
Environmental Register

January 2011 - Number 679

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

During January, the Board moved forward in several open rulemaking dockets. These activities are summarized below. As always, information about these proceedings is available through the Clerk's Office Online (COOL) on our Web site at www.ipcb.state.il.us.

On January 6, 2011, the Board accepted for hearing a proposal by the Illinois Environmental Protection Agency (IEPA) entitled Amendments to 35 Ill. Adm. Code Part 229 Hospital/Medical/ Infectious Waste Incinerators (R11-20). The proposal reflects amendments promulgated by the United States Environmental Protection Agency such as revised emission standards, revised provisions for waste management plans, and removal of an existing startup, shutdown, and malfunction provision. Hearings on the proposal will take place on March 22, 2011, in Clinton and on April 20, 2011, in Chicago.



On January 6, 2011, the Board extended the comment period 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(B)). The comment period was extended until January 31, 2011, for responsive comments and until February 15, 2011, for replies. The Board granted the additional time to allow participants to address new information included in final comments filed on January 3, 2011 by the Metropolitan Water Reclamation District of Greater Chicago.

On January 20, 2011, the Board adopted regulations in Ameren Ashpond Closure Rules (Hutsonville Power Station) Proposed: 35 Ill. Adm. Code 840.101 through 840.152 (R9-21). Jointly proposed by Ameren and IEPA, the adopted rules establish standards for Ameren Energy Generating Company (Ameren) to close Ash Pond D, a surface impoundment managing coal combustion waste at Ameren's Hutsonville Power Station near Hutsonville, Crawford County. The adopted regulations include 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 procedures for IEPA oversight of closure and post-closure care.

In addition, the Board on January 6, 2011, reserved seven rulemaking dockets for updating the Board's rules to make them "identical in substance" to those adopted by the USEPA in programs specified by the Illinois General Assembly. Each of the seven reserved dockets covers USEPA activity in the second half of calendar year 2010. Once we the Board has verified whether any amendments to Illinois' rules are necessary, the Board will then either prepare a rulemaking proposal reflecting USEPA action or will dismiss the reserved docket as unnecessary. The seven reserved "identical-in-substance" dockets are as follows:

- R11-10: UST Update
- R11-11: Wastewater Pretreatment Update
- R11-12: Definition of VOM Update
- R11-13: Safe Drinking Water Act Update
- R11-14: Underground Injection Control Update
- R11-15: RCRA Subtitle D Update
- R11-16: RCRA Subtitle C Update

Please visit our website at www.ipcb.state.il.us for more information.

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 Extends Pre-First Notice Public Comment Period in 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 (Disinfection) (R08-9)(B)

In its order of March 18, 2010, the Board created this subdocket B in R08-9, to consider issues concerning disinfection, and possible proposal of a proposal for first notice publication under the Administrative Procedure Act, 5 ILCS 100 *et. seq.* The Board has held public hearings, and received numerous public comments. 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 (Disinfection), R08-9(B) (Mar. 18, 2010.)

On January 6, 2011, the Board granted additional time for participants to respond to any comments filed in the matter by the December 31, 2010 public comment filing deadline, set in the Board's August 5, 2010 order. The Board acted in response to December 2010 filings made by the Environmental Law and Policy Center, Friends of the Chicago River, Sierra Club Illinois Chapter, Natural Resources Defense Council and Openlands (Environmental Groups) the Metropolitan Water Reclamation District of Greater Chicago. The Board allowed responses to final comments to be filed by January 31, 2011 and replies to be filed by February 15, 2011; the Board's mailbox rule does not apply.

The Board Accepts for Hearing In the Matter of: Amendments to 35 Ill. Adm. Code Part 229: Hospital/Medical/Infectious Waste Incinerators (R11-20)

The Board, on January 6, 2011, accepted for hearing a proposed rulemaking to amend the Board's air quality standards rules for "Hospital/Medical/Infectious Waste Incinerators" (HMIWI). The rulemaking proposal, filed December 23, 2010 by the Illinois Environmental Protection Agency (IEPA), is docketed as In the Matter of: Amendments to 35 Ill. Adm. Code Part 229: Hospital/Medical/Infectious Waste Incinerators (R11-20).

