
Environmental Register

October 2010 - Number 676

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

G. Tanner Girard, Acting Chairman

Board Members:

Thomas E. Johnson, Andrea S. Moore, Gary Blankenship, and Carrie Zalewski

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
1021 North Grand Avenue East
P.O. Box 19274
Springfield, Illinois 62794-9274
(217) 524-8500

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

Letter from the Chairman

The Board had a very active rulemaking docket in October. Rulemaking activity is summarized below. As always, information about these proceedings is available through the Clerk's Office Online (COOL) at our Web site at www.ipcb.state.il.us.

On October 21, 2010, the Board adopted for second-notice Revision of Mailing Address for Service of Documents: Proposed Amendment to 35 Ill. Adm. Code 101.304 (R10-22). Originally proposed by the Office of the Illinois Attorney General, this rulemaking corrects and updates mailing addresses listed in the Board's procedural rules.

On October 7, 2010, the Board adopted for second notice 10-Year Federally Enforceable State Operating Permits (FESOP): Amendments to 35 Ill. Adm. Code 201.162 (R10-21). The proposal extends the maximum term from five years to ten years for a Federally Enforceable State Operating Permit (FESOP) issued by the Illinois Environmental Protection Agency (IEPA).

October 7, 2010, the Board adopted regulations in RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (January 1, 2009 through June 30, 2009) (R10-4) and RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (July 1, 2008 through December 31, 2008) (R09-16) (consolidated). This consolidated rulemaking is an identical-in-substance rulemaking and the amendments will not be filed for 30 days to allow the United States Environmental Protection Agency to submit additional comments.

On October 7, 2010, the Board adopted a first-notice opinion and order in Ameren Ashpond Closure Rules (Hutsonville Power Station) Proposed: 35 Ill. Adm. Code 840.101 through 840.152 (R09-21). This site-specific regulation proposal would allow Ameren to close a surface impoundment containing coal combustion waste at the electricity-generating Hutsonville Power Station in Crawford County.

On October 21, 2010, the Board adopted In the Matter of: Proposed Amendments to the Board's Special Waste Regulations Concerning Used Oil, 35 Ill. Adm. Code 739, 808, 809 (R06-20(B)). Subdocket B includes definitions of terms in newly adopted regulations relating to the management of used oil in Illinois. In an order dated February 18, 2010, the Board adopted amendments to the used oil management and special waste regulations in Subdocket A.

On October 19 and 20, 2010, the Board held a public hearing in Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System and the Lower Des Plaines River: Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303 and 304 (R08-9(A) and (B)). The Subdocket A hearing was held to receive comments on the Department of Commerce and Economic Opportunity decision not to conduct an economic impact study in that subdocket. The Subdocket B hearings were held to hear testimony concerning an epidemiological study of recreational users on the Chicago Area Waterways. The epidemiological study, known as the Chicago Health Environmental Exposure and Recreation Study (CHEERS), was commissioned by the Metropolitan Water Reclamation District of Greater Chicago. On October 22, 2010, the hearing officer entered an order closing the comment period on November 30, 2010, for Subdocket A. In a second order, the hearing officer scheduled a prehearing conference on October 28, 2010, to discuss upcoming hearings in November for Subdockets C and D.

Filings in all of these dockets can be found at the Board's website: www.ipcb.state.il.us.



Sincerely,

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

Dr. G. Tanner Girard

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Rulemaking Update

Board Updates Illinois Hazardous Waste rules in RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (July 1, 2008 through June 30, 2009, and June 15, 2010), R09-16/R10-4(Oct.21, 2010)

On October 21, 2010, the Board adopted amendments to the hazardous waste regulations “identical-in-substance” to those adopted by the United States Environmental Protection Agency (USEPA) during the time periods of July 1, 2008 through June 30, 2009, and June 15, 2010. This proceeding adopts amendments to 35 Ill. Adm. Code 703, 720, 721, 722, 724, and 725, as required by Section 7.2 of the Environmental Protection Act, 415 ILCS 5/7.2 (2008). These USEPA rules implement Subtitle C of the federal Resource Conservation and Recovery Act of 1976 (RCRA Subtitle C). The Board will cause the filing of the adopted amendments with the Office of the Secretary of State to be published in the *Illinois Register* after holding the docket open for 30 days to receive any comments on the adopted rules by USEPA. The Board presently intends to complete all work on these amendments and file them on or before November 15, 2010.

The USEPA rules included in this docket are listed chronologically below:

October 30, 2008 (73 Fed. Reg. 64668)	Adoption of Definition of Solid Waste Rule (DSWR) amendments: (1) exclusion of “hazardous secondary materials” (HSMs) that are the subject of “legitimate reclamation” from the definition of solid waste; (2) addition of a procedure for an administrative “non-waste” determination for HSMs that are used like a product or intermediate in a continuous industrial process; and (3) addition of financial assurance requirements applicable to entities other than the generator that manage HSMs.
December 1, 2008 (73 Fed. Reg. 64668)	Adoption of optional alternative hazardous waste generator requirements applicable to “eligible academic entities” (college and university laboratories and other facilities affiliated with colleges and universities). The alternative standards will apply in lieu of the pertinent of the generally applicable large-quantity waste generator, small-quantity waste generator, or conditionally exempt small-quantity generator waste regulations.
December 19, 2008 (73 Fed. Reg. 77954)	Addition of “emission-comparable fuel” (ECF) to the existing “comparable fuels” exclusion from the definition of solid waste, including ancillary amendments to accommodate the addition of ECF.
June 25, 2009 (74 Fed. Reg. 30228)	USEPA amended references to reflect the change in name of the “Office of Solid Waste” to its new name, “Office of Resource Conservation and Recovery.”

