
Environmental Register

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Claire A. Manning, Chairman

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Letter from the Chairman

Recently, the Board has had the opportunity to join Governor George H. Ryan in saluting one of the Board's long-term and stalwart employees, Board Clerk Dorothy Gunn. Dorothy's name is well known in environmental regulatory circles as her name appears on virtually every official Board document. As Clerk of the Board, Dorothy takes the minutes at Board meetings and otherwise manages the day-to-day operations of the Clerk's office – along with Assistant Board Clerk Adaleen Hogan and Paralegal Don Brown. As the Board prepares to bring you more and more information on-line, the role of the Clerk's office is even more critical. In celebration of Dorothy's long term service with the Board, Governor Ryan recently declared April 28, 2001, as Dorothy M. Gunn Day in Illinois and issued the following proclamation:



WHEREAS, Dorothy M. Gunn has given thirty three years of service to the State of Illinois, in which twenty-six years has been with the Illinois Pollution Control Board; and

WHEREAS, Ms. Gunn's State service began in 1968 at the Youth Opportunity Center, and in 1970 she joined the Bureau of Employment Security, Department of Labor; and

WHEREAS, Ms. Gunn joined the Board on April 28, 1975 as a staff secretary and later served as private secretary to deceased Board Member Irvin G. Goodman and as a staff accounting assistant; and

WHEREAS, Ms. Gunn has served the Board admirably as Clerk of the Board since 1984, acting as the official custodian of the Board's records, including agendas and minutes, and preparing and certifying records for appeal; and

WHEREAS, Ms. Gunn is an active member of the Centennial Missionary Baptist Church in Chicago, Illinois; serving as President and choir member, and conducts and orientation leader to new church members; and

WHEREAS, Ms. Gunn is a devoted wife, mother, grandmother, and great grandmother; and

WHEREAS, Ms. Gunn's twenty-six continual years of dedication to the Illinois Pollution Control Board, staff, and its constituency, have endeared her to all those who have had contact with her;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim April 28, 2001 as DOROTHY M. GUNN Day in Illinois.

Along with Dorothy and the others in the Clerk's office, the Board benefits from a fine staff of professionals who are dedicated to their jobs and committed to the idea of providing quality service to those of you who utilize our processes. Please join me in congratulating Dorothy and applauding the rest of the Board staff.

Sincerely,

A handwritten signature in cursive script that reads "Claire A. Manning". The signature is written in dark ink on a white background.

Claire A. Manning, Chairman

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Federal Update

United States Environmental Protection Agency Adopts Reclassification of Polychlorinated Biphenyl Status and Polychlorinated Biphenyl-Contaminated Electrical Equipment Status in Final Rule

On April 2, 2001, USEPA amended the requirements for reclassifying transformers, electromagnets, switches, and voltage regulators that contain polychlorinated biphenyls (PCBs) from PCB status (500 ppm) to either non-PCB status (less than 50 ppm) or PCB-contaminated status (50 ppm to 500 ppm). 66 Fed. Reg. 17601 (April 2, 2001).

The final rule brings the reclassification requirements into conformance with data and experience gained since USEPA last revised this regulation in 1982. The rule reduces the regulatory and economic burden of reclassification, and reduces the risk from PCBs to health and the environment by encouraging the phase out and removal of PCBs from electrical equipment.

The final rule becomes effective May 2, 2001. For further general information contact Barbara Cunningham 202/554-1404; e-mail address: TSCA-Hotline@epa.gov. For further technical information contact Tom Simons at 202/260-3991; e-mail address: simons.tom@epa.gov.

United States Environmental Protection Agency Reopens Comment Period for Clean Water Act Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for the Iron and Steel Manufacturing Point Source Category

On April 4, 2001, USEPA reopened the comment period for the effluent limitations guidelines, pretreatment standards, and new source performance standards for the iron and steel manufacturing point source category. 66 Fed. Reg. 17842 (April 4, 2001).

On December 27, 2000 (65 Fed. Reg. 81963), USEPA proposed revisions to the effluent limitations guidelines and standards for the iron and steel industry. The comment period closed on March 26, 2001. This action reopens the comment period on the proposed rule until April 25, 2001.

Comments must be received by April 25, 2001. For further information contact George Jett at 202/260-7151.

If adopted, the Board will include any necessary amendments in an upcoming identical in substance rulemaking pursuant to Sections 7.2 and 13.3 of the Environmental Protection Act (415 ILCS 5/7.2, 13.3 (1998)).

United States Environmental Protection Agency Adopts Amendments to Vehicle Inspection Maintenance Program Requirements Incorporating the Onboard Diagnostic Check in Final Rule

On April 5, 2001, USEPA adopted amendments to the motor vehicle inspection maintenance (I/M) program requirements incorporating the onboard diagnostic check in a final rule. 66 Fed. Reg. 18155 (April 5, 2001).

The amendments revise the I/M requirements to extend the deadline for beginning onboard diagnostic (OBD) inspections from January 1, 2001 to January 1, 2002; allow areas showing good cause up to an additional 12-month delay; allow for a one time only, one cycle phase-in period for the OBD-I/M check; revise and simplify the failure criteria for the OBD-I/M check; address

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State Implementation Plan (SIP) credit modeling for the OBD-I/M check; and allow for limited exemptions from some OBD check failure and rejection criteria for certain model year vehicles.

The amendments also provide additional flexibility to State I/M programs by allowing such programs to suspend traditional I/M tests on model year 1996 and newer, OBD-equipped vehicles provided such vehicles are subject to a check of the OBD system. Lastly, the amendments provide USEPA guidance regarding certain discretionary elements associated with the successful implementation of the OBD check in an I/M environment.

This effective date of the final rule is May 7, 2001. For further information contact David Sosnowski at 734/214-4823.

The Board opens regulatory dockets to amend its I/M rules at 35 Ill. Adm. Code 240 upon receipt of Illinois Environmental Protection Agency proposals under Section 13B-20(a) of the Vehicle Emissions Law (625 ILCS 5/13B-20(a) (1998)).

United States Environmental Protection Agency Adopts Clean Air Act Direct Final Rule Setting Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced after September 18, 1978, and Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units

On April 10, 2001, USEPA took direct final action to amend the emissions monitoring and compliance provisions for standards of performance for electric utility steam generating units for which construction is commenced after September 18, 1978, and standards of performance for industrial-commercial-institutional steam generating units. 66 Fed. Reg. 18546 (April 10, 2001).

The final rule adds monitoring exemptions and alternative compliance requirements for duct burners, as well as amendments to correct errors. USEPA is adopting these amendments to ensure that all owners or operators of duct burners have similar compliance requirements and exemptions for their monitoring requirements.

The direct final rule is effective on June 11, 2001, without further notice, unless significant adverse comments are received by May 10, 2001. If adverse comments are received, USEPA will publish a timely withdrawal informing the public the final rule will not take effect.

For further information contact James Eddinger at 919/541-5426; e-mail address: eddinger.jim@epa.gov.

If amendments to the Illinois Air rules are necessary, the Board would expect the Illinois Environmental Protection Agency to propose amendments using the Clean Air Act "fast-track" procedures at Section 28.5 of the Environmental Protection Act (415 ILCS 5/28.5 (1998)).

United States Environmental Protection Agency Proposes Clean Air Act Rule Amendments to Standards of Performance for Electric Utility Steam Generating Units for Which Construction Is Commenced After September 18, 1978; Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units

On April 10, 2001, USEPA also proposed amendments to emissions monitoring and compliance provisions contained in standards of performance for electric utility steam generating units for which construction is commenced after September 18, 1978, and standards of performance for industrial-commercial-institutional steam generating units. 66 Fed. Reg. 18579 (April 10, 2001).

USEPA proposed monitoring exemptions and alternative compliance requirements for duct burners used in combined cycle systems. The proposed amendments ensure that all owners or operators of duct burners have appropriate compliance requirements and similar exemptions for their monitoring requirements. USEPA is also making the amendments in a direct final rule, without prior proposal, because it views the revisions as non-controversial, and anticipates no significant adverse comments.

Comments must be received by May 10, 2001. Anyone requesting a public hearing must contact USEPA no later than April 20, 2001. For further information contact James Eddinger at 919/541-5426; e-mail address: eddinger.jim@epa.gov.

If USEPA adopts the proposed rules, and amendments to the Illinois air rules are necessary, the Board would expect the Illinois Environmental Protection Agency to propose amendments using the Clean Air Act "fast-track" procedures at Section 28.5 of the Environmental Protection Act (415 ILCS 5/28.5 (1998)).