In its Statement of Reasons, the IEPA stated that this proposal reflects the United States Environmental Protection Agency's (USEPA) October 2009 amendments to the federal air quality standards, including new source performance standards (NSPS), and emissions guidelines (EG). Proposed changes include revised emissions standards that are more stringent than existing ones, revised waste management plan provisions for greater flexibility in demonstrating compliance, and removal of an existing startup, shutdown, and malfunction provision.

The compliance date for the new rules would be January 1, 2014. The IEPA reports that the Stericycle, Inc. facility in Clinton is the only existing facility to which the proposed rules would apply.

The Board reserved ruling on a motion for expedited review because the time for participants to respond to the motion has not yet elapsed. IEPA explains that the federal Clean Air Act requires IEPA submission of a State Implementation Plan amendment to the USEPA concerning these amendments, to avoid USEPA's imposition of a Federal Implementation Plan two years after the date of federal adoption of the rules.

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Hearings have been scheduled for:

Tuesday, March 22, 2011, 9:00 a.m., Dewitt County Building, Courtroom B, 201 W. Washington, Clinton, IL

Wednesday, April 20, 2011, James R. Thompson Center, Room 9-039, 100 W. Randolph St., Chicago, IL

Persons interested in attending the hearings should review the hearing officer's February 1, 2011 hearing notice and order, which sets out procedural details, including requirements for the pre-filing of testimony and questions for both hearings.

Opinions and orders of the Board and hearing officer, 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 Kathleen Crowley at (312)-814-6929 or email at crowlek@ipcb.state.il.us.

Board Adopts Final Rules In the Matter of: Ameren Ashpond Closure Rules (Hutsonville Power Station) Proposed: 35 Ill. Adm. Code 840.101 through 840.144, R09-21

The Board, on January 20, 2011, adopted final rules establishing standards under which Ameren Energy Generating Company (Ameren) can close Ash Pond D, a surface impoundment managing coal combustion waste at Ameren's Hutsonville Power Station (Station) near Hutsonville, Crawford County. The site-specific rulemaking is 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. The adopted rules will take effect upon their filing with the Secretary of State.

Ameren Energy Generating Company (Ameren) filed the original site-specific rulemaking proposal on May 19, 2009. After the Illinois Environmental Protection Agency (IEPA) responded to that proposal by offering various revisions, on September 22, 2009, Ameren and the IEPA submitted a joint rulemaking proposal. The Board held a public hearing on the joint proposal on October 29, 2009. At its meeting on January 11, 2011, the Joint Committee on Administrative Rules issued its certificate of no objection.

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.

Board Actions

January 6, 2011
Chicago, Illinois

Rulemakings

- | | | |
|------------------|--|--------------|
| R 08-9(B) | <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</u> – The Board extended the deadline to allow responses to final comments until January 31, 2011 and allowed replies until February 15, 2011. | 5-0
Water |
| R 11-20 | <u>In the Matter of: Amendments to 35 Ill. Adm. Code Part 229: Hospital/Medical/Infectious Waste Incinerators</u> – The Board accepted for hearing petitioner’s December 23, 2010 proposal to amend the Board’s air pollution control regulations. The Board reserved ruling on the motions waiver of copy submission requirements and for expedited review. | 5-0
Air |

Administrative Citations

- | | | |
|-----------------|---|-----|
| AC 10-15 | <u>IEPA v. David Antrim</u> – In response to a joint stipulation and settlement agreement in this administrative citation action involving a Effingham County facility, the Board found that respondent had violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (2008)) and ordered respondent to pay a civil penalty of \$1,500. The Board also granted the parties’ joint motion to dismiss respondent’s petition for review. To effectuate the parties’ intent that respondent pay a total civil penalty of \$1,500, the Board on its own motion, dismissed the alleged violations of Section 21(p)(3) and (p)(7) of the Act. | 5-0 |
| AC 10-17 | <u>Perry County Solid Waste Management Dept. v. Perry Ridge Landfill, Inc.</u> – The Board granted complainant’s motion for withdrawal of this administrative citation and closed the docket. The Board also dismissed as moot respondent’s petition to contest the administrative citation. | 5-0 |
| AC 11-13 | <u>IEPA v. Ray Newingham</u> – The Board accepted for hearing respondent’s petition for review of this administrative citation involving a Greene County facility. | 5-0 |
| AC 11-14 | <u>IEPA v. Jason Johnson Sr. and Robin Johnson</u> – The Board accepted for hearing Jason Johnson Sr.’s petition for review of this administrative citation involving a Mason County facility. The Board, on its own motion, dismissed Robin Johnson from this case for lack of evidence of timely service. | 5-0 |

