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# Environmental Register

April 2014 - Number 718

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

Deanna Glosser, Chairman

Board Members:

Jennifer A. Burke, Jerome D. O'Leary, and Carrie Zalewski

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# Letter from the Chairman

In April, the Board took action in rulemakings that generated widespread public interest and comment. The action in these recent rulemakings are summarized below. As always, information about these proceedings is available through the Clerk's Office Online (COOL) at our Web site at [www.ipcb.state.il.us](http://www.ipcb.state.il.us).

On April 17, 2014, the Board adopted a second notice opinion and order in Concentrated Animal Feeding Operations (CAFOs): Proposed Amendments to 35 Ill. Adm. Code Parts 501, 502, and 504, R12-23. The rule amends Board's agriculture related water pollution regulations and will submit them to the Joint Committee on Administrative Rules (JCAR) for review. The Illinois Environmental Protection Agency (IEPA) initiated this rulemaking with a proposal to amend Parts 501, 502 and 504 to make them consistent with, and as stringent as, the current federal CAFO regulations. The IEPA also sought to establish state technical standards required by the federal rule. The second-notice proposal adopts language suggested by the IEPA to address facilities designated as a CAFO. The second-notice proposal also made a number of clarifying changes and technical corrections but largely adopted the first-notice proposal for review by JCAR.



On April 17, 2014, the Board adopted rules in Standards and Limitations for Certain Sources of Lead: Proposed 35 Ill. Adm. Code 226, R14-19. The adopted rules apply to the reduction of lead emissions in Standards and Limitations for Certain Sources of Lead. This rulemaking adds a new Part 226 to the Board's air regulations. More specifically, the lead controls apply to facilities located in two areas in Illinois designated as nonattainment for the 2008 lead National Ambient Air Quality Standards (NAAQS): the Granite City, Madison County designated area, and the Chicago, Cook County designated area.

On April 17, 2014, the Board adopted a final opinion and order in Amendments to Primary Drinking Water Standards: 35 Ill. Adm. Code 611.490, R14-9. The rule amends the Illinois Primary Drinking Water Standards relating to certification of laboratories analyzing drinking water samples. Specifically, the amendments allow a drinking water supplier to use a laboratory certified by a sister state for a parameter where no United States Environmental Protection Agency (USEPA)-certified or Illinois-certified laboratory exists for that parameter. Previously, laboratories used had to be certified and approved either by the USEPA or the Illinois Environmental Protection Agency (IEPA).

Please visit the Board website at [www.ipcb.state.il.us](http://www.ipcb.state.il.us) for information on the rulemakings listed above as well as other Board rulemaking dockets and contested cases.

Finally, I would like to take the opportunity to wish Kathleen M. Crowley the very best in her retirement. Kathleen served the Board for 34 years as an attorney assistant to Joan Anderson, Senior Attorney, and as General Counsel under Chairman Thomas Holbrook and myself. During her tenure Kathleen impacted environmental law and policy in ways both large and small.

Sincerely,

A handwritten signature in cursive script that reads "Deanna Glosser". The ink is dark and the signature is fluid and legible.

Deanna Glosser, Ph.D.  
Chairman

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## Rulemaking Update

### **Board Adopts Second-Notice Proposal in CAFO Rulemaking, R12-23**

On April 17, 2014, the Board adopted a second-notice opinion and order in its Concentrated Animal Feeding Operation (CAFO) rulemaking. The Board proposes to amend Parts 501, 502, and 504 of its agriculture-related water pollution regulations. The proposed amendments are scheduled to be considered by the Joint Committee on Administrative Rules (JCAR) at JCAR's May 20, 2014 meeting.

The Illinois Environmental Protection Agency (IEPA) initiated this rulemaking with a proposal to make the Board's rules consistent with, and as stringent as, the current federal CAFO regulations. IEPA also sought to establish state technical standards required by the federal regulations. The rulemaking is docketed as In the Matter of: Concentrated Animal Feeding Operations (CAFOs): Proposed Amendments to 35 Ill. Adm. Code Parts 501, 502, and 504, R12-23.

