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# Environmental Register

January 2009 - Number 655

The Environmental Register is a Publication of the Illinois Pollution Control Board

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G. Tanner Girard, Acting Chairman

Board Members:

Thomas E. Johnson, Andrea S. Moore, Shundar Lin, and Gary Blankenship

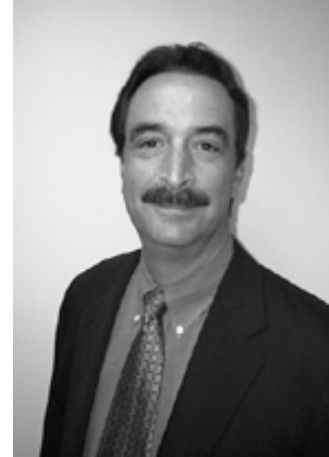
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# Letter from the Chairman

During December and January, the Board made progress in a number of rulemaking dockets. Below, I've summarized that recent activity. As always, information about these proceedings and the Board's other cases is available through the Clerk's Office Online (COOL) through our Web site at [www.ipcb.state.il.us](http://www.ipcb.state.il.us).



**R06-20, Proposed Amendments to the Board's Special Waste Regulations**

**Concerning Used Oil, 35 Ill. Adm. Code 808, 809.** The Board on May 1, 2008, issued its first notice opinion and order (32 Ill. Reg. 8085 (May 30, 2008)) and on July 10, 2008, granted a motion to hold an additional hearing, which took place on October 1, 2008. During December and January, the Board received post-hearing comments and responses to those comments.

**R07-19, Section 27 Proposed Rules for Nitrogen Oxide (NO<sub>x</sub>) Emissions from Stationary Reciprocating Internal Combustion Engines and Turbines:**

**Amendment to 35 Ill. Adm. Code Parts 211 and 217.** The Board on September 16, 2008, issued its first notice opinion and order (32 Ill. Reg. 17035 (Oct. 31, 2008)). On December 23, 2008, the Board extended the deadline for filing comments on the first-notice proposal to February 2, 2009.

**R08-9, Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System and the Lower Des Plaines River: Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303, and 304.**

On December 2 and 3, 2008, the Board held the 21st and 22nd days of hearing on this proposal to amend the Board's rules for Secondary Contact and Indigenous Aquatic Life Uses. In addition, the Board scheduled additional hearing dates on February 17 and 18, 2009.

**R08-17, In the Matter of Standards and Limitations for Organic Material Emissions for Area Sources:**

**Proposed New 35 Ill. Adm. Code 223.** The Board on October 16, 2008, issued its first notice opinion and order (32 Ill. Reg. 17301 (Nov. 7, 2008)). During December, the Board received a number of comments regarding that proposal.

**R08-19, In the Matter of Nitrogen Oxides Emissions from Various Source Categories, Amendments to 35 Ill.**

**Adm. Code Parts 211 and 217.** The Board held the second hearing on this proposal on December 9 and 10, 2008, in Chicago and also scheduled the third hearing for February 3, 2009, in Edwardsville.

**R09-9, In the Matter of: Proposed Amendments to Tiered Approach to Corrective Action Objectives (35 Ill.**

**Adm. Code 742).** The Board held the first hearing on this proposal on January 27, 2009, in Springfield and will hold the second hearing on March 17, 2009, in Chicago.

**R09-10, In the Matter of Amendments to 35 Ill. Adm. Code 225: Control of Emissions from Large**

**Combustion Sources (Mercury Monitoring).** The Board held the first hearing on the proposal on December 17, 2008, in Springfield. The Board also rescheduled the second hearing to take place on February 10, 2009, in Chicago.

**R09-19, In the Matter of Air Quality Standards Clean Up: Amendments to 35 Ill. Adm. Code 243.**

In an order dated December 18, 2008, the Board accepted for hearing this proposal filed by the Illinois Environmental Protection Agency. The Board also scheduled one hearing to take place on March 10, 2009, in Chicago, and will schedule a second hearing.

The Board welcomes citizen participation in environmental rulemaking. More information can be found on our website at [www.ipcb.state.il.us](http://www.ipcb.state.il.us).

Sincerely,

A handwritten signature in black ink that reads "G. Tanner Girard". The signature is written in a cursive, flowing style.

Dr. G. Tanner Girard

## Inside This Issue:

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## Appellate Update

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### **Third District Affirms Board Affirmance of Permit Denial in Peoria Disposal Company v. Illinois Pollution Control Board and Illinois Environmental Protection Agency, No. 3-08-0030 (Jan. 20, 2009) (affirming Board’s order affirming permit denial in PCB 08-25 (Jan. 10, 2008))**

In a January 20, 2009 order, the Third District Appellate Court upheld the Board’s decision to affirm the denial of a permit. Peoria Disposal Company v. Illinois Pollution Control Board and County of Peoria, No. 3-08-0030 (Third Dist. Jan 10, 2009) (Peoria Disposal (Third Dist.)). The court’s ruling was an unpublished order, issued under Illinois Supreme Court Rule 23 (166 Ill.2d R.23).

In its order, the Board had affirmed the denial by the Illinois Environmental Protection Agency (IEPA) of a permit modification sought by Peoria Disposal Company (PDC) to expand the PDC No. 1 Landfill in Peoria County. Peoria Disposal Company v. Illinois Environmental Protection Agency, PCB 08-25 (Jan 10, 2008) (Peoria Disposal, PCB 08-25). PDC sought modification of the hazardous waste permit issued by IEPA in 1987 to implement Part B of the federal Resource Conservation and Recovery Act of 1976 (RCRA Subtitle C) (42 U.S.C. §§ 6901 et seq. (2005)); the permit is sometimes called a “RCRA Part B” permit. The IEPA denied the permit modification under Section 39(c) of the Environmental Protection Act (Act), 415 ILCS 5/39 (c) (2006). IEPA’s stated grounds were that PDC had failed to submit proof of local government site location suitability approval (by Peoria County) of the expansion required under Section 39.2 of the Act. 415 ILCS 5/39.2 (2006).