Adjudicatory Cases

- | | | |
|-------------------|--|------------|
| PCB 05-157 | <u>Grand Pier Center LLC and American International Specialty Lines Insurance Co., as subrogee of Grand Pier Center LLC v. River East LLC, Chicago Dock and Canal Trust, Chicago Dock and Canal Company, and Tronox LLC</u> – The Board granted both motions for voluntary dismissal of this citizen | 5-0
L-E |
|-------------------|--|------------|

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complaint and citizen counter-complaint, closing the docket.

PCB 07-44	<u>Indian Creek Development Company and the Chicago Title and Trust Company v. The Burlington Northern Santa Fe Railway Company</u> – The Board granted Indian Creek Development Company’s motion to strike paragraphs 6 through 8 of the five-year statute of limitations defense pled in Burlington Northern Santa Fe Railway Company’s (BNSF) amended answer. On its own motion, the Board struck the requests for costs and expenses from BNSF’s amended answer.	5-0 L, W-E, Citizens
PCB 09-46	<u>Prairie Rivers Network and Sierra Club v. Illinois Environmental Protection Agency and Sugar Camp Energy, L.L.C.</u> – The Board granted petitioners’ motion for voluntary dismissal of this permit appeal.	5-0 P-A, Water, 3 rd Party
PCB 10-3	<u>Prairie Rivers Network and Sierra Club v. IEPA and Hillsboro Energy, LLC</u> – The Board granted petitioners’ motion for voluntary dismissal of this permit appeal.	5-0 P-A, Water, 3 rd Party
PCB 10-89	<u>People of the State of Illinois v. Weitz Industrial, LLC</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 water enforcement action involving a Stephenson County facility, the Board ordered publication of the required newspaper notice.	5-0 W-E
PCB 11-3	<u>People of the State of Illinois v. Alden Management Services, Inc., and Alden Long Grove Rehabilitation and Health Care Center, 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 water enforcement action involving a Lake County facility, the Board ordered publication of the required newspaper notice.	5-0 W-E
PCB 11-11	<u>People of the State of Illinois v. Clinton Landfill, Inc.</u> – In this air enforcement action concerning a DeWitt 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. Clinton Landfill also agreed to perform a supplemental environmental project with a settlement value of \$30,000, consisting of providing landfill disposal services to the People of the State of Illinois.	5-0 A-E
PCB 11-18	<u>People of the State of Illinois v. Sub Source, Inc., an Illinois corporation</u> – 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 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 11-19	<u>People of the State of Illinois v. Gerald N. Knoblauch, LLC and Bender Land Improvement, Inc.</u> – In this water enforcement action concerning a Woodford 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 \$5,000.00, and to cease and desist from further violations. Respondents also agreed to pay \$20,699.68 to the	5-0 W-E

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State of Illinois Wildlife and Fish Fund for recovery of fish killed and investigation expenses.

PCB 11-20	<u>People of the State of Illinois v. City of Colchester</u> – In this water enforcement action concerning a McDonough 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 \$5,346.00, and to cease and desist from further violations.	5-0 W-E
PCB 11-29	<u>Wildcat Farms, LLC - Dallas City (Property ID No. 05-28-300-004)</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Wildcat Farms, LLC - Dallas City located in Hancock County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2008)).	5-0 T-C, W
PCB 11-30	<u>Newcomer Confinements, Inc. - Lamark (Property ID No. 07-09-14-200-002) v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Newcomer Confinements, Inc. - Lamark located in Carroll County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2008)).	5-0 T-C, W
PCB 11-31	<u>Louis Fowler - Macomb (Property ID Nos. 01-000-208-00 and 01-000-198-00) v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Louis Fowler - Macomb located in McDonough County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2008)).	5-0 T-C, W
PCB 11-32	<u>Brandon Hofman Finishing Barn (Property Id No. 15-15-03-400-005) v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Brandon Hofman Finishing Barn located in Mercer County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2008)).	5-0 T-C, W
PCB 11-33	<u>Exxonmobil Oil Corporation (Jim's Service) 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 Sangamon County facility.	5-0 UST Appeal 90 Day Ext.
PCB 11-34	<u>Gas & Mini Mart v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a McLean County facility.	5-0 UST Appeal
PCB 11-35	<u>Merlin McClure-Kirkwood v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Merlin McClure - Kirkwood located in Mercer County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2008)).	5-0 T-C, W

