



ENVIRONMENTAL REGISTER

JANUARY 5, 2017 – NUMBER 744

BOARD MEMBERS

- ❖ Gerald M. Keenan, Chairman
 - ❖ Jennifer A. Burke
 - ❖ Thomas E. Johnson
 - ❖ Cynthia M. Santos
 - ❖ Carrie Zalewski
-

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



Board Proposes “Permits by Rule” for First Notice and Holds Hearings, R17-9

On September 8, 2016, the Board accepted for hearing an Illinois EPA rulemaking proposal concerning air pollution control “permits by rule” and directed the proposal to first notice. The proposal allows certain small boilers to be constructed under permit terms and conditions that are set forth in the Board’s rules, obviating the need for Illinois EPA to individually process these construction permits. The proposed rules also include general provisions that anticipate future permits by rule for other types of emission units. The rulemaking is captioned Permit by Rule for Boilers: Amendments to 35 Ill. Adm. Code Parts 201 and 211. Here are links to the Board’s [opinion and order](#) and the [first-notice rule language](#). The Board held public hearings on October 26 and November 16, 2016, and closed the public comment period on December 16, 2016. For more information, please contact Jason James at 312-814-6929 or jason.james@illinois.gov.

Board Proposes “Identical-in-Substance” Wastewater Pretreatment Amendments, Including the NPDES Electronic Reporting Rule, R16-9

On October 6, 2016, the Board proposed amending its wastewater pretreatment rules at 35 Ill. Adm. Code 307 and 310. The amendments are “identical in substance” to two actions adopted by USEPA under the Clean Water Act during the second half of 2015. First, USEPA adopted the National Pollutant Discharge Elimination System (NPDES) “Electronic Reporting Rule.” Second, USEPA revised the discharge guidelines and standards for sources in the Steam Electric Power Generating Point Source Category. The Board’s rulemaking is captioned Wastewater Pretreatment Update, USEPA Amendments (July 1, 2015 through December 31, 2015). Here is a link to the Board’s [opinion and order](#). For more information, please contact Michael McCambridge at 312-814-6924 or michael.mccambridge@illinois.gov.

Board Proposes “Identical-in-Substance” NAAQS Amendments and Holds Hearing, R17-1

On October 27, 2016, the Board proposed amending its ambient air quality rules at 35 Ill. Adm. Code 243. The amendments are “identical in substance” to actions by USEPA relating to the National Ambient Air Quality Standards (NAAQS). USEPA took the actions under the Clean Air Act during the first half of 2016 and on July 13, 2016. Specifically, USEPA designated several new federal reference methods and federal equivalent methods for monitoring priority pollutants (particulate matter, ozone, and sulfur dioxide) in ambient air. The Board’s rulemaking is captioned National Ambient Air Quality Standards Update, USEPA Amendments (January 1, 2016 through June 30, 2016 and July 13, 2016). Here are links to the Board’s [opinion and order](#) and the Board’s [addendum](#). The Board held a public hearing on December 7, 2016. For more information, please contact Michael McCambridge at 312-814-6924 or michael.mccambridge@illinois.gov.

Board Proposes “Identical-in-Substance” Amendments to VOM Definition and Holds Hearing, R17-2

On October 27, 2016, the Board proposed amending its definition of “volatile organic material” (VOM) at 35 Ill. Adm. Code 211.7150. The amendments are “identical in substance” to an action by USEPA under the Clean Air Act during the first half of 2016. Specifically, USEPA expanded an exclusion so as to exclude tertiary butyl acetate from all regulation as a precursor of tropospheric ozone (smog). The Board’s rulemaking is captioned Definition of VOM Update, USEPA Amendments (January 1, 2016 through June 30, 2016). Here are links to the



Board's [opinion and order](#) and the Board's [addendum](#). The Board held a public hearing on December 7, 2016. For more information, please contact Michael McCambridge at 312-814-6924 or michael.mccambridge@illinois.gov.

Board Proposes “Identical-in-Substance” MSWLF Amendments, Extending Maximum Term of RD&D Permit, R17-5

On October 27, 2016, the Board proposed amending its landfill rules at 35 Ill. Adm. Code 813. The amendments are “identical in substance” to an action by USEPA relating to the Municipal Solid Waste Landfill (MSWLF) rules. USEPA took the action under Subtitle D of the Resource Conservation and Recovery Act (RCRA) during the first half of 2016. Specifically, USEPA extended the maximum term of a research, development, and demonstration (RD&D) permit from 12 to 21 years. The Board’s rulemaking is captioned RCRA Subtitle D (Municipal Solid Waste Landfill) Update, USEPA Amendments (January 1, 2016 through June 30, 2016). Here are links to the Board’s [opinion and order](#) and the Board’s [addendum](#). For more information, please contact Michael McCambridge at 312-814-6924 or michael.mccambridge@illinois.gov.

Board Proposes “Identical-in-Substance” Wastewater Pretreatment Amendments for UOG Facilities, R17-8

On November 17, 2016, the Board proposed amending its wastewater pretreatment rules at 35 Ill. Adm. Code 310. The amendments are “identical in substance” to rules adopted by USEPA under the Clean Water Act during the first half of 2016 and on September 30, 2016. Specifically, USEPA adopted discharge guidelines and standards for unconventional oil and gas extraction (UOG) facilities in the Oil and Gas Extraction Point Source Category, including pretreatment guidelines and standards. The Board’s rulemaking is captioned Wastewater Pretreatment Update, USEPA Amendments (January 1, 2016 through June 30, 2016 and September 30, 2016). Here are links to the Board’s [opinion and order](#) and the Board’s [addendum](#). For more information, please contact Michael McCambridge at 312-814-6924 or michael.mccambridge@illinois.gov.

APPELLATE UPDATE

Third District Reverses Two of Three Adjusted Standard Conditions Imposed by Board

Emerald Performance Materials, LLC v. Illinois Pollution Control Board

2016 IL App (3d) 150526

Board docket AS 13-2

On September 2, 2016, the Third District Appellate Court issued a precedential opinion that reversed two of three contested conditions of an “adjusted standard.” The Board had granted the adjusted standard to Emerald Performance Materials, LLC, a Marshall County chemical manufacturer, for its ammonia nitrogen wastewater, which Emerald discharges to the Illinois River. The adjusted standard provides Emerald with relief from the ammonia nitrogen effluent limit in the Board’s rules. The company appealed three of the conditions upon which that relief was granted.

The Third District affirmed the condition setting a five-year termination date or “sunset” on the adjusted standard. The court rejected Emerald’s argument that because “variances” under the Environmental Protection Act (Act) (415 ILCS 5) provide temporary relief, adjusted standards under the Act must provide permanent relief. The court found



that the five-year sunset condition would encourage Emerald to aggressively pursue ways to comply with the Board rule.