Resolution of the issues presented involved interpretation of several of the Act’s provisions, including definitions of “generator” in Section 3. 205 and “pollution control facility” and the various exemptions from that definition as stated in Section 3.330 of the Act. 415 ILCS 5/3.330 (2006). The Third District Appellate Court order concluded that “IEPA and the Board correctly determined that PDC must demonstrate proof of local siting approval before PDC could receive a permit modifying its existing permit to expand the horizontal and vertical boundaries of the existing landfill.” Peoria Disposal (Third Dist.), Order at 21.

#### Stipulated Facts Concerning the PDC Facility and Permit History

The Board’s resolution of the appeal is contained in the 32-page opinion and order issued in January, 2008. As recited there, the parties had stipulated to all salient facts of the permit chronology involved in PDC’s appeal. Peoria Disposal, PCB 08-25, slip op. at 2-7.

As summarized by the Third District in its opinion, in 1987, IEPA granted PDC a RCRA hazardous waste permit to operate a waste stabilization facility and landfill in Peoria County. In 2006, PDC filed an application with the Peoria County Board for siting approval of an expansion of the hazardous waste landfill. PDC proposed to expand the landfill vertically by 44 feet and horizontally by 8.2 acres. The landfill expansion would be used to dispose of approximately 2.4 million tons of hazardous waste residue resulting from PDC’s treatment of its customers’ hazardous wastes at the stabilization facility. Peoria Disposal (Third Dist.), Order at 2.

On May 3, 2006, the Peoria County Board denied PDC’s application for siting approval of a landfill expansion, a decision which PDC appealed to the Board. *Id.* The Board upheld the Peoria County Board’s denial and PDC appealed to the Third District Appellate Court. While that appeal “was still unresolved at the time the parties filed their briefs in this pending appeal,” the court noted that it had “confirmed” the decision of the Board, citing Peoria Disposal Company v. Illinois Pollution Control Bd., \_\_\_ Ill. App. 3d \_\_\_, 896 N. Ed. Ed 460 (3rd Dist. 2008). Peoria Disposal (Third Dist.), Order at 3 and n.1. (As reported in the related story immediately below, the Supreme Court subsequently denied PDC’s petition for leave to appeal the siting denial.

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While the appeal of the siting denial was still pending before the Third District Appellate Court, PDC submitted an application to IEPA, seeking to modify PDC's RCRA Part B permit. Through the application for permit modification, PDC asked IEPA to

grant PDC the right to operate a proposed, expanded residual waste landfill [RWL] in the exact same location utilizing the precise vertical and horizontal expanded dimensions previously denied for siting approval by the County, and affirmed by the Board. Peoria Disposal (Third Dist.), Order at 3.

On August 30, 2007, IEPA denied PDC's permit application because PDC's application did not include proof of local siting approval under Section 39.2 of the Environmental Protection Act (Act) (415 ILCS 5/39.2 (2006)). *Id.*, Order at 1, 4.

### Board Order in PCB 08-25

PDC initiated its appeal to the Board of the IEPA's August 30, 2007 denial of permit modification on September 17, 2007. On January 10, 2008, the Board issued its opinion and order affirming IEPA's denial of PDC's permit application. In brief summary, the Board found that found that

PDC's proposed RWL is not excluded from the definition of "pollution control facility" and must demonstrate proof of local siting approval. Accordingly, the Board affirms the Agency's determination that PDC's application for Class 3 modification of its RCRA Part B permit requires proof of local siting approval. Peoria Disposal, PCB 08-25, slip op. at 1.

Much of the substance of the Board's opinion and order is synopsisized or otherwise treated in the appellate court's opinion, as described below. But, the court opinion did not treat or discuss a significant portion of the Board opinion. While remarking that there does not appear to be a substantial body of case law interpreting Section 3.330(a)(3), the Board found that there are a number of cases interpreting a companion section of the Act: the Section 21(d) exemption from permitting requirements for on-site disposal of wastes generated by a person's own activities. The Board determined that the Section 21(d) permit exemption is entirely relevant to the issue presented, finding that the Section 3.330(a)(3) siting exemption flows from the Section 21(d) exemption. The Board opinion contains a lengthy discussion of the legislative history and precedent concerning the two sections. Peoria Disposal, PCB 08-25, slip op. at 26-31.

### The Appellate Court's Decision in Peoria Disposal (Third Dist.)

After recitation of the facts in the case, Peoria Disposal (Third Dist.), Order at 1-11, the court turned to the appropriate standard of review. The court noted that the parties had disputed the issue, with IEPA arguing in favor of a "clearly erroneous" standard and PDC arguing in favor of a de novo standard. *Id.* at 11.

Quoting the Illinois Supreme Court's decision in Cinkus v. Village of Stickney, 228 Ill. 2d 200, 210 (2008), the Third District Appellate Court states that "[t]he applicable standard of review depends upon whether the question presented is one of fact, one of law, or a mixed question of fact and law." Peoria Disposal (Third Dist.), Order at 12. The Third District notes that as the parties stipulated to the facts, this case requires the reviewing court to apply the statutory language to the undisputed facts, "creating an issue of statutory interpretation for our review" which must be considered de novo. *Id.*, citing City of Belvidere v. Illinois State Labor Relations Bd., 181 Ill. 2d 191, 205 (1998).

The court's opinion sets forth the numerous provisions of the Act at issue in the case; these are omitted here in the interests of space. The Third District Appellate Court begins its analysis by observing that "the Board's carefully written order" recognized the parties' competing interpretations of the exemption from the Section 3.330(a) definition of "pollution control facility" for the disposal of "wastes generated by such person's own activities." Peoria Disposal (Third Dist.), Order at 12. Citing the line of decisions relied upon by the Board, the court notes the Board's conclusion that the legislative intent behind the similar exemption of Section 21(d)(1) of the Act (415 ILCS 5/21(d)(1) (2006)) was to "exempt minor amounts of refuse which could be disposed of without environmental harm on the site where it was generated." *Id.*, Order at 12-13, quoting the Board in IEPA v. City of Pontiac, PCB 74-396, slip op. at 4 (Aug. 7, 1975).