The Board's first-notice proposal was published in the *Illinois Register* on December 2, 2013, and the Board has since received numerous public comments. The second-notice proposal adopts IEPA's suggested language on requiring National Pollutant Discharge Elimination System (NPDES) permits for those Animal Feeding Operations that are designated as CAFOs by IEPA on a case-by-case basis. The second-notice proposal also makes a number of clarifying changes and technical corrections, but largely adopts the first-notice proposal for JCAR's second-notice review.

For more information, please contact Tim Fox at 312-814-6085 or [tim.fox@illinois.gov](mailto:tim.fox@illinois.gov).

### **Board Adopts Amendments to Laboratory Certification Required for Analyzing Drinking Water, R14-9**

On April 17, 2014, the Board adopted a final opinion and order amending the Illinois Primary Drinking Water Standards relating to certification of laboratories analyzing drinking water samples. Specifically, if no laboratory is United States Environmental Protection Agency (USEPA)-certified or Illinois-certified to analyze a parameter, the amendments allow a drinking water supplier to use a laboratory certified by a sister state for that parameter. Previously, laboratories used had to be certified and approved either by USEPA or IEPA.

This rulemaking was filed by IEPA on September 20, 2013, and docketed as In the Matter of: Amendments to Primary Drinking Water Standards: 35 Ill. Adm. Code 611.490, R14-9.

For more information, please contact Michael J. McCambridge at 312-814-6924 or [michael.mccambridge@illinois.gov](mailto:michael.mccambridge@illinois.gov).

### **Board Adopts Rules "Identical in Substance" to USEPA's RCRA Hazardous Waste Amendments from the Last Half of 2013, R14-13**

On April 17, 2014, the Board adopted amendments that update the Illinois hazardous waste regulations to include amendments adopted by USEPA during the second half of calendar year 2013. On July 31, 2013, USEPA adopted conditional exclusions from the definitions of "solid waste" and "hazardous waste" for solvent-contaminated wipes. The Board added one USEPA action that occurred after the nominal timeframe of the Board's docket: a conditional exclusion from regulation as hazardous waste that USEPA adopted on January 3, 2014. This conditional exclusion applies to carbon dioxide streams that are injected into Class VI carbon sequestration wells. The Board also made limited non-substantive corrections and stylistic revisions to segments of the rule text that are not otherwise affected by the covered federal amendments. The Board rulemaking is docketed as In the Matter of: RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (July 1, 2013 through December 31, 2013), R14-13.

This “identical-in-substance” rulemaking incorporates revisions to the federal hazardous waste regulations into the Illinois hazardous waste regulations. Sections 7.2 and 22.4(a) of the Environmental Protection Act (415 ILCS 5/7.2 and 22.4(a) (2012)) require the Board to adopt regulations that are “identical in substance” to USEPA’s hazardous waste regulations. These USEPA rules implement Subtitle C of the federal Resource Conservation and Recovery Act of 1976 (RCRA Subtitle C) (42 U.S.C. §§ 6921 *et seq.* (2011)). The federal RCRA Subtitle C hazardous waste management (HWM) regulations are found at 40 C.F.R. 260 through 268, 270 through 273, and 279.

The Board will delay filing its adopted amendments with the Office of the Secretary of State for 30 days after the April 17, 2014 date of the Board’s final opinion and order, *i.e.*, until after May 17, 2014. The purpose for this delay is to allow USEPA the opportunity to review and comment on the adopted amendments before they are filed and become effective.

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

### **Board Adopts Rules to Reduce Lead Emissions in Two Nonattainment Areas, R14-19**

On April 17, 2014, the Board adopted rules to reduce lead emissions in two areas of Illinois that have been designated as not attaining the 2008 National Ambient Air Quality Standards (NAAQS) for lead. Specifically, this rulemaking, which adds a new Part 226 to the Board’s air pollution control regulations, imposes lead controls on nonferrous metal production facilities located in the Granite City, Madison County designated area, and the Chicago, Cook County designated area.

