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# Environmental Register

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Claire A. Manning, Chairman

Board Members:

Ronald C. Flemal, G. Tanner Girard, Elena Z. Kezelis,  
Samuel T. Lawton Jr., Marili McFawn, Nicholas J. Melas

Illinois Pollution Control Board  
James R. Thompson Center  
100 W. Randolph, Suite 11-500  
Chicago, Illinois 60601  
(312) 814-3620  
(312) 814-6032 TDD

Illinois Pollution Control Board  
600 South Second Street  
Suite 402  
Springfield, Illinois 62704  
(217) 524-8500  
(312) 814-6032 TDD

Web Site: <http://www.ipcb.state.il.us>

## **Letter From the Chairman**

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The Illinois Pollution Control Board was very busy during the month of September. The Board held regulatory hearings on the Tiered Approach to Corrective Action Objectives (TACO) and the Illinois Environmental Protection Agency's (Agency) Clean Air Act proposals to control the nitrogen oxides (NOx) emissions from electrical generating units. Additionally, the Board was busy conducting hearings on the potential environmental impact of proposed peaker plants.



With regard to the peaker plant issue, the Board held public hearings in Naperville, Joliet, and Grayslake to gather input from local government representatives, citizens' groups, and individuals. In August, the Board heard from the Agency and industry representatives in Chicago. The hearings will conclude in October and the Board will accept public comment until November 6, 2000. The Board plans to issue an informational order in the peaker plant matter by the end of the year.

The Board also continued the hearing process for NOx during September. It held several hearings focusing on NOx emissions standards for electrical generating units, and began hearings on NOx emissions standards for cement kilns. The Agency has requested the changes in order to comply with federal law. The changes will require various industries to substantially reduce NOx emissions over the next several years.

The TACO hearing process was completed in September. Businesses use the TACO rules when cleaning up property that has been contaminated in order to determine how clean the site must be for specific uses.

In addition to NOx, TACO, and peaker plants, the Board continues to conduct its normal business of hearing contested cases and other rulemakings. If you have any questions or comments, please contact our Public Information Coordinator, Connie Newman at 217/782-7630, or by email: [newmanc@ipcb.state.il.us](mailto:newmanc@ipcb.state.il.us).

Sincerely,

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

Claire A. Manning, Chairman

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## Federal Update

### **United States Environmental Protection Agency Proposes National Emission Standards for Hazardous Air Pollutants, Paper and Other Web Coating**

On September 13, 2000, USEPA proposed national emission standards for hazardous air pollutant (NESHAP) emissions from facilities that coat paper and other web substrates. 65 Fed. Reg. 55332 (September 13, 2000). USEPA has identified these facilities as a major source of hazardous air pollutants (HAP). The proposed standards implement Section 112(d) of the Clean Air Act (42 U.S.C. §§ 7401 *et seq.* (1998)) by requiring all major sources to meet HAP emission standards reflecting the maximum achievable control technology. USEPA estimates that the proposed NESHAP would eliminate approximately 80 percent of nationwide HAP emissions from major sources.

Comments must be received by November 13, 2000. For further information contact Paul Almodovar at 919/541-0283; e-mail address: [almodovar.paul@epa.gov](mailto:almodovar.paul@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 Clarification to Unregulated Contaminant Monitoring Regulations under the Safe Drinking Water Act**

On September 13, 2000, USEPA proposed analytical methods in List 2, and to require monitoring for those contaminants in drinking water. 65 Fed. Reg. 55361 (September 13, 2000).

The Safe Drinking Water Act (42 U.S.C. §§ 300(f) *et seq.* (1998)), requires USEPA to establish criteria for a program to monitor unregulated contaminants and to publish a list of the contaminants to be monitored. USEPA published the Revisions to the Unregulated Contaminant Monitoring Regulation (UCMR) for public water systems on September 17, 1999 (64 Fed. Reg. 50556), which included lists of contaminants for which monitoring was required or would be required in the future. These lists included: List 1 for contaminants with analytical methods; List 2 for contaminants with methods that were being refined; and List 3 for contaminants with methods that were still being developed.

The action proposes analytical methods for fourteen contaminants on List 2, and to require monitoring for those contaminants in drinking water. These methods and associated monitoring are proposed to support USEPA decisions concerning whether or not to regulate and establish standards for these contaminants in drinking water. The intent of regulating and setting standards for any of these contaminants that may be found to occur at levels of health concern is to protect public health. Additionally in this rule, USEPA proposed modifications to the UCMR that affect the implementation of monitoring for both List 1 and List 2 contaminants.

Comments must be received by October 13, 2000. For further general information contact USEPA Safe Drinking Water Hotline at 800/426-4791. For technical information regarding everything but the analytical methods, contact Charles Job at 212/260-7084. For technical information regarding the analytical methods, contact David Munch at 513/569-7948; e-mail address: [Munch.Dave@epa.gov](mailto:Munch.Dave@epa.gov).

The unregulated contaminant-monitoring program is implemented by USEPA.

### **United States Environmental Protection Agency Proposes Identification and Listing of Hazardous Waste; Inorganic Chemical Manufacturing Wastes under the Hazardous Waste Management System; Land Disposal Restrictions for Newly Identified Wastes; and CERCLA Hazardous Substance Designation and Reportable Quantities**

On September 14, 2000, USEPA proposed to amend the regulations for hazardous waste management under the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. §§ 6901 *et seq.* (1998)) by listing as hazardous three wastes generated from inorganic chemical manufacturing processes. 65 Fed. Reg. 55683 (September 14, 2000).

USEPA also proposed to not list as hazardous various other process wastes. The action proposed to add the toxic constituents found in the wastes to the list of constituents that serves as the basis for classifying wastes as hazardous, and to establish treatment standards for the wastes. USEPA predicts that the effect of this proposed regulation would be to subject the wastes to stringent management and treatment standards under Subtitle C of RCRA.

Additionally, the action proposed to designate the wastes proposed for listing as hazardous substances subject to the

Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. §§ 9601 *et seq.* (1998)) and to adjust the one pound statutory reportable quantities for some of these substances.

USEPA will accept public comments on the proposed rule until November 13, 2000. For further general information contact Gwen DiPietro at 703/308-8285; e-mail address: [dipietro.gwen@epa.gov](mailto:dipietro.gwen@epa.gov). For further technical information contact Lynn Beasley at 703/603-9086; e-mail address: [beasley.lynn@epa.gov](mailto:beasley.lynn@epa.gov).

If adopted by USEPA, the Board will incorporate any necessary amendments in a future identical-in-substance rulemaking.

### **United States Environmental Protection Agency Proposes Stay to National Emission Standards for Hazardous Air Pollutants; Secondary Aluminum Production**

On September 14, 2000, USEPA proposed a stay of the national emission standards for hazardous air pollutant (NESHAP) emissions for secondary aluminum production. 65 Fed. Reg. 55491 (September 14, 2000).

USEPA proposed a rule to stay the applicability of the NESHAP for secondary aluminum production, as applied to aluminum foundries and aluminum die casting facilities, during the pendency of a separate rulemaking to adopt alternate maximum available control technology (MACT) requirements for these sources. USEPA intends to take final action concerning this proposed stay at the same time as it proposes to remove aluminum foundries and aluminum die casting facilities from the present secondary aluminum standard and to adopt alternate MACT requirements deemed necessary and appropriate for these sources.

Comments must be received by October 16, 2000. For further information contact Juan Santiago at 919/541-0184; e-mail address: [Santiago.Juan@epa.gov](mailto:Santiago.Juan@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 Adding Onboard Diagnostic Check to the Clean Air Act Vehicle Inspection/Maintenance Program**

On September 20, 2000, USEPA proposed revisions to the Motor Vehicle Inspection/Maintenance (I/M) requirements to provide additional flexibility to state I/M programs by allowing such programs to replace traditional I/M tests on model year 1996 and newer vehicles so-equipped with a check of the onboard diagnostic (OBD) system. 65 Fed. Reg. 56844 (September 20, 2000).