However, the Third District reversed the other two contested conditions. First, the court reversed the condition precluding Emerald from renewing the adjusted standard unless the company arranged for agricultural “best management practices” (BMP) within its watershed to offset 45% of the nitrogen in Emerald’s discharge. The court found the BMP condition beyond the Board’s authority (the Board cannot add to the Act’s prerequisites for receiving an adjusted standard), as well as arbitrary and capricious (the Board failed to consider the technical feasibility and economic reasonableness of BMPs). The court also found improper the Board’s use of the Illinois EPA and Illinois Department of Agriculture’s draft “Illinois Nutrient Loss Reduction Strategy” in setting the 45% offset without first giving Emerald an opportunity to address the report. Second, the Third District reversed the condition requiring ammonia reduction to be part of Emerald’s employee bonus plan. Here too the court found that the Board exceeded its authority and acted arbitrarily and capriciously because the record contained no evidence showing the employee incentive would work.

The Third District remanded the case to the Board, which issued an amended final order on December 1, 2016, striking the two conditions reversed by the court. Illinois EPA joined the Board in defending the three conditions on appeal but had not proposed them to the Board (Illinois EPA had recommended denying the adjusted standard but, if granted, imposing a ten-year sunset).

Here is a link to the court’s opinion: [2016 IL App \(3d\) 150526](#)

First District Affirms Board’s Chloride Water Quality Standard for CAWS & LDPR

The Salt Institute v. Illinois Pollution Control Board

2016 IL App (1st) 152003-U

Board docket R08-9(D)

On September 30, 2016, the First District Appellate Court issued a non-precedential Rule 23 order that affirmed the Board’s chloride water quality standard for the Chicago Area Waterway System (CAWS) and the Lower Des Plaines River (LDPR). The Board rule containing the year-round chloride standard of 500 mg/L became effective on July 1, 2015, but by the rule’s terms, the standard does become applicable for three years, *i.e.*, not until July 1, 2018.

The court first ruled that the Salt Institute, a non-profit trade association, had “associational standing” to appeal the chloride water quality standard on behalf of its members, which include Cargill Deicing Technology and Morton Salt, Inc. On the merits of the appeal, the First District recognized the Board’s findings that aquatic ecosystems are harmed by elevated chloride concentrations and that those concentrations result primarily from storm water runoff after de-icing road salt is applied during the winter. The court found that when the Board adopted the chloride standard, it took into account all of the factors set forth in Section 27(a) of the Environmental Protection Act (415 ILCS 5/27(a)), like the technical feasibility and economic reasonableness of compliance. The court further found that the Board balanced the danger of high chloride levels in the CAWS and LDPR against the hardship of complying with the in-stream standard, adding that the Board’s “broad rulemaking authority is not limited by the extent of hardship that a regulation may cause to dischargers.” As the Board’s decision was not clearly arbitrary or capricious, the court declined to act as a “superagency” to invalidate the standard.

Here is a link to the court’s order: [2016 IL App \(1st\) 152003-U](#)



BOARD ACTIONS

August 11, 2016

Via videoconference: IPCB Offices in Chicago, Illinois and Springfield, Illinois

Rulemakings

- R14-24** In the Matter of: Proposed Site Specific Rule for Sanitary District of Decatur From 35 Ill. Adm. Code Section 302.208(E)
(Water) – The Board granted petitioner’s motion to extend stay to December 31, 2016. Status report due on December 31, 2016.
- R17-3** SDWA Update, USEPA amendments (January 1, 2016 through June 30, 2016) (Water) – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its drinking water regulations during the update period of January 1, 2016 through June 30, 2016.
- R17-4** UIC Update, USEPA amendments (January 1, 2016 through June 30, 2016) (Land) – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its underground injection control regulations during the update period of January 1, 2016 through June 30, 2016.
- R17-7** UST Update, USEPA amendments (January 1, 2016 through June 30, 2016) (Land) – 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, 2016 through June 30, 2016.

ADMINISTRATIVE CITATIONS

- AC 07-24** IEPA v. C. John Blickhan
AC 08-19 IEPA v. C. John Blickhan
AC 09-46 IEPA v. C. John Blickhan
(cons.) (Land) – The Board granted complainant’s motion for voluntary dismissal of these consolidated administrative citations and closed the dockets.

ADJUDICATORY CASES

- PCB 06-141** Flagg Creek Water Reclamation District v. Village of Hinsdale, Metropolitan Water Reclamation District of Greater Chicago, Illinois Department of Transportation, and DuPage County (Division of Transportation) (Water – Enforcement, Citizens) – The Board granted complainant’s motion for voluntary dismissal of this citizen’s water pollution complaint.



- PCB 14-111** Sanitary District of Decatur v. IEPA
(Water – Variance) – The Board granted petitioner’s motion to extend stay to December 31, 2016. Status report due on January 3, 2017.
- PCB 15-108** Distressed Properties, Inc. v. IEPA
PCB 16-32 Distressed Properties, Inc. v. IEPA
PCB 16-46 Distressed Properties, Inc. v. IEPA (UST Appeal) – The Board dismissed
(Cons.) these three consolidated underground storage tank appeals due to petitioner’s failure to obtain an attorney.
- PCB 15-203** Kincaid Generation, L.L.C. v. IEPA (Water – Permit Appeal, NPDES) – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal.
- PCB 16-68** Matt Gill v. CHS Inc. - Carrollton Farmers Elevator
(Noise – Enforcement) – The Board denied complainant’s motion for joinder
- PCB 16-100** Blake Leasing Company, LLC - Real Estate Series, as owner of Kirkland Quick Stop v. Illinois Environmental Protection Agency and Village of Kirkland (Water Well Setback) – The Board directed petitioner to file an amended petition to cure deficiencies identified in the order.
- PCB 16-105** Casey's Retail Company v. IEPA (UST Appeal, 90-Day Extension) – 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.
- PCB 17-1** City of Benton Fire Department v. IEPA
(UST Appeal) – The Board accepted for hearing this underground storage tank appeal involving a site in Franklin County.

August 25, 2016

Via videoconference: IPCB Offices in Chicago, Illinois and Springfield, Illinois

ADMINISTRATIVE CITATIONS

- AC 15-33** IEPA v. Gerald Cain and Eddie Jones
(Land) – The Board granted complainant’s motion to withdraw the administrative citation and closed the docket.
- AC 16-14** County of Ogle v. Wayne L. Fisher & Christina C. Fisher
(Land) – The Board accepted respondents’ amended petition for hearing.



ADJUDICATORY CASES

- PCB 12-94** CITGO Petroleum Corporation and PDV Midwest Refining, L.L.C. v. IEPA
- PCB 14-4** Citgo Petroleum Corporation and PDV Midwest Refining, L.L.C. v. IEPA
(Not Consolidated) (Water – Variance) – The Board granted the parties’ joint motion to dismiss the petition and closed the docket.
- PCB 13-41** People of the State of Illinois v. AmerenEnergy Resources Generating Company, Inc., and Ameren Medina Valley Cogen, LLC
(Land – Enforcement) – In this land enforcement action concerning a Fulton 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) (2014)), accepted a stipulation and settlement agreement, and ordered respondents to pay a \$60,000 civil penalty, take specified steps, and cease and desist from further violations.
- PCB 16-43** People of the State of Illinois v. Perfect Mulch Products, Inc.
(Air, Water – Enforcement) – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion for relief from the hearing requirement in this air and water enforcement action involving a Cook County facility, the Board ordered publication of the required newspaper notice.
- PCB 16-110** People of the State of Illinois v. Casey's Retail Company
(Water – Enforcement) – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion for relief from the hearing requirement in this water enforcement action involving a LaSalle County facility, the Board ordered publication of the required newspaper notice.
- PCB 16-112** Calpine Corporation (Zion Energy Center) v. IEPA
(Air – Variance, CAAPP) – The Board accepted petitioner’s amended petition.
- PCB 17-2** Midstate Salvage Corp. v. IEPA
(UST Appeal) – The Board accepted for hearing this underground storage tank appeal involving a site in Christian County.
- PCB 17-3** Dersch Energies, Inc. v. IEPA
(UST Appeal) – The Board accepted for hearing this underground storage tank appeal involving a site in Lawrence County.
- PCB 17-4** Moto, Inc. v. IEPA
(UST Appeal) – The Board accepted for hearing this underground storage tank appeal involving a site in St. Clair County.



