
Environmental Register

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Deanna Glosser, Chairman

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Letter from the Chairman

In July, the Board took action in rulemakings that generated widespread public interest and comment. The actions 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.

On July 10, 2014, the Board granted the Illinois Environmental Protection Agency's (IEPA) request for a second stay to the proceedings docketed as Emergency Rulemaking Regarding Regulation of Coke/Coal Bulk Terminals: New 35 Ill. Adm. Code 213 (R14-20). On January 16, 2014, IEPA filed the emergency rulemaking that would have imposed additional Statewide requirements on the handling of coke and coal, including petroleum coke or "petcoke," at bulk terminals and other specified facilities. On January 23, 2014, the Board declined to adopt the proposed emergency rule; however, the Board agreed to proceed with the proposal as a general rulemaking. On March 20, 2014, the Board granted IEPA's request to stay these proceedings until June 23, 2014, and directed the IEPA to provide a status report at the time. On June 23, 2014, IEPA filed a status report and a request for an additional stay. IEPA indicated that it has conducted outreach meetings with different stakeholders and interested parties and will continue to do so as rule development continues. IEPA could not designate a certain date when a general rulemaking proposal would be available.



On July 24, 2014, the Board adopted an opinion and order accepting for hearing an IEPA proposal to amend Part 1600 of the Board's Subtitle O Right to Know regulations. The proposal was docketed as In the Matter of: Standards and Requirements for Potable Water Well Surveys and Community Relations Activities Performed in Conjunction with Agency Notices of Threats from Contamination: Proposed Amendments to 35 Ill. Adm. Code 1600, R14-23. IEPA proposes amending the Right to Know rules to conform to recent statutory and regulatory amendments. IEPA contends that legislative and rulemaking actions since the Board adopted right to Know rules in 2006 have created a gap between media of concern requiring notice under the Environmental Protection Act, the exposure routes identified in the Board's Tiered Approach to Corrective Action Objectives (TACO) rules, and the Right to Know rules. After conducting hearings on this proposal, the Board will determine whether to proceed to first notice.

On July 24, 2014, the Board accepted for hearing a site-specific rule entitled: Proposed Site Specific Rule for Sanitary District of Decatur From 35 Ill. Adm. Code Section 302.208(E), R 14-24. Decatur is proposing an alternative chronic water quality standard for nickel from the point of its discharge into the Sangamon River from its Main Plant to the point of the confluence of the Sangamon River with the South Fork of the Sangamon River near Riverton.

On July 24, 2014, the Board accepted a citizen enforcement for hearing entitled Sierra Club v. Ameren Energy Medina Valley Cogen, LLC and Futuregen Industrial Alliance, Inc., PCB 14-134. The complaint concerns Ameren and Futuregen's proposed construction of Boiler #7 at their Meredosia Energy Center power plant located in Meredosia, Morgan County. The Board denied motions to appear *pro hac vice* due to Supreme Court rule 707 (Ill. S. Ct. R. 707 (eff. July 1, 2013)). Still pending before the Board is a motion for summary judgment.

Sincerely,

A handwritten signature in cursive script that reads "Deanna Glosser". The ink is dark and the signature is written in a fluid, connected style.

Deanna Glosser, Ph.D.
Chairman

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Appellate Update

Third District Appellate Court Affirms Board's Apportionment of Civil Penalty Liability

Community Landfill Co., Edward Pruim, & Robert Pruim v. Illinois Pollution Control Board & the People of the State of Illinois, 2014 IL App (3d) 120629-U (Community Landfill II)

On July 9, 2014, the Third District Appellate Court in Community Landfill II issued a non-precedential Rule 23 order affirming the Board's civil penalty apportionment. On remand from Community Landfill I, another unpublished order of the Third District, 2011 IL App (3d) 091026-U, the Board apportioned \$25,000 of a \$250,000 penalty to Community Landfill Company (CLC) alone, and the remaining \$225,000 jointly and severally to CLC and its sole owners and officers, Edward Pruim and Robert Pruim (PCB 97-193, 04-207 (consol.)).

The People had filed a complaint against CLC and, in their individual capacities, Edward and Robert Pruim, alleging that the three violated the Environmental Protection Act (Act) (415 ILCS 5) in operating the Morris landfill. Community Landfill II, 2014 IL App (3d) 120629-U (CLC II), ¶¶ 2, 6. In 2009, the Board found CLC and the Pruiims liable on eight of the complaint's counts, but also found that the Pruiims were *not* individually liable on nine counts for which CLC was liable. *Id.*, ¶¶ 2, 7; *see also id.*, ¶¶ 25, 26. The Board imposed a \$250,000 civil penalty for the violations and found CLC and the Pruiims jointly and severally liable for the entire amount. *Id.*, ¶ 2, 8.