**January 20, 2011
Chicago, Illinois**

Rulemakings

R 09-21 In the Matter of: Ameren Ashpond Closure Rules (Hutsonville Power Station) Proposed: 35 Ill. Adm. Code 840.101 through 840.144 – The Board adopted a final opinion and order in this site-specific rulemaking, which amends the Board’s land pollution control regulations. 5-0
Land

Administrative Citations

AC 11-15 IEPA v. Paul Aureden – The Board found that this JoDaviess County respondent violated Sections 21(p)(1), 21(p)(7), and 55(k)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1), 21(p)(7), 55(k)(1) (2008)), and ordered respondent to pay a civil penalty of \$4,500. 5-0

Adjudicatory Cases

PCB 09-35 People of the State of Illinois v. Alan Durkee, d/b/a Alan Durkee Swine Farm – 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 Henderson County facility, the Board ordered publication of the required newspaper notice. 5-0
A-E

PCB 10-13 Jon Chualovsky v. Commonwealth Edison – The Board found that complainant’s amended complaint was frivolous and dismissed this matter. 5-0
Citizens, N-E

PCB 10-54 Zervos Three, Inc. v. IEPA – The Board granted petitioner’s motion for summary judgment, finding that petitioner is entitled to deem its application for reimbursement from the UST Fund approved by operation of law. The Board directed respondent to reimburse petitioner in the amount of \$97,049.28. The Board denied the respondent’s motion for summary judgment. The Board directed petitioner to file on or before March 8, 2011, a statement of its legal costs that may be eligible for reimbursement; the Illinois Environmental Protection Agency may file a response. 5-0
UST Appeal

PCB 10-100 Rolf Schilling, Pam Schilling and Suzanne Ventura v. Gary D. Hill, Villa Land Trust and Prairie Living West, LLC – The Board granted the respondents’ motion for leave to file a third-party counterclaim. 5-0
Citizens, L-E

PCB 11-13 Stickney Auto & Truck Company, Inc. v. IEPA – 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. 4-0
UST Appeal
Zalewski
abstained

PCB 11-16 SK Singh, LLC v. IEPA (Claim 942280-58558) – 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 Sangamon County facility. 5-0
UST Appeal

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PCB 11-17	<u>SK Singh, LLC v. IEPA (Claim 942280-58559)</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 Sangamon County facility.	5-0 UST Appeal
PCB 11-25	<u>Estate of Gerald D. Slightom v. IEPA</u> – The Board accepted petitioner’s amended petition for hearing.	5-0 UST Appeal
PCB 11-36	<u>4 Nelson Farms - Altona v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s (IEPA) recommendation, the Board found and certified that specified facilities of 4 Nelson Farms, Inc. - Altona located in Knox County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2008)). The Board granted the IEPA’s motion to amend, and correct the legal description of petitioner’s facilities	5-0 T-C, W
PCB 11-37	<u>Austin Greuel Farms, Inc. - East Moline v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Austin Greuel Farms, Inc. - East Moline located in McDonough County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2008)).	5-0 T-C, W
PCB 11-38	<u>Bureau Service 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 Bureau County facility.	5-0 UST Appeal, 90 Day Ext.
PCB 11-39	<u>Greuel Pork Farms - Industry v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Greuel Pork Farms - Industry located in McDonough County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2008)).	5-0 T-C, W
PCB 11-40	<u>Mark A. Phillips - Newton v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Mark A. Phillips - Newton located in Jasper County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2008)).	5-0 T-C, W
PCB 11-41	<u>KB Sullivan, Inc. v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a Moultrie County facility.	5-0 UST Appeal

New Cases

January 6, 2011 Board Meeting

11-29 Wildcat Farms, LLC - Dallas City (Property ID No. 05-28-300-004) – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Wildcat Farms, LLC - Dallas City located in Hancock County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2008)).

11-30 Newcomer Confinements, Inc. - Lamark (Property ID No. 07-09-14-200-002) v. IEPA– Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Newcomer Confinements, Inc. - Lamark located in Carroll County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2008)).