Additionally, the proposed amendments would: extend the deadline for beginning OBD inspections from January 1, 2001 to January 1, 2002; revise and simplify the failure criteria for the OBD check; address State Implementation Plan credit modeling for the OBD check; allow for limited exemptions from some OBD check failure and/or rejection criteria for certain model year vehicles; and correct a typographical error in the current basic I/M performance standard regarding OBD-I/M vehicle coverage.

The proposal solicits public comment on how to address the issue of repair waivers for OBD-equipped vehicles and the possibility of extending the deadline for implementing OBD-I/M checks even further. Comments must be received by October 20, 2000. For further information contact David Sosnowski at 734/214-4823.

The Board opens regulatory dockets to amend its I/M rules upon receipt of Agency proposals under Section 13B-20(a) of the Vehicle Emissions Law (625 ILCS 5/13B-20(a) (1998)). Some of the proposed amendments may be handled in pending docket R01-12, In the Matter of: Enhanced Vehicle Inspection and Maintenance (I/M) Regulations: Amendments to 35 Ill. Adm. Code Part 240.

## **Rule Update**

### **Board Adopts Proposal for Public Comment in In the Matter of: UIC Update, USEPA Amendments (January 1, 2000 through June 30, 2000), R00-11 and R01-1 (consolidated)**

On September 7, 2000, the Board proposed for public comment amendments to the Illinois regulations that are identical in substance to the underground injection control (UIC) regulations that USEPA adopted to implement Section 1421 of the federal Safe Drinking Water Act (SDWA) (42 U.S.C. § 300h (1998)). Sections 7.2 and 13(c) of the Environmental Protection Act (Act) (415 ILCS 5/7.2 and 13(c) (1998)) provide for quick adoption of regulations that are identical in substance to federal regulations that USEPA adopts to implement Section 1421 of SDWA. Section 13(c) of the Act also provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (5 ILCS 100/5-35 and 5-40 (1998)) do not apply to the Board's adoption of identical-in-substance regulations. The federal UIC regulations are found at 40 C.F.R. 144 through 148.

The Board determined that it was necessary to consolidate two separate dockets in this rulemaking and expedite consideration of certain later amendments. The proposal was published in the *Illinois Register* on October 6, 2000 (24 Ill. Reg. 14528), commencing the 45-day public comment period. The public comment period expires on November 20, 2000.

Please direct any questions regarding this rulemaking to Michael McCambridge at 312/814-6924; e-mail address: mccambm@ipcb.state.il.us.

### **Board Adopts Amendments in In the Matter of: Conforming and Technical Amendments to 35 Ill. Adm. Code 809, R00-18**

On September 7, 2000, the Board adopted amendments to 35 Ill. Adm. Code 809. The adopted amendments were published in the *Illinois Register* on October 6, 2000 (24 Ill. Reg. 14747).

The genesis of this docket, R00-18, was in predecessor docket R99-18, In the Matter of: Amendments to Permitting for Used Oil Management and Used Oil Transport: 35 Ill. Adm. Code 807 and 809 (December 16, 1999). Although the Board dismissed the Agency's used oil facility/transporter permitting proposal on December 16, 1999, the Board determined that certain technical changes to Part 809 of the Board's rules that were a part of the R99-18 docket should be addressed in another rulemaking. The Board also determined that one substantive change to Part 809 was also necessary.

On March 16, 2000, the Board adopted these proposed rules for first-notice publication in the *Illinois Register* and identified the docket as R00-18. Subsequently, the proposed amendments to Part 809 of the Board's rules were published in the *Illinois Register* on April 7, 2000 (24 Ill. Reg. 5854). The Board held two hearings in this matter.

No public comments were received during the first or second-notice periods with the exception of several minor editorial changes suggested by the Joint Committee on Administrative Rules (JCAR). On July 13, 2000, the Board proposed the rules for second notice review by JCAR. After consideration of the rules at its August 15, 2000 meeting, JCAR issued a certificate of no objection.

The substantive change in this rulemaking involves the permitting and manifesting of hazardous waste. The change only affects owners and operators of the same or geographically contiguous properties who must use public rights of way to transport hazardous waste from one part of a facility to another. The Board also made technical amendments to 35 Ill. Adm. Code 809. The changes suggested by JCAR during both this and a prior rulemaking were non-substantive.

For additional information contact: Joel Sternstein at 312/814-3665; e-mail: [sternstj@ipcb.state.il.us](mailto:sternstj@ipcb.state.il.us).

**Board Adopts First Notice Proposal in In the Matter of: Amendments to Diesel Opacity Rules Required by P.A. 91-254 and P.A. 91-865, Proposed Amendments to 35 Ill. Adm. Code 240, R01-8**

On September 7, 2000, the Board proposed amendments to 35 Ill. Adm. Code 240 for first notice publication in the Illinois Register, pursuant to the Illinois Administrative Procedure Act (5 ILCS 100/1-1 et seq. (1998)). The Illinois General Assembly adopted legislation in 1999 that amends the diesel smoke opacity tests and procedures under the Illinois Vehicle Code (625 ILCS 5/1-101 et seq. (1998)) (see Pub. Act 91-254, eff. July 1, 2000). The law requires the Board to amend its existing diesel smoke opacity rules of 35 Ill. Adm. Code 240 within eight months of the legislation's effective date of July 1, 2000. To meet this deadline, the Board plans to enter its final opinion and order concerning such amendments on or before February 28, 2001.

The Board held the first hearing in this matter on October 4, 2000, at 11:00 a.m. in Springfield. The second hearing will be held on October 24, 2000, at 10:00 a.m. in Chicago. The hearing officer order providing notice of hearing is available on the Board's Web site at: <http://www.ipcb.state.il.us/rules/proposal>. The proposed amendments were published in the *Illinois Register* on September 22, 2000 (24 Ill. Reg. 14146). The 45-day public comment period will end on November 6, 2000.

For additional information contact: Stacy Meyers at 312/814-7011; e-mail: [meyerss@ipcb.state.il.us](mailto:meyerss@ipcb.state.il.us).

**The Board Accepts Proposal for Hearing in In the Matter of: Revisions to Antidegradation Rules: 35 Ill. Adm. Code 302.105, 303.205, 303.206, and 106.990-106.995, R01-13**

On September 7, 2000, the Board accepted a proposal from the Illinois Environmental Protection Agency (Agency) for hearing and directed the hearing officer to schedule hearings as required by Title VII of the Environmental Protection Act (Act) (415 ILCS 5/1 et seq. (1998)). On August 30, 2000, the Agency filed a rulemaking proposal pursuant to Section 27 of the Act (415 ILCS 5/27 (1998)) to amend the Board's existing nondegradation rule at 35 Ill. Adm. Code 302.105. The Agency's proposed amendments would change the program name to "antidegradation" consistent with federal regulatory changes. New rules are proposed regarding outstanding resource waters (35 Ill. Adm. Code 303.205-206) as well as new procedural rules for outstanding resource water determinations (35 Ill. Adm. Code 101.Subpart L).

Hearings on this proposal will be scheduled in the near future. For additional information contact: Marie Tipsord at 312/814-4925; e-mail address: [tipsorm@ipcb.state.il.us](mailto:tipsorm@ipcb.state.il.us).