On appeal, the Third District in 2011 affirmed the Board's decision in all respects (violations found; the Pruiims' personal liability; total penalty amount), except for the imposition of joint and several liability for the entire \$250,000 penalty. Community Landfill I, 2011 IL App (3d) 091026-U, ¶ 62. The court set aside that portion of the Board's order and remanded for the Board to apportion the penalty between the counts for which CLC was solely liable and the counts for which CLC and the Pruiims were liable. CLC II, ¶¶ 2, 8, 27.

On remand, the People argued that the CLC-only violations were minor compared to the joint violations and asked that \$12,700 be apportioned to the CLC-only violations, with \$237,300 apportioned to the joint violations. CLC II, ¶ 9. The People informed the Board that in 2010, the Illinois Secretary of State involuntarily dissolved CLC and that in 2011, Robert Pruim filed for bankruptcy. The parties disputed the relevance of this information. *Id.* CLC and the Pruiims argued that \$100,000 should be apportioned to the CLC-only violations, with \$150,000 apportioned to the joint violations. They asserted, however, that only \$10,000 of the \$150,000 should be joint and severable. *Id.*

In 2012, the Board apportioned \$25,000 of the \$250,000 penalty to the violations for which CLC alone was liable and the remaining \$225,000 to the violations for which both CLC and the Pruiims were jointly and severally liable. CLC II, ¶¶ 2, 10. The Board first found that neither CLC's dissolution nor Robert Pruim's bankruptcy had any effect on the Board's ability to apportion the penalty. *Id.*, ¶ 10. The Board then likened the 36 CLC-only violations to violations that could be addressed through administrative citations (*e.g.*, failing to adequately manage refuse and litter), which have a statutory penalty of \$500 for landfills (415 ILCS 5/42(b)(4)). To this \$18,000 penalty floor (36 violations x \$500), the Board added \$7,000 as some of the CLC-only violations (permit violations and the potential for water pollution) went beyond mere daily management violations. *Id.*, ¶ 12.

Turning to the joint violations, the Board ruled that Section 42(h) of the Act (415 ILCS 5/42(h)) required the joint and several penalty to *at least* equal the time-adjusted economic benefit realized by CLC and the Pruiims—\$146,286—from failing to timely secure financial assurance and failing to timely seek and obtain a “significant modification” of permit. CLC II, ¶¶ 10, 13. To this amount, the Board added \$78,714 to serve as a deterrent against future violations and to account for the duration and gravity of the joint violations (*e.g.*, “overheight” violations

lasted over nine years; 579 days late in revising closure cost estimates, which undermines financial assurance). *Id.*, ¶ 13. CLC and the Pruims appealed again.

Relying upon CLC’s dissolution and Robert Pruim’s bankruptcy, CLC and the Pruims argued that the Board’s apportionment “inequitably placed the liability for the penalty on Edward Pruim.” CLC II, ¶ 18. The Third District stated that CLC and the Pruims gave no authority for this position, which “refers more to the collection of the penalty, rather than the apportionment of the penalty, including their contention that the penalty imposed an unreasonable hardship on Edward Pruim.” *Id.*, ¶ 19. The court found no Board error here. *Id.* Next, according to the court, the argument that the Board lacked authority to impose joint and several liability for the penalty was forfeited by CLC and the Pruims because they did not raise it until their motion for reconsideration. *Id.*, ¶ 21. The Third District also observed that the Board’s imposition of joint and several liability was consistent with the court’s remand instructions. *Id.*

After recounting how the Board arrived at its apportionment, the court found the Board’s decision neither arbitrary and capricious nor against the manifest weight of the evidence. CLC II, ¶¶ 24-27. The Third District emphasized that the Board’s apportionment was “based in large part upon factual findings [the Board] made in the original case,” all of which were affirmed in Community Landfill I. *Id.* As the Act required the Board to impose at least \$146,286 jointly and severally (the calculated economic benefit from violations), CLC and the Pruims were “essentially arguing that the Board erred when it apportioned the remaining \$105,714 as \$25,000 to CLC only and \$78,714 to CLC and the Pruim brothers jointly and severally.” *Id.*; *see also id.*, ¶ 24. The Third District found that the Board “addressed the relevant statutory factors,” referring to Sections 33(c) and 42(h) of the Act (415 ILCS 5/33(c), 42(h)), and agreed with the Board that the gravity and duration of the joint violations were “more substantial than the CLC-only violations.” *Id.*, ¶ 27; *see also id.*, ¶¶ 25, 26.

