

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

AQUA ILLINOIS, INC.,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 2023-012
	)	(Permit Appeal - Public Water Supply)
ILLINOIS ENVIRONMENTAL PROTECTION	)	
AGENCY,	)	
	)	
Respondent.	)	

**NOTICE OF ELECTRONIC FILING**

To: *See Attached Service List*

PLEASE TAKE NOTICE that on the 26th day of August, 2022, I caused to be filed with the Office of the Clerk of the Illinois Pollution Control Board by electronic filing the attached Certificate of Record on Appeal and Record on Appeal, a true and correct copy of which is attached hereto and hereby served upon you.

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

/s/ Ann Marie A. Hanohano  
Ann Marie A. Hanohano  
Assistant Attorney General  
Environmental Bureau  
Office of the Illinois Attorney General  
69 W. Washington Street, 18<sup>th</sup> Floor  
Chicago, IL 60602  
312.881.0556  
[annmarie.hanohano@ilag.gov](mailto:annmarie.hanohano@ilag.gov)

**SERVICE LIST**

Don Brown, Clerk of the Board  
Illinois Pollution Control Board  
60 E. Van Buren St., Suite 630  
Chicago, IL 60605  
Don.Brown@illinois.gov  
(by *electronic filing*)

Brad Halloran  
Hearing Officer  
Illinois Pollution Control Board  
60 E. Van Buren Street, Suite 630  
Chicago, IL 60605  
[Brad.Halloran@illinois.gov](mailto:Brad.Halloran@illinois.gov)  
(via email)

Daniel J. Deeb  
Alex Garel-Frantzen  
Sarah L. Lode  
ARENTFOX SCHIFF LLP  
233 South Wacker Drive, Suite 7100  
Chicago, IL 60606  
Dan.Deeb@afslaw.com  
Alex.Garel-Frantzen@afslaw.com  
Sarah.Lode@afslaw.com  
*Counsel for Aqua Illinois, Inc.*  
(via *e-mail*)

**CERTIFICATE OF SERVICE**

I, Ann Marie A. Hanohano, an Assistant Attorney General, hereby certify that on the 26th day of August, 2022, I caused to be served the foregoing Notice of Electronic Filing and Certificate of Record on Appeal and Record on Appeal upon the parties named on the attached Service List, via e-mail or electronic filing as indicated.

/s/ Ann Marie A. Hanohano  
Ann Marie A. Hanohano  
Assistant Attorney General  
Environmental Bureau  
Office of the Illinois Attorney General  
69 W. Washington Street, 18<sup>th</sup> Floor  
Chicago, IL 60602  
312.881.0556  
[annmarie.hanohano@ilag.gov](mailto:annmarie.hanohano@ilag.gov)

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

AQUA ILLINOIS, INC., )  
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 Petitioner, )  
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 v. ) PCB 2023-012  
 ) (Permit Appeal-Public Water Supply)  
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 ILLINOIS ENVIRONMENTAL PROTECTION )  
 AGENCY, )  
 )  
 Respondent. )

**CERTIFICATE OF RECORD ON APPEAL**

Pursuant to 35 Ill. Adm. Code 105.116 and 105.212, the following constitutes an index of documents comprising the Record on Appeal<sup>1</sup>:

**Category I:** Any permit application or other request that resulted in the Agency's final decision:

<b>PAGES</b>	<b>DOCUMENT</b>	<b>DATE</b>
R 000001-000007	Aqua request for Supplemental Permit	Mar. 24, 2022
R 000008-000013	Aqua request for Special Exception Permit	Mar. 28, 2022

**Category II:** Correspondence with the petitioner and any documents or materials submitted by the petitioner to the Agency related to the permit application:

**None.**

**Category III:** The permit denial letter that conforms to the requirements of Section 39(a) of the Act or the issued permit or other Agency final decision:

<b>PAGES</b>	<b>DOCUMENT</b>	<b>DATE</b>
R 000014-000016	IEPA Special Exception Permit to modify IEPA Permit No. 0071-FY2021	June 29, 2022

**Category IV:** The hearing file of any hearing that may have been held before the Agency, including any transcripts and exhibits:

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<sup>1</sup> On August 8, 2022, Respondent filed a Motion to Dismiss Petitioner's Permit Appeal as to Additional Condition No. 3; and subsequently, on August 12, 2022, Petitioner filed a Motion to Voluntarily Withdraw Petition for Review as to Additional Condition No. 3. Accordingly, Respondent did not include documents concerning Additional Condition No. 3 in its Record on Appeal.

