



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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DOUGLAS P. SCOTT, DIRECTOR

217/782-5544

November 25, 2008

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
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Ms. Linda Holst
Water Division, Water Quality Branch, Chief
United States Environmental Protection Agency Region 5
77 W. Jackson Blvd. (WQ-16J)
Chicago, Illinois 60604-3590

Subject: Formal Submission of State Regulations 35 Ill. Adm. Code Parts 302, 309, 405, 406, and 407

Dear Ms. Holst:

The Illinois Environmental Protection Agency ("Illinois EPA") is pleased to formally submit its amendment to the State of Illinois' water quality standards pertaining to Sulfate and Total Dissolved Solids for U. S. EPA review and approval. The Illinois EPA proposed these amendments to the existing Illinois Pollution Control Board ("Board") regulations, 35 Ill. Adm. Code 302.102, 302.208, 309.103, 405.109, 406.100, 406.203 and 407. These regulations were published for first notice on October 5, 2007 at 28 Ill. Reg. 13624. The final rules were published on September 19, 2008 at 30 Ill. Reg. 14978 with an effective date of September 8, 2008.

The following information may be helpful to you in your review of the enclosed materials. The Illinois EPA proposed revisions to 35 Ill. Adm. Code 302.102, 302.208, 309.103, 405.109 406.100, 406.203 and 407 to the Board on October 18, 2006, docketed as R07-009. On November 27, 2006, the Board filed a request to Department of Commerce and Economic Opportunity for an Economic Impact Study. The Board held two hearings on the proposal. The first hearing was held in Springfield on March 7, 2007, and the second in Chicago on April 23, 2007. The Board issued its First Notice Opinion on September 20, 2007. On October 2, 2007, the Joint Committee on Administrative Rules ("JCAR") filed a request for analysis of the economic and budgetary effects of this rulemaking. On May 1, 2008, the Board adopted a proposed second notice to allow for

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comments on changes to the first notice proposal proposed at second notice. On June 19, 2008, the Board adopted the rule for second notice and filed the rule with JCAR. On August 19, 2008, JCAR voted a certificate of no objection to the rule.

The Board received numerous public comments and testimony from representative groups and the Illinois EPA. On September 4, 2008, the Board adopted the final amendments to the rule.

This submission includes:

- Copies of the *Illinois Register* publications of the proposed and adopted regulations;
- A copy of the Illinois EPA's Regulatory Proposal, dated October 18, 2006;
- A copy of the Board's acceptance for hearing, first notice opinion, second first-notice opinion, second notice opinion and adopting opinion in R07-009, which detail the rulemaking process and which responds to comments made during first notice;
- A copy of the public notices for the hearings in R07-009;
- Copies of the transcripts of the two hearings in R07-009.

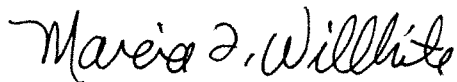
Copies of other comments and additional information can be found at the Board's website at:

<http://www.ipcb.state.il.us/cool/external/CaseView2.asp?referer=coolsearch&case=R2007-009>.

The Certification of the Attorney General will be submitted to you under a separate cover.

The Illinois EPA wishes to thank your office for its assistance in developing this revision to the State's water quality standards.

Sincerely,



Marcia T. Willhite, Chief
Bureau of Water

Enclosures

Submission of State Regulations 35 Ill. Adm. Code 302.102, 302.208, 309.103, 405.109
406.100, 406.203 and 407

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bcc: Marcia Willhite
Sanjay Sofat
Bob Mosher
Scott Phillips
Debbie Williams
Jerry Kuhn

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