
Environmental Register

July 2013 - Number 709

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

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Letter from the Board

During June and July, the Board acted in a number of its rulemaking dockets, and that activity is summarized below. As always, information about these dockets is available through the Clerk's Office Online (COOL) at the Board's Web site at www.ipcb.state.il.us.

On June 5, 2013, the Board held its second hearing in Vapor Recovery Rules: Amendments to 35 Ill. Adm. Code Parts 201, 218, and 219, R13-18, an Illinois Environmental Protection Agency (IEPA) proposal to phase out Stage II vapor recovery systems at gasoline dispensing operations in the Chicago ozone nonattainment area due to widespread use of on-board refueling vapor recovery in the national motor vehicle fleet.

On June 20, 2013, the Board adopted a proposal for public comment in R13-15, RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (July 1, 2012 through December 31, 2012).

On July 11, 2013, the Board provided first-notice publication of an IEPA proposal without commenting on its substantive merits in R13-20, Procedural Rules for Alternative Thermal Effluent Limitations Under Section 316(a) of the Clean Water Act: Proposed New 35 Ill. Adm. Code Part 106, Subpart K and Amended Section 304.141(c). The Board has scheduled hearings on the proposal on August 27, 2013, in Springfield, and October 16, 2013, in Chicago.

On July 25, 2013, the Board adopted amended air rules in National Ambient Air Quality Standards, USEPA Regulations (July 1, 2012 through December 31, 2012), R13-11. Under Section 10(H) of the Environmental Protection Act, enacted by Public Act 97-945 and effective August 10, 2012, the Board is required to adopt ambient air quality standards identical-in-substance to those adopted by the United States Environmental Protection Agency under Section 109 of the Clean Air Act.

Also on July 25, 2013, the Board granted Ameren a one-year stay of proceedings in R13-19, Site-Specific Rule for the Closure of Ameren Energy Resources Ash Ponds: Proposed New 35 Ill. Adm. Code 840, Subpart B. Ameren's motion for a stay reported that the IEPA had circulated draft language for a generally-applicable rule regarding closure of coal combustion waste surface impoundments at power generating facilities.

On July 29, 2013, the Board held a hearing in R8-9(D), 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, on water quality standards and criteria for meeting proposed aquatic life uses.

Please visit our website (www.ipcb.state.il.us) for more information on the rulemakings described above, as well as information on our docket of contested cases.

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Rulemaking Update

Board Accepts for Hearing Proposed Procedural Rules to Establish Alternative Thermal Effluent Limitations

The Board, on July 11, 2013, accepted for hearing, and adopted a first-notice opinion and order concerning, an Illinois Environmental Protection Agency (IEPA) procedural rulemaking proposal. IEPA proposes procedural rules for establishing alternative thermal effluent limitations under the federal Clean Water Act (CWA) and the Illinois Administrative Code. The proposal, which was filed with the Board on June 21, 2013, is docketed as Procedural Rules for Alternative Thermal Effluent Limitations Under Section 316(a) of the Clean Water Act: Proposed New 35 Ill. Adm. Code Part 106, Subpart K and Amended Section 304.141(c) (R13-20).

Specifically, the proposal seeks to provide procedural rules for establishing alternative thermal effluent limitations under Section 316(a) of the CWA and 35 Ill. Adm. Code 304.141. The proposal would also amend Section 304.141 of the Board's regulations to include a cross-reference to the new Subpart K and to update language to reflect the United States Environmental Protection Agency delegation of permitting authority to IEPA.

In addition to Board's July 11, 2013 order accepting the proposed rulemaking for hearing, the Board directed the assigned hearing officer to schedule and proceed to hearing. Also, without commenting on the substantive merits of the proposed amendments, the Board directed the Clerk to provide first-notice publication of the proposal.

Publication of these proposed amendments in the *Illinois Register* will begin a 45-day public comment period, during which anyone may file a public comment with the Board. The docket number for this rulemaking, R13-20, should be indicated on the public comment.

Public comments must be filed with the Clerk of the Board. Public comments may be filed at the following address: Pollution Control Board, John Therriault, Clerk, James R. Thompson Center, 100 W. Randolph Street, Suite 11-500, Chicago, IL 60601. In addition, public comments may be filed electronically through COOL at www.ipcb.state.il.us. Any questions about electronic filing through COOL should be directed to the Clerk's Office at (312) 814-3629.

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 from the Clerk's Office upon payment of reproduction fees as prescribed by Section 6 of the Freedom of Information Act (5 ILCS 140/6 (2010)).

For more information, please contact Daniel Robertson at 312-814-6931 or at daniel.robertson@illinois.gov.

National Ambient Air Quality Standards, USEPA Regulations

On July 25, 2013, the Board adopted amendments replacing all existing Illinois ambient air quality standards with standards derived directly from the federal National Ambient Air Quality Standards (NAAQS) codified in 40 C.F.R. 50. The Board intends the Illinois ambient air quality standards adopted in this proceeding to be identical-in-substance to their federal counterparts, as "identical-in-substance" is defined by Section 7.2(a) of the Environmental Protection Act (Act) (415 ILCS 5/7.2(a) (2012)).

