].

b) Nothing in this Part must be construed to preclude the Agency or any duly designated representative of the Agency from taking samples or from using the results from such samples to determine compliance by a supplier of water with the applicable requirements of this Part.

~~BOARD NOTE: Subsections (a) and (b) are derived from 40 CFR 141.28 (2002).~~

c) The CWS supplier must have required analyses performed either at an Agency laboratory or a certified laboratory. The Agency may require that some or all of the required samples be submitted to its laboratories.

BOARD NOTE: Subsections (a) and (b) are derived from 40 CFR 141.28 (2006), as amended at 71 Fed. Reg. 65574 (Nov. 8, 2006). Subsection (c) is an additional State requirement.

~~BOARD NOTE: This is an additional State requirement.~~

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

SUBPART L: MICROBIOLOGICAL MONITORING AND ANALYTICAL REQUIREMENTS

Section 611.524 Sanitary Surveys

a) Requirement to conduct a sanitary survey.

1) Suppliers that do not collect five or more routine samples per month must undergo a sanitary survey at least once every five years, except that non-CWS suppliers using only disinfected groundwater, from a source that is not under the direct influence of surface water, must undergo a sanitary survey at least once every ten years. The Agency or, for CWSs a non-CWS, Public Health must review the results of each sanitary survey to determine whether the existing monitoring frequency is adequate and what additional measures, if any, the supplier needs to undertake to improve drinking water quality.

2) In conducting a sanitary survey of a PWS using groundwater, information on sources of contamination within the delineated wellhead protection

area that was collected in the course of developing and implementing the wellhead protection program should be considered instead of collecting new information, if the information was collected since the last time the PWS was subject to a sanitary survey.

b) Sanitary surveys must be performed by the Agency. The PWS is responsible for ensuring that the survey takes place.

c) A sanitary survey conducted by the Agency for the purposes of Subpart S of this Part may be used to meet the sanitary survey requirements of this Section.

BOARD NOTE: Derived from 40 CFR 141.21(d) (2006), as amended at 71 Fed. Reg. 65574 (Nov. 8, 2006)~~(2002)~~.

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

SUBPART P: THM MONITORING AND ANALYTICAL REQUIREMENTS

Section 611.680 Sampling, Analytical, and other Requirements

a) Required monitoring.

1) A CWS supplier that serves a population of 10,000 or more individuals and which adds a disinfectant (oxidant) to the water in any part of the drinking water treatment process must analyze for TTHMs in accordance with this Subpart P.

2) For the purpose of this Subpart P, the minimum number of samples required to be taken by the supplier must be based on the number of treatment plants used by the supplier. However, the Agency shall, by a SEP issued pursuant to Section 611.110 , provide that multiple wells drawing raw water from a single aquifer be considered one treatment plant for determining the minimum number of samples.

3) All samples taken within an established frequency must be collected within a 24-hour period.

b) A CWS supplier that serves~~serving~~ 10,000 or more individuals.

1) For a CWS supplier utilizing surface a water source in whole or in part, and for a CWS supplier utilizing only a groundwater source, except as provided in Section 611.683, analyses for TTHMs must be performed at quarterly intervals on at least four water samples for each treatment plant used by the system. At least 25 percent of the samples must be taken at locations within the distribution system reflecting the maximum residence time (MRT) of the water in the system. The remaining 75 percent must be taken at representative locations in the distribution system, taking into account the number of persons served, different sources of water and different treatment methods employed. The results of all analyses per quarter must be arithmetically averaged and reported to the Agency within 30 days after the supplier's receipt of such results. All samples collected must be used in the computation of the average, unless the analytical results are invalidated for technical reasons. Sampling and analyses must be conducted in accordance with the methods listed in Section 611.685.

2) Upon application by a CWS supplier, the Agency must, by a SEP issued pursuant to Section 611.110 , reduce the monitoring frequency required by subsection (b)(1) to a minimum of one sample analyzed for TTHMs per quarter taken at a point in the distribution system reflecting the MRT of the water in the system, if the Agency determines that the data from at least one year of monitoring in accordance with subsection (b)(1) and local conditions demonstrate that TTHM concentrations will be consistently below the MCL.

3) If at any time during which the reduced monitoring frequency prescribed under this subsection (b) applies, the results from any analysis exceed 0.10 mg/l TTHMs and such results are confirmed by at least one check sample taken promptly after such results are received, or if the CWS supplier makes any significant change to its source of water or treatment program, the supplier must immediately begin monitoring in accordance with the requirements of subsection (b)(1), which monitoring must continue for at least 1 year before the frequency may be reduced again. The Agency must, by a SEP issued pursuant to Section 611.110, require monitoring in excess of the minimum frequency where it is necessary to detect variations of TTHM levels within the distribution system.

BOARD NOTE: Subsections (a) and (b) of this Section are derived from 40 CFR 141.30(a) and (b) (2002), modified to remove the limitation regarding addition of

disinfectant.

c) Surface water sources for a CWS supplier that serves~~serving~~ fewer than 10,000 individuals. Suppliers must have submitted at least one initial sample per treatment plant for analysis or analytical results from a certified laboratory for MRT concentration taken between May 1, 1990, and October 31, 1990. After written request by the supplier and the determination by the Agency that the results of the sample indicate that the CWS supplier is not likely to exceed the MCL, the CWS must continue to submit one annual sample per treatment plant for analysis or analytical results from a certified laboratory to the Agency taken between May 1 and October 31 of succeeding years. If the sample exceeds the MCL, the CWS must submit to the Agency samples in accordance with the sampling frequency specified in subsection (b) of this Section.

BOARD NOTE: This is an additional State requirement.

d) Groundwater sources for a CWS supplier that serves~~serving~~ fewer than 10,000 individuals. Suppliers are not required to submit samples for THM analysis under this Subpart P.

BOARD NOTE: This is an additional State requirement.

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

Section 611.685 Analytical Methods (Repealed)

~~Sampling and analyses made pursuant to this Subpart V must be conducted by one of the total trihalomethanes (TTHM) methods, as directed in Section 611.645; in USEPA Technical Notes, incorporated by reference in Section 611.102; or in Section 611.381(b). Samples for TTHM must be dechlorinated upon collection to prevent further production of trihalomethanes according to the procedures described in the methods, except acidification is not required if only THMs or TTHMs are to be determined. Samples for maximum TTHM potential must not be dechlorinated or acidified, and should be held for seven days at 25º C (or above) prior to analysis.~~
~~BOARD NOTE: Derived from 40 CFR 141.30(e) (2002).~~

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

SUBPART S: GROUNDWATER RULE

Section 611.800 General Requirements and Applicability

a) Scope of this Subpart S. The requirements of this Subpart S constitute NPDWRs.

b) Applicability. This Subpart S applies to all PWS suppliers that use groundwater, except that it does not apply to public water systems that combine all of their groundwater with surface water or with groundwater under the direct influence of surface water prior to treatment pursuant to Subpart B. For the purposes of this Subpart S, "GWS" is defined as any PWS that meets this applicability statement, including a consecutive system receiving finished groundwater.

c) General requirements. A supplier subject to this Subpart S must comply with the following requirements:

1) Sanitary survey information requirements for all GWS suppliers, as described in Section 611.801.

2) Microbial source water monitoring requirements for GWS suppliers that do not treat all of their groundwater to at least 99.99 percent (4-log) treatment of viruses (using inactivation, removal, or an Agency-approved combination of 4-log virus inactivation and removal) before or at the first customer, as described in Section 611.802.

3) Treatment technique requirements, described in Section 611.803, that apply to GWS suppliers that have fecally contaminated source waters, as determined by source water monitoring conducted pursuant to Section 611.802, or which have significant deficiencies that are identified by the Agency, by a SEP issued pursuant to Section 611.110, or which are identified by USEPA pursuant to SDWA section 1445 (42 USC 300j-4). A GWS supplier with fecally contaminated source water or with significant deficiencies subject to the treatment technique requirements of this Subpart S must implement one or more of the following corrective action options: correct all significant deficiencies; provide an alternate source of water; eliminate the source of contamination; or provide treatment that reliably achieves at least 4-log treatment of viruses (using inactivation, removal, or an Agency-approved combination of 4-log virus inactivation and removal) before or at the first customer.

4) A GWS supplier that provides at least 4-log treatment of viruses (using inactivation, removal, or an Agency-approved combination of 4-log virus inactivation and removal) before or at the first customer is required to conduct compliance monitoring to demonstrate treatment effectiveness, as described in Section 611.803(b).

5) If requested by the Agency, a GWS supplier must provide the Agency with any existing information that will enable the Agency to perform a hydrogeologic sensitivity assessment.

BOARD NOTE: The Board moved the definition of "hydrogeologic sensitivity assessment" to the definitions provision of this Part: Section 611.102.

d) Compliance date. A GWS supplier must comply, unless otherwise noted, with the requirements of this Subpart S beginning December 1, 2009.

BOARD NOTE: Derived from 40 CFR 141.400, as added at 71 Fed. Reg. 65574 (Nov. 8, 2006).

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

Section 611.801 Sanitary Surveys for GWS Suppliers

a) A GWS supplier must provide the Agency, at the Agency's request, any existing information that will enable the Agency to conduct a sanitary survey.

b) For the purposes of this Subpart S, a "sanitary survey," as conducted by the Agency, includes but is not limited to, an onsite review of the water sources (identifying sources of contamination by using results of source water assessments or other relevant information where available), facilities, equipment, operation, maintenance, and monitoring compliance of a public water system to evaluate the adequacy of the system, its sources and operations and the distribution of safe drinking water.

c) The sanitary survey must include an evaluation of the applicable components listed in subsections (c)(1) through (c)(8) of this Section:

1) Source,

2) Treatment,

3) Distribution system,

4) Finished water storage,

5) Pumps, pump facilities, and controls,

6) Monitoring, reporting, and data verification,

7) System management and operation, and

8) Operator compliance with Agency requirements.

d) The Agency must repeat the sanitary survey as follows:

1) The Agency must conduct a sanitary survey that addresses the eight sanitary survey components listed in subsection (c) of this Section no less frequently than every three years for a CWS supplier, except as provided in subsection (d)(3) of this Section, and every five years for a non-CWS supplier. The Agency may conduct more frequent sanitary surveys for any supplier. The initial sanitary survey for each community water system must be conducted by December 31, 2012, unless the supplier meets the requirements of subsection (d)(3) of this Section. The initial sanitary survey for each CWS supplier that meets the requirements of subsection (d)(3) of this Section and for each non-CWS supplier must be conducted by December 31, 2014. The sanitary survey must include an evaluation of each of the elements set forth in subsection (c) of this Section, as applicable.

2) The Agency may use a phased review process to meet the requirements of subsection (d)(1) of this Section if all the applicable elements of subsection (c) of this Section are evaluated within the required interval.

3) The Agency may conduct sanitary surveys once every five years for community water systems under any of the following circumstances:

A) If the system either provides at least 4-log treatment of viruses (using inactivation, removal, or an Agency-approved combination of 4-log inactivation and removal) before or at the first customer for all its groundwater sources; or

B) If the supplier has an outstanding performance record, as determined by the Agency and documented in previous sanitary surveys, and the supplier has no history of total coliform MCL or monitoring violations under Sections 611.521 through 611.527 since the last sanitary survey.

4) This subsection (d)(4) corresponds with 40 CFR 142.16(o)(2)(iv), which imposes requirements for describing the elements of the State's regulatory system. This statement maintains structural consistency with the corresponding federal provision.

5) The Agency must provide a GWS supplier with written notice by a SEP issued pursuant to Section 611.110 that describes any significant deficiency which it has found no later than 30 days after the Agency has identified the significant deficiency. The notice may specify corrective actions and deadlines for completion of corrective actions. The Agency may provide the written notice at the time of the sanitary survey.

BOARD NOTE: Subsections (a) through (c) are derived from 40 CFR 141.401, as added at 71 Fed. Reg. 65574 (Nov. 8, 2006). Subsection (d) is derived from 40 CFR 142.16(o)(2), as added at 71 Fed. Reg. 65574 (Nov. 8, 2006).

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

Section 611.802 Groundwater Source Microbial Monitoring and Analytical Methods

a) Triggered source water monitoring.

1) General requirements. A GWS supplier must conduct triggered source water monitoring if the following conditions exist:

A) The supplier does not provide at least 4-log treatment of viruses (using inactivation, removal, or an Agency-approved combination

of 4-log virus inactivation and removal) before or at the first customer for each groundwater source; and

B) The supplier is notified that a sample collected pursuant to Section 611.521 is total coliform-positive, and the sample is not invalidated by the Agency pursuant to Section 611.523.

2) Sampling requirements. A GWS supplier must collect, within 24 hours after notification of the total coliform-positive sample, at least one groundwater source sample from each groundwater source in use at the time the total coliform-positive sample was collected pursuant to Section 611.521, except as provided in subsection (a)(2)(B) of this Section.

A) The Agency may, by a SEP issued pursuant to Section 611.110, extend the 24-hour time limit on a case-by-case basis if it determines that the system cannot collect the groundwater source water sample within 24 hours due to circumstances beyond its control. In the case of an extension, the Agency must specify how much time the supplier has to collect the sample.

B) If approved by the Agency, a supplier with more than one groundwater source may meet the requirements of this subsection (a)(2) by sampling a representative groundwater source or sources. If directed by the Agency by a SEP issued pursuant to Section 611.110, the supplier must submit for Agency approval a triggered source water monitoring plan that identifies one or more groundwater sources that are representative of each monitoring site in the system's sample siting plan pursuant to Section 611.521 and that the system intends to use for representative sampling pursuant to this subsection (a).

C) A GWS supplier that serves 1,000 or fewer people may use a repeat sample collected from a groundwater source to meet both the requirements of Section 611.522 and to satisfy the monitoring requirements of subsection (a)(2) of this Section for that groundwater source only if the Agency approves the use of E. coli as a fecal indicator for source water monitoring pursuant to this subsection (a) by a SEP issued pursuant to Section 611.110. If the repeat sample collected from the groundwater source is E.coli

positive, the system must comply with subsection (a)(3) of this Section.

3) Additional requirements. If the Agency does not require corrective action pursuant to Section 611.803(a)(2) for a fecal indicator-positive source water sample collected pursuant to subsection (a)(2) of this Section that is not invalidated pursuant to subsection (d) of this Section, the system must collect five additional source water samples from the same source within 24 hours after being notified of the fecal indicator-positive sample.

4) Consecutive and wholesale systems.

A) In addition to the other requirements of this subsection (a), a consecutive GWS supplier that has a total coliform-positive sample collected pursuant to 40 CFR 141.21(a) must notify the wholesale systems within 24 hours after being notified of the total coliform-positive sample.

B) In addition to the other requirements of this subsection (a), a wholesale GWS supplier must comply with the following requirements:

i) A wholesale GWS supplier that receives notice from a consecutive system it serves that a sample collected pursuant to 40 CFR 141.21(a) is total coliform-positive must, within 24 hours after being notified, collect a sample from its groundwater sources pursuant to subsection (a)(2) of this Section and analyze it for a fecal indicator pursuant to subsection (c) of this Section.

ii) If the sample collected pursuant to subsection (a)(4)(B)(i) of this section is fecal indicator-positive, the wholesale GWS supplier must notify all consecutive systems served by that groundwater source of the fecal indicator source water positive within 24 hours after being notified of the groundwater source sample monitoring result and must meet the requirements of subsection (a)(3) of this Section.

5) Exceptions to the triggered source water monitoring requirements. A GWS supplier is not required to comply with the source water monitoring requirements of subsection (a) of this Section if either of the following conditions exists:

A) The Agency determines, and documents in writing, by a SEP issued pursuant to Section 611.110, that the total coliform-positive sample collected pursuant to Section 611.521 is caused by a distribution system deficiency; or

B) The total coliform-positive sample collected pursuant to Section 611.521 is collected at a location that meets Agency criteria for distribution system conditions that will cause total coliform-positive samples.

b) Assessment source water monitoring. If directed by the Agency by a SEP issued pursuant to Section 611.110, a GWS supplier must conduct assessment source water monitoring that meets Agency-determined requirements for such monitoring. A GWS supplier conducting assessment source water monitoring may use a triggered source water sample collected pursuant to subsection (a)(2) of this Section to meet the requirements of subsection (b) of this Section. Agency-determined assessment source water monitoring requirements may include the following:

1) Collection of a total of 12 groundwater source samples that represent each month the system provides groundwater to the public;

2) Collection of samples from each well, unless the system obtains written Agency approval to conduct monitoring at one or more wells within the GWS that are representative of multiple wells used by that system and which draw water from the same hydrogeologic setting;

3) Collection of a standard sample volume of at least 100 ml for fecal indicator analysis, regardless of the fecal indicator or analytical method used;

4) Analysis of all groundwater source samples using one of the analytical methods listed in subsection (c)(2) of this Section for the presence of E. coli, enterococci, or coliphage;

5) Collection of groundwater source samples at a location prior to any treatment of the groundwater source unless the Agency approves a sampling location after treatment; and

6) Collection of groundwater source samples at the well itself, unless the system's configuration does not allow for sampling at the well itself and the Agency approves an alternate sampling location by a SEP issued pursuant to Section 611.110 that is representative of the water quality of that well.

c) Analytical methods.

1) A GWS supplier subject to the source water monitoring requirements of subsection (a) of this Section must collect a standard sample volume of at least 100 ml for fecal indicator analysis, regardless of the fecal indicator or analytical method used.

2) A GWS supplier must analyze all groundwater source samples collected pursuant to subsection (a) of this Section using one of the analytical methods listed in subsections (c)(2)(A) through (c)(2)(C) of this Section, subject to the limitations of subsection (c)(2)(D) of this Section, for the presence of E. coli, enterococci, or coliphage:

A) E. coli:

i) Autoanalysis Colilert System, Standard Methods, 20th ed., Method 9223.

ii) Colisure Test, Standard Methods, 20th ed., Method 9223.

iii) Membrane Filter Method with MI Agar, USEPA Method 1604.

iv) m-ColiBlue24 Test.

v) E*Colite Test.

vi) EC-MUG, Standard Methods, 20th ed., Method 9221 F.

vii) NA-MUG, Standard Methods, 20th ed., Method 9222 G.

BOARD NOTE: EC-MUG (Standard Methods, Method 9221 F) or NA-MUG (Standard Methods, Method 9222 G) can be used for E. coli testing step, as described in 40 CFR 141.21(f)(1) or (f)(2) after use of Standard Methods, Method 9221 B, 9221 D, 9222 B, or 9222 C.

B) Enterococci:

i) Multiple-Tube Technique, Standard Methods, 20th ed., Method 9230 B.

ii) Membrane Filter Technique, Standard Methods, 20th ed., Method 9230 B, and USEPA Method 1600.

BOARD NOTE: The holding time and temperature for groundwater samples are specified in subsection (c)(2)(D) of this Section, rather than as specified in Section 8 of USEPA Method 1600.

iii) Enterolert.

BOARD NOTE: Medium is available through IDEXX Laboratories, Inc., at the address set forth in Section 611.102(b). Preparation and use of the medium must be as set forth in the article that embodies the method incorporated by reference in Section 611.102(b).

C) Coliphage:

i) Two-Step Enrichment Presence-Absence Procedure, USEPA Method 1601.

ii) Single Agar Layer Procedure, USEPA Method 1602.

D) Limitation on methods use. The time from sample collection to initiation of analysis may not exceed 30 hours. The GWS supplier

is encouraged but is not required to hold samples below 10°C during transit.

d) Invalidation of a fecal indicator-positive groundwater source sample.

1) A GWS supplier may obtain Agency invalidation of a fecal indicator-positive groundwater source sample collected pursuant to subsection (a) of this Section only under either of the following conditions:

A) The supplier provides the Agency with written notice from the laboratory that improper sample analysis occurred; or

B) The Agency determines and documents in writing by a SEP issued pursuant to Section 611.110 that there is substantial evidence that a fecal indicator-positive groundwater source sample is not related to source water quality.

2) If the Agency invalidates a fecal indicator-positive groundwater source sample, the GWS supplier must collect another source water sample pursuant to subsection (a) of this Section within 24 hours after being notified by the Agency of its invalidation decision, and the supplier must have it analyzed for the same fecal indicator using the analytical methods in subsection (c) of this Section. The Agency may extend the 24-hour time limit on a case-by-case basis if the supplier cannot collect the source water sample within 24 hours due to circumstances beyond its control. In the case of an extension, the Agency must specify how much time the system has to collect the sample.

e) Sampling location.

1) Any groundwater source sample required pursuant to subsection (a) of this Section must be collected at a location prior to any treatment of the groundwater source unless the Agency approves a sampling location after treatment.

2) If the supplier's system configuration does not allow for sampling at the well itself, it may collect a sample at an Agency-approved location to meet the requirements of subsection (a) of this Section if the sample is representative of the water quality of that well.

f) New sources. If directed by the Agency by a SEP issued pursuant to Section 611.110, a GWS supplier that places a new groundwater source into service after November 30, 2009 must conduct assessment source water monitoring pursuant to subsection (b) of this Section. If directed by the SEP, the system must begin monitoring before the groundwater source is used to provide water to the public.

g) Public notification. A GWS supplier with a groundwater source sample collected pursuant to subsection (a) or (b) of this Section that is fecal indicator-positive and which is not invalidated pursuant to subsection (d) of this Section, including a consecutive system supplier served by the groundwater source, must conduct public notification pursuant to Section 611.902.

h) Monitoring violations. A failure to meet the requirements of subsections (a) through (f) of this Section is a monitoring violation that requires the GWS supplier to provide public notification pursuant to Section 611.904.

BOARD NOTE: Derived from 40 CFR 141.402, as added at 71 Fed. Reg. 65574 (Nov. 8, 2006).

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

Section 611.803 Treatment Technique Requirements for GWS Suppliers

a) GWS suppliers with significant deficiencies or source water fecal contamination.

1) The treatment technique requirements of this Section must be met by GWS suppliers when a significant deficiency is identified or when a groundwater source sample collected pursuant to Section 611.802(a)(3) is fecal indicator-positive.

2) If directed by the Agency by a SEP issued pursuant to Section 611.110, a GWS supplier with a groundwater source sample collected pursuant to Section 611.802(a)(2), (a)(4), or (b) that is fecal indicator-positive must comply with the treatment technique requirements of this Section.

3) When a significant deficiency is identified at a Subpart B PWS that uses both groundwater and surface water or groundwater under the direct

influence of surface water, the system must comply with provisions of this subsection (a) except in cases where the Agency determines that the significant deficiency is in a portion of the distribution system that is served solely by surface water or groundwater under the direct influence of surface water.

4) Unless the Agency, by a SEP issued pursuant to Section 611.110, directs the GWS supplier to implement a specific corrective action, the GWS supplier must consult with the Agency regarding the appropriate corrective action within 30 days after receiving written notice from the Agency of a significant deficiency, written notice from a laboratory that a groundwater source sample collected pursuant to Section 611.802(a)(3) was found to be fecal indicator-positive, or direction from the Agency that a fecal indicator-positive collected pursuant to Section 611.802(a)(2), (a)(4), or (b) requires corrective action. For the purposes of this Subpart S, significant deficiencies include, but are not limited to, defects in design, operation, or maintenance, or a failure or malfunction of the sources, treatment, storage, or distribution system that the Agency determines to be causing, or have potential for causing, the introduction of contamination into the water delivered to consumers.

5) Within 120 days (or earlier if directed by the Agency) after receiving written notification from the Agency of a significant deficiency, written notice from a laboratory that a groundwater source sample collected pursuant to Section 611.802(a)(3) was found to be fecal indicator-positive, or written notice from the Agency that a fecal indicator-positive sample collected pursuant to Section 611.802(a)(2), (a)(4), or (b) requires corrective action, the GWS supplier must do either of the following:

A) It must have completed corrective action in accordance with any applicable plan review processes adopted by the Agency or with any SEP issued by the Agency, if any, including Agency-specified interim measures; or

B) It must be in compliance with an Agency-approved corrective action plan and schedule, subject to the following conditions:

i) Any subsequent modifications to an Agency-approved corrective action plan and schedule must also be approved by the Agency; and

ii) If the Agency specifies interim measures for protection of the public health pending Agency approval of the corrective action plan and schedule or pending completion of the corrective action plan, the supplier must comply with those interim measures, as well as with any schedule specified by the Agency.

6) Corrective action alternatives. A GWS supplier that meets the conditions of subsection (a)(1) or (a)(2) of this Section must implement one or more of the following corrective action alternatives:

A) It must correct all significant deficiencies;

B) It must provide an alternate source of water;

C) It must eliminate the source of contamination; or

D) It must provide treatment that reliably achieves at least 4-log treatment of viruses (using inactivation, removal, or an Agency-approved combination of 4-log virus inactivation and removal) before or at the first customer for the groundwater source.

7) Special notice to the public of significant deficiencies or source water fecal contamination.

A) In addition to the applicable public notification requirements of Section 611.902, a community GWS supplier that receives notice from the Agency of a significant deficiency or notification of a fecal indicator-positive groundwater source sample that is not invalidated by the Agency pursuant to Section 611.802(d) must inform the public served by the water system pursuant to Section 611.883(h)(6) of the fecal indicator-positive source sample or of any significant deficiency that has not been corrected. The supplier must continue to inform the public annually until the significant deficiency is corrected or the fecal contamination in the

groundwater source is determined by the Agency to be corrected pursuant to subsection (a)(5) of this Section.

B) In addition to the applicable public notification requirements of Section 611.902, a non-community GWS supplier that receives notice from the Agency of a significant deficiency must inform the public served by the water system in a manner approved by the Agency of any significant deficiency that has not been corrected within 12 months after being notified by the Agency, or earlier if directed by the Agency. The supplier must continue to inform the public annually until the significant deficiency is corrected. The information must include the following information:

i) The nature of the significant deficiency and the date the significant deficiency was identified by the Agency;

ii) The Agency-approved plan and schedule for correction of the significant deficiency, including interim measures, progress to date, and any interim measures completed; and

iii) For a supplier with a large proportion of non-English speaking consumers, as determined by the Agency, information in the appropriate languages regarding the importance of the notice or a telephone number or address where consumers may contact the system to obtain a translated copy of the notice or assistance in the appropriate language.

C) If directed by the Agency, a non-CWS supplier with significant deficiencies that have been corrected must inform its customers of the significant deficiencies, how the deficiencies were corrected, and the dates of correction pursuant to subsection (a)(7)(B) of this Section.

b) Compliance monitoring.

1) Existing groundwater sources. A GWS supplier that is not required to meet the source water monitoring requirements of this Subpart S for any groundwater source because it provides at least 4-log treatment of viruses

(using inactivation, removal, or an Agency-approved combination of 4-log virus inactivation and removal) before or at the first customer for any groundwater source before December 1, 2009 must notify the Agency in writing that it provides at least 4-log treatment of viruses (using inactivation, removal, or an Agency-approved combination of 4-log virus inactivation and removal) before or at the first customer for the specified groundwater source and begin compliance monitoring in accordance with subsection (b)(3) of this Section by December 1, 2009. Notification to the Agency must include engineering, operational, or other information that the Agency requests to evaluate the submission. If the supplier subsequently discontinues 4-log treatment of viruses (using inactivation, removal, or an Agency-approved combination of 4-log virus inactivation and removal) before or at the first customer for a groundwater source, the supplier must conduct groundwater source monitoring, as required pursuant to Section 611.802.

2) New groundwater sources. A GWS supplier that places a groundwater source in service after November 30, 2009, which is not required to meet the source water monitoring requirements of this Subpart S because the supplier provides at least 4-log treatment of viruses (using inactivation, removal, or an Agency-approved combination of 4-log virus inactivation and removal) before or at the first customer for the groundwater source must comply with the requirements of subsections (b)(2)(A), (b)(2)(B) and (b)(2)(C) of this Section.

A) The supplier must notify the Agency in writing that it provides at least 4-log treatment of viruses (using inactivation, removal, or an Agency-approved combination of 4-log virus inactivation and removal) before or at the first customer for the groundwater source. Notification to the Agency must include engineering, operational, or other information that the Agency requests by a SEP issued pursuant to Section 611.110 to evaluate the submission.

B) The supplier must conduct compliance monitoring, as required pursuant to Section 611.803(b)(3) of this Subpart S, within 30 days after placing the source in service.

C) The supplier must conduct groundwater source monitoring pursuant to Section 611.802 if it subsequently discontinues 4-log treatment of viruses (using inactivation, removal, or an Agency-approved combination of 4-log virus inactivation and removal) before or at the first customer for the groundwater source.

3) Monitoring requirements. A GWS supplier subject to the requirements of subsection (a), (b)(1) or (b)(2) of this Section must monitor the effectiveness and reliability of treatment for that groundwater source before or at the first customer as follows:

A) Chemical disinfection.

i) GWS suppliers serving greater than 3,300 people. A GWS supplier that serves greater than 3,300 people must continuously monitor the residual disinfectant concentration using analytical methods specified in Section 611.531(b) at a location approved by the Agency and must record the lowest residual disinfectant concentration each day that water from the groundwater source is served to the public. The GWS supplier must maintain the Agency-determined residual disinfectant concentration every day it serves water from the groundwater source to the public. If there is a failure in the continuous monitoring equipment, the GWS supplier must conduct grab sampling every four hours until the continuous monitoring equipment is returned to service. The supplier must resume continuous residual disinfectant monitoring within 14 days.

ii) GWS suppliers serving 3,300 or fewer people. A GWS supplier that serves 3,300 or fewer people must monitor the residual disinfectant concentration using analytical methods specified in Section 611.531(b) at a location approved by the Agency and record the residual disinfection concentration each day that water from the groundwater source is served to the public. The GWS supplier must maintain the Agency-determined residual disinfectant concentration every day it serves water from the groundwater source to the public. The GWS supplier must

take a daily grab sample during the hour of peak flow or at another time specified by the Agency. If any daily grab sample measurement falls below the Agency-determined residual disinfectant concentration, the GWS supplier must take follow-up samples every four hours until the residual disinfectant concentration is restored to the Agency-determined level. Alternatively, a GWS supplier that serves 3,300 or fewer people may monitor continuously and meet the requirements of subsection (b)(3)(A)(i) of this Section.

B) Membrane filtration. A GWS supplier that uses membrane filtration to meet the requirements of this Subpart S must monitor the membrane filtration process in accordance with all Agency-specified monitoring requirements and must operate the membrane filtration in accordance with all Agency-specified compliance requirements. A GWS supplier that uses membrane filtration is in compliance with the requirement to achieve at least 4-log removal of viruses when it fulfills the following conditions:

i) The membrane has an absolute molecular weight cut-off, or an alternative parameter that describes the exclusion characteristics of the membrane, that can reliably achieve at least 4-log removal of viruses;

ii) The membrane process is operated in accordance with Agency-specified compliance requirements; and

iii) The integrity of the membrane is intact.

C) Alternative treatment. A GWS supplier that uses an Agency-approved alternative treatment to meet the requirements of this Subpart S by providing at least 4-log treatment of viruses (using inactivation, removal, or an Agency-approved combination of 4-log virus inactivation and removal) before or at the first customer must do both of the following:

i) It must monitor the alternative treatment in accordance with all Agency-specified monitoring requirements; and

ii) It must operate the alternative treatment in accordance with all compliance requirements that the Agency determines to be necessary to achieve at least 4-log treatment of viruses.

c) Discontinuing treatment. A GWS supplier may discontinue 4-log treatment of viruses (using inactivation, removal, or an Agency-approved combination of 4-log virus inactivation and removal) before or at the first customer for a groundwater source if the Agency determines and documents in writing that 4-log treatment of viruses is no longer necessary for that groundwater source. A system that discontinues 4-log treatment of viruses is subject to the source water monitoring and analytical methods requirements of Section 611.802 of this Subpart S.

d) A failure to meet the monitoring requirements of subsection (b) of this Section is a monitoring violation and requires the GWS supplier to provide public notification pursuant to Section 611.904.

BOARD NOTE: Derived from 40 CFR 141.403, as added at 71 Fed. Reg. 65574 (Nov. 8, 2006).

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

Section 611.804 Treatment Technique Violations for GWS Suppliers

a) A GWS supplier with a significant deficiency is in violation of the treatment technique requirement if, within 120 days (or earlier if directed by the Agency) of receiving written notice from the Agency of the significant deficiency, the system does not do either of the following:

1) It does not complete corrective action in accordance with any applicable Agency plan review processes or other Agency guidance and direction, including Agency specified interim actions and measures, or

2) It is not in compliance with an Agency-approved corrective action plan and schedule.

b) Unless the Agency invalidates a fecal indicator-positive groundwater source sample pursuant to Section 611.802(d), a GWS supplier is in violation of the treatment technique requirement if, within 120 days (or earlier if directed by the

Agency) after meeting the conditions of Section 611.803(a)(1) or (a)(2), the supplier does not do either of the following:

1) It does not complete corrective action in accordance with any applicable Agency plan review processes or other Agency guidance and direction, including Agency-specified interim measures, or

2) It is not in compliance with an Agency-approved corrective action plan and schedule.

c) A GWS supplier subject to the requirements of Section 611.803(b)(3) that fails to maintain at least 4-log treatment of viruses (using inactivation, removal, or an Agency-approved combination of 4-log virus inactivation and removal) before or at the first customer for a groundwater source is in violation of the treatment technique requirement if the failure is not corrected within four hours after determining the supplier is not maintaining at least 4-log treatment of viruses before or at the first customer.

d) A GWS supplier must give public notification pursuant to Section 611.903 for the treatment technique violations specified in subsections (a), (b) and (c) of this Section.

BOARD NOTE: Derived from 40 CFR 141.404, as added at 71 Fed. Reg. 65574 (Nov. 8, 2006).

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

Section 611.805 Reporting and Recordkeeping for GWS Suppliers

a) Reporting. In addition to the requirements of Section 611.840, a GWS supplier regulated pursuant to this Subpart S must provide the following information to the Agency:

1) A GWS supplier conducting compliance monitoring pursuant to Section 611.803(b) must notify the Agency any time the supplier fails to meet any Agency-specified requirements including, but not limited to, minimum residual disinfectant concentration, membrane operating criteria or membrane integrity, and alternative treatment operating criteria, if operation in accordance with the criteria or requirements is not restored

within four hours. The GWS supplier must notify the Agency as soon as possible, but in no case later than the end of the next business day.

2) After completing any corrective action pursuant to Section 611.803(a), a GWS supplier must notify the Agency within 30 days after completion of the corrective action.

3) If a GWS supplier subject to the requirements of Section 611.802(a) does not conduct source water monitoring pursuant to Section 611.802(a)(5)(B), the supplier must provide documentation to the Agency within 30 days of the total coliform-positive sample that it met the Agency criteria.

b) Recordkeeping. In addition to the requirements of Section 611.860, a GWS supplier regulated pursuant to this Subpart S must maintain the following information in its records:

1) Documentation of corrective actions. Documentation shall be kept for a period of not less than 10 years.

2) Documentation of notice to the public as required pursuant to Section 611.803(a)(7). Documentation shall be kept for a period of not less than three years.

3) Records of decisions pursuant to Section 611.802(a)(5)(B) and records of invalidation of fecal indicator-positive groundwater source samples pursuant to Section 611.802(d). Documentation shall be kept for a period of not less than five years.

4) For a consecutive system supplier, documentation of notification to the wholesale systems of total-coliform positive samples that are not invalidated pursuant to Section 611.523. Documentation shall be kept for a period of not less than five years.

5) For a supplier, including a wholesale system supplier, that is required to perform compliance monitoring pursuant to Section 611.803(b), the following information:

A) Records of the Agency-specified minimum disinfectant residual. Documentation shall be kept for a period of not less than 10 years;

B) Records of the lowest daily residual disinfectant concentration and records of the date and duration of any failure to maintain the Agency-prescribed minimum residual disinfectant concentration for a period of more than four hours. Documentation shall be kept for a period of not less than five years; and

C) Records of Agency-specified compliance requirements for membrane filtration and of parameters specified by the Agency for Agency-approved alternative treatment and records of the date and duration of any failure to meet the membrane operating, membrane integrity, or alternative treatment operating requirements for more than four hours. Documentation shall be kept for a period of not less than five years.

BOARD NOTE: Derived from 40 CFR 141.405, as added at 71 Fed. Reg. 65574 (Nov. 8, 2006).

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

SUBPART T: REPORTING AND RECORDKEEPING

Section 611.860 Record Maintenance

A supplier must retain on its premises or at a convenient location near its premises the following records:

a) Records of bacteriological analyses and turbidity analyses made pursuant to this Part must be kept for not less than five years. Records of chemical analyses made pursuant to this Part must be kept for not less than ten years. Actual laboratory reports may be kept, or data may be transferred to tabular summaries, provided that the following information is included:

1) The date, place, and time of sampling, and the name of the person who collected the sample;

2) Identification of the sample as to whether it was a routine distribution

system sample, check sample, raw or process water sample, or other special purpose sample;

3) The date of analysis;

4) The laboratory and person responsible for performing analysis;

5) The analytical technique or method used; and

6) The results of the analysis.

b) Records of action taken by the supplier to correct violations of this Part must be kept for a period not less than three years after the last action taken with respect to the particular violation involved.

c) Copies of any written reports, summaries, or communications relating to sanitary surveys of the system conducted by the supplier itself, by a private consultant, by USEPA, the Agency, or a unit of local government delegated pursuant to Section 611.108, must be kept for a period not less than ten years after completion of the sanitary survey involved.

d) Records concerning a variance or adjusted standard granted to the supplier must be kept for a period ending not less than five years following the expiration of such variance or adjusted standard.

e) Copies of public notices issued pursuant to Subpart V of this Part and certifications made to the Agency pursuant to Section 611.840 must be kept for three years after issuance.

f) Copies of monitoring plans developed pursuant to this Part must be kept for the same period of not less than five years that applies to the records of analyses taken under the plan pursuant to subsection (a) of this Section, except as specified otherwise elsewhere in this Part.

BOARD NOTE: Derived from 40 CFR 141.33 (2006~~2002~~).

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

SUBPART U: CONSUMER CONFIDENCE REPORTS

Section 611.881 Purpose and Applicability

a) This Subpart U establishes the minimum requirements for the content of annual reports that community water systems (CWSs) must deliver to their customers. These reports must contain information on the quality of the water delivered by the systems and characterize the risks (if any) from exposure to contaminants detected in the drinking water in an accurate and understandable manner.

b) Notwithstanding the provisions of Section 611.100(d), this Subpart U only applies to CWSs.

c) For the purpose of this Subpart U, "customers" are defined as billing units or service connections to which water is delivered by a CWS.

d) For the purpose of this Subpart U, "detected" means the following: at or above the detection limit levels prescribed by Section 611.600(d) for inorganic contaminants; at or above the levels prescribed by Section 611.646(a) for Phase I, II, and V VOCs; at or above the levels prescribed by Section 611.648(r) for Phase II, IIB, and V SOCs at or above the levels prescribed by Section 611.381(b)(2)(D) for the disinfection byproducts listed in Section 611.312; and at or above the levels prescribed by Section 611.720(c)(3) for radioactive contaminants.

BOARD NOTE: Derived from 40 CFR 141.151 (2006)~~(2002)~~.

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

Section 611.883 Content of the Reports

a) Each CWS must provide to its customers an annual report that contains the information specified in this Section and Section 611.884.

b) Information on the source of the water delivered.

1) Each report must identify the sources of the water delivered by the CWS by providing information on the following:

A) The type of the water (e.g., surface water, groundwater); and

B) The commonly used name (if any) and location of the body (or bodies) of water.

2) If a source water assessment has been completed, the report must notify consumers of the availability of this information and the means to obtain it. In addition, systems are encouraged to highlight in the report significant sources of contamination in the source water area if they have readily available information. Where a system has received a source water assessment from the Agency, the report must include a brief summary of the system's susceptibility to potential sources of contamination, using language provided by the Agency or written by the supplier .

c) Definitions.

1) Each report must include the following definitions:

A) Maximum Contaminant Level Goal or MCLG: The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.

BOARD NOTE: Although an MCLG is not an NPDWR that the Board must include in the Illinois SDWA regulations, the use of this definition is mandatory where the term "MCLG" is defined.

B) Maximum Contaminant Level or MCL: The highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology.

2) A report for a CWS operating under relief from an NPDWR issued under Section~~Sections~~ 611.111, 611.112, 611.130, or 611.131 must include the following definition: "Variances, Adjusted Standards, and Site-specific Rules: State permission not to meet an MCL or a treatment technique under certain conditions."

3) A report that contains data on contaminants that USEPA regulates using any of the following terms must include the applicable definitions:

A) Treatment technique: A required process intended to reduce the level of a contaminant in drinking water.

B) Action level: The concentration of a contaminant that, if exceeded, triggers treatment or other requirements that a water system must follow.

C) Maximum residual disinfectant level goal or MRDLG: The level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants.

BOARD NOTE: Although an MRDLG is not an NPDWR that the Board must include in the Illinois SDWA regulations, the use of this definition is mandatory where the term "MRDLG" is defined.

D) Maximum residual disinfectant level or MRDL: The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.

d) Information on detected contaminants.

1) This subsection (d) specifies the requirements for information to be included in each report for contaminants subject to mandatory monitoring (except Cryptosporidium). It applies to the following:

A) Contaminants subject to an MCL, action level, MRDL, or treatment technique (regulated contaminants);

B) Contaminants for which monitoring is required by Section 611.510 (unregulated contaminants); and

C) Disinfection byproducts or microbial contaminants for which monitoring is required by Section 611.382 and Subpart L of this Part, except as provided under subsection (e)(1) of this Section, and which are detected in the finished water.

2) The data relating to these contaminants must be displayed in one table or in several adjacent tables. Any additional monitoring results that a CWS chooses to include in its report must be displayed separately.

3) The data must have been derived from data collected to comply with monitoring and analytical requirements during calendar year 1998 for the first report and must be derived from the data collected in subsequent calendar years , except that the following requirements also apply:

A) Where a system is allowed to monitor for regulated contaminants less often than once a year, the tables must include the date and results of the most recent sampling, and the report must include a brief statement indicating that the data presented in the report is from the most recent testing done in accordance with the regulations. No data older than five years need be included.

B) Results of monitoring in compliance with Section 611.382 and Subpart L need only be included for five years from the date of last sample or until any of the detected contaminants becomes regulated and subject to routine monitoring requirements, whichever comes first.

4) For detected regulated contaminants (listed in Appendix A of this Part), the tables must contain the following:

A) The MCL for that contaminant expressed as a number equal to or greater than 1.0 (as provided in Appendix A of this Part);

B) The federal Maximum Contaminant Level Goal (MCLG) for that contaminant expressed in the same units as the MCL;

C) If there is no MCL for a detected contaminant, the table must indicate that there is a treatment technique, or specify the action level, applicable to that contaminant, and the report must include the definitions for treatment technique or action level, as appropriate, specified in subsection (c)(3) of this Section;

D) For contaminants subject to an MCL, except turbidity and total coliforms, the highest contaminant level used to determine compliance with an NPDWR, and the range of detected levels, as follows:

i) When compliance with the MCL is determined annually or less frequently: the highest detected level at any sampling point and the range of detected levels expressed in the same units as the MCL.

ii) When compliance with the MCL is determined by calculating a running annual average of all samples taken at a monitoring location~~sampling point~~: the highest average of any of the monitoring locations~~sampling points~~ and the range of all monitoring locations~~sampling points~~ expressed in the same units as the MCL. For the MCLs for TTHM and HAA5 in Section 611.312(b)(2), the supplier must include the highest locational running annual average for TTHM and HAA5 and the range of individual sample results for all monitoring locations expressed in the same units as the MCL. If results from more than one location exceed the TTHM or HAA5 MCL, the supplier must include the locational running annual average for each location whose results exceed the MCL.

iii) When compliance with the MCL is determined on a system-wide basis by calculating a running annual average of all samples at all monitoring locations~~sampling points~~: the average and range of detection expressed in the same units as the MCL;

BOARD NOTE to subsection (d)(4)(D): The supplier is required to include individual sample results for the IDSE conducted under Subpart W of this Part when determining the range of TTHM and HAA5 results to be reported in the annual consumer confidence report for the calendar year that the IDSE samples were taken.~~When rounding of results to determine compliance with the MCL is allowed by the regulations, rounding should be done prior to multiplying the results by the factor listed in Appendix A of this Part; derived from 40 CFR 153 (2003).~~

E) For turbidity the following:

i) When it is reported pursuant to Section 611.560: the

highest average monthly value.

ii) When it is reported pursuant to the requirements of Section 611.211(b): the highest monthly value. The report must include an explanation of the reasons for measuring turbidity.

iii) When it is reported pursuant to Section 611.250, 611.743, or 611.955(b): the highest single measurement and the lowest monthly percentage of samples meeting the turbidity limits specified in Section 611.250, 611.743, or 611.955(b) for the filtration technology being used. The report must include an explanation of the reasons for measuring turbidity;

F) For lead and copper the following: the 90th percentile value of the most recent round of sampling and the number of sampling sites exceeding the action level;

G) For total coliform the following:

i) The highest monthly number of positive samples for systems collecting fewer than 40 samples per month; or

ii) The highest monthly percentage of positive samples for systems collecting at least 40 samples per month;

H) For fecal coliform the following: the total number of positive samples; and

I) The likely sources of detected contaminants to the best of the supplier's knowledge. Specific information regarding contaminants may be available in sanitary surveys and source water assessments, and must be used when available to the supplier. If the supplier lacks specific information on the likely source, the report must include one or more of the typical sources for that contaminant listed in Appendix G of this Part that are most applicable to the CWS.

5) If a CWS distributes water to its customers from multiple hydraulically independent distribution systems that are fed by different raw water sources, the table must contain a separate column for each service area and the report must identify each separate distribution system. Alternatively, a CWS may produce separate reports tailored to include data for each service area.

6) The tables must clearly identify any data indicating violations of MCLs, MRDLs, or treatment techniques, and the report must contain a clear and readily understandable explanation of the violation including the following: the length of the violation, the potential adverse health effects, and actions taken by the CWS to address the violation. To describe the potential health effects, the CWS must use the relevant language of Appendix A of this Part.

7) For detected unregulated contaminants for which monitoring is required (except Cryptosporidium), the tables must contain the average and range at which the contaminant was detected. The report may include a brief explanation of the reasons for monitoring for unregulated contaminants.

e) Information on Cryptosporidium, radon, and other contaminants as follows:

1) If the CWS has performed any monitoring for Cryptosporidium, including monitoring performed to satisfy the requirements of Subpart L of this Part, that indicates that Cryptosporidium may be present in the source water or the finished water, the report must include the following:

A) A summary of the results of the monitoring; and

B) An explanation of the significance of the results.

2) If the CWS has performed any monitoring for radon that indicates that radon may be present in the finished water, the report must include the following:

A) The results of the monitoring; and

B) An explanation of the significance of the results.

3) If the CWS has performed additional monitoring that indicates the presence of other contaminants in the finished water, the report must include the following:

A) The results of the monitoring; and

B) An explanation of the significance of the results noting the existence of any health advisory or proposed regulation.

f) Compliance with an NPDWR. In addition to the requirements of subsection (d)(6) of this Section, the report must note any violation that occurred during the year covered by the report of a requirement listed below, and include a clear and readily understandable explanation of the violation, any potential adverse health effects, and the steps the CWS has taken to correct the violation.

1) Monitoring and reporting of compliance data.

2) Filtration and disinfection prescribed by Subpart B of this Part. For CWSs that have failed to install adequate filtration or disinfection equipment or processes, or have had a failure of such equipment or processes that constitutes a violation, the report must include the following language as part of the explanation of potential adverse health effects: Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.

3) Lead and copper control requirements prescribed by Subpart G of this Part. For systems that fail to take one or more actions prescribed by Section 611.350(d), 611.351, 611.352, 611.353, or 611.354, the report must include the applicable language of Appendix A of this Part for lead, copper, or both.

4) Treatment techniques for acrylamide and epichlorohydrin prescribed by Section 611.296. For systems that violate the requirements of Section 611.296, the report must include the relevant language from Appendix A of this Part.

5) Recordkeeping of compliance data.

6) Special monitoring requirements prescribed by Sections 611.510 and 611.630.

7) Violation of the terms of a variance, adjusted standard, site-specific rule, or administrative or judicial order.

g) Variances, adjusted standards, and site-specific rules. If a system is operating under the terms of a variance, adjusted standard, or site-specific rule issued under Section 611.111, 611.112, or 611.131, the report must contain the following:

1) An explanation of the reasons for the variance, adjusted standard, or site-specific rule;

2) The date on which the variance, adjusted standard, or site-specific rule was issued;

3) A brief status report on the steps the CWS is taking to install treatment, find alternative sources of water, or otherwise comply with the terms and schedules of the variance, adjusted standard, or site-specific rule; and

4) A notice of any opportunity for public input in the review, or renewal, of the variance, adjusted standard, or site-specific rule.

h) Additional information.

1) The report must contain a brief explanation regarding contaminants that may reasonably be expected to be found in drinking water, including bottled water. This explanation may include the language of subsections (h)(1)(A) through (h)(1)(C) of this Section or CWSs may use their own comparable language. The report also must include the language of subsection (h)(1)(D) of this Section.

A) The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally-occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity.

B) Contaminants that may be present in source water include the following:

i) Microbial contaminants, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife;

ii) Inorganic contaminants, such as salts and metals, which can be naturally-occurring or result from urban stormwater runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming;

iii) Pesticides and herbicides, which may come from a variety of sources such as agriculture, urban stormwater runoff, and residential uses;

iv) Organic chemical contaminants, including synthetic and volatile organic chemicals, which are byproducts of industrial processes and petroleum production, and can also come from gas stations, urban stormwater runoff, and septic systems; and

v) Radioactive contaminants, which can be naturally-occurring or be the result of oil and gas production and mining activities.

C) In order to ensure that tap water is safe to drink, USEPA prescribes regulations that limit the amount of certain contaminants in water provided by public water systems. United States Food and Drug Administration (USFDA) regulations establish limits for contaminants in bottled water that must provide the same protection for public health.

D) Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the USEPA Safe Drinking Water Hotline (800-426-4791).

2) The report must include the telephone number of the owner, operator, or designee of the CWS as a source of additional information concerning the report.

3) In communities with a large proportion of non-English speaking residents, as determined by the Agency, the report must contain information in the appropriate languages regarding the importance of the report or contain a telephone number or address where such residents may contact the system to obtain a translated copy of the report or assistance in the appropriate language.

4) The report must include information about opportunities for public participation in decisions that may affect the quality of the water.

5) The CWS may include such additional information as it deems necessary for public education consistent with, and not detracting from, the purpose of the report.

6) Suppliers required to comply with Subpart S of this Part.

A) Any GWS supplier that receives written notice from the Agency of a significant deficiency or which receives notice from a laboratory of a fecal indicator-positive groundwater source sample that is not invalidated by the Agency pursuant to Section 611.802(d) must inform its customers of any significant deficiency that is uncorrected at the time of the next report or of any fecal indicator-positive groundwater source sample in the next report. The supplier must continue to inform the public annually until the Agency, by a SEP issued pursuant to Section 611.110, determines that particular significant deficiency is corrected or the fecal contamination in the groundwater source is addressed pursuant to Section 611.803(a). Each report must include the following information:

i) The nature of the particular significant deficiency or the source of the fecal contamination (if the source is known) and the date the significant deficiency was identified by the

Agency or the dates of the fecal indicator-positive groundwater source samples;

ii) Whether or not the fecal contamination in the groundwater source has been addressed pursuant to Section 611.803(a) and the date of such action;

iii) For each significant deficiency or fecal contamination in the groundwater source that has not been addressed pursuant to Section 611.803(a), the Agency-approved plan and schedule for correction, including interim measures, progress to date, and any interim measures completed; and

iv) If the system receives notice of a fecal indicator-positive groundwater source sample that is not invalidated by the Agency pursuant to Section 611.802(d), the potential health effects using the health effects language of Appendix A of this Part.

B) If directed by the Agency by a SEP issued pursuant to Section 611.110, a supplier with significant deficiencies that have been corrected before the next report is issued must inform its customers of the significant deficiency, how the deficiency was corrected, and the date of correction pursuant to subsection (h)(6)(A) of this Section.

BOARD NOTE: Derived from 40 CFR 141.153 (2006), as amended at 71 Fed. Reg. 65574 (Nov. 8, 2006)~~(2003)~~.

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

SUBPART V: PUBLIC NOTIFICATION OF DRINKING WATER VIOLATIONS

Section 611.902 Tier 1 Public Notice: Form, Manner, and Frequency of Notice

a) Violations or situations that require a Tier 1 public notice. This subsection (a) lists the violation categories and other situations requiring a Tier 1 public notice. Appendix G of this Part identifies the tier assignment for each specific violation or situation.

1) Violation of the MCL for total coliforms when fecal coliform or E. coli are present in the water distribution system (as specified in Section 611.325(b)), or when the water supplier fails to test for fecal coliforms or E. coli when any repeat sample tests positive for coliform (as specified in Section 611.525).~~;~~

2) Violation of the MCL for nitrate, nitrite, or total nitrate and nitrite, as defined in Section 611.301, or when the water supplier fails to take a confirmation sample within 24 hours after the supplier's receipt of the results from the first sample showing an exceedence of the nitrate or nitrite MCL, as specified in Section 611.606(b).~~;~~

3) Exceedence of the nitrate MCL by a non-CWS supplier, where permitted to exceed the MCL by the Agency under Section 611.300(d), as required under Section 611.909.~~;~~

4) Violation of the MRDL for chlorine dioxide, as defined in Section 611.313(a), when one or more samples taken in the distribution system the day following an exceedence of the MRDL at the entrance of the distribution system exceed the MRDL, or when the water supplier does not take the required samples in the distribution system, as specified in Section 611.383(c)(2)(A).~~;~~

5) This subsection (a)(5) refers to a violation of the former turbidity standard of Section 611.320, which the Board repealed because it applied to no suppliers in Illinois. This statement maintains structural consistency with the federal regulations.~~;~~

6) Violation of the Surface Water Treatment Rule (SWTR), Interim Enhanced Surface Water Treatment Rule (IESWTR), or Long Term 1 Enhanced Surface Water Treatment Rule (LT1ESWTR) treatment technique requirement resulting from a single exceedence of the maximum allowable turbidity limit (as identified in Appendix G), where the Agency determines after consultation that a Tier 1 notice is required or where consultation does not take place within 24 hours after the supplier learns of the violation.~~;~~

7) Occurrence of a waterborne disease outbreak, as defined in Section

611.101, or other waterborne emergency (such as a failure or significant interruption in key water treatment processes, a natural disaster that disrupts the water supply or distribution system, or a chemical spill or unexpected loading of possible pathogens into the source water that significantly increases the potential for drinking water contamination).;

8) Detection of E. coli, enterococci, or coliphage in source water samples, as specified in Section 611.802(a) and (b).

9~~8~~) Other violations or situations with significant potential to have serious adverse effects on human health as a result of short-term exposure, as determined by the Agency by a SEP issued pursuant to Section 611.110.

b) When the Tier 1 public notice is to be provided. Additional steps required. A PWS supplier must do the following:

1) It must provide a public notice as soon as practical but no later than 24 hours after the supplier learns of the violation;

2) It must initiate consultation with the Agency as soon as practical, but no later than 24 hours after the PWS supplier learns of the violation or situation, to determine additional public notice requirements; and

3) It must comply with any additional public notification requirements (including any repeat notices or direction on the duration of the posted notices) that are established as a result of the consultation with the Agency. Such requirements may include the timing, form, manner, frequency, and content of repeat notices (if any) and other actions designed to reach all persons served.

c) The form and manner of the public notice. A PWS supplier must provide the notice within 24 hours in a form and manner reasonably calculated to reach all persons served. The form and manner used by the PWS supplier are to fit the specific situation, but must be designed to reach residential, transient, and non-transient users of the water system. In order to reach all persons served, a water supplier is to use, at a minimum, one or more of the following forms of delivery:

1) Appropriate broadcast media (such as radio and television);

2) Posting of the notice in conspicuous locations throughout the area served by the water supplier;

3) Hand delivery of the notice to persons served by the water supplier; or

4) Another delivery method approved in writing by the Agency by a SEP issued pursuant to Section 611.110.

BOARD NOTE: Derived from 40 CFR 141.202 (2006), as amended at 71 Fed. Reg. 65574 (Nov. 8, 2006)~~(2002)~~.

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

Section 611.903 Tier 2 Public Notice: Form, Manner, and Frequency of Notice

a) Violations or situations that require a Tier 2 public notice. This subsection (a) lists the violation categories and other situations requiring a Tier 2 public notice. Appendix G to this Part identifies the tier assignment for each specific violation or situation.

1) All violations of the MCL, MRDL, and treatment technique requirements, except where a Tier 1 notice is required under Section 611.902(a) or where the Agency determines by a SEP issued pursuant to Section 611.110 that a Tier 1 notice is required.~~;~~

2) Violations of the monitoring and testing procedure requirements, where the Agency determines by a SEP issued pursuant to Section 611.110 that a Tier 2 rather than a Tier 3 public notice is required, taking into account potential health impacts and persistence of the violation.~~; and~~

3) Failure to comply with the terms and conditions of any relief equivalent to a SDWA section 1415 variance or a SDWA section 1416 exemption in place.

4) Failure to take corrective action or failure to maintain at least 4-log treatment of viruses (using inactivation, removal, or an Agency-approved combination of 4-log virus inactivation and removal) before or at the first customer pursuant to Section 611.803(a).

b) When Tier 2 public notice is to be provided.

1) A PWS supplier must provide the public notice as soon as practical, but no later than 30 days after the supplier learns of the violation. If the public notice is posted, the notice must remain in place for as long as the violation or situation persists, but in no case for less than seven days, even if the violation or situation is resolved. The Agency may, in appropriate circumstances, by a SEP issued pursuant to Section 611.110, allow additional time for the initial notice of up to three months from the date the supplier learns of the violation. It is not appropriate for the Agency to grant an extension to the 30-day deadline for any unresolved violation or to allow across-the-board extensions by rule or policy for other violations or situations requiring a Tier 2 public notice. Extensions granted by the Agency must be in writing.

2) The PWS supplier must repeat the notice every three months as long as the violation or situation persists, unless the Agency determines that appropriate circumstances warrant a different repeat notice frequency. In no circumstance may the repeat notice be given less frequently than once per year. It is not appropriate for the Agency to allow less frequent repeat notice for an MCL violation under the Total Coliform Rule or a treatment technique violation under the Surface Water Treatment Rule or Interim Enhanced Surface Water Treatment Rule. It is also not appropriate for the Agency to allow across-the-board reductions in the repeat notice frequency for other ongoing violations requiring a Tier 2 repeat notice. An Agency determination allowing repeat notices to be given less frequently than once every three months must be in writing.

3) For the turbidity violations specified in this subsection (b)(3), a PWS supplier must consult with the Agency as soon as practical but no later than 24 hours after the supplier learns of the violation, to determine whether a Tier 1 public notice under Section 611.902(a) is required to protect public health. When consultation does not take place within the 24-hour period, the water system must distribute a Tier 1 notice of the violation within the next 24 hours (i.e., no later than 48 hours after the supplier learns of the violation), following the requirements under Section 611.902(b) and (c). Consultation with the Agency is required for the following:

A) Violation of the turbidity MCL under Section 611.320(b); or

B) Violation of the SWTR, IESWTR, or treatment technique requirement resulting from a single exceedence of the maximum allowable turbidity limit.

c) The form and manner of Tier 2 public notice. A PWS supplier must provide the initial public notice and any repeat notices in a form and manner that is reasonably calculated to reach persons served in the required time period. The form and manner of the public notice may vary based on the specific situation and type of water system, but it must at a minimum meet the following requirements:

1) Unless directed otherwise by the Agency in writing, by a SEP issued pursuant to Section 611.110, a CWS supplier must provide notice by the following:

A) Mail or other direct delivery to each customer receiving a bill and to other service connections to which water is delivered by the PWS supplier; and

B) Any other method reasonably calculated to reach other persons regularly served by the supplier, if they would not normally be reached by the notice required in subsection (c)(1)(A) of this Section. Such persons may include those who do not pay water bills or do not have service connection addresses (e.g., house renters, apartment dwellers, university students, nursing home patients, prison inmates, etc.). Other methods may include: Publication in a local newspaper; delivery of multiple copies for distribution by customers that provide their drinking water to others (e.g., apartment building owners or large private employers); posting in public places served by the supplier or on the Internet; or delivery to community organizations.

2) Unless directed otherwise by the Agency in writing, by a SEP issued pursuant to Section 611.110, a non-CWS supplier must provide notice by the following means:

A) Posting the notice in conspicuous locations throughout the distribution system frequented by persons served by the supplier,

or by mail or direct delivery to each customer and service connection (where known); and

B) Any other method reasonably calculated to reach other persons served by the system if they would not normally be reached by the notice required in subsection (c)(2)(A) of this Section. Such persons may include those served who may not see a posted notice because the posted notice is not in a location they routinely pass by. Other methods may include the following: Publication in a local newspaper or newsletter distributed to customers; use of E-mail to notify employees or students; or delivery of multiple copies in central locations (e.g., community centers).

BOARD NOTE: Derived from 40 CFR 141.203 (2006), as amended at 71 Fed. Reg. 65574 (Nov. 8, 2006)~~(2002)~~.

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

Section 611.911 Special Notice for Cryptosporidium

a) When the special notice for repeated failure to monitor must be given. The owner or operator of a CWS or non-CWS that is required to monitor source water pursuant to Section 611.1001 must notify persons served by its water system that monitoring has not been completed as specified no later than 30 days after the system has failed to collect any three months of monitoring, as specified in Section 611.1001(c). The notice must be repeated as specified in section 141.203(b).

b) When the special notice for failure to determine bin classification or mean Cryptosporidium level must be given. The owner or operator of a CWS or non-CWS that is required to determine a bin classification pursuant to Section 611.1010, or one that is required to determine mean Cryptosporidium level pursuant to Section 611.1012, must notify persons served by its water system that the determination has not been made as required no later than 30 days after the system has failed report the determination as specified in Section 611.1010(e) or Section 611.1012(a), respectively. The supplier must repeat the notice as specified in Section 141.203(b). The notice is not required if the system is complying with a State-approved schedule to address the violation.

c) The form and manner of the special notice. The form and manner of the public notice must follow the requirements for a Tier 2 public notice prescribed in Section 611.903(c). The public notice must be presented as required in Section 611.905(c).

d) Mandatory language must be contained in the special notice. The notice must contain all of the following language, including the language necessary to fill in the blanks:

1) The special notice for repeated failure to conduct monitoring must contain the following mandatory language:

> We are required to monitor the source of your drinking water for Cryptosporidium. Results of the monitoring are to be used to determine whether water treatment at the [treatment plant name] is sufficient to adequately remove Cryptosporidium from your drinking water. We are required to complete this monitoring and make this determination by [required bin determination date]. We [insert the applicable of the following at this point: "did not monitor or test" or "did not complete all monitoring or testing"] on schedule and, therefore, we may not be able to determine by the required date what treatment modifications, if any, must be made to ensure adequate Cryptosporidium removal. Missing this deadline may, in turn, jeopardize our ability to have the required treatment modifications, if any, completed by the deadline required [date]. For more information, please call [name of water system contact] of [name of water system] at [phone number].

2) The special notice for failure to determine bin classification or mean Cryptosporidium level must contain the following mandatory language:

> We are required to monitor the source of your drinking water for Cryptosporidium in order to determine by [date] whether water treatment at the [treatment plant name] is sufficient to adequately remove Cryptosporidium from your drinking water. We have not made this determination by the required date. Our failure to do this may jeopardize our ability to have the required treatment modifications, if any, completed by the required deadline of [date].

For more information, please call [name of water system contact] of [name of water system] at [phone number].

3) Each special notice must also include a description of what the system is doing to correct the violation and when the system expects to return to compliance or resolve the situation.

BOARD NOTE: Derived from 40 CFR 141.211 (2006).

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

SUBPART W: INITIAL DISTRIBUTION SYSTEM EVALUATIONS

Section 611.920 General Requirements

a) USEPA has designated that the requirements of this Subpart W constitute National Primary Drinking Water Regulations. The regulations in this Subpart W establish monitoring and other requirements for identifying Subpart Y compliance monitoring locations for determining compliance with maximum contaminant levels for TTHMs and HAA5. The supplier must use an initial distribution system evaluation (IDSE) to determine the locations in its distribution system that are representative of high TTHM and HAA5 concentrations throughout the supplier's distribution system. An IDSE is used in conjunction with, but separate from, Subpart I compliance monitoring to identify and select Subpart Y compliance monitoring locations.

b) Applicability. A supplier is subject to the requirements of this Subpart W if it fulfills any of the following conditions:

1) The supplier owns or operates a community water system that uses a primary or residual disinfectant other than ultraviolet light;

2) The supplier delivers water that has been treated with a primary or residual disinfectant other than ultraviolet light; or

3) The supplier owns or operates a non-transient non-community water system that serves at least 10,000 people and it either uses a primary or residual disinfectant other than ultraviolet light or it delivers water that has

been treated with a primary or residual disinfectant other than ultraviolet light.

c) Schedule. A supplier must comply with the requirements of this Subpart W on the schedule provided in subsection (c)(1) of this Section based on its system type, as set forth in the applicable of subsections (c)(1)(A) through (c)(1)(D) of this Section, subject to the conditions of subsections (c)(1)(E) through (c)(1)(G) of this Section:

1) Compliance dates.

A) A supplier that serves a population of 100,000 or more persons must have submitted its standard monitoring plan, its system-specific study plan, or its 40/30 certification or must have obtained or been subject to a very small system waiver by October 1, 2006. The supplier must further complete its standard monitoring or system-specific study by September 30, 2008 and submit its IDSE report to the Agency by January 1, 2009.

B) A supplier that serves a population of 50,000 to 99,999 persons must have submitted its standard monitoring plan, its system-specific study plan, or its 40/30 certification or must have obtained or been subject to a very small system waiver by April 1, 2007. The supplier must further complete its standard monitoring or system-specific study by March 31, 2009 and submit its IDSE report to the Agency by July 1, 2009.

C) A supplier that serves a population of 10,000 to 49,999 persons must submit its standard monitoring plan, its system-specific study plan, or its 40/30 certification or must obtain or be subject to a very small system waiver by October 1, 2007. The supplier must further complete its standard monitoring or system-specific study by September 30, 2009 and submit its IDSE report to the Agency by January 1, 2010.

D) A supplier that serves a population of fewer than 10,000 persons (and which is a CWS) must submit its standard monitoring plan, its system-specific study plan, or its 40/30 certification or must obtain or be subject to a very small system waiver by April 1, 2008. The

supplier must further complete its standard monitoring or system-specific study by March 31, 2010 and submit its IDSE report to the Agency by July 1, 2010.

E) If, within 12 months after the date identified in this subsection (c)(1), the Agency does not approve a supplier's plan or notify the supplier that it has not yet completed its review, the supplier may consider the plan that it submitted as approved. The supplier must implement that plan, and it must complete standard monitoring or a system-specific study no later than the date when completion of the standard monitoring or system-specific study is due, as identified in the applicable of subsections (a)(1) through (a)(4) of this Section.

F) The supplier must submit its 40/30 certification pursuant to Section 611.923 by the date indicated in the applicable of subsections (a)(1) through (a)(4) of this Section.

G) If, within three months after the date identified in this subsection (c)(1) (nine months after the date identified in this subsection (c)(1) if the supplier must comply on the schedule in subsection (c)(1)(C) of this Section), the Agency does not approve the supplier's IDSE report or notify the supplier that it has not yet completed its review, the supplier may consider the report that it submitted to the Agency as approved and the supplier must implement the recommended Subpart Y monitoring as required.

2) For the purpose of determining the applicable compliance schedule in subsection (c)(1) of this Section, the Agency may, by a SEP issued pursuant to Section 611.110, determine that a combined distribution system does not include certain consecutive systems based on such factors as the receipt of water from a wholesale system only on an emergency basis or the receipt of only a small percentage and small volume of water from a wholesale system. The Agency may also determine, by a SEP issued pursuant to Section 611.110, that a combined distribution system does not include certain wholesale systems based on such factors as the delivery of water to a consecutive system only on an emergency basis or the delivery of only a small percentage and small volume of water to a consecutive system.

d) A supplier must do one of the following: it must conduct standard monitoring that meets the requirements in Section 611.921; it must conduct a system-specific study that meets the requirements in Section 611.922; it must certify to the Agency that it meets the 40/30 certification criteria under Section 611.923; or it must qualify for a very small system waiver under Section 611.924.

1) The supplier must have taken the full complement of routine TTHM and HAA5 compliance samples required of a system that serves the appropriate population and using the appropriate source water under Subpart I of this Part (or the supplier must have taken the full complement of reduced TTHM and HAA5 compliance samples required of a system with the supplier's population and source water under Subpart I of this Part if the supplier meet reduced monitoring criteria under Subpart I of this Part) during the period specified in Section 611.923(a) to meet the 40/30 certification criteria in Section 611.923. The supplier must have taken TTHM and HAA5 samples under Sections 611.381 and 611.382 to be eligible for the very small system waiver in Section 611.924.

2) If the supplier has not taken the required samples, the supplier must conduct standard monitoring that meets the requirements in Section 611.921, or a system-specific study that meets the requirements in Section 611.922.

e) The supplier must use only the analytical methods specified in Section 611.381, or otherwise approved by the Agency for monitoring under this Subpart W, to demonstrate compliance with the requirements of this Subpart W.

f) IDSE results will not be used for the purpose of determining compliance with MCLs in Section 611.312.

BOARD NOTE: Derived from 40 CFR 141.600 (2006).

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

Section 611.921 Standard Monitoring

a) Standard monitoring plan. A supplier's standard monitoring plan must comply with subsections (a)(1) through (a)(4) of this Section. The supplier must prepare

and submit its standard monitoring plan to the Agency according to the appropriate of the schedules provided in Section 611.920(c).

1) The supplier's standard monitoring plan must include a schematic of its distribution system (including distribution system entry points and their sources, and storage facilities), with notes indicating locations and dates of all projected standard monitoring, and all projected Subpart I compliance monitoring.

2) The supplier's standard monitoring plan must include justification of standard monitoring location selection and a summary of data the supplier relied on to justify standard monitoring location selection.

3) The supplier's standard monitoring plan must specify the population served and its system type (i.e., that it is a Subpart B or groundwater system).

4) The supplier must retain a complete copy of its standard monitoring plan submitted under this subsection (a), including any Agency modification of the plan, for as long as the supplier is required to retain its IDSE report under subsection (c)(4) of this Section.

b) Standard monitoring.

1) The supplier must monitor as indicated in the applicable of subsections (b)(1)(A) through (b)(1)(P), subject to the limitations of subsections (b)(1)(Q) and (b)(1)(R). The supplier must collect dual sample sets at each monitoring location. One sample in the dual sample set must be analyzed for TTHM. The other sample in the dual sample set must be analyzed for HAA5. The supplier must conduct one monitoring period during the peak historical month for TTHM levels or HAA5 levels or the month of warmest water temperature. The supplier must review available compliance, study, or operational data to determine the peak historical month for TTHM or HAA5 levels or warmest water temperature. Source water type by population size category:

A) A Subpart B system supplier that serves fewer than 500 persons and which operates a consecutive system must collect samples once each calendar year during the peak historical month: one

near an entry point to the distribution system and one at a high TTHM location, for a total of two samples during each monitoring period.

B) A Subpart B system supplier that serves fewer than 500 persons and which does not operate a consecutive system must collect samples once each calendar year during the peak historical month: one at a high TTHM location and one at a high HAA5 location, for a total of two samples during each monitoring period.

C) A Subpart B system supplier that serves 500 to 3,300 persons and which operates a consecutive system must collect samples four times each calendar year (once every 90 days): one near an entry point to the distribution system and one at a high TTHM location, for a total of two samples during each monitoring period.

D) A Subpart B system supplier that serves 500 to 3,300 persons and which does not operate a consecutive system must collect samples four times each calendar year (once every 90 days): one at a high TTHM location and one at a high HAA5 location, for a total of two samples during each monitoring period.

E) A Subpart B system supplier that serves 3,301 to 9,999 persons must collect samples four times each calendar year (once every 90 days): one at a location in the distribution system that represents the average residence time, two at high TTHM locations, and one at a high HAA5 location, for a total of four samples during each monitoring period.

F) A Subpart B system supplier that serves 10,000 to 49,999 persons must collect samples six times each calendar year (once every 60 days): one near an entry point to the distribution system, two at locations in the distribution system that represent the average residence time, three at each TTHM location, and two at high HAA5 locations, for a total of eight samples during each monitoring period.

G) A Subpart B system supplier that serves 50,000 to 249,999 persons must collect samples six times each calendar year (once every 60

days): three near entry points to the distribution system, four at locations in the distribution system that represent the average residence time, five at high TTHM locations, and four at high HAA5 locations, for a total of 16 samples during each monitoring period.

H) A Subpart B system supplier that serves 250,000 to 999,999 persons must collect samples six times each calendar year (once every 60 days): four near entry points to the distribution system, six at locations in the distribution system that represent the average residence time, eight at high TTHM locations, and six at high HAA5 locations, for a total of 24 samples during each monitoring period.

I) A Subpart B system supplier that serves 1,000,000 to 4,999,999 persons must collect samples six times each calendar year (once every 60 days): six near entry points to the distribution system, eight at locations in the distribution system that represent the average residence time, 10 at high TTHM locations, and eight at high HAA5 locations, for a total of 32 samples during each monitoring period.

J) A Subpart B system supplier that serves 5,000,000 or more persons must collect samples six times each calendar year (once every 60 days): eight near entry points to the distribution system, 10 at locations in the distribution system that represent the average residence time, 12 at high TTHM locations, and 10 at high HAA5 locations, for a total of 40 samples during each monitoring period.

K) A groundwater system supplier that serves fewer than 500 persons and which operates a consecutive system must collect samples once each calendar year during the peak historical month: one near an entry point to the distribution system and one at a high TTHM location, for a total of two samples during each monitoring period.

L) A groundwater system supplier that serves fewer than 500 persons and which does not operate a consecutive system must collect samples once each calendar year during the peak historical month:

one at a high TTHM location and one at a high HAA5 location, for a total of two samples during each monitoring period.

M) A groundwater system supplier that serves 500 to 9,999 persons and which operates a consecutive system must collect samples four times each calendar year (once every 90 days): one at a high TTHM location and one at a high HAA5 location, for a total of two samples during each monitoring period.

N) A groundwater system supplier that serves 10,000 to 99,999 persons and which operates a consecutive system must collect samples four times each calendar year (once every 90 days): one near an entry point to the distribution system, one at a location in the distribution system that represents the average residence time, two at high TTHM locations, and two at high HAA5 locations, for a total of six samples during each monitoring period.

O) A groundwater system supplier that serves 100,000 to 499,999 persons and which operates a consecutive system must collect samples four times each calendar year (once every 90 days): one near an entry point to the distribution system, one at a location in the distribution system that represents the average residence time, three at high TTHM locations, and three at high HAA5 locations, for a total of eight samples during each monitoring period.

P) A groundwater system supplier that serves 500,000 or more persons and which operates a consecutive system must collect samples four times each calendar year (once every 90 days): two near an entry point to the distribution system, two at locations in the distribution system that represent the average residence time, four at high TTHM locations, and four at high HAA5 locations, for a total of 12 samples during each monitoring period.

Q) A dual sample set (i.e., a TTHM and an HAA5 sample) must be taken at each monitoring location during each monitoring period.

R) The "peak historical month", for purposes of subsections (b)(1)(A), (b)(1)(B), (b)(1)(K), and (b)(1)(L) of this Section, is the month

with the highest TTHM or HAA5 levels or the warmest water temperature.

2) The supplier must take samples at locations other than the existing Subpart I monitoring locations. Monitoring locations must be distributed throughout the distribution system.

3) If the number of entry points to the distribution system is fewer than the specified number of entry point monitoring locations, excess entry point samples must be replaced with equally high TTHM and HAA5 locations. If there is an odd number of locations, the supplier must take a sample at a high TTHM location. If the number of entry points to the distribution system is more than the specified number of entry point monitoring locations, the supplier must take samples at the entry points to the distribution system that have the highest annual water flows.

4) The supplier's monitoring under this subsection (b) may not be reduced under the provisions of Section 611.500, and the Agency may not reduce the supplier's monitoring using the provisions of Section 622.161.

c) IDSE report. A supplier's IDSE report must include the elements required in subsections (c)(1) through (c)(4) of this Section. The supplier must submit its IDSE report to the Agency according to the applicable of the schedules set forth in Section 611.920(c).

1) The supplier's IDSE report must include all TTHM and HAA5 analytical results from Subpart I compliance monitoring and all standard monitoring conducted during the period of the IDSE as individual analytical results and LRAAs presented in a tabular or spreadsheet format acceptable to the Agency. If changed from the supplier's standard monitoring plan submitted pursuant to subsection (a) of this Section, the supplier's report must also include a schematic of the supplier's distribution system, the population served, and system type (Subpart B system or groundwater system).

2) The supplier's IDSE report must include an explanation of any deviations from the supplier's approved standard monitoring plan.

3) The supplier must recommend and justify Subpart Y compliance monitoring locations and timing based on the protocol in Section 611.925.

4) The supplier must retain a complete copy of its IDSE report submitted under this Section for 10 years after the date on which the supplier submitted the supplier's report. If the Agency modifies the Subpart Y monitoring requirements that the supplier recommended in its IDSE report or if the Agency approves alternative monitoring locations pursuant to Section 611.161, the supplier must keep a copy of the Agency's notification on file for 10 years after the date of the Agency's notification. The supplier must make the IDSE report and any Agency notification available for review by the Agency or the public.

BOARD NOTE: Derived from 40 CFR 141.601 (2006).

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

Section 611.922 System-Specific Studies

a) System-specific study plan. A supplier's system-specific study plan must be based on either existing monitoring results, as required under subsection (a)(1) of this Section, or modeling, as required under subsection (a)(2) of this Section. The supplier must prepare and submit the supplier's system-specific study plan to the Agency according to the schedule in Section 611.920(c).

1) Existing monitoring results. A supplier may comply by submitting monitoring results collected before it is required to begin monitoring pursuant to Section 611.920(c). The monitoring results and analysis must meet the criteria in subsections (a)(1)(A) and (a)(1)(B) of this Section.

A) Minimum requirements.

i) TTHM and HAA5 results must be based on samples collected and analyzed in accordance with Section 611.381. Samples must be collected no earlier than five years prior to the study plan submission date.

ii) The monitoring locations and frequency must meet the conditions identified in the applicable of subsections

(a)(1)(A)(iii) through (a)(1)(A)(xv) of this Section. Each location must be sampled once during the peak historical month for TTHM levels or HAA5 levels or the month of warmest water temperature for every 12 months of data submitted for that location. Monitoring results must include all Subpart I compliance monitoring results, plus additional monitoring results as necessary to meet minimum sample requirements.

iii) A Subpart B system supplier that serves fewer than 500 persons must collect samples from three monitoring locations: three samples for TTHM and three samples for HAA5.

iv) A Subpart B system supplier that serves 500 to 3,300 persons must collect samples from three monitoring locations: nine samples for TTHM and nine samples for HAA5.

v) A Subpart B system supplier that serves 3,301 to 9,999 persons must collect samples from six monitoring locations: 36 samples for TTHM and 36 samples for HAA5.

vi) A Subpart B system supplier that serves 10,000 to 49,999 persons must collect samples from each of 12 monitoring locations: 72 samples for TTHM and 72 samples for HAA5.

vii) A Subpart B system supplier that serves 50,000 to 249,999 persons must collect samples from 24 monitoring locations: 144 samples for TTHM and 144 samples for HAA5.

viii) A Subpart B system supplier that serves 250,000 to 999,999 persons must collect samples from 36 monitoring locations: 216 samples for TTHM and 216 samples for HAA5.

ix) A Subpart B system supplier that serves 1,000,000 to 4,999,999 persons must collect samples from 48 monitoring locations: 288 samples for TTHM and 288 samples for HAA5.

x) A Subpart B system supplier that serves 5,000,000 or more persons must collect samples from 60 monitoring locations: 360 samples for TTHM and 360 samples for HAA5.

xi) A groundwater system supplier that serves fewer than 500 persons must collect samples from three monitoring locations: three samples for TTHM and three samples for HAA5.

x) A groundwater system supplier that serves 500 to 9,999 persons must collect samples from three monitoring locations: nine samples for TTHM and nine samples for HAA5.

xi) A groundwater system supplier that serves 10,000 to 99,999 persons must collect samples from 12 monitoring locations: 48 samples for TTHM and 48 samples for HAA5.

xii) A groundwater system supplier that serves 100,000 to 499,999 persons must collect samples from 18 monitoring locations: 72 samples for TTHM and 72 samples for HAA5.

xiii) A groundwater system supplier that serves 500,000 or more persons must collect samples from 24 monitoring locations: 96 samples for TTHM and 96 samples for HAA5.

B) Reporting monitoring results. A supplier must report the following information:

i) The supplier must report previously collected monitoring results and certify that the reported monitoring results include all compliance and noncompliance results

generated during the time period that began with the first reported result and which ended with the most recent Subpart I results;

ii) The supplier must certify that the samples were representative of the entire distribution system and treatment and that the distribution system and treatment have not changed significantly since the samples were collected;

iii) The supplier's study monitoring plan must include a schematic of its distribution system (including distribution system entry points and their sources and storage facilities in the system), with notes indicating the locations and dates of all completed or planned system-specific study monitoring;

iv) The supplier's system-specific study plan must specify the population served and its system type (i.e., that it is a Subpart B or groundwater system);

v) The supplier must retain a complete copy of its system-specific study plan submitted under this subsection (a)(1), including any Agency modification of the supplier's system-specific study plan, for as long as the supplier is required to retain its IDSE report under subsection (b)(5) of this Section; and

vi) If the supplier submits previously collected data that fully meet the number of samples required under subsection (a)(1)(A)(ii) of this Section, and the Agency rejects some of the data in writing, by a SEP issued pursuant to Section 611.110, the supplier must either conduct additional monitoring to replace rejected data on a schedule approved by the Agency in the SEP, or it must conduct standard monitoring under Section 611.921.

2) Modeling. A supplier may comply through analysis of an extended-period simulation hydraulic model. The extended-period simulation hydraulic model and analysis must meet the following criteria:

A) Minimum extended-period hydraulic model requirements.

i) The extended-period hydraulic model must simulate 24 hour variation in demand and show a consistently repeating 24 hour pattern of residence time.

ii) The extended-period hydraulic model must represent the criteria listed in subsection (a)(2)(D) of this Section.

BOARD NOTE: This subsection (a)(2)(A)(ii) is derived from 40 CFR 141.602 (1996). The Board has codified 40 CFR 141.602(a)(2)(i)(B)(*1*) through (a)(2)(i)(B)(*9*) as subsections (a)(2)(D)(i) through (a)(2)(D)(ix) of this Section to comport with Illinois Administrative Code codification requirements.

iii) The extended-period hydraulic model must be calibrated or have calibration plans for the current configuration of the distribution system during the period of high TTHM formation potential. All storage facilities in the system must be evaluated as part of the calibration process. All required calibration must be completed no later than 12 months after the supplier has submitted the plan.

B) Reporting modeling. The supplier must retain a complete copy of the supplier's system-specific study plan submitted under this subsection (a)(2), including any Agency modification of the supplier's system-specific study plan, for as long as the supplier is required to retain the supplier's IDSE report under subsection (b)(7) of this Section. The supplier's system-specific study plan must include the following information:

i) Tabular or spreadsheet data demonstrating that the model meets requirements in subsections (a)(2)(A)(ii) and (a)(2)(D) of this Section;

ii) A description of all calibration activities undertaken and, if calibration is complete, a graph of predicted tank levels versus measured tank levels for the system storage facility with the highest residence time in each pressure zone, and a time-series graph of the residence time at the longest residence time storage facility in the distribution system showing the predictions for the entire simulation period (i.e., from time zero until the time it takes for the model to reach a consistently repeating pattern of residence time);

iii) Model output showing preliminary 24-hour average residence time predictions throughout the distribution system;

iv) The timing and the number of samples representative of the distribution system planned for at least one monitoring period of TTHM and HAA5 dual-sample monitoring at a number of locations no fewer than would be required for the system under standard monitoring in Section 611.921 during the historical month of high TTHM. These samples must be taken at locations other than existing Subpart I compliance monitoring locations;

v) A description of how all requirements will be completed no later than 12 months after the supplier submits the supplier's system-specific study plan;

vi) A schematic of the supplier's distribution system (including distribution system entry points and their sources and system storage facilities), with notes indicating the locations and dates of all completed system-specific study monitoring (if calibration is complete) and all Subpart I compliance monitoring; and

vii) The population served and system type (i.e., that it is a Subpart B or groundwater system).

C) If the supplier submits a model that does not fully meet the requirements under subsection (a)(2) of this Section, the supplier must correct the Agency-cited deficiencies, and respond to Agency inquiries concerning the model. If the supplier fails to correct deficiencies or respond to inquiries to the Agency's satisfaction, the supplier must conduct standard monitoring under Section 611.921.

D) The extended-period hydraulic model must represent the following criteria:

i) 75 percent of pipe volume;

ii) 50 percent of pipe length;

iii) All pressure zones;

iv) All 12-inch diameter and larger pipes;

v) All eight-inch and larger pipes that connect pressure zones, influence zones from different sources, storage facilities, major demand areas, pumps, and control valves or which are known or expected to be significant conveyors of water;

vi) All six-inch and larger pipes that connect remote areas of a distribution system to the main portion of the system;

vii) All storage facilities with standard operations represented in the model;

viii) All active pump stations with controls represented in the model; and

ix) All active control valves.

BOARD NOTE: This subsection (a)(2)(D) is derived from 40 CFR 141.602(a)(2)(i)(B) (1996). The Board has codified 40 CFR 141.602(a)(2)(i)(B)(*1*) through (a)(2)(1)(B)(*9*) as subsections

(a)(2)(D)(i) through (a)(2)(D)(ix) of this Section to comport with Illinois Administrative Code codification requirements.

b) IDSE report. The supplier's IDSE report must include the elements required in subsections (b)(1) through (b)(6) of this Section. The supplier must submit its IDSE report according to the applicable of the schedules in Section 611.920(c).

1) The supplier's IDSE report must include all TTHM and HAA5 analytical results from Subpart I compliance monitoring and all system-specific study monitoring conducted during the period of the system-specific study presented in a tabular or spreadsheet format acceptable to the Agency. If changed from the supplier's system-specific study plan submitted under subsection (a) of this Section, the supplier's IDSE report must also include a schematic of its distribution system, the population served, and system type (i.e., that it is a Subpart B or groundwater system).

2) If the supplier used the modeling provision under subsection (a)(2) of this Section, it must include final information for the elements described in subsection (a)(2)(B)(ii) of this Section, and a 24-hour time-series graph of residence time for each Subpart Y compliance monitoring location selected.

3) The supplier must recommend and justify Subpart Y compliance monitoring locations and timing based on the protocol in Section 611.925.

4) The supplier's IDSE report must include an explanation of any deviations from its approved system-specific study plan.

