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# Environmental Register

October 2003 - Number 592

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

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Thomas E. Johnson, Chairman

Board Members:

G. Tanner Girard, Doris C. Karpiel, William A. Marovitz,  
Nicholas J. Melas, Lynne P. Padovan, Michael E. Tristano

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# Letter from the Chairman

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On October 29, 2003, Governor Rod R. Blagojevich filed papers reconstituting the Illinois Pollution Control Board. Effective December 1, 2003, the Board will have five members, reduced from seven. I will step down as Chairman, and Philip Novak, of Bradley, will retire from his position as State Representative of the 79<sup>th</sup> District to serve as Chairman of the Board. G. Tanner Girard, Nicholas J. Melas and myself have been reappointed as Board Members. Andrea Moore, of Libertyville, who formerly served as assistant director of the Department of Natural Resources, will be the fifth Board Member.

I am confident that the changes enacted by Governor Blagojevich will have a positive effect on the Board's ability to fulfill its statutory mission of determining, defining and implementing the environmental control standards applicable in the State of Illinois, and I am certain that the newly constituted Board will continue to provide excellent service to the citizens of our State.

Members Doris C. Karpel, William A. Marovitz, Lynne P. Padovan and Michael E. Tristano were not re-appointed. I want to thank each of them for their excellent service to the Board, and I wish them well in all future endeavors.

I am proud of the many accomplishments made by the Board while I had the honor to serve as Chairman. Of specific note are the continuing efforts to make Board case information and filings easier for the public to access via the COOL system - Clerk's Office On Line, as well as important pending rulemakings to amend National Pollutant Discharge Elimination System permits and permitting procedures, and to overhaul the State's noise regulations.

I have no doubt the Board will continue to flourish under the guidance of Philip Novak. The Board is fortunate to have a dedicated, professional staff working diligently to guarantee that the citizens of Illinois have a healthy and safe environment in which to live, work, and to raise a family. I assure you that the Board Members and staff will continue to work diligently to faithfully fulfill the Board's statutory mission, and I am sure I speak for everyone here when I say the Board looks forward to serving you in the future.

Sincerely,

A handwritten signature in black ink, appearing to be 'T. Johnson', with a long horizontal line extending to the right.

Thomas E. Johnson, Chairman

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## Federal Update

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### **United States Environmental Protection Agency Publishes Notice of Annual Adjustment Factors for Excess Emission Penalties in the Clean Air Act Acid Rain Program**

In October 1, 2003 (68 Fed. Reg. 56632), the United States Environmental Protection Agency (USEPA) published a notice of the annual adjustment factors for excess emission penalties in the Acid Rain Program. As explained below, these penalties are per ton of excess emissions, \$2900 for compliance year 2003 and \$2963 for compliance year 2004.

Under the Acid Rain Program, affected units must hold enough allowances to cover their sulfur dioxide emissions and meet an emission limit for nitrogen oxides. Under 40 CFR 77.6, units that do not meet these requirements must pay a penalty without demand to the USEPA based on the number of excess tons emitted times \$2000 as adjusted by an annual adjustment factor that must be published in the *Federal Register*. The annual adjustment factor for adjusting the penalty for excess emissions of sulfur dioxide and nitrogen oxides under 40 CFR part 77 for the compliance year 2003 is 1.4502. This value is derived from the Consumer Price Index for 1990 and 2003, as defined in 40 CFR part 72, and corresponds to a penalty of \$2900 per excess ton of sulfur dioxide or nitrogen oxides emitted. The annual adjustment factor for adjusting the penalty for excess emissions of sulfur dioxide and nitrogen oxides under 40 CFR part 77 for compliance year 2004 is 1.4815. This value is derived from the Consumer Price Index for 1990 and 2004, as defined in 40 CFR part 72, and corresponds to a penalty of \$2963 per excess ton of sulfur dioxide or nitrogen oxides emitted.

For further information contact Robert Miller, Clean Air Markets Division (6204N), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460 at (202) 564-9077.

If any amendments to the Illinois air rules become 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 (2002)).

### **United States Environmental Protection Agency Adopts National Emission Standards for Hazardous Air Pollutants From Site Remediation Projects Under the Clean Air Act**

On October 8, 2003 (68 Fed. Reg. 58171), the United States Environmental Protection Agency (USEPA) adopted national emission standards for hazardous air pollutants (NESHAP) from site remediations. The final rule implements the Clean Air Act section 112(d) to control hazardous air pollutants (HAP) emissions at major sources where remediation technologies and practices are used at the site to clean up contaminated environmental media (e.g., soils, groundwaters, or surface waters) or certain stored or disposed materials that pose a reasonable potential threat to contaminate environmental media.

Site remediations subject to the final rule are required to control emissions of organic HAP by meeting emissions limitations and work practice standards reflecting the application of maximum achievable control technology. The

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final rule applies to certain types of site remediation activities that are conducted at a facility where non-remediation sources are a major source of HAP emissions. Some site remediations already regulated by rules established under the Comprehensive Environmental Response and Compensation Liability Act or the Resource Conservation and Recovery Act are not subject to the final rule.

The HAP emitted by site remediation activities can include benzene, ethyl benzene, toluene, vinyl chloride, xylenes, and other volatile organic compounds (VOC). The range of potential human health effects associated with exposure to these organic HAP and VOC include cancer, aplastic anemia, upper respiratory tract irritation, liver damage, and neurotoxic effects (e.g., headache, dizziness, nausea, tremors).

This rule was effective on October 8, 2003.

For information concerning applicability and rule determinations, contact the Illinois Environmental Protection Agency or the USEPA Region 5 Office representative. For information concerning the analyses performed in developing the final rule, contact Mr. Greg Nizich, Waste and Chemical Processes Group, Emission Standards Division (C439-03), U.S. EPA, Research Triangle Park, NC 27711, telephone number (919) 541-3078, e-mail address nizich.greg@epa.gov.