The rules are intended to satisfy IEPA’s obligation under the federal Clean Air Act (CAA) to develop a State Implementation Plan (SIP) addressing CAA requirements for lead emissions sources in lead NAAQS nonattainment areas.

IEPA filed this rulemaking proposal on November 15, 2013, pursuant to the CAA “fast-track” provisions of the Environmental Protection Act (415 ILCS 5/28.5 (2012)). The rulemaking is docketed as In the Matter of: Standards and Limitations for Certain Sources of Lead: Proposed 35 Ill. Adm. Code 226, R14-19

For more information, please contact Chad Kruse at 312-814-3665 or chad.kruse@illinois.gov.

## **Board Actions**

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### **April 3, 2014 Chicago, Illinois**

#### **Administrative Citations**

<b>AC 12-48</b>	<u>IEPA v. Ruth White</u> – The Board entered an interim opinion and order finding respondent violated 21(p)(1), 21(p)(3), and 55(k)(1) of the Act (415 ILCS 5/21(p)(1), (p)(3), 55(k)(1) (2012)) and assessing a penalty of \$4,500. The Board ordered the Clerk of the Board and the Illinois Environmental Protection Agency to file by April 17, 2014, a statement of hearing costs, supported by affidavit, with service on respondents. Respondent may respond to the cost statements by May 1, 2014.	4-0
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- AC 14-14**     IEPA v. Flossie E. Hayes and Kevin E. Stine – In response to a joint stipulation and settlement agreement in this administrative citation action involving a Clay County facility, the Board found that Flossie E. Hayes had violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (2012)) and ordered her to pay a civil penalty of \$1,500 and dismissed respondents’ petition for review. To effectuate the parties’ intent that respondents pay a total civil penalty of \$1,500, the Board dismissed the alleged violations of Section 21(p)(7) of the Act (415 ILCS 5/21(p)(7) (2012)). The Board also dismissed Kevin E. Stine as a respondent to this matter. 4-0
- AC 14-34**     Illinois EPA v. Lester Scott Hutchings, individually, and d/b/a Hutch's Tire & Lube – The Board found that these Perry County respondents violated Sections 55(k)(1) and (2) of the Environmental Protection Act (415 ILCS 5/55(k)(1) and (2) (2012)), and ordered respondents to pay a civil penalty of \$3,000. 4-0
- AC 14-36**     IEPA v. Leland W. Brock & Jessie M. Brock d/b/a Brock's Enterprise – The Board found that these Perry County respondents violated Sections 55(k)(2) and (k)(3) of the Environmental Protection Act (415 ILCS 5/55(k)(2) and (k)(3) (2012)), and ordered respondents to pay a civil penalty of \$3,000. 4-0

## Adjudicatory Cases

- PCB 13-19**     People of the State of Illinois v. Sheridan-Joliet Land Development, LLC, an Illinois limited-liability company and Sheridan Sand & Gravel Co., an Illinois corporation (4201 Road Site) 4-0
- PCB 13-20**     People of the State of Illinois v. Sheridan-Joliet Land Development, LLC, an Illinois limited-liability company and Sheridan Sand & Gravel Co., an Illinois corporation (Wiensland Site)  
(cons.) (Land-Enforcement) – Upon receipt of a stipulation and proposed settlement agreement and agreed motion to request relief from the hearing requirement in these land enforcement consolidated actions involving two LaSalle County facilities, the Board ordered publication of the required newspaper notice.
- PCB 13-28**     People of the State of Illinois v. Atkinson Landfill Company 4-0  
(Water-Enforcement) – Upon receipt of a stipulation and proposed settlement agreement and agreed motion to request relief from the hearing requirement in this water enforcement action involving a Henry County facility, the Board ordered publication of the required newspaper notice.
- PCB 14-39**     People of the State of Illinois v. Bradley Property, LLC, Bradley Auto Spa, LLC, and A-K Underground, Inc. 4-0  
(Water-Enforcement) – Upon receipt of a stipulation and proposed settlement agreement between the People and Bradley Property and Bradley Auto Spa only and their agreed motion to request relief from the hearing requirement in this water enforcement action involving a Kankakee County facility, the Board ordered publication of the required newspaper notice.
- PCB 14-99**     Timber Creek Homes, Inc. v. Village of Round Lake Park, Round Lake Park Village Board and Groot Industries, Inc. 4-0  
(Land-Siting Appeal, 3<sup>rd</sup> Party) – The Board denied petitioner’s motion for expedited review of a hearing officer order entered on March 20, 2014 and affirmed the hearing officer’s order.