September 8, 2016

Via videoconference: IPCB Offices in Chicago, Illinois and Springfield, Illinois

Rulemakings

R17-9

In The Matter of: Permit by Rule for Boilers: Amendments to 35 Ill. Adm. Code Parts 201 and 211

(Air) – The Board accepted for hearing the Illinois Environmental Protection Agency’s (Agency) proposal to amend the Board’s air pollution regulations and sent the proposal to first-notice publication without substantive review of its merits. The Board also granted the Agency’s motion to waive the requirement to file copies of materials proposed for incorporation by reference in this rulemaking.

ADJUDICATORY CASES

PCB 13-62

United States Steel Corporation v. IEPA

(Air – Permit Appeal) – The Board denied petitioner’s motion to extend indefinitely the stay of this proceeding.

PCB 14-3

Johns Manville v. Illinois Department of Transportation

(Land – Enforcement) – The Board granted petitioner’s motion to file a third amended complaint and accepted petitioner’s third amended complaint. The Board also granted respondent an additional four weeks to file its post-hearing brief.

PCB 15-85

NRG Wholesale Generation LP (Aurora Station) v. IEPA

(Air – Permit Appeal, CAAPP) – The Board granted the joint motion to dismiss NRG Wholesale Generation LP as petitioner and substitute Aurora Generation, LLC as the new petitioner.

PCB 15-86

NRG Rockford LLC and NRG Rockford II LLC v. IEPA

(Air – Permit Appeal, CAAPP) – The Board granted the motion of NRG Rockford LLC and NRG Rockford II LLC to change names to Rockford Power, LLC and Rockford Power II, LLC, respectively and amended the caption accordingly.

PCB 16-100

Blake Leasing Company, LLC - Real Estate Series, as owner of Kirkland Quick Stop v. Illinois Environmental Protection Agency and Village of Kirkland (Water Well Setback) – The Board granted petitioner’s motion to stay this proceeding until December 7, 2016.

PCB 16-106

Exelon Generation, LLC (Byron, Clinton, Dresden, and LaSalle stations) v. IEPA (Air – Variance) – The Board granted petitioner’s petition for a variance from the Sulfur Content Rule (35 Ill. Adm. Code 214.161(b)(2)) as that provision applies to the diesel fuel used by the emergency equipment at petitioner’s Byron, Clinton, Dresden, and LaSalle nuclear power plants, subject to conditions.



PCB 17-5

Metal Properties, LLC v. IEPA

(UST Appeal) – The Board accepted for hearing this underground storage tank appeal involving a site in Clinton County.

September 22, 2016

Via videoconference: IPCB Offices in Chicago, Illinois and Springfield, Illinois

ADMINISTRATIVE CITATIONS

AC 16-7

IEPA v. James Reichert Limited Family Partnership – The Board entered an interim opinion and order finding respondent violated Sections 21(p)(1), 21(p)(3), and 21(p)(7) of the Act (415 ILCS 5/21(p)(1), (p)(3), (p)(7) (2014)) and assessing a penalty of \$4,500. The Board ordered the Clerk of the Board and the Illinois Environmental Protection Agency to file by October 24, 2016, a statement of hearing costs, supported by affidavit, with service on respondent. Respondent may respond to the cost statements by November 21, 2016.

AC 17-2

County of Jackson v. John W. Hudson – The Board dismissed this case due to the complainant’s failure to timely file the administrative citation with the Board.

ADJUDICATORY CASES

PCB 12-57

City of Taylorville/ Taylorville Municipal Airport v. IEPA

(UST Appeal) – The Board granted petitioner’s motion for voluntary dismissal of this underground storage tank appeal.

PCB 14-41

AmerenEnergy Medina Valley Cogen, L.L.C. v. IEPA

(Land – Permit Appeal) – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal.

PCB 15-155

People of the State of Illinois v. Illinois American Water Company

(Water – Enforcement) – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion for relief from the hearing requirement in this water enforcement action involving two community sanitary sewer systems, one in Mount Prospect, Cook County, and one in Lisle, DuPage County, the Board ordered publication of the required newspaper notice.



PCB 16-103

Knapp Oil Company v. IEPA
(UST Appeal) – The Board reversed the Illinois Environmental Protection Agency’s (IEPA) March 8, 2016 determination to modify petitioner’s site investigation budget for costs related to a camera. The Board also found that IEPA did not properly modify the budget for costs of specified other equipment. The Board directed petitioner to submit a statement of legal fees by October 24, and permitted the Agency to file a response within 14 days after service of the statement.

PCB 17-6

People of the State of Illinois v. Langman Construction, Inc. and Richard Langman
(Land – Enforcement) – Upon receipt of a complaint accompanied by a proposed stipulation and settlement agreement, and an agreed motion for relief from the hearing requirement in this land enforcement action involving a Rock Island County facility, the Board accepted the complaint and ordered publication of the required newspaper notice.

PCB 17-7

Martin & Bayley, Inc. v. IEPA
(UST Appeal) – The Board accepted for hearing this underground storage tank appeal involving a site in Coles County.

October 6, 2016

Via videoconference: IPCB Offices in Chicago, Illinois and Springfield, Illinois

Rulemakings

R 16-9

Wastewater Pretreatment Update, USEPA Amendments (July 1, 2015, through December 31, 2015) (Water) – The Board adopted a proposal for public comment in this “identical-in-substance” rulemaking to amend the Board’s wastewater pretreatment regulations.

ADMINISTRATIVE CITATIONS

AC 17-1

County of Macon v. Don Roderick – The Board on its own motion granted complainant leave to file an amended administrative citation correcting the applicable statutory penalty amount and directed complainant to serve respondent with any amended citation in accordance with 35 Ill. Adm. Code 108.200(b)(2).

AC 17-3

County of Jackson v. Gary Clover – The Board accepted respondent’s petition for hearing.