Rulemaking Update

JCAR Issues Certification of No Objection to Board’s Second-Notice CAFO Regulations, R12-23

At its July 15, 2014 meeting, the Joint Committee on Administrative Rules (JCAR) issued a certification of no objection to the Board’s second-notice rules in docket In the Matter of: Concentrated Animal Feeding Operations (CAFOs): Proposed Amendments to 35 Ill. Adm. Code Parts 501, 502, and 504, R12-23., which the Board had adopted on April 17, 2014. JCAR also acknowledged that the Board agreed in a July 10, 2014 order to open a subdocket addressing whether specified unpermitted concentrated animal feeding operations (CAFOs) should be required to submit certain information to the Illinois Environmental Protection Agency (IEPA). JCAR recommended that the Board use the subdocket to also address matters raised in a letter to JCAR from the Natural Resources Conservation Service of the United States Department of Agriculture.

IEPA initiated this rulemaking with a proposal to amend Parts 501, 502, and 504 of the Board’s agriculture-related water pollution regulations to make them consistent with, and as stringent as, the current federal CAFO regulations. IEPA also sought to establish State technical standards required by the federal rule.

For more information, please contact Tim Fox at 312-814-6085 or tim.fox@illinois.gov.

Board Grants an Additional Stay of Rulemaking for Coke/Coal Bulk Terminals, R14-20

The Board, on July 10, 2014, granted IEPA’s request for a second stay of the proceedings docketed as In the Matter of: Emergency Rulemaking Regarding Regulation of Coke/Coal Bulk Terminals: New 35 Ill. Adm. Code 213, R14-20. IEPA, on January 16, 2014, had filed an emergency rulemaking proposal that would have immediately imposed additional Statewide requirements on the handling of coke and coal, including petroleum coke or “petcoke,” at bulk terminals and other specified facilities. The Board, on January 23, 2014, declined to adopt the proposed emergency rule because IEPA did not meet the statutory test for establishing that an emergency exists. However, the Board agreed to proceed with the proposal as a general rulemaking.

On March 20, 2014, the Board granted IEPA’s request to stay the general rulemaking proceedings until June 23, 2014, and directed IEPA to provide a status report at that time. On June 23, 2014, IEPA filed a status report and a request for an additional stay. IEPA indicated that it had conducted outreach meetings with different stakeholders and interested parties, and would continue to do so as rule development continued. IEPA could not, however, designate a certain date when a general rulemaking proposal would be available. In its July 10, 2014 order, the

Board granted IEPA's request to stay the proceedings until January 12, 2015, at which time IEPA must provide a status report to the Board and may request an additional stay. If substantial progress has not been made by then, the Board may consider closing the docket.

For more information, please contact Marie Tipsord at 312-814-4925 or marie.tipsord@illinois.gov.

Board to Hold Hearings on Proposal to Amend “Right-to-Know” Regulations, R14-23

On July 24, 2014, the Board adopted an order accepting for hearing an IEPA proposal to amend Part 1600 of the Board's Subtitle O “Right-to-Know” regulations. The rulemaking is docketed as In the Matter of: Standards and Requirements for Potable Water Well Surveys and Community Relations Activities Performed in Conjunction with Agency Notices of Threats from Contamination: Proposed Amendments to 35 Ill. Adm. Code 1600, R14-23.

IEPA proposes amending the Right-to-Know rules to conform with recent statutory and regulatory amendments. IEPA contends that legislative and rulemaking actions since the Board adopted the Right-to-Know rules in 2006 have created a “gap” between the rules and media of concern requiring notice under the Environmental Protection Act and the exposure routes identified in the Board's Tiered Approach to Corrective Action Objectives (TACO) rules.

After conducting hearings on this proposal, the Board will determine whether to proceed to first notice. Two hearings are presently scheduled: September 4, 2014, in Springfield; and October 16, 2014, in Chicago. Members of the public are encouraged to attend.

The Board also encourages persons to file public comments on the proposed amendments. The docket number for this rulemaking, R14-23, should be indicated on the public comment. Public comments must be filed with the Clerk of the Board. Public comments may be filed at the following address: Pollution Control Board, James R. Thompson Center, 100 W. Randolph Street, Suite 11-500, Chicago, IL 60601. In addition, public comments may be filed electronically through the Clerk's Office On-Line (COOL) at www.ipcb.state.il.us. Any questions about filing should be directed to the Clerk's Office at 312-814-3629.