The court relates that, to avoid the Section 39(c) bar on IEPA issuing a "new pollution control facility" permit without proof of local siting approval, PDC argued that its proposed expansion qualified for the Section 3.330(a)(3) exemption from the definition of "pollution control facility." Peoria Disposal (Third Dist.), Order at 13. According to PDC, the company sought the landfill expansion only to dispose of its "own waste," asserting that the waste it receives from its customers becomes "PDC's very own self-generated waste as a result of [PDC's] waste treatment process." *Id.* at 14. The court explains that PDC relies on the fact that "IEPA tacitly approved PDC's past course of record keeping that identified PDC as the generator" and cites past "Hazardous Waste Location Logs" completed by

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the company. *Id.* at 14-15. But, the court was not persuaded by PDC’s argument, finding that PDC’s “circular logic” ignores the company’s description of its operation as the “Peoria Disposal Landfill Facility” on those same logs, and that “PDC’s terminology asserted landfill status which is defined under the Act as a pollution control facility.” *Id.*

The Third District also finds “misplaced” PDC’s reliance on Envirite Corp. v. IEPA, 158 Ill. 2d 210 (1994), finding that the supreme court in *Envirite* had expressly limited the definition of “generator” in that case to the context of the recently amended section 39(h) of the Act.” Peoria Disposal (Third Dist.), Order at 15-16.

The Third District declined PDC’s invitation to “ignore the definition of generator as one who ‘produces’ waste under section 3.205 of the Act [] and substitute the definition of generator as limited to section 39(h).” Peoria Disposal (Third Dist.), Order at 18. Accordingly, the court reasons that the Section 3.205 “generator” definition must be read in conjunction with the Section 3.330(a)(3) exemption from the “pollution control facility” definition:

Reading these provisions together, we conclude PDC must originally produce the hazardous waste, to be disposed in the areas beyond the parameters of the current properly permitted landfill, in order for the proposed expansion to be potentially considered exempt from the definition of a pollution control facility under the Act. Here, PDC is in the business of treatment and disposal, not production that originally creates or produces the hazardous waste requiring on-site disposal.

We reject PDC’s contention that [its] proposed expanded operation does not qualify as a pollution control facility. To be exempt, PDC must produce the hazardous waste as a result of a process unrelated to the treatment and disposal of the entire waste stream originally generated and then delivered to PDC by outside sources. Peoria Disposal (Third Dist.), Order at 19-20.

The court then turns to the definition of “new pollution control facility” in Section 3.330(b)(2) of the Act, and finds that PDC’s proposed expansion qualifies as a “new pollution control facility” because PDC sought a permit modification that would allow for an additional 2.4 million tons of disposal space, by way of horizontal and vertical expansion beyond the boundaries of the currently permitted landfill. Peoria Disposal (Third Dist.), Order at 20.

For all of these reasons, the court concluded that the Board and IEPA were correct in concluding that PDC could not be granted a permit modification under Section 39(c) of the Act without submission of proof of Peoria County’s siting approval under Section 39.2 of the Act. 415 ILCS 5/39(c) and 5/39.2 (2006).

### Special Concurrence by Presiding Justice O’Brien

In a special concurrence, Presiding Justice O’Brien wrote to express his view that he agrees with

the majority result to the extent it is based on the reasoning that, if granted, PDC’s request for modification would have created a “new” pollution control facility as defined under section 3.330(b)(2) of the Act. It is undisputed PDC’s request involves an increase in the vertical and horizontal dimensions of the boundaries of the current permitted landfill. As the majority points out, any expansion of PDC’s landfill beyond its current boundaries requires local siting approval, and “[f]or this reason alone the Board and the IEPA were correct in rejecting PDC’s request and I would rest our decision solely on this analysis. Peoria Disposal (Third Dist.), Special Concurrence at 1.

### **Illinois Supreme Court Denies Petition for Leave to Appeal Third District’s Affirmance of Local Grant of Siting Approval Local Grant of Siting Approval for Landfill Expansion in Peoria Disposal Company v. Illinois Pollution Control Board and County of Peoria, No. 107527 (Jan. 28 2009)(denying petition for leave to appeal No. 3-07-0435 (3rd Dist. Oct. 7, 2008) (affirming Board’s order affirming local grant of siting approval in PCB 08-64 (June 21, 2007)**

On January 28, 2009, the Illinois Supreme Court denied a petition for leave to appeal filed by Peoria Disposal Company (PDC). Peoria Disposal Company v. Illinois Pollution Control Board and County of Peoria, No. 107527 (Jan. 28 2009). PDC unsuccessfully sought review of the October 7, 2008 Third District Appellate Court’s published opinion in Peoria Disposal Company v. Illinois Pollution Control Board and County of Peoria, \_\_ Ill. App. 3d \_\_, 896 N. Ed. Ed 460 (3rd Dist. 2008). There, the Third District Appellate Court upheld the Board’s decision to affirm the Peoria County Board’s denial of siting for a landfill expansion under Section 39.2 of the Environmental Protection Act, 415 ILCS 5/39.2 (2006). The full report of the decision is contained in Environmental Register No. 652 at pp. 1-5 (Oct. 2008), and the case will not be summarized here. Note, however, that the case is cited and briefly described in the case report of the permit appeal immediately above.

## Board Actions

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**January 8, 2009**  
**Chicago, Illinois**

### Adjusted Standards

**AS 08-10**      In the Matter of: Petition of Citgo Petroleum Corporation and PDV Midwest Refining, L.L.C. for Adjusted Standard from Ammonia Nitrogen Discharge Levels at 35 Ill. Adm. Code 304.122 – The Board granted an adjusted standard, subject to conditions, to Citgo Petroleum Corporation (Citgo) and PDV Midwest Refining, L.L.C. (PDV) for a petroleum refinery which PDV owns and Citgo operates, located at 135th Street and New Avenue in Lemont, Will County. 5-0  
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### Administrative Citations

**AC 09-18**      IEPA v. Troy Voss and Shirley Voss – The Board found that these Henry County respondents violated Sections 21(p)(1), (p)(3) and (p)(7) of the Act (415 ILCS 5/21(p)(1), (p)(3), (p)(7) (2006)), and ordered respondent to pay a civil penalty of \$4,500. 5-0

### Adjudicatory Cases

**PCB 07-131**      People of the State of Illinois v. Vithalbhai Patel – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this air enforcement action involving a Madison County facility, the Board ordered publication of the required newspaper notice. 5-0  
A-E