United States Environmental Protection Agency Adopts Clean Air Act Rule Setting National Emission Standards for Hazardous Air Pollutants: Solvent Extraction for Vegetable Oil Production

On April 12, 2001, USEPA adopted national emission standards for hazardous air pollutants (NESHAP) for solvent extraction for vegetable oil production in a final rule. 66 Fed. Reg. 19005 (April 12, 2001).

This industry is comprised of facilities that produce crude vegetable oil and meal products by removing oil from listed oilseeds through direct contact with an organic solvent. USEPA has identified solvent extraction for vegetable oil production processes as major sources of a single hazardous air pollutant (HAP), n-hexane. The final rule requires all existing and new solvent extraction for vegetable oil production processes that are major sources to meet HAP emission standards reflecting the application of the maximum achievable control technology.

The final rule is effective April 12, 2001. For further information contact James F. Durham at 919/541-5672; e-mail address: durham.jim@epa.gov.

Pursuant to Section 9.1(b) of the Environmental Protection Act (Act) (415 ILCS 5/9.1(b) (1998)), once adopted by USEPA, NESHAP rules are applicable and enforceable under the Act without further action by the Board.

United States Environmental Protection Agency Proposes Clean Air Act Rules for Control of Air Pollution from New Motor Vehicles; Amendments to the Tier 2/Gasoline Sulfur Regulations

On April 13, 2001, USEPA proposed amendments that would correct, amend, and revise certain tier 2/gasoline sulfur regulations to assist regulated entities with program implementation and compliance. 66 Fed. Reg. 19312 (April 13, 2001).

The amendments make minor corrections to clarify the regulations governing compliance with the gasoline sulfur standards. With respect to the low sulfur gasoline program, they revise the boundaries of the geographic phase-in area (GPA) to include counties and tribal lands in states adjacent to the eight original GPA states. The intention of the amendment is to ensure a smooth transition to low sulfur gasoline nationwide and to mitigate the potential for gasoline supply shortages. The proposal amends certain provisions of the small refiner and averaging, banking, and trading (ABT) programs to assist domestic and foreign refiners and importers in establishing gasoline sulfur baselines for credit and allotment generation purposes.

The amendments also revise certain sampling and testing provisions for low sulfur gasoline to enable certain refiners to generate early credits or allotments under the ABT program. Finally, the proposal would make minor revisions to the regulations governing compliance with the vehicle standards. USEPA plans to make other necessary corrections, amendments, and revisions to the tier 2/gasoline sulfur regulations in a future rulemaking.

Comments must be received by June 12, 2001. For further information contact Mary Manners at 734/214- 4873, e-mail address: manners.mary@epa.gov.

If USEPA adopts the proposed rules, and amendments to the Illinois air rules are necessary, the Board would expect the Illinois Environmental Protection Agency to propose amendments using the Clean Air Act "fast-track" procedures at Section 28.5 of the Environmental Protection Act (415 ILCS 5/28.5 (1998)).

United States Environmental Protection Agency Extends Comment Period on the Proposed National Pollutant Discharge Elimination System Permit Regulations and Effluent Limitations Guidelines and Standards for Concentrated Animal Feeding Operations

On April 17, 2001, USEPA extended the comment period for the proposed national pollutant discharge elimination system (NPDES) permit regulations and effluent limitations guidelines and standards for concentrated animal feeding operations (CAFOs). 66 Fed. Reg. 19747 (April 17, 2001).

On January 12, 2001, USEPA published a proposed rule that would revise the effluent limitations guidelines and standards and NPDES permitting regulations for CAFOs (66 Fed. Reg. 2960). On January 19, 2001 (66 Fed. Reg. 5524), a correction was issued that established May 14, 2001 as the deadline for the public to submit comments to USEPA on the proposed rule. This action extends the public comment period on the proposal.

Comments must be received by July 30, 2001. For further information contact Karen Metchis at 202/564-0734.

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If USEPA adopts these rules, the Board will include any necessary amendments to its pretreatment or drinking water rules in an upcoming identical in substance rulemaking pursuant to Sections 7.2 and 13.3 or 17.5 of the Environmental Protection Act (415 ILCS 5/7.2, 13.3 or 17.5 (1998)).

United States Environmental Protection Agency Proposes National Primary Drinking Water Regulations for Arsenic; Clarifications to Compliance and New Source Contaminants Monitoring

On April 23, 2001, USEPA proposed a nine-month delay until February 22, 2002, of the effective date of the arsenic drinking water standard. 66 Fed. Reg. 20579 (April 23, 2001).

The standard was promulgated by USEPA on January 22, 2001 (66 Fed. Reg. 6976), and was previously delayed to May 22, 2001 (66 Fed. Reg. 16134). On January 22, 2001, USEPA published a final standard for arsenic in drinking water that would lower the current arsenic standard from 50 parts per billion (ppb) to 10 ppb by 2006. On January 24, 2001, the *Federal Register* published the White House's regulatory review plan to allow members of the new administration a 60-day opportunity to review published regulations that have not taken effect. Following *Federal Register* promulgation of the arsenic rule, a number of concerns were raised to USEPA by states, public water systems, and other stakeholders regarding the adequacy of science and the basis for national cost estimates underlying the rule.

Because of the importance of the arsenic rule and the national debate surrounding it related to science and costs, USEPA announced on March 20, 2001, that it would take additional steps to reassess the scientific and cost issues associated with this rule and seek further public input on each of these important issues. Consistent with this commitment, USEPA will request the National Academy of Sciences to convene a panel of scientific experts first, to review, USEPA's interpretation and application of arsenic research discussed and evaluated as part of the National Academy of Sciences 1999 arsenic report and, second, to review and evaluate any new arsenic research that has become available since the 1999 NAS report. At the same time, USEPA will work with the National Drinking Water Advisory Council to review the assumptions and methodologies underlying USEPA's estimate of arsenic compliance costs. As its next step in this process of reviewing the January 22, 2001 arsenic rule, USEPA will prepare a proposal for comment on a range of arsenic MCL options from 3ppb to 20ppb.

The nine-month extension of the effective date from May 22, 2001 to February 22, 2002, for which USEPA requests comment, would allow time to complete the reassessment process outlined above and to afford the public opportunity to provide further input on the science and costing analysis underlying USEPA's promulgation of the January 22, 2001 arsenic standard.

Written comments must be submitted by May 7, 2001. For further information contact Ephraim King at 202/260-7575.

The Board will adopt the arsenic standard promulgated by USEPA on January 22, 2001, in an upcoming identical in substance rulemaking pursuant to Sections 7.2 and 17.5 of the Environmental Protection Act (415 ILCS 5/7.2, 17.5 (1998)). The Board will include in the rule any delays in the effective date promulgated by USEPA.

United States Environmental Protection Agency Extends Comment Period on the Proposed Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards Under the Clean Water Act for the Metal Products and Machinery Point Source Category

On April 27, 2001, USEPA extended the comment period on the proposed effluent limitations guidelines, pretreatment standards, and new source performance standards for the metal products and machinery point source category. 66 Fed. Reg. 21111 (April 27, 2001).

On January 3, 2001 (66 Fed. Reg. 424), USEPA proposed effluent limitations guidelines and pretreatment standards for wastewater discharges associated with the operation of new and existing metal products and machinery facilities. The original comment period was 120 days, ending on May 3, 2001. The comment period has been extended 60 days to July 2, 2001.

Comments must be received by July 2, 2001. For further information contact Michael Ebner at 202/260-5397.

If USEPA adopts the proposed rules, the Board will include any necessary amendments in an upcoming identical in substance rulemaking pursuant to Sections 7.2 and 13.3 of the Environmental Protection Act (415 ILCS 5/7.2, 13.3 (1998)).

Rule Update

Board Adopts Amendments in Proposed Amendments to 35 Ill. Adm. Code 217.Subpart V, Electric Power Generation, R01-16

On April 5, 2001, the Board adopted regulations to implement a program to control the emission of nitrogen oxides (NO_x) emissions from fossil fuel-fired electrical generating units (EGUs) in Illinois. The program limits the amount of NO_x emitted at EGUs during the ozone control period, which is May 1 through September 30 of each calendar year, beginning in 2003.

The Illinois Environmental Protection Agency (Agency) filed this rulemaking proposal with the Board on October 16, 2000, under Section 28.5 of the Environmental Protection Act. 415 ILCS 5/28.5 (1998). Section 28.5 provides for “fast-track” adoption of certain regulations necessary for compliance with the CAAA. The Board adopted the rules as proposed by the Agency for first notice on October 19, 2000. See Proposed Amendments to 35 Ill. Adm. Code 217.Subpart V, Electric Power Generation (October 19, 2000), R01-16. The first-notice rules were published in the *Illinois Register* on November 3, 2000. 45 Ill. Reg. 16,200.

The Board held public hearings in this matter in Chicago on November 28 and December 19, 2000.