5) The supplier's IDSE report must include the basis (analytical and modeling results) and justification that it used to select the recommended Subpart Y monitoring locations.

6) The supplier may submit its IDSE report in lieu of its system-specific study plan on the schedule identified in Section 611.920(c) for submission of the system-specific study plan if the supplier believes that it has the necessary information by the time that the system-specific study plan is due. If the supplier elects this approach, its IDSE report must also include all information required under subsection (a) of this Section.

7) The supplier must retain a complete copy of its IDSE report submitted under this Section for 10 years after the date that the supplier submitted its IDSE report. If the Agency modifies the Subpart Y monitoring requirements that the supplier recommended in the supplier's IDSE report or if the Agency approves alternative monitoring locations, the supplier must keep a copy of the Agency's notification on file for 10 years after the date of the Agency's notification. The supplier must make the IDSE report and any Agency notification available for review by the Agency or the public.

BOARD NOTE: Derived from 40 CFR 141.602 (2006).

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

Section 611.923 40/30 Certification

a) Eligibility. A supplier is eligible for 40/30 certification if it had no TTHM or HAA5 monitoring violations under Subpart I of this Part and no individual sample exceeded 0.040 mg/l for TTHM or 0.030 mg/l for HAA5 during an eight consecutive calendar quarter period beginning no earlier than the date specified in the applicable of subsections (a)(1) through (a)(4) of this Section, subject to the limitations of subsection (a)(5) of this Section.

1) If the supplier's 40/30 certification is due no later than October 1, 2006, then its eligibility for 40/30 certification is based on eight consecutive calendar quarters of Subpart I compliance monitoring results beginning no earlier than January 2004.

2) If the supplier's 40/30 certification is due no later than April 1, 2007, then its eligibility for 40/30 certification is based on eight consecutive calendar quarters of Subpart I compliance monitoring results beginning no earlier than January 2004.

3) If the supplier's 40/30 certification is due no later than October 1, 2007, then its eligibility for 40/30 certification is based on eight consecutive calendar quarters of Subpart I compliance monitoring results beginning no earlier than January 2005.

4) If the supplier's 40/30 certification is due no later than April 1, 2008, then its eligibility for 40/30 certification is based on eight consecutive calendar quarters of Subpart I compliance monitoring results beginning no earlier than January 2005.

5) Unless the supplier is on reduced monitoring under Subpart I of this Part and was not required to monitor during the specified period, and if the supplier did not monitor during the specified period, the supplier must base its eligibility on compliance samples taken during the 12 months preceding the specified period.

b) 40/30 certification.

1) A supplier must certify to the Agency that every individual compliance sample taken under Subpart I of this Part during the applicable of the periods specified in subsection (a) of this Section were no more than 0.040 mg/l for TTHM and 0.030 mg/l for HAA5, and that the supplier has not had any TTHM or HAA5 monitoring violations during the period specified in subsection (a) of this Section.

2) The Agency may require the supplier to submit compliance monitoring results, distribution system schematics, or recommended Subpart Y compliance monitoring locations in addition to the supplier's certification. If the supplier fails to submit the requested information, the Agency may require standard monitoring under Section 611.921 or a system-specific study under Section 611.922.

3) The Agency may still require standard monitoring under Section 611.921 or a system-specific study under Section 611.922 even if the supplier meets the criteria in subsection (a) of this Section.

4) The supplier must retain a complete copy of its certification submitted under this Section for 10 years after the date that it submitted the supplier's certification. The supplier must make the certification, all data upon which the certification is based, and any Agency notification available for review by the Agency or the public.

BOARD NOTE: Derived from 40 CFR 141.603 (2006).

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

Section 611.924 Very Small System Waivers

a) If the supplier serves fewer than 500 people and it has taken TTHM and HAA5 samples pursuant to Subpart I of this Part, the supplier is not required to comply with this Subpart W unless the Agency notifies the supplier, by a SEP issued pursuant to Section 611.110, that it must conduct standard monitoring pursuant to Section 611.921 or a system-specific study pursuant to Section 611.922.

b) If the supplier has not taken TTHM and HAA5 samples pursuant to Subpart I of this Part or if the Agency notifies the supplier, by a SEP issued pursuant to Section 611.110, that it must comply with this Subpart W, the supplier must conduct standard monitoring pursuant to Section 611.921 or a system-specific study pursuant to Section 611.922.

BOARD NOTE: Derived from 40 CFR 141.604 (2006).

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

Section 611.925 Subpart Y Compliance Monitoring Location Recommendations

a) A supplier's IDSE report must include its recommendations and justification for where and during what months it will conduct TTHM and HAA5 monitoring for Subpart Y of this Part. The supplier must base its recommendations on the criteria set forth in subsections (b) through (e) of this Section.

b) The supplier must select the number of monitoring locations specified in the applicable of subsections (b)(1) through (b)(13) of this Section, subject to the limitations of subsections (b)(14) and (b)(15) of this Section. The supplier will use these recommended locations as Subpart Y routine compliance monitoring locations, unless the Agency requires different or additional locations. The supplier should distribute locations throughout the distribution system to the extent possible.

1) A Subpart B system supplier that serves fewer than 500 persons must annually collect samples from two monitoring locations: one sample from the highest TTHM location and one sample from the highest HAA5 location.

2) A Subpart B system supplier that serves 500 to 3,300 persons must quarterly collect samples from two monitoring locations: one sample from the highest TTHM location and one sample from the highest HAA5 location.

3) A Subpart B system supplier that serves 3,301 to 9,999 persons must quarterly collect samples from two monitoring locations: one sample from the highest TTHM location and one sample from the highest HAA5 location.

4) A Subpart B system supplier that serves 10,000 to 49,999 persons must quarterly collect samples from four monitoring locations: two samples from the highest TTHM location, one sample from the highest HAA5 location, and one sample from an existing Subpart I compliance location.

5) A Subpart B system supplier that serves 50,000 to 249,999 persons must quarterly collect samples from eight monitoring locations: three samples from the highest TTHM location, three samples from the highest HAA5 locations, and two samples from existing Subpart I compliance locations.

6) A Subpart B system supplier that serves 250,000 to 999,999 persons must quarterly collect samples from 12 monitoring locations: five samples from the highest TTHM location, four samples from the highest HAA5 locations, and three samples from existing Subpart I compliance locations.

7) A Subpart B system supplier that serves 1,000,000 to 4,999,999 persons must quarterly collect samples from 16 monitoring locations: six samples from the highest TTHM location, six samples from the highest HAA5 locations, and four samples from existing Subpart I compliance locations.

8) A Subpart B system supplier that serves more than 5,000,000 persons must quarterly collect samples from 20 monitoring locations: eight samples from the highest TTHM location, seven samples from the highest HAA5 locations, and five samples from existing Subpart I compliance locations.

9) A groundwater system supplier that serves fewer than 500 persons must annually collect samples from two monitoring locations: one sample from

the highest TTHM location and one sample from the highest HAA5 location.

10) A groundwater system supplier that serves 500 to 9,999 persons must annually collect samples from two monitoring locations: one sample from the highest TTHM location and one sample from the highest HAA5 location.

11) A groundwater system supplier that serves 10,000 to 99,999 persons must quarterly collect samples from four monitoring locations: two samples from the highest TTHM locations, one sample from the highest HAA5 location, and one sample from an existing Subpart I compliance location.

12) A groundwater system supplier that serves 100,000 to 499,999 persons must quarterly collect samples from six monitoring locations: three samples from the highest TTHM locations, two samples from the highest HAA5 locations, and one sample from an existing Subpart I compliance location.

13) A groundwater system supplier that serves more than 500,000 persons must quarterly collect samples from eight monitoring locations: three samples from the highest TTHM locations, three samples from the highest HAA5 locations, and two samples from existing Subpart I compliance locations.

14) The supplier must monitor during the month of highest DBP concentrations.

15) A supplier on quarterly monitoring must take dual sample sets every 90 days at each monitoring location, except for a Subpart B system supplier that serves 500 to 3,300. A supplier on annual monitoring and a Subpart B system supplier that serves 500 to 3,300 is required to take individual TTHM and HAA5 samples (instead of a dual sample set) at the locations with the highest TTHM and HAA5 concentrations, respectively. Only one location with a dual sample set per monitoring period is needed if the highest TTHM and HAA5 concentrations occur at the same location and month, if monitored annually.

c) The supplier must recommend Subpart Y compliance monitoring locations based on standard monitoring results, system-specific study results, and Subpart I compliance monitoring results. The supplier must follow the protocol in subsections (c)(1) through (c)(8) of this Section. If required to monitor at more than eight locations, the supplier must repeat the protocol as necessary. If the supplier does not have existing Subpart I compliance monitoring results or if the supplier does not have enough existing Subpart I compliance monitoring results, the supplier must repeat the protocol, skipping the provisions of subsections (c)(3) and (c)(7) of this Section as necessary, until the supplier has identified the required total number of monitoring locations.

1) The location with the highest TTHM LRAA not previously selected as a Subpart Y monitoring location.

2) The location with the highest HAA5 LRAA not previously selected as a Subpart Y monitoring location.

3) The existing Subpart I average residence time compliance monitoring location (maximum residence time compliance monitoring location for a groundwater system) with the highest HAA5 LRAA not previously selected as a Subpart Y monitoring location.

4) The location with the highest TTHM LRAA not previously selected as a Subpart Y monitoring location.

5) The location with the highest TTHM LRAA not previously selected as a Subpart Y monitoring location.

6) The location with the highest HAA5 LRAA not previously selected as a Subpart Y monitoring location.

7) The existing Subpart I average residence time compliance monitoring location (maximum residence time compliance monitoring location for a groundwater system) with the highest TTHM LRAA not previously selected as a Subpart Y monitoring location.

8) The location with the highest HAA5 LRAA not previously selected as a Subpart Y monitoring location.

d) The supplier may recommend locations other than those specified in subsection (c) of this Section if the supplier includes a rationale for selecting other locations. If the Agency approves the alternative locations, the supplier must monitor at these locations to determine compliance under Subpart Y of this Part.

e) The supplier's recommended schedule must include Subpart Y monitoring during the peak historical month for TTHM and HAA5 concentration, unless the Agency approves another month. Once the supplier has identified the peak historical month, and if the supplier is required to conduct routine monitoring at least quarterly, the supplier must schedule Subpart Y compliance monitoring at a regular frequency of every 90 or fewer days.

BOARD NOTE: Derived from 40 CFR 141605 (2006).

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

SUBPART Y: STAGE 2 DISINFECTION BYPRODUCTS REQUIREMENTS

Section 611.970 General Requirements

a) General. The requirements of this Subpart Y constitute NPDWRs. The regulations in this Subpart Y establish monitoring and other requirements for achieving compliance with MCLs based on LRAAs for TTHM and HAA5, and for achieving compliance with MRDLs for chlorine and chloramine for certain consecutive systems.

b) Applicability. A supplier is subject to these requirements if its system is a CWS or a NTNCWS that uses a primary or residual disinfectant other than ultraviolet light or which delivers water that has been treated with a primary or residual disinfectant other than ultraviolet light.

c) Schedule. A supplier must comply with the requirements in this Subpart Y on the applicable schedule set forth in subsections (c)(1) through (c)(6) of this Section based on the supplier's system type, subject to the limitations of subsection (b)(7) of this Section.

1) A supplier that is not part of a combined distribution system, or a supplier whose system serves the largest population in a combined system, and

whose system serves 100,000 or more persons must comply with the requirements of this Subpart Y before April 1, 2012.

2) A supplier that is not part of a combined distribution system, or a supplier whose system serves the largest population in a combined system, and whose system serves 50,000 to 99,999 persons must comply with the requirements of this Subpart Y before October 1, 2012.

3) A supplier that is not part of a combined distribution system, or a supplier whose system serves the largest population in a combined system, and whose system serves 10,000 to 49,999 persons must comply with the requirements of this Subpart Y before October 1, 2013.

4) A supplier that is not part of a combined distribution system, or a supplier whose system serves the largest population in a combined system, and whose system serves fewer than 10,000 persons must comply with the requirements of this Subpart Y before October 1, 2013 if no Cryptosporidium monitoring is required pursuant to Section 611.1001(a)(4).

5) A supplier that is not part of a combined distribution system, or a supplier whose system serves the largest population in a combined system, and whose system serves fewer than 10,000 persons must comply with the requirements of this Subpart Y before October 1, 2014 if Cryptosporidium monitoring is required pursuant to Section 611.1001(a)(4) or (a)(6).

6) A supplier whose consecutive system or wholesale system that is part of a combined system, other than a supplier that is subject to any of subsections (c)(1) through (c)(4) of this Section, must comply with the requirements of this Subpart Y before the earliest compliance date applicable to any segment of the combined distribution system.

7) The Agency must, by a SEP issued pursuant to Section 611.110, grant up to an additional 24 months for compliance with MCLs and operational evaluation levels if it finds that the time additional is needed because the supplier requires capital improvements to comply with an MCL.

8) The supplier's monitoring frequency is specified in Section 611.971(a)(2).

A) If a supplier is required to conduct quarterly monitoring, it must begin monitoring in the first full calendar quarter that includes the applicable compliance date set forth in this subsection (c).

B) If a supplier is required to conduct monitoring less frequently than quarterly, it must begin monitoring in the calendar month recommended in the IDSE report prepared pursuant to Section 611.921 or Section 611.922 or in the calendar month identified in the Subpart Y monitoring plan developed pursuant to Section 611.972, but in no instance later than 12 months after the applicable compliance date set forth in this subsection (c).

9) If a supplier is required to conduct quarterly monitoring, it must make compliance calculations at the end of the fourth calendar quarter that follows the compliance date and at the end of each subsequent quarter (or earlier if the LRAA calculated based on fewer than four quarters of data would cause the MCL to be exceeded regardless of the monitoring results of subsequent quarters). If a supplier is required to conduct monitoring less frequently than quarterly, it must make compliance calculations beginning with the first compliance sample taken after the compliance date.

10) For the purpose of the schedule set forth in this subsection (c), the Agency may, by a SEP issued pursuant to Section 611.110, determine that the combined distribution system does not include certain consecutive systems based on factors such as receipt of water from a wholesale system only on an emergency basis or receipt of only a small percentage and small volume of water from a wholesale system. The Agency may also determine that the combined distribution system does not include certain wholesale systems based on factors such as delivery of water to a consecutive system only on an emergency basis or delivery of only a small percentage and small volume of water to a consecutive system.

BOARD NOTE: The Board found it necessary to deviate from the structure of 40 CFR 141.620(c) when incorporating this subsection (c). Subsections (c)(1) through (c)(4) of this Section correspond with 40 CFR 141.620(c)(1) through (c)(4). Subsections (c)(5) and (c)(6) of this Section correspond with the two segments of 40 CFR 141.620(c)(5). Subsection (c)(7) of this Section corresponds

with the footnote to the table in 40 CFR 141.620(c). Subsections (c)(8) through (c)(10) of this Section correspond with 40 CFR 141.620(c)(6) through (c)(8).

d) Monitoring and compliance.

1) Suppliers required to monitor quarterly. To comply with Subpart Y MCLs in Section 611.312(b)(2), the supplier must calculate LRAAs for TTHM and HAA5 using monitoring results collected under this Subpart Y, and it must determine that each LRAA does not exceed the MCL. If the supplier fails to complete four consecutive quarters of monitoring, it must calculate compliance with the MCL based on the average of the available data from the most recent four quarters. If the supplier takes more than one sample per quarter at a monitoring location, it must average all samples taken in the quarter at that location to determine a quarterly average to be used in the LRAA calculation.

2) Suppliers required to monitor yearly or less frequently. To determine compliance with Subpart Y MCLs in Section 611.312(b)(2), the supplier must determine that each sample taken is less than the MCL. If any sample exceeds the MCL, the supplier must comply with the requirements of Section 611.975. If no sample exceeds the MCL, the sample result for each monitoring location is considered the LRAA for that monitoring location.

e) Violation for failure to monitor. A supplier is in violation of the monitoring requirements for each quarter that a monitoring result would be used in calculating an LRAA if the supplier fails to monitor.

BOARD NOTE: Derived from 40 CFR 141.620 (2006).

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

Section 611.971 Routine Monitoring

a) Monitoring.

1) If a supplier submitted an IDSE report, it must begin monitoring at the locations and during the months that the supplier has recommended in its IDSE report submitted pursuant to Section 611.925, following the

schedule set forth in Section 611.970(c), unless the Agency, by a SEP issued pursuant to Section 611.110, requires other locations or additional locations after its review. If the supplier submitted a 40/30 certification pursuant to Section 611.923, it qualified for a very small system waiver pursuant to Section 611.924, or it is a NTNCWS that serves fewer than 10,000 persons, the supplier must monitor at the locations and on the dates identified in its monitoring plan as described in Section 611.382(f), updated as required by Section 611.972.

2) The supplier must monitor at no fewer than the number of locations identified in the applicable of subsections (a)(2)(A) through (a)(2)(M) of this Section, subject to the limitations of subsections (a)(2)(N) and (a)(2)(O) of this Section.

A) A Subpart B system supplier that serves fewer than 500 persons must monitor annually at two distribution system monitoring locations during each monitoring period.

B) A Subpart B system supplier that serves 500 to 3,300 persons must monitor quarterly at two distribution system monitoring locations during each monitoring period.

C) A Subpart B system supplier that serves 3,301 to 9,999 persons must monitor quarterly at two distribution system monitoring locations during each monitoring period.

D) A Subpart B system supplier that serves 10,000 to 49,999 persons must monitor quarterly at four distribution system monitoring locations during each monitoring period.

E) A Subpart B system supplier that serves 50,000 to 249,999 persons must monitor quarterly at eight distribution system monitoring locations during each monitoring period.

F) A Subpart B system supplier that serves 250,000 to 999,999 persons must monitor quarterly at 12 distribution system monitoring locations during each monitoring period.

G) A Subpart B system supplier that serves 1,000,000 to 4,999,999 persons must monitor quarterly at 16 distribution system monitoring locations during each monitoring period.

H) A Subpart B system supplier that serves 5,000,000 or more persons must monitor quarterly at 20 distribution system monitoring locations during each monitoring period.

I) A groundwater system supplier that serves fewer than 500 persons must monitor annually at two distribution system monitoring locations during each monitoring period.

J) A groundwater system supplier that serves 500 to 9,999 persons must monitor annually at two distribution system monitoring locations during each monitoring period.

K) A groundwater system supplier that serves 10,000 to 99,999 persons must monitor quarterly at four distribution system monitoring locations during each monitoring period.

L) A groundwater system supplier that serves 100,000 to 499,999 persons must monitor quarterly at six distribution system monitoring locations during each monitoring period.

M) A groundwater system supplier that serves 500,000 or more persons must monitor quarterly at eight distribution system monitoring locations during each monitoring period.

N) The supplier must monitor during month of highest DBP concentrations.

O) A supplier on quarterly monitoring must take dual sample sets every 90 days at each monitoring location, except for a Subpart B system supplier that serves 500 to 3,300. A supplier on annual monitoring or a Subpart B system supplier that serves 500 to 3,300 is required to take individual TTHM and HAA5 samples (instead of a dual sample set) at the locations with the highest TTHM and HAA5 concentrations, respectively. Only one location with a dual sample set per monitoring period is needed if the highest TTHM

and HAA5 concentrations occur at the same location (and month, if monitored annually).

3) If a supplier is an undisinfected system that begins using a disinfectant other than UV light after the dates set forth in Subpart W of this Part for complying with the IDSE requirements, the supplier must consult with the Agency to identify compliance monitoring locations for this Subpart Y. The supplier must then develop a monitoring plan pursuant to Section 611.972 that includes those monitoring locations.

b) Analytical methods. A supplier must use an approved method listed in Section 611.381 for TTHM and HAA5 analyses in this Subpart Y. Analyses must be conducted by laboratories that have received certification by USEPA or the Agency as specified in Section 611.381.

BOARD NOTE: Derived from 40 CFR 141.621 (2006).

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

Section 611.972 Subpart Y Monitoring Plan

a) Development of a monitoring plan.

1) A supplier must develop and implement a monitoring plan that it must keep on file for Agency and public review. The monitoring plan must contain the elements set forth in subsections (a)(1)(A) through (a)(1)(D) of this Section, and it must be complete no later than the date when the supplier conducts its initial monitoring pursuant to this Subpart Y.

A) Monitoring locations;

B) Monitoring dates;

C) Compliance calculation procedures; and

D) Monitoring plans for any other systems in the combined distribution system if the Agency has reduced monitoring requirements pursuant to Section 611.161.

2) If the supplier was not required to submit an IDSE report pursuant to either Section 611.921 or Section 611.922, and it does not have sufficient Subpart I monitoring locations to identify the required number of Subpart Y compliance monitoring locations indicated in Section 611.925(b), the supplier must identify additional locations by alternating selection of locations representing high TTHM levels and high HAA5 levels until the required number of compliance monitoring locations have been identified. The supplier must also provide the rationale for identifying the locations as having high levels of TTHM or HAA5. If the supplier has more Subpart I monitoring locations than required for Subpart Y compliance monitoring in Section 611.925(b), it must identify which locations it will use for Subpart Y compliance monitoring by alternating selection of locations representing high TTHM levels and high HAA5 levels until the required number of Subpart Y compliance monitoring locations have been identified.

b) A Subpart B system supplier that serves more than 3,300 people must submit a copy of its monitoring plan to the Agency prior to the date it conducts its initial monitoring pursuant to this Subpart Y, unless the supplier's IDSE report submitted under Subpart W of this Part contains all the information required by this Section.

c) After consultation with the Agency regarding the need for and appropriateness of changes and issuance of a SEP pursuant to Section 611.110 that provides for the changes, a supplier may revise its monitoring plan to reflect changes in treatment, distribution system operations and layout (including new service areas), or other factors that may affect TTHM or HAA5 formation, or for Agency-approved reasons. If the supplier changes monitoring locations, the supplier must replace existing compliance monitoring locations with the lowest LRAA with new locations that reflect the current distribution system locations with expected high TTHM or HAA5 levels. The Agency may, by a SEP issued pursuant to Section 611.110, also require modifications in the supplier's monitoring plan. If a supplier is a Subpart B system supplier that serves more than 3,300 people, it must submit a copy of its modified monitoring plan to the Agency prior to the date when it is required to comply with the revised monitoring plan.

BOARD NOTE: Derived from 40 CFR 141.622 (2006).

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

Section 611.973 Reduced Monitoring

a) A supplier may reduce monitoring to the level specified in the applicable of subsections (a)(1) through (a)(13) of this Section, subject to the limitation of subsection (a)(14) of this Section, any time the LRAA is 0.040 mg/l or less for TTHM and 0.030 mg/l or less for HAA5 at all monitoring locations. The supplier may only use data collected pursuant to the provisions of this Subpart Y or pursuant to Subpart I of this Part to qualify for reduced monitoring. In addition, the source water annual average TOC level, before any treatment, must be 4.0 mg/l or less at each treatment plant treating surface water or groundwater under the direct influence of surface water, based on monitoring conducted pursuant to either Section 611.382(b)(1)(C) or Section 611.382(d).

1) A Subpart B system supplier that serves fewer than 500 persons may not qualify for reduced monitoring.

2) A Subpart B system supplier that serves 500 to 3,300 persons may qualify for reduced monitoring to a minimum of one TTHM sample collected annually from the location and during the quarter with the highest single TTHM measurement and one HAA5 sample collected annually from the location and during the quarter with the highest single HAA5 measurement, with the two samples collected as one dual sample set if the highest TTHM and HAA5 measurements occurred at the same location and during the same quarter.

3) A Subpart B system supplier that serves 3,301 to 9,999 persons may qualify for reduced monitoring to a minimum of one dual sample set collected annually for TTHM from the location and during the quarter with the highest single TTHM measurement and one dual sample set collected annually for HAA5 from the location and during the quarter with the highest single HAA5 measurement.

4) A Subpart B system supplier that serves 10,000 to 49,999 persons may qualify for reduced monitoring to a minimum of two dual sample sets collected quarterly from the locations with the highest single TTHM and HAA5 LRAAs.

5) A Subpart B system supplier that serves 50,000 to 249,999 persons may qualify for reduced monitoring to a minimum of four dual sample sets collected quarterly from the locations with the two highest TTHM and two HAA5 LRAAs.

6) A Subpart B system supplier that serves 250,000 to 999,999 persons may qualify for reduced monitoring to a minimum of six dual sample sets collected quarterly from the locations with the three highest TTHM and three HAA5 LRAAs.

7) A Subpart B system supplier that serves 1,000,000 to 4,999,999 persons may qualify for reduced monitoring to a minimum of eight dual sample sets collected quarterly from the locations with the four highest TTHM and four HAA5 LRAAs.

8) A Subpart B system supplier that serves more than 5,000,000 persons may qualify for reduced monitoring to a minimum of 10 dual sample sets collected quarterly from the locations with the five highest TTHM and five HAA5 LRAAs.

9) A groundwater system supplier that serves fewer than 500 persons may qualify for reduced monitoring to a minimum of one TTHM sample collected triennially from the location and during the quarter with the highest single TTHM measurement and one HAA5 sample collected annually from the location and during the quarter with the highest single HAA5 measurement, with the two samples collected as one dual sample set if the highest TTHM and HAA5 measurements occurred at the same location and during the same quarter.

10) A groundwater system supplier that serves 500 to 9,999 persons may qualify for reduced monitoring to a minimum of one TTHM sample collected triennially from the location and during the quarter with the highest single TTHM measurement and one HAA5 sample collected annually from the location and during the quarter with the highest single HAA5 measurement, with the two samples collected as one dual sample set if the highest TTHM and HAA5 measurements occurred at the same location and during the same quarter.

11) A groundwater system supplier that serves 10,000 to 99,999 persons may qualify for reduced monitoring to a minimum of one TTHM dual sample set collected annually from the location and during the quarter with the highest single TTHM measurement and one HAA5 dual sample set collected annually from the location and one HAA5 sample collected annually from the location and during the quarter with the highest single HAA5 measurement.

12) A groundwater system supplier that serves 100,000 to 499,999 persons may qualify for reduced monitoring to a minimum of two dual sample sets collected quarterly from the locations with the highest single TTHM and highest HAA5 LRAAs.

13) A groundwater system supplier that serves more than 500,000 persons may qualify for reduced monitoring to a minimum of four dual sample sets collected quarterly from the two locations with the highest TTHM and two highest HAA5 LRAAs.

14) A supplier on quarterly monitoring must take dual sample sets every 90 days.

b) The supplier may remain on reduced monitoring as long as the TTHM LRAA remains less than or equal to 0.040 mg/l and the HAA5 LRAA remains less than or equal to 0.030 mg/l at each monitoring location (for a supplier with quarterly reduced monitoring) or each TTHM sample is less than or equal to 0.060 mg/l and each HAA5 sample is less than or equal to 0.045 mg/l (for a supplier with annual or less frequent monitoring). In addition, the source water annual average TOC level, before any treatment, must be less than or equal to 4.0 mg/l at each treatment plant treating surface water or groundwater under the direct influence of surface water, based on monitoring conducted pursuant to either Section 611.382(b)(1)(C) or Section 611.382(d).

c) If the LRAA based on quarterly monitoring at any monitoring location exceeds either 0.040 mg/l for TTHM or 0.030 mg/l for HAA5, if the annual (or less frequent) sample at any location exceeds either 0.060 mg/l for TTHM or 0.045 mg/l for HAA5, or if the source water annual average TOC level, before any treatment, exceeds 4.0 mg/l at any treatment plant treating surface water or groundwater under the direct influence of surface water, the supplier must resume

routine monitoring pursuant to Section 611.971 or begin increased monitoring if Section 611.975 applies.

d) The Agency may return a supplier to routine monitoring by a SEP issued pursuant to Section 611.110.

BOARD NOTE: Derived from 40 CFR 141.623 (2006).

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

Section 611.974 Additional Requirements for Consecutive Systems

If a supplier has a consecutive system that does not add a disinfectant but which delivers water that has been treated with a primary or residual disinfectant other than ultraviolet light, it must comply with the analytical and monitoring requirements for chlorine and chloramines in Sections 611.381(c) and 611.382(c)(1) and with the compliance requirements in Section 611.383(c)(1) beginning April 1, 2009, unless the supplier is required to comply earlier by the Agency, and the supplier must report monitoring results pursuant to Section 611.384(c).

BOARD NOTE: Derived from 40 CFR 141.624 (2006).

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

Section 611.975 Conditions Requiring Increased Monitoring

a) If a supplier is required to monitor at a particular location annually or less frequently than annually pursuant to Section 611.971 or Section 611.973, it must increase monitoring to dual sample sets once per quarter (taken every 90 days) at all locations if a TTHM sample exceeds 0.080 mg/l or an HAA5 sample exceeds 0.060 mg/l at any location.

b) A supplier is in violation of the MCL when the LRAA exceeds the Subpart Y MCLs in Section 611.312(b)(2), calculated based on four consecutive quarters of monitoring (or the LRAA calculated based on fewer than four quarters of data if the MCL would be exceeded regardless of the monitoring results of subsequent quarters). The supplier is in violation of the monitoring requirements for each quarter that a monitoring result would be used in calculating an LRAA if it fails to monitor.

c) A supplier may return to routine monitoring once it has conducted increased monitoring for at least four consecutive quarters, and the LRAA for every monitoring location is less than or equal to 0.060 mg/l for TTHM and less than or equal to 0.045 mg/l for HAA5.

BOARD NOTE: Derived from 40 CFR 141.625 (2006).

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

Section 611.976 Operational Evaluation Levels

a) A supplier has exceeded the operational evaluation level at any monitoring location where the sum of the two previous quarters' TTHM results plus twice the current quarter's TTHM result, divided by 4 to determine an average, exceeds 0.080 mg/l, or where the sum of the two previous quarters' HAA5 results plus twice the current quarter's HAA5 result, divided by 4 to determine an average, exceeds 0.060 mg/l .

b) Effects of exceeding the operational evaluation level.

1) If a supplier exceeds the operational evaluation level, the supplier must conduct an operational evaluation and submit a written report of the evaluation to the Agency no later than 90 days after being notified of the analytical result that causes it to exceed the operational evaluation level. The written report must be made available to the public upon request.

2) The supplier's operational evaluation must include an examination of system treatment and distribution operational practices, including storage tank operations, excess storage capacity, distribution system flushing, changes in sources or source water quality, and treatment changes or problems that may contribute to TTHM and HAA5 formation and what steps could be considered to minimize future exceedences.

A) A supplier may request and the Agency may allow the supplier to limit the scope of its evaluation if the supplier is able to identify the cause of the operational evaluation level exceedence.

B) A supplier's request to limit the scope of the evaluation does not extend the schedule in subsection (b)(1) of this Section for

submitting the written report. The Agency must approve this limited scope of evaluation in writing, and the supplier must keep that approval with the completed report.

BOARD NOTE: Derived from 40 CFR 141.626 (2006).

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

Section 611.977 Requirements for Remaining on Reduced TTHM and HAA5 Monitoring Based on Subpart I Results

A supplier may remain on reduced monitoring after the applicable dates identified in Section 611.970(c) for compliance with this Subpart Y only if the supplier fulfills each of the requirements set forth in subsections (a) through (c) of this Section, subject to the limitations of subsection (d) of this Section.

a) The supplier qualifies for a 40/30 certification pursuant to Section 611.923 or it has received a very small system waiver pursuant to Section 611.924.

b) The supplier meets the reduced monitoring criteria set forth in Section 611.973(a).

c) The supplier does not change or add monitoring locations from those used for compliance monitoring under Subpart I of this Part.

d) If the supplier's monitoring locations pursuant to this Subpart Y differ from its monitoring locations pursuant to Subpart I of this Part, the supplier may not remain on reduced monitoring after the dates identified in Section 611.970(c) for the purposes of compliance with this Subpart Y.

BOARD NOTE: Derived from 40 CFR 141.627 (2006).

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

Section 611.978 Requirements for Remaining on Increased TTHM and HAA5 Monitoring Based on Subpart I Results

If a supplier was on increased monitoring pursuant to Section 611.382(b)(1), it must remain on increased monitoring until it qualifies for a return to routine monitoring pursuant to Section 611.975(c). The supplier must conduct increased monitoring pursuant to Section 611.975 at the

monitoring locations in the monitoring plan developed pursuant to Section 611.972 beginning at the applicable date identified in Section 611.970(c) for compliance with this Subpart Y, and it must remain on increased monitoring until the supplier qualifies for a return to routine monitoring pursuant to Section 611.975(c).

BOARD NOTE: Derived from 40 CFR 141.628 (2006).

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

Section 611.979 Reporting and Recordkeeping Requirements

a) Reporting.

1) A supplier must report the following information to the Agency within 10 days after the end of any quarter in which monitoring is required for each monitoring location:

A) The number of samples taken during the last quarter;

B) The date and results of each sample taken during the last quarter;

C) The arithmetic average of quarterly results for the last four quarters for each monitoring location (LRAA), beginning at the end of the fourth calendar quarter that follows the compliance date and at the end of each subsequent quarter. If the LRAA calculated based on fewer than four quarters of data would cause the MCL to be exceeded regardless of the monitoring results of subsequent quarters, the supplier must report this information to the Agency as part of the first report due following the compliance date or anytime thereafter that this determination is made. If the supplier is required to conduct monitoring at a frequency that is less than quarterly, it must make compliance calculations beginning with the first compliance sample taken after the compliance date, unless the supplier is required to conduct increased monitoring pursuant to Section 611.975;

D) A statement whether, based on Section 611.312(b)(2) and this Subpart Y, the MCL was violated at any monitoring location; and

E) Any operational evaluation levels that were exceeded during the quarter and, if so, the location and date, and the calculated TTHM and HAA5 levels.

2) If a supplier is a Subpart B system supplier that seeks to qualify for or remain on reduced TTHM and HAA5 monitoring, it must report the following source water TOC information for each treatment plant that treats surface water or groundwater under the direct influence of surface water to the Agency within 10 days after the end of any quarter in which monitoring is required:

A) The number of source water TOC samples taken each month during last quarter;

B) The date and result of each sample taken during last quarter;

C) The average of monthly samples taken during the last quarter or the result of the quarterly sample;

D) The running annual average (RAA) of quarterly averages from the past four quarters; and

E) Whether the RAA exceeded 4.0 mg/l .

3) The Agency may, by a SEP issued pursuant to Section 611.110, choose to perform calculations and determine whether the MCL was exceeded or the system is eligible for reduced monitoring in lieu of having the system report that information pursuant to this Section.

b) Recordkeeping. A supplier must retain any Subpart Y monitoring plans and the supplier's Subpart Y monitoring results as required by Section 611.860.

BOARD NOTE: Derived from 40 CFR 141.629 (2006).

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

SUBPART Z: ENHANCED TREATMENT FOR CRYPTOSPORIDIUM

Section 611.1000 General Requirements

a) The requirements of this Subpart Z are NPDWRs. The regulations in this Subpart Z establish or extend treatment technique requirements in lieu of maximum contaminant levels for Cryptosporidium. These requirements are in addition to requirements for filtration and disinfection in Subparts B, R, and X of this Part.

b) Applicability. The requirements of this Subpart Z apply to all Subpart B systems, which are PWSs supplied by a surface water source and PWSs supplied by a groundwater source under the direct influence of surface water.

1) A wholesale system supplier, as defined in Section 611.101, must comply with the requirements of this Subpart Z based on the population of the largest system in the combined distribution system.

2) The requirements of this Subpart Z for filtered system suppliers apply to a supplier required by NPDWRs to provide filtration treatment, whether or not the supplier is currently operating a filtration system.

3) The requirements of this Subpart Z for an unfiltered system supplier apply only to an unfiltered system supplier that timely met and continues to meet the filtration avoidance criteria in Subparts B, R, and X of this Part, as applicable.

c) Requirements. A supplier subject to this Subpart Z must comply with the following requirements:

1) The supplier must conduct an initial and a second round of source water monitoring for each plant that treats a surface water or GWUDI source. This monitoring may include sampling for Cryptosporidium, E. coli, and turbidity as described in Sections 611.1001 through 611.1006, to determine what level, if any, of additional Cryptosporidium treatment the supplier must provide.

2) The supplier that plans to make a significant change to its disinfection practice must develop disinfection profiles and calculate disinfection benchmarks, as described in Sections 611.1008 through 611.1009.

3) A filtered system supplier must determine its Cryptosporidium treatment bin classification as described in Section 611.1010, and provide additional

treatment for Cryptosporidium, if required, as described in Section 611.1011. An unfiltered system supplier must provide treatment for Cryptosporidium as described in Section 611.1012. A filtered or unfiltered system supplier must implement Cryptosporidium treatment according to the schedule in Section 611.1013.

4) A supplier whose system has uncovered finished water storage facilities must comply with the requirements to cover the facility or treat the discharge from the facility as described in Section 611.1014.

5) A supplier required to provide additional treatment for Cryptosporidium must implement microbial toolbox options that are designed and operated as described in Sections 611.1015 through 611.1020.

6) The supplier must comply with the applicable recordkeeping and reporting requirements described in Sections 611.1021 and 611.1022.

7) The supplier must address significant deficiencies identified in sanitary surveys performed by USEPA or the Agency, as described in Section 611.1023.

BOARD NOTE: Derived from 40 CFR 141.700 (2006).

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

Section 611.1001 Source Water Monitoring Requirements: Source Water Monitoring

a) Initial round of source water monitoring. A supplier must conduct the following monitoring on the schedule in subsection (c) of this Section, unless it meets the monitoring exemption criteria in subsection (d) of this Section.

1) A filtered system supplier that serves 10,000 or more people must sample its source water for Cryptosporidium, E. coli, and turbidity at least monthly for 24 months.

2) An unfiltered system supplier that serves 10,000 or more people must sample its source water for Cryptosporidium at least monthly for 24 months.

3) Smaller system supplier monitoring for E. coli.

A) A filtered system supplier that serves fewer than 10,000 people must sample its source water for E. coli at least once every two weeks for 12 months.

B) A filtered system supplier that serves fewer than 10,000 people may avoid E. coli monitoring if the system notifies the State that it will monitor for Cryptosporidium as described in subsection (a)(4) of this Section. The system must notify the Agency no later than three months prior to the date before which the system is otherwise required to start E. coli monitoring pursuant to Section 611.1001(c).

4) Smaller system supplier monitoring for Cryptosporidium. A filtered system supplier that serves fewer than 10,000 people must sample its source water for Cryptosporidium at least twice per month for 12 months or at least monthly for 24 months if it meets any of the conditions set forth in subsections (a)(4)(A) through (a)(4)(C) of this Section, subject to the limitations of subsection (a)(4)(D) of this Section, based on monitoring conducted pursuant to subsection (a)(3) of this Section.

A) For a supplier whose system uses lake or reservoir sources, the annual mean E. coli concentration is greater than 10 E. coli/100 ml.

B) For a supplier whose system uses flowing stream sources, the annual mean E. coli concentration is greater than 50 E. coli/100 ml.

C) The supplier does not conduct E. coli monitoring as described in subsection (a)(3) of this Section.

D) A supplier that uses groundwater under the direct influence of surface water must comply with the requirements of subsection (a)(4) of this Section based on the E. coli level that applies to the nearest surface water body. If no surface water body is nearby, the system must comply based on the requirements that apply to a supplier whose system uses lake or reservoir sources.

5) For a filtered system supplier that serves fewer than 10,000 people, the Agency may, by a SEP issued pursuant to Section 611.110, approve monitoring for an indicator other than E. coli pursuant to subsection (a)(3) of this Section. The Agency may also, by a SEP issued pursuant to Section 611.110, approve an alternative to the E. coli concentration in subsection (a)(4)(A), (a)(4)(B) or (a)(4)(D) of this Section to trigger Cryptosporidium monitoring. This approval by the Agency must be provided to the supplier in writing, and it must include the basis for the Agency's determination that the alternative indicator or trigger level will provide a more accurate identification of whether a system will exceed the Bin 1 Cryptosporidium level set forth in Section 611.1010.

6) An unfiltered system supplier that serves fewer than 10,000 people must sample its source water for Cryptosporidium at least twice per month for 12 months or at least monthly for 24 months.

7) A supplier may sample more frequently than required by this Section if the sampling frequency is evenly spaced throughout the monitoring period.

b) Second round of source water monitoring. A supplier must conduct a second round of source water monitoring that meets the requirements for monitoring parameters, frequency, and duration described in subsection (a) of this Section, unless it meets the monitoring exemption criteria in subsection (d) of this Section. The supplier must conduct this monitoring on the schedule set forth in subsection (c) of this Section.

c) Monitoring schedule. A supplier must begin the monitoring required in subsections (a) and (b) of this Section no later than the month beginning with the applicable date listed in subsections (c)(1) through (c)(5) of this Section.

1) A supplier that serves 100,000 or more persons must begin the first round of source water monitoring no later than the month beginning October 1, 2006, and it must begin the second round of source water monitoring no later than the month beginning April 1, 2015.

2) A supplier that serves 50,000 to 99,999 persons must begin the first round of source water monitoring no later than the month beginning April 1,

2007, and it must begin the second round of source water monitoring no later than the month beginning October 1, 2015.

3) A supplier that serves 10,000 to 49,999 persons must begin the first round of source water monitoring no later than the month beginning April 1, 2008, and it must begin the second round of source water monitoring no later than the month beginning October 1, 2016.

4) A supplier that serves fewer than 10,000 persons, that is a filtered system supplier, and which monitors for E. coli must begin the first round of source water monitoring no later than the month beginning October 1, 2008, and it must begin the second round of source water monitoring no later than the month beginning October 1, 2016.

5) A supplier that serves fewer than 10,000 persons, that is a filtered system supplier, which meets the conditions of subsection (a)(4) of this Section, and which monitors for Cryptosporidium must begin the first round of source water monitoring no later than the month beginning April 1, 2010, and it must begin the second round of source water monitoring no later than the month beginning April 1, 2019.

d) Monitoring avoidance.

1) A filtered system supplier is not required to conduct source water monitoring pursuant to this Subpart Z if the system will provide a total of at least 5.5-log of treatment for Cryptosporidium, equivalent to meeting the treatment requirements of Bin 4 in Section 611.1011.

2) An unfiltered system supplier is not required to conduct source water monitoring pursuant to this Subpart Z if the system will provide a total of at least 3-log Cryptosporidium inactivation, equivalent to meeting the treatment requirements for an unfiltered system supplier with a mean Cryptosporidium concentration of greater than 0.01 oocysts/l in Section 611.1012.

3) If a supplier chooses to provide the level of treatment set forth in subsection (d)(1) or (d)(2) of this Section, as applicable, rather than start source water monitoring, it must notify the Agency in writing no later than the date on which the system is otherwise required to submit a sampling

schedule for monitoring pursuant to Section 611.1002. Alternatively, a supplier may choose to stop sampling at any point after it has initiated monitoring if it notifies the Agency in writing that it will provide this level of treatment. The supplier must install and operate technologies to provide this level of treatment before the applicable treatment compliance date set forth in Section 611.1013.

e) Plants operating only part of the year. A supplier that has a Subpart B plant that operates for only part of the year must conduct source water monitoring in accordance with this Subpart Z, but with the following modifications:

1) The supplier must sample its source water only during the months that the plant operates, unless the Agency, by a SEP issued pursuant to Section 611.110, specifies another monitoring period based on plant operating practices.

2) A supplier with plants that operate less than six months per year and which monitors for Cryptosporidium must collect at least six Cryptosporidium samples per year during each of two years of monitoring. Samples must be evenly spaced throughout the period during which the plant operates.

f) New sources and new systems.

1) New sources. A supplier that begins using a new source of surface water or groundwater under the direct influence of surface water after the supplier is required to begin monitoring pursuant to subsection (c) of this Section must monitor the new source on a schedule that the Agency has approved by a SEP issued pursuant to Section 611.110. Source water monitoring must meet the requirements of this Subpart Z. The supplier must also meet the bin classification and Cryptosporidium treatment requirements of Sections 611.1010 and 611.1011 or Section 611.1012, as applicable, for the new source on a schedule that the Agency has approved by a SEP issued pursuant to Section 611.110.

2) The requirements of Section 611.1001(f) apply to a Subpart B system supplier that begins operation after the applicable monitoring start date set forth in subsection (c) of this Section.

3) The supplier must begin a second round of source water monitoring no later than six years following the applicable of the initial bin classification pursuant to Section 611.1010 or the determination of the mean Cryptosporidium level pursuant to Section 611.1012.

g) Failure to collect any source water sample required under this Section in accordance with the sampling schedule, sampling location, analytical method, approved laboratory, and reporting requirements of Sections 611.1002 through 611.1006 is a monitoring violation.

h) Grandfathering monitoring data. A supplier may use (grandfather) monitoring data collected prior to the applicable monitoring start date in subsection (c) of this Section to meet the initial source water monitoring requirements in subsection (a) of this Section. Grandfathered data may substitute for an equivalent number of months at the end of the monitoring period. All data submitted pursuant to this subsection must meet the requirements set forth in Section 611.1007.

BOARD NOTE: Derived from 40 CFR 141.701 (2006).

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

Section 611.1002 Source Water Monitoring Requirements: Sampling Schedules

a) A supplier required to conduct source water monitoring pursuant to Section 611.1001 must submit a sampling schedule that specifies the calendar dates on which it will collect each required sample.

1) The supplier must submit sampling schedules no later than three months prior to the applicable date listed in Section 611.1001(c) for each round of required monitoring.

2) Submission of the sampling schedule to USEPA.

A) A supplier that serves at least 10,000 people must submit its sampling schedule for the initial round of source water monitoring pursuant to Section 611.1001(a) to USEPA electronically at https://intranet.epa.gov/lt2/.

B) If a supplier is unable to submit the sampling schedule electronically, the supplier may use an alternative approach for submitting the sampling schedule that USEPA approves.

3) A supplier that serves fewer than 10,000 people must submit to the Agency its sampling schedules for the initial round of source water monitoring required by Section 611.1001(a).

4) A supplier must submit to the Agency sampling schedules for the second round of source water monitoring required by Section 611.1001(b).

5) If USEPA or the Agency does not respond to a supplier regarding its sampling schedule, the supplier must sample at the reported schedule.

b) A supplier must collect samples within two days before or two days after the dates indicated in its sampling schedule (i.e., within a five-day period around the schedule date) unless one of the conditions of subsection (b)(1) or (b)(2) of this Section applies.

1) If an extreme condition or situation exists that may pose danger to the sample collector, or one that cannot be avoided and which causes the supplier to be unable to sample in the scheduled five-day period, the supplier must sample as close to the scheduled date as is feasible, unless the State approves an alternative sampling date by a SEP issued pursuant to Section 611.110. The supplier must submit an explanation for the delayed sampling date to the Agency concurrent with the shipment of the sample to the laboratory.

2) Replacement samples.

A) If a supplier is unable to report a valid analytical result for a scheduled sampling date due to equipment failure; loss of or damage to the sample; failure to comply with the analytical method requirements, including the quality control requirements in Section 611.1004; or the failure of an approved laboratory to analyze the sample, then the supplier must collect a replacement sample.

B) The supplier must collect the replacement sample not later than 21 days after receiving information that an analytical result cannot be

reported for the scheduled date, unless the supplier demonstrates that collecting a replacement sample within this time frame is not feasible or the Agency approves an alternative resampling date by a SEP issued pursuant to Section 611.110. The supplier must submit an explanation for the delayed sampling date to the Agency concurrent with the shipment of the sample to the laboratory.

c) A supplier that fails to meet the criteria of subsection (b) of this Section for any source water sample required pursuant to Section 611.1001 must revise its sampling schedule to add dates for collecting all missed samples. A supplier must submit the revised schedule to the Agency for approval prior to collecting the missed samples.

BOARD NOTE: Derived from 40 CFR 141.702 (2006).

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

Section 611.1003 Source Water Monitoring Requirements: Sampling Locations

a) A supplier required to conduct source water monitoring pursuant to Section 611.1001 must collect samples for each plant that treats a surface water or groundwater under the direct influence of surface water source. Where multiple plants draw water from the same influent, such as the same pipe or intake, the Agency may, by a SEP issued pursuant to Section 611.110, approve one set of monitoring results to be used to satisfy the requirements of Section 611.1001 for all of the plants.

b) Source water sampling.

1) A supplier must collect source water samples prior to chemical treatment, such as coagulants, oxidants, and disinfectants, unless the supplier meets the condition of subsection (b)(2) of this Section.

2) The Agency may, by a SEP issued pursuant to Section 611.110, approve a supplier to collect a source water sample after chemical treatment. To grant this approval, the Agency must determine that collecting a sample prior to chemical treatment is not feasible for the supplier and that the chemical treatment is unlikely to have a significant adverse effect on the analysis of the sample.

c) A supplier that recycles filter backwash water must collect source water samples prior to the point of filter backwash water addition.

d) Bank filtration.

1) A supplier that receives Cryptosporidium treatment credit for bank filtration pursuant to Section 611.743(b) or Section 611.955(c)(1), as applicable, must collect source water samples in the surface water prior to bank filtration.

2) A supplier that uses bank filtration as pretreatment to a filtration plant must collect source water samples from the well (i.e., after bank filtration). The use of bank filtration during monitoring must be consistent with routine operational practice. A supplier collecting samples after a bank filtration process may not receive treatment credit for the bank filtration pursuant to Section 611.1017(c).

e) Multiple sources. A supplier with plants that use multiple water sources, including multiple surface water sources and blended surface water and groundwater sources, must collect samples as specified in subsection (e)(1) or (e)(2) of this Section. The use of multiple sources during monitoring must be consistent with routine operational practice.

1) If a sampling tap is available where the sources are combined prior to treatment, the supplier must collect samples from the tap.

2) If a sampling tap where the sources are combined prior to treatment is not available, the supplier must collect samples at each source near the intake on the same day, and it must follow either subsection (e)(2)(A) or (e)(2)(B) of this Section for sample analysis.

A) The supplier may composite samples from each source into one sample prior to analysis. The volume of sample from each source must be weighted according to the proportion of the source in the total plant flow at the time the sample is collected; or

B) The supplier may analyze samples from each source separately and calculate a weighted average of the analysis results for each

sampling date. The weighted average must be calculated by multiplying the analysis result for each source by the fraction the source contributed to total plant flow at the time the sample was collected and then summing these values.

f) Additional Requirements. A supplier must submit a description of its sampling locations to the Agency at the same time as the sampling schedule required pursuant to Section 611.1002. This description must address the position of the sampling location in relation to the supplier's water sources and treatment processes, including pretreatment, points of chemical treatment, and filter backwash recycle. If the Agency does not respond to a supplier regarding sampling locations, the supplier must sample at the reported locations.

BOARD NOTE: Derived from 40 CFR 141.703 (2006).

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

Section 611.1004 Source Water Monitoring Requirements: Analytical Methods

a) Cryptosporidium. A supplier must analyze for Cryptosporidium using USEPA Method 1623 (05) or USEPA Method 1622 (05), each incorporated by reference in Section 611.102.

1) The supplier must analyze at least a 10 l sample or a packed pellet volume of at least 2 ml as generated by the methods listed in subsection (a) of this Section. A supplier unable to process a 10 l sample must analyze as much sample volume as can be filtered by two filters approved by USEPA for the methods listed in subsection (a) of this Section, up to a packed pellet volume of at least 2 ml .

2) Matrix spike (MS) samples.

A) MS samples, as required by the methods in subsection (a) of this Section, must be spiked and filtered by a laboratory approved for Cryptosporidium analysis pursuant to Section 611.1005.

B) If the volume of the MS sample is greater than 10 l, the supplier may filter all but 10 l of the MS sample in the field, and ship the filtered sample and the remaining 10 l of source water to the

laboratory. In this case, the laboratory must spike the remaining 10 l of water and filter it through the filter used to collect the balance of the sample in the field.

3) Flow cytometer-counted spiking suspensions must be used for MS samples and ongoing precision and recovery samples.

b) E. coli. A supplier must use methods for enumeration of E. coli in source water approved in 40 CFR 136.3(a), incorporated by reference in Section 611.102.

1) The time from sample collection to initiation of analysis may not exceed 30 hours, unless the supplier meets the condition of subsection (b)(2) of this Section.

2) The Agency may, by a SEP issued pursuant to Section 611.110, approve on a case-by-case basis the holding of an E. coli sample for up to 48 hours between sample collection and initiation of analysis if it determines that analyzing an E. coli sample within 30 hours is not feasible. E. coli samples held between 30 to 48 hours must be analyzed by the Autoanalysis Colilert System reagent version of Standard Methods, 18th, 19th, and 20th ed., Method 9223, as listed in 40 CFR 136.3(a), incorporated by reference in Section 611.102.

3) A supplier must maintain samples between 0ºC and 10ºC during storage and transit to the laboratory.

c) Turbidity. A supplier must use methods for turbidity measurement approved in Section 611.531(a).

BOARD NOTE: Derived from 40 CFR 141.704 (2006).

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

Section 611.1005 Source Water Monitoring Requirements: Approved Laboratories

a) Cryptosporidium. A supplier must have Cryptosporidium samples analyzed by a laboratory that is approved under USEPA's Laboratory Quality Assurance Evaluation Program for Analysis of Cryptosporidium in Water or a laboratory that has been certified for Cryptosporidium analysis by the Agency.

b) E. coli. Any laboratory certified by the USEPA, by the National Environmental Laboratory Accreditation Conference, or by the Agency for total coliform or fecal coliform analysis pursuant to Section 611.531 is approved for E. coli analysis pursuant to this Subpart Z when the laboratory uses the same technique for E. coli that the laboratory uses for the purposes of Section 611.531.

c) Turbidity. Measurements of turbidity must be made by a party approved by the Agency.

BOARD NOTE: Derived from 40 CFR 141.705 (2006).

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

Section 611.1006 Source Water Monitoring Requirements: Reporting Source Water Monitoring Results

a) A supplier must report results from the source water monitoring required pursuant to Section 611.1001 no later than 10 days after the end of the first month following the month when the sample is collected.

b) Submission of analytical results to USEPA.

1) All suppliers that serve at least 10,000 people must report the results from the initial source water monitoring required pursuant to Section 611.1001(a) to USEPA electronically at https://intranet.epa.gov/lt2/.

2) If a supplier is unable to report monitoring results electronically, the supplier may use an alternative approach for reporting monitoring results that USEPA approves.

c) A supplier that serves fewer than 10,000 people must report results from the initial source water monitoring required pursuant to Section 611.1001(a) to the Agency.

d) All suppliers must report results from the second round of source water monitoring required pursuant to Section 611.1001(b) to the Agency.

e) A supplier must report the applicable information in subsections (e)(1) and (e)(2) of this Section for the source water monitoring required pursuant to Section 611.1001.

1) A supplier must report the data elements set forth in subsection (e)(1)(D) of this Section for each Cryptosporidium analysis.

A) For matrix spike samples, a supplier must also report the sample volume spiked and estimated number of oocysts spiked. These data are not required for field samples.

B) For samples in which less than 10 l is filtered or less than 100% of the sample volume is examined, the supplier must also report the number of filters used and the packed pellet volume.

C) For samples in which less than 100% of sample volume is examined, the supplier must also report the volume of resuspended concentrate and volume of this resuspension processed through immunomagnetic separation.

D) Data elements.

i) PWS ID.

ii) Facility ID.

iii) Sample collection date.

iv) Sample type (field or matrix spike).

v) Sample volume filtered (l), to nearest ¼ l.

vi) Was 100% of filtered volume examined.

vii) Number of oocysts counted.

BOARD NOTE: Subsection (e)(1)(D) is derived from unnumbered tabulated text in 40 CFR 141.706(e)(1) (2006).

2) A supplier must report the following data elements for each E. coli analysis:

A) PWS ID;

B) Facility ID;

C) Sample collection date;

D) Analytical method number;

E) Method type;

F) Source type (flowing stream, lake or reservoir, groundwater under the direct influence of surface water);

G) E. coli/100 ml .

H) Turbidity, except that a supplier which serves fewer than 10,000 people that is not required to monitor for turbidity pursuant to Section 611.1001 is not required to report turbidity with its E. coli results.

BOARD NOTE: Derived from 40 CFR 141.706 (2006).

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

Section 611.1007 Source Water Monitoring Requirements: Grandfathering Previously Collected Data

a) Initial source monitoring and Cryptosporidium samples.

1) A supplier may comply with the initial source water monitoring requirements of Section 611.1001(a) by grandfathering sample results collected before the supplier is required to begin monitoring (i.e., previously collected data). To be grandfathered, the sample results and analysis must meet the criteria in this Section and the Agency must approve the use of the data by a SEP issued pursuant to Section 611.110.

2) A filtered system supplier may grandfather Cryptosporidium samples to meet the requirements of Section 611.1001(a) when the supplier does not have corresponding E. coli and turbidity samples. A supplier that grandfathers Cryptosporidium samples without E. coli and turbidity samples is not required to collect E. coli and turbidity samples when it completes the requirements for Cryptosporidium monitoring pursuant to Section 611.1001(a).

b) E. coli sample analysis. The analysis of E. coli samples must meet the analytical method and approved laboratory requirements of Sections 611.1004 and 611.1005.

c) Cryptosporidium sample analysis. The analysis of Cryptosporidium samples must meet the criteria in this subsection (c).

1) Laboratories analyzed Cryptosporidium samples using one of the analytical methods in subsections (c)(1)(A) through (c)(1)(F) of this Section.

A) USEPA Method 1623 (05), incorporated by reference in Section 611.102.

B) USEPA Method 1622 (05), incorporated by reference in Section 611.102.

C) USEPA Method 1623 (01), incorporated by reference in Section 611.102.

D) USEPA Method 1622 (01), incorporated by reference in Section 611.102.

E) USEPA Method 1623 (99), incorporated by reference in Section 611.102.

F) USEPA Method 1622 (99), incorporated by reference in Section 611.102.

2) For each Cryptosporidium sample, the laboratory analyzed at least 10 l of sample or at least 2 ml of packed pellet or as much volume as could be

filtered by two filters that USEPA approved for the methods listed in subsection (c)(1) of this Section.

d) Sampling location. The sampling location must meet the conditions in Section 611.1003.

e) Sampling frequency. Cryptosporidium samples were collected no less frequently than each calendar month on a regular schedule, beginning no earlier than January 1999. Sample collection intervals may vary for the conditions specified in Section 611.1002(b)(1) and (b)(2) if the supplier provides documentation of the condition when reporting monitoring results.

1) The Agency may, by a SEP issued pursuant to Section 611.110, approve grandfathering of previously collected data where there are time gaps in the sampling frequency if the supplier conducts additional monitoring that the Agency has specified by a SEP issued pursuant to Section 611.110 to ensure that the data used to comply with the initial source water monitoring requirements of Section 611.1001(a) are seasonally representative and unbiased.

2) A supplier may grandfather previously collected data where the sampling frequency within each month varied. If the Cryptosporidium sampling frequency varied, the supplier must follow the monthly averaging procedure in Section 611.1010(b)(5) or Section 611.1012(a)(3), as applicable, when calculating the bin classification for a filtered system supplier or the mean Cryptosporidium concentration for an unfiltered system supplier.

f) Reporting monitoring results for grandfathering. A supplier that requests to grandfather previously collected monitoring results must report the following information by the applicable dates listed in this subsection. A supplier must report this information to the Agency.

1) A supplier must report that it intends to submit previously collected monitoring results for grandfathering. This report must specify the number of previously collected results the supplier will submit, the dates of the first and last sample, and whether a supplier will conduct additional source water monitoring to meet the requirements of Section 611.1001(a).

The supplier must report this information no later than the applicable date set forth in Section 611.1002.

2) A supplier must report previously collected monitoring results for grandfathering, along with the associated documentation listed in subsections (f)(2)(A) through (f)(2)(D) of this Section, no later than two months after the applicable date listed in Section 611.1001(c).

A) For each sample result, a supplier must report the applicable data elements in Section 611.1006.

B) A supplier must certify that the reported monitoring results include all results that it generated during the time period beginning with the first reported result and ending with the final reported result. This applies to samples that were collected from the sampling location specified for source water monitoring pursuant to this Subpart Z, which were not spiked, and which were analyzed using the laboratory's routine process for the analytical methods listed in this Section.

C) The supplier must certify that the samples were representative of a plant's source waters and the source waters have not changed. It must report a description of the sampling locations, which must address the position of the sampling location in relation to its water sources and treatment processes, including points of chemical addition and filter backwash recycle.

D) For Cryptosporidium samples, the laboratory or laboratories that analyzed the samples must provide a letter certifying that the quality control criteria specified in the methods listed in subsection (c)(1) of this Section were met for each sample batch associated with the reported results. Alternatively, the laboratory may provide bench sheets and sample examination report forms for each field, matrix spike, IPR, ongoing precision and recovery, and method blank sample associated with the reported results.

g) If the Agency determines that a previously collected data set submitted for grandfathering was generated during source water conditions that were not normal for the supplier, such as a drought, the Agency may, by a SEP issued pursuant to

Section 611.110, disapprove the data. Alternatively, the Agency may, by a SEP issued pursuant to Section 611.110, approve the previously collected data if the supplier reports additional source water monitoring data, as determined by the State, to ensure that the data set used pursuant to Section 611.1010 or Section 611.1012 represents average source water conditions for the supplier.

h) If a supplier submits previously collected data that fully meet the number of samples required for initial source water monitoring pursuant to Section 611.1001(a), and some of the data are rejected due to not meeting the requirements of this Section, the supplier must conduct additional monitoring to replace rejected data on a schedule that the Agency has approved by a SEP issued pursuant to Section 611.110. A supplier is not required to begin this additional monitoring until two months after notification that data have been rejected and additional monitoring is necessary.

BOARD NOTE: Derived from 40 CFR 141.707 (2006).

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

Section 611.1008 Disinfection Profiling and Benchmarking Requirements: Requirements When Making a Significant Change in Disinfection Practice

a) Following the completion of initial source water monitoring pursuant to Section 611.1001(a), a supplier that plans to make a significant change to its disinfection practice, as defined in subsection (b) of this Section, must develop disinfection profiles and calculate disinfection benchmarks for Giardia lamblia and viruses, as described in Section 611.1009. Prior to changing the disinfection practice, the supplier must notify the Agency, and it must include in this notice the following information:

1) A completed disinfection profile and disinfection benchmark for Giardia lamblia and viruses, as described in Section 611.1009;

2) A description of the proposed change in disinfection practice; and

3) An analysis of how the proposed change will affect the current level of disinfection.

b) Significant changes to disinfection practice are defined as any of the following:

1) Changes to the point of disinfection;

2) Changes to the disinfectants used in the treatment plant;

3) Changes to the disinfection process; or

4) Any other modification identified by the Agency, by a SEP issued pursuant to Section 611.110, as a significant change to disinfection practice.

BOARD NOTE: Derived from 40 CFR 141.708 (2006).

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

Section 611.1009 Disinfection Profiling and Benchmarking Requirements: Developing the Disinfection Profile and Benchmark

a) A supplier required to develop disinfection profiles pursuant to Section 611.1008 must follow the requirements of this Section. The supplier must monitor at least weekly for a period of 12 consecutive months to determine the total log inactivation for Giardia lamblia and viruses. If the supplier monitors more frequently than weekly, the monitoring frequency must be evenly spaced. A supplier that operates for fewer than 12 months per year must monitor weekly during the period of operation. A supplier must determine log inactivation for Giardia lamblia through the entire plant, based on the applicable $CT_{99.9}$ values in Appendix B to this Part. A supplier must determine log inactivation for viruses through the entire treatment plant based on a protocol approved by the Agency by a SEP issued pursuant to Section 611.110.

b) A supplier with a single point of disinfectant application prior to the entrance to the distribution supplier must conduct the monitoring in subsections (b)(1) through (b)(4) of this Section. A supplier with more than one point of disinfectant application must conduct the monitoring in subsections (b)(1) through (b)(4) of this Section for each disinfection segment. A supplier must monitor the parameters necessary to determine the total inactivation ratio, using analytical methods in Section 611.531.

1) For a supplier using a disinfectant other than UV, the temperature of the disinfected water must be measured at each residual disinfectant concentration sampling point during peak hourly flow or at an alternative location approved by the Agency by a SEP issued pursuant to Section 611.110.

2) For a supplier using chlorine, the pH of the disinfected water must be measured at each chlorine residual disinfectant concentration sampling point during peak hourly flow or at an alternative location approved by the Agency by a SEP issued pursuant to Section 611.110.

3) The disinfectant contact times (t) must be determined during peak hourly flow.

4) The residual disinfectant concentrations (C) of the water before or at the first customer and prior to each additional point of disinfectant application must be measured during peak hourly flow.

c) In lieu of conducting new monitoring pursuant to subsection (b) of this Section, a supplier may elect to meet the following requirements:

1) A supplier that has at least one year of existing data that are substantially equivalent to data collected pursuant to the provisions of subsection (b) of this Section may use these data to develop disinfection profiles as specified in this Section if the supplier has neither made a significant change to its treatment practice nor changed sources since the data were collected. The supplier may develop disinfection profiles using up to three years of existing data.

2) A supplier may use disinfection profiles developed pursuant to 40 CFR 141.172 or Section 611.953 in lieu of developing a new profile if the supplier has neither made a significant change to its treatment practice nor changed sources since the profile was developed. A supplier that has not developed a virus profile pursuant to 40 CFR 141.172 or Section 611.953 must develop a virus profile using the same monitoring data on which the Giardia lamblia profile is based.

d) A supplier must calculate the total inactivation ratio for Giardia lamblia, as specified in subsections (d)(1) through (d)(3) of this Section.

1) A supplier using only one point of disinfectant application may determine the total inactivation ratio for the disinfection segment based on either of the following methods:

A) It may determine one inactivation ratio (Ai) before or at the first customer during peak hourly flow; or

B) It may determine successive Ai values, representing sequential inactivation ratios, between the point of disinfectant application and a point before or at the first customer during peak hourly flow. The supplier must calculate the total inactivation ratio by determining Ai for each sequence and then adding the Ai values together to determine the total inactivation ratio (S Ai).

2) A supplier using more than one point of disinfectant application before the first customer must determine the CT value of each disinfection segment immediately prior to the next point of disinfectant application, or for the final segment, before or at the first customer, during peak hourly flow. The Ai value of each segment and S Ai must be calculated using the method in subsection (d)(1)(B) of this Section.

3) The supplier must determine the total logs of inactivation by multiplying the value calculated in subsection (d)(1) or (d)(2) of this Section by 3.0.

4) The supplier must calculate the log of inactivation for viruses using a protocol approved by the Agency by regulation or by a SEP issued pursuant to Section 611.110.

e) A supplier must use the following procedures to calculate a disinfection benchmark:

1) For each year of profiling data collected and calculated pursuant to subsections (a) through (d) of this Section, the supplier must determine the lowest mean monthly level of both Giardia lamblia and virus inactivation. A supplier must determine the mean Giardia lamblia and virus inactivation for each calendar month for each year of profiling data by dividing the sum of daily or weekly Giardia lamblia and virus log inactivation by the number of values calculated for that month.

2) The disinfection benchmark is the lowest monthly mean value (for a supplier with one year of profiling data) or the mean of the lowest monthly mean values (for a supplier with more than one year of profiling data) of Giardia lamblia and virus log inactivation in each year of profiling data.

BOARD NOTE: Derived from 40 CFR 141.709 (2006).

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

Section 611.1010 Treatment Technique Requirements: Bin Classification for Filtered Suppliers

a) Following completion of the initial round of source water monitoring required pursuant to Section 611.1001(a), a filtered system supplier must calculate an initial Cryptosporidium bin concentration for each plant for which monitoring was required. Calculation of the bin concentration must use the Cryptosporidium results reported pursuant to Section 611.1001(a) and must follow the appropriate of the procedures set forth in subsection (b) of this Section.

b) Bin concentration calculation procedures.

1) For a supplier that collects a total of at least 48 samples, the bin concentration is equal to the arithmetic mean of all sample concentrations.

2) For a supplier that collects a total of at least 24 samples, but not more than 47 samples, the bin concentration is equal to the highest arithmetic mean of all sample concentrations in any 12 consecutive months during which Cryptosporidium samples were collected.

3) For a supplier that serves fewer than 10,000 people and which monitors for Cryptosporidium for only one year (i.e., collect 24 samples in 12 months), the bin concentration is equal to the arithmetic mean of all sample concentrations.

4) For a supplier with plants operating only part of the year that monitors fewer than 12 months per year pursuant to Section 611.1001(e), the bin concentration is equal to the highest arithmetic mean of all sample concentrations during any year of Cryptosporidium monitoring.

5) If the monthly Cryptosporidium sampling frequency varies, a supplier must first calculate a monthly average for each month of monitoring. A supplier must then use these monthly average concentrations, rather than individual sample concentrations, in the applicable calculation for bin classification in subsections (b)(1) through (b)(4) of this Section.

c) A filtered system supplier must determine its initial bin classification according to subsections (c)(1) through (c)(5), subject to the limitations of subsection (c)(6) of this Section, and using the Cryptosporidium bin concentration calculated pursuant to subsections (a) and (b) of this Section.

1) For a supplier that is required to monitor for Cryptosporidium pursuant to Section 611.1001 and which has a Cryptosporidium bin concentration of less than 0.075 oocysts/l, the bin classification is Bin 1.

2) For a supplier that is required to monitor for Cryptosporidium pursuant to Section 611.1001 and which has a Cryptosporidium bin concentration of 0.075 oocysts/l or more, but less than 1.0 oocysts/l, the bin classification is Bin 2.

3) For a supplier that is required to monitor for Cryptosporidium pursuant to Section 611.1001 and which has a Cryptosporidium bin concentration of 1.0 oocysts/l or more, but less than 3.0 oocysts/l, the bin classification is Bin 3.

4) For a supplier that is required to monitor for Cryptosporidium pursuant to Section 611.1001 and which has a Cryptosporidium bin concentration of 3.0 oocysts/l or more, the bin classification is Bin 4.

5) For a supplier that that serves fewer than 10,000 people and which is not required to monitor for Cryptosporidium pursuant to Section 611.1001(a)(4), the bin classification is Bin 1.

6) The Cryptosporidium concentration is based on the applicable of the calculations set forth in subsection (a) or (d) of this Section.

d) Following completion of the second round of source water monitoring required pursuant to Section 611.1001(b), a filtered system supplier must recalculate its

Cryptosporidium bin concentration using the Cryptosporidium results reported pursuant to Section 611.1001(b) and following the applicable of the procedures set forth in subsection (b)(1) through (b)(4) of this Section. A supplier must then redetermine its bin classification using this bin concentration and subsection (c) of this Section.

e) Reporting the bin classification.

1) A filtered supplier must report its initial bin classification pursuant to subsection (c) of this Section to the Agency for approval no later than six months after the supplier is required to complete initial source water monitoring based on the applicable schedule set forth in Section 611.1001(c).

2) A supplier must report its bin classification pursuant to subsection (d) of this Section to the Agency for approval no later than six months after the supplier is required to complete the second round of source water monitoring based on the applicable schedule set forth in Section 611.1001(c).

3) The bin classification report to the Agency must include a summary of source water monitoring data and the calculation procedure used to determine bin classification.

f) A failure to comply with the conditions of subsection (e) of this Section is a violation of the treatment technique requirement.

BOARD NOTE: Derived from 40 CFR 141.710 (2006).

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

Section 611.1011 Treatment Technique Requirements: Filtered System Additional Cryptosporidium Treatment Requirements

a) A filtered system supplier must provide the level of additional treatment for Cryptosporidium specified in subsections (a)(1) through (a)(4) of this Section based on its bin classification, as determined pursuant to Section 611.1010, and according to the applicable schedule set forth in Section 611.1013.

1) If the supplier's bin classification is Bin 1, no additional treatment is required.

2) If the supplier's bin classification is Bin 2, and the supplier uses conventional filtration treatment (including softening) in full compliance with the applicable provisions of Subparts B, R, and X of this Part, then the additional Cryptosporidium treatment requirements are a 1-log treatment.

3) If the supplier's bin classification is Bin 2, and the supplier uses direct filtration in full compliance with the applicable provisions of Subparts B, R, and X of this Part, then the additional Cryptosporidium treatment requirements are a 1.5-log treatment.

4) If the supplier's bin classification is Bin 2, and the supplier uses slow sand or diatomaceous earth filtration in full compliance with the applicable provisions of Subparts B, R, and X of this Part, then the additional Cryptosporidium treatment requirements are a 1-log treatment.

5) If the supplier's bin classification is Bin 2, and the supplier uses alternative filtration technologies in full compliance with the applicable provisions of Subparts B, R, and X of this Part, then the additional Cryptosporidium treatment requirements are as determined by the Agency, by a SEP issued pursuant to Section 611.110, such that the total Cryptosporidium removal and inactivation is at least 4.0-log treatment.

6) If the supplier's bin classification is Bin 3, and the supplier uses conventional filtration treatment (including softening) in full compliance with the applicable provisions of Subparts B, R, and X of this Part, then the additional Cryptosporidium treatment requirements are a 2-log treatment.

7) If the supplier's bin classification is Bin 3, and the supplier uses direct filtration in full compliance with the applicable provisions of Subparts B, R, and X of this Part, then the additional Cryptosporidium treatment requirements are a 2.5-log treatment.

8) If the supplier's bin classification is Bin 3, and the supplier uses slow sand or diatomaceous earth filtration in full compliance with the applicable

provisions of Subparts B, R, and X of this Part, then the additional Cryptosporidium treatment requirements are a 2-log treatment.

9) If the supplier's bin classification is Bin 3, and the supplier uses alternative filtration technologies in full compliance with the applicable provisions of Subparts B, R, and X of this Part, then the additional Cryptosporidium treatment requirements are as determined by the Agency, by a SEP issued pursuant to Section 611.110, such that the total Cryptosporidium removal and inactivation is at least 5.0-log treatment.

10) If the supplier's bin classification is Bin 4, and the supplier uses conventional filtration treatment (including softening) in full compliance with the applicable provisions of Subparts B, R, and X of this Part, then the additional Cryptosporidium treatment requirements are a 2.5-log treatment.

11) If the supplier's bin classification is Bin 4, and the supplier uses direct filtration in full compliance with the applicable provisions of Subparts B, R, and X of this Part, then the additional Cryptosporidium treatment requirements are a 3-log treatment.

12) If the supplier's bin classification is Bin 4, and the supplier uses slow sand or diatomaceous earth filtration in full compliance with the applicable provisions of Subparts B, R, and X of this Part, then the additional Cryptosporidium treatment requirements are a 2.5-log treatment.

13) If the supplier's bin classification is Bin 4, and the supplier uses alternative filtration technologies in full compliance with the applicable provisions of Subparts B, R, and X of this Part, then the additional Cryptosporidium treatment requirements are as determined by the Agency, by a SEP issued pursuant to Section 611.110, such that the total Cryptosporidium removal and inactivation is at least 5.5-log treatment.

b) Required treatment.

1) A filtered system supplier must use one or more of the treatment and management options listed in Section 611.1015, termed the microbial toolbox, to comply with the additional Cryptosporidium treatment required in subsection (a) of this Section.

2) A supplier classified in Bin 3 or Bin 4 must achieve at least 1-log of the additional Cryptosporidium treatment required pursuant to subsection (a) of this Section using either one or a combination of the following: bag filters, bank filtration, cartridge filters, chlorine dioxide, membranes, ozone, or UV, as described in Sections 611.1016 through 611.1020.

c) A failure by a supplier in any month to achieve treatment credit by meeting criteria in Sections 611.1016 through 611.1020 for microbial toolbox options that is at least equal to the level of treatment required in subsection (a) of this Section is a violation of the treatment technique requirement.

d) If the Agency determines, by a SEP issued pursuant to Section 611.110, during a sanitary survey or an equivalent source water assessment that after a supplier completed the monitoring conducted pursuant to Section 611.1001(a) or 611.1001(b), significant changes occurred in the supplier's watershed that could lead to increased contamination of the source water by Cryptosporidium, the supplier must take actions specified by the Agency in the SEP to address the contamination. These actions may include additional source water monitoring or implementing microbial toolbox options listed in Section 611.1015.

BOARD NOTE: Derived from 40 CFR 141.711 (2006).

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

Section 611.1012 Treatment Technique Requirements: Unfiltered System Cryptosporidium Treatment Requirements

a) Determination of the mean Cryptosporidium level.

1) Following completion of the initial source water monitoring required by Section 611.1001(a), an unfiltered system supplier must calculate the arithmetic mean of all Cryptosporidium sample concentrations reported pursuant to Section 611.1001(a). The supplier must report this value to the Agency for approval no later than six months after the month the supplier is required to complete initial source water monitoring based on the applicable schedule set forth in Section 611.1001(c).

2) Following completion of the second round of source water monitoring required pursuant to Section 611.1001(b), an unfiltered system supplier must calculate the arithmetic mean of all Cryptosporidium sample concentrations reported pursuant to Section 611.1001(b). The supplier must report this value to the Agency for approval no later than six months after the month the supplier is required to complete the second round of source water monitoring based on the applicable schedule set forth in Section 611.1001(c).

3) If the monthly Cryptosporidium sampling frequency varies, a supplier must first calculate a monthly average for each month of monitoring. The supplier must then use these monthly average concentrations, rather than individual sample concentrations, in the calculation of the mean Cryptosporidium level in subsection (a)(1) or (a)(2) of this Section.

4) The report to the Agency of the mean Cryptosporidium levels calculated pursuant to subsections (a)(1) and (a)(2) of this Section must include a summary of the source water monitoring data used for the calculation.

5) A failure to comply with the conditions of subsection (a) of this Section is a violation of the treatment technique requirement.

b) Cryptosporidium inactivation requirements. An unfiltered system supplier must provide the level of inactivation for Cryptosporidium specified in this subsection, based on its mean Cryptosporidium levels, as determined pursuant to subsection (a) of this Section and according to the applicable schedule set forth in Section 611.1013.

1) An unfiltered system supplier with a mean Cryptosporidium level of 0.01 oocysts/l or less must provide at least 2-log Cryptosporidium inactivation.

2) An unfiltered system supplier with a mean Cryptosporidium level of greater than 0.01 oocysts/l must provide at least 3-log Cryptosporidium inactivation.

c) Inactivation treatment technology requirements. An unfiltered system supplier must use chlorine dioxide, ozone, or UV, as described in Section 611.1020, to meet the Cryptosporidium inactivation requirements of this Section.

1) A supplier that uses chlorine dioxide or ozone and fails to achieve the Cryptosporidium inactivation required in subsection (b) of this Section on more than one day in the calendar month is in violation of the treatment technique requirement.

2) A supplier that uses UV light and fails to achieve the Cryptosporidium inactivation required in subsection (b) of this Section by meeting the criteria in Section 611.1020(d)(3)(B) is in violation of the treatment technique requirement.

d) Use of two disinfectants. An unfiltered system supplier must meet the combined Cryptosporidium inactivation requirements of this Section and Giardia lamblia and virus inactivation requirements of Section 611.241 using a minimum of two disinfectants, and each of two disinfectants must separately achieve the total inactivation required for any of Cryptosporidium, Giardia lamblia, or viruses.

BOARD NOTE: Derived from 40 CFR 141.712 (2006).

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

Section 611.1013 Treatment Technique Requirements: Schedule for Compliance with Cryptosporidium Treatment Requirements

a) Following initial bin classification pursuant to Section 611.1010(c), a filtered system supplier must provide the level of treatment for Cryptosporidium required by Section 611.1011 according to the applicable schedule set forth in subsection (c) of this Section.

b) Following initial determination of the mean Cryptosporidium level pursuant to Section 611.1012(a)(1), an unfiltered system supplier must provide the level of treatment for Cryptosporidium required by Section 611.1012 according to the applicable schedule set forth in subsection (c) of this Section.

c) Cryptosporidium treatment compliance dates.

1) A supplier that serves 100,000 or more persons must comply with Cryptosporidium treatment requirements before April 1, 2012.

2) A supplier that serves 50,000 to 99,999 persons must comply with Cryptosporidium treatment requirements before October 1, 2012.

3) A supplier that serves 10,000 to 49,999 persons must comply with Cryptosporidium treatment requirements before October 1, 2013.

4) A supplier that serves fewer than 10,000 persons must comply with Cryptosporidium treatment requirements before October 1, 2014.

5) The Agency may, by a SEP issued pursuant to Section 611.110, allow up to an additional two years from the applicable date set forth in this subsection (c) for complying with the treatment requirement if it determines that the additional time is necessary for the supplier to make capital improvements to implement the treatment.

d) If the bin classification for a filtered system supplier changes following the second round of source water monitoring, as determined pursuant to Section 611.1010(d), the supplier must provide the level of treatment for Cryptosporidium required by Section 611.1011 on a schedule approved by the Agency by a SEP issued pursuant to Section 611.110.

e) If the mean Cryptosporidium level for an unfiltered system supplier changes following the second round of monitoring, as determined by Section 611.1012(a)(2), and if the supplier must provide a different level of Cryptosporidium treatment pursuant to Section 611.1012 due to this change, the supplier must meet this treatment requirement on a schedule approved by the Agency.

BOARD NOTE: Derived from 40 CFR 141.713 (2006).

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

Section 611.1014 Treatment Technique Requirements: Requirements for Uncovered Finished Water Storage Facilities

a) A supplier that uses uncovered finished water storage facilities must comply with the conditions of this Section.

b) A supplier must notify the Agency in writing of the use of each uncovered finished water storage facility no later than April 1, 2008.

c) A supplier must meet either of the following conditions for each uncovered finished water storage facility, or it must be in compliance with an Agency-approved schedule to meet these conditions, no later than April 1, 2009.

1) The supplier must cover any uncovered finished water storage facility; or

2) The supplier must treat the discharge from the uncovered finished water storage facility to the distribution system to achieve inactivation or removal of at least 4-log virus, 3-log Giardia lamblia, and 2-log Cryptosporidium using a protocol approved by the Agency.

d) A failure to comply with the requirements of this Section is a violation of the treatment technique requirement.

BOARD NOTE: Derived from 40 CFR 141.714 (2006).

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

Section 611.1015 Requirements for Microbial Toolbox Components: Microbial Toolbox Options for Meeting Cryptosporidium Treatment Requirements

a) Treatment credits.

1) A supplier receives the applicable of the treatment credits set forth in subsection (b) of this Section by meeting the conditions for microbial toolbox options described in Sections 611.1016 through 611.1020. The supplier applies these treatment credits to meet the applicable treatment requirements in Section 611.1011 or Section 611.1012.

2) An unfiltered system supplier is eligible for treatment credits for the microbial toolbox options described in Section 611.1020 only.

b) Subsections (b)(1) through (b)(5) of this Section summarize options in the microbial toolbox:

1) Source protection and management toolbox options.

A) Watershed control program: 0.5-log credit for Agency-approved program comprising required elements, annual program status report to Agency, and regular watershed survey. An unfiltered system supplier is not eligible for credit. Specific criteria are set forth in Section 611.1016(a).

B) Alternative source or intake management: No prescribed credit. A supplier may conduct simultaneous monitoring for treatment bin classification at alternative intake locations or under alternative intake management strategies. Specific criteria are set forth in Section 611.1016(b).

2) Pre filtration toolbox options.

A) Presedimentation basin with coagulation: 0.5-log credit during any month that presedimentation basins achieve a monthly mean reduction of 0.5-log or greater in turbidity or alternative Agency-approved performance criteria. To be eligible, basins must be operated continuously with coagulant addition and all plant flow must pass through basins. Specific criteria are set forth in Section 611.1017(a).

B) Two-stage lime softening: 0.5-log credit for two-stage softening where chemical addition and hardness precipitation occur in both stages. All plant flow must pass through both stages. Single-stage softening is credited as equivalent to conventional treatment. Specific criteria are set forth in Section 611.1017(b).

C) Bank filtration: 0.5-log credit for 25-foot setback or 1.0-log credit for 50-foot setback; the aquifer must be unconsolidated sand containing at least 10 percent fines and average turbidity in the wells must be less than 1 NTU. A supplier using wells followed by filtration when conducting source water monitoring must sample the well to determine bin classification and is not eligible for additional credit. Specific criteria are set forth in Section 611.1017(c).

3) Treatment performance toolbox options.

A) Combined filter performance: 0.5-log credit for combined filter effluent turbidity less than or equal to 0.15 NTU in at least 95 percent of measurements each month. Specific criteria are set forth in Section 611.1018(a).

B) Individual filter performance: 0.5-log credit (in addition to 0.5-log combined filter performance credit) if individual filter effluent turbidity is less than or equal to 0.15 NTU in at least 95 percent of samples each month in each filter and is never greater than 0.3 NTU in two consecutive measurements in any filter. Specific criteria are set forth in Section 611.1018(b).

C) Demonstration of performance: Credit awarded to unit process or treatment train based on a demonstration to the State with an Agency-approved protocol. Specific criteria are set forth in Section 611.1018(c).

4) Additional filtration toolbox options.

A) Bag or cartridge filters (individual filters): Up to 2-log credit based on the removal efficiency demonstrated during challenge testing with a 1.0-log factor of safety. Specific criteria are set forth in Section 611.1019(a).

B) Bag or cartridge filters (in series): Up to 2.5-log credit based on the removal efficiency demonstrated during challenge testing with a 0.5-log factor of safety. Specific criteria are set forth in Section 611.1019(a).

C) Membrane filtration: Log credit equivalent to removal efficiency demonstrated in challenge test for device if supported by direct integrity testing. Specific criteria are set forth in Section 611.1019(b).

D) Second stage filtration: 0.5-log credit for second separate granular media filtration stage if treatment train includes coagulation prior to first filter. Specific criteria are set forth in Section 611.1019(c).

E) Slow sand filters: 2.5-log credit as a secondary filtration step or 3.0-log credit as a primary filtration process. No prior chlorination for either option. Specific criteria are set forth in Section 611.1019(d).

5) Inactivation toolbox options.

A) Chlorine dioxide: Log credit based on measured CT in relation to CT table. Specific criteria are set forth in Section 611.1020(b).

B) Ozone: Log credit based on measured CT in relation to CT table. Specific criteria are set forth in Section 611.1020(b).

C) UV: Log credit based on validated UV dose in relation to UV dose table; reactor validation testing required to establish UV dose and associated operating conditions. Specific criteria are set forth in Section 611.1020(d).

BOARD NOTE: Derived from 40 CFR 141.715 (2006).

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

Section 611.1016 Requirements for Microbial Toolbox Components: Source Toolbox Components

a) Watershed control program. A supplier receives 0.5-log Cryptosporidium treatment credit for implementing a watershed control program that meets the requirements of this Section.

1) A supplier that intends to apply for the watershed control program credit must notify the Agency of its intent no later than two years prior to the treatment compliance date applicable to the supplier in Section 611.1013.

2) A supplier must submit to the Agency a proposed watershed control plan no later than one year before the applicable treatment compliance date in Section 611.1013. The Agency must approve the watershed control plan for the supplier to receive watershed control program treatment credit. The watershed control plan must include the following elements:

A) Identification of an "area of influence" outside of which the likelihood of Cryptosporidium or fecal contamination affecting the treatment plant intake is not significant. This is the area to be evaluated in future watershed surveys pursuant to subsection (a)(5)(B) of this Section;

B) Identification of both potential and actual sources of Cryptosporidium contamination and an assessment of the relative impact of these sources on the supplier's source water quality;

C) An analysis of the effectiveness and feasibility of control measures that could reduce Cryptosporidium loading from sources of contamination to the supplier's source water; and

D) A statement of goals and specific actions the supplier will undertake to reduce source water Cryptosporidium levels. The plan must explain how the actions are expected to contribute to specific goals, identify watershed partners and their roles, identify resource requirements and commitments, and include a schedule for plan implementation with deadlines for completing specific actions identified in the plan.

