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Editor's Note: The Secretary of State Index Department is providing this opportunity to remind you that the next filing period for your Regulatory Agenda will occur from October 15, 2015 until January 4, 2016.

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 preemptory 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.].

ILLINOIS REGISTER PUBLICATION SCHEDULE FOR 2015

Issue#	Rules Due Date	Date of Issue
1	December 22, 2014	January 2, 2015
2	December 29, 2014	January 9, 2015
3	January 5, 2015	January 16, 2015
4	January 12, 2015	January 23, 2015
5	January 20, 2015	January 30, 2015
6	January 26, 2015	February 6, 2015
7	February 2, 2015	February 13, 2015
8	February 9, 2015	February 20, 2015
9	February 17, 2015	February 27, 2015
10	February 23, 2015	March 6, 2015
11	March 2, 2015	March 13, 2015
12	March 9, 2015	March 20, 2015
13	March 16, 2015	March 27, 2015
14	March 23, 2015	April 3, 2015
15	March 30, 2015	April 10, 2015
16	April 6, 2015	April 17, 2015
17	April 13, 2015	April 24, 2015
18	April 20, 2015	May 1, 2015
19	April 27, 2015	May 8, 2015

20	May 4, 2015	May 15, 2015
21	May 11, 2015	May 22, 2015
22	May 18, 2015	May 29, 2015
23	May 26, 2015	June 5, 2015
24	June 1, 2015	June 12, 2015
25	June 8, 2015	June 19, 2015
26	June 15, 2015	June 26, 2015
27	June 22, 2015	July 6, 2015
28	June 29, 2015	July 10, 2015
29	July 6, 2015	July 17, 2015
30	July 13, 2015	July 24, 2015
31	July 20, 2015	July 31, 2015
32	July 27, 2015	August 7, 2015
33	August 3, 2015	August 14, 2015
34	August 10, 2015	August 21, 2015
35	August 17, 2015	August 28, 2015
36	August 24, 2015	September 4, 2015
37	August 31, 2015	September 11, 2015
38	September 8, 2015	September 18, 2015
39	September 14, 2015	September 25, 2015
40	September 21, 2015	October 2, 2015
41	September 28, 2015	October 9, 2015
42	October 5, 2015	October 16, 2015
43	October 13, 2015	October 23, 2015
44	October 19, 2015	October 30, 2015
45	October 26, 2015	November 6, 2015
46	November 2, 2015	November 13, 2015
47	November 9, 2015	November 20, 2015
48	November 16, 2015	November 30, 2015
49	November 23, 2015	December 4, 2015
50	November 30, 2015	December 11, 2015
51	December 7, 2015	December 18, 2015
52	December 14, 2015	December 28, 2015

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Real Estate License Act of 2000
- 2) Code Citation: 68 Ill. Adm. Code 1450
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
1450.100	Amendment
1450.110	Amendment
1450.115	New Section
1450.120	Amendment
1450.130	Amendment
1450.140	Amendment
1450.145	New Section
1450.150	Amendment
1450.160	New Section
1450.170	New Section
1450.200	Amendment
1450.205	New Section
1450.210	Amendment
1450.220	Amendment
1450.230	Repealed
1450.240	Amendment
1450.250	Amendment
1450.260	Repealed
1450.300	Repealed
1450.310	Repealed
1450.320	Repealed
1450.330	Repealed
1450.340	Repealed
1450.400	Amendment
1450.410	Amendment
1450.420	Amendment
1450.430	Amendment
1450.440	Amendment
1450.450	Amendment
1450.500	Amendment
1450.510	Amendment
1450.520	Amendment
1450.530	Amendment
1450.540	Amendment

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1450.550	Amendment
1450.600	Amendment
1450.610	Amendment
1450.700	Amendment
1450.705	Amendment
1450.710	Amendment
1450.715	Amendment
1450.720	Amendment
1450.725	Amendment
1450.730	Amendment
1450.735	Amendment
1450.740	Amendment
1450.745	Amendment
1450.750	Amendment
1450.755	Amendment
1450.760	Amendment
1450.765	Amendment
1450.770	Amendment
1450.780	Amendment
1450.785	Amendment
1450.790	New Section
1450.810	Amendment
1450.820	Amendment
1450.830	Amendment
1450.900	Amendment
1450.905	Amendment
1450.910	Amendment
1450.915	Amendment
1450.920	Amendment
1450.925	Amendment
1450.930	Amendment
1450.935	Amendment
1450.940	Amendment
1450.945	Amendment
1450.950	Amendment
1450.955	Amendment
1450.1100	Amendment
1450.1105	Amendment
1450.1110	Amendment

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1450.1115	Amendment
1450.1120	Repealed
1450.1125	Amendment
1450.1130	Amendment
1450.1135	Amendment
1450.1140	Amendment
1450.1145	Amendment
1450.1150	Amendment
1450.1155	Amendment
1450.1160	Amendment
1450.1165	Amendment
1450.1170	Amendment
1450.1200	Repealed
1450.1300	New Section
1450.1310	New Section
1450.1320	New Section

- 4) Statutory Authority: Implementing the Real Estate License Act of 2000 [225 ILCS 454] and authorized by Section 2105-15(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/2105-15(7)]
- 5) A Complete Description of the Subjects and Issues Involved: As a result of multiple statutory changes and changes requested by the industry, this Part is being updated, reorganized and rewritten. The current amendments remove references to the now obsolete "salesperson" license and updates the "broker" and "managing broker" designations, and updates continuing education requirements for transferring licensees. Also, a new real estate auction certification was added to the Act by PA 98-553, which is intended to distinguish auctioneers who are grandfathered to the practice of selling or leasing real estate at auction, and non-grandfathered auctioneers who are limited to crying or calling real estate at auction. This new certification will likewise have provisions for certification and education and are contained in new Subpart M of these amendments.

In addition to the substantive changes noted above, these amendments also contain numerous non-substantive changes including those to reflect the creation of the Division of Real Estate within the Department of Financial and Professional Regulation, citation correction, and general clarifying language.

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NOTICE OF PROPOSED AMENDMENTS

- 6) Any published studies or reports, along with the sources of underlying data, that were used when comprising this rulemaking, in accordance with 1 Ill. Adm. Code 100.355: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:

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

217/785-0813
fax: 217/557-4451

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

- 13) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not-for-profit corporations affected: Those providing real estate services and auctioneers involved in the sale or lease of real property at auction
 - B) Reporting, bookkeeping or other procedures required for compliance: Please refer to the various requirements of this Part.

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- C) Types of professional skills necessary for compliance: Skill and knowledge pertaining to the real estate business and the sale or lease of real property at auction

- 14) Regulatory Agenda on which this rulemaking was summarized: July 2014

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

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

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

PART 1450
 REAL ESTATE LICENSE ACT OF 2000

SUBPART A: GENERAL

Section	
1450.100	Definitions
1450.110	Sponsor Cards
1450.115	Termination of License
1450.120	Assumed Name
1450.130	Fees
1450.140	Renewals
1450.145	Restoration
1450.150	Licensee Change of Information
1450.160	Dual Licensure
1450.170	Exemption Under Section 5-20(1) of the Act

SUBPART B: [LEASING AGENT LICENSING AND EDUCATION](#)~~FOR LEASING AGENT~~

Section	
1450.200	Leasing Agent General Provisions
1450.205	Leasing Agent Pre-License Education Requirements
1450.210	Leasing Agent Examination Requirement
1450.220	Application for Issuance of Leasing Agent License by Examination
1450.230	Leasing Agent Termination of Employment (Repealed)
1450.240	Leasing Agent 120 Day Student Permit
1450.250	Leasing Agent Continuing Education Requirements
1450.260	Approved Courses, Schools and Instructors for Leasing Agents (Repealed)

SUBPART C: LICENSING AND EDUCATION FOR SALESPERSON

Section	
1450.300	Salesperson Educational Requirements to Obtain a License (Repealed)
1450.310	Salesperson Examination (Repealed)
1450.320	Applications for Salesperson License by Examination (Repealed)

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- 1450.330 Application for Salesperson License by Reciprocity (Repealed)
 1450.340 Salesperson Continuing Education (Repealed)

SUBPART D: BROKER LICENSING AND EDUCATION~~FOR BROKER~~

Section

- 1450.400 Broker Pre-license Education~~Educational~~ Requirements~~to Obtain a License~~
 1450.410 Broker Post-License Education Requirements~~Educational Requirement~~
 1450.420 Broker Examination
 1450.430 Application for Broker License by Examination
 1450.440 Application for Broker License by Reciprocity
 1450.450 Broker Continuing Education

SUBPART E: MANAGING BROKER LICENSING AND EDUCATION~~FOR MANAGING BROKER~~

Section

- 1450.500 Managing Broker Pre-licensed Education~~Educational~~ Requirements~~to Obtain a License~~
 1450.510 Managing Broker Examination
 1450.520 Application for Managing Broker License by Examination
 1450.530 Application for Managing Broker License by Reciprocity
 1450.540 Managing Broker Continuing Education
 1450.550 Managing Broker License Transfer to Broker License~~Licensee Transition Provision~~

SUBPART F: CORPORATIONS, LIMITED LIABILITY COMPANIES, PARTNERSHIPS, LIMITED PARTNERSHIPS AND LIMITED LIABILITY PARTNERSHIPS

Section

- 1450.600 Application for Corporations, Limited Liability Companies, Partnerships, Limited Partnerships and Limited Liability Partnerships Licenses
 1450.610 Offices and Branch Offices

SUBPART G: COMPENSATION AND BUSINESS PRACTICES

Section

- 1450.700 Sponsoring~~Managing~~ Broker Responsibilities
 1450.705 Named Managing Broker Responsibilities and Supervision

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1450.710	Discrimination
1450.715	Advertising
1450.720	Internet Advertising
1450.725	Office and Branch Office Identification Signs
1450.730	Display of Licenses
1450.735	Employment Agreements
1450.740	Unlicensed Assistants
1450.745	Corporation for Indirect Payment
1450.750	Special Accounts
1450.755	Recordkeeping
1450.760	Disclosure of Compensation
1450.765	Disclosure of Licensee Status
1450.770	Brokerage Agreements and Listing Agreements
1450.775	Written Agreements
1450.780	Referral Fees and Affinity Relationships
1450.785	Rental Finding Services
<u>1450.790</u>	<u>Broker Price Opinions and Comparative Market Analysis</u>

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Section	
1450.800	Confidentiality
1450.810	Failure to Disclose Information Not Affecting Physical Condition <u>of Real Estate</u>
1450.820	Licensee Serving as a Dual <u>Agency Prohibition Agent in a Transaction in Which a Licensee is a Party to the Transaction</u>
1450.830	Disclosure of Contemporaneous Offers

SUBPART I: DISCIPLINE RULES AND PROCEDURES

Section	
1450.900	Unprofessional Conduct
1450.905	Temporary Suspension
1450.910	Non-Disciplinary Action <u>Otherwise Discipline</u>
1450.915	Dissolution: Effect of Suspension or Revocation of <u>a Sponsoring</u> Broker <u>Brokers</u> or <u>Named Managing</u> Broker License <u>Brokers</u>
1450.920	Inspections and Audits
1450.925	Audits of Special Funds by Outside Auditors
1450.930	Case File Review Committee
1450.935	Peer Review Advisor

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- 1450.940 [Rules of Practice in Administrative Hearings](#)
 1450.945 Real Estate Recovery Fund
 1450.950 Automatic ~~Revocation~~~~Termination~~ Upon Order [for Payment to Pay Out](#) from the
 Real Estate Recovery Fund
 1450.955 Advisory Letters

SUBPART J: GRANTING VARIANCES

- Section
 1450.1000 Granting Variances

SUBPART K: PRE-LICENSE SCHOOLS AND CONTINUING EDUCATION
[SCHOOLS PROVIDERS](#)

- Section
 1450.1100 [Application for Pre-License School License and Pre-License School Branch License and Other Requirements](#)~~Schools~~
 1450.1105 [Application Curriculum](#) for Pre-License [Courses and Curriculum](#)~~Schools~~
 1450.1110 [Application for Pre-License School, Pre-License School Branch and Course License](#)~~Expiration Date and Renewal Period for Pre-License Schools~~
 1450.1115 [Application for Pre-License Instructor License](#)~~Instructors~~
 1450.1120 Administration of Proficiency Examinations and Eligibility to Take the Proficiency Exam and Transition Courses [\(Repealed\)](#)
 1450.1125 [Pre-License Instructor License Renewal and Restoration](#)~~Expiration Date and Renewal Period for Pre-License Instructors~~
 1450.1130 [Application for Continuing Education School License and Other Requirements](#)~~Schools~~
 1450.1135 [Application Curriculum](#) for Continuing Education [Courses and Curriculum](#)~~Schools and Course Registration Process~~
 1450.1140 [Application for Continuing Education School and Course License Renewal](#)~~Expiration Date and Renewal Period for Continuing Education Schools~~
 1450.1145 [Application for Continuing Education Instructor License](#)~~Instructors~~
 1450.1150 [Continuing Education Instructor License Renewal and Restoration](#)~~Expiration Date and Renewal Period for Continuing Education Instructors~~
 1450.1155 Distance Education Courses
 1450.1160 Recruitment ~~at Test Center~~
 1450.1165 Discipline of Schools, ~~or~~ Instructors [or Courses](#)
 1450.1170 Real Estate Education Advisory Council

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SUBPART L: CONTINUING EDUCATION TRANSITIONAL PROVISIONS

Section

1450.1200 Continuing Education Requirements for Transitioned Licensees ([Repealed](#))

[SUBPART M: REAL ESTATE AUCTION CERTIFICATION](#)

[Section](#)

[1450.1300 Real Estate Auction Pre-Certification Education](#)

[1450.1310 Application for Real Estate Auction Certification](#)

[1450.1320 Real Estate Auction Certification Activities](#)

AUTHORITY: Implementing the Real Estate License Act of 2000 [225 ILCS 454] and authorized by Section 2105-15(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/2105-15(7)].

SOURCE: Old Part repealed at 35 Ill. Reg. 5414 and new Part adopted at 35 Ill. Reg. 5418, effective March 21, 2011; amended at 40 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL

Section 1450.100 Definitions

Unless otherwise clarified by this Part, definitions set forth in the Act also apply for purposes of this Part.

"Act" means the Real Estate License Act of 2000 [225 ILCS 454].

"Advisory Council" means the Real Estate Education Advisory Council [as set forth in](#) ~~created by~~ Section 30-10 of the Act.

"Affidavit of Non-participation" means a sworn statement made by an unlicensed person associated with, or an [unlicensed](#) owner of, a licensed real estate corporation, limited liability company, partnership, ~~or~~ limited partnership [or limited liability partnership](#) attesting that the unlicensed person is not actively directing or engaging in [licensed real estate](#) activities as part of that association or ownership.

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"Board" means the Real Estate Administration and Disciplinary Board as set forth ~~increated by~~ Section 25-10 of the Act.

~~"Certificate of registration" means the document issued by the Division indicating approval of a continuing education course for which CE credit can be granted.~~

"Compliance agreement" means an agreement entered into between a licensee and the Division in conjunction with an administrative warning letter.

"Credit hour" means a minimum of 50 minutes of instruction approved by the Division:

in a classroom or by other interactive delivery method; or attendance for a minimum of 50 minutes of lecture or its equivalent

through a distance education course program approved by the Division.

"Department" means the Department of Financial and Professional Regulation.

"Director" means the Director of the Division of Real Estate Professional Regulation with the authority delegated by the Secretary.

"Discipline" means a refusal to issue or renew a license, reprimand, probation, suspension or revocation of a license, ~~reprimand~~, fine or any other action the Department may deem proper ~~sanction explicitly provided for in the Act.~~

"Division" means the Department of Financial and Professional Regulation-Division of Real Estate with the authority delegated by the Secretary ~~Professional Regulation.~~

"Electronic signature" means a signature in electronic form attached to or logically associated with an electronic record. [5 ILCS 175/5-105]

"Interactive delivery method" means delivery of a course, approved by the Advisory Council, by a licensed instructor through a medium allowing for live 2-way communication between the licensed instructor and student in which either can initiate or respond to questions, including live instruction and real time discussion via satellite, video or, online via webcam or similar communication

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~~that occurs between the instructor and students in real estate courses approved by the Real Estate Education Advisory Council. (See Section 5-27(a)(5) of the Act.)~~

"Named managing broker" means a managing broker who:

the sponsoring broker names and identifies for the Division, pursuant to Section 1450.700; and

has the responsibilities, and supervises activities, pursuant to Section 1450.705.

~~"Managing broker" means, prior to May 1, 2011, a broker and, after April 30, 2011, a broker or licensed managing broker who has supervisory responsibilities for licensees in one or, in the case of a multi-office company, more than one office and who has been appointed as such by the sponsoring broker. All licensees acting as a managing broker or self-sponsored broker after April 30, 2012 must have a managing broker license or obtain one within 90 days after being named a managing broker. Refer to the definition of sponsoring broker.~~

~~"Moral turpitude" means conduct that is inherently base, depraved or vile.~~

"Office" means a sponsoring real estate broker's place of business where the general public is invited to transact business, from which sponsored licensees work, ~~and~~ where records may be maintained, and where licenses may be readily available, as set forth in Section 1450.730~~displayed~~, whether or not it is the sponsoring broker's principal place of business. Offices and branch offices must meet the requirements set forth in Section 1450.610.~~When determining whether an office exists, the following shall be considered by the Division:~~

~~An office is any business location or structure that is owned, controlled, operated or maintained by a person who, at that location or structure, is:~~

~~engaging in licensed activities;~~

~~offering real estate services to consumers;~~

~~holding out to the public that the person is engaged in the practice of real estate brokerage;~~

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~~maintaining original real estate documents and records related to active or pending transactions;~~

~~maintaining current escrow records; or~~

~~meeting consumers for the purpose of engaging in real estate licensed activities.~~

~~The following places do not constitute an office:~~

~~a motor vehicle primarily used for transportation;~~

~~a place whose purpose is solely devoted to advertising real estate matters of a general nature or to making a sponsoring broker's business name generally known;~~

~~a place that a licensee uses solely for storage or archiving of records; or~~

~~a licensee's residence unless held out to the public as a location at which real estate brokerage services are available to the public.~~

~~A licensee engaged in the practice of real estate brokerage shall maintain an office. If the licensee is sponsored by another, then the office shall be the office of the sponsoring broker.~~

~~A post office box, mail drop location, or other similar facility shall not constitute an office, so long as none of the activities described in this definition take place at this facility.~~

"Proctor" means any person, including a licensed, but not limited to, an instructor, who has a written agreement with a licensed pre-license school or a licensed continuing education (CE) school to administer, in person or electronically, examinations fairly and impartially with a licensed pre-license school or a licensed (CE) continuing education school. The proctor shall authenticate the identity of the student taking the examination; monitor the student and examination-taking process to ensure that the examination is completed with only the aid of additional persons or resources, if any, approved by the Advisory Council; and protect the confidentiality of school materials. Proctors must be

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impartial third parties (i.e., not a licensee's sponsoring broker, managing broker or any relative, etc.)~~Proctoring may be by electronic means.~~

"School branch" means a location where a pre-license school provides instruction other than the pre-licensesponsoring school's principal location.

~~"Semester hours" shall be converted into quarter hours at a ratio of 2 semester hours to 3 quarter hours.~~

"Sole owner"~~when used to describe a licensee~~ means a personlicensee who has a 100% ownership interest alone in real estate,~~has ownership as a joint tenant or tenant by the entirety, or holds 100% beneficial interest in a land trust.~~

"Sponsoring broker" means a person with a license~~the broker or managing broker who has issued a sponsor card to a salesperson, a broker, a licensed managing broker or a leasing agent, or is self-sponsored. There shall be only one sponsoring broker for any one real estate company. According to this definition, the sponsoring broker is the entity holding the company real estate license, whether the entity is an individual who operates as a~~ corporation, sole proprietorship, partnership, limited liability company, partnership, limited partnership, or corporation or registered limited liability partnership, or an individual with a managing broker license who operates as a sole proprietor.

~~The entity that is the sponsoring broker for the real estate company may delegate its duties in accordance with company policy to appropriate company personnel authorized to act and sign on behalf of the sponsoring broker.~~

~~Some examples include, but are not limited to:~~

~~the sponsoring broker could authorize a managing broker for the company to sign sponsor cards in the name of the sponsoring broker;~~

~~the sponsoring broker could authorize a qualified company employee or independent contractor to oversee bookkeeping duties relative to the sponsoring broker's escrow account;~~

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~~the sponsoring broker may delegate authorized signers for the escrow account to sign on behalf of the sponsoring broker; and~~

~~the sponsoring broker may delegate to authorized company personnel the ability to sign contracts entered into by the sponsoring broker in accordance with the sponsoring broker's company policy.~~

"Sponsor card" means the temporary permit issued by the sponsoring broker certifying that the licensee named on the card is employed by or associated with the sponsoring broker, as set forth in Section 5-40 of the Act.

"Transaction" means an accepted real estate contract or lease signed by the parties.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.110 Sponsor Cards

- a) Leasing Agent
- 1) Except for a ~~individual person~~ working under a 120 day leasing agent ~~student~~ permit as ~~set forth provided~~ in Section 1450.240, no leasing agent license applicant may engage in leasing residential real estate as set forth in Section 1450.200~~the activities of a licensed leasing agent~~ until a valid sponsor card has been issued to the applicant.
 - 2) A sponsoring broker shall prepare, ~~upon forms provided by the Division,~~ and deliver to each leasing agent employed by or associated with the sponsoring broker a sponsor card, ~~on forms provided by the Division,~~ certifying that the ~~applicant person~~ whose name appears on the sponsor card is ~~in fact~~ employed by or associated with that sponsoring broker, and that the applicant has not practiced under a 120 day leasing agent ~~student~~ permit for more than 120 days.
 - 3) A ~~sponsor card~~ properly issued sponsor card pursuant to this Section shall serve as a temporary permit allowing the sponsored leasing agency individual to engage in leasing residential real property practice as a leasing agent until the applicant is issued a leasing agent license. An

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~~applicant may practice under a sponsor card temporary permit for a maximum of 45 days, only for the sponsoring broker named on the sponsor card.~~

- 4) A sponsoring broker may issue a sponsor card to a leasing agent or applicant~~an individual~~ only upon presentation of the following~~in the following circumstances~~:
- A) ~~upon presentation of~~ a leasing agent examination pass score report stating that the sponsoring broker may issue a sponsor card;~~or~~
 - B) ~~upon presentation of~~ an original leasing agent license that is endorsed by the sponsoring broker who previously employed or was associated with~~by whom~~ the leasing agent ~~was previously employed~~; or
 - C) ~~upon presentation of~~ a leasing agent license expired for less than 2 years.
- 5) The sponsoring broker shall, within 24 hours after issuance of the sponsor card, submit the following to the Division by regular mail or a signature restricted delivery service:~~determined appropriate by the sponsoring broker.~~
- A) Leasing Agent Applicants~~For applicants for an initial leasing agent license~~:
 - i) a copy of the sponsor card and transcript, if applicable;
 - ii) a leasing agent examination pass score report stating that the sponsoring broker may issue a sponsor card;
 - iii) a signed and completed leasing agent license application ~~that is signed by the applicant and on which all questions have been answered~~; and
 - iv) the required leasing agent license application fee as set forth in~~required by~~ Section 1450.130.

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- B) Leasing Agent License~~For persons already holding a leasing agent license:~~
- i) a copy of the sponsor card;~~and~~
 - ii) the required sponsor card fee set forth in Section 1450.130;
and
 - iii) one of the following:
 - the properly endorsed leasing agent license and pocket card of the sponsored licensee;
 - the expired license of the sponsored licensee, the required fee set forth in Section 1450.130 and proof of CE, if applicable;
 - the pocket card of the licensee and the licensee's sworn statement explaining why the license is not submitted;
or
 - if the license and pocket card are not available, the license status as verified by the Department.
- 6) A sponsoring broker issuing a sponsor card shall retain a copy of the sponsor card until ~~such time as~~ the leasing agent license is received and properly displayed ~~as set forth in~~pursuant to Section 1450.730.
- b) ~~Salesperson,~~ Broker and Managing Broker
- 1) A properly issued sponsor card shall serve as a temporary permit allowing the sponsored ~~broker or managing broker individual~~ to engage in licensed activities~~the practice of real estate~~ for a maximum of 45 days, only for the sponsoring broker named on the sponsor card.
 - 2) ~~A~~The sponsoring broker ~~may~~shall issue a sponsor card to a broker, managing broker, or applicant~~an individual~~ only upon presentation of the following~~in the following instances:~~

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- A) ~~Upon presentation of~~ a real estate examination pass score report stating that the sponsoring broker may issue a sponsor card;
- B) ~~Upon presentation of~~ an original broker or managing broker license endorsed by the sponsoring broker ~~whoby whom the licensee was~~ previously employed or ~~waswith whom the licensee was previously~~ associated with the broker or managing broker licensee; or
- C) ~~Upon presentation of~~ a broker or managing broker license expired for less than 2 years.
- 3) ~~The~~Upon issuance of a sponsor card, the issuing sponsoring broker shall, within 24 hours after issuance of the sponsor card, submit the following to the Division by regular mail or a signature restricted delivery service ~~determined appropriate by the sponsoring broker~~:
- A) ~~For Licensees~~
- i) ~~a copy of the sponsor card and transcript, if applicable;~~
- ii) ~~appropriate sponsor card fee as set forth in Section 1450.130; and~~
- iii) ~~one of the following:~~
- ~~• the properly endorsed real estate license and pocket card of the sponsored licensee; or~~
 - ~~• an expired license of the sponsored licensee along with the fee required by Section 1450.130 and proof of education, if applicable, as required by Section 5-50 of the Act; or~~
 - ~~• the pocket card of the licensee and a sworn statement by the licensee explaining why the license is not submitted; or~~

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- ~~if neither the license nor pocket card is available, the status of the license as verified by the Director or his or her designee.~~

AB) ~~For Salesperson,~~ Broker and Managing Broker Applicants

- i) a copy of the sponsor card and transcript, if applicable;
- ii) a real estate examination pass score report stating that the sponsoring broker may issue a sponsor card; and
- iii) other documentation set forth in Sections~~as required by Section 1450.320,~~ 1450.430 and 1450.520.

B) Broker and Managing Broker Licensees

- i) a copy of the sponsor card and transcript, if applicable;
- ii) the required sponsor card fee set forth in Section 1450.130;
and
- iii) one of the following:
 - the properly endorsed license and pocket card of the sponsored licensee;
 - the expired license of the sponsored licensee, the required fee set forth in Section 1450.130 and proof of CE, if applicable;
 - the pocket card of the licensee and the licensee's sworn statement explaining why the license is not submitted;
or
 - if the license and pocket card are not available, the license status as verified by the Department.

C) ~~Should an applicant be found not to have completed all the requirements, the applicant's sponsor card shall be void, the~~

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~~applicant shall be considered to have never been authorized to practice, and the applicant shall be subject to disciplinary action in accordance with Section 20-20 of the Act and Section 1450.900 of this Part.~~

- 4) A ~~licensed real estate broker, prior to May 1, 2012, or a managing broker~~ may practice as a sole proprietor, ~~and a broker or managing broker may practice as a~~ partnership, corporation, or limited liability company, partnership, limited partnership or limited liability partnership provided that, prior to ~~engaging in licensed activities~~ doing business, the ~~managing broker or~~ broker complies with the licensing requirements ~~for partnerships, corporations or limited liability companies~~ set forth in Section 1450.600 and submits the following to the Division by regular mail or a signature restricted delivery service:
- A) a copy of the managing broker's sponsor card ~~issued to himself or herself;~~
 - B) the ~~required~~ appropriate sponsor card fee ~~set forth in~~ required by Section 1450.130; ~~and~~
 - C) a completed consent to examine and audit special accounts form; and
 - DE) one of the following:
 - i) ~~the properly endorsed~~ Prior to May 1, 2012, his or her properly endorsed real estate broker or managing broker license and pocket card. After April 30, 2012, his or her managing broker license and pocket card of the sponsored licensee; ~~or~~
 - ii) ~~the~~ Prior to May 1, 2012, an expired broker license, or, after April 30, 2012, an expired managing broker license, ~~along with the required fee set forth in~~ required by Section 1450.130 and proof of CE ~~education~~, if applicable, ~~as required by Section 5-50 of the Act;~~ ~~or~~

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- iii) the pocket card of the licensee and the licensee's sworn statement by the licensee explaining why the managing broker license is not submitted; or;
 - iv) if neither the license and nor the pocket card are not available, the status of the license status as shall be verified by the Department Director or his or her designee; or
 - iv) a completed consent to audit and examine special accounts form if one is not already on file.
- c) If an applicant or licensee fails to complete the requirements of this Section:
- 1) the sponsor card shall be void;
 - 2) the applicant or licensee shall be considered to have never been authorized to practice; and
 - 3) the applicant or licensee shall be subject to discipline.
- d5) Within ~~The Division shall, within~~ 30 days after receipt and approval of the sponsor card, required appropriate fees and appropriate documentation, the Division shall issue a license to the applicant or sponsored licensee a license or may notify the applicant or licensee of the basis for denial ~~notify the applicant why the license cannot be issued.~~
- e6) Expiration of the Sponsor Card Expiration. A sponsor card shall be valid for a period of 45 days from issue date unless extended for an additional 45 days by the Division for good cause.
- 1A) Good cause shall be limited to ~~those~~ instances in which the Division has unnecessarily delayed the processing of a license.
 - 2B) A ~~The~~ request for extension shall be considered granted only upon written notice from the Division.
- f7) The sponsoring broker shall retain a ~~copy of the~~ sponsor card copy until the license is received.

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- 8) ~~Upon termination of a licensee, a sponsoring broker shall immediately:~~
- A) ~~Endorse the licensee's license as provided for on that document;~~
 - B) ~~Submit a photocopy of the endorsed license to the Division within 2 business days after termination by regular mail or a signature restricted delivery service determined appropriate by the sponsoring broker;~~
 - C) ~~Retain a copy of the endorsed license at least until the expiration date printed on that license; and~~
 - D) ~~Give the original endorsed license to the licensee.~~
- 9) ~~Once a license has been endorsed, the licensee is prohibited from practicing real estate until the licensee is issued a properly completed sponsor card.~~
- g10) Licensees~~Each licensee~~ shall carry ~~either~~ a properly issued sponsor card or a valid pocket card ~~at all times~~ and shall display themsame upon demand when engaging in any licensed activities.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.115 Termination of License

- a) Upon termination of a license, a sponsoring broker shall immediately:
- 1) Endorse the licensee's original license as provided for on that document;
 - 2) Submit a copy of the endorsed license to the Division within 2 business days after termination by regular mail or a signature restricted delivery service;
 - 3) Retain a copy of the endorsed license until the license's expiration date; and
 - 4) Give the original endorsed license to the licensee.

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- b) Once the original license has been endorsed, the licensee is prohibited from engaging in licensed activities, and a licensed leasing agent is prohibited from engaging in leasing residential real property, until the licensee is issued a properly completed sponsor card.

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 1450.120 Assumed Name

- a) If a sponsoring broker, acting as a sole proprietor, operates under any name other than that appearing on the sponsoring broker's~~his or her~~ license, the sponsoring broker shall submit to the Division a certified copy of the sponsoring broker's registration under the Assumed Business Name Act [805 ILCS 405]. The assumed business name registration shall be obtained in each county in which the assumed business name is used.
- b) Any corporation, limited liability company,~~limited~~ partnership, limited partnership or limited liability~~general partnership or limited liability company~~ operating under any name other than that appearing on its application for a license shall submit~~provide~~ to the Division a copy of the filing or certificate authorizing it to do business under an assumed name.
- c) Sponsored licensees, including groups of sponsored licensees commonly referred to as "teams", may not operate under an assumed business name other than the assumed business name of~~that of~~ their sponsoring broker.
- ~~db~~) The applicant or licensee shall submit the information to the Division within 30 days after use of the assumed name.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.130 Fees

- a) Leasing Agent License and 120 Day Leasing Agent Student Permit~~License of a Leasing Agent~~
- 1) The application fee for an initial leasing agent license is~~shall be~~ \$75.

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- 2) The ~~renewal application~~ fee ~~for an unexpired to renew a~~ leasing agent license ~~is shall be~~ \$50 per year.
 - 3) The late ~~renewal~~ fee for ~~a~~ leasing agent ~~license expired for no more than 2 years is licenses renewed after the expiration date of the license shall be~~ \$50.
 - 4) The ~~application~~ fee for ~~issuing a~~ 120 day leasing agent ~~student~~ permit ~~is shall be~~ \$25.
 - 5) The restoration fee for a leasing agent license expired for more than 2 years but less than 5 years is the sum of all lapsed renewal and late fees.
- b) ~~License of Real Estate Salesperson~~
- 1) ~~The fee for an initial license as a salesperson is \$125. The fee must accompany the application to determine the applicant's fitness to receive a license.~~
 - 2) ~~The fee for renewal of a salesperson's license that has been expired for not more than 2 years, as provided for in Section 5-50 of the Act, is the sum of all lapsed renewal fees plus \$50. However, no salesperson license will be renewed after April 30, 2011.~~
- be) ~~License of Broker~~ License
- 1) ~~The application fee for an initial license as a broker license is \$125. The fee must accompany the application to determine an applicant's fitness to receive a license.~~
 - 2) ~~The renewal fee for an unexpired broker the renewal of a broker's license is that has not expired shall be calculated at the rate of \$75 per year.~~
 - 3) ~~The late fee for the renewal of a broker broker's license that has been expired for not more than 2 years, as provided for in Section 5-50 of the Act, is the sum of all lapsed renewal fees plus \$50.~~
 - 4) The restoration fee for a broker license expired for more than 2 years but less than 5 years is the sum of all lapsed renewal and late fees.

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5) The fee to transfer from a managing broker license to a broker license is \$125.

cd) License of Managing Broker License

1) The application fee for an initial ~~license as a~~ managing broker license is \$150. ~~The fee must accompany the application to determine an applicant's fitness to receive a license.~~

2) The renewal fee for ~~an unexpired~~ ~~the renewal of a~~ managing ~~broker~~ broker's license ~~is that has not expired shall be calculated at the rate of~~ \$100 per year.

3) The late fee for ~~the renewal of a~~ managing ~~broker~~ broker's license ~~that has been expired for not more than 2 years, as provided for in Section 5-50 of the Act, is the sum of all lapsed renewal fees plus~~ \$50.

4) The restoration fee for a managing broker license expired for more than 2 years but less than 5 years is the sum of all lapsed renewal and late fees.

d) Real Estate Auction Certification

1) The application fee for an initial real estate auction certification is \$125.

2) The renewal fee for an unexpired real estate auction certification is \$150 per year.

3) The late fee for a real estate auction certification expired for no more than 2 years is \$50.

e) Corporation, Limited Liability Company, License of Partnership, Limited Partnership or Limited Liability Partnership License~~Limited Liability Company or Corporation~~

1) The application fee for an initial corporation, limited liability company, license for a partnership, limited partnership or limited liability partnership license~~limited liability company or corporation~~ is \$125. ~~The~~

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~~fee must accompany the application to determine an applicant's fitness to receive a license.~~

- 2) The renewal fee for an unexpired corporation, limited liability company, the renewal of a license for a partnership, limited partnership or limited liability partnership license ~~is~~ limited liability company or corporation shall be calculated at the rate of \$75 per year.
 - 3) The late fee for ~~the renewal of a license for a~~ corporation, limited liability company, partnership, limited partnership or limited liability partnership license expired for no more than 2 years ~~limited liability company or corporation that has been expired~~ is the sum of all lapsed renewal fees plus \$50.
- f) License for Branch Office License
- 1) The application fee for an initial ~~license for a branch office~~ license ~~is \$125. The fee must accompany the application to determine an applicant's fitness to receive a license.~~
 - 2) The renewal fee for an unexpired ~~the renewal of a~~ branch office license ~~is~~ shall be calculated at the rate of \$75 per year.
 - 3) The late fee for ~~the renewal of a~~ branch office license that has been expired for no more than 2 years ~~is the sum of all lapsed renewal fees plus \$50.~~
- g) Pre-License School, Instructor and Course License Fees
- 1) The application fee ~~for an application for an~~ initial approval of a pre-license school license ~~is \$1,025. The fee must accompany the application to determine an applicant's fitness to receive a license.~~
 - 2) The renewal fee for an unexpired ~~renewal of approval of a~~ pre-license school license ~~is~~ shall be calculated at the rate of \$525 per year.
 - 3) The late fee for ~~the renewal of approval of a~~ pre-license school license ~~that has been expired~~ for no more than 2 years ~~is the sum of all lapsed renewal fees plus \$50.~~

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- 4) The application fee ~~for an application for an initial approval of a branch for a pre-license school~~ branch license is \$175 per branch. ~~The fee must accompany the application to determine an applicant's fitness to receive approval.~~
- 5) The renewal fee for ~~an unexpired renewal of approval of a branch for an~~ pre-license school branch license ~~is~~ shall be calculated at the rate of \$125 per branch per year.
- 6) The late fee for ~~the renewal of approval of a branch for a~~ pre-license school branch license ~~that has been expired for no more than 2 years~~ is the sum of all lapsed renewal fees plus \$50 per branch.
- 7) The fee to transfer the location of a licensed pre-license school ~~for transferring a license for a branch~~ license ~~is~~ location shall be \$25 per branch per transfer.
- 8) The application fee for ~~an application for~~ initial approval of a pre-license instructor license is \$125. ~~The fee must accompany the application to determine the applicant's fitness for approval.~~
- 9) The renewal fee for ~~renewal of approval of an unexpired~~ pre-license instructor license ~~is~~ shall be calculated at the rate of \$125 per year.
- 10) The late fee for ~~the renewal of approval of a~~ pre-license instructor license ~~that has been expired for no more than 2 years~~ is the sum of all lapsed renewal fees plus \$50.
- 11) The application fee for ~~an application for~~ initial approval of a pre-license course license is \$125. ~~The fee must accompany the application for approval.~~
- 12) The renewal fee for ~~an unexpired renewal of approval of an~~ pre-license course license ~~is~~ shall be calculated at the rate of \$50 per year.
- 13) The late fee for ~~the renewal of approval of a~~ pre-license course license ~~that has been expired for no more than 2 years~~ is the sum of all lapsed renewal fees plus \$50.

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- h) Continuing Education School, Instructor and Course License Fees
- 1) The application fee ~~for an application for an initial approval as a continuing education (CE) school license is~~ shall be \$2,025. ~~The fee must accompany the application to determine an applicant's fitness for approval.~~
 - 2) The renewal fee for ~~an unexpired renewal of approval as an~~ CE school license is shall be \$2,025 per year.
 - 3) The late fee for ~~renewal of approval as a~~ CE school license ~~which has expired for no more than 2 years is~~ shall be \$50 ~~plus all lapsed renewal fees plus~~ \$50.
 - 4) The application fee for ~~an application for initial approval as a~~ CE instructor license is shall be \$75. ~~The fee must accompany the application to determine an applicant's fitness to receive approval.~~
 - 5) The renewal fee for ~~an unexpired renewal of approval as an~~ CE instructor license is shall be \$75 per year.
 - 6) The late fee for ~~the renewal of approval as a~~ CE instructor license ~~that has been expired for no more than 2 years is~~ shall be ~~all lapsed renewal fees plus~~ \$50.
 - 7) The application fee for ~~an application for initial approval of a~~ CE course license is shall be \$125. ~~The fee must accompany the application for approval.~~
 - 8) The renewal fee for ~~an unexpired renewal of approval of an~~ CE course license is shall be \$50 per year.
 - 9) The late fee for ~~renewal of approval of a~~ CE course license ~~that has expired for no more than 2 years is~~ shall be ~~all lapsed renewal fees plus~~ \$50.
- i) General

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- 1) All fees paid pursuant to the Act and this Section shall be made ~~payable~~ to the Department of Financial and Professional Regulation and are non-refundable.
- 2) The fee for the issuance of a duplicate or replacement license or pocket card, ~~for the issuance of a replacement license or pocket card for a license or pocket card that has been lost or destroyed, for the issuance of a license with a change of name or address other than during the renewal period, or for the issuance of a license with a change of location of business,~~ is \$25.
- 3) The fee for a certification of a licensee's record for any purpose is \$25.
- 4) ~~The fee for a wall license showing registration shall be the cost of producing the license.~~
- 45) The fee for a roster of licensees~~persons licensed under the Act~~ or ~~for~~ a list of licensees sponsored by ~~the~~ sponsoring broker ~~is~~shall be the cost of producing the roster.
- 56) Applicants for an examination as a leasing agent, broker, managing broker, salesperson or instructor or real estate auction certification holder shall be required to pay a fee covering the cost of providing the examination. If a designated testing service is utilized for the examination, the fee shall be paid directly to the designated testing service. Failure to appear for the examination on the scheduled date, at the time and place specified, after the applicant's application for examination has been received and acknowledged, shall result in the forfeiture of the examination fee.
- 67) The fee for requesting a waiver of CE~~continuing education~~ requirements pursuant to Section 5-70(b) of the Act, or for requesting credit for CE obtained while out-of-state pursuant to Section 5-75 of the Act, ~~is~~shall be \$25.
- 78) The fee for processing a sponsor card other than at the time of original licensure is \$25.
- 89) The fee for a copy of a transcript of the proceedings under Section 20-62 of the Act ~~is~~shall be the cost of a copy of the transcript. A copy of the

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balance of the record will be provided at the Division's cost ~~offer~~ producing the record.

- ~~919~~) The fee for certifying the record referred to in Section 20-73 of the Act is \$1 per page ~~of the record~~.
- ~~1044~~) The Division may charge an administrative fee, not to exceed \$500, as a part of a compliance agreement issued with an administrative warning letter pursuant to Section 20-20 of the Act.
- ~~1142~~) Each university, college, community college or school supported by public funds shall be exempt from the school licensure fees provided each university, college, community college or school meets the following criteria and certifies to the Division that:
- A) the facility is supported by public funds;
 - B) the instructors are considered full-time faculty and are supported by public funds or if the administrator of the real estate school/program/curricula is considered full-time with exclusive responsibility for the administration of the real estate school/program/curricula and is supported by public funds;
 - C) the program, pre-license and/or ~~CE~~continuing education revenues are deposited into the general fund of the university, college, community college or school, as are other appropriated public funds; and
 - D) the program, pre-license and/or ~~CE~~continuing education is not a for-profit division of the university, college, community college or school.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.140 Renewals

- a) Every leasing agent license ~~expires issued under the Act shall expire~~ on July 31 of each even-numbered year.

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- b) Every ~~saleperson~~ salesperson's license ~~expires~~ issued under the Act shall expire on April 30, 2012.
- c) Every ~~broker~~ broker's license ~~expires~~ issued under the Act shall expire on April 30 of each even-numbered year. ~~Sponsoring brokers shall also submit a properly completed consent to audit and examine special accounts form.~~
- d) Every managing ~~broker~~ broker's license ~~expires~~ issued under the Act shall expire on April 30 of each odd-numbered year; ~~except that the initial managing broker renewal after the transition period found in Section 5-47 of the Act will be on April 30, 2013. Sponsoring brokers shall also submit a properly completed consent to examine and audit special accounts form at this time.~~
- e) The first renewal for a real estate auction certification is on December 31, 2018. Thereafter, each real estate auction certification expires on December 31 of each even-numbered year. A real estate auction certificate holder whose license has been expired for more than 2 years shall be required to meet the requirements for a new certificate.
- f) Every ~~license issued to a~~ corporation, limited liability company, partnership, limited partnership, limited liability partnership and ~~or~~ branch office license expires ~~under the Act shall expire~~ on October 31 of each even-numbered year. Each renewal, the licensee ~~The holder of the license~~ shall submit the following:
- 1) A properly completed consent to ~~audit and~~ an audit special accounts form; and
 - 2) Notice of any ~~A properly completed~~ change of business information ~~form~~ as provided for in Section 1450.150, if applicable.
- g) Renewal applications shall be submitted on forms provided by the Division. All renewals shall include the name and license number of the sponsoring broker. Failure to receive a renewal form, or failure to pay the renewal fee, from the Division shall not constitute a valid reason ~~an excuse~~ for failure to pay the renewal fee or to renew ~~one's~~ license.
- h) Practicing or offering to practice on an expired or inoperative license shall constitute unlicensed ~~or unauthorized~~ practice and shall be grounds for discipline pursuant to Section 20-20 of the Act.

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- i~~h~~) Any leasing agent, ~~salesperson~~, broker or managing broker whose license under the Act has expired is eligible to renew ~~the license~~ without paying any lapsed renewal ~~or restoration fee, and any person with a real estate auction certification that has expired is eligible to renew without paying any lapsed renewal~~ fees ~~or reinstatement fee~~, provided that the license ~~or certification~~ expired while the licensee, ~~or the real estate auction certification holder~~, was:
- 1) on active duty with the United States Army, United States Navy, United States Marine Corps, United States Air Force, United States Coast Guard, ~~or state militia~~~~the State Militia~~ called into the service or training ~~for~~~~of~~ the United States; ~~or~~
 - 2) engaged in training or education under the supervision of the United States prior to induction into military service; or
 - 3) serving as an employee of the ~~Department~~~~Division~~. A licensee renewing ~~a his or her~~ license in accordance with this subsection ~~(i)(h)(3)~~ may renew the license within a period of 2 years following the termination of service and is not required to take ~~any CE or examination to renew a refresher course or a retest. An individual renewing a license pursuant to this subsection (i) shall be issued a license equivalent to the license held when employed by the Department.~~
 - 4) ~~After April 30, 2011 an individual renewing his or her license pursuant to this subsection (h) shall be issued a license equivalent to the license held when employed by the Division.~~
- j~~i~~) ~~As set forth in~~~~In accordance with~~ Section 5-50 of the Act, any licensee whose license has expired for more than 2 years shall not be eligible for renewal of that license. Any licensee whose license has been expired for less than 2 years may renew the license at any time by complying with the requirements of this Part, by paying the fees required by Section 1450.130 and ~~by providing satisfactory~~~~the Division with~~ evidence ~~of completion of that the licensee has satisfactorily completed the required CE required by this Part~~~~continuing education courses, including 6 hours per year for each year during which the license was expired. However, no salesperson license will be renewed after April 30, 2011.~~
- k~~j~~) ~~As set forth in~~~~In accordance with~~ Section 5-50(g) of the Act, upon request, the

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Division shall prepare and ~~mail or~~ deliver by mail or electronically to the sponsoring ~~real estate~~ broker a listing of licensees who, according to ~~the records of~~ the Division, are sponsored by that sponsoring broker. The sponsoring broker shall notify the Division concerning any inaccuracies in the listing within 30 days after its receipt.

- l) A notice of renewal shall be sent to all sponsoring brokers, by mail or ~~electronically~~electronic means, for ~~each~~ of the sponsored licensees ~~of a~~for the sponsoring broker.
- m) Licensees engaging in licensed activities in the form of a corporation, limited liability company, partnership, limited partnership or limited liability partnership must:
- 1) maintain active status/good standing with the appropriate office within the jurisdiction where it is registered or authorized to transact business (i.e., Secretary of State, etc.); and
 - 2) notify the Division in writing within 48 hours of any change to its status/registration resulting in the inability to transact business (i.e., dissolved, etc.) in the jurisdiction in which it is registered/was authorized to transact business.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.145 Restoration

- a) A person applying for restoration of a leasing agent license expired for more than 2 years but less than 5 years shall submit the following:
- 1) A signed and completed leasing agent restoration application on forms provided by the Division;
 - 2) Proof of completion of the CE requirements set forth in Section 1450.250 for the most recent renewal period that ended immediately prior to the date of restoration application;
 - 3) Proof of successful completion of the 15 hour leasing agent pre-license course set forth in Section 5-10(a)(5) of the Act; and

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- 4) The required fee set forth in Section 1450.130.
- b) A person applying for restoration of a broker license expired for more than 2 years but less than 5 years shall submit the following:
- 1) A signed and completed broker restoration application on forms provided by the Division;
 - 2) Proof of completion of the CE requirements set forth in Section 1450.450 for the most recent renewal period that ended immediately prior to the date of restoration application;
 - 3) Proof of successful completion of the 30 hour broker post-license courses set forth in Section 1450.1105(c); and
 - 4) The required fee set forth in Section 1450.130.
- c) A person applying for restoration of a managing broker license expired for more than 2 years but less than 5 years shall submit the following:
- 1) A signed and completed managing broker restoration application on forms provided by the Division;
 - 2) Proof of completion of the CE requirements set forth in Section 1450.540 for the most recent renewal period that ended immediately prior to the date of restoration application;
 - 3) Proof of successful completion of the 45 hour managing broker pre-license courses set forth in Section 1450.1105(d); and
 - 4) The required fee set forth in Section 1450.130.
- d) A person with a license expired for more than 5 years shall submit a new application with the required fee for the applicable license to be reconsidered for licensure.

(Source: Added at 40 Ill. Reg. _____, effective _____)

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Section 1450.150 Licensee Change of Information

- a) ~~Each~~ ~~It is the responsibility of each~~ licensee ~~shall~~ immediately notify the Division of any change of name, address or office location. For example, if the licensee ~~changed names~~ ~~has had a name change either~~ by court order or due to ~~marital status~~ a change ~~in marital status~~, the licensee shall notify the Division of the name change ~~together~~ with a copy of the marriage certificate or portions of the court order relating to the name change, and indicate ~~the~~ ~~under which~~ name ~~for~~ ~~licensure~~ ~~the license shall issue~~. If the licensee regularly practices under a diminutive of ~~the licensee's~~ ~~his or her~~ first name (e.g., Meg for Margaret or Mark for Mariusz or Sam for Shamim), last name or a middle name instead of the licensee's full legal name, the licensee shall notify the Division of the alternate name. ~~The~~ ~~To help ensure proper credit, the~~ licensee shall ensure that all ~~CE~~ ~~continuing education~~ certificates are issued under the name of licensure.
- b) ~~Each~~ ~~It is the responsibility of each~~ sponsoring broker ~~shall~~ immediately notify the Division of any change of business information.
- 1) When a licensee acquires or transfers any interest in a licensed corporation, limited liability company, partnership, ~~or~~ limited partnership or limited liability partnership licensed under the Act, the sponsoring broker shall submit ~~to the Division~~ a notice as prescribed by the Department.
 - 2) When a licensee becomes an officer, ~~or~~ manager, member or partner of a corporation, limited liability company, partnership, ~~or~~ limited partnership or limited liability partnership licensed under the Act, the sponsoring broker shall submit ~~to the Division~~ a notice as prescribed by the Department. Any changes in named managing brokers, office or branch ~~or principal offices~~ shall be reported in writing to the Division within 15 days ~~after the change~~.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.160 Dual Licensure

- a) A licensee may not simultaneously hold licenses as a:
- 1) managing broker and leasing agent;

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- 2) managing broker and broker; or
- 3) broker and leasing agent.
- b) Upon the issuance of a new license, the prior license shall be cancelled.

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 1450.170 Exemption Under Section 5-20(1) of the Act

An owner seeking the exemption set forth in Section 5-20(1) of the Act must be the sole owner of the property.

(Source: Added at 40 Ill. Reg. _____, effective _____)

SUBPART B: LEASING AGENT LICENSING AND EDUCATION ~~FOR LEASING AGENT~~**Section 1450.200 Leasing Agent General Provisions**

- a) A licensed leasing agent shall not engage in any licensed activities other than ~~licensed~~~~those~~ activities ~~related~~~~relating~~ to ~~the~~ leasing of residential real property. A licensed leasing agent may not offer or negotiate the purchase, sale, auction or exchange of real estate, or engage in any other licensed activities described in Section 1-10 of the Act that do not relate~~relating~~ to ~~the~~ leasing ~~of~~ residential real property~~estate~~.
- b) No person other than a ~~licensed~~~~duly authorized~~ managing broker, broker, ~~salesperson~~ or leasing agent or a duly authorized person~~an individual~~ working under a 120 day leasing agent student permit shall engage in leasing, ~~for compensation~~, residential real property for compensation~~leasing activities for which a license is required under the Act~~.
- c) No leasing agent licensee may accept compensation for the performance of leasing residential real property~~agent activities~~ except from the sponsoring broker by whom the licensee is sponsored~~employed~~.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

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Section 1450.205 Leasing Agent Pre-License Education Requirements

An applicant for a leasing agent license must complete 15 credit hours of instruction as set forth in Section 5-10(a)(5) of the Act. All pre-license education courses, schools and instructors relating to leasing agent licensure must be approved by the Advisory Council and licensed pursuant to Subpart K.