Pursuant to Section 9.1(b) of the Environmental Protection Act (Act) (415 ILCS 5/9.1(b) (2002)), once adopted by the USEPA, NESHAP rules are applicable and enforceable under the Act without further action by the Board.

### **United States Environmental Protection Agency Adopts Amendments to the Prevention of Significant Deterioration and Non-Attainment New Source Review Regulations Under the Clean Air Act**

On October 27, 2003 (68 Fed. Reg. 61247), the United States Environmental Protection Agency (USEPA) adopted amendments to the Prevention of Significant Deterioration and Non-Attainment New Source Review (NSR) regulations by amending the equipment replacement provision of the routine maintenance, repair and replacement (RMRR) exclusion.

USEPA finalized revisions to the regulations governing the NSR programs mandated by parts C and D of title I of the Clean Air Act. These changes provide a category of equipment replacement activities that are not subject to Major NSR requirements under the RMRR exclusion.

The USEPA's final rule focused on amending certain provisions of the major NSR program by finalizing the equipment replacement provision (ERP) to specify activities that will automatically qualify for the RMRR exclusion. No action was taken in this rulemaking to address the current practice of reviewing other aspects of the RMRR program, such as clarification of the case-by-case approach for determining whether an activity is RMRR. USEPA stated that it is still considering what, if any, changes should be made to that policy. In the meantime, the case-by-case approach will remain available for the owner or operator of a source to use as an alternative and/or supplement to the new ERP.

Under the adopted amendments, an activity (or aggregations of activities) can qualify for the ERP if: (1) it involves replacement of any existing components of a process unit with components that are identical or that serve the same purpose as the replaced components; (2) the fixed capital cost of the replaced components, plus costs of any activities that are part of the replacement activity (e.g., labor, contract services, major equipment rental, and associated repair and maintenance activities), does not exceed 20 percent of the current replacement value of the process unit; and (3) the replacements do not alter the basic design parameters of the process unit or cause the process unit to exceed any emission limitation or operational limitation (that has the effect of constraining emissions) that applies to any component of the process unit and that is legally enforceable. USEPA stated that the term "component" is meant to be read and applied broadly to include replacements of both large components, such as economizers, reheaters, etc. at a boiler, as well as small items, such as screws, washers, gaskets, etc. Certain ancillary costs incurred during a given replacement activity should not be part of the replacement activity, such as replacement power that must be purchased during the maintenance shutdown of an electric utility.

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The final rule is effective on December 26, 2003.

For further information contact Mr. Dave Svendsgaard, Information Transfer and Program Integration Division (C339-03), U.S. EPA Office of Air Quality Planning and Standards, Research Triangle Park, North Carolina 27711, telephone 919-541-2380, or email at [svendsgaard.dave@epa.gov](mailto:svendsgaard.dave@epa.gov).

If any amendments to the Illinois air rules become 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 (2002)).

### **Rule Update**

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#### **Board Adopts Second Notice Opinion and Order in Site-Specific Rule for City of Effingham Treatment Plant Fluoride Discharge, 35 Ill. Adm. Code 304.233 (R03-11)**

On October 2, 2003, the Board adopted a second notice opinion and order in Site-Specific Rule for City of Effingham Treatment Plant Fluoride Discharge, 35 Ill. Adm. Code 304.233 (R03-11). The Board has sent the rulemaking, pursuant to the Illinois Administrative Procedure Act (5 ILCS 100/1-1 *et seq.* (2002)), to the Joint Committee on Administrative Rules (JCAR) for its review and approval. The proposed amendments will be considered at the November 18, 2003 JCAR meeting. The Board did not make any substantive changes to the proposal it adopted for first notice on July 24, 2003 (published in the *Illinois Register* at 27 Ill. Reg. 13680 (August 15, 2003)).

This rulemaking was initiated by a proposal filed by the City of Effingham (City), Blue Beacon International, Inc. (BBI) and Truckomat Corporation (Truckomat) to add Section 303.326 as a site-specific water quality designation.

The proposed amendments would add a new Section 303.326 setting a site-specific fluoride water quality standard of 5.0 mg/L to accommodate the discharge of fluoride from the City’s publicly owned treatment works (POTW). This level of fluoride is gradually reduced downstream from the POTW to 3.2 mg/L and then 2.0 mg/L before it reverts back to the general water quality standard of 1.4 mg/L.

BBI and Truckomat operate truck washes in Effingham, and the wastewater from the truck washes contains fluoride resulting from the brighteners used in washing the trucks. Both companies have testified at hearing that there are no alternative replacements for these brighteners, and that discontinuing their use would cause a severe negative economic impact for both the facilities and for the surrounding businesses that rely on the truck traffic generated by the washing facilities.

The proposal filed by the City, BBI, and Truckomat originally sought relief from the Board’s effluent standards at 35 Ill. Adm. Code 304. While the Illinois Environmental Protection Agency (IEPA) testified at hearing that the requested relief from the fluoride rules will continue to be protective of the waters of the state located downstream from the POTW, the IEPA stated that the petitioners should have requested relief from the fluoride water quality standard, rather than the effluent standard. The IEPA explained that site-specific relief from the effluent standards could still leave the City open to the possibility of a violation of the water quality standards and could be inconsistent with federal law. The IEPA suggested that the Board could be viewed as essentially granting a discharger indefinite or permanent permission to violate a water quality standard. The IEPA suggested that the Board instead establish a site-specific water quality standard for the receiving waters of the POTW. Consequently, the Board’s proposed rule is a site-specific water quality standard.

