

ILLINOIS POLLUTION CONTROL BOARD
April 16, 2026

VILLAGE OF FRANKFORT,)
)
 Petitioner,)
)
 v.) PCB 26-48
) (Time-Limited Water Quality Standard)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by M. Gibson):

On March 13, 2026, the Village of Frankfort filed a petition (Pet.) under Section 38.5(b)(1) of the Environmental Protection Act (Act) and Section 104.520(a)(1) of the Board’s procedural rules. *See* 415 ILCS 5/38.5(b)(1) (2024); 35 Ill. Adm. Code 104.520(a)(1). The Village of Frankfort petitions the Board for a time limited water quality standard (TLWQS) for its regional wastewater treatment plant (Regional Plant) located at 20538 South LaGrange Road, Frankfort, Will County. Specifically, the Village of Frankfort seeks a TLWQS for the chloride standard under 35 Ill. Adm. Code 302.407(g) for the months of April through November at Outfall 001 of its Regional Plant, whose receiving water is Hickory Creek, segment GG-06. In this order, the Board establishes the discharger that is covered by the requested TLWQS and identifies the watershed or waterbody to which the TLWQS would apply.

Section 104.535 requires that the Illinois Environmental Protection Agency (Agency) file a response within 21 days after the filing of the initial petition. *See* 35 Ill. Adm. Code 104.535(a). The Agency timely filed its response on March 26, 2026 (Agency Resp.). The Agency identified the Village of Frankfort Regional Wastewater Treatment Plant, operating under National Pollutant Discharge Elimination System (NPDES) Permit No. IL0072192, Outfall 001, as the discharger affected by the chloride standard from which relief is sought. Agency Resp. at 1. The Agency also identified the receiving water as Hickory Creek, Waterbody Segment IL_GG-06, located within the Lower Des Plaines watershed. *Id.* The Agency further stated that “[t]he appropriate type of TLWQS is a single-discharger TLWQS for chloride.” *Id.*

Additionally, because the Agency did not identify any other dischargers, it did not recommend deadlines for additional dischargers to file petitions under Section 104.530, and no stay applicable under Section 104.525. Agency Resp. at 2.

Neither the Village of Frankfort nor anyone else filed “a question or response to the Agency’s response.” *See* 35 Ill. Adm. Code 104.535(c) (14-day period to do so after Agency response filed).

Under Section 104.540, the Board must enter a final order, within 30 days after receiving the Agency's response, that "identifies the discharger, multiple discharger, watershed, water body, or waterbody segment to which the TLWQS applies, [and] establishes the discharger or classes of dischargers that may covered by the TLWQS . . ." 35 Ill. Adm. Code 104.540. Today's order is that final order. *See id.*; *see also* 415 ILCS 5/38.5(f) (2024). The Board finds that:

- 1) The Village of Frankfort Regional Wastewater Treatment Plant, operating under NPDES Permit No. IL0072192, Outfall 001, is the only discharger covered by the TLWQS; and
- 2) The receiving water to which the requested TLWQS would apply is Hickory Creek, Waterbody Segment IL_GG-06, located within the Lower Des Plaines watershed.

Because the Village of Frankfort's Regional Plant is the only discharger affected by the proposed TLWQS, no stay applies under Section 104.525 and there is no need to set deadlines for filing any petitions, for the purposes of the stay, under Section 104.540.

The Board will begin its evaluation of the Village of Frankfort's petition under Section 104.545 to assess its substantial compliance with Section 104.530. *See* 35 Ill. Adm. Code 104.530, 104.545(a). Upon completion of that review, if the Board determines that the petition is in substantial compliance, it will set a deadline for the Agency to file its recommendation. *See* 35 Ill. Adm. Code 104.545(b), 104.550(a).

IT IS SO ORDERED.

Section 38.5(j) of the Environmental Protection Act provides that any person adversely affected or threatened by a final Board order in a time-limited water quality standard proceeding may appeal the order directly to the Illinois Appellate Court within 35 days after the Board serves the order by publishing it on the Board's website. 415 ILCS 5/38.5(j) (2024); *see also* 35 Ill. Adm. Code 104.585. Illinois Supreme Court Rule 335 establishes filing requirements that apply when the Illinois Appellate Court, by statute, directly reviews administrative orders. Ill. S. Ct. R. 335. The Board's procedural rules provide that motions for the Board to reconsider or modify its final orders may be filed with the Board within 35 days after the order is received. 35 Ill. Adm. Code 101.520; *see also* 35 Ill. Adm. Code 101.902. Filing a motion asking that the Board reconsider this final order is not a prerequisite to appealing the order. 35 Ill. Adm. Code 101.902.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on April 16, 2026, by a vote of 4-0.



Don A. Brown, Clerk
Illinois Pollution Control Board