This rulemaking updated the ambient air quality standards in the Board's air pollution regulations (35 Ill. Adm. Code 243) to make them conform with NAAQS adopted by the United States Environmental Protection Agency (USEPA) pursuant to section 109 of the federal Clean Air Act (CAA) (42 U.S.C. § 7409 (2011)). This was the initial proceeding under a new identical-in-substance mandate adopted in P.A. 97-945 (eff. Aug. 10, 2012) to ensure that Illinois' regulations reflect USEPA's most recent NAAQS.

Section 10(H) of the Act (415 ILCS 5/10(H), as added by P.A. 97-945 (eff. Aug. 10, 2012)) mandates this rulemaking requiring the Board to “adopt ambient air quality standards specifying the maximum permissible short-term and long-term concentrations of various contaminants in the atmosphere; those standards shall be identical in substance to the national ambient air quality standards promulgated by . . . the United States Environmental Protection Agency in accordance with Section 109 of the Clean Air Act [(42 U.S.C. § 7409)].” 415 ILCS 5/10(H) (2012). In addition, Section 9.1(e) of the Act requires the Board to conduct this rulemaking pursuant to Section 7.2(b) of the Act (415 ILCS 5/7.2(b) (2012)) for adopting rules that are “identical in substance” to the federal requirements.

Section 10(H) of the Act and Section 1-5(c)(1) of the Administrative Procedure Act (5 ILCS 100/5-1-5(c)(1) (2012)) also provide that Title VII of the Act and Section 5-35 of the APA (5 ILCS 100/5-35 (2012)) do not apply to this proceeding. Accordingly, the Board did not adopt a “First Notice” proposal or a “Second Notice” proposal for review by the Joint Committee on Administrative Rules (JCAR). However, as provided in Section 10(H) of the Act, the Board, before adopting final rule amendments, provided notice of the rulemaking proposal in the May 31, 2013 issue of the *Illinois Register*; held one public hearing on the proposal on June 26, 2013 in Springfield, as required by the CAA (33 U.S.C. § 7410(a)(2011)); and allowed public comment for 45 days after publication of the *Illinois Register* notice, *i.e.*, until July 15, 2013.

The Board reserved this docket to accommodate the initial set of amendments necessary to conform the Illinois ambient air quality standards to the federal NAAQS, as adopted and amended by USEPA through December 31, 2012.

Board Grants a Stay in Proposed Rulemaking to Allow Closure of Ash Ponds at Ameren Energy Resources Facilities

On July 25, 2013, the Board granted the request of Ameren Energy Resources (Ameren) for a one-year stay in a proposed rulemaking initiated by Ameren. The rulemaking proposal seeks to address the closure of Ameren’s coal combustion waste surface impoundments. The proposed rule would add a Subpart B to Part 840 of the Board’s regulations. Ameren, on April 9, 2013, filed the proposed rulemaking with the Board, which docketed the rulemaking as Site-Specific Rule for the Closure of Ameren Energy Resources Ash Ponds: Proposed New 35 Ill. Adm. Code 840, Subpart B (R13-19).

Ameren stated in its rulemaking proposal that the rules are intended to allow it to close surface impoundments for management of coal combustion waste at eight coal-fired power plants owned by Ameren: the Coffeen Power Station in Montgomery County; the Duck Creek Power Station in Fulton County; the E.D. Edwards Power Station in Peoria County; the Grand Tower Power Station in Jackson County; the Joppa Power Station in Massac County; the Hutsonville Power Station in Crawford County; the Meredosia Power Station in Morgan County; and the Newton Power Station in Jasper County. These facilities include approximately 16 ash ponds “that could ultimately be subject to the proposed regulations.”

On July 1, 2013, however, Ameren filed a motion to stay the R13-19 proceedings. Ameren stated that, both before and after filing its proposal with the Board, it had discussed proposed rule language with the Illinois Environmental Protection Agency (IEPA). Further, IEPA has circulated draft rules that would apply state-wide to regulate the closure of coal ash ponds. Ameren’s requested stay allows the company time to review IEPA’s draft rule language. The Board’s July 25, 2013 order granting the motion for stay requires that Ameren file quarterly status reports during the one-year term of the stay.

For more information, please contact Chad Kruse at 217-524-8507 or chad.kruse@illinois.gov.

Board Dismisses Two Reserved “Identical-in-Substance” Rulemaking Dockets as Unnecessary

Every six months, the Board reserves a series of dockets for adoption of Board rules under Section 7.2 of the Environmental Protection Act (Act) (415 ILCS 5/7.2 (2010)) that are “identical in substance” to any rules adopted by the United States Environmental Protection Agency (USEPA) to implement various programs. On July 25, 2013,

the Board dismissed as unnecessary the following dockets reserved to consider rules adopted by USEPA during the period of January 1, 2013 through June 30, 2013. As USEPA did not amend its rules during the update period, no amendments were needed to Board rules.