**The Board Accepts Proposal for Hearing in In the Matter of: Proposed MTBE Groundwater Quality Standards Amendments: 35 Ill. Adm. Code 620, R01-14**

On September 7, 2000, the Board accepted a proposal for hearing from the Illinois Environmental Protection Agency (Agency) and directed the hearing officer to schedule hearings as required by Title VII of the Environmental Protection Act (Act) (415 ILCS 5/1 et seq. (1998)). On September 1, 2000, the Agency filed a rulemaking proposal pursuant to Section 8 of the Groundwater Protection Act (415 ILCS 55/8 (1998)) and Section 27 of the Act (415 ILCS 5/27) (1998) to establish groundwater quality standards for the contaminant methyl tertiary-butyl ether (MTBE). The proposal would set preventive response level standards of 0.020 mg/l and groundwater quality standards of 0.070 mg/l for Class I and Class II groundwater. The proposal would also amend 35 Ill. Adm. Code 620.505 "compliance determinations" to include specification of conditions when drinking water supply wells can be used for such determinations, in addition to various other changes. The Agency requests that the Board adopt these proposed rules "as expeditiously as practicable."

Hearings on this proposal will be scheduled in the near future. For additional information contact: Amy Jackson at 217/524-8507; e-mail: jacksoa@ipcb.state.il.us.

**Board Adopts Proposal for Public Comment in In the Matter of: RCRA Subtitle C Hazardous Waste Update, USEPA Amendments (January 1, 2000 through June 30, 2000), R01-3**

On September 21, 2000, the Board proposed for public comment amendments to the Illinois regulations that are "identical in substance" to hazardous waste regulations that USEPA adopted to implement Subtitle C of the federal Resource Conservation and Recovery Act of 1976 (RCRA Subtitle C) (42 U.S.C. §§ 6921 *et seq.* (1998)). The amendments include amendments that USEPA adopted during the period from January 1, 2000 through June 30, 2000. USEPA amended the federal RCRA Subtitle C regulations on five occasions during the relevant time period.

Sections 7.2 and 22.4(a) of the Environmental Protection Act (Act) (415 ILCS 5/7.2 and 22.4(a) (1998)) provide for quick adoption of regulations that are identical in substance to federal regulations that USEPA adopts to implement Sections 3001 through 3005 of RCRA (42 U.S.C. §§ 6921-25 (1998)). Section 22.4(a) also provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (5 ILCS 100/5-35 and 5-40 (1998)) do not apply to the Board's adoption of identical in substance regulations. Therefore, the amendments are not subject to first or second-notice review by the Joint Committee on Administrative Rules.

The proposal for public comment will be published on October 13, 2000 (24 Ill. Reg. 14945). The Board will accept written public comment for at least 45 days after the date of *Illinois Register* publication, *i.e.*, through November 27, 2000.

For additional information contact: Michael McCambridge at 312/814-6924; e-mail: mccambm@ipcb.state.il.us.

## **IEPA Restricted Status List**

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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 (Act) (415 ILCS 5/1 *et seq.* (1998)).

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 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 October 1, 2000.

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

*114 Towncrest Dr Apts (Will County - 1970120)	2	Inadequate Pres Tank	52	09/13/00
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	Gross Alpha	310	03/15/98
Buckingham (Kankakee Co - 0910250)	2	Inadequate Pres Tank	330	03/17/89
Campus (Livingston Co - 1050050)	4	Inadequate Pres Tank	230	03/20/81
Carroll Hts Utl Cmpny (Carroll Co - 0155200)	1	Inadequate Pres Tank	80	03/20/81
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
Echo Lake Wtr Sys Block 7 (Lake Co - 0975820)	2	Inadequate Pres Tank	48	09/16/83
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
Forest Lake Addn (Lake Co - 0975500)	2	Inadequate Pres Tank	180	12/16/83
Frwrld-Skyline Cpy (Kane Co - 0895030)	2	Inadequate Pres Tank	1,300	09/19/86
Garden Street Imprv Assn (Will Co - 1975376)	2	Inadequate Pres Tank	62	09/15/89
Glasford (Peoria Co - 1430350)	5	Adjusted Gross Alpha	1,115	12/15/97
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
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

Hettick (Macoupin Co - 1170500) 03/15/99	5	Atrazine	250
Highland Sbdv (Kane Co - 0895530) 09/16/83	2	Inadequate Pres Tank	50
Hillview Sbdv (Will Co - 1975800) 03/15/85	2	Inadequate Pres Tank	99
Holy Family Villa (Cook Co - 0310280)	2	Inadequate Pres Tank	200
Huntley Cmnty Sbdv (Will Co - 1975840) 03/16/84	2	Inadequate Pres Tank	48
Ingalls Pk Sbdv (Will Co - 1975880) 09/16/83	2	Inadequate Pres Tank	690
Knoxville (Knox Co - 0950300) 03/15/98	5	Adjusted Gross Alpha	3,243
Lake Lynwood Wtr Sys (Henry Co - 0735330) 08/31/81	1	Inadequate Pres Tank	98
Lakeview Hills Wtr Supply Cp(Whiteside Co - 1955150) 03/20/81	1	Inadequate Pres Tank	146
Larchmont Sbdv (Winnebago Co - 2015290) 06/17/83	1	Inadequate Pres Tank	106
Larson Court Rentals (Rock Island Co - 1615728) 01/14/82	1	Inadequate Pres Tank	48
Legend Lakes Wtr Assn (Winnebago Co - 2015300) 03/14/91	1	Inadequate Pres Tank	225
Liberty Park Homeowners Assn (DuPage Co - 0435600) 09/17/92	2	Inadequate Pres Tank	1,092
Lindenwood Wtr Assn (Ogle Co - 1415300) 01/13/82	1	Inadequate Pres Tank	50
Lisbon North Inc (Grundy Co - 0631000) 09/14/90	2	Inadequate Pres Tank	30
Little Swan Lake Sndst (Warren Co - 1875050) 03/15/98	5	Inadequate Pres Tank	250
London Mills (Fulton Co - 0574620) 12/14/84	5	Inadequate Pres Tank	670
Lynn Cntr (Henry Co - 0735100) 03/15/95	1	Inadequate Pres Tank	147
Lynnwood Water Corp (LaSalle Co - 0995336) 03/18/83	1	Inadequate Pres Tank	114
M C L W Sys Inc (Mercer Co - 1315150) 03/20/81	1	Inadequate Source	100
Maple Leaf Ests Wtr Corp (Monroe Co - 1335100) 03/20/81	6	Inadequate Pres Tank	39
Mapleton (Peoria Co - 1430500) 03/15/98	5	Adjusted Gross Alpha	350
Mayfair Sbdv (Tazewell Co - 1795750) 03/16/90	5	Inadequate Pres Tank	150
Mound PWD (St Clair Co - 1635050) 06/17/96	6	Inadequate Plant Capacity	1,800
New Hope Wtrwks Corp (Wayne Co - 1915100)	7	Trihalomethane	676
Northwest Belmont Imprv Assn (DuPage Co - 0435900) 09/29/81	2	Inadequate Pres Tank	115
Oak Ridge Sndst (Woodford Co - 2035300) 03/20/81	1	Inadequate Pres Tank	240
Oakview Avenue Wtrwks Inc (Will Co - 1977210) 03/20/81	2	Inadequate Pres Tank	350
Olivet Nazarene College (Kankakee Co - 0915279) 03/15/94	2	Inadequate Pres Tank	1,450
Opheim PWS (Henry Co - 0735150) 06/18/82	1	Inadequate Pres Tank	150