June 15, 2010 (75 Fed. Reg. 33712)	USEPA withdrew the ECF rule from the December 19, 2008 amendments (described above) to the excluded fuels rule. The corrective and clarifying amendments of December 19, 2008 were unaffected.
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Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board's Web site and may be downloaded from the Web without charge. Hard copies may be obtained for \$.75 per page from the Clerk's office, Pollution Control Board, James R. Thompson Center, 100 W. Randolph Street, Suite 11-500, Chicago, IL 60601.

For more information contact Michael McCambridge at (312)-814-6924 or email at mcambm@ipcb.state.il.us.

Board Adopts First Notice Proposal in *In the Matter of: Ameren Ash Pond Closure Rules (Hutsonville Power Station): Proposed 35 Ill. Adm. Code Part 840.101 Through 840.144, R09-21*(Oct .7, 2010)

The Pollution Control Board, on October 7, 2010, adopted a first-notice proposal in the site-specific rulemaking docketed as *In the Matter of: Ameren Ash Pond Closure Rules (Hutsonville Power Station): Proposed 35 Ill. Adm. Code Part 840.101 Through 840.144,(R09-21.* Ameren Energy Generating Company (Ameren) filed the original site-specific rulemaking proposal on May 19, 2009. Ameren sought adoption of standards under which it could close Ash Pond D, a surface impoundment managing coal combustion waste at Ameren's Hutsonville Power Station located near Hutsonville in Crawford County. After the Illinois Environmental Protection Agency (IEPA) responded to that proposal by offering various revisions, Ameren and the IEPA, on September 22, 2009, submitted a joint rulemaking proposal. The Board held a public hearing on the joint proposal on October 29, 2010.

The Board adopted the joint proposal without significant substantive amendments for first notice publication in the *Illinois Register*. The Board's first-notice proposal includes requirements for a final cover system for Ash Pond D, a groundwater monitoring system and program, a groundwater collection trench to address off-site impacts and various procedures for IEPA oversight of the closure process.

Publication of the proposal in the *Illinois Register* commences a 45-day written public comment period. The Board does not presently intend to hold an additional hearing.

Opinions and orders of the Board, hearing officer orders, hearing transcripts, and other documents in rulemaking records are posted on the Board's Web site. Copies may be obtained by calling the Clerk's office at 312-814-3620 and payment of any charges, or by downloading them without charge from the Board's Website at www.ipcb.state.il.us.

For more information contact Tim Fox at 312-814-6085 or email at foxt@ipcb.state.il.us.

The Board Adopts Second Notice Proposal to Amend Its Air Rules in *In the Matter of: 10-Year Federally Enforceable State Operating Permits (FESOP): Amendments to 35 Ill. Adm. Code 201.162, R10-21* (Oct. 7, 2010).

The Pollution Control Board, on October 7, 2010, adopted a second notice proposal for review by the Joint Committee on Administrative Rules (JCAR) extending the maximum term that the Illinois Environmental Protection Agency (IEPA) could issue a Federal Enforceable State Operating Permit (FESOP) from five years to ten. JCAR has scheduled the rule for review at its November 16, 2010 meeting.

On April 20, 2010, the IEPA filed the proposal which is docketed as *In the Matter of: 10-Year Federally Enforceable State Operating Permits (FESOP): Amendments to 35 Ill. Adm. Code 201.162, R10-21.* The sole provision of the air rules to be amended is Section 201.162. To expedite this rulemaking, in a June 17, 2010 opinion and order, the Board authorized the first notice publication of the rules as proposed without commenting on the merits of the IEPA proposal. First notice of the proposed rules appeared in the July 2, 2010 *Illinois Register*. See Ill. Reg. 8508(July 2, 2010). The Board held hearings on the proposal on July 8 and 21, 2010. No written public comments were received.

The Board adopted the proposal for second notice review without change from that adopted at first notice. During hearing, the IEPA presented testimony that extending the maximum term that IEPA could issue a FESOP from five to ten years would result in an expected reduction of administrative resources and costs to both the affected sources

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with a five percent decrease in workload of FESOP renewals within five years of adoption of the proposal. The Board found that IEPA's granting FESOPs for a longer term will not affect the implementation of air pollution control programs or enforcement of air quality standards in the State of Illinois and is compliant with all applicable federal standards.

Opinions and orders of the Board, hearing officer orders, hearing transcripts, and other documents in rulemaking records are posted on the Board's Web site. Copies may be obtained by calling the Clerk's office at 312-814-3620 and payment of any charges, or by downloading them without charge from the Board's Website at www.ipcb.state.il.us.

For more information contact Kathleen Crowley at 312-814-6929 or email at crowlek@ipcb.state.il.us.

Board Adopts Second Notice Proposal to Update Mailing Addresses in Procedural Rules in In the Matter of: Revision of Mailing Address for Service of Documents Proposed Amendments to 35 Ill. Adm. Code 101-304, R10-22 (Oct. 21, 2010)

On October 21, 2010, the Board adopted a second notice proposal for review by the Joint Committee on Administrative Rules to amend the Board's procedural rules. The proposal would update the proper mailing address for the Division for Chief of Environmental Enforcement at the Office of the Attorney General, and the Office of Legal Services at the Illinois Department of Natural Resources. The Illinois Attorney General's Office (AGO), on June 2, 2010, filed the proposal which is docketed as In the Matter of: Revision of Mailing Address for Service of Documents Proposed Amendments to 35 Ill. Adm. Code 101-304, R10-22.