UST Update (R14-4): Sections 7.2 and 22.4(d) of the Act (415 ILCS 5/7.2 and 22.4(d) (2010)) require the Board to adopt regulations that are “identical in substance” to regulations of USEPA. Specifically, Section 22.4(d) relates to underground storage tank (UST) regulations promulgated by USEPA under Section 9003 of the federal Resource Conservation and Recovery Act of 1976 (RCRA) (42 U.S.C. §§ 6991b (2011)) to implement Subtitle I of RCRA (42 U.S.C. §§ 6991 *et seq.* (2006)). USEPA has codified its UST regulations at 40 C.F.R. 280 through 283.

Wastewater Pretreatment Update (R14-5): Sections 7.2 and 13.3 of the Act (415 ILCS 5/7.2 and 13.3 (2010)) require the Board to adopt regulations that are “identical in substance” to regulations of USEPA. Specifically, Section 13.3 relates to wastewater pretreatment regulations that USEPA adopted to implement Sections 307(b), (c), and (d) and 402(b)(8) and (b)(9) of the federal Water Pollution Control Act (33 U.S.C. §§ 1317(b), (c), and (d) and 1342(b)(8) and (b)(9) (2011)). USEPA has codified its wastewater pretreatment rules at 40 C.F.R. 400 through 499.

For more information, please contact Michael J. McCambridge at 312-814-6924 or michael.mccambridge@illinois.gov.

Board Actions

July 11, 2013
Chicago, Illinois

Rulemakings

- | | | |
|---------------|--|------------------------|
| R13-20 | <u>In the Matter of: Procedural Rules for Alternative Thermal Effluent Limitations Under Section 316(a) of the Clean Water Act: Proposed New 35 Ill. Adm. Code Part 106, Subpart K and Amended Section 304.141(c)</u> – The Board accepted the Illinois Environmental Protection Agency’s June 20, 2013 proposal for hearing and adopted a first notice opinion and order without comment on the merits. | 4-0
Water,
Proc. |
| R14-8 | <u>SDWA Update, USEPA Amendments (January 1, 2013 through June 30, 2013)</u> – The Board reserved this docket for a routine update to make the Board rules “identical in substance” to United States Environmental Protection Agency rules adopted during the update period. | Water |

Administrative Citations

- | | | |
|-----------------|--|-----|
| AC 13-44 | <u>IEPA v. Raymond Burns</u> – The Board found that this Marion County respondent violated Sections 21(p)(1) of the Environmental Protection Act (415 ILCS 21(p)(1) (2010)), and ordered respondent to pay a civil penalty of \$1,500. | 4-0 |
| AC 13-46 | <u>EPA v. Best Kept Lawn, Inc. and David Klauser</u> – The Board found that these Adams County respondents violated Sections 21(p)(1) of the Environmental Protection Act (415 ILCS 21(p)(1) (2010)), and ordered respondents to pay a civil penalty of \$1,500. | 4-0 |

AC 13-47	<u>County of Perry v. Indiana Properties, Inc.</u> – The Board granted complainant’s motion for withdrawal of this administrative citation and closed the docket.	4-0
AC 13-48	<u>IEPA v. Nico Development Group, Inc.</u> – The Board found that this Rock Island County respondent violated Section 55(k)(1) of the Environmental Protection Act (415 ILCS 5/55(k)(1) (2010)). Because there is one violation of Section 55(k)(1) and this violation is a subsequent offense, respondent was ordered to pay a civil penalty of \$3,000.	4-0
AC 13-49	<u>IEPA v. John P. Dunbar</u> – The Board found that this Rock Island County respondent violated Sections 21(p)(1) and 55(k)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1), 55(k)(1) (2010)), and ordered respondent to pay a civil penalty of \$3,000.	4-0
AC 13-50	<u>IEPA v. R. F. Stewart Family Ltd. Partnership</u> – The Board found that this Edwards County respondent violated Sections 21(p)(1) and 21(p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), 21(p)(7) (2010)), and ordered respondent to pay a civil penalty of \$3,000.	4-0
AC 13-51	<u>County of Vermilion, Illinois v. Marian and Russell Herbold</u> – The Board on its own motion dismissed the administrative citation and closed the docket, due to the County’s failure to timely serve the administrative citation on respondents.	4-0
AC 13-52	<u>County of Vermilion, Illinois v. Charles Long</u> – The Board on its own motion dismissed the administrative citation and closed the docket, due to the County’s failure to timely serve the administrative citation on respondent.	4-0