09/15/9  
9

03/1

Oscos Mutual Wtr Supply Cpy Inc (Henry Co-0735200) 12/15/89	1	Inadequate Pres Tank	115
Park Road Wtr Assn (Will Co - 1977330) 12/17/82	2	Inadequate Pres Tank	60
Park View Wtr Corp (Kane Co - 0895500) 12/17/82	2	Inadequate Pres Tank	150
Patoka (Marion Co - 1210400) 03/15/97	6	Inadequate Plant Capacity	731
Polo Dr & Saddle Rd Sbdv (DuPage Co - 0437000) 12/17/82	2	Inadequate Pres Tank	95
Ports of Sullivan Lake Assn (Lake co - 0971160) 06/15/99	2	Inadequate Pres Tank	638
Prairie Ridge Assn (McHenry Co - 1115730) 03/16/90	2	Inadequate Pres Tank	140
Princeville (Peoria Co - 1430750) 12/15/97	5	Adjusted Gross Alpha	1,815
Ridgecrest North Sbdv (Grundy Co - 0635250) 09/16/93	2	Inadequate Pres Tank	85
Ridgewood Ledges Wtr Assoc(Rock Island Co-1615670) 03/20/81	1	Inadequate Pres Tank	475
Ridgewood Sbdv (Will Co - 1977650) 06/18/82	2	Inadequate Pres Tank	315
Sbdv Wtr Trust No 1 (Kane Co - 0895300) 03/20/81	2	Inadequate Pres Tank	1,120
Shawntita Trc Wtr Assn (Will Co - 1977690) 09/17/92	2	Inadequate Pres Tank	125
Skyview Estates (Kankakee Co - 0915526) 09/14/84	2	Inadequate Pres Tank	65
Sorento (Bond Co - 0050300) 09/16/96	6	Trihalomethane	750
St Charles Cmsn Wlfnd 3 (DuPage Co - 0437040) 12/15/89	2	Inadequate Pres Tank	30
Staunton Res Rd Wtr (Macoupin Co - 1175250) 12/16/96	5	Trihalomethane	70
Sturm Sbdv (Lake Co - 0977010) 03/16/84	2	Inadequate Pres Tank	63
Suburban Heights Sbdv (Rock Island Co - 1615800) 12/16/83	1	Inadequate Pres Tank	114
Summit Homeowners Assn (Lake Co - 0975280) 03/16/84	2	Inadequate Pres Tank	48
Sunny Hill Ests Sbdv (Henry Co - 0735300)	1	Inadequate Pres Tank	525
Sunnyland Sbdv (Will Co - 1977730) 09/16/83	2	Inadequate Pres Tank	350
Swedona Wtr Assn (Mercer Co - 1315200) 06/15/90	1	Inadequate Pres Tank	100
Sylvan Lake 1st Sbdv (Lake Co - 0977100) 06/14/91	2	Inadequate Pres Tank	210
Toulon (Stark Co - 1750150)	1	Adjusted Gross Alpha	1,400
Towners Sbdv (Lake Co - 0977250) 01/14/82	2	Inadequate Pres Tank	238
Trivoli PWD (Peoria Co - 1435510) 06/17/83	5	Inadequate Pres Tank	350
Turkey Hollow Well Corp (Rock Island Co - 1615686) 06/18/82	1	Inadequate Pres Tank	32
Utl Inc Lake Holiday (LaSalle Co - 0995200) 09/15/98	1	Inad Source & Treat Plt	4,908
Utl Inc Northern Hls Utl Co(Stephenson Co-1775050) 03/15/96	1	Inadequate Pres Tank	290
Utl Inc Walk-Up Woods Wtr Co(McHenry Co - 1115800) 12/17/82	2	Inadequate Pres Tank	763

06/1

12/1

Wermes Sbdv (Kane Co - 0895750) 12/16/88	2	Inadequate Pres Tank	150
West Salem (Edwards Co - 0470200) 03/15/99	7	Inadequate Treatment Plant	1,058
West Shore Park Sbdv (Lake Co - 0977370)	2	Inadequate Pres Tank	450
West Shoreland Sbdv (Lake Co - 0977050) 06/14/91	2	Inadequate Pres Tank	220
Westfield (Clark Co - 0230200) 06/15/93	4	Inadequate Water Source	700
Wienen Estates (Jo Daviess Co - 0850030) 12/15/97	1	Inadequate Pres Tank	70
Wonder Lake Wtr Cmpny (McHenry Co - 1115750) 06/16/94	2	Inadequate Pres Tank	1,161
Woodland Hts Ests Sbdv (Peoria Co - 1435760) 03/20/81	5	Inadequate Pres Tank	245
Woodsmoke Ranch Assn (LaSalle Co - 0990030) 06/15/90	1	Inadequate Pres Tank	350
York Cntr Coop (DuPage Co - 0437550) 06/15/88	2	Inadequate Pres Tank	240
2nd Street Wtr Assn (Lake Co - 0971140) 12/15/95	2	Inadequate Pres Tank	33

06/15/0  
0

PUBLIC WATER SUPPLIES REMOVED FROM PREVIOUS LIST

Blue Mound (Macon Co - 1150100)  
Ctzns Liberty Ridge Dvn (DuPage Co - 0435650)  
Ellis Grove (Randolph Co - 1570200)  
Highland Lake Sbdv (Lake Co - 0975750)  
Mount Olive (Macoupin - 1170700)  
Scottville (Macoupin Co - 1170010)  
Spring Creek Wtr Assn (Macoupin Co - 1175450)  
Three County PWD (Madison Co - 1195450)

NAME CHANGE

Lemon Street WI Cmpny Inc (Rock Island Co-1615550)

# IEPA Critical Review List

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

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. This list reflects the status as of October 1, 2000.

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

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

09/13/0  
0

Scales Mound (Jo Daviess Co - 0850400) 09/15/97	1	Low System Pressure	400
Seneca (LaSalle Co - 0991050) 06/15/99	1	Inadequate Plant Capacity	1,937
South Highway PWD (Jackson Co - 0775400) 06/15/92	7	Low System Pressure	8,189
Stockton (Jo Daviess Co - 0850450) 06/15/84	1	Low System Pressure	1,900
Sumner (Lawrence Co - 1010300) 12/13/85	7	Low System Pressure	1,553
Tower Ridge Sbdv (Rock Island Co - 1615780) 03/15/94	1	Inadequate Pres Tank	70
Utl Inc Lake Marian Wtr Corp (Kane Co - 0895200) 09/14/84	2	Low Sys Pres & Inad Pres Storage	800
Walnut Hill (Marion Co - 1210600) 06/14/85	6	Low System Pressure	1,200
Wonder Lake Wtr Cmpny (McHenry Co - 1115750) 12/14/90	2	Inadequate Storage	1,080

## PUBLIC WATER SUPPLIES REMOVED FROM PREVIOUS LIST

Bayles Lake Lot Owners Assn (Iroquois Co - 0755110)  
Ctzns Chickasaw Hills Div (Will Co - 1975320)  
Homer (Champaign Co - 0190300)  
Pearl (Pike Co - 1490650)

## **Listing of Adjusted Standards**

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### LISTINGS OF ADJUSTED STANDARDS AND COMBINED SEWER OVERFLOW EXCEPTIONS GRANTED BY THE BOARD DURING FISCAL YEAR 2000

Section 28.1(d)(3) of the Environmental Protection Act (Act) (415 ILCS 5/28.1(d)(3) (1998)) requires the Board to annually publish in the *Illinois Register* and *Environmental Register* at the end of each fiscal year a listing of all determinations made pursuant to Section 28.1. This notice sets forth all adjusted standards and combined sewer overflow exceptions determinations made by the Board during fiscal year 2000 (July 1, 1999 through June 30, 2000).