**PCB 09-2**      People of the State of Illinois v. Centerpoint Properties Trust, a real estate investment trust, and FCL Investors, Inc., an Illinois corporation formerly known as FCL Builders, Inc. – In this water enforcement action concerning a Lake County facility, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c)(1) (2006)), accepted a stipulation and settlement agreement, and ordered the respondents to pay a total civil penalty of \$20,000, and to cease and desist from further violations. 5-0  
W-E

**PCB 09-28**      Huffman's Service v. IEPA – The Board accepted for hearing this underground storage tank appeal involving an Alexander County facility. 5-0  
UST Appeal

**PCB 09-36**      Apollo Plastics Corporation v IEPA – The Board accepted this permit appeal involving a Cook County facility as timely filed but deficient due to the attempted consolidation of two appeals in one petition. The Board directed the filing of amended petitions in PCB 09-36 and the reserved docket PCB 09-44 along with a filing fee. The amended petitions must be filed by February 9, 2009, or the appeals will be dismissed. 5-0  
P-A, Air

**PCB 09-40**      People of the State of Illinois v. Illinois Valley Paving Company, Inc. – The Board accepted for hearing this water enforcement action involving a site located in Peoria County. 5-0  
W-E

**PCB 09-41**      Kaskaskia Farm Company - Ashley v. IEPA– Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Kaskaskia Farm Company located in 5-0  
T-C, W

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Jefferson County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2006)).

<b>PCB 09-42</b>	<u>Mach III Farms - Beardstown v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Mach III Farms located in Cass County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2006)).	5-0 T-C, W
<b>PCB 09-43</b>	<u>Waste Management of Illinois, Inc. and Kendall Land and Cattle, LLC v. County Board of Kendall County</u> – The Board accepted for hearing this pollution control facility siting appeal involving a Kendall County facility.	5-0 P-C-F-S-R
<b>PCB 09-44</b>	<u>Apollo Plastics Corporation v IEPA</u> – The Board accepted this permit appeal involving a Cook County facility as timely filed but deficient due to the attempted consolidation of two appeals in one petition. The Board directed the filing of amended petitions in PCB 09-36 and the reserved docket PCB 09-44 along with a filing fee. The amended petitions must be filed by February 9, 2009, or the appeals will be dismissed.	5-0 P-A, Air
<b>PCB 09-46</b>	<u>Prairie Rivers Network and Sierra Club v. Illinois Environmental Protection Agency and Sugar Camp Energy, L.L.C.</u> – The Board accepted for hearing this third party permit appeal involving a Franklin County facility.	5-0 PA, NPDES- 3d P

**January 22, 2009**  
**Chicago, Illinois**

### Administrative Citations

<b>AC 08-29</b>	<u>IEPA v. Keister's, Inc.</u> – In response to a joint stipulation and settlement agreement in this administrative citation action involving a Warren County facility, the Board found that respondent had violated Section 21(p)(3) of the Environmental Protection Act (415 ILCS 5/21(p)(3) (2006)) and ordered respondent to pay a civil penalty of \$1,500. The Board also granted the parties’ joint motion to dismiss respondent’s petition for review and the alleged violation of 415 ILCS 5/21(p) (1) (2006).	5-0
<b>AC 09-25</b>	<u>IEPA v. Gilbert and Mary Codgill Estate, c/o William Codgill, Executor</u> – The Board granted complainant’s motion for withdrawal of this administrative citation and closed the docket.	5-0
<b>AC 09-26</b>	<u>County of Vermilion, Illinois v. Bill Richardson</u> – The Board found that this Vermilion County respondent violated Sections 21(p)(1) and (p)(3) of the Act (415 ILCS 5/21(p)(1),(p)(3) (2006)), and ordered respondent to pay a civil penalty of \$3,000.	5-0
<b>AC 09-27</b>	<u>IEPA v. Steve Danielson</u> – The Board found that this Bureau County respondent violated Section 21(p)(1) of the Act (415 ILCS 5/21(p)(1) (2006)), and ordered respondent to pay a civil penalty of \$1,500.	5-0
<b>AC 09-28</b>	<u>IEPA v. Theodore and Sally Jackson</u> – The Board accepted for hearing respondents’ petition for review of this administrative citation involving a Mason County facility.	5-0

## Adjudicatory Cases

<b>PCB 03-182</b>	<u>People of the State of Illinois v. Vertellus Specialties, Inc., formerly known as Reilly Industries, Inc.</u> – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this air and water enforcement action involving a Madison County facility, the Board ordered publication of the required newspaper notice.	5-0 A, W-E
<b>PCB 05-163</b>	<u>People of the State of Illinois v. Vertellus Specialties, Inc., formerly known as Reilly Industries, Inc.</u> – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this water enforcement action involving a Tazewell County facility, the Board ordered publication of the required newspaper notice.	5-0 W-E
<b>PCB 06-6</b>	<u>ESG Watts, Inc. (Taylor Ridge/Andalusia Landfill) v. IEPA</u> – The Board granted this Rock Island County facility’s motion for voluntary dismissal of this permit appeal.	5-0 P-A, Land
<b>PCB 08-102</b>	<u>People of the State of Illinois v. City of Coffeen</u> – In this water enforcement action concerning a Montgomery County facility, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c)(1) (2006)), and accepted a stipulation and settlement agreement, ordering the respondents to pay a total civil penalty of \$1,890.00, and to cease and desist from further violations	5-0 W-E
<b>PCB 09-21</b>	<u>Ameren Energy Generating Company, Amerenenergy Resources Generating Company, and Electric Energy, Inc. v. IEPA</u> – The Board denied petitioner’s request for a variance for seven coal-fired electric power plants.	4-1 A-V Johnson dissented
<b>PCB 09-29</b>	<u>People of the State of Illinois v. Kaplan Development and Investment Company</u> – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this water enforcement action involving a St. Clair County facility, the Board ordered publication of the required newspaper notice.	5-0 W-E
<b>PCB 09-47</b>	<u>People of the State of Illinois v. Birds Pinkstaff Water District</u> – The Board accepted for hearing this public water supply enforcement action involving a site located in Lawrence County.	5-0 PWS-E

## New Cases

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### January 8, 2009 Board Meeting

**09-40** People of the State of Illinois v. Illinois Valley Paving Company, Inc. – The Board accepted for hearing this water enforcement action involving a site located in Peoria County.