Adjudicatory Cases

PCB 11-24	<u>People of the State of Illinois v. U. S. Chrome Corporation of Illinois, Inc.</u> – The Board granted Chase A. Horne’s motion to appear <i>pro hac vice</i> on behalf of U. S. Chrome Corporation of Illinois, Inc.	4-0 A-E
PCB 11-88	<u>People of the State of Illinois v. Super Mix, Inc.</u> – In this water enforcement action concerning a McHenry 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) (2010)), 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. The Board found the pending motion for summary judgment moot and closed the docket.	4-0 W-E
PCB 12-92	<u>People of the State of Illinois v. S. A. Lewis Construction, Inc</u> – In this water enforcement action concerning a Macon 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) (2010)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$10,500.00, and to cease and desist from further violations.	4-0 W-E
PCB 13-48	<u>City of O’Fallon v. IEPA</u> – Having previously granted a request for a 90-day extension, the Board dismissed this matter because no underground storage tank appeal was filed on behalf of this St. Clair County facility.	4-0 UST Appeal
PCB 13-50	<u>Mildred Loepker Trust v. IEPA</u> – Having previously granted a request for a 90-day extension, the Board dismissed this matter because no underground storage tank appeal was filed on behalf of this St. Clair County facility.	4-0 UST Appeal

PCB 13-54	<u>Jay Bell's 66 v. IEPA</u> – The Board denied respondent's motion to dismiss this appeal.	4-0 UST Appeal
PCB 13-56	<u>Consolidated Ice Company v. IEPA</u> – The Board accepted petitioner's petition for review involving a St. Clair County facility, but directed respondent to file an amended petition to cure deficiencies.	4-0 P-A, Land
PCB 13-57	<u>Congress Development Company v. IEPA</u> – The Board granted petitioner's motion for withdrawal of this permit appeal and closed the docket.	4-0 P-A, Land
PCB 13-63	<u>Spectrum Preferred Meats, Inc. v. IEPA</u> – The Board granted petitioner's motion for partial stay of the contested conditions within the revised National Pollutant Discharge Elimination System permit.	3-0 Burke abstained P-A, NPDES
PCB 13-64	<u>People of the State of Illinois v. Southern Illinois Regional Landfill, Inc.</u> – In this water enforcement action concerning a Jackson 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) (2010)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$28,733.00, and to cease and desist from further violations.	4-0 W-E
PCB 13-67	<u>Prairie Rivers Network and Sierra Club v. Illinois Environmental Protection Agency and Springfield Coal Company, LLC</u> – The Board granted in part the Illinois Environmental Protection Agency's motion to file a reduced number of copies of the record of its determination. The Board granted Dale A. Guariglia's motion to appear <i>pro hac vice</i> on behalf of Springfield Coal.	3-0 Burke abstained W-PA, NPDES, 3d P
PCB 13-70	<u>Grainco FS, Inc. - Newark v. IEPA (Property ID No. 07-06-451-003)</u> – The Board found and certified that specified facilities of Grainco FS, Inc. located in Kendall County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2010)).	4-0 T-C, W
PCB 13-71	<u>Grainco FS, Inc. - Newark v. IEPA (Property ID No. 02-07-100-006)</u> – The Board found and certified that specified facilities of Grainco FS, Inc. located in Kendall County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2010)).	4-0 T-C, W
PCB 13-72	<u>People of the State of Illinois v. Petco Petroleum Corporation</u> – The Board accepted for hearing this 61 count water enforcement action concerning various facilities in and near Fayette County.	4-0 W-E
PCB 14-1	<u>Chatham BP, LLC v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a Sangamon County facility.	4-0 UST Appeal
PCB 14-2	<u>People of the State of Illinois v. Demolition Excavating Group, Inc., Rhonda Fisher, and Edward Fisher</u> – The Board accepted for hearing this water enforcement action concerning a Tazewell County facility.	4-0 L-E

July 25, 2013
Chicago, Illinois

Rulemakings

R13-11	<u>National Ambient Air Quality Standards, USEPA Regulations (July 1, 2012 through December 31, 2012)</u> – The Board adopted a final opinion and order in this rulemaking to amend the Board’s air pollution control regulations.	4-0 Air
R13-19	<u>In the Matter of: Site-Specific Rule for the Closure of Ameren Energy Resources Ash Ponds: Proposed New 35 Ill. Adm. Code 840, Subpart B</u> – The Board granted petitioner’s motion to stay this rulemaking for one year.	4-0 Land.
R14-4	<u>UST Update, USEPA Amendments (January 1, 2013 through June 30, 2013)</u> – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its underground storage tank regulations during the update period of January 1, 2013 through June 30, 2013.	4-0 Land
R14-5	<u>Wastewater Pretreatment Update, USEPA Amendments (January 1, 2013 through June 30, 2013)</u> – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its wastewater pretreatment regulations during the update period of January 1, 2013 through June 30, 2013.	4-0 Water