<b>PCB 14-103</b>	<u>Metropolitan Water Reclamation District of Greater Chicago (Calumet Plant, NPDES Permit No. IL0028061) v. Illinois Environmental Protection Agency</u> (Water-Permit Appeal, NPDES) – The Board partially granted IEPA’s agreed motion to consolidate, consolidating PCB 14-103 and PCB 14-104, but denying consolidation with the consolidated third-party appeals in PCB 14-106, PCB 14-107, and PCB 14-108, which remain separate from these proceedings.	4-0 .
<b>PCB 14-104</b>	<u>Metropolitan Water Reclamation District of Greater Chicago (O'Brien Plant, NPDES Permit No. IL0028088) v. Illinois Environmental Protection Agency</u> (Water-Permit Appeal, NPDES) – The Board partially granted IEPA’s agreed motion to consolidate, consolidating PCB 14-103 and PCB 14-104, but denying consolidation with the consolidated third-party appeals in PCB 14-106, PCB 14-107, and PCB 14-108, which remain separate from these proceedings.	4-0 .
<b>PCB 14-110</b>	<u>KCBX Terminals Company v. IEPA</u> (Air, Permit Appeal) – The Board declined to take action on the March 26, 2014 notice filed by the IEPA and directed the parties to hearing on the IEPA’s January 17, 2014 determination according to the schedule established by the hearing officer.	4-0
<b>PCB 14-119</b>	<u>People of the State of Illinois v. Lake City Cleaners, LLC</u> (Air-Enforcement) – 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 air enforcement action involving a Cook County facility, the Board ordered publication of the required newspaper notice.	4-0
<b>PCB 14-120</b>	<u>People of the State of Illinois v. TBR ENT of Illinois, LLC</u> (Water-Enforcement) – 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 Champaign County facility, the Board ordered publication of the required newspaper notice.	4-0
<b>PCB 14-121</b>	<u>People of the State of Illinois v. Village of Hammond</u> (Water-Enforcement) – 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 Piatt County facility, the Board ordered publication of the required newspaper notice.	4-0

**April 17, 2014  
Chicago, Illinois**

**Rulemakings**

- R12-23**     In the Matter of: Concentrated Animal Feeding Operations (CAFOs): Proposed Amendments to 35 Ill. Adm. Code Parts 501, 502, and 504 (Water) – The Board adopted a second notice opinion and order in this rulemaking to amend the Board’s agriculture related water pollution control regulations. 4-0
- R14-9**     In the Matter of: Proposed Amendments to Primary Drinking Water Standards: 35 Ill. Adm. Code 611.490 (Water) – The Board adopted a final opinion and order in this “identical-in-substance” rulemaking to amend the Board’s primary drinking water regulations. 4-0
- R14-13**     RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (July 1, 2013 through December 31, 2013) (Land) – The Board adopted a final opinion and order in this “identical-in-substance” rulemaking to amend the Board’s hazardous waste regulations. 4-0
- R14-19**     In the Matter of: Standards and Limitations for Certain Sources of Lead: Proposed 35 Ill. Adm. Code 226 (Air) – The Board adopted a final opinion and order in this rulemaking to amend the Board’s air pollution control regulations. 4-0