None.

**Category V:** Any other information the Agency relied upon in making its final decision:

**A. Miscellaneous**

<b>PAGES</b>	<b>DOCUMENT</b>	<b>DATE</b>
R 000017-000156	USEPA Guidance Document - Optimal Corrosion Control Treatment Evaluation Technical Recommendations for Primacy Agencies and Public Water Systems	March 2016
R 000157-000321	Aqua Corrosion Control Study Report (Parts 1 and 2)	Nov. 2019
R 000322-000341	Aqua (Dr. Crockett) Presentation	Mar. 24, 2020
R 000342-000350	Aqua (Dr. Crockett) Presentation**	July 1, 2021
R 000351-000362	Aqua (Dr. Crockett) Presentation**	July 14, 2021
R 000363-000372	Dr. Edwards Presentation*	July 14, 2021
R 000373-000382	Aqua Chemical Change Description**	July 15, 2021
R 000383-000434	IEPA Construction Permit No. 0071-FY2021**	July 30, 2021
R 00435-000442	IEPA Operating Permit No. 0071-FY2021	Aug. 3, 2021
R 000443-000451	Aqua (Dr. Crockett) Presentation*	Oct. 29, 2021
R 000452-000470	Dr. Edwards Presentation*	Oct. 29, 2021
R 000471-000487	Aqua Final Optimal Corrosion Control Treatment Report**	Jan. 27, 2022
R 000488-000493	Aqua OCCT Evaluation of Treatment Alternatives Form	Feb. 14, 2022
R 000494	Aqua OCCT Recommendation Form	Feb. 14, 2022
R 000495-000500	Draft IEPA Special Exception Permit to modify IEPA Permit No. 0071-FY2021	June 2022
R 000501-000521	Summary Spreadsheet of University Park water quality data	Aug. 2021 - June 2022

R 000522-000580	Summary Spreadsheet of University Park lead compliance sampling results**	July 1, 2019 – July 31, 2022
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**B. Court Order**

<b>PAGES</b>	<b>DOCUMENT</b>	<b>DATE</b>
R 000581-000600	Agreed Interim Order	Nov. 1, 2019

**C. Regulations**

<b>PAGES</b>	<b>DOCUMENT</b>	<b>DATE</b>
--	35 Ill. Adm. Code Part 611, Subpart G***	--

\* Petitioner has previously requested that such presentations be kept confidential. Upon receipt of Petitioner's written authorization, Respondent will file such presentations for inclusion on the public docket for this Permit Appeal.

\*\*Addresses have been redacted.

\*\*\*Respondent has not included a copy of these regulations, as they may be found on the Illinois Pollution Control Board's website.

**VI. Privileged Material.** Any inadvertent disclosure of any information or documents that are protected by the attorney-client privilege, the work product doctrine, or any other privilege, doctrine or legal theory protecting information from discovery is not to be deemed a waiver of any such privilege or protection.

**VII. No Waiver.** The filing of this Certificate of Record on Appeal and the Record on Appeal does not constitute a waiver of Respondent's pending Motion to Dismiss the Permit Appeal as to Additional Condition No. 6.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]

I, David Cook, of the Illinois Environmental Protection Agency hereby certify that R 000001-000007, R 000008-000013, R 000014-000016, R 000017-000156, R 000157-000321, R 000322-000341, R 000342-000350, R 000351-000362, R 000363-000372, R 000373-000382, R 000383-000434, R 00435-000442, R 000443-000451, R 000452-000470, R 000471-000487, R 000488-000493, R 000494, R 000495-000500, R 000501-000521, R 000522-000580, and R 000581-000600 of the Record on Appeal filed in the above-referenced matter and summarized in the above Index of the Record on Appeal, is complete to the best of my knowledge, information, and belief.

BY:  \_\_\_\_\_

David Cook  
Manager, Permit Section  
Division of Public Water Supplies  
Illinois Environmental Protection Agency

*Signature Page to Certificate of Record on Appeal in Permit Appeal PCB 2023-012*