**09-41** Kaskaskia Farm Company - Ashley v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Kaskaskia Farm Company located in Jefferson County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2006)).

**09-42** Mach III Farms - Beardstown v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Mach III Farms located in Cass County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2006)).



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**09-43** Waste Management of Illinois, Inc. and Kendall Land and Cattle, LLC v. County Board of Kendall County – The Board accepted for hearing this pollution control facility siting appeal involving a Kendall County facility.

**09-44** Apollo Plastics Corporation v IEPA – The Board accepted this permit appeal involving a Cook County facility as timely filed but deficient due to the attempted consolidation of two appeals in one petition. The Board directed the filing of amended petitions in PCB 09-36 and the reserved docket PCB 09-44 along with a filing fee. The amended petitions must be filed by February 9, 2009, or the appeals will be dismissed.

**09-45** Jerrald R. West II v. Nakomis Quarry Company – No action taken.

**09-46** Prairie Rivers Network and Sierra Club v. Illinois Environmental Protection Agency and Sugar Camp Energy, L.L.C. – The Board accepted for hearing this third party permit appeal involving a Franklin County facility.

**AC 09-29** IEPA v. Quinn & Glenna Hunley – The Board accepted an administrative citation against these Mason County respondents.

**AC 09-30** IEPA v. Richard and Kelly Harp – The Board accepted an administrative citation against these Mason County respondents.

**AC 09-31** IEPA v. William and Patricia Hajek – The Board accepted an administrative citation against these DeKalb County respondents.

**AC 09-32** County of Will v. Glover Family Trust, Elaine D. Glover, Glen K. Glover – The Board accepted an administrative citation against these Will County respondents.

### January 22, 2009 Board Meeting

**09-47** People of the State of Illinois v. Birds Pinkstaff Water District – The Board accepted for hearing this public water supply enforcement action involving a site located in Lawrence County.

**09-48** Dynegy Midwest Generation v. IEPA – No action taken.

## Calendar

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2/3/09 9:00 AM	R08-19	<u>In the Matter of: Nitrogen Oxides Emissions From Various Source Categories, Amendments to 35 Ill. Adm. Code Parts 211 and 217</u>	Madison County Administration Building, County Board Room #203 157 N. Main Street Edwardsville
<b>2/05/09 11:00 AM</b>	<b>Illinois Pollution Control Board Meeting</b>		<b>James R. Thompson Center 100 W. Randolph Street Chicago</b>
2/10/10 9:00 AM	R09-10	<u>In the Matter of: Amendments to 35 Ill. Code 225: Control of Emissions From Large Combustion Sources (Mercury Monitoring)</u>	James R. Thompson Center Room 9-039 100 W. Randolph Street Chicago
2/17/09 10:00 AM	R08-09	<u>In the Matter of: Water Quality Standards and Effluent Limitations for the Chicago Area Waterways System and the Lower Des Plaines River: Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303 and 304</u>  <b>(Continues until complete or through February 18, 2009)</b>	James R. Thompson Center Room 2-025 100 W. Randolph Street Chicago

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2/19/09 11:00 AM	Illinois Pollution Control Board Meeting		James R. Thompson Center 100 W. Randolph Street Chicago
3/5/09 11:00 AM	Illinois Pollution Control Board Meeting		James R. Thompson Center 100 W. Randolph Street Chicago
3/10/09 9:00 AM	R09-19	<u>In the Matter of Air: Quality Standards Clean-up: Amendments to 35 Ill. Adm. Code Part 243</u>	Illinois Pollution Control Board Conference Room 11-512 James R. Thompson Center 100 W. Randolph Street Chicago
3/17/09 10:00 AM	R09-09	<u>In the Matter of: Proposed Amendments to Tiered Approach to Corrective Action Objectives (35 Ill. Adm. Code 742)</u>  <u>(Continues until complete or through March 18, 2009)</u>	James R. Thompson Center Room 9-040 100 W. Randolph Street Chicago
3/19/09 11:00 AM	Illinois Pollution Control Board Meeting		James R. Thompson Center 100 W. Randolph Street Chicago
4/2/09 11:00 AM	Illinois Pollution Control Board Meeting		Videconference  James R. Thompson Center 100 W. Randolph Street Chicago And Illinois Pollution Control Board Hearing Room (1244 N, First Floor) 1021 N. Grand Avenue East (North Entrance) Springfield
4/16/09 11:00 AM	Illinois Pollution Control Board Meeting		James R. Thompson Center 100 W. Randolph Street Chicago
4/21/09 9:00 AM	PCB 07-146	Fox Moraine, LLC v. United City of Yorkville, City Council: Kendall County, Intervenor  <b>(continues until complete or through April 23, 2009)</b>	United City of Yorkville Public Library Meeting Room 902 Game Farm Road Yorkville

**Illinois Environmental Protection Agency**  
**Division of Public Water Supplies**  
**Restricted Status List - Public Water Supplies**  
**JANUARY 2009**

