

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

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

1 finished water.

2 (b) For purposes of this Section:

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

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

10 (c) If a carcinogenic volatile organic compound is detected
11 in the finished water of a community water system at a
12 concentration that equals or exceeds 50 percent of the
13 carcinogenic volatile organic compound's maximum contaminant
14 level and the Agency issues a notice under subdivision
15 (a) (2) (B) of Section 25d-3 of this Act based on the presence of
16 the carcinogenic volatile organic compound, the owner or
17 operator of the community water system shall, within 45 days
18 after the date the Agency issues the notice under subdivision
19 (a) (2) (B) of Section 25d-3 of this Act, submit to the Agency a
20 response plan designed to (i) prevent an exceedence of the
21 maximum contaminant level in the finished water and (ii) reduce
22 the concentration of the carcinogenic volatile organic
23 compound so that it does not exceed the applicable method
24 detection limit in the finished water. The response plan shall
25 also include periodic sampling designed to measure and verify
26 the effectiveness of the response plan.

1 (1) Upon Agency approval of the plan, with or without
2 modifications, the owner or operator of the community water
3 system shall implement the plan. In approving, modifying,
4 or denying a plan required under this Section, the Agency
5 shall take into account the technical feasibility and
6 economic reasonableness of the plan and any modification to
7 the plan. The owner or operator shall submit status reports
8 on the plan's implementation in accordance with a schedule
9 approved by the Agency. Upon completion of the plan the
10 owner or operator shall submit to the Agency for review and
11 approval a response completion report.

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

16 (d) (1) No person required to submit a response plan under
17 subsection (c) of this Section shall fail to submit the plan in
18 accordance with the requirements of subsection (c).

19 (2) No person required to implement a response plan
20 under subdivision (c) (1) of this Section shall fail to
21 implement the plan in accordance with the requirements of
22 subdivision (c) (1).

23 (3) No person required to submit a status report or a
24 response completion report under subdivision (c) (1) of this
25 Section shall fail to submit the report in accordance with
26 the requirements of subdivision (c) (1).

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.