A hearing was held in Effingham on April 11, 2003 on the substance of the rulemaking. On July 18, 2003, the Board held a second hearing dealing solely with the Illinois Department of Commerce and Economic Opportunity’s decision not to conduct an economic impact study on this proposal.

For additional information contact John Knittle at 217/278-3111; email address [knittlej@ipcb.state.il.us](mailto:knittlej@ipcb.state.il.us).

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### **Board Adopts Final Amendments in SDWA Update, USEPA Amendments (July 1, 2003 through December 31, 2003) (R03-15)**

On October 2, 2003, the Board adopted a final opinion and order in SDWA Update, USEPA Amendments (July 1, 2003 through December 31, 2003) (R03-15). The rulemaking adopts amendments to the Illinois regulations that are “identical in substance” to drinking water regulations adopted by the United States Environmental Protection Agency (USEPA). The USEPA rules implement Sections 1412(b), 1414(c), 1417(a), and 1445(a) of the federal Safe Drinking Water Act (SDWA) (42 U.S.C. §§ 300g-1(a), 300g-3(c), 300g-6(a), and 300j-4(a) (1994)).

This docket includes federal SDWA amendments that USEPA adopted in the period July 1, 2002 through December 31, 2002. The final amendments were filed with the Secretary of State and were published in the *Illinois Register* on October 31, 2002 with an October 10, 2003 effective date.

As explained below, the substantive amendments involved in this proceeding update the analytical methods approved for determining contaminants in drinking water and make minor changes to the consumer confidence report rule.

Analytical Methods Update. On October 23, 2002 (67 Fed. Reg. 65220), USEPA amended the methods for analysis of contaminants in water and wastewater. This included analytical methods used for determining compliance with the SDWA drinking water requirements. The methods are used to determine chemical, microbiological, and radiological contamination of water. USEPA noted that a number of entities updated their published methods: ASTM International, the United States Geological Survey, the United States Department of Energy, the American Public Health Association, the American Water Works Association, and the Water Environment Federation. In updating the references to the various methods, USEPA stated that previously approved versions of the methods are still available for use.

On October 29, 2002, USEPA approved two new methods for analysis of drinking water for various SOC contaminants. USEPA published a correction to the October 29, 2002 notice on November 13, 2002 (67 Fed. Reg. 68911). Persons interested in the details of the federal amendments should consult the *Federal Register* notices of October 23, 2002, October 29, 2002, and November 13, 2002.

The Board incorporated the October 23, 2002 and October 29, 2002 federal amendments into the Illinois drinking water regulations by revision of the various references to the methods, where necessary, and by updating the incorporations of the methods by reference.

Consumer Confidence Rule Changes. On November 27, 2002 (67 Fed. Reg. 70850), USEPA amended aspects of the health effects language for the consumer confidence rule. The principal amendments relate to two chemicals, di(2-ethylhexyl)adipate and di(2-ethylhexyl)phthalate. Other amendments are called minor corrections by USEPA. USEPA published a minor correction to the November 27, 2002 action on December 9, 2002 (67 Fed. Reg. 73011). Persons interested in the details of the federal amendments should consult the *Federal Register* notices of November 27, 2002 and December 9, 2002.

For additional information contact Michael J. McCambridge at 312-814-6924; e-mail address [mccambm@ipcb.state.il.us](mailto:mccambm@ipcb.state.il.us)

### **Board Orders Third Hearing in Noise Rule Update: Amendments to 35 Ill. Adm. Code 901 (R03-09)**

On October 16, 2003, the Board ordered a third hearing in Noise Rule Update: Amendments to 35 Ill. Adm. Code 901 (R03-09) in response to public comments received during the first notice period.

Public comments submitted by the Illinois Association of Aggregate Producers (Producers) and Boughton Trucking (Boughton) suggest that there are substantive problems with measurements taken in accordance with the first notice draft and request an additional hearing to discuss them. Specifically, the Producers contend that Part 910 “does not

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require that non-agency personnel who conduct sound measurements be trained and experienced in sound measurement technique and equipment.” They argue that previously personnel of the Illinois Environmental Protection Agency who measured sound were trained and experienced. The Producers propose adding a Section requiring training and experience. Producers believe that Section 910.104 compounds the reliability problem by allowing the complainant to merely follow the instructions of the sound pressure measurement equipment manufacturer when conducting sound pressure measurements and offering Section 910.105 as guidance. They argue that sound pressure measurements taken by personnel who do not have to comply with either Sections 910.105 or 951.104 will be unreliable. Boughton agrees with the arguments outlined by Producers.

In its order in response to these comments, the Board noted that the proposed modifications are a codification of current conditions which allow the public to measure noise to corroborate other evidence and that Part 910 merely provides guidance and standards for the measurement of noise. However, the Board ordered the hearing officer to schedule a third hearing on the July 10, 2003, first notice opinion and order (published in the July 25, 2003 issue of the *Illinois Register* (27 Ill. Reg. 11908 and 11989).

For additional information contact William Murphy at 312/814-6062; e-mail address [murphyw@ipcb.state.il.us](mailto:murphyw@ipcb.state.il.us).