**Administrative Citations**

- AC 14-37**     IEPA v. Gerald Cain and Reynolds Service Co., Inc. – The Board granted complainant’s motions for voluntary dismissal of this administrative citation and closed the docket. 4-0
- AC 14-38**     IEPA v. Lone Oak Enterprises, Inc. and Lomax & Sons Constructions – The Board accepted respondent’s petition for review involving a Jefferson County facility. 4-0
- AC 14-39**     County of Jackson v. Jackie Bentancourt – The Board found that this Jackson County respondent violated Sections 21(p)(1) and (7) of the Environmental Protection Act (415 ILCS 5/21(p)(1) and (7) (2012)), and ordered respondent to pay a civil penalty of \$3,000. 4-0

**Adjudicatory Cases**

- PCB 03-94**     Lone Star Industries, Inc. v. IEPA (Air-Permit Appeal, CAAPP) – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal. 4-0
- PCB 10-23**     United States Steel Corporation v. IEPA; American Bottom Conservancy as Intervenor (Air-Permit Appeal, CAAPP) – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal. 4-0

<b>PCB 13-15</b>	<u>Sierra Club, Environmental Law and Policy Center, Prairie Rivers Network, and Citizens Against Ruining the Environment v. Midwest Generation, LLC</u> (Water-Enforcement, Citizens) – The Board denied respondent’s motion to stay this proceeding.	4-0
<b>PCB 14-34</b>	<u>Maurice Whisenhunt v. Jeff Moore</u> (Noise-Enforcement, Citizens) – The Board, having previously found the complaint was frivolous in this citizens enforcement action involving a Jefferson County facility ( <u>Maurice Whisenhunt v. Jeff Moore</u> , PCB 14-34 (January 9, 2014)), dismissed this case due to complainant’s failure to file an amended complaint to cure certain deficiencies.	4-0
<b>PCB 14-84</b>	<u>WRB Refining, LLC, Storage Tank Upgrades v. IEPA</u> (Air-Tax Certification) – The Board denied the petition of WRB Refining, LLC (WRB) located in Madison County to the extent it sought certification of fire protection systems. The Board previously found and certified <u>WRB Refining, LLC, Storage Tank Upgrades v. IEPA</u> , PCB 14-84 (Jan. 23, 2014) that specified Storage Tank Upgrades of WRB are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2012)).	4-0
<b>PCB 14-99</b>	<u>Timber Creek Homes, Inc. v. Village of Round Lake Park, Round Lake Park Village Board and Groot Industries, Inc.</u> (Land-Siting Appeal, 3 <sup>rd</sup> Party) – The Board sustained the hearing officer’s interpretation of the Board’s April 3, 2014 order and denied Groot Industries, Inc. motion for expedited review of the hearing officer’s April 7, 2014 order, affirming the order.	4-0
<b>PCB 14-110</b>	<u>KCBX Terminals Company v. IEPA</u> (Air, Permit Appeal) – The Board affirmed the hearing officer’s April 8, 2014 order. The Board granted the Illinois Environmental Protection Agency’s (IEPA) motion for leave to file a reply in support of its motion to strike. The Board granted the IEPA’s uncontested motion to strike paragraph 51 and Exhibit 30 of KCBX Terminals Company’s (KCBX) petition for review. The Board denied the IEPA’s motion to strike paragraphs 56 and 57 of the petition. The Board granted KCBX’s motion for leave to amend its motion to supplement the record and to file a reply in support of that motion. The Board granted in part and denied in part KCBX’s motion to supplement the record. The Board granted KCBX’s motion to the extent it sought to supplement the record with Petition for Review (Petition) Exhibit 2, Petition Exhibit 10, Petition Exhibit 12, and Petition Exhibit 32. The Board denied KCBX’s motion to the extent it sought to supplement the record with Petition Exhibit 9, Petition Exhibit 11, Petition Exhibit 13, and a purported IEPA policy. The Board partially granted and partially denied KCBX’s motion to supplement the record with Petition Exhibit 31. The Board directed the IEPA to include in the record the documents listed in its privilege log. The Board also directed the IEPA to include in the record any documents or other materials described in paragraphs 15 -19 of KCBX’s motion to supplement and in Deposition Riders filed with its Notices of Deposition.	4-0
<b>PCB 14-112</b>	<u>Mr. Gary L. Polchow v. Aaron Warren and Sean McAllister</u> ((Air, Water-Enforcement) – The Board directed complainant to file proof of service of the complaint on the respondents (the signed and dated green mail receipt cards from both respondents) by May 8, 2014.	4-0