Administrative Citations

AC 12-52	<u>IEPA v. J. & R Tire Service, Inc.</u> – In response to a joint stipulation and settlement agreement in this administrative citation action involving a Hancock County facility, the Board found that respondent had violated Section 55(k) of the Environmental Protection Act (415 ILCS 5/55 (k)(1) (2010)) 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.	4-0
AC 13-10	<u>IEPA v. Hughes Tire & Battery Company (IEPA File No. 207-12-AC)</u> – In response to a joint stipulation and settlement agreement in this administrative citation action involving a Rock Island County facility, the Board found that respondent had violated Section 55(k) of the Environmental Protection Act (415 ILCS 5/55 (k)(1) (2010)). Because there is one violation of Section 55(k)(1) and this violation is a subsequent offense, respondent was ordered to pay a civil penalty of \$3,000. The Board also granted the parties’ joint motion to dismiss respondent’s petition for review.	4-0
AC 13-11	<u>IEPA v. Hughes Tire & Battery Company (IEPA File No. 206-12-AC)</u> – In response to a joint stipulation and settlement agreement in this administrative citation action involving a Rock Island County facility, the Board found that respondent had violated Section 55(k) of the Environmental Protection Act (415 ILCS 5/55 (k)(1) (2010)). Because there is one violation of Section 55(k)(1) and this violation is a subsequent offense, respondent was ordered to pay a civil penalty of \$3,000. The Board also granted the parties’ joint motion to dismiss respondent’s petition for review.	4-0

AC 13-31	<u>County of Jackson v. Christopher Will</u> – The Board found that this Jackson County respondent violated Sections 21(p)(1), (p)(2), (p)(3) and (p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(2), (p)(3), (p)(7) (2010)), and ordered respondent to pay a civil penalty of \$6,000.	4-0
AC 13-39	<u>County of Jackson v. Elmer Rowe and Greg Rowe</u> – The Board dismissed respondents’ petition for review for their failure to timely file proof of service as directed. The Board found that these Jackson County respondents violated Sections 21(p)(1), (p)(2), (p)(3) and (p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(2), (p)(3), (p)(7) (2010)), and ordered respondents to pay a civil penalty of \$6,000.	4-0
AC 13-53	<u>IEPA v. Robert Becerra d/b/a 911 Auto Repair</u> – The Board found that this Boone County respondent Section 55(k) of the Environmental Protection Act (415 ILCS 5/55 (k)(1) (2010)), and ordered respondent to pay a civil penalty of \$1,500.	4-0

Adjudicatory Cases

PCB 06-189	<u>L. Keller Oil Properties / Farina (Incident No. 20060153) v. IEPA</u>	4-0
PCB 06-190	<u>L. Keller Oil Properties / Farina (Incident No. 20051539) v. IEPA</u> – The Board denied petitioner’s motion requesting attorney fees and authorization of settlement, clearing the way for additional proceedings in these dockets.	UST Appeal
PCB 10-48	<u>Broadus Oil Company - Streator v. IEPA</u> – The Board affirmed the Illinois Environmental Protection Agency’s December 8, 2009 determination denying petitioner’s corrective action plan.	4-0 UST Appeal
PCB 10-75	<u>Chicago Coke Co., Inc. v. IEPA; Natural Resource Defense Council and Sierra Club as Intervenors</u> – The Board denied petitioner’s motion to modify the Board’s May 2, 2013 order and grant attorney’s fees under the Administrative Procedural Act.	4-0 P-A, Air
PCB 12-21	<u>People of the State of Illinois v. Intra-Plant Maintenance Corporation, Ironhustler Excavating, Inc., and Ron Bright, d/b/a Quarter Construction</u> – The Board granted complainant’s motions for summary judgment against respondents Ron Bright, Intra-Plant Maintenance Corp., and Ironhustler Excavating, Inc. The Board found that respondents violated Sections 21(a) and 21(e) of the Environmental Protection Act (415 ILCS 5/21(a), (e) (2010)) of the Environmental Protection Act (Act). The Board ordered respondents to cease and desist from violating the Act and associated regulations and ordered each respondent to pay a civil penalty in the amount of \$10,000, for a total civil penalty of \$30,000.	4-0 L-E
PCB 12-94 (See also PCB 14-4)	<u>CITGO Petroleum Corporation and PDV Midwest Refining, L.L.C. v. IEPA</u> – The Board entered a procedural order presenting an alternative path for resolution of the issues presented in both PCB 12-94 and PCB 14-4. The parties are requested to comment on the option presented. The Board reserved ruling on the pending motion to vacate, accepting the newly-filed variance petition docketed as PCB 14-4, and the motion to incorporate prior records.	4-0 W-V

PCB 13-58	<u>ABP Properties, LLC v. IEPA (Incident No. 20120606)</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 Coles County facility.	4-0 UST Appeal
PCB 13-59	<u>ABP Properties, LLC v. IEPA (Incident No. 20120616-62395)</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 Coles County facility.	4-0 UST Appeal
PCB 13-73	<u>Johnson-Pate Pork, Inc. - Afton Township v. IEPA</u> – The Board granted Illinois Environmental Protection Agency’s motion for withdrawal of its recommendation for tax certification and closed the docket.	4-0 T-C, W
PCB 14-4 (See also PCB 12-94)	<u>CITGO Petroleum Corporation and PDV Midwest Refining, L.L.C. v. IEPA</u> – The Board entered a procedural order presenting an alternative path for resolution of the issues presented in both PCB 12-94 and PCB 14-4. The parties are requested to comment on the option presented. The Board reserved ruling on the pending motion to vacate, accepting the newly-filed variance petition docketed as PCB 14-4, and the motion to incorporate prior records.	4-0 W-V
PCB 14-5	<u>People of the State of Illinois v. A. C. Pavement Striping Co.</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 Kane County facility, the Board ordered publication of the required newspaper notice.	4-0 W-E
PCB 14-7	<u>Johnson-Pate Pork, Inc.-Afton v. IEPA</u> – The Board found and certified that specified facilities of Johnson-Pate Pork, Inc. located in DeKalb County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2010)).	4-0 T-C, W
PCB 14-8	<u>People of the State of Illinois v. Isaac Capps</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 an Effingham County facility, the Board ordered publication of the required newspaper notice.	4-0 L-E
PCB 14-9	<u>David E. Brewer - Andover v. IEPA</u> – The Board found and certified that specified facilities of David E. Brewer located in Henry County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2010)).	4-0 T-C, W