## Board Actions

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**October 2, 2003**

**Via Teleconference**

**Chicago and Springfield, Illinois**

### Rulemakings

R03-11	<u>In the Matter of: Site-Specific Rule for City of Effingham Treatment Plant Fluoride Discharge, 35 Ill. Adm. Code 304.233</u> – The Board adopted a second notice opinion and order in this site-specific rulemaking to amend the Board’s water pollution control regulations.	7-0 R, Water
R03-15	<u>In the Matter of: SWDA Update, USEPA Amendments (July 1, 2002 through December 31, 2002</u> – The Board adopted a final opinion and order in this “identical-in-substance” rulemaking to update the Board’s public water supply regulations.	7-0 R, PWS

### Administrative Citations

AC 03-33 AC 03-34	<u>IEPA v. Olen G. Parkhill, Jr.</u> – The Board granted complainant’s motion to consolidate for hearing these administrative citations involving two sites located in Champaign County.	7-0
AC 04-5	<u>IEPA v. Jerry Summers</u> – The Board granted complainant’s motion for voluntary dismissal of this administrative citation involving a Fayette County facility.	7-0
AC 04-7	<u>City of Chicago Department of Environment v. Marvin J. Wilson</u> – The Board granted complainant’s motion for voluntary dismissal of this administrative citation involving a Cook County facility.	7-0

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AC 04-8      IEPA v. Roger Ray – The Board accepted for hearing this petition for review of an administrative citation against this Moultrie County respondent.      7-0

### Decisions

PCB 03-128      People of the State of Illinois v. Robert Hamm d/b/a Three R's Builders – In this public water supply enforcement action concerning a Rock Island County facility, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c)(1) (2002)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$2,500 and to cease and desist from further violations.      6-1  
Marovitz  
dissented  
PWS-E

PCB 03-221      Lowe Transfer, Inc. and Marshall Lowe v. County Board of McHenry County, Illinois – The Board affirmed the decision of County Board of McHenry County which denied Marshall Lowe and Lowe Transfer, Inc.'s application to site a waste transfer station.      7-0  
P-C-F-S-R

### Motions and Other Matters

PCB 92-109      Archer Daniels Midland Company v. IEPA – The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal involving a Macon County facility.      7-0  
P-A, Air

PCB 96-143      People of the State of Illinois v. Michel Grain Company, Inc. d/b/a Michel Fertilizer, Caryle Michel, and Ronnie Todd and Ronnie Todd Land Trust – The Board denied respondent's motion to dismiss Ronnie Todd and Ronnie Todd Land Trust from this enforcement action involving two facilities located in Jefferson and Hamilton Counties      7-0  
W-E

PCB 97-119      People of the State of Illinois v. G&M Total, Inc., George Papas, individually and as President of G&M Total, Inc. – The Board granted complainant's motion to deem facts admitted.      7-0  
L-E

PCB 02-63      People of the State of Illinois v. MII, Inc. – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this land enforcement action involving a Morgan County facility, the Board ordered publication of the required newspaper notice.      7-0  
A-E

PCB 02-77      People of the State of Illinois v. Millenium Recycling & Solid Waste Consultants, Inc., Sherri Clementi, individually and as president of Millenium Recycling & Solid Waste Consultants, Inc., and Michael Lorence, individually – The Board entered a default order against Millenium Recycling and Solid Waste Consultants, Inc. (Millenium) for repeated failure to comply with Board and hearing officer orders to appear and proceed with this case. Accordingly, the Board found that Millenium violated Sections 21(a), 21 (d)(1), 21(e), and 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(a), (d)(1), (e), and (p)(1) (2002)). The Board ordered complainant to provide proof of service of the April 10, 2003 amended complaint by November 1, 2003. In order to remedy      7-0  
L-E

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any deficiency in service on Michael Lorence, Lorence was given until December 1, 2003, to answer the complaint. The Board directed complainant to file, on or before December 15, 2003, a motion or other appropriate pleading suggesting what, if any, additional proceedings are appropriate in this matter as to each respondent, including any suggestions concerning appropriate remedy or penalty. Respondents may file any responses they may have on or before January 2, 2004.

PCB 03-53	<u>People of the State of Illinois v. Northern Building Concepts, Inc. and Landscape Concepts Construction, Inc.</u> – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this land enforcement action involving a Lake County facility, the Board ordered publication of the required newspaper notice.	7-0 W-E
PCB 03-190	<u>People of the State of Illinois v. Village of Cherry Valley</u> – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this land enforcement action involving a Winnebago County facility, the Board ordered publication of the required newspaper notice.	7-0 PWS-E
PCB 03-238	<u>Tom’s Gas Stop 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.	7-0 UST Appeal
PCB 04-33	<u>Byron Sandberg v. The City of Kankakee, Illinois City Council, Town and Country Utilities, Inc. and Kankakee Regional Landfill, L.L.C.</u> – The Board accepted for hearing this third-party pollution control facility siting appeal involving a Kankakee County facility and on its own motion consolidated this matter with PCB 04-34 and PCB 04-35.	7-0 P-C-F-S-R
PCB 04-34	<u>Waste Management of Illinois, Inc. v. The City of Kankakee, Illinois City Council, Town and Country Utilities, Inc. and Kankakee Regional Landfill, L.L.C.</u> – The Board accepted for hearing this third-party pollution control facility siting appeal involving a Kankakee County facility and on its own motion consolidated this matter with PCB 04-33 and PCB 04-35.	7-0 P-C-F-S-R
PCB 04-35	<u>County of Kankakee, Illinois and Edward D. Smith, Kankakee County State’s Attorney v. City of Kankakee, Illinois, The City of Kankakee, Illinois City Council, Town and Country Utilities, Inc., and Kankakee Regional Landfill, L.L.C.</u> – The Board accepted for hearing this third-party pollution control facility siting appeal involving a Kankakee County facility and on its own motion consolidated this matter with PCB 04-33 and PCB 04-34.	7-0 P-C-F-S-R
PCB 04-37	<u>Piasa Motor Fuels 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 Madison County facility.	7-0 UST Appeal

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PCB 04-38	<u>Cooper Oil Company 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 Clay County facility.	7-0 UST Appeal
PCB 04-39	<u>Kresser Motor 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 LaSalle County facility.	7-0 UST Appeal