For more information, please contact Tim Fox at 312-814-6085 or tim.fox@illinois.gov.

Board to Hold Hearing on Site-Specific Rule for Sanitary District of Decatur, R14-24

On July 24, 2014, the Board accepted for hearing a proposal by the Sanitary District of Decatur (District) for a site-specific rule concerning the District's main sewage treatment plant. The plant is located at 501 Dipper Lane in Decatur, Macon County. The District filed the site-specific rulemaking proposal on June 30, 2014. The rulemaking is docketed as In the Matter of: Proposed Site Specific Rule for Sanitary District of Decatur from 35 Ill. Adm. Code Section 302.208(e), R14-24.

The District seeks to establish an alternate chronic water quality standard for nickel. The standard would apply from the main plant's discharge point into the Sangamon River to the confluence of the Sangamon River and the South Fork of the Sangamon River near Riverton. The District also proposes a site-specific alternative mixing rule for certain flow conditions. The rule would allow mixing to be considered when determining a water quality based limit for nickel in a National Pollutant Discharge Elimination System (NPDES) permit.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board's website. Hard copies may be obtained from the Clerk's Office upon payment of reproduction fees as prescribed by the Freedom of Information Act.

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

Board Actions

July 10, 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 entered an order to address the comments of the Joint Committee on Administrative Rules (JCAR) submitted on July 3, 2014 by JCAR Co-Chairs Senator Don Harmon and Representative Tim Schmitz (PC 3047). 4-0
- R14-20** In the Matter of: Emergency Rulemaking Regarding Regulation of Coke/Coal Bulk Terminals; 35 Ill. Adm. Code Part 213 (Air) – The Board granted the Illinois Environmental Protection Agency’s request to extend the stay of these proceedings from June 23, 2014 to January 12, 2015. 4-0

Administrative Citations

- AC 14-43** IEPA v. David R. & Beth W. Moser – The Board found that these Jefferson County respondents violated Sections 21(p)(1) and 21(p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), 21(p)(7) (2012)), and ordered respondents to pay a civil penalty of \$3,000. 4-0
- AC 14-46** IEPA v. Jeanetta and Gary Maddock – The Board accepted respondents’ amended petition for review involving a Massac County facility. 4-0
- AC 14-51** IEPA v. Charles H. Schafer, Jr. d/b/a Chucks Auto Sales – The Board accepted respondent’s petition for review involving a Peoria County facility. 4-0

Adjudicatory Cases

- PCB 12-52** People of the State of Illinois v. Reliable Materials, LLC, GSG Consultants, Inc., O.C.A. Construction, Inc., Speedy Gonzalez Landscaping, Inc., Public Building Commission of Chicago, and Board of Education of the City of Chicago (Land-Enforcement) – Upon receipt of a proposed stipulation and settlement agreement as to Reliable Materials, LLC. only 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. 3-0
Burke abstained
- PCB 13-21** Prairie Rivers Network and Sierra Club v. Illinois Environmental Protection Agency and Peabody Gateway North Mining, LLC (Water-Permit Appeal, NPDES) – The Board granted petitioners’ motion for voluntary dismissal of this permit appeal. 4-0
- PCB 14-101** People of the State of Illinois v. Norwood Marking & Equipment Co., Inc. (Air-Enforcement) – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing 4-0

requirement in this air enforcement action involving a Will County facility, the Board ordered publication of the required newspaper notice.

- PCB 14-114** People of the State of Illinois v. Hendrickson USA, L.L.C. (f/k/a Hendrickson Bumper & Trim) 4-0
(Air-Enforcement) – In this air enforcement action concerning a Will 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) (2012)), accepted a stipulation and settlement agreement, and ordered respondent to pay a total civil penalty of \$5,000.00, and to cease and desist from further violations.
- PCB 14-132** People of the State of Illinois v. Solvay USA, Inc. 4-0
(Air-Enforcement) – In this air enforcement action concerning a Will 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) (2012)), accepted a stipulation and settlement agreement, and ordered respondent to pay a total civil penalty of \$10,000.00, and to cease and desist from further violations.
- PCB 14-135** People of the State of Illinois v. Sanitary District of Decatur 4-0
(Water-Enforcement) – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this water enforcement action involving a Macon County facility, the Board ordered publication of the required newspaper notice.
- PCB 15-1** People of the State of Illinois v. Carmeuse Lime, Inc. 4-0
(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.