On February 15, 2001, the Board adopted its second notice opinion and order, and sent this matter to the Joint Committee on Administrative Rules (JCAR) for its consideration. JCAR requested, and the Board agreed to, a few minor changes to the rules proposed at second notice. JCAR then considered the proposed rules at its March 20, 2001 meeting and issued a certificate of no objection.

The Board’s second notice opinion contained an overview of the events leading to Illinois’ commitment to demonstrate attainment in the Metro-East NAA. Since that opinion, USEPA has responded to a January 29, 2001 order from the U.S. District Court for the District of Columbia by issuing a document entitled “Determination of Non-attainment as of November 15, 1996, and Reclassification of the St. Louis Ozone Non-attainment Area; States of Missouri and Illinois (66 Fed. Reg. 15578, March 19, 2001). In that document, USEPA declared its finding that the Metro-East NAA failed to attain the 1-hour ozone NAAQS, and that by operation of law the area will be reclassified from a moderate to a serious non-attainment area on the effective date of the rule, or May 18, 2001. USEPA also stated that it intends to withdraw this determination if USEPA “grants the states an attainment date extension before the effective date of the determination of non-attainment and reclassification.” 66 Fed. Reg. 15580 (March 19, 2001).

The adopted amendments will allow the Agency to submit adopted Subpart V as a SIP revision before the effective date of USEPA’s determination.

For additional information contact: Bobb Beauchamp at 312/814-6926; e-mail address: beauchab@ipcb.state.il.us.

Board Adopts Amendments in Proposed New 35 Ill. Adm. Code 217.Subpart U, No_x Control and Trading Program for Specified No_x Generating Units, Subpart X, Voluntary No_x Emissions Reduction Program, and Amendments to 35 Ill. Adm. Code 211, R01-17

On April 5, 2001, the Board adopted regulations adding two new subparts to Part 217: Nitrogen Oxides Emissions, of the Board’s air regulations. Subpart U implements Sections 9.9(b), (c), (d)(2), and (d)(4) of the Environmental Protection Act (Act) (415 ILCS 5/9.9(b), (c), (d)(2), (d)(4) (1998)) by capping the emissions of nitrogen oxides (NO_x) during the ozone control period (May 1 through September 30 of each year beginning in 2004) and implementing the federal NO_x trading program for specified NO_x electrical generating units.

The Illinois Environmental Protection Agency filed this rulemaking proposal with the Board on October 16, 2000. The Board adopted the rules as proposed by the Agency for first notice on October 19, 2000. The Secretary of State published the first notice rules in the *Illinois Register* on November 13, 2000 (45 Ill. Reg. 16,452, 16,467).

The Board held public hearings in this matter in Chicago on November 29 and December 20, 2000. The hearings were scheduled and conducted in accordance with Section 28.5 of the Act (415 ILCS 5/28.5 (1998)). Section 28.5 provides for “fast-track” adoption of certain regulations necessary for compliance with the Clean Air Act Amendments of 1990 (42 U.S.C. §§ 7401 *et seq.* (1990)).

On February 15, 2001, the Board adopted its second notice opinion and order, and sent this matter to the Joint Committee on Administrative Rules (JCAR) for its consideration. JCAR requested, and the Board agreed to, several minor changes to the

rules proposed at second notice. JCAR then considered the proposed rules at its March 20, 2001 meeting, asked a few clarifying questions, and issued a certificate of no objection.

For additional information contact: Bobb Beauchamp at 312/814-6926; e-mail address: beauchab@ipcb.state.il.us.

Board Accepts for Hearing the Provisional Variances from Water Temperature Standards: Proposed New 35 Ill. Adm. Code 301.109, R01-31

On April 19, 2001, the Board accepted for hearing a regulatory proposal docketed as Provisional Variances from Water Temperature Standards: Proposed New 35 Ill. Adm. Code 301.109, R01-31. On April 13, 2001, the Illinois Environmental Protection Agency (Agency) filed a proposal to amend the Board's water pollution regulations. The new rules would set forth the factors that the Agency must address when it recommends that the Board grant provisional variances from a water temperature standard or requirement contained in 35 Ill. Adm. Code 211 and 302.303.

The Board has scheduled two hearings. The first hearing is scheduled for June 7, 2001, at 1:00 p.m. in the Board's Springfield office. The second hearing will be June 20, 2001, at 1:00 p.m. in room 11-500 of the James R. Thompson Center in Chicago. Persons that want to testify at these hearings are encouraged to pre-file testimony, the procedure for doing so is explained in the hearing officer order dated April 25, 2001.

For additional information contact: Andrew Boron at 312/814-6062; e-mail address: borona@ipcb.state.il.us.

Appellate Update

Fifth District Appellate Court Affirms the Board in Environmental Protection Agency v. Pollution Control Board, et al., No. 5-99-0386

On April 24, 2001, the Fifth District Appellate Court affirmed the Board's ruling in an enforcement case, Environmental Protection Agency v. Wayne Berger and Berger Waste Management (May 6, 1999), PCB 94-373. In its opinion, Environmental Protection Agency v. Pollution Control Board, et al., No. 5-99-0386, the Fifth District agreed with the Board's findings, but modified the order to reflect the monetary penalty against Wayne Berger to be \$20,000.

The case involved a solid waste landfill in Olney, Illinois. On March 19, 1991, Berger filed an amended permit application, which raised the financial assurance requirement and increased the groundwater monitoring requirements. Berger did not file a significant modification permit as requested by the Agency. An Agency inspection revealed several operational violations at the landfill. In July 1993, Berger began the legal process of moving some assets into a trust and incorporating (BWM, Inc.). From September 20, 1993 on, no additional waste was accepted at the landfill. Berger operated his trash hauling business, with the trash being deposited in other landfills, until he sold his business on December 31, 1997.

On December 7, 1994, the State filed suit against Berger and BWM, Inc. to obtain civil penalties for various violations of the Environmental Protection Act (415 ILCS 5/1 *et seq.* (1998)).

On May 6, 1999, the Board entered an order finding Berger liable for some of the violations. The Board found that BWM, Inc. was not liable. The Board revoked Berger's amended permit and ordered the landfill closed. The Board also ordered Berger to pay a fine of \$30,000.

The Court affirmed the Board's decision not to hold BWM, Inc. liable for any of the alleged offenses. The Court further affirmed the Board's refusal to award attorney fees to the State as a sanction for discovery abuses. Additionally, the Court affirmed the Board's finding that the blowing litter at the landfill need not be a specific amount to violate the Act. Finally, the Court agreed that a monetary penalty was warranted, but found that the Board's method of calculating the \$30,000 penalty exceeded its authority, and reduced the amount to \$20,000.

IEPA Public Water Supplies Lists

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

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. This list reflects the status as of April, 2001.

* Indicates public water supplies which have been added to the list since the previous publication.

<u>NAME OF PUBLIC WATER SUPPLY/COUNTY/FACILITY #</u>	<u>EPA RGN</u>	<u>NATURE OF PROBLEM</u>	<u>POP SERVED</u>	<u>LISTING DATE</u>
Acorn Acres Sbdv (Lake Co - 0975020)	2	Inadequate Pres Tank	250	12/16/83
Alden Long Grove Nursing Center(Lake Co - 0971090)	2	Inadequate Pres Tank	204	06/15/93
Bahl Wtr Corp (Jo Daviess Co - 0855200)	1	Inadequate Pres Storage	700	12/15/93
Bayles Lake Lot Owners Assn (Iroquois Co - 0755110)	4	Inadequate Pres Tank	500	09/13/00
Biggsville (Henderson Co - 0710050)	5	Adjusted Gross Alpha	350	03/15/98
Bonnie Lane Water Supply (Kendall Co - 0930010)	2	Inadequate Pres Tank	49	09/16/93
Bradford (Stark Co - 1750050)	1	Gross Alpha	650	06/15/98
Bradley Hts Sbdv (Winnebago Co - 2015050)	1	Inadequate Pres Tank	192	09/13/85
Bryant (Fulton Co - 0570200)	5	Adjusted Gross Alpha	310	03/15/98
Buckingham (Kankakee Co - 0910250)	2	Inadequate Pres Tank	330	03/17/89
* Bushnell (McDonough Co - 1090150)	5	Adjusted Gross Alpha	3,300	03/14/01
* Byron Woods Sbdv (Rock Island Co - 1610070)	1	Arsenic	216	03/14/01
Campus (Livingston Co - 1050050)	4	Inadequate Pres Tank	230	03/20/81
* Carbon Hill (Grundy Co - 0630100)	2	Adjusted Gross Alpha	376	03/14/01
Carroll Hts Utl Cmpny (Carroll Co - 0155200)	1	Inadequate Pres Tank	80	03/20/81