**October 16, 2003**  
**Chicago, Illinois**

### Rulemakings

R03-9	<u>In the Matter of: Proposed New and Updated Rules for Measurement and Numerical Sound Emissions Standards Amendments to 35 Ill. Adm. Code 901 and 910</u> – The Board found that holding this proposal and scheduling an additional hearing to consider both substantive changes and economic impact is warranted under Section 5-40 of the Administrative Procedure Act (5 ILCS 100/5-40 (2002)). The hearing officer was directed to expeditiously notify the public and hold another hearing prior to second notice.	7-0 R, Noise
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### Administrative Citations

AC 03-11	<u>City of Chicago Department of Environment v. City Wide Disposal, Inc.</u> – The Board entered an order requiring respondent to pay the Board hearing costs in the amount of \$453.25 and a civil penalty of \$6,000. This order follows the Board's interim order of September 4, 2003, which found that this respondent had violated Sections 21(p)(1) and (p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(7) (2002)) at it's Cook County facility.	7-0
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### Decisions

PCB 04-24	<u>People of the State of Illinois v. Tri-K Development, Inc.</u> – In this water enforcement action concerning a DuPage County facility, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c)(1) (2002)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$7,500 and to cease and desist from further violations.	7-0 W-E
PCB 04-28	<u>People of the State of Illinois v. Village of Rantoul</u> – In this water enforcement action concerning a Champaign County facility, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c)(1) (2002)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$4,446 and to cease and desist from further violations.	7-0 A-E

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PCB 04-30	<p><u>People of the State of Illinois v. Village of Enfield</u> – In this public water supply enforcement action concerning a White County facility, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c)(1) (2002)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$2,500 and to cease and desist from further violations.</p>	7-0 PWS-E
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### Motions and Other Matters

PCB 96-98	<p><u>People of the State of Illinois v. Skokie Valley Asphalt, Co., Edwin L. Frederick, Jr. individually and as owner and President of Skokie Valley Asphalt Co., Inc., and Richard J. Frederick individually and as owner and Vice President of Skokie Valley Asphalt, Co., Inc.</u> – The Board granted respondent’s motion in part to dismiss the complainant’s second amended complaint and to recuse complainant’s attorney. The Board denied the portion of the motion requesting dismissal of the second amended complaint. The Board disqualified complainant’s attorney Joel Sternstein from further appearing in this proceeding.</p>	5-1 Tristano dissented Melas abstained W-E
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PCB 99-19	<p><u>Karen &amp; Anthony Roti, Paul Rosenstock, and Leslie Weber v. LTD Commodities</u> – The Board granted complainants’ attorney’s motion for leave to withdraw as counsel.</p>	7-0 A-E
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PCB 99-127	<p><u>Ted Harrison Oil Company v. IEPA</u> – The Board granted petitioner’s motion to modify its July 24, 2003 order to include reimbursement for legal fees. The Board’s original order reversed Environmental Protection Agency’s denial of reimbursement to petitioner for corrective action activities, and directed payment of \$116,300 from the Underground Storage Tank Fund.</p>	7-0 UST Appeal
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PCB 01-43	<p><u>People of the State of Illinois v. Michael Stringini</u> – The Board granted complainant’s motion for summary judgment as to counts I, II, III, IV, V, VI, VIII, X and XI. The Board found that respondent was not in violation as alleged in count IX, and granted his motion for summary judgment on that count. The parties were directed to proceed to hearing on the remaining alleged violations and remedy.</p>	7-0 L-E
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PCB 01-121	<p><u>Abed Nesheiwat and SAQ, Inc. (Tony’s Gas) v. IEPA</u> – The Board on its own motion dismissed this matter. This is in response to the Board’s order of August 7, 2003, which instructed petitioners to retain a licensed attorney by September 6, 2003.</p>	7-0 UST Fund
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PCB 02-213	<p><u>People of the State of Illinois v. Action Athletic, Inc.</u> – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this land enforcement action involving a Lake County facility, the Board ordered publication of the required newspaper notice.</p>	7-0 A-E
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PCB 03-125	<p><u>City of Kankakee v. County of Kankakee, County Board of Kankakee, and</u></p>	7-0
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PCB 03-133	<u>Waste Management of Illinois, Inc.; Merlin Karlock v. County of Kankakee, County Board of Kankakee, and Waste Management of Illinois, Inc.; Michael</u>	L-E
PCB 03-134	<u>Watson v. County of Kankakee, County Board of Kankakee, and Waste</u>	
PCB 03-135	<u>Management of Illinois, Inc.; Keith Runyon v. County of Kankakee, County Board of Kankakee, and Waste Management of Illinois, Inc.</u> – The Board denied both petitioner Watson’s and respondent Waste Management of Illinois, Inc.’s motions to reconsider the Board’s Opinion and Order of August 7, 2003.	
PCB 03-191	<u>People of the State of Illinois v. Community Landfill Company, Inc., and the City of Morris</u> – The Board granted complainant’s motion to strike affirmative defenses in part and denied the motion in part. The parties are directed to proceed to hearing.	7-0 L-E
PCB 03-204	<u>Warren’s Service v. IEPA</u> – The Board granted petitioner’s motion for voluntary dismissal of this underground storage tank appeal involving a Mercer County facility.	7-0 UST Appeal
PCB 04-12	<u>Teresa L. Shepro, as Trustee of the Justice W. Shepro Trust, and Teresa L. Shepro and Frank Wiemerslage, as beneficiaries under Trust No. 898, of the Chicago Trust Company v. Newby Oil Company, David E. Tripp and Janice Tripp</u> – The Board ordered complainants to file an amended complaint within 30 days, or this matter would be subject to dismissal.	7-0 Citizens L&W-E
PCB 04-19	<u>Paul and Donna Fredrickson v. Jeff Grelyak</u> – The Board denied respondent’s motion to dismiss. The parties are directed to proceed to hearing on the alleged violations.	7-0 A&N-E
PCB 04-40	<u>Premcor Refining Group 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 Madison County facility.	7-0 UST Appeal
PCB 04-41	<u>Quality Pork L.L.C. (Property Identification Number 24-05-300-004) v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Quality Pork L.L.C. located in Ogle County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2002)).	7-0 T-C
PCB 04-42	<u>Peter Brothers Pork (Property Identification Number 05-0-0302-002-00) v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Peter Brothers Pork located in Adams County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2002)).	7-0 T-C
PCB 04-43	<u>Gregory M. and Nancy C. Leigh (Property Identification Number 06-05-26-200-002) v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s	7-0