<i>SYSTEM NAME</i>	<i>EPA RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTING DATE</i>
ALTERNATIVE BEHAVIOR TREATMENT CENTER - IL0977189	2	INADEQUATE PRESSURE TANK	50	6/15/1988
ARLINGTON REHABILITATION LIVING CENTER - IL0971110	2	INADEQUATE HYDRO STORAGE	180	12/1/2003
ATHENS – IL1290050	5	INADEQUATE TREATMENT CAPACITY	4350	10/1/2007
AURORA COMMUNITY WATER ASSN - IL0895750	2	INADEQUATE PRESSURE TANK	150	12/16/1988
BAHL WATER CORP - IL0855200	1	INADEQUATE PRESSURE TANK	700	12/15/1993
BALCITIS PUMP CORP - IL2015100	1	INADEQUATE STORAGE	150	1/1/2006
BRADLEY HEIGHTS SUBDIVISION - IL2015050	1	INADEQUATE PRESSURE TANK	192	9/13/1985
BUFFALO HOLLOW FARMS WATER ASSOCIATION – IL1430080	5	INADEQUATE PRESSURE STORAGE	44	6/16S/2008
CARROLL HEIGHTS UTILITIES COMPANY - IL0155200	1	INADEQUATE PRESSURE TANK	96	3/20/1981
CENTURY PINES APARTMENTS - IL0150020	1	INADEQUATE PRESSURE TANK	50	12/14/1990
CHANDLERVILLE - IL0170200	5	INAD & UNAPPROVED STORAGE	704	1/1/2006
CHESTERFIELD – IL1170200	5	TOTAL TRIHALOMETHANE	180	3/15/2007
COOKSVILLE - IL1130400	4	TTHM & HALOACIDIC ACIDS	300	9/15/2005
COYNE CNTR COOP - IL1615150	1	INADEQUATE PRESSURE TANK	150	12/15/1997
CROPSEY COMMUNITY WATER - IL1135150	4	INADEQUATE PRESSURE TANK	31	3/20/1981
CRYSTAL CLEAR WATER COMPANY - IL1115150	2	INADEQUATE PRESSURE TANK	885	9/16/1988
D L WELL OWNERS ASSOCIATION - IL0975380	2	INADEQUATE PRESSURE TANK	141	3/18/1983
DE KALB UNIV DVL CORP - IL0375148	1	INADEQUATE PRESSURE TANK	1050	12/16/1992
DEERING OAKS SUBDIVISION - IL1115200	2	INADEQUATE PRESSURE TANK	60	12/17/1982
DOVER - IL0110350	1	INADEQUATE PRESSURE TANK	169	5/25/1981
EAST END WATER ASSOCIATION - IL1610140	1	INADEQUATE STORAGE CAPACITY	40	3/15/2002
EAST MORELAND WATER CORPORATION - IL1975640	2	INADEQUATE PRESSURE TANK	135	3/15/1996
EASTMORELAND WTR SERVICE ASSN - IL1975600	2	INADEQUATE PRESSURE TANK	650	3/20/1981
EVERGREEN VILLAGE SUBDIVISION - IL1615310	1	INADEQUATE PRESSURE TANK	130	3/20/1981
FAHNSTOCK COURT SUBDIVISION - IL1435200	5	INADEQUATE PRESSURE TANK	35	5/25/1981
FAIR ACRES SUBDIVISION - IL1975680	2	INADEQUATE PRESSURE TANK	156	10/19/1981
FOREST LAKE ADDITION - IL0975500	2	INADEQUATE PRESSURE TANK	204	12/16/1983
FRWRD-SKYLINE PLANT - IL0895030	2	INADEQUATE PRESSURE TANK	700	9/19/1986
GARDEN STREET IMPROVEMENT ASSOCIATION - IL1975376	2	INADEQUATE PRESSURE TANK	54	9/15/1989
GOOD SHEPHERD MANOR - IL0915189	2	INADEQUATE PRESSURE TANK	25	3/17/1989
GREAT OAKS AND BEACON HILLS APARTMENTS - IL2015488	1	INADEQUATE PRESSURE TANK	2420	12/17/1982

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<i>SYSTEM NAME</i>	<i>EPA RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTING DATE</i>
HAWTHORN WOODS - IL0970450	2	INADEQUATE PRESSURE TANK	672	3/15/1995
HEATHERFIELD SUBDIVISION - IL0635150	2	INADEQUATE PRESSURE TANK	75	9/17/1982
HETTICK - IL1170500	5	TRICHALOMETHANE	182	6/15/2002
HIGHLAND SUBDIVISION - IL0895530	2	INADEQUATE PRESSURE TANK	60	9/16/1983
HILLVIEW SUBDIVISION - IL1975800	2	INADEQUATE PRESSURE TANK	100	3/15/1985
HOLY FAMILY VILLA - IL0310280	2	INADEQUATE PRESSURE TANK	200	9/15/1999
INGALLS PARK SUBDIVISION - IL1975880	2	INADEQUATE PRESSURE TANK	745	9/16/1983
LAKE LYNWOOD WATER SYSTEM - IL0735330	1	INADEQUATE PRESSURE TANK	75	8/31/1981
LARCHMONT SUBDIVISION - IL2015290	1	INADEQUATE PRESSURE TANK	64	6/17/1983
LARSON COURT APARTMENTS - IL1615728	1	INADEQUATE PRESSURE TANK	58	1/14/1982
LEGEND LAKES WATER ASSOCIATION - IL2015300	1	INADEQUATE PRESSURE TANK	283	3/14/1991
LIBERTY PARK HOMEOWNERS ASSOCIATION - IL0435600	2	INADEQUATE PRESSURE TANK	837	9/17/1992
LINDENWOOD WATER ASSOCIATION - IL1415300	1	INADEQUATE PRESSURE TANK	50	1/13/1982
LISBON NORTH, INC. - IL0631000	2	INADEQUATE PRESSURE TANK	30	9/14/1990
LONDON MILLS - IL0574620	5	INADEQUATE PRESSURE TANK	447	12/14/1984
LYNN CENTER - IL0735100	1	INADEQUATE PRESSURE TANK	100	3/15/1995
LYNNWOOD WATER CORPORATION - IL0995336	1	INADEQUATE PRESSURE TANK	110	3/18/1983
M C L W SYSTEM, INC. - IL1315150	1	INADEQUATE SOURCE	98	3/20/1981
MENARD RURAL WATER CO.(SWEETWATER SYSTEM)- IL1290010	5	INADEQUATE SOURCE CAPACITY	490	10/1/2007
MOUND PWD - IL1635050	6	INADEQUATE PLANT CAPACITY	2200	6/17/1996
NORTHWEST BELMONT IMPRV ASSN - IL0435900	2	INADEQUATE PRESSURE TANK	78	9/29/1981
OAK RIDGE SD - IL2035300	1	INADEQUATE PRESSURE TANK	240	3/20/1981
OPHIEM PWS - IL0735150	1	INADEQUATE PRESSURE TANK	100	6/18/1982
OSCO MUTUAL WATER SUPPLY COMPANY, INC. - IL0735200	1	INADEQUATE PRESSURE TANK	115	12/15/1989
PANAMA - IL0054720	6	TTHM, DBP, INAD STORAGE	380	1/1/2006
PATOKA - IL1210400	6	INADEQUATE PLANT CAPACITY	731	3/15/1997
POLO DR AND SADDLE RD SUBDIVISION - IL0437000	2	INADEQUATE PRESSURE TANK	90	12/17/1982
PORTS SULLIVAN LAKE OWNERS ASSOCIATION - IL0971160	2	INADEQUATE PRESSURE TANK	293	6/15/1999