3) A supplier with an existing watershed control programs (i.e., a program in place on January 5, 2006) is eligible to seek this credit. Its watershed control plans must meet the criteria in subsection (a)(2) of this Section and must specify ongoing and future actions that will reduce source water Cryptosporidium levels.

4) If the Agency does not respond to a supplier regarding approval of a watershed control plan submitted pursuant to this Section and the supplier meets the other requirements of this Section, the watershed control program will be considered approved and 0.5-log Cryptosporidium treatment credit will be awarded, unless and until the Agency subsequently withdraws such approval by a SEP issued pursuant to Section 611.110.

5) A supplier must complete each of the following actions to maintain the 0.5-log credit.

A) It must submit an annual watershed control program status report to the Agency. The annual watershed control program status report must describe the supplier's implementation of the approved plan and assess the adequacy of the plan to meet its goals. The report must explain how the supplier is addressing any shortcomings in plan implementation, including those previously identified by the Agency or as the result of the watershed survey conducted pursuant to subsection (a)(5)(B) of this Section. The report must also describe any significant changes that have occurred in the watershed since the last watershed sanitary survey. If a supplier determines during implementation that making a significant change to its approved watershed control program is necessary, the supplier must notify the Agency prior to making any such changes. If any change is likely to reduce the level of source water protection, the supplier must also list in its notification the actions the supplier will take to mitigate this effect;

B) The supplier must undergo a watershed sanitary survey every three years for a CWS supplier and every five years for a non-CWS supplier and submit the survey report to the Agency. The survey must be conducted according to Agency guidelines and by persons that the Agency approves.

i) The watershed sanitary survey must meet the following criteria: it must encompass the region identified in the Agency-approved watershed control plan as the area of influence; assess the implementation of actions to reduce source water Cryptosporidium levels; and identify any significant new sources of Cryptosporidium;

ii) If the Agency determines that significant changes may have occurred in the watershed since the previous watershed sanitary survey, the supplier must undergo another watershed sanitary survey by a date the Agency requires by a SEP issued pursuant to Section 611.110, which may be earlier than the regular date in subsection (a)(5)(B) of this Section; and

C) The supplier must make the watershed control plan, annual status reports, and watershed sanitary survey reports available to the public upon request. These documents must be in a plain language style and include criteria by which to evaluate the success of the program in achieving plan goals. The Agency may, by a SEP issued pursuant to Section 611.110, approve that a supplier withhold from the public portions of the annual status report, watershed control plan, and watershed sanitary survey based on water supply security considerations.

6) If the Agency determines that a supplier is not carrying out the approved watershed control plan, the Agency may, by a SEP issued pursuant to Section 611.110, withdraw the watershed control program treatment credit.

b) Alternative source.

1) A supplier may conduct source water monitoring that reflects a different intake location (either in the same source or for an alternate source) or a different procedure for the timing or level of withdrawal from the source (alternative source monitoring). If the Agency approves by a SEP issued pursuant to Section 611.110, a supplier may determine its bin classification pursuant to Section 611.1010 based on the alternative source monitoring results.

2) If a supplier conducts alternative source monitoring pursuant to subsection (b)(1) of this Section, it must also monitor their current plant intake concurrently as described in Section 611.1001.

3) Alternative source monitoring pursuant to subsection (b)(1) of this Section must meet the requirements for source monitoring to determine bin classification, as described in Sections 611.1001 through 611.1006. A supplier must report the alternative source monitoring results to the Agency, along with supporting information documenting the operating conditions under which the samples were collected.

4) If a supplier determines its bin classification pursuant to Section 611.1010 using alternative source monitoring results that reflect a different intake location or a different procedure for managing the timing or level of

withdrawal from the source, the supplier must relocate the intake or permanently adopt the withdrawal procedure, as applicable, no later than the applicable treatment compliance date in Section 611.1013.

BOARD NOTE: Derived from 40 CFR 141.716 (2006).

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

Section 611.1017 Requirements for Microbial Toolbox Components: Pre-Filtration Treatment Toolbox Components

a) Presedimentation. A supplier receives 0.5-log Cryptosporidium treatment credit for a presedimentation basin during any month the process meets the criteria in this subsection (a).

1) The presedimentation basin must be in continuous operation and must treat the entire plant flow taken from a surface water or groundwater under the direct influent of surface water source.

2) The supplier must continuously add a coagulant to the presedimentation basin.

3) The presedimentation basin must achieve both of the following performance criteria:

A) It demonstrates at least 0.5-log mean reduction of influent turbidity. This reduction must be determined using daily turbidity measurements in the presedimentation process influent and effluent and must be calculated as follows: log10 (monthly mean of daily influent turbidity) - log10 (monthly mean of daily effluent turbidity); and

B) It complies with Agency-approved performance criteria that demonstrate at least 0.5-log mean removal of micronsized particulate material through the presedimentation process.

b) Two-stage lime softening. A supplier receives an additional 0.5-log Cryptosporidium treatment credit for a two-stage lime softening plant if chemical addition and hardness precipitation occur in two separate and sequential softening

stages prior to filtration. Both softening stages must treat the entire plant flow taken from a surface water or groundwater under the direct influent of surface water source.

c) Bank filtration. A supplier receives Cryptosporidium treatment credit for bank filtration that serves as pretreatment to a filtration plant by meeting the criteria in this subsection. A supplier using bank filtration when they begin source water monitoring pursuant to Section 611.1001(a) must collect samples as described in Section 611.1003(d), and it is not eligible for this credit.

1) A well with a groundwater flow path of at least 25 feet receives 0.5-log treatment credit, or a well with a groundwater flow path of at least 50 feet receives 1.0-log treatment credit. The groundwater flow path must be determined as specified in subsection (c)(4) of this Section.

2) Only a well in granular aquifers is eligible for treatment credit. A granular aquifer is one comprised of sand, clay, silt, rock fragments, pebbles or larger particles, and minor cement. A supplier must characterize the aquifer at the well site to determine aquifer properties. A supplier must extract a core from the aquifer and demonstrate that in at least 90 percent of the core length, grains less than 1.0 mm in diameter constitute at least 10 percent of the core material.

3) Only horizontal and vertical wells are eligible for treatment credit.

4) For a vertical well, the groundwater flow path is the measured distance from the edge of the surface water body under high flow conditions (determined by the 100 year floodplain elevation boundary or by the floodway, as defined in Federal Emergency Management Agency flood hazard maps) to the well screen. For a horizontal well, the groundwater flow path is the measured distance from the bed of the river under normal flow conditions to the closest horizontal well lateral screen.

5) The supplier must monitor each wellhead for turbidity at least once every four hours while the bank filtration process is in operation. If monthly average turbidity levels, based on daily maximum values in the well, exceed 1 NTU, the supplier must report this result to the Agency and conduct an assessment within 30 days to determine the cause of the high turbidity levels in the well. If the Agency determines that microbial

removal has been compromised, it may, by a SEP issued pursuant to Section 611.110, revoke treatment credit until the supplier implements corrective actions approved by the Agency to remediate the problem.

6) Springs and infiltration galleries are not eligible for treatment credit pursuant to this Section, but are eligible for credit pursuant to Section 611.1018(c).

7) Bank filtration demonstration of performance. The Agency may, by a SEP issued pursuant to Section 611.110, approve Cryptosporidium treatment credit for bank filtration based on a demonstration of performance study that meets the criteria in this subsection. This treatment credit may be greater than 1.0-log and may be awarded to bank filtration that does not meet the criteria in subsections (c)(1) through (c)(5) of this Section.

A) The study must follow an Agency-approved protocol and must involve the collection of data on the removal of Cryptosporidium or a surrogate for Cryptosporidium and related hydrogeologic and water quality parameters during the full range of operating conditions.

B) The study must include sampling both from the production wells and from monitoring wells that are screened and located along the shortest flow path between the surface water source and the production wells.

BOARD NOTE: Derived from 40 CFR 141.717 (2006).

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

Section 611.1018 Requirements for Microbial Toolbox Components: Treatment Performance Toolbox Components

a) Combined filter performance. A supplier that uses conventional filtration treatment or direct filtration treatment receives an additional 0.5-log Cryptosporidium treatment credit during any month it meets the criteria in this subsection (a). Its combined filter effluent (CFE) turbidity must be less than or

equal to 0.15 NTU in at least 95 percent of the measurements. Turbidity must be measured as described in Sections 611.531 and 611.533.

b) Individual filter performance. A supplier using conventional filtration treatment or direct filtration treatment receives 0.5-log Cryptosporidium treatment credit, which can be in addition to the 0.5-log credit pursuant to subsection (a) of this Section, during any month it meets the criteria in this subsection (b). Compliance with these criteria must be based on individual filter turbidity monitoring as described in Section 141.174 or Section 141.560, as applicable.

1) The filtered water turbidity for each individual filter must be less than or equal to 0.15 NTU in at least 95 percent of the measurements recorded each month.

2) No individual filter may have a measured turbidity greater than 0.3 NTU in two consecutive measurements taken 15 minutes apart.

3) Any supplier that has received treatment credit for individual filter performance and fails to meet the requirements of subsection (b)(1) or (b)(2) of this Section during any month does not receive a treatment technique violation pursuant to Section 611.1011(c) if the Agency determines the following:

A) The failure was due to unusual and short-term circumstances that could not reasonably be prevented through optimizing treatment plant design, operation, and maintenance; and

B) The supplier has experienced no more than two such failures in any calendar year.

c) Demonstration of performance. The Agency may, by a SEP issued pursuant to Section 611.110, approve Cryptosporidium treatment credit for drinking water treatment processes based on a demonstration of performance study that meets the criteria in this subsection (c). This treatment credit may be greater than or less than the prescribed treatment credits in Section 611.1011 or Sections 611.1017 through 611.1020 and may be awarded to treatment processes that do not meet the criteria for the prescribed credits.

1) The supplier cannot receive the prescribed treatment credit for any toolbox option in Sections 611.1017 through 611.1020 if that toolbox option is included in a demonstration of performance study for which treatment credit is awarded pursuant to this subsection (b).

2) The demonstration of performance study must follow an Agency-approved protocol and must demonstrate the level of Cryptosporidium reduction the treatment process will achieve under the full range of expected operating conditions for the supplier.

3) Approval by the Agency must be in writing and may include monitoring and treatment performance criteria that the supplier must demonstrate and report on an ongoing basis to remain eligible for the treatment credit. The Agency may, by a SEP issued pursuant to Section 611.110, designate such criteria where necessary to verify that the conditions under which the demonstration of performance credit was approved are maintained during routine operation.

BOARD NOTE: Derived from 40 CFR 141.718 (2006).

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

Section 611.1019 Requirements for Microbial Toolbox Components: Additional Filtration Toolbox Components

a) Bag and cartridge filters. A supplier receives Cryptosporidium treatment credit of up to 2.0-log for individual bag or cartridge filters and up to 2.5-log for bag or cartridge filters operated in series by meeting the criteria set forth in subsections (a)(1) through (a)(10) of this Section. To be eligible for this credit, the supplier must report the results of challenge testing that meets the requirements of subsections (a)(2) through (a)(9) of this Section to the Agency. The filters must treat the entire plant flow taken from a Subpart B source.

1) The Cryptosporidium treatment credit awarded to bag or cartridge filters must be based on the removal efficiency demonstrated during challenge testing that is conducted according to the criteria set forth in subsections (a)(2) through (a)(9) of this Section. A factor of safety equal to 1-log for individual bag or cartridge filters and 0.5-log for bag or cartridge filters in series must be applied to challenge testing results to determine removal

credit. A supplier may use results from challenge testing conducted prior to January 5, 2006 if the prior testing was consistent with the criteria specified in subsections (a)(2) through (a)(9) of this Section.

2) Challenge testing must be performed on full-scale bag or cartridge filters, and the associated filter housing or pressure vessel, that are identical in material and construction to the filters and housings the supplier will use for removal of Cryptosporidium. Bag or cartridge filters must be challenge tested in the same configuration that the supplier will use, either as individual filters or as a series configuration of filters.

3) Challenge testing must be conducted using Cryptosporidium or a surrogate that is removed no more efficiently than Cryptosporidium. The microorganism or surrogate used during challenge testing is referred to as the challenge particulate. The concentration of the challenge particulate must be determined using a method capable of discreetly quantifying the specific microorganism or surrogate used in the test; gross measurements such as turbidity may not be used.

4) The maximum feed water concentration that can be used during a challenge test must be based on the detection limit of the challenge particulate in the filtrate (i.e., filtrate detection limit) and must be calculated using the following equation:

$$\text{Maximum Feed Concentration} = 1 \times 10^4 \times (\text{Filtrate Detection Limit})$$

5) Challenge testing must be conducted at the maximum design flow rate for the filter as specified by the manufacturer.

6) Each filter evaluated must be tested for a duration sufficient to reach 100 percent of the terminal pressure drop, which establishes the maximum pressure drop under which the filter may be used to comply with the requirements of this Subpart Z.

7) Removal efficiency of a filter must be determined from the results of the challenge test and expressed in terms of log removal values using the following equation:

$$LRV = Log_{10}(C_f) - Log_{10}(C_p)$$

Where:

LRV = log removal value demonstrated during challenge testing

C_f = the feed concentration measured during the challenge test

C_p = the filtrate concentration measured during the challenge test. In applying this equation, the same units must be used for the feed and filtrate concentrations. If the challenge particulate is not detected in the filtrate, then the term C_p must be set equal to the detection limit.

8) Each filter tested must be challenged with the challenge particulate during three periods over the filtration cycle: within two hours of start-up of a new filter; when the pressure drop is between 45 and 55 percent of the terminal pressure drop; and at the end of the cycle after the pressure drop has reached 100 percent of the terminal pressure drop. An LRV must be calculated for each of these challenge periods for each filter tested. The LRV for the filter (LRV_{filter}) must be assigned the value of the minimum LRV observed during the three challenge periods for that filter.

9) If fewer than 20 filters are tested, the overall removal efficiency for the filter product line must be set equal to the lowest LRV_{filter} among the filters tested. If 20 or more filters are tested, the overall removal efficiency for the filter product line must be set equal to the 10th percentile of the set of LRV_{filter} values for the various filters tested. The percentile is defined by (i/(n+1)) where i is the rank of n individual data points ordered lowest to highest. If necessary, the 10th percentile may be calculated using linear interpolation.

10) If a previously tested filter is modified in a manner that could change the removal efficiency of the filter product line, challenge testing to demonstrate the removal efficiency of the modified filter must be conducted and submitted in writing to the Agency.

b) Membrane filtration.

1) A supplier receives Cryptosporidium treatment credit for membrane filtration that meets the criteria of this subsection (b). Membrane cartridge

filters that meet the definition of membrane filtration in Section 611.102 are eligible for this credit. The level of treatment credit a supplier receives is equal to the lower of the following values:

A) The removal efficiency demonstrated during challenge testing conducted pursuant to the conditions in subsection (b)(2) of this Section; or

B) The maximum removal efficiency that can be verified through direct integrity testing used with the membrane filtration process pursuant to the conditions in subsection (b)(3) of this Section.

2) Challenge testing. The membrane used by the supplier must undergo challenge testing to evaluate removal efficiency, and the supplier must report the results of challenge testing to the Agency. Challenge testing must be conducted according to the criteria set forth in subsections (b)(2)(A) through (b)(2)(G) of this Section. A supplier may use data from challenge testing conducted prior to January 5, 2006 if the prior testing was consistent with the criteria set forth in subsections (b)(2)(A) through (b)(2)(G) of this Section.

A) Challenge testing must be conducted on either a full-scale membrane module, identical in material and construction to the membrane modules used in the supplier's treatment facility, or a smaller-scale membrane module, identical in material and similar in construction to the full-scale module. A module is defined as the smallest component of a membrane unit in which a specific membrane surface area is housed in a device with a filtrate outlet structure.

B) Challenge testing must be conducted using Cryptosporidium oocysts or a surrogate that is removed no more efficiently than Cryptosporidium oocysts. The organism or surrogate used during challenge testing is referred to as the challenge particulate. The concentration of the challenge particulate, in both the feed and filtrate water, must be determined using a method capable of discretely quantifying the specific challenge particulate used in the test; gross measurements such as turbidity may not be used.

C) The maximum feed water concentration that can be used during a challenge test is based on the detection limit of the challenge particulate in the filtrate and must be determined according to the following equation:

$$\text{Maximum Feed Concentration} = 3.16 \times 10^6 \times (\text{Filtrate Detection Limit})$$

D) Challenge testing must be conducted under representative hydraulic conditions at the maximum design flux and maximum design process recovery specified by the manufacturer for the membrane module. Flux is defined as the throughput of a pressure driven membrane process expressed as flow per unit of membrane area. Recovery is defined as the volumetric percent of feed water that is converted to filtrate over the course of an operating cycle uninterrupted by events such as chemical cleaning or a solids removal process (i.e., backwashing).

E) Removal efficiency of a membrane module must be calculated from the challenge test results and expressed as a log removal value according to the following equation:

$$LRV = Log_{10}(C_f) - Log_{10}(C_p)$$

Where:

LRV = log removal value demonstrated during the challenge test

C_f = the feed concentration measured during the challenge test

C_p = the filtrate concentration measured during the challenge test. Equivalent units must be used for the feed and filtrate concentrations. If the challenge particulate is not detected in the filtrate, the term C_p is set equal to the detection limit for the purpose of calculating the LRV. An LRV must be calculated for each membrane module evaluated during the challenge test.

F) The removal efficiency of a membrane filtration process demonstrated during challenge testing must be expressed as a log removal value ($LRV_{C\text{-}Test}$). If fewer than 20 modules are tested, then $LRV_{C\text{-}Test}$ is equal to the lowest of the representative LRVs among the modules tested. If 20 or more modules are tested, then $LRV_{C\text{-}Test}$ is equal to the 10th percentile of the representative LRVs among the modules tested. The percentile is defined by (i/(n+1)) where i is the rank of n individual data points ordered lowest to highest. If necessary, the 10th percentile may be calculated using linear interpolation.

G) The challenge test must establish a quality control release value (QCRV) for a non-destructive performance test that demonstrates the Cryptosporidium removal capability of the membrane filtration module. This performance test must be applied to each production membrane module used by the supplier that was not directly challenge tested in order to verify Cryptosporidium removal capability. Production modules that do not meet the established QCRV are not eligible for the treatment credit demonstrated during the challenge test.

H) If a previously tested membrane is modified in a manner that could change the removal efficiency of the membrane or the applicability of the non-destructive performance test and associated QCRV, additional challenge testing to demonstrate the removal efficiency of, and determine a new QCRV for, the modified membrane must be conducted and submitted to the Agency.

3) Direct integrity testing. A supplier must conduct direct integrity testing in a manner that demonstrates a removal efficiency equal to or greater than the removal credit awarded to the membrane filtration process and meets the requirements described in subsections (b)(3)(A) through (b)(3)(F) of this Section. A "direct integrity test" is defined as a physical test applied to a membrane unit in order to identify and isolate integrity breaches (i.e., one or more leaks that could result in contamination of the filtrate).

A) The direct integrity test must be independently applied to each membrane unit in service. A membrane unit is defined as a group of membrane modules that share common valving that allows the

unit to be isolated from the rest of the supplier for the purpose of integrity testing or other maintenance.

B) The direct integrity method must have a resolution of three micrometers or less, where resolution is defined as the size of the smallest integrity breach that contributes to a response from the direct integrity test.

C) The direct integrity test must have a sensitivity sufficient to verify the log treatment credit awarded to the membrane filtration process by the Agency, where sensitivity is defined as the maximum log removal value that can be reliably verified by a direct integrity test. Sensitivity must be determined using the appropriate of the following approaches, considering the type of direct integrity test the supplier uses:

i) For a direct integrity test that uses an applied pressure or vacuum, the direct integrity test sensitivity must be calculated according to the following equation:

$$LRV_{DIT} = Log_{10}\left(\frac{Q_p}{VCF \times Q_{breach}}\right)$$

Where:

LRV_{DIT} = the sensitivity of the direct integrity test

Q_p = total design filtrate flow from the membrane unit

Q_{breach} = flow of water from an integrity breach associated with the smallest integrity test response that can be reliably measured

VCF = volumetric concentration factor. The volumetric concentration factor is the ratio of the suspended solids concentration on the high pressure side of the membrane relative to that in the feed water; or

ii) For a direct integrity test that uses a particulate or molecular marker, the direct integrity test sensitivity must be calculated according to the following equation:

$$LRV_{DIT} = Log_{10}(C_f) - Log_{10}(C_p)$$

Where:

LRV_{DIT}	=	the sensitivity of the direct integrity test
C_f	=	the typical feed concentration of the marker used in the test
C_p	=	the filtrate concentration of the marker from an integral membrane unit

D) A supplier must establish a control limit within the sensitivity limits of the direct integrity test that is indicative of an integral membrane unit capable of meeting the removal credit awarded by the Agency.

E) If the result of a direct integrity test exceeds the control limit established pursuant to subsection (b)(3)(D) of this Section, the supplier must remove the membrane unit from service. The supplier must conduct a direct integrity test to verify any repairs, and it may return the membrane unit to service only if the direct integrity test is within the established control limit.

F) A supplier must conduct direct integrity testing on each membrane unit at a frequency of not less than once each day that the membrane unit is in operation. The Agency may, by a SEP issued pursuant to Section 611.110, approve less frequent testing, based on demonstrated process reliability, the use of multiple barriers effective for Cryptosporidium, or reliable process safeguards.

4) Indirect integrity monitoring. A supplier must conduct continuous indirect integrity monitoring on each membrane unit according to the criteria in subsections (b)(4)(A) through (b)(4)(E) of this Section. "Indirect integrity monitoring" is defined as monitoring some aspect of filtrate water quality that is indicative of the removal of particulate matter. A supplier that implements continuous direct integrity testing of membrane units in

accordance with the criteria in subsections (b)(3)(A) through (b)(3)(E) of this Section is not subject to the requirements for continuous indirect integrity monitoring. The supplier must submit a monthly report to the State summarizing all continuous indirect integrity monitoring results triggering direct integrity testing and the corrective action that was taken in each case.

A) Unless the Agency approves an alternative parameter by a SEP issued pursuant to Section 611.110, continuous indirect integrity monitoring must include continuous filtrate turbidity monitoring.

B) Continuous indirect integrity monitoring must be conducted at a frequency of no less than once every 15 minutes.

C) Continuous indirect integrity monitoring must be separately conducted on each membrane unit.

D) If continuous indirect integrity monitoring includes turbidity and if the filtrate turbidity readings are above 0.15 NTU for a period greater than 15 minutes (i.e., two consecutive 15-minute readings above 0.15 NTU), direct integrity testing must immediately be performed on the associated membrane unit, as specified in subsections (b)(3)(A) through (b)(3)(E) of this Section.

E) If indirect integrity monitoring includes an Agency-approved alternative parameter and if the alternative parameter exceeds an Agency-approved control limit for a period greater than 15 minutes, direct integrity testing must immediately be performed on the associated membrane units as specified in subsections (b)(3)(A) through (b)(3)(E) of this Section.

c) Second stage filtration. A supplier receives 0.5-log Cryptosporidium treatment credit for a separate second stage of filtration that consists of sand, dual media, GAC, or other fine grain media following granular media filtration if the Agency approves by a SEP issued pursuant to Section 611.110. To be eligible for this credit, the first stage of filtration must be preceded by a coagulation step and both filtration stages must treat the entire plant flow taken from a surface water or groundwater under the direct influent of surface water source. A cap, such as GAC, on a single stage of filtration is not eligible for this credit. The Agency

must approve the treatment credit based on an assessment of the design characteristics of the filtration process.

d) Slow sand filtration (as secondary filter). A supplier is eligible to receive 2.5-log Cryptosporidium treatment credit by a SEP issued pursuant to Section 611.110 for a slow sand filtration process that follows a separate stage of filtration if both filtration stages treat entire plant flow taken from a surface water or groundwater under the direct influent of surface water source and no disinfectant residual is present in the influent water to the slow sand filtration process. The Agency must approve the treatment credit based on an assessment of the design characteristics of the filtration process. This subsection (d) does not apply to treatment credit awarded to slow sand filtration used as a primary filtration process.

BOARD NOTE: Derived from 40 CFR 141.719 (2006).

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

Section 611.1020 Requirements for Microbial Toolbox Components: Inactivation Toolbox Components

a) Calculation of CT values.

1) CT is the product of the disinfectant contact time (T, in minutes) and disinfectant concentration (C, in milligrams per liter). A supplier with treatment credit for chlorine dioxide or ozone pursuant to subsection (b) or (c) of this Section must calculate CT at least once each day, with both C and T measured during peak hourly flow, as specified in Sections 611.531 and 611.532.

2) A supplier with several disinfection segments in sequence may calculate CT for each segment, where a disinfection segment is defined as a treatment unit process with a measurable disinfectant residual level and a liquid volume. Under this approach, the supplier must add the Cryptosporidium CT values in each segment to determine the total CT for the treatment plant.

b) CT values for chlorine dioxide and ozone.

1) A supplier receives the Cryptosporidium treatment credit listed in Table H to this Part by meeting the corresponding chlorine dioxide CT value for the applicable water temperature, as described in subsection (a) of this Section.

2) A supplier receives the Cryptosporidium treatment credit listed in Table I to this Part by meeting the corresponding ozone CT values for the applicable water temperature, as described in subsection (a) of this Section.

c) Site-specific study. The Agency may, by a SEP issued pursuant to Section 611.110, approve alternative chlorine dioxide or ozone CT values to those listed in Tables H and I to this Part on a site-specific basis. The Agency must base this approval on a site-specific study conducted by the supplier according to an Agency-approved protocol.

d) Ultraviolet light. A supplier receives Cryptosporidium, Giardia lamblia, and virus treatment credits for ultraviolet (UV) light reactors by achieving the corresponding UV dose values shown in Table J to this Part. The supplier must validate and monitor UV reactors, as described in subsections (d)(2) and (d)(3) of this Section, to demonstrate that they are achieving a particular UV dose value for treatment credit.

1) UV dose table. The treatment credits listed in Table J to this Part are for UV light at a wavelength of 254 nm as produced by a low-pressure mercury vapor lamp. To receive treatment credit for other lamp types, suppliers must demonstrate an equivalent germicidal dose through reactor validation testing, as described in subsection (d)(2) of this Section. The UV dose values in this table are applicable only to post-filter applications of UV in a filtered system supplier and to an unfiltered system supplier.

2) Reactor validation testing. A supplier must use UV reactors that have undergone validation testing to determine the operating conditions under which the reactor delivers the UV dose required in subsection (d)(1) of this Section (i.e., validated operating conditions). These operating conditions must include flow rate; UV intensity, as measured by a UV sensor; and UV lamp status.

A) When determining validated operating conditions, a supplier must account for the following factors: UV absorbance of the water; lamp fouling and aging; measurement uncertainty of on-line sensors; UV dose distributions arising from the velocity profiles through the reactor; failure of UV lamps or other critical supplier components; and inlet and outlet piping or channel configurations of the UV reactor.

B) Validation testing must include the following: Full scale testing of a reactor that conforms uniformly to the UV reactors used by the supplier and inactivation of a test microorganism whose dose response characteristics have been quantified with a low pressure mercury vapor lamp.

C) The Agency may, by a SEP issued pursuant to Section 611.110, approve an alternative approach to validation testing.

3) Reactor monitoring.

A) A supplier must monitor its UV reactors to determine if the reactors are operating within validated conditions, as determined pursuant to subsection (d)(2) of this Section. This monitoring must include UV intensity, as measured by a UV sensor; flow rate; lamp status; and other parameters that the Agency has designated by a SEP issued pursuant to Section 611.110 based on UV reactor operation. A supplier must verify the calibration of UV sensors and must recalibrate sensors in accordance with a protocol that the Agency has approved by the SEP.

B) To receive treatment credit for UV light, a supplier must treat at least 95 percent of the water delivered to the public during each month by UV reactors operating within validated conditions for the required UV dose, as described in subsections (d)(1) and (d)(2) of this Section. The supplier must demonstrate compliance with this condition by the monitoring required pursuant to subsection (d)(3)(A) of this Section.

BOARD NOTE: Derived from 40 CFR 141.720 (2006).

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

Section 611.1021 Reporting and Recordkeeping Requirements: Reporting Requirements

a) A supplier must report sampling schedules pursuant to Section 611.1002 and source water monitoring results pursuant to Section 611.1006 unless it notifies the Agency that it will not conduct source water monitoring because the supplier meets the criteria of Section 611.1001(d).

b) A supplier must report the use of uncovered finished water storage facilities to the Agency, as described in Section 611.1014.

c) A filtered system supplier must report its Cryptosporidium bin classification, as described in Section 611.1010.

d) An unfiltered system supplier must report its mean source water Cryptosporidium level, as described in Section 611.1012.

e) A supplier must report disinfection profiles and benchmarks to the Agency, as described in Sections 611.1008 and 611.1009, prior to making a significant change in disinfection practice.

f) A supplier must report to the Agency in accordance with subsections (f)(1) through (f)(15) of this Section for any microbial toolbox options used to comply with treatment requirements pursuant to Section 611.1011 or Section 611.1012. Alternatively, the Agency may, by a SEP issued pursuant to Section 611.110, approve a supplier to certify operation within required parameters for treatment credit rather than reporting monthly operational data for toolbox options.

1) A supplier using the watershed control program toolbox option must submit the following information on the indicated schedule:

A) A notice of intention to develop a new or continue an existing watershed control program no later than two years before the applicable treatment compliance date in Section 611.1013;

B) A watershed control plan no later than one year before the applicable treatment compliance date in Section 611.1013;

C) An annual watershed control program status report every 12 months, beginning one year after the applicable treatment compliance date in Section 611.1013; and

D) A watershed sanitary survey report: for a CWS supplier, every three years beginning three years after the applicable treatment compliance date in Section 611.1013 or, for a non-CWS supplier, every five years beginning five years after the applicable treatment compliance date in Section 611.1013.

2) A supplier using the alternative source or intake management toolbox option must submit verification that it has relocated the intake or adopted the intake withdrawal procedure reflected in monitoring results no later than the applicable treatment compliance date in Section 611.1013.

3) A supplier using the presedimentation toolbox option must submit monthly verification of the information set forth in each of subsections (f)(3)(A) through (f)(3)(D) of this Section. Monthly reporting must occur within 10 days following the month in which the monitoring was conducted, beginning on the applicable treatment compliance date in Section 611.1013.

A) Continuous basin operation;

B) Treatment of 100% of the flow;

C) Continuous addition of a coagulant; and

D) At least 0.5-log mean reduction of influent turbidity or compliance with alternative Agency-approved performance criteria.

4) A supplier using the two-stage lime softening toolbox option must submit monthly verification of the information set forth in each of subsections (f)(4)(A) and (f)(4)(B) of this Section. Monthly reporting must occur within 10 days following the month in which the monitoring was conducted, beginning on the applicable treatment compliance date in Section 611.1013.

A) That chemical addition and hardness precipitation occurred in two separate and sequential softening stages prior to filtration; and

B) That both stages treated 100% of the plant flow.

5) A supplier using the bank filtration toolbox option must submit the following information on the indicated schedule:

A) An initial demonstration of the following no later than the applicable treatment compliance date in Section 611.1013:

i) The existence of unconsolidated, predominantly sandy aquifer; and

ii) A setback distance of at least 25 ft. (0.5-log credit) or 50 ft. (1.0-log credit).

B) If the monthly average of daily max turbidity is greater than 1 NTU, then the supplier must report that result and submit an assessment of the cause within 30 days following the month in which the monitoring was conducted, beginning on the applicable treatment compliance date in Section 611.1013.

6) A supplier using the combined filter performance toolbox option must submit monthly verification of combined filter effluent (CFE) turbidity levels less than or equal to 0.15 NTU in at least 95 percent of the four-hour CFE measurements taken each month. Monthly reporting must occur within 10 days following the month in which the monitoring was conducted, beginning on the applicable treatment compliance date in Section 611.1013.

7) A supplier using the individual filter performance toolbox option must submit monthly verification of the information set forth in each of subsections (f)(7)(A) and (f)(7)(B) of this Section. Monthly reporting must occur within 10 days following the month in which the monitoring was conducted, beginning on the applicable treatment compliance date in Section 611.1013.

A) That individual filter effluent (IFE) turbidity were levels less than or equal to 0.15 NTU in at least 95 percent of samples each month in each filter; and

B) That no individual filter measured greater than 0.3 NTU in two consecutive readings 15 minutes apart.

8) A supplier using the demonstration of performance toolbox option must submit the information set forth in each of subsections (f)(8)(A) and (f)(8)(B) of this Section on the indicated schedule:

A) Results from testing following an Agency-approved protocol no later than the applicable treatment compliance date in Section 611.1013.

B) As required by the Agency, monthly verification of operation within conditions of Agency-approved protocol for demonstration of performance credit within 10 days following the month in which monitoring was conducted, beginning on the applicable treatment compliance date in Section 611.1013.

9) A supplier using the bag filters and cartridge filters toolbox option must submit the information set forth in each of subsections (f)(9)(A) and (f)(9)(B) of this Section on the indicated schedule:

A) A demonstration, no later than the applicable treatment compliance date in Section 611.1013, that the following criteria are met:

i) That the process meets the definition of bag or cartridge filtration; and

ii) That the removal efficiency established through challenge testing that meets criteria in this Subpart Z; and

B) Monthly verification, within 10 days following the month in which monitoring was conducted, beginning on the applicable treatment compliance date in Section 611.1013, that 100% of plant flow was filtered.

10) A supplier using the membrane filtration toolbox option must submit the following information on the indicated schedule:

A) Results of verification testing no later than the applicable treatment compliance date in Section 611.1013 that demonstrate the following:

i) Removal efficiency established through challenge testing that meets criteria set forth in this Subpart Z; and

ii) The integrity test method and parameters, including resolution, sensitivity, test frequency, control limits, and associated baseline; and

B) A monthly report within 10 days following the month in which monitoring was conducted, beginning on the applicable treatment compliance date in Section 611.1013, that summarizes the following:

i) All direct integrity tests above the control limit; and

ii) If applicable, any turbidity or alternative State-approved indirect integrity monitoring results triggering direct integrity testing and the corrective action that was taken.

11) A supplier using the second stage filtration toolbox option must submit monthly verification within 10 days following the month in which monitoring was conducted, beginning on the applicable treatment compliance date in Section 611.1013, that 100% of flow was filtered through both stages and that first stage was preceded by coagulation step.

12) A supplier using the slow sand filtration (as secondary filter) toolbox option must submit monthly verification within 10 days following the month in which monitoring was conducted, beginning on the applicable treatment compliance date in Section 611.1013, that both a slow sand filter and a preceding separate stage of filtration treated 100% of flow from Subpart B sources.

13) A supplier using the chlorine dioxide toolbox option must submit a monthly summary of CT values for each day within 10 days following the month in which monitoring was conducted, beginning on the applicable treatment compliance date in Section 611.1013, as described in Section 611.1020.

14) A supplier using the ozone toolbox option must submit a monthly summary of CT values for each day within 10 days following the month in which monitoring was conducted, beginning on the applicable treatment compliance date in Section 611.1013, as described in Section 611.1020.

15) A supplier using the UV toolbox option must submit the following information on the indicated schedule:

A) Validation test results no later than the applicable treatment compliance date in Section 611.1013, that demonstrate operating conditions that achieve required UV dose.

B) A monthly report summarizing the percentage of water entering the distribution system that was not treated by UV reactors operating within validated conditions for the required dose within 10 days following the month in which monitoring was conducted, beginning on the applicable treatment compliance date in Section 611.1013, as specified in Section 611.1020(d).

BOARD NOTE: Derived from 40 CFR 141.721 (2006).

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

Section 611.1022 Reporting and Recordkeeping Requirements: Recordkeeping Requirements

a) A supplier must keep results from the initial round of source water monitoring pursuant to Section 611.1001(a) and the second round of source water monitoring pursuant to Section 611.1001(b) until three years after bin classification pursuant to Section 611.1010 for a filtered system supplier or determination of the mean Cryptosporidium level pursuant to Section 611.1010 for an unfiltered system supplier for the particular round of monitoring.

b) A supplier must keep any notification to the Agency that it will not conduct source water monitoring due to meeting the criteria of Section 611.1001(d) for three years.

c) A supplier must keep the results of treatment monitoring associated with microbial toolbox options pursuant to Sections 611.1016 through 611.1020 and with uncovered finished water reservoirs pursuant to Section 611.1014, as applicable, for three years.

BOARD NOTE: Derived from 40 CFR 141.722 (2006).

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

Section 611.1023 Requirements to Respond to Significant Deficiencies Identified in Sanitary Surveys Performed by USEPA or the Agency

a) A "sanitary survey" is an onsite review of the water source (identifying sources of contamination by using results of source water assessments where available), facilities, equipment, operation, maintenance, and monitoring compliance of a PWS to evaluate the adequacy of the PWS, its sources and operations, and the distribution of safe drinking water.

b) For the purposes of this Section, a "significant deficiency" includes a defect in design, operation, or maintenance, or a failure or malfunction of the sources, treatment, storage, or distribution supplier that USEPA or the Agency determines to be causing, or has the potential for causing, the introduction of contamination into the water delivered to consumers.

c) For sanitary surveys performed by USEPA or the Agency, the supplier must respond in writing to significant deficiencies identified in sanitary survey reports no later than 45 days after receipt of the report, indicating how and on what schedule the supplier will address significant deficiencies noted in the survey.

d) A supplier must correct significant deficiencies identified in sanitary survey reports according to the schedule approved by USEPA or the Agency, or if there is no approved schedule, according to the schedule reported pursuant to subsection (c) of this Section if such deficiencies are within the control of the supplier.

BOARD NOTE: Derived from 40 CFR 141.723 (2006).

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

Section 611.APPENDIX A Regulated Contaminants

Microbiological contaminants.

Contaminant (units): Total Coliform Bacteria
Traditional MCL in mg/l : MCL: (a supplier that collects 40 or more samples/month) five percent or fewer of monthly samples are positive; (systems that collect fewer than 40 samples/month) one or fewer positive monthly samples.
To convert for CCR, multiply by: –
MCL in CCR units: MCL: (a supplier that collects 40 or more samples/month) five percent or fewer of monthly samples are positive; (a supplier that collects fewer than 40 samples/month) one or fewer positive monthly samples.
MCLG: 0
Major sources in drinking water: Naturally present in the environment.
Health effects language: Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present.Coliforms were found in more samples than allowed and this was a warning of potential problems.

Contaminant (units): Fecal coliform and E. coli
Traditional MCL in mg/l : 0
To convert for CCR, multiply by: –
MCL in CCR units: 0
MCLG: 0
Major sources in drinking water: Human and animal fecal waste.
Health effects language: Fecal coliforms and E. coli are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Microbes in these wastes can cause short-term effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, some of the elderly, and people with severely-compromised immune systems.

Contaminant (units): Fecal Indicators (enterococci or coliphage)
Traditional MCL in mg/l : TT
To convert for CCR, multiply by: -
MCL in CCR units: TT
MCLG: N/A
Major sources in drinking water: Human and animal fecal waste.

Health effects language: Fecal indicators are microbes whose presence indicates that the water may be contaminated with human or animal wastes. Microbes in these wastes can cause short-term health effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, some of the elderly, and people with severely compromised immune systems.

Contaminant (units): Total organic carbon (ppm)
Traditional MCL in mg/l : TT
To convert for CCR, multiply by: –
MCL in CCR units: TT
MCLG: N/A
Major sources in drinking water: Naturally present in the environment.
Health effects language: Total organic carbon (TOC) has no health effects. However, total organic carbon provides a medium for the formation of disinfection byproducts. These byproducts include trihalomethanes (THMs) and haloacetic acids (HAAs). Drinking water containing these byproducts in excess of the MCL may lead to adverse health effects, liver or kidney problems, or nervous system effects, and may lead to an increased risk of getting cancer.

Contaminant (units): Turbidity (NTU)
Traditional MCL in mg/l : TT
To convert for CCR, multiply by: –
MCL in CCR units: TT
MCLG: N/A
Major sources in drinking water: Soil runoff.
Health effects language: Turbidity has no health effects. However, turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.

Radioactive contaminants.

Contaminant (units): Beta/photon emitters (mrem/yr)
Traditional MCL in mg/l : 4 mrem/yr
To convert for CCR, multiply by: –
MCL in CCR units: 4
MCLG: 0
Major sources in drinking water: Decay of natural and man-made deposits.

Health effects language: Certain minerals are radioactive and may emit forms of radiation known as photons and beta radiation. Some people who drink water containing beta particle and photon radioactivity in excess of the MCL over many years may have an increased risk of getting cancer.

Contaminant (units): Alpha emitters (pCi/l)
Traditional MCL in mg/l : 15 pCi/l
To convert for CCR, multiply by: –
MCL in CCR units: 15
MCLG: 0
Major sources in drinking water: Erosion of natural deposits.
Health effects language: Certain minerals are radioactive and may emit a form of radiation known as alpha radiation. Some people who drink water containing alpha emitters in excess of the MCL over many years may have an increased risk of getting cancer.

Contaminant (units): Combined radium (pCi/l)
Traditional MCL in mg/l: 5 pCi/l
To convert for CCR, multiply by: –
MCL in CCR units: 5
MCLG: 0
Major sources in drinking water: Erosion of natural deposits.
Health effects language: Some people who drink water containing radium-226 or -228 in excess of the MCL over many years may have an increased risk of getting cancer.

Contaminant (units): Uranium (µg/l)
Traditional MCL in mg/l : 30 µg/l
To convert for CCR, multiply by: –
MCL in CCR units: 30
MCLG: 0
Major sources in drinking water: Erosion of natural deposits.
Health effects language: Some people who drink water containing uranium in excess of the MCL over many years may have an increased risk of getting cancer and kidney toxicity.

Inorganic contaminants.

Contaminant (units): Antimony (ppb)
Traditional MCL in mg/l : 0.006

To convert for CCR, multiply by: 1000
MCL in CCR units: 6
MCLG: 6
Major sources in drinking water: Discharge from petroleum refineries; fire retardants; ceramics; electronics; solder.
Health effects language: Some people who drink water containing antimony well in excess of the MCL over many years could experience increases in blood cholesterol and decreases in blood sugar.

Contaminant (units): Arsenic (ppb)
Traditional MCL in mg/l : 0.05 until January 23, 2006 or 0.010
effective January 23, 2006
To convert for CCR, multiply by: 1000
MCL in CCR units: 50
MCLG: 0 (effective January 26, 2006)
Major sources in drinking water: Erosion of natural deposits; runoff from orchards; runoff from glass and electronics production wastes.
Health effects language: Some people who drink water containing arsenic in excess of the MCL over many years could experience skin damage or problems with their circulatory system, and may have an increased risk of getting cancer.

Contaminant (units): Asbestos (MFL)
Traditional MCL in mg/l : 7 MFL
To convert for CCR, multiply by: –
MCL in CCR units: 7
MCLG: 7
Major sources in drinking water: Decay of asbestos cement water mains; erosion of natural deposits.
Health effects language: Some people who drink water containing asbestos in excess of the MCL over many years may have an increased risk of developing benign intestinal polyps.

Contaminant (units): Barium (ppm)
Traditional MCL in mg/l : 2
To convert for CCR, multiply by: –
MCL in CCR units: 2
MCLG: 2
Major sources in drinking water: Discharge of drilling wastes; discharge from metal refineries; erosion of natural deposits.

Health effects language: Some people who drink water containing barium in excess of the MCL over many years could experience an increase in their blood pressure.

Contaminant (units): Beryllium (ppb)
Traditional MCL in mg/l : 0.004
To convert for CCR, multiply by: 1000
MCL in CCR units: 4
MCLG: 4
Major sources in drinking water: Discharge from metal refineries and coal-burning factories; discharge from electrical, aerospace, and defense industries.
Health effects language: Some people who drink water containing beryllium well in excess of the MCL over many years could develop intestinal lesions.

Contaminant (units): Bromate (ppb)
Traditional MCL in mg/l : 0.010
To convert for CCR, multiply by: 1000
MCL in CCR units: 10
MCLG: 0
Major sources in drinking water: By-product of drinking water disinfection.
Health effects language: Some people who drink water containing bromate in excess of the MCL over many years may have an increased risk of getting cancer.

Contaminant (units): Cadmium (ppb)
Traditional MCL in mg/l : 0.005
To convert for CCR, multiply by: 1000
MCL in CCR units: 5
MCLG: 5
Major sources in drinking water: Corrosion of galvanized pipes; erosion of natural deposits; discharge from metal refineries; runoff from waste batteries and paints.
Health effects language: Some people who drink water containing cadmium in excess of the MCL over many years could experience kidney damage.

Contaminant (units): Chloramines (ppm)
Traditional MCL in mg/l : MRDL=4
To convert for CCR, multiply by: –
MCL in CCR units: MRDL=4
MCLG: MRDLG=4
Major sources in drinking water: Water additive used to control microbes.

Health effects language: Some people who drink water containing chloramines well in excess of the MRDL could experience irritating effects to their eyes and nose. Some people who drink water containing chloramines well in excess of the MRDL could experience stomach discomfort or anemia.

Contaminant (units): Chlorine (ppm)
Traditional MCL in mg/l : MRDL=4
To convert for CCR, multiply by: -
MCL in CCR units: MRDL=4
MCLG: MRDLG=4
Major sources in drinking water: Water additive used to control microbes.
Health effects language: Some people who drink water containing chlorine well in excess of the MRDL could experience irritating effects to their eyes and nose. Some people who drink water containing chlorine well in excess of the MRDL could experience stomach discomfort.

Contaminant (units): Chlorine dioxide (ppb)
Traditional MCL in mg/l : MRDL=800
To convert for CCR, multiply by: 1000
MCL in CCR units: MRDL=800
MCLG: MRDLG=800
Major sources in drinking water: Water additive used to control microbes.
Health effects language: Some infants and young children who drink water containing chlorine dioxide well in excess of the MRDL could experience nervous system effects. Similar effects may occur in fetuses of pregnant women who drink water containing chlorine dioxide in excess of the MRDL. Some people may experience anemia.

Contaminant (units): Chlorite (ppm)
Traditional MCL in mg/l : MRDL=1
To convert for CCR, multiply by: –
MCL in CCR units: MRDL=1
MCLG: MRDLG=0.8
Major sources in drinking water: By-product of drinking water disinfection.
Health effects language: Some infants and young children who drink water containing chlorite well in excess of the MCL could experience nervous system effects. Similar effects may occur in fetuses of pregnant women who drink water containing chlorite in excess of the MCL. Some people may experience anemia.

Contaminant (units): Chromium (ppb)
Traditional MCL in mg/l : 0.1
To convert for CCR, multiply by: 1000
MCL in CCR units: 100
MCLG: 100
Major sources in drinking water: Discharge from steel and pulp mills; erosion of natural deposits.
Health effects language: Some people who use water containing chromium well in excess of the MCL over many years could experience allergic dermatitis.

Contaminant (units): Copper (ppm)
Traditional MCL in mg/l : AL=1.3
To convert for CCR, multiply by: –
MCL in CCR units: AL=1.3
MCLG: 1.3
Major sources in drinking water: Corrosion of household plumbing systems; erosion of natural deposits.
Health effects language: Copper is an essential nutrient, but some people who drink water containing copper in excess of the action level over a relatively short amount of time could experience gastrointestinal distress. Some people who drink water containing copper in excess of the action level over many years could suffer liver or kidney damage. People with Wilson's Disease should consult their personal doctor.

Contaminant (units): Cyanide (ppb)
Traditional MCL in mg/l : 0.2
To convert for CCR, multiply by: 1000
MCL in CCR units: 200
MCLG: 200
Major sources in drinking water: Discharge from steel/metal factories; discharge from plastic and fertilizer factories.
Health effects language: Some people who drink water containing cyanide well in excess of the MCL over many years could experience nerve damage or problems with their thyroid.

Contaminant (units): Fluoride (ppm)
Traditional MCL in mg/l : 4
To convert for CCR, multiply by: –
MCL in CCR units: 4

MCLG: 4
Major sources in drinking water: Erosion of natural deposits; water additive that promotes strong teeth; discharge from fertilizer and aluminum factories.
Health effects language: Some people who drink water containing fluoride in excess of the MCL over many years could get bone disease, including pain and tenderness of the bones. Fluoride in drinking water at half the MCL or more may cause mottling of children's teeth, usually in children less than nine years old. Mottling, also known as dental fluorosis, may include brown staining or pitting of the teeth, and occurs only in developing teeth before they erupt from the gums.

Contaminant (units): Lead (ppb)
Traditional MCL in mg/l : AL=0.015
To convert for CCR, multiply by: 1000
MCL in CCR units: AL=15
MCLG: 0
Major sources in drinking water: Corrosion of household plumbing systems; erosion of natural deposits.
Health effects language: Infants and children who drink water containing lead in excess of the action level could experience delays in their physical or mental development. Children could show slight deficits in attention span and learning abilities. Adults who drink this water over many years could develop kidney problems or high blood pressure.

Contaminant (units): Mercury (inorganic) (ppb)
Traditional MCL in mg/l : 0.002
To convert for CCR, multiply by: 1000
MCL in CCR units: 2
MCLG: 2
Major sources in drinking water: Erosion of natural deposits; discharge from refineries and factories; runoff from landfills; runoff from cropland.
Health effects language: Some people who drink water containing inorganic mercury well in excess of the MCL over many years could experience kidney damage.

Contaminant (units): Nitrate (ppm)
Traditional MCL in mg/l : 10
To convert for CCR, multiply by: –
MCL in CCR units: 10
MCLG: 10
Major sources in drinking water: Runoff from fertilizer use; leaching from septic tanks,

sewage; erosion of natural deposits.
Health effects language: Infants below the age of six months who drink water containing nitrate in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue baby syndrome.

Contaminant (units): Nitrite (ppm)
Traditional MCL in mg/l : 1
To convert for CCR, multiply by: –
MCL in CCR units: 1
MCLG: 1
Major sources in drinking water: Runoff from fertilizer use; leaching from septic tanks, sewage; erosion of natural deposits.
Health effects language: Infants below the age of six months who drink water containing nitrite in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue baby syndrome.

Contaminant (units): Selenium (ppb)
Traditional MCL in mg/l : 0.05
To convert for CCR, multiply by: 1000
MCL in CCR units: 50
MCLG: 50
Major sources in drinking water: Discharge from petroleum and metal refineries; erosion of natural deposits; discharge from mines.
Health effects language: Selenium is an essential nutrient. However, some people who drink water containing selenium in excess of the MCL over many years could experience hair or fingernail losses, numbness in fingers or toes, or problems with their circulation.

Contaminant (units): Thallium (ppb)
Traditional MCL in mg/l : 0.002
To convert for CCR, multiply by: 1000
MCL in CCR units: 2
MCLG: 0.5
Major sources in drinking water: Leaching from ore-processing sites; discharge from electronics, glass, and drug factories.
Health effects language: Some people who drink water containing thallium in excess of the MCL over many years could experience hair loss, changes in their blood, or problems with their kidneys, intestines, or liver.

Synthetic organic contaminants including pesticides and herbicides.

Contaminant (units): 2,4-D (ppb)
Traditional MCL in mg/l : 0.07
To convert for CCR, multiply by: 1000
MCL in CCR units: 70
MCLG: 70
Major sources in drinking water: Runoff from herbicide used on row crops.
Health effects language: Some people who drink water containing the weed killer 2,4-D well in excess of the MCL over many years could experience problems with their kidneys, liver, or adrenal glands.

Contaminant (units): 2,4,5-TP (silvex) (ppb)
Traditional MCL in mg/l : 0.05
To convert for CCR, multiply by: 1000
MCL in CCR units: 50
MCLG: 50
Major sources in drinking water: Residue of banned herbicide.
Health effects language: Some people who drink water containing silvex in excess of the MCL over many years could experience liver problems.

Contaminant (units): Acrylamide
Traditional MCL in mg/l : TT
To convert for CCR, multiply by: –
MCL in CCR units: TT
MCLG: 0
Major sources in drinking water: Added to water during sewage/wastewater treatment.
Health effects language: Some people who drink water containing high levels of acrylamide over a long period of time could have problems with their nervous system or blood, and may have an increased risk of getting cancer.

Contaminant (units): Alachlor (ppb)
Traditional MCL in mg/l : 0.002
To convert for CCR, multiply by: 1000
MCL in CCR units: 2
MCLG: 0
Major sources in drinking water: Runoff from herbicide used on row crops.
Health effects language: Some people who drink water containing alachlor in excess of the MCL over many years could have problems with their eyes, liver, kidneys, or

spleen, or experience anemia, and may have an increased risk of getting cancer.

Contaminant (units): Atrazine (ppb)
Traditional MCL in mg/l : 0.003
To convert for CCR, multiply by: 1000
MCL in CCR units: 3
MCLG: 3
Major sources in drinking water: Runoff from herbicide used on row crops.
Health effects language: Some people who drink water containing atrazine well in excess of the MCL over many years could experience problems with their cardiovascular system or reproductive difficulties.

Contaminant (units): Benzo(a)pyrene (PAH) (nanograms/l)
Traditional MCL in mg/l : 0.0002
To convert for CCR, multiply by: 1,000,000
MCL in CCR units: 200
MCLG: 0
Major sources in drinking water: Leaching from linings of water storage tanks and distribution lines.
Health effects language: Some people who drink water containing benzo(a)pyrene in excess of the MCL over many years may experience reproductive difficulties and may have an increased risk of getting cancer.

Contaminant (units): Carbofuran (ppb)
Traditional MCL in mg/l : 0.04
To convert for CCR, multiply by: 1000
MCL in CCR units: 40
MCLG: 40
Major sources in drinking water: Leaching of soil fumigant used on rice and alfalfa.
Health effects language: Some people who drink water containing carbofuran in excess of the MCL over many years could experience problems with their blood, or nervous or reproductive systems.

Contaminant (units): Chlordane (ppb)
Traditional MCL in mg/l : 0.002
To convert for CCR, multiply by: 1000
MCL in CCR units: 2
MCLG: 0
Major sources in drinking water: Residue of banned termiticide.

Health effects language: Some people who drink water containing chlordane in excess of the MCL over many years could experience problems with their liver or nervous system, and may have an increased risk of getting cancer.

Contaminant (units): Dalapon (ppb)
Traditional MCL in mg/l : 0.2
To convert for CCR, multiply by: 1000
MCL in CCR units: 200
MCLG: 200
Major sources in drinking water: Runoff from herbicide used on rights of way.
Health effects language: Some people who drink water containing dalapon well in excess of the MCL over many years could experience minor kidney changes.

Contaminant (units): Di(2-ethylhexyl)adipate (ppb)
Traditional MCL in mg/l : 0.4
To convert for CCR, multiply by: 1000
MCL in CCR units: 400
MCLG: 400
Major sources in drinking water: Discharge from chemical factories.
Health effects language: Some people who drink water containing di(2-ethylhexyl)adipate well in excess of the MCL over many years could experience toxic effects, such as weight loss, liver enlargement, or possible reproductive difficulties.

Contaminant (units): Di(2-ethylhexyl)phthalate (ppb)
Traditional MCL in mg/l : 0.006
To convert for CCR, multiply by: 1000
MCL in CCR units: 6
MCLG: 0
Major sources in drinking water: Discharge from rubber and chemical factories.
Health effects language: Some people who drink water containing di(2-ethylhexyl)phthalate well in excess of the MCL over many years may have problems with their liver or experience reproductive difficulties, and they may have an increased risk of getting cancer.

Contaminant (units): Dibromochloropropane (DBCP) (ppt)
Traditional MCL in mg/l : 0.0002
To convert for CCR, multiply by: 1,000,000
MCL in CCR units: 200
MCLG: 0

Major sources in drinking water: Runoff/leaching from soil fumigant used on soybeans, cotton, pineapples, and orchards.
Health effects language: Some people who drink water containing DBCP in excess of the MCL over many years could experience reproductive problems and may have an increased risk of getting cancer.

Contaminant (units): Dinoseb (ppb)
Traditional MCL in mg/l : 0.007
To convert for CCR, multiply by: 1000
MCL in CCR units: 7
MCLG: 7
Major sources in drinking water: Runoff from herbicide used on soybeans and vegetables.
Health effects language: Some people who drink water containing dinoseb well in excess of the MCL over many years could experience reproductive difficulties.

Contaminant (units): Diquat (ppb)
Traditional MCL in mg/l : 0.02
To convert for CCR, multiply by: 1000
MCL in CCR units: 20
MCLG: 20
Major sources in drinking water: Runoff from herbicide use.
Health effects language: Some people who drink water containing diquat in excess of the MCL over many years could get cataracts.

Contaminant (units): Dioxin (2,3,7,8-TCDD) (ppq)
Traditional MCL in mg/l : 0.00000003
To convert for CCR, multiply by: 1,000,000,000
MCL in CCR units: 30
MCLG: 0
Major sources in drinking water: Emissions from waste incineration and other combustion; discharge from chemical factories.
Health effects language: Some people who drink water containing dioxin in excess of the MCL over many years could experience reproductive difficulties and may have an increased risk of getting cancer.

Contaminant (units): Endothall (ppb)
Traditional MCL in mg/l : 0.1
To convert for CCR, multiply by: 1000

MCL in CCR units: 100
MCLG: 100
Major sources in drinking water: Runoff from herbicide use.
Health effects language: Some people who drink water containing endothall in excess of the MCL over many years could experience problems with their stomach or intestines.

Contaminant (units): Endrin (ppb)
Traditional MCL in mg/l : 0.002
To convert for CCR, multiply by: 1000
MCL in CCR units: 2
MCLG: 2
Major sources in drinking water: Residue of banned insecticide.
Health effects language: Some people who drink water containing endrin in excess of the MCL over many years could experience liver problems.

Contaminant (units): Epichlorohydrin
Traditional MCL in mg/l : TT
To convert for CCR, multiply by: –
MCL in CCR units: TT
MCLG: 0
Major sources in drinking water: Discharge from industrial chemical factories; an impurity of some water treatment chemicals.
Health effects language: Some people who drink water containing high levels of epichlorohydrin over a long period of time could experience stomach problems, and may have an increased risk of getting cancer.

Contaminant (units): Ethylene dibromide (ppt)
Traditional MCL in mg/l : 0.00005
To convert for CCR, multiply by: 1,000,000
MCL in CCR units: 50
MCLG: 0
Major sources in drinking water: Discharge from petroleum refineries.
Health effects language: Some people who drink water containing ethylene dibromide in excess of the MCL over many years could experience problems with their liver, stomach, reproductive system, or kidneys, and may have an increased risk of getting cancer.

Contaminant (units): Glyphosate (ppb)

Traditional MCL in mg/l : 0.7
To convert for CCR, multiply by: 1000
MCL in CCR units: 700
MCLG: 700
Major sources in drinking water: Runoff from herbicide use.
Health effects language: Some people who drink water containing glyphosate in excess of the MCL over many years could experience problems with their kidneys or reproductive difficulties.

Contaminant (units): Heptachlor (ppt)
Traditional MCL in mg/l : 0.0004
To convert for CCR, multiply by: 1,000,000
MCL in CCR units: 400
MCLG: 0
Major sources in drinking water: Residue of banned pesticide.
Health effects language: Some people who drink water containing heptachlor in excess of the MCL over many years could experience liver damage and may have an increased risk of getting cancer.

Contaminant (units): Heptachlor epoxide (ppt)
Traditional MCL in mg/l : 0.0002
To convert for CCR, multiply by: 1,000,000
MCL in CCR units: 200
MCLG: 0
Major sources in drinking water: Breakdown of heptachlor.
Health effects language: Some people who drink water containing heptachlor epoxide in excess of the MCL over many years could experience liver damage, and may have an increased risk of getting cancer.

Contaminant (units): Hexachlorobenzene (ppb)
Traditional MCL in mg/l : 0.001
To convert for CCR, multiply by: 1000
MCL in CCR units: 1
MCLG: 0
Major sources in drinking water: Discharge from metal refineries and agricultural chemical factories.
Health effects language: Some people who drink water containing hexachlorobenzene in excess of the MCL over many years could experience problems with their liver or kidneys, or adverse reproductive effects, and may have an

increased risk of getting cancer.

Contaminant (units): Hexachlorocyclopentadiene (ppb)
Traditional MCL in mg/l : 0.05
To convert for CCR, multiply by: 1000
MCL in CCR units: 50
MCLG: 50
Major sources in drinking water: Discharge from chemical factories.
Health effects language: Some people who drink water containing hexachlorocyclopentadiene well in excess of the MCL over many years could experience problems with their kidneys or stomach.

Contaminant (units): Lindane (ppt)
Traditional MCL in mg/l : 0.0002
To convert for CCR, multiply by: 1,000,000
MCL in CCR units: 200
MCLG: 200
Major sources in drinking water: Runoff/leaching from insecticide used on cattle, lumber, gardens.
Health effects language: Some people who drink water containing lindane in excess of the MCL over many years could experience problems with their kidneys or liver.

Contaminant (units): Methoxychlor (ppb)
Traditional MCL in mg/l : 0.04
To convert for CCR, multiply by: 1000
MCL in CCR units: 40
MCLG: 40
Major sources in drinking water: Runoff/leaching from insecticide used on fruits, vegetables, alfalfa, livestock.
Health effects language: Some people who drink water containing methoxychlor in excess of the MCL over many years could experience reproductive difficulties.

Contaminant (units): Oxamyl (vydate) (ppb)
Traditional MCL in mg/l : 0.2
To convert for CCR, multiply by: 1000
MCL in CCR units: 200
MCLG: 200
Major sources in drinking water: Runoff/leaching from insecticide used on apples, potatoes and tomatoes.

Health effects language: Some people who drink water containing oxamyl in excess of the MCL over many years could experience slight nervous system effects.

Contaminant (units): PCBs (polychlorinated biphenyls) (ppt)
Traditional MCL in mg/l : 0.0005
To convert for CCR, multiply by: 1,000,000
MCL in CCR units: 500
MCLG: 0
Major sources in drinking water: Runoff from landfills; discharge of waste chemicals.
Health effects language: Some people who drink water containing PCBs in excess of the MCL over many years could experience changes in their skin, problems with their thymus gland, immune deficiencies, or reproductive or nervous system difficulties, and may have an increased risk of getting cancer.

Contaminant (units): Pentachlorophenol (ppb)
Traditional MCL in mg/l : 0.001
To convert for CCR, multiply by: 1000
MCL in CCR units: 1
MCLG: 0
Major sources in drinking water: Discharge from wood preserving factories.
Health effects language: Some people who drink water containing pentachlorophenol in excess of the MCL over many years could experience problems with their liver or kidneys, and may have an increased risk of getting cancer.

Contaminant (units): Picloram (ppb)
Traditional MCL in mg/l : 0.5
To convert for CCR, multiply by: 1000
MCL in CCR units: 500
MCLG: 500
Major sources in drinking water: Herbicide runoff.
Health effects language: Some people who drink water containing picloram in excess of the MCL over many years could experience problems with their liver.

Contaminant (units): Simazine (ppb)
Traditional MCL in mg/l : 0.004
To convert for CCR, multiply by: 1000
MCL in CCR units: 4
MCLG: 4
Major sources in drinking water: Herbicide runoff.

Health effects language: Some people who drink water containing simazine in excess of the MCL over many years could experience problems with their blood.

Contaminant (units): Toxaphene (ppb)
Traditional MCL in mg/l : 0.003
To convert for CCR, multiply by: 1000
MCL in CCR units: 3
MCLG: 0
Major sources in drinking water: Runoff/leaching from insecticide used on cotton and cattle.
Health effects language: Some people who drink water containing toxaphene in excess of the MCL over many years could have problems with their kidneys, liver, or thyroid, and may have an increased risk of getting cancer.

Volatile organic contaminants.

Contaminant (units): Benzene (ppb)
Traditional MCL in mg/l : 0.005
To convert for CCR, multiply by: 1000
MCL in CCR units: 5
MCLG: 0
Major sources in drinking water: Discharge from factories; leaching from gas storage tanks and landfills.
Health effects language: Some people who drink water containing benzene in excess of the MCL over many years could experience anemia or a decrease in blood platelets, and may have an increased risk of getting cancer.

Contaminant (units): Carbon tetrachloride (ppb)
Traditional MCL in mg/l : 0.005
To convert for CCR, multiply by: 1000
MCL in CCR units: 5
MCLG: 0
Major sources in drinking water: Discharge from chemical plants and other industrial activities.
Health effects language: Some people who drink water containing carbon tetrachloride in excess of the MCL over many years could experience problems with their liver and may have an increased risk of getting cancer.

Contaminant (units): Chlorobenzene (ppb)

Traditional MCL in mg/l : 0.1
To convert for CCR, multiply by: 1000
MCL in CCR units: 100
MCLG: 100
Major sources in drinking water: Discharge from chemical and agricultural chemical factories.
Health effects language: Some people who drink water containing chlorobenzene in excess of the MCL over many years could experience problems with their liver or kidneys.

Contaminant (units): o-Dichlorobenzene (ppb)
Traditional MCL in mg/l : 0.6
To convert for CCR, multiply by: 1000
MCL in CCR units: 600
MCLG: 600
Major sources in drinking water: Discharge from industrial chemical factories.
Health effects language: Some people who drink water containing o-dichlorobenzene well in excess of the MCL over many years could experience problems with their liver, kidneys, or circulatory systems.

Contaminant (units): p-Dichlorobenzene (ppb)
Traditional MCL in mg/l : 0.075
To convert for CCR, multiply by: 1000
MCL in CCR units: 75
MCLG: 75
Major sources in drinking water: Discharge from industrial chemical factories.
Health effects language: Some people who drink water containing p-dichlorobenzene in excess of the MCL over many years could experience anemia; damage to their liver, kidneys, or spleen; or changes in their blood.

Contaminant (units): 1,2-Dichloroethane (ppb)
Traditional MCL in mg/l : 0.005
To convert for CCR, multiply by: 1000
MCL in CCR units: 5
MCLG: 0
Major sources in drinking water: Discharge from industrial chemical factories.
Health effects language: Some people who drink water containing 1,2-dichloroethane in excess of the MCL over many years may have an increased risk of getting cancer.

Contaminant (units): 1,1-Dichloroethylene (ppb)
Traditional MCL in mg/l : 0.007
To convert for CCR, multiply by: 1000
MCL in CCR units: 7
MCLG: 7
Major sources in drinking water: Discharge from industrial chemical factories.
Health effects language: Some people who drink water containing 1,1-dichloroethylene in excess of the MCL over many years could experience problems with their liver.

Contaminant (units): cis-1,2-Dichloroethylene (ppb)
Traditional MCL in mg/l : 0.07
To convert for CCR, multiply by: 1000
MCL in CCR units: 70
MCLG: 70
Major sources in drinking water: Discharge from industrial chemical factories.
Health effects language: Some people who drink water containing cis-1,2-dichloroethylene in excess of the MCL over many years could experience problems with their liver.

Contaminant (units): trans-1,2-Dichloroethylene (ppb)
Traditional MCL in mg/l : 0.1
To convert for CCR, multiply by: 1000
MCL in CCR units: 100
MCLG: 100
Major sources in drinking water: Discharge from industrial chemical factories.
Health effects language: Some people who drink water containing trans-1,2-dichloroethylene well in excess of the MCL over many years could experience problems with their liver.

Contaminant (units): Dichloromethane (ppb)
Traditional MCL in mg/l : 0.005
To convert for CCR, multiply by: 1000
MCL in CCR units: 5
MCLG: 0
Major sources in drinking water: Discharge from pharmaceutical and chemical factories.
Health effects language: Some people who drink water containing dichloromethane in excess of the MCL over many years could have liver problems and may have an increased risk of getting cancer.

Contaminant (units): 1,2-Dichloropropane (ppb)
Traditional MCL in mg/l : 0.005
To convert for CCR, multiply by: 1000
MCL in CCR units: 5
MCLG: 0
Major sources in drinking water: Discharge from industrial chemical factories.
Health effects language: Some people who drink water containing 1,2-dichloropropane in excess of the MCL over many years may have an increased risk of getting cancer.

Contaminant (units): Ethylbenzene (ppb)
Traditional MCL in mg/l : 0.7
To convert for CCR, multiply by: 1000
MCL in CCR units: 700
MCLG: 700
Major sources in drinking water: Discharge from petroleum refineries.
Health effects language: Some people who drink water containing ethylbenzene well in excess of the MCL over many years could experience problems with their liver or kidneys.

Contaminant (units): Haloacetic acids (HAA5) (ppb)
Traditional MCL in mg/l : 0.060
To convert for CCR, multiply by: 1000
MCL in CCR units: 60
MCLG: N/A
Major sources in drinking water: Byproduct of drinking water disinfection.
Health effects language: Some people who drink water containing haloacetic acids in excess of the MCL over many years may have an increased risk of getting cancer.

Contaminant (units): Styrene (ppb)
Traditional MCL in mg/l : 0.1
To convert for CCR, multiply by: 1000
MCL in CCR units: 100
MCLG: 100
Major sources in drinking water: Discharge from rubber and plastic factories; leaching from landfills.
Health effects language: Some people who drink water containing styrene well in excess of the MCL over many years could have problems with their liver, kidneys, or circulatory system.

Contaminant (units): Tetrachloroethylene (ppb)
Traditional MCL in mg/l : 0.005
To convert for CCR, multiply by: 1000
MCL in CCR units: 5
MCLG: 0
Major sources in drinking water: Discharge from factories and dry cleaners.
Health effects language: Some people who drink water containing tetrachloroethylene in excess of the MCL over many years could have problems with their liver, and may have an increased risk of getting cancer.

Contaminant (units): 1,2,4-Trichlorobenzene (ppb)
Traditional MCL in mg/l : 0.07
To convert for CCR, multiply by: 1000
MCL in CCR units: 70
MCLG: 70
Major sources in drinking water: Discharge from textile-finishing factories.
Health effects language: Some people who drink water containing 1,2,4-trichlorobenzene well in excess of the MCL over many years could experience changes in their adrenal glands.

Contaminant (units): 1,1,1-Trichloroethane (ppb)
Traditional MCL in mg/l : 0.2
To convert for CCR, multiply by: 1000
MCL in CCR units: 200
MCLG: 200
Major sources in drinking water: Discharge from metal degreasing sites and other factories.
Health effects language: Some people who drink water containing 1,1,1-trichloroethane in excess of the MCL over many years could experience problems with their liver, nervous system, or circulatory system.

Contaminant (units): 1,1,2-Trichloroethane (ppb)
Traditional MCL in mg/l : 0.005
To convert for CCR, multiply by: 1000
MCL in CCR units: 5
MCLG: 3
Major sources in drinking water: Discharge from industrial chemical factories.
Health effects language: Some people who drink water containing 1,1,2-trichloroethane well in excess of the MCL over many years could have problems with their liver,

kidneys, or immune systems.

Contaminant (units): Trichloroethylene (ppb)
Traditional MCL in mg/l : 0.005
To convert for CCR, multiply by: 1000
MCL in CCR units: 5
MCLG: 0
Major sources in drinking water: Discharge from metal degreasing sites and other factories.
Health effects language: Some people who drink water containing trichloroethylene in excess of the MCL over many years could experience problems with their liver and may have an increased risk of getting cancer.

Contaminant (units): TTHMs (total trihalomethanes) (ppb)
Traditional MCL in mg/l : 0.10/0.080
To convert for CCR, multiply by: 1000
MCL in CCR units: 100/80
MCLG: N/A
Major sources in drinking water: Byproduct of drinking water disinfection.
Health effects language: Some people who drink water containing trihalomethanes in excess of the MCL over many years may experience problems with their liver, kidneys, or central nervous system, and may have an increased risk of getting cancer.

Contaminant (units): Toluene (ppm)
Traditional MCL in mg/l : 1
To convert for CCR, multiply by: –
MCL in CCR units: 1
MCLG: 1
Major sources in drinking water: Discharge from petroleum factories.
Health effects language: Some people who drink water containing toluene well in excess of the MCL over many years could have problems with their nervous system, kidneys, or liver.

Contaminant (units): Vinyl Chloride (ppb)
Traditional MCL in mg/l : 0.002
To convert for CCR, multiply by: 1000
MCL in CCR units: 2
MCLG: 0
Major sources in drinking water: Leaching from PVC piping; discharge from plastics

factories.
Health effects language: Some people who drink water containing vinyl chloride in excess of the MCL over many years may have an increased risk of getting cancer.

Contaminant (units): Xylenes (ppm)
Traditional MCL in mg/l : 10
To convert for CCR, multiply by: –
MCL in CCR units: 10
MCLG: 10
Major sources in drinking water: Discharge from petroleum factories; discharge from chemical factories.
Health effects language: Some people who drink water containing xylenes in excess of the MCL over many years could experience damage to their nervous system.

Key.

Abbreviation	Meaning
AL	action level
MCL	maximum contaminant level
MCLG	maximum contaminant level goal
MFL	million fibers per liter
MRDL	maximum residual disinfectant level
MRDLG	maximum residual disinfectant level goal
mrem/year	millirems per year (a measure of radiation absorbed by the body)
N/A	not applicable
NTU	nephelometric turbidity units (a measure of water clarity)
pCi/l	picocuries per liter (a measure of radioactivity)
ppm	parts per million, or milligrams per liter (mg/l)
ppb	parts per billion, or micrograms per liter (µg/l)
ppt	parts per trillion, or nanograms per liter
ppq	parts per quadrillion, or picograms per liter
TT	treatment technique

BOARD NOTE: Derived from appendix~~Appendix~~ A to subpart~~Subpart~~ O to 40 CFR 141 (2006), as amended at 71 Fed. Reg. 65574 (Nov. 8, 2006)~~(2003)~~.

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

Section 611.APPENDIX C Common Names of Organic Chemicals

The following common names are used for certain organic chemicals:

Common Name	CAS No.	CAS Name
Aldrin	309-00-2	1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a-hexahydro-, (1alpha, 4alpha, 4abeta, 5alpha, 8alpha, 8abeta)-
Bromoform	75-25-2	Methane, tribromo-
Chlordane	57-74-9	4,7-Methano-1H-indene, 1,2,4,5,6,7,8,8-octachloro-2,3,3a,4,7,7a-hexahydro-
Chloroform	67-66-3	Methane, trichloro-
2,4-D	94-75-7	Acetic acid, 2,4-dichlorophenoxy-
DDT	50-29-3	Benzene, 1,1'-(2,2,2-trichloroethylidene)bis(4-chloro-
Dieldrin	60-57-1	2,7:3,6-Dimethanonaphth(2,3-b)oxirene, 3,4,5,6,9,9-hexachloro-1a,2,2a,3,6,6a,7,7a-octahydro-,(1aalpha, 2beta, 2aalpha, 3beta, 6beta, 6aalpha, 7beta, 7aalpha)-
Endrin	72-20-8	2,7:3,6-Dimethanonaphth(2,3-b)oxirene, 3,4,5,6,9,9-hexachloro-1a,2,2a,3,6,6a,7,7a-octahydro-, (1aalpha, 2beta, 2abeta, 3alpha, 6alpha, 6abeta, 7beta, 7aalpha)-,
Heptachlor	76-44-8	4,7-Methano-1H-indene,1,4,5,6,7, 8,8-heptachloro-3a,4,7,7a-tetrahydro-
Heptachlor epoxide	1024-57-3	2,5-Methano-2H-indeno(1,2b) oxirene, 2,3,4,5,6,7,7-heptachloro-1a,1b,5,5a,6,6a-hexahydro-, (1a alpha, 1b beta, 2 alpha, 5 alpha, 5a beta, 6 beta, 6a alpha)-

Lindane	58-89-9	Cyclohexane, 1,2,3,4,5,6-hexachloro-, (1alpha, 2alpha, 3beta, 4alpha, 5alpha, 6beta)-
Methoxychlor	72-43-5	Benzene, 1,1'-(2,2,2-trichloroethylidene)bis(4-methoxy-
Silvex (2,4,5-TP)	93-72-1	Propanoic acid, 2-(2,4,5-trichlorophenoxy)-
Toxaphene	8001-35-2	Toxaphene
TTHM	Total trihalomethanes (See Section 611.101)	

BOARD NOTE: Derived from 40 CFR 141.30 and 261, appendix~~Appendix~~ VIII (2006)~~(2002)~~.

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Section 611.APPENDIX G NPDWR Violations and Situations Requiring Public Notice

See note 1 at the end of this Appendix G for an explanation of the Agency's authority to alter the magnitude of a violation from that set forth in the following table.

	MCL/MRDL/TT violations[2]		Monitoring & testing procedure violations	
Contaminant	Tier of public notice required	Citation	Tier of public notice required	Citation
I. Violations of National Primary Drinking Water Regulations (NPDWR):[3]				
A. Microbiological Contaminants				
1. Total coliform	2	611.325(a)	3	611.521-611.525
2. Fecal coliform/E. coli	1	611.325(b)	[4] 1, 3	611.525
3. Turbidity MCL	2	611.320(a)	3	611.560
4. Turbidity MCL (average of two days' samples greater than 5 NTU)	[5] 2, 1	611.320(b)	3	611.560
5. Turbidity (for TT violations resulting from a single exceedence of maximum allowable turbidity level)	[6] 2, 1	611.231(b), 611.233(b)(1), 611.250(a)(2), 611.250(b)(2), 611.250(c)(2), 611.250(d), 611.743(a)(2), 611.743(b), 611.955(b)(2)	3	611.531(a), 611.532(b), 611.533(a), 611.744, 611.956(a)(1)-(a)(3), 611.956(b)
6. Surface Water Treatment Rule violations, other than violations resulting from single exceedence of max. allowable turbidity level (TT)	2	611.211, 611.213, 611.220, 611.230-611.233, 611.240-611.242, 611.250	3	611.531-611.533

7. Interim Enhanced Surface Water Treatment Rule violations, other than violations resulting from single exceedence of max. turbidity level (TT)	2	[7] 611.740-611.743, 611.950-611.955	3	611.742, 611.744, 611.953, 611.954, 611.956
8. Filter Backwash Recycling Rule violations	2	611.276(c)	3	611.276(b), (d)
9. Long Term 1 Enhanced Surface Water Treatment Rule violations	2	611.950-611.955	3	611.953, 611.954, 611.956
10. LT2ESWTR violations	2	611.1010-611.1020	[22] 2, 3	611.1001-611.1005 and 611.1008-611.1009
11. Groundwater Rule violations	2	611.804	3	611.802(h)

B. Inorganic Chemicals (IOCs)

1. Antimony	2	611.301(b)	3	611.600, 611.601, 611.603
2. Arsenic	2	[8]~~10~~ 611.301(b)	3	[11]~~19~~ 611.601, 611.612(a), 611.612(b)
3. Asbestos (fibers greater than 10 µm)	2	611.301(b)	3	611.600, 611.601, 611.602
4. Barium	2	611.301(b)	3	611.600, 611.601, 611.603
5. Beryllium	2	611.301(b)	3	611.600, 611.601, 611.603
6. Cadmium	2	611.301(b)	3	611.600, 611.601, 611.603

7. Chromium (total)	2	611.301(b)	3	611.600, 611.601, 611.603
8. Cyanide	2	611.301(b)	3	611.600, 611.601, 611.603
9. Fluoride	2	611.301(b)	3	611.600, 611.601, 611.603
10. Mercury (inorganic)	2	611.301(b)	3	611.600, 611.601, 611.603
11. Nitrate	1	611.301(b)	12~~10~~ 1, 3	611.600, 611.601, 611.604, 611.606
12. Nitrite	1	611.301(b)	12~~10~~ 1, 3	611.600, 611.601, 611.605, 611.606
13. Total Nitrate and Nitrite	1	611.301(b)	3	611.600, 611.601
14. Selenium	2	611.301(b)	3	611.600, 611.601, 611.603
15. Thallium	2	611.301(b)	3	611.600, 611.601, 611.603

C. Lead and Copper Rule (Action Level for lead is 0.015 mg/l, for copper is 1.3 mg/l)

1. Lead and Copper Rule (TT)	2	611.350-611.355	3	611.356-611.359

D. Synthetic Organic Chemicals (SOCs)

1. 2,4-D	2	611.310(c)	3	611.648
2. 2,4,5-TP (silvex)	2	611.310(c)	3	611.648
3. Alachlor	2	611.310(c)	3	611.648
4. Atrazine	2	611.310(c)	3	611.648

5. Benzo(a)pyrene (PAHs)	2	611.310(c)	3	611.648
6. Carbofuran	2	611.310(c)	3	611.648
7. Chlordane	2	611.310(c)	3	611.648
8. Dalapon	2	611.310(c)	3	611.648
9. Di(2-ethylhexyl)adipate	2	611.310(c)	3	611.648
10. Di(2-ethylhexyl)phthalate	2	611.310(c)	3	611.648
11. Dibromochloropropane (DBCP)	2	611.310(c)	3	611.648
12. Dinoseb	2	611.310(c)	3	611.648
13. Dioxin (2,3,7,8-TCDD)	2	611.310(c)	3	611.648
14. Diquat	2	611.310(c)	3	611.648
15. Endothall	2	611.310(c)	3	611.648
16. Endrin	2	611.310(c)	3	611.648
17. Ethylene dibromide	2	611.310(c)	3	611.648
18. Glyphosate	2	611.310(c)	3	611.648
19. Heptachlor	2	611.310(c)	3	611.648
20. Heptachlor epoxide	2	611.310(c)	3	611.648
21. Hexachlorobenzene	2	611.310(c)	3	611.648
22. Hexachlorocyclopentadiene	2	611.310(c)	3	611.648
23. Lindane	2	611.310(c)	3	611.648
24. Methoxychlor	2	611.310(c)	3	611.648
25. Oxamyl (Vydate)	2	611.310(c)	3	611.648
26. Pentachlorophenol	2	611.310(c)	3	611.648
27. Picloram	2	611.310(c)	3	611.648
28. Polychlorinated biphenyls (PCBs)	2	611.310(c)	3	611.648
29. Simazine	2	611.310(c)	3	611.648
30. Toxaphene	2	611.310(c)	3	611.648

E. Volatile Organic Chemicals (VOCs)

1. Benzene	2	611.310(a)	3	611.646
2. Carbon tetrachloride	2	611.310(a)	3	611.646
3. Chlorobenzene (monochlorobenzene)	2	611.310(a)	3	611.646
4. o-Dichlorobenzene	2	611.310(a)	3	611.646
5. p-Dichlorobenzene	2	611.310(a)	3	611.646
6. 1,2-Dichloroethane	2	611.310(a)	3	611.646

7. 1,1-Dichloroethylene	2	611.310(a)	3	611.646
8. cis-1,2-Dichloroethylene	2	611.310(a)	3	611.646
9. trans-1,2-Dichloroethylene	2	611.310(a)	3	611.646
10. Dichloromethane	2	611.310(a)	3	611.646
11. 1,2-Dichloropropane	2	611.310(a)	3	611.646
12. Ethylbenzene	2	611.310(a)	3	611.646
13. Styrene	2	611.310(a)	3	611.646
14. Tetrachloroethylene	2	611.310(a)	3	611.646
15. Toluene	2	611.310(a)	3	611.646
16. 1,2,4-Trichlorobenzene	2	611.310(a)	3	611.646
17. 1,1,1-Trichloroethane	2	611.310(a)	3	611.646
18. 1,1,2-Trichloroethane	2	611.310(a)	3	611.646
19. Trichloroethylene	2	611.310(a)	3	611.646
20. Vinyl chloride	2	611.310(a)	3	611.646
21. Xylenes (total)	2	611.310(a)	3	611.646

F. Radioactive Contaminants

1. Beta/photon emitters	2	611.330(d)	3	611.720(a), 611.732
2. Alpha emitters	2	611.330(c)	3	611.720(a), 611.731
3. Combined radium (226 & 228)	2	611.330(b)	3	611.720(a), 611.731
4. Uranium	2	611.330(e)	3	611.720(a), 611.731

G. Disinfection Byproducts (DBPs), Byproduct Precursors, Disinfectant Residuals. Where disinfection is used in the treatment of drinking water, disinfectants combine with organic and inorganic matter present in water to form chemicals called disinfection byproducts (DBPs). USEPA sets standards for controlling the levels of disinfectants and DBPs in drinking water, including trihalomethanes (THMs) and haloacetic acids (HAAs).[13]

1. Total trihalomethanes (TTHMs)	2	[14]611.312(b) ~~611.312(a)~~	3	Subparts W and Y of this Part~~611.382(a)-(b)~~
2. Haloacetic Acids (HAA5)	2	611.312(b) ~~611.312(a)~~	3	Subpart Y of this Part ~~611.382(a)-(b)~~

3. Bromate	2	611.312(a)	3	611.382(a)-(b)
4. Chlorite	2	611.312(a)	3	611.382(a)-(b)
5. Chlorine (MRDL)	2	611.313(a)	3	611.382(a), (c)
6. Chloramine (MRDL)	2	611.313(a)	3	611.382(a), (c)
7. Chlorine dioxide (MRDL), where any two consecutive daily samples at entrance to distribution system only are above MRDL	2	611.313(a), 611.383(c)(3)	2 [15], 3	611.382(a), (c), 611.383(c)(2)
8. Chlorine dioxide (MRDL), where samples in distribution system the next day are also above MRDL	[16]1	611.313(a), 611.383(c)(3)	1	611.382(a), (c), 611.383(c)(2)
9. Control of DBP precursors – TOC (TT)	2	611.385(a)-(b)	3	611.382(a), (d)
10. Benchmarking and disinfection profiling	N/A	N/A	3	611.742, 611.953, 611.954
11. Development of monitoring plan	N/A	N/A	3	611.382(f)

H. Other Treatment Techniques

1. Acrylamide (TT)	2	611.296	N/A	N/A
2. Epichlorohydrin (TT)	2	611.296	N/A	N/A

II. Unregulated Contaminant Monitoring: [17]

A. Unregulated contaminants	N/A	N/A	3	611.510
B. Nickel	N/A	N/A	3	611.603, 611.611

III. Public Notification for Relief Equivalent to a SDWA section 1415 Variance or a section 1416 Exemption.

A. Operation under relief equivalent to a SDWA section 1415 variance or a section 1416 exemption	3	[18] 1415, 1416	N/A	N/A

B. Violation of conditions of relief equivalent to a SDWA section 1415 variance or a section 1416 exemption	2	1415, 1416, [19] 611.111, 611.112	N/A	N/A

IV. Other Situations Requiring Public Notification.

A. Fluoride secondary maximum contaminant level (SMCL) exceedence	3	611.858	N/A	N/A
B. Exceedence of nitrate MCL for a non-CWS supplier, as allowed by the Agency	1	611.300(d)	N/A	N/A
C. Availability of unregulated contaminant monitoring data	3	611.510	N/A	N/A
D. Waterborne disease outbreak	1	611.101, 611.233(b)(2)	N/A	N/A
E. Other waterborne emergency [20]	1	N/A	N/A	N/A
F. Source water sample positive for groundwater rule fecal indicators: E. coli, enterococci, or coliphage	1	611.802(g)	N/A	N/A
G.~~F.~~ Other situations as determined by the Agency by a SEP issued pursuant to Section 611.110	[21]1, 2, 3	N/A	N/A	N/A

Appendix G – Endnotes

1. Violations and other situations not listed in this table (e.g., failure to prepare Consumer Confidence Reports) do not require notice, unless otherwise determined by the Agency by a SEP issued pursuant to Section 611.110. The Agency may, by a SEP issued pursuant to Section 611.110, further require a more stringent public notice tier (e.g., Tier 1 instead of Tier 2 or Tier 2 instead of Tier 3) for specific violations and situations listed in this Appendix, as authorized under Sections 611.902(a) and 611.903(a).