Under the proposed changes, the Office of the Attorney General must be served at:

Division Chief of Environmental Enforcement
Office of the Attorney General
100 West Randolph Street, Suite 1200
Chicago, IL 60601

And, the Illinois Department of Natural Resources must be served at:

Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62701-1787

The June 17, 2010 first notice proposal was published at 35 Ill. Reg. 8500 (July 12, 2010). The Board is not required to hold a public hearing to amend these procedural rules and the Board did not receive a request for a public hearing from the AGO or any other person. The Board received no written public comments.

Opinions and orders of the Board, hearing officer orders, hearing transcripts, and other documents in rulemaking records are posted on the Board's Web site. Copies may be obtained by calling the Clerk's office at 312-814-3620 and payment of any charges, or by downloading them without charge from the Board's Website at www.ipcb.state.il.us.

For more information contact Marie Tipsord at 312-814-4925 or email at tipsorm@ipcb.state.il.us.

Board Actions

October 7, 2010

Chicago, Illinois

Rulemakings

- | | | |
|----------------|---|-------------|
| R 09-16 | <u>RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (July 1, 2008 through December 31, 2008)</u> | 5-0
Land |
| R10-4 | <u>RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (January 1, 2009 through June 30, 2009)</u> – The Board adopted a final opinion and order in this “identical-in-substance” consolidated rulemaking which amend the Board’s hazardous waste regulations. | |
| R 09-21 | <u>In the Matter of: Ameren Ashpond Closure Rules (Hutsonville Power Station) Proposed: 35 Ill. Adm. Code 840.101 through 840.144</u> – The Board adopted a first notice opinion and order in this site-specific rulemaking proposal to amend the Board’s land pollution control regulations. | 5-0
Land |
| R 10-21 | <u>In the Matter of: 10-Year Federally Enforceable State Operating Permits (FESOP) Amendments to 35 Ill. Adm. Code Part 201.162</u> – The Board adopted a second notice opinion and order in this rulemaking to amend the Board’s air rules. | 5-0
Air |

Adjusted Standards

- | | | |
|----------------|--|-------------|
| AS 04-1 | <u>In the Matter of: Petition of Crownline Boats, Inc. for an Adjusted Standard from 35 IAC Section 215.301</u> – The Board granted the motion of Leisure Properties LLC d/b/a Crownline Boats to re-open the docket and to substitute Leisure Properties LLC for Crownline Boats, Inc. as petitioner. The Board amended the July 22, 2002 order in this matter and granted this Franklin County petitioner an adjusted standard, with conditions, from volatile organic material emission requirements. | 5-0
Air |
| AS 07-6 | <u>In the Matter of: Petition of Cabot Corporation for an Adjusted Standard from 35 Ill. Adm. Code Part 738, Subpart B</u> – The Board granted this Douglas County petitioner an adjusted standard, with conditions and ending December 21, 2027, from the requirements of 35 Ill. Adm. Code 738.110(a) and 738.116 (c)(1) and (c)(2) for the underground injection control Wells # 2 and #3 at its Tuscola facility. | 5-0
Land |

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AS 09-3 In the Matter of: Petition of Westwood Lands, Inc. for an Adjusted Standard from Portions of 35 Ill. Adm. Code 807.104 and 35 Ill. Adm. Code 810-103 or in the Alternative, a Finding of Inapplicability – The Board granted the motion of Westwood Lands, Inc. (petitioner) for reconsideration and, upon reconsideration, finds that the steelmaking slag fines petitioner processes to produce coarse and fine metallic fractions in bulk, nugget, and briquette form to be used for steel manufacturing are not, under listed conditions, a waste. The Board granted petitioner’s requested alternative relief and exempts the steelmaking slag fines from the Board’s solid waste regulations. The Board denied petitioner’s request for an adjusted standard as moot. 5-0
Land

Administrative Citations

AC 09-40 IEPA v. Thomas and Valerie Hill – The Board entered an interim opinion and order finding respondents violated Sections 21(p) (1) and (p) (7) of the Illinois Environmental Protection Act (Act) (415 ILCS 5/21(p) (1), (p) (7) (2008)) and assessing a penalty of \$3,000. The Board ordered the Clerk of the Board and the Illinois Environmental Protection Agency to file within 14 days a statement of hearing costs, supported by affidavit, with service on respondent. Respondents may respond to the cost statement within 32 days of service. 5-0

AC 11-7 IEPA v. Marion Metal & Roofing and C & T. Recycling – The Board granted complainant’s motion to voluntarily dismiss this administrative citation and closed the docket. 5-0

Adjudicatory Cases

PCB 09-10 Joseph & Victoria Morrissey v. Geoff Pahios, Alpine Automotive – In this noise enforcement action concerning a Lake County facility, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c) (1)(2008)), and accepted a stipulation and settlement agreement, closing the docket. 5-0
N-E

PCB 10-8 People of the State of Illinois v. Don Swinson, and Champion Environmental Services, Inc. – In this land enforcement action concerning a Winnebago 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)(2008)), accepted two separate stipulation and settlement agreements, and ordered the respondents to pay a total civil penalty of \$7,500.00, and to cease and desist from further violations. 5-0
L-E