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Century Pines Apts (Carroll Co - 0150020)	1	Inadequate Pres Tank	50	12/14/90
Claremont Hls Sbdv (McHenry Co - 1115080)	2	Inadequate Pres Tank	330	03/15/96
Clearview Sbdv (Will Co - 1975360)	2	Inadequate Pres Tank	420	01/13/82
Community Srvc Corp (McHenry Co - 1115350)	2	Inadequate Pres Tank	750	09/16/83
Coyne Cntr Coop (Rock Island Co - 1615150)	1	Inadequate Pres Tank	150	12/15/97
Cropsey Cmnty Wtr (McLean Co - 1135150)	4	Inadequate Pres Tank	60	03/20/81
Crystal Clear Wtr Cmpny (McHenry Co - 1115150)	2	Inadequate Pres Tank	900	09/16/88
Crystal Hts Assn (McHenry Co - 1115100)	2	Inadequate Pres Tank	93	06/17/96
D and R Apts (Champaign Co - 0190030)	4	Inadequate Pres Tank	26	09/16/93
Deering Oaks Sbdv (McHenry Co - 1115200)	2	Inadequate Pres Tank	60	12/17/82
DeKalb Univ Dvl Corp (DeKalb Co - 0375148)	1	Inadequate Pres Tank	950	12/16/92
DeWitt Cnty NH (DeWitt Co - 0395129)	4	Inadequate Pres Tank	80	06/17/83
DL Well Owners Assn (Lake Co - 0975380)	2	Inadequate Pres Tank	125	03/18/83
Dover (Bureau Co - 0110350)	1	Inadequate Pres Tank	200	05/25/81
East Moreland Wtr Assn (Will Co - 1975600)	2	Inadequate Pres Tank	753	03/20/81
East Moreland Wtr Corp (Will Co - 1975640)	2	Inadequate Pres Tank	135	03/15/96
Edelstein (Peoria Co - 1435150)	5	Adjusted Gross Alpha	125	03/15/98
Edgington Water District (Rock Island Co-1615550)	1	Inadequate Pres Tank	470	03/20/81
Elm Oak Mutual Wtr Syst (Lake Co - 0975736)	2	Inadequate Pres Tank	45	06/13/86
Emmett Utl Inc (McDonough Co - 1095200)	5	Inadequate Pres Tank	39	12/17/82
Evergreen Vlg Sbdv (Rock Island Co - 1615310)	1	Inadequate Pres Tank	250	03/20/81
Fahnstock Court Sbdv (Peoria Co - 1435200)	5	Inadequate Pres Tank	30	05/25/81
Fair Acres Sbdv (Will Co - 1975680)	2	Inadequate Pres Tank	185	10/19/81
*Farmington (Fulton Co - 0570500)	5	Adjusted Gross Alpha	2,700	03/14/01
Forest Lake Addn (Lake Co - 0975500)	2	Inadequate Pres Tank	180	12/16/83
Frwr-Skyline Cpy (Kane Co - 0895030)	2	Inadequate Pres Tank	1,300	09/19/86
*Galva (Henry Co - 0730450)	1	Adjusted Gross Alpha	2,900	03/14/01
Garden Street Imprv Assn (Will Co - 1975376)	2	Inadequate Pres Tank	62	09/15/89
*Gardner (Grundy Co - 0630400)	2	Adjusted Gross Alpha	1,450	03/14/01
Glasford (Peoria Co - 1430350)	5	Adjusted Gross Alpha	1,115	12/15/97

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Glenkirk Campus North (Lake Co - 0977189)	2	Inadequate Pres Tank	64	06/15/88
Glenkirk Campus South (Lake Co - 0977199)	2	Inadequate Pres Tank	36	06/15/88
Good Shepherd Mnr (Kankakee Co - 0915189)	2	Inadequate Pres Tank	140	03/17/89
Great Oaks&Beacon Hls Apts (Winnebago Co-2015488)	1	Inadequate Pres Tank	943	12/17/82
Greenwood Outback (LaSalle Co - 0990080)	1	Inadequate Pres Tank	12/15/98	
*Harbor Lites/Pistakee Fshg Cl (McHenry Co - 1110011)	2	Inadequate Pres Tank	100	03/14/01
Hawthorn Woods (Lake Co - 0970450)	2	Inadequate Pres Tank	800	03/15/95
Heatherfield Sbdv (Grundy Co - 0635150)	2	Inadequate Pres Tank	91	09/17/82
Highland Sbdv (Kane Co - 0895530)	2	Inadequate Pres Tank	50	09/16/83
Hillview Sbdv (Will Co - 1975800)	2	Inadequate Pres Tank	99	03/15/85
Holy Family Villa (Cook Co - 0310280)	2	Inadequate Pres Tank	200	09/15/99
*Hopewell (Marshall Co - 1235150)	1	Adjusted Gross Alpha	805	03/14/01
Huntley Cmnty Sbdv (Will Co - 1975840)	2	Inadequate Pres Tank	48	03/16/84
Ingalls Pk Sbdv (Will Co - 1975880)	2	Inadequate Pres Tank	690	09/16/83
*Kewanee (Henry Co - 0730650)	1	Adjusted Gross Alpha	12,900	03/14/01
*Kingston Mines (Peoria Co - 1430450)	5	Adjusted Gross Alpha	295	03/14/01
Knoxville (Knox Co - 0950300)	5	Adjusted Gross Alpha	3,243	03/15/98
Lake Lynwood Wtr Sys (Henry Co - 0735330)	1	Inadequate Pres Tank	98	08/31/81
Lakeview Hills Wtr Supply Cp(Whiteside Co - 1955150)	1	Inadequate Pres Tank	146	03/20/81
*Lakewood Shores Imprv Assn	2	Adjusted Gross Alpha	760	03/14/01
Larchmont Sbdv (Winnebago Co - 2015290)	1	Inadequate Pres Tank	106	06/17/83
Larson Court Rentals (Rock Island Co - 1615728)	1	Inadequate Pres Tank	48	01/14/82
Legend Lakes Wtr Assn (Winnebago Co - 2015300)	1	Inadequate Pres Tank	225	03/14/91
Liberty Park Homeowners Assn (DuPage Co - 0435600)	2	Inadequate Pres Tank	1,092	09/17/92
Lindenwood Wtr Assn (Ogle Co - 1415300)	1	Inadequate Pres Tank	50	01/13/82
Lisbon North Inc (Grundy Co - 0631000)	2	Inadequate Pres Tank	30	09/14/90
Little Swan Lake Sndst (Warren Co - 1875050)	5	Inadequate Pres Tank	250	03/15/98
*Little York (Warren Co - 1870100)	5	Adjusted Gross Alpha	350	03/14/01
London Mills (Fulton Co - 0574620)	5	Inadequate Pres Tank	670	12/14/84
*Lostant (LaSalle Co - 0990450)	1	Adjusted Gross Alpha	510	03/14/01

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Lynn Cntr (Henry Co - 0735100)	1	Inadequate Pres Tank	147	03/15/95
Lynnwood Water Corp (LaSalle Co - 0995336)	1	Inadequate Pres Tank	114	03/18/83
M C L W Sys Inc (Mercer Co - 1315150)	1	Inadequate Source	100	03/20/81
Maple Leaf Ests Wtr Corp (Monroe Co - 1335100)	6	Inadequate Pres Tank	39	03/20/81
Mapleton (Peoria Co - 1430500)	5	Adjusted Gross Alpha	350	03/15/98
Mayfair Sbdv (Tazewell Co - 1795750)	5	Inadequate Pres Tank	150	03/16/90
*Monmouth (Warren Co - 1870150)	5	Adjusted Gross Alpha	9,500	03/14/01
Mound PWD (St Clair Co - 1635050)	6	Inadequate Plant Capacity	1,800	06/17/96
Northwest Belmont Imprv Assn (DuPage Co - 0435900)	2	Inadequate Pres Tank	115	09/29/81
Oak Ridge Sndst (Woodford Co - 2035300)	1	Inadequate Pres Tank	240	03/20/81
Oakview Avenue Wtrwks Inc (Will Co - 1977210)	2	Inadequate Pres Tank	350	03/20/81
Olivet Nazarene College (Kankakee Co - 0915279)	2	Inadequate Pres Tank	1,450	03/15/94
Opheim PWS (Henry Co - 0735150)	1	Inadequate Pres Tank	150	06/18/82
Oscos Mutual Wtr Supply Cpy Inc (Henry Co-0735200)	1	Inadequate Pres Tank	115	12/15/89
Park Road Wtr Assn (Will Co - 1977330)	2	Inadequate Pres Tank	60	12/17/82
Park View Wtr Corp (Kane Co - 0895500)	2	Inadequate Pres Tank	150	12/17/82
Patoka (Marion Co - 1210400)	6	Inadequate Plant Capacity	731	03/15/97
Polo Dr & Saddle Rd Sbdv (DuPage Co - 0437000)	2	Inadequate Pres Tank	95	12/17/82
Ports of Sullivan Lake Assn (Lake co - 0971160)	2	Inadequate Pres Tank	638	06/15/99
Prairie Ridge Assn (McHenry Co - 1115730)	2	Inadequate Pres Tank	140	03/16/90
Princeville (Peoria Co - 1430750)	5	Adjusted Gross Alpha	1,815	12/15/97
Ridgecrest North Sbdv (Grundy Co - 0635250)	2	Inadequate Pres Tank	85	09/16/93
Ridgewood Ledges Wtr Assoc(Rock Island Co-1615670)	1	Inadequate Pres Tank	475	03/20/81
Ridgewood Sbdv (Will Co - 1977650)	2	Inadequate Pres Tank	315	06/18/82
Sbdv Wtr Trust No 1 (Kane Co - 0895300)	2	Inadequate Pres Tank	1,120	03/20/81
Shawnita Trc Wtr Assn (Will Co - 1977690)	2	Inadequate Pres Tank	125	09/17/92
Skyview Estates (Kankakee Co - 0915526)	2	Inadequate Pres Tank	65	09/14/84
Sorento (Bond Co - 0050300)	6	Trihalomethane	750	09/16/96
St Charles Cmsn Wlfnd 3 (DuPage Co - 0437040)	2	Inadequate Pres Tank	30	12/15/89
*Standard (Putnam Co - 1550300)	1	Adjusted Gross Alpha	300	03/14/01