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	recommendation, the Board found and certified that specified facilities of Gregory M. and Nancy C. Leigh located in Lee County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2002)).	T-C
PCB 04-44	<u>Schabacker Brothers Farms (Property Identification Number 17-11-400-001) v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Schabacker Brothers Farms located in Ogle County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2002)).	7-0 T-C
PCB 04-45	<u>Glen Schmidgall (Property Identification Number 19-19-16-200-01) v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Glen Schmidgall located in Tazewell County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2002)).	7-0 T-C
PCB 04-46	<u>People of the State of Illinois v. Marathon Ashland Pipeline, L.L.C.</u> – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this land enforcement action involving a Clark County facility, the Board ordered publication of the required newspaper notice.	7-0 A-E
PCB 04-47	<u>Saint-Gobain Containers, Inc. v. IEPA</u> – The Board accepted for hearing this permit appeal involving a Logan County facility.	7-0 P-A, Air
PCB 04-48	<u>Village of Robbins and Allied Waste Transportation, 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 Cook County facility.	7-0 P-A, Land 90-Day Ext.
PCB 04-49	<u>Jo’Lyn Corp. v. IEPA</u> – The Board accepted for hearing this permit appeal involving a McHenry County facility.	7-0 P-A, Land
PCB 04-50	<u>People of the State of Illinois v. MacMurray College</u> – The Board accepted for hearing this air enforcement action involving a Morgan County facility.	7-0 A-E
PCB 04-51	<u>Illinois State Toll Highway Authority (Lincoln Oasis North) 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 Cook County facility.	7-0 UST Appeal 90-Day Ext.

## **Provisional Variances**

**IEPA 03-002 City of West Frankfort v. IEPA**—The Illinois Environmental Protection Agency granted this Franklin County facility a 45-day provisional variance, subject to conditions, from 35 Ill. Adm. Code 302.212 for ammonia nitrogen, from 35 Ill. Adm. Code 304.120(c) for CBOD5, and from 304.20(c) for suspended solids.

Public Act 93-0152 (Senate Bill 222) amended Sections 35-37 of the Illinois Environmental Act (415 ILCS 5/5(b) (2002)) so that provisional variances are issued by the Illinois Environmental Protection Agency (IEPA). If the IEPA grants a provisional variance, then the IEPA must file a copy of its written decision with the Board. The Board must maintain copies of the provisional variances for public inspection. Copies of provisional variances can be obtained by contacting the Clerk's Office at (312) 814-3620, or by visiting the Board's Website at [www.ipcb.state.il.us](http://www.ipcb.state.il.us). If the IEPA denies a provisional variance request, then the applicant may initiate a proceeding with the Board for a full variance.

## **New Cases**

### **October 2, 2003 Board Meeting**

**04-033 Byron Sandberg v. The City of Kankakee, Illinois City Council, Town and Country Utilities, Inc. and Kankakee Regional Landfill, L.L.C.** – The Board accepted for hearing this third-party pollution control facility siting appeal involving a Kankakee County facility and on its own motion consolidated this matter with PCB 04-34 and PCB 04-35.

**04-034 Waste Management of Illinois, Inc. v. The City of Kankakee, Illinois City Council, Town and Country Utilities, Inc. and Kankakee Regional Landfill, L.L.C.** – The Board accepted for hearing this third-party pollution control facility siting appeal involving a Kankakee County facility and on its own motion consolidated this matter with PCB 04-33 and PCB 04-35.

**04-035 County of Kankakee, Illinois and Edward D. Smith, Kankakee County State's Attorney v. City of Kankakee, Illinois, The City of Kankakee, Illinois City Council, Town and Country Utilities, Inc., and Kankakee Regional Landfill, L.L.C.** – The Board accepted for hearing this third-party pollution control facility siting appeal involving a Kankakee County facility and on its own motion consolidated this matter with PCB 04-33 and PCB 04-34.

**04-036 Michael A. Petrosius and Darla G. Petrosius v. The Illinois State Toll Highway Authority** – The Board held for a later duplicative/frivolous determination this citizen's noise enforcement action involving a Cook County facility.

**04-037 Piasa Motor Fuels 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 Madison County facility.

**04-038 Cooper Oil Company 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 Clay County facility.

**04-039 Kresser Motor 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 LaSalle County facility.

**04-040 Premcor Refining Group v. IEPA** – No action taken.

**AC 04-12 IEPA v. Tulley Robinson** – The Board accepted an administrative citation against this Union County respondent.

**AC 04-13 City of Chicago Department of Environment v. Eddie Greer** – The Board accepted an administrative citation against this Cook County respondent.

**AC 04-14 City of Chicago Department of Environment v. Kazimierz Sobko** – The Board accepted an administrative citation against this Cook County respondent.

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**AC 04-15** IEPA v. Anthony Funaro, Jr. – The Board accepted an administrative citation against this Saline County respondent.

**AC 04-16** IEPA v. James Farley – The Board accepted an administrative citation against this Sangamon County respondent.