PCB 10-77 People of the State of Illinois v. Avante, LLC – In this land 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)(2008)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$10,000.00, and to cease and desist from further violations. 5-0
L-E

PCB 10-83 Village of Morton v. IEPA – The Board granted the Village of Morton a water well setback exception for Community Water Supply Wells #7 and #10 from Section 14.2(c) of the Environmental Protection Act and the Board’s water well setback regulations. 415 ILCS 5/14.2(c) (2008); 35 Ill. Adm. Code 5-0
WWS

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106.300 *et seq.*

PCB 10-106	<u>Terri D. Gregory v. Regional Ready Mix</u> – The Board directed complainant to file an amended complaint on or before November 8, 2010 to cure deficiencies.	5-0 A, N-E
PCB 11-1	<u>William H. Leesman v. Cimco Recycling, Sterling and Cimco Resources, Inc.</u> – The Board directed complainant to file an amended complaint on or before November 8, 2010 to cure deficiencies.	5-0 N-E
PCB 11-7	<u>Van Zelst Landscape Compost Facility v. IEPA</u> – The Board accepted for hearing this permit appeal involving a Lake County facility.	5-0 P-A, Land
PCB 11-12	<u>People of the State of Illinois v. Altorfer, Inc.</u> , – Upon receipt of a complaint accompanied by a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this land enforcement action involving a Peoria County facility, the Board accepted the case and ordered publication of the required newspaper notice.	5-0 L-E
PCB 11-13	<u>Stickney Auto & Truck Company, 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 Cook County facility.	5-0 UST Appeal, 90- Day Extension
PCB 11-14	<u>People of the State of Illinois v. Waste Management of Illinois, Inc. and Cottonwood Hills Landfill</u> – The Board directed that either the complainant file an amended complaint or the parties file an amended stipulation and proposed settlement, accompanied by another request for relief from the hearing requirement.	5-0 L-E
PCB 11-15	<u>Midwestern Regional Medical Center, Inc. v. IEPA</u> – The Board accepted for hearing this permit appeal involving a Lake County facility. No action was taken on petitioner’s motion for stay of specified conditions in the permit.	5-0 P-A, Air

**October 21, 2010
Chicago, Illinois**

Rulemakings

R 06-20(B)	<u>In the Matter of: Proposed Amendments to the Board's Special Waste Regulations Concerning Used Oil, 35 Ill. Adm. Code 739, 808, 809</u> – The Board adopted a final opinion and order in this rulemaking amending the Board’s regulations concerning special waste manifests and tracking requirements as they pertain to used oil recycling.	5-0 Land
R 10-22	<u>In the Matter of: Revision of Mailing Address for Service of Documents: Proposed Amendment to 35 Ill. Adm. Code 101.304</u> – The Board adopted a second notice opinion and order in this rulemaking to amend the Board’s procedural rules.	5-0 R Procedural

Administrative Citations

AC 11-4	<u>IEPA v. Karen L. Allen</u> – The Board directed respondent to file a certificate of service with the Board by November 11, 2010 to cure deficiencies, or the Board will dismiss the amended petition and enter a default order.	5-0
AC 11-9	<u>IEPA v. Kenneth Earl and Barbara Koker</u> – The Board granted complainant’s motion for withdrawal of this administrative citation and closed the docket.	5-0

Adjudicatory Cases

PCB 07-81	<u>People of the State of Illinois v. Durre Bros. Welding and Machine Shop, Inc.</u> – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this water enforcement action involving a Woodford County facility, the Board ordered publication of the required newspaper notice.	5-0 W-E
PCB 09-108	<u>People of the State of Illinois v. Apollo Plastics Corporation</u> – The Board denied respondent’s motion for stay of the proceeding.	5-0 A-E
PCB 10-75	<u>Chicago Coke Co. v. IEPA</u> – The Board denied the Illinois Environmental Protection Agency’s motion to reconsider the Board’s September 2, 2010 decision.	5-0 P-A, Air
PCB 10-89	<u>People of the State of Illinois v. Freeport Area Economic Development Foundation, d/b/a Northwest Illinois Development Alliance, and Weitz Industrial, LLC</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, as to Freeport Area Economic Development Foundation, d/b/a Northwest Illinois Development Alliance only, involving a Stephenson County facility, the Board ordered publication of the required newspaper notice.	5-0 NPDES -E
PCB 11-11	<u>People of the State of Illinois v. Clinton Landfill, Inc.</u> – The Board directed that either the complainant file an amended complaint or the parties file an amended stipulation and proposed settlement, accompanied by another request for relief from the hearing requirement.	5-0 A-E
PCB 11-15	<u>Midwestern Regional Medical Center, Inc. v. IEPA</u> – The Board granted petitioner’s motion for a stay of contested permit conditions.	5-0 P-A, Air
PCB 11-16	<u>SK Singh, LLC v. IEPA (Claim 942280-58558)</u> – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Sangamon County facility.	5-0 UST Appeal, 90- Day Extension
PCB 11-17	<u>SK Singh, LLC v. IEPA (Claim 942280-58558)</u> – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Sangamon County facility.	5-0 UST Appeal, 90- Day Extension

New Cases

October 7, 2010 Board Meeting

11-12 People of the State of Illinois v. Altorfer, Inc. – Upon receipt of a complaint accompanied by a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this land enforcement action involving a Peoria County facility, the Board accepted the case and ordered publication of the required newspaper notice.

