**Section 691.105 Participation in the Program**

a) Notification and Participation

1) No later than 90 days before the beginning of a new program participation period, the Agency will notify each community water supply of the new participation period dates and the supply's options for participation in the Program during the State's program participation period. This Agency notification will:

A) inform the community water supply of the fee for Program participation that has been determined as provided in Subpart B of this Part; and

B) define the beginning and ending of the community water supply's program participation period.

2) Within 45 days after issuance of notice under subsection (a)(1), each community water supply must indicate its intention to participate in the Program during the State's program participation period by notifying the Agency, using the election form provided by the Agency.

3) Community water supplies that do not submit an election form under subsection (a)(2) or (b)(1) must have their drinking water analyses performed by a certified laboratory operated by an entity other than the Agency.

b) Notification and Nonparticipation

1) Any community water supply electing to not participate in the Program during the State's program participation period must notify the Agency, using the election form provided by the Agency, within 45 days after issuance of the notice under subsection (a)(1).

2) Community water supplies that do not submit an election form under subsection (a)(2) or (b)(1) must have their drinking water analyses performed by a certified laboratory operated by an entity other than the Agency.

c) No Program participation fee shall be due from any community water supply that duly notifies the Agency of its nonparticipation as required by subsection (b)(1).

d) If the community water supply declares its nonparticipation in the Program, fails to pay the required fees, or does not submit an election form under subsection (a)(2) or (b)(1), the Agency shall not perform any laboratory testing for the supply during the Program participation period unless the services are otherwise paid for.

e) *Community water supplies that choose not to participate in the laboratory fee program, do not pay the fees*, or do not return the election form, *shall have the duty to analyze all drinking water samples as required by State or federal safe drinking water regulations established after enactment of the federal Safe Drinking Water Act Amendments of 1986.* (Section 17.7 of the Act).

(Source: Amended at 47 Ill. Reg. 418, effective December 29, 2022)