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 1450.210 Leasing Agent Examination Requirement

- a) The Division or its designated testing service shall conduct the examinations at times and places as the Division shall approve.
- b) An applicant shall have one year from the date of receipt of a passing examination score to submit an application to the Division and to meet the requirements for licensure~~If a person who has received a passing score on the examination fails to file an application and meet all requirements for a leasing agent license within one year after receiving a passing score on the examination, credit for the examination shall terminate. The person thereafter may make a new application for examination.~~
- c) ~~If a person fails~~an individual has failed the examination four times, the ~~person~~individual must repeat the pre-license education requirement set forth in Section 5-10 of the Act prior to taking the examination again.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.220 Application for Issuance of Leasing Agent License by Examination

- a) Each applicant for a leasing agent license shall submit to the Division:
 - 1) A signed and completed application on forms provided by the Division;
 - 2) The required fee set forth in Section 1450.130;
 - 3) Proof of successful completion of the examination authorized by the Division;

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- 4) A properly completed sponsor card form as set forth in Section 1450.110; and
 - 5) A transcript, if applicable.
- b) ~~Within~~The Division shall, ~~within~~ 30 days after receipt ~~and approval~~ of ~~a~~the copy of the sponsor card, ~~required fees~~ and other documentation, ~~the Division shall submitted by the issuing broker,~~ issue a leasing agent license and a pocket card to the ~~sponsored~~ licensee or notify the applicant ~~of the basis for denial~~why the license cannot be issued.
- b) ~~A leasing agent license shall be readily available to the public as provided for in Section 1450.730. Each licensee shall carry on his or her person the pocket card or, if a pocket card has not yet been issued, a properly issued sponsor card, when engaging in any licensed activity. The licensee shall display the pocket card or sponsor card upon demand.~~

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.230 Leasing Agent Termination of Employment (Repealed)

- a) ~~Upon termination of employment of a leasing agent licensee, the sponsoring broker shall immediately:~~
- 1) ~~endorse the leasing agent's license as provided on that document;~~
 - 2) ~~submit a photocopy of the endorsed license to the Division within 2 days after termination by regular mail or a signature restricted delivery service determined appropriate by the sponsoring broker;~~
 - 3) ~~retain a copy of the endorsed license at least until the expiration date printed on that license; and~~
 - 4) ~~give the original endorsed license indicating the termination to the licensee.~~
- b) ~~Once a license is endorsed, the leasing agent licensee is prohibited from practicing until the licensee is again issued a properly completed sponsor card.~~

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(Source: Repealed at 40 Ill. Reg. _____, effective _____)

Section 1450.240 Leasing Agent 120 Day Student Permit

- a) Pursuant to Section 5-5(d) of the Act, a person engaging in leasing residential real estate practice under the provisions of this Section may first obtain a 120 day leasing agent student permit. A permit holder shall comply with all provisions of the Act and this Subpart as if the permit holder were a leasing agent licensee, and shall be subject to standards of practice and disciplinary provisions as if the permit holder were a leasing agent licensee. A sponsoring broker ~~for supervising~~ a permit holder shall be responsible for the activities and actions of a permit holder as if the permit holder were a leasing agent licensee. A permit holder student leasing agent may only be sponsored by one sponsoring broker during the 120 day period.
- b) Within 24 hours after employing, or associating with, a permit holder, a sponsoring broker shall submit the following information to the Division on forms provided by the Division:
- 1) the name, address and other information requested by the Division to identify the permit holder and sponsoring broker; and
 - 2) certification by the permit holder and the sponsoring broker or named managing broker that the permit holder: applicant
 - A) has not been a leasing agent licensee within the past 2 years; ~~and~~
 - B) ~~that the applicant~~ has not been a permit holder within the past 2 years;
 - C3) ~~certification that the permit holder~~ is at least 18 years of age;
 - D4) ~~certification that the permit holder~~ has successfully completed a 4 year course of study in a high school or secondary school or an equivalent course of study approved by the Illinois State Board of Education (e.g., GED); and
 - E5) ~~certification that the permit holder~~ is at the time of application, or will be within a period of 90 days, enrolled in a leasing agent

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course of instruction approved by the Division.

- c) Upon expiration of the 120 day leasing agent student permit period, the permit holder shall immediately cease engaging in leasing residential real estate agent activities unless the person has been issued a leasing agent sponsor card or a leasing agent license.
- d) A person shall not practice under a 120 day leasing agent student permit more than once in any 24 month period. A person who has been a leasing agent licensee within the past 24 month period shall not practice as a 120 day leasing agent student permit holder.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.250 Leasing Agent Continuing Education ~~Requirements~~

- a) Each leasing agent licensee shall complete, during the renewal~~pre-renewal~~ period, ~~prior to that renewal~~ a minimum of 6 CE hours approved by the Advisory Council of continuing education (CE) that is relevant to leasing residential real property and is approved by the Advisory Council. Approved courses shall, at a minimum, cover recent changes in the Act and other laws affecting the leasing of residential real estate, including state and material regarding fair housing ~~laws relating to the leasing of residential real property~~.
- b) A licensee~~renewal applicant~~ is not required to complete CE~~comply with these~~ requirements for the first renewal following the original issuance of the initial~~applicant's~~ leasing agent license.
- c) CE~~Continuing education~~ schools, instructors and courses must be approved by the Division as set forth~~provided~~ in Sections~~Section~~ 1450.1130, 1450.1145 and 1450.1155.
- d) Certification of Compliance~~Licensee compliance~~ with CE Requirements~~requirements shall be certified pursuant to the following provisions:~~
 - 1) Each licensee~~renewal applicant~~ shall certify, on the renewal application, full compliance with the CE requirements of this Section.
 - 2) The Division may, in the context of compliance audits, require additional

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evidence demonstrating compliance with the CE requirements (e.g., a certificate of completion, transcripts, etc.~~attendance~~). Each licensee shall~~It is the responsibility of each renewal applicant to~~ retain proof of CE completed~~or otherwise produce evidence of compliance~~.

- 3) In the context of a compliance audit, the Division shall accept verification (e.g., original transcript, certificate of attendance) submitted directly from a licensed CE school on behalf of a licensee~~renewal applicant~~ as proof of CE compliance.
 - 4) Proof of non-compliance~~When there appears to be a lack of compliance~~ with CE requirements, ~~a licensee~~ shall ~~be~~ subject a licensee to discipline as set forth in~~pursuant to this Part and~~ the Act and this Part.
- e) The Division shall conduct audits to verify compliance with this Section. If~~When~~, during an audit or compliance review, the Division determines that a licensee may be deficient in complying with CE requirements, the Division will notify the licensee, and the sponsoring broker of the licensee, by certified or registered mail, return receipt requested, or other signature restricted delivery service, of the possible deficiency. The licensee shall have 60 days from the date the deficiency notification is mailed to submit to the Division evidence of compliance with CE requirements.
- 1) If satisfactory evidence of compliance with CE requirements, ~~(as set forth in Section 1450.450(c)(2),)~~ is submitted, the Division shall notify the licensee, by first class mail, that the licensee is in compliance.
 - 2) If the licensee ~~has~~ certified compliance with CE requirements on the licensee's most recent renewal application as set forth in~~pursuant to~~ Section 1450.450(c)(1), but cannot submit evidence of having been in compliance on ~~the date the licensee made~~ the certification date, the licensee may, during the 60 day~~days~~ notice period, submit evidence of having attained compliance with CE requirements after the date the certification was made. The ~~submission of~~ evidence of post-certification course completion must be accompanied by a ~~non-refundable administrative~~ fee of \$25 per ~~course~~ credit hour completed after the date the licensee originally certified compliance. The ~~submission of~~ evidence will not be ~~reviewed or~~ considered if the required~~proper~~ fee is~~does~~ not submitted~~accompany the submission~~. ~~Upon submission of the evidence~~

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~~and appropriate fee, the evidence will be reviewed.~~ If the evidence is ~~found to be~~ satisfactory, the Division shall notify the licensee and the ~~licensee's~~ sponsoring broker of ~~the licensee that the licensee is in~~ compliance. ~~Credit~~~~Any credit~~ hours submitted for post-certification course completion and found satisfactory may not be used as credit for the next renewal requirements.

- 3) If the licensee fails to submit₂ within the 60 day notice period₂ satisfactory evidence of compliance with CE requirements, the failure shall be evidence of a violation of Section 20-20 of the Act regarding ~~fraud and/or misrepresentation in applying for renewal of, or to procure, false or fraudulent representation to obtain~~ a license ~~as set forth in and the continuing education requirements of~~ Article 5 of the Act. The Division shall send notice, ~~as set forth in, in accordance with~~ Section 20-60 of the Act, indicating the commencement of disciplinary proceedings. A copy of ~~the~~~~this~~ notice shall be sent to the sponsoring broker of the licensee.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.260 Approved Courses, Schools and Instructors for Leasing Agents
(Repealed)

~~All pre-license education courses, continuing education courses, schools and instructors relating to leasing agent licensure must be approved by the Advisory Council and licensed pursuant to Subpart K.~~

(Source: Repealed at 40 Ill. Reg. _____, effective _____)

SUBPART C: LICENSING AND EDUCATION FOR SALESPERSON

Section 1450.300 Salesperson Educational Requirements to Obtain a License **(Repealed)**

~~An applicant for a salesperson's license must have successfully completed 45 credit hours of instruction in an approved Real Estate Transaction Course as outlined in Section 1450.1105.~~

(Source: Repealed at 40 Ill. Reg. _____, effective _____)

Section 1450.310 Salesperson Examination **(Repealed)**

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- a) ~~Each applicant for a salesperson's license shall file an application for examination as determined by the designated testing service. The application shall include:~~
- 1) ~~Certification that the applicant is 21 years of age, or 18 if the applicant has attained the education required by Section 5-26 of the Act. Forty-eight semester hours shall meet the minimum requirements of Section 5-26.~~
 - 2) ~~Certification of graduation from high school or its equivalent (e.g., GED).~~
 - 3) ~~The required fee as provided in Section 1450.130.~~
 - 4) ~~Proof of one of the following:~~
 - A) ~~Currently admitted to practice law by the Supreme Court of Illinois;~~
 - B) ~~Completion of at least 45 class hours of instruction in real estate courses approved by the Advisory Council;~~
 - C) ~~Completion of a distance education course approved by the Advisory Council in accordance with Section 1450.1155.~~
- b) ~~If an applicant has failed an examination 4 times, the applicant must repeat the pre-license education in order to be readmitted to sit for the examination.~~
- c) ~~Pursuant to Section 5-35(e) of the Act, the 4 year time period does not apply to high school or its equivalent (e.g., GED) education.~~
- d) ~~The salesperson exam will no longer be administered after March 15, 2011.~~

(Source: Repealed at 40 Ill. Reg. _____, effective _____)

Section 1450.320 Applications for Salesperson License by Examination (Repealed)

- a) ~~Each applicant for a salesperson's license shall submit to the Division:~~
- 1) ~~An application signed by the applicant and on which all questions have been answered;~~

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- 2) ~~The fee required by Section 1450.130;~~
 - 3) ~~Proof of successful completion of the examination authorized by the Division;~~
 - 4) ~~A properly completed sponsor card issued in accordance with Section 1450.110; and~~
 - 5) ~~Transcript, if applicable.~~
- b) ~~An applicant shall have until April 30, 2011 to file an application with the Division and to meet all of the requirements for licensure.~~

(Source: Repealed at 40 Ill. Reg. _____, effective _____)

Section 1450.330 Application for Salesperson License by Reciprocity (Repealed)

- a) ~~Prior to May 1, 2011, a salesperson's license by reciprocity may be issued to a real estate salesperson under the following conditions:~~
- 1) ~~That the salesperson is the holder of an active license by examination in a state that has a reciprocal agreement with the Division;~~
 - 2) ~~That the standards of that state for licensing as a salesperson are substantially equivalent to or greater than the minimum standards in Illinois; and~~
 - 3) ~~The salesperson files an application on forms furnished by the Division, along with the required fee and:~~
 - A) ~~a properly completed 45 day sponsor card form;~~
 - B) ~~a statement bearing the seal of the licensing authority from each state in which the applicant is licensed, showing:~~
 - i) ~~that he or she has an active license as a salesperson in that state;~~
 - ii) ~~that the license is in good standing; and~~

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- ~~iii) any disciplinary action taken against the salesperson;~~
 - ~~C) proof of passing an approved test on Illinois specific real estate brokerage laws; and~~
 - ~~D) if the salesperson's sponsoring broker does not maintain a definite office or place of business within the State of Illinois, a written statement that:
 - ~~i) appoints the Director to act as the salesperson's agent upon whom all judicial and other process may be served;~~
 - ~~ii) acknowledges and agrees to abide by all of the provisions of the Act with respect to all of the salesperson's activities within and relating to the State of Illinois; and~~
 - ~~iii) assents to jurisdiction of the Division.~~~~
- ~~b) Any licensee who renews a license granted under a reciprocal agreement thereby assents to jurisdiction without regard to the location of the licensee's domicile or principal business location or office locations.~~
- ~~e) All requirements for licensure by reciprocity shall be met within one year after the date of original application or the application shall be denied and the fee forfeited. Thereafter, to be reconsidered for licensure, the applicant shall file a new application and fee.~~
- ~~d) Salespersons licensed by reciprocity on or before April 30, 2011 must comply with the transition requirements of Section 5-46 of the Act and this Part.~~

(Source: Repealed at 40 Ill. Reg. _____, effective _____)

Section 1450.340 Salesperson Continuing Education (Repealed)

- ~~a) Continuing Education Hour Requirements
 - ~~1) The CE requirement for a salesperson submitting a late renewal for the April 30, 2009 renewal period is 12 hours of CE approved by the Advisory~~~~

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~~Council.~~

- ~~2) The Division shall conduct random audits to verify compliance with this Section.~~
- b) ~~Approved Continuing Education~~
 - ~~1) CE credit may be earned for verified attendance at or participation in a course offered by an approved CE school that meets the requirements set forth in Section 1450.1130.~~
 - ~~2) CE credit may also be earned for completion of a distance education course that is offered by an approved CE school that meets the requirements set forth in Section 1450.1155.~~
 - ~~3) Pursuant to Section 5-70 of the Act, the CE in a curriculum approved by the Advisory Council requirement shall be satisfied by successful completion of the following:
 - ~~A) Core Category. A minimum of 6 hours of CE in a curriculum approved by the Advisory Council. Standardized outlines or syllabi for these courses will be provided to CE schools and instructors by the Division.~~
 - ~~B) Elective Category. A maximum of 6 hours of CE in CE courses approved by the Advisory Council.~~~~
 - ~~4) Pursuant to Section 5-70(g) of the Act, CE credit may be earned by an approved instructor for teaching an approved CE course. Credit for teaching an approved CE course may only be earned one time per course during a prerenewal period. One hour of teaching is equal to one hour of CE.~~
 - ~~5) As provided for in Section 5-75 of the Act, if licensees have earned CE hours offered in another state or territory for which they will be claiming credit toward full compliance in Illinois, each applicant shall submit an application along with a \$25 processing fee within 90 days after completion of the CE course and prior to expiration of the license. The Advisory Council shall review and recommend approval or disapproval of~~

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~~the CE course provided the CE school and CE course are substantially equivalent to those approved in Illinois and provided that the course included the successful completion of a proctored examination. In determining whether the CE school and CE course are substantially equivalent, the Advisory Council shall use the criteria in Sections 5-70 through 5-85 of the Act and this Section.~~

- ~~6) CE credit shall not be given for CE courses taken in Illinois from schools not pre-approved by the Division.~~
 - ~~7) Except for distance education CE courses, no more than 6 hours of CE may be taken in any calendar day.~~
 - ~~8) CE credit shall not be given for pre- and post-licensing education courses except as specifically provided for in Section 5-70(1) of the Act.~~
- e) Certification of Compliance with CE Requirements
- 1) Each licensee shall certify on the renewal application full compliance with the CE requirements set forth in subsections (a) and (b).
 - 2) The Division may require additional evidence demonstrating compliance with the CE requirements (e.g., certificate of completion, transcript, etc.). It is the responsibility of each renewal applicant to provide proof of CE completed.
 - 3) When, during an audit or compliance review, the Division determines that a licensee may be deficient in complying with CE requirements, the Division will notify the licensee, and the sponsoring broker of the licensee, by certified or registered mail, return receipt requested, or other signature restricted delivery service, of the possible deficiency. The licensee shall have 60 days from the date the deficiency notification is mailed to submit to the Division evidence of compliance with CE requirements.
 - A) If satisfactory evidence of compliance with CE requirements set forth in subsection (c)(2) is submitted, the Division shall notify the licensee by first class mail, that the licensee is in compliance.

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- B) ~~If the licensee has certified compliance with CE requirements on the licensee's most recent renewal application pursuant to subsection (c)(1), but cannot submit evidence of having been in compliance on the date the licensee made the certification, the licensee may, during the 60 days notice period, submit evidence of having attained compliance with CE requirements after the date the certification was made. The submission of evidence of post-certification completion must be accompanied by a non-refundable administrative fee of \$25 per course credit hour completed after the date the licensee originally certified compliance. The submission of evidence will not be reviewed or considered if the proper fee does not accompany the submission. Upon submission of the evidence and appropriate fee, the evidence will be reviewed. If the evidence is found to be satisfactory, the Division shall notify the licensee and the sponsoring broker of the licensee that the licensee is in compliance. Any credit hours submitted for post-certification course completion and found satisfactory may not be used as credit for the next renewal requirements.~~
- C) ~~If the licensee fails to submit within the 60 day notice period satisfactory evidence of compliance with CE requirements, the failure shall be evidence of a violation of Section 20-20 of the Act regarding false or fraudulent representation to obtain a license and the continuing education requirements of Article 5 of the Act. The Division shall send notice pursuant to Section 20-60 of the Act indicating the commencement of disciplinary proceedings. A copy of this notice shall be sent to the sponsoring broker of the licensee.~~

(Source: Repealed at 40 Ill. Reg. _____, effective _____)

SUBPART D: BROKER LICENSING AND EDUCATION ~~FOR BROKER~~**Section 1450.400 Broker Pre-License Education ~~Educational~~ Requirements to Obtain a License**

An applicant for a broker license must complete 90 credit hours of instruction as set forth in Section 1450.1105.

- a) ~~Prior to May 1, 2011, 120 credit hours of instruction in approved courses are~~

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~~required for broker applicants. Credit shall be given for class hours successfully completed in the following manner:~~

- ~~1) 45 credit hours for a Real Estate Transactions course;~~
 - ~~2) 15 credit hours for a Brokerage Administration course;~~
 - ~~3) 15 credit hours for Contracts and Conveyances;~~
 - ~~4) 15 credit hours of mandatory course work as established by the Education Advisory Council and the Division;~~
 - ~~5) Credit for the remaining 30 class hours may be obtained by completing at least 2 of the following courses listed:
 - ~~A) Appraisal;~~
 - ~~B) Property Management;~~
 - ~~C) Financing;~~
 - ~~D) Sales and Brokerage;~~
 - ~~E) Farm Property Management;~~
 - ~~F) Real Property Insurance.~~~~
- b) ~~Prior to May 1, 2011, an applicant for a broker license who is licensed as an Illinois real estate salesperson is presumed to have completed a 45 credit hour Real Estate Transactions course provided that the license has not been nonrenewed for the preceding 2 years or more. Having received 45 class hours credit as a licensed real estate salesperson, an additional 45 class hours credit cannot be earned by taking a Real Estate Transactions course.~~
- e) ~~After April 30, 2011, an applicant for a broker license must have completed 90 credit hours of instruction as set forth in Section 1450.1105.~~

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- d) ~~Subsection (c) does not apply to applicants who hold an active license as a salesperson or broker on April 30, 2011 and who successfully apply for licensure under the transition provisions in Sections 5-46 and 5-47 of the Act.~~

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.410 Broker Post-License Education Requirements~~Educational Requirement~~

- a) Brokers ~~first licensed after April 30, 2011~~ shall be required to complete a 30-hour post-license course and pass a ~~pre-license school~~~~provider~~ administered ~~examination for the course~~~~exam~~ prior to their first renewal of that license. This ~~course must address~~~~course is intended to deal with~~ the practical application of ~~pre-license~~~~these~~ topics to the practice of real estate ~~brokerage~~ as set forth in Section 1450.1105(c)(~~f~~).
- b) ~~Brokers~~~~Those~~ taking the 30 hour post-license ~~broker~~ course during their first renewal ~~period~~~~cycle~~ shall not be required to complete any other ~~CE~~~~continuing education~~ during that ~~renewal period~~~~pre-renewal cycle~~. The 30 hour post-license course must be completed within the 2 years immediately prior to the broker's first renewal.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.420 Broker Examination

- a) Each applicant for a ~~broker~~~~broker's~~ license shall ~~submit~~~~file~~ an application for examination as determined by the Department, including designated testing service. ~~The application shall include:~~
- 1) Certification that the applicant is 21 years of age, or 18 if the applicant has attained the education required by Section 5-27 of the Act. ~~48~~~~Forty-eight~~ semester hours or 72 quarter hours shall meet the requirements of Section 5-27(a)(1) of the Act;
 - 2) Certification of graduation from high school or its equivalent (e.g., GED);
 - 3) The required fee set forth in~~required by~~ Section 1450.130; and
 - 4) Proof of one of the following:

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- A) Currently admitted to practice law by the Supreme Court of Illinois; or
- B) Completion of ~~at least 120 hours, prior to May 1, 2011 and, after April 30, 2011,~~ 90 hours of instruction in real estate courses approved by the Advisory Council ~~as set forth in accordance with~~ Section 1450.1105.
- b) ~~If a person fails the~~An applicant who has failed an examination 4 times, ~~the person~~ must repeat the pre-license education ~~requirement set forth in Section 5-27 of the Act prior to taking in order to be readmitted to sit for~~ the examination ~~again~~.
- c) ~~As set forth in~~Pursuant to Section 5-35(c) of the Act, the 4 year time period ~~after the completion of pre-license education during which that education will be accepted applies to approved pre-license education, and~~ does not apply to high school or its equivalent (e.g., GED) education.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.430 Application for Broker License by Examination

- a) Each applicant for a ~~broker~~broker's license shall submit to the Division:
- 1) A signed ~~and completed~~ application on ~~forms provided by the Division~~which all questions have been answered;
 - 2) The ~~required~~ fee ~~set forth in~~required by Section 1450.130;
 - 3) Proof of successful completion of the examination authorized by the Division;
 - 4) A properly completed sponsor card form ~~as set forth in~~issued in accordance with Section 1450.110; ~~and~~
 - 5) ~~A transcript~~Transcript, if applicable,~~; and~~
 - 6) ~~If the applicant will be a sponsoring broker, a properly completed consent to audit and examine special accounts form.~~

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- b) An applicant shall have one year from the date of receipt of a passing examination score ~~on the examination~~ to submit file an application ~~to~~ with the Division and to meet ~~all of~~ the requirements for licensure.
- c) If an applicant for a broker license currently holds a leasing agent license, the leasing agent license must be eligible for renewal.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.440 Application for Broker License by Reciprocity

- a) An Illinois broker~~A broker's license by reciprocity~~ shall be issued by reciprocity to a real estate broker, ~~which, for the purposes of this subsection (a), shall include a real estate salesperson after April 30, 2011,~~ under the following conditions:
- 1) ~~The~~That the broker ~~holds~~is the holder of an active broker~~broker's~~ license, or its equivalent, by examination in a state with~~that has~~ a reciprocal agreement with the Division;
 - 2) The broker licensing~~That the~~ standards of that state for licensing as a real estate broker are substantially equivalent to or greater than the minimum standards in Illinois;
 - 3) ~~The~~That the broker maintains a definite place of business in the broker's~~his or her~~ state of licensure ~~and, if the application is made prior to May 1, 2012, that the broker has been actively engaged in the real estate business as a broker in the broker's state of licensure during the immediately preceding 2 years;~~ and
 - 4) ~~The~~That the broker submits~~files~~
 - A) an application, on forms provided~~furnished~~ by the Division; ~~along with~~
 - B) the required fee set forth in Section 1450.130~~;~~ ~~and~~;
 - C) a statement bearing the seal of the licensing authority from each state of licensure~~in which he or she is licensed~~, showing:

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- i) ~~that he or she has~~ an active broker license ~~as a broker~~ in that state;
 - ii) ~~that~~ the license is in good standing; and
 - iii) any disciplinary action taken against the broker;
- DB) proof of passing an approved examination test on Illinois specific real estate brokerage laws;
- EC) if the broker does not maintain a definite ~~office or~~ place of business within the State of Illinois, a written statement that:
- i) appoints the Director to act as the broker's agent upon whom all judicial and other process may be served;
 - ii) acknowledges and agrees to abide by all of the provisions of the Act and this Part with respect to all of the broker's licensed activities within and relating to the State of Illinois; and
 - iii) assents to jurisdiction of the Division; and
- FD) a properly completed 45 day sponsor card form.
- b) Any licensee who renews a license issued~~granted~~ under a reciprocal agreement ~~thereby~~ assents to jurisdiction of the Division without regard to the location of the licensee's domicile or principal business location or office locations.
- c) All requirements for licensure by reciprocity shall be met within one year after the date of original application or the application shall be denied and the fee forfeited. Thereafter, to be reconsidered for licensure, the applicant shall submit~~file~~ a new application with the required~~and~~ fee.
- ~~d) Brokers licensed by reciprocity on or before April 30, 2011 must comply with the transition requirements of Section 5-47 of the Act and this Part.~~

(Source: Amended at 40 Ill. Reg. _____, effective _____)

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Section 1450.450 Broker Continuing Education

- a) Continuing Education Hour Requirements
- 1) ~~As set forth in Pursuant to~~ Section 5-70 of the Act, each broker, except as otherwise provided in Section 5-70(b), is required to complete 6 CE hours ~~of continuing education (CE)~~ for each year of the ~~renewal~~ pre-renewal period in courses approved by the Advisory Council. Licensees who complete CE after the expiration of a license are eligible for approval of CE only upon payment of ~~all fees~~ required fees set forth in by this Part and completion of the necessary forms. ~~In addition to the CE required in this subsection (a)(1), any broker filing a late renewal for the pre-renewal period ending April 30, 2010 must complete a 6-hour broker management continuing education course.~~
 - 2) ~~If the broker renewal period ends within the 90 days after the initial broker license is issued, a licensee is not required to complete CE for that broker renewal period. A licensee shall complete CE requirements before the next broker renewal date. A renewal applicant is not required to complete CE requirements for the first renewal following original licensure if the initial license was issued less than 90 days prior to the expiration date.~~
 - 3) Brokers licensed in Illinois but residing and practicing in other states shall comply with the CE requirements set forth in this Section, unless they are exempt ~~as set forth in pursuant to~~ Section 5-70(b) of the Act.
 - 4) The Division shall conduct random audits to verify compliance with this Section.
- b) Approved Continuing Education
- 1) CE credit may be earned for verified attendance at or participation in a licensed course offered by ~~a licensed and approved~~ CE school as that meets the requirements set forth in Section 1450.1130.
 - 2) CE credit may also be earned for completion of a distance education course ~~that is~~ offered by ~~a licensed and approved~~ CE school as that meets the requirements set forth in Section 1450.1155.

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- 3) ~~As set forth in~~Pursuant to Section 5-70 of the Act, the CE ~~shall be obtained through courses~~ in a curriculum approved by the Advisory Council ~~and the CE requirements~~ shall be satisfied ~~upon by successful~~ completion of the following:
- A) Core Category. A minimum of 6 CE hours ~~of CE~~ in a core curriculum approved by the Advisory Council. Standardized ~~curriculum outlines or syllabi~~ for these core courses will be provided ~~to CE schools and instructors~~ by the Division. The core curriculum must include 3 hours of Core A and a minimum of 3 hours of Core B; and
 - B) Elective Category. A maximum of 6 CE hours ~~of CE~~ in elective ~~CE~~ courses approved by the Advisory Council.
- 4) ~~As set forth in~~Pursuant to Section 5-70(g) of the Act, CE credit may be earned by ~~a licensed CE~~an approved instructor for teaching ~~a licensed~~an approved CE course. Credit for teaching ~~a licensed~~an approved CE course may only be earned ~~once one time~~ per course during a ~~renewal~~pre-renewal period. One hour of teaching is equal to one CE hour ~~of CE~~.
- 5) ~~As set forth~~provided for in Section 5-75 of the Act, if licensees ~~earn~~have earned CE credit hours ~~offered~~ in another state or territory for which they will ~~claim~~be claiming credit toward ~~full~~ compliance in Illinois, each ~~licensee~~applicant shall submit an application ~~and, along with a \$25 processing~~ fee, within 90 days after completion of the CE course and prior to expiration of the license. The Advisory Council shall review and recommend approval or disapproval of the CE course provided the CE school and CE course are substantially equivalent to those ~~licensed~~approved in Illinois and provided that the CE course included the successful completion of a proctored examination. In determining whether the CE school and CE course are substantially equivalent, the Advisory Council shall use the criteria in Sections 5-70 through 5-85 of the Act and this Section.
- 6) CE credit shall not be given for CE courses taken in Illinois from schools not ~~licensed~~pre-approved by the Division.

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- 7) ~~Except for distance education CE courses, no more than 6 hours of CE may be taken in any calendar day.~~
- 78) CE credit shall not be given for pre- and post-licensing education courses except as ~~set forth~~specifically provided for in Section 5-70(1) of the Act.
- c) Certification of Compliance with CE Requirements
- 1) Each licensee shall certify, on the renewal application, full compliance with the CE requirements set forth in subsections (a) and (b).
 - 2) The Division may, in the context of compliance audits, require additional evidence demonstrating compliance with the CE requirements (e.g., certificate of completion, transcript, etc.). ~~Each licensee shall retain~~It is the responsibility of each renewal applicant to provide proof of CE completed.
 - 3) In the context of a compliance audit, the Division shall accept verification (e.g., original transcript, certificate of attendance) submitted directly from a licensed CE school on behalf of a licensee as proof of CE compliance.
 - 4) Proof of non-compliance with CE requirements shall subject a licensee to discipline as set forth in the Act and this Part.
 - 5) The Division shall conduct audits to verify compliance with this Section. ~~If, When~~ during an audit or compliance review, the Division determines that a licensee may be deficient in complying with CE requirements, the Division will notify the licensee, and the sponsoring broker of the licensee, by certified or registered mail, return receipt requested, or other signature restricted delivery service, of the possible deficiency. The licensee shall have 60 days from the date the deficiency notification is mailed to submit to the Division evidence of compliance with CE requirements.
 - A) If satisfactory evidence of compliance with CE requirements set forth in subsection (c)(2) is submitted, the Division shall notify the licensee, by first class mail, that the licensee is in compliance.
 - B) If the licensee ~~has~~ certified compliance with CE requirements on

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the licensee's most recent renewal application, as required by ~~pursuant to~~ subsection (c)(1), but cannot submit evidence of having been in compliance on ~~the date the licensee made~~ the certification date, the licensee may, during the 60 ~~day~~days notice period, submit evidence of having attained compliance with CE requirements after the date the certification was made. The ~~submission of~~ evidence of post-certification course completion must be accompanied by a ~~non-refundable administrative~~ fee of \$25 per ~~course~~credit hour completed after the date the licensee originally certified compliance. The ~~submission of~~ evidence will not be ~~reviewed or~~ considered if the required~~proper~~ fee is~~does~~ not submitted~~accompany the submission~~. ~~Upon submission of the evidence and appropriate fee, the evidence will be reviewed.~~ If the evidence is ~~found to be~~ satisfactory, the Division shall notify the licensee and the licensee's sponsoring broker of ~~the licensee that the licensee is in~~ compliance. Credit~~Any credit~~ hours submitted for post-certification course completion and found satisfactory may not be used as credit for the next renewal requirements.

- C) If the licensee fails to submit, within the 60 day notice period, satisfactory evidence of compliance with CE requirements, the failure shall be evidence of a violation of Section 20-20 of the Act regarding fraud and/or misrepresentation in applying for renewal of, or to procure,~~false or fraudulent representation to obtain~~ a license as set forth in~~and the continuing education requirements of~~ Article 5 of the Act. The Division shall send notice to the licensee and the licensee's sponsoring broker, as set forth in~~pursuant to~~ Section 20-60 of the Act, indicating the commencement of disciplinary proceedings. ~~A copy of this notice shall be sent to the sponsoring broker of the licensee.~~

(Source: Amended at 40 Ill. Reg. _____, effective _____)

SUBPART E: MANAGING BROKER LICENSING AND EDUCATION ~~FOR MANAGING BROKER~~

Section 1450.500 Managing Broker Pre-License Education~~Educational~~ Requirements ~~to Obtain a License~~

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- a) ~~An~~After April 30, 2011, an applicant for a managing broker license must ~~complete~~~~have completed~~ 165 credit hours of instruction as set forth in Section 1450.1105.
- b) An applicant for a managing broker license ~~who that obtained an Illinois real estate broker license prior to May 1, 2011, or~~ obtained an Illinois real estate broker license after April 30, 2011, by transitioning from a salesperson pursuant to Section 5-46 of the Act, is presumed to have completed the 120 credit hour ~~pre-~~license education requirement for a broker license and needs ~~to~~ only to complete the 45 credit hour managing broker ~~pre-license~~ education ~~requirements~~ set forth in Section 1450.1105~~(d)(g)~~.
- e) ~~Subsection (a) does not apply to an applicant who holds an active license as a broker on April 30, 2011 and who successfully applies for licensure under the transition provisions in Section 5-47 of the Act.~~

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.510 Managing Broker Examination

- a) Each applicant for a managing ~~broker~~broker's license shall ~~submit~~file an application for examination as determined by the Department, ~~including designated testing service. The application shall include:~~
- 1) Certification that the applicant is 21 years of age;
 - 2) Certification of graduation from high school or its equivalent (e.g., GED);
 - 3) The fee required by Section 1450.130; and
 - 4) Proof of one of the following:
 - A) Currently admitted to practice law by the Supreme Court of Illinois; or
 - B) Completion of ~~at least~~ 165 hours of instruction in real estate courses approved by the Advisory Council ~~in accordance with Section 1450.1100.~~

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- b) ~~If a person fails the~~~~An applicant who has failed an~~ examination 4 times, ~~the person~~ must repeat the pre-license education ~~requirement set forth in Section 5-28 of the Act prior to taking~~~~in order to be readmitted to sit for~~ the examination ~~again~~.
- c) ~~As set forth in~~~~Pursuant to~~ Section 5-35(c) of the Act, the 4 year time period ~~after the completion of pre-license education during which that education will be accepted applies to approved pre-license education, and~~ does not apply to high school or its equivalent (e.g., GED) education.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.520 Application for Managing Broker License by Examination

- a) Each applicant for a managing ~~broker~~~~broker's~~ license shall submit to the Division:
- 1) A signed ~~and completed~~ application on ~~forms provided by the Division~~~~which all questions have been answered~~;
 - 2) The ~~required~~ fee ~~set forth in~~~~required by~~ Section 1450.130;
 - 3) Proof of successful completion of the examination authorized by the Division;
 - 4) A properly completed sponsor card form ~~as set forth in~~~~issued in accordance with~~ Section 1450.110;
 - 5) ~~A transcript~~~~Transcript~~, if applicable;
 - 6) If the applicant will be a sponsoring broker, a ~~properly~~-completed consent to ~~audit and~~ examine ~~and audit~~ special accounts form; and
 - 7) A certification that the applicant has been actively licensed ~~as a broker~~ for 2 of the last 3 years~~;~~; and
 - 8) any other appropriate documentation prescribed by the Division.
- b) An applicant shall have one year from the date of receipt of a passing ~~examination~~ score ~~on the examination~~ to ~~submit~~~~file~~ an application with the Division and to meet all of the requirements for licensure.

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- c) If an applicant for a managing broker license currently holds an active broker license, the broker license must be in good standing.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.530 Application for Managing Broker License by Reciprocity

- a) An Illinois~~Effective May 1, 2011,~~ a managing broker license shall be issued by reciprocity ~~shall be issued to a person licensed as a managing broker, or its equivalent,~~ under the following conditions:
- 1) The managing~~That the~~ broker holds~~is the holder of~~ an active managing broker~~broker's~~ license, or its equivalent, by examination in a state with~~that~~ has a reciprocal agreement with the Division;
 - 2) The managing broker licensing~~That the~~ standards of that state for licensing~~as a real estate managing broker~~ are substantially equivalent to or greater than the minimum standards in Illinois;
 - 3) The~~That the~~ managing broker maintains a definite place of business in the~~the~~ managing broker's~~his or her~~ state of licensure and has been actively engaging in licensed activities~~engaged in the real estate business~~ as a managing broker or, broker ~~or salesperson~~ during the immediately preceding 2 years; and
 - 4) The~~That the~~ managing broker submits~~files~~
 - A) an application, on forms provided~~furnished~~ by the Division; ~~along with~~
 - B) the required fee set forth in Section 1450.130~~and~~;
 - C) a statement bearing the seal of the licensing authority from each state of licensure~~in which he or she is licensed~~, showing:
 - i) that he or she has an active license~~as a~~ managing broker license in that state;

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- ii) ~~that~~ the license is in good standing; and
 - iii) any disciplinary action taken against the managing broker.
- DB) proof of passing an approved examination test on Illinois ~~specific~~ real estate ~~brokerage~~ laws;
- EC) if the managing broker does not maintain a definite ~~office or~~ place of business within the State of Illinois, a written statement that:
- i) appoints the Director to act as the managing broker's agent upon whom all judicial and other process may be served;
 - ii) acknowledges and agrees to abide by all of the provisions of the Act and this Part with respect to all of the managing broker's licensed activities within and relating to the State of Illinois; and
 - iii) assents to jurisdiction of the Division; and
- FD) a properly completed 45 day sponsor card form.
- b) Any licensee who renews a license ~~issued~~granted under a reciprocal agreement ~~thereby~~ assents to jurisdiction of the Division without regard to the location of the licensee's domicile or principal business location or office locations.
- c) All requirements for licensure by reciprocity shall be met within one year after the date of original application or the application shall be denied and the fee forfeited. Thereafter, to be reconsidered for licensure, the applicant shall submit~~file~~ a new application with the required~~and~~ fee.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.540 Managing Broker Continuing Education

- a) Continuing Education Hour Requirements
 - 1) As set forth in~~Pursuant to~~ Section 5-70 of the Act, each managing broker, except as otherwise provided in Section 5-70(b), is required to complete 6

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~~CE hours of continuing education (CE)~~ for each year of the ~~renewal~~~~prerenewal~~ period in courses approved by the Advisory Council. Licensees who complete CE after the expiration of a license are eligible for approval of CE only upon payment of ~~all fees~~ required ~~fees as set forth~~ ~~in~~~~by~~ this Part and completion of the necessary forms.

- 2) In addition to the CE required in subsection (a)(1), all ~~renewing~~ managing brokers ~~renewing~~ must complete a 12 hour broker management CE course. This 12 hour broker management CE course must be completed in the classroom or by other interactive delivery method. In order to promote uniformity and consistency, the Division, with the advice of the Advisory Council, will provide a standardized ~~curriculum~~~~syllabus~~~~or course outline~~ to be utilized by all ~~licensed CE school~~~~course providers~~.
 - 3) ~~If the managing broker renewal period ends within the 90 days after the initial managing broker license is issued, a licensee is not required to complete CE for that managing broker renewal period. A licensee shall complete CE requirements before the next managing broker renewal date. A renewal applicant is not required to complete CE requirements for the first renewal following original licensure if the initial license was issued less than 90 days prior to the expiration date.~~
 - 4) Managing brokers licensed in Illinois but residing and practicing in other states shall comply with the CE requirements set forth in this Section, unless they are exempt ~~under~~~~pursuant to~~ Section 5-70(b) of the Act.
 - 5) The Division shall conduct random audits to verify compliance with this Section.
- b) Approved Continuing Education
- 1) CE credit may be earned for verified attendance at or participation in a ~~licensed~~ course offered by ~~a licensed~~~~an approved~~ CE school, ~~as that meets the requirements~~ set forth in Section 1450.1130.
 - 2) CE credit may also be earned for completion of a distance education course ~~that is~~ offered by ~~a licensed~~~~an approved~~ CE school, ~~as that meets the requirements~~ set forth in Section 1450.1155.

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- 3) ~~As set forth in~~Pursuant to Section 5-70 of the Act, CE shall be obtained through courses in a curriculum approved by the Advisory Council and ~~the~~ CE ~~requirements~~requirement shall be satisfied ~~upon~~by successful completion of the following:
- A) Core Category. A minimum of 6 CE hours ~~of CE~~ in a core curriculum approved by the Advisory Council. Standardized ~~curriculum outlines or syllabi~~ for these core courses will be provided ~~to CE schools and instructors~~ by the Division. The core curriculum must include 3 hours of Core A and a minimum of 3 hours of Core B; and
- B) Elective Category. A maximum of 6 CE hours ~~of CE~~ in elective~~other CE~~ courses approved by the Advisory Council ~~(e.g., real estate tax laws)~~.
- 4) ~~As set forth in~~Pursuant to Section 5-70(g) of the Act, CE credit may be earned by a licensed CE~~an approved~~ instructor for teaching a licensed~~an approved~~ CE course. Credit for teaching a licensed~~an approved~~ CE course may only be earned ~~once one time~~ per course during a renewal~~pre-renewal~~ period. One hour of teaching is equal to one CE hour~~of CE~~.
- 5) ~~As set forth~~provided for in Section 5-75 of the Act, if licensees ~~earn~~have earned CE credit hours ~~offered~~ in another state or territory for which they will ~~claim~~be claiming credit toward ~~full~~ compliance in Illinois, each licensee~~applicant~~ shall submit an application, ~~and~~along with a \$25 ~~processing~~ fee, within 90 days after completion of the CE course and prior to expiration of the license. The Advisory Council shall review and recommend approval or disapproval of the CE course provided the CE school and CE course are substantially equivalent to those licensed~~approved~~ in Illinois and provided that the CE course included the successful completion of a proctored examination. In determining whether the CE school and CE course are substantially equivalent, the Advisory Council shall use the criteria in Sections 5-70 through 5-85 of the Act and this Section.
- 6) CE credit shall not be given for CE courses taken in Illinois from schools not licensed~~pre-approved~~ by the Division.

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- 7) ~~Except for distance education CE courses, no more than 6 hours of CE may be taken in any calendar day.~~
- 78) CE credit shall not be given for pre- and post-licensing education courses except as ~~set forth~~specifically provided for in Section 5-70(1) of the Act.
- c) Certification of Compliance with CE Requirements
- 1) Each licensee shall certify on the renewal application full compliance with the CE requirements set forth in subsections (a) and (b).
 - 2) The Division may, in the context of compliance audits, require additional evidence demonstrating compliance with the CE requirements (e.g., certificate of completion, transcript, etc.). ~~Each licensee shall retain~~It is the responsibility of each renewal applicant to provide proof of CE completed.
 - 3) In the context of a compliance audit, the Division shall accept verification (e.g., original transcript, certificate of attendance) submitted directly from a licensed CE school on behalf of a licensee as proof of CE compliance.
 - 4) Proof of non-compliance with CE requirements shall subject a licensee to discipline as set forth in the Act and this Part.
 - 5) The Division shall conduct audits to verify compliance with this Section. ~~If~~When, during an audit or compliance review, the Division determines that a licensee may be deficient in complying with CE requirements, the Division will notify the licensee, and the sponsoring broker of the licensee, by certified or registered mail, return receipt requested, or other signature restricted delivery service, of the possible deficiency. The licensee shall have 60 days from the date the deficiency notification is mailed to submit to the Division evidence of compliance with CE requirements.
 - A) If satisfactory evidence of compliance with CE requirements set forth in subsection (c)(2) is submitted, the Division shall notify the licensee, by first class mail, that the licensee is in compliance.
 - B) If the licensee ~~has~~ certified compliance with CE requirements on

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the licensee's most recent renewal application ~~required by~~ pursuant to subsection (c)(1), but cannot submit evidence of having been in compliance on ~~the date the licensee made~~ the certification date, the licensee may, during the 60 days notice period, submit evidence of having attained compliance with CE requirements after the date the certification was made. The ~~submission of~~ evidence of post-certification course completion must be accompanied by a ~~non-refundable administrative~~ fee of \$25 per ~~course~~ credit hour completed after the date the licensee originally certified compliance. The ~~submission of~~ evidence will not be ~~reviewed or~~ considered if the ~~required proper~~ fee ~~is~~ does not ~~submitted~~ accompany the submission. ~~Upon submission of the evidence and appropriate fee, the evidence will be reviewed.~~ If the evidence is ~~found to be~~ satisfactory, the Division shall notify the licensee and the licensee's sponsoring broker of ~~the licensee that the licensee is in~~ compliance. ~~Credit~~ Any credit hours submitted for post-certification course completion and found satisfactory may not be used as credit for the next renewal requirements.

- C) If the licensee fails to submit ~~within the 60 day notice period~~ satisfactory evidence of compliance with CE requirements within the 60 day notice period, the failure shall be evidence of a violation of Section 20-20 of the Act regarding fraud and/or misrepresentation in applying for renewal of, or to procure, false or fraudulent representation to obtain a license as set forth in ~~and the continuing education requirements of~~ Article 5 of the Act. The Division shall send notice ~~pursuant to~~ the licensee and the licensee's sponsoring broker, as required by Section 20-60 of the Act, indicating the commencement of disciplinary proceedings. ~~A copy of this notice shall be sent to the sponsoring broker of the licensee.~~

(Source: Amended at 40 Ill. Reg. _____, effective _____)

**Section 1450.550 Managing Broker License Transfer to Broker License ~~Licensee~~
Transition Provision**

- a) A managing broker license may transfer to a broker license only if the managing broker license is eligible for renewal.

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- 1) A managing broker licensee who applies for a transfer prior to managing broker renewal shall have completed 12 CE credit hours, including a minimum of 6 hours of core managing broker CE, as required by Section 1450.540(b)(3) and then shall complete 12 hours of broker CE as required by Section 1450.450(b)(3) by the next broker renewal.
 - 2) A managing broker licensee who applies for a transfer following managing broker renewal shall complete 12 hours of broker CE as required by Section 1450.450(b)(3) by the next broker renewal.
- b) To transfer a managing broker license to a broker license an applicant shall submit to the Division:
- 1) A signed and completed application on forms provided by the Division; and
 - 2) The required fee set forth in Section 1450.130(b)(5).
- c) Upon the transfer of a managing broker license to a broker license, the managing broker license shall be cancelled. Disciplines may be added to the new broker license.
- d) To obtain a managing broker license after transferring to a broker license, a transferee shall meet the requirements of a new applicant for a managing broker license as set forth in the Act and this Part.
- a) ~~Prior to May 1, 2011, each managing broker shall have an active license as a broker. The transition period for those licensees who are brokers as of April 30, 2011 shall be the one year period from May 1, 2011 to April 30, 2012. During the transition period, the managing broker can supervise licensees if he or she has a managing broker license or broker license issued prior to May 1, 2011. Any licensee named as a managing broker by the sponsoring broker after April 30, 2012 shall have, or obtain within 90 days after being named as a managing broker, a managing broker license.~~
- b) ~~A salesperson transitioning to a broker is not eligible to transition to a managing broker license.~~

(Source: Amended at 40 Ill. Reg. _____, effective _____)

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SUBPART F: CORPORATIONS, LIMITED LIABILITY COMPANIES,
PARTNERSHIPS, LIMITED PARTNERSHIPS AND LIMITED LIABILITY PARTNERSHIPS

**Section 1450.600 Application for Corporations, Limited Liability Companies,
Partnerships, Limited Partnerships and Limited Liability Partnerships Licenses**

- a) ~~Each applicant for~~ Persons who desire to practice real estate in this State in the form of a corporation, limited liability company, partnership, limited partnership or limited liability partnership license shall submit; in accordance with Section 5-15 of the Act, file
- 1) A signed and completed ~~an~~ application with the Division, on forms provided by the Division; together with the following:
 - 1) If an assumed name is to be used, a copy of the assumed name certificate;
 - 2) The required fee set forth in Section 1450.130;
 - 3) A Federal Employer Identification Number (FEIN);
 - 4) A properly completed consent to examine and audit special accounts ~~Consent to Examine and Audit Special Accounts form provided in the Division's applicant licensing packet;~~
 - 5) A properly completed real estate corporation/limited liability company/partnership information form; and
 - 5) The fee required by Section 1450.130.
 - 6) If an assumed name will be used, a copy of the filing or certificate authorizing it to do business, as set forth in the Assumed Business Name Act [805 ILCS 405].
- b) All requirements for a license to engage in licensed activities ~~practice~~ as a corporation, limited liability company, ~~or~~ partnership, limited partnership or limited liability partnership shall be met within one year after the date of original application or the application shall be denied and the fee forfeited. Thereafter, to

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be considered for licensure, the applicant shall ~~submit~~file a new application with the required~~and~~ fee.

- c) Corporations, in addition to the items listed in subsection (a), shall submit the following:
- 1) ~~A signed and completed application containing the~~The name of the corporation and its registered address, a list of all ~~officers' names~~officers, and the license number for each officer who is licensed as a ~~real estate~~ broker or managing broker;
 - 2) A copy of the Articles of Incorporation bearing the seal of the office, in the jurisdiction in which the corporation is organized, whose duty it is to register corporations under the laws of that jurisdiction. If it is a foreign corporation, a copy of the certificate of authority to transact business in this State, filed with the Illinois Secretary of State, is also required;
 - 3) All unlicensed officers shall submit affidavits of non-participation with the ~~corporation~~ application. Licensed ~~salespersons or~~ leasing agents shall not be officers of the corporation even if they submit an affidavit of non-participation; and
 - 4) A list of all shareholders, the number of shares of the corporation owned by each shareholder and the license number for each shareholder who is a licensee.
- d) ~~Limited Liability Companies~~
- d1) Limited liability companies, in addition to the items listed in subsection (a), shall submit the following:
- 1A) A signed and completed application containing theThe name of the limited liability company and its registered address; and,
 - A) if member-managed, a list of all members' names and the license number for each member who is licensed as a broker or managing broker; ~~members, and the license number for each member who~~

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- B) if manager-managed, a list of all managers' names and the license number for each manager who is licensed as a broker or managing broker; has an Illinois real estate license.
- 2) If a member or manager is an ~~of the limited liability company is a business~~ entity, the applicant shall provide a list of all members' or managers' names and the license number for each owner, officer, manager, member or partner ~~identify any licensees who are owners, officers, managers or partners~~ of the ~~business~~ entity who is licensed as a broker or managing broker;
- B) ~~A list of all managers and their broker or managing broker license numbers;~~
- 3C) A copy of the Articles of Organization filed with the Illinois Secretary of State or, if it is a foreign limited liability company, a copy of the application for admission endorsed by the Illinois Secretary of State; and.
- 42) All unlicensed members, including a member entity's owner, officer, member or partner, shall submit affidavits of non-participation ~~shall submit with the limited liability company application affidavits of non-participation.~~ Licensed ~~salespersons or~~ leasing agents shall not be managers of the limited liability company even if they submit an affidavit of non-participation.
- e) Partnerships, in addition to the items listed in subsection (a), shall submit the following:
- 1) A signed and completed ~~An~~ application containing the name of the partnership, ~~and~~ its business address and a list of all general partners' the names and the license number for each ~~of all~~ general partner who is licensed as a broker or managing broker ~~partners, and the broker license number of each general partner.~~ Licensed ~~salespersons or~~ leasing agents shall not be general partners; and.
- 2) An affidavit stating that the partnership has been legally formed.
- f) Limited partnerships or limited liability partnerships, in addition to the items listed in subsection (a), shall submit the following:

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- 1) A signed and completed application containing the name of the limited partnership or limited liability partnership, its business address, and a list of all partners' names and the license number for each partner who is licensed as a broker or managing broker. If a partner is an entity, the applicant shall provide a list of all partners' names and the license number for each owner, officer, manager, member or partner of the entity who is licensed as a broker or managing broker.~~A letter of authority from the Secretary of State's Limited Partnership Department or, if it is a foreign limited partnership, a copy of the application for admission endorsed by the Secretary of State;~~
 - 2) A letter of authority from the Illinois Secretary of State or, if it is a foreign limited partnership or foreign limited liability partnership, a copy of the application for admission endorsed by the Illinois Secretary of State; and~~A listing of all general partners and, if any general partner is a real estate licensee, the broker or managing broker license number for each licensed general partner;~~
 - 3) Affidavits~~All unlicensed general partners must submit with the partnership application affidavits of non-participation from all unlicensed partners.;~~
~~and~~
 - 4) ~~If the general partner is an entity, the identity and license number of any brokerage licensees who are owners, managers, members or partners of the entity.~~
- g) For In assessing the restrictions against a salesperson or leasing agent, or group of salespersons or leasing agents, owning, or directly or indirectly controlling, more than 49% of a corporation, limited liability company, partnership, limited partnership or limited liability partnership, as set forth in pursuant to Section 5-15(e) of the Act, the following may be considered by the Division:
- 1) Corporations: ~~the Division may consider the role of any salespersons or leasing agents in any limited liability company, partnership, or limited partnership or limited liability partnership who that may~~ have an interest in the corporation.