## **New Cases**

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### **April 3, 2014 Board Meeting**

**PCB 14-116** WRB Refining, LLC, Maintenance Upgrades of Existing Product Tanks v. IEPA – No action taken.

**PCB 14-117** WRB Refining, LLC, Hot Line Softening System v. IEPA – No action taken.

**PCB 14-118** WRB Refining, LLC, Upgrading Air to Soil Interfaces for Buried Pipe v. IEPA – No action taken.

**PCB 14-119** People of the State of Illinois v. Lake City Cleaners, LLC – 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 Cook County facility, the Board ordered publication of the required newspaper notice.

**PCB 14-120** People of the State of Illinois v. TBR ENT of Illinois, LLC – 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 Champaign County facility, the Board ordered publication of the required newspaper notice.

**PCB 14-121** People of the State of Illinois v. Village of Hammond – 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 Piatt County facility, the Board ordered publication of the required newspaper notice.

### **April 17, 2014**

**AC 14-45** IEPA v. Benjamin Raleigh & Rose Mary Raleigh – The Board accepted an administrative citation against these Fulton County respondents.

**AC 14-46** IEPA v. Jeanetta and Gary Maddock – The Board accepted an administrative citation against these Massac County respondents.

**AC 14-47** IEPA v. Robert Frazier – The Board accepted an administrative citation against this Champaign County respondent.

**AC 14-48** IEPA v. Best One Tire & Service of Fairfield, Inc. and Rogers & Associates – The Board accepted an administrative citation against these Wayne County respondents.

**AC 14-49** IEPA v. Walker Tire – The Board accepted an administrative citation against this DeWitt County respondent.

**PCB 14-125** Ginger L. Deavers v. IEPA (UST-Permit Appeal, 90-Day Extension) – The Board granted this request for a 30-day extension of time to file an underground storage tank appeal on behalf of this McLean County facility.

**PCB 14-126** People of the State of Illinois v. 400 Condominium Association (Water-Enforcement) – 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 Cook County facility, the Board ordered publication of the required newspaper notice.

**PCB 14-127** People of the State of Illinois v. Remediation and Management Services Corporation (Air-Enforcement) – The Board accepted for hearing this air enforcement action concerning a facility located in Carroll County.

# Calendar

<p><b>5/1/2014</b> <b>11:00 AM</b></p>	<p><b>Illinois Pollution Control Board Meeting</b></p>		<p><b>Videoconference</b> <b>Chicago/Springfield</b> <b>James R. Thompson Center</b> <b>Hearing Room 11-512</b> <b>100 W. Randolph Street</b> <b>Chicago</b> <b>And</b> <b>Pollution Control Board</b> <b>Hearing Room</b> <b>1021 N. Grand Avenue East</b> <b>Room 2012 N</b> <b>Springfield</b></p>
<p>5/7/2014 1:30 PM</p>	<p>R14-17</p>	<p><u>National Ambient Air Quality Standards, USEPA Amendments (July 1, 2013 through December 31, 2013)</u></p>	<p>Videoconference Chicago/Springfield James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago And Pollution Control Board Hearing Room 1021 N. Grand Avenue East Springfield</p>
<p>5/7/2014 1:45 PM</p>	<p>R14-16</p>	<p><u>Definition of VOM Update, USEPA Amendments (July 1, 2013 through December 31, 2013)</u></p>	<p>Videoconference Chicago/Springfield James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago And Pollution Control Board Hearing Room 1021 N. Grand Avenue East Springfield</p>
<p>5/14/2014 10:00 AM</p>	<p>R14-10</p>	<p><u>In the Matter of: Coal Combustion Waste (CCW) Ash Ponds and Surface Impoundments at Power Generating Facilities: Proposed New 35 Ill. Adm. Code 841</u>  (Continues until complete or through May 15, 2014)</p>	<p>James R. Thompson Center Room 9-040 100 W. Randolph Street Chicago</p>
<p><b>5/15/2014</b> <b>11:00 AM</b></p>	<p><b>Illinois Pollution Control Board Meeting</b></p>		<p><b>James R. Thompson Center</b> <b>100 W. Randolph Street</b> <b>Chicago</b></p>