### **Final Actions Taken by the Pollution Control Board in Adjusted Standards Proceedings During Fiscal Year 2000 (July 1, 1999, through June 30, 2000)**

<u>Docket/Docket Title</u>	<u>Final Determination</u>
<u><i>In re</i> Petition of Horsehead Resource Development Company, Inc.</u> (August 5, 1999), AS 00-01	The Board dismissed the petition filed on behalf of this Chicago, Cook County facility for an adjusted standard from the definition of "solid waste" or "hazardous waste" under the RCRA Subtitle C regulations because the petitioner had failed to timely publish the notice required by Section 28.1(d)(1) of the Act.
<u><i>In re</i> Petition of Horsehead Resource Development Company, Inc.</u> (February 17, 2000), AS 00-02	The Board determined with respect to this Chicago, Cook County facility that the crude zinc oxide product generated by the facility should be classified as a commodity-like material and is not a solid waste subject to regulation under the RCRA Subtitle C hazardous waste rules.
<u><i>In re</i> Petition of the Ensign-Bickford</u> (September 23, 1999), AS 00-03	The Board dismissed this petition filed on behalf of a Wolf Lake, Union County facility for an adjusted standard from the Board's open burning restrictions because the petitioner had failed to timely publish the notice required by Section 28.1(d)(1) of the Act.
<u><i>In re</i> Petition of Takasago Corporation (U.S.A.)</u> (April 20, 2000), AS 00-04	The Board dismissed this petition filed on behalf of a University Park, Will County facility for an adjusted standard from certain of the wastewater discharge levels for total dissolved solids because the petitioner had failed to timely publish the notice required by Section 28.1(d)(1) of the Act.
<u><i>In re</i> Petition of Ford Motor Company (Chicago Assembly Plant)</u> (April 6, 2000), AS 00-06	The Board granted this Chicago, Cook County facility an adjusted standard from certain volatile organic material emissions limitation requirements. The adjusted standard will enable Ford to implement an alternative emissions control plan for solvent clean-up operations.

In re Petition of Central Illinois Public Service Company (February 3, 2000), AS 00-07

The Board allowed the voluntary withdrawal OF Central Illinois Public Service Company's petition for an adjusted standard from the Board's general use water quality standards regulations for its Jackson County facility.

In re Petition of Vonco Products, Inc. (February 17, 2000), AS 00-08

The Board allowed the voluntary withdrawal of Vonco Products, Inc.'s petition for an adjusted standard from certain of the Board's flexographic and rotogravure printing regulations for its Lake Villa, Lake County facility.

In re Petition of Bema Film Systems, Inc. (February 17, 2000), AS 00-09

The Board allowed the voluntary withdrawal of Bema Film Systems, Inc.'s petition for an adjusted standard from certain of the Board's flexographic and rotogravure printing regulations for its Elmhurst, DuPage County facility.

In re Petition of Formel Industries, Inc. (February 17, 2000), AS 00-10

The Board allowed the voluntary withdrawal of Formel Industries, Inc.'s petition for an adjusted standard from certain of the Board's flexographic and rotogravure printing regulations for its Franklin Park, Lake County facility.

In re Petition of Heritage Environmental Services, Inc. (June 8, 2000) AS 00-14

The Board dismissed this petition filed on behalf of Heritage Environmental Services, Inc. for an adjusted standard for its Cook County site from certain of the Board's RCRA and UIC permit program regulations because the petitioner had failed to timely publish the notice required by Section 28.1(d)(1) of the Act.

**Final Actions Taken by the Pollution Control Board in Combine Sewer Overflow Exception Proceedings During Fiscal Year 2000 (July 1, 1999 through June 30, 2000)**

The Board took no action on combined sewer overflow exception proceedings during fiscal year 2000.

Please address **written comments or requests for copies**, including the appropriate docket number, to:

Name: Dorothy Gunn, Clerk  
Address: Pollution Control Board  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601  
Telephone: 312-814-3620

Please address **questions** concerning this notice including the appropriate docket number, to:

Name: Erin Conley  
Address: Pollution Control Board  
600 S. Second St., Suite 402  
Springfield, Illinois 62704  
Telephone: 217-782-2471  
Internet: conleye@ipcb.state.il.us

## Board Actions

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**September 7, 2000**  
**Chicago, Illinois**

### Rulemakings

R00-11	<u>In the Matter of: UIC Update, USEPA Amendments (July 1, 1999 through December 31, 1999); and In the Matter of: UIC Update, USEPA Amendments (January 1, 2000 through June 30, 2000)</u> - The Board on its motion consolidated these dockets and adopted a proposal for public comment in this "identical-in-substance" rulemaking to amend the Board's underground injection control regulations.	7-0 R, Land
R01-1 (Cons.)		
R00-18	<u>In the Matter of: Conforming and Technical Amendments to 35 Ill. Adm. Code 809, Nonhazardous Special Waste Hauling and The Uniform Program</u> - The Board adopted a final opinion and order in this matter to amend the Board's solid waste and special waste hauling regulations.	7-0 R, Land
R01-8	<u>In the Matter of: Amendments to Diesel Opacity Rules Required by P.A. 91-254 and P.A. 91-865, Proposed Amendments to 35 Ill. Adm. Code 240</u> - The Board adopted a first notice opinion and order in this matter to amend the Board's air pollution control regulations.	7-0 R, Air
R01-13	<u>In the Matter of: Revisions to Antidegradation Rules: 35 Ill. Adm. Code 302.105, 303.205, 303.206 and 106.990-106.995</u> - The Board accepted for hearing this Illinois Environmental Protection Agency proposal to amend the Board's water regulations.	7-0 R, Water
R01-14	<u>In the Matter of: Proposed MTBE Groundwater Quality Standards Amendments: 35 Ill. Adm. Code 620</u> - The Board accepted for hearing this Illinois Environmental Protection Agency proposal to amend the Board's public water supply regulations.	7-0 R, PWS

## Adjusted Standard

AS 99-6	<u>In the Matter of: Illinois-American Water Company's Alton Public Water Supply Replacement Facility Discharge to the Mississippi River for an Adjusted Standard from 35 Ill. Adm. Code 304.124, 304.106, and 302.203</u> - The Board granted this Madison County facility an adjusted standard from the effluent discharge requirements, pursuant to 35 Ill Adm. Code 302.203, 304.106, and 304.124, subject to conditions. The Board denied as unnecessary petitioner's request for an adjusted standard from Section 304.124 of the Board's rules as it applies to iron.	7-0 Water
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## Administrative Citation

AC 00-78	<u>IEPA v. RCS, Inc. and Rickie Laird</u> - In response to a joint stipulation and settlement agreement in this administrative citation action involving a Jersey County facility, the Board found respondents violated Sections 21(o)(1), 21(o)(5), and 21(o)(12) of the Environmental Protection Act (415 ILCS 5/21(o)(1), 21(o)(5), and 21(o)(12) (1998)), and ordered respondents to pay a civil penalty of \$1,500.	7-0
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## Adjudicatory Cases

### • Decisions

PCB 99-72	<u>People of the State of Illinois v. Lake of Egypt Water District and Gary R. Rhodes</u> - In this public water supply enforcement action concerning a facility located in Williamson County, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (1998)), and accepted a final stipulation and settlement agreement. The Board ordered the respondents to pay a civil penalty of \$25,000, and to cease and desist from further violations.	7-0 PWS-E
PCB 00-113	<u>People of the State of Illinois v. Illinois-American Water Company</u> - In this public water supply enforcement action concerning a facility located in Peoria County, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (1998)), and accepted a final stipulation and settlement agreement. The Board ordered the respondents to pay a civil penalty of \$25,000, and to cease and desist from further violations.	7-0 PWS-E

### • Provisional Variance

PCB 01-47	<u>City of Wood Dale v. IEPA</u> - Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted this DuPage County petitioner a 45-day provisional variance, subject to conditions, from the effluent limits set forth in 35 Ill. Adm. Code 304.141(a) and the excess flow limits in National Pollutant Discharge Elimination System Permit No. IL0034274.	7-0 W-V, NPDES
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## Motions and Other Matters