11-31 Louis Fowler - Macomb (Property ID Nos. 01-000-208-00 and 01-000-198-00) v. IEPA– Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Louis Fowler - Macomb located in McDonough County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2008)).

11-32 Brandon Hofman Finishing Barn (Property Id No. 15-15-03-400-005) v. IEPA– Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Brandon Hofman Finishing Barn located in Mercer County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2008)).

11-33 Exxonmobil Oil Corporation (Jim's Service) 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 Sangamon County facility.

11-34 Gas & Mini Mart v. IEPA – The Board accepted for hearing this underground storage tank appeal involving a McLean County facility.

11-35 Merlin McClure-Kirkwood v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Merlin McClure - Kirkwood located in Mercer County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2008)).

11-36 4 Nelson Farms - Altona v. IEPA – No action taken.

AC 11-16 IEPA v. Phillip Newell – The Board accepted an administrative citation against this Williamson County respondent.

AC 11-17 County of Perry v. Joseph Melvin – The Board accepted an administrative citation against this Perry County respondent.

R11-20 In the Matter of: Amendments to 35 Ill. Adm. Code Part 229: Hospital/Medical/Infectious Waste Incinerators – The Board accepted for hearing petitioner’s December 23, 2010 proposal to amend the Board’s air pollution control regulations. The Board reserved ruling on the motions waiver of copy submission requirements and for expedited review.

January 20, 2011 Board Meeting

11-37 Austin Greuel Farms, Inc. - East Moline v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Austin Greuel Farms, Inc. - East Moline located in McDonough County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2008)).

11-38 Bureau Service 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 Bureau County facility.

11-39 Greuel Pork Farms - Industry v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Greuel Pork Farms - Industry located in McDonough County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2008)).

11-40 Brandon Hofman Finishing Barn (Property Id No. 15-15-03-400-005) v. IEPA– Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Brandon Hofman Finishing Barn located in Mercer County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2008)).

11-41 Exxonmobil Oil Corporation (Jim's Service) 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 Sangamon County facility.

Calendar

2/2/11 1:00 PM	R11-19	<u>In the Matter of: Revision of Enhanced Vehicle Inspection and Maintenance (I/M) Regulations: Amendments to 35 Ill. Adm. Code Part 240</u>	Illinois Pollution Control Board Videoconference Room Room 11-512 James R. Thompson Center 100 W. Randolph Street Chicago
2/3/11 11:00 AM	Illinois Pollution Control Board Meeting		James R. Thompson Center 100 W. Randolph Street Chicago
2/3/11 1:00 PM	R11-08	<u>In the Matter of: Regulatory Proposal for Nox Trading Program Sunset Provisions for Non-Electric Generation Units (“Non-EGU”): Amendments to 35 Ill. Adm. Code Part 217.Subpart U</u>	James R. Thompson Center Room 9-040 100 West Randolph Street Chicago
2/3/11 1:00 PM	R11-19	<u>In the Matter of: Revision of Enhanced Vehicle Inspection and Maintenance (I/M) Regulations: Amendments to 35 Ill. Adm. Code Part 240</u>	Illinois Pollution Control Board Videoconference Room Room 11-512 James R. Thompson Center 100 W. Randolph Street Chicago
2/3/11 2:00 PM	R11-17	<u>In the Matter of: Proposed Site-Specific Nox Rule Amendment Applicable to Saint-Gobain Containers, Inc. at 35 Ill. Adm. Code Section 217.152(b)</u>	James R. Thompson Center Room 9-040 100 West Randolph Street Chicago