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- 2) Limited Liability Companies: ~~the Division may consider the role of any salespersons or~~ leasing agents in any corporation, ~~or~~ partnership, limited partnership or limited liability partnership who are members that may serve as a member or manager of the limited liability company.
 - 3) Partnerships, Limited Partnerships or Limited Liability Partnerships: ~~the Division may consider the role of any salespersons or~~ leasing agents in any corporation or limited liability company who are partners in the partnership, limited partnership or limited liability partnership that may serve as a limited partner.
 - 4) Additional information may be requested by the Division as necessary to determine compliance with this Section restriction.
- h) After receipt and approval~~Upon receipt~~ of the ~~required documents and review of the~~ application, required fee and appropriate documentation, the Division shall issue a license ~~to authorizing~~ the corporation, limited liability company, partnership, ~~or~~ limited partnership or limited liability partnership, to engage in the practice of real estate, or shall notify the applicant of the basis reason for ~~the~~ denial ~~of the license.~~

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.610 Offices and Branch Offices

- a) A licensee's office shall be an office or branch office of the licensee's sponsoring broker.
- b) Offices
 - 1) An office is any business location or structure that is owned, controlled, operated or maintained by a licensee who, at that business location or structure, is:
 - A) engaging in licensed activities;
 - B) offering real estate services to consumers;

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- C) holding out to the public that the licensee is engaging in licensed activities;
 - D) maintaining original real estate documents and records related to active or pending transactions;
 - E) maintaining current escrow records; or
 - F) meeting consumers for the purpose of engaging in licensed activities.
- 2) The following places do not constitute an office. These places are provided as examples and are not intended to be inclusive or exclusive of other places:
- A) a motor vehicle primarily used for transportation;
 - B) a place that is solely devoted to advertising real estate matters of a general nature or to making a sponsoring broker's business name generally known;
 - C) a place that a licensee uses solely for storage or archiving of records;
 - D) a licensee's residence unless held out to the public as a location where the person is engaging in licensed activities; or
 - E) A post office box, mail drop location or other similar facility.
- c) Branch Offices
- 1a) ToA sponsoring broker wanting to operate a real estate branch office, a sponsoring broker shall submit: shall, in accordance with Section 5-45 of the Act, file
 - A) A signed and completedan application-with the Division, on forms provided by the Division;,- together with the following:
 - B) The required fee set forth in Section 1450.130;

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- ~~C1)~~ A ~~properly~~-completed consent to examine and audit special accounts ~~Consent to Examine and Audit Special Accounts~~ form; and
- ~~D2)~~ The name and license number of the named managing broker of the branch office; ~~and~~
- ~~3)~~ All required fees under Section 1450.130.
- ~~2b)~~ After~~Upon~~ receipt and approval of the ~~required documents and review of the application,~~ required fees and appropriate documentation, the Division shall issue a branch office license ~~authorizing the sponsoring broker to engage in real estate activities at that branch office or shall notify the applicant of the~~ basis~~reason~~ for ~~the denial of the license.~~
- ~~3e)~~ The name of the branch office shall be the same name as ~~that of the~~ principal~~main~~ office, or shall clearly delineate the branch office's relationship with the principal~~main~~ office (e.g., affiliated with, associated with, subsidiary of).
- ~~4d)~~ The sponsoring broker shall not open a branch office, and the sponsoring broker shall not~~or~~ have licensees working from a branch office, until ~~after~~ the branch office license number is~~has been~~ issued.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

SUBPART G: COMPENSATION AND BUSINESS PRACTICES

Section 1450.700 Sponsoring~~Managing~~ Broker Responsibilities

- a) The sponsoring broker shall establish a written company policy and remain ultimately responsible for compliance with Section 1450.705. The sponsoring broker shall name a managing broker for every office or branch office.
- b) A sponsoring broker may delegate to unlicensed personnel, including but not limited to accountants, office managers, or unlicensed assistants (See Section 1450.740), activities or duties not prohibited by the Act or this Part. Any licensee

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who supervises unlicensed personnel shall be responsible for the unlicensed personnel's actions.

- c) The sponsoring broker shall inform the Division in writing of the name and ~~licensee certificate~~ number of all named managing brokers employed by the sponsoring broker and the office or branch offices each named managing broker is responsible for managing.
- ~~db)~~ The sponsoring broker is ultimately shall be responsible for issuing sponsor cards. ~~However, the sponsoring broker may delegate that responsibility to one or more managing brokers.~~
- ~~ce)~~ ~~Within~~ Upon written request from the sponsoring broker, within 15 days after the loss of a named managing broker who will not be replaced, ~~or upon written request after the death or disability of a sole proprietor,~~ the Division ~~may~~ shall issue ~~a~~ written authorization to allow the ~~continued~~ continuing operation of ~~an~~ a licensed office or branch office, provided that the sponsoring broker ~~or representative under a duly executed power of attorney~~ assumes responsibility, in writing, for the operation of the office or branch office and agrees to personally supervise the office or branch office operations. No such written authorization shall be valid for more than 60 days unless extended by the Division for good cause and upon written request by the sponsoring broker. Good cause includes, but is not limited to, such circumstances as sales under contract pending closing, loss of livelihood for a sponsored licensee, and undue hardship caused to clients/sellers. The Division will honor the order of a court of competent jurisdiction appointing a legal representative for the sole purpose of closing out the affairs of a named managing broker who is deceased or adjudicated disabled, but not to actively engage in licensed activities.
- d) ~~When a managing broker receives a renewal application from the Division for a licensee supervised by the managing broker or employed by the sponsoring broker of the manager, he or she shall notify the licensee of the receipt, personally within 7 days or by certified or registered mail or other signature restricted delivery service within 10 days. The notice shall also inform the licensee that any unprocessed renewal form will be returned to the Division by the managing broker. When a managing broker receives a renewal application from the Division for a licensee not supervised by the managing broker or employed by the sponsoring broker of the managing broker, the renewal form shall immediately be returned to the Division.~~

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- e) ~~All managing brokers shall notify the Division on business letterhead of any change of business address of the offices they manage within 24 hours after any change. Change of address is required for all offices and branch offices. A license returned to the Division for the reason described in this subsection shall remain in good standing until the new licenses are issued and in the possession of the licensee.~~
- f) ~~Within a reasonable time prior to a sponsoring broker's voluntary retirement or voluntary dissolution, the sponsoring broker shall provide written notice to all sponsored licensees to allow the sponsored licensees to secure new sponsoring brokers and shall provide written notice to all active clients to allow the clients to secure brokerage agreements with new licensed brokers or managing brokers. The Division will honor the order of a court of competent jurisdiction appointing a legal representative for the sole purpose of closing out the affairs of a deceased broker or a broker who has been adjudicated disabled, who was a sole proprietor, until the real estate brokerage is closed, but not to actively engage in the brokerage business as defined in Section 1-10 of the Act.~~
- g) ~~Any violation of the Act by any licensees employed by or associated with a sponsoring broker, or by any unlicensed assistant or other unlicensed employee of a sponsoring broker, shall not be cause for suspension or revocation of a sponsoring broker's license, unless a sponsoring broker had knowledge of the Act violation. A sponsoring broker's failure to provide an appropriate written company policy or failure to properly supervise shall be cause for discipline, including suspension or revocation, of the sponsoring broker's license. Effective May 1, 2012, those licensees holding a managing broker license and named as a managing broker with the Division shall indicate that status in any marketing or advertising that includes their name. Those licensees holding a managing broker license and not named as a managing broker with the Division shall not represent or hold themselves out as a managing broker, but only as a broker.~~
- h) ~~After April 30, 2012, a licensee doing business as a sole proprietor must have a managing broker license.~~

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.705 Named Managing Broker Responsibilities and Supervision

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- a) When a named managing broker receives a renewal application for a licensee from the Division:
- 1) supervised by the named managing broker or employed by or associated with the sponsoring broker, the named managing broker shall notify the licensee of the receipt of the renewal application within 7 days; or
 - 2) not supervised by the named managing broker or not employed by or associated with the sponsoring broker, the renewal application shall be returned to the Division within 7 days.
- b) All named managing brokers shall notify the Division, within 24 hours, on forms provided by the Division, of any change of business address of the licensed offices or branch offices they manage. An office or branch office license returned to the Division due to change of address shall remain active until the new office or branch office license is in the possession of the named managing broker or sponsoring broker.
- c) A named managing broker shall ~~supervise~~exercise supervision over the activities of licensees and unlicensed assistants working in ~~those~~ offices or branch offices managed by the named managing broker. ~~Supervision~~This supervision of activities includes, but is not limited to:
- 1) the implementation of and communication to sponsored licensees of ~~company~~office policies and procedures established by the sponsoring broker;
 - 2) training of licensees ~~and~~ unlicensed assistants;
 - 3) ~~supervising and assisting~~supervise and assist licensees in real estate transactions;
 - 4) supervising ~~those~~ special (escrow) accounts over which the sponsoring broker has delegated responsibility to the named managing broker in order to ensure compliance with the special (escrow) account provisions of the Act and this Part;
 - 5) supervising all advertising, in any media, of any service for which a license is required;

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- 6) familiarizing sponsored licensees with the requirements of federal and State laws and local ordinances relating to licensed activities~~the practice of real estate~~; and
 - 7) compliance with this Part for licensees and unlicensed assistants supervised by the named managing broker and licensed office or branch offices~~offices~~ under his or /her management~~supervision~~.
- b) ~~The sponsoring broker shall establish a written office policy and remain ultimately responsible for compliance with this Part. The sponsoring broker shall name a managing broker for every office.~~
- d) Any violation of the provisions of the Act ~~by~~on the part of any licensees employed by ~~a sponsoring broker~~ or associated ~~by written agreement~~ with the sponsoring broker, or any unlicensed assistant or other unlicensed employee of a sponsoring broker, shall not be cause for suspension or revocation of ~~the license of the sponsoring broker or a named managing broker's license~~broker of the sponsoring broker, unless a named the sponsoring broker or managing broker had knowledge of the ~~violation of the Act~~ violation. ~~The named managing broker's-~~ However, failure to provide an appropriate written company policy or failure to properly supervise shall be cause for discipline, including suspension or revocation, of ~~the named the license of the sponsoring broker or one or more managing broker's license~~brokers.
- e) Sole Proprietors
- 1) A sole proprietor must have a managing broker license.
 - 2) Within 15 days after the death or adjudicated disability of a sole proprietor, the Division may issue written authorization to allow the continued operation of an office or branch office, provided that an authorized representative of the sole proprietor assumes responsibility, in writing, for operation of the office or branch office and agrees to personally supervise the office or branch office. No such written authorization shall be valid for more than 60 days unless extended by the Division for good cause shown and upon written request by the authorized representative. Good cause includes, but is not limited to, such circumstances as sales under contract pending closing, loss of livelihood

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for a sponsored licensee and undue hardship caused to clients. The Division will honor the order of a court of competent jurisdiction appointing a legal representative for the sole purpose of closing out the affairs of a sole proprietor who is deceased or adjudicated disabled, but not to actively engage in licensed activities.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.710 Discrimination

- a) No licensee shall enter into a listing agreement that prohibits the sale or rental of real estate to any person because of race, color, religion, national origin, sex, ancestry, age, marital status, physical or mental disabilityhandicap, familial status, sexual orientation, military status, unfavorable discharge from the military service, order of protection status or any other class protected by Article 3 of the Illinois Human Rights Act [775 ILCS 5/Art. 3].
- b) No licensee shall perform licensed activitiesact or undertake to act as a real estate broker or real estate salesperson with respect to any real estate for whichproperty ~~the~~ disposition ~~of which~~ is prohibited to any person because of race, color, religion, national origin, sex, ancestry, age, marital status, physical or mental disabilityhandicap, familial status, sexual orientation, military status, unfavorable discharge from the military service, order of protection status or any other class protected by Article 3 of the Illinois Human Rights Act.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.715 Advertising

- a) Deceptive and misleading advertising includes, but is not limited to, the following:
 - 1) advertising ~~a~~ property ~~that is~~ subject to an exclusive listing agreement with a sponsoring broker other than the licensee's sponsoring brokerown without the permission ~~of~~ and identification of the sponsoringidentifying ~~that listing~~ broker with the exclusive listing;
 - 2) failing to remove advertising of a listed property within a reasonable time, consideringgiven the nature of the advertising, the licensee's control over

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- the removal ~~or stopping~~ of the advertising, the ease of removing ~~or stopping~~ the advertising, knowledge that the advertising was continuing and any other pertinent criteria after the earlier of the closing of a sale on the listed property or the expiration or termination of the listing agreement;
- 3) advertising ~~a~~ property at auction as an absolute auction or auction without reserve, when ~~there is~~ a minimum bid or opening bid is required;
- 4) advertising ~~a~~ property in a manner that creates a reasonable likelihood of confusion regarding the permitted use of the property. Examples ~~include of such advertising would be~~ advertising a property zoned single family as appropriate for multi-dwelling use by using words ~~or phrases~~ such as "apartment", "two units", or "separate living arrangement", unless that use is permitted by ~~the~~ zoning ordinance, a variance from the zoning ordinance, a conditional permitted use or an existing legal non-conforming use; and
- 5) use of URL, domain name, metatag, keyword or other device or method intended to deceptively direct, drive or divert internet traffic or mislead consumers.
- b) For the purposes of this Section and Section 1450.720 ~~(Internet Advertising)~~, listing information available on a sponsoring ~~broker~~ ~~broker's~~ or ~~other~~ licensee's website, extranet or similar website, site but behind a firewall or similar device requiring a password, registration or other type of security clearance to access that information shall not be considered advertising.
- c) For the purposes of this Section and Section 1450.720, unsolicited marketing of ~~licensed activities a licensee's real estate brokerage services and farming~~ ~~(prospecting)~~ for clients by licensees shall be considered advertising.
- d) Nothing in Section 10-30 of the Act shall require a sponsoring broker to include the name of one of its sponsored licensees on the sponsoring broker's signs or other general advertising ~~of the sponsoring broker~~.
- e) Licensees named as managing brokers with the Division shall indicate that status in any marketing or advertising that includes their name, except on "For Sale" or similar signs, as set forth in Section 10-30(g) of the Act. Licensees holding a

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managing broker license and not named as a managing broker with the Division shall represent or hold themselves out as a broker, not as a managing broker.

- f) Advertising for a real estate auction must contain the name and address of, when applicable:
- 1) the licensed broker or managing broker;
 - 2) the licensed auctioneer, as defined in Section 5-20(13) of the Act;
 - 3) the licensed auctioneer, as defined in Section 5-20(13) of the Act and any other auction licensee holding a real estate auction certification; or
 - 4) the licensed broker or managing broker and an auction licensee holding a real estate auction certification, who is not otherwise exempt under Section 5-20(13) of the Act.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.720 Internet Advertising

- a) Definitions. For the purposes of this Section, these terms shall be defined as follows:
- 1) Advertising or Marketing Real Property: A website~~An Internet site~~ that consists of information regarding properties ~~that have been~~ listed with a licensed real estate ~~entity~~brokerage company, the identity of that licensed real estate ~~entity~~brokerage company or individual licensee for each property and information related to those properties.
 - 2) Advertising or Marketing of Licensed Activities~~Real Estate Brokerage Services~~: A website~~An Internet site~~ that includes an offer or solicitation to provide licensed activities in connection with~~services related to~~ marketing or identifying real property for sale or lease.
 - 3) Page: Each html document. This can include several screens of information that are viewed by scrolling down to the end of the document.

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- 4) Frame: This refers to ~~the that~~ portion of the ~~webpage~~ Web page that does not change when the user links to a different site or moves to different pages.
 - 5) Scraping: This ~~term~~ refers to ~~copying using or altering~~ existing listing information or keywords ~~that are copied from the website of another licensee, one then using or altering the listing information or keywords and posting or displaying the listing information or keywords~~ Internet site and ~~posted or displayed~~ for the benefit of the general public in front of a firewall ~~on~~ at another ~~website~~ site without written or electronic ~~permission authorization~~ and disclosure of ~~the original listing licensee ownership~~.
- b) Sponsoring Broker's Advertising or Marketing
- 1) A sponsoring broker that has ~~permission to advertise or market~~ authorized ~~advertising or marketing~~ real property ~~subject to an exclusive listing by another sponsoring broker~~ must include ~~the following information~~ on the page ~~whereon which~~ the ~~sponsoring broker's company's or firm's~~ advertisement or marketing appears ~~the following data~~:
 - A) ~~the city or geographic area in which the property being advertised or marketed is located;~~
 - A) the ~~sponsoring broker's company's~~ name as ~~licensed~~ registered with the Division or the assumed name it ~~properly submitted to~~ has ~~registered with~~ the Division (commonly recognized abbreviations are permitted); ~~and~~
 - B) ~~the city or geographic area where the property being advertised or marketed is located; and~~
 - C) if the sponsoring broker does not hold a real estate ~~brokerage~~ license for the jurisdiction where the property is located, the regulatory jurisdictions ~~wherein which~~ the sponsoring broker does hold a real estate ~~brokerage~~ license.

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- 2) If this information is ~~contained~~ on the frame ~~of~~ the sponsoring broker's ~~website~~, it ~~need~~ does not ~~have to~~ be included on every ~~website~~ page ~~of the site~~.
- c) Sponsoring Broker's Home Page
- 1) A sponsoring broker advertising or marketing ~~licensed activities~~ real estate brokerage services must include the following information on the sponsoring broker's company's home page or on a clearly identified link appearing on that page the following data:
 - A) the sponsoring broker's company or firm's name as licensed registered with the Division or the assumed name it properly submitted to has registered with the Division (commonly recognized abbreviations are permitted); and
 - B) the city and state ~~wherein which~~ the sponsoring broker's company's principal office is located.
 - 2) If this information is ~~contained~~ on the frame ~~of~~ the sponsoring broker's ~~website~~, it ~~need~~ does not ~~have to~~ be included on every ~~website~~ page ~~of the site~~.
- d) Licensee's Advertising or Marketing
- 1) Any licensee with permission to advertise or market ~~who has authorized advertising or marketing~~ real property must include the following information whereon the page of the site on which the licensee's advertisement or marketing information appears ~~the following data~~:
 - A) the licensee's name as licensed with the Division or the assumed name the licensee properly submitted to the Division;
 - B) the city or geographic area ~~wherein which~~ the property being advertised or marketed is located;
 - C) the name of the sponsoring broker with which ~~company with which~~ the licensee is associated, ~~affiliated~~ as that sponsoring broker's company name is licensed ~~registered~~ with the Division, or

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the assumed name the sponsoring broker properly submitted to it ~~has registered with~~ the Division (commonly recognized abbreviations are permitted); and

- D) if the licensee does not hold a real estate ~~broker or salesperson~~ license for the jurisdiction wherein which the property is located, the regulatory jurisdictions wherein which the licensee does hold a real estate ~~broker or salesperson~~ license.
- 2) If this information is ~~contained~~ on the frame of on the licensee's website ~~site~~, it need does not ~~have to~~ be included on every website ~~page of the site~~.
- e) Licensee's Home Page
- 1) A licensee advertising or marketing licensed activities ~~real estate brokerage services~~ must include the following information on the licensee's his or her home page ~~the following data~~:
- A) the licensee's name as licensed with the Division or the assumed name the licensee properly submitted to the Division;
- B) the name of the sponsoring broker with which ~~company with which~~ the licensee is associated, affiliated as that sponsoring broker's company name is licensed registered with the Division, or the assumed name the sponsoring broker properly submitted to it ~~has registered with~~ the Division (commonly recognized abbreviations are permitted); and
- C) the city and state wherein which the licensee's office is located.
- 2) If this information is ~~contained~~ on the frame of on the licensee's website ~~site~~, it need does not ~~have to~~ be included on every website ~~page of the site~~.
- f) Sponsoring Broker – E-commerce or Electronic Communications
- 1) A sponsoring broker using e-commerce or electronic communications, such as e-mail, e-mail discussion groups and bulletin boards for marketing

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or transactional purposes, must include the following information on the first or last page of all communications ~~the following data~~:

- A) the sponsoring broker's company or firm's name as licensed/registered with the Division or the assumed name it properly submitted to/has registered with the Division (commonly recognized abbreviations are permitted); and
 - B) the city and state wherein which the sponsoring broker's principal/main office, or the office from which the communication originated, is located.
- 2) This subsection (f) shall not apply to communications between a sponsoring broker and a member of the public provided that the member of the public ~~has sent~~ a communication to the sponsoring broker/licensed company and that the sponsoring broker's initial communication contained the information required in this subsection (f).
- g) Licensee – E-commerce or Electronic Communication
- 1) ~~Any~~ licensee using e-commerce or electronic communications, such as e-mail, e-mail discussion groups, and bulletin boards, for marketing or transactional purposes, must include the following information on the first or last page of all communications ~~the following data~~:
 - A) the licensee's name as licensed with the Division or the assumed name the licensee properly submitted to the Division;
 - B) the name of the sponsoring broker with which/company with which the licensee is associated/affiliated as that sponsoring broker's/company name is licensed/registered with the Division or the assumed name the sponsoring broker properly submitted to the Division (commonly recognized abbreviations are permitted); and
 - C) the city and state wherein which the licensee's office is located.
 - 2) This subsection (g) shall not apply to communications between a licensee and a member of the public provided that the member of the public ~~has~~

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sent a communication to the licensee and that ~~the~~ licensee's initial communication contained the information required in this subsection (g).

- h) It ~~is will be considered to be~~ a violation of the Act and this Part if a licensee or sponsoring broker scrapes, as defined in this Section, listing information or keywords from another website~~site~~. Listing information or keywords obtained from another website~~Internet site~~ and placed behind a firewall or other device that is password protected or requires registration by the consumer in order to access that information or keywords need not identify the original listing sponsoring broker.
- i) A sponsoring broker or other licensee may link to listing information from another website~~Internet site~~ without approval unless the owner of the website~~site~~ linked to specifically requires consent. Any link must ~~be done in a way that does~~ not mislead or deceive the public as to the ownership of any listing information.
- j) All licensees, including sponsoring brokers, shall periodically review ~~the~~ advertising and marketing information on their website~~site~~ and update the information as necessary to assure that the information is current and not misleading.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.725 Office and Branch Office Identification Signs

- a) An identification sign on the outside of an office or branch office shall be of a size and nature that ~~is it will be~~ reasonably readable by the public and semi-permanent or affixed to the office or branch office. Building directory listings~~Listings within building directories~~ fulfill the requirements of this Section.
- ~~b) Office identification signs must be professional in appearance and meet all applicable zoning restrictions and applicable restrictive covenants.~~
- be) The identification sign must be plainly visible from an area accessible to the public.
- c) Office and branch identification signs must be professional in appearance and meet all applicable zoning restrictions and restrictive covenants.

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(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.730 Display of Licenses

- a) A licensee's original license~~The original licenses of all licensees~~ must be readily available to the public in the principal office of the licensee's sponsoring broker and a copy must be readily available to the public at the licensee's principal office.
- b) "Readily available" may include, but is not limited to:
- 1) being visible on a wall of a public waiting or reception area; or
 - 2) being available for viewing ~~at the sponsoring broker's principal office~~ upon request.
- c) Named managing~~Managing~~ brokers assigned to manage multiple offices~~more than one office~~ shall have copies of their license readily available in all those offices they manage, which includes offices that may, but that are not be the named managing broker's principal~~primary office out of which the manager works.~~

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.735 Employment Agreements

- a) Every sponsoring broker shall have a written employment agreement with every sponsored licensee. Sole proprietors shall not be required to have an employment ~~agreement~~contract with themselves, but shall have a written~~an~~ employment agreement with every sponsored licensee.
- b) The written employment agreement shall be dated and signed by the parties. The employment agreement shall include, at a minimum, the employment or independent contractor relationship terms, including, but not limited to, supervision, duties, compensation, duration and termination. The term "duration", as used in this subsection, is not intended to require a specific termination date, but rather to allow the parties to negotiate the term of the employment agreement, such as "at will" or a specific length of time, and how the employment agreement is renewed or terminated. These terms~~provisions~~ shall be included in the employment agreement.

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- c) The sponsoring broker shall give a copy of the fully signed employment agreement and any modifications to every sponsored licensee~~employee and independent contractor a copy of the employment agreement and any modifications.~~

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.740 Unlicensed Assistants

- a) Licensees under the Act may ~~employ, or otherwise~~ utilize the services of; unlicensed assistants to assist them with administrative, clerical or personal activities for which a license under the Act is not required. Compensation for unlicensed ~~personal~~ assistants cannot be transaction based.
- b) An unlicensed assistant, ~~on behalf of and~~ under the supervision~~direction~~ of a licensee, may engage in the following ~~administrative, clerical or personal~~ activities ~~without being in violation of the licensing requirements of the Act.~~ This~~The following~~ list is ~~intended to be illustrative and declarative of the Act and is not intended to increase or decrease the scope of licensed activities, for which a license is required under the Act. An unlicensed assistant of a licensee may:~~
- 1) answer the telephone, take messages and forward calls to a licensee;
 - 2) submit listings and changes to a multiple listing service;
 - 3) follow up on a transaction after a contract has been signed;
 - 4) assemble documents for a closing;
 - 5) secure public information from a courthouse, sewer district, water district or other repository of public information;
 - 6) have keys made for a ~~company~~ listing;
 - 7) draft advertising copy and promotional materials for approval by a licensee;
 - 8) place advertising;

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- 9) record and deposit earnest money, security deposits and rents at the direction of, and with approval by, a licensee;
- 10) complete contract forms with business and factual information at the direction of and with approval by a licensee;
- 11) monitor licenses and personnel files;
- 12) compute commission checks and perform bookkeeping activities;
- 13) place signs on property;
- 14) order items of routine repair as directed by a licensee;
- 15) prepare and distribute flyers and promotional information under the direction of and with approval by a licensee;
- 16) act as a courier to deliver documents, pick up keys, etc.;
- 17) place routine telephone calls on late rent payments;
- 18) schedule appointments for the licensee (this does not include making phone calls, telemarketing or performing other activities to solicit business on behalf of the licensee);
- 19) respond to questions by quoting directly from published information;
- 20) sit at a property for a broker tour that is not open to the public;
- 21) gather feedback on showings;
- 22) perform, manage or supervise maintenance, engineering, operations, security or other building trades work and answer questions about that work;
- ~~23) provide security;~~

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- ~~2324~~) provide concierge services and other similar amenities to existing tenants;
and
- ~~25~~) ~~manage or supervise maintenance, engineering, operations, building trades and security; and~~
- ~~2426~~) perform other administrative, clerical or personal activities for which a license under the Act is not required.
- c) An unlicensed assistant of a licensee may not perform ~~licensed~~the following activities, ~~including but not limited to: for which a license under the Act is required. The following list is intended to be illustrative and declarative of the Act and is not intended to increase or decrease the scope of activities for which a license is required under the Act. An unlicensed assistant of a licensee may not:~~
- 1) host open houses, kiosks, or home show booths or fairs;
 - 2) show property;
 - 3) interpret information ~~regarding~~on listings, titles, financing, contracts, closings or other information relating to a transaction;
 - 4) explain or interpret a contract, listing, lease agreement or other real estate document ~~for or~~ with anyone outside the unlicensed assistant's real estate entity~~licensee's company~~;
 - 5) negotiate or agree to any commission, commission split, management fee or referral fee on behalf of a licensee; or
 - 6) perform any other licensed activities~~activity for which a license under the Act is required~~.
- d) Any licensee who ~~supervises~~employs an unlicensed assistant shall be responsible for the ~~actions of the unlicensed assistant's actions~~assistant taken while under the supervision of, or at the direction of, the licensee. Any licensee who permits, aids, assists or allows an unlicensed assistant to perform any licensed activities shall be in violation of the Act.

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- e) ~~Any licensee who is responsible for the actions of an unlicensed assistant by statute, regulation, contract or office policy and who permits, aids, assists or allows an unlicensed assistant to perform any activity for which a license under the Act is required shall be in violation of the Act.~~
- ef) Stenographic, clerical, maintenance, engineering, operations, building trades, security or office personnel not directly ~~engaging~~engaged in licensed activities~~the practice of real estate brokerage as defined in Section 1-10 of the Act~~ are not required to be licensed.
- fg) A licensee is prohibited from acting as an ~~unlicensed~~ assistant, as provided for in this Section, for any licensee other than the licensee's~~his or her~~ sponsoring broker or a licensee sponsored by the sponsoring broker.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.745 Corporation for Indirect Payment

- a) Every sponsored licensee who forms a corporation ~~as set forth in~~pursuant to Section 10-20(e) of the Act, for the purpose of receiving the sponsored licensee's compensation, shall ~~submit to file with~~ the Licensing Section of the Division a copy of the certificate of incorporation issued by the Illinois Secretary of State.
- b) A corporation₂ formed ~~as set forth in~~pursuant to Section 10-20(e) of the Act₂ may only receive compensation earned by the licensee. The corporation may not:
- 1) be licensed under the Act;~~and shall not be used by the licensee to~~
 - 2) perform licensed~~real estate~~ activities;_;
 - 3) sponsor, employ or associate itself with other licensees; or;
 - 4) hold itself out to the public, or advertise to the public₂ under the corporation's name.
- c) A corporation₂ ~~as set forth in~~formed pursuant to Section 10-20(e) of the Act₂ may receive compensation earned by the licensee arising out of activities unrelated to licensed activities~~the practice of real estate~~.

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Section 1450.750 Special Accounts

- a) Escrow Moneys Defined
- 1) "Escrow moneys" means all moneys, promissory notes or any other type or manner of legal tender or financial consideration deposited with any person for the benefit of the parties to the transaction. A transaction ~~means exists once~~ an accepted real estate contract, ~~is signed~~ or lease, ~~signed agreed to~~ by the parties. Escrow moneys include without limitation earnest moneys and security deposits, except those security deposits in which the person holding the security deposit is also the sole owner of the property being leased or sold and for which the security deposit is being held.
 - 2) ~~As set forth in Pursuant to~~ the terms of a written agreement between a licensee and a client, such as a property management agreement, rent moneys paid to a licensee for transmittal to the licensee's client (e.g., the owner) shall not be considered to be "escrow moneys". In addition, other moneys held in a custodial account by a licensee for transmittal to a licensee's client, ~~as set forth in pursuant to~~ the terms of a written agreement, such as a contract for deed, shall not be subject to ~~this Section these escrow rules~~.
 - 3) Earnest money constitutes escrow moneys whether in the form of personal checks, cashier's checks, money orders, cash or any other forms of legal tender.
- b) Escrow Accounts. ~~As set forth in Pursuant to~~ Section 20-20(a)(17) of the Act, sponsoring brokers who accept escrow moneys shall maintain and deposit in a special account (hereinafter referred to as an escrow account), separate and apart from personal or other business accounts, all escrow moneys entrusted to ~~the sponsoring broker them~~ while acting as ~~a licensee the real estate brokers~~, escrow agents or ~~as the~~ temporary custodians of the funds of others.
- 1) ~~The Such~~ escrow ~~accounts account~~ shall be non-interest bearing, unless the character of the deposit is such that payment of interest on the escrow account is otherwise required by law or unless the principals to the transaction specifically require, in writing, that the deposit be placed in an interest bearing account.

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- 2) If an interest bearing account is required, the recipient of the interest shall be specifically indicated, in writing, by the principals of the transaction.
 - 3) A sponsoring broker may maintain more than one escrow account.
 - 4) ~~An escrow account must be maintained by a sponsoring broker who receives escrow moneys entrusted to him or her while acting as a real estate broker, or as escrow agent, or as temporary custodian of the funds of others.~~
 - 45) Every escrow account, whether interest bearing or non-interest bearing, shall be maintained at a federally insured depository.
 - 56) Commingling Prohibited. Each sponsoring broker shall deposit only escrow moneys received in connection with any real estate transaction in an escrow account. The sponsoring broker shall not deposit personal funds in an escrow account, except the sponsoring broker ~~he or she~~ may deposit from the sponsoring broker's ~~his or her~~ own personal funds, and keep in any escrow account, an amount sufficient to avoid incurring service charges relating to the escrow account. The sum shall be specifically documented as being for service charges and the sponsoring broker shall have proof available that the amount of the sponsoring broker's ~~his or her~~ own funds in the escrow account does not exceed the minimum amount required by the depository to maintain the account without incurring service charges. Transfer of funds as set forth ~~provided for~~ in subsection (i)(4) ~~of this Section~~ shall not constitute commingling.
- c) The sponsoring broker shall provide a receipt to the payor of any cash constituting escrow funds and shall retain a copy of the receipt.
 - d) Time of Deposit of Escrow Moneys:
 - 1) All escrow moneys accepted by a sponsoring broker shall be placed in the sponsoring broker's escrow account not ~~not~~ later than the next business day:
 - A) following the transaction, as defined in Section 1450.100; or

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- B) ~~After receipt of the escrow money, per the terms of the contract, a transaction exists once an accepted real estate contract is signed or lease agreed to by the parties.~~
- 2) If the funds are received on a day prior to a bank holiday, or any other day on which the bank ~~or savings and loan association~~ is closed, the funds shall then be deposited on the next business day ~~upon which~~ the depository is open.
- e) A sponsoring broker serving as escrow agent shall notify all principals in writing if:
- 1) a principal fails to tender escrow moneys; ~~when~~
- 2) a principal's payment ~~of~~ escrow moneys is dishonored by the financial institution on which it was drawn; ~~or~~
- 3) ~~it when there~~ appears ~~from the signed on the face of the governing~~ contract ~~that to be a deficiency in~~ the amount of escrow moneys deposited is deficient on deposit.
- f) Maintenance of Escrow Moneys on Deposit in Escrow Account. The sponsoring broker shall keep all escrow moneys on deposit in an escrow account until a transaction is consummated or terminated, except to the extent that such escrow moneys, or any part of the escrow moneys, shall be disbursed according to the provisions set forth in subsection (g).
- g) Disbursement of Escrow Moneys. Once the payor's depository has honored the deposit of escrow funds Pursuant to Section 20-20(a)(17) of the Act, the sponsoring broker shall disburse escrow moneys according to the following requirements, ~~as set forth in Section 20-20(a)(17) of the Act; however, a sponsoring broker may not disburse funds until they have been honored by the payor's depository.~~
- 1) The sponsoring broker must disburse escrow moneys upon consummation or termination of the transaction. The actual terms of the contract regarding the release of the escrow moneys shall be adhered to by the sponsoring broker holding these escrow moneys. The ~~Such~~ disbursement must be according to the terms of the contract and must be:

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- A) made not later than the next business day following the sponsoring broker's receipt of notice of the consummation or termination of the transaction; or
- B) otherwise disbursed in accordance with the written direction of all principals to the transaction or their duly authorized agents.
- 2A) Commissions and/or fees earned by a sponsoring broker in any transaction shall be disbursed by that sponsoring broker from the funds deposited in an escrow account no earlier than the day the transaction is consummated or terminated and not later than the next business day after the transaction is consummated or terminated; or otherwise in accordance with the written direction of all principals to the transaction or their duly authorized agents.
- 3B) Authorized disbursements are those that are made on behalf of, and at the written direction of, all principals to the transaction or their duly authorized agents.
- 4C) A sponsoring broker shall not withhold, for any period of time, an authorized disbursement of escrow moneys due to any claim for a commission or compensation to any licensee.
- 5D) Transfer of escrow moneys to the closing agent for the transaction may be made up to 2 business days prior to the scheduled closing.
- 62) ~~As set forth in~~ Pursuant to Section 20-20(a)(17)(A)(i) of the Act, if, prior to the consummation or termination of the transaction, the sponsoring broker receives written direction from all of the principals to the transaction or their duly authorized agents agreeing to a disbursement of the escrow moneys, that sponsoring broker must disburse the escrow moneys according to the written directions. ~~The~~ Such disbursement must be made not later than the next business day following the sponsoring broker's receipt of the last required written direction.
- 73) The sponsoring broker may release escrow moneys as set forth in pursuant to Section 20-20(a)(17)(A)(ii) of the Act that allows a sponsoring broker to disburse escrow moneys prior to the consummation or termination of the transaction in accordance with directions providing for the release,

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payment, or distribution of escrow moneys contained in any written contract signed by the principals to the transaction or their duly authorized agents. The actual terms of the contract regarding the release of the escrow moneys shall be adhered to by the sponsoring broker holding these escrow moneys. For example, An example of this would be the parties to a transaction signing a contract to purchase that includes language allowing the earnest money to be disbursed by the sponsoring broker if the transaction does not close as provided for in the contract if so long as the sponsoring broker:

- A) provides written notice to the parties as required by the contract at least 14 days prior to the intended disbursement of the earnest moneys; ~~and~~
 - B) indicates how the sponsoring broker intends to disburse the earnest money; and
 - C) indicates the date that the sponsoring broker must receive the parties' by which any written objection from a party to the proposed disbursement must be received by the sponsoring broker.
 - ~~B) In any such case, the actual terms of the contract concerning the release of the escrow moneys shall be adhered to by the sponsoring broker holding these escrow moneys.~~
- 84) ~~As set forth in~~ Pursuant to Section 20-20(a)(17)(A)(iii) of the Act and notwithstanding any other requirements or responsibilities in this Part, if the sponsoring broker receives an order from a court of competent jurisdiction providing for the disbursement of the escrow moneys, that sponsoring broker must disburse the escrow moneys according to the terms of the court order.
- 95) For the purposes of this Section, "duly authorized agent" shall mean an attorney-in-fact, ~~an~~ attorney-at-law who represents ~~that he or she is acting on behalf of~~ one of the principals to the transaction, or any other person the licensee can prove was authorized to act on behalf of a principal to the transaction.

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- h) Disputes Regarding Escrow Moneys
- 1) In the event of a dispute in writing over the return or forfeiture of any escrow moneys held by the sponsoring broker or if a sponsoring broker has actual knowledge that any party to a transaction contests or disagrees with an anticipated disbursement of escrow moneys held by that sponsoring broker, ~~the sponsoring broker~~~~he or she~~ shall continue to hold the deposit in ~~the sponsoring broker's~~~~his or her~~ escrow account until:
 - A) ~~the sponsoring broker~~~~until he or she~~ has a written release from all parties or their duly authorized agents consenting to the disposition, in which case the escrow moneys must be disbursed according to the terms of the written direction no later than the next business day after the sponsoring broker's receipt of the last required written release;
 - B) ~~until~~ a civil action is filed, by either the sponsoring broker or one of the parties to the transaction, to determine its disposition, at which time ~~the escrow money~~~~payment~~ may be deposited with ~~them~~~~into~~ court;
 - C) ~~until~~ the funds are turned over to the State Treasurer or such other appropriate State agency or officer designated under~~pursuant to~~ the Act or the Uniform Disposition of Unclaimed Property Act [765 ILCS 1025], because of inactivity of the account, ~~or~~ inability to locate the parties, or inability of the parties to reach a resolution.
 - 2) If the sponsoring broker files an interpleader-action ~~is filed by the sponsoring broker~~, and the ~~broker is authorized by~~ real estate contract authorizes the sponsoring broker to withdraw from the escrow account ~~those amounts~~ as may be necessary to reimburse the sponsoring broker for costs and reasonable attorney's fees associated with the interpleader~~that~~ action, ~~excluding~~ costs and attorney's fees associated with that sponsoring broker's attempt to collect a commission or fee are excluded.
- i) Escrow Records. Each sponsoring broker who accepts escrow~~earnest~~ money shall maintain, in ~~the sponsoring broker's~~~~his or her~~ office or place of business, a bookkeeping system in accordance with sound accounting principles, that~~and~~

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~~without limiting the foregoing, the system~~ shall consist of at least the following escrow records ~~as further described below~~:

- 1) Journal. A journal shall be maintained for each escrow account. The journal shall show the chronological sequence in which funds are received and disbursed by the sponsoring broker.
 - A) For funds received, the journal shall include the date the funds were received, the name of the person on whose behalf the funds are delivered to that sponsoring broker and the amount of the funds ~~so~~ delivered.
 - B) For ~~funds disbursed~~fund disbursement, the journal shall include the date of disbursement, the payee, the check number and the amount disbursed.
 - C) A running balance shall be shown after each entry for funds received or disbursed~~(receipt or disbursement)~~.
- 2) Ledger. A ledger shall be maintained for each transaction. The ledger shall show the receipt and the disbursement of funds affecting a single ~~particular~~ transaction such as between buyer and seller, or landlord and tenant, or the respective parties to any other relationship. The ledger shall include the names of all parties to a transaction, the amount of funds received by the sponsoring broker and the date of receipt. The ledger shall show, ~~in connection with the disbursements of funds~~, the date of any disbursement, the payee, the check number and the amount disbursed. The ledger shall segregate one transaction from another transaction. There shall be a separate ledger or separate section of each ledger, as the sponsoring broker shall elect, for each ~~type of the various kinds~~ of real estate transactions (e.g., lease). If the ledger and journal are~~is~~ computer generated from the same data entry ~~from which the journal is generated~~, the sponsoring broker must maintain copies of the bank deposit slips, bank disbursement slips, or other bank receipts, to account for the data on the ledger.
- 3) Monthly Reconciliation Statement. Each sponsoring broker shall reconcile, within 10 days after receipt of the monthly bank statement, each escrow account maintained by the sponsoring broker, except when there

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has been no transactional activity during the previous month. Reconciliation shall include a written work sheet comparing the balances as shown on the bank ~~or savings and loan association~~ statement, the journal and the ledger, respectively, in order to insure agreement between the escrow account, ~~and~~ the journal and the ledger entries ~~for with respect to~~ the escrow account. Each reconciliation shall be kept for at least 5 years from the last day of the month covered by the reconciliation.

- 4) If escrow moneys are transferred from an escrow account to another account for disbursement, the sponsoring broker must maintain a copy of all records reflecting a disbursement from the other account.
- 5) Master Escrow Account Log. Each sponsoring broker shall maintain a Master Escrow Account Log identifying all escrow bank account numbers, and the name and address of the bank where the escrow accounts are located. The Master Escrow Account Log must specifically include all bank account numbers opened for individual transactions, even if account numbers fall under another umbrella account number.
- 6) A sponsoring broker may employ a more sophisticated bookkeeping system based on sound accounting principles, including a system of electronic data processing equipment. ~~Any~~ ~~However, any~~ such system must contain or produce printed records containing the information required by this Section, although it need not be in the same format as provided for in this Section.
- 7) The Division ~~may provide~~ ~~shall have available for distribution, on request, samples of an~~ approved journal, ledger, monthly reconciliation statement and Master Escrow Account Log samples.
- 8) ~~As set forth in~~ ~~Pursuant to~~ Section 20-20(a)(18) of the Act, the sponsoring broker shall make available to the ~~real estate enforcement personnel of the~~ Division within 24 hours after a request all escrow records and related documents maintained in connection with the practice of real estate and located in the office ~~as set forth in~~ ~~pursuant to~~ Section ~~1450.755~~ ~~1450.750(i)(10)~~ within 24 hours after a request.
- 9) Copies of all Escrow Money Instruments. Except as otherwise provided by law, the sponsoring broker shall retain copies of all escrow money

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instruments received from a principal as part of a transaction, including copies of all personal checks, cashier's checks, certified checks, money orders, promissory notes or other financial instruments. The sponsoring broker shall also retain copies and/or documentation of all funds disbursed from disbursements or transferred in transfers into or out of an escrow account.

~~10)~~ ~~Escrow records shall be retained for 5 years. The escrow records for the immediate prior 2 years shall be available in the office location and shall be produced within 24 hours after request pursuant to Section 1450.750(i)(8). The balance of the records can be available at another location and are subject to request by the Division pursuant to Section 20-20 (a)(19) of the Act as soon as available, but no later than within 30 days after the request per Section 1450.755(a)(2).~~

~~1011)~~ If escrow records are lost, stolen or destroyed due to fire, flood or any other circumstances, the sponsoring broker must:

A) report the loss to the Division's enforcement division within 30 days by signature restricted delivery; ~~and-~~

B) ~~The broker must also~~ immediately obtain copies of monthly bank statements, deposit and disbursement receipts, and any other available records; to reconstruct the loss of escrow records.

~~1112)~~ A sponsoring broker may delegate the bookkeeping duties under this Part to another qualified person, including a named managing broker, a bookkeeper, certified public accountant, unlicensed assistant, licensed assistant or sponsored licensee. ~~Compliance~~ ~~However, compliance~~ with the bookkeeping duties remains the responsibility of the sponsoring broker. The sponsoring broker is ultimately responsible for the proper administration of the escrow account pursuant to this Part.

j) Sponsored Licensees. Sponsoring brokers shall institute a company policy office policies to ensure that the sponsored licensees tender escrow moneys received in compliance with this Part. Sponsored licensees, whether managing brokers salespersons, brokers or leasing agents, may not maintain their own escrow accounts.

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- k) Branch Offices. Branch offices may maintain escrow accounts in compliance with this Part or may transmit all escrow moneys received to the ~~principal~~main office, but not to another branch office, ~~for compliance with this Part.~~
- 1) If the branch office does maintain escrow accounts, all of the requirements of this Part apply, including maintaining all required escrow records, and submitting to the Division all required escrow forms.
 - 2) If the branch office does not maintain escrow accounts but instead transmits all escrow moneys received to the ~~principal~~main office, all escrow moneys must be transmitted by the branch office to the ~~principal~~main office ~~not~~ later than the next business day following the transaction. A transaction exists once an ~~agreement has been reached and an~~ accepted real estate contract is signed, or lease agreed to, by the parties. ~~The~~Even if the branch office transmits all escrow moneys received to the main office, the branch office must maintain records showing the date the escrow moneys were ~~transmitted~~transferred to the ~~principal~~main office. ~~Funds~~The funds received ~~by~~at the ~~principal~~main office from a branch office shall be placed in the sponsoring broker's escrow account not later than the next business day following receipt of the funds from the branch office.
- l) Escrow Requirements for Property Management Activities. Security deposits shall be maintained in an escrow account for the duration of the lease, unless the tenant waives this requirement in writing and except if prohibited by State laws and local ordinances. The waiver, if included in the lease, shall appear in bold print.
- m) ~~Notice~~Notification to the Division of the Identity of All Escrow Accounts and the Consent to Examine and Audit All Accounts:
- 1) Each sponsoring broker shall, at the time of the original application for licensure and at the time of renewal of licensure, on forms provided by the Division, ~~provide file with the Division~~ the name of the banks, ~~savings and loan associations~~ or other recognized depositories in which each escrow account is maintained, ~~and~~ the name of each account, and the names of the persons authorized to withdraw funds from ~~those such~~ accounts, and shall, as a condition of licensure, consent ~~on those forms~~ to the examination and

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audit by the Division of all escrow accounts, ~~notwithstanding whether or~~
not the account is identified on the form, ~~by the Division.~~

- 2) A new form shall be executed by the sponsoring broker and submitted
~~to filed with~~ the Division:
- A) within 10 days after ~~the time of~~ a change of depository, method of
doing business or persons authorized to make withdrawal; ~~and~~.
- B) ~~A new form shall also be executed~~ each time a new escrow account
is opened. ~~A~~ However, a new form shall not be required each time a
new escrow account is opened for an individual transaction and
when the account falls under an umbrella account that has already
been identified in a prior form. The identity of each of these
individual escrow accounts, ~~however~~, must be included in the
Master Escrow Account Log ~~required by pursuant to~~ subsection
(i)(5).
- n) Violations. Any licensee who violates ~~any of the provisions of~~ this Part may be
deemed to have endangered the public interest ~~under pursuant to~~ Section 20(a)(21)
of the Act and may be subject to a temporary suspension as set forth
~~under pursuant to~~ Section 20-65 of the Act.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.755 Recordkeeping

- a) A sponsoring broker shall keep, or cause to be kept, escrow records, transaction
records, employment agreements and records reflecting the payment of
compensation, as set forth ~~further described~~ in this Section.
- 1) Escrow Records for Each Interest Bearing and Non-interest Bearing
Escrow Account or Account Whereinto which Escrow Funds Have Been
Deposited. These records shall include:
- A) Journals required by ~~as defined in~~ Section 1450.750(i)(1);
- B) Monthly bank statements;

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- C) Ledgers ~~required by as defined in~~ Section 1450.750(i)(2);-
- D) Monthly reconciliations ~~required by as defined in~~ Section 1450.750(i)(3); ~~and-~~
- E) Master Log of Escrow Accounts ~~required by as defined in~~ Section 1450.750(i)(5).
- 2) The escrow records required by subsection (a)(1) shall be maintained for 5 years. The sponsoring broker shall ensure that the escrow records for the immediate prior 2 year period are maintained in the sponsoring broker's office ~~location~~ and shall be produced within 24 hours after a request by the Division as set forth in pursuant to Section 1450.750(i)(8)1450.175(i)(8). The balance of the records can be available at another location and is subject to request by the Division as set forth in Section 20-20(a)(27) of the Act. Any escrow records more than 2 years old and stored at a location other than the sponsoring broker's office, whether in hard copy or electronically, shall be ~~made~~ available for inspection during normal business hours as soon as available, but no later than ~~within~~ 30 days after the Division's request.
- 3) Records relating to transactions shall be retained by the sponsoring broker ~~either~~ in hard copy or electronically.
- A) These records might include copies of the following:
- i) Residential Property Transactions: Signed contracts, including offers and counteroffers, written release of escrow funds, Dual Agency Authorization, notices of designated agency or no agency, written direction for deposit into interest bearing special account, power of attorney, disclosures (e.g., lead paint, radon, seller disclosure), closing statements and other transaction records required to be retained by the Act.
 - ii) Property Management/Leasing: Any rental finding agreement, property management agreements, leases, periodic accounting or statement to the owner regarding the receipts and disbursements, and any other documents set

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~~forthreferred to~~ in subsection (a)(3)(A)(i) that are ~~relevant~~pertinent to the transaction.

- iii) Commercial Representation: Tenant or owner representation agreement, letters of intent, leases, any written modifications to an executed lease and any other documents ~~set forthreferred to~~ in subsection (a)(3)(A)(i) that are ~~relevant~~pertinent to the transaction.
- B) The documents ~~set forth~~listed in subsection (a)(3) are not ~~intended to be~~ all inclusive ~~and; rather, they are intended to be~~ examples of ~~relevant~~pertinent documents to be retained. Any similar documents pertinent to a particular transaction shall also be retained. Any information contained on the outside of a transaction file shall be considered part of that file.
- C) Transaction records shall be maintained for 5 years. The sponsoring broker shall ensure that any transaction records involving any active or pending transaction or representation, or any transaction in which escrow funds or moneys belonging to others were received and have not yet been disbursed for the immediate prior 2 years shall be maintained in the office ~~location~~. All transaction records maintained at the office ~~location~~ shall be made available for inspection and audit during normal business hours by the Division staff no later than 24 hours after a request for escrow records and related documents. Any transaction records stored at a location other than the office ~~whether, in~~ hard copy or ~~electronically~~electronic copy, shall be made available for inspection during normal business hours as soon as available within 30 days after the request.
- D) Sponsoring brokers may allow their sponsored licensees to maintain ~~a duplicate of the~~ transaction records.
- 4) Employment agreements, ~~as~~ required by Section 10-20 of the Act, shall be maintained for 5 years after the sponsored licensee is no longer ~~associated~~affiliated with the sponsoring broker. The ~~sponsoring~~ broker shall maintain ~~at the~~ written employment agreement for every licensee who is employed by or ~~associated~~affiliated with the sponsoring broker. A copy

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of the employment agreement for each sponsored licensee at a branch office shall be maintained at the respective branch office.

- 5) Records reflecting the payment of compensation for the performance of licensed activities shall be maintained for 5 years.
- b) All records may be kept ~~either~~ in hard copy or electronically. If the records are kept electronically, the sponsoring broker shall ensure that a back up is made at reasonable intervals, but at least once a month, so as to protect the data but no less frequent than monthly. Backups can be kept either at the sponsoring broker's office or offsite. The escrow journal shall be reduced to hard copy at least monthly and kept at the sponsoring broker's office ~~of the sponsoring broker~~ for 60 days.
- c) Any disclosure required by the Act or this Part can be made in a paper or, if agreed to by both parties, an electronic format and may use electronic signatures. Copies of all disclosures, whether in hard copy or electronically~~electronic or in paper~~, must be retained by the sponsoring broker.
- d) If escrow records are lost, stolen or destroyed due to fire, flood or any other circumstances, the sponsoring broker must:
 - 1) report the loss to the Division's enforcement division within 30 days by signature restricted delivery; and
 - 2) immediately obtain copies of monthly bank statements, deposit and disbursement receipts and any other available records, to reconstruct the loss of escrow records.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.760 Disclosure of Compensation

~~As set forth in~~Pursuant to Section 10-10(b) of the Act, a licensee shall disclose, in writing, any compensation the licensee expects to receive or that ~~he or she knows~~ the licensee's sponsoring broker will receive, arising out of a referral to any person or entity whose services are related to the transaction, including any financial institution, insurance broker, mortgage broker, home inspector or any other third party. The written disclosure shall indicate the relationship between the licensee or the licensee's sponsoring broker and the referred person or entity, and any interest

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greater than 1% (see Section 10-10(c) of the Act) that the licensee or the licensee's sponsoring broker ~~has may have~~ in the referred person or entity. Section 10-10(e) of the Act applies only to an Illinois licensee's payment of compensation.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.765 Disclosure of Licensee Status

A licensee who sells, leases or purchases ~~is "selling, leasing or purchasing~~ any interest", directly or indirectly, for purposes of Section 10-27 of the Act, must disclose licensee status when the licensee:

- a) is selling, leasing or seeking to purchase real estate~~property~~ as sole owner;
- b) is selling, leasing or seeking to purchase real estate~~property~~ as a joint tenant or tenant by the entirety;
- c) holds a beneficial interest in a land trust selling, leasing or seeking to purchase an interest in the subject real estate~~property~~;
- d) is a ~~general~~ partner in a partnership, limited partnership or limited liability partnership selling, leasing or seeking to purchase an interest in the subject real estate~~property~~;
- e) is an officer, director, ~~and/or majority or controlling~~ shareholder of a corporation, other than a publicly traded corporation, selling, leasing or seeking to purchase an interest in the subject real estate~~property~~; ~~or~~
- f) is a manager or ~~majority or controlling~~ member of a limited liability company selling, leasing or seeking to purchase an interest in the subject real estate~~or property~~;
- g) has any direct or indirect interest in the subject real estate.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.770 Brokerage Agreements and Listing Agreements

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- a) ~~Exclusive~~All-exclusive brokerage agreements, including ~~all~~-exclusive listing agreements and exclusive buyer brokerage agreements, shall be in writing and shall indicate the minimum services that must be provided as ~~set forth~~indicated in Section 15-75 of the Act. Failure to include language in a brokerage agreement providing for minimum services as ~~set forth~~specified in Section 15-75 of the Act or language in the brokerage agreement waiving those minimum services provided for in Section 15-75 of the Act will, under the definition of "exclusive brokerage agreement" in Section 1-10 of the Act, result in the brokerage agreement being considered to be non-exclusive.
- b) ~~Written~~All-written buyer brokerage agreements, whether exclusive or non-exclusive, shall contain the following:
- 1) ~~the~~ agreed basis or amount of compensation and time of payment;
 - 2) ~~the duration of the buyer brokerage agreement clearly set forth;~~
 - 23) ~~the~~ name of the sponsoring broker and the buyer;
 - 34) ~~the~~ signatures of the sponsoring broker and the buyer or buyers and an authorized signator on behalf of the buyer ~~or sponsoring broker~~;
 - 45) ~~the~~ duties of the buyer's broker; and-
 - 5) One of the following, clearly set forth:
 - A) the duration of the buyer brokerage agreement; or
 - B) the client's right to terminate the agreement annually by giving no more than 30 days prior written notice.
- c) ~~Written~~All-written listing agreements, whether exclusive or non-exclusive, shall contain the following:
- 1) ~~the~~ list price;
 - 2) ~~the~~ agreed basis or amount of commission and the time of payment of the commission;

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- 3) ~~the duration of the listing agreement, with a definite termination date clearly set forth;~~
- 34) ~~the~~ name of the sponsoring broker and seller;
- 45) ~~the~~ identification of the real property involved (address or legal description);
- 56) ~~the~~ signatures of the sponsoring broker and owner or owners and an authorized signator on behalf of the owner ~~or sponsoring broker;~~
- 67) ~~the~~ duties of the listing broker; and-
- 7) One of the following, clearly set forth:
- A) the duration of the listing agreement; or
- B) the client's right to terminate the agreement annually by giving no more than 30 days prior written notice.
- d) Pursuant to Section 10-25 of the Act, ~~any~~ licensee shall only obtain ~~any~~ written brokerage agreement that either provides for automatic expiration within a definite period of time or provides the client with a right to terminate the agreement annually by giving no more than 30 days prior written notice containing a clause automatically extending the period of the contract. Any written brokerage agreement ~~not~~ containing ~~such~~ a provision to the contrary ~~for automatic expiration~~ shall be void.
- e) ~~Written~~ Every written brokerage ~~agreements~~ agreement shall expressly provide that no amendment or alteration to the terms, with respect to the amount of commission or with respect to the time of payment of commission, shall be valid or binding unless made in writing and signed by the parties.
- f) No licensee shall use real estate contract forms to change previously agreed commission payment terms.
- g) If a listing agreement ~~states~~ provides that, in the event of a default by a buyer, the sponsoring broker's full commission or fees will be paid out of an earnest money deposit, with the remainder of the earnest money to be paid to the seller, the

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provision shall appear in the listing agreement in letters larger than those generally used in the listing agreement.