ADJUDICATORY CASES

- PCB 10-84** People of the State of Illinois v. Professional Swine Management, LLC, Hilltop View LLC, Wildcat Farms, LLC, High-Power Pork, LLC, Eagle Point, LLC, Lone Hollow, LLC, Timberline, LLC, Prairie State Gilts, Ltd., North Fork Pork, LLC, Little Timber, LLC, and Twin Valley Pumping, Inc.
(Land – Enforcement) – Upon receipt of proposed stipulations and settlement agreements and an agreed motion for relief from the hearing requirement in this water enforcement action at nine livestock facilities managed by Professional Swine Management and owned by the remaining respondents in the counties of Adams, Fulton, Hancock and Schuyler, the Board ordered publication of the required newspaper notice.
- PCB 16-43** People of the State of Illinois v. Perfect Mulch Products, Inc.
(Air, Water – Enforcement) – In this air and water enforcement action concerning a Cook 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) (2014)), accepted a stipulation and settlement agreement, and ordered respondent to pay a \$13,750 civil penalty, and cease and desist from further violations.
- PCB 16-76** Environmental Recycling and Disposal Services, Inc. v. Will County, Will County Board, and Waste Management of Illinois, Inc.
(Pollution Control Facility Siting Appeal) – The Board affirmed the Will County Board’s grant of siting approval for Waste Management of Illinois, Inc. (WMI) to expand the Laraway Recycling and Disposal Facility.
- PCB 16-110** People of the State of Illinois v. Casey's Retail Company
(Water – Enforcement) – In this water enforcement action concerning a LaSalle 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) (2014)), accepted a stipulation and settlement agreement, and ordered respondent to pay a \$12,000 civil penalty, and cease and desist from further violations.
- PCB 17-8** Christensen Swine-Sheffield v. IEPA
(Water – Tax Certification) – Member Zalewski stated that this matter would be held to allow for the running of the statutory period for petitioner to contest IEPA’s recommendation to deny certification in part. The Board took no action on this matter.
- PCB 17-9** MSF Farms, LLC - New Boston v. IEPA
(Water – Tax Certification) – The Board found and certified that specified facilities of MSF Farms, LLC-New Boston 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 (2014)).



PCB 17-10

Next Gen Agriculture, LLP v. IEPA (Water – Tax Certification) – The Board found and certified that specified facilities of NextGen Agriculture, LLP 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 (2014)).

October 27, 2016

Via videoconference: IPCB Offices in Chicago, Illinois and Springfield, Illinois

Rulemakings

R 17-1

National Ambient Air Quality Standards, USEPA amendments (January 1, 2016 through June 30, 2016) (Air) – The Board adopted a proposal for public comment in this “identical-in-substance” rulemaking to amend the Board’s air pollution regulations.

R 17-2

Definition of VOM Update, USEPA amendments (January 1, 2016 through June 30, 2016) (Air) – The Board adopted a proposal for public comment in this “identical-in-substance” rulemaking to amend the Board’s air pollution regulations.

R 17-5

RCRA Subtitle D (Municipal Solid Waste Landfill) Update, USEPA amendments (January 1, 2016 through June 30, 2016) (Land) – The Board adopted a proposal for public comment in this “identical-in-substance” rulemaking to amend the Board’s municipal solid waste landfill regulations.

ADJUDICATORY CASES

PCB 09-107

People of the State of Illinois v. Tate and Lyle Ingredients Americas, Inc. (Air – Enforcement) – The Board granted the parties’ joint motion to enter an agreed interim order setting deadlines for respondent to propose a test plan and, on approval, to perform an evaluation test of specified equipment at its facility.

PCB 14-10

Illinois Power Holdings, LLC, AmerenEnergy Medina Valley Cogen, LLC, and Ameren Energy Resources, LLC (Air – Variance) – The Board granted the motion of Illinois Power Holdings and AmerenEnergy Medina Valley Cogen, LLC to terminate the variance 35 Ill. Adm. Code 225.233(e)(3)(C)(iii) and (iv) granted by the Board on November 21, 2013, making the termination effective October 27, 2016.

PCB 15-155

People of the State of Illinois v. Illinois American Water Company (Water – Enforcement) – In this land enforcement action concerning two facilities located in Cook and DuPage Counties, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c)(1) (2014)), accepted a stipulation and settlement agreement, and ordered respondent to pay a \$20,000 civil penalty, and cease and desist from further violations.



- PCB 17-6** People of the State of Illinois v. Langman Construction, Inc., an Iowa Corporation and Richard Langman
(Land – Enforcement) – In this land enforcement action concerning a Rock Island County facility, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c)(1) (2014)), accepted a stipulation and settlement agreement, and ordered respondent to pay a \$13,100 civil penalty, and cease and desist from further violations.
- PCB 17-11** L. E. Anderson Brothers Oil, Inc. v. IEPA
(UST Appeal) – The Board accepted for hearing this underground storage tank appeal involving a site in White County.
- PCB 17-13** Emerald Polymer Additives, LLC v. IEPA
(Water – Permit Appeal, NPDES) – The Board granted the parties’ joint request for a 35-day extension of time to file a National Pollutant Discharge Elimination System permit appeal on behalf of this Marshall County facility.
- PCB 17-14** William and Rita Trankina v. IEPA
(UST Appeal) – The Board accepted for hearing this underground storage tank appeal involving a site in Vermillion County.
- PCB 17-15** Illinois Power Generating Company (Coffeen Power Station) v. IEPA
(Water – Permit Appeal, NPDES) – The Board accepted for hearing this permit appeal on behalf of this Montgomery County facility. The Board reserved ruling on petitioner’s motion for stay of the contested permit conditions, to allow the time for IEPA to file a response to run.

November 17, 2016

Via videoconference: IPCB Offices in Chicago, Illinois and Springfield, Illinois

Rulemakings

- R 17-8** Wastewater Pretreatment Update, USEPA Amendments (January 1, 2016 through June 30, 2016) (Water) – The Board adopted a proposal for public comment in this “identical-in-substance” rulemaking to amend the Board’s wastewater pretreatment regulations.

ADMINISTRATIVE CITATIONS

- AC 16-7** IEPA v. James Reichert Limited Family Partnership – The Board entered a final opinion and order requiring respondent to pay hearing costs of the Illinois Environmental Protection Agency and the Board in the amount of \$652.19 and a civil penalty of \$4,500, for a total of \$5,152.19. This order follows the Board’s interim order of September 22, 2016, which found that this respondent had violated Sections 21(p)(1), 21(p)(3), and 21(p)(7) of the Environmental Protection Act (Act) (415 ILCS 5/21(p)(1), (p)(3), (p)(7) (2014)).



AC 17-1 County of Macon v. Don Roderick – The Board dismissed this matter for failure to file an amended administrative citation, as allowed in the Board’s October 6, 2016 order, and closed the docket.

AC 17-5 IEPA v. Kenny Maupin – The Board found that this Alexander 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) (2014)), and ordered respondent to pay a civil penalty of \$3,000.

ADJUDICATORY CASES

PCB 16-66 Brickyard Disposal & Recycling, Inc. v. IEPA
(Land – Permit Appeal) – The Board granted petitioner’s motion for summary judgment, and denied the Illinois Environmental Protection Agency’s cross-motion for summary judgment.

PCB 16-103 Knapp Oil Company v. IEPA
(UST Appeal) – The Board granted petitioner’s motion to authorize payment of its legal fees and directed the Illinois Environmental Protection Agency to reimburse petitioner \$9,990.38 from the Underground Storage Tank Fund.

PCB 16-112 Calpine Corporation (Zion Energy Center) v. IEPA
(Air – Variance, CAAPP) – The Board granted petitioner a variance from the Sulfur Content Rule (35 Ill. Adm. Code 214.161(b)(2)) as that provision applies to the distillate oil used by the combustion turbines at petitioner’s Zion Energy Center, subject to conditions.