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2/10/11 1:00 PM	R11-19	<u>In the Matter of: Revision of Enhanced Vehicle Inspection and Maintenance (I/M) Regulations: Amendments to 35 Ill. Adm. Code Part 240</u>	Illinois Pollution Control Board Videoconference Room Room 09-040 James R. Thompson Center 100 W. Randolph Street Chicago
2/17/11 11:00 am	Illinois Pollution Control Board Meeting		James R. Thompson Center 100 W. Randolph Street Chicago
2/17/11 1:00 PM	R11-08	<u>In the Matter of: Regulatory Proposal for Nox Trading Program Sunset Provisions for Non-Electric Generation Units (“Non-EGU”): Amendments to 35 Ill. Adm. Code Part 217.Subpart U</u>	Illinois Pollution Control Board Videoconference Room Room 11-512 James R. Thompson Center 100 W. Randolph Street Chicago
2/17/11 2:00 PM	R11-17	<u>In the Matter of: Proposed Site-Specific Nox Rule Amendment Applicable to Saint-Gobain Containers, Inc. at 35 Ill. Adm. Code Section 217.152(b)</u>	Illinois Pollution Control Board Videoconference Room Room 11-512 James R. Thompson Center 100 W. Randolph Street Chicago
2/23/11 9:00 AM	R11-19	<u>In the Matter of: Revision of Enhanced Vehicle Inspection and Maintenance (I/M) Regulations: Amendments to 35 Ill. Adm. Code Part 240</u>	Madison County Administration Building, Room 208 157 N. Main Edwardsville
3/3/11 11:00 am	Illinois Pollution Control Board Meeting		James R. Thompson Center 100 W. Randolph Street Chicago
3/9/11 9:00 AM	R08-09(C)	<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</u> (Continues until complete or through March 10, 2011)	James R. Thompson Center Room 2-025 100 W. Randolph Chicago
3/17/11 11:00 am	Illinois Pollution Control Board Meeting		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
3/22/11 9:00 AM	R11-20	<u>In the Matter of Amendments to 35 Ill. Adm. Code Part 229: Hospital/Medical/Infectious Waste Incinerators</u>	DeWitt County Building Courtroom B 201 W. Washington Clinton

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3/29/11 9:00 AM	R11-09	<u>In the Matter of: Tiered Approach to Corrective Action Objectives (TACO) (Indoor Inhalation): Amendments to 35 Ill. Adm. Code 742</u>	IEPA Office Building North Entrance Sangamo Room 1000 E. Converse Springfield
4/7/11 11:00 AM	Illinois Pollution Control Board Meeting		James R. Thompson Center 100 W. Randolph Street Chicago
4/20/11 11:00 AM	R11-20	<u>In the Matter of Amendments to 35 Ill. Adm. Code Part 229: Hospital/Medical/Infectious Waste Incinerators</u>	James R. Thompson Center Room 9-039 100 W. Randolph Chicago
4/21/11 11:00 am	Illinois Pollution Control Board Meeting		James R. Thompson Center 100 W. Randolph Street Chicago
5/5/11 11:00 am	Illinois Pollution Control Board Meeting		James R. Thompson Center 100 W. Randolph Street Chicago
5/19/11 11:00 am	Illinois Pollution Control Board Meeting		James R. Thompson Center 100 W. Randolph Street Chicago
5/24/11 9:00 AM	R11-09	<u>In the Matter of: Tiered Approach to Corrective Action Objectives (TACO) (Indoor Inhalation): Amendments to 35 Ill. Adm. Code 742</u>	James R. Thompson Center Room 2-025 100 W. Randolph Chicago
5/25/11 9:00 am	R11-09	<u>In the Matter of: Tiered Approach to Corrective Action Objectives (TACO) (Indoor Inhalation): Amendments to 35 Ill. Adm. Code 742</u>	James R. Thompson Center Room 9-040 100 W. Randolph Chicago

Environmental Register – January 2011

Illinois Environmental Protection Agency
Division of Public Water Supplies
Restricted Status List - Public Water Supplies
JANUARY 2011

<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

Environmental Register – January 2011

<i>SYSTEM NAME</i>	<i>EPA 3 RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTING DATE</i>
DOVER - IL0110350	1	INADEQUATE PRESSURE TANK	169	5/25/1981
EAST END WATER ASSOCIATION - IL1610140	1	INADEQUATE STORAGE CAPACITY	40	3/15/2002
EAST MORELAND WATER CORPORATION - IL1975640	2	INADEQUATE PRESSURE TANK	135	3/15/1996
EASTMORELAND WTR SERVICE ASSN - IL1975600	2	INADEQUATE PRESSURE TANK	650	3/20/1981
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	
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