**AC 04-17** IEPA v. Robert Thompson – The Board accepted an administrative citation against this Alexander County respondent.

### October 16, 2003 Board Meeting

**04-041** Quality Pork L.L.C. (Property Identification Number 24-05-300-004) v. IEPAU – Upon receipt of the Illinois Environmental Protection Agency's recommendation, the Board found and certified that specified facilities of Quality Pork L.L.C. located in Ogle County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2002)).

**04-042** Peter Brothers Pork (Property Identification Number 05-0-0302-002-00) v. IEPAU – Upon receipt of the Illinois Environmental Protection Agency's recommendation, the Board found and certified that specified facilities of Peter Brothers Pork located in Adams County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2002)).

**04-043** Gregory M. and Nancy C. Leigh (Property Identification Number 06-05-26-200-002) v. IEPAU – Upon receipt of the Illinois Environmental Protection Agency's recommendation, the Board found and certified that specified facilities of Gregory M. and Nancy C. Leigh located in Lee County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2002)).

**04-044** Schabacker Brothers Farms (Property Identification Number 17-11-400-001) v. IEPAU – Upon receipt of the Illinois Environmental Protection Agency's recommendation, the Board found and certified that specified facilities of Schabacker Brothers Farms located in Ogle County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2002)).

**04-045** Glen Schmidgall (Property Identification Number 19-19-16-200-01) v. IEPAU – Upon receipt of the Illinois Environmental Protection Agency's recommendation, the Board found and certified that specified facilities of Glen Schmidgall located in Tazewell County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2002)).

**04-046** People of the State of Illinois v. Marathon Ashland Pipeline, L.L.C.U – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this land enforcement action involving a Clark County facility, the Board ordered publication of the required newspaper notice.

**04-047** Saint-Gobain Containers, Inc. v. IEPAU – The Board accepted for hearing this permit appeal involving a Logan County facility.

**04-048** Village of Robbins and Allied Waste Transportation, Inc. v. IEPAU – The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of this Cook County facility.

**04-049** Jo'Lyn Corp. v. IEPAU – The Board accepted for hearing this permit appeal involving a McHenry County facility.

**04-050** People of the State of Illinois v. MacMurray College – The Board accepted for hearing this air enforcement action involving a Morgan County facility.

**04-051** Illinois State Toll Highway Authority (Lincoln Oasis North) 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.

**AC 04-18** IEPA v. Luther Coleman – The Board accepted an administrative citation against this Saline County respondent.

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**Calendar**

11/4/03 10:00AM	PCB 03-177	Cady Oil Co. v. IEPA	Peoria County Administration Office Room 403 324 Main Street Peoria
11/6/03 11:00AM	Illinois Pollution Control Board Meeting		<b>Videoconference Chicago/Springfield James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago and 1021 N. Grand Avenue East Oliver Holmes Conference Room 2012 N Springfield</b>
11/12/03 10:00AM	AC 03-27	IEPA v. Vince Harvey	City Council Chambers 401 East Third Street Kewanee
11/19/03 10:00AM	R03-19	Proposed Amendments to: Public Participation Rules in 35 Ill. Adm. Code Part 309 NPDES Permits and Permitting Procedures	James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago
11/20/03 9:00AM	AC 03-32	IEPA v. Sharyn Fuller and Carl Benedict d/b/a Benedict Auto Sales	City Council Chambers 419 Fulton Street Peoria
11/20/03 11:00AM	Illinois Pollution Control Board Meeting		<b>Illinois Pollution Control Board James R. Thompson Center 100 W. Randolph Street Room 9-040 Chicago</b>
12/02/03 9:00AM	PCB 04-33	Byron Sandberg v. The City of Kankakee, Illinois City Council, Town and Country Utilities, Inc. and Kankakee Regional Landfill, L.L.C. (Consolidated with PCB 04-34 and 04-35)	City Hall Council Chambers 385 E. Oak Street Kankakee
12/02/03 9:00AM	PCB 04-34	Waste Management of Illinois, Inc. v. the City of Kankakee, Illinois City council, Town and Country Utilities, Inc. and Kankakee Regional Landfill, L.L.C. (Consolidated with PCB 04-33 and 35)	City Hall Council Chambers 385 E. Oak Street Kankakee
12/02/03 9:00AM	PCB 04-35	County of Kankakee, Illinois and Edward D. Smith, Kankakee County State's Attorney v. City of Kankakee, Illinois, The City of Kankakee, Illinois City Council, Town and Country Utilities, Inc. and Kankakee Regional Landfill, L.L.C. (Consolidated with PCB 04-33 and 04-34)	City Hall Council Chambers 385 E. Oak Street Kankakee
12/03/03 9:00AM	PCB 03-214	Illinois Ayers Oil Co. v. IEPA	Illinois Pollution Control Board Hearing Room 1021 North Grand Avenue East, North Entrance Springfield