- h) Each brokerage agreement shall clearly state that it is illegal for either the owner or ~~any licensee~~~~the broker~~ to refuse to show, display, lease or sell to any person because of one's membership in a protected class, e.g., race, color, religion, national origin, sex, ancestry, age, marital status, physical or mental ~~disability~~~~handicap~~, familial status, sexual orientation, unfavorable discharge from the military service, military status, order of protection status or any other class protected by Article 3 of the Illinois Human Rights Act.
- i) Each brokerage agreement for a residential property of 4 units or less that provides for a protection period subsequent to its termination date shall also provide that no commission or fee will be due and owing pursuant to the terms of the brokerage agreement if, during the protection period, a valid, written brokerage agreement is entered into with another sponsoring~~licensed real estate~~ broker.
- j) A ~~licensee~~~~broker~~ may discuss a possible future brokerage agreement with a consumer whose property is exclusively listed with another sponsoring broker or who is subject to a written exclusive buyer brokerage agreement only if under the following conditions:
- 1) ~~when~~ the consumer initiates the contact; or
 - 2) the following occurs:~~when the current broker, upon request, fails to provide, within 10 calendar days,~~
 - A) the licensee makes a request, in writing and mailed return receipt requested, of the broker or sponsoring broker who has the listing agreement for the type and expiration date of the brokerage agreement between the consumer and the broker or sponsoring broker who has the listing agreement; ~~current broker.~~
 - B) the licensee who has the listing agreement fails to provide a response in writing, mailed return receipt requested, within 10 calendar days;

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- C) ~~The request and response shall be in writing and mailed return receipt requested. If the above information from the broker or sponsoring broker who has the listing agreement~~ is not received within 14 calendar days; ~~and,~~
- D) the ~~requested broker may then contact the consumer only if this~~ information cannot be obtained ~~by the licensee~~ from another source of shared broker information.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.780 Referral Fees and Affinity Relationships

- a) No licensee may pay a referral fee to an unlicensed person who is not a principal to the transaction. In order to meet the license requirement, the person receiving the referral fee must be duly licensed as a ~~leasing agent, real estate~~ broker or managing broker in Illinois or hold an equivalent license of another state or country of domicile. If the person's ~~equivalent~~ country of domicile does not have a licensing statute for ~~licensees, real estate agents,~~ then, in order to receive a referral fee, the person must comply with the laws, if any, of ~~the his or her~~ country of domicile concerning the practice of real estate ~~brokerage business~~.
- b) Request of Referral Fee
- 1) No licensee may request a referral fee unless reasonable cause for payment of the referral fee exists. Reasonable cause for payment of a referral fee means ~~that~~:
- A) an actual introduction of a client ~~was has been~~ made to a licensee; or
- B) a contractual referral fee relationship exists with the licensee.
- 2) No leasing agent licensee may request, or be paid, a referral fee, except for a referral fee from a lease or rental of residential real estate.
- 32) The fact that reasonable cause to demand a referral fee exists does not necessarily mean that a legal right to the referral fee exists.

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- 43) A licensee is prohibited from interfering with the agency relationship of another licensee or attempting to induce a client to break a listing or an exclusive representation agreement with another licensee for the purpose of replacing that agreement with a new listing or representation agreement in order to obtain a referral fee. For purposes of this Section, an agency relationship shall be deemed to exist when a written, exclusive agency agreement (either a listing or buyer representation agreement) is entered into. Interfering with the agency relationship of another licensee includes, but is not limited to:
- A) demanding a referral fee from another licensee without reasonable cause;
 - B) threatening to take harmful action against the client of another licensee because of their existing agency relationship and in order to obtain a referral fee; or
 - C) counseling the client of another licensee on how to terminate or amend an existing agency contract in order to obtain a referral fee.
- 54) Any activities ~~involving that involve~~ the communication of corporate relocation policies or benefits to a transferring employee, as long as that communication does not involve advice or encouragement on how to terminate or amend an existing agency contract, shall not be considered interference under subsection (b)(43).

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.785 Rental Finding Services

- a) Definition ~~and~~– Application
 - 1) A rental finding service is any business that finds, attempts to find or offers to find, for any person who pays or is obligated to pay a fee or other valuable consideration, a unit of rental real estate or a lessee to occupy a unit of rental real estate not owned or leased by the rental finding service~~business~~.

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- 2) Any person, corporation, limited liability company, partnership, ~~or limited partnership~~ or limited liability partnership that operates a rental finding service shall be considered a ~~licensee broker or salesperson as defined in the Act~~, shall obtain the appropriate license ~~pursuant to the Act~~ and shall comply with ~~the provisions of~~ this Section.
 - 3) ~~This~~ The provisions of this Section shall not apply to persons exempted by those exempted under Section 5-20 of the Act.
- b) Contract. A rental finding service shall, prior to accepting a fee or other valuable consideration for ~~the~~ services, enter into a written contract with the person for whom services are to be performed and deliver to the ~~person~~ individual a copy of the contract. The contract shall include, in the case of a rental finding service that finds, offers or attempts to find a unit of rental real estate for ~~a person~~ an individual, at a minimum, the following ~~provisions~~:
- 1) The term of the contract;
 - 2) The total amount to be paid for the services to be performed and a clear designation of the amount paid in advance of the performance of the services;
 - 3) A statement regarding ~~whether the refund or nonrefund of~~ the fee paid in advance is refundable or non-refundable, including the following in uniform type of a size larger than that used for the balance of the contract that shall include:
 - A) ~~the~~ precise conditions, if any, upon which a refund is based;
 - B) ~~the fact that~~ the conditions shall occur within 90 days from the date of the contract; and
 - C) ~~the fact that~~ the refund shall be paid no later than 10 days after demand, provided the payment of the fee ~~check~~ has been honored;
 - 4) ~~The statements required by subsection (b)(3) shall be uniform in type of a size larger than that used for the balance of the contract;~~

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- ~~45~~) The type of rental unit desired, the geographical area requested, and the rent the prospective tenant is willing to pay;
- ~~56~~) A detailed statement of rental finding services to be performed by the licensee, which shall include, at a minimum, the delivery to the prospective tenant of all rental information ~~set forth~~~~listed~~ in subsection (c);
- ~~67~~) A statement that the contract shall be null and void if information concerning possible rental units or locations furnished by the licensee is not current or accurate with respect to the type of rental unit desired and ~~as set forth~~~~described~~ in subsection (b)~~(4)~~~~(5)~~. A listing for a rental unit that has not been available for rent for over 2 days shall be prima facie proof of not being current;
- ~~78~~) A statement that information furnished by the licensee concerning possible rental units may be up to 2 days old; ~~and~~
- ~~89~~) A statement requiring the licensee to refund all fees paid in connection with the contract if the contract is null and void for any reason. The licensee shall not impose any condition for the refund, and the contract shall state when the refund will be paid.
- c) Disclosure. ~~As required by~~~~Pursuant to~~ subsection (b)~~(5)~~~~(6)~~, the following ~~written~~ information for each rental unit shall be provided, in writing, to the person with whom the contract is entered:
- 1) The name, address and the telephone number of the owner of each rental unit or the owner's authorized agent;
 - 2) A description of the rental unit;
 - 3) The amount of rent requested;
 - 4) The amount of security deposit required;
 - 5) A statement describing utilities that are located in the rental unit and included in the rent;
 - 6) The occupancy date and the term of lease;

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- 7) A statement setting forth the source of the rental information (i.e., owner, owner's authorized agent); and
 - 8) All other information that may reasonably be expected to be of concern to the prospective tenant.
- d) Permission of Owner. A rental finding service shall not list or advertise any rental unit without the express written authority of the owner or owner's authorized agent of each unit.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.790 Broker Price Opinions and Comparative Market Analysis

- a) An individual who is a licensed managing broker or broker and also a licensed appraiser as set forth in the Real Estate Appraiser Licensing Act of 2002 [225 ILCS 458] must include the broker's or managing broker's name and license number, not the appraiser's license number, on the initial page of the broker price opinion or comparative market analysis.
- b) A broker or managing broker preparing a broker price opinion or comparative market analysis that does not comply with Section 10-45 of the Act is subject to discipline for:
 - 1) false, untruthful or misleading statements;
 - 2) inadequate or improper preparation of a broker price opinion or comparative market analysis; or
 - 3) any violation set forth in Section 20-20 of the Act.

(Source: Added at 40 Ill. Reg. _____, effective _____)

SUBPART H: AGENCY RELATIONSHIPS

Section 1450.810 Failure to Disclose Information Not Affecting Physical Condition of Real Estate

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This Section is intended to apply to actions taken by the Division under the Act ~~and as well as~~ to all civil actions in Illinois. No cause of action shall arise against a licensee for the failure to disclose:

- a) that an occupant of ~~the real estate~~~~that property~~ was afflicted with Human Immunodeficiency Virus (HIV) or any other medical condition;
- b) that the ~~real estate~~~~property~~ was the site of an act or occurrence that had no effect on the physical condition of the property or its environment or the structures located on that ~~real estate, as set forth in~~ ~~property~~ (Section 15-20 of the Act). These acts shall include, but are not limited to, murder or suicide;
- c) fact situations ~~regarding real estate~~~~on property~~ that is not the subject of the transaction; or
- d) physical conditions located on ~~real estate~~~~property~~ that is not the subject of the transaction ~~and that~~ do not have a substantial adverse effect on the value of the real estate that is the subject of the transaction.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.820 ~~Licensee Serving as a Dual~~ Agency Prohibition ~~Agent in a Transaction in Which a Licensee is a Party to the Transaction~~

A licensee shall not serve as a dual agent in any transaction ~~when the licensee to which he or she,~~ or an entity in which ~~the licensee he or she~~ has ~~or will have any~~ ownership interest, is a party to the transaction.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.830 Disclosure of Contemporaneous Offers

"Contemporaneous offers" under Section 15-15(b) of the Act shall be offers to purchase or lease on behalf of 2 or more clients represented by the same designated agent for the same real estate parcel or unit that the designated agent knows or ~~has known or~~ has reason to know will be taken under consideration by the owners or owners' representative at the same time. If there are contemporaneous offers from 2 or more clients of a designated agent, ~~the~~ written disclosure shall be provided to the clients of the designated agent and referrals ~~of clients made~~ to other designated agents shall be completed, if requested by the client.

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(Source: Amended at 40 Ill. Reg. _____, effective _____)

SUBPART I: DISCIPLINE RULES AND PROCEDURES

Section 1450.900 Unprofessional Conduct

Conduct that constitutes dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public includes, but is not limited to:

- a) Failure to act in the best interests of a client.
- b) Deliberately misleading a client as to the market value of ~~the~~ property.
- c) Failing to advertise ~~the~~ property as obligated by the listing agreement.
- d) Deliberately misrepresenting to prospective purchasers or their agents the condition of ~~the~~ property or the availability of access to show the property.
- e) Purchasing or transferring of ~~the~~ property through an intermediary in order to conceal the purchase by the licensee.
- f) Inducing a seller to list ~~the~~ property through false representations.
- g) Inducing a seller through false representations or false promises to transfer ~~the~~ property to the licensee.
- h) Taking unfair advantage of a client's or customer's age, disability or lack of understanding of the English language.
- i) Engaging in licensed activities~~conduct~~ with the public or other real estate licensees ~~in the practice of real estate~~ in a manner that is abusive, harassing or lewd.
- j) Representing oneself as a sponsoring broker or named managing broker without providing ~~the~~ actual supervision and management of the real estate entity or licensee's business.
- k) Failing to reasonably safeguard confidential information or improperly using

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confidential information.

- l) Obstructing an inspection, audit, investigation, examination or disciplinary proceeding.
- m) Violation of Section 1450.750; (Special Accounts).
- n) Assisting or inducing a licensee to violate the Act or this Part.
- o) Any conduct ~~constituting that constitutes~~ a breach of duty to ~~the~~ client ~~causing and causes~~ harm to the client in the future. In establishing harm, the Department need not prove actual economic damage to ~~the~~ client.
- p) Use of a managing broker license to permit or enable a broker, leasing agent or other individual to operate or manage a licensed real estate entity without actual participation in that entity and control of that entity by the licensed named managing broker.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.905 Temporary Suspension

The Secretary may temporarily suspend ~~the~~ license ~~of a licensee~~ without a hearing, simultaneously with the institution of proceedings for a hearing provided for in Section 20-60 of the Act, if the Secretary finds ~~that the evidence indicating indicates that the~~ public interest, safety, or welfare imperatively requires emergency action. Emergency action is imperatively required when a licensee's conduct poses a threat that the public's or another licensee's money will be stolen or defalcated or that ~~the~~ continued licensure of a licensee will be a threat to the safety of the public or another licensee.

- a) The Division may consider any one or more of the acts committed by a licensee including, but not limited to:
 - 1) Failure to account for or to remit any moneys or documents that belong to others; as set forth in Section 20-20(a)(16) of the Act;
 - 2) Failure to maintain and deposit in a special or escrow account, separate and apart from personal and other business accounts, all escrow moneys belonging to others entrusted to a named managing broker or sponsoring

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~~broker~~licensee while acting as a ~~licensee~~real estate broker, escrow agent or temporary custodian of the funds of others, as set forth in Section 20-20(a)(17) of the Act;

- 3) Failure to make escrow records and related documents for the immediately preceding 2 years and located in the sponsoring broker's office available, within 24 hours after request, to real estate enforcement personnel of the Division during normal business hours ~~all escrow records and related documents for the immediate prior 2 years and located in the office and maintained in connection with the practice of real estate, within 24 hours after a request for those documents by Division personnel,~~ as set forth in Section 20-20(a)(18) of the Act and Section 1450.755. ~~This of this Part; however, this action alone in and of itself shall not be sufficient grounds for a temporary suspension;~~
 - 4) Failure to make escrow records and related documents more than 2 years old that may not be located in the sponsoring brokers' office available, within 30 days after request, to real estate enforcement personnel of the Division during normal business hours ~~all escrow records more than 2 years old and stored in a location other than the office, whether, in hard copy or electronically, as soon as available, but no later than within 30 days after the request as set forth in Section 20-20(a)(27) of the Act and Section 1450.755;~~ and
 - 5) Commingling money or property of others with the licensee's own money or property, as set forth in Section 20-20(a)(22) of the Act.
- b) A petition for temporary suspension shall:
- 1) State the statutory basis for the action petitioned;
 - 2) Allege facts, supported by sufficient evidence ~~or affidavit sufficient for temporary suspension;~~ and
 - 3) Be presented to the Director either in person or by telephone and in the presence of a court reporter.
- c) An order for temporary suspension shall:

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- 1) Contain sufficient notice regarding the basis for the action;
 - 2) Recite the statutory basis for the action;
 - 3) Demand immediate surrender of the license; and
 - 4) Be signed by the Director.
- d) A notice of temporary suspension shall accompany the order and shall:
- 1) Set a hearing date within 30 days after the date on which the order takes effect;
 - 2) Identify the location where the hearing will take place; and
 - 3) Provide information as to where the licensee may obtain the Division's [Rules of Practice in Administrative Hearings \(68 Ill. Adm. Code 1110\)](#).

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.910 Non-Disciplinary Action~~Otherwise Discipline~~

Non-disciplinary action may include, but is not limited to:

- a) Restricting a licensee's access to escrow funds;
- b) Requiring the successful completion of ~~licensed~~any approved real estate ~~course~~course, including courses for those licensees who would otherwise not be required to complete ~~CE required by continuing education pursuant to~~ Section 5-70 of the Act;
- c) Requiring the licensee to provide any report, record or document regarding ~~licensed activities~~real estate activity the Division deems relevant and appropriate;
- d) Imposition of an administrative fee; or
- e) ~~Requiring~~Require a mental or physical ~~examination required by exam pursuant to~~ Section 20-20 of the Act.

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(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.915 ~~Dissolution: Effect of Suspension or Revocation of a Sponsoring Broker~~ ~~Brokers or Named Managing Broker License~~ ~~Brokers~~

- a) Suspension or Revocation of Sponsoring Broker
 Upon the effective date of a ~~temporary or other~~ suspension or revocation of the license of a sponsoring broker ~~corporation, limited liability company, partnership or sole proprietorship, proprietorship and their respective principal or sponsoring broker,~~ unless an interim sponsoring broker or receiver is appointed by the ~~sponsoring broker, sole proprietor~~ real estate brokerage company or its representative, and subject to approval by the Division:
- 1) The licenses of all respective sponsored licensees are automatically inoperative. Each ~~licensee~~ ~~broker~~ may resume ~~licensed activities~~ ~~the practice of real estate~~ only upon securing a properly completed 45 day sponsor card, signed either as a self-sponsored managing broker or by another sponsoring broker. Each ~~salesperson or~~ leasing agent may resume leasing residential ~~the practice of~~ real estate only upon securing a properly completed 45 day sponsor card signed by ~~an active~~ sponsoring broker.
 - 2) All brokerage agreements with the sponsoring broker, including listing agreements, are deemed expired ~~under~~ pursuant to Section 10-25 of the Act, ~~if unless~~ a new sponsoring broker is not named within 7 business days. ~~If Unless~~ a new sponsoring broker is named within 7 days, the suspended or revoked sponsoring broker shall notify, in writing, all clients ~~who have with whom the sponsoring broker has~~ an active brokerage agreement with the sponsoring broker, advising those clients ~~and advise~~ that:
 - A) the brokerage agreement expired ~~as of the date that is~~ 7 business days after the suspension or revocation; ~~;~~ and
 - B) ~~that~~ the clients are legally authorized to enter into another brokerage agreement with another sponsoring broker ~~any active broker~~.
 - 3) Suspensions or revocations of a sponsoring broker shall not have an effect

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on the enforceability of any pending, executed real estate contracts.

- A) The suspended or revoked sponsoring broker shall send a written notice to all clients with a pending, executed real estate contract explaining the suspensions or revocations, and that the suspensions or revocations shall not have an effect on the enforceability of the pending, executed real estate contracts. The notice shall also identify the name, address and telephone number of the person in control of the escrow money. To the extent ~~that the~~ clients require additional real estate services, the notice shall provide that the clients may seek real estate~~those~~ services from another sponsoring~~active~~ broker.
- B) A suspension or revocation shall not preclude the receipt of any commission or other compensation earned by the suspended or revoked sponsoring broker or other formerly sponsored licensee prior to the effective date of ~~the~~ suspension or revocation of the sponsoring broker.
- 4) A broker shall not be entitled to compensation if the suspension or revocation directly relates to the transaction for which the compensation was earned. If the broker ~~has~~ already received compensation related to the transaction leading to the suspension or revocation of the license, the Department or Board may consider that fact in issuing ~~the~~ discipline and/or fine.
- b) **Suspension or Revocation of a Named Managing Broker**
In the event of a suspension or revocation of a named managing broker, ~~the~~ offices and branch offices may operate for 15 days without~~managed by that~~ managing broker may resume the practice of real estate upon securing a replacement named managing broker. Within 15 days after~~Consistent with Section 5-45(e) of the Act, if a replacement managing broker is unable to be secured immediately after~~ a suspension or revocation of the named managing broker, the sponsoring broker~~entity~~ may submit to the Department a written request for authorization to continue operation, provided a named managing broker assumes responsibility, in writing, for the operation of the office and agrees to personally supervise the operation of the office~~continue to practice real estate for the first 15 days after the suspension or revocation. Within~~If, after 15 days after a suspension or revocation of a managing broker, if, a replacement

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~~named~~ managing broker has not been secured ~~or a, the office may only continue to practice real estate upon securing the~~ written request for authorization to continue operation has not been submitted to the Department, ~~the offices or branch offices must cease licensed activities as provided for in Section 5-45(e) of the Act.~~

- e) ~~In the event of the voluntary retirement or the voluntary dissolution of a sponsoring broker, the sponsoring broker shall, at a reasonable time prior to the voluntary retirement or voluntary dissolution, provide written notice to all sponsored licensees to allow the sponsored licensees to secure new sponsoring brokers, and shall provide written notice to all active clients to allow the clients to secure brokerage agreements with new brokers.~~

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.920 Inspections and Audits

- a) Inspections
- 1) The Division is authorized to inspect those areas of a sponsoring broker's office open and generally available to the public at any time during normal business hours, with or without the sponsoring broker's consent. With the sponsoring broker or named responsible managing broker's consent or, ~~without if no~~ consent, ~~with at least is given, then upon~~ 24 hours notice, the Division may conduct a visual and physical inspection of the non-public areas of a sponsoring broker's office and interview any person, including any licensee or non-licensee, who may have knowledge or information about the licensee's ~~practice of~~ real estate practice. The licensee may have an attorney present ~~if he or she so chooses~~. The Division's action will not be postponed due to ~~a licensee's attorney's an~~ unreasonable delay ~~in the ability of the licensee's attorney to be present~~.
 - 2) Except as otherwise allowed by ~~provided in~~ subsection (b), upon any written or oral request by the Division ~~personnel~~ for written documentation, a licensee shall produce the requested documentation within 30 days after the request.
- b) Escrow Audits
- The Division is authorized to audit special accounts, escrow records and

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documents related to any escrow accounts maintained by the licensee. Escrow audits may be conducted at any time with the sponsoring broker's consent or without consent with at least 24 hours notice. The licensee may have an attorney present ~~if he or she so chooses~~. The Division's action will not be postponed due to ~~a licensee's attorney's~~ unreasonable delay ~~in the ability of the licensee's attorney to be present~~. Escrow audits may include:

- 1) A review and examination of all required, original escrow records as set forth in this Part.
 - 2) A review and examination of any document, including originals, related to a licensee's escrow accounts.
 - 3) Interviews of any person, including any licensee or non-licensee, who may have knowledge or information about the licensee's practices for maintaining and administering ~~his or her~~ escrow accounts.
- c) ~~As set forth in~~ Pursuant to Section 20-20(a)(18) and (27) of the Act, the Division is authorized to obtain a licensee's original records, ~~including which would include~~ hard copy or electronic records, for the purposes of inspection, audit and reproduction. The Division shall promptly return all original documents or records to the licensee.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.925 Audits of Special Funds by Outside Auditors

- a) General Rule. The Division may cause audits of special accounts of sponsoring brokers ~~to be conducted by~~ licensed certified public accountants ~~under the circumstances and as set forth~~ provided for in this Section.
- b) Basis for Audit. Upon receipt of a complaint from ~~one or more members of the~~ public, information from another regulatory or law enforcement agency, or ~~other~~ evidence ~~developed by the Division~~, any of which causes the Division to reasonably believe that escrow moneys required to be kept in a special account have been misappropriated, the Division may contract with a licensed certified public accountant ~~to audit a sponsoring broker's~~ for the purpose of auditing the special accounts ~~of the sponsoring broker responsible for the accounts in question~~.

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- c) Definitions. ~~For the purposes of~~The following terms ~~shall have the meanings set forth in~~ this Section, these terms shall be defined as follows:
- 1) Reasonably Believe~~Reasonable Belief~~. The complaints, information or evidence available to the Division are of a nature or have sufficient credibility that a prudent person in the exercise of good judgment would reasonably rely or act upon that information or evidence.
 - 2) Misappropriated or Misappropriation. The use of escrow moneys for a purpose other than that for which the escrow moneys were deposited or that is permitted by the ~~Real Estate License Act of 2000~~, this Part or the agreements ~~regarding providing for the handling of the~~ escrow moneys. The mere failure to follow the provisions of Section 1450.750, dealing with the deposit and accounting for escrow moneys, shall not constitute misappropriation.
 - 3) Escrow Moneys. Shall have the same definition as set forth in Section 1-10 of the Act.
- d) Notice of Audit. The Division shall notify in writing the sponsoring broker responsible for the special accounts ~~to be audited~~ that an auditor has been retained to audit ~~the~~these special accounts, the identity of the auditor or auditing firm and ~~the fact~~ that the sponsoring broker shall submit all pertinent records for audit within 30 days after ~~receipt of~~ the written notice.
- e) Procedures for Audit. The auditor or the Division shall contact the sponsoring broker responsible for the special accounts ~~to schedule for the purpose of~~ scheduling the audit of the special accounts. The sponsoring broker shall provide the records requested at the scheduled time and location or as otherwise agreed by the sponsoring broker and the auditor or the Division.
- f) Written Report. Any licensed certified public accountant performing an audit for the Division under the provisions of this Section and the Act shall provide a written report to the Division, with a copy to the sponsoring broker, detailing the findings of the auditor with specific reference to compliance with the special account requirements of the Act and this Part.
- g) Noncompliance and Cost of Audit. The sponsoring broker shall be liable for the cost of the audit if an order is issued by the Director, as set forth in~~pursuant to~~

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Section 20-60 of the Act, finding that escrow moneys were misappropriated by the sponsoring broker or the sponsoring broker's his, her, or its employees, independent contractors, agents or designees.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.930 Case File Review Committee

- a) The Department and the Board may appoint a Case File Review Committee that shall be composed of at least 2 voting members of the Real Estate Administration and Disciplinary Board, the Real Estate Coordinator, the Real Estate Chief of Investigations and the Real Estate Chief of Prosecutions or their designees. The Case File Review Committee members may take the action as set forth in this Section without meeting in person or, but through other means of communication.
- b) The Case File Review Committee may exercise the following duties and responsibilities:
 - 1) Recommend whether a case file be closed or refer the case file to Investigations or Prosecutions for further review and action.
 - 2) Recommend that cases of similar types of allegations be offered a standard disposition within a range recommended by the Board. A recommendation of an offer of standard disposition shall not restrict the Board from hearing an individual case at a hearing and issuing a recommendation based upon the individual facts and evidence in rebuttal, mitigation or aggravation in the individual matter nor shall a prior recommendation of standard disposition restrict the Case File Review Committee from recommending a different disposition in individual cases;
 - 3) Review reports and files submitted to the Case File Review Committee;
 - 4) Request and review any investigation or prosecution files that the Department may have closed; and
 - 5) Meet, concurrently or independently on an as needed basis and at the discretion of the Department, with members of the regulatory staff or Board members of related professions, including but not limited to auctioneers, land sales, timeshare, appraisal, community association

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~~managers, home inspectors, mortgage loan originators or mortgage brokers, Auctioneers or Land Sales, Time Share, Appraisal or Mortgage Brokers,~~ to discuss interrelated professional matters as needed.

- c) The Division shall prepare a monthly report to be presented to the Case File Review Committee indicating the following information:
- 1) Number of investigation case files closed;
 - 2) Number of prosecution case files closed;
 - 3) Number of pending case files in the Division's Investigation Unit;
 - 4) Number of pending case files in the Division's Prosecution Unit;
 - 5) Number of reports and copies of any reports received from any peer review advisors used by the Division during the preceding month.
- d) The Case File Review Committee shall report a summary of its actions and findings at each ~~Real Estate Administration and Disciplinary~~ Board meeting.
- e) The Case File Review Committee in determining what action to recommend or take or whether to recommend that the Division proceed with a formal complaint, investigation and/or prosecution of a case file, shall consider factors including, but not limited to:
- 1) the effect on the public's health, safety and welfare;
 - 2) any indication of fraud;
 - 3) any indication of commingling or embezzlement;
 - 4) evidence of escrow account shortages or discrepancies;
 - 5) refusal to provide escrow account records or related documents within the required time period; or
 - 6) prosecutorial merit.

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- f) Disqualification of a Case File Review Committee member:
- 1) A Case File Review Committee ~~Board~~-member shall be recused from consideration of a case file when a conflict of interest or prejudice would prevent that Case File Review Committee ~~Board~~-member from being fair and impartial.
 - 2) Participation in the initial stages of the handling of a case file, including participation on the Case File Review Committee and in informal conferences, shall not bar a Case File Review Committee ~~Board~~-member from later participating in decision making relating to that case file as a formal complaint ~~or prosecution~~.
- g) Any meetings of the Case File Review Committee are an exception to the Open Meetings Act and shall be closed to the public, in accordance with 5 ILCS 120/2(c)(15).
- h) Nothing in this Section shall require the Department to utilize the services of the Case File Review Committee to close any case file; however, the Department shall be required, as set forth in this Section, to advise the Case File Review Committee of such actions that are taken by the Department.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.935 Peer Review Advisor

- a) In accordance with Section 25-21 of the Act, the Department may, in its discretion, contract with a licensee to act as an advisor to the Department regarding public complaints and alleged violations forwarded by the Department to the Peer Review Advisor.
- b) The Department shall not be bound by any recommendation or advice provided by a Peer Review Advisor.
- c) The ~~Department Peer Review Advisor~~ shall only ~~refer~~ be referred matters to the Peer Review Advisor by the Department that involve the actions of an unlicensed person or a licensee at the same or lower level of licensure held by the Peer Review Advisor.

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- d) The Peer Review Advisor shall issue any recommendation or findings to the Department in writing unless expressly waived by the Department.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.940 Rules of Practice in Administrative Hearings

The Department of Professional Regulation Rules of Practice in Administrative Hearings (68 Ill. Adm. Code 1110) shall apply to all Division administrative hearings. All disciplinary hearings brought before the Board under Article 20 of the Act shall be conducted in accordance with the Rules of Practice in Administrative Hearings in 68 Ill. Adm. Code 1110.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.945 Real Estate Recovery Fund

- a) Necessity of Notice
When any person obtains a judgment in a circuit court or a United States District Court commences, in the civil courts, an action for a judgment that may result in collection from the Real Estate Recovery Fund, that person shall notify the Division of the judgment in writing within 30 days after the entry of the judgment at the time of commencement of the action.
- b) Aggrieved Person
"Aggrieved person", as used in Sections 20-85, 20-90 and 20-105 of the Act, means a person seeking or receiving licensed activities, including licensees who are a principal to the transaction but are not providing licensed activities in the transaction, as set forth in the Act.
Time of Notice
"Time of the commencement of the action" shall be construed to mean within 7 days after:
- 1) the plaintiff in a civil action files a Complaint or an Amended Complaint in the Circuit Court or the Federal District Court; or
 - 2) the aggrieved party files a proof of claim or an adversary action regarding nondischargeability of the debt in a bankruptcy matter.
- c) Place and Manner of Notice
Notice required by Section 20-90 of the Act or by this Section shall be sent by

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certified mail, return receipt requested, or shall be delivered by hand, to the office of the Division in Chicago, Illinois, Attention: General Counsel~~Docket Clerk~~.

- d) Contents of Notice
Every notice required by Section 20-90 of the Act or by this Section shall include:
- 1) copies~~a copy~~ of the following Court documents~~document~~:
 - A) the complaint and any amended complaints showing the "Filed" stamp of the Clerk of the Court in which the complaint was filed;
~~or~~
 - B) the judgment order and any post-judgment orders entered by the Court; and proof of claim or an adversary complaint regarding nondischargeability in a bankruptcy matter.
 - C) any citation to discover assets or supplementary petitions or orders filed or entered in an attempt to collect the judgment.
 - 2) copies of relevant documents available to the claimant, including:
 - A) real estate sales contract, lease, closing statement, disbursement directions or other evidence of title to real property on which the claim is based, or if the claimant does not possess title, evidence of the interest in real property on which the claim is based (evidence includes documents such as title policy, deed or lease);
 - B) proof of any check or money order regarding earnest money or security deposit, other negotiable instruments or dishonored checks issued by the licensee;
 - 3) an itemized statement of losses of actual cash money that the claimant alleges occurred as a result of conduct identified in Section 20-85 of the Act by any licensees, their employees or independent contractors~~a licensed broker, salesperson, leasing agent or unlicensed employee of a broker~~. When no itemized statement is possible, the claimant must state under oath that the claimant's~~his or her~~ losses are estimated and that his or her~~the~~ calculation of estimated losses is as accurate as circumstances permit ~~him or her to make~~.

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- e) Necessity of Natural Person as a Defendant
No notice of claim will be recognized or accepted when the underlying complaint and post-judgment order does not name at least one natural person (a licensee, its employees or independent contractors~~licensed broker, salesperson, leasing agent or unlicensed employee of a broker~~) as a defendant and judgment debtor.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.950 Automatic Revocation~~Termination~~ Upon Order for Payment~~to Pay Out~~ from the Real Estate Recovery Fund

A licensee who desires to contest an automatic revocation resulting from~~termination for~~ payment from~~out of~~ the Real Estate Recovery Fund pursuant to Section 20-90(i) of the Act must file the appropriate motion or appeal with the Court that ordered the payment from the Fund.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.955 Advisory Letters

- a) The Division may issue advisory letters on issues dealing with the interpretation and application of the Real Estate License Act of 2000 and this Part.
- ~~b) A licensee is entitled to rely upon an advisory letter from the Division and will not be disciplined by the Division for actions taken in reliance on the advisory letter. An advisory letter may only be relied upon by the licensee seeking the advisory letter. However, the Division may change its position prospectively, at which time the licensee who sought the advisory letter will have to meet the new position or policy of the Division.~~
- ~~c) Although not binding on the Division, licensees other than the licensee who sought the advisory letter may refer to an advisory letter issued by the Division as the reason for a licensee's acts or omissions that result in the Division considering disciplinary action against the licensee. The Division will consider these arguments but will not be bound by the advisory letter except as to the licensee who actually sought the advisory letter from the Division.~~
- b) Requests for advisory letters shall be submitted in writing to the Division. The request shall include at a minimum the following:

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- 1) the name of the licensee on whose behalf the advisory letter is sought;
 - 2) the factual situation or hypothetical factual situation on which the advisory letter is sought;
 - 3) citations to any provisions of the Act, rules or cases that the licensee or the licensee's advisor believes is relevant to the issue, as well as a discussion of the relevance of the cited material to the issue on which advice is sought; and
 - 4) a statement of the issue or issues on which advice is sought.
- e) ~~Because advisory letters will be available through the Freedom of Information Act and may also be published by the Division, the party requesting the advisory letter should indicate whether the name of the licensee should be disclosed in the advisory letter. If the request for the advisory letter includes a request to keep the name of the licensee or other parties in the letter confidential, then the person requesting the advisory letter shall submit, along with the request, a second letter using generic business names, for example, Licensee A, Company B, for the names to be kept confidential. If the Division receives such a request, then the published response will only use the generic names.~~
- f) ~~The Division shall respond to the licensee requesting the advisory letter within 60 days after receipt of the request by the Division. The response may be the advisory letter, an estimated time for providing an advisory letter, a request for clarification or additional information, or a statement that the Division declines to issue an advisory letter as requested with an indication of the reason for declining to issue the advisory letter. The Division shall provide a copy of all correspondence concerning a request for an advisory letter to the sponsoring broker, if any, of the licensee requesting the advisory letter.~~

(Source: Amended at 40 Ill. Reg. _____, effective _____)

SUBPART K: PRE-LICENSE SCHOOLS AND CONTINUING EDUCATION
SCHOOLSPROVIDERS

Section 1450.1100 Application for Pre-License School License and Pre-License School Branch License and Other RequirementsSchools

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The Division may consider the recommendation of the Advisory Council regarding a pre-license school application and submitted documentation.

- a) ~~In accordance with Section 30-5(a) of the Act, any person or entity seeking approval to provide pre-license education, including the 30 hour post-license broker course needed to retain a broker license, shall submit; to the Division~~
- 1) ~~a signed and completed pre-license school an application on forms provided by the Division; along with~~
 - 2) ~~the required appropriate fee set forth in Section 1450.130; required by this Part.~~
 - 3) ~~a course description, comprehensive timed outline, examination, and answer key for each course, an exam proctor policy; and any other information required by the Department.~~
 - 4) ~~applications and fees for each pre-license course set forth in Section 1450.1105(a).~~

~~The Division shall, after review by the Advisory Council, approve a pre-license school if it meets certain minimum requirements and pays the required fee as provided in the Act and this Part.~~

- b) The education program ~~of education~~ for a pre-license school shall:
- 1) Be approved by the school's governing and/or supervising body;
 - 2) ~~Only use~~Use instructors ~~with who have~~ a valid ~~license as a~~ pre-license instructor as set forth in the Act and Section 1450.1115;
 - 3) Have a curriculum that ~~meets the requirements~~~~conforms to the standards~~ of Section 1450.1105; ~~and~~
 - 4) Administer a final course examination as outlined in Section 1450.1105.
- c) Facilities

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- 1) ~~Pre-license schools~~~~A pre-license school~~ must provide an office in Illinois for the maintenance of all records, office equipment and office space necessary for customer service.
 - 2) ~~Pre-license Schools~~~~A pre-license school~~ must provide ~~phonetelephone~~ call assistance for customer service.
 - 3) The premises, equipment and facilities of the pre-license school shall comply with all applicable community fire codes, building codes and health and safety standards.
 - 4) ~~Pre-license Schools are~~~~The pre-license school is~~ subject to inspection prior to ~~licensureapproval~~ or at any time thereafter by ~~authorized representatives of~~ the Division. The inspection shall be during regular business hours, with at least 24 hours advance notice of the inspection.
 - 5) No pre-license school shall be maintained in a private residence.
 - 6) Whenever a pre-license school intends to operate a branch location, an application shall be submitted to the Division for each branch location. Each application shall be accompanied by the fee as required by Section 1450.130. All school branches are subject to the requirements of this Part.
 - 7) ~~No pre-license school shall allow the school premises or classrooms to be used during class time by anyone to directly or indirectly recruit students to become affiliated with a licensee. Instructors and school administrators shall promptly report to the Division any efforts to recruit students.~~
- d) Administration
- 1) ~~Pre-license schools shall use only licensed pre-license instructors.~~
 - 12) No ~~licensed~~ pre-license school shall advertise that it is endorsed, recommended or accredited by the Division. The pre-license school, ~~however,~~ may indicate that the school is licensed by ~~and the course of study has been approved by~~ the Division.
 - 23) Every pre-license school shall submit to the Division, upon ~~it's~~ the Division's request, a schedule including location, date, time and name of

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~~each licensed pre-license instructor for each licensed pre-license course offered of all courses to be taught and when and where they will be taught.~~
The ~~pre-license school~~ Division shall ~~notify the Division~~ be notified of any changes to that schedule.

- 3) Pre-license schools shall specify in any advertising promoting pre-license courses the number of pre-license credit hours that may be earned toward Illinois pre-license requirements.
- 4) Prior to enrollment, the ~~The~~ pre-license school shall provide a prospective student ~~prior to enrollment~~ with information that specifies:
 - A) the course of study to be offered;
 - B) the tuition to be charged;
 - C) the pre-license school's policy regarding refund of unearned tuition when a student is dismissed or withdraws voluntarily or through hardship;
 - D) any additional fee to be charged for supplies, materials or books that become the property of the student upon payment; and
 - E) other matters that are material to the relationship between the pre-license school and the student.
- 5) Each pre-license school shall maintain for each student a record ~~including that shall include~~ the course of instruction undertaken, dates of attendance and areas of study satisfactorily completed ~~satisfactorily~~. Each student's record shall be maintained by the pre-license school for a period of 5 years and shall be available for inspection by the student or by the Division, or its designee, during regular business hours.
- 6) A ~~licensed~~ pre-license school shall certify on the initial application that ~~the~~ financial resources are available to equip and maintain the school, as documented by, for example, a current balance sheet, ~~or~~ an income statement or any similar evidence as required by the Division.

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- 7) The pre-license school shall assure verified attendance at each pre-license course and examination. No licensee shall receive pre-license credit for time not actually spent attending the pre-license course or if a passing score of 75% on the examination is not achieved.
- 87) The Division shall be reimbursed by any out-of-state pre-license school for all reasonable expenses incurred by the inspector to inspect its facilities.
- e) The Division shall notify ~~administrative officials of~~ the applicant in writing of its decision ~~within 15 days after its approval or disapproval.~~ In the event the ~~application~~ applicant is ~~denied~~ disapproved, the basis for denial ~~reasons~~ will be ~~provided~~ detailed and the applicant advised that the applicant may request a hearing as set forth ~~provided for~~ in Section 30-5 of the Act.
- f) The Division shall be notified of all proposed changes in ownership of a pre-license school, on forms provided by the Division, 30 days prior to the change in ownership.
- g) ~~Upon successful completion of a pre-license course,~~ a pre-license school shall issue a ~~student~~ transcript, on forms provided by the Division, upon a student's successful completion of a pre-license course. Each transcript shall be affixed with the school's seal.
- h) Pre-license schools offering a 30 hour real estate auction certification course must comply with Section 1450.1300.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.1105 Application Curriculum for Pre-License Courses and Curriculum ~~Schools~~

The Division may consider the recommendation of the Advisory Council regarding a pre-license course application and submitted documentation.

- a) ~~Pre-license schools shall offer, at a minimum, the courses provided for in this Section.~~
- a) A licensed pre-license school seeking to provide pre-license courses shall submit:

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- 1) a signed and completed pre-license course~~The application on forms provided by the Division;~~
 - 2) the required fee as set forth in Section 1450.130; and
 - 3) a~~for licensure as a pre-license school shall include a list of courses to be offered, an outline and course description, for each course along with a comprehensive timed~~ outline, examination and answer key for each course, exam prorator policy, and any other information required by the Department. Each outline shall make reference to the textbook used and other material related to the course or subject matter, and shall conform to the standardized curriculum provided~~outlines and syllabi prepared by the Division.~~
- e) ~~Prior to May 1, 2011, a pre-license school must provide the following courses:~~
- 1) ~~Real Estate Transactions shall include a minimum of 45 class hours. The course shall include instruction in real estate law, types of interest and ownership in real estate, home ownership, legal descriptions, titles, liens, taxes, encumbrances, listing, advertising, appraisal, finance, closings and professional code of ethics. This course shall be mandatory for all salesperson candidates.~~
 - 2) ~~Brokerage Administration shall consist of a minimum of 15 class hours and shall be mandatory for all broker candidates. The course shall include instruction in Illinois real estate law and licensure, listings, title search, forms for closing, contract forms and the broker-salesperson relationship.~~
 - 3) ~~Contracts and Conveyances shall consist of a minimum of 15 class hours and shall be mandatory for all broker candidates. The course shall include instruction in deeds, fixtures, contracts, real estate closings, foreclosure and redemption, land use controls, landlord/tenant relationship, cooperatives and condominiums.~~
 - 4) ~~Advanced Principles 2000 shall consist of a minimum of 15 class hours and shall be mandatory for all broker candidates and shall include agency, disclosure, environmental issues, escrow, license law and other topics approved by the Advisory Council and the Division.~~

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- d) ~~Prior to May 1, 2011, a pre-license school shall provide 2 or more of the following courses:~~
- 1) ~~Appraisal shall consist of a minimum of 15 class hours. The course shall include instruction in the appraisal process, real property and value, economic trends, depreciation and land value.~~
 - 2) ~~Property Management shall consist of a minimum of 15 class hours. The course shall include, but not be limited to, instruction in fundamentals of tenant management relationship, property modernization, property maintenance, leases, real property insurance, commercial property, industrial property and advertising.~~
 - 3) ~~Financing shall consist of a minimum of 15 class hours. The course shall include instruction in types of financing, sources of financing, mortgages, mortgage documents, closing a mortgage, interest, liens, foreclosure, real property insurance, mortgage risk, principles of property value for mortgage credit, mortgage analysis and construction loans.~~
 - 4) ~~Sales and Brokerage shall consist of a minimum of 15 class hours. The course shall include instruction in qualifications and functions of a real estate broker; land utilization; appraisal principles and methods; office organization; selection, training and supervision of salespersons and office personnel; compensation of salesperson listings; prospects; real estate markets; financial control; and government regulations.~~
 - 5) ~~Farm Property Management shall include a minimum of 15 class hours. The course shall include instruction in inventorying assets, determining method of operation, tenants, budgeting, crop and livestock production, marketing, tax planning and depreciation, government programs and regulations, insurance and ethics.~~
 - 6) ~~Real Property Insurance shall include a minimum of 15 class hours. The course shall include instruction in risk, functions of insurance, insurance contracts, types and purposes of insurance.~~
 - 7) ~~Other courses as approved from time to time by the Division. If additional elective courses are developed, they shall be approved by the Division~~

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~~prior to implementation. The courses shall be approved upon determination that the course is at least 15 clock hours (one clock hour equals 50 minutes) in length and constitutes real estate related material.~~

- ~~be) Pre-licenseAfter April 30, 2011, pre license schools must provide the following pre-license broker courses:~~
- 1) A 75 credit hour course including, but not limited to, the following topics: Introduction to License Law, Real Property, State and Federal Law, Real Estate Transactions, and Real Estate Career Paths.
 - 2) A 15 credit hour Applied Real Estate Principles course presented in the classroom or by ~~other~~ interactive delivery method ~~consisting~~. ~~The course shall consist~~ of any ~~or a combination~~ of the following: Situational and Case Studies ~~and~~; Role Playing and Demonstration of Real Estate Activities primarily dealing with the application of the topics ~~set forth in subsection (b)(1) listed above~~ to the practice of ~~licensed activities~~real estate brokerage.
- ~~cf) Pre-licenseAfter April 30, 2011, pre license schools must provide the following post-license broker courses ~~for brokers~~:~~
- 1) A 15 credit hour course covering License Law, State ~~and~~ Federal Laws and Agency and Real Estate Transactions.
 - 2) A 15 credit hour Applied Real Estate Practices course presented in the classroom or by ~~other~~ interactive delivery method consisting of any ~~or a combination~~ of the following: Situational and Case Studies ~~and~~; Role Playing and Demonstration of Real Estate Activities primarily dealing with the application of the topics ~~set forth in subsection (c)(1) listed above~~ to the practice of ~~licensed activities~~real estate brokerage.
- ~~dg) Pre-licenseAfter April 30, 2011, pre license schools must provide the following pre-license managing broker courses:~~
- 1) A 30 credit hour Licensing, Operations, Escrow and Management course.
 - 2) A 15 credit hour Applied Management and Supervision course presented in the classroom or by ~~other~~ interactive delivery method consisting of

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~~any of the following: Situational and Case Studies. The course shall consist of any combination of the following:~~ Dispute Resolution Simulations, Supervision Situations, Escrow Procedures and Discipline Case Studies primarily dealing with the application of the topics set forth in subsection (d)(1) listed above to the practice of licensed activities real estate brokerage.

- h) ~~The course content of the 30 credit hour course in subsection (f) shall be used to comply with the transition education required for a salesperson transitioning to a broker license pursuant to Section 5-46(a)(1) of the Act. However, there shall not be a classroom or interactive delivery method requirement for the transition education.~~
- i) ~~The course content of the 45 credit hours required in subsection (g) shall be used to comply with the transition education required for a broker transitioning to a managing broker license pursuant to Section 5-47(a)(1) of the Act. However, there shall not be a classroom or interactive delivery method requirement for the transition education.~~
- ej) Examinations. Each course, ~~including transition courses,~~ shall end in a mandatory proctored final examination prepared and provided by the licensed approved pre-license school consisting of at least 25 questions for every each 15 credit classroom hours for which the minimum passing score shall be no less than 75%. The examination shall be provided by the pre-license school ~~either~~ at the completion of every each 15 credit classroom hours, or ~~at~~ the conclusion of the course. The pre-license school's registration material school shall indicate to the student in writing in its registration material if the examination will be electronic provided electronically, or in paper format, or both. Credit hours exclude any time devoted to taking the examination.
- fk) Attendance at all pre-license courses presented in a classroom or by other interactive delivery method ~~classes~~ is mandatory.;
- g) Each school shall provide time and facilities for conducting make-up classes for students absent from the regularly scheduled class. No more than however, credit for absences not to exceed 10% of the total credit class hours may include be made up by attendance at make-up credit hours classes as provided in subsection (l). Missing any class hours after having the opportunity to make-up credit class hours as provided in subsection (l) shall result in failure of the course.

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- l) ~~Each school shall provide time and facilities for conducting make-up classes for students who were absent from the regularly scheduled class period.~~
- m) ~~The Division will supply a recommended comprehensive timed outline for schools to use as a guide in establishing the new curriculum, as of May 1, 2011. The Division will seek input and recommendation of the Advisory Council in formulating this outline.~~
- hn) The Advisory Council ~~shall consider and~~ may approve courses that incorporate ~~additional various~~ real estate ~~topics~~ brokerage disciplines in order to make courses such as the ~~Managing Broker course or Post License course for Broker under this Section more pertinent and helpful to licensees engaged in various disciplines of the real estate brokerage industry.~~
- o) ~~One hour of approved classroom based pre-license education shall include at least 50 minutes of instruction and shall be exclusive of any time devoted to taking the examination as set forth in subsection (j).~~

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.1110 Application for Pre-License School, Pre-License School Branch and Course License Expiration Date and Renewal Period for Pre-License Schools

- a) ~~Pre-license~~ Every pre-license school, ~~and~~ school branch ~~and~~ license, as well as ~~their~~ course ~~licenses~~ approvals, shall expire on June 30 of each odd-numbered year.
- b) Licensed pre-license schools ~~Each pre-license school~~ shall be responsible for submitting:
 - 1) ~~a renewal~~ an application for renewal of the license on forms provided by the Division;-
 - 2) the required fee set forth in Section 1450.130; and
 - 3) a list of updated courses, course descriptions, comprehensive timed outlines, examinations and answer keys, excluding any clerical changes, and any other information required by the Department

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- c) Failure to receive a renewal form or failure to pay the renewal fee shall not constitute a valid reason for failure ~~to submit a renewal application or pay the renewal fee or~~ to renew the appropriate license.
- e) ~~The applicable fees shall be those set forth in Section 1450.130.~~
- d) ~~As part of the renewal application, each pre-license school shall submit a list of courses, course outlines, course descriptions and examination answer keys for each course to be taught.~~
- de) Operation on an expired of a pre-license school ~~on an expired or inoperative~~ license shall constitute unlicensed ~~or unauthorized~~ practice and may be grounds for discipline.
- ef) ~~Any~~ pre-license school or ~~school~~ branch ~~whose license under the Act has expired for more than 2 years shall not be eligible for renewal of that license.~~ Any pre-license school or branch whose license ~~has been~~ expired for less than 2 years may be renewed ~~renew the license only~~ after the pre-license school provides ~~providing the Division with~~ evidence that all qualifications of Section 1450.1100 have been met and the required fees set forth in Section 1450.130 have been paid.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.1115 Application for Pre-License Instructor License~~Instructors~~

The Division may consider the recommendation of the Advisory Council regarding a pre-license instructor application.