11-13 Stickney Auto & Truck Company, 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 Cook County facility.

11-14 People of the State of Illinois v. Waste Management of Illinois, Inc. and Cottonwood Hills Landfill – The Board directed that either the complainant file an amended complaint or the parties file an amended stipulation and proposed settlement, accompanied by another request for relief from the hearing requirement.

11-15 Midwestern Regional Medical Center, Inc. v. IEPA – The Board accepted for hearing this permit appeal involving a Lake County facility. No action was taken on petitioner’s motion for stay of specified conditions in the permit.

AC 11-8 IEPA v. August Oelschlager – The Board accepted an administrative citation against this Livingston County respondent.

AC 11-9 IEPA v. Kenneth Earl and Barbara Koker – The Board accepted an administrative citation against these Saline County respondents.

October 21, 2010 Board Meeting

11-16 SK Singh, LLC v. IEPA (Claim 942280-58558) – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Sangamon County facility.

11-17 SK Singh, LLC v. IEPA (Claim 942280-58559) – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Sangamon County facility.

AC 11-10 IEPA v. Luke Marquard, Jr. – The Board accepted an administrative citation against this Morgan County respondent.

Calendar

<p>11/4/10 11:00 AM</p>	<p>Illinois Pollution Control Board Meeting</p>		<p>James R. Thompson Center 100 W. Randolph Street Chicago</p>
<p>11/8/10 9:00 AM</p>	<p>R08-09(C)</p>	<p><u>In the Matter of: Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System (CAWS) and the Lower Des Plaines River: Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303 and 304 (Proposed Aquatic Life Uses)</u></p> <p>(Continues until complete or through November 10, 2010)</p>	<p>Room N-502 Michael A. Bilandic Building 160 N. LaSalle Chicago</p>

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<p>11/8/10 9:00 AM</p>	<p>R08-09(D)</p>	<p><u>In the Matter of: Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System (CAWS) and the Lower Des Plaines River: Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303 and 304 (Water Quality Standards and Criteria Necessary to Meet Aquatic Life use Designations</u></p> <p>(Continues until complete or through November 10, 2010)</p>	<p>Room N-502 Michael A. Bilandic Building 160 N. LaSalle Chicago</p>
<p>11/18/10 11:00 AM</p>	<p>Illinois Pollution Control Board Meeting</p>		<p>James R. Thompson Center 100 W. Randolph Street Chicago</p>
<p>11/22/10 9:00 AM</p>	<p>PCB 10-103</p>	<p><u>Stop The Mega-Dump v. County Board of DeKalb County, Illinois and Waste Management, of Illinois, Inc.</u></p> <p>(Continues until complete or through November 23, 2010)</p>	<p>DeKalb County Health Department Facility Multi-Purpose Room 2550 North Annie Glidden Road DeKalb</p>
<p>12/2/10 11:00 AM</p>	<p>Illinois Pollution Control Board Meeting</p>		<p>James R. Thompson Center 100 W. Randolph Street Chicago</p>
<p>12/16/10 11:00 AM</p>	<p>Illinois Pollution Control Board Meeting</p>		<p>James R. Thompson Center 100 W. Randolph Street Chicago</p>
<p>1/6/10 11:00 AM</p>	<p>Illinois Pollution Control Board Meeting</p>		<p>James R. Thompson Center 100 W. Randolph Street Chicago</p>
<p>1/20/10 11:00 AM</p>	<p>Illinois Pollution Control Board Meeting</p>		<p>James R. Thompson Center 100 W. Randolph Street Chicago</p>

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

OCTOBER 2010

<i>SYSTEM NAME</i>	<i>EPA 3 RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTING DATE</i>
ALTERNATIVE BEHAVIOR TREATMENT CENTER - IL0977189	2	INADEQUATE PRESSURE TANK	50	6/15/1988
ARLINGTON REHABILITATION LIVING CENTER - IL0971110	2	INADEQUATE HYDRO STORAGE	180	12/1/2003
ATHENS – IL1290050	5	INADEQUATE TREATMENT CAPACITY	4350	10/1/2007
AURORA COMMUNITY WATER ASSN - IL0895750	2	INADEQUATE PRESSURE TANK	150	12/16/1988
BAHL WATER CORP - IL0855200	1	INADEQUATE PRESSURE TANK	700	12/15/1993
BALCITIS PUMP CORP - IL2015100	1	INADEQUATE STORAGE	150	1/1/2006
BIGGSVILLE – IL0710050	5	EXCEEDANCES OF GROSS ALPHA AND COMBINED RADIUM MCL'S	350	4/1/2010
BRADLEY HEIGHTS SUBDIVISION - IL2015050	1	INADEQUATE PRESSURE TANK	192	9/13/1985
*BRYANT – IL0570200	5	EXCEEDING THE MCLs FOR COMBINED RADIUM	267	10/1/2010
BUFFALO HOLLOW FARMS WATER ASSOCIATION – IL1430080	5	INADEQUATE PRESSURE STORAGE	44	6/16S/2008
CARROLL HEIGHTS UTILITIES COMPANY - IL0155200	1	INADEQUATE PRESSURE TANK	96	3/20/1981
CENTURY PINES APARTMENTS - IL0150020	1	INADEQUATE PRESSURE TANK	50	12/14/1990
COOKSVILLE - IL1130400	4	TTHM & HALOACIDIC ACIDS	300	9/15/2005
COYNE CNTR COOP - IL1615150	1	INADEQUATE PRESSURE TANK	150	12/15/1997
CROPSEY COMMUNITY WATER - IL1135150	4	INADEQUATE PRESSURE TANK	31	3/20/1981
CRYSTAL CLEAR WATER COMPANY - IL1115150	2	INADEQUATE PRESSURE TANK	885	9/16/1988
D L WELL OWNERS ASSOCIATION - IL0975380	2	INADEQUATE PRESSURE TANK	141	3/18/1983
DE KALB UNIV DVL CORP - IL0375148	1	INADEQUATE PRESSURE TANK	1050	12/16/1992
DEERING OAKS SUBDIVISION - IL1115200	2	INADEQUATE PRESSURE TANK	60	12/17/1982
DOVER - IL0110350	1	INADEQUATE PRESSURE TANK	169	5/25/1981
EAST END WATER ASSOCIATION - IL1610140	1	INADEQUATE STORAGE CAPACITY	40	3/15/2002