New Cases

July 11, 2013 Board Meeting

AC 13-56 County of Perry v. Union Pacific Railroad – The Board accepted an administrative citation against this Perry County respondent.

AC 13-57 County of Perry v. Donald and Pam Keene (Site Code: 1450155055) – The Board accepted an administrative citation against these Perry County respondents.

AC13-58 County of Perry v. Donald and Pam Keene (Site Code: 1450155057) – The Board accepted an administrative citation against these Perry County respondents.

AC 13-59 IEPA v. Donna Cockerill and Mark Johnson – The Board accepted an administrative citation against these Scott County respondents.

AC 13-60 IEPA v. James Harris – The Board accepted an administrative citation against this Knox County respondent.

AC14-1 IEPA v. Wanda L. Clark – The Board accepted an administrative citation against this Hamilton County respondent.

AC14-2 IEPA v. Robert Johnson – The Board accepted an administrative citation against this Fulton County respondent.

AC 14-3 IEPA v. Thomas and Heather Farris – The Board accepted an administrative citation against these Hancock County respondents.

AC14-4 IEPA v. Mark & Cheryl Rogers – The Board accepted an administrative citation against these Fulton County respondents.

AC14-5 IEPA v. Illinois Railway LLC – The Board accepted an administrative citation against this Winnebago County respondent.

AC 14-6 IEPA v. Jonathan A. Banks d/b/a AMB Auto Repair & Detailing and John T. and Emily D. Howard – The Board accepted an administrative citation against these Lawrence County respondents.

PCB 13-70 Grainco FS, Inc. - Newark v. IEPA (Property ID No. 07-06-451-003) – The Board found and certified that specified facilities of Grainco FS, Inc. located in Kendall County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2010)).

PCB 13-71 Grainco FS, Inc. - Newark v. IEPA (Property ID No. 02-07-100-006) – The Board found and certified that specified facilities of Grainco FS, Inc. located in Kendall County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2010)).

PCB 13-72 People of the State of Illinois v. Petco Petroleum Corporation – The Board accepted for hearing this 61 count water enforcement action concerning various facilities in and near Fayette County.

PCB 13-73 Johnson-Pate Pork, Inc. - Afton Township v. IEPA – No action taken.

PCB 14-1 Chatham BP, LLC v. IEPA – The Board accepted for hearing this underground storage tank appeal involving a Sangamon County facility.

PCB 14-2 People of the State of Illinois v. Demolition Excavating Group, Inc., Rhonda Fisher, and Edward Fisher – The Board accepted for hearing this water enforcement action concerning a Tazewell County facility.

PCB 14-3 Johns Manville v. Illinois Department of Transportation – No action

R13-20 In the Matter of: Procedural Rules for Alternative Thermal Effluent Limitations Under Section 316(a) of the Clean Water Act: Proposed New 35 Ill. Adm. Code Part 106, Subpart K and Amended Section 304.141(c) – The Board accepted the Illinois Environmental Protection Agency's June 20, 2013 proposal for hearing and adopted a first notice opinion and order without comment on the merits.

July 25, 2013

AC14-7 IEPA v. John Croslow d/b/a Croslow's Auto Repair – The Board accepted an administrative citation against this Lawrence County respondent.

PCB 14-4 CITGO Petroleum Corporation and PDV Midwest Refining, L.L.C. v. IEPA – The Board entered a procedural order presenting an alternative path for resolution of the issues presented in both PCB 12-94 and PCB 14-4. The parties are requested to comment on the option presented. The Board reserved ruling on the pending motion to vacate, accepting the newly-filed variance petition docketed as PCB 14-4, and the motion to incorporate prior records.

PCB 14-5 People of the State of Illinois v. A. C. Pavement Striping Co. – 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 Kane County facility, the Board ordered publication of the required newspaper notice.

PCB 14-6 Jon Chvalovsky v. Exelon and Commonwealth Edison – No action taken.

PCB 14-7 Johnson-Pate Pork, Inc.-Afton v. IEPA – The Board found and certified that specified facilities of Johnson-Pate Pork, Inc. located in DeKalb County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2010)).

PCB 14-8 People of the State of Illinois v. Isaac Capps – 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 Effingham County facility, the Board ordered publication of the required newspaper notice.

PCB 14-9 David E. Brewer - Andover v. IEPA – The Board found and certified that specified facilities of David E. Brewer located in Henry County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2010)).