2. Definition of the abbreviations used: "MCL" means maximum contaminant level, "MRDL" means maximum residual disinfectant level, and "TT" means treatment technique.

3. The term "violations of National Primary Drinking Water Regulations (NPDWR)" is used here to include violations of MCL, MRDL, treatment technique, monitoring, and testing procedure requirements.

4. Failure to test for fecal coliform or E. coli is a Tier 1 violation if testing is not done after any repeat sample tests positive for coliform. All other total coliform monitoring and testing procedure violations are Tier 3 violations.

5. A supplier that violates the turbidity MCL of 5 NTU based on an average of measurements over two consecutive days must consult with the Agency within 24 hours after learning of the violation. Based on this consultation, the Agency may subsequently decide to issue a SEP pursuant to Section 611.110 that elevates the violation to a Tier 1 violation. If a supplier is unable to make contact with the Agency in the 24-hour period, the violation is automatically elevated to a Tier 1 violation.

6. A supplier with a treatment technique violation involving a single exceedence of a maximum turbidity limit under the Surface Water Treatment Rule (SWTR), the Interim Enhanced Surface Water Treatment Rule (IESWTR), or the Long Term 1 Enhanced Surface Water Treatment Rule are required to consult with the Agency within 24 hours after learning of the violation. Based on this consultation, the Agency may subsequently decide to issue a SEP pursuant to Section 611.110 that elevates the violation to a Tier 1 violation. If a supplier is unable to make contact with the Agency in the 24-hour period, the violation is automatically elevated to a Tier 1 violation.

7. The Surface Water Treatment Rule (SWTR) remains in effect for a supplier that serves~~serving~~ at least 10,000 persons ; the Interim Enhanced Surface Water Treatment Rule adds additional requirements and does not in many cases supercede the SWTR.

8. This endnote 8 corresponds with the endnote to the table in appendix A to subpart Q of 40 CFR 141 (2006), which stated a past effective date. This statement maintains structural consistency with the federal regulations.~~The arsenic MCL citations are effective January 23, 2006. Until then, the citations are Sections 611.330(b) and 611.612(c).~~

9. This endnote 9 corresponds with the endnote to the table in appendix A to subpart Q of 40 CFR 141 (2006), which stated a past effective date. This statement maintains structural consistency with the federal regulations. ~~The arsenic Tier 3 violation MCL citations are effective January 23, 2006. Until then, the citations are Sections 611.100, 611.101, and 611.612.~~

10. Failure to take a confirmation sample within 24 hours for nitrate or nitrite after an initial

sample exceeds the MCL is a Tier 1 violation. Other monitoring violations for nitrate are Tier 3.

11. This endnote 11 corresponds with the endnote to the table in appendix~~Appendix~~ A to subpart~~Subpart~~ Q of 40 CFR 141 (2006)~~(2003)~~, which stated a past effective date. This statement maintains structural consistency with the federal regulations.

12. This endnote 12 corresponds with the endnote to the table in appendix~~Appendix~~ A to subpart~~Subpart~~ Q of 40 CFR 141 (2006)~~(2003)~~, which stated a past effective date. This statement maintains structural consistency with the federal regulations.

13. A Subpart B community or non-transient non-community system supplier must comply with new DBP MCLs, disinfectant MRDLs, and related monitoring requirements . A Subpart B transient non-community system supplier that serves~~serving~~ 10,000 or more persons that uses chlorine dioxide as a disinfectant or oxidant or a Subpart B transient non-community system supplier that serves fewer than 10,000 persons, which uses only groundwater not under the direct influence of surface water, and which uses chlorine dioxide as a disinfectant or oxidant must comply with the chlorine dioxide MRDL.

14. Sections 611.312(b)(1) and 611.382(a) and (b) apply until Subpart Y of this Part takes effect under the schedule set forth in Section 611.970(c).~~This endnote 14 corresponds with the endnote to the table in Appendix A to Subpart Q of 40 CFR 141 (2003), which stated a past effective date. This statement maintains structural consistency with the federal regulations.~~

15. Failure to monitor for chlorine dioxide at the entrance to the distribution system the day after exceeding the MRDL at the entrance to the distribution system is a Tier 2 violation.

16. If any daily sample taken at the entrance to the distribution system exceeds the MRDL for chlorine dioxide and one or more samples taken in the distribution system the next day exceed the MRDL, Tier 1 notification is required. A failure to take the required samples in the distribution system after the MRDL is exceeded at the entry point also triggers Tier 1 notification.

17. Some water suppliers must monitor for certain unregulated contaminants listed in Section 611.510.

18. This citation refers to sections 1415 and 1416 of the federal Safe Drinking Water Act. sections 1415 and 1416 require that "a schedule prescribed...for a public water system granted relief equivalent to a SDWA section 1415 variance or a section 1416 exemption must require compliance by the system...."

19. In addition to sections 1415 and 1416 of the federal Safe Drinking Water Act, 40 CFR 142.307 specifies the items and schedule milestones that must be included in relief equivalent to a SDWA section 1415 small system variance. In granting any form of relief from an NPDWR, the Board will consider all applicable federal requirements for and limitations on the State's ability to grant relief consistent with federal law.

20. Other waterborne emergencies require a Tier 1 public notice under Section 611.902(a) for situations that do not meet the definition of a waterborne disease outbreak given in Section 611.101, but which still have the potential to have serious adverse effects on health as a result of short-term exposure. These could include outbreaks not related to treatment deficiencies, as well as situations that have the potential to cause outbreaks, such as failures or significant interruption in water treatment processes, natural disasters that disrupt the water supply or distribution system, chemical spills, or unexpected loading of possible pathogens into the source water.

21. The Agency may place any other situation in any tier it deems appropriate in writing, based on the prospective threat which it determines that the situation poses to public health, and subject to Board review pursuant to Section 40 of the Act [415 ILCS 5/40].

22. A failure to collect three or more samples for Cryptosporidium analysis is a Tier 2 violation requiring special notice, as specified in Section 611.911. All other monitoring and testing procedure violations are Tier 3.

BOARD NOTE: Derived from appendix~~Appendix~~ A to subpart~~Subpart~~ Q to 40 CFR 141 (2006)~~(2003)~~.

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

Section 611.APPENDIX H Standard Health Effects Language for Public Notification

Contaminant	MCLG [1] mg/l	MCL [2] mg/l	Standard health effects language for public notification
National Primary Drinking Water Regulations (NPDWR):			
A. Microbiological Contaminants			
1a. Total coliform	Zero	See footnote 3	Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.
1b. Fecal coliform/E. coli	Zero	Zero	Fecal coliforms and E. coli are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Microbes in these wastes can cause short-term effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, some of the elderly, and people with severely compromised immune systems.
1c. Fecal indicators (GWR): i. E. coli ii. enterococci iii. coliphage	 Zero None None	 TT TT TT	Fecal indicators are microbes whose presence indicates that the water may be contaminated with human or animal wastes. Microbes in these wastes can cause short-term health effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, some of the elderly, and people with severely compromised immune systems.

1d. Groundwater Rule TT violations	None	TT	Inadequately treated or inadequately protected water may contain disease-causing organisms. These organisms can cause symptoms such as diarrhea, nausea, cramps, and associated headaches.
2a. Turbidity (MCL) [4]	None	1 NTU [5]/5 NTU	Turbidity has no health effects. However, turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.
2b. Turbidity (SWTR TT)	None	TT [7]	Turbidity has no health effects. However,[6] turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.
2c. Turbidity (IESWTR TT and LT1ESWTR TT)	None	TT	Turbidity has no health effects. However,[8] turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.

B. Surface Water Treatment Rule (SWTR), Interim Enhanced Surface Water Treatment Rule (IESWTR), Long Term 1 Enhanced Surface Water Treatment Rule (LT1ESWTR), and Filter Backwash Recycling Rule (FBRR) violations:			
3. Giardia lamblia (SWTR/IESWTR/ LT1ESWTR)	Zero	TT [10]	Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.
4. Viruses (SWTR/IESWTR/ LT1ESWTR)			Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.
5. Heterotrophic plate count (HPC) bacteria[9] (SWTR/IESWTR/ LT1ESWTR)			Inadequately treated water may contain disease-causing organisms.These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.
6. Legionella (SWTR/IESWTR/ LT1ESWTR)			Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.
7. Cryptosporidium (IESWTR/FBRR/ LT1ESWTR)			Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.

C. Inorganic Chemicals (IOCs)			
8. Antimony	0.006	0.006	Some people who drink water containing antimony well in excess of the MCL over many years could experience increases in blood cholesterol and decreases in blood sugar.
9. Arsenic [11]	0	0.010	Some people who drink water containing arsenic in excess of the MCL over many years could experience skin damage or problems with their circulatory system, and may have an increased risk of getting cancer.
10. Asbestos (10 µm)	7 MFL[12]	7 MFL	Some people who drink water containing asbestos in excess of the MCL over many years may have an increased risk of developing benign intestinal polyps.
11. Barium	2	2	Some people who drink water containing barium in excess of the MCL over many years could experience an increase in their blood pressure.
12. Beryllium	0.004	0.004	Some people who drink water containing beryllium well in excess of the MCL over many years could develop intestinal lesions.
13. Cadmium	0.005	0.005	Some people who drink water containing cadmium in excess of the MCL over many years could experience kidney damage.
14. Chromium (total)	0.1	0.1	Some people who use water containing chromium well in excess of the MCL over many years could experience allergic dermatitis.

15. Cyanide	0.2	0.2	Some people who drink water containing cyanide well in excess of the MCL over many years could experience nerve damage or problems with their thyroid.
16. Fluoride	4.0	4.0	Some people who drink water containing fluoride in excess of the MCL over many years could get bone disease, including pain and tenderness of the bones. Fluoride in drinking water at half the MCL or more may cause mottling of children's teeth, usually in children less than nine years old. Mottling, also known as dental fluorosis, may include brown staining or pitting of the teeth, and occurs only in developing teeth before they erupt from the gums.
17. Mercury (inorganic)	0.002	0.002	Some people who drink water containing inorganic mercury well in excess of the MCL over many years could experience kidney damage.
18. Nitrate	10	10	Infants below the age of six months who drink water containing nitrate in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue baby syndrome.
19. Nitrite	1	1	Infants below the age of six months who drink water containing nitrite in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue baby syndrome.

20. Total Nitrate and Nitrite	10	10	Infants below the age of six months who drink water containing nitrate and nitrite in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue baby syndrome.
21. Selenium	0.05	0.05	Selenium is an essential nutrient. However, some people who drink water containing selenium in excess of the MCL over many years could experience hair or fingernail losses, numbness in fingers or toes, or problems with their circulation.
22. Thallium	0.0005	0.002	Some people who drink water containing thallium in excess of the MCL over many years could experience hair loss, changes in their blood, or problems with their kidneys, intestines, or liver.
D. Lead and Copper Rule			
23. Lead	Zero	TT [13]	Infants and children who drink water containing lead in excess of the action level could experience delays in their physical or mental development. Children could show slight deficits in attention span and learning abilities. Adults who drink this water over many years could develop kidney problems or high blood pressure.

24. Copper	1.3	TT [14]	Copper is an essential nutrient, but some people who drink water containing copper in excess of the action level over a relatively short amount of time could experience gastrointestinal distress. Some people who drink water containing copper in excess of the action level over many years could suffer liver or kidney damage. People with Wilson's Disease should consult their personal doctor.
E. Synthetic Organic Chemicals (SOCs)			
25. 2,4-D	0.07	0.07	Some people who drink water containing the weed killer 2,4-D well in excess of the MCL over many years could experience problems with their kidneys, liver, or adrenal glands.
26. 2,4,5-TP (silvex)	0.05	0.05	Some people who drink water containing silvex in excess of the MCL over many years could experience liver problems.
27. Alachlor	Zero	0.002	Some people who drink water containing alachlor in excess of the MCL over many years could have problems with their eyes, liver, kidneys, or spleen, or experience anemia, and may have an increased risk of getting cancer.
28. Atrazine	0.003	0.003	Some people who drink water containing atrazine well in excess of the MCL over many years could experience problems with their cardiovascular system or reproductive difficulties.

29. Benzo(a)pyrene (PAHs).	Zero	0.0002	Some people who drink water containing benzo(a)pyrene in excess of the MCL over many years may experience reproductive difficulties and may have an increased risk of getting cancer.
30. Carbofuran	0.04	0.04	Some people who drink water containing carbofuran in excess of the MCL over many years could experience problems with their blood, or nervous or reproductive systems.
31. Chlordane	Zero	0.002	Some people who drink water containing chlordane in excess of the MCL over many years could experience problems with their liver or nervous system, and may have an increased risk of getting cancer.
32. Dalapon	0.2	0.2	Some people who drink water containing dalapon well in excess of the MCL over many years could experience minor kidney changes.
33. Di(2-ethylhexyl)adipate	0.4	0.4	Some people who drink water containing di(2-ethylhexyl)adipate well in excess of the MCL over many years could experience toxic effects, such as weight loss, liver enlargement, or possible reproductive difficulties.
34. Di(2-ethylhexyl)-phthalate	Zero	0.006	Some people who drink water containing di(2-ethylhexyl)-phthalate well in excess of the MCL over many years may have problems with their liver or experience reproductive difficulties, and they may have an increased risk of getting cancer.

35. Dibromochloropropane (DBCP)	Zero	0.0002	Some people who drink water containing DBCP in excess of the MCL over many years could experience reproductive difficulties and may have an increased risk of getting cancer.
36. Dinoseb	0.007	0.007	Some people who drink water containing dinoseb well in excess of the MCL over many years could experience reproductive difficulties.
37. Dioxin (2,3,7,8-TCDD)	Zero	3×10^{-8}	Some people who drink water containing dioxin in excess of the MCL over many years could experience reproductive difficulties and may have an increased risk of getting cancer.
38. Diquat	0.02	0.02	Some people who drink water containing diquat in excess of the MCL over many years could get cataracts.
39. Endothall	0.1	0.1	Some people who drink water containing endothall in excess of the MCL over many years could experience problems with their stomach or intestines.
40. Endrin	0.002	0.002	Some people who drink water containing endrin in excess of the MCL over many years could experience liver problems.
41. Ethylene dibromide	Zero	0.00005	Some people who drink water containing ethylene dibromide in excess of the MCL over many years could experience problems with their liver, stomach, reproductive system, or kidneys, and may have an increased risk of getting cancer.

42. Glyphosate	0.7	0.7	Some people who drink water containing glyphosate in excess of the MCL over many years could experience problems with their kidneys or reproductive difficulties.
43. Heptachlor	Zero	0.0004	Some people who drink water containing heptachlor in excess of the MCL over many years could experience liver damage and may have an increased risk of getting cancer.
44. Heptachlor epoxide	Zero	0.0002	Some people who drink water containing heptachlor epoxide in excess of the MCL over many years could experience liver damage, and may have an increased risk of getting cancer.
45. Hexachlorobenzene	Zero	0.001	Some people who drink water containing hexachlorobenzene in excess of the MCL over many years could experience problems with their liver or kidneys, or adverse reproductive effects, and may have an increased risk of getting cancer.
46. Hexachlorocyclo-pentadiene	0.05	0.05	Some people who drink water containing hexachlorocyclopentadiene well in excess of the MCL over many years could experience problems with their kidneys or stomach.
47. Lindane	0.0002	0.0002	Some people who drink water containing lindane in excess of the MCL over many years could experience problems with their kidneys or liver.

48. Methoxychlor	0.04	0.04	Some people who drink water containing methoxychlor in excess of the MCL over many years could experience reproductive difficulties.
49. Oxamyl (Vydate)	0.2	0.2	Some people who drink water containing oxamyl in excess of the MCL over many years could experience slight nervous system effects.
50. Pentachlorophenol	Zero	0.001	Some people who drink water containing pentachlorophenol in excess of the MCL over many years could experience problems with their liver or kidneys, and may have an increased risk of getting cancer.
51. Picloram	0.5	0.5	Some people who drink water containing picloram in excess of the MCL over many years could experience problems with their liver.
52. Polychlorinated biphenyls (PCBs)	Zero	0.0005	Some people who drink water containing PCBs in excess of the MCL over many years could experience changes in their skin, problems with their thymus gland, immune deficiencies, or reproductive or nervous system difficulties, and may have an increased risk of getting cancer.
53. Simazine	0.004	0.004	Some people who drink water containing simazine in excess of the MCL over many years could experience problems with their blood.

54. Toxaphene	Zero	0.003	Some people who drink water containing toxaphene in excess of the MCL over many years could have problems with their kidneys, liver, or thyroid, and may have an increased risk of getting cancer.
F. Volatile Organic Chemicals (VOCs)			
55. Benzene	Zero	0.005	Some people who drink water containing benzene in excess of the MCL over many years could experience anemia or a decrease in blood platelets, and may have an increased risk of getting cancer.
56. Carbon tetrachloride	Zero	0.005	Some people who drink water containing carbon tetrachloride in excess of the MCL over many years could experience problems with their liver and may have an increased risk of getting cancer.
57. Chlorobenzene (monochlorobenzene)	0.1	0.1	Some people who drink water containing chlorobenzene in excess of the MCL over many years could experience problems with their liver or kidneys.
58. o-Dichlorobenzene	0.6	0.6	Some people who drink water containing o-dichlorobenzene well in excess of the MCL over many years could experience problems with their liver, kidneys, or circulatory systems.
59. p-Dichlorobenzene	0.075	0.075	Some people who drink water containing p-dichlorobenzene in excess of the MCL over many years could experience anemia, damage to their liver, kidneys, or spleen, or changes in their blood.

60. 1,2-Dichloroethane	Zero	0.005	Some people who drink water containing 1,2-dichloroethane in excess of the MCL over many years may have an increased risk of getting cancer.
61. 1,1-Dichloroethylene	0.007	0.007	Some people who drink water containing 1,1-dichloroethylene in excess of the MCL over many years could experience problems with their liver.
62. cis-1,2-Dichloroethylene	0.07	0.07	Some people who drink water containing cis-1,2-dichloroethylene in excess of the MCL over many years could experience problems with their liver.
63. trans-1,2-Dichloroethylene	0.1	0.1	Some people who drink water containing trans-1,2-dichloroethylene well in excess of the MCL over many years could experience problems with their liver.
64. Dichloromethane	Zero	0.005	Some people who drink water containing dichloromethane in excess of the MCL over many years could have liver problems and may have an increased risk of getting cancer.
65. 1,2-Dichloropropane	Zero	0.005	Some people who drink water containing 1,2-dichloropropane in excess of the MCL over many years may have an increased risk of getting cancer.
66. Ethylbenzene	0.7	0.7	Some people who drink water containing ethylbenzene well in excess of the MCL over many years could experience problems with their liver or kidneys.

67. Styrene	0.1	0.1	Some people who drink water containing styrene well in excess of the MCL over many years could have problems with their liver, kidneys, or circulatory system.
68. Tetrachloroethylene	Zero	0.005	Some people who drink water containing tetrachloroethylene in excess of the MCL over many years could have problems with their liver, and may have an increased risk of getting cancer.
69. Toluene	1	1	Some people who drink water containing toluene well in excess of the MCL over many years could have problems with their nervous system, kidneys, or liver.
70. 1,2,4-Trichlorobenzene	0.07	0.07	Some people who drink water containing 1,2,4-trichlorobenzene well in excess of the MCL over many years could experience changes in their adrenal glands.
71. 1,1,1-Trichloroethane	0.2	0.2	Some people who drink water containing 1,1,1-trichloroethane in excess of the MCL over many years could experience problems with their liver, nervous system, or circulatory system.
72. 1,1,2-Trichloroethane	0.003	0.005	Some people who drink water containing 1,1,2-trichloroethane well in excess of the MCL over many years could have problems with their liver, kidneys, or immune systems.
73. Trichloroethylene	Zero	0.005	Some people who drink water containing trichloroethylene in excess of the MCL over many years could experience problems with their liver and may have an increased risk of getting cancer.

74. Vinyl chloride	Zero	0.002	Some people who drink water containing vinyl chloride in excess of the MCL over many years may have an increased risk of getting cancer.
75. Xylenes (total)	10	10	Some people who drink water containing xylenes in excess of the MCL over many years could experience damage to their nervous system.
G. Radioactive Contaminants			
76. Beta/photon emitters	Zero	4 mrem/yr [15]	Certain minerals are radioactive and may emit forms of radiation known as photons and beta radiation. Some people who drink water containing beta and photon emitters in excess of the MCL over many years may have an increased risk of getting cancer.
77. Alpha emitters	Zero	15 pCi/l [17~~16~~]	Certain minerals are radioactive and may emit a form of radiation known as alpha radiation. Some people who drink water containing alpha emitters in excess of the MCL over many years may have an increased risk of getting cancer.
78. Combined radium (226 & 228)	Zero	5 pCi/l	Some people who drink water containing radium 226 or 228 in excess of the MCL over many years may have an increased risk of getting cancer.
79. Uranium	Zero	30 µg/l	Some people who drink water containing uranium in excess of the MCL over many years may have an increased risk of getting cancer and kidney toxicity.

H. Disinfection Byproducts (DBPs), Byproduct Precursors, and Disinfectant Residuals: Where disinfection is used in the treatment of drinking water, disinfectants combine with organic and inorganic matter present in water to form chemicals called disinfection byproducts (DBPs). USEPA sets standards for controlling the levels of disinfectants and DBPs in drinking water, including trihalomethanes (THMs) and haloacetic acids (HAA5) 18			
80. Total trihalomethanes (TTHMs)	N/A	0.080[20]	Some people who drink water containing trihalomethanes in excess of the MCL over many years may experience problems with their liver, kidneys, or central nervous system, and may have an increased risk of getting cancer.
81. Haloacetic Acids (HAA5)	N/A	0.060[21]	Some people who drink water containing haloacetic acids in excess of the MCL over many years may have an increased risk of getting cancer.
82. Bromate	Zero	0.010	Some people who drink water containing bromate in excess of the MCL over many years may have an increased risk of getting cancer.
83. Chlorite	0.08	1.0	Some infants and young children who drink water containing chlorite in excess of the MCL could experience nervous system effects. Similar effects may occur in fetuses of pregnant women who drink water containing chlorite in excess of the MCL. Some people may experience anemia.

84. Chlorine	4 (MRDLG)[22]	4.0 (MRDL)[23]	Some people who use water containing chlorine well in excess of the MRDL could experience irritating effects to their eyes and nose. Some people who drink water containing chlorine well in excess of the MRDL could experience stomach discomfort.
85. Chloramines	4 (MRDLG)	4.0 (MRDL)	Some people who use water containing chloramines well in excess of the MRDL could experience irritating effects to their eyes and nose. Some people who drink water containing chloramines well in excess of the MRDL could experience stomach discomfort or anemia.

85a. Chlorine dioxide, where any two consecutive daily samples taken at the entrance to the distribution system are above the MRDL	0.8 (MRDLG)	0.8 (MRDL)	Some infants and young children who drink water containing chlorine dioxide in excess of the MRDL could experience nervous system effects. Similar effects may occur in fetuses of pregnant women who drink water containing chlorine dioxide in excess of the MRDL. Some people may experience anemia. Add for public notification only: The chlorine dioxide violations reported today are the result of exceedences at the treatment facility only, not within the distribution system that delivers water to consumers. Continued compliance with chlorine dioxide levels within the distribution system minimizes the potential risk of these violations to consumers.

86a. Chlorine dioxide, where one or more distribution system samples are above the MRDL	0.8 (MRDLG)	0.8 (MRDL)	Some infants and young children who drink water containing chlorine dioxide in excess of the MRDL could experience nervous system effects. Similar effects may occur in fetuses of pregnant women who drink water containing chlorine dioxide in excess of the MRDL. Some people may experience anemia. Add for public notification only: The chlorine dioxide violations reported today include exceedences of the USEPA standard within the distribution system that delivers water to consumers. Violations of the chlorine dioxide standard within the distribution system may harm human health based on short-term exposures. Certain groups, including fetuses, infants, and young children, may be especially susceptible to nervous system effects from excessive chlorine dioxide exposure.

87. Control of DBP precursors (TOC)	None	TT	Total organic carbon (TOC) has no health effects. However, total organic carbon provides a medium for the formation of disinfection byproducts. These byproducts include trihalomethanes (THMs) and haloacetic acids (HAAs). Drinking water containing these byproducts in excess of the MCL may lead to adverse health effects, liver or kidney problems, or nervous system effects, and may lead to an increased risk of getting cancer.
I. Other Treatment Techniques:			
88. Acrylamide	Zero	TT	Some people who drink water containing high levels of acrylamide over a long period of time could have problems with their nervous system or blood, and may have an increased risk of getting cancer.
89. Epichlorohydrin	Zero	TT	Some people who drink water containing high levels of epichlorohydrin over a long period of time could experience stomach problems, and may have an increased risk of getting cancer.

Appendix H – Endnotes

1. "MCLG" means maximum contaminant level goal.

2. "MCL" means maximum contaminant level.

3. For a water supplier analyzing at least 40 samples per month, no more than 5.0 percent of the monthly samples may be positive for total coliforms. For a supplier analyzing fewer than 40 samples per month, no more than one sample per month may be positive for total coliforms.

4. There are various regulations that set turbidity standards for different types of systems, including Section 611.320, the 1989 Surface Water Treatment Rule (SWTR), the 1998 Interim Enhanced Surface Water Treatment Rule (IESWTR), and the 2002 Long Term 1 Enhanced Surface Water Treatment Rule (LT1ESWTR). The MCL for the monthly turbidity average is 1 NTU; the MCL for the 2-day average is 5 NTU for a supplier that is required to filter but has not yet installed filtration (Section 611.320).

5. "NTU" means nephelometric turbidity unit.

6. There are various regulations that set turbidity standards for different types of systems, including Section 611.320, the 1989 SWTR, the 1998 IESWTR, and the 2002 LT1ESWTR. A supplier subject to the SWTR (both filtered and unfiltered) may not exceed 5 NTU. In addition, in filtered systems, 95 percent of samples each month must not exceed 0.5 NTU in systems using conventional or direct filtration and must not exceed 1 NTU in systems using slow sand or diatomaceous earth filtration or other filtration technologies approved by the Agency.

7. "TT" means treatment technique.

8. There are various regulations that set turbidity standards for different types of systems, including Section 611.320, the 1989 SWTR, the 1998 IESWTR, and the 2002 LT1ESWTR. For a supplier subject to the IESWTR (systems that serve ~~serving~~ at least 10,000 people, using surface water or groundwater under the direct influence of surface water), that use conventional filtration or direct filtration, the turbidity level of a system's combined filter effluent may not exceed 0.3 NTU in at least 95 percent of monthly measurements, and the turbidity level of a system's combined filter effluent must not exceed 1 NTU at any time. A supplier subject to the IESWTR using technologies other than conventional, direct, slow sand, or diatomaceous earth filtration must meet turbidity limits set by the Agency. For a supplier subject to the LT1ESWTR (a supplier that serves fewer than 10,000 people, using surface water or groundwater under the direct influence of surface water) that uses conventional filtration or direct filtration, after January 1, 2005, the turbidity level of the supplier's combined filter effluent may not exceed 0.3 NTU in at least 95 percent of monthly measurements, and the turbidity level of the supplier's combined filter effluent must not exceed 1 NTU at any time. A supplier subject to the LT1ESWTR using technologies other than conventional, direct, slow sand, or diatomaceous earth filtration must meet turbidity limits set by the Agency.

9. The bacteria detected by heterotrophic plate count (HPC) are not necessarily harmful. HPC is simply an alternative method of determining disinfectant residual levels. The number of such bacteria is an indicator of whether there is enough disinfectant in the distribution system.

10. SWTR, IESWTR, and LT1ESWTR treatment technique violations that involve turbidity exceedences may use the health effects language for turbidity instead.

11. These arsenic values are effective January 23, 2006. Until then, the MCL is 0.05 mg/l and there is no MCLG.

12. Millions of fibers per liter.

13. Action Level = 0.015 mg/l .

14. Action Level = 1.3 mg/l .

15. Millirems per year.

16. Picocuries per liter.

17. This endnote 17 corresponds with the endnote to the table in appendix~~Appendix~~ B to subpart~~Subpart~~ Q of 40 CFR 141 (2006)~~(2003)~~, which stated a past effective date. This statement maintains structural consistency with the federal regulations.

18. A surface water system supplier or a groundwater system supplier under the direct influence of surface water is regulated under Subpart B of this Part. A Supbart B community water system supplier or a non-transient non-community system supplier ~~that serves 10,000 or more persons~~ must comply with Subpart I DBP MCLs and disinfectant maximum residual disinfectant levels (MRDLs). ~~All other community and non-transient non-community system suppliers must meet the MCLs and MRDLs beginning January 1, 2004.~~ A Subpart B transient non-community system that uses~~suppliers serving 10,000 or more persons and using~~ chlorine dioxide as a disinfectant or oxidant must comply with the chlorine dioxide MRDL. ~~Subpart B transient non-community system suppliers serving fewer than 10,000 persons and systems using only groundwater not under the direct influence of surface water and using chlorine dioxide as a disinfectant or oxidant must comply with the chlorine dioxide MRDL beginning January 1, 2004.~~

19. Community and non-transient non-community systems must comply with Subpart Y TTHM and HAA5 MCLs of 0.080 mg/l and 0.060 mg/l, respectively (with compliance calculated as a locational running annual average) on the schedule in Section 611.970.~~This endnote 19 corresponds with the endnote to the table in Appendix B to Subpart Q of 40 CFR 141 (2003), which expired by its own terms on January 1, 2004. This statement maintains structural consistency with the federal regulations.~~

20. The MCL for total trihalomethanes is the sum of the concentrations of the individual trihalomethanes.

21. The MCL for haloacetic acids is the sum of the concentrations of the individual haloacetic acids.

22. "MRDLG" means maximum residual disinfectant level goal.

23. "MRDL" means maximum residual disinfectant level.

BOARD NOTE: Derived from appendix~~Appendix~~ B to subpart~~Subpart~~ Q to 40 CFR 141 (2006), as amended at 71 Fed. Reg. 65574 (Nov. 8, 2006)~~(2003)~~.

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

Section 611.APPENDIX I Acronyms Used in Public Notification Regulation

CCR	Consumer Confidence Report
CWS	Community Water System
DBP	Disinfection Byproduct
GWR	Groundwater Rule
HPC	Heterotrophic Plate Count
IESWTR	Interim Enhanced Surface Water Treatment Rule
IOC	Inorganic Chemical
LCR	Lead and Copper Rule
MCL	Maximum Contaminant Level
MCLG	Maximum Contaminant Level Goal
MRDL	Maximum Residual Disinfectant Level
MRDLG	Maximum Residual Disinfectant Level Goal
NCWS	Non-Community Water System
NPDWR	National Primary Drinking Water Regulation
NTNCWS	Non-Transient Non-Community Water System
NTU	Nephelometric Turbidity Unit
OGWDW	USEPA, Office of Ground Water and Drinking Water
OW	USEPA, Office of Water
PN	Public Notification
PWS	Public Water System
SDWA	Safe Drinking Water Act
SMCL	Secondary Maximum Contaminant Level
SOC	Synthetic Organic Chemical
SWTR	Surface Water Treatment Rule
TCR	Total Coliform Rule
TT	Treatment Technique
TWS	Transient Non-Community Water System
USEPA	United States Environmental Protection Agency
VOC	Volatile Organic Chemical

BOARD NOTE: Derived from appendix~~Appendix~~ C to subpart~~Subpart~~ Q to 40 CFR 141 (2006), as amended at 71 Fed. Reg. 65574 (Nov. 8, 2006)~~, as added at 65 Fed. Reg. 26048 (May 4, 2000)~~.

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

Section 611.TABLE H CT Values (mg·min/l) for Cryptosporidium Inactivation by Chlorine Dioxide

	Water Temperature (°C)										
Log Credit	= 0.5	1	2	3	5	7	10	15	20	25	30
0.25	159	153	140	128	107	90	69	45	29	19	12
0.5	319	305	279	256	214	180	138	89	58	38	24
1.0	637	610	558	511	429	360	277	179	116	75	49
1.5	956	915	838	767	643	539	415	268	174	113	73
2.0	1275	1220	1117	1023	858	719	553	357	232	150	98
2.5	1594	1525	1396	1278	1072	899	691	447	289	188	122
3.0	1912	1830	1675	1534	1286	1079	830	536	347	226	147

A supplier may use the following equation to determine log credit between the indicated values:

$$\text{Log credit} = (0.001506 \times (1.09116)^{\text{Temp(in °C)}}) \times CT$$

BOARD NOTE: Derived from the table at 40 CFR 141.720(b)(1) (2006), which corresponds with Section 611.1020(b)(1).

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

Section 611.TABLE I CT Values (mg·min/l) for Cryptosporidium Inactivation by Ozone

	Water Temperature (°C)										
Log Credit	= 0.5	1	2	3	5	7	10	15	20	25	30
0.25	6.0	5.8	5.2	4.8	4.0	3.3	2.5	1.6	1.0	0.6	0.39
0.5	12	12	10	9.5	7.9	6.5	4.9	3.1	2.0	1.2	0.78
1.0	24	23	21	19	16	13	9.9	6.2	3.9	2.5	1.6
1.5	36	35	31	29	24	20	15	9.3	5.9	3.7	2.4
2.0	48	46	42	38	32	26	20	12	7.8	4.9	3.1
2.5	60	58	52	48	40	33	25	16	9.8	6.2	3.9
3.0	72	69	63	57	47	39	30	19	12	7.4	4.7

A supplier may use the following equation to determine log credit between the indicated values:

$$\text{Log credit} = (0.0397 \times (1.09757)^{\text{Temp(in °C)}}) \times CT$$

BOARD NOTE: Derived from the table at 40 CFR 141.720(b)(2) (2006), which corresponds with Section 611.1020(b)(2).

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

Section 611.TABLE J UV Dose Table for Cryptosporidium, Giardia lamblia, and Virus Inactivation Credit

UV dose (mJ/cm^2)			
Log credit	Cryptosporidium	Giardia lamblia	Virus
0.5	1.6	1.5	39
1.0	2.5	2.1	58
1.5	3.9	3.0	79
2.0	5.8	5.2	100
2.5	8.5	7.7	121
3.0	12	11	143
3.5	15	15	163
4.0	22	22	186

BOARD NOTE: Derived from the table at 40 CFR 141.720(d)(1) (2006), which corresponds with Section 611.1020(d)(1).

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

Section 611.TABLE Z Federal Effective Dates

The following are the effective dates of the various federal NPDWRs:

Fluoride (40 CFR 141.60(b)(1)) (corresponding with Section 611.301(b))	October 2, 1987
Phase I VOCs (40 CFR 141.60(a)(1)) (corresponding with Section 611.311(a)) (benzene, carbon tetrachloride, p-dichlorobenzene, 1,2-dichloroethane, 1,1-dichloroethylene, 1,1,1-trichloroethane, trichloroethylene, and vinyl chloride)	July 9, 1989
Lead and Copper (40 CFR, subpart~~Subpart~~ I) (corresponding with Subpart G of this Part) (lead and copper monitoring, reporting, and recordkeeping requirements of 40 CFR 141.86 through 141.91)	July 7, 1991
Phase II IOCs (40 CFR 141.60(b)(2)) (corresponding with Section 611.301(b)) (asbestos, cadmium, chromium, mercury, nitrate, nitrite, and selenium)	July 30, 1992
Phase II VOCs (40 CFR 141.60(a)(2)) (corresponding with Section 611.311(a)) (o-dichlorobenzene, cis-1,2-dichloroethylene, trans-1,2-dichloroethylene, 1,2-dichloropropane, ethylbenzene, monochlorobenzene, styrene, tetrachloroethylene, toluene, and xylenes (total))	July 30, 1992
Phase II SOCs (40 CFR 141.60(a)(2)) (corresponding with Section 611.311(c)) (alachlor, atrazine, carbofuran, chlordane, dibromochloropropane, ethylene dibromide, heptachlor, heptachlor epoxide, lindane, methoxychlor, polychlorinated biphenyls, toxaphene, 2,4-D, and 2,4,5-TP (silvex))	July 30, 1992

Lead and Copper (40 CFR, subpart~~Subpart~~ I) (corresponding with Subpart G of this Part) (lead and copper corrosion control, water treatment, public education, and lead service line replacement requirements of 40 CFR 141.81 through 141.85)	December 7, 1992
Phase IIB IOC (40 CFR 141.60(b)(2)) (corresponding with Section 611.301(b)) (barium)	January 1, 1993
Phase IIB SOCs (40 CFR 141.60(a)(2)) (corresponding with Section 611.311(c)) (aldicarb, aldicarb sulfone, aldicarb sulfoxide, and pentachlorophenol. See the Board Note~~note~~ appended to Section 611.311(c) for information relating to implementation of requirements relating to aldicarb, aldicarb sulfone, and aldicarb sulfoxide.)	January 1, 1993
Phase V IOCs (40 CFR 141.60(b)(3)) (corresponding with Section 611.301(b)) (antimony, beryllium, cyanide, nickel, and thallium)	January 17, 1994
Phase V VOCs (40 CFR 141.60(a)(3)) (corresponding with Section 611.311(a)) (dichloromethane, 1,2,4-trichlorobenzene, and 1,1,2-trichloroethane)	January 17, 1994
Phase V SOCs (40 CFR 141.60(a)(3)) (corresponding with Section 611.311(c)) (benzo(a)pyrene, dalapon, di(2-ethylhexyl)adipate, di(2-ethylhexyl)phthalate dinoseb, diquat, endothall, endrin, glyphosate, hexachlorobenzene, hexachlorocyclopentadiene, oxamyl, picloram, simazine, and 2,3,7,8-TCDD)	January 17, 1994
Consumer Confidence Report Rule (40 CFR 141, subpart~~Subpart~~ Q) (corresponding with Subpart O) (notification to public of drinking water quality)	September 18, 1998

Interim Enhanced Surface Water Treatment Rule (40 CFR 141, subpart~~Subpart~~ P) (corresponding with Subpart R of this Part) (applicable to suppliers providing water to fewer than 10,000 persons) (Giardia lamblia, viruses, heterotrophic plate count bacteria, Legionella, Cryptosporidium, and turbidity)	February 16, 1999
Public Notification Rule (40 CFR 141, subpart~~Subpart~~ Q) (corresponding with Subpart V of this Part) (notification to public of NPDWR violations, variances or exemptions, or other situations that could bear on public health)	June 5, 2000
Filter Backwash Rule (40 CFR 141.76) (corresponding with Section 611.276) (reuse of spent filter backwash water, thickener supernatant, or liquids from dewatering processes)	August 7, 2001
Disinfection/Disinfectant Byproducts Rule (40 CFR 141.64, 141.65 & 141, subpart~~Subpart~~ L)	
Smaller Systems (serving 10,000 or fewer persons)	December 16, 2001
Larger Systems (serving more than 10,000 persons)	December 16, 2003
(corresponding with Sections~~Section~~ 611.312 & 611.313) (total trihalomethanes, haloacetic acids (five), bromate, chlorite, chlorine, chloramines, and chlorine dioxide)	
Long Term 1 Enhanced Surface Water Treatment Rule (40 CFR 141, Subpart T) (corresponding with Subpart X of this Part) (applicable to suppliers providing water to 10,000 or more persons) (Giardia lamblia, viruses, heterotrophic plate count bacteria, Legionella, Cryptosporidium, and turbidity)	February 13, 2002

Radionuclides (40 CFR 141.66) (corresponding with Section 611.330) (combined radium (Ra-226 + Ra-228), gross alpha particle activity, beta particle and photon activity, and uranium)	December 8, 2003
Arsenic (40 CFR 141.62(b)(16)) (corresponding with Section 611.301(b)) (arsenic)	January 23, 2006
Stage 2 Disinfection/Disinfectant Byproducts Rule (40 CFR 141, subparts U & V)	
Systems that serve fewer than 10,000 persons	
Submit plan	April 1, 2008
Complete monitoring or study	March 31, 2010
Submit IDSE report	July 1, 2010
Compliance with monitoring requirements	
If no Cryptosporidium monitoring is required	October 1, 2013
If Cryptosporidium monitoring is required	October 1, 2014
Systems that serve 10,000 to 49,999 persons	
Submit plan	October 1, 2007
Complete monitoring or study	September 30, 2009
Submit IDSE report	January 1, 2010
Compliance with monitoring requirements	October 1, 2013
Systems that serve 50,000 to 99,999 persons	
Submit plan	April 1, 2007
Complete monitoring or study	March 31, 2009
Submit IDSE report	July 1, 2009
Compliance with monitoring requirements	October 1, 2012
Systems that serve 100,000 or more persons)	
Submit plan	October 1, 2006
Complete monitoring or study	September 30, 2008
Submit IDSE report	January 1, 2009
Compliance with monitoring requirements	April 1, 2012
(corresponding with Subparts W & Y of this Part)	
(total trihalomethanes and haloacetic acids (five))	
Long Term 2 Enhanced Surface Water Treatment Rule (40 CFR 141, subpart W)	
Systems that serve fewer than 10	
And which monitor for E. coli	

Begin first round of monitoring	October 1, 2008
Begin treatment for Cryptosporidium	October 1, 2014
Begin second round of monitoring	October 1, 2017
And which monitor for cryptosporidium	
Begin first round of monitoring	April 1, 2010
Begin treatment for Cryptosporidium	October 1, 2014
Begin second round of monitoring	April 1, 2019
Systems that serve 10,000 to 49,999 persons	
Begin first round of monitoring	April 1, 2008
Begin treatment for Cryptosporidium	October 1, 2013
Begin second round of monitoring	October 1, 2016
Systems that serve 50,000 to 99,999 persons	
Begin first round of monitoring	April 1, 2007
Begin treatment for Cryptosporidium	October 1, 2012
Begin second round of monitoring	October 1, 2015
Systems that serve 100,000 or more persons	
Begin first round of monitoring	October 1, 2006
Begin treatment for Cryptosporidium	April 1, 2012
Begin second round of monitoring	April 1, 2015
(corresponding with Subpart Z of this Part)	
(E. coli, Cryptosporidium, Giardia lamblia, viruses, and turbidity)	
Groundwater Rule (40 CFR 141, subpart S)	December 1, 2009
(corresponding with Subpart S of this Part)	
(E. coli, enterococci, and coliphage)	

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

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: Retailers' Occupation Tax

2) Code Citation: 86 Ill. Adm. Code 130

3) Section Number: 130.310 — Proposed Action: Amendment

4) Statutory Authority: 35 ILCS 120/12; 35 ILCS 120/2-10

5) A Complete Description of the Subjects and Issues Involved: This rulemaking amends Section 130.310 (c), which governs the taxation of medicines and medical appliances. Specifically, the amendments clarify that the low rate of tax applied to medicines and medical appliances under Section 2-10 of the Retailers' Occupation Tax Act applies only to medicines and medical appliances for human use. The amendments state that medicines prescribed by veterinarians for animals are subject to the high rate of tax. The regulation currently defines medicines or drugs as "any pill, powder, potion, salve, or other preparation intended by the manufacturer for human use and which purports on the label to have medicinal qualities." These amendments bring the regulation into conformance with the governing statute (Section 2-10 of the Retailers' Occupation Tax Act) which states that the low rate of tax applies

"[w]ith respect to food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food which has been prepared for immediate consumption), *and prescription and non-prescription medicines, drugs, medical appliances,* modifications to a motor vehicle for the purpose of rendering it usable by a disabled person, and insulin, urine testing utensils, syringes, and needles used by diabetics, *for human use….*

The regulation makes similar changes to the definition of "medical appliance".

6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: This rulemaking clarifies existing statutory language.

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

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

9) Does this rulemaking contain incorporations by reference? No

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10) Are there any other proposed rulemakings pending on this Part? Yes

Section Number:	Proposed Action:	Illinois Register Citation:
130.1701	Amendment	31 Ill. Reg. 7504; June 1, 2007

11) Statement of Statewide Policy Objective: This rulemaking does not create a State mandate, nor does it modify any existing State mandates.

12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to submit comments on this proposed rulemaking may submit them in writing by no later than 45 days after publication of this Notice to:

Jerilynn Troxell-Gorden
Deputy General Counsel – Sales and Excise Taxes
Illinois Department of Revenue
Legal Services Office
101 West Jefferson
Springfield, Illinois 62794

217/782-2844

13) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Pharmacies and veterinarians will be affected by these proposed amendments.

B) Reporting, bookkeeping or other procedures required for compliance: None other than those currently required.

C) Types of professional skills necessary for compliance: General bookkeeping

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

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

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENT

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, Aircraft, or Watercraft 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, Majority Blended Ethanol, Biodiesel Blends, and 100% Biodiesel
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 and Low Sulfur Dioxide Emission Coal-Fueled

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Devices
130.340 Rolling Stock
130.341 Commercial Distribution Fee Sales Tax Exemption
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

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130.550 Filing of Returns for Retailers by Suppliers Under Certain Circumstances
130.551 Prepayment of Retailers' Occupation Tax on Motor Fuel
130.552 Alcoholic Liquor Reporting
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
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SUBPART H: BOOKS AND RECORDS

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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

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SUBPART I: PENALTIES AND INTEREST

Section
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

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130.1405 Seller's Responsibility to Obtain Certificates of Resale and Requirements for Certificates of Resale
130.1410 Requirements for Certificates of Resale (Repealed)
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
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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

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130.1910	Antiques, Curios, Art Work, Collectors' Coins, Collectors' Postage Stamps and Like Articles
130.1915	Auctioneers and Agents
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
130.1953	Sales of Building Materials to be Incorporated into a Redevelopment Project Area within an Intermodal Terminal Facility Area
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
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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
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130.2008	Sales by Nonprofit Service Enterprises
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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
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130.2013	Persons in the Business of Both Renting and Selling Tangible Personal Property –

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	Tax Liabilities, Credit
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130.2020	Physicians and Surgeons
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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
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130.2065	Sales of Automobiles for Use In Demonstration (Repealed)
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130.2076	Sales to Purchasers Performing Contracts with Governmental Bodies
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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 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

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130.2170 Warehousemen

SUBPART T: DIRECT PAYMENT PROGRAM

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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

130.ILLUSTRATION A Examples of Tax Exemption Card
130.ILLUSTRATION B Example of Notice of Revocation of Certificate of Registration

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 l, 1933; amended at 2 Ill. Reg. 50, p. 7l, effective December 10, 1978; amended at 3 Ill. Reg. 12, p. 4, effective March 19, 1979; amended at 3 Ill. Reg. l3, pp. 93 and 95, effective March 25, 1979; amended at 3 Ill. Reg. 23, p. l64, effective June 3, 1979; amended at 3 Ill. Reg. 25, p. 229, effective June l7, 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 57l, effective June l, 1980; amended at 5 Ill. Reg. 8l8, effective January 2, 198l; amended at 5 Ill. Reg. 3014, effective March 11, 198l; amended at 5 Ill. Reg. 12782, effective November 2, 198l; 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 l, 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 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; 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; emergency amendment at 27 Ill. Reg. 11099, effective July 7, 2003,

for a maximum of 150 days; emergency expired December 3, 2003; amended at 27 Ill. Reg. 17216, effective November 3, 2003; emergency amendment at 27 Ill. Reg. 18911, effective November 26, 2003, for a maximum of 150 days; emergency expired April 23, 2004; amended at 28 Ill. Reg. 9121, effective June 18, 2004; amended at 28 Ill. Reg. 11268, effective July 21, 2004; emergency amendment at 28 Ill. Reg. 15193, effective November 3, 2004, for a maximum of 150 days; emergency expired April 1, 2005; amended at 29 Ill. Reg. 7004, effective April 26, 2005; amended at 31 Ill. Reg. 3574, effective February 16, 2007; amended at 31 Ill. Reg. 5621, effective March 23, 2007; amended at 31 Ill. Reg. _____, effective _____.

SUBPART C: CERTAIN STATUTORY EXEMPTIONS

Section 130.310 Food, Drugs, Medicines and Medical Appliances

a) General. *With respect to food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food which has been prepared for immediate consumption), and prescription and non-prescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a disabled person, and insulin, urine testing utensils, syringes, and needles used by diabetics, for human use, the tax is imposed at the rate of 1%.* (Section 2-10 of the Act)

b) Food

1) A food is any solid, liquid, powder or item intended by the seller primarily for human internal consumption, whether simple, compound or mixed, including foods such as condiments, spices, seasonings, vitamins, bottled water and ice.

2) Gross receipts from sales of food for which facilities are provided so that it can be consumed on the premises where it is sold and gross receipts from sales of food that~~which~~ has been prepared for immediate consumption do not qualify for the reduced rate. For example:

A) gross receipts from sales of food and drinks by restaurants, coffee shops, cafeterias and other establishments selling food that~~which~~ has been prepared for immediate consumption or that~~which~~ provide facilities for on-premises consumption are subject to the full rate of tax.

B) concession stands, snack shops and other establishments that~~which~~ sell food items primarily (more than 50%) in individual sized servings (such as ice cream cones, bags of popcorn, and individually served sandwiches) make sales of food for immediate consumption.

C) sales of all hot food and hot food products are sales of food for immediate consumption.

3) Delicatessens, markets, dairies and bakeries and other establishments that~~which~~ sell food items primarily (more than 50%) in quantities greater than individual sized servings incur the reduced rate on gross receipts from retail sales of food items. However, the full rate will apply to all sales made by such establishments that~~which~~ provide facilities for the consumption of food on premises unless those facilities utilize a separate means of recording and accounting for collection of receipts from ~~such~~ sales for consumption on the premises and are physically partitioned from areas in which food not for immediate consumption is sold. The phrase "separate means of recording and accounting for collection of receipts" includes cash registers that~~which~~ separately identify high rate and low rate sales, separate cash registers, and other methods by which the tax on high rate and low rate sales are recorded at the time of collection.

4) The reduced rate does not extend to alcoholic beverages. An alcoholic beverage is any beverage subject to the tax imposed under Article VIII of the Liquor Control Act of 1934 [235 ILCS 5/Art. VIII].

5) The reduced rate does not extend to soft drinks. Soft drinks will be taxed at the State sales tax rate of 6.25%. *The term "soft drinks" means any complete, finished, ready-to-use, non-alcoholic drink, whether carbonated or not, including but not limited to soda water, cola, fruit juice, vegetable juice, carbonated water, and all other preparations commonly known as soft drinks of whatever kind or description that are contained in any closed or sealed bottle, can, carton, or container regardless of size. "Soft drinks" does not include coffee, tea, non-carbonated water, infant formula, milk or milk products as defined in Section 3(a)(2) and (4) of the Grade A Pasteurized Milk and Milk Products Act* [410 ILCS 635], *or drinks containing 50% or more natural fruit or vegetable juice.* (Section 2-10 of the Act) Frozen concentrated fruit juice, dry powdered drink mixes, and

fruit juices that~~which~~ are reconstituted to natural strength are not soft drinks.

6) Food prepared for immediate consumption means food made ready by the retailer to be eaten without substantial delay after the final stage of preparation by the retailer. Retailers who sell food ~~which~~ they do not prepare in any way, are not selling food for immediate consumption, i.e., pre-packaged candy bars, snacks, chips, ice cream, unless that food is to be consumed on the retailer's premises. It is presumed that retailers who sell food prepared for immediate consumption in individual single-sized servings will sell all such items for consumption without substantive delay. Thus, for example, a retailer of individual sandwiches, doughnuts or cookies prepared in the morning will be subject to the high rate of tax regardless of when during a business day those~~such~~ items are sold and actually consumed. "Premises" are that area over which the vendor exercises control, whether by lease, contract, license or otherwise, and, in addition, the area in which facilities for eating are provided, including areas designated for, or devoted to, use in conjunction with the business engaged in by the vendor. Thus, all food sold by a restaurant for consumption on premises, whether prepared for immediate consumption or not, is subject to the high rate. Vendor premises would include eating areas provided by employers for employees, common or shared eating areas in shopping centers or public buildings if customers of food vendors adjacent to such areas are permitted to use them for consumption of food products. It will be presumed that food sold by vendors with on-premises consumption facilities will, in fact, be consumed on premises unless the vendor presents evidence to the contrary from its books and records.

7) For purposes of this Section, effective June 1, 1996, *food for human consumption that is to be consumed off the premises where it is sold* (Section 2-10 of the Act) includes all food sold through a vending machine, except soft drinks and food products that are dispensed hot from a vending machine, regardless of the location of the vending machine. For example, a candy bar sold through a vending machine is subject to the low rate of tax regardless of whether on-premises facilities for consumption are provided at that location.

c) Medicines and Medical Appliances

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENT

1) A medicine or drug is any pill, powder, potion, salve, or other preparation ~~intended by the manufacturer~~ for human use that~~and which~~ purports on the label to have medicinal qualities. Medicines prescribed by veterinarians for animals are subject to the high rate of tax. A written claim on the label that a product is intended to cure or treat disease, illness, injury or pain, or to mitigate the symptoms of such disease, illness, injury or pain constitutes a medicinal claim.

A) Examples of medicinal claims that will qualify the product for the low rate of tax include, but are not limited to:

i) "medicated";

ii) "heals (a medical condition)";

iii) "cures (a medical condition)";

iv) "for relief (of a medical condition)";

v) "fights infection";

vi) "stops pain";

vii) "relief from poison ivy or poison oak";

viii) "relieves itching, cracking, burning";

ix) "a soaking aid for sprains and bruises";

x) "relieves muscular aches and pains";

xi) "cures athlete's foot";

xii) "relieves skin irritation, chafing, heat rash and diaper rash";

xiii) "relief from the pain of sunburn";

xiv) "soothes pain".

B) The use of the terms "antiseptic," "antibacterial" or "kills germs" may or may not constitute a medicinal claim.

i) The use of these terms in conjunction with a claim that the product kills germs in general does not constitute a medicinal claim.

ii) However, a claim that a product is for use as an antiseptic to kill germs to prevent infection in cuts, scrapes, abrasions and burns does constitute a medicinal claim.

C) Examples of claims that do not constitute medicinal claims include, but are not limited to:

i) "cools";

ii) "absorbs wetness that can breed fungus";

iii) "deodorant, or destroys odors";

iv) "moisturizes";

v) "freshens breath";

vi) "antiperspirant";

vii "sunscreen";

viii) "prevents";

ix "protects".

D) All lip balms qualify for the reduced rate of tax because the word "balm" is defined as a healing ointment or a preparation that relieves pain.

2) A medical appliance is an item that~~which~~ is intended by its manufacturer for use in directly substituting for a malfunctioning part of the human body. These~~Such~~ items may be prescribed by licensed health care

professionals for use by a patient, purchased by health care professionals for the use of patients, or purchased directly by individuals. Purchases of medical appliances by lessors that~~which~~ will be leased to others for human use also qualify for the exemption. Included in the exemption as medical appliances are such items as artificial limbs, dental prostheses and orthodontic braces, crutches and orthopedic braces, wheelchairs, heart pacemakers, and dialysis machines (including the dialyzer). Corrective medical appliances such as hearing aids, eyeglasses and contact lenses qualify for exemption. Diagnostic equipment shall not be deemed to be a medical appliance, except as provided in Section 130.310(d). Other medical tools, devices and equipment such as x-ray machines, laboratory equipment, and surgical instruments that~~which~~ may be used in the treatment of patients but that~~, which~~ do not directly substitute for a malfunctioning part of the human body do not qualify as exempt medical appliances. Sometimes a kit of items is sold so~~where~~ the purchaser can~~will~~ use the kit items to perform treatment upon himself or herself. The kit will contain paraphernalia and sometimes medicines. An example is a kit sold for the removal of ear wax. Because the paraphernalia hardware is for treatment, it generally does not qualify as a medical appliance. However, the Department~~department~~ will consider the selling price of the entire kit to be taxable at the reduced rate when the value of the medicines in the kit is more than half of the total selling price of the kit.

3) Supplies, such as non-sterile cotton swabs, disposable diapers, toilet paper, tissues~~, and~~ towelettes, and cosmetics~~,~~ such as lipsticks, perfume and hair tonics do not qualify for the reduced rate. Sterile dressings, bandages and gauze do qualify for the reduced rate. Diapers for incontinent adults, as well as undergarments for incontinent adults, qualify for the low rate of tax.

d) *Insulin, urine testing materials, syringes, and needles used in treating diabetes in human beings qualify for the reduced rate of tax.* (Section 2-10 of the Act)

e) Modifications Made to a Motor Vehicle for the Purpose of Rendering it Usable by a Disabled Person

1) Effective August 17, 1995, *modifications made to a motor vehicle*, as defined in Section 1-146 of the Illinois Vehicle Code [625 ILCS 5/1-146],

for the purpose of rendering it usable by a disabled person, qualify for the reduced rate of tax (Section 2-10 of the Act). The low rate applies to modifications that~~which~~ enable a disabled person to drive a vehicle, or that~~which~~ assist in the transportation of disabled persons. Examples of such modifications include, but are not limited to, special steering, braking, shifting, or acceleration equipment, or equipment that~~which~~ modifies the vehicle for accessibility, such as a chair lift.

2) For purposes of this regulation, the term "disabled person" has the same meaning as a "person with disabilities" in Section 1-159.1 of the Illinois Vehicle Code [625 ILCS 5/1-159.1].

f) Reporting

1) The retailer must keep an actual record of all sales and must report tax at the applicable rates, based on sales as reflected in the retailer's~~his~~ records. Books and records must be maintained in sufficient detail so that all receipts reported with respect to food, drugs, medicines and medical appliances can be supported. The determination of the percentage of sales of food items sold in individual-sized servings referred to in subsections (b)(2)(B) and (b)(3)~~ above~~, will be made by comparing the dollar amounts of the gross receipts of the two categories of foods. The determination shall be based upon a period that~~which~~ will generally reflect the true character of overall sales rather than isolated or seasonal variations.

2) A~~If a~~ retailer who finds it difficult to maintain detailed records of receipts from sales of food, drugs, medicines and medical appliances at the reduced rate, as well as detailed records of receipts from all other sales of tangible personal property at the full rate,~~ he~~ may request the use of a formula. The request~~Such requests~~ must be made to the Department in writing, ~~and~~ must state the reasons that a formula method is necessary, and must outline the proposed formula in detail. Included in the request must be a description of how the method can be audited by the Department. Upon findings that the formula can be audited and will produce results that will reasonably approximate the actual taxable receipts in each category, the Department may issue its approval for use of the~~such~~ formula. If approval is granted, the Department reserves the right to withdraw approval or require a change in procedure at any time.

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENT

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

DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Economic Development for a Growing Economy Program (EDGE)

2) Code Citation: 14 Ill. Adm. Code 527

3)

Section Numbers:	Adopted Action:
527.20	Amend
527.30	Amend
527.70	Amend
527.100	Amend

4) Statutory Authority: Implementing Section 5-15 and authorized by Section 5-80 of the Economic Development for a Growing Economy Tax Credit Act [35 ILCS 10/5-15 and 5-80] and the Business Location Efficiency Incentive Act [35 ILCS 11]

5) Effective Date of Amendments: May 23, 2007

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

7) Does this rulemaking contain incorporations by reference? No

8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: 31 Ill. Reg. 2535; February 9, 2007

10) Has JCAR issued a Statement of Objection to this rulemaking? No

11) Differences between proposal and final version: Grammatical and stylistic changes were made.

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 these amendments replace any emergency amendments currently in effect? No

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

15) Summary and Purpose of Amendments: The Business Location Efficiency Incentive Act authorizes companies applying to the Department of Commerce and Economic

DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

NOTICE OF ADOPTED AMENDMENTS

Opportunity for Economic Development for a Growing Economy (EDGE) tax credits to seek increased or extended tax credits if (i) the company's proposed project site is located in an area that capitalizes upon affordable workforce housing or accessible mass transit, (ii) the company submits to the Department an approved remediation plan to improve housing or access to mass transit, or (iii) the company's project is located in labor surplus areas. This rulemaking implements this new Act.

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

Ms. Jolene Clarke
Rules Administrator
Illinois Department of Commerce and Economic Opportunity
620 East Adams Street
Springfield, IL 62701

217/557-1820

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

DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

NOTICE OF ADOPTED AMENDMENTS

TITLE 14: COMMERCE
SUBTITLE C: ECONOMIC DEVELOPMENT
CHAPTER I: DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

PART 527
ECONOMIC DEVELOPMENT FOR A GROWING ECONOMY PROGRAM (EDGE)

Section
527.10 Purpose
527.20 Definitions
527.30 Eligibility Determination
527.40 Form of Application
527.50 Application Review
527.60 Application Denial/Approval
527.70 Determination of Amount and Term of the Credit
527.80 Tax Credit Agreement
527.90 Certificate of Verification
527.100 Noncompliance with the Agreement

AUTHORITY: Implementing Section 5-15 and authorized by Section 5-80 of the Economic Development for a Growing Economy Tax Credit Act [35 ILCS 10/5-15 and 5-80] and the Business Location Efficiency Incentive Act [35 ILCS 11].

SOURCE: Emergency rules adopted at 23 Ill. Reg. 10862, effective August 16, 1999, for a maximum of 150 days; emergency expired on January 22, 2000; adopted at 24 Ill. Reg. 6884, effective April 19, 2000; amended at 29 Ill. Reg. 1186, effective January 5, 2005; amended at 31 Ill. Reg. 8085, effective May 23, 2007.

Section 527.20 Definitions

The following definitions are applicable to this Part.

"Accessible and affordable mass transit" means access to transit stops with regular and frequent service within one mile from the project site and pedestrian access to transit stops.

"Act" means the Economic Development for a Growing Economy Tax Credit Act [35 ILCS 10].

"Affordable workforce housing" means owner-occupied or rental housing that costs, based on current census data for the municipality where the project is located or any municipality within 3 miles of the municipality where the project is located, no more than 35% of the median salary at the project site, exclusive of the highest 10% of the site's salaries. If the project is located in an unincorporated area, "affordable workforce housing" means no more than 35% of the median salary at the project site, excluding the highest 10% of the site's salaries, based on the median cost of rental or of owner-occupied housing in the county where the unincorporated area is located.

"Agreement" means the Tax Credit Agreement created pursuant to 35 ILCS 10/5-50.

"Business Location Efficiency Incentive" means the incentive created by the Business Location Efficiency Incentive Act [35 ILCS 11].

"Capital improvements~~Improvements~~" shall include the purchase, renovation, rehabilitation, or construction of permanent tangible land, buildings, structures, equipment and furnishings in an approved project sited in Illinois and in expenditures for goods or services that are normally capitalized, including organizational costs and research and development costs incurred in Illinois. For land, buildings, structures and equipment that are leased, the lease must equal or exceed the term of the Tax Credit Agreement and the cost of the property shall be determined from the present value, using the corporate interest rate prevailing at the time of the application, of the lease payments.

"Credit" means the amount agreed to between the Department and applicant under the Act, but not to exceed the incremental payroll *attributable to the applicant's project.* [35 ILCS 10/5-15]

"Department" means the Illinois Department of Commerce and Economic Opportunity, formerly known as the Illinois Department of Commerce and Community Affairs.

"Director" means the Director of the Illinois Department of Commerce and Economic Opportunity, formerly known as the Illinois Department of Commerce and Community Affairs.

"Employee housing or transportation remediation plan" means a plan to increase affordable housing or transportation options, or both, for employees earning up to the median annual salary of the workforce at the project. The plan may include, but is not limited to, an employer-financed assisted housing program that can be supplemented by State or federal grants or shuttle services between the place of employment and existing transit stops or other reasonably accessible places.

"Existence of infrastructure" means the existence, within 1,500 feet of the proposed site, of roads, sewers, sidewalks, and other utilities and a description of the investments or improvements, if any, that an applicant expects State or local government to make to that infrastructure.

"Full-time employee" means an individual who is employed for consideration for at least 35 hours each week or who renders any other standard of service generally accepted by industry custom or practice as full-time employment. [35 ILCS 10/5-5] Annually scheduled periods for inventory or repairs, vacations, holidays and paid time for sick leave, vacation or other leave shall be included in this computation of full time employment.

"Incremental Income Tax" means the incremental payroll attributable to a project that is the subject of an Agreement.

"Incremental payroll" means the total amount withheld by the taxpayer during the taxable year from the compensation of new employees and retained employees under Article 7 of the Illinois Income Tax Act [35 ILCS 5/Art. 7] arising from such employees' employment at a project that is the subject of an Agreement.

"Labor Surplus Area" or "LSA" must have an average unemployment rate at least 20 percent above the average rate for all states (plus the District of Columbia and Puerto Rico) during the previous two calendar years. However, the 20 percent ratio is disregarded:

when this 2-year average for all states is 8.3 percent or above, an average unemployment rate of 10 percent or more will qualify an area, and

when the all-states' average is 5.0 percent or less, an area will qualify with a 6.0 percent average.

The U.S. Department of Labor issues the labor surplus area listing on a fiscal year basis. The listing becomes effective each October 1 and remains in effect through the following September 30, but may be updated at any time during the fiscal year based on exceptional circumstance petitions. LSAs are classified on the basis of civil jurisdictions (cities with a population of at least 25,000 and all counties). LSAs are authorized by Public Law 96-302 and 20 CFR 654.

"Location efficient" means a project that maximizes the use of existing investments in infrastructure, avoids or minimizes additional government expenditures for new infrastructure, and has nearby housing affordable to the permanent workforce of the project or has accessible and affordable mass transit or its equivalent or some combination of both.

"Location efficiency report" means a report that is prepared by an applicant for increased State economic development assistance, under Section 10 of the Business Location Efficiency Incentive Act [35 ILCS 11/10] *and follows that Act, and that describes the existence of affordable workforce housing or accessible and affordable mass transit or its equivalent.* [35 ILCS 11/5]

"New employee" means a full-time employee first employed by a taxpayer in the project that is the subject of an Agreement and who is hired after the taxpayer enters into the Tax Credit Agreement.

The term "new employee" does not include:

an employee of the taxpayer who performs a job that was previously performed by another employee, if that job existed for at least 6 months before hiring the employee;

an employee of the taxpayer who was previously employed in Illinois by a related member of the taxpayer and whose employment was shifted to the taxpayer after the taxpayer entered into the Tax Credit Agreement;

an employee of the taxpayer who was previously employed in Illinois by the taxpayer and whose employment was shifted to the taxpayer project after the taxpayer entered into the Tax Credit Agreement; or

a child, grandchild, parent, or spouse, other than a spouse who is legally separated from the individual, of any individual who has a direct or an indirect ownership interest of at least 5% in the profits, capital, or value of the taxpayer.

An employee may be considered a new employee under the Agreement if the employee performs a job that was previously performed by an employee who was treated under the Agreement as a new employee and promoted by the taxpayer to another job. [35 ILCS 10/5-5]

An employee shall be considered a new employee under the Agreement if the employee fills a job vacancy that had been continuously vacant for the 184 day period immediately preceding the date of the Agreement. A job vacancy whose incumbent is on approved leave, is locked out or is on strike is not a vacancy.

"Placed in service" means the state or condition of readiness and availability for a specifically assigned function.

"Professional services" means a taxpayer engaged in the practice of law or medicine.

"Project" means a for-profit economic development activity or activities at a single site, or of one or more taxpayers at multiple sites if the economic activities are vertically integrated.

"Project costs" includes cost of the project incurred or to be incurred by the taxpayer including: *capital investment, including, but not limited to, equipment, buildings, or land; infrastructure development; debt service, except refinancing of current debt; research and development; job training and education; lease costs or relocation costs,* but excludes the value of State incentives, including discretionary tax credits, discretionary job training grants, or the interest savings of below market rate loans. [35 ILCS 10/5-30]

"Retained employee" means a full-time employee employed by a taxpayer during the term of the agreement whose job duties are directly and substantially-related to the project. For purposes of this definition, "directly and substantially-related to the project" means at least two-thirds of the employee's job duties must be

directly related to the project and the employee must devote at least two-thirds of his or her time to the project. The term "retained employee " does not include a child, grandchild, parent, or spouse, other than a spouse who is legally separated from the individual, of any individual who has direct or indirect ownership interest of at least 5% in the profits, capital, or value of the taxpayer.

"Taxpayer" means an individual, corporation, partnership, or other entity that has any Illinois Income Tax liability. [35 ILCS 10/5-5]

(Source: Amended at 31 Ill. Reg. 8085, effective May 23, 2007)

Section 527.30 Eligibility Determination

a) Any *taxpayer that is engaged in interstate or intrastate commerce for the purpose of manufacturing, processing, assembling, warehousing, or distributing products, conducting research and development, providing tourism services, or providing services in interstate commerce, office industries, or agricultural processing, but excluding retail, retail food, health, or professional services* is an eligible business.

b) A taxpayer who is operating an eligible business that is located, or plans to be located, in the State of Illinois may be an "applicant". *Applicant does not include a taxpayer who closes or substantially reduces an operation at one location in the State and relocates substantially the same operation to another location in the State.*

1) *This does not prohibit a taxpayer from expanding its operations at another location in the State, provided that existing operations of a similar nature located within the State are not closed or substantially reduced* within the last two years. For the purpose of this Section, "substantially reduced" means a reduction in employment of 33.33% or more.

2) *This also does not prohibit a taxpayer from moving its operations from one location in the State to another location in the State for the purpose of expanding the operation, provided that the Department determines that the expansion cannot reasonably be accommodated within the municipality in which the business is located, or in the case of a business located in an incorporated area of the county, within the county in which the business is located.* A determination under this subsection (b)(2) shall

be made by the Department *after conferring with the chief elected official of the municipality or county and taking into consideration any evidence offered by the municipality or county regarding the ability to accommodate expansion within the municipality or county*. [35 ILCS 10/5-15]

c) *In order to qualify for Credits under the Act, an applicant's project* must:

1) *involve an investment of at least $5,000,000 in capital improvements to be placed in service and employ at least 25 new employees within the State as a direct result of the project* if the applicant has more than 100 employees at the time of the EDGE application; or

2) *involve an investment of at least $1,000,000 in capital improvements to be placed in service and to employ at least 5 new employees within the State as a direct result of the project if the applicant has 100 or fewer e*mployees at the time of the EDGE application.

3) *involve an investment* at a level *specified by the Department in capital improvements to be placed in service; employ new employees within the State* at a level specified by the Department; and *provide a substantial economic benefit to the State* [35 ILCS 10/5-20], as determined by the Department.

A) The Director may approve projects that do not meet the minimum job creation and investment thresholds specified in Section 527.30(c)(1) for an applicant meeting all other requirements in the Act and this Part provided that one or more of the following conditions are met:

i) the applicant business is located in a distressed community with an unemployment rate that is higher than the State's average;

ii) the applicant business is located in an area with limited economic development prospects as evidenced by prior and current development activities;

iii) approval would support a business with potential to generate additional growth in the area and create jobs as a result of spin-off businesses; or

iv) approval would avert loss of one of the area's major sources of employment.

B) The greater the impact on the economy of the area in which the applicant is located, the lower the amount of job creations and investment by the applicant that will be necessary for the Director to approve the application; or

d) The applicant must demonstrate *that if not for the credit the project would not occur in Illinois* by providing documentation evidencing that:

1) *the applicant has multi-state location options and could reasonably and efficiently locate outside of the State; or*

2) *at least one other state is being considered for the project; or*

3) *receipt of the credit is a major factor in the applicant's decision and that, without the credit, the applicant likely would not create new jobs in Illinois; or*

4) *the credit is essential to the applicant's decision to create or retain new jobs in the State.*

e) Identify a *cost differential, using best available data, in the projected costs for the applicant's project compared to the costs in the competing state, including the impact of the competing state's incentive programs* [35 ILCS 10/5-25], for example, by demonstrating:

1) specific costs of labor, utilities, taxes and other costs of an out-of-state site or the industry's cost structure in the competing region; or

2) specific cost differential due to the impact of a competing state's incentive programs.

f) In order to qualify for increased EDGE benefits under the Business Location Efficiency Incentive Act, the applicant must submit a location efficiency report that:

1) describes the existence of infrastructure at the Project site and satisfies Business Location Efficiency Incentive Act's standards for affordable workforce housing or affordable and accessible mass transit; or

2) if the Department determines from the location efficiency report that the applicant is seeking assistance in an area that is not location efficient, the Department may award an increase in State economic development assistance if an applicant submits, and the Department accepts, an employee housing and transportation remediation plan or creates jobs in a labor surplus area as defined by the Department of Employment Security at the end of each calendar year.

(Source: Amended at 31 Ill. Reg. 8085, effective May 23, 2007)

Section 527.70 Determination of Amount and Term of the Credit

a) *The Department shall determine the amount and duration of the Credit awarded under the Act. The duration of the Credit may not exceed 10 taxable years.* [35 ILCS 10/5-45] ~~In determining the amount of the Credit that may be awarded for a qualified Project, *the Committee shall provide guidance to the Department* through its formal adoption of policies.~~ In determining the appropriate amount and duration of a Credit to be awarded to a Taxpayer, *the Department* ~~shall act in accordance with the policies adopted by the Committee and~~ *shall take into consideration the following additional factors:*

1) *The number and location of jobs created and retained in relation to the economy of the county where the projected investment is to occur.*

2) *The potential impact of the Project on the economy of Illinois.*

3) *The magnitude of the cost differential between Illinois and the competing states.*

4) *The incremental payroll attributable to the Project.*

5) *The capital investment attributable to the Project.*

6) *The amount of the average wage and benefits paid by the Applicant in relation to the wage and benefits of the area of the Project.*

7) *The costs to Illinois and the affected political subdivisions with respect to the Project.*

8) *The financial assistance that is otherwise provided by Illinois and the affected political subdivisions.* [35 ILCS 10/5-40]

b) *The Credit may be stated as a percentage of the Incremental Income Tax attributable to the Applicant's Project and may include a fixed limitation.* [35 ILCS 10/5-45]

c) *The Credit shall not exceed the Incremental* Payroll *attributable to the Project that is the subject of* an *Agreement.* [35 ILCS 10/5-15(d)]

d) *The total amount of the Credit allowed during all tax years may not exceed the aggregate amount of costs incurred by the Taxpayer during all prior tax years to the extent provided in the Agreement* of Project Costs. [35 ILCS 10/5-30]

e) Applicants that qualify for increased EDGE benefits under the Business Location Efficiency Incentive Act may receive:

1) up to 10 percent more than the maximum allowable tax credits for which they are eligible under the Act, but not to exceed 100 percent of the applicant's tax liability; or

2) such other adjustments of those tax credits, including but not limited to authorizing the term of the credit to exceed 10 taxable years, as the Department deems appropriate to foster job creation and retention in Illinois.

(Source: Amended at 31 Ill. Reg. 8085, effective May 23, 2007)

Section 527.100 Noncompliance with the Agreement

a) *If the Department determines that a Taxpayer who has received a Credit under*

the Act is not complying with the requirements of the Agreement or all of the provisions of the Act, the Director shall provide notice to the Taxpayer of the alleged noncompliance, and allow the Taxpayer a hearing under the provisions of the Illinois Administrative Procedure Act [5 ILCS 100]. *If, after notice and any hearing, the Director determines that a noncompliance exists, the Director shall issue to the Department of Revenue notice to that effect, stating the Noncompliance Date.* [35 ILCS 10/5-65] Alleged noncompliance shall include:

1) demonstration that the Taxpayer would have placed in service the capital investment and created or retained the requisite number of New Employee jobs without the benefits of certification. Proof of this shall include, but is not limited to, correspondence, financial plans and prospectuses, internal memoranda and other written documentation demonstrating the Taxpayer would have taken the actions without the designation.

2) demonstration that the Taxpayer failed materially to comply with the terms and conditions of the Agreement.

3) a determination upon investigation that the business falsified application information in violation of 14 Ill. Adm. Code 520.730(f).

4) a failure to submit an annual progress report by an applicant pursuant to an employee housing and transportation plan or a determination by the Department that adequate progress is not being made by the applicant to implement the plan, which will result in the revocation of the increased tax credits, extension of the term of the credit and/or other adjustments awarded pursuant to the Business Location Efficiency Incentive Act.

b) The Department shall notify a Taxpayer in writing that it is subject to revocation. Such notice shall include the reason for revocation and the date and location of a hearing to be held pursuant to 47 Ill. Adm. Code 10 (Review and Appeal Procedures).

c) Following revocation the Department will contact the Director of the Illinois Department of Revenue who shall begin proceedings to recover wrongfully exempted State taxes.

(Source: Amended at 31 Ill. Reg. 8085, effective May 23, 2007)

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Riverboat Gambling

2) Code Citation: 86 Ill. Adm. Code 3000

3)

Section Numbers:	Adopted Action:
3000.400	Amendment
3000.425	Amendment
3000.435	Amendment
3000.700	Amendment
3000.701	New Section
3000.705	Repealed
3000.710	Amendment
3000.720	Amendment
3000.725	Amendment
3000.730	Amendment
3000.740	Amendment
3000.745	New Section
3000.750	Amendment
3000.756	Amendment
3000.770	Amendment
3000.780	Amendment
3000.782	New Section
3000.785	Amendment
3000.786	New Section
3000.787	New Section
3000.790	Amendment

4) Statutory Authority: Authorized by Sections 5 (c)(2) and (3) of the Riverboat Gambling Act [230 ILCS 10]

5) Effective date of amendments: June 14, 2007

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

7) Does this rulemaking contain an incorporation by reference? No

8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the Gaming Board's principal office and is available for public inspection.

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENTS

9) Notice of proposal published in Illinois Register: October 13, 2006; 30 Ill. Reg. 16148

10) Has JCAR issued a Statement of Objection to this rulemaking? No

11) Differences between proposal and final version:

In Sections 3000.745, 3000.750, 3000.756, 3000.770 and 3000.782, the phrase "within the admission turnstiles" was added to clarify that the self-exclusion area is within these turnstiles.

In paragraph 2) of subsection a) of Section 3000.756, and in the first sentence of paragraph 2) of subsection c) of Section 3000.770, the phrase "electronic credits in play, in plain view or in the self-excluded person's possession or control" was changed to the following: "electronic credits in play or in plain view in the possession or control of the self-excluded person".

The final version makes style and grammatical changes per agreement with JCAR.

12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

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

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

15) Summary and Purpose of Amendments:

The objectives of the Adopted Rulemaking are to insert needed standards and procedures governing removals of persons from the Self-Exclusion List, as well as to clarify various ambiguities in the language of the current self-exclusion rule.

The Gaming Board's self-exclusion program was established by a rule adopted in 2002 (26 Ill. Reg. 9307, effective June 14, 2002) and amended in 2003 (27 Ill. Reg. 15793, effective September 25, 2003). This rule allows persons who acknowledge that they have a gambling problem to voluntarily exclude themselves from all riverboat gaming operations in Illinois. Under 86 Ill. Adm. Code 3000.780, a person who has been on the Self-Exclusion List for at least 5 years may request the Administrator of the Gaming Board to remove his or her name from the List.

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENTS

The current rule is deficient in that it lacks both a standard and process for authorizing the removal of individuals from the Self-Exclusion List. More generally, the rule has confusing organization and, in places, unclear and inconsistent terminology. With the aim of correcting these deficiencies, the proposed rulemaking does the following:

Rearranges Subpart G of the current rule (86 Ill. Adm. Code 3000, Subpart G) to clearly separate the provisions relating to the Board Exclusion List (involuntary exclusions) from those relating to the Self-Exclusion List.

Reconciles conflicting language by providing that self-excluded persons shall be barred from the area within the admission turnstiles of each riverboat gaming operation.

Clarifies the procedures to be followed when a self-excluded person is found to be present at a riverboat gaming operation. These procedures include notification of a Board agent and forfeiture of all winnings and voucher credits, with a receipt provided to the self-excluded person.

Requires a person seeking removal from the Self-Exclusion List to demonstrate the elimination (rather than merely alleviation) of the gambling problem that led the person to initially place his or her name on the List.

Requires persons seeking removal from the Self-Exclusion List to provide specified information, documentation, recommendations and forms to the Administrator. These include identifying personal information, documentation of treatment received, a recommendation from at least one certified gambling counselor as to the person's capacity to engage in gaming without health risks or other adverse consequences, written consent to the release of pertinent medical and counseling records, waiver of liability for the Board, its agents and the State of Illinois, affirmation that the individual has not been present at a riverboat gaming operation while on the Self-Exclusion List and any additional materials required by the Administrator. The Administrator may also require a person seeking removal from the List to submit to an interview at a Gaming Board office. The Administrator will not consider an application for removal until the applicant has complied with all of the requirements listed above.

Establishes a procedure for administrative appeals in the event the Administrator denies a request for removal from the Self-Exclusion List. To prevail on administrative appeal, the petitioner must state with specificity facts that constitute clear and convincing evidence for removal of the petitioner's name from the List. The Board may either deny a petition or set the matter for de novo hearing before an Administrative Law Judge,

whose findings of fact, conclusions of law and recommendations shall be issued to the Board and followed by a final Board order affirming or reversing the recommendations. The Board's denial of a petition for removal from the Self-Exclusion List is a final Board action subject to judicial appeal under the Administrative Review Law (735 ILCS 5/Art. III).

Authorizes each owner licensee to establish its own policy for allowing or disallowing individuals removed from the Self-Exclusion List to enter or game on its riverboat gaming operation. An owner licensee has no obligation to provide assistance to a person removed from the Self-Exclusion List.

Allows any individual removed from the Self-Exclusion List to subsequently ask to be placed on this List again. A second placement on the List shall be permanent.

Requires the Gaming Board to provide persons seeking removal from the Self-Exclusion List pertinent information about post-treatment information and referrals.

Makes conforming changes to Subpart D of the current rule (86 Ill. Adm. Code 3000, Subpart D) relating to Board hearing procedures.

16) Information and questions regarding these adopted amendments may be addressed to:

Chief Counsel
Illinois Gaming Board
160 North LaSalle Street
Chicago, Illinois 60601

Fax 312/814-4143
mfries@revenue.state.il.us

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

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENTS

TITLE 86: REVENUE
CHAPTER IV: ILLINOIS GAMING BOARD

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AUTHORITY: Implementing and authorized by the Riverboat Gambling Act [230 ILCS 10].

SOURCE: Emergency rule adopted at 15 Ill. Reg. 11252, effective August 5, 1991, for a maximum of 150 days; adopted at 15 Ill. Reg. 18263, effective December 10, 1991; amended at 16 Ill. Reg. 13310, effective August 17, 1992; amended at 17 Ill. Reg. 11510, effective July 9, 1993; amended at 20 Ill. Reg. 5814, effective April 9, 1996; amended at 20 Ill. Reg. 6280, effective April 22, 1996; emergency amendment at 20 Ill. Reg. 8051, effective June 3, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 14765, effective October 31, 1996; amended at 21 Ill. Reg. 4642, effective April 1, 1997; emergency amendment at 21 Ill. Reg. 14566, effective October 22, 1997, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 978, effective December 29, 1997, for a maximum of 150 days; amended at 22 Ill. Reg. 4390, effective February 20, 1998; amended at 22 Ill. Reg. 10449, effective May 27, 1998; amended at 22 Ill. Reg. 17324, effective September 21, 1998; amended at 22 Ill. Reg. 19541, effective October 23, 1998; emergency amendment at 23 Ill. Reg. 8191, effective July 2, 1999, for a maximum of 150 days; emergency expired November 28, 1999; amended at 23 Ill. Reg. 8996, effective August 2, 1999; amended at 24 Ill. Reg. 1037, effective January 10, 2000; amended at 25 Ill. Reg. 94, effective January 8, 2001; amended at 25 Ill. Reg. 13292, effective October 5, 2001; amended at 26 Ill. Reg. 9307, effective June 14, 2002; emergency amendment at 26 Ill. Reg. 10984, effective July 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 15296, effective October 11, 2002; amended at 26 Ill. Reg. 17408, effective November 22, 2002; emergency amendment at 27 Ill. Reg. 10503, effective June 30, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 15793, effective September 29, 2003; amended at 27 Ill. Reg. 18595, effective November 25, 2003; amended at 28 Ill. Reg. 12824, effective August 31, 2004; emergency amendment at 28 Ill. Reg. 13238, effective September 22, 2004, for a maximum of 150 days; emergency expired February 18, 2005; amended at 29 Ill. Reg. 10590, effective July 7,

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2005; emergency amendment at 29 Ill. Reg. 20095, effective November 23, 2005, for a maximum of 150 days; amended at 30 Ill. Reg. 8643, effective April 19, 2006; amended at 30 Ill. Reg. 9177, effective April 26, 2006; amended at 31 Ill. Reg. 8098, effective June 14, 2007.

SUBPART D: HEARINGS ON NOTICE OF DENIAL, RESTRICTION OF LICENSE, ~~OR~~ PLACEMENT ON BOARD EXCLUSION LIST OR REMOVAL FROM BOARD EXCLUSION LIST OR SELF-EXCLUSION LIST

Section 3000.400 Coverage of Subpart

This ~~The rules contained in this~~ Subpart shall govern all hearings requested upon issuance of a Notice of Denial or Restriction of licensure, Notice of Denial of an application for transfer of ownership interest, a Notice of Placement on the Board Exclusion List, ~~or a~~ Petition for Removal from the Board Exclusion List or Petition for Removal from the Self-Exclusion List, except that Section 3000.405(a), (b), (c) and (d) shall not apply to hearings on Petitions for Removal from the Board Exclusion List or the Self-Exclusion List. Hearings under this Subpart are de novo proceedings for the creation of an evidentiary record regarding restriction of license, the placement of an individual on an exclusion list or an applicant's suitability for licensure or transfer. A hearing under this Subpart is not an appeal of Board action.

(Source: Amended at 31 Ill. Reg. 8098, effective June 14, 2007)

Section 3000.425 Proceedings

a) The burden of proof is at all times on the petitioner. The petitioner shall have the affirmative responsibility of establishing by clear and convincing evidence that the petitioner is suitable for licensing or a transfer of ownership, that the petitioner should not be excluded under Section 3000.720, ~~or~~ that the petitioner's name should be removed from the Board Exclusion List under Section 3000.740 or that the petitioner's name should be removed from the Self-Exclusion List under Section 3000.785.

b) Any testimony shall be given under oath or affirmation.

c) Both parties may present an opening statement on the merits. Petitioner proceeds first.

d) The petitioner shall then present its case-in-chief.

e) Upon conclusion of the petitioner's case-in-chief, the respondent may move for a directed finding. The hearing officer may hear arguments on the motion or may grant, deny or reserve decision thereon, without argument.

f) If no motion for directed finding is made, or if such motion is denied or decision reserved thereon, the respondent may present its case.

g) Each party may conduct cross-examination of adverse witnesses.

h) Upon conclusion of the respondent's case, the petitioner may present evidence in rebuttal.

i) Both parties may present closing argument. The petitioner proceeds first, then the respondent and thereafter the petitioner may present rebuttal argument.