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<i>SYSTEM NAME</i>	<i>EPA 3 RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTING DATE</i>
EAST MORELAND WATER CORPORATION - IL1975640	2	INADEQUATE PRESSURE TANK	135	3/15/1996
EASTMORELAND WTR SERVICE ASSN - IL1975600	2	INADEQUATE PRESSURE TANK	650	3/20/1981
*EDELSTEIN WATER COOPERATIVE – IL1435150	5	EXCEEDING THE MCL's FOR COMBINED RADIUM & GROSS ALPHA PARTICLE ACTIVITY	125	10/1/2010
EVERGREEN VILLAGE SUBDIVISION - IL1615310	1	INADEQUATE PRESSURE TANK	130	3/20/1981
FAIR ACRES SUBDIVISION - IL1975680	2	INADEQUATE PRESSURE TANK	156	10/19/1981
FOREST LAKE ADDITION - IL0975500	2	INADEQUATE PRESSURE TANK	204	12/16/1983
FRWRD-SKYLINE PLANT - IL0895030	2	INADEQUATE PRESSURE TANK	700	9/19/1986
GARDEN STREET IMPROVEMENT ASSOCIATION - IL1975376	2	INADEQUATE PRESSURE TANK	54	9/15/1989
GOOD SHEPHERD MANOR - IL0915189	2	INADEQUATE PRESSURE TANK	25	3/17/1989
GREAT OAKS AND BEACON HILLS APARTMENTS - IL2015488	1	INADEQUATE PRESSURE TANK	2420	12/17/1982
GREAT OAKS AND BEACON HILLS APARTMENTS - IL2015488	1	INADEQUATE PRESSURE TANK	2420	12/17/1982
HAWTHORN WOODS - IL0970450	2	INADEQUATE PRESSURE TANK	672	3/15/1995
HEATHERFIELD SUBDIVISION - IL0635150	2	INADEQUATE PRESSURE TANK	75	9/17/1982
HETTICK - IL1170500	5	TRICHALOMETHANE	182	6/15/2002
HIGHLAND SUBDIVISION - IL0895530	2	INADEQUATE PRESSURE TANK	60	9/16/1983
HILLVIEW SUBDIVISION - IL1975800	2	INADEQUATE PRESSURE TANK	100	3/15/1985
HOLY FAMILY VILLA - IL0310280	2	INADEQUATE PRESSURE TANK	200	9/15/1999
INGALLS PARK SUBDIVISION - IL1975880	2	INADEQUATE PRESSURE TANK	745	9/16/1983
LAKE LYNWOOD WATER SYSTEM - IL0735330	1	INADEQUATE PRESSURE TANK	75	8/31/1981
LARCHMONT SUBDIVISION - IL2015290	1	INADEQUATE PRESSURE TANK	64	6/17/1983
LARSON COURT APARTMENTS - IL1615728	1	INADEQUATE PRESSURE TANK	58	1/14/1982
LEGEND LAKES WATER ASSOCIATION - IL2015300	1	INADEQUATE PRESSURE TANK	283	3/14/1991
LIBERTY PARK HOMEOWNERS ASSOCIATION - IL0435600	2	INADEQUATE PRESSURE TANK	837	9/17/1992
LINDENWOOD WATER ASSOCIATION - IL1415300	1	INADEQUATE PRESSURE TANK	50	1/13/1982
LISBON NORTH, INC. - IL0631000	2	INADEQUATE PRESSURE TANK	30	9/14/1990
LONDON MILLS - IL0574620	5	INADEQUATE PRESSURE TANK	447	12/14/1984

