

TITLE 32: ENERGY
CHAPTER II: ILLINOIS EMERGENCY MANAGEMENT AGENCY
SUBCHAPTER b: RADIATION PROTECTION

PART 336
FEES FOR ANALYTICAL TESTING OF COMMUNITY
DRINKING WATER SUPPLY SAMPLES FOR RADIONUCLIDES

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AUTHORITY: Implementing and authorized by Section 2005-40 of the Civil Administrative Code of Illinois [20 ILCS 2005/2005-40].

SOURCE: Adopted by emergency rule at 25 Ill. Reg. 10233, effective August 1, 2001, for a maximum of 150 days; adopted at 25 Ill. Reg. 14877, effective October 30, 2001; recodified from the Department of Nuclear Safety to the Illinois Emergency Management Agency at 27 Ill. Reg. 13641; amended at 28 Ill. Reg. 6436, effective April 14, 2004; amended at 32 Ill. Reg. 2585, effective February 4, 2008.

Section 336.10 Purpose and Scope

- a) Under the provisions of 20 ILCS 2005/2005-40, the Illinois Emergency Management Agency (Agency) is authorized to analyze community drinking water samples for radionuclides and is authorized to assess a reasonable fee for such services. The Agency's laboratory is certified by the U.S. Environmental Protection Agency (USEPA) to conduct such analyses for compliance with the Safe Drinking Water Act (42 USC 300f, et seq.). This Part sets forth the procedure for requesting analytical services and the fees that the Agency charges for providing analytical services.
- b) Participation in the Agency's testing program is open to Illinois community water supplies for those samples required for compliance with Illinois Pollution Control Board drinking water regulations (35 Ill. Adm. Code Subtitle F). The fee schedule found in Section 336.70 of this Part is effective January 1, 2008.

(Source: Amended at 32 Ill. Reg. 2585, effective February 4, 2008)

Section 336.20 Incorporations by Reference

All rules, standards and guidelines of agencies of the State of Illinois, United States, or nationally recognized organizations or associations that are incorporated by reference in this Part are incorporated as of the date specified. Copies of these rules, standards and guidelines that have been incorporated by reference are available for public inspection at the Illinois Emergency Management Agency, 1035 Outer Park Drive, Springfield, Illinois.

(Source: Amended at 28 Ill. Reg. 6436, effective April 14, 2004)

Section 336.30 Definitions

- a) *"Community water supply" means a public water supply which serves or is intended to serve at least 15 service connections used by residents or regularly serves at least 25 residents. [415 ILCS 5/3.145]*
- b) "New community water supply" means a community water supply that begins operation on or after January 1, 2008.
- c) "New sampling point" means a sampling point that was not in existence or in use at the time a community water supply committed to participate in the Agency's testing program.
- d) "Properly certified operator" means an operator certified in accordance with the Public Water Supply Operations Act [415 ILCS 45].
- e) "Sampling point" refers to either a point in the distribution system or a finished water entry point where drinking water samples are collected.

(Source: Amended at 32 Ill. Reg. 2585, effective February 4, 2008)

Section 336.40 Procedures for Requesting Testing Services and Payment of Fee

- a) The Agency shall send to all participating community water supplies a notice indicating the testing category to which their sampling points have been assigned by Illinois Environmental Protection Agency (IEPA) and the fee that would apply beginning January 1, 2008.
- b) New community water supplies that commit to participate in the Agency's testing program will automatically be assigned to Category RDS and shall pay the fee specified in Section 336.70 of this Part.
- c) A community water supply that chooses to participate in the Agency's testing program must commit in writing to participate in the program for the next sampling quarter.

- d) A community water supply that commits to participate must sign the prescribed commitment form provided and return it to the Agency at least 30 days prior to the date that a test needs to be conducted.
- e) A community water supply that commits to participate in the Agency's testing program and returns the signed form to the Agency shall be billed the appropriate fee by the Agency. The Agency reserves the right to not perform any tests on samples submitted until the fee is paid.
- f) All fees are to be paid on a quarterly basis.

(Source: Amended at 32 Ill. Reg. 2585, effective February 4, 2008)

Section 336.50 Community Water Supply Testing Categories

For the purposes of this Part, the following testing categories shall initially be assigned to community water supplies based on drinking water testing results on file at IEPA as of November 16, 2007.

Category	Service
4109	Gross alpha analysis
4006	Total uranium analysis
4010	Radium-226 and radium-228 analysis
RDS	Gross alpha, radium-226 and radium-228 analysis
RDU	Gross alpha, radium-226, radium-228 and total uranium analysis

AGENCY NOTE: If gross alpha result is greater than 15 pCi/L, IEPA requires an additional total uranium analysis (4006).

(Source: Amended at 32 Ill. Reg. 2585, effective February 4, 2008)

Section 336.55 Changes to Community Water Supply Testing Categories

- a) IEPA will monitor the performance of each community water system on a quarterly basis. IEPA may direct changes in the tests to be required on the basis of past performance, and notify the community water supply and IEMA. IEMA will bill the correct fee for the new category during the next quarter.
- b) Community water systems that want to change from composite to quarterly radium analysis and/or total uranium analysis should notify IEPA. Upon approval by IEPA, the category will be changed for the next quarter and the appropriate new fee will be billed.

(Source: Added at 28 Ill. Reg. 6436, effective April 14, 2004)

Section 336.60 New Sampling Points for Existing Community Water Supplies

A community water supply that adds one or more new sampling points after committing to participate in the Agency's testing program will need the services described in Section 336.50 and shall pay the required fee for the new sampling points as described in Section 336.70 of this Part. The required fee must be paid before the Agency will test samples for a new sampling point.

(Source: Amended at 28 Ill. Reg. 6436, effective April 14, 2004)

Section 336.70 Testing Fees

- a) Community water supplies that choose to participate in the Agency's testing program shall pay a single fee per sampling point to cover testing costs.
- b) Fees shall be assessed as follows:

Category	Quarterly Fee per Sampling Point
4109	\$65
4006	\$110
4010	\$345
RDS	\$400
RDU	\$500

- c) The Agency will provide all required sample containers and analyze all samples required for compliance with federal radiological drinking water testing requirements over the fee period.

(Source: Amended at 32 Ill. Reg. 2585, effective February 4, 2008)

Section 336.80 Conditions

Water samples must be collected by employees or agents of a community water supply under the direction of a properly certified operator. Samples submitted shall be in the Agency's supplied container. Samples not submitted in accordance with the Agency's supplied instructions will not be tested, and resampling will be required. Upon completion of analytical work, the Agency will send the results directly to the IEPA, thereby fulfilling the reporting requirement of a participating community water supply. The Agency will also send a copy of the results to the community water supply.

(Source: Amended at 28 Ill. Reg. 6436, effective April 14, 2004)