PCB 17-8 Christensen Swine-Sheffield v. IEPA
(Water - Tax Certification) – The Board found and certified that specified facilities of Christensen Swine-Sheffield located in Bureau County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2014)). The Board made no determination regarding petitioner’s facilities previously certified in PCB 15-9.

PCB 17-11 L. E. Anderson Brothers Oil, Inc. v. IEPA
(UST Appeal) – The Board accepted for hearing this underground storage tank appeal involving a site in White County.

PCB 17-12 NTN Bower Corp v. IEPA
(Water - Tax Certification) – The Board found and certified that specified facilities of NTN Bower Corp. 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 (2014)).

PCB 17-15 Illinois Power Generating Company (Coffeen Power Station) v. IEPA
(Water – Permit Appeal, NPDES) – The Board granted petitioners’ motion for a stay of its permit at issue in this appeal.



PCB 17-16

People of the State of Illinois v. Richard Sutton and David Sutton, d/b/a Sutton Farms

(Water – Enforcement) – Upon receipt of a complaint accompanied by a proposed stipulation and settlement agreement, and an agreed motion for relief from the hearing requirement in this land enforcement action involving a Rock Island County facility, the Board accepted the complaint and ordered publication of the required newspaper notice.

December 1, 2016

Via videoconference: IPCB Offices in Chicago, Illinois and Springfield, Illinois

Rulemakings

R 17-9

In The Matter of: Permit by Rule for Boilers: Amendments to 35 Ill. Adm. Code Parts 201 and 211 (Air) – Chairman Keenan stated that this matter would be held to accommodate IEPA’s request to extend the post-hearing comment period to December 9, 2016. The Board took no action on this matter.

ADJUSTED STANDARDS

AS 13-2

In the Matter of Petition of Emerald Performance Materials LLC for an Adjusted Standard from 35 Ill. Adm. Code 304.122(b) (Water) – On remand from the Third District Appellate Court, the Board struck the conditions to petitioner’s adjusted standard on which it was reversed and replaced its April 16, 2015 order with today’s order.

ADMINISTRATIVE CITATIONS

AC 17-6

County of Jackson v. Loren Reiman – The Board found that this Jackson County respondent violated Section 21(p)(l) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (2014)), and ordered respondent to pay a civil penalty of \$1,500.

ADJUDICATORY CASES

PCB 17-17

Sorrells Farm Supply, Inc. v IEPA

(UST Appeal, 90-Day Extension) – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Montgomery County facility.

PCB 17-16

People of the State of Illinois v. Richard Sutton and David Sutton, d/b/a Sutton Farms

(Water – Enforcement) – Upon receipt of a complaint accompanied by a proposed stipulation and settlement agreement, and an agreed motion for relief from the hearing requirement in this land enforcement action involving a Rock Island County facility, the Board accepted the complaint and ordered publication of the required newspaper notice.



December 15, 2016

Via videoconference: IPCB Offices in Chicago, Illinois and Springfield, Illinois

ADMINISTRATIVE CITATIONS

AC 12-16 IEPA v. Julie Webber – The Board entered an interim opinion and order finding respondent violated Sections 21(p)(1) and 21(p)(7) of the Act (415 ILCS 5/21(p)(1), (p)(7) (2014)) and assessing a penalty of \$3,000. The Board also granted in part and denied in part IEPA’s motion to strike respondent’s post-hearing brief. The Board ordered the Clerk of the Board and the Illinois Environmental Protection Agency to file by January 16, 2017, a statement of hearing costs, supported by affidavit, with service on respondent. Respondent may respond to the cost statements by February 15, 2017.

AC 15-19 IEPA v. Susan Voris and Mark Pratt – In response to a joint stipulation and proposed settlement agreement in this administrative citation action involving a Randolph County facility, the Board found that respondents had violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (2014)) and ordered respondents 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 respondents pay a total civil penalty of \$1,500, the Board dismissed the alleged violation of Section 21(p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(7) (2014)).

AC 16-2 IEPA v. Dan Pitney – In response to a joint stipulation and proposed settlement agreement in this administrative citation action involving a Randolph County facility, the Board found that respondent had violated Section 55(k) of the Environmental Protection Act (415 ILCS 5/55(k) (2014)) 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 dismissed the alleged violation of Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (2014)).

AC 16-5 IEPA v. Ronald W. & Susan A. Falmier – In response to a joint stipulation and proposed settlement agreement in this administrative citation action involving a Williamson County facility, the Board found that respondents had violated Section 55(k) of the Environmental Protection Act (415 ILCS 5/55(k) (2014)) and ordered respondents 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 respondents pay a total civil penalty of \$1,500, the Board dismissed the alleged violations of Sections 21(p)(1), 21(p)(3), and 21(p)(5), of the Environmental Protection Act (415 ILCS 5/ Sections 21(p)(1), 21(p)(3), 21(p)(5), (2014)).



ADJUDICATORY CASES

- PCB 05-22** L. Keller Oil Properties (Downtown Shell) v. IEPA
(UST Appeal) – The Board denied IEPA’s motion for waiver of the requirement under the Board’s procedural rules to certify the record of its decision in this underground storage tank appeal on behalf of an Effingham County facility. The Board ordered IEPA to file a certification of the record within 14 days.
- PCB 11-79** People of the State of Illinois v. Inverse Investment L.L.C.,
(Water – Enforcement) – Upon receipt of a proposed stipulation and settlement agreement, and an agreed motion for relief from the hearing requirement in this water enforcement action involving a McHenry County facility, the Board ordered publication of the required newspaper notice.
- PCB 13-43** People of the State of Illinois v. Blick’s Construction Co., Inc. and Ron Bricker
(Water – Enforcement) – Upon receipt of a proposed stipulation and settlement agreement, and an agreed motion for relief from the hearing requirement in this air enforcement action involving an Adams County facility, the Board ordered publication of the required newspaper notice.
- PCB 14-3** Johns Manville v. Illinois Department of Transportation
(Land – Enforcement, Citizens) – The Board found that that the Illinois Department of Transportation (IDOT) violated Sections 21(a), (d), and (e) of the Environmental Protection Act (415 ILCS 21(a), (d), (e) (2014) by dispersing and burying asbestos waste in fill material during road construction, and by controlling a parcel running through the Lake County site where asbestos waste is also located. The Board directed the hearing officer to conduct a hearing on appropriate relief, to determine complainant’s reasonably incurred cleanup costs attributable to IDOT’s actions. The Board also denied complainant’s request for sanctions against IDOT.
- PCB 16-76** Environmental Recycling and Disposal Services, Inc. v. Will County, Illinois, Will County Board, Waste Management of Illinois, Inc.
(Landfill Siting Review) – The Board granted the motion of Waste Management of Illinois, Inc. to modify the Board’s October 6, 2016 opinion. The Board accordingly modified pages 4, 5 and 43 of its opinion *nunc pro tunc*, as reflected in the corrected opinion and order dated October 6, 2016 accompanying today’s order.
- PCB 17-18** John C. Frieders v. IEPA
(Water-Tax Certification) – The Board found and certified that specified facilities of John C. Frieders 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 (2014)).