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<i>SYSTEM NAME</i>	<i>EPA 3 RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTING DATE</i>
LYNN CENTER - IL0735100	1	INADEQUATE PRESSURE TANK	100	3/15/1995
LYNNWOOD WATER CORPORATION - IL0995336	1	INADEQUATE PRESSURE TANK	110	3/18/1983
M C L W SYSTEM, INC. - IL1315150	1	INADEQUATE SOURCE	98	3/20/1981
MENARD RURAL WATER CO.(SWEETWATER SYSTEM)- IL1290010 5	INADEQUATE SOURCE CAPACITY	490	10/1/2007	
MOUND PWD - IL1635050	6	INADEQUATE PLANT CAPACITY	2200	6/17/1996
NORTHWEST BELMONT IMPRV ASSN - IL0435900	2	INADEQUATE PRESSURE TANK	78	9/29/1981
OAK RIDGE SD - IL2035300	1	INADEQUATE PRESSURE TANK	240	3/20/1981
OPHIEM PWS - IL0735150	1	INADEQUATE PRESSURE TANK	100	6/18/1982
OSCO MUTUAL WATER SUPPLY COMPANY, INC. - IL0735200	1	INADEQUATE PRESSURE TANK	115	12/15/1989
PANAMA - IL0054720	6	TTHM, DBP, INAD STORAGE	380	1/1/2006
PATOKA - IL1210400	6	INADEQUATE PLANT CAPACITY	731	3/15/1997
POLO DR AND SADDLE RD SUBDIVISION - IL0437000	2	INADEQUATE PRESSURE TANK	90	12/17/1982
PORTS SULLIVAN LAKE OWNERS ASSOCIATION - IL0971160	2	INADEQUATE PRESSURE TANK	293	6/15/1999
PRAIRIE RIDGE ASSOCIATION - IL1115730	2	INADEQUATE PRESSURE TANK	130	10/1/2004
RIDGECREST NORTH SUBDIVISION - IL0635250	2	INADEQUATE PRESSURE TANK	60	9/16/1993
RIDGEWOOD SUBDIVISION - IL1977650	2	INADEQUATE PRESSURE TANK	250	6/18/1982
SHAWNITA TRC WATER ASSOCIATION - IL1977690	2	INADEQUATE PRESSURE TANK	125	9/17/1992
SILVIS HEIGHTS WATER CORP - IL1615750	1	INADEQUATE HYDRO STORAGE	1600	12/1/2003
SKYVIEW SBDV - IL0915526	2	INADEQUATE PRESSURE TANK	45	3/16/1990
ST CHARLES COMMSSION WELLFUND 3 - IL0437040	2	INADEQUATE PRESSURE TANK	30	12/15/1989
STRATFORD WEST APARTMENTS - IL1095200	5	INADEQUATE PRESSURE TANK	39	12/17/1982
SUBURBAN HEIGHTS SUBDIVISION - IL1615800	1	INADEQUATE PRESSURE TANK	82	12/16/1983
SUMMIT HOMEOWNERS ASSOCIATION - IL0975280	2	INADEQUATE PRESSURE TANK	39	3/16/1984
SUNNY HILL ESTATES SUBDIVISION - IL0735300	1	INADEQUATE PRESSURE TANK	525	6/15/2000
SUNNYLAND SUBDIVISION - IL1977730	2	INADEQUATE PRESSURE TANK	350	9/16/1983

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<i>SYSTEM NAME</i>	<i>EPA 3 RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTING DATE</i>
SWEDONA WATER ASSOCIATION - IL1315200	1	INADEQUATE PRESSURE TANK	157	6/15/1990
SYLVAN LAKE 1ST SUBDIVISION - IL0977100	2	INADEQUATE PRESSURE TANK	210	6/14/1991
TOWNERS SUBDIVISION - IL0977250	2	INADEQUATE PRESSURE TANK	210	1/14/1982
UTILITIES INC HOLIDAY HILLS - IL1115350	2	INADEQUATE PRESSURE TANK	729	9/16/1983
UTL INC-LAKE HOLIDAY - IL0995200	1	INAD SOURCE & TREATMENT PLT	5460	9/15/1998
UTL INC-NORTHERN HILLS UTILITIES COMPANY - IL1775050	1	INADEQUATE PRESSURE TANK	500	3/15/1996
UTL INC-WALK-UP WOODS WATER COMPANY - IL1115800	2	INADEQUATE PRESSURE TANK	654	12/17/1982
WEST SHORE PARK SUBDIVISION - IL0977370	2	INADEQUATE PRESSURE TANK	528	6/15/2000
WEST SHORELAND SUBDIVISION - IL0977050	2	INADEQUATE PRESSURE TANK	189	6/14/1991
WIENEN ESTATES - IL0850030	1	INADEQUATE PRESSURE TANK	70	12/15/1997
WONDER LAKE WATER COMPANY - IL1115750	2	INADEQUATE PRESSURE TANK	1442	6/16/1994

WATER SYSTEMS REMOVED FROM PREVIOUS LIST

* DENOTES ADDED WATER SUPPLIES

Environmental Register – October 2010

Illinois Environmental Protection Agency
Division of Public Water Supplies
Critical Review List - Public Water Supplies
OCTOBER 2010