PCB 96-180	<u>Environmental Site Developers, Inc. v. White &amp; Brewer Trucking, Inc.</u> - The Board granted the parties' agreed motion to stay proceedings until December 31, 2000.	7-0 W-E, Citizens
PCB 97-11	<u>People of the State of Illinois v. White &amp; Brewer Trucking</u> - The Board granted complainant's motion to stay proceedings until December 31, 2000.	7-0 L,W, GW-E
PCB 00-44	<u>People of the State of Illinois v. Wallace, Inc.</u> - Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this Resource Conservation and Recovery Act enforcement action involving a facility located in Jackson County, the Board ordered publication of the required newspaper notice.	7-0 RCRA-E
PCB 00-72	<u>Peacock Oil Company v. IEPA</u> - The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal involving a Cook County facility.	7-0 UST-FRD

PCB 00-181	<u>MDI Limited Partnership #42 v. Regional Board of Trustees for Boone and Winnebago Counties, and Board of Education of Belvidere District 100</u> - The Board denied complainant's motion for default judgment against the Board of Education of Belvidere District 100.	7-0 UST-E, Citizens
PCB 00-223	<u>Silver Glen Homeowners' Association, Inc. v. IEPA</u> – The Board denied respondent's motion for reconsideration.	7-0 P-A, NPDES
PCB 00-224	<u>Chicago Fire Brick Company 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 timely filed on behalf of this Cook County facility.	7-0 UST-FRD
PCB 00-225	<u>Lake County 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 timely filed on behalf of this Lake County facility.	7-0 UST-Appeal
PCB 01-4	<u>Naperville Radiator Services v. IEPA</u> - The Board dismissed this matter due to lack of jurisdiction.	7-0 UST-FRD
PCB 01-27	<u>Town of Cortland v. IEPA</u> - The Board granted petitioner's motion to withdraw this request for extension of variance involving a DeKalb County facility.	7-0 PWS-V
PCB 01-36	<u>George McKissick 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-FRD
PCB 01-37	<u>City of Elgin v. IEPA</u> - The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of this Cook County facility.	7-0 P-A, PWS 90-Day Ext.
PCB 01-38	<u>Equilon Enterprises L.L.C. v. IEPA</u> - The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of this Cook County facility.	7-0 P-A, Air 90-Day Ext.
PCB 01-39	<u>Lannis Walters d/b/a Fat Boy Pizza (Get &amp; Go) 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 Massac County facility.	7-0 UST-FRD 90-Day Ext.
PCB 01-40	<u>People of the State of Illinois v. City of Paris and Francis Associates</u> - The Board accepted for hearing this public water enforcement action against this Edgar County facility.	7-0 PWS-E
PCB 01-41	<u>People of the State of Illinois v. Sommer Products Company, 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 enforcement action involving a facility located in Peoria County, the Board ordered publication of the required newspaper notice.	7-0 A-E
PCB 01-43	<u>People of the State of Illinois v. Michael Stringini</u> - The Board accepted for hearing this Resource Conservation and Recovery Act enforcement action against this McHenry County facility.	7-0 RCRA-E
PCB 01-44	<u>People of the State of Illinois v. Ratliff Brothers and Company, Inc.</u> - The Board accepted for hearing this land and water enforcement action against this Henry County facility.	7-0 L&W-E
PCB 01-45	<u>People of the State of Illinois v. E.J. Water Corporation, Milano &amp; Grunloh Engineers, Inc., and Speth Plumbing, Inc.</u> - Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this public water supply enforcement action involving a facility located in Jasper County, the Board ordered publication of the required newspaper notice.	7-0 PWS-E

PCB 01-46      XCTC Limited Partnership v. IEPA - The Board accepted for hearing this third-party permit appeal involving a Cook County facility.      7-0  
P-A

**September 21, 2000**  
**Chicago, Illinois**

**Rulemaking**

R01-3      In the Matter of: RCRA Subtitle C Update, USEPA Amendments (January 1, 2000 through June 30, 2000) - The Board adopted a proposal for public comment in this “identical-in-substance” rulemaking to amend the Board’s hazardous waste regulations.      7-0  
R, Land

**Adjusted Standard**

AS 01-3      In the Matter of: Petition of DeKalb Sanitary District for an Adjusted Standard from Water Quality Standards for Copper Under 35 Ill. Adm. Code Section 302.208(e) - The Board granted petitioner’s attorney’s motion to appear *pro hac vice* and accepted this DeKalb County facility’s petition for an adjusted standard from the water quality regulations found at 35 Ill. Adm. Code 302.208(e).      6-0  
Flemal  
abstained  
Water

**Administrative Citations**

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

AC 01-7      IEPA v. Bill Wallace - The Board found that this Schuyler County respondent violated Sections 21(p)(1), (p)(3), and (p)(7) of the Act (415 ILCS 5/21(p)(1), (p)(5), (p)(7) (1998)), and ordered respondent to pay a civil penalty of \$4,500.      7-0

## Adjudicatory Cases

### • Decisions

PCB 97-43	<u>People of the State of Illinois v. The Estate of Walter A. Brandys formerly d/b/a A&amp;D Auto Service, Barbara A. (Brandys) Mandal, Christine M. (Brandys) Douglas, Robert A. Brandys, and Vincent W. Brandys Sr.</u> - In this water enforcement action concerning a facility located in Cook County, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (1998)), and accepted a final stipulation and settlement agreement. The Board ordered the respondents to pay a civil penalty of \$25,000, and to cease and desist from further violations.	7-0 RCRA, W-E
PCB 99-69	<u>Land and Lakes Company v. Randolph County Board of Commissioners</u> - The Board affirmed the October 19, 1998 decision by the Randolph County Board of Commissioners denying siting of a pollution control facility for Land and Lakes Company.	5-2 Kezelis and Lawton dissented Manning concurring P-C-F-S-R
PCB 99-94	<u>People of the State of Illinois v. Graham C-Stores Company</u> - In this air enforcement action concerning 11 gasoline dispensing facilities located in Cook County, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (1998)), and accepted a final stipulation and settlement agreement. The Board ordered the respondent to pay a civil penalty of \$10,616, and to cease and desist from further violations.	7-0 A-E
PCB 00-93	<u>People of the State of Illinois v. Waste Professionals, Inc. d/b/a Pekin Landfill</u> - In this water enforcement action concerning a facility located in Tazewell County, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (1998)), and accepted a final stipulation and settlement agreement. The Board ordered the respondent to pay a civil penalty of \$20,000, and to cease and desist from further violations.	7-0 W-E
PCB 00-122	<u>People of the State of Illinois v. City of Lawrenceville, John A. Gordon, P.E., Gordon &amp; Price, Inc., David Guillaum d/b/a D&amp;G Construction, and Wayne Lappington d/b/a Lappington Trucking and Excavating</u> - In this public water supply enforcement action concerning a facility located in Lawrence County, Illinois, the Board granted relief from the hearing requirement of Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (1998)), and accepted a final stipulation and settlement agreement as to David Guillaum d/b/a D & G Construction and Wayne Lappington d/b/a Lappington Trucking and Excavating only. The Board ordered respondents to pay a total civil penalty of \$10,000, and to cease and desist from further violations.	7-0 PWS-E
PCB 01-31	<u>People of the State of Illinois v. Village of South Elgin</u> - In this public water supply enforcement action concerning a facility located in Kane County, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (1998)), and accepted a final stipulation and settlement agreement. The Board ordered the respondent to pay a total civil penalty of \$16,000, and to cease and desist from further violations.	7-0 PWS-E

## Provisional Variance

PCB 01-53	<u>City of Batavia v. IEPA</u> – Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted this Kane County petitioner a 45-day provisional variance, subject to conditions, from the effluent limits set forth in 35 Ill. Adm. Code 304.141(a), 304.120(a) and from the excess flow limitations of NPDES Permit No. IL0022543.	7-0 W-V, NPDES
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## Motions and Other Matters