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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>
LARSON COURT APARTMENTS - IL1615728	1	INADEQUATE PRESSURE TANK	58	1/14/1982
LEGEND LAKES WATER ASSOCIATION - IL2015300	1	INADEQUATE PRESSURE TANK	283	3/14/1991
LIBERTY PARK HOMEOWNERS ASSOCIATION - IL0435600	2	INADEQUATE PRESSURE TANK	837	9/17/1992
LINDENWOOD WATER ASSOCIATION - IL1415300	1	INADEQUATE PRESSURE TANK	50	1/13/1982
LISBON NORTH, INC. - IL0631000	2	INADEQUATE PRESSURE TANK	30	9/14/1990
LONDON MILLS - IL0574620	5	INADEQUATE PRESSURE TANK	447	12/14/1984
LYNN CENTER - IL0735100	1	INADEQUATE PRESSURE TANK	100	3/15/1995
LYNNWOOD WATER CORPORATION - IL0995336	1	INADEQUATE PRESSURE TANK	110	3/18/1983
M C L W SYSTEM, INC. - IL1315150	1	INADEQUATE SOURCE	98	3/20/1981
MENARD RURAL WATER CO.(SWEETWATER SYSTEM)- IL1290010	5	INADEQUATE SOURCE CAPACITY	490	10/1/2007
MOUND PWD - IL1635050	6	INADEQUATE PLANT CAPACITY	2200	6/17/1996
NORTHWEST BELMONT IMPRV ASSN - IL0435900	2	INADEQUATE PRESSURE TANK	78	9/29/1981
OAK RIDGE SD - IL2035300	1	INADEQUATE PRESSURE TANK	240	3/20/1981
OPHIEM PWS - IL0735150	1	INADEQUATE PRESSURE TANK	100	6/18/1982
OSCO MUTUAL WATER SUPPLY COMPANY, INC. - IL0735200	1	INADEQUATE PRESSURE TANK	115	12/15/1989
PANAMA - IL0054720	6	TTHM, DBP, INAD STORAGE	380	1/1/2006
PATOKA - IL1210400	6	INADEQUATE PLANT CAPACITY	731	3/15/1997
POLO DR AND SADDLE RD SUBDIVISION - IL0437000	2	INADEQUATE PRESSURE TANK	90	12/17/1982
PORTS SULLIVAN LAKE OWNERS ASSOCIATION - IL0971160	2	INADEQUATE PRESSURE TANK	293	6/15/1999
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

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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>
SILVIS HEIGHTS WATER CORP - IL1615750	1	INADEQUATE HYDRO STORAGE	1600	12/1/2003
SKYVIEW SBDV - IL0915526	2	INADEQUATE PRESSURE TANK	45	3/16/1990
ST CHARLES COMMISSION WELLFUND 3 - IL0437040	2	INADEQUATE PRESSURE TANK	30	12/15/1989
STRATFORD WEST APARTMENTS - IL1095200	5	INADEQUATE PRESSURE TANK	39	12/17/1982
SUBURBAN HEIGHTS SUBDIVISION - IL1615800	1	INADEQUATE PRESSURE TANK	82	12/16/1983
SUMMIT HOMEOWNERS ASSOCIATION - IL0975280	2	INADEQUATE PRESSURE TANK	39	3/16/1984
SUNNY HILL ESTATES SUBDIVISION - IL0735300	1	INADEQUATE PRESSURE TANK	525	6/15/2000
SUNNYLAND SUBDIVISION - IL1977730	2	INADEQUATE PRESSURE TANK	350	9/16/1983
SWEDONA WATER ASSOCIATION - IL1315200	1	INADEQUATE PRESSURE TANK	157	6/15/1990
SYLVAN LAKE 1ST SUBDIVISION - IL0977100	2	INADEQUATE PRESSURE TANK	210	6/14/1991
TOWNERS SUBDIVISION - IL0977250	2	INADEQUATE PRESSURE TANK	210	1/14/1982
UTILITIES INC HOLIDAY HILLS - IL1115350	2	INADEQUATE PRESSURE TANK	729	9/16/1983
UTL INC-LAKE HOLIDAY - IL0995200	1	INAD SOURCE & TREATMENT PLT	5460	9/15/1998
UTL INC-NORTHERN HILLS UTILITIES COMPANY - IL1775050	1	INADEQUATE PRESSURE TANK	500	3/15/1996
UTL INC-WALK-UP WOODS WATER COMPANY - IL1115800	2	INADEQUATE PRESSURE TANK	654	12/17/1982
WEST SHORE PARK SUBDIVISION - IL0977370	2	INADEQUATE PRESSURE TANK	528	6/15/2000
WEST SHORELAND SUBDIVISION - IL0977050	2	INADEQUATE PRESSURE TANK	189	6/14/1991
WIENEN ESTATES - IL0850030	1	INADEQUATE PRESSURE TANK	70	12/15/1997
WONDER LAKE WATER COMPANY - IL1115750	2	INADEQUATE PRESSURE TANK	1442	6/16/1994

