



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

SB3070

Introduced 2/8/2010, by Sen. Pamela J. Althoff

#### SYNOPSIS AS INTRODUCED:

415 ILCS 5/17.10 new

Amends the Environmental Protection Act. Provides that if a carcinogenic volatile organic compound is detected in the finished water of a community water system at a certain level, then the owner or operator of that system must submit a response plan that meets certain requirements to the Illinois Environmental Protection Agency. Requires the Agency to approve, and the owner or operator to implement, the plan. Upon completion of the plan, requires the owner or operator to submit a response completion report to the Agency. Provides that any action taken by the Agency to disapprove or modify a plan or report may be appealed to the Illinois Pollution Control Board. Defines "carcinogen", "community water system", "finished water", "maximum contaminant level", "method detection limit", and "volatile organic compound". Effective immediately.

LRB096 17183 JDS 32522 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

FISCAL NOTE ACT  
MAY APPLY

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Environmental Protection Act is amended by  
5 adding Section 17.10 as follows:

6 (415 ILCS 5/17.10 new)

7 Sec. 17.10. Carcinogenic volatile organic compounds in  
8 community water systems.

9 (a) (1) Findings. The General Assembly finds that  
10 carcinogenic volatile organic compounds have been detected in a  
11 number of community water systems in this State. The General  
12 Assembly further finds that it is in the best interest of the  
13 people of the State of Illinois to require owners and operators  
14 of community water systems to remove carcinogenic volatile  
15 organic compounds from finished water before their maximum  
16 contaminant levels are exceeded.

17 (2) Purpose. The purpose of this Section is to prevent  
18 carcinogenic volatile organic compounds from exceeding their  
19 maximum contaminant levels in the finished water of community  
20 water systems by requiring owners and operators of community  
21 water systems to take appropriate action when carcinogenic  
22 volatile organic compounds are detected in finished water.

23 (b) For purposes of this Section:

1           (1) "Carcinogen" means carcinogen as defined in  
2           Section 58.2 of this Act.

3           (2) "Community water system", "finished water",  
4           "maximum contaminant level", "method detection limit", and  
5           "volatile organic compound" shall have the meanings  
6           ascribed to them in rules adopted by the Board at Part 611  
7           of Title 35 of the Illinois Administrative Code.

8           (c) If a carcinogenic volatile organic compound is detected  
9           in the finished water of a community water system at a  
10           concentration that equals or exceeds 50 percent of the  
11           carcinogenic volatile organic compound's maximum contaminant  
12           level, the owner or operator of the community water system  
13           must, within 45 days, submit to the Agency a response plan  
14           designed to (i) prevent an exceedence of the maximum  
15           contaminant level in the finished water and (ii) reduce the  
16           concentration of the carcinogenic volatile organic compound so  
17           that it does not exceed the applicable method detection limit  
18           in the finished water.

19           (1) Upon Agency approval of the plan, with or without  
20           modifications, the owner or operator of the community water  
21           system must implement the plan. The owner or operator must  
22           submit status reports on the plan's implementation in  
23           accordance with a schedule approved by the Agency. Upon  
24           completion of the plan the owner or operator must submit to  
25           the Agency for review and approval a response completion  
26           report.

1           (2) Any action by the Agency to disapprove or modify a  
2           plan or report required under this Section shall be subject  
3           to appeal to the Board in accordance with the procedures of  
4           Section 40 of this Act.

5           Section 99. Effective date. This Act takes effect upon  
6           becoming law.