PCB 97-135	<u>People of the State of Illinois v. Champion Environmental Services, 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 enforcement action involving facilities located in Cook, DuPage, Champaign, Iroquois, LaSalle, and Tazewell Counties, the Board ordered publication of the required newspaper notice.	7-0 A-E
PCB 98-18	<u>James R. and Lucille J. Metz v. United States Postal Service and Bradley Real Estate</u> - The Board granted the parties' motion for voluntary dismissal of this citizens' and noise enforcement action involving a Cook County facility.	7-0 N-E, Citizens
PCB 98-148	<u>People of the State of Illinois v. Doren Poland, Lloyd Yoho and Briggs Industries, Inc.</u> - The Board denied respondent Briggs Industries, Inc.'s motion for reconsideration of the Board's August 24, 2000 order.	7-0 L-E
PCB 98-164	<u>City of Rock Island v. IEPA</u> - The Board granted petitioner's motion to modify the Board's July 13, 2000 order.	6-0 Manning abstained P-A, NPDES
PCB 98-169	<u>Union Oil Company of California d/b/a Unocal v. Barge-Way Oil Company, Inc., Joseph Kellogg, Nielsen's Bargeway, Gertrude Kellogg, Robert Nielsen</u> - The Board granted respondent Nielsen's request to withdraw all motions pending on his behalf. The Board denied respondents Barge Way Systems, Inc. and Atkins' motion to dismiss and granted Barge-Way leave to file a third-party complaint. Finally, the Board granted Union Oil Company of California's motion to voluntarily dismiss Robert Nielsen and Nielsen's Bargeway from the complaint.	6-1 Flemal dissented UST-E, Citizens
PCB 99-52	<u>Central Illinois Light Company v. IEPA</u> - The Board granted petitioner's motion for voluntary dismissal of this permit appeal involving a Tazewell County facility.	7-0 P-A, Land
PCB 99-82	<u>Michael R. Pawlowski and Diane K. Pawlowski v. David Johansen and Troy Quinley, individually and d/b/a Benchwarmers Pub, Inc.</u> - The Board granted the complainants' motion for "consideration of a final opinion and order" and denied respondents' motion in response to complainants' motion for consideration of final opinion and order.	7-0 N-E, Citizens
PCB 00-203	<u>People of the State of Illinois v. Barron 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 enforcement action involving a facility located in Winnebago County, the Board ordered publication of the required newspaper notice.	7-0 A-E
PCB 00-221	<u>James Glasgow, Vickie Glasgow, Bill Hoppe, and Pat Hoppe v. Granite City Steel</u> - The Board granted respondent's attorney's motion to appear <i>pro hac vice</i> .	7-0 A&N-E, Citizens
PCB 01-4	<u>Naperville Radiator Service v. IEPA</u> - The Board vacated its September 7, 2000 order and accepted for hearing this underground storage tank appeal involving a DuPage County facility.	7-0 UST-FRD
PCB 01-9	<u>Z Frank Oldsmobile, Inc. 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 timely filed on behalf of this Cook County facility.	7-0 UST-FRD

PCB 01-10	<u>Sparta Airport Authority v. IEPA</u> - The Board accepted for hearing this underground storage tank appeal involving a Randolph County facility.	7-0 UST-FRD
PCB 01-14	<u>General Motors Corporation v. Office of the State Fire Marshal</u> - The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal involving a Cook County facility.	7-0 UST-Appeal
PCB 01-16	<u>Ameren Energy Generating Company v. IEPA</u> - The Board granted respondent's motion to extend time to publish notice and denied as moot the request to extend the deadline for the filing of objections.	7-0 W-V, NPDES
PCB 01-42	<u>Steven P. Logsdon v. Tilford R. Bowman</u> - The Board found that the alleged violations of Section 24 of the Act (415 ILCS 5/24 (1998)) and 35 Ill. Adm. Code 900.102 of the Board's noise rules were neither duplicitous nor frivolous. The Board accepted those allegations involving a Brown County facility for hearing. The alleged violations of Section 23 of the Act (415 ILCS 5/23 (1998)) were determined to be frivolous, and the Board dismissed them from the complaint.	7-0 A&N-E, Citizens
PCB 01-48	<u>Community Landfill Company and City of Morris v. IEPA</u> - The Board accepted for hearing this permit appeal involving a Grundy County facility and granted petitioner's motion to consolidate this matter with PCB 01-49.	7-0 P-A, Land
PCB 01-49	<u>Community Landfill Company and City of Morris v. IEPA</u> - The Board accepted for hearing this permit appeal involving a Grundy County facility and granted petitioner's motion to consolidate this matter with PCB 01-48.	7-0 P-A, Land
PCB 01-50	<u>Gilberts Citgo L.L.C. v. IEPA</u> - The Board ordered petitioner to file an amended petition by October 5, 2000, or this action would be subject to dismissal.	7-0 WWS
PCB 01-51	<u>Georgia-Pacific Tissue, L.L.C. v. IEPA</u> - The Board, on its motion, consolidated this matter with PCB 01-46 and accepted for hearing this permit appeal involving a Cook County facility.	7-0 P-A, Air
PCB 01-52	<u>Perbio Science d/b/a Pierce Chemical Company v. IEPA</u> - The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of this Winnebago County facility.	7-0 P-A, RCRA

## New Cases

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### September 7, 2000 Board Meeting

01-36 George McKissick 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.

01-37 City of Elgin v. IEPA - The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of this Cook County facility.

01-38 Equilon Enterprises L.L.C. v. IEPA - The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of this Cook County facility.

01-39 Lannis Walters d/b/a Fat Boy Pizza (Get & Go) 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 Massac County facility.

01-40 People of the State of Illinois v. City of Paris and Francis Associates - The Board accepted for hearing this public water enforcement action against this Edgar County facility.

01-41 People of the State of Illinois v. Sommer Products Company, Inc. - 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 facility located in Peoria County, the Board ordered publication of the required newspaper notice.

00-42 Steven P. Logsdon v. Tilford R. Bowman - The Board held for a later duplicitous/frivolous determination this citizen's air and noise enforcement action involving a Brown County facility.

01-43 People of the State of Illinois v. Michael Stringini - The Board accepted for hearing this Resource Conservation and Recovery Act enforcement action against this McHenry County facility.

01-44 People of the State of Illinois v. Ratliff Brothers and Company, Inc. - The Board accepted for hearing this land and water enforcement action against this Henry County facility.

01-45 People of the State of Illinois v. E.J. Water Corporation, Milano & Grunloh Engineers, Inc., and Speth Plumbing, Inc. - Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this public water supply enforcement action involving a facility located in Jasper County, the Board ordered publication of the required newspaper notice.

01-46 XCTC Limited Partnership v. IEPA - The Board accepted for hearing this third-party permit appeal involving a Cook County facility.

01-47 City of Wood Dale v. IEPA - Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted this DuPage County petitioner a 45-day provisional variance, subject to conditions, from the effluent limits set forth in 35 Ill. Adm. Code 304.141(a) and the excess flow limits in National Pollutant Discharge Elimination System Permit No. IL0034274.

AC 01-8 IEPA v. Carlos Coiley and George Duquay - The Board accepted an administrative citation against these Kankakee County respondents.

AS 01-4 In the Matter of: The Petition of Borden Chemicals & Plastics Operating Limited Partnership for an Adjusted Standard from 35 Ill. Adm. Code 304.105 as it Applies to 35 Ill. Adm. Code 302.211(B)-(E) - Pending receipt of the certificate of publication, the Board held this Sangamon County facility's petition for an adjusted standard from the water regulations found at 35 Ill. Adm. Code 304.105 as it Applies to 35 Ill. Adm. Code 302.211(B)-(E).