(Source: Amended at 31 Ill. Reg. 8098, effective June 14, 2007)

Section 3000.435 Sanctions and Penalties

a) The hearing officer may impose sanctions and penalties if the hearing officer finds that a party has acted in bad faith, for the purpose of delay, or has otherwise abused the hearing process. Such sanctions and penalties include but are not limited to default judgment or directed finding on one or more issues.

b) If a petitioner fails to testify on his own behalf with respect to any question propounded to him, the hearing officer may infer therefrom that such testimony or answer would have been adverse to the case of the party refusing to testify.

c) If the petitioner or its agent fails to answer a subpoena or refuses to testify fully at the request of the Board, such failure or refusal may be deemed independent grounds for a finding that the petitioner is unsuitable for licensing or that the petitioner should be placed or remain on the Board Exclusion List or that the petitioner should remain on the Self-Exclusion List. In addition, the hearing officer may infer therefrom that such testimony would have been adverse to the petitioner.

d) Failure of petitioner to appear at a hearing shall constitute an admission of all matters and facts contained in the Notice of Denial. In such cases the hearing officer may take action based upon such admission or upon any other evidence,

including affidavits, without any further notice to the petitioner.

(Source: Amended at 31 Ill. Reg. 8098, effective June 14, 2007)

SUBPART G: EXCLUSION OF PERSONS

Section 3000.700 Organization of Subpart~~Duty to Exclude~~

Sections 3000.701 through 3000.740 of this Subpart apply to the Board Exclusion List established by Section 3000.710 and do not apply to the Self-Exclusion List established by Section 3000.750. Sections 3000.745 through 3000.790 of this Subpart apply to the Self-Exclusion List established by Section 3000.750 and do not apply to the Board Exclusion List established by Section 3000.710.~~No Excluded Person shall be permitted entry into any portion of a Riverboat Gaming Operation. When a person is placed on the Board Exclusion List by the Administrator, such person shall be prohibited from contact of any kind with any Riverboat Gaming Operation in the State of Illinois unless and until a determination is made by the Board or a court to the contrary. It shall be the duty of the holder of the Owner's License and of his employees to exclude or eject from a Riverboat Gaming Operation any Excluded Person when such holder or employee knows, or reasonably should know, of the presence of such Excluded Person. It shall further be the duty of the holder of the Owner's License to inform the Administrator in writing of the names of persons such holder reasonably believes meet the criteria for placement on an Exclusion List.~~

(Source: Amended at 31 Ill. Reg. 8098, effective June 14, 2007)

Section 3000.701 Duty to Exclude

No excluded person shall be permitted entry into any portion of a riverboat gaming operation. When a person is placed on the Board Exclusion List by the Administrator, such person shall be prohibited from contact of any kind with any riverboat gaming operation in the State of Illinois unless and until a determination is made by the Board or a court to the contrary. It shall be the duty of the holder of an owner's license and of its employees to exclude or eject from a riverboat gaming operation any excluded person when such holder or employee knows or reasonably should know of the presence of such excluded person. It shall further be the duty of the holder of an owner's license to inform the Administrator in writing of the names of persons such holder reasonably believes meet the criteria for placement on the Board Exclusion List.

(Source: Added at 31 Ill. Reg. 8098, effective June 14, 2007)

Section 3000.705 Voluntary Self-Exclusion Policy (Repealed)

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~~The Board shall provide a procedure whereby a person who acknowledges that he or she has a gambling problem may self-identify and self-exclude himself or herself from Illinois riverboat gaming operations. The procedure shall require the self-excluded persons to pledge to not enter the gaming area of or engage in gaming in Illinois riverboat gaming operations and agree to be removed voluntarily from all mailing, marketing and promotional lists and databases.~~

(Source: Repealed at 31 Ill. Reg. 8098, effective June 14, 2007)

Section 3000.710 Distribution and Availability of Board Exclusion List~~Lists~~

The Board shall maintain a list of persons to be ejected or excluded from a riverboat gaming operation. This list shall be known as the Board Exclusion List.~~Riverboat Gaming Operation.~~ The list shall be distributed to each riverboat gaming operation,~~Riverboat Gaming Operation~~ which shall acknowledge receipt of the list in writing. The list may also be distributed to law enforcement agencies. The following information, to the extent known, shall be provided for each person on the Board Exclusion List~~Excluded Person~~:

a) The full name and date of birth and all aliases;

b) A physical description;

c) The effective date the person's name was placed on the list;

d) A photograph, if available;

e) The person's occupation and his current home and business address; and

f) Such other information as deemed necessary by the Administrator.

(Source: Amended at 31 Ill. Reg. 8098, effective June 14, 2007)

Section 3000.720 Criteria for Exclusion or Ejection and Placement on the Board~~an~~ Exclusion List

The Administrator may place a person on the Board Exclusion List or eject such person from a riverboat gaming operation~~Riverboat Gaming Operation~~ if that~~such~~ person has:

a) Been convicted in any jurisdiction of a felony, ~~in any jurisdiction,~~ any crime of

moral turpitude or a crime involving gaming~~Gaming~~;

b) Violated either the Act or this Part~~these rules~~;

c) Performed any act or had a notorious or unsavory reputation that~~which~~ would adversely affect public confidence and trust in gaming~~Gaming~~; or

d) His or her name on any valid and current exclusion list~~Exclusion List~~ from another jurisdiction in the United States.

(Source: Amended at 31 Ill. Reg. 8098, effective June 14, 2007)

Section 3000.725 Duty of Licensees

No licensee shall knowingly allow any person excluded pursuant to Section 3000.720 to gamble at or enter its riverboat gaming operation~~the premises of the Riverboat Gaming Operation~~.

(Source: Amended at 31 Ill. Reg. 8098, effective June 14, 2007)

Section 3000.730 Procedure for Entry of Names

a) Upon a determination that a person comes under any one of the criteria listed in Section 3000.720, that~~such~~ person shall be deemed a candidate for exclusion~~,~~ and the Administrator shall file a Notice of Exclusion. The notice~~Such Notice~~ shall include the identity of the candidate, the nature and scope of the circumstances or reasons that the~~such~~ person should be placed on the Board Exclusion List, names of potential witnesses, and a recommendation as to whether the exclusion or ejection shall be permanent. The notice~~Notice~~ shall also inform such person of the availability of a hearing by the Board pursuant to Subpart D. A request for a hearing must be made within ~~thirty (~~30~~)~~ days from the date the Notice of Exclusion was postmarked.

b) When a person is excluded or ejected, that~~such~~ person is prohibited from further contact of any kind with any riverboat gaming operation~~Riverboat Gaming Operation~~ in the State of Illinois unless and until a determination is made by the Board on the merits of a filed Notice of Exclusion or a requested hearing pursuant to Subpart D of this Part. If a determination by the Board is examined under judicial review pursuant to Section 17.1 of the Act, then the exclusion shall continue until the judicial review is completed.

c) If the Board or a subsequent judicial review finds in favor of the candidate or excluded person~~Excluded Person~~, then his or her name shall be removed from the Board Exclusion List and his or her exclusion shall be terminated as of the date of the action by the Board or the court. If the finding is against the candidate or excluded person~~Excluded Person~~, his or her name shall be placed on the Board Exclusion List. If no hearing is requested, the person's name shall be placed on the Board Exclusion List. If the Notice of Exclusion requests a temporary exclusion, and the Administrator agrees to make the exclusion temporary, the Administrator shall set the term of the temporary exclusion. In ~~making this time determination, the Administrator may consider the recommendation of his staff, but in~~ no case shall ~~such~~ a temporary exclusion be less than ~~six (~~6~~)~~ months. A~~Such~~ temporary exclusion or ejection shall only apply to those persons excluded or ejected for criteria relating ~~as it relates~~ to conduct. All other exclusions or ejections shall be permanent.

(Source: Amended at 31 Ill. Reg. 8098, effective June 14, 2007)

Section 3000.740 Petition for Removal from the Board Exclusion List

a) Any person who has been placed on the Board Exclusion List may, after the expiration of one year from the date of placement on the list or from the conclusion of any hearing or appeal associated with placement on the list, whichever is later, petition the Board, in writing, and request that his or her name be removed from the list. The petition shall be verified and state with specificity facts believed by the petitioner to constitute clear and convincing evidence for removal of his or her name from the list. The petition shall be notarized and shall include a certification in the following form:

> The undersigned certifies that the statements set forth in this petition are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

b) The Board shall either deny the petition or set the petition for hearing. The Board may deny a petition for removal from the Board Exclusion List if the petition fails to comply with any of the requirements of subsection (a) of this Section or if the facts contained in the petition are the same or substantially the same facts that the petitioner set forth in a request for hearing under Section 3000.405 or previous

petition for removal under this Section. In the event the Board elects to set the petition for hearing, the procedures specified in Subpart D of this Part, with the exception of Section 3000.405(a), (b), (c) and (d), shall apply.

c) Any information, including the record of evidence and testimony, if any, used by the Board in making its original determination to exclude petitioner may be considered by the Board, provided, however, that the record shall not be reopened.

d) The Board's denial of a petition for removal from the Exclusion List is a final decision of the Board. Judicial review of the final order of the Board shall be conducted in accordance with the Administrative Review Law [735 ILCS 5/Art. III] pursuant to Section 17.1(b) of the Riverboat Gambling Act [230 ILCS 10/17.1(b)].

(Source: Amended at 31 Ill. Reg. 8098, effective June 14, 2007)

Section 3000.745 Voluntary Self-Exclusion Policy

The Board shall provide a procedure whereby a person who acknowledges that he or she has a gambling problem may self-identify and self-exclude himself or herself from the area within the admission turnstiles of Illinois riverboat gaming operations. The procedure shall require self-excluded persons to agree not to enter the area within the admission turnstiles of any riverboat gaming operations and agree to be removed voluntarily from all mailing, marketing and promotional lists and databases.

(Source: Added at 31 Ill. Reg. 8098, effective June 14, 2007)

Section 3000.750 Establishment of a Self-Exclusion List

a) Any person who acknowledges that he or she has a gambling problem may request of the Board that he or she be excluded voluntarily from the area within the admission turnstiles of all riverboat gaming operations in Illinois on a permanent basis, except as limited by Section 3000.780. A person shall be placed on the Self-Exclusion List upon submission of all information and completion and execution of all forms required under Section 3000.755, as enforced by the Administrator~~by the Board~~.

b) Any person placed on the Self-Exclusion List shall be prohibited for a minimum

of 5~~five~~ years from entering the area within the admission turnstiles~~the gaming premises~~ of any riverboat gaming operation in the State of Illinois. Any gaming operation in the United States owned or operated by an affiliate of an Illinois riverboat gaming operation may, in its sole discretion, prohibit a person placed on the Self-Exclusion List from entering its affiliated gaming operations. Any gaming regulatory agency in any state with which the Board enters into an agreement to share confidentially the information contained in the Self-Exclusion List may, in its sole discretion, prohibit a person placed on the Self-Exclusion List from entering any gaming operation within its jurisdiction.~~and any gaming regulatory agency in any state with which the Board enters into an agreement to share confidentially the information contained on the Self-Exclusion List may, at its sole discretion, prohibit a person placed on the Self-Exclusion List from entering the gaming premises or any part of its affiliate gaming operations or other gaming operations within its jurisdiction.~~

c) The Administrator shall maintain the Self-Exclusion List in a confidential manner.

(Source: Amended at 31 Ill. Reg. 8098, effective June 14, 2007)

Section 3000.756 Stipulated Sanctions for Failure to Adhere to Voluntary Self-Exclusion

a) A person seeking placement on the Self-Exclusion List shall, at the time of the request to be placed on the List, agree in writing that he or she will:

1) Not enter the area within the admission turnstiles of any riverboat gaming operation in the State of Illinois; and

2) Forfeit all claimed or unclaimed jackpots and winnings, and all chips, tokens, vouchers or electronic credits in play or in plain view in the possession or control of the self-excluded person, at the time he or she is apprehended,~~ to forfeit all jackpots, chips or tokens in play or in plain view, Vouchers, and electronic credits in his or her possession or control~~ as a sanction for entering the ~~gaming~~ area within the admission turnstiles of a riverboat gaming operation after voluntary placement on the Self-Exclusion List.

b) A~~Such~~ person shall designate, at the time of his or her request for placement on the Self-Exclusion List, the duly registered charitable or governmental agency on

a list of gambling support service and/or treatment providers approved by the Department of Human Services that shall receive a donation of assets forfeited by the person as provided by this Section~~listed in subsection (a), in the future~~, if~~and when~~ the self-excluded person enters the ~~gaming~~ area within the admission turnstiles of a riverboat gaming operation.

(Source: Amended at 31 Ill. Reg. 8098, effective June 14, 2007)

Section 3000.770 Duties of ~~Owner~~ Licensees

a) No licensee shall knowingly allow any person placed on the Self-Exclusion List pursuant to Section 3000.750 to enter the area within the admission turnstiles~~gaming premises~~ of, or engage in gambling at, the riverboat gaming operation. The riverboat gaming operation shall cause the name and address of any person on the Self-Exclusion List to be flagged on all mailing, marketing or promotional lists or databases, except as provided in this Part. No licensee shall knowingly send marketing or promotional materials to any person placed on the Self-Exclusion List.

b) Owner licensees shall maintain, pursuant to Section 3000.760, a system designed to detect persons on the Self-Exclusion List so as to enforce this Part.

c) Forfeiture

1) A licensee must immediately notify a Board agent upon making a determination that a person listed on the Self-Exclusion List has entered the area within the admission turnstiles of a riverboat gaming operation and remove the person from the riverboat gaming operation.

2) Upon ascertaining that a person on the Self-Exclusion List is present in the area within the admission turnstiles of a riverboat gaming operation, a licensee must inventory, in the presence of an IGB agent, all claimed or unclaimed jackpots and winnings, and all chips, tokens, vouchers or electronic credits in play or in plain view in the possession or control of the self-excluded person, at the time he or she is apprehended. The owner licensee shall provide a receipt to the self-excluded person for all items inventoried.

3) Owner licensees shall refrain from knowingly paying out jackpots under

$1,200 and from paying out all jackpots in amounts of $1,200 or over won by patrons on the Self-Exclusion List.~~An Owner licensee must immediately notify an IGB agent upon making a preliminary determination that a person listed on the Self-Exclusion List has entered the gaming premises of a riverboat gaming operation and remove such person from the gaming area. A licensee must determine as expediently as possible, and to the extent practicable, whether there are any jackpots $1,200 or over due the self-excluded person and if there are any chips, tokens, Vouchers or electronic credits in play by the self-excluded person or in plain view in the possession or control of the self-excluded person at the time he or she is apprehended in a gaming area and provide such information to the IGB agent. Owner licensees shall refrain from knowingly paying out jackpots under $1,200 and from paying out all jackpots in amounts of $1,200 or over won by patrons on the Self-Exclusion List because those jackpots are subject to forfeiture.~~

d) The riverboat gaming operation shall cause the name and address of any person on the Self-Exclusion List to be flagged on all check-cashing, credit issuance, and other financial eligibility lists or databases utilized by the riverboat gaming operation for any purposes, except as authorized by this Part. Owner licensees shall not knowingly cash checks for, extend gaming operation credit to, or otherwise assist a person on the Self-Exclusion List to obtain funds for gambling purposes.

~~e) Upon ascertaining that a person on the Self-Exclusion List is on the gaming premises, an owner licensee must inventory, in the presence of an IGB agent, and provide a receipt to the self-excluded person for, all jackpots required to be documented, chips or tokens in play or in plain view, Vouchers, and electronic credits in the possession or control of the self-excluded person.~~

~~f) An owner licensee may, at its discretion, opt to exclude persons on the Self-Exclusion List from the riverboat gaming operation entirely, rather than just its gaming areas.~~

(Source: Amended at 31 Ill. Reg. 8098, effective June 14, 2007)

Section 3000.780 Request for Removal from the Self-Exclusion List

a) Upon the expiration of 5~~five~~ years from the date of placement on the Self-

Exclusion List, any person who has been placed on the Self-Exclusion List may request the Administrator to remove his or her name from the Self-Exclusion List. The request must be in writing, ~~and~~ state with specificity the reason for the request and be submitted to the Administrator at the Board's Chicago office. The ~~A~~ request must be based on the elimination~~alleviation~~ of a mental health or medical condition underlying the person's acknowledgment that he or she has been a problem gambler and unable to gamble responsibly~~and must include a written recommendation from the treating physician or qualified mental health professional as to the self-excluded person's capacity to participate in gambling without adverse health and mental health risks or consequences related to gambling~~. Information as to mental health or medical conditions will be maintained pursuant to ~~confidential as provided under~~ the Mental Health and Developmental Disabilities Confidentiality Act [~~(~~740 ILCS 110~~)~~] and other ~~pursuant to~~ applicable federal and State laws.

b) If the Administrator approves the request, the Administrator shall inform all riverboat gaming operations of the removal no later than 10 days after approval. ~~The Administrator must deny a request if it is not accompanied by the written recommendation required in subsection (a) of this Section.~~ If the Administrator denies the request, the Administrator shall send to the person who has requested removal a Notice of Denial of Removal from the Self-Exclusion List by certified mail. Owner licensees may continue to deny gambling privileges to self-excluded persons who have been removed from the List.

c) A decision whether to remove a person from the Self-Exclusion List shall be within the discretion of the Administrator, subject to the fulfillment of all requirements under Section 3000.782 and further subject to the process provided by Section 3000.785.

(Source: Amended at 31 Ill. Reg. 8098, effective June 14, 2007)

Section 3000.782 Required Information, Recommendations, Forms and Interviews

a) A person requesting removal from the Self-Exclusion List must, in connection with the request, provide the Administrator with all of the following:

1) Documentation as to treatment received for the person's gambling problem, length of treatment, and names and qualifications of treatment providers.

2) A written recommendation, from a treating physician or qualified mental health professional who is a certified gambling counselor, as to the self-excluded person's capacity to participate in gambling without adverse health and mental health risks or consequences related to gambling. For purposes of this Subpart, "certified gambling counselor" means an individual who has completed a specific course of study in the treatment of problem gambling and has been certified by a certification organization acceptable to the Board and listed on the Board's website.

3) Upon request of the Administrator, a written recommendation, from a second or subsequent physician or qualified mental health professional who is a certified gambling counselor, as to the self-excluded person's capacity to participate in gambling without adverse health and mental health risks or consequences related to gambling.

4) All information required under Section 3000.755(a).

5) A statement informing the Administrator whether the person has been present at any riverboat gaming operations while on the Self-Exclusion List and, if so, the names of the riverboat operations at which the person was present and dates and times of attendance.

6) A waiver of liability of the Board, its agents and the State of Illinois for any damages that may arise out of any act or omission committed by the person as a consequence of his or her removal from the Self-Exclusion List, including any monetary or other damages sustained in connection with the person's renewal of any gaming activities.

7) A verified, written consent to the release of all of the person's medical and counseling records related to the proposed removal from the Self-Exclusion List.

8) Any additional information, forms, recommendations, or other materials necessary, as determined by the Administrator, to demonstrate the elimination of the mental health or medical condition underlying the person's acknowledgement that he or she has been a problem gambler and unable to gamble responsibly.

b) Upon request of the Administrator, a person seeking removal from the Self-Exclusion List shall appear for an interview at an office of the Board designated by the Administrator during regular business hours. Persons who are unable to travel to a Board office due to employment, financial or medical reasons may request, in writing, a reasonable accommodation in a manner or at a site and time designated at the sole discretion of the Administrator. Nothing in this Section shall require that an accommodation be granted.

c) The Administrator shall ascertain to the extent possible whether a person requesting removal from the Self-Exclusion List was ever present in the area within the admission turnstiles of a riverboat gaming operation while on the list.

d) The Administrator shall not rule on a request for removal from the Self-Exclusion List until all requirements of this Section have been fulfilled.

(Source: Added at 31 Ill. Reg. 8098, effective June 14, 2007)

Section 3000.785 Appeal of a Notice of Denial of Removal

a) A denial by the Administrator of a request by a self-excluded person to be removed from the Self-Exclusion List pursuant to Section 3000.780 shall be subject to review by the Board upon a verified written petition~~request~~ submitted to the Board within 10 days after the issuance of the Notice of Denial of Removal.

b) The petition shall state with specificity facts believed by the petitioner to constitute clear and convincing evidence for removal of his or her name from the Self-Exclusion List. The petition shall be notarized and shall include a certification in the following form:

> The undersigned certifies that the statements set forth in this petition are true and correct, except as to matters in the petition stated to be on information and belief. As to matters stated to be on information and belief, the undersigned certifies that he or she believes these matters to be true and correct.

c) The Board shall either deny the petition or set the petition for hearing. The Board may deny a petition if:

1) The petition fails to comply with any of the requirements of subsection (a) or (b) of this Section;

2) The facts contained in the petition are the same or substantially the same facts that the petitioner set forth in a previous petition filed under this Section; or

3) The petition, assuming all facts contained in it are true and correct, does not establish a prima facie case.

d) In the event the Board elects to set the petition for hearing, the procedures specified in Subpart D of this Part, with the exception of Section 3000.405(a), (b), (c) and (d), shall apply.

e) For purposes of hearings conducted under this Section, all information, recommendations, forms, records of interviews and other materials, formal and informal, obtained by the Administrator in accordance with Section 3000.782 shall be considered official Gaming Board records under Section 3000.430 and therefore admissible into evidence.

f) All proceedings related to an administrative hearing on a Notice of Denial of Removal shall be closed to members of the public unless otherwise consented to in writing by the self-excluded person or allowed by federal or State law.

g) The Board's denial of a petition brought under this Section is a final decision of the Board. Judicial review of the final order of the Board shall be conducted under the Administrative Review Law [735 ILCS 5/Art. III], in accordance with Section 17.1(b) of the Riverboat Gambling Act [230 ILCS 10/17.1(b)].

~~A denial by the Board shall be subject to review as provided under Subpart D. All proceedings related to an administrative hearing on a Notice of Denial of Removal shall be closed to members of the public unless otherwise consented to in writing by the self-excluded person or allowed by federal or State law.~~

(Source: Amended at 31 Ill. Reg. 8098, effective June 14, 2007)

Section 3000.786 Duties of Owner Licensees to Persons Removed from the Self-Exclusion List

a) Each owner and manager licensee shall establish its own policies and procedures for allowing or disallowing any person removed from the Self-Exclusion List to enter or game on its riverboat gaming operation subsequent to the person's removal from the Self-Exclusion List. The policies and procedures of owner and manager licensees developed in compliance with this Section shall not be subject to appeal under this Part.

b) Nothing in this Part shall require any licensee under the Act to provide assistance to a person removed from the Self-Exclusion List.

(Source: Added at 31 Ill. Reg. 8098, effective June 14, 2007)

Section 3000.787 Placement on the Self-Exclusion List Following Removal

A person whose name has been removed from the Self-Exclusion List may subsequently request to be placed again on the list. The procedure for placement on the Self-Exclusion List under this Section shall be the same as that for a person requesting placement on the list for the first time. A placement of a person on the Self-Exclusion List under this Section shall be permanent, notwithstanding any other provision of this Subpart.

(Source: Added at 31 Ill. Reg. 8098, effective June 14, 2007)

Section 3000.790 Duties of the Board

The Board shall assist a person who acknowledges that he or she has, or has had, a gambling problem as provided in this Part. The Administrator shall provide to a person seeking placement on, or removal from, the Self-Exclusion List pertinent information about the Illinois Department of Human Services, including any information about problem gambling and post-treatment assistance, deemed appropriate for distribution by the Department of Human Services. The Administrator may refer any inquiries for assessment, evaluation, ~~and~~ treatment or post-treatment assistance from a person seeking to be placed on, or removed from, the Self-Exclusion List~~excluded~~ to the ~~Illinois~~ Department of Human Services or another appropriate source of information.

(Source: Amended at 31 Ill. Reg. 8098, effective June 14, 2007)

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Hospital Services

2) Code Citation: 89 Ill. Adm. Code 148

3)

Section Numbers:	Adopted Action:
148.117	New Section
148.126	Amendment
148.295	Amendment
148.404	Amendment
148.408	Amendment
148.418	Amendment

4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]

5) Effective Date of Amendments: May 30, 2007

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

7) Does this rulemaking contain incorporations by reference? No

8) A copy of the adopted amendments, including any materials incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: January 26, 2007; 31 Ill. Reg. 1949 (Sections 148.126, 148.295) and February 2, 2007; 31 Ill. Reg. 2183 (Sections 148.117, 148.404, 148.408, 148.418)

10) Has JCAR issued a Statement of Objection to these amendments? No

11) Differences Between Proposal and Final Version: Two rulemakings, proposed at 31 Ill. Reg. 1949 and 2183, were combined to form this adopted rulemaking. Added Section 148.117(a)(4) to read, "4) A general acute care hospital located outside of Cook County, that qualifies for Medicaid Percentage Adjustment Payments for rate year 2007 as defined in Section 148.122, that is a trauma center, recognized by the Illinois Department of Public Health (IDPH) as of July 1, 2006, has an emergency care percentage greater than 58%, and has provided more than 1,000 Medicaid Non-emergency/Screening outpatient ambulatory procedure listing services in the outpatient assistance base year.".

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

Added subsection (b) to read "4) For hospitals qualifying under subsection (a)(4), the rate is $217.25.".

In the Table of Contents, in Section 148.280 title added an apostrophe to the word "Children's".

In Section148.295(c)(2)(B)(xii), deleted the comma after the word "percent".

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

13) Will this rulemaking replace any emergency amendments currently in effect? Yes

14) Are there any other amendments pending on this Part? Yes

Sections:	Proposed Action:	Illinois Register Citation:
148.210	Amendment	31 Ill. Reg. 13636; August 18, 2006
148.270	Amendment	31 Ill. Reg. 4308; March 16, 2007

15) Summary and Purpose of Amendments: The implementation of Outpatient Assistance Adjustments quarterly payment program will provide additional funding to high-volume Medicaid providers to ensure access to quality health care for the Department's medical assistance clients requiring outpatient care.

The changes for the Hospital Access Improvement payment program are needed in order to conform with federally approved amendments to the Title XIX State plan.

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

Tamara Tanzillo Hoffman
Chief of Staff
Illinois Department of Healthcare and Family Services
201 South Grand Avenue East, 3rd Floor
Springfield IL 62763-0002

217/557-7157

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

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES
SUBCHAPTER d: MEDICAL PROGRAMS

PART 148
HOSPITAL SERVICES

SUBPART A: GENERAL PROVISIONS

Section
148.10 Hospital Services
148.20 Participation
148.25 Definitions and Applicability
148.30 General Requirements
148.40 Special Requirements
148.50 Covered Hospital Services
148.60 Services Not Covered as Hospital Services
148.70 Limitation On Hospital Services

SUBPART B: REIMBURSEMENT AND RELATED PROVISIONS

Section
148.80 Organ Transplants Services Covered Under Medicaid (Repealed)
148.82 Organ Transplant Services
148.85 Supplemental Tertiary Care Adjustment Payments
148.90 Medicaid Inpatient Utilization Rate (MIUR) Adjustment Payments
148.95 Medicaid Outpatient Utilization Rate (MOUR) Adjustment Payments
148.100 Outpatient Rural Hospital Adjustment Payments
148.103 Outpatient Service Adjustment Payments
148.105 Psychiatric Adjustment Payments
148.110 Psychiatric Base Rate Adjustment Payments
148.112 High Volume Adjustment Payments
148.115 Rural Adjustment Payments
148.117 Outpatient Assistance Adjustment Payments
148.120 Disproportionate Share Hospital (DSH) Adjustments
148.122 Medicaid Percentage Adjustments
148.126 Safety Net Adjustment Payments
148.130 Outlier Adjustments for Exceptionally Costly Stays
148.140 Hospital Outpatient and Clinic Services

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

148.150 Public Law 103-66 Requirements
148.160 Payment Methodology for County-Owned Hospitals in an Illinois County with a Population of Over Three Million
148.170 Payment Methodology for Hospitals Organized Under the University of Illinois Hospital Act
148.175 Supplemental Disproportionate Share Payment Methodology for Hospitals Organized Under the Town Hospital Act
148.180 Payment for Pre-operative Days, Patient Specific Orders, and Services Which Can Be Performed in an Outpatient Setting
148.190 Copayments
148.200 Alternate Reimbursement Systems
148.210 Filing Cost Reports
148.220 Pre September 1, 1991, Admissions
148.230 Admissions Occurring on or after September 1, 1991
148.240 Utilization Review and Furnishing of Inpatient Hospital Services Directly or Under Arrangements
148.250 Determination of Alternate Payment Rates to Certain Exempt Hospitals
148.260 Calculation and Definitions of Inpatient Per Diem Rates
148.270 Determination of Alternate Cost Per Diem Rates For All Hospitals; Payment Rates for Certain Exempt Hospital Units; and Payment Rates for Certain Other Hospitals
148.280 Reimbursement Methodologies for Children's Hospitals and Hospitals Reimbursed Under Special Arrangements
148.285 Excellence in Academic Medicine Payments
148.290 Adjustments and Reductions to Total Payments
148.295 Critical Hospital Adjustment Payments (CHAP)
148.296 Tertiary Care Adjustment Payments
148.297 Pediatric Outpatient Adjustment Payments
148.298 Pediatric Inpatient Adjustment Payments
148.300 Payment
148.310 Review Procedure
148.320 Alternatives
148.330 Exemptions
148.340 Subacute Alcoholism and Substance Abuse Treatment Services
148.350 Definitions (Repealed)
148.360 Types of Subacute Alcoholism and Substance Abuse Treatment Services (Repealed)
148.368 Volume Adjustment (Repealed)
148.370 Payment for Subacute Alcoholism and Substance Abuse Treatment Services

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

148.380 Rate Appeals for Subacute Alcoholism and Substance Abuse Treatment Services (Repealed)
148.390 Hearings
148.400 Special Hospital Reporting Requirements
148.402 Medicaid Eligibility Payments
148.404 Medicaid High Volume Adjustment Payments
148.406 Intensive Care Adjustment Payments
148.408 Trauma Center Adjustment Payments
148.410 Psychiatric Rate Adjustment Payments
148.412 Rehabilitation Adjustment Payments
148.414 Supplemental Tertiary Care Adjustment Payments
148.416 Crossover Percentage Adjustment Payments
148.418 Long Term Acute Care Hospital Adjustment Payments
148.420 Obstetrical Care Adjustment Payments
148.422 Outpatient Access Payments
148.424 Outpatient Utilization Payments
148.426 Outpatient Complexity of Care Adjustment Payments
148.428 Rehabilitation Hospital Adjustment Payments
148.430 Perinatal Outpatient Adjustment Payments
148.432 Supplemental Psychiatric Adjustment Payments
148.434 Outpatient Community Access Adjustment Payments

SUBPART C: SEXUAL ASSAULT EMERGENCY TREATMENT PROGRAM

Section
148.500 Definitions
148.510 Reimbursement

SUBPART D: STATE CHRONIC RENAL DISEASE PROGRAM

Section
148.600 Definitions
148.610 Scope of the Program
148.620 Assistance Level and Reimbursement
148.630 Criteria and Information Required to Establish Eligibility
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148.TABLE A Renal Participation Fee Worksheet
148.TABLE B Bureau of Labor Statistics Equivalence

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

148.TABLE C List of Metropolitan Counties by SMSA Definition

AUTHORITY: Implementing and authorized by Articles III, IV, V and VI and Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V, VI and 12-13].

SOURCE: Sections 148.10 thru 148.390 recodified from 89 Ill. Adm. Code 140.94 thru 140.398 at 13 Ill. Reg. 9572; Section 148.120 recodified from 89 Ill. Adm. Code 140.110 at 13 Ill. Reg. 12118; amended at 14 Ill. Reg. 2553, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 11392, effective July 1, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 15358, effective September 13, 1990; amended at 14 Ill. Reg. 16998, effective October 4, 1990; amended at 14 Ill. Reg. 18293, effective October 30, 1990; amended at 14 Ill. Reg. 18499, effective November 8, 1990; emergency amendment at 15 Ill. Reg. 10502, effective July 1, 1991, for a maximum of 150 days; emergency expired October 29, 1991; emergency amendment at 15 Ill. Reg. 12005, effective August 9, 1991, for a maximum of 150 days; emergency expired January 6, 1992; emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 18684, effective December 23, 1991; amended at 16 Ill. Reg. 6255, effective March 27, 1992; emergency amendment at 16 Ill. Reg. 11335, effective June 30, 1992, for a maximum of 150 days; emergency expired November 27, 1992; emergency amendment at 16 Ill. Reg. 11942, effective July 10, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14778, effective October 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19873, effective December 7, 1992; amended at 17 Ill. Reg. 131, effective December 21, 1992; amended at 17 Ill. Reg. 3296, effective March 1, 1993; amended at 17 Ill. Reg. 6649, effective April 21, 1993; amended at 17 Ill. Reg. 14643, effective August 30, 1993; emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 3450, effective February 28, 1994; emergency amendment at 18 Ill. Reg. 12853, effective August 2, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 14117, effective September 1, 1994; amended at 18 Ill. Reg. 17648, effective November 29, 1994; amended at 19 Ill. Reg. 1067, effective January 20, 1995; emergency amendment at 19 Ill. Reg. 3510, effective March 1, 1995, for a maximum of 150 days; emergency expired July 29, 1995; emergency amendment at 19 Ill. Reg. 6709, effective May 12, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 10060, effective June 29, 1995; emergency amendment at 19 Ill. Reg. 10752, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13009, effective September 5, 1995; amended at 19 Ill. Reg. 16630, effective November 28, 1995; amended at 20 Ill. Reg. 872, effective December 29, 1995; amended at 20 Ill. Reg. 7912, effective May 31, 1996; emergency amendment at 20 Ill. Reg. 9281, effective July 1, 1996, for a maximum of 150 days; emergency amendment at 20 Ill. Reg. 12510, effective September 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 15722, effective November 27, 1996; amended at 21 Ill. Reg. 607, effective January 2, 1997; amended at 21 Ill. Reg. 8386, effective June 23, 1997; emergency amendment at 21 Ill. Reg. 9552,

effective July 1, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 9822, effective July 2, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 10147, effective August 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 13349, effective September 23, 1997; emergency amendment at 21 Ill. Reg. 13675, effective September 27, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 16161, effective November 26, 1997; amended at 22 Ill. Reg. 1408, effective December 29, 1997; amended at 22 Ill. Reg. 3083, effective January 26, 1998; amended at 22 Ill. Reg. 11514, effective June 22, 1998; emergency amendment at 22 Ill. Reg. 13070, effective July 1, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 15027, effective August 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 16273, effective August 28, 1998; amended at 22 Ill. Reg. 21490, effective November 25, 1998; amended at 23 Ill. Reg. 5784, effective April 30, 1999; amended at 23 Ill. Reg. 7115, effective June 1, 1999; amended at 23 Ill. Reg. 7908, effective June 30, 1999; emergency amendment at 23 Ill. Reg. 8213, effective July 1, 1999, for a maximum of 150 days; emergency amendment at 23 Ill. Reg. 12772, effective October 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 13621, effective November 1, 1999; amended at 24 Ill. Reg. 2400, effective February 1, 2000; amended at 24 Ill. Reg. 3845, effective February 25, 2000; emergency amendment at 24 Ill. Reg. 10386, effective July 1, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 11846, effective August 1, 2000; amended at 24 Ill. Reg. 16067, effective October 16, 2000; amended at 24 Ill. Reg. 17146, effective November 1, 2000; amended at 24 Ill. Reg. 18293, effective December 1, 2000; amended at 25 Ill. Reg. 5359, effective April 1, 2001; emergency amendment at 25 Ill. Reg. 5432, effective April 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 6959, effective June 1, 2001; emergency amendment at 25 Ill. Reg. 9974, effective July 23, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 10513, effective August 2, 2001; emergency amendment at 25 Ill. Reg. 12870, effective October 1, 2001, for a maximum of 150 days; emergency expired February 27, 2002; amended at 25 Ill. Reg. 16087, effective December 1, 2001; emergency amendment at 26 Ill. Reg. 536, effective December 31, 2001, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 680, effective January 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 4825, effective March 15, 2002; emergency amendment at 26 Ill. Reg. 4953, effective March 18, 2002, for a maximum of 150 days; emergency amendment repealed at 26 Ill. Reg. 7786, effective July 1, 2002; emergency amendment at 26 Ill. Reg. 7340, effective April 30, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 8395, effective May 28, 2002; emergency amendment at 26 Ill. Reg. 11040, effective July 1, 2002, for a maximum of 150 days; emergency amendment repealed at 26 Ill. Reg. 16612, effective October 22, 2002; amended at 26 Ill. Reg. 12322, effective July 26, 2002; amended at 26 Ill. Reg. 13661, effective September 3, 2002; amended at 26 Ill. Reg. 14808, effective September 26, 2002; emergency amendment at 26 Ill. Reg. 14887, effective October 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 17775, effective November 27, 2002; emergency amendment at 27 Ill. Reg. 580, effective January 1, 2003, for a maximum of 150 days; emergency amendment at 27 Ill. Reg. 866,

effective January 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 4386, effective February 24, 2003; emergency amendment at 27 Ill. Reg. 8320, effective April 28, 2003, for a maximum of 150 days; emergency amendment repealed at 27 Ill. Reg. 12121, effective July 10, 2003; amended at 27 Ill. Reg. 9178, effective May 28, 2003; emergency amendment at 27 Ill. Reg. 11041, effective July 1, 2003, for a maximum of 150 days; emergency amendment at 27 Ill. Reg. 16185, effective October 1, 2003, for a maximum of 150 days; emergency amendment at 27 Ill. Reg. 16268, effective October 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 18843, effective November 26, 2003; emergency amendment at 28 Ill. Reg. 1418, effective January 8, 2004, for a maximum of 150 days; emergency amendment at 28 Ill. Reg. 1766, effective January 10, 2004, for a maximum of 150 days; emergency expired June 7, 2004; amended at 28 Ill. Reg. 2770, effective February 1, 2004; emergency amendment at 28 Ill. Reg. 5902, effective April 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 7101, effective May 3, 2004; amended at 28 Ill. Reg. 8072, effective June 1, 2004; emergency amendment at 28 Ill. Reg. 8167, effective June 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 9661, effective July 1, 2004; emergency amendment at 28 Ill. Reg. 10157, effective July 1, 2004, for a maximum of 150 days; emergency amendment at 28 Ill. Reg. 12036, effective August 3, 2004, for a maximum of 150 days; emergency expired December 30, 2004; emergency amendment at 28 Ill. Reg. 12227, effective August 6, 2004, for a maximum of 150 days; emergency expired January 2, 2005; amended at 28 Ill. Reg. 14557, effective October 27, 2004; amended at 28 Ill. Reg. 15536, effective November 24, 2004; amended at 29 Ill. Reg. 861, effective January 1, 2005; emergency amendment at 29 Ill. Reg. 2026, effective January 21, 2005, for a maximum of 150 days; amended at 29 Ill. Reg. 5514, effective April 1, 2005; emergency amendment at 29 Ill. Reg. 5756, effective April 8, 2005, for a maximum of 150 days; emergency amendment repealed by emergency rulemaking at 29 Ill. Reg. 11622, effective July 5, 2005, for the remainder of the 150 days; amended at 29 Ill. Reg. 8363, effective June 1, 2005; emergency amendment at 29 Ill. Reg. 10275, effective July 1, 2005, for a maximum of 150 days; emergency amendment at 29 Ill. Reg. 12568, effective August 1, 2005, for a maximum of 150 days; emergency amendment at 29 Ill. Reg. 15629, effective October 1, 2005, for a maximum of 150 days; amended at 29 Ill. Reg. 19973, effective November 23, 2005; amended at 30 Ill. Reg. 383, effective December 28, 2005; emergency amendment at 30 Ill. Reg. 596, effective January 1, 2006, for a maximum of 150 days; emergency amendment at 30 Ill. Reg. 955, effective January 9, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 2827, effective February 24, 2006; emergency amendment at 30 Ill. Reg. 7786, effective April 10, 2006, for a maximum of 150 days; emergency amendment repealed by emergency rulemaking at 30 Ill. Reg. 12400, effective July 1, 2006, for the remainder of the 150 days; amended at 30 Ill. Reg. 8877, effective May 1, 2006; amended at 30 Ill. Reg. 10393, effective May 26, 2006; emergency amendment at 30 Ill. Reg. 11815, effective July 1, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 18672, effective November 27, 2006; emergency amendment at 31 Ill. Reg. 1602, effective January 1, 2007, for a maximum of 150 days; emergency amendment at 31 Ill. Reg. 1997,

effective January 15, 2007, for a maximum of 150 days; amended at 31 Ill. Reg. 5596, effective April 1, 2007; amended at 31 Ill. Reg. 8123, effective May 30, 2007.

SUBPART B: REIMBURSEMENT AND RELATED PROVISIONS

Section 148.117 Outpatient Assistance Adjustment Payments

a) Qualifying Criteria. Outpatient Assistance Adjustment Payments, as described in subsection (b) of this Section, shall be made to Illinois hospitals meeting one of the criteria identified in this subsection (a):

1) A hospital that qualifies for Disproportionate Share Adjustment Payments for rate year 2007, as defined in Section 148.120, has an emergency care percentage greater than 70% and has provided greater than 10,500 Medicaid outpatient ambulatory procedure listing services in the outpatient assistance base year.

2) A general acute care hospital that qualifies for Disproportionate Share Adjustment Payments for rate year 2007, as defined in Section 148.120, has an emergency care percentage greater than 85%.

3) A general acute care hospital that does not qualify for Medicaid Percentage Adjustment Payments for rate year 2007, as defined in Section 148.122, located in Cook County, outside the City of Chicago, has an emergency care percentage greater than 63%, has provided more than 10,750 Medicaid outpatient ambulatory procedure listing services in the outpatient assistance base year and has provided more than 325 Medicaid surgical group outpatient ambulatory procedure listing services in the outpatient assistance base year.

4) A general acute care hospital located outside of Cook County that qualifies for Medicaid Percentage Adjustment Payments for rate year 2007 as defined in Section 148.122, is a trauma center recognized by the Illinois Department of Public Health (IDPH) as of July 1, 2006, has an emergency care percentage greater than 58%, and has provided more than 1,000 Medicaid Non-emergency/Screening outpatient ambulatory procedure listing services in the outpatient assistance base year.

b) Outpatient Assistance Adjustment Payments

1) For hospitals qualifying under subsection (a)(1), the rate is $139.00.

2) For hospitals qualifying under subsection (a)(2), the rate is $336.25.

3) For hospitals qualifying under subsection (a)(3), the rate is $200.25.

4) For hospitals qualifying under subsection (a)(4), the rate is $217.25.

c) Payment to a Qualifying Hospital

1) The total annual payments to a qualifying hospital shall be the product of the hospital's rate multiplied by the Medicaid outpatient ambulatory procedure listing services in the outpatient assistance adjustment base year.

2) For the outpatient assistance adjustment period occurring in State fiscal year 2007, total payments will equal the amount determined using the methodologies described in subsection (c)(1) of this Section. For the period January 1, 2007 through June 30, 2007, total annual payments to each qualifying hospital shall be divided in two, and paid, at least, on a quarterly basis.

3) For the outpatient assistance adjustment period for fiscal year 2008 and after, total payments will equal the amount determined using the methodologies described in subsection (c)(1) of this Section and shall be paid to the hospital, at least, on a quarterly basis.

d) Definitions

1) "Emergency care percentage" means a fraction, the numerator of which is the total Group 3 ambulatory procedure listing services as described in Section 148.140(b)(1)(C), excluding services for individuals eligible for Medicare, provided by the hospital in State fiscal year 2005 contained in the Department's data base adjudicated through June 30, 2006, and the denominator of which is the total ambulatory procedure listing services as described in Section 148.140(b)(1), excluding services for individuals eligible for Medicare, provided by the hospital in State fiscal year 2005 contained in the Department's data base adjudicated through June 30,

2006.

2) "General acute care hospital" is a hospital that does not meet the definition of a hospital contained in 89 Ill. Adm. Code 149.50(c).

3) "Outpatient Ambulatory Procedure Listing Payments" means, for a given hospital, the sum of payments for ambulatory procedure listing services as described in Section 148.140(b)(1), excluding payments for individuals eligible for Medicare under Title XVIII of the Act (Medicaid/Medicare crossover days), as tabulated from the Department's paid claims data for admissions occurring in the outpatient assistance base period that were adjudicated by the Department through June 30, 2006.

4) "Outpatient assistance adjustment year" means, beginning January 1, 2007, the 6-month period beginning on January 1, 2007 and ending June 30, 2007, and beginning July 1, 2007, the 12-month period beginning July 1 of the year and ending June 30 of the following year.

5) "Outpatient assistance base period" means the 12-month period beginning on July 1, 2004 and ending June 30, 2005.

6) "Surgical group outpatient ambulatory procedure listing services" means, for a given hospital, the sum of ambulatory procedure listing services as described in Section 148.140(b)(1)(A), excluding services for individuals eligible for Medicare under Title XVIII of the Act (Medicaid/Medicare crossover days), as tabulated from the Department's paid claims data for admissions occurring in the outpatient assistance base period that were adjudicated by the Department through June 30, 2006.

7) "Non-emergency/screening outpatient ambulatory procedure listing services" means, for a given hospital, the sum of ambulatory procedure listing services as described in Section 148.140(b)(1)(C)(iii), excluding services for individuals eligible for Medicare under Title XVIII of the Act (Medicaid/Medicare crossover days), as tabulated from the Department's paid claims data for admissions occurring in the outpatient assistance base period that were adjudicated by the Department through June 30, 2006.

(Source: Added at 31 Ill. Reg. 8123, effective May 30, 2007)

Section 148.126 Safety Net Adjustment Payments

a) Qualifying criteria: Safety net adjustment payments shall be made to a qualifying hospital, as defined in this subsection (a) unless the hospital does not provide comprehensive emergency treatment services as defined in 77 Ill. Adm. Code 250.710(a) on or after July 1, 2006, but did provide comprehensive emergency treatment services as defined in 77 Ill. Adm. Code 250.710(a) on January 1, 2006. A hospital not otherwise excluded under subsection (b) of this Section shall qualify for payment if it meets one of the following criteria:

1) The hospital has, as provided in subsection (e)(6) of this Section, an MIUR equal to or greater than 40 percent.

2) The hospital has the highest number of obstetrical care days in the safety net hospital base year.

3) The hospital is, as of October 1, 2001, a sole community hospital, as defined by the United States Department of Health and Human Services (42 CFR 412.92).

4) The hospital is, as of October 1, 2001, a rural hospital, as described in Section 148.25(g)(3), that meets all of the following criteria:

A) Has an MIUR greater than 33 percent.

B) Is designated a perinatal level two center by the Illinois Department of Public Health.

C) Has fewer than 125 licensed beds.

5) The hospital is a rural hospital, as described in Section 148.25(g)(3).

6) The hospital meets all of the following criteria:

A) Has an MIUR greater than 30 percent.

B) Had an occupancy rate greater than 80 percent in the safety net hospital base year.

C) Provided greater than 15,000 total days in the safety net hospital base year.

7) The hospital meets all of the following criteria:

A) Does not already qualify under subsections (a)(1) through (a)(6) of this Section.

B) Has an MIUR greater than 25 percent.

C) Had an occupancy rate greater than 68 percent in the safety net hospital base year.

D) Provided greater than 12,000 total days in the safety net hospital base year.

8) The hospital meets all of the following criteria in the safety net base year:

A) Is a rural hospital, as described in Section 148.25(g)(3).

B) Has an MIUR greater than 18 percent.

C) Has a combined MIUR greater than 45 percent.

D) Has licensed beds less than or equal to 60.

E) Provided greater than 400 total days.

F) Provided fewer than 125 obstetrical care days.

9) The hospital meets all of the following criteria in the safety net base year:

A) Is a psychiatric hospital, as described in 89 Ill. Adm. Code 149.50(c)(1).

B) Has licensed beds greater than 120.

C) Has an average length of stay less than ten days.

10) The hospital meets all of the following criteria in the safety net base year:

A) Does not already qualify under subsections (a)(1) through (a)(9) of this Section.

B) Has an MIUR greater than 17 percent.

C) Has licensed beds greater than 450.

D) Has an average length of stay less than four days.

11) The hospital meets all of the following criteria in the safety net base year:

A) Does not already qualify under subsections (a)(1) through (a)(10) of this Section.

B) Has an MIUR greater than 21 percent.

C) Has licensed beds greater than 350.

D) Has an average length of stay less than 3.15 days.

12) The hospital meets all of the following criteria in the safety net base year:

A) Does not already qualify under subsections (a)(1) through (a)(11) of this Section.

B) Has an MIUR greater than 34 percent.

C) Has licensed beds greater than 350.

D) Is designated a perinatal Level II center by the Illinois Department of Public Health.

13) The hospital meets all of the following criteria in the safety net base year:

A) Does not already qualify under subsections (a)(1) through (a)(12) of this Section.

B) Has an MIUR greater than 35 percent.

C) Has an average length of stay less than four days.

14) The hospital meets all of the following criteria in the safety net base year:

A) Does not already qualify under subsections (a)(1) through (a)(13) of this Section.

B) Has a CMIUR greater than 25 percent.

C) Has an MIUR greater than 12 percent.

D) Is designated a perinatal Level II center by the Illinois Department of Public Health.

E) Has licensed beds greater than 400.

F) Has an average length of stay less than 3.5 days.

15) The hospital meets all of the following criteria in the safety net base year:

A) Does not already qualify under subsections (a)(1) through (a)(14) of this Section.

B) Has a CMIUR greater than 28 percent.

C) Is designated a perinatal Level II center by the Illinois Department of Public Health.

D) Has licensed beds greater than 320.

E) Had an occupancy rate greater than 37 percent in the safety net hospital base year.

F) Has an average length of stay less than 3.1 days.

b) The following five classes of hospitals are ineligible for safety net adjustment payments associated with the qualifying criteria listed in subsections (a)(1)

through (a)(4), subsections (a)(6) through (a)(8) and subsections (a)(10) through (a)(15~~14~~) of this Section:

1) Hospitals located outside of Illinois.

2) County-owned hospitals, as described in Section 148.25(b)(1)(A).

3) Hospitals organized under the University of Illinois Hospital Act, as described in Section 148.25(b)(1)(B).

4) Psychiatric hospitals, as described in 89 Ill. Adm. Code 149.50(c)(1).

5) Long term stay hospitals, as described in 89 Ill. Adm. Code 149.50(c)(4).

c) Safety Net Adjustment Rates

1) For a hospital qualifying under subsection (a)(1) of this Section, the rate is the sum of the amounts for each of the following criteria for which it qualifies:

A) A qualifying hospital – $15.00.

B) A rehabilitation hospital, as described in 89 Ill. Adm. Code 149.50(c)(2) – $20.00.

C) A children's hospital, as described in 89 Ill. Adm. Code 149.50(c)(3) – $20.00.

D) A children's hospital that has an MIUR greater than or equal to 80 per centum that is:

i) Located within HSA 6 or HSA 7 – $296.00.

ii) Located outside HSA 6 or HSA 7 – $35.00.

E) A children's hospital that has an MIUR less than 80 per centum, but greater than or equal to 60 per centum, that is:

i) Located within HSA 6 or HSA 7 – $35.00.

ii) Located outside HSA 6 or HSA 7 – $15.00.

F) A children's hospital that has an MIUR less than 60 per centum, but greater than or equal to 45 per centum, that is:

i) Located within HSA 6 or HSA 7 – $12.00.

ii) Located outside HSA 6 or HSA 7 – $5.00.

G) A children's hospital with more than 25 graduate medical education programs, as listed in the "2000-2001 Graduate Medical Education Directory" – $255.50~~125.00~~.

H) A children's hospital that is a rural hospital – $145.00.

I) A qualifying hospital that is neither a rehabilitation hospital nor a children's hospital that is located in HSA 6 and that:

i) Provides obstetrical care – $10.00.

ii) Has at least one graduate medical education program, as listed in the "2000-2001 Graduate Medical Education Directory" – $5.00.

iii) Has at least one obstetrical graduate medical education program, as listed in the "2000-2001 Graduate Medical Education Directory" – $5.00.

iv) Provided more than 5,000 obstetrical days during the safety net hospital base year – $35.00.

v) Provided fewer than 4,000 obstetrical days during the safety net hospital base year and its average length of stay is: less than or equal to 4.50 days – $5.00; less than 4.00 days – $5.00; less than 3.75 days – $5.00.

vi) Provides obstetrical care and has an MIUR greater than 65 percent – $11.00.

vii) Has greater than 700 licensed beds – $57.25~~37.75~~.

J) A qualifying hospital that is neither a rehabilitation hospital nor a children's hospital, that is located outside HSA 6, that has an MIUR greater than 50 per centum, and that:

i) Provides obstetrical care – $70.00.

ii) Does not provide obstetrical care – $30.00.

iii) Is a trauma center, recognized by the Illinois Department of Public Health (IDPH), as of July 1, 2005 – $173.50.

K) A qualifying hospital that provided greater than 35,000 total days in the safety net hospital base year – $6.00.

L) A qualifying hospital with two or more graduate medical education programs, as listed in the "2000-2001 Graduate Medical Education Directory", with an average length of stay fewer than 4.00 days – $48.00.

2) For a hospital qualifying under subsection (a)(2) of this Section, the rate shall be $154.50~~123.00~~.

3) For a hospital qualifying under subsection (a)(3) of this Section, the rate is the sum of the amounts for each of the following criteria for which it qualifies:

A) A qualifying hospital – $40.00.

B) A hospital that has an average length of stay of fewer than 4.00 days, and:

i) More than 150 licensed beds – $20.00.

ii) Fewer than 150 licensed beds – $40.00.

C) A qualifying hospital with the lowest average length of stay –

$15.00.

D) A hospital that has a CMIUR greater than 65 per centum – $35.00.

E) A hospital that has fewer than 25 total admissions in the safety net hospital base year – $160.00.

4) For a hospital qualifying under subsection (a)(4) of this Section, the rate shall be $55.00.

5) For a hospital qualifying under subsection (a)(5) of this Section, the rate is the sum of the amounts for each of the following for which it qualifies, divided by the hospital's total days:

A) The hospital that has the highest number of obstetrical care admissions – $30,840.00.

B) The greater of:

i) The product of $115.00 multiplied by the number of obstetrical care admissions.

ii) The product of $11.50 multiplied by the number of general care admissions.

6) For a hospital qualifying under subsection (a)(6) of this Section, the rate is $149.00~~53.00~~.

7) For a hospital qualifying under subsection (a)(7) of this Section, the rate is $322.50~~175.50~~.

8) For a hospital qualifying under subsection (a)(8) of this Section, the rate is $124.50.

9) For a hospital qualifying under subsection (a)(9) of this Section, the rate is $85.50.

10) For a hospital qualifying under subsection (a)(10) of this Section, the rate is $96.25~~13.75~~.

11) For a hospital qualifying under subsection (a)(11) of this Section, the rate is $39.50.

12) For a hospital qualifying under subsection (a)(12) of this Section, the rate is $120.25.

13) For a hospital qualifying under subsection (a)(13) of this Section, the rate is $365.00~~231.50~~.

14) For a hospital qualifying under subsection (a)(14) of this Section, the rate is $430.00~~172.00~~.

15) For a hospital qualifying under subsection (a)(15) of this Section, the rate is $540.00.

d) Payment to a Qualifying Hospital

1) The total annual payments to a qualifying hospital shall be the product of the hospital's rate multiplied by two multiplied by total days.

2) For the safety net adjustment period occurring in State fiscal year 2007~~2006~~, total payments will equal the methodologies described in subsection (c) of this Section. For the period January 1, 2007~~October 1, 2005~~ through June 30, 2007~~2006~~, payment will equal the State fiscal year 2006 amount less the amount the hospital received under the safety net adjustment period for the quarters~~quarter~~ ending September 30, 2006~~2005~~ and December 31, 2006.

3) For safety net adjustment periods occurring after State fiscal year 2007~~2006~~, total payments will equal the methodologies described in subsection (c) of this Section and shall be paid to the hospital during the safety net adjustment period in installments on, at least, a quarterly basis.

e) Definitions

1) "Average length of stay" means, for a given hospital, a fraction in which the numerator is the number of total days and the denominator is the number of total admissions.

2) "CMIUR" means, for a given hospital, the sum of the MIUR plus the Medicaid obstetrical inpatient utilization rate, determined as of October 1, 2001, as defined in Section 148.120(k)(6).

3) "General care admissions" means, for a given hospital, the number of hospital inpatient admissions for recipients of medical assistance under Title XIX of the Social Security Act, as tabulated from the Department's claims data for admissions occurring in the safety net hospital base year that were adjudicated by the Department by June 30, 2001, excluding admissions for: obstetrical care, as defined in subsection (e)(7) of this Section; normal newborns; psychiatric care; physical rehabilitation; and those covered in whole or in part by Medicare (Medicaid/Medicare crossover admissions).

4) "HSA" means Health Service Area, as defined by the Illinois Department of Public Health.

5) "Licensed beds" means, for a given hospital, the number of licensed beds, excluding long term care and substance abuse beds, as listed in the July 25, 2001, Illinois Department of Public Health report entitled "Percent Occupancy by Service in Year 2000 for Short Stay, Non-Federal Hospitals in Illinois."

6) "MIUR", for a given hospital, has the meaning as defined in Section 148.120(k)(5) and shall be determined in accordance with Section 148.120(c) and (f). For purposes of this Section, the MIUR determination that was used to determine a hospital's eligibility for Disproportionate Share Hospital Adjustment payments in rate year 2002 shall be the same determination used to determine a hospital's eligibility for safety net adjustment payments in the Safety Net Adjustment Period.

7) "Obstetrical care admissions" means, for a given hospital, the number of hospital inpatient admissions for recipients of medical assistance under Title XIX of the Social Security Act, as tabulated from the Department's claims data, for admissions occurring in the safety net hospital base year that were adjudicated by the Department through June 30, 2001, and were assigned by the Department a diagnosis related grouping (DRG) code of 370 through 375.

8) "Obstetrical care days" means, for a given hospital, days of hospital inpatient service associated with the obstetrical care admissions described in subsection (e)(7) of this Section.

9) "Occupancy rate" means a fraction, the numerator of which is the hospital's total days, excluding long term care and substance abuse days, and the denominator of which is the hospital's total beds, excluding long term care and substance abuse beds, multiplied by 365 days. The data used for calculation of the hospital occupancy rate is as listed in the July 25, 2001, Illinois Department of Public Health report entitled "Percent Occupancy by Service in Year 2000 for Short Stay, Non-Federal Hospitals in Illinois".

10) "Safety net hospital base year" means the 12-month period beginning on July 1, 1999, and ending on June 30, 2000.

11) "Safety net adjustment period" means, beginning July 1, 2002, the 12 month period beginning on July 1 of a year and ending on June 30 of the following year.

12) "Total admissions" means, for a given hospital, the number of hospital inpatient admissions for recipients of medical assistance under Title XIX of the Social Security Act, excluding admissions for individuals eligible for Medicare under Title XVIII of that Act (Medicaid/Medicare crossover admissions), as tabulated from the Department's claims data for admissions occurring in the safety net hospital base year that were adjudicated by the Department through June 30, 2001.

13) "Total days" means, for a given hospital, the sum of days of inpatient hospital service provided to recipients of medical assistance under Title XIX of the federal Social Security Act, excluding days for individuals eligible for Medicare under Title XVIII of that Act (Medicaid/Medicare crossover days), as tabulated from the Department's claims data for admissions occurring in the safety net hospital base year that were adjudicated by the Department through June 30, 2001.

(Source: Amended at 31 Ill. Reg. 8123, effective May 30, 2007)

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

Section 148.295 Critical Hospital Adjustment Payments (CHAP)

Critical Hospital Adjustment Payments (CHAP) shall be made to all eligible hospitals excluding county-owned hospitals, as described in Section 148.25(b)(1)(A), unless otherwise noted in this Section, and hospitals organized under the University of Illinois Hospital Act, as described in Section 148.25(b)(1)(B), for inpatient admissions occurring on or after July 1, 1998, in accordance with this Section.

a) Trauma Center Adjustments (TCA)
The Department shall make a TCA to Illinois hospitals recognized, as of the first day of July in the CHAP rate period, as a Level I or Level II trauma center by the Illinois Department of Public Health (IDPH) in accordance with the provisions of subsections (a)(1) through (a)(3) of this Section.

1) Level I Trauma Center Adjustment.

A) Criteria. Illinois hospitals that, on the first day of July in the CHAP rate period, are recognized as a Level I trauma center by the Illinois Department of Public Health shall receive the Level I trauma center adjustment.

B) Adjustment. Illinois hospitals meeting the criteria specified in subsection (a)(1)(A) of this Section shall receive an adjustment as follows:

i) Hospitals with Medicaid trauma admissions equal to or greater than the mean Medicaid trauma admissions, for all hospitals qualifying under subsection (a)(1)(A) of this Section, shall receive an adjustment of $21,365.00 per Medicaid trauma admission in the CHAP base period.

ii) Hospitals with Medicaid trauma admissions less than the mean Medicaid trauma admissions, for all hospitals qualifying under subsection (a)(1)(A) of this Section, shall receive an adjustment of $14,165.00 per Medicaid trauma admission in the CHAP base period.

2) Level II Rural Trauma Center Adjustment. Illinois rural hospitals, as defined in Section 148.25(g)(3), that, on the first day of July in the CHAP

rate period, are recognized as a Level II trauma center by the Illinois Department of Public Health shall receive an adjustment of $11,565.00 per Medicaid trauma admission in the CHAP base period.

3) Level II Urban Trauma Center Adjustment. Illinois urban hospitals, as described in Section 148.25(g)(4), that, on the first day of July in the CHAP rate period, are recognized as Level II trauma centers by the Illinois Department of Public Health shall receive an adjustment of $11,565.00 per Medicaid trauma admission in the CHAP base period, provided that such hospital meets the criteria described below:

A) The hospital is located in a county with no Level I trauma center; and

B) The hospital is located in a Health Professional Shortage Area (HPSA) (42 CFR 5), as of the first day of July in the CHAP rate period, and has a Medicaid trauma admission percentage at or above the mean of the individual facility values determined in subsection (a)(3) of this Section; or the hospital is not located in an HPSA and has a Medicaid trauma admission percentage that is at least the mean plus one standard deviation of the individual facility values determined in subsection (a)(3) of this Section.

b) Rehabilitation Hospital Adjustment (RHA)
Illinois hospitals that, on the first day of July in the CHAP rate period, qualify as rehabilitation hospitals, as defined in 89 Ill. Adm. Code 149.50(c)(2), and that are accredited by the Commission on Accreditation of Rehabilitation Facilities (CARF), shall receive a rehabilitation hospital adjustment in the CHAP rate period that consists of the following three components:

1) Treatment Component. All hospitals defined in subsection (b) of this Section shall receive $4,215.00 per Medicaid Level I rehabilitation admission in the CHAP base period.

2) Facility Component. All hospitals defined in subsection (b) of this Section shall receive a facility component that shall be based upon the number of Medicaid Level I rehabilitation admissions in the CHAP base period as follows:

A) Hospitals with fewer than 60 Medicaid Level I rehabilitation admissions in the CHAP base period shall receive a facility component of $229,360.00 in the CHAP rate period.

B) Hospitals with 60 or more Medicaid Level I rehabilitation admissions in the CHAP base period shall receive a facility component of $527,528.00 in the CHAP rate period.

3) Health Professional Shortage Area Adjustment Component. Hospitals defined in subsection (b) of this Section that are located in an HPSA on July 1, 1999, shall receive $276.00 per Medicaid Level I rehabilitation inpatient day in the CHAP base period.

c) Direct Hospital Adjustment (DHA) Criteria

1) Qualifying Criteria
Hospitals may qualify for the DHA under this subsection (c) under the following categories unless the hospital does not provide comprehensive emergency treatment services as defined in 77 Ill. Adm. Code 250.710(a) on or after July 1, 2006, but did provide comprehensive emergency treatment services as defined in 77 Ill. Adm. Code 250.710(a) on January 1, 2006:

A) Except for hospitals operated by the University of Illinois, children's hospitals, psychiatric hospitals, rehabilitation hospitals and long term stay hospitals, all other hospitals located in Health Service Area (HSA) 6 that either:

i) were eligible for Direct Hospital Adjustments under the CHAP program as of July 1, 1999 and had a Medicaid inpatient utilization rate (MIUR) equal to or greater than the statewide mean in Illinois on July 1, 1999;

ii) were eligible under the Supplemental Critical Hospital Adjustment Payment (SCHAP) program as of July 1, 1999 and had an MIUR equal to or greater than the statewide mean in Illinois on July 1, 1999; or

iii) were county owned hospitals as defined in 89 Ill. Adm. Code 148.25(b)(1)(A), and had an MIUR equal to or greater than the statewide mean in Illinois on July 1, 1999.

B) Illinois hospitals located outside of HSA 6 that had an MIUR greater than 60 percent on July 1, 1999 and an average length of stay less than ten days. The following hospitals are excluded from qualifying under this subsection (c)(1)(B): children's hospitals; psychiatric hospitals; rehabilitation hospitals; and long term stay hospitals.

C) Children's hospitals, as defined under 89 Ill. Adm. Code 149.50(c)(3), on July 1, 1999.

D) Illinois teaching hospitals, with more than 40 graduate medical education programs on July 1, 1999, not qualifying in subsection (c)(1)(A), (B), or (C) of this Section.

E) Except for hospitals operated by the University of Illinois, children's hospitals, psychiatric hospitals, rehabilitation hospitals, long term stay hospitals and hospitals qualifying in subsection (c)(1)(A), (B), (C) or (D) of this Section, all other hospitals located in Illinois that had an MIUR equal to or greater than the mean plus one-half standard deviation on July 1, 1999 and provided more than 15,000 Total days.

F) Except for hospitals operated by the University of Illinois, children's hospitals, psychiatric hospitals, rehabilitation hospitals, long term stay hospitals and hospitals otherwise qualifying in subsection (c)(1)(A), (B), (C), (D), or (E) of this Section, all other hospitals that had an MIUR greater than 40 percent on July 1, 1999 and provided more than 7,500 Total days and provided obstetrical care as of July 1, 2001.

G) Illinois teaching hospitals with 25 or more graduate medical education programs on July 1, 1999 that are affiliated with a Regional Alzheimer's Disease Assistance Center as designated by the Alzheimer's Disease Assistance Act [410 ILCS 405/4], that had

an MIUR less than 25 percent on July 1, 1999 and provided 75 or more Alzheimer days for patients diagnosed as having the disease.

H) Except for hospitals operated by the University of Illinois, children's hospitals, psychiatric hospitals, rehabilitation hospitals, long term stay hospitals and hospitals otherwise qualifying in subsection (c)(1)(A) through (c)(1)(G) of this Section, all other hospitals that had an MIUR greater than 50 percent on July 1, 1999.

I) Except for hospitals operated by the University of Illinois, children's hospitals, psychiatric hospitals, rehabilitation hospitals, long term stay hospitals and hospitals otherwise qualifying in subsection (c)(1)(A) through (c)(1)(H) of this Section, all other hospitals that had an MIUR greater than 23 percent on July 1, 1999, had an average length of stay less than four days, provided more than 4,200 Total days and provided 100 or more Alzheimer days for patients diagnosed as having the disease.

2) DHA Rates

A) For hospitals qualifying under subsection (c)(1)(A) of this Section, the DHA rates are as follows:

i) Hospitals that have a Combined MIUR that is equal to or greater than the Statewide mean Combined MIUR, but less than one standard deviation above the Statewide mean Combined MIUR, will receive $69.00 per day for hospitals that do not provide obstetrical care and $105.00 per day for hospitals that do provide obstetrical care.

ii) Hospitals that have a Combined MIUR that is equal to or greater than one standard deviation above the Statewide mean Combined MIUR, but less than one and one-half standard deviation above the Statewide mean Combined MIUR, will receive $105.00 per day for hospitals that do not provide obstetrical care and $142.00 per day for hospitals that do provide obstetrical care.

iii) Hospitals that have a Combined MIUR that is equal to or greater than one and one-half standard deviation above the Statewide mean Combined MIUR, but less than two standard deviations above the Statewide mean Combined MIUR, will receive $124.00 per day for hospitals that do not provide obstetrical care and $160.00 per day for hospitals that do provide obstetrical care.

iv) Hospitals that have a Combined MIUR that is equal to or greater than two standard deviations above the Statewide mean Combined MIUR will receive $142.00 per day for hospitals that do not provide obstetrical care and $179.00 per day for hospitals that do provide obstetrical care.

B) Hospitals qualifying under subsection (c)(1)(A) of this Section will also receive the following rates:

i) County owned hospitals as defined in Section 148.25 with more than 30,000 Total days will have their rate increased by $455.00 per day.

ii) Hospitals that are not county owned with more than 30,000 Total days will have their rate increased by $330.00 per day.

iii) Hospitals with more than 80,000 Total days will have their rate increased by an additional $423.00 per day.

iv) Hospitals with more than 4,500 Obstetrical days will have their rate increased by $101.00 per day.

v) Hospitals with more than 5,500 Obstetrical days will have their rate increased by an additional $194.00 per day.

vi) Hospitals with an MIUR greater than 74 percent will have their rate increased by $147.00 per day.

vii) Hospitals with an average length of stay less than 3.9 days will have their rate increased by $41.00 per day.

viii) Hospitals with an MIUR greater than the statewide mean plus one standard deviation that are designated a Perinatal Level 2 Center and have one or more obstetrical graduate medical education programs as of July 1, 1999 will have their rate increased by $227.00 per day.

ix) Hospitals receiving payments under subsection (c)(2)(A)(ii) of this Section that have an average length of stay less than four days will have their rate increased by $528.00 per day.

x) Hospitals receiving payments under subsection (c)(2)(A)(ii) of this Section that have an MIUR greater than 60 percent will have their rate increased by $320.50 per day.

xi) Hospitals receiving payments under subsection (c)(2)(A)(iv) of this Section that have an MIUR greater than 70 percent and have more than 20,000 days will have their rate increased by $98.00 per day.

xii) Hospitals with a Combined MIUR greater than 75 percent that have more than 20,000 total days, have an average length of stay less than five days and have at least one graduate medical program will have their rate increased by $148.00 per day.

C) Hospitals qualifying under subsection (c)(1)(B) of this Section will receive the following rates:

i) Qualifying hospitals will receive a rate of $421.00 per day.

ii) Qualifying hospitals with more than 1,500 Obstetrical days will have their rate increased by $369.00 per day.

D) Hospitals qualifying under subsection (c)(1)(C) of this Section will receive the following rates:

i) Hospitals will receive a rate of $28.00 per day.

ii) Hospitals located in Illinois and outside of HSA 6 that have an MIUR greater than 60 percent will have their rate increased by $55.00 per day.

iii) Hospitals located in Illinois and inside HSA 6 that have an MIUR greater than 80 percent will have their rate increased by $573.00 per day.

iv) Hospitals that are not located in Illinois that have an MIUR greater than 45 percent will have their rate increased by $32.00 per day for hospitals that have fewer than 4,000 Total days; or $246.00 per day for hospitals that have more than 4,000 Total days but fewer than 8,000 Total days; or $178.00 per day for hospitals that have more than 8,000 Total days.

v) Hospitals with more than 3,200 Total admissions will have their rate increased by $328.00 per day.

E) Hospitals qualifying under subsection (c)(1)(D) of this Section will receive the following rates:

i) Hospitals will receive a rate of $41.00 per day.

ii) Hospitals with an MIUR between 18 percent and 19.75 percent will have their rate increased by an additional $14.00 per day.

iii) Hospitals with an MIUR equal to or greater than 19.75 percent will have their rate increased by an additional $110.25 per day.

iv) Hospitals with a combined MIUR that is equal to or greater than 35 percent will have their rate increased by an additional $41.00 per day.

F) Hospitals qualifying under subsection (c)(1)(E) of this Section will receive $188.00 per day.

G) Hospitals qualifying under subsection (c)(1)(F) of this Section will receive a rate of $55.00 per day.

H) Hospitals that qualify under subsection (c)(1)(G) of this Section will receive the following rates:

i) Hospitals with an MIUR equal to or less ~~greater~~ than 19.75 percent will receive a rate of $11~~69~~.00 per day.

ii) Hospitals with an MIUR greater ~~equal to or less~~ than 19.75 percent, but equal to or less than 20.00 percent, will receive a rate of $69~~11~~.00 per day.

iii) Hospitals with an MIUR greater than 20.00 percent will receive a rate of $110.00 per day.

I) Hospitals qualifying under subsection (c)(1)(H) of this Section will receive a rate of $268.00 per day.

J) Hospitals qualifying under subsection (c)(1)(I) of this Section will receive a rate of $238.00 per day.

K) Hospitals that qualify under subsection (c)(1)(A)(iii) of this Section will have their rates multiplied by a factor of two. The payments calculated under this Section to hospitals that qualify under subsection (c)(1)(A)(iii) of this Section may be adjusted by the Department to ensure compliance with aggregate and hospital specific federal payment limitations. A portion of the payments calculated under this Section may be classified as disproportionate share adjustments for hospitals qualifying under subsection (c)(1)(A)(iii) of this Section.

3) DHA Payments

A) Payments under this subsection (c) will be made at least quarterly, beginning with the quarter ending December 31, 1999.

B) Payment rates will be multiplied by the Total days.

C) Total Payment Adjustments

i) For the CHAP rate period occurring in State fiscal year 2007~~2006~~, total payments will equal the methodologies described in subsection (c)(2) of this Section. For the period January 1, 2007 through~~2006, to~~ June 30, 2007~~2006~~, payment will equal the State fiscal year 2007~~2006~~ amount less the amount the hospital received under DHA for the quarters ending September 30, 2007~~2006,~~ and December 31, 2007~~2006~~.

ii) For CHAP rate periods occurring after State fiscal year 2006, total payments will equal the methodologies described in subsection (c)(2) of this Section.

d) Rural Critical Hospital Adjustment Payments (RCHAP)
RCHAP shall be made to rural hospitals, as described in 89 Ill. Adm. Code 140.80(j)(1), for certain inpatient admissions. The hospital qualifying under this subsection that has the highest number of Medicaid obstetrical care admissions during the CHAP base period shall receive $367,179.00 per year. The Department shall also make an RCHAP to hospitals qualifying under this subsection at a rate that is the greater of:

1) the product of $1,367.00 multiplied by the number of RCHAP Obstetrical Care Admissions in the CHAP base period, or

2) the product of $138.00 multiplied by the number of RCHAP General Care Admissions in the CHAP base period.

e) Total CHAP Adjustments
Each eligible hospital's critical hospital adjustment payment shall equal the sum of the amounts described in subsections (a), (b), (c) and (d) of this Section. The critical hospital adjustment payments shall be paid at least quarterly.

f) Critical Hospital Adjustment Limitations
Hospitals that qualify for trauma center adjustments under subsection (a) of this Section shall not be eligible for the total trauma center adjustment if, during the CHAP rate period, the hospital is no longer recognized by the Illinois Department of Public Health as a Level I trauma center as required for the adjustment

described in subsection (a)(1) of this Section, or a Level II trauma center as required for the adjustment described in subsection (a)(2) or (a)(3) of this Section. In these instances, the adjustments calculated shall be pro-rated, as applicable, based upon the date that such recognition ceased.

g) Critical Hospital Adjustment Payment Definitions
The definitions of terms used with reference to calculation of the CHAP required by this Section are as follows:

1) "Alzheimer days" means total paid days contained in the Department's paid claims database with a ICD-9-CM diagnosis code of 331.0 for dates of service occurring in State fiscal year 2001 and adjudicated through June 30, 2002.

2) "CHAP base period" means State Fiscal Year 1994 for CHAP calculated for the July 1, 1995 CHAP rate period; State Fiscal Year 1995 for CHAP calculated for the July 1, 1996 CHAP rate period; etc.

3) "CHAP rate period" means, beginning July 1, 1995, the 12 month period beginning on July 1 of the year and ending June 30 of the following year.

4) "Combined MIUR" means the sum of Medicaid Inpatient Utilization Rate (MIUR) as of July 1, 1999, and as defined in Section 148.120(k)(5), plus the Medicaid obstetrical inpatient utilization rate, as described in Section 148.120(k)(6), as of July 1, 1999.

5) "Medicaid general care admission" means hospital inpatient admissions that were subsequently adjudicated by the Department through the last day of June preceding the CHAP rate period and contained within the Department's paid claims data base, for recipients of medical assistance under Title XIX of the Social Security Act, excluding admissions for normal newborns, Medicare/Medicaid crossover admissions, psychiatric and rehabilitation admissions.

6) "Medicaid Level I rehabilitation admissions" means those claims billed as Level I admissions that were subsequently adjudicated by the Department through the last day of June preceding the CHAP rate period and contained within the Department's paid claims data base, with an ICD-9-CM principal diagnosis code of: 054.3, 310.1 through 310.2, 320.1, 336.0

through 336.9, 344.0 through 344.2, 344.8 through 344.9, 348.1, 801.30, 803.10, 803.84, 806.0 through 806.19, 806.20 through 806.24, 806.26, 806.29 through 806.34, 806.36, 806.4 through 806.5, 851.06, 851.80, 853.05, 854.0 through 854.04, 854.06, 854.1 through 854.14, 854.16, 854.19, 905.0, 907.0, 907.2, 952.0 through 952.09, 952.10 through 952.16, 952.2, and V57.0 through V57.89, excluding admissions for normal newborns.

7) "Medicaid Level I rehabilitation inpatient day" means the days associated with the claims defined in subsection (g)(5) of this Section.

8) "Medicaid obstetrical care admission" means hospital inpatient admissions that were subsequently adjudicated by the Department through the last day of June preceding the CHAP rate period and contained within the Department's paid claims data base, for recipients of medical assistance under Title XIX of Social Security Act, with Diagnosis Related Grouping (DRG) of 370 through 375; and specifically excludes Medicare/Medicaid crossover claims.

9) "Medicaid trauma admission" means those claims billed as admissions that were subsequently adjudicated by the Department through the last day of June preceding the CHAP rate period and contained within the Department's paid claims data base, with an ICD-9-CM principal diagnosis code of: 800.0 through 800.99, 801.0 through 801.99, 802.0 through 802.99, 803.0 through 803.99, 804.0 through 804.99, 805.0 through 805.98, 806.0 through 806.99, 807.0 through 807.69, 808.0 through 808.9, 809.0 through 809.1, 828.0 through 828.1, 839.0 through 839.31, 839.7 through 839.9, 850.0 through 850.9, 851.0 through 851.99, 852.0 through 852.59, 853.0 through 853.19, 854.0 through 854.19, 860.0 through 860.5, 861.0 through 861.32, 862.8, 863.0 through 863.99, 864.0 through 864.19, 865.0 through 865.19, 866.0 through 866.13, 867.0 through 867.9, 868.0 through 868.19, 869.0 through 869.1, 887.0 through 887.7, 896.0 through 896.3, 897.0 through 897.7, 900.0 through 900.9, 902.0 through 904.9, 925 through 925.2, 926.8, 929.0 through 929.99, 958.4, 958.5, 990 through 994.99.

10) "Medicaid trauma admission percentage" means a fraction, the numerator of which is the hospital's Medicaid trauma admissions and the

denominator of which is the total Medicaid trauma admissions in a given 12 month period for all Level II urban trauma centers.

11) "RCHAP general care admissions" means Medicaid General Care Admissions, as defined in subsection (g)(4) of this Section, less RCHAP Obstetrical Care Admissions, occurring in the CHAP base period.

12) "RCHAP obstetrical care admissions" means Medicaid Obstetrical Care Admissions, as defined in subsection (g)(7) of this Section, with a Diagnosis Related Grouping (DRG) of 370 through 375, occurring in the CHAP base period.

13) "Total admissions" means total paid admissions contained in the Department's paid claims database, including obstetrical admissions multiplied by two and excluding Medicare crossover admissions, for dates of service occurring in State fiscal year 1998 and adjudicated through June 30, 1999.

14) "Total days" means total paid days contained in the Department's paid claims database, including obstetrical days multiplied by two and excluding Medicare crossover days, for dates of service occurring in State fiscal year 1998 and adjudicated through June 30, 1999.

15) "Total obstetrical days" means hospital inpatient days for dates of service occurring in State fiscal year 1998 and adjudicated through June 30, 1999, with an ICD-9-CM principal diagnosis code of 640.0 through 648.9 with a 5th digit of 1 or 2; 650; 651.0 through 659.9 with a 5th digit of 1, 2, 3, or 4; 660.0 through 669.9 with a 5th digit of 1, 2, 3, or 4; 670.0 through 676.9 with a 5th digit of 1 or 2; V27 through V27.9; V30 through V39.9; or any ICD-9-CM principal diagnosis code that is accompanied with a surgery procedure code between 72 and 75.99; and specifically excludes Medicare/Medicaid crossover claims.

(Source: Amended at 31 Ill. Reg. 8123, effective May 30, 2007)

Section 148.404 Medicaid High Volume Adjustment Payments

a) Qualifying Criteria. Medicaid High Volume Adjustment Payments shall be made to a qualifying Illinois hospital as defined in this subsection (a). A hospital not

otherwise excluded under subsection (b) of this Section shall qualify for payment if it is:

1) an Illinois hospital that did not qualify for Medicaid Percentage Adjustments as described in Section 148.122 for the 12-month period beginning on October 1, 2004 and provided more than 10,000 Medicaid inpatient days in the Medicaid high volume base period; or

2) an Illinois general acute care hospital defined in Section 148.270(c)(1) that did qualify for Medicaid Percentage Adjustment Payments as described in Section 148.122 for the 12-month period beginning on October 1, 2004 and provided more than 21,000 Medicaid inpatient days in the Medicaid high volume base period.

b) The following classes of hospitals are ineligible for High Volume Adjustment Payments associated with the qualifying criteria listed in subsection (a) of this Section:

1) County-owned hospitals as described in Section 148.25(b)(1)(A).

2) Hospitals organized under the University of Illinois Hospital Act, as described in Section 148.25(b)(1)(B).

3) A hospital owned or operated by a State agency, as described in Section 148.25(b)(6).

c) Medicaid High Volume Adjustment Payments

1) For a hospital qualifying under subsection (a)(1) of this Section, payment is as follows:

A) A hospital that:

i) provided less than or equal to 14,500, but more than 10,000, Medicaid inpatient days in the Medicaid high volume base period~~,~~ shall receive payments equal to the product of $90 multiplied by the qualifying hospital's Medicaid inpatient days;

ii) provided less than or equal to 18,500, but more than 14,500, Medicaid inpatient days in the Medicaid high volume base period shall receive payments equal to the product of $135 multiplied by the qualifying hospital's Medicaid inpatient days;

iii) provided less than or equal to 20,000, but more than 18,500, Medicaid inpatient days in the Medicaid high volume base period shall receive payments equal to the product of $225 multiplied by the qualifying hospital's Medicaid inpatient days; or

iv) provided 20,000 or more Medicaid inpatient days in the Medicaid high volume base period shall receive payments equal to the product of $900 multiplied by the qualifying hospital's Medicaid inpatient days.

B) Payments will be the lesser of the calculation described in subsection (c)(1)(A)(i), (c)(1)(A)(ii), (c)(1)(A)(iii), and (c)(1)(A)(iv) or $19 million dollars.

2) For a hospital qualifying under subsection (a)(2) of this Section, payment shall equal the product of $35 multiplied by the qualifying hospital's Medicaid inpatient days.~~:~~

~~A) Payment equal to the product of $35 multiplied by the qualifying hospital's Medicaid inpatient days.~~

~~B) Payments will be the lesser of the calculation described in subsection (c)(2)(A) or $1,200,000.~~

3) A hospital that enrolled to provide Medicaid services during State fiscal year 2003 shall have its utilization and associated reimbursements annualized prior to the payment calculations being performed under this subsection.

d) Payment to a Qualifying Hospital

1) For the Medicaid high volume adjustment period for fiscal year 2006, fiscal year 2007 and fiscal year 2008 total payments will equal the methodologies described in subsection (c) of this Section and shall be paid to the hospital in four equal installments on or before the seventh State business day of September, December, March and May. The sum of the amounts required prior to the conditions described in subsection (f) of this Section being met shall be paid within 100 days after the conditions described in subsection (f) have been met.

2) If a hospital closes during the fiscal year, payments will be prorated based on the number of days the hospital was open during the fiscal year.

e) Definitions

1) "Medicaid high volume adjustment period" means, beginning August 1, 2005, the 11-month period beginning on August 1, 2005 and ending June 30, 2006, and beginning July 1, 2006, the 12-month period beginning July 1 of the year and ending June 30 of the following year.

2) "Medicaid high volume base period" means the cost report on file with the Department on July 1, 2004, for the hospital's fiscal year ending in 2002.

3) "Medicaid inpatient days" means, for a given hospital, the sum of days of inpatient hospital service provided to recipients of medical assistance under Title XIX of the federal Social Security Act, excluding days for individuals eligible for Medicare under Title XVIII of the Act (Medicaid/Medicare crossover days), as contained in the hospital's cost report on file with the Department as of July 1, 2004, for the hospital's fiscal year ending in 2002.

f) Payment Limitations: Payments under this Section are not due and payable until:

1) the methodologies described in this Section receive federal approval from the Centers for Medicare and Medicaid Services in an appropriate State Plan Amendment;

2) the assessment imposed under 89 Ill. Adm. Code 140.80 is determined to be a permissible tax under Title XIX of the Social Security Act; and

3) the assessment described in 89 Ill. Adm. Code 140.80 is in effect.

(Source: Amended at 31 Ill. Reg. 8123, effective May 30, 2007)

Section 148.408 Trauma Center Adjustment Payments

a) Qualifying Criteria. Trauma Center Adjustment Payments shall be made to a qualifying Illinois hospital as defined in this subsection (a). A hospital not otherwise excluded under subsection (b) of this Section shall qualify for payment if it was a general acute care hospital that, as of January 1, 2005, was considered a trauma center and meets the requirements specified in subsection (c).

b) The following classes of hospitals are ineligible for Trauma Center Adjustment Payments associated with the qualifying criteria listed in subsection (a) of this Section:

1) County-owned hospitals as described in Section 148.25(b)(1)(A).

2) Hospitals organized under the University of Illinois Hospital Act, as described in Section 148.25(b)(1)(B).

3) A hospital owned or operated by a State~~Sate~~ agency, as described in Section 148.25(b)(6).

c) Trauma Center Adjustment Payments

1) Level I Trauma Center Adjustment Payments

A) For an Illinois general acute care hospital that was considered a Level I trauma center as of January 1, 2005 and~~,~~ that is located in a large urban area or an other urban area that qualified for Medicaid Percentage Adjustments as described in Section 148.122 as of October 1, 2004, shall receive payments equal to the product of $800 multiplied by the qualifying hospital's Medicaid intensive care unit (ICU) days in the trauma base period.

i) For a hospital located in a large urban area outside of a city with a population in excess of one million people, the Department shall pay an amount equal to the Level I

Trauma Center Adjustment Payment calculated in subsection (c)(1)(A) of this Section multiplied by 4.5.

ii) For a hospital located in another urban area, the Department shall pay an amount equal to the Level I Trauma Center Adjustment Payment calculated in (c)(1)(A) multiplied by 8.5.

