**Section 611.923 40/30 Certification**

a) Eligibility. A supplier was eligible for 40/30 certification if it had no TTHM or HAA5 monitoring violations under Subpart I and no individual sample exceeded 0.040 mg/L for TTHM or 0.030 mg/L for HAA5 during an eight consecutive calendar quarter period implementing this Subpart W. Eligibility for 40/30 certification required eight consecutive calendar quarters of Subpart I compliance monitoring results, unless the supplier was on reduced monitoring under Subpart I and needed not monitor. If the supplier did not monitor, the supplier was to base its eligibility on compliance samples during the preceding 12 months.

BOARD NOTE: Implementing this Subpart W occurred in stages from October 1, 2006 through October 1, 2014. The monitoring for 40/30 certification began either January 2004 or January 2005, depending on population served and other factors. See 40 CFR 141.600(c) and 141.603(a). The Board removed the now-obsolete implementation dates.

b) 40/30 Certification

1) A supplier was to certify to the Agency that no compliance sample under Subpart I during the applicable period under subsection (a) exceeded 0.040 mg/L for TTHM or 0.030 mg/L for HAA5, and the supplier had no TTHM or HAA5 monitoring violations during the period under subsection (a).

2) The Agency could require the supplier to submit compliance monitoring results, distribution system schematics, or recommended Subpart Y compliance monitoring locations in addition to the supplier's certification. If the supplier failed to submit the Agency-requested information, the Agency could require standard monitoring under Section 611.921 or a system-specific study under Section 611.922.

3) The Agency could still require standard monitoring under Section 611.921 or a system-specific study under Section 611.922 even if the supplier met the criteria in subsection (a).

4) The supplier was to retain a complete copy of its certification under this Section for ten years after submitting it to the Agency. The supplier was to make the certification, all data upon which it based the certification, and any Agency notification available for Agency or public review.

BOARD NOTE: This Section derives from 40 CFR 141.603. Although this Section is an implementing provision with compliance deadlines long past, the Board removed the obsolete compliance dates but retained the rule in past-tense to avoid a gap in the Illinois rules.

(Source: Amended at 47 Ill. Reg. 16486, effective November 2, 2023)