6/2/2014 9:00 AM	PCB 14-99	<u>Timber Creek Homes, Inc. v. Village of Round Lake Park Village Board and Groot Industries, Inc.</u>  (Continues until complete or through April 3, 2014)	Round Lake Park Village Hall Village Board Chambers 203 E. Lake Short Drive Round Lake Park
6/5/2014 11:00 AM	<b>Illinois Pollution Control Board Meeting</b>		<b>James R. Thompson Center  100 W. Randolph Street  Chicago</b>
6/19/2014 11:00 AM	<b>Illinois Pollution Control Board Meeting</b>		<b>James R. Thompson Center  100 W. Randolph Street  Chicago</b>

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

**APRIL 2014**

<i>EPA SYSTEM NAME</i>	<i>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
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	6/16/2008
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
CROSEY 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
EAST MORELAND WATER CORPORATION -	2	INADEQUATE PRESSURE	135	3/15/1996

<i><b>EPA SYSTEM NAME</b></i>	<i><b>RGN</b></i>	<i><b>NATURE OF PROBLEM</b></i>	<i><b>POP SERVED</b></i>	<i><b>LISTING DATE</b></i>
IL1975640		TANK		
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
EXETER-MERRITT WATER COOP – IL1710010	5	INADEQUATE STORAGE CAPACITY	765	9/15/2013
FAIR ACRES SUBDIVISION - IL1975680	2	INADEQUATE PRESSURE TANK	156	10/19/1981
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
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
LONDON MILLS - IL0574620	5	INADEQUATE PRESSURE TANK	447	12/14/1984
LYNN WATER ASSOCIATION INC - IL0735100	1	INADEQUATE PRESSURE TANK	100	3/15/1995
LYNNWOOD WATER CORPORATION -	1	INADEQUATE PRESSURE	110	3/18/1983

<i>EPA SYSTEM NAME</i>	<i>RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTING DATE</i>
IL0995336		TANK		
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
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	157	6/15/1990

<i>EPA SYSTEM NAME</i>	<i>RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTING DATE</i>
		TANK		
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-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:**

**\* DENOTES ADDED WATER SUPPLIES**

Forest Lake Subdivision IL0975500

Utl Inc-Northern Hills Utilities Company IL1775050

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

**\*\*\*\* CHANGE NATURE OF PROBLEM**

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

**APRIL 2014**

<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
ELIZABETH - IL0850150	1	LOW SYSTEM PRESSURE	682	6/15/1999
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 – IL1195150	6	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
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
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

<i>SYSTEM NAME</i>	<i>EPA RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTING DATE</i>
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 - IL0895200	2	INAD PRES STORAGE & LOW SYS PRES	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**

EDWARDSVILLE IL1190250

**\* 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 April 1, 2014. 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.

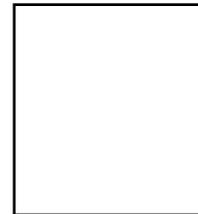
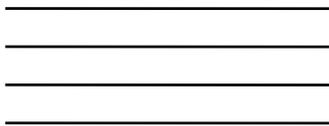
This list is continually being revised as new information becomes available, and therefore, specific inquiries as to the status of any public water supply should be directed to the Division of Public Water Supplies for final determination.



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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