2) Level II Trauma Center Adjustment Payments

A) For an Illinois general acute care hospital that was considered a Level II trauma center as of January 1, 2005 and was designated a Level III perinatal center, the payment shall equal the product of $475 multiplied by the qualifying hospital's Medicaid inpatient days in the trauma base period.

B) For an Illinois general acute care hospital that was considered a Level II trauma center as of January 1, 2005 and was designated a Level II or II+ perinatal center that has a ratio of Medicaid ICU days to total Medicaid days greater than five percent, the payment shall equal the product of $475 multiplied by the qualifying hospital's Medicaid inpatient days in the trauma base period.

~~A) For an Illinois general acute care hospital that was considered a Level II trauma center as of January 1, 2005 and is located in a county with a population in excess of three million people, the payment shall equal:~~

~~i) A hospital qualifying under subsection (c)(2)(A) of this Section shall be paid $4,000 per day for the first 500 Medicaid inpatient days in the trauma base period.~~

~~ii) A hospital qualifying under subsection (c)(2)(A) of this Section shall be paid $2,000 per day for the Medicaid inpatient days between 501 and 1,500 in the trauma base period.~~

~~iii) A hospital qualifying under subsection (c)(2)(A) of this Section shall be paid $100 per day for each Medicaid inpatient day over 1,500 in the trauma base period.~~

~~B) For an Illinois general acute care hospital that was considered a Level II trauma center as of January 1, 2005, and is located in a large urban area outside of a county with a population in excess of three million people and, as of January 1, 2005, was designated a Level III perinatal center or designated a Level II or II+ perinatal center that has a ratio of Medicaid ICU days to total Medicaid days greater than five percent, the payment shall equal:~~

~~i) A hospital qualifying under subsection (c)(2)(B) of this Section shall be paid $4,000 per day for the first 500 Medicaid inpatient days in the trauma base period.~~

~~ii) A hospital qualifying under subsection (c)(2)(B) of this Section shall be paid $2,000 per day for the Medicaid inpatient days between 501 and 1,500 in the trauma base period.~~

~~iii) A hospital qualifying under subsection (c)(2)(B) of this Section shall be paid $100 per day for each Medicaid inpatient day over 1,500 in the trauma base period.~~

3) Pediatric Trauma Center Adjustment Payments

A) Qualifying Criteria: Payment shall be for all Illinois children's hospitals designated as Level I pediatric trauma centers that provided more than 30,000 Medicaid days in State fiscal year 2003 and those out-of-state Level I pediatric trauma centers that provided more than 700 Illinois Medicaid admissions in State fiscal year 2003.

B) A hospital qualifying under subsection (c)(3)(A) of this Section shall receive payment equal to the product of $325 multiplied by the hospital's Illinois Medicaid ICU days.

C) For out-of-state hospitals qualifying under subsection (c)(3)(A), the amount calculated under subsection (c)(3)(B) shall be multiplied by 2.25.

4) A hospital that enrolled to provide Medicaid services during fiscal year 2003 shall have its utilization and associated reimbursements annualized prior to the payment calculations being performed under this subsection (c).

5) Notwithstanding any other provisions of this subsection (c), a children's hospital, as defined at 89 Ill. Adm. Code 149.49(c)(3)(b), is not eligible for the payments described in subsections (c)(1) and (c)(2) of this Section.

d) Payment to a Qualifying Hospital

1) For the trauma center adjustment period for fiscal year 2006, fiscal year 2007 and fiscal year 2008 total payments will equal the methodologies described in subsection (c) of this Section and shall be paid to the hospital in four equal installments on or before the seventh State business day of September, December, March and May. The sum of the amounts required prior to the conditions described in subsection (f) being met shall be paid within 100 days after the conditions described in subsection (f) of this Section have been met.

2) If a hospital closes during the fiscal year, payments will be prorated based on the number of days the hospital was open during the fiscal year.

e) Definitions

1) "Large urban area" means an area located within a metropolitan statistical area, as defined by the U.S. Office of Management and Budget, 725 17th Street N.W., Washington D.C. 20503, in OMB Bulletin 04-03, dated February 18, 2004, with a population in excess of 1,000,000, and with an urban hospital as described in Section 148.25(g)(4).

2) "Medicaid inpatient days" means, for a given hospital, the sum of days of inpatient hospital service provided to recipients of medical assistance under Title XIX of the federal Social Security Act, excluding days for individuals eligible for Medicare under Title XVIII of the Act

(Medicaid/Medicare crossover days), as contained in the hospital's cost report on file with the Department as of July 1, 2004, for the hospital's fiscal year ending in 2002.

3) "Medicaid intensive care unit days" means, for a given hospital, the number of hospital inpatient days during which Medicaid recipients received intensive care services from the hospital, as determined from the hospital's 2002 Medicaid cost report on file with the Department on July 1, 2004.

4) "Other urban area" means an area located within a metropolitan statistical area, as defined by the U.S. Office of Management and Budget, 725 17th Street N.W., Washington D.C. 20503, in OMB Bulletin 04-03, dated February 18, 2004, with a city with a population in excess of 50,000 or with a total population in excess of 100,000, and with an urban hospital as described in Section 148.25(g)(4).

5) "Trauma center adjustment period" means, beginning August 1, 2005, the 11-month period beginning on August 1, 2005 and ending June 30, 2006 and, beginning July 1, 2006, the 12-month period beginning July 1 of the year and ending June 30 of the following year.

6) "Trauma center base period" means days reported in the hospital's 2002 Medicaid cost report on file with the Department on July 1, 2004.

f) Payment Limitations: Payments under this Section are not due and payable until:

1) the methodologies described in this Section receive federal approval from the Centers for Medicare and Medicaid Services in an appropriate State Plan Amendment;

2) the assessment imposed under 89 Ill. Adm. Code 140.80 is determined to be a permissible tax under Title XIX of the Social Security Act; and

3) the assessment described in 89 Ill. Adm. Code 140.80 is in effect.

(Source: Amended at 31 Ill. Reg. 8123, effective May 30, 2007)

Section 148.418 Long Term Acute Care Hospital Adjustment Payments

a) Qualifying Criteria.~~:~~ Long Term Acute Care Hospital Adjustment Payments described in subsection (b) of this Section shall be made to an Illinois long term stay hospital, as defined in 89 Ill. Adm. Code 149.50(c)(4), excluding:

1) County-owned hospitals as described in Section 148.25(b)(1)(A).

2) Hospitals organized under the University of Illinois Hospital Act, as described in Section 148.25(b)(1)(B).

3) A hospital owned or operated by a State agency, as described in Section 148.25(b)(6).

b) Long Term Acute Care Hospital Adjustment Payments

1) For a hospital qualifying under subsection (a) of this Section~~ that qualified for Medicaid Percentage Adjustment Payments under Section 148.122 for the 12-month period beginning on October 1, 2004~~, the Department shall pay an amount equal to the product of $125 multiplied by Medicaid inpatient days provided during the long term acute care hospital base period.

2)~~3)~~ A hospital that enrolled to provide Medicaid services during State fiscal year 2003 shall have its utilization and associated reimbursements annualized prior to the payment calculations being performed under this subsection (b).

~~2) For a hospital qualifying under subsection (a) of this Section that did not qualify for Medicaid Percentage Adjustment Payments under Section 148.122 for the 12-month period beginning on October 1, 2004, the Department shall pay an amount equal to the product of $1,250 multiplied by Medicaid inpatient days of care provided during the long term acute care hospital base period.~~

c) Payment to a Qualifying Hospital

1) For the long term acute care hospital adjustment period for fiscal year 2006, fiscal year 2007 and fiscal year 2008 total payments will equal the methodologies described in subsection (b) of this Section and shall be paid

to the hospital in four equal installments on or before the seventh State business day of September, December, March and May. The sum of the amounts required prior to the conditions described in subsection (e) being met shall be paid within 100 days after the conditions described in subsection (e) of this Section have been met.

2) If a hospital closes during the fiscal year, payments will be prorated based on the number of days the hospital was open during the fiscal year.

d) Definitions

1) "Long term acute care hospital adjustment period" means, beginning August 1, 2005, the 11-month period beginning on August 1, 2005 and ending June 30, 2006, and beginning July 1, 2006, the 12-month period beginning July 1 of the year and ending June 30 of the following year.

2) "Long term acute care hospital base period" means the 12-month period beginning on July 1, 2002 and ending on June 30, 2003.

3) "Medicaid inpatient days" means, for a given hospital, the sum of days of inpatient hospital service provided to recipients of medical assistance under Title XIX of the federal Social Security Act, excluding days for individuals eligible for Medicare under Title XVIII of that Act (Medicaid/Medicare crossover days), as tabulated from the Department's paid claims data for admissions occurring in the long term care hospital base period that was adjudicated by the Department through June 30, 2004.

e) Payment Limitations: Payments under this Section are not due and payable until:

1) the methodologies described in this Section receive federal approval from the Centers for Medicare and Medicaid Services in an appropriate State Plan Amendment;

2) the assessment imposed under 89 Ill. Adm. Code 140.80 is determined to be a permissible tax under Title XIX of the Social Security Act; and

3) the assessment described in 89 Ill. Adm. Code 140.80 is in effect.

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

(Source: Amended at 31 Ill. Reg. 8123, effective May 30, 2007)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: White-Tailed Deer Hunting By Use of Firearms

2) Code Citation: 17 Ill. Adm. Code 650

3)

Section Numbers:	Adopted Action:
650.10	Amendment
650.20	Amendment
650.22	Amendment
650.60	Amendment
650.67	Amendment

4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36]

5) Effective Date of Amendments: May 25, 2007

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

7) Does this rulemaking contain incorporations by reference? No

8) A copy of the adopted amendments, including all material incorporated by reference, is on file in the Department of Natural Resources' principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: February 16, 2007; 31 Ill. Reg. 2742

10) Has JCAR issued a Statement of Objection to these amendments? No

11) Differences between proposal and final version:

Section 650.60(g) – "Collie Limestone Glade State Natural Area" was changed to "Collier Limestone Glade State Natural Area"

Section 650.60(g) – added a dash following "Ferne Clyffe State Park"

Section 650.67(a) – in the second listing for Starved Rock State Park, in the last line, deleted "antlerless deer only"

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the

agreements issued by JCAR? Yes

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

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

15) Summary and Purpose of Rulemaking: This Part was amended to: make statewide program changes, update the list of State-owned or -managed sites which will be open for hunting and to amend procedures at State sites.

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

Jack Price, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFE

PART 650
WHITE-TAILED DEER HUNTING BY USE OF FIREARMS

Section

650.10 Statewide Season and Permit Quotas
650.20 Statewide Deer Permit Requirements
650.21 Deer Permit Requirements – Landowner/Tenant Permits
650.22 Deer Permit Requirements – Special Hunts
650.23 Deer Permit Requirements – Group Hunt
650.30 Statewide Firearms Requirements
650.40 Statewide Deer Hunting Rules
650.45 Reporting Harvest
650.50 Rejection of Application/Revocation of Permits
650.60 Regulations at Various Department-Owned or -Managed Sites
650.65 Youth Hunt (Repealed)
650.67 Special Hunts for Disabled Hunters
650.70 Special Extended Season Firearm Deer Hunt (Repealed)

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36].

SOURCE: Adopted at 5 Ill. Reg. 9771, effective September 17, 1981; codified at 5 Ill. Reg. 10640; amended at 6 Ill. Reg. 10730, effective August 20, 1982; amended at 7 Ill. Reg. 10798, effective August 24, 1983; amended at 8 Ill. Reg. 21602, effective October 23, 1984; amended at 9 Ill. Reg. 16213, effective October 10, 1985; emergency amendment at 9 Ill. Reg. 20922, effective December 18, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 4223, effective February 25, 1986; amended at 10 Ill. Reg. 16665, effective September 22, 1986; amended at 11 Ill. Reg. 3044, effective February 3, 1987; amended at 11 Ill. Reg. 9564, effective May 5, 1987; amended at 12 Ill. Reg. 8003, effective April 25, 1988; amended at 12 Ill. Reg. 12055, effective July 11, 1988; amended at 13 Ill. Reg. 12853, effective July 21, 1989; amended at 14 Ill. Reg. 12430, effective July 20, 1990; amended at 14 Ill. Reg. 19869, effective December 3, 1990; amended at 15 Ill. Reg. 10038, effective June 24, 1991; emergency amendment at 15 Ill. Reg. 15790, effective October 22, 1991, for a maximum of 150 days; emergency expired March 21, 1992; amended at 16 Ill. Reg. 11131, effective June 30, 1992; amended at 17 Ill. Reg. 13468, effective July 30, 1993; amended at 18 Ill. Reg. 5859, effective April 5, 1994; amended at 18 Ill.

Reg. 13431, effective August 23, 1994; amended at 19 Ill. Reg. 6477, effective April 28, 1995; amended at 20 Ill. Reg. 7515, effective May 20, 1996; amended at 21 Ill. Reg. 5572, effective April 19, 1997; amended at 21 Ill. Reg. 9116, effective June 26, 1997; amended at 22 Ill. Reg. 8007, effective April 28, 1998; amended at 23 Ill. Reg. 5564, effective April 26, 1999; amended at 24 Ill. Reg. 8971, effective June 19, 2000; amended at 24 Ill. Reg. 10260, effective July 1, 2000; amended at 25 Ill. Reg. 7231, effective May 22, 2001; amended at 26 Ill. Reg. 9319, effective June 17, 2002; amended at 27 Ill. Reg. 10009, effective June 23, 2003; emergency amendment at 27 Ill. Reg. 17270, effective November 10, 2003, for a maximum of 150 days; Section 650.60 of the emergency rules expired April 8, 2004; amended at 28 Ill. Reg. 353, effective December 19, 2003; amended at 28 Ill. Reg. 8039, effective May 26, 2004; amended at 29 Ill. Reg. 9718, effective June 24, 2005; emergency amendment at 29 Ill. Reg. 13025, effective August 10, 2005, for a maximum of 150 days; emergency expired January 1, 2006; amended at 30 Ill. Reg. 12155, effective June 28, 2006; amended at 31 Ill. Reg. 8169, effective May 25, 2007.

Section 650.10 Statewide Season and Permit Quotas

a) Season: 12:01 a.m. on Friday of the 3-day (Friday, Saturday and Sunday) weekend immediately before Thanksgiving to 6:00 p.m. on Sunday of the 3-day weekend before Thanksgiving, and 12:01 a.m. on Thursday of the first 4-day (Thursday, Friday, Saturday and Sunday) weekend following Thanksgiving to 6:00 p.m. on Sunday of the first 4-day weekend following Thanksgiving. Full season permits shall be for all days. Second season permits shall be valid for the last four days of the season only. Hunting hours are one-half hour before sunrise to sunset.

b) Permit quotas shall be set by the Department of Natural Resources (Department) on a county or special hunt area basis. Cook, DuPage and Lake Counties (except for Chain O'Lakes State Park)~~,~~ and that portion of Kane County east of State Route 47, are closed to firearm deer hunting.

c) Hunting prior to ½ hour before sunrise or after ½ hour after sunset is a Class A misdemeanor with a minimum $500 and maximum $5,000 fine, in addition to other statutory penalties (see 520 ILCS 5/2.33(y)). Hunting during the closed season or between sunset and ½ hour after sunset is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 31 Ill. Reg. 8169, effective May 25, 2007)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Section 650.20 Statewide Deer Permit Requirements

a) Illinois resident hunters must have a current, valid "Firearm Deer Permit" ($15). Fees for non-resident deer hunters shall be $250 for each either-sex or antlered-only deer hunting permit, and shall be $15 for each antlerless-only permit. A permit is issued for one county or special hunt area and is valid only in the county or special hunt area stated on the permit. Only applicants who receive an either-sex permit in a county or special hunt area are eligible for an antlerless-only permit for that county or special hunt area, until the Random Daily Drawing Period that begins in September, at which time antlerless-only permits remaining in the quota will be made available regardless of whether applicants already possess an either-sex permit. For permit applications and other information write to:

Department of Natural Resources
(Firearm or Landowner/Tenant or Non-Resident)
Deer Permit Office
P.O. Box 19227
Springfield, Illinois 62794-9227

b) Applications from Illinois residents for participation in the First Lottery Drawing will be accepted through the last weekday in April of the current year. Nonresidents may not apply to participate in the First Lottery Drawing. Applications received after the last weekday in April will not be included in this lottery. Permits will be allocated in a computerized random drawing. Permits will be issued as either sex, antlerless only, or antlered only. A maximum of one either-sex and one antlerless-only permit shall be issued per person. Applicants for free landowner/tenant permits are not eligible to participate in the First or Second Lottery Drawings. Landowners who receive permits in the First or Second Lottery Drawing are not eligible for landowner permits. Lifetime licenses issued after August 15, 2006 shall not qualify a non-resident of Illinois for a resident deer permit.

c) Applicants must complete all portions of the current year permit application form. Incomplete or incorrect applications will be returned along with the applicant's permit fee for correction or completion if received in the Permit Office prior to the deadline established in subsection (b).

d) Applicants must check the second-season box if they agree to accept a second-

season permit upon being rejected for a full-season permit.

e) Applicants must check the antlerless-only box and provide an additional $15 to apply for an additional antlerless-only permit. Antlerless-only permits will be issued until the antlerless-only quota is filled for a given county or special hunt area.

f) Permits for counties and special hunt areas with unfilled quotas after the First Lottery Drawing will be allocated in a Second Lottery Drawing. This drawing is open only to nonresident applicants and to Illinois residents who were not previously issued firearm permits for the current hunting season. Illinois residents will be given preference for permits allocated in the Second Lottery Drawing. Applications for the Second Lottery Drawing will be accepted through the tenth weekday in August of the current year. Applicants may also apply for remaining antlerless-only permits by checking the antlerless-only box and providing an additional $15. A list of unfilled counties and special hunt areas will be announced upon becoming available after the First Lottery Drawing. Applicants must apply on a current year Firearm Deer Permit application form. A maximum of one either-sex and one antlerless-only permit shall be issued per person.

g) There will be an application period which starts the first working day after September 14 and ends the fifth weekday in November, during which anyone (regardless of any other permit they may have, subject to subsection (a)) can apply for firearm deer permits left over from the county and special hunt area quotas. During this application period, the permits shall be issued in a random daily drawing. Applications received each day will not be processed until all applications received for that day are mixed. All applications received on a specific day will be processed before processing applications received for a subsequent day. All applications for the Random Daily Drawing will be processed individually (i.e., no group applications will be processed). Applicants can apply for one or more permits during this application period. Applicants submitting applications within the 20 working days prior to the start of the first season cannot be guaranteed a permit by the start of the first deer hunting season. Applicants must mark the "September Drawing – Multiple Permits" box on the firearm deer permit application.

h) Hunter preference in obtaining a permit during the First Lottery Drawing will be given: to individuals that applied for an either-sex permit in the previous year's First Lottery Drawing who were rejected because the quota was depleted in their county choices; or to applicants that received, in the previous year, a second season

either-sex permit in the First Lottery Drawing only. In order to be eligible for preference during the First Lottery Drawing, the second season box must have been checked on the application form of unsuccessful applicants when they were rejected. Preference will not be granted to applicants who received a full-season either-sex permit but who did not receive an antlerless-only permit. Persons with lottery preference will have first chance at receiving available either-sex permits. The following criteria must be met to obtain a preference in the First Lottery Drawing:

1) The applicant must apply using the official Department application.

2) The applicant must be a resident of the State, be eligible to receive a Firearm Deer Permit, and not had deer hunting privileges revoked pursuant to Section 650.50.

3) The applicant must apply for the same county choices that he/she listed on the previous year's application. Preference will not be granted for special hunt areas.

i) Applications may be accepted at the counter window of the permit office; however, permits will be mailed. In-person, mail-in and electronic applications will receive equal treatment in the drawings.

j) Permits are not transferable. Refunds will not be granted, unless the Department of Natural Resources has erroneously issued the permit after the quota has been depleted or where the applicant was unsuccessful in obtaining a permit.

k) A $3 service fee will be charged for replacement permits issued by the Department, except when permits are lost in the mail, then there will be no charge. Monies derived from this source will be deposited in the Wildlife and Fish Fund.

l) The periods for accepting applications for the First and Second Lottery periods may be extended if applications are not available to the public by April 1. A news release will announce the extension of the application periods.

m) Hunting without a valid permit is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 31 Ill. Reg. 8169, effective May 25, 2007)

Section 650.22 Deer Permit Requirements – Special Hunts

a) Special hunt sites are defined as those sites which are owned or controlled by agencies/entities other than the Department, or sites at which the Department only controls a portion of the property designated for deer hunting, which issue deer hunting permits through the statewide lottery process. The Permit Office issues deer hunting permits through a computerized drawing for the following sites ~~listed below~~, in addition to the Department-owned or -managed sites listed in Section 650.60(i). The permit preference system does not apply to special hunt areas or to State sites allocating permits in the lottery.

Burning Star 5 (only antlerless deer or antlered deer having at least 4 points on one side may be harvested)

~~1)~~Crab Orchard National Wildlife Refuge (the first and second season are considered separate hunt choices, and permit applicants must specify which season they are applying for in the County Choice or Hunt Area field of the application. Permits may be issued as antlerless-only without the normal bonus requirement. Standby hunting will be allowed if additional permits are available at the site)

~~2)~~Crab Orchard National Wildlife Refuge – Disabled Hunt (first season only)

~~3)~~Joliet Army Training Area (Will County)

~~4)~~Lake Shelbyville Project Lands (Moultrie County) (it is unlawful to drive deer)

~~5)~~Lake Shelbyville Project Lands except Wolf Creek State Park (Shelby County) (it is unlawful to drive deer)

Lost Mound Unit – Upper Mississippi River National Wildlife and Fish Refuge (first season only; permit drawing will be conducted by USFWS; preference given to disabled hunters; bonus permits will be issued at site; antlerless deer only except that either-sex bonus permits may be sold to hunters who previously harvested an antlerless deer on site that season)

~~6)~~Midewin National Tallgrass Prairie (no handguns allowed; additional site pass is required; check-in, check-out and reporting of harvest is required)

b) Providing false information on an application is a Class A misdemeanor (see 520 ILCS 5/2.38). Hunting deer prior to ½ hour before sunrise or after ½ hour after sunset is a Class A misdemeanor with a $500 minimum and $5,000 maximum fine, in addition to other statutory penalties (see 520 ILCS 5/2.33(y)). Taking an antlered deer with an antlerless permit is a Class B misdemeanor (see 520 ILCS 5/2.24). Hunting after sunset or outside the set season is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 31 Ill. Reg. 8169, effective May 25, 2007)

Section 650.60 Regulations at Various Department-Owned or -Managed Sites

a) All the regulations in 17 Ill. Adm. Code 510 – General Hunting and Trapping apply in this Section, unless this Section is more restrictive.

b) It is unlawful to drive deer, or participate in a deer drive, on all Department-owned or -managed properties. A deer drive is defined as a deliberate action by one or more persons (whether armed or unarmed) whose intent is to cause deer to move within firearm range of one or more participating hunters.

c) Only one tree stand is allowed per deer permit holder. These tree stands must comply with restrictions listed in 17 Ill. Adm. Code 510.10(c)(3) and must be portable. Tree stands must be removed at the end of each day with the exception that they may be left unattended from September 15-January 31 at those sites listed in this Section that are followed by a (1). Any tree stand left unattended overnight must be legibly marked with the owner's name, address, and telephone number, or site assigned identification number.

d) Check-in, check-out, and reporting of harvest is required at those sites listed in this Section that are followed by a (2).

e) Only antlerless deer or antlered deer having at least four points on one side may be harvested at those sites listed in this Section that are followed by a (3).

f) Only antlerless deer or antlered deer having at least five points on one side may be harvested at those sites listed in this Section that are followed by a (4).

g) Statewide regulations shall apply at the following sites:

DEPARTMENT OF NATURAL RESOURCES

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Cache River State Natural Area (1) (2)

Campbell Pond (1) (2)

Cape Bend Fish and Wildlife Area (1) (2)

Carlyle Lake Lands and Waters (Corps of Engineers managed lands)

Carlyle Lake Wildlife Management Area (except subimpoundment area)

Chauncey Marsh (1) (2)

Collier Limestone Glade State Natural Area (1)

Crawford County Conservation Area (1) (2)

Cretaceous Hills State Natural Area (1)

Cypress Creek National Wildlife Refuge

Cypress Pond State Natural Area (1) (2)

Deer Pond State Natural Area (1) (2)

Devil's Island Wildlife Management Area

Dog Island Wildlife Management Area (1) (2)

Ferne Clyffe State Park - Cedar/Draper Bluff Hunting Area (1) (2)

Fort de Chartres State Historic Site (muzzleloading rifles only; no in-line muzzleloading rifles or muzzleloaders with scopes allowed) (1) (2)

George S. Park Memorial Woods State Natural Area (2)

Giant City State Park (1) (2)

Hamilton County Conservation Area (1) (2)

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Horseshoe Lake Fish and Wildlife~~Conservation~~ Area – Alexander County (all portions of the Public Hunting Area except the Controlled Goose Hunting Area) (1) (2)

Kaskaskia River Fish and Wildlife Area (1) (2, except south of Highway 154 and north of Highway 13) (during each day of the second firearm deer season, hunting within the Doza Creek Waterfowl Management Area is open from 1:00 p.m. until sunset and firearm deer hunters may not enter the area until 11:00 a.m.; antlerless deer only)

Kinkaid Lake Fish and Wildlife Area (1) (2)

Lake Le Aqua Na State Park (standby hunting allowed during the first season if all blinds not filled by youth hunters)

Lusk Creek Canyon State Natural Area (1)

Meeker State Habitat Area (1) (2)

Mermet Lake Conservation Area (1) (2)

Miller-Anderson Woods State Natural Area (Bureau County permit holders may hunt the Bureau County portion of the Area and Putnam County permit holders may hunt the Putnam County portion of the Area) (2)

Mississippi Fish and Waterfowl Management Area – Pools 25 and 26 (1)

Mississippi River Pool 16 (1)

Mississippi River Pools 17, 18 (1)

Mississippi River Pools 21, 22, 24 (1)

Newton Lake Fish and Wildlife Area (2)

Oakford Conservation Area (1)

Pere Marquette State Park (1) (2)

Rend Lake Fish and Wildlife Area and Corps of Engineers' managed areas of Rend Lake~~Project Lands and Waters (1)~~

Saline County Fish and Wildlife Area (1) (2)

Sanganois State Wildlife Area (Ash Swale Waterfowl Rest Area will be closed to deer hunting during the waterfowl hunting seasons) (1)

Sielbeck Forest Natural Area (1) (2)

Skinner Farm State Habitat Area (1) (2)

Ten Mile Creek Fish and Wildlife Area (1); Belle Rive Unit only (3)

Trail of Tears State Forest (1) (2)

Turkey Bluffs Fish and Wildlife Area (1) (2)

Union County Conservation Area (Firing Line Unit only) (1) (2)

~~Weinberg-King State Park (2)~~

Weinberg-King State Park – Spunky Bottoms Unit (2)

Wildcat Hollow State Forest (1)

h) Statewide regulations shall apply at the following sites by special permit allocated through the regular statewide drawing. Season dates that differ from the statewide dates are in parentheses. Sites that offer standby hunting are followed by a (5). At sites offering standby hunting, permit holders must register at the check station by 5:00 a.m. each day of the hunt. Unvalidated permits are void after 5:00 a.m. Vacancies each day will be filled by a drawing held at 5:00 a.m. Vacancies may be filled by any person holding a valid hunting license, Habitat Stamp, and Firearm Owner Identification Card, unless exempt. Standby hunters will be issued a one-day site-specific deer permit at the check station, and charged a permit fee of $5. All hunters must check out and report harvest. In the event that Department budget reductions or site staffing reductions make the operation of check stations or issuance of standby permits impractical, changes to check

station procedures and standby permit issuance will be publicly announced and posted at the site.

Apple River Canyon State Park – Thompson and Salem Units (first or second season only) (2)

Argyle Lake State Park (2) (5)

Big River State Forest (2) (5)

Castle Rock State Park (first or second season only) (all initial permits will be issued as antlerless only; hunters must take an antlerless deer during the current year firearm season on site before they will be issued an either-sex standby permit) (1) (2) (5)

Cedar Glen State Natural Area (1) (2)

Chain O'Lakes State Park (first season permits only; an antlerless deer permit must be filled before filling an either-sex permit; hunting from elevated stands only, 6 feet minimum above the ground except for designated accessible blinds; firearms must be fully enclosed in a case, except while the hunter is in an elevated stand or as otherwise authorized by an employee of the Department; all hunters must attend a site lottery drawing for designated hunter stations) (1) (2)

Clinton Lake State Recreation Area (only in the area between County Highway 14 and State Route 48 – both sides of lake) (1)

Coffeen Lake State Fish and Wildlife Area

Des Plaines Conservation Area (first season only) (2) (5)

Falling Down Prairie State Natural Area (first or second season only) (2)

Ferne Clyffe State Park - Ferne Clyffe Hunting Area (1) (2)

Fort Massac State Park (second season only) (antlerless deer only) (2)

Fox Ridge State Park (1)

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Franklin Creek State Natural Area (first or second season only) (all initial permits will be issued as antlerless only; hunters must take an antlerless deer during the current year firearm season on site before they will be issued an either-sex standby permit) (2) (5)

French Bluff State Natural Area (1) (2)

Goose Lake Prairie State Natural Area/Heidecke State Fish and Wildlife Area (first or second season only) (2) (5)

Green River State Wildlife Area (first or second season only) (1) (2) (5)

Hanover Bluff State Natural Area (first or second season only) (2)

Harry "Babe" Woodyard State Natural Area (2) (3)

Hidden Springs State Forest (1)

Horseshoe Lake Conservation Area – Alexander County (Refuge, second Saturday and Sunday in November; all initial permits will be issued as antlerless only; hunters must take an antlerless deer during the current year firearm season on site before they will be issued an either-sex permit) (2)

Hurricane Creek Habitat Area

Iroquois County Conservation Area (first season only) (2) (5)

Iroquois County Conservation Area (second season only; no hunting in the controlled pheasant hunting area) (2) (5)

Jim Edgar Panther Creek State Fish and Wildlife Area (1) (3)

Jubilee College State Park (first or second season only; all initial permits will be issued as antlerless only; hunters must take an antlerless deer during the current year firearm season on site before they will be issued an either-sex standby permit; hunting during the 2006 firearm deer season is prohibited in marked zones (handicapped hunt area and areas within 300 yards of an inhabited dwelling); the 300 yard restricted zone is a pilot program that will be re-assessed with input from adjoining landowners prior to the 2007 firearm hunting season; only one tree

stand is allowed per deer permit holder; these tree stands must comply with restrictions listed in 17 Ill. Adm. Code 510.10(c)(3) and must be portable; tree stands may be erected the day before the first season and must be removed by the day after the end of the second season; any tree stand left unattended overnight must be legibly marked with the owner's name, address, and telephone number) (2) (5)

Kaskaskia River Fish and Wildlife Area (Baldwin Lake Rest Area; first or second season only; all initial permits will be issued as antlerless only; hunters must take an antlerless deer during the current year firearm season on site before they can purchase~~will be issued~~ an either-sex site-specific~~standby~~ permit; hunting from elevated stands only; six feet minimum above ground; hunting must occur within 10 yards of an assigned, numbered stake; an inhouse drawing will be held in mid-October for such assignments; hunters will be notified by mail of their hunting location; no hunters may enter the area before 5:00 a.m.) (1) (2) (5 - last 2 days of second season)

Kickapoo State Recreation Area (2)

Kishwaukee River State Fish and Wildlife Area (first or second season only)

Lowden-Miller State Forest (first or second season only) (1) (2) (5)

Mackinaw River Fish and Wildlife Area (1) (2) (5)

Marseilles Fish and Wildlife Area (first or second season only) (all tree stands must be removed no later than the last day of the archery deer season; unauthorized personnel may not be on the site outside of the posted check station operating hours; hunters may enter the site only from designated parking lots) (1) (2) (5)

Marshall Fish and Wildlife Area (2) (5)

Middle Fork Fish and Wildlife Area (2)

Mississippi Palisades State Park (first season only) (1) (2) (5)

Mitchell's Grove Nature Preserve (first or second season only; all initial permits will be issued as antlerless only; hunters must take an antlerless deer during the

current year firearm season on site before they will be issued an either-sex standby permit; hunters must check antlerless deer with site staff for verification to participate in bonus buck program) (2) (5)

Momence Wetlands

Moraine Hills State Park (first or second season permits only; an antlerless deer permit must be filled before filling an either sex permit, hunting from elevated stands only, 6 feet minimum above ground except for designated accessible blinds; firearms must be fully enclosed in a case, except while the hunter is in an elevated stand or as otherwise authorized by an employee of the Department) (2) (5)

Morrison-Rockwood State Park (first season only) (5)

Pyramid State Park (2) (3)

Pyramid State Park – East Conant Unit (3)

Pyramid State Park – Galum Unit (3)

Ray Norbut Fish and Wildlife Area (2) (5)

Sahara Woods (1) (2)

Sand Ridge State Forest (2)

Sandy Ford State Natural Area (first or second season only; all initial permits will be issued as antlerless only; hunters must take an antlerless deer during the current year firearm season on site before they will be issued an either-sex standby permit; hunters must check antlerless deer with site staff for verification to participate in bonus buck program) (2) (5)

Sangamon County Conservation Area (1)

Siloam Springs State Park (2) (3)

Spoon River State Forest (first or second season only) (1) (2)

Starved Rock/Matthiessen State Park/Margery C. Carlson Nature Preserve (first or second season only; all initial permits will be issued as antlerless only; hunters must take an antlerless deer during the current year firearm season on site before they will be issued an either-sex standby permit; hunters must check antlerless deer with site staff for verification to participate in bonus buck program; standby hunters may purchase up to 2 one-day site-specific antlerless-only permits each day) (2) (5)

Tapley Woods State Natural Area (first or second season only) (2)

Wards Grove Nature Preserve (first or second season only; antlerless only) (2)

Weinberg-King State Park (2)

Weinberg-King State Park – Scripps Unit (2) ~~(3)~~

Weldon Springs State Park (Piatt County Unit; first season only)

White Pines Forest State Park (Monday, Tuesday and Wednesday prior to the first statewide firearm deer season only; all initial permits will be issued as antlerless only; hunters must take an antlerless deer during the current year firearm season on site before they will be issued an either-sex standby permit) (2) (5)

White Pines Forest State Park (Monday, Tuesday and Wednesday prior to the second statewide firearm deer season only; all initial permits will be issued as antlerless only; hunters must take an antlerless deer during the current year firearm season on site before they will be issued an either-sex standby permit) (2) (5)

Witkowsky State Wildlife Area (first or second season only) (2)

Wolf Creek State Park (participants in the Corps of Engineers special disabled hunt program are exempt from site's antler restrictions) (3)

i) Violations of site specific regulations are petty offenses (see 520 ILCS 5/2.20).

(Source: Amended at 31 Ill. Reg. 8169, effective May 25, 2007)

Section 650.67 Special Hunts for Disabled Hunters

a) Statewide regulations shall apply; season dates shall be the Thursday, Friday, and Saturday immediately prior to the first firearm deer season, and the Thursday, Friday, and Saturday immediately following the second weekend of the regular firearm season unless otherwise noted in parentheses. Permit applications may be obtained from the appropriate site~~Illinois Department of Natural Resources regional~~ office, and completed applications must be returned to that office by the third Friday in October. Disabled hunters must possess a Class P2A disability card in order to be eligible for the drawing. All participating hunters must show proof of passing the Illinois Hunter Safety Course or an equivalent State program for nonresidents unless otherwise noted in parentheses. Additional regulations will be publicly announced.

Clinton Lake State Recreation Area (Mascoutin State Park) (2)

Horseshoe Lake State Conservation Area (first Saturday and Sunday of November; participants other than disabled hunters must take an antlerless deer before taking an antlered deer) (1) (2) (5)

Jubilee College State Park (coincides with first firearm deer season; participants must take an antlerless deer during the current year firearm season on site before taking an antlered deer; hunter safety course not required) (2) (5)

Jubilee College State Park (coincides with second firearm deer season; participants must take an antlerless deer during the current year firearm season on site before taking an antlered deer; hunter safety course not required) (2) (5)

Rock Cut State Park (first Thursday, Friday and Saturday of November and the Tuesday, Wednesday and Thursday prior to the first statewide firearm deer season; participants other than disabled hunters must take an antlerless deer before taking an antlered deer) (2) (5)

Starved Rock State Park (coincides with first firearm deer season; permit applications may be obtained from the site office and completed applications must be returned to that office by the third Friday in October; all initial permits will be issued as antlerless only; hunters must take an antlerless deer during the current year firearm season on site before they will be issued an either-sex standby permit; hunters must check antlerless deer with site staff for verification to participate in bonus buck program; hunter safety course not required) (2) (5)

Starved Rock State Park (coincides with second firearm deer season; permit applications may be obtained from the site office and completed applications must be returned to that office by the third Friday in October; all initial permits will be issued as antlerless only; hunters must take an antlerless deer during the current year firearm season on site before they will be issued an either-sex standby permit; hunters must check antlerless deer with site staff for verification to participate in bonus buck program; hunter safety course not required) (2) (5)

b) Violation of this Section is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 31 Ill. Reg. 8169, effective May 25, 2007)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: White-Tailed Deer Hunting by Use of Muzzleloading Rifles

2) Code Citation: 17 Ill. Adm. Code 660

3)

Section Numbers:	Adopted Action:
660.20	Amendment
660.22	Amendment
660.60	Amendment

4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36]

5) Effective Date of Amendments: May 25, 2007

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

7) Does this rulemaking contain incorporations by reference? No

8) A copy of the adopted rulemaking, including all material incorporated by reference, is on file in the Department of Natural Resources' principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: February 16, 2007; 31 Ill. Reg. 2761

10) Has JCAR issued a Statement of Objection to these amendments? No

11) Differences between proposal and final version: None

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

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

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

15) Summary and Purpose of Rulemaking: This Part was amended to: make statewide program changes, update the list of State-owned and -managed sites open for hunting and to amend procedures at State sites.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

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

Jack Price, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFE

PART 660
WHITE-TAILED DEER HUNTING BY USE
OF MUZZLELOADING RIFLES

Section

660.10 Statewide Season and Permit Quotas
660.20 Statewide Deer Permit Requirements
660.21 Deer Permit Requirements - Landowner/Tenant Permits
660.22 Deer Permit Requirements – Special Hunts
660.25 Deer Permit Requirements – Group Hunt
660.30 Statewide Muzzleloading Rifle Requirements
660.40 Statewide Deer Hunting Rules
660.45 Reporting Harvest
660.50 Rejection of Application/Revocation of Permits
660.60 Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36].

SOURCE: Adopted at 15 Ill. Reg. 4777, effective March 18, 1991; amended at 15 Ill. Reg. 11627, effective August 2, 1991; amended at 16 Ill. Reg. 11150, effective June 30, 1992; amended at 17 Ill. Reg. 10865, effective July 1, 1993; amended at 18 Ill. Reg. 5878, effective April 5, 1994; amended at 18 Ill. Reg. 13435, effective August 23, 1994; amended at 19 Ill. Reg. 6500, effective April 28, 1995; amended at 20 Ill. Reg. 6734, effective May 6, 1996; amended at 21 Ill. Reg. 5583, effective April 19, 1997; amended at 21 Ill. Reg. 9122, effective June 26, 1997; amended at 22 Ill. Reg. 8026, effective April 28, 1998; amended at 23 Ill. Reg. 5579, effective April 26, 1999; amended at 24 Ill. Reg. 10251, effective July 1, 2000; amended at 25 Ill. Reg. 6367, effective April 27, 2001; amended at 26 Ill. Reg. 9340, effective June 17, 2002; amended at 27 Ill. Reg. 10018, effective June 23, 2003; amended at 28 Ill. Reg. 8056, effective May 26, 2004; amended at 29 Ill. Reg. 9744, effective June 24, 2005; emergency amendment at 29 Ill. Reg. 13032, effective August 10, 2005, for a maximum of 150 days; emergency expired January 6, 2006; amended at 30 Ill. Reg. 12181, effective June 28, 2006; amended at 31 Ill. Reg. 8188, effective May 25, 2007.

Section 660.20 Statewide Deer Permit Requirements

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

a) Illinois resident hunters must have a current, valid Muzzleloading Rifle Deer Permit ($15). Fees for non-resident deer hunters shall be $250 for each either-sex or antlered-only deer hunting permit, and shall be $15 for each antlerless-only permit. A permit is issued for one county and is valid only in the county stated on the permit. Only applicants who receive an either-sex permit in a county or special hunt area are eligible for an antlerless-only permit for that county or special hunt area, until the Random Daily Drawing Period that begins in September, at which time antlerless-only permits remaining in the quota will be made available regardless of whether applicants already possess an either-sex permit. For permit applications and other information write to:

Department of Natural Resources
(Muzzleloading Rifle)
Deer Permit Office
P.O. Box 19227
Springfield, IL 62794-9227

b) Applications from Illinois residents for participation in the First Lottery Drawing shall be accepted through the last weekday in April of the current year. Nonresidents may not apply to participate in the First Lottery Drawing. Applications received after the last weekday in April shall not be included in this lottery. Permits shall be allocated in a computerized random drawing. Permits shall be issued as either-sex, antlerless-only or antlered only. A maximum of one either-sex and one antlerless-only permit shall be issued per person. Lifetime licenses issued after August 15, 2006 shall not qualify a non-resident of Illinois for a resident deer permit.

c) Applicants must complete all portions of the current year permit application form. Incomplete or incorrect applications will be returned along with the applicant's permit fee for correction or completion if received in the Permit Office prior to the last weekday in April of the current year.

d) Applicants must check the antlerless-only box and provide an additional $15 to apply for an additional antlerless-only permit. Antlerless-only permits will be issued until the antlerless-only quota is filled for a given county or special hunt area.

e) Permits for counties and special hunt areas with unfilled quotas after the First

Lottery Drawing shall be allocated in a Second Lottery Drawing. This drawing is open only to nonresident applicants and to Illinois residents who were not previously issued muzzleloader permits for the current hunting season. Illinois residents will be given preference for permits allocated in the Second Lottery Drawing. Applications for the Second Lottery Drawing will be accepted through the tenth weekday in August of the current year. Applicants may also apply for remaining antlerless-only permits by checking the antlerless-only box and providing an additional $15. A list of unfilled counties shall be announced upon becoming available after the First Lottery Drawing. Applicants must apply on a current year Muzzleloading Rifle Deer Permit application form. A maximum of one either-sex and one antlerless-only permit shall be issued per person.

f) There will be an application period which starts the first working day after September 14 and ends the fifth weekday in November during which anyone (regardless of any other permit they may have, subject to the restriction in subsection (a)) can apply for muzzleloading deer permits left over from the county and special hunt area quotas. During this application period, the permits shall be issued in a random daily drawing. Applications received each day will not be processed until all applications received for that day are mixed. All applications received on a specific day will be processed before processing applications received for a subsequent day. All applications for the Random Daily Drawing will be processed individually (i.e., no group applications will be processed). Applicants can apply for one or more permits during this application period. Applicants must mark the September Drawing – Multiple Permits box on the muzzleloading rifle deer permit application.

g) Hunter preference in obtaining a muzzleloading rifle permit during the First Lottery Drawing shall be given to individuals that applied for an either-sex muzzleloading permit in the previous year's First Lottery Drawing who were rejected because the quota was depleted in their county choices. The following criteria must be met to obtain a preference in the muzzleloading rifle First Lottery Drawing:

1) The applicant must apply using the official agency preprinted data-mailer application.

2) The applicant must be a resident of the State~~state~~, be eligible to receive a Muzzleloading Rifle Deer Permit, and not had deer hunting privileges revoked pursuant to Section 660.50.

3) The applicant must apply for the same county choices that he/she listed on the previous year's application. Preference will not be granted for special hunt areas.

4) Where applicants apply as a group, preference for the entire group shall apply as it does above for the individual. All county choices for the group must be identical.

h) Applications shall be accepted at the counter window of the permit office; however, permits shall be mailed. In-person, mail-in and electronic applications will receive equal treatment in the drawings.

i) Permits are not transferable. Refunds shall not be granted unless the Department of Natural Resources has erroneously issued the permit after the quota has been depleted or where the applicant was unsuccessful in obtaining a permit.

j) A $3 service fee shall be charged for replacement permits issued by the Department, except when permits are lost in the mail, then there shall be no charge. Monies derived from this source shall be deposited in the Wildlife and Fish Fund.

k) The period for accepting applications for the First and Second Lottery periods shall be extended if applications are not available to the public by April 1. A news release will announce the extension of the application period.

l) Hunting without a permit is a Class B misdemeanor (see 520 ILCS 5/2.24). Providing false information on a permit application is a Class A misdemeanor (see 520 ILCS 5/2.38).

(Source: Amended at 31 Ill. Reg. 8188, effective May 25, 2007)

Section 660.22 Deer Permit Requirements – Special Hunts

a) Special hunt sites are defined as those sites that~~which~~ are owned or controlled by agencies/entities other than the Department, or sites at which the Department only controls a portion of the property designated for deer hunting, and that~~which~~ issue deer hunting permits through the statewide lottery process. The Permit Office issues deer hunting permits through a computerized drawing for the following

sites listed below, in addition to the Department-owned or -managed sites listed in Section 660.60(h).

Burning Star 5 (areas designated as waterfowl refuge are closed to all access after second firearm deer season; only antlerless deer or antlered deer having at least 4 points on one side may be harvested)

Delair Division, Great RiverMark Twain National Wildlife Refuge (second 2-day (Saturday and Sunday) weekend in January)

Midewin National Tallgrass Prairie (closed during the second firearm deer season; additional site pass is required; check-in, check-out and reporting of harvest is required)

b) Providing false information on an application is a Class A misdemeanor (see 520 ILCS 5/2.38). Hunting deer outside the special season dates or prior to ½ hour before sunrise or after sunset on the listed property is a Class A misdemeanor with a $500 minimum and $5,000 maximum fine, in addition to other statutory penalties (see 520 ILCS 5/2.33(y)).

(Source: Amended at 31 Ill. Reg. 8188, effective May 25, 2007)

Section 660.60 Regulations at Various Department-Owned or -Managed Sites

a) All the regulations in 17 Ill. Adm. Code 510 – General Hunting and Trapping apply in this Section, unless this Section is more restrictive.

b) Only one tree stand is allowed per deer permit holder. Tree stands must comply with restrictions listed in 17 Ill. Adm. Code 510(c)(3) and must be portable. Tree stands must be removed at the end of each day with the exception that they may be left unattended from September 15-January 31 at those sites listed in this Section that are followed by a (1). Any tree stand left unattended overnight must be legibly marked with the owner's name, address, and telephone number, or site assigned identification number.

c) It is unlawful to drive deer or participate in a deer drive on all Department-owned or -managed properties. A deer drive is defined as a deliberate action by one or more persons (whether armed or unarmed) whose intent is to cause deer to move within firearm range of one or more participating hunters.

d) Check-in, check-out and reporting of harvest is required at those sites listed in this Section that are followed by a (2).

e) Handicapped preferred hunting opportunities are provided at those sites listed in this Section that are followed by a (3).

f) Only antlerless deer or antlered deer having at least four points on one side may be harvested at those sites listed in this Section that are followed by a (4).

g) Only antlerless deer or antlered deer having at least five points on one side may be harvested at those sites listed in this Section that are followed by a (5).

h) Statewide regulations shall apply at the following sites:

Cache River State Natural Area (1) (2)

Campbell Pond Fish and Wildlife Area (1) (2)

Cape Bend Fish and Wildlife Area (1) (2)

Carlyle Lake Wildlife Management Area except subimpoundment areas

Carlyle Lake Lands and Waters – Corps of Engineers managed lands

Chauncey Marsh (1) (2)

Collier Limestone Glade State Natural Area (1)

Crawford County Fish and Wildlife Area (1) (2)

Cretaceous Hills State Natural Area (1)

Cypress Creek National Wildlife Refuge

Cypress Pond State Natural Area (1) (2)

Deer Pond State Natural Area (1) (2)

DEPARTMENT OF NATURAL RESOURCES

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Devil's Island Wildlife Management Area

Dog Island Wildlife Management Area (1) (2)

Ferne Clyffe State Park (1) (2)

Fort de Chartres Historic Site (no in-line muzzleloading rifles or muzzleloaders with scopes allowed) (1) (2)

George S. Park Memorial Woods State Natural Area (2)

Giant City State Park (1) (2)

Hamilton County Fish and Wildlife Area (1) (2)

Horseshoe Lake Fish and Wildlife~~Conservation~~ Area – Alexander County (all portions of the Public Hunting Area except the Controlled Goose Hunting Area) (1) (2)

Kaskaskia River Fish and Wildlife Area (1) (2, except south of Highway 154 and north of Highway 13) (Doza Creek Waterfowl Management Area is closed during duck season)

Kickapoo State Park (closed during second firearm deer season) (1) (2)

Kinkaid Lake Fish and Wildlife Area (1) (2)

Lusk Creek Canyon State Natural Area (1)

Meeker State Habitat Area (1) (2)

Mermet Lake Conservation Area (1) (2)

Middle Fork Fish and Wildlife Area (closed during second firearm deer season) (1) (2)

Miller-Anderson Woods State Natural Area (Bureau County permit holders may hunt the Bureau County portion of the area and Putnam County permit holders may hunt the Putnam County portion of the area) (2)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Mississippi River Pool 16 (1)

Mississippi River Pool 17 (1)

Mississippi River Pool 18 (1)

Mississippi River Pools 21, 22, 24 (1)

Mississippi Fish and Waterfowl Management Area – Pools 25 and 26 (1)

Oakford Conservation Area (1)

Pere Marquette State Park (hunting in designated area only) (1) (2)

Pyramid State Park (2) (4)

Ray Norbut Fish and Wildlife Area (2)

Rend Lake State Fish and Wildlife Area Corps of Engineers' managed areas of Rend Lake~~Project Lands and Waters (1)~~

Saline County Fish and Wildlife Area (1) (2)

Sand Ridge State Forest (site issued permit required; must be returned by February 15)

Sanganois Fish and Wildlife Area (Ash Swale Waterfowl Rest Area will be closed to deer hunting during the waterfowl hunting seasons) (1)

Sielbeck Forest Natural Area (1) (2)

Skinner Farm State Habitat Area (1) (2)

Ten Mile Creek Fish and Wildlife Area (1); Belle Rive Unit only (4)

Trail of Tears State Forest (1) (2)

Turkey Bluffs Fish and Wildlife Area (1) (2)

DEPARTMENT OF NATURAL RESOURCES

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Union County Conservation Area (Firing Line Unit only) (1) (2)

Weinberg-King State Park (2)

Weinberg-King State Park - Scripps Unit (2)

Weinberg-King State Park – Spunky Bottoms Unit (2)

Wildcat Hollow State Forest (1)

i) Statewide regulations shall apply at the following sites by special permit allocated through the regular statewide drawing. Season dates that differ from the statewide dates are in parentheses. Sites that offer standby hunting are followed by a (6). At sites offering standby hunting, permit holders must register at the check station by 5:00 a.m. each day of the hunt. Unvalidated permits are void after 5:00 a.m. Vacancies each day will be filled by a drawing held at 5:00 a.m. Vacancies may be filled by any person holding a valid hunting license, Habitat Stamp, and Firearm Owner Identification Card, if required. Standby hunters will be issued a one-day site-specific deer permit at the check station, and charged a permit fee of $5. All hunters must check out and report harvest. In the event that Department budget reductions or site staffing reductions make the operation of check stations or issuance of standby permits impractical, changes to check station procedures and standby permit issuance will be publicly announced and posted at the site.

Apple River Canyon State Park – Thompson and Salem Units (closed during the second firearm deer season) (2)

Castle Rock State Park (closed during second firearm season; all initial permits will be issued as antlerless only; hunters must take an antlerless deer on the site during the current year firearm or muzzleloader season before they will be issued an either-sex standby permit) (2) (6)

Cedar Glen State Natural Area (1) (2)

Clinton Lake State Recreation Area (North Fork Management Unit, north of the county road at the North Fork boat ramp) (1)

Falling Down Prairie (closed during the second firearm deer season) (2)

French Bluff State Natural Area (1) (2)

Hanover Bluff State Natural Area (closed during the second firearm deer season) (2)

Hidden Springs State Forest (closed during second firearm deer season) (1) (2)

Jim Edgar Panther Creek State Fish and Wildlife Area – Open Unit (closed during second firearm deer season; site issued permit required, must be returned by February 15) (1) (4)

Lake Shelbyville Project in Moultrie County (closed during the second firearm deer season; antlerless only)

Lake Shelbyville Project in Shelby County (closed during the second firearm deer season; antlerless only)

Marseilles Fish and Wildlife Area (closed during second firearm deer season) (all tree stands must be removed from this area no later than sunset of the last day of archery deer season; unauthorized personnel may not be on the site outside of the posted check station operating hours; hunters may enter the site only from designated parking lots) (1) (2) (6)

~~Midewin National Tallgrass Prairie (closed during the second firearm deer season)~~

Mitchell's Grove Nature Preserve (closed during the second firearm deer season; all initial permits will be issued as antlerless only; hunters must take an antlerless deer on the site during the current year firearm or muzzleloader season before they will be issued an either-sex standby permit; hunters must check antlerless deer with site staff for verification to participate in the bonus buck program; standby permits are available at the Matthiessen State Park check station) (2) (6)

Pyramid State Park – East Conant Unit (4)

Sahara Woods (1) (2)

Sandy Ford State Natural Area (closed during the second firearm deer season; all initial permits will be issued as antlerless only; hunters must take an antlerless deer on the site during the current year firearm or muzzleloader season before they will be issued an either-sex standby permit; hunters must check antlerless deer with site staff for verification to participate in the bonus buck program; standby permits are available at the Matthiessen State Park check station) (2) (6)

Sangchris Lake State Park (open to muzzleloading rifle hunting during the second firearm deer season only; antlerless deer only; hunting will begin the first day at legal shooting time and at 10:30 a.m. on all other days of the season) (1) (2)

Sangamon County Conservation Area (closed during second firearm deer season) (1)

Spoon River State Forest (closed during second firearm deer season) (1) (2)

Starved Rock State Park/Matthiessen State Park/Margery C. Carlson Nature Preserve (closed during the second firearm deer season; hunt is open in Zone A; all initial permits will be issued as antlerless only; hunters must take an antlerless deer on the site during the current year firearm or muzzleloader season before they will be issued an either-sex standby permit; hunters must check antlerless deer with site staff for verification to participate in the bonus buck program; standby hunters may purchase up to 2 one-day site-specific antlerless-only permits each day) (2) (6)

Tapley Woods State Natural Area (closed during the second firearm deer season) (2)

Wards Grove Nature Preserve (closed during the second firearm deer season; antlerless deer only) (2)

Witkowsky State Wildlife Area (closed during the second firearm deer season) (2)

j) Violations of site specific regulations are petty offenses (see 520 ILCS 5/2.20).

(Source: Amended at 31 Ill. Reg. 8188, effective May 25, 2007)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: White-Tailed Deer Hunting By Use of Bow and Arrow

2) Code Citation: 17 Ill. Adm. Code 670

3)

Section Numbers:	Adopted Action:
670.20	Amendment
670.30	Amendment
670.60	Amendment

4) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36]

5) Effective Date of Amendments: May 25, 2007

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

7) Does this rulemaking contain incorporations by reference? No

8) A copy of the adopted rulemaking, including all material incorporated by reference, is on file in the Department of Natural Resources' principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: February 16, 2007; 31 Ill. Reg. 2775

10) Has JCAR issued a Statement of Objection to these amendments? No

11) Differences between proposal and final version:

In Section 670.60(h) - removed "Burning Star 5 (areas designated as waterfowl refuge area closed to all access after second firearm deer season) (4)"

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

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

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

15) Summary and Purpose of Rulemaking: This Part was amended to: make statewide program changes, update the list of State-owned and -managed sites open for hunting and to amend procedures at State sites.

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

Jack Price, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFE

PART 670
WHITE-TAILED DEER HUNTING BY USE OF BOW AND ARROW

Section

670.10 Statewide Open Seasons and Counties
670.20 Statewide Deer Permit Requirements
670.21 Deer Permit Requirements – Landowner/Tenant Permits
670.30 Statewide Legal Bow and Arrow
670.40 Statewide Deer Hunting Rules
670.50 Rejection of Application/Revocation of Permits
670.55 Reporting Harvest
670.60 Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36].

SOURCE: Adopted at 5 Ill. Reg. 8888, effective August 25, 1981; codified at 5 Ill. Reg. 10641; emergency amendment at 5 Ill. Reg. 11402, effective October 14, 1981, for a maximum of 150 days; emergency expired March 13, 1982; amended at 6 Ill. Reg. 10721, effective August 20, 1982; emergency amendment at 6 Ill. Reg. 15581, effective December 14, 1982, for a maximum of 150 days; emergency expired May 13, 1983; amended at 7 Ill. Reg. 10790, effective August 24, 1983; amended at 8 Ill. Reg. 19004, effective September 26, 1984; amended at 9 Ill. Reg. 14317, effective September 9, 1985; amended at 10 Ill. Reg. 16658, effective September 22, 1986; amended at 11 Ill. Reg. 2275, effective January 20, 1987; amended at 12 Ill. Reg. 12042, effective July 11, 1988; amended at 13 Ill. Reg. 12839, effective July 21, 1989; amended at 14 Ill. Reg. 14787, effective September 4, 1990; amended at 14 Ill. Reg. 19859, effective December 3, 1990; amended at 15 Ill. Reg. 10021, effective June 24, 1991; amended at 15 Ill. Reg. 16691, effective October 31, 1991; amended at 16 Ill. Reg. 11116, effective June 30, 1992; amended at 17 Ill. Reg. 286, effective December 28, 1992; amended at 17 Ill. Reg. 13452, effective July 30, 1993; amended at 18 Ill. Reg. 5842, effective April 5, 1994; amended at 19 Ill. Reg. 7560, effective May 26, 1995; amended at 19 Ill. Reg. 15411, effective October 26, 1995; amended at 20 Ill. Reg. 6723, effective May 6, 1996; amended at 21 Ill. Reg. 5561, effective April 19, 1997; amended at 22 Ill. Reg. 7995, effective April 28, 1998; amended at 23 Ill. Reg. 6829, effective May 20, 1999; amended at 24 Ill. Reg. 6908, effective April 20, 2000; amended at 25 Ill. Reg.

7217, effective May 22, 2001; amended at 25 Ill. Reg. 11471, effective August 14, 2001; amended at 26 Ill. Reg. 9356, effective June 17, 2002; amended at 27 Ill. Reg. 10025, effective June 23, 2003; amended at 28 Ill. Reg. 9968, effective July 6, 2004; amended at 29 Ill. Reg. 9761, effective June 24, 2005; amended at 30 Ill. Reg. 12196, effective June 28, 2006; amended at 31 Ill. Reg. 8202, effective May 25, 2007.

Section 670.20 Statewide Deer Permit Requirements

a) All archery deer hunters must have a current, valid Illinois archery deer permit. Archery deer permits (except landowner/tenant property-only permits and nonresident permits issued to clients of outfitters as detailed in Section 670.20(c)) will authorize the holder to hunt in any of the open counties of the State, on property where permission to hunt has been obtained from the property owner. Nonresident archery deer permits issued to outfitter clients who received a permit based on the preference given to outfitter clients are valid only on property controlled by the outfitter used to gain preference.

b) Resident archery deer permits are available over-the-counter (OTC) from license vendors throughout the State as combination permits, each consisting of one either-sex permit and one antlerless-only permit, or as a single antlerless-only permit. The fee for a resident archery combination permit shall be $25; a resident archery single antlerless-only permit shall be $15. While there is no limit to the number of archery deer permits that an individual resident may purchase, no one may harvest more deer than allowed by the restrictions prescribed in Section 670.40. Lifetime licenses issued after August 15, 2006 shall not qualify a nonresident of Illinois for a resident deer permit.

c) A limited number of nonresident archery deer permits is available as combination permits, each consisting of one either-sex permit and one antlerless-only permit. The fee for the nonresident combination archery deer permit shall be $365. Nonresident hunters may apply during the period June 1 through June 30 via telephone using DNR's telephone vendor system (1-888-673-7648). The number of nonresident combination archery deer permits shall be limited to 20,000, with clients of outfitters currently permitted by the Department of Natural Resources given preference in the drawing for the first 7,500. Clients of permitted outfitters should contact the outfitter prior to applying to receive a certification number to be used in the application process to verify their outfitter client status. Permits will be allocated using a computerized, random lottery drawing conducted after June 30. If the number of eligible outfitter clients in the drawing is less than

7,500, all remaining permits will be allocated to the remaining applicants until the quota is reached. If the number of eligible outfitter clients in the drawing exceeds 7,500, those outfitter clients unsuccessful in obtaining one of the first 7,500 permits will compete against non-client applicants for the remaining permits. Permits available after the lottery will be sold on a first come-first served basis. Applicants may submit only one application for the nonresident combination archery deer permit. Up to six individuals may apply for nonresident combination archery permits as a group. Groups must identify a group leader, and all applicants must provide the same group leader information at the time of application. If applying for permits given preferentially to clients of outfitters, all group applicants must also provide the same outfitter certification number.

d) An unlimited number of nonresident single antlerless-only archery deer permits is available over-the-counter (OTC) from participating license vendors for a fee of $15.

e) Hunters purchasing archery deer permits must supply all necessary applicant information to the license vendor in order to properly complete the permit.

f) Applications for landowner/tenant permits may be obtained by writing to:

Department of Natural Resources
L/T Deer Permit
P.O. Box 19227
Springfield IL 62794-9227

To obtain a landowner/tenant permit, applicants must submit an application to the Permit Office using the official current Archery Deer Permit application form. Applications submitted on forms from previous years will be returned. Applicants must complete all portions of the permit application form. Incomplete applications and fees will be returned. Each applicant must submit a personal check or money order for his/her individual application.

g) Permits are not transferable. Refunds will not be granted.

h) A $3 service fee will be charged for replacement permits issued by DNR, except that there will be no charge for permits lost in the mail. The procedures for obtaining a replacement license are detailed in 17 Ill. Adm. Code 2520.50. Monies from this source will be deposited in the Wildlife and Fish Fund.

i) Hunting without a valid permit is a Class B misdemeanor (see 520 ILCS 5/2.24). Providing false information on an application is a Class A misdemeanor (see 520 ILCS 5/2.38).

(Source: Amended at 31 Ill. Reg. 8202, effective May 25, 2007)

Section 670.30 Statewide Legal Bow and Arrow

a) The only legal hunting devices to take, or attempt to take, deer are: a long, recurved, or compound bow with minimum pull of 40 pounds at some point within a 28-inch draw. Minimum arrow length is 20 inches, and broadheads must be used. Broadheads may have fixed or expandable blades, but they must be a minimum ? inch in diameter when fully opened. Broadheads with fixed blades must be metal or flint-, chert-, or obsidian-knapped; broadheads with expandable blades must be metal. All other bows and arrows, including electronic arrow tracking devices utilizing radio telemetry~~systems~~, are illegal.

b) A crossbow device is illegal except as provided by Section 2.26 of the Wildlife Code [520 ILCS 5/2.26]. It is unlawful to carry any firearm or sidearm while hunting deer with a bow and arrow.

c) Any mechanical device capable of maintaining a drawn or partially drawn position on a bow without the hunter exerting full string tension is illegal, unless authorized for eligible disabled persons by 17 Ill. Adm. Code 760.

d) Use of an unlawful device is a Class B misdemeanor (see 520 ILCS 5/2.24), except that unlawful use of a crossbow is a Class A misdemeanor with a minimum $500 and maximum $5,000 fine, in addition to other statutory penalties (see 520 ILCS 5/2.33(o)).

(Source: Amended at 31 Ill. Reg. 8202, effective May 25, 2007)

Section 670.60 Regulations at Various Department-Owned or -Managed Sites

a) All the regulations in 17 Ill. Adm. Code 510 (General Hunting and Trapping) apply in this Section, unless this Section is more restrictive.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

b) It is unlawful to drive deer, or participate in a deer drive, on all Department-owned or -managed properties. A deer drive is defined as a deliberate action by one or more persons (whether armed or unarmed) whose intent is to cause deer to move within archery range of one or more participating hunters.

c) Only one tree stand is allowed per deer permit holder. Tree stands must comply with restrictions listed in 17 Ill. Adm. Code 510.10(c)(3) and must be portable. Tree stands must be removed at the end of each day with the exception that tree stands may be left unattended from September 15 through January 31 at those sites listed in this Section that are followed by a (1). Any tree stand left unattended must be legibly marked with the owner's name, address, and telephone number, or site assigned identification number.

d) Check-in, check-out, and reporting of harvest is required at those sites listed in this Section that are followed by a (2).

e) Where standby hunters are used to fill quotas, a drawing will be held at sites indicated by a (3).

f) Only antlerless deer or antlered deer having at least four points on one side may be harvested at those sites listed in this Section that are followed by a (4).

g) Only antlerless deer or antlered deer having at least five points on one side may be harvested at those sites listed in this Section that are followed by a (5).

h) Statewide regulations shall apply at the following sites:

* Anderson Lake Fish and Wildlife Area (2)

Apple River Canyon State Park - Thompson and Salem Units (2)

Argyle Lake State Park (2)

* Banner Marsh Fish and Wildlife Area (2)

* Beall Woods State Park (1) (2)

* Big Bend State Fish and Wildlife Area (1) (2)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Big River State Forest (2)

Cache River State Natural Area (1) (2)

Campbell Pond Fish and Wildlife Area (1) (2)

Cape Bend Fish and Wildlife Area (1) (2)

Carlyle Lake Lands and Waters (Corps of Engineers managed lands)

Carlyle Lake Wildlife Management Area (except subimpoundment area is closed 7 days prior to and during the regular waterfowl season; lands bounded on the east by "C" levee, south by "D" levee, west by ACOE property line, and including the posted area west of parking lot #2, will be open the entire archery deer hunting season)

Castle Rock State Park (1) (2)

Cedar Glen State Natural Area (no hunting after December 15) (1) (2)

Collier Limestone Glade State Natural Area (1)

Crawford County Conservation Area (1) (2)

Cretaceous Hills State Natural Area (1)

Cypress Creek National Wildlife Refuge

Cypress Pond State Natural Area (1) (2)

Deer Pond State Natural Area (1) (2)

Devil's Island Wildlife Management Area

Dixon Springs State Park (1) (2)

Dog Island Wildlife Management Area (1) (2)

* Eldon Hazlet State Park (Hunting is only permitted north of Allen Branch,

north of Hazlet Park Road between the park boundary and its intersection with Allen Branch Road, north of Allen Branch Road between its intersection with Hazlet Park Road and Allen Branch Boat Access Area, and west of Peppenhorst Branch. Hunting is not permitted in the controlled pheasant area during the site's controlled pheasant season (except on days when controlled pheasant hunting is closed) and the five consecutive days following the site's controlled pheasant season, or in the North Allen Branch Waterfowl Management Unit after the opening of the statewide waterfowl season. Additionally, a limited hunting opportunity exists for persons with disabilities west of the main park road going towards the Illini Campground. Disabled hunters as defined in 520 ILCS 5/3.1(c) may register to hunt at the site office and must sign in and out daily. Disabled hunters are required to hunt with a non-disabled partner who may also hunt from pre-determined locations. Disabled hunters may hunt during the statewide archery season as described in Section 670.10, except on days when the site's controlled pheasant hunting is open and the 5 consecutive days following the site's controlled pheasant season.) (2)

Falling Down Prairie (2)

Ferne Clyffe State Park (1) (2)

Fort de Chartres State Historic Site (1) (2)

* Fort Kaskaskia State Historic Site (opens November 1; antlerless deer only) (2)

Fort Massac State Park (1) (2)

Franklin Creek State Natural Area (antlerless deer only in October; either-sex deer from November 1 until the end of the statewide season) (2)

George S. Park Memorial Woods State Natural Area (2)

Giant City State Park (1) (2)

Green River State Wildlife Area (1) (2)

Hanover Bluff State Natural Area (2)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Horseshoe Lake Conservation Area – Alexander County (Controlled Goose Hunting Area – open from October 1-31; reopens with the close of the Quota Zone goose season through statewide closing; remainder of the Public Hunting Area open during statewide season) (1) (2)

Ilo Dillin State Habitat Area (hunting allowed during October only) (2)

Iroquois County State Wildlife Area/Hooper Branch only (1) (2)

* Jubilee College State Park (2)

Kankakee River State Park (deer bowhunters must wear a cap and upper outer garment with at least 400 square inches of solid blaze orange between 9:00 a.m. and 3:00 p.m. on days when upland game hunting is allowed during the site's controlled hunting season; a limited hunting opportunity for persons with disabilities, Class P2A, exists at the Davis Creek Bike Trail Area; disabled hunters must register to hunt at the site office and must sign in and out daily; disabled hunters are required to hunt with a non-disabled partner who may also hunt from predetermined locations during the disabled hunting season (November 1 to the day before the first firearm deer season, except campground blinds will remain open until the close of the archery deer season and do not require a partner to hunt)) (2)

Kaskaskia River Fish and Wildlife Area (no hunting within 50 yards of the Baldwin Lake Waterfowl Rest Area's main north-south road; within this defined waterfowl rest area and during the current year archery season, hunters must take an antlerless deer before taking an antlered deer; this defined waterfowl rest area is closed until the observed Columbus Day holiday) (1) (2 – except south of Highway 154 and north of Highway 13)

Kidd Lake State Natural Area (1)

Kinkaid Lake Fish and Wildlife Area (1) (2)

Kishwaukee River State Fish and Wildlife Area (2)

Lake Le Aqua Na State Park (antlerless deer only; November 1-30;

hunting hours legal opening until 10:00 a.m.) (2)

Little Rock Creek State Habitat Area (opens statewide opening date; however, site closes for archery deer hunting at the end of legal shooting hours the day preceding the opening of the north zone upland season and reopens the day after the close of the north zone upland season and runs until the statewide season closes) (1) (2)

Lincoln Trail State Park (November 1 through the end of statewide season; an antlerless deer must be taken on the site before an antlered deer is harvested) (2)

Lowden-Miller State Forest (1) (2)

Lusk Creek Canyon State Natural Area (1)

Mackinaw River Fish and Wildlife Area (1) (2)

Marseilles Fish and Wildlife Area (closed Friday, Saturday, and Sunday in October only) (all tree stands must be removed from this area no later than the last day of the season; unauthorized personnel may not be on the site outside of the posted check station operating hours; hunters may enter the site only from designated parking lots) (1) (2)

Marshall State Fish and Wildlife Area (Duck Ranch Unit closed 7 days prior to the duck season through the close of duck season) (2)

Maytown Pheasant Habitat Area (hunting allowed during October only) (2)

Mazonia/Braidwood State Fish and Wildlife Area (2) (4)

Mermet Lake Conservation Area (1) (2)

Midewin National Tallgrass Prairie (additional site hunting pass required) (2)

Miller-Anderson Woods State Natural Area (2)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Mississippi Fish and Waterfowl Management Area – Pools 25 and 26 (Batchtown, Crull Hollow, and Godar Rest Areas reopen to hunting the day after duck season closes) (1)

Mississippi River Pool 16 (1)

Mississippi River Pools 17, 18 (1)

Mississippi River Pools 21, 22, 24 (1)

Mitchell's Grove Nature Preserve (antlerless deer only in October; either-sex deer from November 1 until the end of the statewide season; closed during the muzzleloading deer season) (2)

Momence Wetlands State Natural Area (1) (2)

Morrison Rockwood State Park (opens on the day following the close of the first firearm deer season) (1) (2)

* Mt. Vernon Propagation Center (1) (2)

Nauvoo State Park (Max Rowe Unit Only)

Oakford Conservation Area

* Peabody River King State Fish and Wildlife Area (East and North subunits close November 1) (1) (2)

Pere Marquette State Park (area east of Graham Hollow Road) (1) (2)

Pyramid State Park (2) (4)

* Randolph County Conservation Area (1) (2)

Rauchfuss Hill State Recreation Area (1) (2)

Ray Norbut Fish and Wildlife Area (2)

* Red Hills State Park (1) (2)

Rend Lake State Fish and Wildlife Area and Corps of Engineers managed areas of Rend Lake (an antlerless deer must be taken on the site before an antlered deer is harvested) ~~(1)~~

Rend Lake State Fish and Wildlife Area (refuge only (south of site headquarters) from October 1 through October 31; an antlerless deer must be taken on the site before an antlered deer is harvested) ~~(1)~~ (2)

* Rice Lake Fish and Wildlife Area (2)

~~* Rock Cut State Park (only during the special firearm deer hunt on the site; hunting from DNR established blind sites only; hunting limited to holders of Class P2A disability cards and escorts) (2) (3)~~

* Rockton Bog State Natural Area (2)

Saline County Fish and Wildlife Area (1) (2)

* Sam Parr State Park (1) (2)

Sandy Ford State Natural Area (antlerless deer only in October; either-sex deer from November 1 until the end of the statewide season; archery deer hunting is closed during the muzzleloader deer season) (2)

Sangamon County Conservation Area

Sanganois State Wildlife Area (Ash Swale Waterfowl Rest Area will be closed to deer hunting during the waterfowl hunting seasons) (1)

* Shabbona Lake State Park (2)

Sielbeck Forest Natural Area (1) (2)

Siloam Springs State Park (Fall Creek Unit)

* Silver Springs State Park (2)

Skinner Farm State Habitat Area (1) (2)

Spoon River State Forest (1) (2)

* Starved Rock State Park/Matthiessen State Park/Margery C. Carlson Nature Preserve (antlerless deer only in October; either-sex deer from November 1 until the end of the statewide season; deer bowhunters must wear a cap and upper outer garment with at least 400 square inches of solid blaze orange during the statewide firearm deer seasons; open to archery deer hunting during the statewide firearm deer season only in Zone A) (2)

Tapley Woods State Natural Area (2)

Trail of Tears State Forest (1) (2)

Turkey Bluffs Fish and Wildlife Area (1) (2)

Union County Conservation Area (Controlled Goose Hunting Area – closed 7 days prior to the quota zone goose season through the close of the quota zone goose season) (1) (2)

Walnut Point Fish and Wildlife Area (1)

Wards Grove State Natural Area~~Nature Preserve~~ (closed during the statewide Youth Deer Hunting Season and Muzzleloader Deer Hunting Seasons; antlerless deer only) (2)

* Washington County Conservation Area (deer bowhunters must wear a cap and upper outer garment with at least 400 square inches of solid blaze orange between 9:00 a.m. and 3:00 p.m. on days when upland game hunting is allowed during the site's controlled hunting season) (1) (2)

Weinberg-King State Park (2)

Weinberg-King State Park – Cecil White Unit

Weinberg-King State Park - Spunky Bottoms Unit (resident hunters only) (2)

White Pines Forest State Park (antlerless deer only in October, either-sex deer from November 1 through the end of archery season; hunting allowed on Mondays, Tuesdays, Wednesdays and Thursdays only – excluding official State holidays and the Thursday of the second portion of the statewide firearm deer season; closed during the site's special firearm deer seasons) (2)

Wildcat Hollow State Forest (1)

Witkowsky State Wildlife Area (opens October 15) (2)

i) Statewide regulations shall apply at the following sites except that hunter quotas shall be filled by mail-in drawing:

Beaver Dam State Park (an antlerless deer must be taken on the site before an antlered deer is harvested; harvest reports are due to the site by December 31; failure to submit report shall result in the loss of hunting privileges at the site for the following year) (1)

Horseshoe Lake State Park (Madison County) (hunting in designated areas only; an antlerless deer must be taken on the site before an antlered deer is harvested; harvest reports are due to the site by December 31; failure to submit report shall result in the loss of hunting privileges at the site for the following year; hunting will close at end of regular duck season) (1)

Hurricane Creek Habitat Area (hunter quotas filled by drawing; must have Fox Ridge site permit to be eligible)

Pere Marquette State Park (hunting allowed in group camping areas only; season begins the first weekday after camps close)

Union County Conservation Area (refuge only; open first Friday, Saturday and Sunday in November)

j) State regulations shall apply except that hunters must obtain a free permit from the site office. This permit must be in possession while hunting and must be returned, and harvest reported, to the address indicated on the card before February 15. Failure to return the permit shall result in loss of hunting privileges at that site for the following year.

Chauncey Marsh State Natural Area (permit obtained at Red Hills State Park headquarters) (1)

Clinton Lake State Recreation Area (an antlerless deer must be taken on the site before an antlered deer is harvested) (1)

Coffeen Lake State Fish and Wildlife Area

Des Plaines Conservation Area (archery deer hunting is closed in hunting areas open for the controlled upland game program on days the controlled upland game program is operating~~closed to archery deer hunting during the site's upland game hunting season~~) (2)

Des Plaines Game Propagation Center (2)

* Eagle Creek State Park (disabled hunters are exempt from site's antler restrictions) (4)

Fox Ridge State Park (1)

French Bluff State Natural Area

Goose Lake Prairie State Natural Area/Heidecke State Fish & Wildlife Area

Hamilton County Conservation Area (1)

Harry "Babe" Woodyard State Natural Area (4)

Hidden Springs State Forest (1)

* Horseshoe Lake State Park (Madison County – Gaberet, Mosenthein and Chouteau Island Units)

Kickapoo State Park

Mautino State Fish and Wildlife Area (1)

Meeker State Habitat Area (obtain permit at Sam Parr State Park headquarters) (1)

Middle Fork Fish and Wildlife Area

* Mississippi Palisades State Park (November 1 through December 31; closed during the first firearm deer season) (1)

Newton Lake Fish and Wildlife Area (check deer at site office)

* Pekin Lake Fish and Wildlife Area (1)

Pyramid State Park – Captain Unit (4)

Pyramid State Park – Denmark Unit (4)

Pyramid State Park – East Conant Unit (4)

Pyramid State Park – Galum Unit (4)

Ramsey Lake State Park (1)

* Sam Dale Lake Conservation Area (1)

Sand Ridge State Forest

Shelbyville Fish and Wildlife ~~Management~~ Area ~~(1)~~

* Siloam Springs State Park – Buckhorn Unit (resident hunters only) (2) (4)

Snakeden Hollow Fish and Wildlife Area (October 1 through start of the central zone goose season)

* Spring Lake Fish and Wildlife Area (1)

* Stephen A. Forbes State Park (1)

Ten Mile Creek Fish and Wildlife Area (areas designated as refuge are closed to all access during Canada goose season only) (1); Belle Rive Unit

only (4)

Weinberg-King State Park – Scripps Unit (resident hunters only) (2)

k) Statewide regulations shall apply except that no hunting is permitted Wednesday through Sunday of the site's permit pheasant season.

Chain O'Lakes State Park (season opens Monday prior to opening of permit pheasant hunting season and closes Tuesday following the close of the permit pheasant hunting season; season reopens on December 26 till close of regular season; an antlerless deer must be taken on site before an antlered deer is harvested) (2) (3)

Iroquois County Conservation Area (2)

Johnson Sauk Trail State Recreation Area (1) (2)

Moraine View State Park (1)

Wayne Fitzgerrell State Recreation Area (no bowhunting during controlled hunts as posted at the site) ~~(1)~~ (2)

l) Statewide regulations shall apply at the following sites except that:

1) Nonresident hunter quotas shall be filled by mail-in drawing. Information about specific drawing dates and application procedures will be publicly announced. Successful applicants will be issued a free permit from the site office. This permit must be in possession while hunting and must be returned and harvest reported to the address indicated on the card before February 15. Failure to return the permit shall result in loss of hunting privileges at that site for the following year.

2) Resident hunters must obtain a free permit from the site office. This permit must be in possession while hunting and must be returned and harvest reported to the address indicated on the card before February 15. Failure to return the permit shall result in loss of hunting privileges at that site for the following year.

Jim Edgar Panther Creek State Fish and Wildlife Area (1) (4)

* Sangchris Lake State Park (an antlerless deer must be taken on site before an antlered deer is harvested; site will be closed to archery deer hunting during the second firearm deer season) (1) (2) (4)

Siloam Springs State Park (2) (4)

m) Statewide regulations shall apply at this site except that:

Hunter quotas for specific periods shall be filled by mail-in drawing. Only Illinois residents are eligible to apply. Information about drawing dates and application procedures will be publicly announced. Successful applicants will be issued a permit for the time period specified. This permit must be in possession while hunting and returned by February 15 to the site office. Failure to return the permit shall result in the forfeiture of hunting privileges at this site for the following year.

Hennepin Canal State Trail (hunters must stay in their designated zone; an antlerless deer must be taken on the site before an antlered deer may be taken) (2)

Moraine Hills State Park (an antlerless deer must be taken on the site before an antlered deer is harvested)

Sahara Woods State Fish and Wildlife Area (Illinois residents and non-residents are eligible for the drawing) (1) (2)

Saline County Fish and Wildlife Area

Volo Bog State Natural Area (an antlerless deer must be taken on the site before an antlered deer is harvested)

Weldon Springs State Park – Piatt County Unit (an antlerless deer must be taken on the site before an antlered deer is harvested)

Wolf Creek State Park (an antlerless deer must be taken on the site before an antlered deer is harvested; Illinois residents and non-residents are eligible for the drawing) (2) (4)

n) Violations of site specific regulations are petty offenses (see 520 ILCS 5/2.20).

(Source: Amended at 31 Ill. Reg. 8202, effective May 25, 2007)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED RULES

1) Heading of the Part: African-American HIV/AIDS Response Code

2) Code Citation: 77 Ill. Adm. Code 691

3)

Section Numbers:	Adopted Action:
691.100	New
691.200	New
691.300	New
691.400	New
691.500	New
691.600	New
691.700	New
691.800	New
691.900	New
691.1000	New
691.1100	New
691.1200	New
691.1300	New
691.1400	New

4) Statutory Authority: Implementing and authorized by the African-American HIV/AIDS Response Act [410 ILCS 303] and Sections 2310-10 and 2310-580 of the Civil Administrative Code of Illinois [20 ILCS 2310/2310-10 and 2310-580]

5) Effective Date of Rulemaking: May 25, 2007

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

7) Does this rulemaking contain incorporations by reference? Yes

8) A copy of the adopted rules, including any material incorporated by reference, is on file and available for public inspection at the Illinois Department of Public Health, 525 W. Jefferson Street, Springfield, Illinois 62761-0001.

9) Notice of Proposed Rules Published in the Illinois Register: 31 Ill. Reg. 3458; March 2, 2007

10) Has JCAR issued a Statement of Objection to this rulemaking? No

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED RULES

11) Differences between proposal and final version: No comments were received from affected organizations or members of the public during the first notice or public comment period. Various typographical, grammatical, and formatting changes were made in response to the comments 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 rulemaking replace any emergency rulemaking currently in effect? No

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

15) Summary and Purpose of Rules: This proposed rulemaking will enable the Illinois Department of Public Health to implement the provisions of P.A. 094-0797, the African-American HIV/AIDS Response Act. In 2006, the African-American HIV/AIDS Response Act was amended to add grant provisions and a special State fund – the African-American Response Fund – to provide an appropriation for implementing the Act. The proposed rulemaking will establish an administrative process for awarding grants for programs to prevent the transmission of HIV/AIDS and develop other programs and activities consistent with the purposes of this Act, the creation of community-based HIV/AIDS service delivery systems, and the administration of the Act.

16) Information and questions regarding this adopted rulemaking shall be directed to:

Susan Meister
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)

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

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED RULES

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER k: COMMUNICABLE DISEASE CONTROL AND IMMUNIZATIONS

PART 691
AFRICAN-AMERICAN HIV/AIDS RESPONSE CODE

SUBPART A: GENERAL PROVISIONS

Section
691.100 Definitions
691.200 Incorporated and Referenced Materials

SUBPART B: AFRICAN-AMERICAN HIV/AIDS RESPONSE ACT GRANTS

Section
691.300 Eligibility for Grant Award
691.400 Grant Requirements
691.500 Application Procedures
691.600 Review of Applications
691.700 Use of Grant Funds
691.800 Termination of Grant Award
691.900 Denial, Suspension, Revocation or Termination of Grant Award
691.1000 Grant Funds Recovery
691.1100 Hearings

SUBPART C: TRAINING AND HIV TESTING PROTOCOLS

Section
691.1200 Training Requirements for HIV Test Counseling
691.1300 HIV Testing Protocols

SUBPART D: REMOVAL AND PROPER DISPOSAL OF HAZARDOUS WASTE

Section
691.1400 Removal and Proper Disposal of Hazardous Waste

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED RULES

AUTHORITY: Implementing and authorized by the African-American HIV/AIDS Response Act [410 ILCS 303] and Sections 2310-10 and 2310-580 of the Civil Administrative Code of Illinois [20 ILCS 2310/2310-10 and 2310-580].

SOURCE: Adopted at 31 Ill. Reg. 8222, effective May 25, 2007.

SUBPART A: GENERAL PROVISIONS

Section 691.100 Definitions

For the purpose of this Part, the following shall be the accepted definitions of the terms used in this Part:

"Act" means the African-American HIV/AIDS Response Act [410 ILCS 303].

"AIDS" means acquired immunodeficiency syndrome. (Section 3(b) of the AIDS Confidentiality Act)

"African-American community-based organization" means an organization that is in good standing with the State of Illinois and:

Has a Board of Directors, the majority of the members of which are African-American;

Provides services to individuals or families who are or have been impacted by HIV;

Is physically located in the community to be served;

Provides HIV/AIDS services in communities that are primarily populated by individuals and families that identify themselves as African-American; and

Has been in existence for at least one year.

"Department" means the Illinois Department of Public Health.

"Director" means Director of the Illinois Department of Public Health.

"Fund" means the African-American HIV/AIDS Response Fund as established by the Act.

"Funding period" means the time (usually 12 months coinciding with the Department's fiscal year) during which money is to be spent by award recipients.

"High-risk community" means a community that has a high prevalence of HIV, defined as equal to or greater than one percent of the population of the community.

*"High-traffic facility" means a high-traffic facility as defined by the State agency operating the facility. (*Section 15 of the Act)

"HIV" means the Human Immunodeficiency Virus or any other identified causative agent of AIDS. (Section 3(c) of the AIDS Confidentiality Act)

"HIV counseling and testing center" or "HIV testing site" means an agency or site that offers HIV counseling and testing services as prescribed by this Part.

"Potentially infectious medical waste" or "PIMW" means waste generated in connection with:

Diagnosis, treatment (i.e., provision of medical services), or immunization of human beings or animals;

Research pertaining to the provision of medical services; or

Production or testing of biological waste.

"Rapid HIV Antibody Test" means a federal Food and Drug Administration-approved screening test to detect antibodies to HIV, which can be collected and processed within a short interval of time (under 60 minutes).