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Sturm Sbdv (Lake Co - 0977010)	2	Inadequate Pres Tank	63	03/16/84
Suburban Heights Sbdv (Rock Island Co - 1615800)	1	Inadequate Pres Tank	114	12/16/83
Summit Homeowners Assn (Lake Co - 0975280)	2	Inadequate Pres Tank	48	03/16/84
Sunny Hill Ests Sbdv (Henry Co - 0735300)	1	Inadequate Pres Tank	525	06/15/00
Sunnyland Sbdv (Will Co - 1977730)	2	Inadequate Pres Tank	350	09/16/83
Swedona Wtr Assn (Mercer Co - 1315200)	1	Inadequate Pres Tank	100	06/15/90
Sylvan Lake 1st Sbdv (Lake Co - 0977100)	2	Inadequate Pres Tank	210	06/14/91
Toulon (Stark Co - 1750150)	1	Adjusted Gross Alpha	1,400	12/12/99
Towners Sbdv (Lake Co - 0977250)	2	Inadequate Pres Tank	238	01/14/82
Trivoli PWD (Peoria Co - 1435510)	5	Inadequate Pres Tank	350	06/17/83
Turkey Hollow Well Corp (Rock Island Co - 1615686)	1	Inadequate Pres Tank	32	06/18/82
Utl Inc Lake Holiday (LaSalle Co - 0995200)	1	Inad Source & Treat Plt	4,908	09/15/98
Utl Inc Northern Hls Utl Co(Stephenson Co-1775050)	1	Inadequate Pres Tank	290	03/15/96
Utl Inc Walk-Up Woods Wtr Co(McHenry Co - 1115800)	2	Inadequate Pres Tank	763	12/17/82
Wermes Sbdv (Kane Co - 0895750)	2	Inadequate Pres Tank	150	12/16/88
West Salem (Edwards Co - 0470200)	7	Inadequate Treatment Plant	1,058	03/15/99
West Shore Park Sbdv (Lake Co - 0977370)	2	Inadequate Pres Tank	450	06/15/00
West Shoreland Sbdv (Lake Co - 0977050)	2	Inadequate Pres Tank	220	06/14/91
Westfield (Clark Co - 0230200)	4	Inadequate Water Source	700	06/15/93
*Whispering Lakes Wtr Sys Inc (Lake Co - 0970220)	2	Adjusted Gross Alpha	375	03/14/01
Wienen Estates (Jo Daviess Co - 0850030)	1	Inadequate Pres Tank	70	12/15/97
*Wilmington (Will Co - 1971100)	2	Trihalomethane	5,094	03/14/01
Wonder Lake Wtr Cmpny (McHenry Co - 1115750)	2	Inadequate Pres Tank	1,161	06/16/94
Woodland Hts Ests Sbdv (Peoria Co - 1435760)	5	Inadequate Pres Tank	245	03/20/81
Woodsmoke Ranch Assn (LaSalle Co - 0990030)	1	Inadequate Pres Tank	350	06/15/90
York Cntr Coop (DuPage Co - 0437550)	2	Inadequate Pres Tank	240	06/15/88
2nd Street Wtr Assn (Lake Co - 0971140)	2	Inadequate Pres Tank	33	12/15/95

PUBLIC WATER SUPPLIES REMOVED FROM PREVIOUS LIST

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

Environmental Register - April 2001

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 which 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. This list reflects the status as of April, 2001.

* Indicates public water supplies which have been added to the list since the previous publication.

* Arenzville (Cass Co - 0170050)	5	Inadequate Pres Tank	492	03/14/01
* Beecher (Will Co - 1970050)	2	Inadequate Storage Capacity	2,032	03/14/01
Bluford (Jefferson Co - 0810100)	7	Low System Pressure	465	03/20/81
Browning (Schuyler Co - 1690050)	5	Inadequate Source	495	03/15/98
Clayton Camp Point Wtr Cmsn (Adams Co - 0015200)	5	Inad Pumping Capacity	1,200	09/15/98
Clinton (DeWitt Co - 0390050)	4	Inad Plant Capacity	7,437	06/14/91
Columbia (Monroe Co - 1330050)	6	Inad Pumping Capacity	5,893	03/15/98
DePue (Bureau Co - 0110300)	1	Inad Treatment Plant	1,930	12/15/93
Elizabeth (Jo Daviess Co - 0850150)	1	Low System Pressure	700	06/15/99
Evansville (Randolph Co - 1570250)	6	Low System Pressure	1,838	05/25/81
Galena (Jo Daviess Co - 0850200)	1	Low System Pressure	3,790	06/15/99
Georgetown (Vermilion Co - 1830350)	4	Inadequate Water Plant	3,678	06/15/93
Highland Hills Sndst (DuPage Co - 0435560)	2	Inadequate Pres Tank	1,100	09/17/92
Joy (Mercer Co - 1310100)	1	Low System Pressure	495	06/15/99
Kincaid (Christian Co - 0210250)	5	Plant Capacity	2,640	06/14/85
LaMoille (Bureau Co - 0110500)	5	Inadequate Plant Capacity	750	06/15/99
Lee (Lee Co - 1034600)	1	Inadequate Pres Tank	350	03/15/98
Mathersville (Mercer Co - 1310200)	1	Low System Pressure	793	09/13/00
McHenry Shores Wtr Cmpny (McHenry Co - 1115020)	2	Low System Pressure	1,170	09/17/92
Mechanicsburg Buffalo Wtr (Sangamon Co - 1675150)	5	Inadequate Source	1,030	03/15/98
* Minonk (Woodford Co - 2030400)	1	Inadequate Source Capacity	2,200	03/14/01
Pheasant Knolls Sbdv (Lake Co - 0970290)	2	Inadequate Pres Tank	130	09/15/98
Scales Mound (Jo Daviess Co - 0850400)	1	Low System Pressure	400	09/15/97

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Seneca (LaSalle Co - 0991050)	1	Inadequate Plant Capacity	1,937	06/15/99
South Highway PWD (Jackson Co - 0775400)	7	Low System Pressure	8,189	06/15/92
Stockton (Jo Daviess Co - 0850450)	1	Low System Pressure	1,900	06/15/84
Sumner (Lawrence Co - 1010300)	7	Low System Pressure	1,553	12/13/85
Tower Ridge Sbdv (Rock Island Co - 1615780)	1	Inadequate Pres Tank	70	03/15/94
Utl Inc Lake Marian Wtr Corp (Kane Co - 0895200)	2	Low Sys Pres & Inad Pres Storage	800	09/14/84
Walnut Hill (Marion Co - 1210600)	6	Low System Pressure	1,200	06/14/85
Wonder Lake Wtr Cmpny (McHenry Co - 1115750)	2	Inadequate Storage	1,080	12/14/90

PUBLIC WATER SUPPLIES REMOVED FROM PREVIOUS LIST

IEPA Water Pollution Control Lists

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY DIVISION OF WATER POLLUTION CONTROL RESTRICTED STATUS LIST

In order to comply with 35 Illinois Administrative Code Section 306.401, Illinois Pollution Control Board Regulations, the Illinois EPA has prepared the following list of facilities which are on Restricted Status. Restricted Status is defined as the Agency determination that a sewer or lift station has reached hydraulic capacity or that a sewage treatment plant has reached design capacity, such that additional sewer connection permits may no longer be issued without causing a violation of the Act or Regulations. Please note that the list is continually being revised to reflect the current situation. Therefore, if you have any questions on the capability of a treatment facility or transport system, please contact this Agency for a final determination. This listing reflects the status as of March 31, 2001.