- a) A person seeking ~~An applicant for a license as~~ a pre-license instructor license ~~shall~~ must meet the following ~~criteria~~:
- 1) Pass an examination provided and approved by the Division with a minimum score of 75%~~;~~
 - 2) Demonstrate expertise by ~~in the areas to be taught by virtue of~~:
 - A) holding an active ~~being a~~ broker or managing broker license; or

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- B) being admitted to the practice of law by the Supreme Court of Illinois; or
- C) prior teaching experience; or
- D) professional background and experience; and.
- 3) Complete~~After April 30, 2011, in addition to the requirements of subsections (a)(1) and (2), attend and successfully complete~~ a 12 hour instructor training program administered over 2 or more days, approved by the Advisory Council, and comprised of:-
- A) ~~Six~~ hours, ~~shall be~~ devoted to instructor training and development; and
- B) 6 hours ~~shall be~~ devoted to teaching the ~~core~~ content of the pre-license courses set forth in Section 1450.1105(b)(1), (c)(1) and (d)(1) ~~classes to be taught.~~
- ~~b) In order to renew a license, a pre-license instructor must have maintained a valid instructor's license, have no lapse in licensure greater than 2 years and either have taught at least one course during the period of licensure, or successfully completed the instructor training program approved by the Advisory Council.~~
- be) No ~~licensed~~ ~~approved~~ pre-license instructor shall ~~sit~~ ~~be seated~~ for any of the ~~salesperson, broker or managing broker~~ licensure ~~examination~~ ~~examinations~~ except for the purpose of securing a ~~salesperson, broker or managing broker~~ license. Nothing in this subsection shall prevent the Division from using pre-license instructors to monitor and evaluate the examination.
- c) The Division shall notify the applicant in writing of its decision. The Division, upon the advice of the Advisory Council, may restrict a pre-license instructor's license to teaching only certain pre-license courses or certain types of pre-license courses. In the event the application is denied, the basis for denial will be provided and the applicant advised that the applicant may request a hearing as set forth in Section 30-5 of the Act.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

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Section 1450.1120 Administration of Proficiency Examinations and Eligibility to Take the Proficiency Exam and Transition Courses (Repealed)

- a) ~~Administration of Proficiency Examinations~~
- 1) ~~The proficiency exams provided for in Sections 5-46 and 5-47 of the Act shall be prepared by the Department's real estate testing service and shall be administered and proctored by any approved pre-license school, either in electronic or paper format, acting in accordance with guidelines for delivery and security established by the testing service and the Department. The pre-license school shall indicate in its proficiency examination registration whether the proficiency examination will be provided electronically, or in paper format, or both.~~
 - 2) ~~The examination shall be administered at the school's address of record or at a licensed school branch location. Schools may also administer and proctor the proficiency examination at an unlicensed location that has been pre-approved by the Department. Schools must comply with any terms and conditions set by the Department.~~
 - 3) ~~Failure to comply with the requirements of subsections (a)(1) and (2) shall subject the school to discipline under the Act and this Part.~~
 - 4) ~~A licensee may only take one proficiency exam. The passing score for the proficiency exams shall be 75%.~~
- b) ~~Anyone licensed as a broker and eligible to be a managing broker on April 30, 2011 may, upon successful completion of the managing broker proficiency examination or the managing broker transition course, file an application to meet the requirements of Section 5-47 of the Act and this Part.~~
- c) ~~Proficiency exams shall be administered prior to March 16, 2012 in order to allow sufficient time for the exams to be scored and for results to be shared with licensees. Further, in the event that a licensee fails the exam, he or she will have the opportunity to complete the required coursework before the statutory deadline. After this date, transitioning licensees must take the applicable transition course required in Section 1450.1105.~~

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(Source: Repealed at 40 Ill. Reg. _____, effective _____)

Section 1450.1125 Pre-License Instructor License Renewal and Restoration~~Expiration Date and Renewal Period for Pre-License Instructors~~

- a) Pre-license instructor licenses shall expire on June 30 of each odd-numbered year.
- b) ~~Licensed~~~~Each licensed~~ pre-license ~~instructors~~~~instructor~~ shall be responsible for submitting:
- 1) ~~a renewal~~~~an~~ application ~~for renewal of the license~~ on forms provided by the Division;
 - 2) the required fee set forth in Section 1450.130; and
 - 3) certification of:
 - A) maintaining a valid pre-license instructor's license;
 - B) no lapse in licensure greater than 2 years; and
 - C) one of the following:
 - i) teaching at least one course during the period of licensure;
or
 - ii) successful completion of the 12 hour instructor training program set forth in Section 1450.1115(a)(3). The 12 hour instructor training program shall not count towards the required leasing agent, broker or managing broker CE requirements.
- ~~verifying that a pre license course was taught during the pre renewal period by the applicant or the applicant attended a Division approved instructor training program pursuant to Section 1450.1115(b) during the pre renewal period.~~
- c) Failure to receive a renewal form or failure to pay the renewal fee shall not constitute a valid reason for failure to renew a license~~to submit the renewal form or pay the required renewal fee.~~

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- e) ~~The applicable fees shall be those set forth in Section 1450.130.~~
- d) ~~Teaching pre-license~~~~Instructing~~ courses on an expired ~~pre-license instructor~~~~or~~~~inoperative~~ license shall constitute ~~the unlicensed~~ ~~or unauthorized~~ practice and may be grounds for discipline.
- e) Restoration
- 1) ~~Any licensed~~ pre-license instructor ~~with an~~~~whose license under the Act~~ ~~has~~ expired ~~license may~~~~is eligible to~~ renew the license without paying any lapsed renewal fees ~~or reinstatement fees~~ provided that the license expired while the ~~pre-license~~ instructor was:
- A) on active duty with the United States Army, United States Navy, United States Marine Corps, United States Air Force, United States Coast Guard ~~or state militia, the Illinois National Guard~~ called into the service or training ~~for~~~~of~~ the United States; ~~or~~
- B) engaged in training or education under the supervision of the United States prior to induction into military service; or
- C) serving as ~~the Director or as~~ an employee of the ~~Department~~~~Division~~.
- 2) A pre-license instructor renewing ~~his or her~~ license ~~as set forth in~~ ~~accordance with~~ this subsection (e) may renew the license within a period of 2 years following the termination of service and is not required to ~~retest~~ ~~or reapply~~ ~~or complete any examination or instructor training to renew.~~
- f) Except as ~~set forth~~~~otherwise provided~~ in this Section, any pre-license instructor whose license ~~under the Act~~ has expired for more than 2 years shall meet the new applicant requirements ~~as set forth~~~~found~~ in Section 1450.1115.
- g) ~~Any pre-license instructor whose license has been expired for less than 2 years may renew the license only after providing the Division with a certification that all qualifications of Sections 1450.1115 and this Section have been met, that the instructor taught at least one course within the period of licensure or has~~

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~~completed a Division approved instructor training program and the required fee is paid.~~

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.1130 Application for Continuing Education School License and Other Requirements~~Schools~~

The Division may consider the recommendation of the Advisory Council regarding a CE school application and submitted documentation.

- a) ~~Approval of Continuing Education (CE) Schools. Those entities seeking approval as CE schools shall maintain an office in Illinois for maintenance of all records, office equipment and office space necessary for customers. The CE school must provide phone call assistance for customer service.~~
- 1) ~~The CE school's office may, at any time, be subject to inspection by authorized representatives of the Division during regular working hours and upon at least 24 hours notice when the Division has reason to believe that there is not full compliance with the Act or this Part and that this inspection is necessary to ensure full compliance.~~
- 2) ~~The Division shall be reimbursed by any out of state CE school for all reasonable expenses incurred by the inspector to inspect its facilities.~~
- a3) A person~~Entities seeking a~~license as CE school license~~schools shall submit:~~file
- 1) a signed and completed CE school application, on forms provided by the Division;~~along with~~
- 2) the required fee set forth in Section 1450.130; and.~~The application shall include the following:~~
- 3) a course description, comprehensive timed outline, examination and answer key for each course, an exam proctor policy, and any other information required by the Department.
- b) The education program for a CE school shall:

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- 1) Be approved by the school's governing and/or supervising body;
- 2) Only use instructors with a valid CE instructor license as set forth in the Act and Section 1450.1145;
- 3) Have a curriculum that meets the requirements set forth in Section 1450.1135; and
- 4) Administer a final course examination as set forth in Section 1450.1135.
 - A) ~~An agreement by the applicant that the applicant shall provide to the Division, upon request, a schedule including location, date, time and name of instructor of each CE course to be offered;~~
 - B) ~~The CE school's certification that:~~
 - i) ~~all CE courses offered by the CE school for CE credit will comply with the criteria in the Act and this Part;~~
 - ii) ~~the CE school will be responsible for verifying attendance at each CE course and providing a certificate of completion signed by the CE school;~~
 - iii) ~~the CE school will maintain its records for not less than 5 years and will make these records available for inspection by the Division or its designee during regular business hours;~~
 - iv) ~~upon request by the Division, the CE school will submit evidence to establish compliance with this Section and Sections 30-15 through 30-25 of the Act;~~
 - v) ~~the CE school will only offer CE, other than distance education CE, in an environment that is conducive to learning (i.e., adequate lighting, seating) and does not jeopardize the health, safety and welfare of the attendees;~~
 - vi) ~~financial resources are available to equip and maintain its~~

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~~office in a manner necessary to enable the CE school to comply with Article 30 of the Act, this Section and this Part, documented by a current balance sheet, an income statement or any similar evidence as requested by the Division;~~

- ~~vii) upon request the CE school will make available to a licensee who has taken one or more of the CE school's courses the records dealing with the licensee's participation in those courses; and~~
- ~~viii) the CE school will provide a closed book exam (unless excused by the Advisory Council) and a proctor for the exam, or an electronic means of proctoring the exam.~~

- ~~c4) Licensed~~Validly licensed pre-license schools seeking to offer CE courses shall apply~~qualify~~ for a CE school license as set forth in this Section~~upon completion of the required application and submission of the required fee.~~
- ~~d5) The Division shall issue approval to the CE school or notify the applicant~~CE school, in writing of its decision. In the event the application is denied, the basis for denial will be provided and the applicant advised that the applicant may request a hearing as set forth in Section 30-5 of the Act., why approval cannot be issued.
- ~~eb) Facilities~~Licensed CE schools shall comply with the following:
 - 1) CE schools must provide an office in Illinois for the maintenance of all records, office equipment and office space necessary for customer service.
 - 2) CE schools must provide phone call assistance for customer service.
 - 3) The premises, equipment and facilities of the CE school shall comply with all applicable community fire codes, building codes and health and safety standards.
 - 4) CE schools are subject to inspection prior to licensure or at any time thereafter by the Division. The inspection shall be during regular business hours, with at least 24 hours advance notice of the inspection.

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- 5) No CE school shall be maintained in a private residence.
 - 1) ~~No licensed CE school shall allow the premises or classrooms utilized during CE courses to be used by anyone to directly or indirectly recruit students. CE schools and CE instructors shall report to the Division any efforts to recruit students.~~
 - 2) ~~No licensed CE school shall advertise that it is endorsed, recommended or accredited by the Division. The CE school, however, may indicate that the school and the CE course have been approved by the Division.~~
 - 3) ~~Licensed CE schools shall utilize, in the teaching of approved CE courses, only CE instructors who have been licensed by the Division.~~
 - 4) ~~Licensed CE schools shall specify in any advertising promoting CE courses the number of CE hours that may be credited toward Illinois CE requirements for license renewal. Further, licensed CE schools shall specify the number of core or elective CE course hours that may be earned by successfully completing the course.~~
 - 5) ~~Provide core CE courses according to the standardized syllabi provided by the Division with the approval of the Advisory Council.~~
- f) Administration
- 1) No CE school shall advertise that it is endorsed, recommended or accredited by the Division. The CE school may indicate that the school and CE courses have been licensed by the Division.
 - 2) Every CE school shall submit to the Division, upon the Division's request, a schedule including location, date, time and name of each licensed CE instructor for each licensed CE course offered. CE schools shall notify the Division of any changes to that schedule.
 - 3) CE schools shall specify in any advertising promoting CE courses the number of CE credit hours that may be earned toward Illinois CE requirements, including the number of core or elective CE course hours that may be earned.

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- 4) Each CE school shall maintain for each student a record including the course of instruction undertaken, dates of attendance and areas of study satisfactorily completed. Each student's record shall be maintained by the CE school for a period of 5 years and shall be available for inspection by the student or by the Division, or its designee, during regular business hours.
- 5) A CE school shall certify on the initial application that financial resources are available to equip and maintain the school, as documented by, for example, a current balance sheet, an income statement or any similar evidence required by the Division.
- ~~6~~3) The CE school shall assure~~be responsible for assuring~~ verified attendance at each CE course and~~or distance education~~ examination. No licensee renewal applicant~~shall receive CE credit for time not actually spent attending the CE course or if~~when a passing score of 70% on the examination is~~was~~ not achieved.
- 7) The Division shall be reimbursed by any out-of-state CE school for all reasonable expenses incurred by the inspector to inspect its facilities.
- ~~1~~4) All CE schools shall seek a certificate of registration for all CE courses they plan to offer and shall not offer any CE course until the Division has issued a certificate of registration for that course. All requests for registration of courses shall include a course description, course outline, learning objectives, examination and answer key.
- 2) Upon request all CE schools shall also notify the Division as to all CE instructors they plan to use.
- g4) Monthly Reports. Each licensed CE school shall submit to the Division, on or before the 15th of each month, a report of ~~those~~ licensees passing CE courses offered by the CE school~~#~~ during the preceding calendar month.
 - 1A) The monthly reports shall, at a minimum, include the following information for each licensee:
 - Ai) the licensee's name, address and license number;

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- Bii) the CE school's name and license number;
- Ciii) the CE course name, course license number, course category (Core A, Core Be~~ore~~ or elective) and credit hours; and
- Div) other information ~~as may be~~ required by the Division.
- 2B) If no courses were given by a CE school during the preceding calendar month, that CE school shall report in writing that no courses were given.
- 3E) The monthly reports shall be submitted on forms, or in a computer readable format, provided by the Division.
- 4D) There is no processing fee for a monthly report submitted in the computer readable format specified by the Division. Each monthly report, submitted on paper or in a format ~~other than that~~ specified by the Division, shall be accompanied by a processing fee of \$.50 per licensee, per course listed on the report, payable by check to the Department of Financial and Professional Regulation.
- 5E) A monthly report received by the Division with a postmark after ~~the day it is due~~ (the 15th ~~day~~ of the month) shall be accompanied by an administrative fee of \$200 ~~and in addition to~~ the fees set forth in subsection ~~(g)(4)(e)(4)(D)~~.
- 6F) If a CE school fails to ~~submit file~~ monthly reports ~~and/or a statement saying that no CE courses were given, or fails~~ to pay the required fees for ~~three~~ successive months, then the courses offered by that school may be ~~subject to discipline as set forth in Section 1450.1165~~ ~~disqualified pursuant to procedures set forth in Section 30-15 of the Act~~ until all delinquent reports, ~~processing fees and administrative fees, as set forth in this Section, have been submitted to and~~ are received by the Division. The Division shall send notice to the school of an informal conference, with a representative of the Advisory Council and the Division ~~as set forth in and of pending disqualification pursuant to~~ Section 30-15(d) of the Act by certified or registered mail, return receipt requested, or by other signature restricted delivery service.

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- h) A CE school shall issue a certificate of completion, on forms approved by the Division, upon a student's successful completion of a CE course. Each certificate of completion shall be signed or otherwise authenticated by the CE school.
- i) The Division shall be notified of all proposed changes in ownership of a CE school, on forms provided by the Division, 30 days prior to the change in ownership.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.1135 Application Curriculum for Continuing Education Courses and Curriculum Schools and Course Registration Process

The Division may consider the recommendation of the Advisory Council regarding a CE course application and submitted documentation.

- a) A licensed CE school seeking to provide CE courses, including electives and distance education courses, shall submit:
 - 1) a signed and completed CE course application on forms provided by the Division;
 - 2) the required fee set forth in Section 1450.130; and
 - 3) a course description, comprehensive timed outline, course objectives, examination and answer key for each course, exam proctor policy, written proctor agreement, materials to be provided to the students, and any other information required by the Department. Each outline shall make reference to the textbook used and other material related to the course or subject matter and shall conform to a standardized curriculum approved by the Division.
- ba) CEThe Division, with the advice of the Advisory Council, shall designate core (mandatory) courses for each cycle and shall ~~comply with~~provide a standardized curriculum provided by the Division with the advice of the Advisory Council. ~~syllabus to be used by the CE schools for those courses. This shall be effective for the broker prerenewal cycle beginning May 1, 2010.~~
- b) Elective courses must be approved by the Division, through its Advisory Council.

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- e) ~~Credit hours may be earned for distance education programs approved by the Advisory Council.~~
- cd) A licensee may earn credit for a specific CE course only once during the renewal~~prerenewal~~ period.
- e) ~~The Division shall issue certificates of registration for approved CE courses upon successful completion of the following process:~~
- 1) ~~The person or entity seeking approval for the CE course completes and submits the application approved by the Division for a certificate of registration;~~
 - 2) ~~The CE description, comprehensive timed outline, learning objectives, examination and answer key and any other course and examination materials requested by the Division or the Advisory Council is submitted along with the application;~~
 - 3) ~~The fee required by Section 1450.130 is submitted; and~~
 - 4) ~~The Advisory Council approves the application for registration of the CE course.~~
- f) ~~One hour of approved CE shall include at least 50 minutes of classroom instruction and shall be exclusive of any time devoted to taking the examination as set forth in subsection (h).~~
- dg) Each CE course shall include one or more subjects from either the core category, as set forth in Sections 1450.450(b)(3)(A) and 1450.540(b)(3)(A), or elective category, as set forth in Sections ~~(see Section 1450.340(b)(3)(A) or (b)(3)(B), 1450.450(b)(3)(A) or (b)(3)(B) and, or 1450.540(b)(3)(A) or (b)(3)(B))~~, regardless of whether students are in a classroom, attending via other interactive delivery method~~actual attendance~~ or participating in a distance education course~~coursework~~. All CE courses shall be a minimum of 3 credit hours and shall be offered in 3 hour increments. Each 3 hour increment shall be a course approved by the Advisory Council. The CE school shall clearly indicate on the certificate of completion the number of credit hours earned from each CE course and identify whether the ~~completed~~ course was from the Core A, Core Be~~ore~~ or

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elective category.

- e) All CE courses shall:
- 1) Contribute to the advancement, integrity, extension and enhancement of professional skills and knowledge in the practice of licensed activities; and
 - 2) Provide experiences that contain subject matter and course materials relevant to that set forth in Section 5-70 of the Act.
- f) Each CE course shall end in a mandatory proctored exam prepared and provided by the licensed CE school consisting of at least 25 questions for every 3 credit hours for which the minimum passing score shall be no less than 70% include the successful completion of an examination that measures the attendee's understanding of the course material. A score of at least 70% is required on the examination for successful completion of any CE course. The CE school's registration material shall indicate to the student in writing if the examination will be electronic, in paper format or both. Credit hours exclude any time devoted to taking the examination.
- 1) ~~The examination shall be given on-site immediately following any CE course. When a sequence of courses is offered, the examination may be given either at the end of each individual course or it may be given at the end of the sequence of courses so long as the examination covers all aspects of the course material.~~
 - 12) All examinations, including distance education examinations and retake examinations, shall be proctored pursuant to an exam proctor policy. Proctors must be impartial third parties (i.e., not a licensee's sponsoring broker, managing broker, any relative, etc.) as defined in Section 1450.100 by a representative of the approved CE school, or shall provide a means of electronic proctoring approved by the Division. All examinations shall include at least 25 questions for each 3-hour increment of CE earned and shall be a closed book exam unless waived by the Advisory Council due to the complexity of the course material and exam.
 - 23) If a student failed a CE examination twice, the student must successfully complete the CE course and pass the examination in order to receive credit. No credit for CE shall be given to any licensee unless the

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~~examination is successfully completed. The CE school shall allow the attendee one retake within 30 days after a failed examination in order to receive credit for CE. No more than one retake shall be allowed. A licensee failing a retake shall not receive credit for that CE course unless the entire course is retaken and the examination is successfully completed.~~

- 3) The CE school will provide a closed book examination, unless waived by the Advisory Council due to the complexity of the course material and examination.
- i) ~~Distance education CE shall comply with all of the requirements of this Section, except that:~~
- 1) ~~Verified attendance is only required for taking the examination.~~
 - 2) ~~Classroom instruction is not required for distance education CE, as the intent is for the licensees to review and learn the material on their own.~~
 - 3) ~~Acceptable distance education course materials include, but are not limited to, reading material and audio or video content.~~
 - 4) ~~The examination site for distance education CE shall be determined by the CE school, and it shall be proctored by a representative of the approved sponsor. An approved instructor is not required to proctor the examination.~~
- j) ~~All CE courses shall:~~
- 1) ~~Contribute to the advancement, integrity, extension and enhancement of professional skills and knowledge in the practice of real estate;~~
 - 2) ~~Provide experiences (e.g., role playing, lectures, films) that contain subject matter and course materials relevant to that set forth in Section 5-70 of the Act; and~~
 - 3) ~~Be developed and presented by persons with education and/or experience in the subject matter of the CE course.~~
- k) ~~Nothing shall prohibit an approved CE school and its instructors from utilizing audio visual aides or electronic communications with 2 way voice interaction in~~

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~~assisting in the presentation of CE courses.~~

(Source: Amended at 40 Ill. Reg. _____, effective _____)

**Section 1450.1140 Application for Continuing Education School and Course License
Renewal Expiration Date and Renewal Period for Continuing Education Schools**

- a) ~~Every~~ CE school ~~and course licenses~~ license shall expire on June 30 of each even-numbered year.
- b) ~~Every certificate of registration of a CE course shall expire on June 30 of each even-numbered year.~~
- be) ~~Licensed~~ Each licensed CE ~~schools~~ school shall be responsible for submitting:
- 1) a renewal application of the license on forms provided by the Division;
 - 2) the required fee set forth in Section 1450.130; and
 - 3) a list of updated courses, course descriptions, comprehensive timed outlines, examinations, and answer keys and exam proctor policies, excluding any clerical changes, and any other information required by the Department.
- c) Failure to receive a renewal form shall not constitute a valid reason for failure to submit the proper application for renewal.
- d) ~~The applicable fees shall be those set forth in Section 1450.130.~~
- e) ~~Each CE school shall submit the renewal application along with the proper fee and a list of courses to be taught. If the course has been updated, the school shall submit the updated course descriptions, course outlines, examinations and answer keys with the renewal applications.~~
- df) Operation of a CE school on an expired CE school or inoperative license ~~may~~ shall constitute unlicensed or unauthorized practice and shall be grounds for discipline under the Act.

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- eg) ~~Any~~ CE school ~~whose license under the Act has been~~ expired for more than 2 years shall not be eligible for renewal ~~of that license~~. ~~Any~~ CE school whose license ~~has been~~ expired for less than 2 years may ~~be renewed~~ ~~renew the license~~ after ~~the CE school provides~~ ~~providing the Division with~~ evidence that all qualifications of Section 1450.1130 have been met and the ~~required~~ ~~proper~~ renewal fees ~~set forth in Section 1450.130~~ have been paid.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.1145 Application for Continuing Education Instructor License~~Instructors~~

The Division may consider the recommendation of the Advisory Council regarding a CE instructor applicant.

- a) ~~A person~~ An applicant seeking ~~approval from the Division to become a licensed~~ CE instructor license shall submit:
- 1) a signed and completed application, on forms provided by the Division;
 - 2) ~~along with the~~ required fee ~~set forth in~~ required by Section 1450.130; and
 - 3) ~~and~~ a certification that the applicant has attended and successfully completed a ~~one-day~~, 6 hour, instructor development course. This course may be the same as the 6 hour instructor training and development course set forth ~~program provided for pre-license instructors~~ in Section 1450.1115(a)(3)(A). If you are currently a licensed pre-license instructor, attendance ~~(b). Attendance~~ at the 12 hour pre-license instructor training program set forth in Section 1450.1115(a)(3) ~~development 12-hour courses~~ will satisfy this requirement for CE instructor licensees. The 6 hour instructor training and development course shall not count towards leasing agent, broker, managing broker CE or pre-license instructor renewal requirements.
- b) Certification of an ~~An~~ individual applying to become a licensed CE instructor shall meet at least one of the following criteria:
- 1) be licensed ~~Licensed~~ and active in practice ~~as a real-estate broker or managing broker~~ for ~~at least the~~ immediately preceding ~~last~~ 3 years; ~~or~~

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- 2) ~~be~~ be currently admitted to practice law and for the immediately preceding 3 years ~~has~~ been engaged in real estate related work as part of ~~the his or her~~ active practice of law or ~~has~~ taught ~~pre-licensure~~ real estate pre-licensed courses; ~~or~~
- 3) ~~be~~ be a ~~properly~~ credentialed real estate course instructor ~~of real estate courses who is or has been~~ engaged in ~~the practice of~~ teaching for the immediately preceding at least 3 years; ~~or as evidenced by~~
- 4) hold a professional designation, ~~including such as~~, but not limited to, a designated real estate instructor (DREI); ~~or~~
- 5) be approved to teach by a college's or university's ~~governing body to teach in a~~ real estate degree program; ~~or~~
- 6) ~~be~~ be ~~properly~~ licensed or certified to engage in the business of appraisal, finance ~~and/or~~ related real estate occupations (not including ~~real estate salespersons or~~ leasing agents or real estate auction certification holders) ~~and for the immediately preceding at least~~ 3 years ~~has been engaged in that practice~~; or
- 7) ~~be~~ be qualified by experience or education as set forth outlined in Section 30-15(b)(9) of the Act. In determining whether a person is qualified to teach CE under that Section, the Division may ~~Director shall~~ consider ~~the following~~:
 - A) ~~The individual's~~ teaching experience;
 - B) ~~The individual's~~ real estate experience; and
 - C) ~~any~~ Any real estate, business or legal education, ~~of the individual~~;
 - D) ~~The results of a personal interview with the individual. The personal interview may be conducted via telephone if it would be overly burdensome and unreasonable for the applicant to personally appear for the interview (e.g., applicant living out of state); and~~

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- E) ~~The recommendation of the Advisory Council. The Advisory Council shall make a recommendation to the Director for approval or disapproval of the applicant as a CE instructor.~~
- c) ~~Licensed~~Individuals ~~validly licensed to teach salesperson, broker and managing broker pre-license instructors courses, pursuant to Section 1450.1115,~~ are qualified as CE instructors ~~if as long as~~ they submit ~~a CE instructor an~~ application to the Division ~~for licensure as a CE instructor~~ and pay the required fee ~~set forth in Section 1450.130.~~
- d) The Division shall notify the applicant in writing ~~of its decision within 15 days after its approval or disapproval.~~ The Division, ~~upon the advice of the Advisory Council, may can~~ restrict a CE instructor's license to teaching only certain CE courses or certain types of CE courses. In the event the ~~application applicant~~ is ~~denied disapproved~~, the reasons will be ~~provided detailed~~ and the applicant advised that the applicant may request a hearing as provided for in Section 30-5 of the Act ~~and 68 Ill. Adm. Code 1100.~~

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.1150 Continuing Education Instructor License Renewal and Restoration~~Expiration Date and Renewal Period for Continuing Education Instructors~~

- a) ~~Every~~ CE instructor ~~licenses license~~ shall expire on June 30 of each even-numbered year.
- b) ~~Licensed Each licensed~~ CE ~~instructors instructor~~ shall be responsible for submitting:
- 1) a renewal application of the license on forms provided by the Division;
 - 2) the required fee set forth in Section 1450.130; and
 - 3) one of the following:
 - A) certification of teaching at least 2 CE courses during the last 6 years; or
 - B) successful completion of the 6 hour instructor training and

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development course set forth in Section 1450.1145(a).

- c) Failure to receive a renewal form or failure to pay the renewal fee shall not constitute a valid reason for failure to renew a license submit the proper application for renewal and for failure to pay the proper renewal fee.
- e) ~~The applicable fees shall be those set forth in Section 1450.130.~~
- d) Teaching CE courses on an expired license shall constitute unlicensed ~~or unauthorized~~ practice and may ~~shall~~ be grounds for discipline.
- e) Restoration
- 1) Any licensed CE instructor with an expired ~~whose~~ license may ~~under the Act has expired is eligible to~~ renew the license without paying any lapsed renewal fees ~~or reinstatement fees~~ provided that the CE license expired while the instructor was:
- A) on active duty with the United States Army, United States Navy, United States Marine Corps, United States Air Force, United States Coast Guard, ~~or state militia~~ the Illinois National Guard called into the service or training ~~for~~ of the United States; ~~or~~
- B) engaged in training or education under the supervision of the United States prior to induction into military service; or
- C) serving as the Director or as an employee of the Department ~~Division~~.
- 2) A CE instructor renewing his or her license as set forth in accordance ~~with~~ this subsection (e) may renew the license within a period of 2 years following the termination of service and is not required to reapply or complete any examination or instructor training to renew.
- f) Any CE instructor whose license is ~~under the Act has been~~ expired for more than 2 years shall meet the new application requirements set forth in Section 1450.1145 ~~not be eligible for renewal of that license. Any CE instructor whose license has been expired for less than 2 years may renew the license only after providing the Division with evidence that all qualifications of Section 1450.1145~~

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~~have been met and the proper renewal fee is paid.~~

- g) ~~Any CE instructor applying for renewal must verify he or she has taught at least 2 courses during the last 6 years, or successfully completed the instructor training program approved by the Advisory Council.~~

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.1155 Distance Education Courses

~~The Division may consider the recommendation of the Advisory Council regarding distance education. Distance education courses are non-interactive courses in which students review and learn material through self-study, without any mandatory interaction with a licensed instructor. Distance education courses are courses in which instruction does not take place in a traditional face to face classroom situation but rather when instruction takes place through other media. Distance education programs include, but are not limited to, courses those that are presented through the internet and on-line courses, interactive classrooms, video conferencing, print media (i.e., audio tape recording, written materials print media, video tape recording, CD or DVD) compact disks and interactive computer. Distance education courses shall be licensed to an approved pre-license or CE school and meet the curriculum requirements set forth in Sections 1450.1100, 1450.1105, 1450.1130, and/or Section 1450.1135, as applicable.~~

- a) The following are not eligible for distance education:
- 1) the 12 hour broker management CE course set forth in Section 5-70(b) of the Act;
 - 2) 15 hours of the 30 hour broker post-license course set forth in Section 5-50(b) of the Act;
 - 3) the 15 hour Applied Real Estate Principle course set forth in Section 5-27(a)(5) of the Act and Section 1450.1105(b)(2); and
 - 4) the 15 hour Applied Management and Supervision course set forth in Section 5-28(a)(5) of the Act and Sections 1450.1105(d)(2).
- b) Distance education courses shall be licensed to a licensed pre-license or CE school and meet the requirements set forth in Sections 1450.1100, 1450.1105, 1450.1110, 1450.1130, 1450.1135 and 1450.1140 as must meet all requirements

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~~for pre-license or CE courses, whichever is~~ applicable, and any additional requirements established by the Act and this Part, except:-

- 1) Verified attendance is only required for taking examinations. The identity of each student must be verified by valid and unexpired photo identification (i.e., driver's license, state identification card, passport, etc.) prior to the start of the examination.
 - 2) Classroom instruction or other interactive delivery method is not permitted for distance education as the intent is for the licensees to review and learn the material on their own.
 - 3) The examination site for distance education shall be determined by the school and shall be proctored by a representative of the school or by means of electronic proctoring. A licensed instructor is not required to proctor an examination. Proctors must be impartial third parties (i.e., not a licensee's sponsoring broker, managing broker, any relative, etc.).
- c) Students must be provided with complete information on the nature and the specifics of the distance education course. A student enrolled in a distance education course shall receive the following prior to beginning the course, as applicable:~~Distance education courses shall be submitted to the Division for review and approval as provided for in Section 1450.1105 or Section 1450.1135, whichever is applicable.~~
- 1) Faculty contact information (telephone, email, voicemail, address, etc.);
 - 2) Homework assignments;
 - 3) Testing information (sites, proctors, etc.);
 - 4) Schedules and deadlines;
 - 5) List of student material required (software, specialized internet services, etc.);
 - 6) Grading and course credit information;
 - 7) Procedures for missed technology sessions;

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- 8) Resource information;
 - 9) Toll free numbers;
 - 10) Registration and withdrawal periods;
 - 11) Fees;
 - 12) Americans with Disabilities Act information, including special needs;
 - 13) Mailing procedures;
 - 14) Technology support services available to students; and
 - 15) Issuance of certificates of completion to students upon completion of distance education courses.
- d) Licensed pre-license~~Pre-license~~ or CE schools providing distance education courses shall establish written ~~policies and~~ procedures for proctoring and grading examinations~~and lessons, which shall include provisions for instructor comments, suggestions and written correction of errors.~~ There shall also be written course objectives for each course and written procedures for the prompt return of materials, if required. Copies of these ~~procedures~~policies shall be provided to the Division upon request. Proctors must be impartial third parties (i.e., not a licensee's sponsoring broker, managing broker, any relative, etc.) as defined in Section 1450.100.
- d) ~~Schools providing distance education courses shall establish performance objectives for each course.~~
- e) ~~Pre-license schools offering distance education courses shall maintain an average passing rate of at least 50% for all students who take the licensure examination for the first time over a 6-month period, either January through June or July through December.~~
- ef) Licensed pre-license or CE schools~~Schools~~ providing distance education courses shall provide for a ~~valid~~ licensed instructor and technical support to be available during normal business hours to answer student questions.

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- g) ~~Each school offering distance education courses shall submit for approval by the Division the general plans for proctoring exams for distance education courses and each school shall be responsible for the security and integrity of course final examinations and the suitability of the sites and proctors utilized by the school.~~
- h) ~~Each school offering distance education shall provide appropriate technical support throughout the period the courses are offered.~~
- fi) ~~Distance~~ Approved distance education courses shall require the same amount of time to complete as the student to spend the same time completing the course as it would take them to complete a classroom course. For each distance education course initial application licensed, pre-license ~~Pre-license~~ or CE schools shall include a comprehensive timed outline consistent with course hour requirements ~~for each distance education course initial application.~~
- gj) Licensed pre-license ~~Pre-license~~ or CE schools shall not administer a distance education course final examination ~~exam~~ to a student until the student has had adequate time to complete the course.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.1160 Recruitment ~~at Test Center~~

- a) Licensees shall not recruit test takers to become associated ~~affiliated~~ with a licensee at test facilities where the Illinois Real Estate Licensing Examinations ~~are~~ Examination is being conducted before, during, or after the examination.
- b) No licensed pre-license or CE school shall allow the school premises or classrooms to be used during class time by anyone to directly or indirectly recruit students to become associated with a licensee. Schools and instructors shall promptly report any efforts to recruit students to the Division.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.1165 Discipline of Schools, ~~or~~ Instructors or Courses

- a) The Advisory Council, after notice, can conduct an informal conference to review a school, instructor or course's ~~for the purpose of reviewing a school's or~~

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~~instructor's~~ compliance with the Act and this Part. The Advisory Council may make a recommendation to the Board based upon its findings and conclusions resulting from that conference.

- b) Upon written recommendation of the Board to the Director, the Division may refuse to issue or renew a license ~~or certificate of registration~~, reprimand, fine, ~~withdraw approval~~, place on probation, suspend, or revoke any license or otherwise discipline any license ~~or certificate of registration~~, of any pre-license school, pre-license school branch, pre-license instructor, pre-license course, CE school, CE instructor, CE course, or an applicant for any ~~the license or certificate of registration~~ when, ~~at any time~~:
- 1) The quality of the course, instruction or program fails to meet the established criteria as set forth in the Act and this Part~~;~~
 - 2) There is fraud or misrepresentation in applying for a ~~If the license approval was based upon false or deceptive information;~~
 - 3) Any ~~If any~~ other professional license, accreditation or certification of the instructor~~, or school~~ or course is suspended, revoked or otherwise disciplined~~;~~
 - 4) There is dismissal of students, without good cause, from a course that results in required hours not being met;
 - 5) There is failure to adhere to approved course materials;
 - 6) The licensee or applicant conducts a course while the license is nonrenewed, expired, suspended, revoked or surrendered;
 - 7) There is plagiarism of course material;
 - 8) A course is not conducted in the manner represented to the Division at the time licensure was requested or a course no longer complies with the criteria for licensure;
 - 9) The licensee or applicant does not enforce policies relating to courses, instructor qualifications, student attendance or course scheduling;

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- 10) The licensee misrepresents any material fact relating to a course;
- 11) The licensee fails to maintain, for a period of at least 5 years, accurate records of students' course completion or to fill, within 14 days, student or Department requests for course completion certificates;
- 4) When the applicant or licensee has:
- 12A) The licensee or applicant subverted or attempted to subvert the integrity of an examination~~any exam~~ or course, including ~~through~~ improper reproduction of an ~~examinaitonexam~~, providing, orally or in writing, any questions or answers ~~an answer key~~ to an ~~examinationexam~~, cheating, bribery or otherwise ~~aiding and abetting~~~~aids and abets~~ an applicant or licensee to subvert the integrity of ~~an examinationany exam~~ or course;
- 13B) The license or applicant made any substantial misrepresentation, ~~or~~ misleading or untruthful advertising, including without limitation guaranteeing success or a "pass score" on any ~~examination~~, exam or in any course or using any trade name or insignia of membership in any educational or any real estate organization of which the applicant or licensee is not a member;
- 14C) The license or applicant taught real estate courses without being qualified, including, but not limited to, being unapproved by the Division, being unlicensed, having a nonrenewed license or being uncertified, ~~or~~ aids and abets an unqualified individual to teach a real estate course;
- 15D) The licensee or applicant failed to provide information to the Division as required under any provision of the Act or this Part; ~~or~~
- 16E) The licensee or applicant disregarded or violated any provision of the Act or this Part; ~~or~~
- 175) A licensed~~Any approved~~ pre-license school fails to maintain an average passing rate of at least 50% for all students who take ~~at~~the licensure examination for the first time over a 6 month period, either January through June or July through December; ~~or~~;
- 18) A licensed pre-license or CE instructor fails to advise a licensed pre-

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license or CE school as to a license restriction set forth in Sections 1450.1115(d) and 1450.1145(d).

- c) Disciplinary proceedings shall be conducted ~~by the Board~~ as set forth~~provided for~~ in the Act and ~~Subpart I of~~ this Part.
- d) The Division may temporarily suspend a pre-license or CE course license without hearing ~~the certificate of registration for a licensed CE school's courses~~ for failure to comply with the Act or this Part upon recommendation of the Advisory Council. No pre-license or CE credit shall be granted to any licensee for completing a pre-license or CE course for which the course license~~certificate of registration~~ has been temporarily suspended.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1450.1170 Real Estate Education Advisory Council

The Coordinator shall not count~~be counted~~ as a member of the Advisory Council for the purpose of determining whether a quorum is present.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

SUBPART L: CONTINUING EDUCATION TRANSITIONAL PROVISIONS

Section 1450.1200 Continuing Education Requirements for Transitioned Licensees
(Repealed)

- a) ~~The CE requirement for April 30, 2012 renewal for salespersons who transitioned to brokers by passing the proficiency examination shall be 18 hours of CE courses taken pursuant to Section 1450.340. The 18 hour requirement shall consist of a minimum of 9 hours of courses approved as core and a maximum of 9 hours of courses approved as elective.~~
- b) ~~Salespersons who transitioned to brokers by successfully completing the 30 hour transition courses are not required to take CE for the April 30, 2012 renewal.~~
- e) ~~The CE requirement for April 30, 2013 for brokers who transitioned to managing brokers by passing the proficiency exam shall be 18 hours of CE courses and the 12 hour broker management CE course taken pursuant to Section 1450.540. The~~

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~~18 hour requirement shall consist of a minimum of 9 hours of courses approved as core and a maximum of 9 hours of courses approved as elective.~~

- d) ~~The CE requirement for April 30, 2013 for brokers who transitioned to managing brokers by completing the 45 hour transition courses shall be 18 hours of courses taken pursuant to Section 1450.540. The 18 hour requirement shall consist a minimum of 9 hours of courses approved as core and a maximum of 9 hours of courses approved as elective.~~

(Source: Repealed at 40 Ill. Reg. _____, effective _____)

SUBPART M: REAL ESTATE AUCTION CERTIFICATIONSection 1450.1300 Real Estate Auction Pre-Certification Education

- a) The 30 hour real estate certification course set forth in Section 32(a)(2) of the Act shall include the following:
- 1) 18 hours relating to real estate including the following topics:
 - A) Illinois and federal statutes and rules governing real estate;
 - B) agency;
 - C) real estate advertising; and
 - D) any other subject matter recommended by the Department.
 - 2) 12 hours relating to auctions including the following topics:
 - A) Illinois and federal statutes and rules governing auctions;
 - B) auction advertising; and
 - C) any other subject matter recommended by the Department.
- b) The 30 hour real estate auction certification course may be completed in a classroom or by other interactive delivery.

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- c) The Department may consider the recommendation of the Advisory Council regarding 30 hour real estate auction certification courses.

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 1450.1310 Application for Real Estate Auction Certification

To obtain a real estate auction certification, an applicant must:

- a) Submit a signed and completed real estate auction certification application on forms provided by the Division;
- b) Hold a valid auctioneer license under the Auction License Act [225 ILCS 407];
- c) Pay the required fee set forth in Section 1450.130(d)(1); and
- d) Complete a 30 hour real estate auction certification course set forth in Section 1450.1320, including passing the mandatory proctored final course exam.

(Source: Added at 40 Ill. Reg. _____, effective _____)

Section 1450.1320 Real Estate Auction Certification Activities

- a) A licensed auctioneer with a real estate auction certification, who is not otherwise exempt from holding a broker or managing broker license under Section 5-20(13) of the Act, performing activities related to the auction of real estate shall be limited to:
- 1) Establishing the time of the real estate auction;
 - 2) Establishing the place of the real estate auction;
 - 3) Establishing the method of the real estate auction;
 - 4) Placing proper advertisements regarding the real estate auction as set forth in Sections 1450.715 and 1450.720; and
 - 5) Crying or calling the real estate auction.

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- b) A licensed auctioneer exempt from holding a broker or managing broker license under Section 5-20(13) of the Act who is performing activities related to the auction of real estate shall be limited to:
- 1) Establishing the time of the real estate auction;
 - 2) Establishing the place of the real estate auction;
 - 3) Establishing the method of the real estate auction;
 - 4) Placing proper advertisements regarding the real estate auction as set forth in Sections 1450.715 and 1450.720;
 - 5) Crying or calling the real estate auction; and
 - 6) Selling, leasing, or offering for sale or lease real estate at auction pursuant to Section 1-10(11) of the Act.
- c) As set forth in Section 5-32 of the Act, the Department may revoke, suspend or otherwise discipline the real estate auction certification of a licensed auctioneer who violates Section 5-32 of the Act or Section 20-15 of the Auction License Act [225 ILCS 407].

(Source: Added at 40 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Primary Drinking Water Standards
- 2) Code Citation: 35 Ill. Adm. Code 611
- 3)

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
611.102	Amendment
611.261	Amendment
611.262	Amendment
611.351	Amendment
611.357	Amendment
611.358	Amendment
611.383	Amendment
611.609	Amendment
611.732	Amendment
611.745	Amendment
611.901	Amendment
611.902	Amendment
611.903	Amendment
611.904	Amendment
611.908	Amendment
611.909	Amendment
611.956	Amendment
611.976	Amendment
611.APPENDIX G	Amendment
611.APPENDIX H	Amendment
- 4) Statutory Authority: 415 ILCS 5/7.2, 17.5, and 27
- 5) Effective Date of Rules: November 13, 2015
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? Yes
- 8) Statement of Availability: The adopted amendments, a copy of the Board's opinion and order adopted November 5, 2015 in docket R16-4, and all materials incorporated by reference are on file at the Board's principal office and are available for public inspection and copying.

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- 9) Notice of Proposal published in the *Illinois Register*: 39 Ill. Reg. 12078; September 4, 2015
- 10) Has JCAR issued a Statement of Objection to this Rulemaking? No. Section 17.5 of the Environmental Protection Act [415 ILCS 5/17.5] provides that Section 5-35 of the Administrative Procedure Act [5 ILCS 100/5-35] does not apply to this rulemaking. Because this rulemaking is not subject to Section 5-35 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules (JCAR).
- 11) Differences between the Proposal and the Final Version: A table that appears in the Board's opinion and order of November 5, 2015 in docket R16-4 summarizes the differences between the amendments adopted in that order and those proposed by the Board in an opinion and order dated August 20, 2015, in docket R16-4. Many of the differences are explained in greater detail in the Board's opinion and order adopting the amendments.

The differences are limited to minor corrections suggested by JCAR staff. The changes are intended to have no substantive effect. The intent is to add clarity to the rules without deviation from the substance of the federal amendments on which this proceeding is based.

- 12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreements issued by JCAR? Section 17.5 of the Environmental Protection Act [415 ILCS 5/17.5] provides that Section 5-35 of the Administrative Procedure Act [5 ILCS 100/5-35] does not apply to this rulemaking. Because this rulemaking is not subject to Section 5-35 of the APA, it is not subject to First Notice or to Second Notice review by JCAR.

Since the Notices of Proposed Amendments appeared in the September 4, 2015 issue of the *Illinois Register*, the Board received a number of suggestions for revisions from JCAR. The Board evaluated each suggestion and incorporated a number of changes into the text as a result, as detailed in the opinion and order of November 5, 2015 in docket R16-4, as indicated in item 11 above. See the November 5, 2015 opinion and order in docket R16-4 for additional details on the JCAR suggestions and the Board actions with regard to each. One table in that opinion itemizes the changes made in response to various suggestions. Another table indicates JCAR suggestions not incorporated into the text, with a brief explanation for each.

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- 13) Will this rulemaking replace any emergency rule currently in effect? No
- 14) Are there any other rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: The following briefly describes the subjects and issues involved in the docket R16-4 rulemaking which amends Part 611. A comprehensive description is contained in the Board's opinion and order of August 20, 2015, proposing amendments in docket R16-4, which opinion and order is available from the address below.

This Board reserved this docket to update 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 the update period January 1, 2015 through June 30, 2015. During this period, USEPA did not amend the federal regulations. Rather, JCAR and the Illinois Environmental Protection Agency have each suggested various corrections to the text of the rule. The Board discovered other corrections. The Board found that the corrections are needed, as is provided in section 7.2(b) of the Environmental Protection Act (415 ILCS 5/7.2(b) (2014)).

The limited number of corrections and clarifying amendments are not directly derived from the instant federal amendments. A comprehensive description of the subjects and issues involved in the docket R16-4 rulemaking is contained in the Board's opinion and order of November 5, 2015, adopting amendments in docket R16-4, which opinion and order is available from the address below.

Tables appear in the Board's opinion and order of November 5, 2015 in docket R16-4 that list the corrections and 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 November 5, 2015 opinion and order in docket R16-4.

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).

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- 16) Information and questions regarding adopted rules shall be directed to: Please reference consolidated docket R16-4 and direct inquiries to the following person:

Michael J. McCambridge
Staff Attorney
Illinois Pollution Control Board
100 W. Randolph 11-500
Chicago IL 60601

312/814-6924
michael.mccambridge@illinois.gov

Request copies of the Board's opinion and order of November 5, 2015 at 312/814-3620. Alternatively, you may obtain a copy of the Board's opinion and order from the Internet at <http://www.ipcb.state.il.us>.

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

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE F: PUBLIC WATER SUPPLIES
CHAPTER I: POLLUTION CONTROL BOARDPART 611
PRIMARY DRINKING WATER STANDARDS

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611.102	Incorporations by Reference
611.103	Severability
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611.107	Agency Inspection of PWS Facilities
611.108	Delegation to Local Government
611.109	Enforcement
611.110	Special Exception Permits
611.111	Relief Equivalent to SDWA Section 1415(a) Variances
611.112	Relief Equivalent to SDWA Section 1416 Exemptions
611.113	Alternative Treatment Techniques
611.114	Siting Requirements
611.115	Source Water Quantity
611.120	Effective Dates
611.121	Maximum Contaminant Levels and Finished Water Quality
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611.131	Relief Equivalent to SDWA Section 1415(e) Small System Variance
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611.161	Case-by-Case Reduced Subpart Y Monitoring for Wholesale and Consecutive Systems

SUBPART B: FILTRATION AND DISINFECTION

Section	
611.201	Requiring a Demonstration
611.202	Procedures for Agency Determinations

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611.211	Filtration Required
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611.240	Disinfection
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SUBPART C: USE OF NON-CENTRALIZED TREATMENT DEVICES

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

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611.300	Old MCLs for Inorganic Chemical Contaminants
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611.310	State-Only Maximum Contaminant Levels (MCLs) for Organic Chemical Contaminants

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611.311	Revised MCLs for Organic Chemical Contaminants
611.312	Maximum Contaminant Levels (MCLs) for Disinfection Byproducts (DBPs)
611.313	Maximum Residual Disinfectant Levels (MRDLs)
611.320	Turbidity (Repealed)
611.325	Microbiological Contaminants
611.330	Maximum Contaminant Levels for Radionuclides
611.331	Beta Particle and Photon Radioactivity (Repealed)

SUBPART G: LEAD AND COPPER

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611.351	Applicability of Corrosion Control
611.352	Corrosion Control Treatment
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AND DISINFECTION BYPRODUCT PRECURSORS

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611.380	General Requirements
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SUBPART L: MICROBIOLOGICAL MONITORING
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611.522	Repeat Coliform Monitoring
611.523	Invalidation of Total Coliform Samples
611.524	Sanitary Surveys
611.525	Fecal Coliform and E. Coli Testing
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611.527	Response to Violation
611.528	Transition from Subpart L to Subpart AA Requirements
611.531	Analytical Requirements
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SUBPART N: INORGANIC MONITORING AND ANALYTICAL REQUIREMENTS

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611.592	Frequency of State Monitoring
611.600	Applicability
611.601	Monitoring Frequency
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SUBPART O: ORGANIC MONITORING AND ANALYTICAL REQUIREMENTS

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611.645	Analytical Methods for Organic Chemical Contaminants
611.646	Phase I, Phase II, and Phase V Volatile Organic Contaminants
611.647	Sampling for Phase I Volatile Organic Contaminants (Repealed)
611.648	Phase II, Phase IIB, and Phase V Synthetic Organic Contaminants
611.650	Monitoring for 36 Contaminants (Repealed)
611.657	Analytical Methods for 36 Contaminants (Repealed)
611.658	Special Monitoring for Organic Chemicals (Repealed)

SUBPART P: THM MONITORING AND ANALYTICAL REQUIREMENTS

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611.680	Sampling, Analytical, and other Requirements (Repealed)
611.683	Reduced Monitoring Frequency (Repealed)
611.684	Averaging (Repealed)
611.685	Analytical Methods (Repealed)
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SYSTEMS THAT SERVE 10,000 OR MORE PEOPLE

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Section

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SUBPART T: REPORTING AND RECORDKEEPING

Section

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611.833	Cross Connection Reporting
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611.851	Reporting MCL, MRDL, and other Violations (Repealed)
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SUBPART X: ENHANCED FILTRATION AND DISINFECTION –
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Section

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SUBPART Y: STAGE 2 DISINFECTION BYPRODUCTS REQUIREMENTS

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611.970	General Requirements
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SUBPART Z: ENHANCED TREATMENT FOR CRYPTOSPORIDIUM

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611.1006	Source Water Monitoring Requirements: Reporting Source Water Monitoring Results
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- 611.1008 Disinfection Profiling and Benchmarking Requirements: Requirements When Making a Significant Change in Disinfection Practice
- 611.1009 Disinfection Profiling and Benchmarking Requirements: Developing the Disinfection Profile and Benchmark
- 611.1010 Treatment Technique Requirements: Bin Classification for Filtered Systems
- 611.1011 Treatment Technique Requirements: Filtered System Additional Cryptosporidium Treatment Requirements
- 611.1012 Treatment Technique Requirements: Unfiltered System Cryptosporidium Treatment Requirements
- 611.1013 Treatment Technique Requirements: Schedule for Compliance with Cryptosporidium Treatment Requirements
- 611.1014 Treatment Technique Requirements: Requirements for Uncovered Finished Water Storage Facilities
- 611.1015 Requirements for Microbial Toolbox Components: Microbial Toolbox Options for Meeting Cryptosporidium Treatment Requirements
- 611.1016 Requirements for Microbial Toolbox Components: Source Toolbox Components
- 611.1017 Requirements for Microbial Toolbox Components: Pre-Filtration Treatment Toolbox Components
- 611.1018 Requirements for Microbial Toolbox Components: Treatment Performance Toolbox Components
- 611.1019 Requirements for Microbial Toolbox Components: Additional Filtration Toolbox Components
- 611.1020 Requirements for Microbial Toolbox Components: Inactivation Toolbox Components
- 611.1021 Reporting and Recordkeeping Requirements: Reporting Requirements
- 611.1022 Reporting and Recordkeeping Requirements: Recordkeeping Requirements
- 611.1023 Requirements to Respond to Significant Deficiencies Identified in Sanitary Surveys Performed by USEPA or the Agency

SUBPART AA: REVISED TOTAL COLIFORM RULE

Section

- 611.1051 General
- 611.1052 Analytical Methods and Laboratory Certification
- 611.1053 General Monitoring Requirements for all PWSs
- 611.1054 Routine Monitoring Requirements for Non-CWSs That Serve 1,000 or Fewer People Using Only Groundwater
- 611.1055 Routine Monitoring Requirements for CWSs That Serve 1,000 or Fewer People Using Only Groundwater

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NOTICE OF ADOPTED AMENDMENTS

611.1056	Routine Monitoring Requirements for Subpart B Systems That Serve 1,000 or Fewer People
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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].

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NOTICE OF ADOPTED AMENDMENTS

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. 11757, effective July 27, 2007; amended in R08-7/R08-13 at 33 Ill. Reg. 633, effective December 30, 2008; amended in R10-1/R10-17/R11-6 at 34 Ill. Reg. 19848, effective December 7, 2010; amended in R12-4 at 36 Ill. Reg. 7110, effective April 25, 2012; amended in R13-2 at 37 Ill. Reg. 1978, effective February 4, 2013; amended in R14-8 at 38 Ill. Reg. 3608, effective January 27, 2014; amended in R14-9 at 38 Ill. Reg. 9792, effective April 21, 2014; amended in R15-6 at 39 Ill. Reg. 3713, effective February 24, 2015; amended in R16-4 at 39 Ill. Reg. 15352, effective November 13, 2015.