"State agency" means any department of State Government created under Section 5-15 of the Departments of Government Law of the Civil Administrative Code of Illinois or the Office of the Secretary of State. (Section 15 of the Act)

"Test" or "HIV Test" means a test to determine the presence of the antibody or antigen to HIV, or the presence *of HIV infection*. (Section 3(g) of the AIDS Confidentiality Act)

Section 691.200 Incorporated and Referenced Materials

The following materials are incorporated or referenced in this Part:

a) Illinois Statutes

1) African-American HIV/AIDS Response Act [410 ILCS 303]

2) AIDS Confidentiality Act [410 ILCS 305]

3) HIV/AIDS Registry Act [410 ILCS 310]

4) Communicable Disease Prevention Act [410 ILCS 315]

4) The Civil Administrative Code of Illinois [20 ILCS 2310]

5) Environmental Protection Act [415 ILCS 5]

6) Illinois Grant Funds Recovery Act [30 ILCS 705]

b) State of Illinois Administrative Rules

1) HIV/AIDS Confidentiality and Testing Code (77 Ill. Adm. Code 697)

2) Control of Sexually Transmitted Diseases Code (77 Ill. Adm. Code 693)

3) Rules of Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100)

c) Federal Guidelines

1) Centers for Disease Control and Prevention (CDC)
1600 Clifton Rd.
Atlanta, Georgia 30333
www.cdc.gov/mmwr/

A) CDC Guidelines for National Human Immunodeficiency Virus Case Surveillance, Including Monitoring for Human Immunodeficiency Virus Infection and Acquired Immunodeficiency Syndrome, Morbidity and Mortality Weekly Report (MMWR), December 10, 1999; Vol. 48, No. RR-13.

B) Revised Recommendations for HIV Testing of Adults, Adolescents, and Pregnant Women in Health Care Settings, Morbidity and Mortality Weekly Report (MMWR), Vol. 55, No. RR-14, September 22, 2006.

C) Advancing HIV Prevention: New Strategies for a Changing Epidemic – United States 2003, Morbidity and Mortality Weekly Report (MMWR), Vol. 52, No. 15, April 18, 2003.

2) Office of Management and Budget
725 17th Street, NW
Washington, D.C. 20503
www.whitehouse.gov/omb/circulars/index.html

OMB Circular A-87, Cost Principles for State, Local and Indian Tribal Governments, May 10, 2004.

d) All incorporations by reference of federal guidelines refer to the guidelines on the date specified and do not include any amendments or editions subsequent to the date specified.

SUBPART B: AFRICAN-AMERICAN HIV/AIDS RESPONSE ACT GRANTS

Section 691.300 Eligibility for Grant Award

In order to be eligible to receive a grant from the Fund, the applicant must meet all of the following criteria:

a) Be in good standing with the State of Illinois;

b) Have a Board of Directors, the majority of members of which are African-American;

c) Provide services to individuals or families impacted by HIV;

d) Be physically located within the community to be served;

e) Provide HIV/AIDS services, including, but not limited to, HIV prevention, case management and treatment services, in communities primarily populated by individuals and families that identify themselves as African-American;

f) Be in existence for at minimum one year prior to applying for a grant award.

Section 691.400 Grant Requirements

a) Grant recipients must comply with all applicable provisions of the African-American HIV/AIDS Response Act, AIDS Confidentiality Act, HIV/AIDS Registry Act, Communicable Disease Prevention Act, Environmental Protection Act, HIV/AIDS Confidentiality and Testing Code, and Control of Sexually Transmitted Diseases Code and shall comply as provided by the guidelines of the Centers for Disease Control and Prevention for HIV prevention, testing and surveillance (see Section 691.200).

b) Grants shall be awarded for *programs to prevent the transmission of HIV and other programs and activities consistent with the purposes of the Act, including, but not limited to, preventing and treating HIV/AIDS* and *the creation of an HIV/AIDS service delivery system.* (Section 27 of the Act)

c) The grant *funds shall provide resources for communities in Illinois to create an HIV/AIDS service delivery system that reduces the disparity of HIV infection and AIDS cases between African-Americans and other population groups in Illinois that may be impacted by the disease*. (Section 27 of the Act)

d) Grant recipients shall address the following objectives:

1) *Developing, implementing and maintaining a comprehensive, culturally sensitive HIV Prevention Plan targeting communities that are identified as high-risk in terms of the impact of the disease on African-Americans.* The HIV Prevention Plan shall be reviewed and revised annually.

2) *Developing, implementing and maintaining a stable HIV/AIDS service delivery infrastructure in Illinois communities that will meet the needs of African-Americans* statewide.

3) *Developing, implementing, and maintaining a statewide HIV/AIDS testing program.*

4) *Providing funding for HIV/AIDS social and scientific research to improve prevention and treatment.*

5) *Providing comprehensive technical and other assistance to African-American community service organizations that are involved in HIV/AIDS prevention and treatment.*

6) *Developing, implementing and maintaining an infrastructure for African-American community service organization to make them less dependent on government resources.*

7) *Creating and maintaining at least 17 one-stop shopping HIV/AIDS facilities across the State.* (Section 27 of the Act)

Section 691.500 Application Procedures

The Department will provide written application instructions and forms to potential applicants.

a) Applications may be submitted to the Department at the following address:

African-American Response Act Grant
Illinois Department of Public Health
HIV/AIDS Program
525 W. Jefferson St., 1st Floor
Springfield IL 62761-0001

b) All applications shall be submitted on the form prescribed by the Department and shall include, at minimum, the following:

1) Name of the primary contact for the applicant, address, e-mail, and telephone, fax and teletypewriter (TTY) numbers, if available;

2) Name of the African-American community-based organization for which the application is being submitted, and the address, telephone, fax and teletypewriter (TTY) numbers, if available;

3) Federal Tax Identification Number;

4) Resume or curriculum vitae of the principal investigator;

5) One-page non-technical abstract that describes the scope of the project for which funding is being sought;

6) List of members of the Board of Directors, position, term, and race;

7) Certificate of Good Standing from the Office of the Secretary of State;

8) Description and location of high-risk community to be served;

9) Work plan for the funding period, including a list of objectives as described in Section 691.400, and an approximate timetable for completion;

10) Detailed budget for the funding period, documenting sufficient resources to complete the objectives addressed in the work plan. The budget shall be by line item category and shall provide sufficient detail to justify the use of grant funds to support project activities. The applicant shall indicate the amount of the total funding requested from the Department and sources of other funding available to support the project objectives, if applicable. Grant recipients shall limit administrative costs included in the project budget to no more than ten percent of total funds requested;

11) The signature of the organization official authorized to certify the application; and

12) Description of evaluation methods to measure progress in achieving objectives and a plan for monitoring the overall project.

Section 691.600 Review of Applications

a) The Department will accept applications for grant award March 1 through April 30 of each year. Funding will be awarded for the subsequent fiscal year. Applications for grant award shall be made annually and are not renewable.

b) Applications will be reviewed by the Department for compliance with the requirements of this Part. During the course of its review, the Department may contact the applicant for additional information if the information provided is incomplete, inconsistent or unclear.

c) Applicants whom the Department determines to be not eligible for grant funds will be notified in writing of this decision.

d) Distribution of grants is dependent on available funding. Available grant funds will be distributed based on the applicant's application and compliance with Sections 691.400 and 691.500.

e) Applicants must submit a new application for each State fiscal year in order to be considered for funding. Applications are only applicable to the State fiscal year for which the applications were received.

Section 691.700 Use of Grant Funds

a) Grant awards will be issued in an amount not less than $25,000. Funds shall be used only for the direct cost of administering, operating and maintaining a project or service in accordance with the requirements of Section 691.400. The grant funds may not be used for organizational or community-based overhead costs, indirect costs, legal fees or levies. Grant funds shall be used as provided by the guidelines of OMB Circular A-87 for allowable expenditures (see Section 691.200). The following direct costs are examples of those that may be incurred when specified in the grant application budget.

1) Personal services costs, including gross salaries and employer paid fringe benefits for full-time and part-time employees of the program being funded.

2) Contractual services costs, including, but not limited to, medical services and printing of educational materials.

3) Supplies/commodities as required in the operation of the program or provision of services that are directly related to its operation, which may include medical supplies and equipment supplies costing less than $100.

4) Equipment directly related to the operation of the project. (Equipment is defined as items costing over $100 each, with a useful life of more than one year. Equipment costs shall include all freight and installation costs.) Purchase of equipment items, other than those included in the approved budget, require prior written approval from the Department.

5) Payments to the grantee shall be made on a reimbursement basis. Grantees may request up to three months funding to be paid upon execution of the grant award. These requests shall be made at the time of application for grant award and will be reviewed and approved by the Department. Grantees shall provide the Department with a detailed accounting of how funding was expended.

6) The grantee shall use the Reimbursement Certification Form provided by the Department or a reasonable facsimile of that form to request reimbursement for expenditures.

7) The grantee shall document actual expenditures incurred for the purchase of goods and services necessary for conducting program activities or services.

8) To be reimbursable, expenditures must be in accordance with the terms of the grant award and the program budget on file with the Department and must meet the following general criteria:

A) Be necessary and reasonable for proper and efficient administration of the program and not be a general expense required to carry out the overall responsibilities of the agency.

B) Be authorized or not prohibited under federal, State or local laws or regulations.

C) Follow the application of generally accepted accounting principles appropriate to the project being funded.

D) Not be allocable to or included as a cost of any other State or federally financed program in either the current or a prior period.

4) The grantee shall submit requests for reimbursement monthly throughout the period of the grant. The final request for reimbursement shall be submitted within 30 calendar days after the end of the funding period.

Section 691.800 Termination of Grant Award

a) Except as otherwise provided in this Section, the grant agreement may be terminated by either party upon 30 calendar days written notice to the other party, as specified in the grant agreement.

b) The grant agreement may be terminated immediately, without penalty of further payment required, if the General Assembly fails to appropriate or otherwise make available sufficient funds for the award, or if sufficient funds are not available in the Fund.

c) The Department may immediately suspend funding or terminate the grant agreement of any grantee that has substantially failed or continually failed to comply with the Act, this Part, or the grant agreement.

Section 691.900 Denial, Suspension, Revocation or Termination of Grant Award

a) The Director may suspend or revoke the grant agreement of a grantee when finding substantial or continued failure to comply with the Act, this Part or the grant agreement. Except as provided in subsection (b), the Director shall provide notice and an opportunity for the grant applicant or grantee to request a hearing before executing the denial, suspension, or revocation.

b) If the Director finds that the public interest, health, safety, or welfare requires emergency action, then the Director may immediately order summary suspension of a grant agreement pending proceedings for revocation. The Director's order shall be written and shall include the reasons for the findings. The proceedings shall be promptly instituted and promptly determined.

c) The notice of denial shall be made by regular mail. The notice of suspension or revocation shall be made by certified mail or personal service. These notices shall state the reasons for the proposed action and shall provide the opportunity to

request a hearing. If a written hearing request is not received within 10 business days after receipt of the notice, then the right to a hearing is deemed waived.

d) A denial or termination due to the General Assembly's failure to appropriate funds is not subject to this Section.

Section 691.1000 Grant Funds Recovery

Grants made under this Part are subject to the Illinois Grant Funds Recovery Act. If a provision of this Part conflicts with a provision of the Illinois Grant Funds Recovery Act, then the provision of the Illinois Grant Funds Recovery Act controls.

Section 691.1100 Hearings

The Department's Rules of Practice and Procedure in Administrative Hearings apply to the proceedings conducted under this Part. Where the terms "license" and "licensing" are used in those rules, those terms shall be expanded to include a grant applicant, a grantee awarded funds, and a grant agreement executed under this Part.

SUBPART C: TRAINING AND HIV TESTING PROTOCOLS

Section 691.1200 Training Requirements for HIV Test Counseling

HIV counseling and testing services shall be administered by persons who have completed a course of training provided or approved by the Department. Persons providing HIV counseling and testing services shall comply with the provisions of the HIV/AIDS Confidentiality Act.

Section 691.1300 HIV Testing Protocols

a) HIV antibody testing shall be completed in accordance with Section 697.100 of the AIDS Confidentiality and Testing Code.

b) All persons seeking counseling and HIV testing at an HIV testing site operated by a Department funded African-American community-based organization shall be offered a rapid HIV Antibody Test. If the HIV test counselor determines that rapid HIV antibody testing is not appropriate at the time of testing, the person shall be offered the option of another HIV antibody test.

c) A patient record shall be created for each person tested at an HIV testing site operated by a Department funded African-American community-based organization. All patient records shall be maintained in accordance with the provisions of the HIV/AIDS Confidentiality Act.

d) No person may be subjected to an HIV antibody test unless written informed consent is first obtained from the test subject or the test subject's legally authorized representative in accordance with the AIDS Confidentiality and Testing Code.

e) HIV counseling and testing centers shall provide counseling to the test subject prior to performing the test. The counseling shall include, but not necessarily be limited to, information about:

1) HIV infection and HIV transmission;

2) The difference between confidential and anonymous HIV testing; information about the meaning of the test and test results, such as the purpose, potential uses, and limitations of the test and test results and the statutory rights to anonymous testing and to confidentiality; and information about the availability of supplemental testing;

3) The availability of referrals for further information or counseling; and

4) Methods for prevention of transmission of HIV.

f) Department funded African-American community-based organizations shall report all positive HIV test results to the appropriate local health authority in accordance with Section 693.30 of the Control of Sexually Transmissible Diseases Code.

SUBPART D: REMOVAL AND PROPER DISPOSAL OF HAZARDOUS WASTE

Section 691.1400 Removal and Proper Disposal of Hazardous Waste

All Potentially Infectious Medical Waste (PIMW) generated through HIV testing shall be handled and disposed of in a safe and responsible manner. Department funded African-American community-based organizations should contact the local health authority or local

waste removal company for the correct disposal method for PIMW. The PIMW shall be placed in containers that are:

a) Rigid;

b) Leak-resistant;

c) Impervious to moisture;

d) Sufficiently strong to prevent tearing or bursting under normal conditions of use and handling;

e) Sealed to prevent leakage during transport;

f) Puncture-resistant for packaging sharps and sharps with residual fluids; and

g) Break-resistant and tightly lidded or stoppered for packaging fluids.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Minimum Safety Standards for Construction of Type II School Buses

2) Code Citation: 92 Ill. Adm. Code 442

3)

Section Numbers:	Adopted Action:
442.130	Amend
442.208	New Section
442.218	Amend
442.230	Amend
442.245	Amend
442.250	Amend
442.258	Amend
442.265	Amend
442.280	Repeal
442.285	Amend
442.455	Amend
442.465	Amend
442.605	Amend
442.615	Amend
442.620	Amend
442.715	Amend

4) Statutory Authority: Implementing Article VIII of Chapter 12 and authorized by Section 12-812 of the Illinois Vehicle Code [625 ILCS 5/Ch. 12, Art. VIII]

5) Effective Date of Amendments: May 25, 2007

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

7) Does this amendment contain incorporations by reference? Yes

8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the Department's Division of Traffic Safety and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: 31 Ill. Reg. 2932; February 16, 2007

10) Has JCAR issued a Statement of Objection to this rulemaking? No

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

11) Differences between proposal and final version: Nonsubstantive corrections were made throughout the Part in agreement with JCAR.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were necessary.

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

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

15) Summary and Purpose of Amendments: By this Notice, the Department has amended this Part pursuant to 625 ILCS 5/12-815.2 that requires school buses manufactured on or after January 1, 2006 to be equipped with a noise suppression switch capable of turning off noise producing accessories. Those accessories include, but are not limited to, heater blowers, defroster fans, auxiliary fans and radios. The requirements for the noise suppression switch were added at Section 442.620(e), Wiring.

Throughout this rulemaking, the Department has corrected statutory citations to the Illinois Vehicle Code. The Department also updated and corrected references to the Society of Automotive Engineers (SAE) Standards and Recommended Practices pursuant to the most recent standard dates provided in the 2005 edition of SAE Standards and Recommended Practices.

At Section 442.130, the Department amended the incorporation by reference and certification language to include the 2006 edition of the Federal Motor Vehicle Safety Standards (FMVSS), located at 49 CFR 571.1 through 571.404, and the federal standards governing certification of vehicles, located at 49 CFR 567. Section 442.130 also incorporates by reference the 2005 edition of the SAE Standards and Recommended Practices.

The Department also updated, clarified, and corrected standards throughout this Part. The following summarizes the standards that were updated by this rulemaking:

At Subpart B: Construction of Body

Barriers, Guard – The Department added new provisions at Section 442.208 concerning guard barriers. Prior to this rulemaking, the Department had required that Type II school buses be equipped with either a stanchion panel or a guard barrier in front of the right

front passenger seat but not in front of the left front passenger seat. A stanchion panel or guard barrier was designed to guard against passengers being thrown into the stairwell or the dash of the school bus during a sudden stop or crash. However, the FMVSS does not require guard barriers on Type II school buses in front of unprotected seating positions (i.e., seats not protected by another seatback in front) but instead requires that Type II school buses be equipped with a safety belt at each seating position. Although safety belts are required on Type II school buses, students do not always use them. Moreover, the stanchion panel is an antiquated component and is no longer a viable option for industry. Therefore, by this rulemaking, the Department is requiring a guard barrier in front of both the right and left front unprotected passenger seats in Type II school buses. This is consistent with an FMVSS requirement for Type I school buses. Since the Department believes the left front passenger seat is not adequately protected by the driver's seat, passengers in the left front seating position will be provided the same protection as those in the right front passenger seat.

Emergency Exits and Door Alarms – The Department added an exception at Section 442.230(b)(1) to allow yellow retroreflective tape to be located on a rear bumper or rub rail.

Heaters – The Department added a new subsection at Section 442.245(c) to provide standards for auxiliary fuel-fired heating systems.

Identification/Lettering – The Department amended a requirement at Section 442.250(a) that prohibits all signs, numbers or lettering not required by statute or permitted by this Part from being displayed on either the exterior or the interior of the bus. Prior to this rulemaking, signs, numbers or lettering that were not required or permitted were allowed on the interior of the bus provided they were not visible from the exterior of the bus. The Department also added an optional provision at Section 442.250(c) that allows vehicle identification numbers to be located on the rooftop of a school bus.

Paint/Color Requirements – The Department amended language at Section 442.258(i) to clarify the requirements for yellow retroreflective tape that can be located on a rear bumper or rub rail.

Seat Belts, Driver's and Passengers' – The Department updated terminology at Section 442.265(c) by replacing an automatic locking type retractor with an emergency locking type retractor.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

Stanchion Guard Panel or Barrier Guard – The Department repealed Section 442.280, Stanchion Guard Panel or Barrier Guard, and replaced it with new provisions at Section 442.208, Barriers, Guard. The Department updated this standard and renamed it. (See explanation at "Barriers, Guard.")

Stop Signal Arm Panel – The Department deleted language at Section 442.285(a) that allows stop signal arm panels to be operated manually. Newly manufactured buses are always equipped with mechanically-operated stop signal arm panels. Manually-operated panels are no longer offered by school bus manufacturers. The Department deleted subsection (b) of this Section that requires the panel to be 16-gauge metal that conflicts with the incorporated federal standard that does not require 16-gauge metal or its equivalent.

At Subpart C: Chassis Requirements

Horn – The Department added a reference at Section 442.455 to the applicable SAE Standard.

Instruments – At Section 442.465, the Department replaced "ammeter" with the correct term "ampere meter" and added "volt meter" as synonymous with "ampere meter."

At Subpart D: Electrical System Requirements

Battery and Battery Compartment – The Department added a new subsection at Section 442.605(b) that establishes the same standards for a battery compartment that are currently in effect for Type I school buses (92 Ill. Adm. Code 440). The new subsection requires the battery compartment to be closed, to be weather-tight, and to be vented. Wiring standards must also be met.

Lamps, Reflectors, and Signals – The Department added language at Section 442.615(a) concerning Light Emitting Diodes (LED) lights that meet either FMVSS or SAE Standards and Recommended Practices-these are acceptable equipment on school buses manufactured for use in Illinois.

Interior Lighting and Side Turn Signals – The Department clarified and added language at Sections 442.615(c) and (e) regarding the requirement that buses designed to transport 33 or more passengers be equipped with two interior lamps and side turn signals on both exterior sides of the bus.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

Wiring – The Department added a requirement at Section 442.620(e) for a noise suppression switch pursuant to 625 ILCS 5/12-815.2.

At Subpart E: Equipment Requirements

Warning Devices – The Department updated the Section heading at Section 442.715 and corrected language to clarify provisions regarding emergency warning devices pursuant to 625 ILCS 5/12-702 (a) and (c).

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

Ms. Catherine Allen
Illinois Department of Transportation
Division of Traffic Safety
P. O. Box 19212
Springfield, Illinois 62794-9212

217/785-1181

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

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 92: TRANSPORTATION
CHAPTER I: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER e: TRAFFIC SAFETY (EXCEPT HAZARDOUS MATERIALS)

PART 442
MINIMUM SAFETY STANDARDS FOR CONSTRUCTION OF
TYPE II SCHOOL BUSES

SUBPART A: GENERAL

Section
442.110 Scope
442.120 Definitions
442.130 Incorporation by Reference and Certification

SUBPART B: CONSTRUCTION OF BODY

Section
442.205 Aisle
442.208 Barriers, Guard
442.210 Body Structure and Mounting
442.213 Bumper, Rear
442.214 Capacity, Passenger
442.215 Ceiling and Side Walls
442.218 Crossing Control Arm
442.220 Defrosters
442.225 Doors (Repealed)
442.230 Emergency Exits and Door Alarms
442.235 Floor Covering
442.240 Glazing Materials
442.245 Heaters~~Heater~~
442.250 Identification/Lettering
442.253 Metal Treatment
442.255 Mirrors
442.258 Paint/Color Requirements
442.259 Rack, Book/Luggage
442.260 Rub Rails
442.265 Seat Belts, Driver's and Passengers'
442.270 Seating

442.275 Service Entrance and Door
442.280 Stanchion Guard Panel or Barrier Guard (Repealed)
442.285 Stop Signal Arm Panel
442.290 Tool Compartment (Purchaser's Option)
442.295 Sun Visor
442.300 Undercoating
442.305 Ventilation
442.310 Window Openings
442.315 Windshield
442.320 Windshield Wipers
442.325 Windshield Washer

SUBPART C: CHASSIS REQUIREMENTS

Section
442.405 Air Cleaner
442.410 Axles
442.415 Brakes
442.420 Bumper, Front
442.425 Drive Shaft Guard
442.430 Engine
442.435 Exhaust System and Muffler
442.440 Frame
442.445 Fuel Tank
442.450 Heater Connections
442.455 Horn
442.460 Ignition Lock
442.465 Instruments
442.470 Oil Filter
442.475 Shock Absorbers
442.480 Springs and Suspension
442.485 Steering Mechanism
442.490 Tires and Wheels
442.495 Transmissions

SUBPART D: ELECTRICAL SYSTEMS REQUIREMENTS

Section
442.605 Battery and Battery Compartment

442.610 Generator or Alternator
442.615 Lamps, Reflectors, and Signals
442.620 Wiring

SUBPART E: EQUIPMENT REQUIREMENTS

Section
442.705 Fire Extinguisher~~Extinguishers~~ (Purchaser's Option)
442.710 First-Aid Kit (Purchaser's Option)
442.715 Warning Devices (Optional)~~Warning Devices for Disabled Vehicle (Purchaser's Option)~~

442.APPENDIX A Hexagon Shaped Stop Signal Arm (Repealed)
442.APPENDIX B Federal Motor Vehicle Safety Standards (FMVSS) and Related Rules (Repealed)
442.APPENDIX C Specification for Sheet Reflective Material – Encapsulated Lens (Based on FHWA Notice N 5040.17, June 15, 1976) (Repealed)
442.APPENDIX D Sheeting and Tape, Reflective: Nonexposed Lens (Repealed)
442.APPENDIX E Octagon Shaped Stop Signal Arm

AUTHORITY: Implementing Article VIII of Chapter 12 and authorized by Section 12-812 of the Illinois Vehicle Code [625 ILCS 5/Ch. 12, Art. VIII].

SOURCE: Adopted at 2 Ill. Reg. 45, p. 115, effective November 10, 1978; codified at 8 Ill. Reg. 15002; amended at 8 Ill. Reg. 15505, effective August 10, 1984; amended at 12 Ill. Reg. 4220, effective February 9, 1988; amended at 16 Ill. Reg. 1685, effective January 14, 1992; amended at 17 Ill. Reg. 3540, effective March 2, 1993; amended at 18 Ill. Reg. 14789, effective September 20, 1994; amended at 26 Ill. Reg. 3255, effective February 19, 2002; amended at 31 Ill. Reg. 8238, effective May 25, 2007.

SUBPART A: GENERAL

Section 442.130 Incorporation by Reference and Certification

a) Each bus body and chassis must conform to the applicable provisions of the Federal Motor Vehicle Safety Standards (FMVSS) (49 CFR 571.1 through 571.404). Those applicable provisions of the FMVSS are incorporated by reference as that part of the FMVSS was in effect on October 1, 2006. No later amendments to or editions of 49 CFR 571 are incorporated.

b) Each bus body and chassis must conform to the applicable provisions of 49 CFR 567, Certification, and 49 CFR 568, Vehicles Manufactured in Two or More Stages, that were in effect on the first day of the month in which the chassis manufacturer completed his last manufacturing operation on the incomplete bus. Those applicable provisions are incorporated by reference as they were in effect on October 1, 2006. No later amendments to or editions of 49 CFR 567 and 49 CFR 568 are incorporated.

c) Each school bus must conform to the applicable Standards and Recommended Practices of the Society of Automotive Engineers Handbook. Those applicable provisions of the SAE Standards and Recommended Practices are incorporated by reference as of the 2005 edition date. No later amendments to or editions of the SAE Standards and Recommended Practices are incorporated.

d) Copies of the above materials incorporated by reference are available for inspection at the Division of Traffic Safety, 3215 Executive Park Drive, 3rd Floor, Springfield, Illinois 62703 or by calling (217)785-1181. The federal standards are available on the National Archives and Records Administration's website at http://ecfr.gpoaccess.gov. The Division of Traffic Safety's rules are available on the Department's website at http://www.dot.il.gov/regulations.html.

~~a) Each school bus must conform to the applicable provisions of the Federal Motor Vehicle Safety Standards (FMVSS) (49 CFR 571.100 through 571.304). Those applicable provisions of the FMVSS are incorporated by reference as that subpart of the FMVSS that was in effect on October 1, 2000. No later amendments to or editions of 49 CFR 571.100 through 571.304 are incorporated.~~

~~b) Federal Standards: The manufacturer, and all incomplete vehicle and intermediate manufacturers, shall comply with the applicable provisions of Part 567 "Certification", and Part 568 "Vehicles Manufactured in Two or More Stages", in 49 CFR 567 and 568, including the permanent affixing of a label in conformance with the above mentioned FMVSS. This label constitutes the manufacturer's certification to all persons and organizations that the bus conforms to all applicable provisions of the FMVSS.~~

~~c) State Standards: The manufacturer must comply with all provisions of this Part in effect on the first day of the month/year that the vehicle was manufactured.~~

~~d) Each school bus must conform to the applicable standards of the Society of Automotive Engineers Handbook (SAE) (Volume 2 Sections 15-26). Those applicable provisions of the SAE standards are incorporated by reference as of the 1998 edition date. No later amendments to or editions of the SAE standards are incorporated.~~

~~e) Copies of the above materials incorporated by reference are available for inspection at the Department's Commercial Vehicle Safety Section, 3215 Executive Park Drive, Springfield, Illinois 62703.~~

(Source: Amended at 31 Ill. Reg. 8238, effective May 25, 2007)

SUBPART B: CONSTRUCTION OF BODY

Section 442.208 Barriers, Guard

a) A restraining guard barrier shall be installed in front of the right and left front passenger seats. Barriers shall be constructed to guard passengers from being thrown into the stairwell, dash, windshield, or driver's compartment. Barriers shall be padded to give knee and head impact protection. Barriers shall conform to S5.2 through S5.2.3 of FMVSS 222.

b) The vertical distance from the floor covering to the top of a barrier positioned in front of a student's seat shall measure not less than the vertical distance from the floor covering to the top of the seat back on the seat back installed behind that barrier.

(Source: Added at 31 Ill. Reg. 8238, effective May 25, 2007)

Section 442.218 Crossing Control Arm

a) Must meet or exceed SAE Recommended Practice J1133.

b) Must be capable of full operation between, and including, the temperatures -40 degrees F and 160 degrees F.

c) The arm, when activated, must extend a minimum of five feet from the front face of the bumper.

d) The arm must be mounted on the far right side (entry side) of the front bumper.

e) Appropriate brackets shall be used to attach the arm to the front bumper for proper operation and storage.

f) All component parts must meet or exceed any applicable FMVSS in effect at the time of manufacture.

g) The arm must extend at the same time the stop arm panel extends. An independent "on/off" switch is prohibited.

h) If the driver can stop the arm from extending with the use of an optional override switch, the arm sequence must automatically reset once the service door is closed.

i) Red lights and/or red reflectors are prohibited.

(Source: Amended at 31 Ill. Reg. 8238, effective May 25, 2007)

Section 442.230 Emergency Exits and Door Alarms

a) Each emergency exit shall be equipped with an interior opening device which may be quickly released but which is designed to offer protection against accidental release. Each exterior release handle must be nonhitchable.

AGENCY NOTE: "Nonhitchable" is defined as the rear of the bus being designed and maintained to prevent or discourage riding or grasping the rear of the bus so as to "hitch" rides.

b) All emergency exits shall conform to the applicable requirements of the FMVSS 217 (49 CFR 571.217).

1) Each opening for a required emergency exit window or door must be outlined around its exterior perimeter with, at a minimum, 1 inch (2.54 cm) wide yellow retroreflective tape. All retroreflective tape must be on the exterior surface of the bus and conform to all requirements of 49 CFR 571.217. Emergency roof exits may be outlined in either yellow or white retroreflective tape. Yellow retroreflective tape can be located on the rear bumper or rub rail provided the space under the emergency exit door or emergency exit window is not adequate to accommodate the tape or

provided rivets are present that prohibit the tape from being applied properly.

2) Both audible and visible alarms shall alert the driver when the engine is running and any emergency exit door either:

A) Is not fully latched, or

B) Is locked and not readily operated manually.

3) An audible alarm shall alert the driver when the engine is running and any emergency exit window either:

A) Is not fully latched, or

B) Is locked and not readily operated manually.

4) The engine starting system shall not operate while any emergency exit door or window (optional or required) is locked from either inside or outside the bus. "Locked" means that the release mechanism cannot be activated and the exit cannot be opened by a person at the exit without a special device such as a key or special information such as a combination.

5) An alarm cut-off or "squelch" control is prohibited.

6) Exception: No alarm is required for roof hatches.

(Source: Amended at 31 Ill. Reg. 8238, effective May 25, 2007)

Section 442.245 Heaters ~~Heater~~

a) An inside temperature of not less than 50 degrees Fahrenheit at average minimum January temperature as established by the U.S. Department of Commerce, National Weather Service Office, for the area in which the vehicle is to be operated shall be maintained throughout the bus.

b) The primary heater shall be a high output, fresh air type.

c) The secondary heater may be recirculating type, and located so as not to interfere

with aisle space. Each secondary heater shall display a nameplate that identifies the manufacturer and the heater capacity rating.

d) The heater hoses shall be adequately supported to guard against excessive wear due to vibration and shall not interfere with or restrict the operation of any engine function. Any hose in the passenger compartment shall be adequately protected to prevent injury from burns in the event of rupture.

e) Auxiliary fuel-fired heating systems are permitted provided they comply with the following:

1) The auxiliary heating system fuel shall utilize the same type of fuel as specified for the vehicle engine;

2) The heater or heaters may be direct hot air or connected to the engine's coolant system;

3) An auxiliary heating system, when connected to the engine's coolant system, may be used to preheat the engine coolant or preheat and add supplementary heat to the bus' heating system;

4) Auxiliary heating systems must be installed pursuant to the manufacturer's recommendations and shall not direct exhaust in a manner that will endanger bus passengers (e.g., under windows);

5) Auxiliary heating systems that operate on diesel fuel shall be capable of operating on:

A) a hot water and/or combustion type heater; or

B) if only one heater is used, a fresh-air or combination fresh-air and recirculation type heater; or

C) blended diesel fuel without the need for system adjustment.

6) The auxiliary heating system shall be low voltage.

(Source: Amended at 31 Ill. Reg. 8238, effective May 25, 2007)

Section 442.250 Identification/Lettering

a) Except where otherwise required or allowed, lettering on the exterior of the body shall be black against a national school bus glossy yellow background. All required letters and numerals shall conform to Series "B", or heavier series, of the Standard Alphabets for Highway Signs issued by the Federal Highway Administration, Washington, D.C. 20591. Decals may be used instead of paint. Signs, numbers, or lettering~~letterings~~, other than those either required by Section 12-802 of the Code~~statutes~~ or this Part~~required or permitted by these standards~~ shall not be affixed permanently on either the exterior or interior of the bus~~ or the interior glazing so as to be visible to the outside~~. Interior lettering shall contrast with its background.

b) The words "SCHOOL BUS" shall be displayed against a national school bus glossy yellow background as high as practical and approximately centered on the front and rear of the bus body, in letters at least 200 mm (8") high (see Section 12-802 of the Code). These words may be painted on or applied to the bus body or displayed on a sign firmly attached to or built into the body. The background of an illuminated sign shall approximate the national school bus glossy yellow color as closely as feasible.

c) A school bus identification number, supplied by the purchaser, shall be displayed as high as practical on the front and rear of the bus in numerals not less than 100 mm (4") high. Such number may be displayed on the sides of the bus as specified by the purchaser. As an option, identification numbers may be located on the rooftop.

d) Either the owner's name or the school district number or both must be displayed on both sides of the bus at least four inches high, approximately centered and as high as practicable below the window line. (See Section 12-802 of the Code.)~~.~~ The lettering must be located on one line.

e) The body and/or chassis manufacturer's name, emblem, or other identification may be displayed, colorless or in any color, on any unglazed surface of the bus so as not to be mistaken for the name required in subsection (d) of this Section, and so as not to interfere with any required letters or numerals.

f) The words "EMPTY WEIGHT", or the abbreviation "EMPTY WT.", or the letters "E.W.", followed by the empty weight of the bus (see Section 442.120), stated in

pounds, shall be displayed on the exterior of the body near the rear edge of the service entrance in numerals and letters at least 50 mm (2") high (see Section 12-802 of the Code).

Examples: EMPTY WEIGHT 16,800 lb E.W. 16,800 lb

g) The word "CAPACITY", or the abbreviation "CAP.", and the rated passenger capacity, as described in Section 442.214, followed by the word "PASSENGERS", or the abbreviation "PASS.", shall be displayed on the exterior of the body near the rear edge of the service entranceway, and on the interior above the right portion of the windshield, in numerals and letters at least 50 mm (2") high (see Section 12-802 of the Code).

h) The words "NO STANDEES" shall be displayed only on the interior above the windshield, approximately opposite the aisle but to the right of the mirror and sun visor, in letters at least 50 mm (2") high.

i) The words "EMERGENCY DOOR" or "EMERGENCY EXIT" in letters at least 5 cm (2") high must be displayed on the interior and exterior of the bus. "EMERGENCY DOOR" must be displayed at the top of, or directly above, any emergency exit door. "EMERGENCY EXIT" must be displayed at the top of, or directly above, or at the bottom of, any emergency exit window. They may be displayed on a separate colorless background (such as white, aluminum, or silver) that extends no more than 15 mm (.6") above or below the words and no more than 25 mm (1") to the right or left of the words.

j) A black arrow, curved or straight, at least 150 mm (5.9") in length and 15 mm (.6") in width, showing the direction each exterior emergency exit release mechanism is to be moved to open the emergency exit, shall be painted or permanently affixed on the exterior yellow portion of the bus within 150 mm (5.9") of each release mechanism.

k) An arrow showing the direction each interior emergency exit release mechanism is to be moved to open the emergency exit shall be painted or permanently affixed on the interior of the bus within 150 mm (5.9") of each emergency exit release mechanism. Each interior arrow shall contrast with its background and, where suitable space is limited, may be smaller than the exterior arrow(s) but must be conspicuous.

l) Alternate Fuel

1) *If the bus uses alternate fuel (e.g., propane, CNG), the vehicle must be marked with an identifying decal. Such decal shall be diamond shaped with white or silver scotchlite letters one inch in height and a stroke of the brush at least ¼ inch wide on a black background with a white or silver scotchlite border bearing either the words or letters:*

"PROPANE" = If propelled by liquefied petroleum gas other than liquefied natural gas; or

"CNG" = If propelled by compressed natural gas. The sign or decal shall be maintained in good legible condition.

2) *The alternate fuel decal shall be displayed near the rear bumper and visible from the rear of the vehicle.* (Section 12-704.3 of the Code)~~.~~

m) The vehicle's length (rounded up to nearest whole foot) must be displayed on or adjacent to the interior bulkhead clearly within the driver's view. (For example: vehicle length of 39.1 feet will be displayed as 40 feet.) Each letter or numeral must be at least two inches high and black in color. The measurement must be taken from the front bumper to the rear bumper.

n) A "Stop Line" in contrasting color is required between 5.9 and 6.1 inches below the top of each side window opening. The line shall be located between each window that slides downward.

(Source: Amended at 31 Ill. Reg. 8238, effective May 25, 2007)

Section 442.258 Paint/Color Requirements

a) *The exterior of each school bus shall be national school bus glossy yellow except* as indicated in subsections (b) through (i) of this Section.~~:~~

b) *The rooftop may be white.* Optional white roof shall terminate at any point from top of drip rail to 6" above drip rail. The front and rear roof caps shall remain national school bus glossy yellow.

c) *Body trim, rub rails, and lettering other than on a stop signal arm shall be glossy*

black. Bumpers may be glossy black or a bright, light or colorless finish.

d) *Lettering on a stop signal arm shall be white on a red background.*

e) *The hood and upper cowl may be lusterless black or lusterless school bus yellow.*

f) *Grilles on the front, lamp trim and hubcaps may be a bright finish.* Wheels and rims may be black, gray, or manufacturer's colors.

g) *The name or emblem of a manufacturer may be colorless or any color.*

h) *The exterior paint of any school bus shall match the central value, hue and chroma set forth* in this Part. (Section 12-801 of the Code)

i) Each opening for a required emergency exit window or door must be outlined around its outside perimeter with a minimum 1 inch (2.54 cm) wide yellow retroreflective tape. All retroreflective tape must be on the exterior surface of the bus and conform to all requirements of 49 CFR 571.217. Yellow retroreflective tape can be located on the rear bumper or rub rail provided the space under the emergency exit door or emergency exit window is not adequate to accommodate the tape or provided rivets are present that prohibit the tape from being applied properly. ~~Yellow retroreflective tape can be located on the rear bumper provided the space between the top of the bumper and the bottom of the rear emergency exit door is not adequate to accommodate the tape.~~ Emergency roof exits may be outlined in either yellow or white retroreflective tape.

(Source: Amended at 31 Ill. Reg. 8238, effective May 25, 2007)

Section 442.265 Seat Belts, Driver's and Passengers'

a) See the FMVSS for requirements (49 CFR 571.209 and 210).

b) The driver's seat belt assembly shall be arranged so that all portions of the assembly remain above the floor when not in use.

c) If a retractor or retractors~~retractor(s)~~ are installed, they shall be the emergency~~automatic~~ locking type.

d) The driver's seat must be equipped with a lap belt/shoulder harness design.

(Source: Amended at 31 Ill. Reg. 8238, effective May 25, 2007)

Section 442.280 Stanchion Guard Panel or Barrier Guard (Repealed)

~~Either a Type A or Type B Guard shall be installed.~~

~~a) Type A – Barrier Guard: A restraining barrier shall be installed in front of the right front passenger seat. The barrier shall be constructed to guard nonrestrained passenger(s) against being thrown into the stair well or into the dash or windshield and shall be padded to give knee and head impact protection. The barrier shall conform to S5.2 of FMVSS 222, except that barrier width and barrier/seat separation shall be as required in paragraph (a)(1) and (2).~~

~~1) The width of the barrier shall be reduced only as necessary to maintain a 12" wide aisle and service entrance way.~~

~~2) The horizontal distance between the rear surface of the barrier and the front surface of the seat back shall be not less than 23".~~

~~3) The vertical distance between the floor and the bottom of the barrier shall not exceed 2" at any point.~~

~~4) Except for the grab handle required in Section 442.275(d), the barrier shall not extend more than one inch ahead of the rear of the service door opening and no more than one inch into the space above a service entrance step.~~

~~5) No portion of the barrier shall present a "snagging", sharp, tripping or other hostile surface to a person moving through the aisle or service entrance way.~~

~~b) Type B – Stanchion Guard Panel: A stanchion post shall be installed to the rear and left of the entrance step well from the roof to the floor. Placement shall not restrict passageway at any level in either the service entrance door area or the aisle to less than 12".~~

~~1) A guard rail and step well guard panel – sometimes called "modesty panel" – shall be installed from the step well stanchion to the right wall to~~

~~guard nonrestrained right front seat passengers against being thrown into the step well or the dash or the windshield. The guard rail shall be approximately 30" above the floor and its guard panel shall not restrict the entrance passageway at any level. The panel shall extend from the guard rail to within two inches of the floor. The guard panel shall be positioned or flanged to avoid having its lower edge extended over the step well. The guard panel shall be at least 23" ahead of the front surface of the seat back on the right front seat.~~

~~2) All stanchions and guard rails shall be a minimum of one inch outside diameter steel or equivalent strength tubing.~~

~~3) Devices used to fasten the stanchion, guard rail and step well guard panel shall be of sufficient strength to hold in place if struck by passenger weight in a collision.~~

~~4) Padding shall be applied to the stanchion and shall extend to within three inches of the bus ceiling and to within three inches of the bus floor. Padding on the guard rail shall extend from the bus wall to the point of support on the stanchion.~~

(Source: Repealed at 31 Ill. Reg. 8238, effective May 25, 2007)

Section 442.285 Stop Signal Arm Panel

a) A stop signal arm panel must be installed on the left side of the bus that conforms to 49 CFR 571.131. ~~The panel may be operated either manually or mechanically.~~ Decals may be used in lieu of painting. Strobe lamps are acceptable on stop signal arm panels. See Appendix E for example.

~~b) "Operated...mechanically" shall be interpreted to include power operation. Also, "16-gauge metal" shall be interpreted to include thicker metal and any nonmetallic material equivalent or superior to hot rolled 16-gauge mild steel in stiffness, corrosion resistance, and durability.~~

b~~c~~) Additional stop signal arm panels may be added at the purchaser's request. Additional panels must be located on the left side of the bus. Additional panels must operate in conjunction with the required panel and meet all stop arm panel requirements except as follows. The additional panel must not contain any ~~lights,~~

marking or reflective material on the front side of the panel. The additional panel must be located in the rear half of the bus adjacent to the rearmost window.

(Source: Amended at 31 Ill. Reg. 8238, effective May 25, 2007)

SUBPART C: CHASSIS REQUIREMENTS

Section 442.455 Horn

The bus shall be equipped with at least one horn *capable of emitting sound audible under normal conditions from a distance of not less than 200 feet.* (Section 12-601 of the Code) The horn shall be conveniently controlled from the operator's position and tested in accordance with SAE Standard J377.

(Source: Amended at 31 Ill. Reg. 8238, effective May 25, 2007)

Section 442.465 Instruments

The bus shall be equipped with the following nonglare illuminated instruments and gauges mounted for easy maintenance and repair and in such a manner that each is clearly visible to the seated operator. An indicator light in lieu of a pressure or temperature gauge is permissible.

a) Speedometer

b) Odometer

c) Fuel Gauge

d) Oil Pressure Gauge

e) Water Temperature Gauge

f) Ampere Meter or Volt Meter~~Ammeter (voltmeter)~~ with graduated charge and discharge indications

(Source: Amended at 31 Ill. Reg. 8238, effective May 25, 2007)

SUBPART D: ELECTRICAL SYSTEMS~~SYSTEM~~ REQUIREMENTS

Section 442.605 Battery and Battery Compartment

a) The storage battery shall be a nominal 12-volt type. It shall be of sufficient capacity to supply all electrical requirements but shall be rated, as specified in SAE Standard J537, not less than either 70-ampere hours at the 20-hour discharge rate ~~specified in SAE J537e~~ or 105-minutes at the 25-ampere discharge rate ~~specified in SAE J537h~~.

b) When the battery is mounted outside the engine compartment, it shall be attached securely in a closed, weather-tight, and vented compartment that is located and arranged so as to provide for convenient routine servicing. The battery compartment door, or cover, shall be secured by an adequate manually-operated latch or fastener. Each electrical cable connecting the battery in this compartment to the body or chassis shall be one piece between the battery terminal connector and the first body or chassis terminal connector.

(Source: Amended at 31 Ill. Reg. 8238, effective May 25, 2007)

Section 442.615 Lamps, Reflectors, and Signals

a) See the FMVSS for requirements (49 CFR 571.108). Light Emitting Diode (LED) lamps that meet applicable FMVSS or SAE Standards or SAE Recommended Practices are acceptable.

b) Alternately Flashing Signal Lamps. Each bus shall be equipped with an eight lamp alternately flashing signal system that conforms to S5.1.4(b) of the FMVSS 108 (49 CFR 571.108) and Section 12-805 of the Code~~625 ILCS 5/12-805~~. A separate circuit breaker and a master switch shall be provided for this signal system. When in its "off" position, this master switch shall prevent operation of the eight lamp system; shall prevent operation of any lamps mounted on the stop signal arm panel required under subsection (hh); and shall prevent operation of any electrically controlled mechanism that would cause the stop signal arm panel to extend. The controls for the eight lamp flashing signals, the stop signal arm panel, and the service entrance door shall be arranged so as to provide for the following sequence of operations while the engine is running:

1) Place the alternately flashing signal system master switch in its "off" position. Close and secure the service entrance door. Actuate the alternately flashing signal system hand or foot control. The alternately

flashing signal lamps of either yellow (amber) or red color shall not go on.

2) With the master switch "off" and the hand or foot control actuated, open the service door. The alternately flashing signals of either color shall not go on and the stop signal arm panel shall not extend.

3) Deactivate the hand or foot control. Place the alternately flashing signal system master switch in its "on" position. Close and secure the service door. Then open the service door. The alternately flashing signal lamps of either color shall not go on and the stop signal arm panel shall not extend.

4) Close and secure the service door. Actuate the alternately flashing signal system by hand or foot control. A yellow pilot lamp in the view of the driver and the yellow alternately flashing signals shall go on.

5) Desecure but do not open the service door. The yellow pilot and the yellow alternately flashing signals shall go off. A red pilot lamp in the view of the driver and the red alternately flashing signals shall go on. The stop signal arm panel shall extend.

6) Fully open the service door. The red pilot and red signals shall remain on and the stop arm shall remain extended.

7) Close but do not secure the service door. The red pilot and red signals shall remain on and the stop arm shall remain extended.

8) Open the service door. The red pilot and red signals shall remain on and the stop arm shall remain extended.

9) Close and secure the service door. The red pilot and red signals shall go off and the stop arm shall retract.

10) Open the service door. Alternately flashing signals of either color shall not go on and the stop arm shall not extend.

c) Interior Lighting. A minimum of two interior dome lamps shall be installed to adequately illuminate the entire aisle, the emergency passageway, and the stepwell. At least the nosings of the service entrance steps and the floor around

the stepwell shall be illuminated automatically by opening of the service door. No lamp shall be installed at or near the eye level of a pupil moving through the service entranceway to the aisle unless such lamp does not shine directly into the eyes~~eye(s)~~ of any such pupil. For buses designed to transport 33 or more passengers, at least two interior illumination lamps shall be installed.

d) Rear Turn Signals. Yellow turn signal lamps shall be mounted on the rear as far apart as practical and as high as practical but below the rear window. The effective projected illuminated area of these turn signal lamps shall be no less than required for the yellow alternately flashing signal lamps required under subsection (b) of this Section; i.e., .0122 m^2 (19 in^2).

e) Side Turn Signals. Two yellow side turn signal lamps conforming to SAE J914 shall be installed on each bus designed to transport 33 or more passengers~~a are required~~. The lamps shall be "armored" and mounted on the body between the rub rails required in~~under~~ Section 442.260. The right lamp shall be within 1 m (39.4") of the rear of the service entrance. The left lamp shall be approximately the same distance from the front bumper as the right lamp.

f) Stop Signals. Red stop lamps shall be mounted on the rear as far apart as practical but closer to the vertical centerline of the bus than the rear turn signal lamps required in subsection (d) of this Section, and at the same height as those turn signal lamps. The effective projected illuminated area of these stop lamps shall be no less than required for the red alternately flashing signal lamps required under subsection (b) of this Section, i.e., .0122 m^2 (19 in^2).

g) Strobe:

1) *One per bus;*

2) *Shall emit white or bluish-white light;*

3) *Shall be visible from any direction;*

4) *Shall flash 60 to 120 times per minute;*

5) *Shall be visible in normal sunlight;*

6) *Mounted at or behind center of rooftop and equal distance from each side.*

Distance from rear will be calculated by measuring height of filament and multiplying same by 30 inches (i.e., filament height measured from the base of the strobe x 30 = distance from rear of bus where lamp is to be located). (Section 12-815 of the Code)

7) If a roof exit, air conditioner, or the size of the bus interferes with the placement of a strobe as required by subsection (g)(6), the strobe can be placed to the rear of the roof exit or air conditioner as near as practicable above the rear axle and horizontally centered between the rear tires.

h) Reflectors.

1) Front:

A) *Two yellow rigid or sheet type (tape) front reflex reflectors shall be attached securely and as far forward as practicable.* (Section 12-202 of the Code)

B) The front reflectors shall be located between 15 and 60 inches above the roadway at either fender, cowl, or body and installed so as to mark the outer edge of the maximum width of the bus.

C) No part of the required reflecting material may be obscured by a lamp, mirror, bracket, or any other portion of the bus. No part of the required reflecting material may be more than 11.8 inches (300 mm) inboard of the outer edge of the nearest rub rail (12 inches on a bus with chassis manufactured in March 1977 or earlier).

D) The reflector may be any shape (e.g., square, rectangle, circle, oval, etc.). A rigid type reflex reflector may be any size if permanently marked either DOT, SAE A, or SAE J 594; otherwise, it shall display at least seven square inches of reflecting material (about 3 inch diameter if a solid circle).

E) A sheet type (tape) reflex reflector may conform to the surface on which it is installed but its forward projected reflecting area shall be at least eight square inches.

F) Exception: Buses that measure less than 80 inches wide are

exempt. (49 CFR 571.108)

2) Left Side:
One amber no more than 12 inches from the front and one red no more than 12 inches from the rear. Mounted at a height not less than 15 inches and not more than 60 inches above the surface of the road. (Section 12-202 of the Code) On buses 20 feet or more in length, one amber as near center as practicable must also be provided. Reflectors must measure a minimum three inches in diameter.

3) Right Side:
One amber no more than 12 inches from the front and one red no more than 12 inches from the rear. Mounted at a height not less than 15 inches and not more than 60 inches above the surface of the road. (Section 12-202 of the Code) On buses 20 feet or more in length, one amber as near center as practicable must also be provided. Reflectors must measure a minimum three inches in diameter.

4) Rear:

A) *Two red reflectors on rear body within 12 inches of lower right and lower left corners.* (Section 12-202 of the Code) Minimum three inches in diameter.

B) Exception: Buses that measure less than 80 inches wide are exempt. (49 CFR 571.108)

AGENCY NOTE: See Section 442.258 for retroreflective tape requirements.

(Source: Amended at 31 Ill. Reg. 8238, effective May 25, 2007)

Section 442.620 Wiring

a) See the FMVSS for requirements (49 CFR 571).

b) All wiring for lamps and other electrical devices shall be as recommended for automobiles, motor coaches, and heavy duty starting motor circuits in SAE Recommended Practices J1292~~J556, J555a~~ and J541a and in other practices or standards referenced in the SAE Recommended Practices, unless specifically

preempted by the FMVSS or this Part.

c) Manufacturer's circuit arrangements are acceptable; however, a separate circuit for the alternately flashing signal lamps and stop signal arm lamps shall be installed.

d) Extra fuses~~fuse(s)~~ for each size of fuse used on the bus may be conveniently mounted on the bus body if specified by the purchaser.

e) A noise suppression switch that is capable of turning off noise producing accessories, including, but not limited to, heater blowers, defroster fans, auxiliary fans and radios, must be present. (See Section 12-815.2 of the Code.)

(Source: Amended at 31 Ill. Reg. 8238, effective May 25, 2007)

SUBPART E: EQUIPMENT REQUIREMENTS

Section 442.715 Warning Devices (Optional)~~Warning Devices for Disabled Vehicles (Purchaser's Option)~~

AGENCY NOTE: School buses weighing more than 8,000 pounds and operated upon any highway outside an urban district must carry warning devices, but the bus purchaser may elect to install the warning devices after the bus is purchased.

a) The warning devices must be securely stored. The warning devices required for use when lighted lamps are required (see Section 12-201(b) of the Code) shall consist of:

1) At least three liquid-burning flares and three red-burning 15-minute fusees; or

2) Three red electric lanterns; or

3) Three portable red emergency reflectors that meet FMVSS 125.

b) In addition, the following warning devices are also required for use when lighted lamps are not required (see Section 12-201(b) of the Code):

1) Two red cloth flags (not less than 12 inches square with standards to support flags); or

2) Two portable emergency reflectors that meet FMVSS 125. (The reflectors in subsection (a)(3) of this Section qualify for this option.) (See Section 12-702(a) and (c) of the Code.)

~~*Emergency warning devices are required to be carried on school buses weighing more than 8,000 pounds and operated upon any highway outside an urban district*. The warning devices must be securely stored. *The warning devices shall consist of*:~~

~~a) *At least three portable red emergency* reflective devices *that conform to 49 CFR 571.125; and*~~

~~b) *At least two red cloth flags, not less than 12 inches square, with standards to support the flags; or in lieu of the flags,* at least *two additional portable emergency* reflective devices *that conform to 49 CFR 571.125.* (Section 12-702 of the Code)~~

~~AGENCY NOTE: The purchaser may elect to install the warning devices after the bus is purchased.~~

(Source: Amended at 31 Ill. Reg. 8238, effective May 25, 2007)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

1) Heading of the Part: Sport Fishing Regulations for the Waters of Illinois

2) Code Citation: 17 Ill. Adm. Code 810

3) Section Number: 810.45 — Emergency Action: Amendment

4) Statutory Authority: Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5]

5) Effective Date of Emergency Amendment: May 25, 2007

6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: Not applicable

7) Date filed with the Index Department: May 24, 2007

8) A copy of the emergency amendment, including any material incorporated by reference, is on file in the Department of Natural Resource's principal office and is available for public inspection.

9) Reason for Emergency: This emergency amendment is being filed to provide immediate protection of personal property and human safety by designating fishing in the Fox River Marina in Lake County Forest Preserve, Lake County, as bank fishing only.

10) A Complete Description of the Subjects and Issues Involved: The Lake County Forest Preserve District is experiencing problems with boat fishermen blocking the entrance into the Marina and snagging parked boats with lures. The Marina is located on public water, however, fishing in such a small Marina interferes with ingress and egress and threatens boat damage and personal injury. Pursuant to 615 ILCS 5/18 of the Rivers, Lakes and Streams Act, the Forest Preserve District does not have authority to prohibit fishing from boats in the Marina and has requested the Department's assistance. The District allows, and will continue to allow, bank fishing.

11) Are there any proposed amendments pending on this Part? Yes

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Section Number:	Proposed Action:	Illinois Register Citation:
810.45	Amendment	31 Ill. Reg. _____; June 8, 2007

12) Statement of Statewide Policy Objective: This rulemaking will not affect units of local governments.

13) Information and questions regarding this emergency amendment shall be directed to:

Jack Price, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

The full text of the Emergency Amendment begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFE

PART 810
SPORT FISHING REGULATIONS FOR THE WATERS OF ILLINOIS

Section
810.10 Sale of Fish and Fishing Seasons
810.20 Snagging
810.30 Pole and Line Fishing Only (Repealed)
810.35 Statewide Sportfishing Regulations – Daily Catch and Size Limits
810.37 Definitions for Site Specific Sportfishing Regulations
810.40 Daily Catch and Size Limits (Repealed)
810.45 Site Specific Water Area Regulations
EMERGENCY
810.50 Bait Fishing
810.60 Bullfrogs (Repealed)
810.70 Free Fishing Days
810.80 Emergency Protective Regulations
810.90 Fishing Tournament Permit
810.100 Bed Protection

AUTHORITY: Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5].

SOURCE: Adopted at 5 Ill. Reg. 751, effective January 8, 1981; codified at 5 Ill. Reg. 10647; amended at 6 Ill. Reg. 342, effective December 23, 1981; amended at 6 Ill. Reg. 7411, effective June 11, 1982; amended at 7 Ill. Reg. 209, effective December 22, 1982; amended at 8 Ill. Reg. 1564, effective January 23, 1984; amended at 8 Ill. Reg. 16769, effective August 30, 1984; amended at 9 Ill. Reg. 2916, effective February 26, 1985; emergency amendment at 9 Ill. Reg. 3825, effective March 13, 1985, for a maximum of 150 days; emergency expired August 10, 1985; amended at 9 Ill. Reg. 6181, effective April 24, 1985; amended at 9 Ill. Reg. 14291, effective September 5, 1985; amended at 10 Ill. Reg. 4835, effective March 6, 1986; amended at 11 Ill. Reg. 4638, effective March 10, 1987; amended at 12 Ill. Reg. 5306, effective March 8, 1988; emergency amendment at 12 Ill. Reg. 6981, effective April 4, 1988, for a maximum of 150

days; emergency expired September 1, 1988; emergency amendment at 12 Ill. Reg. 10525, effective June 7, 1988, for a maximum of 150 days; emergency expired November 4, 1988; amended at 12 Ill. Reg. 15982, effective September 27, 1988; amended at 13 Ill. Reg. 8419, effective May 19, 1989; emergency amendment at 13 Ill. Reg. 12643, effective July 14, 1989, for a maximum of 150 days; emergency expired December 11, 1989; emergency amendment at 13 Ill. Reg. 14085, effective September 4, 1989, for a maximum of 150 days; emergency expired February 1, 1990; emergency amendment at 13 Ill. Reg. 15118, effective September 11, 1989, for a maximum of 150 days; emergency expired February 8, 1990; amended at 14 Ill. Reg. 6164, effective April 17, 1990; emergency amendment at 14 Ill. Reg. 6865, effective April 17, 1990, for a maximum of 150 days; emergency expired September 19, 1990; amended at 14 Ill. Reg. 8588, effective May 21, 1990; amended at 14 Ill. Reg. 16863, effective October 1, 1990; amended at 15 Ill. Reg. 4699, effective March 18, 1991; emergency amendment at 15 Ill. Reg. 5430, effective March 27, 1991, for a maximum of 150 days; emergency expired August 24, 1991; amended at 15 Ill. Reg. 9977, effective June 24, 1991; amended at 15 Ill. Reg. 13347, effective September 3, 1991; amended at 16 Ill. Reg. 5267, effective March 20, 1992; emergency amendment at 16 Ill. Reg. 6016, effective March 25, 1992, for a maximum of 150 days; emergency expired August 22, 1992; amended at 16 Ill. Reg. 12526, effective July 28, 1992; amended at 17 Ill. Reg. 3853, effective March 15, 1993; emergency amendment at 17 Ill. Reg. 5915, effective March 25, 1993, for a maximum of 150 days; emergency expired August 22, 1993; amended at 17 Ill. Reg. 10806, effective July 1, 1993; amended at 18 Ill. Reg. 3277, effective February 28, 1994; emergency amendment at 18 Ill. Reg. 5667, effective March 25, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 12652, effective August 9, 1994; amended at 19 Ill. Reg. 2396, effective February 17, 1995; emergency amendment at 19 Ill. Reg. 5262, effective April 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 10614, effective July 1, 1995; amended at 20 Ill. Reg. 4640, effective March 6, 1996; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 21 Ill. Reg. 9389; amended at 21 Ill. Reg. 4709, effective April 1, 1997; emergency amendment at 21 Ill. Reg. 5590, effective April 15, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 12140, effective August 26, 1997; amended at 22 Ill. Reg. 4930, effective March 2, 1998; amended at 23 Ill. Reg. 3434, effective March 8, 1999; emergency amendment at 23 Ill. Reg. 7317, effective June 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 8406, effective July 7, 1999; amended at 24 Ill. Reg. 3736, effective February 25, 2000; amended at 25 Ill. Reg. 6296, effective March 26, 2001; emergency amendment at 25 Ill. Reg. 7947, effective June 16, 2001, for a maximum of 150 days; emergency amendment at 25 Ill. Reg. 9912, effective August 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 11386, effective August 14, 2001; emergency amendment at 25 Ill. Reg. 12122, effective September 15, 2001, for a maximum of 150 days; amended at 26 Ill. Reg. 1210, effective January 16, 2002; amended at 26 Ill. Reg. 4294, effective March 6, 2002; amended at 27 Ill. Reg. 3376, effective February 14, 2003; amended at 28 Ill. Reg. 4607, effective March 1, 2004; amended at 29 Ill. Reg. 3955,

effective February 24, 2005; amended at 30 Ill. Reg. 4810, effective March 1, 2006; amended at 31 Ill. Reg. 3480, effective February 16, 2007; emergency amendment at 31 Ill. Reg. 8265, effective May 25, 2007, for a maximum of 150 days.

Section 810.45 Site Specific Water Area Regulations
EMERGENCY

Fishing regulations, including species of fish, fishing methods and daily catch limits are listed for each water area. The numbers in parenthesis refer to the corresponding numbered definitions in Section 810.37 of this Part. If a water area is not listed or if a specific species is not listed, then state-wide restrictions apply. Check the bulletin boards at the specific site for any emergency changes to regulations.

Anderson Lake Fish and Wildlife Area (33)
Fulton County

Andover Lake, City of Andover
Henry County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Anna City Lake, City of Anna
Union County

All fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish	- 8" Minimum Length Limit
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Apple River and tributaries, State of Illinois
Jo Daviess County

All Fish	- 2 Pole and Line Fishing Only (1)
Smallmouth Bass	- 14" Minimum Length Limit
Trout	- Spring Closed Season (11)

Argyle Lake, Argyle Lake State Park
McDonough County

Recreational Use Restrictions	- All live bait in excess of 8" must be rigged

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

	with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Hybrid Walleye	- 3 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 1 Fish > 15" and/or 5 < than 12" Daily (12)
Trout	- Fall Closed Season (10)
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit

Arrowhead Heights Lake, Village of Camp Point
Adams County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Arrowhead Lake, City of Johnston City
Williamson County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 15 Fish Daily Creel Limit

Ashland City Old Reservoir #4611, City of Ashland
Morgan County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Ashland City Reservoir, City of Ashland
Morgan County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Auburn Park Lagoon, Chicago Park District
Cook County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 4 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Axehead Lake, Cook County Forest Preserve
Cook County

All Fish	- 2 Pole and Line Fishing Only (1) (36)
Large or Smallmouth Bass	- 14" Minimum Length
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)

Bakers Lake, City of Peru
LaSalle County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Baldwin Lake, Baldwin Lake Conservation Area
Randolph County

All Fish	- 2 Pole and Line Fishing Only (1) (5)
Large or Smallmouth Bass	- 18" Minimum Length Limit
Striped, White, or Hybrid Striped Bass	- 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit

Banana Lake, Lake County Forest Preserve District
Lake County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 3 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)

Banner Marsh Lake & Ponds, Banner Marsh State Fish and Wildlife Area (33)
Peoria/Fulton Counties

Recreational Use Restrictions	- All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1) (34)

Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Large or Smallmouth Bass	- 12"-18" Protected Slot Length Limit (no possession)
Pure Muskellunge	- 42" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit

Bass Lake, DuPage County Forest Preserve District
DuPage County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 3 Fish Daily Creel Limit
Channel Catfish	- 12" Minimum Length Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 15 Fish Daily Creel Limit

Batchtown Wildlife Management Area (33)
Calhoun County

Baumann Park Lake, City of Cherry Valley
Winnebago County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Beall Woods Lake, Beall Woods Conservation Area
Wabash County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Trout	- Spring Closed Season (11)
Trout	- Fall Closed Season (10)

Beaver Dam Lake, Beaver Dam State Park
Macoupin County

All Fish	- 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Trout	- Fall Closed Season (10)
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit

Beck Lake, Cook County Forest Preserve District
Cook County

All Fish	- 2 Pole and Line Fishing Only (1) (36)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye	- 18" Minimum Length Limit

Belk Park Pond, City of Wood River
Madison County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Belleau Lake, Cook County Forest Preserve District
Cook County

All Fish	- 2 Pole and Line Fishing Only (36)
Large or Smallmouth Bass	- 14" Minimum Length Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)

Belvidere Ponds, City of Belvidere
Boone County

Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Bevier Lagoon, Waukegan Park District
Lake County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Big Rock Quarry, Kane County Forest Preserve District
Kane County

All Fish	- 2 Pole and Line Fishing Only (1)
Trout	- Spring Closed Season (11)

Bird Park Quarry, City of Kankakee
Kankakee County

Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)

Borah Lake, City of Olney
Richland County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Boston Pond, Stephen A. Forbes State Park
Marion County

Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)

Bowen Lake, City of Washington
Tazewell County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 12"-15" Protected Slot Length Limit (no possession)
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Braidwood Lake State Fish and Wildlife Area (41)
Will County

Recreational Use Restrictions	- Braidwood Lake is closed to all fishing and boat traffic, except for legal waterfowl hunters, from 10 days prior to duck season through the day before duck season and is closed to all fishing during waterfowl season commencing with regular duck season through the close of

	the Canada goose and regular duck season
All Fish	- 2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
White, Black or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit

Breeze JC's Park Pond, City of Breeze
Clinton County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Buckner City Reservoir, City of Buckner
Franklin County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit

Bullfrog Lake, Cook County Forest Preserve District
Cook County

All Fish	- 2 Pole and Line Fishing Only (1) (36)
Large or Smallmouth Bass	- 14" Minimum Length Limit
Bluegill or Redear Sunfish	- 8" Minimum Length Limit
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit

Bunker Hill Lake, City of Bunker Hill
Macoupin County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Burrells Wood Park Pond
White County

Channel Catfish	- 6 Fish Daily Creel Limit

Busse Lake, Cook County Forest Preserve

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Cook County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish	- 8" Minimum Length Limit
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye	- 18" Minimum Length Limit

Cache River State Natural Area (19)
Pulaski/Johnson Counties

All Fish	- 2 Pole and Line Fishing Only (1)
All Fish	- No Seines

Calhoun Point Wildlife Management Area (33)
Calhoun County

Calumet River
Cook County

Yellow Perch	- 15 Fish Daily Creel Limit
Yellow Perch	- Closed During July

Campbell Pond Wildlife Management Area (19)
Jackson County

Campus Lake – Southern Illinois University, State of Illinois
Jackson County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Campus Pond – Eastern Illinois University, State of Illinois
Coles County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)

Canton Lake, City of Canton
Fulton County

Recreational Use Restrictions	- All live bait in excess of 8" must be rigged

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

	with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1)
Channel or Blue Catfish (14)	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Carbondale City Reservoir, City of Carbondale
Jackson County

Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Carlinville Lake #1, City of Carlinville
Macoupin County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Carlinville Lake #2, City of Carlinville
Macoupin County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Carlton Silt Basin, State of Illinois
Whiteside County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish	- 8" Minimum Length Limit
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Large or Smallmouth Bass	- Catch and Release Fishing Only (9)

Carlyle Lake, U.S. Army Corps of Engineers (20) (33)
Clinton/Bond/Fayette Counties

Large or Smallmouth Bass	- 14" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 10" Minimum Length Limit

Carthage Lake, City of Carthage
Hancock County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Casey Park Pond, City of Casey
Clark County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 15 Fish Daily Creel Limit of which only 5 fish over 8" are allowed
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Cedar Lake, U.S. Forest Service and City of Carbondale
Jackson County (19)

All Fish	- 2 Pole and Line Fishing Only (1) (5)
Large or Smallmouth Bass	- 14"-18" Protected Slot Length Limit (no possession)
Large or Smallmouth Bass (14)	- 5 Fish Under 14" and 1 Fish over 18" Daily Creel Limit (38)
Striped, White, or Hybrid Striped Bass	- 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16)	- 3 Fish Daily Creel Limit

Centralia Foundation Park Catfish Pond, Centralia Park Foundation
Marion County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Centralia Lake, City of Centralia
Marion County

Large or Smallmouth Bass	- 15" Minimum Length Limit

Cermack Quarry, Cook County Forest Preserve District
Cook County

All Fish	- 2 Pole and Line Fishing Only (1) (36)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Champaign Park District Lakes (Kaufman Lake, Heritage Lake, and Mattis Lake), Champaign Park District
Champaign County

All Fish	- 2 Pole and Line Fishing Only (1)

Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Charleston Lower Channel Lake, City of Charleston
Coles County

All Fish	- 2 Pole and Line Fishing Only (1)

Charleston Side Channel Lake, City of Charleston
Coles County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Striped, White, or Hybrid Striped Bass	- 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass(16)	- 3 Fish Daily Creel Limit
White, Black or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit for Fish Under 10"; 10 Fish Daily Creel Limit for Fish 10" and Longer (23)

Charlie Brown Lake & Pond, City of Flora
Clay County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Charter Oak North – Peoria Park District Lake, Peoria Park District
Peoria County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Charter Oak South – Peoria Park District Pond, Peoria Park District
Peoria County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Chauncey Marsh (19)
Lawrence County

Chautauqua Lake North Pool, U.S. Fish and Wildlife Service
Mason County

Recreational Use Restrictions	- Lake Chautauqua North Pool will be closed to boat fishing from October 15 through January 14 - Bank fishing will be allowed in selected areas only - Ice fishing will be allowed following the January 15 reopening
Black, White, or Hybrid Crappie	- 10" Minimum Length Limit (except, when the Illinois River overflows the levee system of the North Pool, there is no minimum length limit)
Black, White, or Hybrid Crappie (15)	- 15 Fish Daily Creel Limit (except, when the Illinois River overflows the levee system of the North Pool, there is no daily creel limit)
Largemouth Bass	- 15" Minimum Length Limit (12" minimum length limit when the Illinois River overflows the levee system of the North Pool)

Chenoa City Lake, City of Chenoa
McLean County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Chicago River (including its North Branch, South Branch, and the North Shore Channel)
Cook County

Yellow Perch	- 15 Fish Daily Creel Limit
Yellow Perch	- Closed During July

Christopher Old City Lake, City of Christopher
Franklin County

All Fish	- 2 Pole and Line Fishing Only (1)

Channel Catfish	- 6 Fish Daily Creel Limit

Citizen's Lake, City of Monmouth
Warren County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 6 Fish Daily Creel Limit 1 Fish Over 15" and 5 Fish under 12" Daily Creel Limit (12)
Trout	- Fall Closed Season (10)

Clear Lake, Kickapoo State Park
Vermilion County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)

Clinton Lake, Clinton Lake State Recreation Area (19)
DeWitt County

All Fish	- 2 Pole and Line Fishing Only (1) (18) (36)
Large or Smallmouth Bass	- 16" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Striped, White, or Hybrid Striped Bass (16)	- 10 Creel/3 Fish 17" or Longer Daily (17)
White, Black, or Hybrid Crappie (15)	- 15 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit

Coffeen Lake, Coffeen Lake State Fish and Wildlife Area
Montgomery County

Channel Catfish	- All jugs must be attended at all times while fishing (2)
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 10" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Striped, White, or Hybrid Striped Bass	- 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16)	- 3 Fish Daily Creel Limit

Coles County Airport Lake, Coles County Airport
Coles County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Coleta Trout Pond, State of Illinois
Whiteside County

Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)

Columbus Park Lagoon, Chicago Park District
Cook County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 4 Fish Daily Creel Limit

Commissioners Park Pond, Alsip Park District
Cook County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Conservation World Ponds, Illinois State Fairgrounds
Sangamon County

Fishing by special permit only for senior groups, children's groups or group guests of the Director. Apply for permit by writing to: Department of Natural Resources, Division of Fisheries, One Natural Resources Way, Springfield IL 62702

Cook Co. F.P.D. Lakes, Cook County Forest Preserve District
Cook County

All Fish	- 2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass	- 14" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye	- 18" Minimum Length Limit

Coulterville City Lake, City of Coulterville
Randolph County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Crab Orchard National Wildlife Refuge – Crab Orchard Lake, U.S. Fish and Wildlife Service (19)
Williamson County

All Fish	- 2 Pole and Line Fishing Only (1) (4)
Striped, White, or Hybrid Striped Bass (16)	- 10 Creel/3 Fish 17" or Longer Daily (17)
Large or Smallmouth Bass	- 16" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Crab Orchard National Wildlife Refuge – Devil's Kitchen Lake, U.S. Fish and Wildlife Service (19)
Williamson County

All Fish	- 2 Pole and Line Fishing Only (1)

Crab Orchard National Wildlife Refuge – Little Grassy Lake, U.S. Fish and Wildlife Service (19)
Williamson County

All Fish	- 2 Pole and Line Fishing Only (1) (5)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 12-15" Slot Length Limit (3)

Crab Orchard National Wildlife Refuge Ponds (30), plus Prairie Pond and Ann Manns Lake (19), U.S. Fish and Wildlife Service
Williamson County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit

Crawford Co. Cons. Area – Picnic Pond, Crawford County Conservation Area
Crawford County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Trout	- Fall Closed Season (10)

Crawford Co. Cons. Area Ponds, Crawford County Conservation Area

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Crawford County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit

Crull Impoundment Wildlife Management Area (33)
Jersey County

Crystal Lake, Urbana Park District
Champaign County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 3 Fish Daily Creel Limit

Cypress Creek National Wildlife Refuge - All Ponds, U.S. Fish and Wildlife Service
Johnson/Pulaski/Union Counties

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit

Cypress Creek National Wildlife Refuge - Cache River from Rt. 37 to Rt. 51 in Ullin, U.S. Fish and Wildlife Service
Johnson/Pulaski Counties

All Fish	- 2 Pole and Line Fishing Only (1)
All Fish	- No Seines

Dawson Lake & Park Ponds, Moraine View State Park
McLean County

All Fish	- 2 Pole and Line Fishing Only (1) (44)
Bluegill or Redear Sunfish (14)	- 15 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye (14)	- 3 Fish Daily Creel Limit
White, Black or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit

Decatur Park Dist. Ponds, City of Decatur
Macon County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit (except for Fairview Park – Dreamland Pond, which

has a 3 Fish Daily Creel Limit)

Deep Pit Lake, Boone County Conservation District
Boone County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Deep Quarry Lake, DuPage County Forest Preserve District
DuPage County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 3 Fish Daily Creel Limit
Channel Catfish	- 12" Minimum Length Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Walleye, Sauger, or Hybrid Walleye	- 16" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye (14)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 15 Fish Daily Creel Limit

Defiance Lake, Moraine Hills State Park
McHenry County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Des Plaines River Basin (Hoffman Dam to 47th Street Bridge, including tributaries)
Cook County

Channel Catfish	- 15" Minimum Length Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- Catch and Release Only – No Harvest Permitted (9)
Northern Pike	- 30" Minimum Length Limit
Northern Pike	- 1 Fish Daily Creel Limit
White, Black or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit
Walleye, Sauger, or Hybrid Walleye	- 18" Minimum Length Limit

Walleye, Sauger, or Hybrid Walleye (14)	- 1 Fish Daily Creel Limit

Des Plaines River Conservation Area (19)
Will County

Diamond Lake, City of Mundelein
Lake County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Dog Island Wildlife Management Area (19)
Pope County

Dolan Lake, Hamilton County Conservation Area
Hamilton County

All Fish	- 2 Pole and Line Fishing Only (1)
All Fish	- Catch and Release Fishing Only (9)

Donnelley State Wildlife Area (33)
Bureau County

Double "T" State Fish and Wildlife Area, State of Illinois
Fulton County

Recreational Use Restrictions	- Waterfowl Refuge or Hunting Area (all use other than waterfowl hunting is prohibited from October 1 through the end of the central zone Canada goose season)
	- All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit
Channel or Blue Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 21" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Pure Muskellunge	- 42" Minimum Length Limit

White, Black, or Hybrid Crappie	- 10" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit

Douglas Park Lagoon, Chicago Park District
Cook County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 4 Fish Daily Creel Limit

DuPage County Forest Preserve District Lakes and Ponds (excluding Bass Lake, Deep Quarry Lake, and Grove Lake), DuPage County Forest Preserve District
DuPage County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Channel Catfish	- 12" Minimum Length Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Walleye, Sauger, or Hybrid Walleye	- 16" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye (14)	- 3 Fish Daily Creel Limit
White, Black or Hybrid Crappie	- 9" Minimum Length Limit
White, Black or Hybrid Crappie (15)	- 15 Fish Daily Creel Limit

DuPage River – West Branch (between the dams located in the McDowell Grove Forest Preserve and the Warrenville Grove Forest Preserve)
DuPage County

Large or Smallmouth Bass	- Catch and Release Fishing Only (9)

East Fork Lake, City of Olney
Richland County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit

Eldon Hazlet State Park (19) (See Also Carlyle Lake)
Clinton County

Elkville City Reservoir, City of Elkville
Jackson County

Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Elliott Lake, Wheaton Park District
DuPage County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Evergreen Lake, City of Bloomington
McLean County

Recreational Use Restrictions	- All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1) (5)
Large or Smallmouth Bass	- 15" Minimum Length Limit
Pure Muskellunge	- 48" Minimum Length Limit (40)
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit

Fairgrounds Pond – Fort Massac State Park, State of Illinois
Massac County

Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)

Fairview Park – Dreamland Pond, City of Decatur
Macon County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 3 Fish Daily Creel Limit

Ferne Clyffe Lake, Ferne Clyffe State Park
Johnson County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)

Flatfoot Lake, Cook County Forest Preserve District
Cook County

All Fish	- 2 Pole and Line Fishing Only (1) (36)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Foli Park Pond, Village of Plano
Kendall County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Forbes State Lake, Stephen A. Forbes State Park (19)
Marion County

Recreational Use Restrictions	- All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1) (5)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Pure Muskellunge	- 48" Minimum Length (40)
Striped, White, or Hybrid Striped Bass	- 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16)	- 3 Fish Daily Creel Limit

Forbes State Park Ponds, Stephen A. Forbes State Park (19)
Marion County

All Fish	- 2 Pole and Line Fishing Only (1) (5)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Forest Park Lagoon, City of Shelbyville
Shelby County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)

Fort de Chartres Historic Site (19)
Randolph County

Four Lakes, Winnebago County Forest Preserve
Winnebago County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Fox Chain O'Lakes (including the Fox River south of the Wisconsin-Illinois boundary to the Algonquin Dam and the Nippersink Creek upstream to the Wilmot Road Bridge) (6) (Applies to Grass Lake and Nippersink Lake State Managed Blind Areas Only (19)), State of Illinois
Lake and McHenry Counties

Recreational Use Restrictions	- All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1) only on State Park property bordering the Fox River and Grass Lake
Large or Smallmouth Bass	- 14" Minimum Length Limit (6)
Large or Smallmouth Bass (14)	- 6 Fish Daily Creel Limit of which no more than 3 can be Smallmouth Bass
Pure Muskellunge	- 48" Minimum Length Limit (40)
Smallmouth Bass	- All fish must be immediately released between April 1 and June 15
Walleye, Sauger, or Hybrid Walleye	- 14" Minimum Length Limit with an 18-24" Protected Slot Length Limit (no possession) (6)
Walleye, Sauger, or Hybrid Walleye (14)	- 2 Fish = 14" and <18" &/or 1 Fish >24" Daily Creel Limit (35)

Fox Ridge State Park (see also Hurricane Pond, Wilderness Pond and Ridge Lake) (19)
Coles County

Fox River, Algonquin Dam to confluence with the Illinois River, including tributaries, State of Illinois
Multiple Counties

Smallmouth Bass	- 1 Fish 12" or over and 2 Fish under 12" Daily Creel Limit

Fox River (at Moraine Hills State Park and Dam and on Bolger Lock and Dam Properties), State of Illinois
McHenry County

All Fish	- 2 Pole and Line Fishing Only (1) on Moraine Hills State Park and Dam property and on property at the Bolger Lock and Dam along the Fox River

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Fox River Marina, Lake County Forest Preserve
Lake County

All Fish	- 2 Pole and Line Fishing Only; Bank Fishing Only (in areas designated by Lake County Forest Preserve District)

Frank Holten Lakes, Frank Holten State Park
St. Clair County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)

Franklin Creek (within the boundaries of Franklin Creek State Natural Area)
Lee County

All Fish	- 2 Pole and Line Fishing Only (1)

Franklin Creek Mill Pond - Franklin Creek State Park, State of Illinois
Lee County

All Fish	- 2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Fuller Lake (19)
Calhoun County

Fulton County Camping and Recreation Area Waters, Fulton County Board
Fulton County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 12"-15" Protected Slot Length Limit (no possession)
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Blue gill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit

Gages Lake, Wildwood Park District
Lake County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Walleye, Sauger, or Hybrid Walleye	- 16" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye (14)	- 3 Fish Daily Creel Limit

Garfield Park Lagoon, Chicago Park District
Cook County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 4 Fish Daily Creel Limit

Gebhard Woods Ponds, Gebhard Woods State Park
Grundy County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Trout	- Spring Closed Season (11)

Germantown Lake, City of Germantown
Clinton County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 15 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Giant City Park Ponds, Giant City State Park
Jackson and Union Counties

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Largemouth and Spotted Bass	- 15" Minimum Length Limit

Gillespie New City Lake, City of Gillespie
Macoupin County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 12-15" Slot Length Limit (3)
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Gillespie Old City Lake, City of Gillespie

DEPARTMENT OF NATURAL RESOURCES

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Macoupin County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Glades -12 Mile Island Wildlife Management Area (33)
Jersey County

Gladstone Lake, Henderson County Conservation Area
Henderson County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel or Blue Catfish (14)	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 1 Fish = 15" and/or 2 <12" Daily (31)

Glen Oak Park Lagoon, Peoria Park District
Peoria County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Glen Shoals Lake, City of Hillsboro
Montgomery County

Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Striped, White, or Hybrid Striped Bass	- 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16)	- 3 Fish Daily Creel Limit

Godar-Diamond/Hurricane Island Wildlife Management Area (33)
Calhoun County

Gompers Park Lagoon, Chicago Park District
Cook County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 4 Fish Daily Creel Limit

Gordon F. More Park Lake, City of Alton
Madison County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Governor Bond Lake, City of Greenville
Bond County

Channel Catfish	- All jugs must be attended at all times while fishing (2)
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Striped, White, or Hybrid Striped Bass	- 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit

Grayslake Park District (Grayslake and Park Ponds)
Lake County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Greenfield City Lake, City of Greenfield
Greene County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 12"-15" Protected Slot Length Limit (no possession)
Large or Smallmouth Bass	- 5 Fish Under 12" and 1 Fish Over 15" Daily Creel Limit

Greenville Old City Lake, Kingsbury Park District
Bond County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Trout	- Fall Closed Season (10)

Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Grove Lake, DuPage County Forest Preserve District
DuPage County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 3 Fish Daily Creel Limit
Channel Catfish	- 12" Minimum Length Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 15 Fish Daily Creel Limit

Hanover Lake – Apple River Canyon State Park, State of Illinois
Jo Daviess County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Harrisburg New City Reservoir, City of Harrisburg
Saline County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Striped, White, or Hybrid Striped Bass	- 17" Minimum Length Limit
Striped, White or Hybrid Striped Bass (16)	- 3 Fish Daily Creel Limit

Heidecke Lake, Heidecke Lake State Fish and Wildlife Area
Grundy County (41)

Recreational Use Restrictions	- Heidecke Lake shall be closed to all fishing and boat traffic except for legal waterfowl hunters from 10 days prior to duck season through the day before duck season and is closed to all fishing during waterfowl season commencing with regular duck season through the close of the Canada goose and regular duck

	season
	- All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Striped, White, or Hybrid Striped Bass (16)	- 10 Creel/3 Fish 17" or Longer Daily (17)
Walleye, Sauger, or Hybrid Walleye	- 16" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye (14)	- 3 Fish Daily Creel Limit

Helmbold Slough (19)
Calhoun County

Hennepin Canal – Mainline & Feeder, Hennepin Canal Parkway State Park
Multiple Counties

All Fish	- 2 Pole and Line Fishing Only (1) (13)
Large or Smallmouth Bass	- 14" Minimum Length Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)

Hennepin-Hopper Lakes, The Wetlands Initiative Putnam County

Recreational Use Restrictions	- All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1)
Black, White or Hybrid Crappie	- 9" Minimum Length Limit
Black, White or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Pure Muskellunge	- 42" Minimum Length Limit
Walleye, Sauger or Hybrid Walleye	- 18" Minimum Length Limit
Walleye, Sauger or Hybrid Walleye (14)	- 3 Fish Daily Creel Limit

Herrin Lake #1, City of Herrin
Williamson County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Herrin Lake #2, City of Herrin
Williamson County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Hidden Springs State Forest Pond, Hidden Springs State Forest
Shelby County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Highland Old City Lake, City of Highland
Madison County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Trout	- Fall Closed Season (10)

Hillsboro Old City Lake, City of Hillsboro
Montgomery County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 12-15" Slot Length Limit

Homer Guthrie Pond – Eldon Hazlet State Park, State of Illinois
Clinton County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Homer Lake, Champaign County Forest Preserve District

DEPARTMENT OF NATURAL RESOURCES

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Champaign County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish	- 8" Minimum Length Limit
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Hormel Pond, Donnelly State Fish and Wildlife Area
Bureau County

All Fish	- 2 Pole and Line Fishing Only (1) (5)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Horseshoe Lake-Alexander Co., Horseshoe Lake Conservation Area
Alexander County

Recreational Use Restrictions	- Only trolling motors in refuge from October 5-March 1
All Fish	- 2 Pole and Line Fishing Only (1) (5)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Horseshoe Lake-Madison County, Horseshoe Lake State Park (33)
Madison County

All Fish	- 2 Pole and Line Fishing Only (1) (28) (34)
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
White, Black or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit

Horsetail Lake, Cook County Forest Preserve District
Cook County

All Fish	- 2 Pole and Line Fishing Only (1) (36)
Large or Smallmouth Bass	- 14" Minimum Length Limit
Trout	- Fall Closed Season (10)

Horton Lake, Nauvoo State Park
Hancock County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Humbolt Park Lagoon, Chicago Park District
Cook County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 4 Fish Daily Creel Limit

Hurricane Pond, Fox Ridge State Park
Coles County

Recreational Use Restrictions	- Waterfowl Refuge and Hunting Area (19)
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 5 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Illinois & Michigan Canal, State of Illinois
Grundy/LaSalle/ Will Counties

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Trout	- Spring Closed Season (11)

Illinois Beach State Park Ponds, Illinois Beach State Park
Lake County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Illinois Department of Transportation Lake, State of Illinois
Sangamon County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)

Illinois River – Pool 26 (19)
Calhoun County

Illinois River - Starved Rock and Marseilles Pools
LaSalle and Grundy Counties

Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
White, Black or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit

Illinois River – State of Illinois
Multiple Counties

Large or Smallmouth Bass	- 12" Minimum Length Limit

Indian Boundary South Pond, Frankfort Square Park District
Will County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Iroquois & Kankakee Rivers and their Tributaries, State of Illinois
Multiple Counties