PCB 17-20

Davis & Sons Oil Co., v. IEPA

(UST Appeal) – The Board accepted for hearing this underground storage tank appeal involving a site in Wayne County.

PCB 17-21

Tri-County Electric Cooperative, Inc., v. IEPA

(UST Appeal) – The Board accepted for hearing this underground storage tank appeal involving a site in Jefferson County.



Thursday, January 19, 2017 11:00AM

Board Meeting
IPCB Office
1021 N Grand Ave E - Room 1244 N (First Floor)
Springfield, Illinois
- and -
IPCB Office
James R. Thompson Center
100 W Randolph - Room 11-512
Chicago, Illinois

Thursday, February 1, 2017 12:00AM

Brown Bag Seminar
IPCB Office
1021 N Grand Ave E - Room 1244 N (First Floor)
Springfield, Illinois
- and -
IPCB Office
James R. Thompson Center
100 W Randolph - Room 11-512
Chicago, Illinois

Thursday, February 2, 2017 11:00AM

Board Meeting
IPCB Office
1021 N Grand Ave E - Room 1244 N (First Floor)
Springfield, Illinois
- and -
IPCB Office
James R. Thompson Center
100 W Randolph - Room 11-512
Chicago, Illinois



Thursday, February 16, 2017 11:00AM

Board Meeting
IPCB Office
1021 N Grand Ave E - Room 1244 N (First Floor)
Springfield, Illinois

- and -

IPCB Office
James R. Thompson Center
100 W Randolph - Room 11-512
Chicago, Illinois

Thursday, March 2, 2017 11:00AM

Board Meeting
IPCB Office
1021 N Grand Ave E - Room 1244 N (First Floor)
Springfield, Illinois

- and -

IPCB Office
James R. Thompson Center
100 W Randolph - Room 11-512
Chicago, Illinois

Thursday, March 16, 2017 11:00AM

Board Meeting
IPCB Office
1021 N Grand Ave E - Room 1244 N (First Floor)
Springfield, Illinois

- and -

IPCB Office
James R. Thompson Center
100 W Randolph - Room 11-512
Chicago, Illinois

Thursday, April 6, 2017 11:00AM

Board Meeting
IPCB Office
1021 N Grand Ave E - Room 1244 N (First Floor)
Springfield, Illinois

- and -

IPCB Office
James R. Thompson Center
100 W Randolph - Room 11-512
Chicago, Illinois



Thursday, April 20, 2017 11:00AM

Board Meeting
IPCB Office
1021 N Grand Ave E - Room 1244 N (First Floor)
Springfield, Illinois
- and -
IPCB Office
James R. Thompson Center
100 W Randolph - Room 11-512
Chicago, Illinois

Thursday, May 4, 2017 11:00AM

Board Meeting
IPCB Office
1021 N Grand Ave E - Room 1244 N (First Floor)
Springfield, Illinois
- and -
IPCB Office
James R. Thompson Center
100 W Randolph - Room 09-040
Chicago, Illinois

Thursday, May 18, 2017 11:00AM

Board Meeting
IPCB Office
1021 N Grand Ave E - Room 1244 N (First Floor)
Springfield, Illinois
- and -
IPCB Office
James R. Thompson Center
100 W Randolph - Room 09-040
Chicago, Illinois

Thursday, June 1, 2017 11:00AM

Board Meeting
IPCB Office
1021 N Grand Ave E - Room 1244 N (First Floor)
Springfield, Illinois
- and -
IPCB Office
James R. Thompson Center
100 W Randolph - Room 09-040
Chicago, Illinois



Thursday, June 15, 2017 11:00AM

Board Meeting

IPCB Office

1021 N Grand Ave E - Room 1244 N (First Floor)

Springfield, Illinois

- and -

IPCB Office

James R. Thompson Center

100 W Randolph - Room 09-040

Chicago, Illinois

* [Link to calendar](#)





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

January 2017

SYSTEM NAME	SYSTEM ID	EPA REGION	NATURE OF PROBLEM	POPULATION SERVED	LISTING DATE
ANDALUSIA (upper elevation area)	IL1610050	1	LOW SYSTEM PRESSURE	1050	10/1/2003
ANDOVER	IL0730100	1	NO BACKUP SOURCE	600	3/24/2016
AQUA ILLINOIS - CRYSTAL CLEAR WATER CO.	IL1115150	2	NO EMERGENCY POWER & NO PRESSURE TANK	855	9/16/1988
AQUA ILLINOIS - HAWTHORN WOODS	IL0975040	2	INADEQUATE GROUND STORAGE & INADEQUATE PRESSURE TANK	1135	3/24/2016
AQUA ILLINOIS - NUNDA	IL1115600	2	INADEQUATE PRESSURE TANK	570	4/1/2015
AVANTARA LONG GROVE	IL0971110	2	INADEQUATE PRESSURE TANK	200	12/1/2003
BAHL WATER CORP	IL0855200	1	NO ELEVATED OR GROUND STORAGE	700	12/15/1993
BEVERLY HILLSDALE ESTATES, LLC	IL1615530	1	INADEQUATE PRESSURE TANK	63	3/18/1983
BILL-MAR HEIGHTS MHP	IL2015345	1	INADEQUATE PRESSURE TANK	160	3/18/1983
BLUE MOUND*	IL1150100	4	NITRATE MCL VIOLATION	1300	8/3/2016
BUFFALO HOLLOW FARMS WATER ASSOCIATION	IL1430080	5	INADEQUATE PRESSURE TANK	45	6/16/2008
CAPRON MHP	IL0075105	1	INADEQUATE PRESSURE TANK	98	3/18/1983
CENTURY PINES APARTMENTS	IL0150020	1	INADEQUATE PRESSURE TANK	50	12/14/1990
CHAIN-O-LAKES MHP	IL0975165	2	INADEQUATE PRESSURE TANK	80	12/15/1989
CLARKS MHP	IL2015425	1	INADEQUATE PRESSURE TANK	80	12/16/1991
COUNTRY ACRES MHP (LaSalle County)	IL0995365	1	RADIUM MCL VIOLATION	295	5/4/2016
COYNE CNTR COOP	IL1615150	1	INADEQUATE PRESSURE TANK	150	12/15/1997
CRISWELL COURT MHP	IL1975105	3	INADEQUATE PRESSURE TANK	146	12/15/1989
DATTIS MHP	IL0995225	1	INADEQUATE PRESSURE TANK	115	3/18/1983
DAYSRING BIBLE COLLEGE	IL0977189	2	INADEQUATE PRESSURE TANK	60	6/15/1988
DES PLAINES MHP	IL0317775	2	INADEQUATE SOURCE CAPACITY & INADEQUATE PRESSURE TANK	580	3/16/1984
EAST END WATER ASSOCIATION	IL1610140	1	INADEQUATE PRESSURE TANK	40	3/15/2002
EAST MORELAND WATER CORPORATION	IL1975640	2	NO ELEVATED OR GROUND STORAGE	1055	9/9/2016
EDELSTEIN WATER COOPERATIVE	IL1435150	5	INADEQUATE GROUND STORAGE & NO EMERGENCY POWER	125	1/1/2015
EHLERS MHP	IL0195645	4	INADEQUATE PRESSURE TANK	112	12/17/1982
ELIZABETH (upper elevation area)	IL0850150	1	LOW SYSTEM PRESSURE	675	6/15/1999
ERIE	IL1950200	1	NITRATE MCL VIOLATION	1600	2/8/2016