WATER SYSTEMS REMOVED FROM PREVIOUS LIST

* DENOTES ADDED WATER SUPPLIES

Illinois Environmental Protection Agency

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**Division of Public Water Supplies
Critical Review List - Public Water Supplies
JANUARY 2011**

<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
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 WATERMAINS	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
*IL AMERICAN-E ST. LOUIS - IL1635040	6	APPROACHING INADEQUATE STORAGE CAPACITY	155382	1/01/2011
JOY - IL1310100	1	LOW SYSTEM PRESSURE	373	6/15/1999
LA MOILLE - IL0110500	1	INADEQUATE PLANT CAPACITY	750	6/15/1999

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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>
LA SALLE - IL0990300	1	INAD PLANT & SOURCE CAPACITY	9700	11/1/2004
LACON - IL1230100	1	UNDERSIZED WATERMAINS	1979	1/1/2006
LEE - IL1034600	1	INADEQUATE PRESSURE TANK	350	10/1/2004
MALDEN - IL0110550	1	UNDERSIZED WATERMAINS	370	1/1/2006
MARION - IL1990550	7	INADEQUATE SOURCE CAPACITY	14610	11/1/2001
MARYVILLE – IL1190750	5	INADEQUATE STORAGE	800	3/17/2008
MASON CITY - IL1250350	5	INADEQUATE STORAGE CAPACITY	2558	1/1/2006
MATHERSVILLE - IL1310200	1	INADEQUATE SYSTEM PRESSURE	793	9/13/2000
MC HENRY SHORES WATER COMPANY - IL1115020	2	LOW SYSTEM PRESSURE	1813	9/17/1992
O'FALLON – IL1631100	2	INADEQUATE STORAGE CAPACITY	43596	10/1/2006
SCALES MOUND - IL0850400	1	LOW SYSTEM PRESSURE	400	9/15/1997
SENECA - IL0991050	1	INADEQUATE PLANT CAPACITY AND UNDERSIZED WATER MAINS	2053	6/15/1999
SOUTH HIGHWAY PWD - IL0775400	7	LOW SYSTEM PRESSURE & UNDERSIZED WATERMAINS	8420	1/1/2006
STOCKTON - IL0850450	1	LOW SYSTEM PRESSURE	1871	6/15/1984
SUMNER - IL1010300	7	LOW SYSTEM PRESSURE	1481	12/13/1985
UTL INC-LAKE MARIAN WATER CORPORATION - IL0895200	2	INAD PRES STORAGE & LOW SYS PRES	924	9/14/1984
WALNUT HILL - IL1210600	6	LOW SYSTEM PRESSURE	1470	6/14/1985
WATERLOO - IL1330300	6	INADEQUATE STORAGE	7614	10/1/2004
WITT – IL1350850	5	INADEQUATE TREATMENT CAPACITY	991	3/17/2008
WORDEN - IL1191200	6	INADEQUATE STORAGE CAPACITY	906	1/1/2006

WATER SYSTEMS REMOVED FROM PREVIOUS LIST

BROWNING (1690050)

OTTER LAKE WATER COMMISSION (1175200)

* DENOTES ADDED WATER SUPPLIES

Restricted Status/Critical Review

The Environmental Protection Act prohibits the Agency from issuing a construction permit that will cause or extend a violation. A construction permit to expand the distribution system cannot be granted when a water supply has a maximum contaminant level or treatment technique violation, an inadequate source of raw water supply, inadequate treatment plant capacity, finished water storage or distribution system pressure. A Restricted Status List is published quarterly in the Illinois Pollution Control Board Environmental Register to notify those persons considering expansion of a water supply distribution system of that status before large sums of money have been spent on items such as land acquisition, financing and engineering fees. A companion Critical Review List is published concurrently with the Restricted Status List and has the water supplies that are approaching a point where the supply could be placed on Restricted Status. A permit application from a supply on Critical Review will be examined carefully to ensure that the proposed construction will not cause a violation. Restricted Status and Critical Review are presented as a combined list with the status of the water supply denoted as either RS (Restricted Status) or CR (Critical Review). The current list reflects the status as of January 1, 2011. 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