R01-13 In the Matter of: Revisions to Antidegradation Rules: 35 Ill. Adm. Code 302.105, 303.205, 303.206 and 106.990-106.995 - The Board accepted for hearing this Illinois Environmental Protection Agency proposal to amend the Board's water regulations.

R01-14 In the Matter of: Proposed MTBE Groundwater Quality Standards Amendments: 35 Ill. Adm. Code 620 - The Board accepted for hearing this Illinois Environmental Protection Agency proposal to amend the Board's public water supply regulations.

### September 21, 2000 Board Meeting

01-48 Community Landfill Company and City of Morris v. IEPA - The Board accepted for hearing this permit appeal involving a Grundy County facility and granted petitioner's motion to consolidate this matter with PCB 01-49.

01-49 Community Landfill Company and City of Morris v. IEPA - The Board accepted for hearing this permit appeal involving a Grundy County facility and granted petitioner's motion to consolidate this matter with PCB 01-48.

01-50 Gilberts Citgo L.L.C. v. IEPA - The Board ordered petitioner to file an amended petition by October 5, 2000, or this action would be subject to dismissal.

01-51 Georgia-Pacific Tissue, L.L.C. v. IEPA - The Board on its motion consolidated this matter with PCB 01-46 and accepted for hearing this permit appeal involving a Cook County facility.

01-52 Perbio Science d/b/a Pierce Chemical Company v. IEPA - The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of this Winnebago County facility.

01-53 City of Batavia v. IEPA - Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted this Kane County petitioner a 45-day provisional variance, subject to conditions, from the effluent limits set forth in 35 Ill. Adm. Code 304.141(a), 304.120(a) and from the excess flow limitations of NPDES Permit IL0022543.

R01-15 In the Matter of: Amerock Corporation, Rockford Facility for Site-Specific Rulemaking Petition for Amendment to 35 Ill. Adm. Code 304.303 - No action taken.

## Board Calendar

10/3/2000 11:00 am	R01-11	In the Matter of: Proposed New 35 Ill. Adm. Code 217.Subpart T, Cement Kilns, and Amendments to 35 Ill. Adm. Code 211 and 217	James R. Thompson Center 100 W. Randolph Street Room 11-500 Chicago, IL
10/4/2000 10:00 am	R01-8	In the Matter of: Amendments to Diesel Opacity Rules Required by P.A. 91-254 and P.A. 91-865: Amendments to 35 Ill. Adm. Code 240	Illinois Pollution Control Board Hearing Room 403 600 S. Second Street Springfield, IL
10/5/2000 11:00 am		Illinois Pollution Control Board Meeting	Illinois Pollution Control Board Hearing Room 403 600 S. Second Street Springfield, IL
10/5/2000 1:00 pm	R01-10	In the Matter of: Natural Gas-Fired, Peak-Load Electrical Power Generating Facilities (Peaker Plants)	William Stratton Bldg. 401 S. Spring St. Hearing Room C1, 1st Floor Springfield, IL
10/6/2000 10:00 am (If needed)	R01-10	In the Matter of: Natural Gas-Fired, Peak-Load Electrical Power Generating Facilities (Peaker Plants)	William Stratton Bldg. 401 S. Spring St. Hearing Room C1, 1st Floor Springfield, IL
10/10/2000 1:00 pm	R01-9	In the Matter of: Proposed New 35 Ill. Adm. Code 217, Subpart W, The NOx Trading Program for Electrical Generating Units, and Amendments to 35 Ill. Adm. Code 211 and 217	James R. Thompson Center 100 W. Randolph Street Suite 11-500 Chicago, IL
10/11/2000 9:30 am	AS 01-2	In the Matter of: Petition of the City of Geneva for an Adjusted Standard from 35 Ill. Adm. Code 807.104	Geneva City Hall City Council Chambers 22 S. First St. Geneva, IL
10/11/2000 10:30 am	R01-12	In the Matter of: Enhanced Vehicle Inspection and Maintenance (I/M) Regulations: Amendments to 35 Ill. Adm. Code Part 240	James R. Thompson Center 100 W. Randolph Street Room 11-500 Chicago, IL

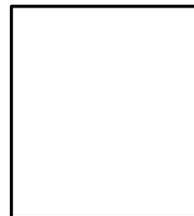
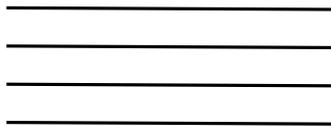
10/19/2000 11:00 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Room 9-040 Chicago, IL
10/20/2000	R01-12	In the Matter of: Enhanced Vehicle Inspection and Maintenance (I/M) Regulations: Amendments to 35 Ill. Adm. Code Part 240	Regional Headquarters Complex IDOT Class Room 1100 E. Port Plaza Dr. Collinsville, IL
10/24/2000 10:00 am	R01-8	In the Matter of: Amendments to Diesel Opacity Rules Required by P.A. 91-254 and P.A. 91-865: Amendments to 35 Ill. Adm. Code 240	State of Illinois Bldg. 160 N. LaSalle St. Room N-505 Chicago, IL
11/2/2000 11:00 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Room 9-040 Chicago, IL
11/3/2000 10:00 am	R01-11	In the Matter of: Proposed New 35 Ill. Adm. Code 217.Subpart T, Cement Kilns, and Amendments to 35 Ill. Adm. Code 211 and 217	Illinois Pollution Control Board Hearing Room 403 600 S. Second Street Springfield, IL
11/14/2000 10:30 am	AS 00-13	In the Matter of: Petition of Formel Industries, Inc. for an Adjusted Standard from 35 Ill. Adm. Code Sections 218.401(a), (b) and (c) (the "Flexgraphic Printing Rule")	James R. Thompson Center 100 W. Randolph Street Room 11-512 Chicago, IL
11/13/2000 1:00 pm	AS 00-11	In the Matter of: Petition of Bema Film Systems, Inc. for an Adjusted Standard from 35 Ill. Adm. Code Sections 218.401(a), (b) and (c) (the "Flexgraphic Printing Rule")	Elmhurst City Hall City Council Chambers 2nd Floor 209 N. York St. Elmhurst, IL

11/15/2000 10:30 am	AS 00-12	In the Matter of: Petition of Vonco Products, Inc. for an Adjusted Standard from 35 Ill. Adm. Code Sections 218.401(a), (b) and (c) (the “Flexgraphic Printing Rule”)	Libertyville Village Hall 118 W. Cook St. Libertyville, IL
11/15/2000 11:00 am	R01-11	In the Matter of: Proposed New 35 Ill. Adm. Code 217.Subpart T, Cement Kilns, and Amendments to 35 Ill. Adm. Code 211 and 217	James R. Thompson Center 100 W. Randolph Street Room 11-500 Chicago, IL
11/16/2000 11:00 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Room 9-040 Chicago, IL
11/17/2000 9:30 am	R01-13	In the Matter of: Revisions to Antidegradation Rules: 35 Ill. Adm. Code 302.105, 303.205, 303.206 and 106.990 – 106.995	James R. Thompson Center 100 W. Randolph Street Room 9-040 Chicago, IL
12/6/2000 10:00 am	R01-13	In the Matter of: Revisions to Antidegradation Rules: 35 Ill. Adm. Code 302.105, 303.205, 303.206 and 106.990 – 106.995	Illinois Pollution Control Board Hearing Room 403 600 S. Second Street Springfield, IL
12/7/2000 11:00 am		Illinois Pollution Control Board Meeting	Illinois Pollution Control Board Hearing Room 403 600 S. Second Street Springfield, IL
12/21/2000 11:00 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Room 9-040 Chicago, IL



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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Illinois Pollution Control Board  
Environmental Register Coordinator  
600 South Second Street, Suite 402  
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