SUBPART A: GENERAL

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:

"AMI Turbiwell Method" means "Continuous Measurement of Turbidity Using a SWAN AMI Turbiwell Turbidimeter," available from NEMI or from SWAN Analytische Instrumente AG.

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

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"ChlordioX Plus Test" means "Chlorine Dioxide and Chlorite in Drinking Water by Amperometry using Disposable Sensors," available from Palintest Ltd.

"Charm Fast Phage" means "Fast Phage Test Procedure. Presence/Absence for Coliphage in Ground Water with Same Day Positive Prediction," version 009 (Nov. 2012), available from Charm Sciences Inc.

"Colilert® Test" means Standard Methods, 21st ed., Method 9223 B, Chromogenic Substrate Coliform Test (using IDEXX Laboratories, Inc. Colilert® medium).

"Colilert-18® Test" means Standard Methods, 21st ed., Method 9223 B, Chromogenic Substrate Coliform Test (using IDEXX Laboratories, Inc. Colilert-18® medium).

"Colisure™ Test" means "Colisure Presence/Absence Test for Detection and Identification of Coliform Bacteria and Escherichia Coli in Drinking Water," available from IDEXX Laboratories, Inc.

"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.

"Chromocult® Method" 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 Millipore.

"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.

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"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.

"EML Procedures Manual" means "EML Procedures Manual, HASL 300," available from USDOE, EML.

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

"Georgia Radium Method" means "The Determination of Radium-226 and Radium-228 in Drinking Water by Gamma-ray Spectrometry Using HPGE or Ge(Li) Detectors," Revision 1.2, December 2004, available from the Georgia Tech Research Institute.

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

"Guidance Manual for Filtration and Disinfection" means "Guidance Manual for Compliance with the Filtration and Disinfection Requirements for Public Water Systems using Surface Water Sources," March 1991, available from USEPA, NSCEP.

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

"Hach Method 10260" means "Hach Method 10260 – Determination of Chlorinated Oxidants (Free and Total) in Water Using Disposable Planar Reagent-filled Cuvettes and Mesofluic Channel Colorimetry," available from the Hach Company.

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NOTICE OF ADOPTED AMENDMENTS

"Hach SPDANS 2 Method 10225" means "Hach Company SPADNS 2 (Arsenic-free) Fluoride Method 10225 – Spectrophotometric Measurement of Fluoride in Water and Wastewater," available from the Hach Co.

"Hach TNTplus 835/836 Method 10206" means "Hach Company TNTplus 835/836 Nitrate Method 10206 – Spectrophotometric Measurement of Nitrate in Water and Wastewater," available from the Hach Co.

"ITS Method D99-003" means Method D99-003, Revision 3.0, "Free Chlorine Species (HOCl⁻ and OCl⁻) by Test Strip," available from Industrial Test Systems, Inc.

"Kelada 01" means "Kelada Automated Test Methods for Total Cyanide, Acid Dissociable Cyanide, And Thiocyanate," Revision 1.2, available from NTIS.

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

"Method ME355.01" means "Determination of Cyanide in Drinking Water by GC/MS Headspace Analysis," available from NEMI or from H&E Testing Laboratory.

"Mitchell Method M5271" means "Determination of Turbidity by Laser Nephelometry," available from NEMI and Leck Mitchell, PhD.

"Mitchell Method M5331" means "Determination of Turbidity by LED Nephelometry," available from NEMI and Leck Mitchell, PhD.

"Modified Colitag™ Test" means "Modified Colitag™ Test Method for Simultaneous Detection of E. coli and other Total Coliforms in Water," available from NEMI and CPI International.

"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.

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NOTICE OF ADOPTED AMENDMENTS

"NCRP Report Number 22" means "Maximum Permissible Body Burdens and Maximum Permissible Concentrations of Radionuclides in Air and in Water for Occupational Exposure," available from NCRP.

"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.

"OI Analytical Method OIA-1677" means "Method OIA-1677, DW Available Cyanide by Flow Injection, Ligand Exchange, and Amperometry," available from ALPKEM, Division of OI Analytical.

"ONPG-MUG Test" (meaning "minimal medium ortho-nitrophenyl-beta-d-galactopyranoside-4-methyl-umbelliferyl -beta-d-glucuronide test"), also called the "Colilert® Test," 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.

"Orion Method AQ4500" means "Determination of Turbidity by LED Nephelometry," available from Thermo Scientific.

"Palintest ChloroSense" means "Measurement of Free and Total Chlorine in Drinking Water by Palintest ChloroSense," available from NEMI or Palintest Ltd.

"Palintest Method 1001" means "Lead in Drinking Water by Differential Pulse Anodic Stripping Voltammetry,' 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.

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NOTICE OF ADOPTED AMENDMENTS

"Readycult® 2000" means "Readycult Coliforms 100 Presence/Absence Test for Detection and Identification of Coliform Bacteria and Escherichia coli in Finished Waters," v. 1.0, available from EMD Millipore.

"Readycult® 2007" means "Readycult® Coliforms 100 Presence/Absence Test for Detection and Identification of Coliform Bacteria and Escherichia coli in Finished Waters," v. 1.1, available from EMD Millipore.

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

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

"Standard Methods Online" means the website maintained by the Standard Methods Organization (at www.standardmethods.org) for purchase of the latest versions of methods in an electronic format.

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

"Systea Easy (1-Reagent)" means "Systea Easy (1-Reagent) Nitrate Method," available from NEMI or Systea Scientific LLC.

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

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

"Tecta EC/TC P-A Test" means "[TECTA™ EC/TC medium and the TECTA™ Instrument: a Tecta EC/TC P-A Test](#)" "Presence/Absence Method for Simultaneous Detection of Total Coliforms and Escherichia coli (E. coli) in Drinking Water," available from Veolia Water Solutions and Technologies.

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NOTICE OF ADOPTED AMENDMENTS

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

"USEPA Asbestos Method 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 Inorganic 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 (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.

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"USEPA NERL Method 200.5 (rev. 4.2)" means Method 200.5, Revision 4.2, "Determination of Trace Elements in Drinking Water by Axially Viewed Inductively Coupled Plasma – Atomic Emission Spectrometry," October 2003, EPA 600/R-06/115. Available from USEPA, Office of Research and Development.

"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 USEPA, Office of Research and Development.

"USEPA NERL Method 415.3 (rev. 1.2)" means Method 415.3, Revision 1.2, "Determination of Total Organic Carbon and Specific UV Absorbance at 254 nm in Source Water and Drinking Water," USEPA, September 2009, EPA 600/R-09/122. Available from USEPA, Office of Research and Development.

"USEPA NERL Method 525.3 (ver. 1.0)" means Method 525.3, Version 1.0, "Determination of Total Semivolatile Organic Chemicals in Drinking Water by Solid Phase Extraction and Capillary Column Gas Chromatography/Mass Spectrometry (GC/MS)," USEPA, February 2012, EPA 600/R-12/010. Available from USEPA, Office of Research and Development.

"USEPA NERL Method 549.2" means Method 549.2, Revision 1.0, "Determination of Diquat and Paraquat in Drinking Water by Liquid-Solid Extraction and High Performance Liquid Chromatography with Ultraviolet Detection," June 1997. Available from USEPA, Office of Research and Development.

"USEPA OGWDW Methods" means the methods listed as available from the USEPA, Office of Ground Water and Drinking Water (Methods 302.0, 317.0 (rev. 2.0), 326.0 (rev. 1.0), 327.0 (rev. 1.1), 334.0, 515.4 (rev. 1.0), 523 (rev. 1.0), 524.3 (rev. 1.0), 524.4, 531.2 (rev. 1.0), 536 (rev. 1.0), 552.3 (rev. 1.0), 557, 1622 (99), 1622 (01), 1622 (05), 1623 (99), 1623 (01), 1623 (05), and 1623.1). Available from NTIS; USEPA, NSCEP; or USEPA, OGWDW.

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NOTICE OF ADOPTED AMENDMENTS

"USEPA Organic Methods" means "Methods for the Determination of Organic Compounds in Drinking Water," December 1988 (revised July 1991) (Methods 508A (rev. 1.0) and 515.1 (rev. 4.0)); "Methods for the Determination of Organic Compounds in Drinking Water – Supplement I," July 1990 (Methods 547, 550, and 550.1); "Methods for the Determination of Organic Compounds in Drinking Water – Supplement II," August 1992 (Methods 548.1 (rev. 1.0), 552.1 (rev. 1.0), and 555 (rev. 1.0)); and "Methods for the Determination of Organic Compounds in Drinking Water – Supplement III," August 1995 (Methods 502.2 (rev. 2.1), 504.1 (rev. 1.1), 505 (rev. 2.1), 506 (rev. 1.1), 507 (rev. 2.1), 508 (rev. 3.1), 508.1 (rev. 2.0), 515.2 (rev. 1.1), 524.2 (rev. 4.1), 525.2 (rev. 2.0), 531.1 (rev. 3.1), 551.1 (rev. 1.0), and 552.2 (rev. 1.0)). Available from NTIS; USEPA, NSCEP; or USEPA, EMSL.

"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, August 1980. Available from NTIS.

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

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

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

"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.

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NOTICE OF ADOPTED AMENDMENTS

BOARD NOTE: The USGS Methods are available in three volumes published in 1977, 1989, and 1993, as outlined in subsection (b) of this Section.

"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:

ALPKEM, Division of OI Analytical, P.O. Box 9010, College Station, TX 77842-9010, telephone: 979-690-1711, Internet: www.oico.com.

"Method OIA-1677 DW, Available Cyanide by Flow Injection, Ligand Exchange, and Amperometry," EPA 821/R-04/001, January 2004 (referred to as "OI Analytical Method OIA-1677"), referenced in Section 611.611.

BOARD NOTE: Also available online for download from www.epa.gov/waterscience/methods/method/cyanide/1677-2004.pdf.

APHA. American Public Health Association, 1015 Fifteenth Street NW, Washington, DC 20005 202-777-2742.

"Standard Methods for the Examination of Water and Wastewater," 16th Edition, 1985 (referred to as "Standard Methods, 16th ed."). See the methods listed separately for the same references under American Waterworks Association.

"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,

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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.

"Standard Methods for the Examination of Water and Wastewater," 22nd Edition, 2012 (referred to as "Standard Methods, 22nd 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:

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ASTM Method D6503-99 (superseded) and ASTM Method D6503-99. While it is more conventional to incorporate the method as presented in the kit instructions or as approved by ASTM by reference, the Board is constrained to incorporate the version that appears in the technical literature by reference, which is the version that USEPA has explicitly approved.

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

"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.

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"Standard Methods for the Examination of Water and Wastewater," 16th Edition, 1985 (referred to as "Standard Methods, 16th ed.").

Method 907A, Heterotrophic Plate Count, Pour Plate Method, referenced in Section 611.213.

"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 7500-³H 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.

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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

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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.

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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-ClO₂ C, Chlorine Dioxide, Amperometric Method I, referenced in Section 611.531.

Method 4500-ClO₂ D, Chlorine Dioxide, DPD Method, referenced in Section 611.531.

Method 4500-ClO₂ E, Chlorine Dioxide, Amperometric Method II (Proposed), referenced in Section 611.531.

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

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

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

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

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

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Method 4500-NO₂⁻ B, Nitrogen (Nitrite), Colorimetric Method, referenced in Section 611.611.

Method 4500-NO₃⁻ D, Nitrogen (Nitrate), Nitrate Electrode Method, referenced in Section 611.611.

Method 4500-NO₃⁻ E, Nitrogen (Nitrate), Cadmium Reduction Method, referenced in Section 611.611.

Method 4500-NO₃⁻ F, Nitrogen (Nitrate), Automated Cadmium Reduction Method, referenced in Section 611.611.

Method 4500-O₃ B, Ozone (Residual) (Proposed), Indigo Colorimetric Method, referenced in Section 611.531.

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

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

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 B, 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.

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

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

Method 7500-I 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.

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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

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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 "Colilert® Test" and "Colisure™ Test"), referenced in Sections 611.526 and 611.531.

Method 9223 B, Chromogenic Substrate Coliform Test (Proposed), referenced in Section 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

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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.

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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-ClO₂ C, Chlorine Dioxide, Amperometric Method I, referenced in Section 611.531.

Method 4500-ClO₂ D, Chlorine Dioxide, DPD Method, referenced in Sections 611.381 and 611.531.

Method 4500-ClO₂ E, Chlorine Dioxide, Amperometric Method II, 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.

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

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

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

Method 4500-NO₂⁻ B, Nitrogen (Nitrite), Colorimetric Method, referenced in Section 611.611.

Method 4500-NO₃⁻ D, Nitrogen (Nitrate), Nitrate Electrode Method, referenced in Section 611.611.

Method 4500-NO₃⁻ E, Nitrogen (Nitrate), Cadmium Reduction Method, referenced in Section 611.611.

Method 4500-NO₃⁻ F, Nitrogen (Nitrate), Automated Cadmium Reduction Method, referenced in Section 611.611.

Method 4500-O₃ B, Ozone (Residual) (Proposed), Indigo Colorimetric Method, referenced in Section 611.531.

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

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

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

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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 B, Glyphosate Herbicide, 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, Gamma-Emitting Radionuclides, referenced in Section 611.720.

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

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

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

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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

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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 "Colilert® Test" and "Colisure™ Test"), referenced in Sections 611.526 and 611.531.

Method 9223 B, Chromogenic Substrate Coliform Test (Proposed), referenced in Section 611.1004.

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"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.

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

Method 2550, Temperature, Laboratory, and Field Methods, 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 3125, Metals by Inductively Coupled Plasma/Mass Spectrometry, referenced in Section 611.720.

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

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Method 3500-Mg B, Magnesium, EDTA Titrimetric Method, referenced in Section 611.611.

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

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.

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Method 4500-ClO₂ C, Chlorine Dioxide, Amperometric Method I, referenced in Section 611.531.

Method 4500-ClO₂ D, Chlorine Dioxide, DPD Method, referenced in Section 611.531.

Method 4500-ClO₂ E, Chlorine Dioxide, Amperometric Method II (Proposed), referenced in Section 611.531.

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

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

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

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

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

Method 4500-NO₂⁻ B, Nitrogen (Nitrite), Colorimetric Method, referenced in Section 611.611.

Method 4500-NO₃⁻ D, Nitrogen (Nitrate), Nitrate Electrode Method, referenced in Section 611.611.

Method 4500-NO₃⁻ E, Nitrogen (Nitrate), Cadmium Reduction Method, referenced in Section 611.611.

Method 4500-NO₃⁻ F, Nitrogen (Nitrate), Automated Cadmium Reduction Method, referenced in Section 611.611.

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Method 4500-O₃ B, Ozone (Residual) (Proposed), Indigo Colorimetric Method, referenced in Section 611.531.

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

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

Method 4500-SiO₂ C, Silica, Molybdosilicate Method, referenced in Section 611.611.

Method 4500-SiO₂ D, Silica, Heteropoly Blue Method, referenced in Section 611.611.

Method 4500-SiO₂ E, Silica, Automated Method for Molybdate-Reactive Silica, referenced in Section 611.611.

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

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

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

Method 5910 B, UV-Absorbing Organic Constituents, Ultraviolet Absorption Method, referenced in Sections 611.381 and 611.382.

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

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

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Method 6651 B, Glyphosate Herbicide, Liquid Chromatographic Post-Column Fluorescence Method, 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, Gamma-Emitting Radionuclides, referenced in Section 611.720.

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

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

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

Method 7500-I 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.

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Method 7500-Sr B, Total Radioactive 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 9060 A, Samples, Collection, referenced in Section 611.1052.

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, 611.531, and 611.1052.

Method 9221 C, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Estimation of Bacterial Density, referenced in Sections 611.526, 611.531, and 611.1052.

Method 9221 D, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Presence-Absence (P-A) Coliform Test, referenced in Sections 611.526 and 611.1052.

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

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Method 9221 F, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Escherichia Coli Procedure (Proposed), referenced in Section 611.802.

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

Method 9222 B, Membrane Filter Technique for Members of the Coliform Group, Standard Total Coliform Membrane Filter Procedure, referenced in Sections 611.526, 611.531, and 611.1052.

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 "Colilert® Test" and "Colisure™ Test"), referenced in Sections 611.526 and 611.531.

Method 9223 B, Chromogenic Substrate Coliform Test (also referred to as the variations "Colilert® Test" and "Colisure™ Test"), referenced in Sections 611.526, 611.802, 611.1004, and 611.1052.

Method 9230 B, Fecal Streptococcus and Enterococcus Groups, Multiple Tube Techniques, referenced in Section 611.802.

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Method 9230 C, Fecal Streptococcus and Enterococcus Groups, Membrane Filter Techniques, referenced in Section 611.802.

"Standard Methods for the Examination of Water and Wastewater," 21st Edition, 2005 (referred to as "Standard Methods, 21st 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.

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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 3125, Metals by Inductively Coupled Plasma/Mass Spectrometry, referenced in Section 611.720.

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

Method 3500-Mg B, 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 Section 611.381.

Method 4500-Cl E, Chlorine, Low-Level Amperometric Titration Method, referenced in Section 611.381.

Method 4500-Cl F, Chlorine, DPD Ferrous Titrimetric Method, referenced in Section 611.381.

Method 4500-Cl G, Chlorine, DPD Colorimetric Method, referenced in Section 611.381.

Method 4500-Cl H, Chlorine, Syringaldazine (FACTS) Method, referenced in Section 611.381.

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Method 4500-Cl⁻ I, Chlorine, Iodometric Electrode Method, referenced in Section 611.381.

Method 4500-ClO₂ C, Chlorine Dioxide, Amperometric Method I, referenced in Section 611.531.

Method 4500-ClO₂ E, Chlorine Dioxide, Amperometric Method II (Proposed), referenced in Section 611.381.

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-NO₂⁻ B, Nitrogen (Nitrite), Colorimetric Method, referenced in Section 611.611.

Method 4500-NO₃⁻ D, Nitrogen (Nitrate), Nitrate Electrode Method, referenced in Section 611.611.

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Method 4500-NO₃⁻ E, Nitrogen (Nitrate), Cadmium Reduction Method, referenced in Section 611.611.

Method 4500-NO₃⁻ F, Nitrogen (Nitrate), Automated Cadmium Reduction Method, referenced in Section 611.611.

Method 4500-O₃ B, Ozone (Residual) (Proposed), Indigo Colorimetric Method, referenced in Section 611.531.

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

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

Method 4500-SiO₂ C, Silica, Molybdosilicate Method, referenced in Section 611.611.

Method 4500-SiO₂ D, Silica, Heteropoly Blue Method, referenced in Section 611.611.

Method 4500-SiO₂ E, Silica, Automated Method for Molybdate-Reactive Silica, referenced in Section 611.611.

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

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

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

Method 5910 B, UV-Absorbing Organic Constituents, Ultraviolet Absorption Method, referenced in Sections 611.381 and 611.382.

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

Method 6610 B, Carbamate Pesticide Method, High-Performance Liquid Chromatographic Method, referenced in Section 611.645.

Method 6640 B, Acidic Herbicide Compounds, Micro Liquid-Liquid Extraction Gas Chromatographic Method, referenced in Section 611.645.

Method 6651 B, Glyphosate Herbicide, Liquid Chromatographic Post-Column Fluorescence Method, 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, Gamma-Emitting Radionuclides, referenced in Section 611.720.

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

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

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

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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 Radioactive 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 9060 A, Samples, Collection, referenced in Section 611.1052.

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, 611.531, and 611.1052.

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Method 9221 C, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Estimation of Bacterial Density, referenced in Sections 611.526, 611.531, and 611.1052.

Method 9221 D, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Presence-Absence (P-A) Coliform Test, referenced in Section 611.526 and 611.1052.

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

Method 9221 F, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Escherichia Coli Procedure (Proposed), referenced in Section 611.802.

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

Method 9222 B, Membrane Filter Technique for Members of the Coliform Group, Standard Total Coliform Membrane Filter Procedure, referenced in Sections 611.526, 611.531, and 611.1052.

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.

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Method 9223, Chromogenic Substrate Coliform Test (also referred to as the variations "Colilert® Test" and "Colisure™ Test"), referenced in Sections 611.526 and 611.531.

Method 9223 B, Chromogenic Substrate Coliform Test (also referred to as the variations "Colilert® Test" "Colisure™ Test," and "Colilert-18® Test", based on the particular medium used, available from IDEXX Laboratories, Inc.), referenced in Sections 611.526, 611.802, 611.1004, and 611.1052.

BOARD NOTE: See the Board note appended to Standard Methods Online in this Section about methods that appear in Standard Methods, 21st ed. which USEPA has cited as available from Standard Methods Online.

"Standard Methods for the Examination of Water and Wastewater," 22nd Edition, 2012 (referred to as "Standard Methods, 22nd ed."). See the methods listed separately for the same references under American Waterworks Association.

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.

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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 B, Calcium, EDTA Titrimetric Method, referenced in Section 611.611.

Method 3500-Mg B, 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 Section 611.381.

Method 4500-Cl E, Chlorine, Low-Level Amperometric Titration Method, referenced in Section 611.381.

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Method 4500-Cl F, Chlorine, DPD Ferrous Titrimetric Method, referenced in Section 611.381.

Method 4500-Cl G, Chlorine, DPD Colorimetric Method, referenced in Section 611.381.

Method 4500-Cl H, Chlorine, Syringaldazine (FACTS) Method, referenced in Section 611.381.

Method 4500-Cl I, Chlorine, Iodometric Electrode Method, referenced in Section 611.381.

Method 4500-ClO₂ C, Chlorine Dioxide, Amperometric Method I, referenced in Section 611.531.

Method 4500-ClO₂ E, Chlorine Dioxide, Amperometric Method II (Proposed), referenced in Section 611.381.

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.

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

Method 4500-NO₂⁻ B, Nitrogen (Nitrite), Colorimetric Method, referenced in Section 611.611.

Method 4500-NO₃⁻ D, Nitrogen (Nitrate), Nitrate Electrode Method, referenced in Section 611.611.

Method 4500-NO₃⁻ E, Nitrogen (Nitrate), Cadmium Reduction Method, referenced in Section 611.611.

Method 4500-NO₃⁻ F, Nitrogen (Nitrate), Automated Cadmium Reduction Method, referenced in Section 611.611.

Method 4500-O₃ B, Ozone (Residual) (Proposed), Indigo Colorimetric Method, referenced in Section 611.531.

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

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

Method 4500-SiO₂ C, Silica, Molybdosilicate Method, referenced in Section 611.611.

Method 4500-SiO₂ D, Silica, Heteropoly Blue Method, referenced in Section 611.611.

Method 4500-SiO₂ E, Silica, Automated Method for Molybdate-Reactive Silica, referenced in Section 611.611.

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

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

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

Method 5910 B, UV-Absorbing Organic Constituents, Ultraviolet Absorption Method, referenced in Sections 611.381 and 611.382.

Method 6251 B, Disinfection By-Products: Haloacetic Acids and Trichlorophenol, referenced in Section 611.381.

Method 6610 B, Carbamate Pesticide Method, High-Performance Liquid Chromatographic Method, referenced in Section 611.645.

Method 6640 B, Acidic Herbicide Compounds, Micro Liquid-Liquid Extraction Gas Chromatographic Method, referenced in Section 611.645.

Method 6651 B, Glyphosate Herbicide, Liquid Chromatographic Post-Column Fluorescence Method, 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, Gamma-Emitting Radionuclides, referenced in Section 611.720.

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

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

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

Method 7500-I 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 Radioactive 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 9060 A, Samples, Collection, referenced in Section 611.1052.

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

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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, 611.531, and 611.1052.

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

Method 9221 F, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Escherichia Coli Procedure (Proposed), referenced in Section 611.802 and 611.1052.

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.

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Method 9223 B, Chromogenic Substrate Coliform Test (also referred to as the variations "Colilert® Test," "Colisure™ Test," and "Colilert-18® Test", based on the particular medium used, available from IDEXX Laboratories, Inc.), referenced in Sections 611.526, 611.802, 611.1004, and 611.1052.

BOARD NOTE: See the Board note appended to Standard Methods Online in this Section about methods that appear in Standard Methods, 22nd ed., which USEPA has cited as available from Standard Methods Online.

BOARD NOTE: Individual Methods from Standard Methods are available online from Standard Methods Online.

ASTM. American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959 (610-832-9585).

ASTM Method D511-93 A and B, "Standard Test Methods for Calcium and Magnesium in Water," "Test Method A – Complexometric Titration" & "Test Method B – Atomic Absorption Spectrophotometric," approved 1993, referenced in Section 611.611.

ASTM Method D511-03 A and B, "Standard Test Methods for Calcium and Magnesium in Water," "Test Method A – Complexometric Titration" & "Test Method B – Atomic Absorption Spectrophotometric," approved 2003, referenced in Section 611.611.

ASTM Method D511-09 A and B, "Standard Test Methods for Calcium and Magnesium in Water," "Test Method A – Complexometric Titration" & "Test Method B – Atomic Absorption Spectrophotometric," approved 2009, referenced in Section 611.611.

ASTM Method D515-88 A, "Standard Test Methods for Phosphorus in Water," "Test Method A – Colorimetric Ascorbic

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Acid Reduction," approved August 19, 1988, referenced in Section 611.611.

ASTM Method D859-94, "Standard Test Method for Silica in Water," approved 1994, referenced in Section 611.611.

ASTM Method D859-00, "Standard Test Method for Silica in Water," approved 2000, referenced in Section 611.611.

ASTM Method D859-05, "Standard Test Method for Silica in Water," approved 2005, referenced in Section 611.611.

ASTM Method D859-10, "Standard Test Method for Silica in Water," approved 2010, referenced in Section 611.611.

ASTM Method D1067-92 B, "Standard Test Methods for Acidity or Alkalinity in Water," "Test Method B – Electrometric or Color-Change Titration," approved May 15, 1992, referenced in Section 611.611.

ASTM Method D1067-02 B, "Standard Test Methods for Acidity or Alkalinity in Water," "Test Method B – Electrometric or Color-Change Titration," approved in 2002, referenced in Section 611.611.

ASTM Method D1067-06 B, "Standard Test Methods for Acidity or Alkalinity in Water," "Test Method B – Electrometric or Color-Change Titration," approved in 2006, referenced in Section 611.611.

ASTM Method D1067-11 B, "Standard Test Methods for Acidity or Alkalinity in Water," "Test Method B – Electrometric or Color-Change Titration," approved in 2011, referenced in Section 611.611.

ASTM Method D1125-95 (1999) A, "Standard Test Methods for Electrical Conductivity and Resistivity of Water," "Test Method A – Field and Routine Laboratory Measurement of Static (Non-Flowing) Samples," approved 1995, reapproved 1999, referenced

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in Section 611.611.

ASTM Method D1179-93 B, "Standard Test Methods for Fluoride in Water," "Test Method B – Ion Selective Electrode," approved 1993, referenced in Section 611.611.

ASTM Method D1179-99 B, "Standard Test Methods for Fluoride in Water," "Test Method B – Ion Selective Electrode," approved 1999, referenced in Section 611.611.

ASTM Method D1179-04 B, "Standard Test Methods for Fluoride in Water," "Test Method B – Ion Selective Electrode," approved 2004, referenced in Section 611.611.

ASTM Method D1179-10 B, "Standard Test Methods for Fluoride in Water," "Test Method B – Ion Selective Electrode," approved 2010, referenced in Section 611.611.

ASTM Method D1253-86, "Standard Test Method for Residual Chlorine in Water," reapproved 1992, referenced in Section 611.381.

ASTM Method D1253-96, "Standard Test Method for Residual Chlorine in Water," approved 1996, referenced in Section 611.381.

ASTM Method D1253-03, "Standard Test Method for Residual Chlorine in Water," approved 2003, referenced in Sections 611.381 and 611.531.

ASTM Method D1253-08, "Standard Test Method for Residual Chlorine in Water," approved 2008, referenced in Sections 611.381 and 611.531.

ASTM Method D1293-95 A or B, "Standard Test Methods for pH of Water," "Test Method A – Precise Laboratory Measurement" & "Test Method B – Routine or Continuous Measurement," approved 1995, referenced in Section 611.611.

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ASTM Method D1293-99 A or B, "Standard Test Methods for pH of Water," "Test Method A – Precise Laboratory Measurement" & "Test Method B – Routine or Continuous Measurement," approved 1999, referenced in Section 611.611.

ASTM Method D1293-12, "Standard Test Methods for pH of Water," approved 2012, referenced in Section 611.611.

ASTM Method D1688-95 A or C, "Standard Test Methods for Copper in Water," "Test Method A – Atomic Absorption, Direct" & "Test Method C – Atomic Absorption, Graphite Furnace," approved 1995, referenced in Section 611.611.

ASTM Method D1688-02 A or C, "Standard Test Methods for Copper in Water," "Test Method A – Atomic Absorption, Direct" & "Test Method C – Atomic Absorption, Graphite Furnace," approved 2002, referenced in Section 611.611.

ASTM Method D1688-07 A or C, "Standard Test Methods for Copper in Water," "Test Method A – Atomic Absorption, Direct" & "Test Method C – Atomic Absorption, Graphite Furnace," approved 2007, referenced in Section 611.611.

ASTM Method D2036-98 A or B, "Standard Test Methods for Cyanide in Water," "Test Method A – Total Cyanides after Distillation" & "Test Method B – Cyanides Amenable to Chlorination by Difference," approved 1998, referenced in Section 611.611.

ASTM Method D2036-06 A or B, "Standard Test Methods for Cyanide in Water," "Test Method A – Total Cyanides after Distillation" & "Test Method B – Cyanides Amenable to Chlorination by Difference," approved 2006, referenced in Section 611.611.

ASTM Method D2459-72, "Standard Test Method for Gamma Spectrometry in Water," approved July 28, 1972, discontinued 1988, referenced in Section 611.720.

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ASTM Method D2460-97, "Standard Test Method for Radionuclides of Radium in Water," approved 1997, referenced in Section 611.720.

ASTM Method D2460-07, "Standard Test Method for Radionuclides of Radium in Water," approved 2007, referenced in Section 611.720.

ASTM Method D2907-97, "Standard Test Methods for Microquantities of Uranium in Water by Fluorometry," approved 1997, referenced in Section 611.720.

ASTM Method D2972-97 B or C, "Standard Test Methods for Arsenic in Water," "Test Method B – Atomic Absorption, Hydride Generation" & "Test Method C – Atomic Absorption, Graphite Furnace," approved 1997, referenced in Section 611.611.

ASTM Method D2972-03 B or C, "Standard Test Methods for Arsenic in Water," "Test Method B – Atomic Absorption, Hydride Generation" & "Test Method C – Atomic Absorption, Graphite Furnace," approved 2003, referenced in Section 611.611.

ASTM Method D2972-08 B or C, "Standard Test Methods for Arsenic in Water," "Test Method B – Atomic Absorption, Hydride Generation" & "Test Method C – Atomic Absorption, Graphite Furnace," approved 2008, referenced in Section 611.611.

ASTM Method D3223-97, "Standard Test Method for Total Mercury in Water," approved 1997, referenced in Section 611.611.

ASTM Method D3223-02, "Standard Test Method for Total Mercury in Water," approved 2002, referenced in Section 611.611.

ASTM Method D3223-12, "Standard Test Method for Total Mercury in Water," approved 2012, referenced in Section 611.611.

ASTM Method D3454-97, "Standard Test Method for Radium-226 in Water," approved 1997, referenced in Section 611.720.

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ASTM Method D3454-05, "Standard Test Method for Radium-226 in Water," approved 2005, referenced in Section 611.720.

ASTM Method D3559-96 D, "Standard Test Methods for Lead in Water," "Test Method D – Atomic Absorption, Graphite Furnace," approved August 6, 1990, referenced in Section 611.611.

ASTM Method D3559-03 D, "Standard Test Methods for Lead in Water," "Test Method D – Atomic Absorption, Graphite Furnace," approved 2003, referenced in Section 611.611.

ASTM Method D3559-08 D, "Standard Test Methods for Lead in Water," "Test Method D – Atomic Absorption, Graphite Furnace," approved 2008, referenced in Section 611.611.

ASTM Method D3645-97 B, "Standard Test Methods for Beryllium in Water," "Method B – Atomic Absorption, Graphite Furnace," approved 1997, referenced in Section 611.611.

ASTM Method D3645-03 B, "Standard Test Methods for Beryllium in Water," "Method B – Atomic Absorption, Graphite Furnace," approved 2003, referenced in Section 611.611.

ASTM Method D3645-08 B, "Standard Test Methods for Beryllium in Water," "Method B – Atomic Absorption, Graphite Furnace," approved 2008, referenced in Section 611.611.

ASTM Method D3649-91, "Standard Test Method for High-Resolution Gamma-Ray Spectrometry of Water," approved 1991, referenced in Section 611.720.

ASTM Method D3649-98a, "Standard Test Method for High-Resolution Gamma-Ray Spectrometry of Water," approved 1998, referenced in Section 611.720.

ASTM Method D3649-06, "Standard Test Method for High-Resolution Gamma-Ray Spectrometry of Water," approved 2006, referenced in Section 611.720.

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ASTM Method D3697-92, "Standard Test Method for Antimony in Water," approved 1992, referenced in Section 611.611.

ASTM Method D3697-02, "Standard Test Method for Antimony in Water," approved 2002, referenced in Section 611.611.

ASTM Method D3697-07, "Standard Test Method for Antimony in Water," approved 2007, referenced in Section 611.611.

ASTM Method D3859-98 A and B, "Standard Test Methods for Selenium in Water," "Method A – Atomic Absorption, Hydride Method" & "Method B – Atomic Absorption, Graphite Furnace," approved 1998, referenced in Section 611.611.

ASTM Method D3859-03 A and B, "Standard Test Methods for Selenium in Water," "Method A – Atomic Absorption, Hydride Method" & "Method B – Atomic Absorption, Graphite Furnace," approved 2003, referenced in Section 611.611.

ASTM Method D3859-08 A and B, "Standard Test Methods for Selenium in Water," "Method A – Atomic Absorption, Hydride Method" & "Method B – Atomic Absorption, Graphite Furnace," approved 2008, referenced in Section 611.611.

ASTM Method D3867-90 A and B, "Standard Test Methods for Nitrite-Nitrate in Water," "Test Method A – Automated Cadmium Reduction" & "Test Method B – Manual Cadmium Reduction," approved January 10, 1990, referenced in Section 611.611.

ASTM Method D3972-97, "Standard Test Method for Isotopic Uranium in Water by Radiochemistry," approved 1997, referenced in Section 611.720.

ASTM Method D3972-02, "Standard Test Method for Isotopic Uranium in Water by Radiochemistry," approved 2002, referenced in Section 611.720.

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ASTM Method D3972-09, "Standard Test Method for Isotopic Uranium in Water by Radiochemistry," approved 2009, referenced in Section 611.720.

ASTM Method D4107-91, "Standard Test Method for Tritium in Drinking Water," approved 1991, referenced in Section 611.720.

ASTM Method D4107-98, "Standard Test Method for Tritium in Drinking Water," approved 1998, referenced in Section 611.720.

ASTM Method D4107-08, "Standard Test Method for Tritium in Drinking Water," approved 2008, referenced in Section 611.720.

ASTM Method D4327-97, "Standard Test Method for Anions in Water by Ion Chromatography," approved 1997, referenced in Section 611.611.

ASTM Method D4327-03, "Standard Test Method for Anions in Water by Ion Chromatography," approved 2003, referenced in Section 611.611.

ASTM Method D4327-11, "Standard Test Method for Anions in Water by Ion Chromatography," approved 2011, referenced in Section 611.611.

ASTM Method D4785-93, "Standard Test Method for Low-Level Iodine-131 in Water," approved 1993, referenced in Section 611.720.

ASTM Method D4785-98, "Standard Test Method for Low-Level Iodine-131 in Water," approved 1998, referenced in Section 611.720.

ASTM Method D4785-08, "Standard Test Method for Low-Level Iodine-131 in Water," approved 2008, referenced in Section 611.720.

ASTM Method D5174-97, "Standard Test Method for Trace Uranium in Water by Pulsed-Laser Phosphorimetry," approved

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1997, referenced in Section 611.720.

ASTM Method D5174-02, "Standard Test Method for Trace Uranium in Water by Pulsed-Laser Phosphorimetry," approved 2002, referenced in Section 611.720.

ASTM Method D5174-07, "Standard Test Method for Trace Uranium in Water by Pulsed-Laser Phosphorimetry," approved 2007, referenced in Section 611.720.

ASTM Method D5317-93, "Standard Test Method for Determination of Chlorinated Organic Acid Compounds in Water by Gas Chromatography with an Electron Capture Detector," approved 1993, referenced in Section 611.645.

ASTM Method D5317-98 (2003), "Standard Test Method for Determination of Chlorinated Organic Acid Compounds in Water by Gas Chromatography with an Electron Capture Detector," approved 1998 (reapproved 2003), referenced in Section 611.645.

ASTM Method D5673-03, "Standard Test Method for Elements in Water by Inductively Coupled Plasma – Mass Spectrometry," approved 2003, referenced in Section 611.720.

ASTM Method D5673-05, "Standard Test Method for Elements in Water by Inductively Coupled Plasma – Mass Spectrometry," approved 2005, referenced in Section 611.720.

ASTM Method D5673-10, "Standard Test Method for Elements in Water by Inductively Coupled Plasma – Mass Spectrometry," approved 2010, referenced in Section 611.720.

ASTM Method D6239-09, "Standard Test Method for Uranium in Drinking Water by High-Resolution Alpha-Liquid-Scintillation Spectrometry," approved 2009, referenced in Section 611.720.

ASTM Method D6508-00(2005), "Standard Test Method for Determination of Dissolved Inorganic Anions in Aqueous Matrices

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Using Capillary Ion Electrophoresis and Chromate Electrolyte," approved 2000 (revised 2005), referenced in Section 611.611.

ASTM Method D6581-00, "Standard Test Method for Bromate, Bromide, Chlorate, and Chlorite in Drinking Water by Chemically Suppressed Ion Chromatography," approved 2000, referenced in Section 611.381.

ASTM Method D6581-08 A and B, "Standard Test Method for Bromate, Bromide, Chlorate, and Chlorite in Drinking Water by Suppressed Ion Chromatography," "Test Method A – Chemically Suppressed Ion Chromatography" & "Test Method B – Electrolytically Suppressed Ion Chromatography," approved 2008, referenced in Section 611.381.

ASTM Method D6919-03, "Standard Test Method for Determination of Dissolved Alkali and Alkaline Earth Cations and Ammonium in Water and Wastewater by Ion Chromatography," approved 2003, referenced in Section 611.611.

ASTM Method D6919-09, "Standard Test Method for Determination of Dissolved Alkali and Alkaline Earth Cations and Ammonium in Water and Wastewater by Ion Chromatography," approved 2009, referenced in Section 611.611.

ASTM Method D6888-04, "Standard Test Method for Available Cyanide with Ligand Displacement and Flow Injection Analysis (FIA) Utilizing Gas Diffusion Separation and Amperometric Detection," approved 2004, referenced in Section 611.611.

BOARD NOTE: The most recent version of ASTM methods are available for paid download from the ASTM at www.astm.org. Note that the most recent version of an ASTM method may not be the version approved for use by USEPA and incorporated by reference in subsection (b) of this Section.

Bran & Luebbe, 1025 Busch Parkway, Buffalo Grove, IL 60089.

"Fluoride in Water and Wastewater," Industrial Method #129-

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71W, December 1972 (referred to as "Technicon Methods, Method #129-71W"). See 40 CFR 141.23(k)(1), footnote 11 (2014), referenced in Section 611.611.

"Fluoride in Water and Wastewater," #380-75WE, February 1976 (referred to as "Technicon Methods, Method #380-75WE"). See 40 CFR 141.23(k)(1), footnote 11 (2014), referenced in Section 611.611.

Charm Sciences, Inc., 659 Andover St., Lawrence, MA 01843-1032:

"Charm E*Colite Presence/Absence Test for Detection and Identification of Coliform Bacteria and Escherichia coli in Drinking Water," January 9, 1998 (referred to as "E*Colite Test"), referenced in Section 611.802 and 611.1052 (also available from USEPA, Water Resource Center).

"Fast Phage Test Procedure. Presence/Absence for Coliphage in Ground Water with Same Day Positive Prediction," version 009 (Nov. 2012) (referred to as "Charm Fast Phage Test"), referenced in Section 611.802.

CPI International, Inc., 5580 Skylane Blvd., Santa Rosa, CA 95403 (800-878-7654 /fax: 707-545-7901/Internet address: www.cpiinternational.com).

"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," August 2001, referenced in Section 611.526.

"Modified Colitag™ Test Method for Simultaneous Detection of E. coli and other Total Coliforms in Water (ATP D05-0035)," August 2009 (referred to as "Modified Colitag™ Test"), referenced in Sections 611.526 and 611.802. See also NEMI.

EMD Millipore (division of Merck KGaA, Darmstadt, Germany), 290 Concord Road, Billerica, MA 01821 (800-645-5476 or 781-533-6000).

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"Chromocult® Coliform Agar Presence/Absence Membrane Filter Test Method for Detection and Identification of Coliform Bacteria and Escherichia coli in Finished Waters," November 2000 (referred to as "Chromocult® Method, Version 1.0"), referenced in Sections 611.526, 611.802, and 611.1052.

"Readycult Coliforms 100 Presence/Absence Test for Detection and Identification of Coliform Bacteria and Escherichia coli in Finished Waters," November 2000 (referred to as "Readycult® 2000"), Version 1.0, referenced in Section 611.526.

"Readycult Coliforms 100 Presence/Absence Test for Detection and Identification of Coliform Bacteria and Escherichia coli in Finished Waters," Version 1.1, January 2007 (referred to as "Readycult® 2007"), referenced in Section 611.802 and 611.1052.

Georgia Tech Research Institute, Robert Rosson, 925 Dalney Road, Atlanta, GA 30332 (404-407-6339).

"The Determination of Radium-226 and Radium-228 in Drinking Water by Gamma-ray Spectrometry Using HPGE or Ge(Li) Detectors," Revision 1.2, December 2004 (called "Georgia Radium Method"), referenced in Section 611.720.

Great Lakes Instruments, Inc., 8855 North 55th Street, Milwaukee, WI 53223.

GLI Method 2, "Turbidity," Nov. 2, 1992, referenced in Section 611.531.

H&E Testing Laboratory, 221 State Street, Augusta, ME 04333 (207-287-2727).

Method ME355.01, Revision 1, "Determination of Cyanide in Drinking Water by GC/MS Headspace Analysis," May 2009, referenced in Section 611.611. See also NEMI.

The Hach Company, P.O. Box 389, Loveland, CO 80539-0389 (800-227-4224/Internet address: www.hach.com).

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"Lead in Drinking Water by Differential Pulse Anodic Stripping Voltammetry," Method 1001, August 1999, referenced in Section 611.611.

"Determination of Turbidity by Laser Nephelometry," January 2000, Revision 2.0 (referred to as "Hach FilterTrak Method 10133"), referenced in Section 611.531.

"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 Sections 611.802 and 611.1052 (also available from USEPA, Water Resource Center).

"Fluoride, USEPA SPADNS 2 Method 10225," revision 2.0, January 2011 (referred to as "Hach SPADNS 2 Method 10225"), referenced in Section 611.611.

"Hach Company TNTplus 835/836 Nitrate Method 10206 – Spectrophotometric Measurement of Nitrate in Water and Wastewater," revision 2.0, January 2011 (referred to as "Hach TNTplus 835/836 Method 10206"), referenced in Section 611.611.

"Hach Method 10260 – Determination of Chlorinated Oxidants (Free and Total) in Water Using Disposable Planar Reagent-filled Cuvettes and Mesofluic Channel Colorimetry," April 2013 (referred to as "Hach Method 10260"), referenced in Sections 611.381 and 611.531.

IDEXX Laboratories, Inc., One IDEXX Drive, Westbrook, Maine 04092 (800-321-0207).

"Colisure Presence/Absence Test for Detection and Identification of Coliform Bacteria and Escherichia Coli in Drinking Water," February 28, 1994 (referred to as "Colisure™ Test"), referenced in Section 611.526.

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"IDEXX SimPlate™ HPC Test Method for Heterotrophs in Water," November 2000 (referred to as "SimPlate method"), referenced in Section 611.531.

Industrial Test Systems, Inc., 1875 Langston St., Rock Hill, SC 29730.

Method D99-003, Revision 3.0, "Free Chlorine Species (HOCl⁻ and OCl⁻) by Test Strip," November 21, 2003 (referred to as "ITS Method D99-003"), referenced in Section 611.381.

Lachat Instruments, 6645 W. Mill Rd., Milwaukee, WI 53218 (414-358-4200).

"Digestion and distillation of total cyanide in drinking and wastewaters using MICRO DIST and determination of cyanide by flow injection analysis," Revision 2.1, November 30, 2000 (referred to as "QuikChem Method 10-204-00-1-X"), referenced in Section 611.611.

Leck Mitchell, PhD, PE, 656 Independence Valley Dr., Grand Junction, CO 81507. See also NEMI.

Mitchell Method M5271, "Determination of Turbidity by Laser Nephelometry," March 2009, referenced in Section 611.531.

Mitchell Method M5331, "Determination of Turbidity by LED Nephelometry," March 2009, referenced in Section 611.531.

NCRP. National Council on Radiation Protection, 7910 Woodmont Ave., Bethesda, MD (301-657-2652).

NCRP Report Number 22, "Maximum Permissible Body Burdens and Maximum Permissible Concentrations of Radionuclides in Air and in Water for Occupational Exposure," NCRP Report Number 22, June 5, 1959, referenced in Section 611.101.

NEMI. National Environmental Method Index (on-line at www.nemi.gov).

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AMI Turbiwell Method, "Continuous Measurement of Turbidity Using a SWAN AMI Turbiwell Turbidimeter," August 2009. See also SWAN Analytische Instrumente AG.

Method ME355.01, Revision 1, "Determination of Cyanide in Drinking Water by GC/MS Headspace Analysis," May 2009, referenced in Section 611.611. See also H&E Testing Laboratory.

Mitchell Method M5271, "Determination of Turbidity by Laser Nephelometry," March 2009, referenced in Section 611.531. See also Leck Mitchell, PhD, PE.

Mitchell Method M5331, "Determination of Turbidity by LED Nephelometry," March 2009, referenced in Section 611.531. See also Leck Mitchell, PhD, PE.

Modified Colitag™ Method, "Modified Colitag™ Test Method for Simultaneous Detection of E. coli and other Total Coliforms in Water (ATP D05-0035)," August 2009, referenced in Sections 611.526 and 611.802. See also CPI International, Inc.

Orion Method AQ4500, "Determination of Turbidity by LED Nephelometry," May 2009, referenced in Section 611.531. See also Thermo Scientific.

Palintest ChloroSense, "Measurement of Free and Total Chlorine in Drinking Water by Palintest ChloroSense," September 2009 (referred to as "Palintest ChloroSense"), referenced in Sections 611.381 and 611.531. See also Palintest.

"Systea Easy (1-Reagent) Nitrate Method," February 2009, referenced in Section 611.611. See also Systea Scientific, LLC.

NSF. National Sanitation Foundation International, 3475 Plymouth Road, PO Box 130140, Ann Arbor, Michigan 48113-0140 (734-769-8010).

NSF Standard 61, section 9, November 1998, referenced in Sections 611.126 and 611.356.

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NTIS. National Technical Information Service, U.S. Department of Commerce, 5301 Shawnee Road, Alexandria, VA 22312 (703-605-6000 or 800-553-6847, www.ntis.gov).

Dioxin and Furan Method 1613, Revision B, "Tetra- through Octa-Chlorinated Dioxins and Furans by Isotope Dilution HRGC/HRMS," October 1994, Revision B, EPA 821/B-94/005, Doc. No. 94-104774, referenced in Section 611.645. See also USEPA, NSCEP.

Kelada 01, "Kelada Automated Test Methods for Total Cyanide, Acid Dissociable Cyanide, and Thiocyanate," Revision 1.2, August 2001, EPA 821/B-01-009, referenced in Section 611.611.

"Maximum Permissible Body Burdens and Maximum Permissible Concentrations of Radionuclides in Air and in Water for Occupational Exposure," NBS (National Bureau of Standards) Handbook 69, as amended August 1963, U.S. Department of Commerce, referenced in Section 611.330.

"Procedures for Radiochemical Analysis of Nuclear Reactor Aqueous Solutions," H.L. Krieger and S. Gold, EPA-R4-73-014, May 1973, Doc. No. PB222-154/7BA, referenced in Section 611.720.

USEPA Asbestos Method 100.1, "Analytical Method for Determination of Asbestos Fibers in Water," EPA 600/4-83-043, September 1983, Doc. No. PB83-260471, referenced in Section 611.611. See also USEPA, NSCEP.

USEPA Asbestos Method 100.2, "Determination of Asbestos Structures over 10-mm in Length in Drinking Water," EPA 600/R-94-134, June 1994, Doc. No. PB94-201902, referenced in Section 611.611. See also USEPA, NSCEP.

USEPA Environmental Inorganic Methods, "Methods for the Determination of Inorganic Substances in Environmental Samples," August 1993, EPA 600/R-93-100, Doc. No. PB94-121811, referenced in Sections 611.381, 611.531, and 611.611.

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(Methods 180.1 (rev. 2.0), 300.0 (rev. 2.1), 335.4 (rev. 1.0), 353.2 (rev. 2.0), and 365.1 (rev. 2.0) only.) See also USEPA, NSCEP.

USEPA Environmental Metals Methods, "Methods for the Determination of Metals in Environmental Samples – Supplement I," May 1994, EPA 600/R-94-111, Doc. No. PB95-125472, referenced in Sections 611.611, 611.612, and 611.720. (Methods 200.7 (rev. 4.4), 200.8 (rev. 5.3), 200.9 (rev. 2.2), and 245.1 (rev. 3.0) only.) See also USEPA, NSCEP.

USEPA Inorganic Methods, "Methods for Chemical Analysis of Water and Wastes," March 1983, EPA 600/4-79-020, Doc. No. PB84-128677, referenced in Section 611.611. (Methods 150.1, 150.2, and 245.2 only.) See also USEPA, NSCEP.

USEPA Interim Radiochemical Methods, "Interim Radiochemical Methodology for Drinking Water," EPA 600/4-75-008 (revised), Doc. No. PB253258, March 1976, referenced in Section 611.720.

USEPA OGWDW Methods, Method 326.0, Revision 1.0, "Determination of Inorganic Oxyhalide Disinfection By-Products in Drinking Water Using Ion Chromatography Incorporating the Addition of a Suppressor Acidified Postcolumn Reagent for Trace Bromate Analysis," June 2002, EPA 815/R-03/007, Doc. No. PB2003-107402, referenced in Sections 611.381 and 611.382. See also USEPA, NSCEP and USEPA, OGWDW.

USEPA Organic and Inorganic Methods, "Methods for the Determination of Organic and Inorganic Compounds in Drinking Water, Volume 1," August 2000, EPA 815/R-00/014, Doc. No. PB2000-106981, referenced in Section 611.381. (For methods 300.1 (rev. 1.0), 321.8 (rev. 1.0), and 515.3 (rev. 1.0).) See also USEPA, NSCEP.

USEPA Organic Methods, "Methods for the Determination of Organic Compounds in Drinking Water," December 1988 (revised July 1991), EPA 600/4-88/039, Doc. No. PB91-231480, referenced in Sections 611.645 and 611.648 (Methods 508A (rev. 1.0) and 515.1 (rev. 4.0) only); "Methods for the Determination of Organic

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Compounds in Drinking Water – Supplement I," July 1990, EPA 600/4-90/020, Doc. No. PB91-146027, referenced in Section 611.645 (Methods 547, 550, and 550.1 only); "Methods for the Determination of Organic Compounds in Drinking Water – Supplement II," August 1992, EPA 600/R-92/129, Doc. No. PB92-207703, referenced in Sections 611.381 and 611.645. (Methods 548.1 (rev. 1.0), 552.1 (rev. 1.0), and 555 (rev. 1.0) only); and "Methods for the Determination of Organic Compounds in Drinking Water – Supplement III," August 1995, EPA 600/R-95/131, Doc. No. PB95-261616, referenced in Sections 611.381, 611.645, and 611.648 (Methods 502.2 (rev. 2.1), 504.1 (rev. 1.1), 505 (rev. 2.1), 506 (rev. 1.1), 507 (rev. 2.1), 508 (rev. 3.1), 508.1 (rev. 2.0), 515.2 (rev. 1.1), 524.2 (rev. 4.1), 525.2 (rev. 2.0), 531.1 (rev. 3.1), 551.1 (rev. 1.0), and 552.2 (rev. 1.0) only.) See also USEPA, EMSL and USEPA, NSCEP.

USEPA Radioactivity Methods, "Prescribed Procedures for Measurement of Radioactivity in Drinking Water," EPA 600/4-80/032, August 1980, Doc. No. PB80-224744, referenced in Section 611.720 (Methods 900.0, 901.0, 901.1, 902.0, 903.0, 903.1, 904.0, 905.0, 906.0, 908.0, 908.1). See also USEPA, NSCEP.

USEPA Radiochemical Analyses, "Radiochemical Analytical Procedures for Analysis of Environmental Samples," March 1979, Doc. No. EMSL LV 053917, referenced in Section 611.720. (Pages 1-5, 19-32, 33-48, 65-73, 87-91, and 92-95 only.)

USEPA Radiochemistry Procedures, "Radiochemistry Procedures Manual," EPA 520/5-84-006, August 1984, Doc. No. PB84-215581, referenced in Section 611.720. (Methods 00-01, 00-02, 00-07, H-02, Ra-03, Ra-04, Ra-05, Sr-04 only.)