Facility names followed by an asterisk (*) indicates that construction is underway to ultimately alleviate problems which resulted in imposition of Restricted Status. Facilities followed by a double asterisk (**) are additions to the list.

<u>FACILITY NAME</u>	<u>RESPONSIBLE AUTHORITY</u>	<u>COUNTY</u>	<u>REMAINING CAPACITY</u>
Bourbonnais (Belle Aire Subd.)	Village of Bourbonnais	Kankakee	0
Camelot Utilities Wastewater Collection System	Camelot Utilities	Will	0
Camp Point (a portion mh 60-68)	Village of Camp Point	Adams	0
Clearview S.D.	Clearview S.D.	McLean	0
East Alton	City of East Alton	Madison	0
Farmington	City of Farmington	Fulton	0
Hinckley STP	Village of Hinckley	DeKalb	0
Hurst & Blairville Collection	City of Hurst	Williamson	0
Maple Lawn Homes STP	Maple Lawn Homes	Woodford	0
Port Byron STP	Village of Port Byron	Rock Island	0
Rosewood Heights S.D.- Ninth Street LS	Rosewood Heights S.D.	Madison	0
South Palos Twp. SD	South Palos Twp.	South Palos Twp.	0
Streator STP	City of Streator	LaSalle/Livingston	0
Taylorville-Shawnee Ave.	City of Taylorville	Christian	0
Utilities Unlimited	Utilities Unlimited	Will	0
Washington (Rolling Meadows)	City of Washington	Tazewell	0
Wauconda-Larksdale LS	Village of Wauconda	Lake	0
Winnebago-SS overflow to Westfield LS; East 4 blocks of Soper St.	Village of Winnebago	Winnebago	0

Deletions from previous quarterly report: 0

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY DIVISION OF WATER POLLUTION CONTROL CRITICAL REVIEW LIST

In order to comply with 35 Illinois Administrative Code Section 306.401, Illinois Pollution Control Board Regulations, the Illinois Environmental Protection Agency has prepared the following list of facilities which are on Critical Review. Critical Review as defined as the Agency determination that a sewer or lift station is approaching hydraulic capacity or that a sewage treatment plant is approaching design capacity such that additional sewer connection permit applications will require close scrutiny to determine whether issuance would result in a violation of the Act or Regulations. Please note that these lists are continually being revised to reflect the current situation. Therefore, if you have any questions on the capability of a treatment facility or transport system, please contact the Agency for a final determination. This listing reflects the status as of March 31, 2001.

Facility names followed by a double asterisk (**) are additions to the list.

FACILITY NAME	RESPONSIBLE AUTHORITY	COUNTY	REMAINING CAPACITY	PE ADDED SINCE LAST LIST
Antioch STP	Village of Antioch	Lake	2,419	0
Athens STP	City of Athens	Menard	72	0
Beardstown SD	City of Beardstown	Cass	1,769	0
Benton-Southeast STP	City of Benton	Franklin	60	0
Bethalto (L.S. #1)	Village of Bethalto	Madison	87	0
Bonnie Brae Forest Manor SD STP	Bonnie Brae Forest Manor SD	Will	0	180
Carrier Mills	Village of Carrier Mills	Saline	836	0
Carrollton	City of Carrollton	Greene	140	0
Chester STP	City of Chester	Randolph	485	0
Citizens Utilities Co. of Ill.- Derby Meadows Utility Co. STP	Citizens Utilities Co. of Ill.	Will	0	0
Citizens Utilities Co. of Ill.- River Grange	Citizens Utilities Co. of Ill.	Will	10	0
Dakota	Village of Dakota	Stephenson	90	0
Downers Grove S.D.	Downers Grove S.D.	DuPage	4,503	0
Earlville	City of Earlville	LaSalle	127	0
East Dundee STP	Village of E. Dundee	Kane	665	0
Elkville	Village of Elkville	Jackson	6	0
Ferson Creek Utilities Co.	Utilities, Inc.	Will	70	0
Herscher	Village of Herscher	Kankakee	281	19
LCPWD-Diamond- Sylvan STP	County of Lake Public Works Department	Lake	0	0
Lake Barrington Home Owners Assn. STP	Lake Barrington Home Owners Assn.	Lake	80	0
Lindenhurst S.D.	Village of Lindenhurst	Lake	885	0
Moline (North Slope)	City of Moline	Rock Island	1,151	0
Morris STP	City of Morris	Grundy	0	0
Mundelein STP	Village of Mundelein	Lake	0	0
Paris STP	City of Paris	Edgar	1,681	0
Plainfield STP	Village of Plainfield	Will	0	326
Rock Island (Main)	Village of Rock Island	Rock Island	4,683	0

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Sandwich	Village of Sandwich	DeKalb/Kendall	681	0
Thompsonville STP	Village of Thompsonville	Franklin	0	0
Wauconda – Remaining Collection System & Lakeview Villa LS	Village of Wauconda	Lake	***	0

Deletions from previous quarterly report: 0

***Contact IEPA – Permit Section

Board Actions

April 5, 2001
Via Video Conference Between
Springfield and Chicago, Illinois

Rulemakings

- R01-16 In the Matter of: Proposed Amendments to 35 Ill. Adm. Code 217.Subpart V, Electrical Power Generation – The Board adopted a final opinion and order in this matter to amend the Board’s air pollution control regulations. 7-0
R, Air
- R01-17 In the Matter of: Proposed New 35 Ill. Adm. Code 217.Subpart U, NO_x Control and Trading Program for Specified NO_x Generating Units, Subpart X, Voluntary NO_x Emissions Reduction Program, and Amendments to 35 Ill. Adm. Code 211 – The Board adopted a final opinion and order in this matter to amend the Board’s air pollution control regulations. 7-0
R, Air

Administrative Citations

- AC 01-28 IEPA v. American Disposal Services of Illinois, Inc. d/b/a McLean County Landfill and Daniel Winters – The Board found that these McLean County respondents violated Section 21(o)(12) of the Act (415 ILCS 5/21(o)(12) (1998)), and ordered respondents to pay a civil penalty of \$500. 7-0
- AC 01-29 IEPA v. Leslie Yocum, Sandra Yocum, Laura L. Yocum, Rick L. Yocum, Kandy S. Yocum, and Shawna B. Yocum – The Board granted the Illinois Environmental Protection Agency’s motion to dismiss Laura L. Yocum and Kandy S. Yocum as respondents in this administrative citation. 7-0

Decisions

- PCB 99-181 People of the State of Illinois v. Siciliano, Inc. – In this air enforcement action concerning 13 facilities located in Sangamon County, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (1998)), accepted a final stipulation and settlement agreement, ordered the respondent to pay a civil penalty of \$13,000, and cease and desist from further violations. 7-0
A-E

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PCB 99-189 People of the State of Illinois v. Aabott Asbestos, Inc. – The Board found that respondent had violated Sections 9(a) and 9.1(d)(1) of the Act (415 ILCS 5/9(a), 9.1(d)(1) (1998)), the Board’s air pollution regulations at 35 Ill. Adm. Code 201.141, and the National Emission Standards for Hazardous Air Pollutants for asbestos, found at 40 C.F.R. §§ 61.145(c)(1), (c)(3), and (c)(6)(i), and 61.150(a)(1)(v), and ordered the respondent to pay a civil penalty of \$30,000. Complainant was ordered to file an affidavit of its fees and costs in this action and documentation thereof no later than May 7, 2001. 7-0
A-E

PCB 00-176 People of the State of Illinois v. City of Auburn, Benton & Associates Engineering, Inc., and Petersburg Plumbing and Heating – In this public water supply enforcement action concerning a Sangamon County facility, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (1998)), accepted a final stipulation and settlement agreement for the City of Auburn (Auburn) only, ordered Auburn to pay a civil penalty of \$3,000, and to cease and desist from further violations. This matter shall proceed to hearing as to the other respondents. 7-0
PWS-E