EXETER - MERRITT WATER COOP	IL1710010	5	INADEQUATE STORAGE CAPACITY	765	10/1/2013
FAMILY MANUFACTURED HOME COMMUNITY, LLC	IL2015125	1	INADEQUATE PRESSURE TANK	240	12/17/1982
FOUNTAIN VALLEY MHP*	IL0195945	4	ARSENIC MCL VIOLATION	375	8/2/2016
FOUR STAR CAMPGROUND	IL0990060	1	INADEQUATE PRESSURE TANK	250	6/15/1999
FOX LAWN HOMEOWNERS WATER ASSOCIATION	IL0935150	2	RADIUM MCL VIOLATION	238	8/2/2016
GOODFIELD	IL2034450	1	HALOACETIC ACIDS MCL VIOLATION	700	8/11/2016
GRANDVIEW MHP	IL1795365	5	INADEQUATE PRESSURE TANK	300	3/18/1983
GREAT OAKS AND BEACON HILLS APARTMENTS	IL2015488	1	NO ELEVATED OR GROUND STORAGE	1816	12/17/1982
GREEN MEADOWS ESTATES OF ROCKFORD LLC	IL2015495	1	INADEQUATE GROUND STORAGE & INADEQUATE PRESSURE TANK	970	6/15/2012
GREENFIELD	IL0610150	6	HALOACETIC ACIDS MCL VIOLATION	1620	1/5/2016
HAMPSHIRE (does not include the Special Services Area (TP04))*	IL0890450	2	RADIUM MCL VIOLATION	5563	11/30/2016
HAMPTON	IL1610300	1	HALOACETIC ACIDS MCL VIOLATION	1800	8/25/2016
HIATTS HIDEAWAY MHP	IL1795495	5	INADEQUATE PRESSURE TANK	150	9/15/1989
HIGHLAND SUBDIVISON	IL0895530	2	INADEQUATE PRESSURE TANK	50	9/16/1983
HILLVIEW SUBDIVISION	IL1975800	2	INADEQUATE PRESSURE TANK	100	3/15/1985
HOLLY HOCK HILL MHP	IL0975245	2	INADEQUATE PRESSURE TANK	52	12/16/1983
HONEYCUTT HILL MHP LLC	IL1955225	1	INADEQUATE PRESSURE TANK	75	9/17/1982
IL AMERICAN - RANSOM	IL0990900	1	RADIUM MCL VIOLATION	483	6/15/2012
INGALLS PARK SUBDIVISION	IL1975880	2	NO ELEVATED OR GROUND STORAGE	744	9/16/1983
LAHARPE	IL0670450	5	HALOACETIC ACIDS MCL VIOLATION	1235	8/4/2016
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	847	9/17/1992
LIMA**	IL0010400	5	INADEQUATE SOURCE CAPACITY & NITRATE MCL VIOLATION	163	5/4/2016
LINDENWOOD WATER ASSOCIATION	IL1415300	1	INADEQUATE PRESSURE TANK	50	1/13/1982
LISBON NORTH, INC.	IL0631000	2	INADEQUATE PRESSURE TANK	30	9/14/1990
LYNNWOOD WATER CORPORATION	IL0995336	1	INADEQUATE PRESSURE TANK	110	3/18/1983
MAEYSTOWN	IL1330200	6	NITRATE MCL VIOLATION	230	6/15/2012
MALTA	IL0370350	1	NO AUTO-START GENERATOR & INADEQUATE HIGH SERVICE PUMP CAPACITY	1175	6/15/2012
MANCUSO VILLAGE PARK MHP	IL2015545	1	INADEQUATE PRESSURE TANK	500	6/18/1982
MANTENO MHP	IL0915385	2	INADEQUATE PRESSURE TANK	144	12/14/1990



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

January 2017

SYSTEM NAME	SYSTEM ID	EPA REGION	NATURE OF PROBLEM	POPULATION SERVED	LISTING DATE
MITCHELLSVILLE PWD	IL1655200	7	LOW SYSTEM PRESSURE	1989	10/1/2012
MORNINGSIDE MOBILE ESTATES MHP*	IL1075145	5	NITRATE MCL VIOLATION	75	8/11/2016
MULBERRY GROVE	IL0050100	6	HALOACETIC ACIDS MCL VIOLATION	725	1/5/2016
NEW SALEM PWD	IL1090010	5	TOTAL TRIHOLMETHANES MCL VIOLATION	225	4/1/2015
NORTH HENDERSON	IL1310300	1	INADEQUATE PRESSURE TANK	184	7/1/2011
NORTH TAZEWELL PWD	IL1795780	5	HALOACETIC ACIDS MCL VIOLATION; TOTAL TRHALOMETHANES MCL VIOLATION	8300	2/8/2016
NORTHWEST BELMONT IMPROVEMENT ASSN	IL0435900	2	INADEQUATE PRESSURE TANK	78	9/29/1981
OAK RIDGE SD	IL2035300	1	INADEQUATE PRESSURE TANK	240	3/20/1981
OSCO MUTUAL WATER SUPPLY COMPANY, INC.	IL0735200	1	INADEQUATE PUMP CAPACITY	115	12/15/1989
PARADISE MANOR MHP	IL1617665	1	INADEQUATE PRESSURE TANK	200	2/19/1982
PARK MEADOWLAND WEST MHP	IL0075235	1	INADEQUATE PRESSURE TANK	100	3/18/1982
PAULS MHP	IL0975485	2	INADEQUATE PRESSURE TANK	38	12/16/1983
PORTS SULLIVAN LAKE OWNERS ASSOCIATION	IL0971160	2	INADEQUATE PRESSURE TANK	293	6/15/1999
PRAIRIE RIDGE ASSOCIATION	IL1115730	2	INADEQUATE PRESSURE TANK	148	10/1/2004
PRAIRIE ROAD PUMP ASSOCIATION	IL2015100	1	INADEQUATE STORAGE	150	1/1/2006
RAINBOW LANE MHP	IL2015645	1	INADEQUATE PRESSURE TANK	85	6/17/1983
RIVERVIEW MHP (HENRY COUNTY)	IL0735425	1	INADEQUATE PRESSURE TANK	65	9/17/1982
ROCHELLE	IL1410500	1	RADIUM MCL VIOLATION	9850	5/4/2016
ROCKLAND MHP	IL0975585	2	INADEQUATE PRESSURE TANK	74	12/16/1983
ROLLING GREEN ESTATES MHP	IL1415245	1	INADEQUATE PRESSURE TANK	191	6/14/1985
ROYAL OAKS MHP	IL1115145	2	INADEQUATE PRESSURE TANK	114	6/17/1983
SCALES MOUND	IL0850400	1	LOW SYSTEM PRESSURE (at elev. above 990 ft. MSL)	401	9/15/1997
SHANGRI-LA MHP	IL1415285	1	INADEQUATE PRESSURE TANK	444	9/16/1983
SHAWNITA TRC WATER ASSOCIATION	IL1977690	2	INADEQUATE PRESSURE TANK	135	9/17/1992
SILVIS HEIGHTS WATER CORP	IL1615750	1	NO EMERGENCY GENERATOR	1600	12/1/2003