PCB 14-10 Illinois Power Holdings, LLC, AmerenEnergy Medina Valley Cogen, LLC, and Ameren Energy Resources, LLC as Co-Petitioner v. IEPA – No action taken.

Calendar

<p>8/8/2013 11:00 AM</p>	<p>Illinois Pollution Control Board Meeting</p>	<p>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</p>	
<p>8/22/2013 11:00 AM</p>	<p>Illinois Pollution Control Board Meeting</p>	<p>James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago</p>	
<p>08/27/2013 11:00 AM</p>	<p>R13-20</p>	<p><u>In the Matter of: Procedural Rules for Alternative Thermal Effluent Limitations Under Section 316(a) of the Clean Water Act: Proposed New 35 Ill. Adm. Code Part 106, Subpart K and Amended Section 304.141(c)</u></p>	<p>Illinois Pollution Control Board Conference Room Room 1244N 1021 N. Grand Avenue East Springfield</p>

9/5/2013 11:00 AM	Illinois Pollution Control Board Meeting		James R. Thompson Center Hearing Room 100 W. Randolph Street Chicago
9/11/2013 10:30 AM	PCB12-124	<u>Broadus Oil Company v. IEPA</u>	Illinois Pollution Control Board Hearing Room 1021 North Grand Avenue East North Entrance Springfield
9/11/2013 10:30 AM	PCB 12-134	<u>Brimfield Auto & Truck v. IEPA</u>	Illinois Pollution Control Board Hearing Room 1021 North Grand Avenue East North Entrance Springfield
9/19/2013 11:00 AM	Illinois Pollution Control Board Meeting		James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago
9/17/2013 9:00 AM	PCB 10-104	<u>Waste Management of Illinois, Inc. v. DeKalb County Board</u>	DeKalb County Legislative Center Gathertorium Room 1 st Floor 200 N. Main Street Sycamore
10/3/2013 11:00 AM	Illinois Pollution Control Board Meeting		James R. Thompson Center Hearing Room 100 W. Randolph Street Chicago
10/16/2013 11:00 AM	R13-20	<u>In the Matter of: Procedural Rules for Alternative Thermal Effluent Limitations Under Section 316(a) of the Clean Water Act: Proposed New 35 Ill. Adm. Code Part 106, Subpart K and Amended Section 304.141(c)</u>	Michael A. Bilandic Building Room N502 106 N. LaSalle Street Chicago
10/17/2013 11:00 AM	Illinois Pollution Control Board Meeting		James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago

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

JULY 2013

<i>SYSTEM NAME</i>	<i>EPA RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVE D</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
BAHL WATER CORP - IL0855200	1	INADEQUATE PRESSURE TANK	700	12/15/1993
BELMONT WATER INC – IL0755150	4	EXCEEDING MCL FOR ARSENIC	200	6/15/2012
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
BUDA – IL0110100	1	EXCEEDING THE MCL FOR COMBINED RADIUM	600	6/15/2012
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 GROUND STORAGE AND PRESSURE TANK	885	9/16/1988
CUTLER – IL1450050	7	EXCEEDING THE COMBINED MCL FOR RADIUM	676	6/15/2012
DE KALB UNIV DVL CORP - IL0375148	1	INADEQUATE PRESSURE TANK	1050	12/16/1992
DELAND – IL1470200	4	EXCEEDING THE MAXIMUM CONTAMINANT LEVEL (MCL) FOR ARSENIC	475	3/16/2012
EAST END WATER ASSOCIATION - IL1610140	1	INADEQUATE STORAGE CAPACITY	40	3/15/2002

<i>SYSTEM NAME</i>	<i>EPA 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
EDELSTEIN WATER COOPERATIVE – IL1435150	5	EXCEEDING THE MCL's FOR COMBINED RADIUM & GROSS ALPHA PARTICLE ACTIVITY	125	10/1/2010
ELIZABETHTOWN – IL0690100	7	UNSAFE SOURCE	348	6/15/2012
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 –LAKE CO PW IL0975500	2	INADEQUATE PRESSURE TANK	204	12/16/1983
FRWRD-SKYLINE PLANT - IL0895030	2	INADEQUATE PRESSURE TANK	700	9/19/1986
GREAT OAKS AND BEACON HILLS APARTMENTS - IL2015488	1	INADEQUATE PRESSURE TANK	2420	12/17/1982
GREEN MEADOW ESTATES OF ROCKFORD, LLC – IL2015495	1	INADEQUATE GROUND AND HYDRO- PNEUMATIC STORAGE	970	6/15/2012
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
*HINCKLEY IL0370200	1	EXCEEDING THE MCL FOR COMBINED RADIUM	1994	7/1/2013
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 GROUND STORAGE CAPACITY	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