PCB 01-48 Community Landfill Company and City of Morris v. IEPA – In this consolidated matter involving the review of two different land permits for this Grundy County facility, the Board affirmed the Illinois Environmental Protection Agency (Agency) decision regarding Permit No. 2000-155-LFM (Parcel A), granted on August 4, 2000, to the City of Morris as owner and Community Landfill Company as operator (petitioners), as to Conditions VII-11, II-2i, and X-6. The Board instructed the Agency to reissue the permit after modifying Conditions VII-7, VIII-23, VIII-24, VIII-25, and VIII-27 consistent with the opinion and order entered in this matter on April 5, 2001. Regarding Permit No. 2000-156-LFM (Parcel B), also granted on August 4, 2000, to the petitioners, the Board affirmed the Agency’s decision as to Conditions VI-9 and IX-6. The Board instructed the Agency to reissue the permit after modifying Conditions VI-7 and IX-1 consistent with the opinion and order entered in this matter on April 5, 2001. 7-0
P-A, Land

Motions and Other Matters

PCB 94-382 Gunite Corporation v. IEPA – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal involving a Winnebago County facility. 7-0
P-A, NPDES

PCB 97-114 McWane, Inc. v. IEPA – The Board granted petitioner’s motion for voluntary dismissal of this underground storage tank appeal involving a DuPage County facility. 7-0
UST-Appeal

PCB 97-149 McWane, Inc. v. IEPA – The Board granted petitioner’s motion for voluntary dismissal of this underground storage tank appeal involving a DuPage County facility. 7-0
UST-Appeal

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PCB 97-193	<u>People of the State of Illinois v. Community Landfill Company, Inc.</u> – The Board granted complainant’s motion for summary judgment with respect to count 5 only, and denied both parties’ motions for summary judgment with respect to count 12. This matter was ordered to proceed to hearing regarding all other outstanding issues, including penalty issues with respect to the summary judgment issued for count 5.	7-0 L-E
PCB 99-86	<u>McWane, Inc. v. IEPA</u> – The Board granted petitioner’s motion for voluntary dismissal of this underground storage tank appeal involving a DuPage County facility.	7-0 UST-FRD
PCB 99-149	<u>Universal Scrap Metals, Inc. v. Flexi-Van Leasing, Inc.</u> – The Board granted respondent’s motion for summary judgment for count three and denied the motion as to count one and two. The Board directed this matter proceed to hearing as to count one and two.	6-1 Flemal dissented McFawn concurred UST-E, Citizens
PCB 00-82	<u>Jersey Sanitary Corporation v. IEPA</u> – The Board held action on the parties’ motions for summary judgment pending receipt of the Illinois Environmental Protection Agency record in this matter.	7-0 P-A, Land
PCB 00-187	<u>Broderick Teaming Company v. IEPA</u> – The Board reversed the Illinois Environmental Protection Agency’s denial of petitioner’s claim, and granted petitioner’s motion for summary judgment in this underground storage tank appeal involving a Cook County facility.	7-0 UST-FRD
PCB 00-218	<u>E/M, a division of Morgan Chemical Products, Inc. v. IEPA</u> – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal involving a DuPage County facility.	7-0 P-A, Air
PCB 01-98	<u>Waste Management of Peoria v. IEPA</u> – Having previously granted a request for a 90-day extension, the Board dismissed this matter because no underground storage tank appeal was filed on behalf of this Tazewell County facility.	7-0 UST-Appeal
PCB 01-110	<u>Bulkoa, Inc.</u> – Having previously granted a request for a 90-day extension, the Board dismissed this matter because no underground storage tank appeal was filed on behalf of this Cook County facility.	7-0 UST-FRD
PCB 01-112	<u>Prairie Rivers Network v. IEPA and Black Beauty Coal Company</u> – The Board held action on Vermilion Coal Company’s motions to intervene and request for hearing on its petition to intervene pending receipt of additional information on the basis of its motion to intervene.	7-0 P-A, NPDES Third Party

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PCB 01-120	<u>Plexus Scientific Corporation v. IEPA</u> – The Board ordered petitioner to file an amended petition in this matter no later than April 20, 2001. Petitioner’s motion for expedited decision was granted and its motion for site visit was denied. This matter involving a Will County facility was ordered to proceed to hearing.	7-0 A-V
PCB 01-126	<u>Aubrey Manufacturing, Inc. v. IEPA</u> – The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of this McHenry County facility.	7-0 P-A, RCRA 90-Day Ext.
PCB 01-129	<u>Mac Investments d/b/a Olympic Oldsmobile v. Office of the State Fire Marshal</u> – The Board accepted for hearing this underground storage tank appeal involving a Cook County facility.	7-0 UST-Appeal
PCB 01-130	<u>JR & Sons, Inc. v. IEPA</u> – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Champaign County facility.	7-0 UST-FRD 90-Day Ext.
PCB 01-131	<u>Wareco Service, Inc. v. IEPA</u> – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Morgan County facility.	7-0 UST-FRD 90-Day Ext.
PCB 01-132	<u>Pecora Reality v. IEPA</u> – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this DuPage County facility.	7-0 UST-Appeal 90-Day Ext.
PCB 01-133	<u>People of the State of Illinois v. City of Gibson</u> – 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 Ford County facility, the Board ordered publication of the required newspaper notice.	7-0 PWS-E
PCB 01-134	<u>People of the State of Illinois v. Kucera Disposal Company</u> – The Board accepted for hearing this land enforcement matter involving a Cook County facility.	7-0 L-E

April 19, 2001
Via Video Conference Between
Springfield and Chicago, Illinois

Rulemaking

Environmental Register - April 2001

R01-31 In the Matter of: Provisional Variances from Water Temperature Standards: Proposed New 35 Ill. Adm. Code 301.109 – The Board accepted for hearing the Illinois Environmental Protection Agency’s April 13, 2001 proposal to amend the Board’s water pollution regulations. 6-0
R, Water

Adjusted Standard

AS 01-7 In the Matter of: Progressive Environmental Services, Inc. d/b/a Antifreeze Recycling for an Adjusted Standard from 35 Ill. Adm. Code 720.313(c) – The Board ordered petitioner to file an amended petition in this matter no later than May 21, 2001. In addition, the Board requested petitioner to file additional information in support of its motion for an expedited hearing. 6-0
RCRA

Administrative Citations

AC 01-16 County of Sangamon v. Everett Daily – The Board denied respondent’s motion for judgment on the pleadings in these consolidated administrative citations involving a Sangamon County site. 6-0

AC 01-17
(Cons.)

AC 01-31 IEPA v. Jeffrey Sides – The Board found that this Union County respondent violated Sections 21(p)(1) and (p)(7) of the Act (415 ILCS 5/21(p)(1), (p)(7) (1998)), and ordered respondent to pay a civil penalty of \$3,000. 6-0

AC 01-32 IEPA v. City of East Moline, Illinois d/b/a East Moline Municipal Landfill and Dave Geier – The Board found that these Rock Island County respondents violated Section 21(o)(11) of the Act (415 ILCS 5/21(o)(11) (1998)), and ordered respondents to pay a civil penalty of \$500. 6-0

AC 01-38 County of Macon v. Decatur/Macon County Landfill – The Board ordered petitioner to file an amended administrative citation to cure deficiencies no later than May 24, 2001, or the petition would be subject to dismissal. 6-0

Environmental Register - April 2001

Decisions

PCB 99-79 People of the State of Illinois v. GLC, Inc. d/b/a Midwest Grinding and Recycling – In this air enforcement action concerning five facilities located in Madison County, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (1998)), accepted a final stipulation and settlement agreement, ordered the respondent to pay a civil penalty of \$10,000, and to cease and desist from further violations. 6-0
A-E

Provisional Variance

PCB 01-142 Hennepin Public Water District v. IEPA – Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted this Putnam County facility a 45-day provisional variance, subject to conditions, from the effluent limits set forth in 35 Ill. Adm. Code 304.120(a) and 304.141(a), and National Pollutant Discharge Elimination System Permit Number IL0023345. 6-0
W-V, NPDES

Motions and Other Matters

PCB 91-207 Primex Technologies, Inc. (Marion Facility) and United States Department of Interior, Fish and Wildlife Service v. IEPA – The Board granted the parties' motion for voluntary dismissal of this permit appeal involving a Williamson County facility. 6-0
P-A, RCRA

PCB 97-20 People of the State of Illinois v. Bentronics Corporation – The Board granted complainant's motion for summary judgment and ordered this matter to proceed to hearing concerning penalty issues. 6-0
W-E

PCB 01-17 People of the State of Illinois v. N.E. Finch, a Delaware corporation, and New Castle Properties, L.L.C., an Illinois limited liability corporation – The Board granted complainant's motion to file an amended complaint and directed complainant to proceed with service on the respondents. 6-0
A-E

PCB 01-32 Waukegan Port District v. IEPA – The Board granted petitioner's motion for voluntary dismissal of this permit appeal involving a Lake County facility. 6-0
UST-FRD