**Illinois Environmental Protection Agency  
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PRAIRIE RIDGE ASSOCIATION - IL1115730	2	INADEQUATE PRESSURE TANK	130	10/1/2004
RIDGECREST NORTH SUBDIVISION - IL0635250	2	INADEQUATE PRESSURE TANK	60	9/16/1993
RIDGEWOOD LEDGES WATER ASSOCIATION - IL1615670	1	INADEQUATE PRESSURE TANK	370	3/20/1981
RIDGEWOOD SUBDIVISION - IL1977650	2	INADEQUATE PRESSURE TANK	250	6/18/1982
SHAWNITA TRC WATER ASSOCIATION - IL1977690	2	INADEQUATE PRESSURE TANK	125	9/17/1992
SILVIS HEIGHTS WATER CORP - IL1615750	1	INADEQUATE HYDRO STORAGE	1600	12/1/2003
SKYVIEW SBDV - IL0915526	2	INADEQUATE PRESSURE TANK	45	3/16/1990
ST CHARLES COMMISSION WELLFUND 3 - IL0437040	2	INADEQUATE PRESSURE TANK	30	12/15/1989
STRATFORD WEST APARTMENTS - IL1095200	5	INADEQUATE PRESSURE TANK	39	12/17/1982
SUBURBAN HEIGHTS SUBDIVISION - IL1615800	1	INADEQUATE PRESSURE TANK	82	12/16/1983
SUMMIT HOMEOWNERS ASSOCIATION - IL0975280	2	INADEQUATE PRESSURE TANK	39	3/16/1984
SUNNY HILL ESTATES SUBDIVISION - IL0735300	1	INADEQUATE PRESSURE TANK	525	6/15/2000
SUNNYLAND SUBDIVISION - IL1977730	2	INADEQUATE PRESSURE TANK	350	9/16/1983
SWEDONA WATER ASSOCIATION - IL1315200	1	INADEQUATE PRESSURE TANK	157	6/15/1990
SYLVAN LAKE 1ST SUBDIVISION - IL0977100	2	INADEQUATE PRESSURE TANK	210	6/14/1991
TOWNERS SUBDIVISION - IL0977250	2	INADEQUATE PRESSURE TANK	210	1/14/1982
UTILITIES INC HOLIDAY HILLS - IL1115350	2	INADEQUATE PRESSURE TANK	729	9/16/1983
UTL INC-LAKE HOLIDAY - IL0995200	1	INAD SOURCE & TREATMENT PLT	5460	9/15/1998
UTL INC-NORTHERN HILLS UTILITIES COMPANY - IL1775050	1	INADEQUATE PRESSURE TANK	500	3/15/1996
UTL INC-WALK-UP WOODS WATER COMPANY - IL1115800	2	INADEQUATE PRESSURE TANK	654	12/17/1982
WEST SHORE PARK SUBDIVISION - IL0977370	2	INADEQUATE PRESSURE TANK	528	6/15/2000
WEST SHORELAND SUBDIVISION - IL0977050	2	INADEQUATE PRESSURE TANK	189	6/14/1991
WIENEN ESTATES - IL0850030	1	INADEQUATE PRESSURE TANK	70	12/15/1997
WONDER LAKE WATER COMPANY - IL1115750	2	INADEQUATE PRESSURE TANK	1442	6/16/1994

**WATER SYSTEMS REMOVED FROM PREVIOUS LIST**

**York Center Co-op (IL0437550)**

**\* DENOTES ADDED WATER SUPPLIES**

**Illinois Environmental Protection Agency  
Division of Public Water Supplies  
Critical Review List - Public Water Supplies  
JANUARY 2009**

<i>SYSTEM NAME</i>	<i>EPA RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTING DATE</i>
ANDALUSIA - IL1610050	1	INADEQUATE PRESSURE TANK	1050	12/1/2003
ARENZVILLE - IL0170050	5	INADEQUATE PRESSURE TANK	408	3/14/2001
BEASON CHESTNUT PWD - IL1075150	5	INAD PLANT & SOURCE CAP	600	6/15/2004
BROWNING - IL1690050	5	INADEQUATE SOURCE CAPACITY	175	3/15/1998
CANTON – IL0570250	5	INSUFFICIENT TREATMENT CAPACITY	13932	3/15/2007
CASEYVILLE - IL1630250	6	INADEQUATE STORAGE	9900	10/1/2004
CEDARVILLE - IL1770050	1	EMERGENCY POWER	800	1/1/2006
COLLINSVILLE – IL1194280	6	INADEQUATE STORAGE	29500	1/1/2008
COLUMBIA - IL1330050	6	INADEQUATE PUMPING CAPACITY	8365	3/15/1998
CROPPERS 1ST 4TH AND 5TH ADDITION - IL1615250	1	UNDERSIZED WATERMAINS	650	1/1/2006
DE PUE - IL0110300	1	INADEQUATE TREATMENT PLANT	1729	12/15/1993
EDWARDSVILLE – IL1190250	5	INSUFFICIENT PLANT CAPACITY TO HANDLE PEAK SYSTEM WATER DEMAND	24,900	9/16/2008
EFFINGHAM – IL0490250	4	INADEQUATE DISINFECTION	12384	7/1/2006
ELIZABETH - IL0850150	1	LOW SYSTEM PRESSURE	682	6/15/1999
ELLIS GROVE – IL1570200	6	INSUFFICIENT STORAGE CAPACITY	720	10/1/2007
EXETER-MERRITT WATER COOP - IL1710010	5	INADEQUATE PRESSURE TANK	428	10/1/2004
GALENA - IL0850200	1	LOW SYSTEM PRESSURE	3640	6/15/1999
GRIGGSVILLE – IL1490300	5	INADEQUATE TREATMENT PLANT CAPACITY	1259	10/1/2006
HAMEL - IL1190450	6	INADEQUATE STORAGE CAPACITY	650	1/1/2006
HOLIDAY SHORES SD - IL1195110	6	INADEQUATE STORAGE CAPACITY	3192	1/1/2006
JOY - IL1310100	1	LOW SYSTEM PRESSURE	373	6/15/1999
LA MOILLE - IL0110500	1	INADEQUATE PLANT CAPACITY	750	6/15/1999
LA SALLE - IL0990300	1	INAD PLANT & SOURCE CAPACITY	9700	11/1/2004
LACON - IL1230100	1	UNDERSIZED WATERMAINS	1979	1/1/2006
LEE - IL1034600	1	INADEQUATE PRESSURE TANK	350	10/1/2004
MALDEN - IL0110550	1	UNDERSIZED WATERMAINS	370	1/1/2006
MARION - IL1990550	7	INADEQUATE SOURCE CAPACITY	14610	11/1/2001
MARYVILLE – IL1190750	5	INADEQUATE STORAGE	800	3/17/2008
MASON CITY - IL1250350	5	INADEQUATE STORAGE CAPACITY	2558	1/1/2006
MATHERSVILLE - IL1310200	1	INADEQUATE SYSTEM PRESSURE	793	9/13/2000
MC HENRY SHORES WATER COMPANY - IL1115020	2	LOW SYSTEM PRESSURE	1813	9/17/1992
MECHANICSBURG-BUFFALO WTR CMSN - IL1675150	5	INADEQUATE SOURCE CAPACITY	1350	3/15/1998