<i>SYSTEM NAME</i>	<i>EPA RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTING DATE</i>
LYNN WATER ASSOCIATION INC - 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
MAEYSTOWN – IL1330200	6	EXCEEDING THE MCL FOR NITRATE	230	6/15/2012
MALTA – IL0370350	1	INADEQUATE STORAGE (NO AUTO-START GENERATOR)	1175	6/15/2012
METCALF – IL0450250	4	COLIFORM BACTERIA PRESENT IN SOURCE WATER	213	4/1/2013
MOUND PWD - IL1635050	6	INADEQUATE PLANT CAPACITY	2200	6/17/1996
NORTH HENDERSON – IL1310300	1	INADEQUATE HYDROPNEUMATIC STORAGE	184	7/1/2011
NORTHWEST BELMONT IMPRV ASSN - IL0435900	2	INADEQUATE PRESSURE TANK	78	9/29/1981
OAKLANE SUBDIVISION – IL0995250	1	EXCEEDING THE COMBINED RADIUM MCL	60	6/15/2012
OAK RIDGE SD - IL2035300	1	INADEQUATE PRESSURE TANK	240	3/20/1981
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
PERCY – IL1570350	6	COLIFORM BACTERIA PRESENT IN SOURCE WATER	925	12/16/2012
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
PRAIRIE ROAD PUMP ASSOCIATION- IL2015100	1	INADEQUATE STORAGE	150	1/1/2006
RANSOM – IL0990900	1	EXCEEDING MCL FOR COMBINED RADIUM	483	6/15/2012
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
STRATFORD WEST APARTMENTS - IL1095200	5	INADEQUATE PRESSURE TANK	39	12/17/1982
SUBURBAN HEIGHTS SUBDIVISION - IL1615800	1	INADEQUATE PRESSURE TANK	82	12/16/1983

<i>SYSTEM NAME</i>	<i>EPA RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTING DATE</i>
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
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
VALLEY VIEW SUBDIVISION – IL2030010	1	INADEQUATE HYDROPNEUMATIC STORAGE	100	6/15/2012
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

LONDON MILLS IL0574620

* DENOTES ADDED WATER SUPPLIES

** THESE PUBLIC WATER SUPPLIES OBTAIN WATER FROM ANNA-JONESBORO WATER COMMISSION – (IL1815050) WHICH LACKS EXISTING TREATMENT CAPACITY.

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

JULY 2013

<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
ANNA-JONESBORO WATER COMMISSION – IL1815050	7	LACKS EXISTING TREATMENT CAPACITY	36	7/1/2011
ANNA WATER COMMISSION – IL1810050	7	**	5750	7/1/2011
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
COLUMBIA - IL1330050	6	INADEQUATE PUMPING CAPACITY	8365	3/15/1998
EDWARDSVILLE – IL1190250	5	INSUFFICIENT PLANT CAPACITY TO HANDLE PEAK SYSTEM WATER DEMAND	24,900	9/16/2008
ELIZABETH - IL0850150	1	LOW SYSTEM PRESSURE	682	6/15/1999
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
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
JONESBORO PWS – IL1810250	7	**	1853	7/1/2011
JOY - IL1310100	1	LOW SYSTEM PRESSURE	373	6/15/1999
LA SALLE - IL0990300	1	INAD PLANT & SOURCE CAPACITY	9700	11/1/2004
LACON - IL1230100	1	UNDERSIZED WATERMANS	1979	1/1/2006
LICK CREEK PWD – IL1815100	7	**	1929	7/1/2011
MALDEN - IL0110550	1	UNDERSIZED WATERMANS	370	1/1/2006

<i>SYSTEM NAME</i>	<i>EPA RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTING DATE</i>
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
MENDOTA – IL0990550	1	LOW SYSTEM PRESSURE	7272	10/1/2012
MITCHELLSVILLE PWD – IL1655200	7	LOW SYSTEM PRESSURE	1924	10/1/2012
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
SHAWNEE VALLEY PWD – IL1815550	7	**	952	7/1/2011
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 - IL0895200PRES	2	INAD PRES STORAGE & LOW SYS	924	9/14/1984
WALNUT HILL - IL1210600	6	LOW SYSTEM PRESSURE	1470	6/14/1985
WHITE HALL – IL0610400	6	INADEQUATE STORAGE CAPACITY	2950	10/1/2012
WITT – IL1350850	5	INADEQUATE TREATMENT CAPACITY	991	3/17/2008

WATER SYSTEMS REMOVED FROM PREVIOUS LIST

*** DENOTES ADDED WATER SUPPLIES**

**** THESE PUBLIC WATER SUPPLIES OBTAIN WATER FROM ANNA-JONESBORO WATER COMMISSION (IL1815050) WHICH LACKS EXISTING TREATMENT CAPACITY.**

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 July 1, 2013. 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.

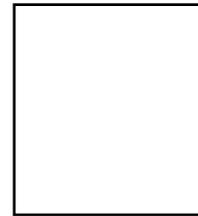
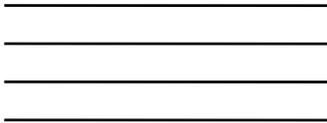
A supply will be placed on the Critical Review List when Agency records indicate that it is approaching any of the violations that would place it on the Restricted Status List.

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
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Springfield, Illinois 62794-9274