PCB 01-50 Gilbert's Citgo, L.L.C. v. IEPA, Wheeling Trust & Savings Bank a/k/a Cole Taylor Bank, Successor Trustee, as Trustee Under Trust No. 73-314 and John Caporaso, as Beneficiary of Trust No. 73-314 – The Board granted petitioner a water well setback exception for its facility located in Kane County, subject to conditions. 5-1
McFawn
dissented
WWS

PCB 01-80 People of the State of Illinois v. Nestle USA, Inc. – 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. 6-0
W-E

Environmental Register – April 2001

PCB 01-107	<u>Illinois State Toll Highway Authority (Des Plaines Oasis – South) v. IEPA</u> – Having previously granted a request for a 90-day extension, the Board dismissed this matter because no underground storage tank appeal was filed on behalf of this Cook County facility.	6-0 UST-Appeal
PCB 01-111	<u>People of the State of Illinois v. David Livingston, individually, and Brian Siple, individually and d/b/a BCS Farms</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 Stephenson County facility, the Board ordered publication of the required newspaper notice.	6-0 W-E
PCB 01-112	<u>Prairie Rivers Network v. IEPA and Black Beauty Coal Company</u> – The Board denied Vermilion Coal Company’s petition to intervene and for a hearing on its petition to intervene, but authorized the filing of an <i>amicus curiae</i> brief.	4-2 Lawton and Melas dissented P-A, NPDES Third Party
PCB 01-116	<u>The Premcor Refining Group, Inc. v. IEPA</u> – The Board ordered petitioner to file an amended petition to cure deficiencies no later than May 24, 2001, or the petition would be subject to dismissal.	6-0 UST-Appeal
PCB 01-135	<u>People of the State of Illinois v. Patrick Robert Land Trust</u> – The Board accepted for hearing this land enforcement matter involving a Tazewell County facility.	6-0 L-E
PCB 01-138	<u>Larry R. Manns v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a Madison County facility.	6-0 UST-Appeal

New Cases

April 5, 2001 Board Meeting

01-126 Aubrey Manufacturing, Inc. v. IEPA – The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of this McHenry County facility.

01-128 B.L.T., Inc. v. Sixth Street Developers, Limited Partnership, ORF, Inc., Roland Industries, VT Properties, Inc., and Freesen, Inc. – The Board held for a later duplicitous/frivolous determination of this citizen’s land enforcement action involving a Sangamon County facility.

01-129 Mac Investments d/b/a Olympic Oldsmobile v. Office of the State Fire Marshal – The Board accepted for hearing this underground storage tank appeal involving a Cook County facility.

01-130 JR & Sons, Inc. v. IEPA – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Champaign County facility.

01-131 Wareco Service, Inc. v. IEPA – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Morgan County facility.

Environmental Register – April 2001

01-132 Pecora Reality v. IEPA – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this DuPage County facility.

01-133 People of the State of Illinois v. City of Gibson – 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 Ford County facility, the Board ordered publication of the required newspaper notice.

01-134 People of the State of Illinois v. Kucera Disposal Company – The Board accepted for hearing this land enforcement matter involving a Cook County facility.

AC 01-33 IEPA v. Donald Bauser – The Board accepted an administrative citation against this Morgan County respondent.

AC 01-34 IEPA v. William Hartmann & Billie Hartmann – The Board accepted an administrative citation against these Macoupin County respondents.

AC 01-35 IEPA v. Jody Short & Lorrie Spriggs – The Board accepted an administrative citation against these Jersey County respondents.

AS 01-07 In the Matter of: Progressive Environmental Services, Inc. d/b/a Antifreeze Recycling for an Adjusted Standard from 35 Ill. Adm. Code 720.313(c) – Pending receipt of the certificate of publication, the Board held this Sangamon County facility's petition for an adjusted standard from the Board's hazardous waste regulations.

R01-30 In the Matter of: Proposed New 35 Ill. Adm. Code 217.Subpart U, NO_x Control and Trading Program for Specified NO_x Generating Units, Subpart X, Voluntary NO_x Emissions Reduction Program, and Amendments to 35 Ill. Adm. Code 211 – The Board adopted a final opinion and order in this matter to amend the Board's air pollution control regulations.

April 19, 2001 Board Meeting

01-135 People of the State of Illinois v. Patrick Robert Land Trust – The Board accepted for hearing this land enforcement matter involving a Tazewell County facility.

01-136 Sangamon Prairie Pork Farm v. IEPA – No action taken.

01-137 Hog Haven L.L.C. v. IEPA – No action taken.

01-138 Larry R. Manns v. IEPA – The Board accepted for hearing this underground storage tank appeal involving a Madison County facility.

01-139 ESG Watts, Inc. v. IEPA – The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of this Sangamon County facility.

01-140 Nelson Westerberg, Inc. v. Office of the State Fire Marshal – The Board accepted for hearing this underground storage tank appeal involving a Cook County facility.

01-141 Limits, L.L.C. v. IEPA – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Cook County facility.

01-142 Hennepin Public Water District v. IEPA – Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted this Putnam County facility a 45-day provisional variance, subject to conditions, from the effluent limits set forth in 35 Ill. Adm. Code 304.120(a) and 304.141(a), and National Pollutant Discharge Elimination System Permit Number IL0023345.

AC 01-36 IEPA v. John Shirley – The Board accepted an administrative citation against this Williamson County respondent.

AC 01-37 IEPA v. Kishwaukee Auto Parts – The Board accepted an administrative citation against this Winnebago County respondent.

AC 01-38 County of Macon v. Decatur/Macon County Landfill – The Board ordered petitioner to file an amended administrative citation in this matter no later than May 24, 2001.

Environmental Register - April 2001

AS 01-07 In the Matter of: Progressive Environmental Services, Inc. d/b/a Antifreeze Recycling for an Adjusted Standard from 35 Ill. Adm. Code 720.313(c) – Pending receipt of the certificate of publication, the Board held this Sangamon County facility’s petition for an adjusted standard from the Board’s hazardous waste regulations.

R01-31 In the Matter of: Provisional Variances from Water Temperature Standards: Proposed New 35 Ill. Adm. Code 301.109 – The Board accepted for hearing the Illinois Environmental Protection Agency’s April 13, 2001 proposal to amend the Board’s water pollution regulations.

Calendar

5/1/2001 9:00 am	PCB 01-112	Prairie Rivers Network v. IEPA and Black Beauty Coal Company	Vermilion County Courthouse Annex County Board Room 6 North Vermilion Road Danville
5/2/2001 9:00 am	PCB 01-112	Prairie Rivers Network v. IEPA and Black Beauty Coal Company	Vermilion County Courthouse Annex County Board Room 6 North Vermilion Road Danville
5/2/2001 9:30 am	PCB 01-120	Plexus Scientific Corporation v. IEPA	Bolingbrook Village Hall Board Room 100 375 West Briarcliff Road Bolingbrook
5/3/2001 9:30 am	PCB 01-120	Plexus Scientific Corporation v. IEPA	Bolingbrook Village Hall Board Room 100 375 West Briarcliff Road Bolingbrook
5/3/2001 11:00 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 West Randolph Street Conference Room 9-040 Chicago
5/17/2001 11:00 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 West Randolph Street Conference Room 9-040 Chicago
5/21/2001 9:30 am	PCB 01-88	IBP, Inc. (Joslin Facility) v. IEPA	Galva City Administration Building 210 Front Street Galva
5/22/2001 9:30 am	PCB 01-88	IBP, Inc. (Joslin Facility) v. IEPA	Galva City Administration Building 210 Front Street Galva
6/7/2001 11:00 am		Illinois Pollution Control Board Meeting	Illinois Pollution Control Board Hearing Room 403 600 South Second Street Springfield
6/7/2001 1:00 pm	R01-31	In the Matter of: Provisional Variances From Water Temperature Standards: Proposed New 35 Ill. Adm. Code 301.109	Illinois Pollution Control Board Hearing Room 403 600 South Second Street Springfield

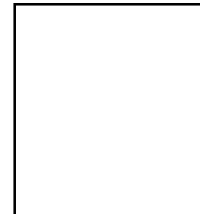
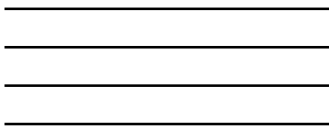
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6/20/2001 1:00 pm	R01-31	In the Matter of: Provisional Variances From Water temperature Standards: Proposed New 35 Ill. Adm. Code 301.109	James R. Thompson Center Conference Room 512 100 West Randolph Street Chicago
6/21/2001		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 West Randolph Street Conference Room 9-040 Chicago
7/12/2001		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 West Randolph Street Conference Room 9-040 Chicago
7/26/2001		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 West Randolph Street Conference Room 9-040 Chicago
8/9/2001		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 West Randolph Street Conference Room 9-040 Chicago

The Illinois Pollution Control Board is an independent seven-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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