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12/03/03 9:00AM	PCB 04-33	Byron Sandberg v. The City of Kankakee, Illinois City Council, Town and Country Utilities, Inc. and Kankakee Regional Landfill, L.L.C. (Consolidated with PCB 04-34 and 04-35)	City Hall Council Chambers 385 E. Oak Street Kankakee
12/03/03 9:00AM	PCB 04-34	Waste Management of Illinois, Inc. v. the City of Kankakee, Illinois City council, Town and Country Utilities, Inc. and Kankakee Regional Landfill, L.L.C. (Consolidated with PCB 04-33 and 35)	City Hall Council Chambers 385 E. Oak Street Kankakee
12/03/03 9:00AM	PCB 04-35	County of Kankakee, Illinois and Edward D. Smith, Kankakee County State's Attorney v. City of Kankakee, Illinois, The City of Kankakee, Illinois City Council, Town and Country Utilities, Inc. and Kankakee Regional Landfill, L.L.C. (Consolidated with PCB 04-33 and 04-34)	City Hall Council Chambers 385 E. Oak Street Kankakee
12/04/03 9:00AM	PCB 04-33	Byron Sandberg v. The City of Kankakee, Illinois City Council, Town and Country Utilities, Inc. and Kankakee Regional Landfill, L.L.C. (Consolidated with PCB 04-34 and 04-35)	City Hall Council Chambers 385 E. Oak Street Kankakee
12/04/03 9:00AM	PCB 04-34	Waste Management of Illinois, Inc. v. the City of Kankakee, Illinois City council, Town and Country Utilities, Inc. and Kankakee Regional Landfill, L.L.C. (Consolidated with PCB 04-33 and 35)	City Hall Council Chambers 385 E. Oak Street Kankakee
12/04/03 9:00AM	PCB 04-35	County of Kankakee, Illinois and Edward D. Smith, Kankakee County State's Attorney v. City of Kankakee, Illinois, The City of Kankakee, Illinois City Council, Town and Country Utilities, Inc. and Kankakee Regional Landfill, L.L.C. (Consolidated with PCB 04-33 and 04-34)	City Hall Council Chambers 385 E. Oak Street Kankakee
<b>12/04/03 11:00AM</b>	<b>Illinois Pollution Control Board Meeting</b>		<b>Videoconference Chicago/Springfield James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago and 1021 N. Grand Avenue East Oliver Holmes Conference Room 2012 N Springfield</b>
12/10/03 9:00AM	PCB 03-218	Rochelle Waste Disposal, L.L.C. v. City Council of the City of Rochelle, Illinois	Rochelle City Hall Council Chambers 420 North 6th Street Rochelle
12/11/03 9:00AM	PCB 03-218	Rochelle Waste Disposal, L.L.C. v. City Council of the City of Rochelle, Illinois	Rochelle City Hall Council Chambers 420 North 6th Street Rochelle
<b>12/18/03 11:00AM</b>	<b>Illinois Pollution Control Board Meeting</b>		<b>Illinois Pollution Control Board James R. Thompson Center 100 W. Randolph Street Room 9-040 Chicago</b>
12/23/03 9:00AM	PCB 97-69	People of the State of Illinois v. Economy Plating, Inc.	The James R. Thompson Center, Room 11-512 100 West Randolph St. Chicago

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## 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 September 30, 2003.

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>
Bonnie Brae Forest Manor SD STP	Bonnie Brae Forest Manor SD	Will	0
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
Hurst & Blairville Collection SYSTEM	City of Hurst	Williamson	0
Lockport Heights SD STP	City of Lockport	Will	0
Maple Lawn Homes STP	Maple Lawn Homes	Woodford	0
Poplar Grove South STP	Village of Poplar Grove	Boone	0
Poplar Grove North STP	Village of Poplar Grove	Boone	0
Port Byron STP	Village of Port Byron	Rock Island	0
Rosewood Heights S.D.- Ninth Street LS	Rosewood Heights S.D.	Madison	0
Saint Elmo	City of Saint Elmo	Fayette	0
South Palos Twp. SD	South Palos Twp.	South Palos Twp.	0
Taylorville-Shawnee Ave. PUMP STATION	City of Taylorville	Christian	0
Utilities Unlimited	Utilities Unlimited	Will	0
Washington (Rolling Meadows)	City of Washington	Tazewell	0

Deletions from previous quarterly report: None

Additions from previous quarterly report: Saint Elmo

# Environmental Register – October 2003

## 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 September 30, 2003.

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

FACILITY <u>NAME</u>	RESPONSIBLE <u>AUTHORITY</u>	<u>COUNTY</u>	REMAINING <u>CAPACITY</u>	PE ADDED SINCE <u>LAST LIST</u>
Antioch STP	Village of Antioch	Lake	1,370	169
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
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.- 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	3,488	176
Earlville	City of Earlville	LaSalle	120	0
East Dundee STP	Village of E. Dundee	Kane	556	0
Elkville	Village of Elkville	Jackson	6	0
Ferson Creek Utilities Co.	Utilities, Inc.	Will	70	0
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	785	0
Lockport	City of Lockport	Will County	395	0
Moline (North Slope)	City of Moline	Rock Island	1,151	0
Morris STP	City of Morris	Grundy	0	0
New Lenox STP 1**	Village of New Lenox	Will	2,040	177
Paris STP	City of Paris	Edgar	0	91
Plainfield South STP	Village of Plainfield	Will	0	0
Rock Island (Main)	City of Rock Island	Rock Island	4,570	0
Streator	City of Streator	LaSalle/ Livingston	1,100	0

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FACILITY <u>NAME</u>	RESPONSIBLE <u>AUTHORITY</u>	<u>COUNTY</u>	REMAINING <u>CAPACITY</u>	PE ADDED SINCE <u>LAST LIST</u>
Thompsonville STP	Village of Thompsonville	Franklin	0	0
Wauconda – Remaining Collection System & Lakeview Villa LS	Village of Wauconda	Lake	***	0
Wauconda WWTP	Village of Wauconda	Lake		18

Deletions from previous quarterly report: None

Additions from previous quarterly report: None

\*\*\*Contact IEPA – Permit Section

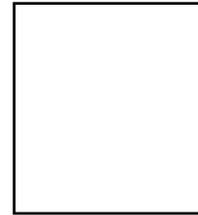
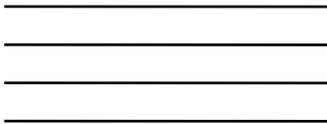
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The Illinois Pollution Control Board is an independent seven-member board that adopts environmental control standards, rules on enforcement actions, and other environmental disputes for the State of Illinois.

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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