Walleye, Sauger and Hybrid Walleye	- 16" Minimum Length Limit
Walleye, Sauger and Hybrid Walleye	- 3 Fish Daily Creel Limit

Jackson Park (Columbia Basin) Lagoon, Chicago Park District
Cook County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 4 Fish Daily Creel Limit

Jim Edgar/Panther Creek Fish and Wildlife Area, All Lakes and Ponds, Jim Edgar/Panther Creek Fish and Wildlife Area
Cass County

Recreational Use Restrictions	- All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Pure Muskellunge	- 48" Minimum Length Limit

Jim Edgar/Panther Creek Fish and Wildlife Area, Gurney Road Pond, Jim Edgar/Panther Creek Fish and Wildlife Area
Cass County

All Fish	- 2 Pole and Line Fishing Only (1)

Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Trout	- Spring Closed Season (11)

Johnson Sauk Trail Lake & Pond, Johnson Sauk Trail State Park
Henry County

Recreational Use Restrictions	- All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Jones Lake Trout Pond, Saline County Conservation Area
Saline County

Trout	- Fall Closed Season (10)

Jones Park Lake, City of East St. Louis
St. Clair County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)

Jones State Lake, Saline County Conservation Area
Saline County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14"-18" Protected Slot Length Limit (no possession) (38)
Large or Smallmouth Bass	- 5 Fish under 14" and 1 Fish over 18" Daily Creel Limit

Jubilee College State Park Pond, Jubilee College State Park
Peoria County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

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NOTICE OF EMERGENCY AMENDMENT

Kankakee-Iroquois Rivers and their Tributaries, State of Illinois
Multiple Counties

Walleye, Sauger, and Hybrid Walleye	- 16" Minimum Length Limit
Walleye, Sauger, and Hybrid Walleye (14)	- 3 Fish Daily Creel Limit

Kankakee River, from the Kankakee Dam to the mouth of the Kankakee River, including tributaries, State of Illinois
Multiple Counties

Smallmouth Bass	- 12"-18" Protected Slot Length Limit (no possession)
Smallmouth Bass	- 1 Fish over 18" and 2 Fish under 12" Daily Creel Limit (37)

Kankakee River State Park (19)
Kankakee/Will Counties

Kaskaskia River Fish and Wildlife Area (19)
St.Clair/Randolph/Monroe Counties

Kaskaskia River Fish and Wildlife Area – Doza Creek Wildlife Management Area (33)
St.Clair County

Kendall Co. Lake #1, Kendall County Forest Preserve District
Kendall County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Kent Creek
Winnebago County

Trout	- Spring Closed Season (11)

Kickapoo State Park Lakes & Pond, Kickapoo State Park
Vermilion County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	-10 Fish Daily Creel Limit

Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Kincaid City Reservoir, City of Kincaid
Christian County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit

Kinkaid Lake, Kinkaid Lake State Fish and Wildlife Area (19)
Jackson County

Recreational Use Restrictions	- All live bait in excess of 8" must be rigged with a quick set rig (43)
Large or Smallmouth Bass	- 16" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Pure Muskellunge	- 48" Minimum Length Limit (40)
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit

Kinmundy Reservoir, City of Kinmundy
Marion County

All Fish	- 2 Pole and Line Fishing Only (1) (5)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Kishwaukee River and South Branch of Kishwaukee River and Tributaries, State of Illinois
Multiple Counties

Smallmouth Bass	- 14" Minimum Length Limit

Lake Atwood, McHenry County Conservation District
McHenry County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Trout	- Spring Closed Season (11)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Lake Bloomington, City of Bloomington
McLean County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish	- 8" Minimum Length Limit
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Striped, White, or Hybrid Striped Bass	- 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16)	- 3 Fish Daily Creel Limit
White, Black or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit

Lake Carlton, Morrison-Rockwood State Park
Whiteside County

Recreational Use Restrictions	- All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Pure Muskellunge	- 36" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit

Lake Co. Forest Preserve District Lakes (except Independence Grove Lake), Lake County Forest Preserve District
Lake County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 3 Fish Daily Creel Limit
Large Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye	- 16" Minimum Length Limit

Lake Decatur, City of Decatur
Macon County

All Fish	- 2 Pole and Line Fishing Only (1)(29)
White, Black, or Hybrid Crappie	- 10" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Lake Depue Fish and Wildlife Area (33)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Bureau County

Lake Eureka, City of Eureka
Woodford County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Lake George, Loud Thunder Forest Preserve
Rock Island County

Recreational Use Restrictions	- All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Pure Muskellunge	- 36" Minimum Length Limit
Striped, White, or Hybrid Striped Bass	- 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16)	- 1 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit

Lake Jacksonville, City of Jacksonville
Morgan County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Striped, White, or Hybrid Striped Bass	- 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit

Lake Kakusha, City of Mendota
LaSalle County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish	- 8" Minimum Length Limit
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit

Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit

Lake Le-Aqua-Na, Lake Le-Aqua-Na State Park
Stephenson County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit

Lake Mendota, City of Mendota
LaSalle County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 1 Fish = 15" &/or 2 <12" Daily (31)

Lake Michigan (Illinois Portion), State of Illinois
Lake/Cook Counties

Trout and Salmon	- 10" Minimum Length Limit
Trout and Salmon	- No more than 5 fish of any one species daily, except for Lake Trout
Lake Trout	- 2 Fish Daily Creel Limit
Yellow Perch	- 15 Fish Daily Creel Limit
Yellow Perch	- Closed During July (exception: 10 fish daily limit during July for youth under age 16)
Large or Smallmouth Bass	- 21" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Lake Milliken, Des Plaines Conservation Area
Will County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Trout	- Spring Closed Season (11)

Lake Mingo & Kennekuk Cove Park Ponds, Vermilion County Conservation Area

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Vermilion County

Recreational Use Restrictions	- All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Pure Muskellunge	- 48" Minimum Length Limit (40)

Lake Murphysboro, Lake Murphysboro State Park
Jackson County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Lake Nellie, City of St. Elmo
Fayette County

All Fish	- 2 Pole and Line Fishing Only (1) (5)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Lake of the Woods & Elk's Pond, Champaign County Forest Preserve District
Champaign County

Recreational Use Restrictions	- All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish	- 8" Minimum Length Limit
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Trout	- Spring Closed Season (11)

Lake Owen, Hazel Crest Park District
Cook County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Lake Paradise, City of Mattoon

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Coles County

All Fish	- 2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass	- 14" Minimum Length Limit

Lake Paradise Shadow Ponds, City of Mattoon
Coles County

All Fish	- 2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass	- 14" Minimum Length Limit
Channel Catfish	- 6 Fish Daily Creel Limit

Lake Sara, City of Effingham
Effingham County

Large or Smallmouth Bass	- 14" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit

Lake Shelbyville (21), U.S. Army Corps of Engineers
Moultrie/Shelby Counties

Recreational Use Restrictions	- During the regular waterfowl season, no bank or boat fishing shall be permitted on the Kaskaskia River from the Strickland Boat Access north to the Illinois Central Railroad Bridge from one-half hour before sunrise to 1 p.m.
	- All live bait in excess of 8" must be rigged with a quick set rig (43)
Large or Smallmouth Bass	- 14" Minimum Length Limit
Pure Muskellunge	- 48" Minimum Length Limit (40)
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 10" Minimum Length Limit

Lake Shelbyville – U.S. Army Corps of Engineers Project Ponds and Wood Lake, and Lake Shelbyville State Fish and Wildlife Management Area Ponds (33)
Moultrie/Shelby Counties

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
White, Black, or Hybrid Crappie	- 10" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Lake Shermerville, Northbrook Park District
Cook County

All Fish	- 2 Pole and Line Fishing Only
Channel Catfish	- 6 Fish Daily Creel Limit

Lake Sinnissippi (19)
Whiteside County

Lake Springfield, City of Springfield
Sangamon County

All Fish	- 2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass	- 15" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 10" Minimum Length Limit

Lake Storey, City of Galesburg
Knox County

Recreational Use Restrictions	- All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill and Redear Sunfish (14)	- 25 Fish Daily Creel Limit
Channel or Blue Catfish (14)	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 1 Fish > 15" and/or 5 <12" Daily (12)
Pure Muskellunge	- 42" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye (14)	- 3 Fish Daily Creel Limit

Lake Strini, Village of Romeoville
Will County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Lake Sule, Flagg-Rochelle Park District
Ogle County

Recreational Use Restrictions	- All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 5 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Pure Muskellunge	- 36" Minimum Length Limit
White, Black or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit

Lake Taylorville, City of Taylorville
Christian County

Large or Smallmouth Bass	- 15" Minimum Length Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit

Lake Vandalia, City of Vandalia
Fayette County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Striped, White, or Hybrid Striped Bass	- 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16)	- 3 Fish Daily Creel Limit

Lake Vermilion, Vermilion County Conservation District
Vermilion County

All Fish	- 2 Pole and Line Fishing Only (1) (26) (except that sport fishermen may take carp, carpsuckers, buffalo, gar, bowfin, and suckers by pitchfork, gigs, bow and arrow or bow and arrow devices north of Boiling Springs Road, but not within 300 feet around the wetland boardwalk
Large or Smallmouth Bass	- 15" Minimum Length Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit

Lake Victoria, City of South Beloit
Winnebago County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Lake Williamsville, City of Williamsville
Sangamon County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

LaSalle Lake, LaSalle Lake State Fish and Wildlife Area
LaSalle County

Recreational Use Restrictions	- Waterfowl refuge or hunting area; LaSalle Lake is closed to all fishing and boating from October 16 until March 15; during October and March, the lake is closed on Mondays and Tuesdays
All Fish	- 2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16)	- 10 Creel/3 Fish 17" or Longer Daily (17)

Levings Lake, Rockford Park District
Winnebago County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Lincoln Log Cabin Pond, Lincoln Log Cabin Historical Site
Coles County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Lincoln Park North Lagoon, Chicago Park District
Cook County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 4 Fish Daily Creel Limit

Lincoln Park South Lagoon, Chicago Park District

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Cook County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 4 Fish Daily Creel Limit

Lincoln Trail Lake, Lincoln Trail State Park
Clark County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14-18" Slot Length Limit (14" to 18" protected)
Large or Smallmouth Bass (14)	- 4 Creel/1 Fish >18" Daily (daily Catch Limit for large or smallmouth bass, singly or in the aggregate, shall not exceed 4 fish per day, no more than one of which shall be greater than 18" in length)

Litchfield City Lake, City of Litchfield
Montgomery County

Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit – 1 Fish 15" or Over and 2 Fish Under 15" Total Length (25)
White, Black or Hybrid Crappie (15)	- 15 Fish Daily Creel Limit

Loami Reservoir, City of Loami
Sangamon County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit

Lou Yeager Lake, City of Litchfield
Montgomery County

Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Lyerla Lake, Union County Conservation Area
Union County

All Fish	- 2 Pole and Line Fishing Only (1)(5)
Channel Catfish	- 6 Fish Daily Creel Limit

Mackinaw Ponds 1, 2, and 3, Mackinaw State Fish and Wildlife Area

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Tazewell County

Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Macon County Conservation District Ponds (see also Rock Springs Pond and Rock Springs Bike Trail Pond), Macon County Conservation District
Macon County

All Fish	- 2 Pole and Line Fishing Only (1)

Mallard Lake, DuPage County Forest Preserve District
DuPage County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 3 Fish Daily Creel Limit
Channel Catfish	- 12" Minimum Length Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Walleye, Sauger, or Hybrid Walleye	- 16" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye (14)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 15 Fish Daily Creel Limit

Maple Lake, Cook County Preserve District
Cook County

All Fish	- 2 Pole and Line Fishing Only (1) (36)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Marissa City Lake, City of Marissa
St. Clair County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Marquette Park Lagoon, Chicago Park District
Cook County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 4 Fish Daily Creel Limit

Marshall County Conservation Area (Fishing Ditch), Marshall County Conservation Area (33)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Marshall County

All Fish	- 2 Pole and Line Fishing Only (1)

Marshall County Conservation Area – Sparland Unit (19)
Marshall County

Mascoutah Reservoir, City of Mascoutah
St. Clair County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Matthiessen Lake, Matthiessen State Park
LaSalle County

All Fish	- 2 Pole and Line Fishing Only (1)(5)
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Mattoon Lake, City of Mattoon
Coles County

All Fish	- 2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass	- 14" Minimum Length Limit

Mautino Fish and Wildlife Area, Mautino Fish and Wildlife Area
Bureau County

All Fish	- 2 Pole and Line Fishing Only (1) (34)
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Mauvaise Terre/Morgan Lake, City of Jacksonville
Morgan County

Large or Smallmouth Bass	- 15" Minimum Length Limit

Mazonia Lakes & Ponds (excluding Ponderosa Lake), Mazonia State Fish and Wildlife Area (33)
Grundy/Kankakee/Will Counties

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
White, Black or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit

McCullom Lake, City of McHenry
McHenry County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

McKinley Park Lagoon, Chicago Park District
Cook County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 4 Fish Daily Creel Limit

McLeansboro City Lakes, City of McLeansboro
Hamilton County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Meredosia Lake – Cass County Portion Only (meandered waters only) (33)
Cass County

Meredosia Lake, Cass County Portion
Cass County

Recreational Use Restrictions - Meandered waters only; All boat traffic is prohibited from operating on meandered waters (except non-motorized boats may be used to assist in the retrieval of waterfowl shot from private land) from the period from one week before waterfowl season opens until the season closes; hunting and/or any other activity is prohibited during the period from one week before

waterfowl season opens until the season closes

Mermet State Lake, Mermet Lake Conservation Area (33)
Massac County

All Fish	- 2 Pole and Line Fishing Only (1) (5)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit

Middle Fork Forest Preserve Pond, Champaign County Forest Preserve
Champaign County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Middle Fork of the Vermilion River, Kickapoo State Park and Middle Fork Fish and Wildlife Area
Vermilion County

All Fish	- 2 Pole and Line Fishing Only (1)

Mill Creek Lake, Clark County Park District
Clark County

Recreational Use Restrictions	- All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 12-15" Slot Length Limit (3)
Pure Muskellunge	- 42" Minimum Length Limit

Mill Pond, Pearl City Park District
Stephenson County

All Fish	- 2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Mill Race Ponds, Belvidere Park District
Boone County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Trout	- Spring Closed Season (11)

Miller Park Lake, City of Bloomington
McLean County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Trout	- Spring Closed Season (11)

Mineral Springs Park Lagoon, City of Pekin
Tazewell County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Trout	- Fall Closed Season (10)

Mississippi River Pools 16, 17, 18, 21, 22, 24, 25, 26 (19)
Multiple Counties

Mississippi River (between IL & IA), State of Illinois
Multiple Counties

Recreational Use Restrictions	- Any tagged sport fishing device may not be left unattended for more than 24 hours or must be completely removed
	- Tailwaters of Lock and Dam 12 (down to Mill Creek, an Iowa tributary located at River Mile 556.0) and tailwaters of Lock and Dam 13 (down to the downstream end of Stamp Island, River Mile 521.5) closed to all fishing from December 1 through March 15)
All Fish	- Anglers must not use more than 2 poles and each pole must not have more than 2 hooks or lures while trolling
Bluegill or Pumpkinseed Sunfish	- 25 Fish Daily Creel Limit singly or in aggregate
Large or Smallmouth Bass	- 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Large or Smallmouth Bass (14)	- 5 Fish Daily Creel Limit
Northern Pike	- 5 Fish Daily Creel Limit
Paddlefish	- Snagging for paddlefish is permitted from January 1 through April 15 within a 500 yard downstream limit below locks and dams on the Mississippi River between Illinois and Iowa except the tailwaters of Lock and Dam 12 and 13 are closed to all fishing from December 1 through March 15; daily catch limit is 2 fish; no sorting allowed; once the daily limit of paddlefish has been reached, snagging must cease
Rock Bass	- 25 Fish Daily Creel Limit
Striped, White, Yellow or Hybrid Striped Bass	- 25 Fish Daily Creel Limit singly or in aggregate – statewide regulation limiting daily creel to 3 fish 17" or longer is not in effect on the Mississippi River between Illinois and Iowa
Walleye and Sauger (14)	- 6 Fish Daily Creel Limit with no more than 1 walleye greater than 27" in total length
Walleye	- 15" Minimum Length Limit with a 20-27" Protected Slot Length Limit (24)
White, Black or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit singly or in aggregate
Yellow Perch	- 25 Fish Daily Creel Limit

Mississippi River (between IL & MO), State of Illinois
Multiple Counties

Recreational Use Restrictions	- Boating prohibited on refuge area (Ellis Bay) immediately upstream of Melvin Price Lock and Dam 26 overflow dike from October 15-April 15
	- Any tagged sport fishing device may not be left unattended for more than 24 hours or must be completely removed
All Nongame Species Combined (Excludes endangered and threatened species and the following game species: Crappie, Channel/Blue/	- 100 Total Fish Daily Creel Limit

Flathead Catfish, Rock Bass, Warmouth, White/Yellow/Striped/ Hybrid Striped Bass, Trout, Largemouth/Smallmouth/Spotted Bass, Muskellunge, Northern Pike, Chain/Grass Pickeral, Walleye, Sauger, Paddlefish)	
Channel or Blue Catfish (14)	- 20 Fish Daily Creel Limit
Flathead Catfish	- 10 Fish Daily Creel Limit
Largemouth, Smallmouth, Spotted Bass	- 12" Minimum Length Limit or
Northern Pike	- 1 Fish Daily Creel Limit
Paddlefish	- 24" Eye to Fork Minimum Length Limit
Paddlefish	- Snagging for paddlefish is permitted from September 15 though December 15 and March 15 through May 15 within a 300 yard downstream limit below locks and dams on the Mississippi River between Illinois and Missouri except for Dam 27 area at the Chain of Rocks; daily catch limit is 2 fish; sorting is permitted; every paddlefish greater than or equal to 24 inches in eye to fork length must be taken into immediate possession and included in the daily catch limit; paddlefish less than 24" eye to fork length must be returned immediately to the water; once the daily limit of paddle fish has been reached, snagging must cease
Striped, White, Yellow or Hybrid Striped Bass	- 30 Fish Daily Creel Limit singly or in aggregate – statewide regulation limiting daily creel to 3 fish 17" or longer is not in effect on the Mississippi River between Illinois and Missouri
Walleye and Sauger (14)	- 8 Fish Daily Creel Limit
White, Black or Hybrid Crappie (15)	- 30 Fish Daily Creel Limit

Monee Reservoir, Will County Forest Preserve District
Will County

All Fish	- 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit

Montrose Lake, City of Montrose
Cumberland County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Mt. Olive City Lakes (Old and New), City of Mt. Olive
Macoupin County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Mt. Pulaski Park District Lake, Mt. Pulaski Park District
Logan County

All Fish	- 2 Pole and Line Fishing Only (1)

Mt. Sterling Lake, City of Mt. Sterling
Brown County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 12-15" Slot Length Limit (3)

Mt. Vernon City Park Lake, City of Mt. Vernon
Jefferson County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Mt. Vernon Game Farm Pond, Mt. Vernon Game Farm
Jefferson County

All Fish	- 2 Pole and Line Fishing Only (1)
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Mundelein Park District Ponds , City of Mundelein
Lake County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Nashville City Lake, City of Nashville
Washington County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit

Newton Lake, Newton Lake State Fish and Wildlife Area (41)
Jasper County

Recreational Use Restrictions	- The cold water arm of Newton Lake shall be closed to all fishing and boat traffic except for legal waterfowl hunters during waterfowl season commencing with regular duck season through the close of the Canada goose and regular duck season
All Fish	- 2 Pole and Line Fishing Only (1) (5)
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 10" Minimum Length Limit

Norris City Reservoir, City of Norris City
White County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit

North Marcum Campground Pond, U.S. Army Corps of Engineers
Franklin County

Recreational Use Restrictions	- Fishing permitted only by persons under 16 years of age
All Fish	- 2 Pole and Line Fishing Only (1)

Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Oakford Conservation Area (Menard County) (19)
Menard County

Oakland City Lake, City Lake, City of Oakland
Coles County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Oblong Lake, City of Oblong
Crawford County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Ohio River (between Illinois & Kentucky), State of Illinois
Multiple Counties (19)

Large or Smallmouth Bass	- 12" Minimum Length Limit
Northern Pike	- No Length or Creel Limit
Muskie or Tiger Muskie	- 2 Fish Daily Creel Limit
Muskie or Tiger Muskie	- 30" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye(14)	- 10 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 30 Fish Daily Creel Limit
Striped, White, Yellow or Hybrid Striped Bass	- 30 Creel/4 Fish 15" or Longer Daily (32)

Ohio River – Smithland Pool Tributary Streams (in Pope/Hardin/Gallatin Counties, excluding Wabash River and Saline River Above Route 1 Bridge) (19)
Multiple Counties

Large and Smallmouth Bass	- 12" Minimum Length Limit

Old Kinmundy Reservoir, City of Kinmundy
Marion County

All Fish	- 2 Pole and Line Fishing Only (1)(5)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit

Olsen Lake, Rock Cut State Park
Winnebago County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Omaha City Reservoir, City of Omaha
Gallatin County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Otter Lake, Otter Lake Water Commission
Macoupin County

Recreational Use Restrictions	- All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Striped, White, or Hybrid Striped Bass (16)	- 10 Creel/3 Fish 17" or Longer Daily (17)
Pure Muskellunge	- 48" Minimum Length Limit (40)

Palmyra – Modesto Water Commission Lake, Palmyra/Modesto Water Commission
Macoupin County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Pana Lake, City of Pana
Shelby and Christian Counties

Recreational Use Restrictions	- All live bait in excess of 8" must be rigged with a quick set rig (43)

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All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Paris East & West Lakes, City of Paris
Edgar County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Peabody River King, Pit #3 Lakes and Ponds, River King State Conservation Area (see also Willow Lake for additional regulations)
St Clair County

All Fish	- 2 Pole and Line Fishing Only (1) (34)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit

Pecatonica River and Tributaries, State of Illinois
Winnebago/Stephenson Counties

Smallmouth Bass	- 14" Minimum Length Limit

Pekin Lake
Tazewell County

Perry Farm Pond, Bourbonnais Park District
Kankakee County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Piasa (19)
Madison/Jersey Counties

Pierce Lake, Rock Cut State Park
Winnebago County

Recreational Use Restrictions	- All live bait in excess of 8" must be rigged with a quick set rig (43)

All Fish	- 2 Pole and Line Fishing Only (1) (7)
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Pure Muskellunge	- 48" Minimum Length Limit (40)
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit

Pike County Conservation Area (19)
Pike County

Pinckneyville Lake, City of Pinckneyville
Perry County

Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Pine Creek
Ogle County

Trout	- Spring Closed Season (11)

Pine Creek (within the boundaries of White Pines Forest State Park)
Ogle County

All Fish	- 2 Pole and Line Fishing Only (1)
Trout	- Spring Closed Season (11)

Pine Lake, Village of University Park
Will County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Piscasaw Creek
McHenry County

Trout	- 9" Minimum Length Limit
Trout	- Spring Closed Season (11)

Pittsfield City Lake, City of Pittsfield
Pike County

All Fish	- 2 Pole and Line Fishing Only (1) (7)
Large or Smallmouth Bass	- 14" Minimum Length Limit

Striped, White, or Hybrid Striped Bass	- 17" Minimum Length
Striped, White, or Hybrid Striped Bass (16)	- 3 Fish Daily Creel Limit

Pocahontas Park Ponds, City of Pocahontas
Bond County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Ponderosa Lake, Mazonia State Fish and Wildlife Area (33)
Grundy County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
White, Black or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit

Powerton Lake, Powerton Lake Fish and Wildlife Area (39)
Tazewell County

Recreational Use Restrictions	- Powerton Lake shall be closed to boat traffic except for legal waterfowl hunters from one week prior to regular waterfowl season to February 15, and closed to all unauthorized entry during regular Canada goose and duck season
All Fish	- 2 Pole and Line Fishing Only (1)
Channel or Blue Catfish (14)	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Striped, White, or Hybrid Striped Bass (16)	- 10 Creel/3 Fish 17" or Longer Daily (17)
Walleye, Sauger, or Hybrid Walleye (14)	- 3 Fish Daily Creel Limit
Walleye, Sauger, or Hybrid Walleye	- 18" Minimum Length Limit

Prospect Pond, City of Moline
Rock Island County

Trout	- Fall Closed Season (10)

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Pyramid State Park – Blue Wing Lake, Green Wing Lake and Goldeneye Lake, Pyramid State Park
Perry County

Recreational Use Restrictions	- Waterfowl Hunting Area (from October 28 through February 28 fishing is permitted in designated areas only, and fishing hours are from ½ hour before sunrise to 2 p.m.)
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit

Pyramid State Park – Captain, Denmark, Galum and East Conant Areas – All Lakes and Ponds except Blue Wing Lake, Green Wing Lake and Goldeneye Lake, Pyramid State Park
Perry County

Recreational Use Restrictions	- Waterfowl Refuge or Hunting Area (all use other than waterfowl hunting prohibited from October 28 through February 28)
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit

Pyramid State Park Lakes & Ponds (excluding Captain, Denmark and Galum Areas), Pyramid State Park
Perry County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Ramsey Lake, Ramsey Lake State Park
Fayette County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit

Ramsey Lake State Park Ponds, Ramsey Lake State Park
Fayette County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Randolph County Lake, Randolph County Conservation Area
Randolph County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Trout	- Fall Closed Season (10)

Red Hills Lake, Red Hills State Park
Lawrence County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit

Red's Landing Wildlife Management Area (19)
Calhoun County
(Walk-in area closed to trespassing 7 days prior to duck season)

Redwing Slough/Deer Lake (33)
Lake County

Rend Lake, U.S. Army Corps of Engineers (22) (33)
Franklin and Jefferson Counties

Channel Catfish	- All jugs must be attended at all times while fishing (2)
Large or Smallmouth Bass	- 14" Minimum Length Limit
Striped, White, Yellow, or Hybrid Striped Bass (8)	- 20 Creel/3 Fish 17" or Longer Daily
White, Black or Hybrid Crappie (15)	- 25 Creel/5 Fish 10" or Longer Daily

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NOTICE OF EMERGENCY AMENDMENT

Rend Lake Project Ponds – Jackie Branch Pond, Ina N. Borrow Pit, Green Heron Pond, North Marcum Campground Pond, U.S. Army Corps of Engineers
Franklin and Jefferson Counties

Recreational Use Restrictions	- See kids only fishing regulations for North Marcum Campground Pond
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Rice Lake Fish and Wildlife Area (33)
Fulton County

Ridge Lake, Fox Ridge State Park
Coles County

Recreational Use Restrictions	- Waterfowl Refuge or Hunting Area (19)
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 14" Minimum Length Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Riis Park Lagoon, Chicago Park District
Cook County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 4 Fish Daily Creel Limit

Riprap Landing (19)
Calhoun County

River Bend Forest Preserve Lakes (Sunset Lake and Shadow Lake), Champaign County Forest Preserve District
Champaign County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish	- 8" Minimum Length Limit
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

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Riverside Park Lagoon, Moline Park District
Rock Island County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Rock Creek, State of Illinois
Kankakee County

Trout	- Spring Closed Season (11)

Rock River, from the Sears and Steel Dam downstream to confluence of the Mississippi River, State of Illinois
Rock Island County

Walleye	- 15" Minimum Length Limit with a 20-27" Protected Slot Length Limit (24)
Walleye and Sauger (14)	- 6 Fish Daily Creel Limit with no more than 1 walleye greater than 27" in total length

Rock River, Wisconsin State Line downstream to confluence of the Mississippi River, including tributaries, State of Illinois
Multiple Counties

Smallmouth Bass	- 14" Minimum Length Limit

Rock Springs Bike Trail Pond, Macon County Conservation District
Macon County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Rock Springs Pond, Macon County Conservation District
Macon County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Trout	- Fall Closed Season (10)

Roodhouse Park Lake, City of Roodhouse
Green County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Route 154 Day Use Pond, State of Illinois
Randolph County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Sag Quarry East, Cook County Forest Preserve District
Cook County

Rainbow Trout	- Spring Closed Season (11)

Sahara Woods Fish and Wildlife Area, State of Illinois
Saline County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 15 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 15 Fish Daily Creel Limit

St. Elmo South Lake, City of St. Elmo
Fayette County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Salem Reservoir, City of Salem
Marion County

All Fish	- 2 Pole and Line Fishing Only (1) (5)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Sam Dale Lake, Sam Dale Conservation Area
Wayne County

All Fish	- 2 Pole and Line Fishing Only (1)(5)
Channel Catfish	- 6 Fish Daily Creel Limit

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Large or Smallmouth Bass	- 14" Minimum Length Limit

Sam Dale Trout Pond, Sam Dale Conservation Area
Wayne County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)

Sam Parr Lake, Sam Parr State Park
Jasper County

All Fish	- 2 Pole and Line Fishing Only (1) (5)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Sand Lake, Illinois Beach State Park
Lake County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)

Sanganois Conservation Area (33) (42)
Mason/Cass/Schuyler/Menard Counties

Sangchris Lake, Sangchris Lake State Park
Christian/Sangamon Counties

Recreational Use Restrictions	- Posted waterfowl refuge closed to all boat traffic during waterfowl season. Bank fishing along the dam shall be permitted. Fishing shall be prohibited in the east and west arms of the lake during the period from 10 days prior to the duck season through the end of the duck season. Fishing shall be prohibited in the west arm of the lake and the east arm of the lake

south of the power lines during that portion of the Canada goose season that follows the duck season

All Fish	- 2 Pole and Line Fishing Only (1) (34)
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 10" Minimum Length Limit

Sangchris Lake Park Ponds, Sangchris Lake State Park
Sangamon County

All Fish	- 2 Pole and Line Fishing Only (1)

Schiller Pond, Cook County Forest Preserve District
Cook County

All Fish	- 2 Pole and Line Fishing Only (1) (36)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Schuy-Rush Lake, City of Rushville
Schuyler County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
White, Black or Hybrid Crappie	- 9" Minimum Length Limit

Senior Citizen's Pond, Kankakee River State Park
Kankakee County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Sesser City Lake, City of Sesser
Franklin County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Shabbona Lake, Shabbona Lake State Park
DeKalb County

Recreational Use Restrictions	- All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1) (7)
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Pure Muskellunge	- 48" Minimum Length Limit (40)
Striped, White, or Hybrid Striped Bass	- 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16)	- 3 Fish Daily Creel Limit
Walleye, Sauger, or Hybrid Walleye	- 18" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit

Shawnee National Forest Lakes and Ponds less than 10 acres, U.S. Forest Service
Multiple Counties

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Largemouth, Smallmouth or Spotted Bass	- 15" Minimum Length Limit

Shawnee National Forest – Bay Creek Lake #5 and #8 (Sugar Creek Lake), U.S. Forest Service
Pope County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Largemouth, Smallmouth and Spotted Bass	- 15" Minimum Length Limit

Shawnee National Forest – Dutchman Lake, U.S. Forest Service
Johnson County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Largemouth, Smallmouth or Spotted Bass	- 15" Minimum Length Limit

Shawnee National Forest – Lake Glendale, U.S. Forest Service
Pope County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Largemouth, Smallmouth or Spotted Bass	- 15" Minimum Length Limit

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Shawnee National Forest – Little Cache #1, U.S. Forest Service
Johnson County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Largemouth or Smallmouth Bass	- 15" Minimum Length Limit

Shawnee National Forest – Little Cedar Lake, U.S. Forest Service
Jackson County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Largemouth, Smallmouth or Spotted Bass	- 15" Minimum Length Limit

Shawnee National Forest – One Horse Gap Lake, U.S. Forest Service
Pope County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Largemouth, Smallmouth or Spotted Bass	- 15" Minimum Length Limit

Shawnee National Forest – Pounds Hollow Lake, U.S. Forest Service
Gallatin County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Largemouth, Smallmouth or Spotted Bass	- 15" Minimum Length Limit

Shawnee National Forest – Tecumseh Lake, U.S. Forest Service
Hardin County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Largemouth, Smallmouth or Spotted Bass	- 15" Minimum Length Limit

Shawnee National Forest – Turkey Bayou, U.S. Forest Service
Jackson County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Largemouth, Smallmouth or Spotted Bass	- 15" Minimum Length Limit

Shawnee National Forest – Whoopie Cat Lake, U.S. Forest Service
Hardin Counties

All Fish	- 2 Pole and Line Fishing Only (1)

Channel Catfish	- 6 Fish Daily Creel Limit
Largemouth, Smallmouth or Spotted Bass	- 15" Minimum Length Limit

Sherman Park Lagoon, Chicago Park District
Cook County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 4 Fish Daily Creel Limit

Siloam Springs Lake, Siloam Springs State Park
Adams County

All Fish	- 2 Pole and Line Fishing Only (1) (7)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 12-15" Slot Length Limit (3)
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)

Siloam Springs State Park Buckhorn Unit Waters, Siloam Springs State Park
Brown County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Bluegill or Redear Sunfish	- 8" Minimum Length Limit
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Silver Lake, DuPage County Forest Preserve District
Dupage County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 3 Fish Daily Creel Limit
Channel Catfish	- 12" Minimum Length Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Trout	- Spring Closed Season (11)
Walleye, Sauger, or Hybrid Walleye	- 16" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye (14)	- 3 Fish Daily Creel Limit
White, Black or Hybrid Crappie	- 9" Minimum Length Limit
White, Black or Hybrid Crappie (15)	- 15 Fish Daily Creel Limit

Silver Springs S.P. (Big Lake) & Ponds, Silver Springs State Fish and Wildlife Area

DEPARTMENT OF NATURAL RESOURCES

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Kendall County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)

Skokie Lagoons, Cook County Forest Preserve District
Cook County

All Fish	- 2 Pole and Line Fishing Only (1) (36)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye	- 18" Minimum Length Limit

Small Pit Pond, Boone County Conservation District
Boone County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Snakeden Hollow State Fish and Wildlife Area – McMaster Lake & Other Site Waters, State of Illinois
Knox County

Recreational Use Restrictions	- Waterfowl Refuge or Hunting Area (all use other than waterfowl hunting prohibited from October 1 through the end of the Canada goose season)
	- All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit with only one fish 15" or longer
Pure Muskellunge	- 42" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye (14)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 5 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

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Sparta City Lakes, City of Sparta
Randolph County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit

Sparta "T" Lake, City of Sparta
Randolph County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish	- 8" Minimum Length Limit
Bluegill or Redear Sunfish (14)	- 15 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit

Sparta World Shooting and Recreational Complex Lakes, State of Illinois
Randolph County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill and Redear Sunfish (14)	- 15 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large and Smallmouth Bass	- 18" Minimum Length Limit
Large and Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 10" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit

Spencer Lake, Boone County Conservation District
Boone County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Sportsmans' Club Pond, Macon County Conservation District
Macon County

All Fish	- 2 Pole and Line Fishing Only (1)
Trout	- Spring Closed Season (11)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Spring Lake, City of Macomb
McDonough County

Recreational Use Restrictions	- All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1) (5)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Striped, White, or Hybrid Striped Bass	- 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16)	- 3 Fish Daily Creel Limit

Spring Lakes (North & South), Spring Lake Conservation Area (33)
Tazewell County

Recreational Use Restrictions	- All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1) (34)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Pure Muskellunge	- 48" Minimum Length Limit (40)
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit

Spring Pond, Flagg-Rochelle Park District
Ogle County

All Fish	- 2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Starved Rock State Park (19)
LaSalle County

Staunton City Lake, City of Staunton
Macoupin County

Recreational Use Restrictions	- All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Steven A. Forbes State Park (19) (see also Forbes State Lake and Forbes State Park Ponds)
Marion County

Sterling Lake, Lake County Forest Preserve District
Lake County

Recreational Use Restrictions	- All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 3 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Pure Muskellunge	- 48” Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye	- 16" Minimum Length Limit

Storm Lake, DeKalb Park District
DeKalb County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass	- 1 Fish Daily Creel Limit

Stump Lake Wildlife Management Area (33)
Jersey County

Tampier Lake, Cook County Forest Preserve District
Cook County

All Fish	- 2 Pole and Line Fishing Only (36)
Bluegill or Redear Sunfish	- 8" Minimum Length Limit
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye	- 18" Minimum Length Limit

Taylorville Park District Pond, Taylorville Park District
Christian County

All Fish	- 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Trout	- Spring Closed Season (11)

Ten Mile Creek Lakes, Ten Mile Creek State Fish and Wildlife Area
Hamilton/Jefferson Counties (19)
(Areas designated as refuge are closed to all access during the Canada goose season)

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Tilton City Lake, City of Tilton
Vermilion County

Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Toledo Reservoir, City of Toledo
Cumberland County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Turkey Bluff Ponds, State of Illinois
Randolph County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large and Smallmouth Bass	- 15" Minimum Length Limit
Large and Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Turner Lake, Chain O'Lakes State Park
Lake County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit

Tuscola City Lake, City of Tuscola
Douglas County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Union County Conservation Area
Union County
(All fishing and boat traffic prohibited October 15-March 1)

Valley Lake, Wildwood Park District
Lake County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Valmeyer Lake, City of Valmeyer
Monroe County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Vanhorn Woods Pond, Plainfield Park District
Will County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Vernor Lake, City of Olney
Richland County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Villa Grove East Lake, City of Villa Grove
Douglas County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Villa Grove West Lake, City of Villa Grove
Douglas County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Trout	- Fall Closed Season (10)

Virginia City Reservoir, City of Virginia
Cass County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit

Waddams Creek
Stephenson County

Trout	- Spring Closed Season (11)

Walnut Point Lake, Walnut Point State Fish and Wildlife Area
Douglas County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish	- 8" Minimum Length Limit
Bluegill or Redear Sunfish (14)	- 15 Fish (either singly or in aggregate) Daily Creel Limit, of which only 5 fish can be 8" or longer
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 12-15" Slot Length Limit (3)

Walton Park Lake, City of Litchfield
Montgomery County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish	- 8" Minimum Length Limit
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Wampum Lake, Cook County Forest Preserve District
Cook County

All Fish	- 2 Pole and Line Fishing Only (1) (36)
Bluegill or Redear Sunfish	- Catch and Release Only (9)
Large or Smallmouth Bass	- 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Washington County Lake, Washington County Conservation Area
Washington County

All Fish	- 2 Pole and Line Fishing Only (1) (5)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Striped, White, or Hybrid Striped Bass	- 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16)	- 3 Fish Daily Creel Limit

Washington Park Lagoon, Chicago Park District
Cook County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 4 Fish Daily Creel Limit

Washington Park Pond, Springfield Park District
Sangamon County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 3 Fish Daily Creel Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)

Waverly Lake, City of Waverly
Morgan County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit

Weinberg-King Pond, Weinberg-King State Park
Schuyler County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

Weldon Springs Lake, Weldon Springs State Park
DeWitt County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

West Frankfort New City Lake, City of West Frankfort
Franklin County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

West Frankfort Old City Lake, City of West Frankfort
Franklin County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

West Salem Reservoir, City of West Salem
Edwards County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

White Hall City Lake, City of White Hall
Greene County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit

White Oaks Park Lake, City of Bloomington
McLean County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Wilderness Pond, Fox Ridge State Park
Coles County

Recreational Use Restrictions	- Waterfowl Refuge or Hunting Area (19)
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 5 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Wildlife Prairie State Park, State of Illinois
Peoria County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 12-18" Protected Slot Length Limit (no possession allowed within the protected slot length limit)
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit
White, Black or Hybrid Crappie	- 9" Minimum Length Limit
White, Black or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit
Pure or Hybrid Muskellunge	- 42" Minimum Length Limit

William W. Powers Conservation Area (33)
Cook County

Willow Lake, Peabody River King State Conservation Area
St. Clair County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit
Trout	- Fall Closed Season (10)

Wolf Lake, William W. Powers Conservation Area (33)
Cook County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

Woodford Co. Cons. Area (Fishing Ditch), Woodford County Conservation Area (33)
Woodford County

All Fish	- 2 Pole and Line Fishing Only (1)

Woodlawn Pond, Frankfort Square Park District
Will County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

Wyman Lake, City of Sullivan
Moultrie County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Trout	- Spring Closed Season (11)

Yellow Creek
Stephenson County

Trout	- Spring Closed Season (11)

(Source: Amended by emergency rulemaking at 31 Ill. Reg. 8265, effective May 25, 2007, for a maximum of 150 days)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

1) Heading of the Part: Designation of Restricted Waters in the State of Illinois

2) Code Citation: 17 Ill. Adm. Code 2030

3) Section Number: 2030.20 — Emergency Action: Amendment

4) Statutory Authority: Implementing and authorized by Sections 5-7 and 5-12 of the Boat Registration and Safety Act [625 ILCS 45/5-7 and 5-12]

5) Effective Date of Emergency Amendment: May 25, 2007

6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: Not applicable

7) Date filed with the Index Department: May 23, 2007

8) A copy of the emergency amendment, including any material incorporated by reference, is on file in the Department of Natural Resource's principal office and is available for public inspection.

9) Reason for Emergency: Citing safety concerns, the residents of River Key Subdivision submitted a petition requesting a No Wake Zone designation for the mouth of the canal off of the Rock River leading into their subdivision and throughout the inner canal system. This emergency amendment is necessary to implement this designation for the 2007 boating season.

10) A Complete Description of the Subjects and Issues Involved: Law Enforcement staff determined that the following safety concerns and boater user conflicts exist: boats entering the narrow canal off the Rock River at greater than no wake speed have to make several blind meandering bends, there are protruding docks within the canal which could lead to possible collision hazards, boats traveling at greater than no wake speed are a safety threat to persons standing on the docks in the narrow channels and a potential boating user conflict exists between persons fishing within the canal and boats entering or traversing the canal at greater than a no wake speed.

11) Are there any other proposed amendments pending on this Part? Yes. A proposed amendment identical to this emergency amendment has been proposed and is published in this issue of the Illinois Register.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

Section Number:	Proposed Action:	Illinois Register Citation:
2030.20	Amendment	31 Ill. Reg. _____, June 8, 2007

12) Statement of Statewide Policy Objective: This rulemaking will not affect units of local governments.

13) Information and questions regarding this emergency amendment shall be directed to:

Jack Price, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

The full text of the Emergency Amendment begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER e: LAW ENFORCEMENT

PART 2030
DESIGNATION OF RESTRICTED WATERS IN THE STATE OF ILLINOIS

Section
2030.10 General Regulations
2030.15 Designation of Restricted Waters by the Department of Natural Resources
2030.20 Region I – Designated Restricted Boating Areas
EMERGENCY
2030.30 Region II – Designated Restricted Boating Areas
2030.40 Region III – Designated Restricted Boating Areas
2030.50 Region IV – Designated Restricted Boating Areas
2030.60 Region V – Designated Restricted Boating Areas
2030.70 Riverboat Gambling Casinos – Designated Restricted Boating Areas
2030.80 Hazardous Navigation Conditions – Designated Restricted Boating Areas

AUTHORITY: Implementing and authorized by Sections 5-7 and 5-12 of the Boat Registration and Safety Act [625 ILCS 45/5-7 and 5-12].

SOURCE: Adopted at 5 Ill. Reg. 8763, effective August 25, 1981; codified at 5 Ill. Reg. 10617; amended at 9 Ill. Reg. 4789, effective April 2, 1985; amended at 11 Ill. Reg. 9519, effective May 5, 1987; emergency amendment at 12 Ill. Reg. 8745, effective May 15, 1988, for a maximum of 150 days; emergency expired September 20, 1988; emergency amendment at 12 Ill. Reg. 12111, effective July 6, 1988, for a maximum of 150 days; emergency expired December 12, 1988; amended at 12 Ill. Reg. 16707, effective September 30, 1988; amended at 12 Ill. Reg. 20472, effective November 28, 1988; corrected at 13 Ill. Reg. 967; emergency amendment at 13 Ill. Reg. 2878, effective February 21, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 12814, effective July 21, 1989; amended at 16 Ill. Reg. 8483, effective May 26, 1992; amended at 19 Ill. Reg. 7549, effective May 26, 1995; emergency amendment at 19 Ill. Reg. 11967, effective August 3, 1995, for a maximum of 150 days; amended at 20 Ill. Reg. 750, effective December 29, 1995; amended at 20 Ill. Reg. 7864, effective June 3, 1996; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 20 Ill. Reg. 15692, effective December 2, 1996; amended at 23 Ill. Reg. 6822, effective May 20, 1999; amended at 27 Ill. Reg. 8871, effective May 19, 2003; amended at 29 Ill. Reg. 15550, effective September 27, 2005; amended at 30 Ill. Reg. 11576, effective June 23, 2006; emergency amendment at 31 Ill. Reg. 8348, effective May 25, 2007, for a maximum of

150 days.

Section 2030.20 Region I – Designated Restricted Boating Areas
EMERGENCY

a) The following portions of the Rock River are designated as Slow, No Wake areas:

1) An area of the Rock River located at Moonlite Bay, 4 miles east of Sterling and 6 miles west of Dixon, Illinois.

2) The portion of the Rock River ¼ mile above the dam at Oregon, Illinois, at the docking area at Lowden Memorial Park.

3) The portion of the Rock River at Martin Park in Loves Park from 200 feet upstream of the boat launches to 200 feet downstream of the boat launches, and for 150 feet from the Martin Park Shoreline from 200 feet downstream of the boat launches to 400 feet downstream of the boat launches.

4) The portion of the Rock River (river right) at approximately mile 144.5 in Machesney Park, Winnebago County, beginning at the mouth of an artificial canal leading into the River Key Subdivision and continuing throughout the inner canal system found there.

b) The following portions of the Fox River are designated as Slow, No Wake areas: The portion of the Fox River between the Main Street bridge of the City of Ottawa and the mouth of the Fox River at the confluence of the Illinois River.

c) The following portions of the Illinois River are designated as Slow, No Wake areas:

1) The portion of the Illinois River from the Burlington Northern R.R. bridge in the City of Ottawa to the upstream side of the mouth of the Fox River.

2) The area of the Illinois River near the Spring Bay boat harbor at Spring Bay, Illinois.

3) An area of the Illinois River at the Woodford County Conservation area, 7 miles north of Spring Bay off Route 87.

4) An area of the Illinois River located at the Detweiller Marina, Peoria, Illinois.

5) An area of the Illinois River from the southernmost edge of the Downtown Riverfront Marina to the Murray Baker Bridge, Peoria, Illinois.

6) An area of the Illinois River at Alfrisco Harbor, Peoria Heights, Illinois.

7) An area located at the Sobowski Marina, Peoria Heights, Illinois.

8) An area located at the Illinois Valley Yacht Club, Peoria Heights, Illinois.

9) An area at Henry, Illinois, on the west side of the River from Browns Landing to 300 yards north of the bridge.

10) The Lacon Boat Club Dock, Lacon, Illinois.

11) The boat harbor at Lacon, Illinois.

12) An area at the South Shore Boat Club, Peru, Illinois.

13) The harbor of Starved Rock Marina, Ottawa, Illinois.

14) The waters of the Illinois River beginning in front of the Pekin Boat Club launching ramp.

d) The following portions of the Mississippi River are designated as Slow, No Wake areas:

1) An area bordering the Savanna Park waterfront, extending from a jetty south of the Ritchie Boat Dock, north to a jetty north of the Kindell Marina.

2) An area in Vaely Chute which runs through the Andalusia Islands located 4 miles west of Andalusia.

3) An area at the launching ramp and harbor of the Rock Island Boat Club located at the foot of 18th Avenue in Rock Island.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF EMERGENCY AMENDMENT

4) An area at the harbor and boat ramp in front of the Legion Hall at Cordova, Illinois.

5) An area located at the boat ramps, City of Moline, between 26th Street and 34th Street and River Drive.

6) An area near the launching ramps and bathing beach at Keithsburg, Illinois.

7) An area in the chute connecting Sturgeon Bay and the Mississippi River at New Boston, Illinois.

8) An area near the boat ramp and floating gas station at the end of Route 17 at New Boston.

9) An area at Shokohon, Illinois.

10) An area in the fish preserve lock and dam 19 at Hamilton, Illinois.

11) The public launching area 3 miles north above the dam at Hamilton.

12) The waters of Harris Slough Mississippi River backwaters at the Galena Boat Club, 3 miles south of Galena, Illinois.

13) The waters encompassing the cut starting at the mouth of the cut on Deadman's Slough, then northward approximately 250 feet to the confluence of the Harris and Keohough Sloughs.

14) The backwater section of the Mississippi River (river mile marker 479.8) that starts at the Harbor opening of Potter's Lake, Sunset Park, Rock Island and covers the entire lake area.

15) The area of Cattail Slough off the Mississippi River, located south of Fulton, Whiteside County, .7 mile in length, 150 yards wide, starting on the north at the Chicago and Northwestern R.R. bridge and extending south .7 mile to the first narrows.

16) The waters of the south entrance to Chandler Slough lying upstream from

the north boundary of the U.S. Fish and Wildlife Service property up to and including the Bent Prop Marina harbor area.

17) The waters of Frentress Lake lying upstream from the boat ramp at Charlies Boat Dock, including the adjacent sand pit harbor area.

18) An area of the Mississippi River in the vicinity of the Lazy River Marina at Savanna, Illinois, extending from the upper limit of the dredge cut at Miller's Lake to a point north of the Miller's Hollow public launching ramp.

19) An area located approximately at Mississippi River mile 536.6 known as Savanna Slough from the Soo Line railroad bridge north to the north point of the Savanna Park District island as posted by signs or buoys.

e) The following waters shall be designated as restricted waters as described below:

1) NO BOATS

A) The swimming area at Albany Beach located in Albany Township.

B) The swimming area at the Santa Fe Island bar, approximately 4 miles north of Savanna.

C) The head of Big Island and 1½ miles north of Oquawka, Illinois.

D) The Boy Scout Camp located on Lake Cooper, Mississippi River.

E) The waters of the four chutes of Argyle Lake, approximately 2 miles north of Colchester, Illinois.

F) The water 600 feet above and 150 feet below dams 12, 13, 14, 15, 16, 17 and 18 on the Mississippi River.

2) NO SKI – It shall be unlawful to water ski in the following designated waters:

That area of the inside cut of the Mississippi River, opening directly into Frentrees Lake, includes the area from the north to the south entrances

DEPARTMENT OF NATURAL RESOURCES

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from the river slough, inclusive, east of Mile Post 576.

(Source: Amended by emergency rulemaking at 31 Ill. Reg. 8348, effective May 25, 2007, for a maximum of 150 days)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
JUNE AGENDA

JOINT COMMITTEE ON ADMINISTRATIVE RULES

SCHEDULED MEETING:

JAMES R. THOMPSON CENTER
ROOM 16-503
CHICAGO, ILLINOIS
10:30 A.M.
JUNE 12, 2007

NOTICES: The scheduled date and time for the JCAR meeting are subject to change. Due to *Register* submittal deadlines, the Agenda below may be incomplete. Other items not contained in this published Agenda are likely to be considered by the Committee at the meeting and items from the list can be postponed to future meetings.

If members of the public wish to express their views with respect to a rulemaking, they should submit written comments to the Office of the Joint Committee on Administrative Rules at the following address:

Joint Committee on Administrative Rules
700 Stratton Office Building
Springfield, Illinois 62706
Email: jcar@ilga.gov
Phone: 217/785-2254

RULEMAKINGS CURRENTLY BEFORE JCAR

PROPOSED RULEMAKINGS

Capital Development Board

1. Prequalification of Construction Managers (44 Ill. Adm. Code 990)
   -First Notice Published: 30 Ill. Reg. 13952 – 8/25/06
   -Expiration of Second Notice: 7/4/07

2. Selection of Construction Managers (44 Ill. Adm. Code 1025)
   -First Notice Published: 30 Ill. Reg. 13973 – 8/25/06
   -Expiration of Second Notice: 7/4/07

JOINT COMMITTEE ON ADMINISTRATIVE RULES
JUNE AGENDA

Central Management Services

3. Standard Procurement (44 Ill. Adm. Code 1)
-First Notice Published: 30 Ill. Reg. 19577 – 12/29/06
-Expiration of Second Notice: 6/20/07

4. Pay Plan (80 Ill. Adm. Code 310)
-First Notice Published: 31 Ill. Reg. 5172 – 4/6/07
-Expiration of Second Notice: 7/8/07

Commerce Commission

5. Uniform System of Accounts for Electric Utilities (83 Ill. Adm. Code 415)
-First Notice Published: 31 Ill. Reg. 2701 – 2/16/07
-Expiration of Second Notice: 6/13/07

6. Uniform System of Accounts for Gas Utilities (83 Ill. Adm. Code 505)
-First Notice Published: 31 Ill. Reg. 2705 – 2/16/07
-Expiration of Second Notice: 6/13/07

7. Minimum Safety Standards for Transportation of Gas and for Gas Pipeline Facilities (83 Ill. Adm. Code 590)
-First Notice Published: 31 Ill. Reg. 2710 – 2/16/07
-Expiration of Second Notice: 6/20/07

Corrections

8. Health Care (20 Ill. Adm. Code 415)
-First Notice Published: 31 Ill. Reg. 4959 – 3/30/07
-Expiration of Second Notice: 6/30/07

Education

9. Public Schools Evaluation, Recognition and Supervision (23 Ill. Adm. Code 1)
-First Notice Published: 31 Ill. Reg. 3625 – 3/9/07
-Expiration of Second Notice: 7/6/07

10. Contested Cases and Other Formal Hearings (23 Ill. Adm. Code 475)
-First Notice Published: 31 Ill. Reg. 3665 – 3/9/07
-Expiration of Second Notice: 7/6/07

JOINT COMMITTEE ON ADMINISTRATIVE RULES
JUNE AGENDA

11. Appeal Proceedings Before the State Teacher Certification Board (23 Ill. Adm. Code 485)
    -First Notice Published: 31 Ill. Reg. 3670 – 3/9/07
    -Expiration of Second Notice: 7/6/07

Emergency Management Agency

12. Political Subdivision Emergency Services and Disaster Agencies (29 Ill. Adm. Code 301)
    -First Notice Published: 31 Ill. Reg. 2084 – 2/2/07
    -Expiration of Second Notice: 7/7/07

13. General Provisions for Radiation Protection (32 Ill. Adm. Code 310)
    -First Notice Published: 31 Ill. Reg. 2092 – 2/2/07
    -Expiration of Second Notice: 7/7/07

14. Standards for Protection Against Radiation (32 Ill. Adm. Code 340)
    -First Notice Published: 31 Ill. Reg. 2111 – 2/2/07
    -Expiration of Second Notice: 7/7/07

15. Accrediting Persons in the Practice of Medical Radiation Technology (32 Ill. Adm. Code 401)
    -First Notice Published: 31 Ill. Reg. 2140 – 2/2/07
    -Expiration of Second Notice: 7/7/07

Financial and Professional Regulation

16. Managed Care Dental Plans (50 Ill. Adm. Code 5425)
    -First Notice Published: 30 Ill. Reg. 19457 – 12/22/06
    -Expiration of Second Notice: 6/16/07

Human Services

17. Children's Mental Health Screening, Assessment and Support Services Program (59 Ill. Adm. Code 131)
    -First Notice Published: 31 Ill. Reg. 3692 – 3/9/07
    -Expiration of Second Notice: 7/8/07

18. Aid to the Aged, Blind or Disabled (89 Ill. Adm. Code 113)
    -First Notice Published: 31 Ill. Reg. 2713 – 2/16/07

JOINT COMMITTEE ON ADMINISTRATIVE RULES
JUNE AGENDA

-Expiration of Second Notice: 7/4/07

19. Assessment for Determining Eligibility and Rehabilitation Needs (89 Ill. Adm. Code 553)
-First Notice Published: 31 Ill. Reg. 2725 – 2/16/07
-Expiration of Second Notice: 6/13/07

20. Determination of Need (DON) and Resulting Service Cost Maximums (SCMs) (89 Ill. Adm. Code 679)
-First Notice Published: 31 Ill. Reg. 2737 – 2/16/07
-Expiration of Second Notice: 6/30/07

Natural Resources

21. Cock Pheasant, Hungarian Partridge, Bobwhite Quail, and Rabbit Hunting (17 Ill. Adm. Code 530)
-First Notice Published: 31 Ill. Reg. 4631 – 3/23/07
-Expiration of Second Notice: 7/1/07

22. Crow, Woodcock, Snipe, Rail and Teal Hunting (17 Ill. Adm. Code 740)
-First Notice Published: 31 Ill. Reg. 4655 – 3/23/07
-Expiration of Second Notice: 7/1/07

23. Revocation Procedures for Conservation Offenses (17 Ill. Adm. Code 2530)
-First Notice Published: 31 Ill. Reg. 4671 – 3/23/07
-Expiration of Second Notice: 6/23/07

24. Open Space Lands Acquisition and Development Grant Program (17 Ill. Adm. Code 3025)
-First Notice Published: 31 Ill. Reg. 4680 – 3/23/07
-Expiration of Second Notice: 6/23/07

25. Boat Access Area Development Program (17 Ill. Adm. Code 3035)
-First Notice Published: 31 Ill. Reg. 4693 – 3/23/07
-Expiration of Second Notice: 6/23/07

Public Health

26. Illinois Health and Hazardous Substances Registry (77 Ill. Adm. Code 840)
-First Notice Published: 31 Ill. Reg. 22 – 1/5/07

-Expiration of Second Notice: 6/20/07

27. Health Care Data Collection and Submission Code (77 Ill. Adm. Code 1010)
-First Notice Published: 31 Ill. Reg. 3977 – 3/9/07
-Expiration of Second Notice: 7/5/07

Secretary of State

28. Business Corporation Act (14 Ill. Adm. Code 150)
-First Notice Published: 31 Ill. Reg. 2867 – 2/16/07
-Expiration of Second Notice: 7/11/07

29. Sale of Information (92 Ill. Adm. Code 1002)
-First Notice Published: 30 Ill. Reg. 17722 – 11/13/06
-Expiration of Second Notice: 6/13/07

State Police

30. Americans With Disabilities Act Grievance Procedure (4 Ill. Adm. Code 825)
-First Notice Published: 31 Ill. Reg. 4321 – 3/16/07
-Expiration of Second Notice: 6/14/07

EMERGENCY RULEMAKINGS

Healthcare and Family Services

31. Medical Assistance Programs (89 Ill. Adm. Code 120)
-Notice Published: 31 Ill. Reg. 7323 – 5/18/07

Education

32. Mentoring Program for New Principals (23 Ill. Adm. Code 35)
-Notice Published: 31 Ill. Reg. 7160 – 5/11/07

Racing Board

33. Eligibility and Qualification for Races (11 Ill. Adm. Code 1309)
-Notice Published: 31 Ill. Reg. 7152 – 5/11/07

34. Horse Health Rules (11 Ill. Adm. Code 1431)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
JUNE AGENDA

-Notice Published: 31 Ill. Reg. 7156 – 5/11/07

PEREMPTORY RULEMAKING

35. Pay Plan (80 Ill. Adm. Code 310)
-Notice Published: 31 Ill. Reg. 7338 – 5/18/07

AGENCY RESPONSES

Central Management Services

36. Electronic Commerce Security Act (14 Ill. Adm. Code 105)

Education

37. Special Education (23 Ill. Adm. Code 226)

Human Services

38. Aid to the Aged, Blind or Disabled (89 Ill. Adm. Code 113)

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 May 22, 2007 through May 28, 2007 and have been scheduled for review by the Committee at its June 12, 2007 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
7/5/07	Department of Public Health, Health Care Data Collection and Submission Code (77 Ill. Adm. Code 1010)	3/9/07 31 Ill. Reg. 3977	6/12/07
7/6/07	State Board of Education, Public Schools Evaluation, Recognition and Supervision (23 Ill. Adm. Code 1)	3/9/07 31 Ill. Reg. 3625	6/12/07
7/6/07	State Board of Education, Contested Cases and Other Formal Hearings (23 Ill. Adm. Code 475)	3/9/07 31 Ill. Reg. 3665	6/12/07
7/6/07	State Board of Education, Appeal Proceedings Before the State Teacher Certification Board (23 Ill. Adm. Code 485)	3/9/07 31 Ill. Reg. 3670	6/12/07
7/7/07	Illinois Emergency Management Agency, Political Subdivision Emergency Services and Disaster Agencies (29 Ill. Adm. Code 301)	2/2/07 31 Ill. Reg. 2084	6/12/07
7/7/07	Illinois Emergency Management Agency, General Provisions for Radiation Protection (32 Ill. Adm. Code 310)	2/2/07 31 Ill. Reg. 2092	6/12/07
7/7/07	Illinois Emergency Management Agency, Standards for Protection Against Radiation (32 Ill. Adm. Code 340)	2/2/07 31 Ill. Reg. 2111	6/12/07

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

7/7/07	Illinois Emergency Management Agency, Accrediting Persons in the Practice of Medical Radiation Technology (32 Ill. Adm. Code 401)	2/2/07 31 Ill. Reg. 2140	6/12/07
7/8/07	Department of Central Management Services, Pay Plan (80 Ill. Adm. Code 310)	4/6/07 31 Ill. Reg. 5172	6/12/07
7/8/07	Department of Human Services, Children's Mental Health Screening, Assessment and Support Services Program (59 Ill. Adm. Code 131)	3/9/07 31 Ill. Reg. 3692	6/12/07

DEPARTMENT OF HUMAN SERVICES

NOTICE OF AGENCY RESPONSE TO A RECOMMENDATION OF THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

1) Heading of the Part: Aid to the Aged, Blind or Disabled

2) Code Citation: 89 Ill. Adm. Code 113

3)

Section Number:	Action:
113.264	Agree with Recommendation

4) Date Notice of Proposed Amendments Published in the Register: 30 Ill. Reg. 18431; December 1, 2006

5) Date JCAR Statement of Recommendation Published in the Register: March 30, 2007; 31 Ill. Reg. 5166

6) Summary of Action Taken by the Agency: At its meeting on March 13, 2007, the Joint Committee on Administrative Rules considered the above-cited rulemaking and recommended that the Department of Human Services act more promptly in the future to update its rules to reflect statutory changes. Since 7/1/06, DHS rules titled "Aid to the Aged, Blind, or Disabled "(89 Ill. Adm. Code 113) have failed to reflect that assistance to certain noncitizen refugees, asylees, and other immigrants were statutorily reauthorized for an additional 3 years.

The Department of Human Services has reviewed the Recommendation from the Joint Committee on Administrative Rules regarding the above-cited proposed rulemaking and accepts the Recommendation. The Department will make every attempt to act more promptly in the future to update its rules to reflect statutory changes.

STATE BOARD OF EDUCATION

NOTICE OF AN ADDITIONAL AGENCY RESPONSE TO MEET THE OBJECTION OF THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

1) Heading of the Part: Special Education

2) Code Citation: 23 Ill. Adm. Code 226

3)

Section Numbers:	Action:
226.130	Modification
226.730	Modification
226.731	Modification
226.735	Modification

4) Date Notice of Proposed Amendments Published in the Register: March 17, 2006; 30 Ill. Reg. 4421

5) Date JCAR Statement of Objection and Filing Prohibition Published in the Register: January 26, 2007; 31 Ill. Reg. 2033

6) Summary of Action Taken by the Agency: On January 9, 2007, JCAR objected to, and prohibited the filing of, this set of amendments to Part 226, stating that the adoption of policies not mandated by the United States Department of Education would pose a serious threat to the interests of children with disabilities and special education teachers. This sweeping statement of Objection encompassed a large number of the provisions of Part 226 that the agency could not agree to omit from the rules, and it was not until April 18th that JCAR identified the two issues that the members found to be of particular concern. In the interim, ISBE was compelled to respond to the Objection in order to avoid having the rulemaking considered withdrawn in accordance with the Illinois Administrative Procedure Act. That response was stated as a refusal to modify the rules, and the agency is now in a position to revise that response by identifying changes in the rules that ISBE is prepared to make.

With an understanding of the issues JCAR wished to see resolved, and through diligent negotiations with the affected parties, ISBE has been able to identify modifications in selected portions of the rules that will resolve those parties' concerns to the greatest possible extent. A summary of those revisions is as follows.

- In Section 226.130 (Additional Procedures for Students Suspected of or Having a Specific Learning Disability), the deadline for implementation of newly required procedures will be deferred from the 2008-09 school year to 2010-11, and the requirement for implementation will be contingent upon the State Superintendent's

preparation of a plan encompassing professional development and other resources as necessary, as well as a timeframe for State-level assistance and support. Each district will subsequently be required to develop a plan outlining the transition to implementation of the required process and the resources to be devoted to that transition.

- The effectiveness of the provisions in Section 226.730 (Class Size for 2009-10 and Beyond) will be delayed for one year from 2008-09, and a portion of the earlier material has been moved into a separate Section.

- The effectiveness of the "holdover" provisions in Section 226.731 (Class Size Provisions for 2007-08 and 2008-09) is extended to a second year instead of ending after the 2007-08 school year.

- Section 226.735 is given a new title (Work Load for Special Educators) and now provides for districts to adopt plans for work load that take into account the various types of tasks for which special educators are responsible. The rule acknowledges the relevance of the Illinois Educational Labor Relations Act with respect to collective bargaining agreements.

The State Board of Education adopted these revisions at its meeting on May 17, 2007, and will be seeking their review by the Joint Committee at its meeting on June 12th.

DEPARTMENT OF LABOR

NOTICE OF PUBLIC INFORMATION

CONTRACTOR PROHIBITED FROM AN AWARD
OF A CONTRACT OR SUBCONTRACT
FOR PUBLIC WORKS PROJECTS

Pursuant to the findings in Re: Del Toro Landscaping, Inc., IDOL File No(s). 2004-PW-WJ10-0922, 2004-PW-WJ02-1303, 2004-PW-WJ11-1008, 2005-PW-WJ04-0932, 2005-PW-WJ10-0395, the Director of the Department of Labor gives notice that Del Toro Landscaping, Inc., its member(s), officer(s), manager(s), agent(s), and all persons acting in Del Toro Landscaping, Inc.'s interest and/or on Del Toro Landscaping, Inc.'s behalf, and any business entity, including, but not limited to, any firm, corporation, partnership or association in which Del Toro Landscaping, Inc.'s, its member(s), officer(s), manager(s), agent(s), and all other persons acting in Del Toro Landscaping, Inc.'s interest and/or on Del Toro Landscaping, Inc.'s behalf have an interest, pecuniary or otherwise, is(are) prohibited from being awarded any contract or subcontract for a public works project covered by the Prevailing Wage Act, 820 ILCS 130/0.01-12 (2001), commencing April 10, 2007 and continuing through November 9, 2008.

Copies of the Prevailing Wage Act are available on the internet at http://www.legis.state.il.us/ilcs/ch820/ch820act130.htm, and at the:

Illinois Department of Labor
Conciliation and Mediation Division
One West Old State Capital Plaza, Room 300
Springfield, Illinois 62701-1217

DEPARTMENT OF EMPLOYMENT SECURITY

JULY 2007 REGULATORY AGENDA

a) Part(s) (Heading and Code Citation): Freedom Of Information 2 Ill. Adm. Code 1301

1) Rulemaking:

A) Description: The Department is planning to amend this Part to update the Department's mailing address and to specify its charges for copies of requested records.

B) Statutory Authority: Implementing and authorized by Section 1700 and 1701 of the Unemployment Insurance Act [820 ILCS 405/1700, 1701]; the Freedom of Information Act [5 ILCS 140/1 *et seq.*]; and Section 5-15 of the Illinois Administrative Procedure Act [5 ILCS 100/5-15].

C) Scheduled meeting/hearing dates: None

D) Date agency anticipates First Notice: July, 2007

E) Effect on small businesses, small municipalities or not for profit corporations: The proposal would affect all businesses equally.

F) Agency contact person for information:

Gregory J. Ramel, Deputy Legal Counsel
Illinois Department of Employment Security
33 South State Street - 9th Floor
Chicago, IL 60603
312/793-4240

G) Related rulemaking and other pertinent information: None

b) Part(s) (Heading and Code Citation): General Application 56 Ill. Adm. Code 2712

1) Rulemaking:

A) Description: The Department needs to update its mailing address. It may also wish to indicate that copies of the IDES Board of

DEPARTMENT OF EMPLOYMENT SECURITY

JULY 2007 REGULATORY AGENDA

Review Reporter will be available on CD-ROM rather than microfilm.

B) Statutory Authority: Implementing and authorized by Sections 802, 1700, 1701 and 1900 of the Unemployment Insurance Act [820 ILCS 405/802, 1700, 1701 and 1900].

C) Scheduled meeting/hearing dates: None

D) Date agency anticipates First Notice: July, 2007

E) Effect on small businesses, small municipalities or not for profit corporations: The proposal would affect all businesses equally.

F) Agency contact person for information:

Gregory J. Ramel, Deputy Legal Counsel
Illinois Department of Employment Security
33 South State Street - 9th Floor
Chicago, IL 60603
312/793-4240

G) Related rulemaking and other pertinent information: None

c) Part(s) (Heading and Code Citation): Claims, Adjudication. Appeals And Hearings 56 Ill. Adm. Code 2720

1) Rulemaking:

A) Description: The Department is considering an amendment to Section 2720.100 to eliminate the provision that the agency issue ID cards to claimants, as well as the general requirement that individuals who initially file for benefits in person do so at the local office serving the geographic area in which they reside. At the same time, the rules will be generally updated to reflect the ability to file a new claim via the Internet.

The Department is considering the elimination of the "Low Earnings Report." A low earnings report is a form obtained from a

partially unemployed claimant's employer and one of various means of demonstrating the claimant's employment with and earnings from that employer.

The Department is considering an amendment to the rule setting forth the circumstances under which it will reconsider a determination.

Since the majority of claimants now certify to their bi-weekly eligibility through the "teleserve" system, the Department no longer maintains copies of every claimant's search for work. The Department would, therefore, like to amend its rule to make clear that the Department no longer maintains those records. The Department would set forth the circumstances under which it would request the claimant to produce a record of his or her work search.

The Department is considering an amendment to Section 2720.275 to specify that, before being issued to the parties, recommended decisions in labor disputes cases are to be submitted to the Director, who will then issue a decision, accepting, rejecting or modifying the recommendation.

The Department is considering a rule which would allow an appeal to the referee, which appears to be untimely on its face, to be dismissed on the basis of untimeliness without a hearing. A party whose appeal was dismissed as untimely and who requested a hearing on the timeliness issue would be entitled to a hearing on that issue.

One Section needs to be updated to reflect the Department's current mailing address.

The Department is considering revising its rules regarding proceedings before the Board of Review, to shorten the time frames for submission of briefs, responses and replies; requests for oral argument or transcripts or to inspect or receive copies of the record; requests to submit additional evidence, and responses and replies with regard to requests to submit additional evidence.

DEPARTMENT OF EMPLOYMENT SECURITY

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The Department intends to repeal the now obsolete rule that provides LEP individuals are to provide interpreters at IDES proceedings at their own expense

B) Statutory Authority: Implementing and authorized by Sections 239, 409, 500, 604, 700, 701, 702, 703, 705, 706, 800, 801, 803, 804, 805, 1000, 1001, 1002, 1004, 1200, 1700, 1701, 2300, 2301, 2302 and 2304 of the Unemployment Insurance Act [820 ILCS 405/239, 409, 500, 604, 700, 701, 702, 703, 705, 706, 800, 801, 803, 804, 805, 1000, 1001, 1002, 1004, 1200, 1700, 1701, 2300, 2301, 2302 and 2304].

C) Scheduled meeting/hearing dates: None

D) Date agency anticipates First Notice: July, 2007

E) Effect on small businesses, small municipalities or not for profit corporations: The proposal would affect all businesses equally.

F) Agency contact person for information:

Gregory J. Ramel, Deputy Legal Counsel
Illinois Department of Employment Security
33 South State Street - 9th Floor
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312/793-4240

G) Related rulemaking and other pertinent information: None

d) Part(s) (Heading and Code Citation): Administrative Hearings And Appeals 56 Ill. Adm. Code 2725

1) Rulemaking:

A) Description: The Department is considering whether a document should be considered filed with the Department as of the date that it is given to a private delivery service. Currently, a document delivered by a private messenger is considered filed on the date of

receipt by the Department. This rule change would treat a private delivery service the same as the U.S. Post Office.

B) Statutory Authority: Implementing and authorized by Sections 701, 702, 703, 706, 1501, 1501.1, 1502, 1502.1, 1508, 1508.1, 1509, 1510, 1700, 1701, 2200, 2201, 2203, 2300, 2301, 2302, 2304 and 2305 of the Illinois Unemployment Insurance Act [820 ILCS 405/ 701, 702, 703, 706, 1501, 1501.1, 1502, 1502.1, 1508, 1508.1, 1509, 1510, 1700, 1701, 2200, 2201, 2203, 2300, 2301, 2302, 2304 and 2305].

C) Scheduled meeting/hearing dates: None

D) Date agency anticipates First Notice: July, 2007

E) Effect on small businesses, small municipalities or not for profit corporations: The proposal would affect all businesses equally.

F) Agency contact person for information:

Gregory J. Ramel, Deputy Legal Counsel
Illinois Department of Employment Security
33 South State Street - 9th Floor
Chicago, IL 60603
312/793-4240

G) Related rulemaking and other pertinent information: None

e) Part(s) (Heading and Code Citation): Employment 56 Ill. Adm. Code 2732

1) Rulemaking:

A) Description: The Department is considering amending its rule with respect to section 212 (which sets forth the test for determining whether a worker is an employee or an independent contractor for unemployment insurance purposes), in light of appellate decisions that have dealt with the independent contactor question since the rule first took effect.

DEPARTMENT OF EMPLOYMENT SECURITY

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The Department is considering an amendment to Section 2732.205 to clarify that, in order to be considered a "truck" or "truck-tractor" or "tractor" under Section 212.1 of the Act, the vehicle must have "truck" license plates.

B) Statutory Authority: Sections 205, 206, 206.1, 211.5, 212, 212.1, 215, 217, 218, 225, 1700 and 1701 of the Unemployment Insurance Act [820 ILCS 405/205, 206, 206.1, 211.5, 212, 212.1, 215, 217, 218, 225, 1700 and 1701].

C) Scheduled meeting/hearing dates: None

D) Date agency anticipates First Notice: July, 2007

E) Effect on small businesses, small municipalities or not for profit corporations: The proposal would affect all businesses equally.

F) Agency contact person for information:

Gregory J. Ramel, Deputy Legal Counsel
Illinois Department of Employment Security
33 South State Street - 9th Floor
Chicago, IL 60603
312/793-4240

G) Related rulemaking and other pertinent information: None

f) Part(s) (Heading and Code Citation): Notices, Records, Reports 56 Ill. Adm. Code 2760

1) Rulemaking:

A) Description: The Department intends to add Section 2760.128, which will reflect the enactment of P.A. 94-723, which expressly allows annual filing of wage and contribution reports by households that solely employ household workers.

One Section needs to be updated to reflect the Department's current mailing address.

DEPARTMENT OF EMPLOYMENT SECURITY

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B) Statutory Authority: Sections 204, 234, 245, 300, 302, 700, 1400, 1401, 1402, 1404, 1405, 1507, 1700 and 1701 of the Unemployment Insurance Act [820 ILCS 405/204, 234, 245, 300, 302, 700, 1400, 1401, 1402, 1404, 1405, 1507, 1700 and 1701].

C) Scheduled meeting/hearing dates: None

D) Date agency anticipates First Notice: July, 2007

E) Effect on small businesses, small municipalities or not for profit corporations: The proposal would affect all businesses equally.

F) Agency contact person for information:

Gregory J. Ramel, Deputy Legal Counsel
Illinois Department of Employment Security
33 South State Street - 9th Floor
Chicago, IL 60603
312/793-4240

G) Related rulemaking and other pertinent information: None

g) Part(s) (Heading and Code Citation): Payment Of Unemployment Contributions, Interest And Penalties 56 Ill. Adm. Code 2765

1) Rulemaking:

A) Description: The Department intends to amend Section 2765.61, which deals with waiver of penalties and interest assessed against households that file their contributions, as well as their contribution and wage reports, annually. The amendment will reflect the enactment of P.A. 94-723, which expressly allows annual filing by households that solely employ household workers.

One Section needs to be updated to reflect the Department's current mailing address.

B) Statutory Authority: Implementing and authorized by Sections 212, 302, 500, 601, 602, 603, 612, 701, 1400, 1401, 1402, 1403, 1404, 1405, 1502.1,

1503, 1507, 1508, 1509, 1700, 1701 and 2600 of the Unemployment Insurance Act [820 ILCS 405/212, 302, 500, 601, 602, 603, 612, 701, 1400, 1401, 1402, 1403, 1404, 1405, 1502.1, 1503, 1507, 1508, 1509, 1700, 1701 and 2600].

C) Scheduled meeting/hearing dates: None

D) Date agency anticipates First Notice: July, 2007

E) Effect on small businesses, small municipalities or not for profit corporations: The proposal would affect all businesses equally.

F) Agency contact person for information:

Gregory J. Ramel, Deputy Legal Counsel
Illinois Department of Employment Security
33 South State Street - 9th Floor
Chicago, IL 60603
312/793-4240

G) Related rulemaking and other pertinent information: None

h) Part(s) (Heading and Code Citation): Determination Of Unemployment Contributions 56 Ill. Adm. Code 2770

1) Rulemaking:

A) Description: The Department wishes to stop using rulemaking to announce the average contribution rates for industry sectors and, instead, post the rates on its website. The rules would continue to set forth the formula for calculating those rates.

B) Statutory Authority: Implementing and authorized by Sections 1500, 1501, 1503, 1506.1, 1506.2, 1506.3, 1508.1, 1700 and 1701 of the Unemployment Insurance Act [820 ILCS 405/1500, 1501, 1503, 1506.1, 1506.2, 1506.3, 1508.1, 1700 and 1701].

C) Scheduled meeting/hearing dates: None

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D) Date agency anticipates First Notice: July, 2007

E) Effect on small businesses, small municipalities or not for profit corporations: The proposal would affect all newly liable business equally.

F) Agency contact person for information:

Gregory J. Ramel, Deputy Legal Counsel
Illinois Department of Employment Security
33 South State Street - 9th Floor
Chicago, IL 60603
312/793-4240

G) Related rulemaking and other pertinent information: None

i) Part(s) (Heading and Code Citation): Employees' General Rights And Duties 56 Ill. Adm. Code 2815

1) Rulemaking:

A) Description: The Department needs to revise provisions regarding the deduction of child support from unemployment benefits, to update references to other state agencies and statutory citations. The Department's mailing address also needs to be updated.

B) Statutory Authority: Implementing and authorized by Sections 1300, 1700 and 1701 of the Unemployment Insurance Act [820 ILCS 405/1300, 1700 and 1701].

C) Scheduled meeting/hearing dates: None

D) Date agency anticipates First Notice: July, 2007

E) Effect on small businesses, small municipalities or not for profit corporations: The proposal has no direct effect on any business.

F) Agency contact person for information:

Gregory J. Ramel, Deputy Legal Counsel

DEPARTMENT OF EMPLOYMENT SECURITY

JULY 2007 REGULATORY AGENDA

Illinois Department of Employment Security
33 South State Street - 9th Floor
Chicago, IL 60603
312/793-4240

G) Related rulemaking and other pertinent information: None

j) Part(s) (Heading and Code Citation): Payment Of Benefits 56 Ill. Adm. Code 2830

1) Rulemaking:

A) Description: The Department is considering an amendment to Section 2830.200 to allow a survivor of a deceased claimant, or certain relatives of a comatose claimant, to certify to the claimant's eligibility for benefits for periods that preceded the claimant's death or entry into a comatose state and for which the claimant had not yet certified. The Department's mailing address also needs to be updated.

B) Statutory Authority: Sections 900, 901, 1700, 1701 and 1706 of the Unemployment Insurance Act [820 ILCS 405/900, 901, 1700, 1701 and 1706].

C) Scheduled meeting/hearing dates: None

D) Date agency anticipates First Notice: July, 2007

E) Effect on small businesses, small municipalities or not for profit corporations: The proposal has no direct effect on any business.

F) Agency contact person for information:

Gregory J. Ramel, Deputy Legal Counsel
Illinois Department of Employment Security
33 South State Street - 9th Floor
Chicago, IL 60603
312/793-4240

G) Related rulemaking and other pertinent information: None

DEPARTMENT OF EMPLOYMENT SECURITY

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k) Part(s) (Heading and Code Citation): Recovery Of Benefits 56 Ill. Adm. Code 2835

1) Rulemaking:

A) Description: The Department is considering adding a provision to revise the rate at which trade readjustment allowance overpayments are recouped from trade readjustment allowance benefits.

B) Statutory Authority: Implementing and authorized by Sections 900, 901, 1700, 1701 and 1706 of the Unemployment Insurance Act [820 ILCS 405/900, 901, 1700, 1701 and 1706].

C) Scheduled meeting/hearing dates: None

D) Date agency anticipates First Notice: July, 2007

E) Effect on small businesses, small municipalities or not for profit corporations: The proposal has no direct effect on any business.

F) Agency contact person for information:

Gregory J. Ramel, Deputy Legal Counsel
Illinois Department of Employment Security
33 South State Street - 9th Floor
Chicago, IL 60603
312/793-4240

G) Related rulemaking and other pertinent information: None

l) Part(s) (Heading and Code Citation): Claimant's Availability For Work, Ability To Work 56 Ill. Adm. Code 2865

1) Rulemaking:

A) Description: The Department is considering amending Section 2865.100 to clarify that claimants who reside in other states but who work in Illinois as "commuters" must register for work in Illinois since this is their primary labor market.

DEPARTMENT OF EMPLOYMENT SECURITY

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The Department is considering revising its rules to provide that an individual will not be considered unable or unavailable for work solely because he/she is only seeking part time work.

B) Statutory Authority: Implementing and authorized by Sections 409, 500, 1700 and 1701 of the Unemployment Insurance Act [820 ILCS 405/409, 500, 1700 and 1701].

C) Scheduled meeting/hearing dates: None

D) Date agency anticipates First Notice: July, 2007

E) Effect on small businesses, small municipalities or not for profit corporations: The proposal has no direct effect on any business except to the extent that it may expand the circumstances under which a claimant might be eligible for benefits.

F) Agency contact person for information:

Gregory J. Ramel, Deputy Legal Counsel
Illinois Department of Employment Security
33 South State Street - 9th Floor
Chicago, IL 60603
312/793-4240

G) Related rulemaking and other pertinent information: None

m) Part(s) (Heading and Code Citation): Trade Readjustment Assistance 56 Ill. Adm. Code 2876

1) Rulemaking:

A) Description: The Department is considering adding a provision to allow for waiver of non-fraud overpayments of trade readjustment allowances under the federal Trade Act.

B) Statutory Authority: Statutory Authority: Implementing and authorized by Sections 900, 901, 1700, 1701 and 1706 of the Unemployment Insurance Act [820 ILCS 405/900, 901, 1700, 1701 and 1706].

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C) Scheduled meeting/hearing dates: None

D) Date agency anticipates First Notice: July, 2007

E) Effect on small businesses, small municipalities or not for profit corporations: The proposal has no direct effect on any business.

F) Agency contact person for information:

Gregory J. Ramel, Deputy Legal Counsel
Illinois Department of Employment Security
33 South State Street - 9th Floor
Chicago, IL 60603
312/793-4240

G) Related rulemaking and other pertinent information: None

ILLINOIS PLANNING COUNCIL ON DEVELOPMENTAL DISABILTIES

JULY 2007 REGULATORY AGENDA

a) Part(s) (Heading and Code Citation): Public Information, Rulemaking and Organization, 2 Ill. Adm. Code 2900

1) Rulemaking:

A) Description: The Agency is preparing a rulemaking to update existing agency name change and other statutory changes to the Council's state law at 20 ILCS 4010.

B) Statutory Authority: Section 5-15 of the Illinois Administrative Procedures Act (5 ILCS 100)

C) Scheduled meeting/hearing dates: None scheduled at this time.

D) Date agency anticipates First Notice: Undetermined

E) Effect on small businesses, small municipalities or not for profit corporations: The rules should not affect small businesses, small municipalities or not for profit corporations.

F) Agency contact person for information:

Kerry Flynn
Illinois Council on Developmental Disabilities
830 South Spring Street
Springfield, Illinois 62704
217/782-9696

G) Related rulemakings and other pertinent information: None

b) Part(s) (Heading and Code Citation): Access to Public Records, 2 Ill. Adm. Code 2905

1) Rulemaking:

A) Description: The Agency is preparing a rulemaking to update name change and other changes regarding access to records.

B) Statutory Authority: Freedom of Information Act (5 ILCS 140/3(g)).

ILLINOIS PLANNING COUNCIL ON DEVELOPMENTAL DISABILTIES

JULY 2007 REGULATORY AGENDA

C) Scheduled meeting/hearing dates: None scheduled at this time.

D) Date agency anticipates First Notice: Undetermined

E) Effect on small businesses, small municipalities or not for profit corporations: The rules should not affect small businesses, small municipalities or not for profit corporations.

F) Agency contact person for information:

Kerry Flynn
Illinois Council on Developmental Disabilities
830 South Spring Street
Springfield, Illinois 62704
217/782-9696

G) Related rulemakings and other pertinent information: None

c) Part(s) (Heading and Code Citation): Grants, 59 Ill. Adm. Code 400

1) Rulemaking: Repeal and Propose New Rules

A) Description: The Agency is preparing rulemaking to repeal existing rules and propose new rules in the same rulemaking notice.

B) Statutory Authority: Implementing and authorized by Section 2006 of the Illinois Council on Developmental Disabilities Law (20 ILCS 4010)

C) Scheduled meeting/hearing dates: None scheduled at this time.

D) Date agency anticipates First Notice: Undetermined

E) Effect on small businesses, small municipalities or not for profit corporations: We do not believe there will be an impact on small businesses, small municipalities or not for profit corporations.

F) Agency contact person for information:

ILLINOIS PLANNING COUNCIL ON DEVELOPMENTAL DISABILTIES

JULY 2007 REGULATORY AGENDA

Kerry Flynn
Illinois Council on Developmental Disabilities
830 South Spring Street
Springfield, Illinois 62704
217/782-9696

G) Related rulemakings and other pertinent information: None

d) Part(s) (Heading and Code Citation): Americans with Disabilities Act Grievance Procedure, 4 Ill. Adm. Code 800

1) Rulemaking:

A) Description: The Agency is preparing a rulemaking to update existing agency name change and other changes.

B) Statutory Authority: Title II, Subtitle A of the Americans with Disabilities Act of 1990 (42 USC 12131-12134)

C) Scheduled meeting/hearing dates: None scheduled at this time.

D) Date agency anticipates First Notice: Undetermined

E) Effect on small businesses, small municipalities or not for profit corporations: We do not believe there will be an impact on small businesses, small municipalities or not for profit corporations.

F) Agency contact person for information:

Kerry Flynn
Illinois Council on Developmental Disabilities
830 South Spring Street
Springfield, Illinois 62704
217/782-9696

G) Related rulemakings and other pertinent information: None

ILLINOIS ADMINISTRATIVE CODE
Issue Index - With Effective Dates

Rules acted upon in Volume 31, Issue 23 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.

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