<i>SYSTEM NAME</i>	<i>EPA RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTING DATE</i>
ANDALUSIA - IL1610050	1	INADEQUATE PRESSURE TANK	1050	12/1/2003
BEASON CHESTNUT PWD - IL1075150	5	INAD PLANT & SOURCE CAP	600	6/15/2004
BROWNING - IL1690050	5	INADEQUATE SOURCE CAPACITY	175	3/15/1998
CANTON – IL0570250	5	INSUFFICIENT TREATMENT CAPACITY	13932	3/15/2007
CEDARVILLE - IL1770050	1	EMERGENCY POWER	800	1/1/2006
COLLINSVILLE – IL1194280	6	INADEQUATE STORAGE	29500	1/1/2008
COLUMBIA - IL1330050	6	INADEQUATE PUMPING CAPACITY	8365	3/15/1998
CROPPERS 1ST 4TH AND 5TH ADDITION - IL1615250	1	UNDERSIZED WATERMANS	650	1/1/2006
EDWARDSVILLE – IL1190250	5	INSUFFICIENT PLANT CAPACITY TO HANDLE PEAK SYSTEM WATER DEMAND	24,900	9/16/2008
EFFINGHAM – IL0490250	4	INADEQUATE DISINFECTION	12384	7/1/2006
ELIZABETH - IL0850150	1	LOW SYSTEM PRESSURE	682	6/15/1999
ELLIS GROVE – IL1570200	6	INSUFFICIENT STORAGE CAPACITY	720	10/1/2007
EXETER-MERRITT WATER COOP - IL1710010	5	INADEQUATE PRESSURE TANK	428	10/1/2004
GALENA - IL0850200	1	LOW SYSTEM PRESSURE	3640	6/15/1999
GRIGGSVILLE – IL1490300	5	INADEQUATE TREATMENT PLANT CAPACITY	1259	10/1/2006
HAMEL - IL1190450	6	INADEQUATE STORAGE CAPACITY	650	1/1/2006
HOLIDAY SHORES SD - IL1195110	6	INADEQUATE STORAGE CAPACITY	3192	1/1/2006
IL AMERICAN-ALTON	6	APPROACHING WATER TREATMENT PLANT CAPACITY	51922	4/1/2009
JOY - IL1310100	1	LOW SYSTEM PRESSURE	373	6/15/1999
LA MOILLE - IL0110500	1	INADEQUATE PLANT CAPACITY	750	6/15/1999
LA SALLE - IL0990300	1	INAD PLANT & SOURCE CAPACITY	9700	11/1/2004
LACON - IL1230100	1	UNDERSIZED WATERMANS	1979	1/1/2006

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<i>SYSTEM NAME</i>	<i>EPA RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTING DATE</i>
LEE - IL1034600	1	INADEQUATE PRESSURE TANK	350	10/1/2004
MALDEN - IL0110550	1	UNDERSIZED WATERMANS	370	1/1/2006
MARION - IL1990550	7	INADEQUATE SOURCE CAPACITY	14610	11/1/2001
MARYVILLE – IL1190750	5	INADEQUATE STORAGE	800	3/17/2008
MASON CITY - IL1250350	5	INADEQUATE STORAGE CAPACITY	2558	1/1/2006
MATHERSVILLE - IL1310200	1	INADEQUATE SYSTEM PRESSURE	793	9/13/2000
MC HENRY SHORES WATER COMPANY - IL1115020	2	LOW SYSTEM PRESSURE	1813	9/17/1992
O'FALLON – IL1631100	2	INADEQUATE STORAGE CAPACITY	43596	10/1/2006
OTTER LAKE WTR CMSN ADGPTV – IL1175200	5	INADEQUATE PLANT CAPACITY	1251	7/1/2006
SCALES MOUND - IL0850400	1	LOW SYSTEM PRESSURE	400	9/15/1997
SENECA - IL0991050	1	INADEQUATE PLANT CAPACITY AND UNDERSIZED WATER MAINS	2053	6/15/1999
SOUTH HIGHWAY PWD - IL0775400	7	LOW SYSTEM PRESSURE & UNDERSIZED WATERMANS	8420	1/1/2006
STOCKTON - IL0850450	1	LOW SYSTEM PRESSURE	1871	6/15/1984
SUMNER - IL1010300	7	LOW SYSTEM PRESSURE	1481	12/13/1985
UTL INC-LAKE MARIAN WATER CORPORATION - IL0895200	2	INAD PRES STORAGE & LOW SYS PRES	924	9/14/1984
WALNUT HILL - IL1210600	6	LOW SYSTEM PRESSURE	1470	6/14/1985
WATERLOO - IL1330300	6	INADEQUATE STORAGE	7614	10/1/2004
WITT – IL1350850	5	INADEQUATE TREATMENT CAPACITY	991	3/17/2008
WORDEN - IL1191200	6	INADEQUATE STORAGE CAPACITY	906	1/1/2006

WATER SYSTEMS REMOVED FROM PREVIOUS LIST

MECHANICSBURG-BUFFALO WATER COMMISSION

*** DENOTES ADDED WATER SUPPLIES**

Restricted Status/Critical Review

The Environmental Protection Act prohibits the Agency from issuing a construction permit that will cause or extend a violation. A construction permit to expand the distribution system cannot be granted when a water supply has a maximum contaminant level or treatment technique violation, an inadequate source of raw water supply, inadequate treatment plant capacity, finished water storage or distribution system pressure. A Restricted Status List is published quarterly in the Illinois Pollution Control Board Environmental Register to notify those persons considering expansion of a water supply distribution system of that status before large sums of money have been spent on items such as land acquisition, financing and engineering fees. A companion Critical Review List is published concurrently with the Restricted Status List and has the water supplies that are approaching a point where the supply could be placed on Restricted Status. A permit application from a supply on Critical Review will be examined carefully to ensure that the proposed construction will not cause a violation. Restricted Status and Critical Review are presented as a combined list with the status of the water supply denoted as either RS (Restricted Status) or CR (Critical Review). The current list reflects the status as of October 1, 2010. An asterisk, *, beside the water supply indicates public water supplies that have been added to the Restricted Status/Critical Review list since the previous publication.

Restricted Status List

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

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

A public water supply on the Restricted Status List will not be issued permits for water main extensions, except for certain limited situations, or unless the supply has been granted a variance from the Illinois Pollution Control Board for the violation, or from permit issuance requirements of Section 39 of the Act.

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

Critical Review List

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

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

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

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

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

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Illinois Pollution Control Board
Environmental Register Coordinator
1021 N. Grand Avenue East
P.O. Box 19274
Springfield, Illinois 62794-9274