USEPA Technical Notes, "Technical Notes on Drinking Water Methods," EPA 600/R-94/173, October 1994, Doc. No. PB95-104766, referenced in Sections 611.531, 611.611, and 611.645. See also USEPA, NSCEP.

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BOARD NOTE: USEPA made the following assertion with regard to this reference at 40 CFR 141.23(k)(1) and 141.24(e) and (n)(11) (2014): "This document contains other analytical test procedures and approved analytical methods that remain available for compliance monitoring until July 1, 1996." Also available online at <http://nepis.epa.gov/EPA/html/Pubs/pubtitleORD.htm> under the document designation "600R94173."

New Jersey Department of Environment, Division of Environmental Quality, Bureau of Radiation and Inorganic Analytical Services, 9 Ewing Street, Trenton, NJ 08625.

"Determination of Radium 228 in Drinking Water," August 1990 (referred to as "New Jersey Radium Method"), referenced in Section 611.720.

New York Department of Health, Radiological Sciences Institute, Center for Laboratories and Research, Empire State Plaza, Albany, NY 12201.

"Determination of Ra-226 and Ra-228 (Ra-02)," January 1980, Revised June 1982 (referred to as "New York Radium Method"), referenced in Section 611.720.

Palintest, Ltd., 21455 Jamike Avenue, Suite 100, Erlanger, KY (800-835-9629).

ChlordioX Plus Test, "Chlorine Dioxide and Chlorite in Drinking Water by Amperometry using Disposable Sensors," November 2013, referenced in Sections 611.381 and 611.531.

Palintest Method 1001, "Lead in Drinking Water by Differential Pulse Anodic Stripping Voltammetry," Method 1001, August 1999, referenced in Section 611.611.

Palintest ChloroSense, "Measurement of Free and Total Chlorine in Drinking Water by Palintest ChloroSense," September 2009 (referred to as "Palintest ChloroSense"), referenced in Sections 611.381 and 611.531. See also NEMI.

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Standard Methods Online, available online from the Standard Methods Organization at www.standardmethods.org.

Method 3113 B-04, Metals by Electrothermal Atomic Absorption Spectrometry, Electrothermal Atomic Absorption Spectrometric Method, referenced in Sections 611.611 and 611.612.

Method 9230 B-04, Fecal Streptococcus and Enterococcus Groups, Multiple Tube Techniques, referenced in Section 611.802.

BOARD NOTE: Where, in appendix A to subpart C of 40 CFR 141 (2014), USEPA has authorized use of an approved alternative method from Standard Methods Online, and that version of the method appears also in Standard Methods, 21st or 22nd ed., the Board cites only to Standard Methods, 21st or 22nd ed. for that method. The methods that USEPA listed as available from Standard Methods Online, and which are listed above as in Standard Methods, 21st or 22nd edition, are the following: 2320 B-97 (for alkalinity), 3112 B-09 (for mercury), 3114 B-09 (for arsenic and selenium), 4500-P E-99 and 4500-P F-99; (for orthophosphate); 4500-SO₄⁻² C-97, 4500-SO₄⁻² D-97, 4500-SO₄⁻² E-97, and 4500-SO₄⁻² F-97 (for sulfate); 6640 B-01 (for 2,4-D, 2,4,5-TP (silvex), dalapon, dinoseb, pentachlorophenol, and picloram); 5561 B-00 (for glyphosate); and 9223 B-97 (for E. coli). Since each method is the same version from both sources, the Board views a copy from Standard Methods Online as equivalent to a copy from Standard Methods Online, even though the Board does not also cite to Standard Methods Online. The Board intends that use of the version of the method that is incorporated by reference is acceptable from either source.

SWAN Analytische Instrumente AG, Studbachstrasse 13, CH-8340, Hinwil, Switzerland.

AMI Turbiwell Method, "Continuous Measurement of Turbidity Using a SWAN AMI Turbiwell Turbidimeter," August 2009, referenced in Section 611.531. See also NEMI.

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Syngenta Crop Protection, Inc., 410 Swing Road, Post Office Box 18300, Greensboro, NC 27419 (336-632-6000).

"Atrazine in Drinking Water by Immunoassay," February 2001 (referred to as "Syngenta AG-625"), referenced in Section 611.645.

Systea Scientific LLC, 900 Jorie Blvd., Suite 35, Oak Brook, IL 60523.

Systea Easy (1-Reagent), "Systea Easy (1-Reagent) Nitrate Method," February 2009, referenced in Section 611.611. See also NEMI.

Thermo Scientific, 166 Cummings Center, Beverly, MA 01915 (800-225-1480 or www.thermo.com).

Orion Method AQ4500, "Determination of Turbidity by LED Nephelometry," May 2009, referenced in Section 611.531. See also NEMI.

Technical Bulletin 601, "Standard Method of Testing for Nitrate in Drinking Water," July, 1994, PN 221890-001 (referred to as "Technical Bulletin 601"), referenced in Section 611.611.

USDHS, STD. United States Department of Homeland Security, Science and Technology Directorate (formerly United States Department of Energy, Environmental Measurements Laboratory), currently available online in the 28th edition only, at www.nbl.doe.gov/EML_Legacy_Website/procman.htm.

"EML Procedures Manual," HASL 300, 27th Edition, Volume 1, 1990 (referred to as "EML Procedures Manual (27th ed.)"), referenced in Section 611.720.

"EML Procedures Manual," HASL 300, 28th ed., 1997 (referred to as "EML Procedures Manual (28th ed.)"), referenced in Section 611.720.

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BOARD NOTE: Although only the 28th edition is currently available, USEPA has approved use of the methods from the 27th edition also. The Board has retained the reference to the 27th edition for the benefit of any laboratory that may be using that edition.

USEPA, EMSL. United States Environmental Protection Agency, Environmental Monitoring and Support Laboratory, Cincinnati, OH 45268 (513-569-7586).

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

USEPA Organic Methods, "Methods for the Determination of Organic Compounds in Drinking Water," December 1988 (revised July 1991), EPA 600/4-88/039, referenced in Sections 611.645 and 611.648 (Methods 508A (rev. 1.0) and 515.1 (rev. 4.0) only); "Methods for the Determination of Organic Compounds in Drinking Water – Supplement I," July 1990, EPA 600/4-90/020, referenced in Sections 611.645 and 611.648 (Methods 547, 550, and 550.1 only); "Methods for the Determination of Organic Compounds in Drinking Water – Supplement II," August 1992, EPA 600/R-92/129, referenced in Sections 611.381 and 611.645 (Methods 548.1 (rev. 1.0), 552.1 (rev. 1.0), and 555 (rev. 1.0) only); "Methods for the Determination of Organic Compounds in Drinking Water – Supplement III," August 1995, EPA 600/R-95/131, referenced in Sections 611.381, 611.645, and 611.648 (Methods 502.2 (rev. 2.1), 504.1 (rev. 1.1), 505 (rev. 2.1), 506 (rev. 1.1), 507 (rev. 2.1), 508 (rev. 3.1), 508.1 (rev. 2.0), 515.2 (rev. 4.1), 524.2 (rev. 4.1), 525.2 (rev. 2.0), 551.1 (rev. 1.0), and 552.2 (rev. 1.0) only). See also NTIS and USEPA, NSCEP.

"Procedures for Radiochemical Analysis of Nuclear Reactor Aqueous Solutions," EPA-R4-73-014, May 1973, referenced in Section 611.720. See also NTIS.

USEPA, NSCEP. United States Environmental Protection Agency, National Service Center for Environmental Publications, P.O. Box 42419,

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Cincinnati, OH 45242-0419 (accessible on-line and available by download from <http://www.epa.gov/nscep/>).

Dioxin and Furan Method 1613, Revision B, "Tetra- through Octa-Chlorinated Dioxins and Furans by Isotope Dilution HRGC/HRMS," October 1994, EPA 821/B-94/005, referenced in Section 611.645. See also NTIS.

Guidance Manual for Filtration and Disinfection, "Guidance Manual for Compliance with the Filtration and Disinfection Requirements for Public Water Systems Using Surface Water Sources," March 1991, EPA 570/3-91-001, referenced in Section 611.111.

USEPA Asbestos Method 100.1, "Analytical Method for Determination of Asbestos Fibers in Water," September 1983, EPA 600/4-83-043, referenced in Section 611.611. See also NTIS.

USEPA Asbestos Method 100.2, "Determination of Asbestos Structures over 10-mm in Length in Drinking Water," June 1994, EPA 600/R-94-134, referenced in Section 611.611. See also NTIS.

USEPA Environmental Inorganic Methods, "Methods for the Determination of Inorganic Substances in Environmental Samples," August 1993, EPA 600/R-93-100, referenced in Sections 611.381, 611.531, and 611.611. (Methods 180.1 (rev. 2.0), 300.0 (rev. 2.1), 335.4 (rev. 1.0), 353.2 (rev. 2.0), and 365.1 (rev. 2.0) only.) See also NTIS.

USEPA Environmental Metals Methods, "Methods for the Determination of Metals in Environmental Samples – Supplement I," May 1994, EPA 600/R-94-111, referenced in Sections 611.611, 611.612, and 611.720. (Methods 200.7 (rev. 4.4), 200.8 (rev. 5.3), 200.9 (rev. 2.2), and 245.1 (rev. 3.0) only.) See also NTIS.

USEPA Inorganic Methods, "Methods for Chemical Analysis of Water and Wastes," March 1983, EPA 600/4-79-020, referenced in

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Section 611.611. (Methods 150.1, 150.2, and 245.2 only.) See also NTIS.

USEPA OGWDW Methods, Method 302.0, "Determination of Bromate in Drinking Water Using Two-Dimensional Ion Chromatography with Suppressed Conductivity Detection," September 2009, EPA 815/B-09/014, referenced in Sections 611.381 and 611.382. See also USEPA, OGWDW.

USEPA OGWDW Methods, Method 317.0, rev. 2.0, "Determination of Inorganic Oxyhalide Disinfection By-Products in Drinking Water Using Ion Chromatography with the Addition of a Postcolumn Reagent for Trace Bromate Analysis," July 2001, EPA 815/B-01/001, referenced in Sections 611.381 and 611.382. See also USEPA, OGWDW.

USEPA OGWDW Methods, Method 326.0, rev. 1.0, "Determination of Inorganic Oxyhalide Disinfection By-Products in Drinking Water Using Ion Chromatography Incorporating the Addition of a Suppressor Acidified Postcolumn Reagent for Trace Bromate Analysis," June 2002, EPA 815/R-03/007, referenced in Sections 611.381 and 611.382. See also NTIS and USEPA, OGWDW.

USEPA OGWDW Methods, Method 327.0, rev. 1.1, "Determination of Chlorine Dioxide and Chlorite Ion in Drinking Water Using Lissamine Green B and Horseradish Peroxidase with Detection by Visible Spectrophotometry," May 2005, EPA 815/R-05/008, referenced in Sections 611.381 and 611.531. See also USEPA, OGWDW.

USEPA OGWDW Methods, Method 334.0, "Determination of Residual in Drinking Water Using an On-line Chlorine Analyzer," August 2009, EPA 815/B-09/013, referenced in Section 611.531. See also USEPA, OGWDW.

USEPA OGWDW Methods, Method 523, ver. 1.0, "Determination of Triazine Pesticides and Other Degradates in Drinking Water by Gas Chromatography/Mass Spectrometry (GC/MS)," February

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2011, EPA 815/R-11/002, referenced in Section 611.645. See also USEPA, OGWDW.

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

USEPA OGWDW Methods, Method 552.3, rev. 1.0, "Determination of Haloacetic Acids and Dalapon in Drinking Water by Liquid-Liquid Microextraction, Derivatization, and Gas Chromatography with Electron Capture Detection," July 2003, EPA 815/B-03/002, referenced in Sections 611.381 and 611.645.

USEPA OGWDW Methods, Method 557, "Determination of Haloacetic Acids, Bromate, and Dalapon in Drinking Water by Ion Chromatography Electrospray Ionization Tandem Mass Spectrometry," July 2003, EPA 815/B-03/002, referenced in Sections 611.381, 611.382, and 611.645. See also USEPA, OGWDW.

USEPA OGWDW Methods, Method 1622 (01), "Cryptosporidium in Water by Filtration/IMS/FA," April 2001, EPA 821/R-01/026, referenced in Section 611.1007. See also USEPA, OGWDW.

USEPA Organic and Inorganic Methods, "Methods for the Determination of Organic and Inorganic Compounds in Drinking Water, Volume 1," August 2000, EPA 815/R-00/014, referenced in Section 611.381. (Methods 300.1 (rev. 1.0), 321.8 (rev. 1.0), and 515.3 (rev. 1.0) only.) See also NTIS.

USEPA Organic Methods, "Methods for the Determination of Organic Compounds in Drinking Water," December 1988, revised July 1991, EPA 600/4-88/039, referenced in Sections 611.645 and 611.648 (Methods 508A (rev. 1.0) and 515.1 (rev. 4.0) only); "Methods for the Determination of Organic Compounds in Drinking Water – Supplement I," July 1990, EPA 600/4-90/020,

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referenced in Section 611.645 and 611.648 (Methods 547, 550, and 550.1 only); "Methods for the Determination of Organic Compounds in Drinking Water – Supplement II," August 1992, EPA 600/R-92/129, referenced in Sections 611.381 and 611.645 (Methods 548.1 (rev. 1.0), 552.1 (rev. 1.0), and 555 (rev. 1.0) only); "Methods for the Determination of Organic Compounds in Drinking Water – Supplement III," August 1995, EPA 600/R-95/131, referenced in Sections 611.381, 611.645, and 611.648 (Methods 502.2 (rev. 2.1), 504.1 (rev. 1.1), 505 (rev. 2.1), 506 (rev. 1.1), 507 (rev. 2.1), 508 (rev. 3.1), 508.1 (rev. 2.0), 515.2 (rev. 4.1), 524.2 (rev. 4.1), 525.2 (rev. 2.0), 531.1 (rev. 3.1), 551.1 (rev. 1.0), and 552.2 (rev. 1.0) only). See also NTIS and USEPA, EMSL.

USEPA Radioactivity Methods, "Prescribed Procedures for Measurement of Radioactivity in Drinking Water," August 1980, EPA 600/4-80/032, referenced in Section 611.720. (For methods 900.0, 901, 901.1, 902, 903, 903.1, 904, 905, 906, 908, 908.1 only.) See also NTIS.

USEPA Technical Notes, "Technical Notes on Drinking Water Methods," October 1994, EPA 600/R-94/173, referenced in Sections 611.531, 611.611, and 611.645. See also NTIS.

BOARD NOTE: USEPA made the following assertion with regard to this reference at 40 CFR 141.23(k)(1) and 141.24(e) and (n)(11) (2014): "This document contains other analytical test procedures and approved analytical methods that remain available for compliance monitoring until July 1, 1996." Also available online at <http://nepis.epa.gov/EPA/html/Pubs/pubtitleORD.htm> under the document designation "600R94173."

USEPA, OGWDW. United States Environmental Protection Agency, Office of Ground Water and Drinking Water (accessible on-line and available by download from <http://www.epa.gov/safewater/methods/>).

USEPA OGWDW Methods, Method 302.0, "Determination of Bromate in Drinking Water Using Two-Dimensional Ion Chromatography with Suppressed Conductivity Detection,"

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September 2009, EPA 815/B-09/014, referenced in Section 611.381. See also USEPA, NSCEP.

USEPA OGWDW Methods, Method 317.0, rev. 2.0, "Determination of Inorganic Oxyhalide Disinfection By-Products in Drinking Water Using Ion Chromatography with the Addition of a Postcolumn Reagent for Trace Bromate Analysis," USEPA, July 2001, EPA 815/B-01/001, referenced in Section 611.381. See also USEPA, NSCEP.

USEPA OGWDW Methods, Method 326.0, rev. 1.0, "Determination of Inorganic Oxyhalide Disinfection By-Products in Drinking Water Using Ion Chromatography Incorporating the Addition of a Suppressor Acidified Postcolumn Reagent for Trace Bromate Analysis," USEPA, June 2002, EPA 815/R-03/007, referenced in Section 611.381. See also NTIS and USEPA, NSCEP.

USEPA OGWDW Methods, Method 327.0, rev. 1.1, "Determination of Chlorine Dioxide and Chlorite Ion in Drinking Water Using Lissamine Green B and Horseradish Peroxidase with Detection by Visible Spectrophotometry," USEPA, May 2005, EPA 815/R-05/008, referenced in Sections 611.381 and 611.531. See also USEPA, NSCEP.

USEPA OGWDW Methods, Method 334.0, "Determination of Residual in Drinking Water Using an On-line Chlorine Analyzer," USEPA, August 2009, EPA 815/B-09/013, referenced in Section 611.531. See also USEPA, NSCEP.

USEPA OGWDW Methods, Method 515.4, rev. 1.0, "Determination of Chlorinated Acids in Drinking Water by Liquid-Liquid Microextraction, Derivatization and Fast Gas Chromatography with Electron Capture Detection," April 2000, EPA 815/B-00/001 (document file name "met515_4.pdf"), referenced in Section 611.645.

USEPA OGWDW Methods, Method 523, ver. 1.0, "Determination of Triazine Pesticides and Other Degradates in Drinking Water by

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Gas Chromatography/Mass Spectrometry (GC/MS)," February 2011, EPA 815/R-11/002, referenced in Section 611.645. See also USEPA, NSCEP.

USEPA OGWDW Methods, Method 524.3, rev. 1.0, "Measurement of Purgeable Organic Compounds in Water by Capillary Column Gas Chromatography/Mass Spectrometry," June 2009, EPA 815/B-09/009, referenced in Sections 611.381 and 611.645.

USEPA OGWDW Methods, Method 524.4, "Measurement of Purgeable Organic Compounds in Water by Gas Chromatography/Mass Spectrometry Using Nitrogen Purge Gas," May 2013, EPA 815/R-13/002, referenced in Sections 611.381 and 611.645.

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

USEPA OGWDW Methods, Method 536, ver. 1.0, "Determination of Triazine Pesticides and Other Degradates in Drinking Water by Liquid Chromatography Electrospray Ionization Tandem Mass Spectrometry (LC/ESI-MS/MS)," October 2007, EPA 815/R-07/002, referenced in Section 611.645.

USEPA OGWDW Methods, Method 552.3, rev. 1.0, "Determination of Haloacetic Acids and Dalapon in Drinking Water by Liquid-liquid Microextraction, Derivatization, and Gas Chromatography with Electron Capture Detection," USEPA, July 2003, EPA 815/B-03/002, referenced in Sections 611.381 and 611.645.

USEPA OGWDW Methods, Method 557, "Determination of Haloacetic Acids, Bromate, and Dalapon in Drinking Water by Ion Chromatography Electrospray Ionization Tandem Mass

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Spectrometry," July 2003, EPA 815/B-03/002, referenced in Sections 611.381 and 611.645. See also USEPA, NSCEP.

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

USEPA OGWDW Methods, Method 1622 (01), "Method 1622: Cryptosporidium in Water by Filtration/IMS/FA," April 2001, EPA 821/R-01/026, referenced in Section 611.1007. See also USEPA, NSCEP.

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

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

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

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

USEPA OGWDW Methods, Method 1623.1, "Method 1623.1: Cryptosporidium and Giardia in Water by Filtration/IMS/FA," January 2012, EPA 816/R-12/001, referenced in Section 611.1004.

BOARD NOTE: Many of the above-listed documents available from the USEPA, Office of Ground Water and Drinking Water are also listed as available from NTIS.

USEPA, ORD. USEPA, Office of Research and Development, National

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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 NERL Method 200.5, rev. 4.2, "Determination of Trace Elements in Drinking Water by Axially Viewed Inductively Coupled Plasma – Atomic Emission Spectrometry," October 2003, EPA 600/R-06/115, referenced in Sections 611.611 and 611.612.

USEPA NERL Method 415.3, rev. 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, referenced in Section 611.381.

USEPA NERL Method 415.3, rev. 1.2, "Determination of Total Organic Carbon and Specific UV Absorbance at 254 nm in Source Water and Drinking Water," September 2009, EPA 600/R-09/122, referenced in Section 611.381.

USEPA NERL Method 525.3, ver. 1.0, "Determination of Total Semivolatile Organic Chemicals in Drinking Water by Solid Phase Extraction and Capillary Column Gas Chromatography/Mass Spectrometry (GC/MS)," February 2012, EPA 600/R-12/010, referenced in Section 611.645.

USEPA NERL Method 549.2, rev. 1.0, "Determination of Diquat and Paraquat in Drinking Water by Liquid-Solid Extraction and High Performance Liquid Chromatography with Ultraviolet Detection," June 1997, referenced in Section 611.645.

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

E*Colite Test, "Charm E*Colite Presence/Absence Test for Detection and Identification of Coliform Bacteria and Escherichia coli in Drinking Water," January 9, 1998, referenced in Sections 611.802 and 611.1052. See also Charm Sciences, Inc.

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m-ColiBlue24 Test, "Total Coliforms and E. coli Membrane Filtration Method with m-ColiBlue24® Broth," Method No. 10029, rev. 2, August 17, 1999, referenced in Sections 611.802 and 611.1052. See also The Hach Company.

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

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

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

USEPA Method 1604, "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 (accessible on-line and available by download from <http://www.epa.gov/nerlcwww/1604sp02.pdf>), referenced in Sections 611.802 and 611.1052.

USGS. United States Geological Survey, Federal Center, Box 25286, Denver, CO 80225-0425.

Method available upon request by method number from "Methods

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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 (referred to as "USGS Methods").

I-2601-90, referenced in Section 611.611.

Methods available upon request by method number from Book 5, Chapter A-1, "Methods for Determination of Inorganic Substances in Water and Fluvial Sediments," 3rd ed., USGS Techniques of Water-Resource Investigation: 05-A1, 1989 (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-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," 1977.

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.

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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.

BOARD NOTE: USGS methods are freely available for download in an electronic format from the USGS Publications Warehouse, at pubs.er.usgs.gov/. Sections 611.611 and 611.720 do not distinguish the volume in which each USGS method appears. The distinction as to which volume where a particular method appears is made in this incorporation by reference.

Veolia Water Solutions and Technologies, Suite 4697, Biosciences Complex, 116 Barrie Street, Kingston, Ontario, Canada K7L 3N6.

"Tecta EC/TC P-A Test, "[TECTA™ EC/TC medium and the TECTA™ Instrument: a Presence/Absence Method for Simultaneous Detection of Total Coliforms and Escherichia coli \(E. coli\) in Drinking Water](#)," April 2014, referenced in Section 611.526.

Waters Corporation, Technical Services Division, 34 Maple St., Milford, MA 01757 (800-252-4752 or 508-478-2000, www.waters.com).

"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:

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40 CFR 3.2 (2014) (How Does This Part Provide for Electronic Reporting?), referenced in Section 611.105.

40 CFR 3.3 (2014) (What Definitions Are Applicable to This Part?), referenced in Section 611.105.

40 CFR 3.10 (2014) (What Are the Requirements for Electronic Reporting to EPA?), referenced in Section 611.105.

40 CFR 3.2000 (2014) (What Are the Requirements Authorized State, Tribe, and Local Programs' Reporting Systems Must Meet?), referenced in Section 611.105.

40 CFR 136.3(a) (2014), referenced in Section 611.1004.

Appendix B to 40 CFR 136 (2014), referenced in Sections 611.359, 611.609, and 611.646.

40 CFR 142.20(b)(1) (2014), referenced in Section 611.112.

Subpart G of 40 CFR 142 (2014), referenced in Section 611.113.

d) This Part incorporates no later amendments or editions.

(Source: Amended at 39 Ill. Reg. 15352, effective November 13, 2015)

SUBPART B: FILTRATION AND DISINFECTION

Section 611.261 Unfiltered PWSs: Reporting and Recordkeeping

A supplier that uses a surface water source and does not provide filtration treatment must report monthly to the Agency the information specified in this Section beginning December 31, 1990, unless the Agency has determined that filtration is required, in which case the Agency must, by a SEP issued pursuant to Section 611.110, specify alternative reporting requirements, as appropriate, until filtration is in place. A supplier that uses a groundwater source under the direct influence of surface water and does not provide filtration treatment must report monthly to the Agency the information specified in this Section beginning December 31, 1990, or six months after the Agency determines that the groundwater source is under the direct influence of surface

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water, whichever is later, unless the Agency has determined that filtration is required, in which case the Agency must, by a SEP issued pursuant to Section 611.110, specify alternative reporting requirements, as appropriate, until filtration is in place.

- a) Source water quality information must be reported to the Agency within ten days after the end of each month the system serves water to the public. Information that must be reported includes the following:
 - 1) The cumulative number of months for which results are reported.
 - 2) The number of fecal or total coliform samples, whichever are analyzed during the month (if a system monitors for both, only fecal coliforms must be reported), the dates of sample collection, and the dates when the turbidity level exceeded 1 NTU.
 - 3) The number of samples during the month that had equal to or fewer than 20/100 ml fecal coliforms or equal to or fewer than 100/100 ml total coliforms, whichever are analyzed.
 - 4) The cumulative number of fecal or total coliform samples, whichever are analyzed, during the previous six months the system served water to the public.
 - 5) The cumulative number of samples that had equal to or fewer than 20/100 ml fecal coliforms or equal to or fewer than 100/100 ml total coliforms, whichever are analyzed, during the previous six months the system served water to the public.
 - 6) The percentage of samples that had equal to or fewer than 20/100 ml fecal coliforms or equal to or fewer than 100/100 ml total coliforms, whichever are analyzed, during the previous six months the system served water to the public.
 - 7) The maximum turbidity level measured during the month, the dates of occurrence for any measurements that exceeded 5 NTU and the dates the occurrences were reported to the Agency.
 - 8) For the first 12 months of recordkeeping, the dates and cumulative number of events during which the turbidity exceeded 5 NTU, and after one year

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of recordkeeping for turbidity measurements, the dates and cumulative number of events during which the turbidity exceeded 5 NTU in the previous 12 months the system served water to the public.

- 9) For the first 120 months of recordkeeping, the dates and cumulative number of events during which the turbidity exceeded 5 NTU, and after ten years of recordkeeping for turbidity measurements, the dates and cumulative number of events during which the turbidity exceeded 5 NTU in the previous 120 months the system served water to the public.
- b) Disinfection information specified in Section 611.532 must be reported to the Agency within ten days after the end of each month the system serves water to the public. Information that must be reported includes the following:
 - 1) For each day, the lowest measurement of RDC in mg/ℓ in water entering the distribution system.
 - 2) The date and duration of each period when the RDC in water entering the distribution system fell below 0.2 mg/ℓ and when the Agency was notified of the occurrence.
 - 3) The daily RDCs (in mg/ℓ) and disinfectant contact times (in minutes) used for calculating the CT values.
 - 4) If chlorine is used, the daily measurements of pH of disinfected water following each point of chlorine disinfection.
 - 5) The daily measurements of water temperature in degrees C following each point of disinfection.
 - 6) The daily CT_{calc} and A_i values for each disinfectant measurement or sequence and the sum of all A_i values (B) before or at the first customer.
 - 7) The daily determination of whether disinfection achieves adequate Giardia cyst and virus inactivation, i.e., whether A_i is at least 1.0 or, where disinfectants other than chlorine are used, other indicator conditions that the Agency, pursuant to Section 611.241(a)(1), determines are appropriate, are met.

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- 8) The following information on the samples taken in the distribution system in conjunction with total coliform monitoring pursuant to Section 611.240 through 611.242:
- A) Number of instances where the RDC is measured;
 - B) Number of instances where the RDC is not measured but HPC is measured;
 - C) Number of instances where the RDC is measured but not detected and no HPC is measured;
 - D) Number of instances where no RDC is detected and where HPC is greater than 500/ml;
 - E) Number of instances where the RDC is not measured and HPC is greater than 500/ml;
 - F) For the current and previous month the system served water to the public, the value of "V" in the following formula:

$$V = \frac{100(c + d + e)}{(a + b)}$$

where the terms mean the following:

- a = Value in subsection (b)(8)(A) of this Section;
 - b = Value in subsection (b)(8)(B) of this Section;
 - c = Value in subsection (b)(8)(C) of this Section;
 - d = Value in subsection (b)(8)(D) of this Section; and
 - e = Value in subsection (b)(8)(E) of this Section.
- G) The requirements of subsections (b)(8)(A) through (b)(8)(F) of this Section do not apply if the Agency determines, pursuant to Section 611.213, that a system has no means for having a sample analyzed for HPC by a certified laboratory under the requisite time and temperature conditions specified by Section 611.531(a) and that the supplier is providing adequate disinfection in the distribution system.

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- 9) A system need not report the data listed in subsections (b)(1) and (b)(3) through (b)(6) of this Section, if all data listed in subsections (b)(1) through (b)(8) of this Section remain on file at the system, and the Agency determines, by a SEP issued pursuant to Section 611.110, that the following is true:
 - A) The system has submitted to the Agency all the information required by subsections (b)(1) through (b)(8) of this Section for at least 12 months; and
 - B) The Agency has determined that the system is not required to provide filtration treatment.
- c) By October 10 of each year, each system must provide to the Agency a report that summarizes its compliance with all watershed control program requirements specified in Section 611.232(b).
- d) By October 10 of each year, each system must provide to the Agency a report on the on-site inspection conducted during that year pursuant to Section 611.232(c), unless the on-site inspection was conducted by the Agency. If the inspection was conducted by the Agency, the Agency must provide a copy of its report to the supplier.
- e) Reporting health threats.
 - 1) Each system, upon discovering that a waterborne disease outbreak potentially attributable to that water system has occurred, must report that occurrence to the Agency as soon as possible, but no later than by the end of the next business day.
 - 2) If at any time the turbidity exceeds 5 NTU, the system must consult with the Agency as soon as practical, but no later than 24 hours after the ~~exceedance~~~~exceedence~~ is known, in accordance with the public notification requirements under Section 611.903(b)(3).
 - 3) If at any time the RDC falls below 0.2 mg/ℓ in the water entering the distribution system, the system must notify the Agency as soon as possible, but no later than by the end of the next business day. The system

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also must notify the Agency by the end of the next business day whether or not the RDC was restored to at least 0.2 mg/ℓ within four hours.

BOARD NOTE: Derived from 40 CFR 141.75(a) (~~20142003~~).

(Source: Amended at 39 Ill. Reg. 15352, effective November 13, 2015)

Section 611.262 Filtered PWSs: Reporting and Recordkeeping

A supplier that uses a surface water source or a groundwater source under the direct influence of surface water and provides filtration treatment must report monthly to the Agency the information specified in this Section.

- a) Turbidity measurements as required by Section 611.533(a) must be reported within ten days after the end of each month the supplier serves water to the public. Information that must be reported includes the following:
 - 1) The total number of filtered water turbidity measurements taken during the month.
 - 2) The number and percentage of filtered water turbidity measurements taken during the month that are less than or equal to the turbidity limits specified in Section 611.250 for the filtration technology being used.
 - 3) The date and value of any turbidity measurements taken during the month that exceed 5 NTU.

- b) Disinfection information specified in Section 611.533 must be reported to the Agency within ten days after the end of each month the supplier serves water to the public. Information that must be reported includes the following:
 - 1) For each day, the lowest measurement of RDC in mg/ℓ in water entering the distribution system.
 - 2) The date and duration of each period when the RDC in water entering the distribution system fell below 0.2 mg/ℓ and when the Agency was notified of the occurrence.
 - 3) The following information on the samples taken in the distribution system

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in conjunction with total coliform monitoring pursuant to Sections 611.240 through 611.242:

- A) Number of instances where the RDC is measured;
- B) Number of instances where the RDC is not measured but HPC is measured;
- C) Number of instances where the RDC is measured but not detected and no HPC is measured;
- D) Number of instances where no RDC is detected and where HPC is greater than 500/ml;
- E) Number of instances where the RDC is not measured and HPC is greater than 500/ml;
- F) For the current and previous month the supplier serves water to the public, the value of "V" in the following formula:

$$V = \frac{100 (c + d + e)}{(a + b)}$$

where the terms mean the following:

- a = Value in subsection (b)(3)(A) of this Section;
- b = Value in subsection (b)(3)(B) of this Section;
- c = Value in subsection (b)(3)(C) of this Section;
- d = Value in subsection (b)(3)(D) of this Section; and
- e = Value in subsection (b)(3)(E) of this Section.

- G) Subsections (b)(3)(A) through (b)(3)(F) of this Section do not apply if the Agency determines, pursuant to Section 611.213, that a supplier has no means for having a sample analyzed for HPC by a certified laboratory under the requisite time and temperature conditions specified by Section 611.531(a) and that the supplier is providing adequate disinfection in the distribution system.

- c) Reporting health threats.

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- 1) Each supplier, upon discovering that a waterborne disease outbreak potentially attributable to that water system has occurred, must report that occurrence to the Agency as soon as possible, but no later than by the end of the next business day.
- 2) If at any time the turbidity exceeds 5 NTU, the supplier must consult with the Agency as soon as practical, but no later than 24 hours after the ~~exceedance~~~~exceedence~~ is known, in accordance with the public notification requirements under Section 611.903(b)(3).
- 3) If at any time the residual falls below 0.2 mg/ℓ in the water entering the distribution system, the supplier must notify the Agency as soon as possible, but no later than by the end of the next business day. The supplier also must notify the Agency by the end of the next business day whether or not the residual was restored to at least 0.2 mg/ℓ within four hours.

BOARD NOTE: Derived from 40 CFR 141.75(b) (~~2014~~~~2003~~).

(Source: Amended at 39 Ill. Reg. 15352, effective November 13, 2015)

SUBPART G: LEAD AND COPPER

Section 611.351 Applicability of Corrosion Control

- a) Corrosion control required. Suppliers must complete the applicable corrosion control treatment requirements described in Section 611.352 on or before the deadlines set forth in this Section.
 - 1) Large systems. Each large system supplier (one regularly serving more than 50,000 persons) must complete the corrosion control treatment steps specified in subsection (d) of this Section, unless it is deemed to have optimized corrosion control under subsection (b)(2) or (b)(3) of this Section.
 - 2) Medium-sized and small systems. Each small system supplier (one regularly serving 3,300 or fewer persons) and each medium-sized system (one regularly serving more than 3,300 up to 50,000 persons) must

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complete the corrosion control treatment steps specified in subsection (e) of this Section, unless it is deemed to have optimized corrosion control under one of subsections (b)(1), (b)(2), or (b)(3) of this Section.

- b) Suppliers deemed to have optimized corrosion control. A supplier is deemed to have optimized corrosion control, and is not required to complete the applicable corrosion control treatment steps identified in this Section, if the supplier satisfies one of the criteria specified in subsections (b)(1) through (b)(3) of this Section. Any such system deemed to have optimized corrosion control under this subsection, and which has treatment in place, must continue to operate and maintain optimal corrosion control treatment and meet any requirements that the Agency determines are appropriate to ensure optimal corrosion control treatment is maintained.
- 1) Small- or medium-sized system meeting action levels. A small system or medium-sized system supplier is deemed to have optimized corrosion control if the system meets the lead and copper action levels during each of two consecutive six-month monitoring periods with monitoring conducted in accordance with Section 611.356.
 - 2) SEP for equivalent activities to corrosion control. The Agency must, by a SEP issued pursuant to Section 611.110, deem any supplier to have optimized corrosion control treatment if it determines that the supplier has conducted activities equivalent to the corrosion control steps applicable under this Section. In making this determination, the Agency must specify the water quality control parameters representing optimal corrosion control in accordance with Section 611.352(f). A water supplier that is deemed to have optimized corrosion control under this subsection (b)(2) must operate in compliance with the Agency-designated optimal water quality control parameters in accordance with Section 611.352(g) and must continue to conduct lead and copper tap and water quality parameter sampling in accordance with Sections 611.356(d)(3) and 611.357(d), respectively. A supplier must provide the Agency with the following information in order to support an Agency SEP determination under this subsection (b)(2):
 - A) The results of all test samples collected for each of the water quality parameters in Section 611.352(c)(3);

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- B) A report explaining the test methods the supplier used to evaluate the corrosion control treatments listed in Section 611.352(c)(1), the results of all tests conducted, and the basis for the supplier's selection of optimal corrosion control treatment;
 - C) A report explaining how the supplier has installed corrosion control and how the supplier maintains it to insure minimal lead and copper concentrations at consumer's taps; and
 - D) The results of tap water samples collected in accordance with Section 611.356 at least once every six months for one year after corrosion control has been installed.
- 3) Results less than practical quantitation level (PQL) for lead. Any supplier is deemed to have optimized corrosion control if it submits results of tap water monitoring conducted in accordance with Section 611.356 and source water monitoring conducted in accordance with Section 611.358 that demonstrate that for two consecutive six-month monitoring periods the difference between the 90th percentile tap water lead level, computed pursuant to Section 611.350(c)(3), and the highest source water lead concentration is less than the practical quantitation level for lead specified in Section 611.359(a)(1)(B)(i).
- A) Those systems whose highest source water lead level is below the method detection limit (MDL) may also be deemed to have optimized corrosion control under this subsection (b) if the 90th percentile tap water lead level is less than or equal to the PQL for lead for two consecutive six-month monitoring periods.
 - B) Any water system deemed to have optimized corrosion control in accordance with this subsection (b) must continue monitoring for lead and copper at the tap no less frequently than once every three calendar years using the reduced number of sites specified in Section 611.356(c) and collecting the samples at times and locations specified in Section 611.356(d)(4)(D). Any such system that has not conducted a round of monitoring pursuant to Section 611.356(d) since September 30, 1997, must have completed a round of monitoring pursuant to this subsection (b) no later than September 30, 2000.

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- C) Any water system deemed to have optimized corrosion control pursuant to this subsection (b) must notify the Agency in writing pursuant to Section 611.360(a)(3) of any upcoming long-term change in treatment or the addition of a new source, as described in that Section. The Agency must review and approve the addition of a new source or any long-term change in water treatment before the addition or long-term change is implemented by the water system.
 - D) A supplier is not deemed to have optimized corrosion control under this subsection (b), and must implement corrosion control treatment pursuant to subsection (b)(3)(E) of this Section, unless it meets the copper action level.
 - E) Any supplier triggered into corrosion control because it is no longer deemed to have optimized corrosion control under this subsection must implement corrosion control treatment in accordance with the deadlines in subsection (e) of this Section. Any such large system supplier must adhere to the schedule specified in that subsection (e) for a medium-sized system supplier, with the time periods for completing each step being triggered by the date the supplier is no longer deemed to have optimized corrosion control under this subsection (b).
- c) Suppliers not required to complete corrosion control steps for having met both action levels.
- 1) Any small system or medium-sized system supplier, otherwise required to complete the corrosion control steps due to its ~~exceedance~~~~exceedence~~ of the lead or copper action level, may cease completing the treatment steps after the supplier has fulfilled both of the following conditions:
 - A) It has met both the copper action level and the lead action level during each of two consecutive six-month monitoring periods conducted pursuant to Section 611.356; and
 - B) The supplier has submitted the results for those two consecutive six-month monitoring periods to the Agency.

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- 2) A supplier that has ceased completing the corrosion control steps pursuant to subsection (c)(1) of this Section (or the Agency, if appropriate) must resume completion of the applicable treatment steps, beginning with the first treatment step that the supplier previously did not complete in its entirety, if the supplier thereafter exceeds the lead or copper action level during any monitoring period.
 - 3) The Agency may, by SEP, require a supplier to repeat treatment steps previously completed by the supplier where it determines that this is necessary to properly implement the treatment requirements of this Section. Any such SEP must explain the basis for this decision.
 - 4) The requirement for any small- or medium-sized system supplier to implement corrosion control treatment steps in accordance with subsection (e) of this Section (including systems deemed to have optimized corrosion control under subsection (b)(1) of this Section) is triggered whenever any small- or medium-sized system supplier exceeds the lead or copper action level.
- d) Treatment steps and deadlines for large systems. Except as provided in subsections (b)(2) and (b)(3) of this Section, large system suppliers must complete the following corrosion control treatment steps (described in the referenced portions of Sections 611.352, 611.356, and 611.357) on or before the indicated dates.
- 1) Step 1: The supplier must have conducted initial monitoring (Sections 611.356(d)(1) and 611.357(b)) during two consecutive six-month monitoring periods on or before January 1, 1993.
 - 2) Step 2: The supplier must have completed corrosion control studies (Section 611.352(c)) on or before July 1, 1994.
 - 3) Step 3: The Agency must have approved optimal corrosion control treatment (Section 611.352(d)) by a SEP issued pursuant to Section 611.110 on or before January 1, 1995.
 - 4) Step 4: The supplier must have installed optimal corrosion control treatment (Section 611.352(e)) by January 1, 1997.

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- 5) Step 5: The supplier must have completed follow-up sampling (Sections 611.356(d)(2) and 611.357(c)) by January 1, 1998.
 - 6) Step 6: The Agency must have reviewed installation of treatment and approve optimal water quality control parameters (Section 611.352(f)) by July 1, 1998.
 - 7) Step 7: The supplier must operate in compliance with the Agency-specified optimal water quality control parameters (Section 611.352(g)) and continue to conduct tap sampling (Sections 611.356(d)(3) and 611.357(d)).
- e) Treatment steps and deadlines for small- and medium-sized system suppliers. Except as provided in subsection (b) of this Section, small- and medium-sized system suppliers must complete the following corrosion control treatment steps (described in the referenced portions of Sections 611.352, 611.356, and 611.357) by the indicated time periods.
- 1) Step 1: The supplier must conduct initial tap sampling (Sections 611.356(d)(1) and 611.357(b)) until the supplier either exceeds the lead action level or the copper action level or it becomes eligible for reduced monitoring under Section 611.356(d)(4). A supplier exceeding the lead action level or the copper action level must recommend optimal corrosion control treatment (Section 611.352(a)) within six months after the end of the monitoring period during which it exceeds one of the action levels.
 - 2) Step 2: Within 12 months after the end of the monitoring period during which a supplier exceeds the lead action level or the copper action level, the Agency may require the supplier to perform corrosion control studies (Section 611.352(b)). If the Agency does not require the supplier to perform such studies, the Agency must, by a SEP issued pursuant to Section 611.110, specify optimal corrosion control treatment (Section 611.352(d)) within the appropriate of the following timeframes:
 - A) For medium-sized systems, within 18 months after the end of the monitoring period during which such supplier exceeds the lead action level or the copper action level; or

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- B) For small systems, within 24 months after the end of the monitoring period during which such supplier exceeds the lead action level or the copper action level.
- 3) Step 3: If the Agency requires a supplier to perform corrosion control studies under step 2 (subsection (e)(2) of this Section), the supplier must complete the studies (Section 611.352(c)) within 18 months after the Agency requires that such studies be conducted.
- 4) Step 4: If the supplier has performed corrosion control studies under step 2 (subsection (e)(2) of this Section), the Agency must, by a SEP issued pursuant to Section 611.110, approve optimal corrosion control treatment (Section 611.352(d)) within six months after completion of step 3 (subsection (e)(3) of this Section).
- 5) Step 5: The supplier must install optimal corrosion control treatment (Section 611.352(e)) within 24 months after the Agency approves such treatment.
- 6) Step 6: The supplier must complete follow-up sampling (Sections 611.356(d)(2) and 611.357(c)) within 36 months after the Agency approves optimal corrosion control treatment.
- 7) Step 7: The Agency must review the supplier's installation of treatment and, by a SEP issued pursuant to Section 611.110, approve optimal water quality control parameters (Section 611.352(f)) within six months after completion of step 6 (subsection (e)(6) of this Section).
- 8) Step 8: The supplier must operate in compliance with the Agency-approved optimal water quality control parameters (Section 611.352(g)) and continue to conduct tap sampling (Sections 611.356(d)(3) and 611.357(d)).

BOARD NOTE: Derived from 40 CFR 141.81 ([20142013](#)).

(Source: Amended at 39 Ill. Reg. 15352, effective November 13, 2015)

Section 611.357 Monitoring for Water Quality Parameters

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All large system suppliers, and all small- and medium-sized system suppliers that exceed the lead action level or the copper action level, must monitor water quality parameters in addition to lead and copper in accordance with this Section. The requirements of this Section are summarized in Table G of this Part.

- a) General Requirements.
 - 1) Sample collection methods.
 - A) Use of tap samples. The totality of all tap samples collected by a supplier must be representative of water quality throughout the distribution system taking into account the number of persons served, the different sources of water, the different treatment methods employed by the supplier, and seasonal variability. Although a supplier may conveniently conduct tap sampling for water quality parameters at sites used for coliform sampling performed pursuant to Subpart L of this Part, it is not required to do so, and a supplier is not required to perform tap sampling pursuant to this Section at taps targeted for lead and copper sampling under Section 611.356(a).
 - B) Use of entry point samples. Each supplier must collect samples at entry points to the distribution system from locations representative of each source after treatment. If a supplier draws water from more than one source and the sources are combined before distribution, the supplier must sample at an entry point to the distribution system during periods of normal operating conditions (i.e., when water is representative of all sources being used).
 - 2) Number of samples.
 - A) Tap samples. Each supplier must collect two tap samples for applicable water quality parameters during each six-month monitoring period specified under subsections (b) through (e) of this Section from the number of sites indicated in the first column of Table E of this Part.

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- B) Entry point samples.
 - i) Initial monitoring. Except as provided in subsection (c)(3) of this Section, each supplier must collect two samples for each applicable water quality parameter at each entry point to the distribution system during each six-month monitoring period specified in subsection (b) of this Section.
 - ii) Subsequent monitoring. Each supplier must collect one sample for each applicable water quality parameter at each entry point to the distribution system during each six-month monitoring period specified in subsections (c) through (e) of this Section.

- b) Initial Sampling.
 - 1) Large systems. Each large system supplier must measure the applicable water quality parameters specified in subsection (b)(3) of this Section at taps and at each entry point to the distribution system during each six-month monitoring period specified in Section 611.356(d)(1).
 - 2) Small- and medium-sized systems. Each small- and medium-sized system supplier must measure the applicable water quality parameters specified in subsection (b)(3) of this Section at the locations specified in this subsection during each six-month monitoring period specified in Section 611.356(d)(1) during which the supplier exceeds the lead action level or the copper action level.
 - 3) Water quality parameters.
 - A) pH;
 - B) Alkalinity;
 - C) Orthophosphate, when an inhibitor containing a phosphate compound is used;
 - D) Silica, when an inhibitor containing a silicate compound is used;

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- E) Calcium;
 - F) Conductivity; and
 - G) Water temperature.
- c) Monitoring after installation of corrosion control.
- 1) Large systems. Each large system supplier that installs optimal corrosion control treatment pursuant to Section 611.351(d)(4) must measure the water quality parameters at the locations and frequencies specified in subsections (c)(4) and (c)(5) of this Section during each six-month monitoring period specified in Section 611.356(d)(2)(A).
 - 2) Small- and medium-sized systems. Each small- or medium-sized system that installs optimal corrosion control treatment pursuant to Section 611.351(e)(5) must measure the water quality parameters at the locations and frequencies specified in subsections (c)(4) and (c)(5) of this Section during each six-month monitoring period specified in Section 611.356(d)(2)(B) in which the supplier exceeds the lead action level or the copper action level.
 - 3) Any groundwater system can limit entry point sampling described in subsection (c)(2) of this Section to those entry points that are representative of water quality and treatment conditions throughout the system. If water from untreated groundwater sources mixes with water from treated groundwater sources, the system must monitor for water quality parameters both at representative entry points receiving treatment and representative entry points receiving no treatment. Prior to the start of any monitoring under this subsection, the system must provide to the Agency written information identifying the selected entry points and documentation, including information on seasonal variability, sufficient to demonstrate that the sites are representative of water quality and treatment conditions throughout the system.
 - 4) Tap water samples, two samples at each tap for each of the following water quality parameters:

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- A) pH;
 - B) Alkalinity;
 - C) Orthophosphate, when an inhibitor containing a phosphate compound is used;
 - D) Silica, when an inhibitor containing a silicate compound is used; and
 - E) Calcium, when calcium carbonate stabilization is used as part of corrosion control.
- 5) Entry point samples, except as provided in subsection (c)(3) of this Section, one sample at each entry point to the distribution system every two weeks (bi-weekly) for each of the following water quality parameters:
- A) pH;
 - B) When alkalinity is adjusted as part of optimal corrosion control, a reading of the dosage rate of the chemical used to adjust alkalinity, and the alkalinity concentration; and
 - C) When a corrosion inhibitor is used as part of optimal corrosion control, a reading of the dosage rate of the inhibitor used, and the concentration of orthophosphate or silica (whichever is applicable).
- d) Monitoring after the Agency specifies water quality parameter values for optimal corrosion control.
- 1) Large system suppliers. After the Agency has specified the values for applicable water quality control parameters reflecting optimal corrosion control treatment pursuant to Section 611.352(f), each large system supplier must measure the applicable water quality parameters in accordance with subsection (c) of this Section and determine compliance with the requirements of Section 611.352(g) every six months with the first six-month period to begin on either January 1 or July 1, whichever comes first, after the Agency specifies the optimal values under Section 611.352(f).

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- 2) Small- and medium-sized system suppliers. Each small- or medium-sized system supplier must conduct such monitoring during each six-month monitoring period specified in this subsection (d) in which the supplier exceeds the lead action level or the copper action level. For any such small and medium-size system that is subject to a reduced monitoring frequency pursuant to Section 611.356(d)(4) at the time of the action level ~~exceedance~~~~exceedence~~, the start of the applicable six-month monitoring period under this subsection (d) must coincide with the start of the applicable monitoring period under Section 611.356(d)(4).
 - 3) Compliance with Agency-designated optimal water quality parameter values must be determined as specified under Section 611.352(g).
- e) Reduced monitoring.
- 1) Reduction in tap monitoring. A supplier that has maintained the range of values for the water quality parameters reflecting optimal corrosion control treatment during each of two consecutive six-month monitoring periods under subsection (d) of this Section must continue monitoring at the entry points to the distribution system as specified in subsection (c)(4) of this Section. Such a supplier may collect two samples from each tap for applicable water quality parameters from the reduced number of sites indicated in the second column of Table E of this Part during each subsequent six-month monitoring period.
 - 2) Reduction in monitoring frequency.
 - A) Staged reductions in monitoring frequency.
 - i) Annual monitoring. A supplier that maintains the range of values for the water quality parameters reflecting optimal corrosion control treatment specified pursuant to Section 611.352(f) during three consecutive years of monitoring may reduce the frequency with which it collects the number of tap samples for applicable water quality parameters specified in subsection (e)(1) of this Section from every six months to annually. This reduced sampling may only begin during the calendar year immediately following the end of

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the monitoring period in which the third consecutive year of six-month monitoring occurs.

- ii) Triennial monitoring. A supplier that maintains the range of values for the water quality parameters reflecting optimal corrosion control treatment specified pursuant to Section 611.352(f) during three consecutive years of annual monitoring under subsection (e)(2)(A)(i) of this Section may reduce the frequency with which it collects the number of tap samples for applicable water quality parameters specified in subsection (e)(1) of this Section from annually to once every three years. This reduced sampling may only begin no later than the third calendar year following the end of the monitoring period in which the third consecutive year of monitoring occurs.

B) A water supplier may reduce the frequency with which it collects tap samples for applicable water quality parameters specified in subsection (e)(1) of this Section to every three years if it demonstrates that it has fulfilled the conditions set forth in subsections (e)(2)(B)(i) through (e)(2)(B)(iii) of this Section during two consecutive monitoring periods, subject to the limitation of subsection (e)(2)(B)(iv) of this Section.

- i) The supplier must demonstrate that its tap water lead level at the 90th percentile is less than or equal to the PQL for lead specified in Section 611.359(a)(1)(B);
- ii) The supplier must demonstrate that its tap water copper level at the 90th percentile is less than or equal to 0.65 mg/ℓ for copper in Section 611.350(c)(2); and
- iii) The supplier must demonstrate that it also has maintained the range of values for the water quality parameters reflecting optimal corrosion control treatment specified by the Agency under Section 611.352(f).
- iv) Monitoring conducted every three years must be done no later than every third calendar year.

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- 3) A supplier that conducts sampling annually or every three years must collect these samples evenly throughout the calendar year so as to reflect seasonal variability.
- 4) Any supplier subject to a reduced monitoring frequency pursuant to this subsection that fails to operate at or above the minimum value or within the range of values for the water quality parameters specified pursuant to Section 611.352(f) for more than nine days in any six-month period specified in Section 611.352(g) must resume tap water sampling in accordance with the number and frequency requirements of subsection (d) of this Section. Such a system may resume annual monitoring for water quality parameters at the tap at the reduced number of sites specified in subsection (e)(1) of this Section after it has completed two subsequent consecutive six-month rounds of monitoring that meet the criteria of that subsection or may resume monitoring once every three years for water quality parameters at the tap at the reduced number of sites after it demonstrates through subsequent rounds of monitoring that it meets the criteria of either subsection (e)(2)(A) or (e)(2)(B) of this Section.
- f) Additional monitoring by suppliers. The results of any monitoring conducted in addition to the minimum requirements of this Section must be considered by the supplier and the Agency in making any determinations (i.e., determining concentrations of water quality parameters) under this Section or Section 611.352.

BOARD NOTE: Derived from 40 CFR 141.87 [\(2014\)\(2007\)](#), as amended at [72 Fed. Reg. 57782 \(October 10, 2007\)](#).