**Illinois Environmental Protection Agency  
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 Critical Review List - Public Water Supplies  
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<i>SYSTEM NAME</i>	<i>EPA RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTING DATE</i>
O'FALLON – IL1631100	2	INADEQUATE STORAGE CAPACITY	43596	10/1/2006
OTTER LAKE WTR CMSN ADGPTV – IL1175200	5	INADEQUATE PLANT CAPACITY	1251	7/1/2006
SCALES MOUND - IL0850400	1	LOW SYSTEM PRESSURE	400	9/15/1997
SENECA - IL0991050	1	INADEQUATE PLANT CAPACITY AND UNDERSIZED WATER MAINS	2053	6/15/1999
SOUTH HIGHWAY PWD - IL0775400	7	LOW SYSTEM PRESSURE & UNDERSIZED WATERMAINS	8420	1/1/2006
STOCKTON - IL0850450	1	LOW SYSTEM PRESSURE	1871	6/15/1984
SUMNER - IL1010300	7	LOW SYSTEM PRESSURE	1481	12/13/1985
UTL INC-LAKE MARIAN WATER CORPORATION - IL0895200	2	INAD PRES STORAGE & LOW SYS PRES	924	9/14/1984
WALNUT HILL - IL1210600	6	LOW SYSTEM PRESSURE	1470	6/14/1985
WATERLOO - IL1330300	6	INADEQUATE STORAGE	7614	10/1/2004
WITT – IL1350850	5	INADEQUATE TREATMENT CAPACITY	991	3/17/2008
WORDEN - IL1191200	6	INADEQUATE STORAGE CAPACITY	906	1/1/2006

**WATER SYSTEMS REMOVED FROM PREVIOUS LIST**

**\* DENOTES ADDED WATER SUPPLIES**

## **Restricted Status/Critical Review**

The Environmental Protection Act prohibits the Agency from issuing a construction permit that will cause or extend a violation. A construction permit to expand the distribution system cannot be granted when a water supply has a maximum contaminant level or treatment technique violation, an inadequate source of raw water supply, inadequate treatment plant capacity, finished water storage or distribution system pressure. A Restricted Status List is published quarterly in the Illinois Pollution Control Board Environmental Register to notify those persons considering expansion of a water supply distribution system of that status before large sums of money have been spent on items such as land acquisition, financing and engineering fees. A companion Critical Review List is published concurrently with the Restricted Status List and has the water supplies that are approaching a point where the supply could be placed on Restricted Status. A permit application from a supply on Critical Review will be examined carefully to ensure that the proposed construction will not cause a violation. Restricted Status and Critical Review are presented as a combined list with the status of the water supply denoted as either RS (Restricted Status) or CR (Critical Review). The current list reflects the status as of January 1, 2009. An asterisk, \* , beside the water supply indicates public water supplies that have been added to the Restricted Status/Critical Review list since the previous publication.

### **Restricted Status List**

The Restricted Status List was developed to give additional notification to officials of public water supplies which are in violation of 35 Ill. Adm. Code, Subtitle F: Public Water Supplies, Chapter I or the Illinois Environmental Protection Act.

The Restricted Status List will include all Public Water Supplies for which the Agency has information indicating a violation of any of the following requirements: Finished water quality requirements of 35 Ill. Adm. Code, Part 604, Subparts B and C; maintenance of adequate pressure on all parts of the distribution system under all conditions of demand; meeting raw water quantity requirements of 35 Ill. Adm. Code 604.502; or maintenance of treatment facilities capable of providing water "assuredly adequate in quantity" as required by Section 18 of the Illinois Environmental Protection Act.

A public water supply on the Restricted Status List will not be issued permits for water main extensions, except for certain limited situations, or unless the supply has been granted a variance from the Illinois Pollution Control Board for the violation, or from permit issuance requirements of Section 39 of the Act. This list is continually being revised as new information becomes available, and therefore, specific inquiries as to the status of any public water supply should be directed to the Division of Public Water Supplies for final determination.

### **Critical Review List**

The Critical Review List was developed to give additional notification to officials of public water supplies which may be close to being in violation of 35 Ill. Adm. Code, Subtitle F: Public Water Supplies, Chapter I or the Illinois Environmental Protection Act.

A supply will be placed on the Critical Review List when Agency records indicate that it is approaching any of the violations that would place it on the Restricted Status List.

This list is continually being revised as new information becomes available, and therefore, specific inquiries as to the status of any public water supply should be directed to the Division of Public Water Supplies for final determination.

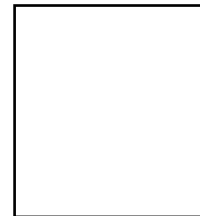
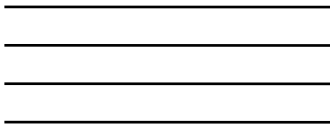




The Illinois Pollution Control Board is an independent five-member board that adopts environmental control standards, rules on enforcement actions, and other environmental disputes for the State of Illinois.

The *Environmental Register* is published monthly by the Board, and contains updates on rulemakings, descriptions of final decisions, the Board's hearing calendar, and other environmental law information.

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Environmental Register Coordinator  
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