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

January 2017

SYSTEM NAME	SYSTEM ID	EPA REGION	NATURE OF PROBLEM	POPULATION SERVED	LISTING DATE
SIX OAKS MHP	IL2015685	1	INADEQUATE PRESSURE TANK	48	6/18/1982
SOUTH SANGAMON WATER COMMISSION	IL1670080	5	NO ELEVATED OR PRESSURE STORAGE	104	4/1/2015
SPARTA*	IL1570600	6	HALOACETIC ACIDS MCL VIOLATION	5153	12/27/2016
STEPHENSON MOBILE ESTATES	IL1775235	1	INADEQUATE PRESSURE TANK	223	6/17/1983
SUBURBAN APARTMENTS (DE KALB UNIV DVL)	IL0375148	1	INADEQUATE PRESSURE TANK	1050	12/16/1992
SUBURBAN HEIGHTS SUBDIVISION	IL1615800	1	INADEQUATE PRESSURE TANK	82	12/16/1983
SUMNER	IL1010300	7	LOW SYSTEM PRESSURE (areas served by undersized water mains)	1481	12/13/1985
SUNNY HILLS ESTATES SUBDIVISION	IL0735300	1	INADEQUATE PRESSURE TANK	525	6/15/2000
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
TIMBER RIDGE MOBILE ESTATES	IL1775255	1	INADEQUATE PRESSURE TANK	150	6/17/1996
TOWNERS SUBDIVISION	IL0977250	2	INADEQUATE PRESSURE TANK	204	1/14/1982
TRIANGLE MHP	IL0195925	1	ARSENIC MCL VIOLATION	90	6/15/2012
UTL INC - LAKE HOLIDAY	IL0995200	1	INADEQUATE TREATMENT CAPACITY	6479	4/1/2015
UTL INC - LAKE WILDWOOD UTILITIES CORP	IL1235200	1	INADEQUATE GROUND STORAGE & INADEQUATE PRESSURE TANK	950	10/22/2015
UTL INC - WALK-UP WOODS WATER COMPANY	IL1115800	2	NO ELEVATED OR GROUND STORAGE	781	12/17/1982
VALLEY VIEW SUBDIVISION (WOODFORD COUNTY)	IL2030010	1	INADEQUATE PRESSURE TANK	100	6/15/2012
VIETZEN MHP	IL0437245	2	INADEQUATE PRESSURE TANK	198	6/17/1983
WALNUT HILL	IL1210600	6	LOW SYSTEM PRESSURE INADEQUATE PRESSURE	1470	6/14/1985
WILDLIFE MHP	IL0995425	1	TANK	73	9/17/1982
WILLOWAY TERRACE MHP	IL0317595	2	INADEQUATE PRESSURE TANK & INADEQUATE SOURCE CAPACITY	450	6/15/1984

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

January 2017

SYSTEM NAME	SYSTEM ID	EPA REGION	NATURE OF PROBLEM	POPULATION SERVED	LISTING DATE
ANNA	IL1810050	7	INADEQUATE TREATMENT CAPACITY	5043	7/1/2011
ANNA - JONESBORO WATER COMMISSION	IL1815050	7	INADEQUATE TREATMENT CAPACITY	36	7/1/2011
BEASON CHESTNUT PWD	IL1075150	5	INADEQUATE SOURCE CAPACITY & INADEQUATE PRESSURE TANK	435	6/15/2004
CANTON	IL0570250	5	INADEQUATE TREATMENT CAPACITY	13932	3/15/2007
CARBON HILL*	IL0630100	2	INADEQUATE TREATMENT CAPACITY	392	12/14/2016
COAL CITY*	IL0630200	2	INADEQUATE TREATMENT CAPACITY	5587	12/14/2016
JONESBORO PWS	IL1810250	7	INADEQUATE TREATMENT CAPACITY	1912	7/1/2011
LA SALLE	IL0990300	1	INADEQUATE SOURCE CAPACITY & INADEQUATE TREATMENT CAPACITY	9700	11/1/2004
LICK CREEK PWD	IL1815100	7	INADEQUATE TREATMENT CAPACITY	1929	7/1/2011
MACOMB	IL1090350	5	INADEQUATE CLARIFIER TANK	11309	12/14/2016
MASON CITY	IL1250350	5	INADEQUATE STORAGE TANK	2558	1/1/2006
MOUND PWD	IL1635050	6	INADEQUATE PLANT CAPACITY	2200	6/17/1996
QUINCY*	IL0010650	6	INADEQUATE CLARIFIER CAPACITY	45000	8/3/2016
SHAWNEE VALLEY PWD	IL1815550	7	INADEQUATE TREATMENT CAPACITY	952	7/1/2011
WHITE HALL	IL0610400	6	INADEQUATE STORAGE CAPACITY	2950	10/1/2012
WITT	IL1350850	5	INADEQUATE TREATMENT CAPACITY	991	3/17/2008

**Illinois Environmental Protection Agency
Division of Public Water Supplies
Restricted Status and Critical Review Lists – Community Water Supplies**

January 2016

WATER SYSTEMS REMOVED FROM PREVIOUS LIST

AIR VIEW MHP

EXPRESSWAY MHP

HOMER

OAK GROVE MHP - ROCK ISLAND COUNTY

***WATER SYSTEMS ADDED**

CARBON HILL

COAL CITY

HAMPSHIRE

MACOMB

SPARTA



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, 2015. 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

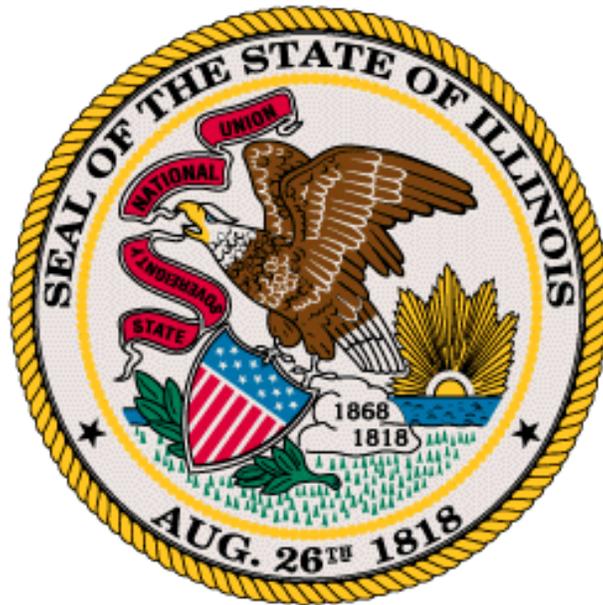
The Critical Review List was developed to give additional notification to officials of public water supplies which may be close to being in violation of 35 Ill. Adm. Code, Subtitle F: Public Water Supplies, Chapter I or the Illinois Environmental Protection Act.



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.





A Publication of the Illinois Pollution Control Board
JANUARY 2017