(Source: Amended at 39 Ill. Reg. 15352, effective November 13, 2015)

Section 611.358 Monitoring for Lead and Copper in Source Water

- a) Sample location, collection methods, and number of samples.
 - 1) A supplier that fails to meet the lead action level or the copper action level on the basis of tap samples collected in accordance with Section 611.356 must collect lead and copper source water samples in accordance with the following requirements regarding sample location, number of samples, and collection methods:

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- A) A groundwater supplier must take a minimum of one sample at every entry point to the distribution system that is representative of each well after treatment (hereafter called a sampling point). The supplier must take one sample at the same sampling point unless conditions make another sampling point more representative of each source or treatment plant.
- B) A surface water supplier must take a minimum of one sample at every entry point to the distribution system after any application of treatment or in the distribution system at a point that is representative of each source after treatment (hereafter called a sampling point). The system must take each sample at the same sampling point unless conditions make another sampling point more representative of each source or treatment plant.

BOARD NOTE: For the purposes of this subsection (a)(1)(B), surface water systems include systems with a combination of surface and ground sources.

- C) If a supplier draws water from more than one source and the sources are combined before distribution, the supplier must sample at an entry point to the distribution system during periods of normal operating conditions (i.e., when water is representative of all sources being used).
- D) The Agency may, by a SEP issued pursuant to Section 611.110, reduce the total number of samples that must be analyzed by allowing the use of compositing. Compositing of samples must be done by certified laboratory personnel. Composite samples from a maximum of five samples are allowed, provided that if the lead concentration in the composite sample is greater than or equal to 0.001 mg/ℓ or the copper concentration is greater than or equal to 0.160 mg/ℓ, then the supplier must do either of the following:
- i) The supplier must take and analyze a follow-up sample within 14 days at each sampling point included in the composite; or

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- ii) If duplicates of or sufficient quantities from the original samples from each sampling point used in the composite are available, the supplier may use these instead of resampling.
- 2) SEP requiring an additional sample.
 - A) When the Agency determines that the results of sampling indicate an ~~exceedance~~~~exceedence~~ of the lead or copper MPC established under Section 611.353(b)(4), it must, by a SEP issued pursuant to Section 611.110, require the supplier to collect one additional sample as soon as possible after the initial sample at the same sampling point, but no later than two weeks after the supplier took the initial sample.
 - B) If a supplier takes an Agency-required confirmation sample for lead or copper, the supplier must average the results obtained from the initial sample with the results obtained from the confirmation sample in determining compliance with the Agency-specified lead and copper MPCs.
 - i) Any analytical result below the MDL must be considered as zero for the purposes of averaging.
 - ii) Any value above the MDL but below the PQL must either be considered as the measured value or be considered one-half the PQL.
- b) Monitoring frequency after system exceeds tap water action level. A supplier that exceeds the lead action level or the copper action level in tap sampling must collect one source water sample from each entry point to the distribution system no later than six months after the end of the monitoring period during which the lead or copper action level was exceeded. For monitoring periods that are annual or less frequent, the end of the monitoring period is September 30 of the calendar year in which the sampling occurs, or if the Agency has established an alternate monitoring period by a SEP issued pursuant to Section 611.110, the last day of that period.
- c) Monitoring frequency after installation of source water treatment. A supplier that

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installs source water treatment pursuant to Section 611.353(a)(3) must collect an additional source water sample from each entry point to the distribution system during each of two consecutive six-month monitoring periods on or before 36 months after completion of step 2, as specified in Section 611.353(a)(4).

- d) Monitoring frequency after the Agency has specified the lead and copper MPCs or has determined that source water treatment is not needed.
- 1) A supplier must monitor at the frequency specified by subsection (d)(1)(A) or (d)(1)(B) of this Section where the Agency has specified the MPCs pursuant to Section 611.353(b)(4) or has determined that the supplier is not required to install source water treatment pursuant to Section 611.353(b)(2).
 - A) GWS suppliers.
 - i) A GWS supplier required to sample by subsection (d)(1) of this Section must collect samples once during the three-year compliance period (as that term is defined in Section 611.101) during which the Agency makes its determination pursuant to Section 611.353(b)(4) or 611.353(b)(2).
 - ii) A GWS supplier required to sample by subsection (d)(1) of this Section must collect samples once during each subsequent compliance period.
 - iii) Triennial samples must be collected every third calendar year.
 - B) A SWS or mixed system supplier must collect samples once during each calendar year, the first annual monitoring period to begin during the year in which the Agency makes its determination pursuant to Section 611.353(b)(4) or 611.353(b)(2).
 - 2) A supplier is not required to conduct source water sampling for lead or copper if the supplier meets the action level for the specific contaminant in all tap water samples collected during the entire source water sampling period applicable under subsection (d)(1)(A) or (d)(1)(B) of this Section.

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- e) Reduced monitoring frequency.
- 1) A GWS supplier may reduce the monitoring frequency for lead and copper in source water to once during each nine-year compliance cycle (as that term is defined in Section 611.101), provided that the samples are collected no later than every ninth calendar year, and only if the supplier meets one of the following criteria:
 - A) The supplier demonstrates that finished drinking water entering the distribution system has been maintained below the maximum permissible lead and copper concentrations specified by the State in Section 611.353(b)(4) during at least three consecutive compliance periods under subsection (d)(1) of this Section; or
 - B) The Agency has determined, by a SEP issued pursuant to Section 611.110, that source water treatment is not needed and the system demonstrates that, during at least three consecutive compliance periods in which sampling was conducted under subsection (d)(1) of this Section, the concentration of lead in source water was less than or equal to 0.005 mg/ℓ and the concentration of copper in source water was less than or equal to 0.65 mg/ℓ.
 - 2) A SWS or mixed system supplier may reduce the monitoring frequency in subsection (d)(1) of this Section to once during each nine-year compliance cycle (as that term is defined in Section 611.101), provided that the samples are collected no later than every ninth calendar year, and only if the supplier meets one of the following criteria:
 - A) The supplier demonstrates that finished drinking water entering the distribution system has been maintained below the maximum permissible lead and copper concentrations specified by the Agency under Section 611.353(b)(4) for at least three consecutive years; or
 - B) The Agency has determined, by a SEP issued pursuant to Section 611.110, that source water treatment is not needed and the supplier demonstrates that, during at least three consecutive years, the concentration of lead in source water was less than or equal to 0.005 mg/ℓ and the concentration of copper in source water was

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less than or equal to 0.65 mg/ℓ.

- 3) A supplier that uses a new source of water is not eligible for reduced monitoring for lead or copper until it demonstrates by samples collected from the new source during three consecutive monitoring periods, of the appropriate duration provided by subsection (d)(1) of this Section, that lead or copper concentrations are below the MPC as specified by the Agency pursuant to Section 611.353(a)(4).

BOARD NOTE: Derived from 40 CFR 141.88 ~~(2014)(2007), as amended at 72 Fed. Reg. 57782 (October 10, 2007).~~

(Source: Amended at 39 Ill. Reg. 15352, effective November 13, 2015)

SUBPART I: DISINFECTANT RESIDUALS, DISINFECTION
BYPRODUCTS, AND DISINFECTION BYPRODUCT PRECURSORS

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

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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

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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.

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- 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 ~~exceedance~~~~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 ~~exceedance~~~~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

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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.

BOARD NOTE: Derived from 40 CFR 141.133 ([20142006](#)).

(Source: Amended at 39 Ill. Reg. 15352, effective November 13, 2015)

SUBPART N: INORGANIC MONITORING AND ANALYTICAL REQUIREMENTS

Section 611.609 Determining Compliance

Compliance with the MCLs of Section 611.300 or 611.301 (as appropriate) must be determined based on the analytical results obtained at each sampling point.

- a) For suppliers that monitor at a frequency greater than annual, compliance with the MCLs for antimony, arsenic, asbestos, barium, beryllium, cadmium, chromium, cyanide, fluoride, mercury, nickel, selenium, or thallium is determined by a running annual average at each sampling point.
 - 1) If the average at any sampling point is greater than the MCL, then the supplier is out of compliance.
 - 2) If any one sample would cause the annual average to be exceeded, then the supplier is out of compliance immediately.
 - 3) Any sample below the method detection limit must be calculated at zero for the purpose of determining the annual average.

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BOARD NOTE: The "method detection limit" is different from the "detection limit," as set forth in Section 611.600. The "method detection limit" is the level of contaminant that can be determined by a particular method with a 95 percent degree of confidence, as determined by the method outlined in appendix B to 40 CFR 136, incorporated by reference at Section 611.102.

- 4) If a system fails to collect the required number of samples, compliance (average concentration) will be based on the total number of samples collected.
- b) For suppliers that monitor annually or less frequently, compliance with the MCLs for antimony, arsenic, asbestos, barium, beryllium, cadmium, chromium, cyanide, fluoride, mercury, nickel, selenium, or thallium is determined by the level of the contaminant at any sampling point. If confirmation samples are required by the Agency, the determination of compliance will be based on the average of the annual average of the initial MCL ~~exceedance~~~~exceedence~~ and any Agency-required confirmation samples. If a supplier fails to collect the required number of samples, compliance (average concentration) will be based on the total number of samples collected.
- c) Compliance with the MCLs for nitrate and nitrite is determined based on one sample if the levels of these contaminants are below the MCLs. If the levels of nitrate or nitrite in the initial sample exceed the MCLs, Section 611.606 requires confirmation sampling, and compliance is determined based on the average of the initial and confirmation samples.
- d) Arsenic sampling results must be reported to the nearest 0.001 mg/ℓ.

BOARD NOTE: Derived from 40 CFR 141.23(i) (~~2014~~~~2012~~).

(Source: Amended at 39 Ill. Reg. 15352, effective November 13, 2015)

SUBPART Q: RADIOLOGICAL MONITORING AND ANALYTICAL REQUIREMENTS

Section 611.732 Beta Particle and Photon Radioactivity

Monitoring and compliance requirements for manmade radioactivity. To determine compliance with the maximum contaminant levels in Section 611.330(d) for beta particle and photon radioactivity, a supplier must monitor at a frequency as follows:

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- a) A CWS supplier (either a surface water or groundwater supplier) designated by the Agency, by a SEP issued pursuant to Section 611.110, as vulnerable must sample for beta particle and photon radioactivity. A supplier must collect quarterly samples for beta emitters and annual samples for tritium and strontium-90 at each entry point to the distribution system (hereafter called a sampling point), beginning within one quarter after being notified by the Agency. A supplier already designated by the Agency must continue to sample until the Agency reviews and either reaffirms or removes the designation, by a SEP issued pursuant to Section 611.110.
- 1) If the gross beta particle activity minus the naturally occurring potassium-40 beta particle activity at a sampling point has a running annual average (computed quarterly) less than or equal to 50 pCi/l (screening level), the Agency may reduce the frequency of monitoring at that sampling point to once every three years. A supplier must collect all samples required in subsection (a) of this Section during the reduced monitoring period.
 - 2) For a supplier in the vicinity of a nuclear facility, the Agency may allow the CWS supplier to utilize environmental surveillance data collected by the nuclear facility in lieu of monitoring at the supplier's entry points, where the Agency determines if such data is applicable to a particular water system, by a SEP issued pursuant to Section 611.110. In the event that there is a release from a nuclear facility, a supplier that is using surveillance data must begin monitoring at the community water supplier's entry points in accordance with subsection (b)(1) of this Section.
- b) A CWS supplier (either a surface water or groundwater supplier) designated by the Agency, by a SEP issued pursuant to Section 611.110, as utilizing waters contaminated by effluents from nuclear facilities must sample for beta particle and photon radioactivity. A supplier must collect quarterly samples for beta emitters and iodine-131 and annual samples for tritium and strontium-90 at each entry point to the distribution system (hereafter called a sampling point), beginning within one quarter after being notified by the Agency. A supplier already designated by the Agency as a supplier using waters contaminated by effluents from nuclear facilities must continue to sample until the Agency reviews and either reaffirms or removes the designation, by a SEP issued pursuant to Section 611.110.

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- 1) Quarterly monitoring for gross beta particle activity must be based on the analysis of monthly samples or the analysis of a composite of three monthly samples.

BOARD NOTE: In corresponding 40 CFR 141.26(b)(2)(i), USEPA recommends the use of a composite of three monthly samples.

- 2) For iodine-131, a composite of five consecutive daily samples must be analyzed once each quarter. The Agency must require, by a SEP issued pursuant to Section 611.110, more frequent monitoring for iodine-131 where iodine-131 is identified in the finished water.
- 3) Annual monitoring for strontium-90 and tritium must be conducted by means of the analysis of a composite of four consecutive quarterly samples or analysis of four quarterly samples.

BOARD NOTE: In corresponding 40 CFR 141.26(b)(2)(iii), USEPA recommends the analysis of four consecutive quarterly samples.

- 4) If the gross beta particle activity minus the naturally occurring potassium-40 beta particle activity at a sampling point has a running annual average (computed quarterly) less than or equal to 15 pCi/l, the Agency may, by a SEP issued pursuant to Section 611.110, reduce the frequency of monitoring at that sampling point to once every three years. The supplier must collect the same type of samples required in subsection (b) of this Section during the reduced monitoring period.
 - 5) For a supplier in the vicinity of a nuclear facility, the Agency may allow the CWS to utilize environmental surveillance data collected by the nuclear facility in lieu of monitoring at the system's entry points, where the Agency determines, by a SEP issued pursuant to Section 611.110, that such data is applicable to the particular water system. In the event that there is a release from a nuclear facility, a supplier that uses such surveillance data must begin monitoring at the CWS's entry points in accordance with subsection (b) of this Section.
- c) A CWS supplier designated by the Agency to monitor for beta particle and photon radioactivity can not apply to the Agency for a waiver from the monitoring frequencies specified in subsection (a) or (b) of this Section.

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- d) A CWS supplier may analyze for naturally occurring potassium-40 beta particle activity from the same or equivalent sample used for the gross beta particle activity analysis. A supplier is allowed to subtract the potassium-40 beta particle activity value from the total gross beta particle activity value to determine if the screening level is exceeded. The potassium-40 beta particle activity must be calculated by multiplying elemental potassium concentrations (in mg/l) by a factor of 0.82.
- e) If the gross beta particle activity minus the naturally occurring potassium-40 beta particle activity exceeds the appropriate screening level, an analysis of the sample must be performed to identify the major radioactive constituents present in the sample and the appropriate doses must be calculated and summed to determine compliance with Section 611.330(d)(1), using the formula in Section 611.330(d)(2). Doses must also be calculated and combined for measured levels of tritium and strontium to determine compliance.
- f) A supplier must monitor monthly at the sampling points that exceeds the maximum contaminant level in Section 611.330(d) beginning the month after the ~~exceedance~~ ~~exceedence~~ occurs. A supplier must continue monthly monitoring until the supplier has established, by a rolling average of three monthly samples, that the MCL is being met. A supplier that establishes that the MCL is being met must return to quarterly monitoring until it meets the requirements set forth in subsection (a)(1) or (b)(4) of this Section.

BOARD NOTE: Derived from 40 CFR 141.26(b) (2014).

(Source: Amended at 39 Ill. Reg. 15352, effective November 13, 2015)

SUBPART R: ENHANCED FILTRATION AND DISINFECTION:
SYSTEMS THAT SERVE 10,000 OR MORE PEOPLE

Section 611.745 Reporting and Recordkeeping Requirements

In addition to the reporting and recordkeeping requirements in Sections 611.261 and 611.262, a PWS supplier subject to the requirements of this Subpart R that provides conventional filtration treatment or direct filtration must report monthly to the Agency the information specified in subsections (a) and (b) of this Section. In addition to the reporting and recordkeeping requirements in Sections 611.261 and 611.262, a PWS supplier subject to the requirements of

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this Subpart R that provides filtration approved under Section 611.743(b) must report monthly to the Agency the information specified in subsection (a) of this Section. The reporting in subsection (a) of this Section is in lieu of the reporting specified in Section 611.262(a).

- a) Turbidity measurements, as required by Section 611.743, must be reported within ten days after the end of each month the system serves water to the public. Information that must be reported is the following:
 - 1) The total number of filtered water turbidity measurements taken during the month.
 - 2) The number and percentage of filtered water turbidity measurements taken during the month that are less than or equal to the turbidity limits specified in Section 611.743(a) or (b).
 - 3) The date and value of any turbidity measurements taken during the month that exceed 1 NTU for a supplier using conventional filtration treatment or direct filtration, or that exceed the maximum level under Section 611.743(b).

- b) A supplier must maintain the results of individual filter monitoring taken under Section 611.744 for at least three years. A supplier must report that it has conducted individual filter turbidity monitoring under Section 611.744 within ten days after the end of each month the system serves water to the public. A supplier must report individual filter turbidity measurement results taken under Section 611.744 within ten days after the end of each month the supplier serves water to the public only if measurements demonstrate one or more of the conditions in subsections (b)(1) through (b)(4) of this Section. A supplier that uses lime softening may apply to the Agency for alternative ~~exceedance~~ ~~exceedence~~ levels for the levels specified in subsections (b)(1) through (b)(4) of this Section if they can demonstrate that higher turbidity levels in individual filters are due to lime carryover only and not due to degraded filter performance.
 - 1) For any individual filter that has a measured turbidity level of greater than 1.0 NTU in two consecutive measurements taken 15 minutes apart, the supplier must report the filter number, the turbidity measurement, and the dates on which the ~~exceedance~~ ~~exceedence~~ occurred. In addition, the supplier must either produce a filter profile for the filter within seven days after the ~~exceedance~~ ~~exceedence~~ (if the supplier is not able to identify an

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obvious reason for the abnormal filter performance) and report that the profile has been produced or report the obvious reason for the [exceedance/exceedence](#).

- 2) For any individual filter that has a measured turbidity level of greater than 0.5 NTU in two consecutive measurements taken 15 minutes apart at the end of the first four hours of continuous filter operation after the filter has been backwashed or otherwise taken offline, the supplier must report the filter number, the turbidity, and the dates on which the [exceedance/exceedence](#) occurred. In addition, the supplier must either produce a filter profile for the filter within seven days after the [exceedance/exceedence](#) (if the supplier is not able to identify an obvious reason for the abnormal filter performance) and report that the profile has been produced or report the obvious reason for the [exceedance/exceedence](#).
 - 3) For any individual filter that has a measured turbidity level of greater than 1.0 NTU in two consecutive measurements taken 15 minutes apart at any time in each of three consecutive months, the supplier must report the filter number, the turbidity measurement, and the dates on which the [exceedance/exceedence](#) occurred. In addition, the supplier must conduct a self-assessment of the filter within 14 days after the [exceedance/exceedence](#) and report that the self-assessment was conducted. The self-assessment must consist of at least the following components: assessment of filter performance; development of a filter profile; identification and prioritization of factors limiting filter performance; assessment of the applicability of corrections; and preparation of a filter self-assessment report.
 - 4) For any individual filter that has a measured turbidity level of greater than 2.0 NTU in two consecutive measurements taken 15 minutes apart at any time in each of two consecutive months, the supplier must report the filter number, the turbidity measurement, and the dates on which the [exceedance/exceedence](#) occurred. In addition, the supplier must arrange for the conduct of a comprehensive performance evaluation by the Agency or a third party approved by the Agency no later than 30 days following the [exceedance/exceedence](#) and have the evaluation completed and submitted to the Agency no later than 90 days following the [exceedance/exceedence](#).
- c) Additional reporting requirements.

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- 1) If at any time the turbidity exceeds 1 NTU in representative samples of filtered water in a system using conventional filtration treatment or direct filtration, the supplier must consult with the Agency as soon as possible, but no later than the end of the next business day.
- 2) If at any time the turbidity in representative samples of filtered water exceeds the maximum level set by the Agency under Section 611.743(b) for filtration technologies other than conventional filtration treatment, direct filtration, slow sand filtration, or diatomaceous earth filtration, the supplier must inform the Agency as soon as possible, but no later than the end of the next business day.

BOARD NOTE: Derived from 40 CFR 141.175 ([20142002](#)).

(Source: Amended at 39 Ill. Reg. 15352, effective November 13, 2015)

SUBPART V: PUBLIC NOTIFICATION OF DRINKING WATER VIOLATIONS

Section 611.901 General Public Notification Requirements

The requirements of this Subpart V replace former notice requirements.

- a) Who must give public notice. Each owner or operator of a public water system (a CWS, an NTNCWS, or a transient non-CWS) must give notice for all violations of an NPDWR and for other situations, as listed in this subsection (a). The term "NPDWR violation" is used in this Subpart V to include violations of an MCL, an MRDL, a treatment technique, monitoring requirements, or a testing procedure set forth in this Part. Appendix G to this Part identifies the tier assignment for each specific violation or situation requiring a public notice.
 - 1) NPDWR violations.
 - A) A failure to comply with an applicable MCL or MRDL.
 - B) A failure to comply with a prescribed treatment technique.
 - C) A failure to perform water quality monitoring, as required by this Part.

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- D) A failure to comply with testing procedures as prescribed by this Part.
- 2) Relief equivalent to a variance and exemptions under sections 1415 and 1416 of SDWA.
- A) Operation under relief equivalent to a SDWA section 1415 variance, under Section 611.111, or a SDWA section 1416 exemption, under Section 611.112.
- B) A failure to comply with the requirements of any schedule that has been set under relief equivalent to a SDWA section 1415 variance, under Section 611.111, or a SDWA section 1415 exemption, under Section 611.112.
- 3) Special public notices.
- A) The occurrence of a waterborne disease outbreak or other waterborne emergency.
- B) An ~~exceedance~~~~exceedence~~ of the nitrate MCL by a non-CWS, where granted permission by the Agency under Section 611.300(d).
- C) ~~The notice required by Section 611.908 for an exceedance~~~~An exceedence~~ of 2 mg/l fluoride (the federal secondary MCL for fluoride (see 40 CFR 143.3))~~standard of Section 611.858.~~
- BOARD NOTE: See the Board Note appended to Section 611.908 for explanation.
- D) The availability of unregulated contaminant monitoring data collected as required by USEPA pursuant to 40 CFR 141.40.
- E) Other violations and situations determined by the Agency by a SEP issued pursuant to Section 611.110 to require a public notice under this Subpart V, not already listed in Appendix G of this Part.

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- b) The type of public notice required for each violation or situation. The public notice requirements of this Subpart V are divided into three tiers, to take into account the seriousness of the violation or situation and of any potential adverse health effects that may be involved. The public notice requirements for each violation or situation listed in subsection (a) of this Section are determined by the tier to which it is assigned. This subsection (b) provides the definition of each tier. Appendix G of this Part identifies the tier assignment for each specific violation or situation.
- 1) Tier 1 public notice: required for NPDWR violations and situations with significant potential to have serious adverse effects on human health as a result of short-term exposure.
 - 2) Tier 2 public notice: required for all other NPDWR violations and situations with potential to have serious adverse effects on human health.
 - 3) Tier 3 public notice: required for all other NPDWR violations and situations not included in Tier 1 and Tier 2.
- c) Who must receive notice.
- 1) Each PWS supplier must provide public notice to persons served by the water supplier, in accordance with this Subpart V. A PWS supplier that sells or otherwise provides drinking water to another PWS supplier (i.e., to a consecutive system) is required to give public notice to the owner or operator of the consecutive system; the consecutive system supplier is responsible for providing public notice to the persons it serves.
 - 2) If a PWS supplier has a violation in a portion of the distribution system that is physically or hydraulically isolated from other parts of the distribution system, the Agency may allow the system to limit distribution of the public notice to only persons served by that portion of the system that is out of compliance. Permission by the Agency for limiting distribution of the notice must be granted in writing, by a SEP issued pursuant to Section 611.110.
 - 3) A copy of the notice must also be sent to the Agency, in accordance with the requirements under Section 611.840(d).

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BOARD NOTE: Derived from 40 CFR 141.201 (2014).

(Source: Amended at 39 Ill. Reg. 15352, effective November 13, 2015)

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. The violation categories include:
 - 1) Until March 31, 2016, 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). Beginning April 1, 2016, violation of the MCL for E. coli (as specified in Section 611.325(c)).
 - 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 ~~exceedance~~ ~~exceedence~~ of the nitrate or nitrite MCL, as specified in Section 611.606(b).
 - 3) ~~Exceedance~~ ~~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 ~~exceedance~~ ~~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.

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- 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 ~~exceedance~~exceedence of the maximum allowable turbidity limit (as identified in Appendix G), where the Agency determines after consultation that a Tier 1 notice is required or where consultation does not take place within 24 hours after the supplier learns of the violation.
 - 7) Occurrence of a waterborne disease outbreak, as defined in Section 611.101, or other waterborne emergency (such as a failure or significant interruption in key water treatment processes, a natural disaster that disrupts the water supply or distribution system, or a chemical spill or unexpected loading of possible pathogens into the source water that significantly increases the potential for drinking water contamination).
 - 8) Detection of E. coli, enterococci, or coliphage in source water samples, as specified in Section 611.802(a) and (b).
 - 9) Other violations or situations with significant potential to have serious adverse effects on human health as a result of short-term exposure, as determined by the Agency by a SEP issued pursuant to Section 611.110.
- b) When the Tier 1 public notice is to be provided. Additional steps required. A PWS supplier must do the following:
- 1) It must provide a public notice as soon as practical but no later than 24 hours after the supplier learns of the violation;
 - 2) It must initiate consultation with the Agency as soon as practical, but no later than 24 hours after the PWS supplier learns of the violation or situation, to determine additional public notice requirements; and
 - 3) It must comply with any additional public notification requirements (including any repeat notices or direction on the duration of the posted notices) that are established as a result of the consultation with the Agency. Such requirements may include the timing, form, manner, frequency, and content of repeat notices (if any) and other actions

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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 (~~2014~~2013).

(Source: Amended at 39 Ill. Reg. 15352, effective November 13, 2015)

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.

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- 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 or treatment technique violation under the Total Coliform Rule or Subpart AA of this Part 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.

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- 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 ~~exceedance~~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

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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 ([20142013](#)).

(Source: Amended at 39 Ill. Reg. 15352, effective November 13, 2015)

Section 611.904 Tier 3 Public Notice: Form, Manner, and Frequency of Notice

- a) Violations or situations that require a Tier 3 public notice. This subsection (a) lists the violation categories and other situations requiring a Tier 3 public notice. Appendix G of this Part identifies the tier assignment for each specific violation or situation.
 - 1) Monitoring violations under this Part, 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 2 notice is required;

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- 2) Failure to comply with a testing procedure established in this Part, 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 2 notice is required;
- 3) Operation under relief equivalent to a SDWA section 1415 variance granted under Section 611.111 or relief equivalent to a SDWA section 1416 exemption granted under Section 611.112;
- 4) Availability of unregulated contaminant monitoring results, as required under Section 611.907;
- 5) ~~The notice for an exceedance~~Exceedence of 2 mg/l fluoride (the federal secondary MCL standard for fluoride (see 40 CFR 143.3))~~under Section 611.858~~, as required under Section 611.908; and

BOARD NOTE: See the Board Note appended to Section 611.908 for explanation.

- 6) Reporting and recordkeeping violations under Subpart AA of this Part.
- b) When the Tier 3 public notice is to be provided.
- 1) A PWS supplier must provide the public notice not later than one year after the supplier learns of the violation or situation or begins operating under relief equivalent to a SDWA section 1415 variance or section 1416 exemption. Following the initial notice, the supplier must repeat the notice annually for as long as the violation, relief equivalent to a SDWA section 1415 variance or section 1416 exemption, or other situation persists. If the public notice is posted, the notice must remain in place for as long as the violation, relief equivalent to a SDWA section 1415 variance or section 1416 exemption, or other situation persists, but in no case less than seven days (even if the violation or situation is resolved).
 - 2) Instead of individual Tier 3 public notices, a PWS supplier may use an annual report detailing all violations and situations that occurred during the previous twelve months, as long as the timing requirements of subsection (b)(1) of this Section are met.

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- c) The form and manner of the Tier 3 public notice. A PWS supplier must provide the initial 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 by a SEP issued pursuant to Section 611.110 in writing, 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 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 the following: 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 or on the Internet; or delivery to community organizations.
 - 2) Unless directed otherwise by the Agency by a SEP issued pursuant to Section 611.110 in writing, a non-CWS supplier must provide notice by the following:
 - 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 supplier, if they would not normally be reached by the notice required in subsection (c)(2)(A) of this Section. Such

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persons may include those who may not see a posted notice because the 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).

- d) When the Consumer Confidence Report may be used to meet the Tier 3 public notice requirements. For a CWS supplier, the Consumer Confidence Report (CCR) required under Subpart U of this Part may be used as a vehicle for the initial Tier 3 public notice and all required repeat notices, as long as the following is true:
- 1) The CCR is provided to persons served no later than 12 months after the supplier learns of the violation or situation as required under Section 611.904(b);
 - 2) The Tier 3 notice contained in the CCR follows the content requirements under Section 611.905; and
 - 3) The CCR is distributed following the delivery requirements under Section 611.904(c).

BOARD NOTE: Derived from 40 CFR 141.204 (~~2014~~2013).

(Source: Amended at 39 Ill. Reg. 15352, effective November 13, 2015)

Section 611.908 Special Notice for ~~Exceedance~~Exceedence of the Fluoride Secondary Standard

- a) When to give special notice. A CWS supplier that exceeds the federal fluoride secondary ~~MCL standard (SMCL)~~ of 2 mg/ℓ (see 40 CFR 143.3), ~~as specified in Section 611.858~~ (determined by the last single sample taken in accordance with Section 611.603), but does not exceed the maximum contaminant level (MCL) of 4 mg/ℓ for fluoride (as specified in Section 611.301), must provide the public notice in subsection (c) of this Section to persons served. Public notice must be provided as soon as practical but no later than 12 months from the day the supplier learns of the ~~exceedance~~exceedence. A copy of the notice must also be sent to all new billing units and new customers at the time service begins and to

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the Department of Public Health. The PWS supplier must repeat the notice at least annually for as long as the SMCL is exceeded. If the public notice is posted, the notice must remain in place for as long as the fluoride SMCL is exceeded, but in no case less than seven days (even if the ~~exceedance~~~~exceedence~~ is eliminated). On a case-by-case basis, the Agency may require an initial notice sooner than 12 months and repeat notices more frequently than annually.

BOARD NOTE: The federal regulations provide at 40 CFR 143.1 that secondary MCLs relate to the aesthetic qualities of water; they are not enforceable standards. The National Primary Drinking Water Regulations, however, include an enforceable requirement, at corresponding 40 CFR 141.208, that requires public notice upon exceedance of the secondary MCL for fluoride.

- b) The form and manner of a special notice. The form and manner of the public notice (including repeat notices) must follow the requirements for a Tier 3 public notice in Section 611.904(c), (d)(1), and (d)(3).
- c) Mandatory language in a special notice. The notice must contain the following language, including the language necessary to fill in the blanks:

This is an alert about your drinking water and a cosmetic dental problem that might affect children under nine years of age. At low levels, fluoride can help prevent cavities, but children drinking water containing more than 2 milligrams per liter (mg/l) of fluoride may develop cosmetic discoloration of their permanent teeth (dental fluorosis). The drinking water provided by your community water system (name) has a fluoride concentration of (insert value) mg/l. Dental fluorosis, in its moderate or severe forms, may result in a brown staining or pitting of the permanent teeth. This problem occurs only in developing teeth, before they erupt from the gums. Children under nine should be provided with alternative sources of drinking water or water that has been treated to remove the fluoride to avoid the possibility of staining and pitting of their permanent teeth. You may also want to contact your dentist about proper use by young children of fluoride-containing products. Older children and adults may safely drink the water.

Drinking water containing more than 4 mg/l of fluoride (the USEPA's drinking water standard) can increase your risk of developing bone disease. Your drinking water does not contain more than 4 mg/l of

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fluoride, but we're required to notify you when we discover that the fluoride levels in your drinking water exceed 2 mg/ℓ because of this cosmetic dental problem.

For more information, please call (name of water system contact) of (name of community water system) at (phone number). Some home water treatment units are also available to remove fluoride from drinking water. To learn more about available home water treatment units, you may call NSF International at 1-877-8-NSF-HELP.

BOARD NOTE: Derived from 40 CFR 141.208 (~~20142002~~).

(Source: Amended at 39 Ill. Reg. 15352, effective November 13, 2015)

Section 611.909 Special Notice for Nitrate ~~Exceedances~~Exceedences above the MCL by a Non-Community Water System

- a) When the special notice is to be given. The owner or operator of a non-CWS supplier granted permission by the Agency under Section 611.300(d) to exceed the nitrate MCL must provide notice to persons served according to the requirements for a Tier 1 notice under Section 611.902(a) and (b).
- b) The form and manner of the special notice. A non-CWS supplier granted permission by the Agency to exceed the nitrate MCL under Section 611.300(d) must provide continuous posting of the fact that nitrate levels exceed 10 mg/ℓ and the potential health effects of exposure, according to the requirements for Tier 1 notice delivery under Section 611.902(c) and the content requirements under Section 611.905.

BOARD NOTE: Derived from 40 CFR 141.209 (~~20142002~~).

(Source: Amended at 39 Ill. Reg. 15352, effective November 13, 2015)

**SUBPART X: ENHANCED FILTRATION AND DISINFECTION –
SYSTEMS SERVING FEWER THAN 10,000 PEOPLE**

Section 611.956 Individual Filter Turbidity Requirements

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- a) **Applicability.** A Subpart B system supplier that serves fewer than 10,000 persons and utilizing conventional filtration or direct filtration must conduct continuous monitoring of turbidity for each individual filter in a supplier's system. The following requirements apply to continuous turbidity monitoring:
- 1) Monitoring must be conducted using an approved method in Section 611.531;
 - 2) Calibration of turbidimeters must be conducted using procedures specified by the manufacturer;
 - 3) Results of turbidity monitoring must be recorded at least every 15 minutes;
 - 4) Monthly reporting must be completed according to Section 611.957(a); and
 - 5) Records must be maintained according to Section 611.957(b).
- b) **Failure of turbidity monitoring equipment.** If there is a failure in the continuous turbidity monitoring equipment, the supplier must conduct grab sampling every four hours in lieu of continuous monitoring until the turbidimeter is back on-line. The supplier has 14 days to resume continuous monitoring before a violation is incurred.
- c) **Special requirements for systems with two or fewer filters.** If a supplier's system only consists of two or fewer filters, the supplier may conduct continuous monitoring of combined filter effluent turbidity in lieu of individual filter effluent turbidity monitoring. Continuous monitoring must meet the same requirements set forth in subsections (a)(1) through (a)(4) and (b) of this Section.
- d) **Follow-up action.** Follow-up action is required according to the following requirements:
- 1) If the turbidity of an individual filter (or the turbidity of combined filter effluent (CFE) for a system with two filters that monitor CFE in lieu of individual filters) exceeds 1.0 NTU in two consecutive recordings 15 minutes apart, the supplier must report to the Agency by the 10th of the following month and include the filter numbers, corresponding dates,

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turbidity values that exceeded 1.0 NTU, and the cause (if known) for the ~~exceedances~~exceedences.

- 2) If a supplier was required to report to the Agency for three months in a row and turbidity exceeded 1.0 NTU in two consecutive recordings 15 minutes apart at the same filter (or CFE for systems with two filters that monitor CFE in lieu of individual filters), the supplier must conduct a self-assessment of the filters within 14 days of the day on which the filter exceeded 1.0 NTU in two consecutive measurements for the third straight month, unless a CPE, as specified in subsection (d)(3) of this Section, was required. A supplier that has a system with two filters that monitor CFE in lieu of individual filters must conduct a self-assessment on both filters. The self-assessment must consist of at least the following components: assessment of filter performance, development of a filter profile, identification and prioritization of factors limiting filter performance, assessment of the applicability of corrections, and preparation of a filter self-assessment report.
- 3) If a supplier was required to report to the Agency for two months in a row and turbidity exceeded 2.0 NTU in two consecutive recordings 15 minutes apart at the same filter (or CFE for systems with two filters that monitor CFE in lieu of individual filters), the supplier must arrange to have a comprehensive performance evaluation (CPE) conducted by the Agency or a third party approved by the Agency not later than 60 days following the day the filter exceeded 2.0 NTU in two consecutive measurements for the second straight month. If a CPE has been completed by the Agency or a third party approved by the Agency within the 12 prior months or the system and Agency are jointly participating in an ongoing comprehensive technical assistance (CTA) project at the system, a new CPE is not required. If conducted, a CPE must be completed and submitted to the Agency no later than 120 days following the day the filter exceeded 2.0 NTU in two consecutive measurements for the second straight month.
- e) Special individual filter monitoring for a lime-softening system. If a supplier's system utilizes lime softening, the supplier may apply to the Agency for alternative turbidity ~~exceedance~~exceedence levels for the levels specified in subsection (d) of this Section. The supplier must be able to demonstrate to the Agency that higher turbidity levels are due to lime carryover only, and not due to degraded filter performance.

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BOARD NOTE: Derived from 40 CFR 141.560 through 141.564 (2014).

(Source: Amended at 39 Ill. Reg. 15352, effective November 13, 2015)

SUBPART Y: STAGE 2 DISINFECTION BYPRODUCTS REQUIREMENTS

Section 611.976 Operational Evaluation Levels

- a) A supplier has exceeded the operational evaluation level at any monitoring location where the sum of the two previous quarters' TTHM results plus twice the current quarter's TTHM result, divided by four to determine an average, exceeds 0.080 mg/ℓ, or where the sum of the two previous quarters' HAA5 results plus twice the current quarter's HAA5 result, divided by four to determine an average, exceeds 0.060 mg/ℓ.
- b) Effects of exceeding the operational evaluation level.
 - 1) If a supplier exceeds the operational evaluation level, the supplier must conduct an operational evaluation and submit a written report of the evaluation to the Agency no later than 90 days after being notified of the 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 ~~exceedances~~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 ~~exceedance~~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

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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 ([20142006](#)).

(Source: Amended at 39 Ill. Reg. 15352, effective November 13, 2015)

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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.

Contaminant	MCL/MRDL/TT violations ²		Monitoring & testing procedure violations	
	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

1a. Total coliform bacteria, until March 31, 2016	2	611.325(a)	3	611.521-611.525
1b. Total coliform (TT violations resulting from failure to perform assessments or corrective actions, monitoring violations, and reporting violations), beginning April 1, 2016	2	611.1060(b)(1)	3	611.1060(c)(1) 611.1060(d)(1)
1c. Seasonal system failure to follow State-approved start-up plan prior to serving water to the public or failure to provide certification to the Agency, beginning April 1, 2016	2	611.1060(b)(2)	3	611.1060(d)(3)
2a. Fecal coliform/E. coli, until March 31, 2016	1	611.325(b)	⁴ 1, 3	611.525
2b. E. coli (MCL, monitoring, and reporting violations), beginning April 1, 2016	1	611.1060(a)	3	611.1060(c) 611.1060(d)(2)

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2c. E. coli (TT violations resulting from failure to perform Level 2 assessments or corrective action), beginning April 1, 2016	2	611.1060(b)(1)		
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 exceedance 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 exceedance 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 exceedance 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

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10. LT2ESWTR violations	2	611.1010- 611.1020	¹⁹ 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	611.301(b)	3	611.601, 611.603
3. Asbestos (fibers greater than 10 μ m)	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

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11. Nitrate	1	611.301(b)	⁸ 1, 3	611.600, 611.601, 611.604, 611.606
12. Nitrite	1	611.301(b)	⁸ 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
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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

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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

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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	¹¹ 611.312(b)	3	Subparts W and Y of this Part
2. Haloacetic Acids (HAA5)	2	611.312(b)	3	Subpart Y of this Part
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 ¹² , 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	¹³ 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)

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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: ¹⁴

A. Unregulated contaminants	N/A	N/A	3	as required by USEPA pursuant to 40 CFR 141.40
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	¹⁵ 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, ¹⁶ 611.111, 611.112	N/A	N/A

IV. Other Situations Requiring Public Notification.

A. Fluoride secondary maximum contaminant level (SMCL) <u>exceedance</u> exceedence	3	611.858	N/A	N/A
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B. Exceedance 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	as required by USEPA pursuant to 40 CFR 141.40	N/A	N/A
D. Waterborne disease outbreak	1	611.101, 611.233(b)(2)	N/A	N/A
E. Other waterborne emergency ¹⁷	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. Other situations as determined by the Agency by a SEP issued pursuant to Section 611.110	¹⁸ 1, 2, 3	N/A	N/A	N/A

Appendix G – Endnotes

- 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).
- Definition of the abbreviations used: "MCL" means maximum contaminant level, "MRDL" means maximum residual disinfectant level, and "TT" means treatment technique.
- 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.

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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 ~~exceedance~~exceedence of a maximum turbidity limit under the Surface Water Treatment Rule (SWTR), the Interim Enhanced Surface Water Treatment Rule (IESWTR), or the Long Term 1 Enhanced Surface Water Treatment Rule are required to consult with the Agency within 24 hours after learning of the violation. Based on this consultation, the Agency may subsequently decide to issue a SEP pursuant to Section 611.110 that elevates the violation to a Tier 1 violation. If a supplier is unable to make contact with the Agency in the 24-hour period, the violation is automatically elevated to a Tier 1 violation.
7. The Surface Water Treatment Rule (SWTR) remains in effect for a supplier that serves at least 10,000 persons; the Interim Enhanced Surface Water Treatment Rule adds additional requirements and does not in many cases supercede the SWTR.
8. 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.
9. 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.
10. A Subpart B community or non-transient non-community system supplier must comply with new DBP MCLs, disinfectant MRDLs, and related monitoring requirements. A Subpart B transient non-community system supplier that serves 10,000 or more persons that uses chlorine dioxide as a disinfectant or oxidant or a Subpart B transient non-community system supplier that serves fewer than 10,000 persons, which uses only groundwater not under the direct influence of surface water, and which uses chlorine dioxide as a disinfectant or oxidant must comply with the chlorine dioxide MRDL.

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11. 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).
12. 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.
13. 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.
14. Some water suppliers must monitor for certain unregulated contaminants as required by USEPA pursuant to 40 CFR 141.40.
15. 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...."
16. 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.
17. 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.
18. 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].

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19. 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 A to Subpart Q to 40 CFR 141 (2014).

(Source: Amended at 39 Ill. Reg. 15352, effective November 13, 2015)

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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, until March 31, 2016	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, until March 31, 2016	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.

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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.
1e. Subpart Y Coliform Assessment and/or Corrective Action Violations, beginning April 1, 2016	N/A	TT	Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially harmful, waterborne pathogens may be present or that a potential pathway exists through which contamination may enter the drinking water distribution system. We found coliforms indicating the need to look for potential problems in water treatment or distribution. When this occurs, we are required to conduct assessments to identify problems and to correct any problems that are found. (The system must use the following applicable sentences:) We failed to conduct the required assessment. We failed to correct all identified sanitary defects that were found during the assessment(s).

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1f. Subpart Y E. coli Assessment and/or Corrective Action Violations, beginning April 1, 2016	N/A	TT	<p>E. coli are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Human pathogens in these wastes can cause short-term effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a greater health risk for infants, young children, the elderly, and people with severely compromised immune systems. We violated the standard for E. coli, indicating the need to look for potential problems in water treatment or distribution. When this occurs, we are required to conduct a detailed assessment to identify problems and to correct any problems that are found. (The system must use the following applicable sentences:)</p> <p>We failed to conduct the required assessment.</p> <p>We failed to correct all identified sanitary defects that were found during the assessment that we conducted.</p>
1g. E. coli, beginning April 1, 2016	Zero	See footnote 22	<p>E. coli are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Human pathogens in these wastes can cause short-term effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a greater health risk for infants, young children, the elderly, and people with severely compromised immune systems.</p>

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1h. Subpart Y Seasonal System TT Violations, beginning April 1, 2016	N/A	TT	When this violation includes the failure to monitor for total coliforms or E. coli prior to serving water to the public, the mandatory language found at Section 611.905(d)(2) must be used. When this violation includes failure to complete other actions, the appropriate elements found in Section 611.905(a) to describe the violation must be used.
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.

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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.

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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	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 ¹¹	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.

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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.

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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 ¹²	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.

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24. Copper	1.3	TT ¹³	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.

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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.

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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.

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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. Hexachlorocyclopentadiene	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.

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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.

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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.

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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.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

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.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

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 ¹⁴	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 ¹⁵	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.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

H. Disinfection Byproducts (DBPs), Byproduct Precursors, and Disinfectant Residuals: Where disinfection is used in the treatment of drinking water, disinfectants combine with organic and inorganic matter present in water to form chemicals called disinfection byproducts (DBPs). USEPA sets standards for controlling the levels of disinfectants and DBPs in drinking water, including trihalomethanes (THMs) and haloacetic acids (HAA5) ¹⁶			
80. Total trihalomethanes (TTHMs)	N/A	0.080 ^{17,18}	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 ¹⁹	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.

POLLUTION CONTROL BOARD

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84. Chlorine	4 (MRDLG) ²⁰	4.0 (MRDL) ²¹	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.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

<p>85a. Chlorine dioxide, where any two consecutive daily samples taken at the entrance to the distribution system are above the MRDL</p>	<p>0.8 (MRDLG)</p>	<p>0.8 (MRDL)</p>	<p>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.</p> <p>Add for public notification only: The chlorine dioxide violations reported today are the result of exceedances 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.</p>
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POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

<p>86a. Chlorine dioxide, where one or more distribution system samples are above the MRDL</p>	<p>0.8 (MRDLG)</p>	<p>0.8 (MRDL)</p>	<p>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.</p> <p>Add for public notification only: The chlorine dioxide violations reported today include exceedances 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.</p>
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POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

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

POLLUTION CONTROL BOARD

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than 40 samples per month, no more than one sample per month may be positive for total coliforms.

4. There are various regulations that set turbidity standards for different types of systems, including Section 611.320, the 1989 Surface Water Treatment Rule (SWTR), the 1998 Interim Enhanced Surface Water Treatment Rule (IESWTR), and the 2002 Long Term 1 Enhanced Surface Water Treatment Rule (LT1ESWTR). The MCL for the monthly turbidity average is 1 NTU; the MCL for the 2-day average is 5 NTU for a supplier that is required to filter but has not yet installed filtration (Section 611.320).
5. "NTU" means nephelometric turbidity unit.
6. There are various regulations that set turbidity standards for different types of systems, including Section 611.320, the 1989 SWTR, the 1998 IESWTR, and the 2002 LT1ESWTR. A supplier subject to the SWTR (both filtered and unfiltered) may not exceed 5 NTU. In addition, in filtered systems, 95 percent of samples each month must not exceed 0.5 NTU in systems using conventional or direct filtration and must not exceed 1 NTU in systems using slow sand or diatomaceous earth filtration or other filtration technologies approved by the Agency.
7. "TT" means treatment technique.
8. There are various regulations that set turbidity standards for different types of systems, including Section 611.320, the 1989 SWTR, the 1998 IESWTR, and the 2002 LT1ESWTR. For a supplier subject to the IESWTR (a supplier that serves 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.

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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 ~~exceedances~~ ~~exceedences~~ may use the health effects language for turbidity instead.
11. Millions of fibers per liter.
12. Action Level = 0.015 mg/ℓ.
13. Action Level = 1.3 mg/ℓ.
14. Millirems per year.
15. Picocuries per liter.
16. A surface water system supplier or a groundwater system supplier under the direct influence of surface water is regulated under Subpart B of this Part. A Subpart B community water system supplier or a non-transient non-community system supplier must comply with Subpart I DBP MCLs and disinfectant maximum residual disinfectant levels (MRDLs). A Subpart B transient non-community system supplier that uses chlorine dioxide as a disinfectant or oxidant must comply with the chlorine dioxide MRDL.
17. 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.
18. The MCL for total trihalomethanes is the sum of the concentrations of the individual trihalomethanes.
19. The MCL for haloacetic acids is the sum of the concentrations of the individual haloacetic acids.
20. "MRDLG" means maximum residual disinfectant level goal.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

21. "MRDL" means maximum residual disinfectant level.
22. The supplier is in compliance unless one of the following conditions occurs: (1) the supplier's system has an E. coli-positive repeat sample following a total coliform-positive routine sample; (2) the supplier's system has a total coliform-positive repeat sample following an E. coli-positive routine sample; (3) the supplier fails to take all required repeat samples following an E. ~~coli-positive~~colipositive routine sample; or (4) the supplier fails to test for E. coli when any repeat sample tests positive for total coliform.

BOARD NOTE: Derived from appendix B to subpart Q to 40 CFR 141 (~~2014~~2013).

(Source: Amended at 39 Ill. Reg. 15352, effective November 13, 2015)

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF AGENCY RESPONSE
TO THE JOINT COMMITTEE ON ADMINISTRATIVE RULES
OBJECTION ON EMERGENCY RULEMAKING

- 1) Agency: Department of Healthcare and Family Services
- 2) Heading of the Part: Medical Payment
- 3) Code Citation: 89 Ill. Adm. Code 140
- 4)

<u>Section Numbers</u> :	<u>Proposed Actions</u> :
140.492	Amendment
140.493	Amendment
- 5) Date Notice of Emergency Amendment published in the *Illinois Register*: July 24, 2015;
39 Ill. Reg. 10427
- 6) Date JCAR Statement of Objection published in the *Illinois Register*: August 28, 2015;
39 Ill. Reg. 12029
- 7) Summary of Action Taken by the Agency: At its August 11, 2015 meeting, the Joint Committee on Administrative Rules considered the above-cited rulemaking and issued an objection to the use of emergency rulemaking because it believes the Department has not shown the existence of any situation warranting the use of emergency rulemaking.

The Department disagrees with the basis of the objection issued by the Joint Committee on Administrative Rules and believes that the emergency rulemaking complies with the definition of "emergency" in 5 ILCS 100/5-45(a).

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF AGENCY RESPONSE
TO THE JOINT COMMITTEE ON ADMINISTRATIVE RULES
OBJECTION ON EMERGENCY RULEMAKING

- 1) Agency: Department of Healthcare and Family Services
- 2) Heading of the Part: Hospital Services
- 3) Code Citation: 89 Ill. Adm. Code 148
- 4) Section Number: 148.299 Proposed Action:
Amendment
- 5) Date Notice of Emergency Amendment published in the *Illinois Register*: July 24, 2015;
39 Ill. Reg. 10453
- 6) Date JCAR Statement of Objection published in the *Illinois Register*: August 28, 2015;
39 Ill. Reg. 12030
- 7) Summary of Action Taken by the Agency: At its August 11, 2015 meeting, the Joint Committee on Administrative Rules considered the above-cited rulemaking and issued an objection to the use of emergency rulemaking because it believes the Department has not shown the existence of any situation warranting the use of emergency rulemaking.

The Department disagrees with the basis of the objection issued by the Joint Committee on Administrative Rules and believes that the emergency rulemaking complies with the definition of "emergency" in 5 ILCS 100/5-45(a).

ILLINOIS RACING BOARD

NOTICE OF AGENCY RESPONSE TO AN OBJECTION OF THE
JOINT COMMITTEE ON ADMINISTRATIVE RULES

- 1) Heading of the Part: Entries, Subscriptions, and Declarations
- 2) Code Citation: 11 Ill. Adm. Code 1413
- 3)

<u>Section Numbers</u> :	<u>Proposed Actions</u> :
1413.130	Repealed
1413.138	Repealed
- 4) Date Notice of Proposed Amendments published in the *Illinois Register*: July 24, 2015;
39 Ill. Reg. 10465
- 5) Date JCAR Statement of Objection published in the *Illinois Register*: August 28, 2015;
39 Ill. Reg. 12033
- 6) Summary of Action Taken by the Agency: At its meeting on August 11, 2015, the Joint Committee on Administrative Rules objected to the emergency rulemaking because the emergency amendments could have had a negative impact on Illinois businesses that own, breed, and train thoroughbred horses. JCAR advised the Board that every effort should be made to avoid the unnecessary use of emergency rulemaking.

Agency Response: The Board used emergency rulemaking to repeal Sections 1413.130 and 1413.138 for two reasons. If permanent rulemaking was used, JCAR approval would not have happened until after the conclusion of the Arlington Park thoroughbred race meet on September 30, 2015. Secondly, numerous factors (e.g. higher purses at competing racetracks and a shortage of racehorses) have contributed to a significant decline in wagering, resulting in loss revenue to the State of Illinois. In the future, the Board agrees to be more judicious when using emergency rulemaking.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received during the period of November 10, 2015 through November 16, 2015. The rulemakings are scheduled for review at the Committee's December 15, 2015 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start of First Notice</u>	<u>JCAR Meeting</u>
12/23/15	<u>Chief Procurement Officer for Public Institutions of Higher Education</u> , Chief Procurement Officer for Public Institutions of Higher Education Standard Procurement (44 Ill. Adm. Code 4)	6/26/15 39 Ill. Reg. 8481	12/15/15
12/24/15	<u>Department of Natural Resources</u> , Regulations for the Letting of Concessions, Farm Leases, Sale of Buildings and Facilities, and Demolitions (17 Ill. Adm. Code 150)	9/18/15 39 Ill. Reg. 12719	12/15/15
12/24/15	<u>Department of Natural Resources</u> , White-Tailed Deer Hunting by Use of Bow and Arrow (17 Ill. Adm. Code 670)	9/18/15 39 Ill. Reg. 12723	12/15/15
12/26/15	<u>Secretary of State</u> , Procedures and Standards (92 Ill. Adm. Code 1001)	8/21/15 39 Ill. Reg. 11689	12/15/15

ILLINOIS ADMINISTRATIVE CODE
Issue Index - With Effective Dates

Rules acted upon in Volume 39, Issue 48 are listed in the Issues Index by Title number, Part number, Volume and Issue. Inquiries about the Issue Index may be directed to the Administrative Code Division at (217) 782-7017/18.

PROPOSED RULES

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ADOPTED RULES

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