July 24, 2014 Chicago, Illinois

Rulemakings

- R14-23** In the Matter of: Standards and Requirements for Potable Water Well Surveys and Community Relations Activities Performed in Conjunction With Agency Notices of Threats From Contamination: Proposed Amendments to 35 Ill. Adm. Code 1600 4-0
(Land) – The Board accepted for hearing the Illinois Environmental Protection Agency’s June 17, 2014 proposal to amend the Board’s Subtitle O Right to Know regulations.
- R14-24** In the Matter of: Proposed Site Specific Rule for Sanitary District of Decatur From 35 Ill. Adm. Code Section 302.208(E) 4-0
(Water-Site Specific) – The Board accepted for hearing petitioner’s June 30, 2014 proposal to amend the Board’s water pollution control regulations. The Board granted petitioner’s motion to waive the requirement to submit 200 signatures.

Administrative Citations

AC 06-16	<u>IEPA v. Rex D. Evans and Roy W. Evans, Jr. (Road Dist. No. 10/Evans)</u>	4-0
AC 06-17 (cons.)	<u>IEPA v. Rex D. Evans and Roy W. Evans, Jr. (Road Dist. No. 11/Evans)</u> – In response to a joint stipulation and settlement agreement in these two consolidated administrative citations involving two Morgan County facilities, the Board found that respondents had violated Sections 21(p)(1) and 21(p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(7) (2012)) and ordered respondents to pay a civil penalty of \$4,500. The Board also granted the parties’ joint motion to dismiss respondents’ petitions for review. The Board noted that while the stipulation references Site Code No. 1378110004 with regard to the Section 21(p)(7) violation, the Section 21(p)(7) allegation was made with regard to the property designated with Site Code No. 1378100006. To effectuate the parties’ intent to settle the allegations in both administrative citations, the Board noted the error in the stipulation and accepted the respondents’ admission to the Section 21(p)(7) violation.	
AC 12-41	<u>IEPA v. Louis K. Niemeier</u> – In response to a joint stipulation and settlement agreement in this administrative citation action involving a Coles County facility, the Board found that respondent had violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (2012)) 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, on its own motion, dismissed the alleged violation of Section 21(p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(7) (2012)).	4-0
AC 14-23	<u>IEPA v. Cord Shaffer</u> – In response to a joint stipulation and settlement agreement in this administrative citation action involving a Champaign County facility, the Board found that respondent had violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (2012)) 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, on its own motion, dismissed the alleged violation of Section 21(p)(3) of the Environmental Protection Act (415 ILCS 5/21(p)(3) (2012)).	4-0
AC 14-50	<u>IEPA v. Craig S. Walker and Walker & Sons Enterprises, Ltd.</u> – The Board accepted respondents’ petition for review involving a Peoria County facility, but directed respondents to file an amended petition to cure deficiencies specified in the order.	4-0
AC 14-52	<u>IEPA v. Danny Stifle</u> – The Board accepted respondent’s petition for review involving a Crawford County facility, but directed respondent to file an amended petition to cure deficiencies specified in the order.	4-0
AC 14-53	<u>IEPA v. John Wayne Squier and Jerry Lee Squier d/b/a Squier Auto Sales Salvage</u> – The Board found that these Hancock County respondents violated Section 55(k)(1) of the Environmental Protection Act (415 ILCS 5/55(k)(1) (2012)), and ordered respondents to pay a civil penalty of \$1,500.	4-0
AC 14-54	<u>IEPA v. Brian & Tina Page</u> – The Board accepted for hearing respondents’ petition for review involving a Marshall County facility.	4-0

Adjudicatory Cases

- PCB 11-59** Freedom Oil Company v. IEPA 4-0
(UST-Permit Appeal) – The Board granted petitioner’s motion for voluntary dismissal of this underground storage tank appeal.
- PCB 11-61** Robbie’s 66 v. IEPA 4-0
(UST-Permit Appeal) – The Board granted petitioner’s motion for voluntary dismissal of this underground storage tank appeal.
- PCB 14-112** Mr. Gary L. Polchow v. Aaron Warren and Sean McAllister 4-0
(Air, Water-Enforcement; Citizen’s) – The Board found the complaint frivolous in this citizen’s air and water enforcement action involving a Vermilion County facility, but allowed complainant to file an amended complaint to cure the deficiencies noted in the order.
- PCB 14-122** Ascend R. L. B., Inc. v. IEPA, John Tierney and Vera Tierney (Water Well Setback-Public Water Supply) 4-0
– The Board granted petitioner’s motion for voluntary dismissal of this petition for exception from the water well setback requirement at Section 14.2(a) of the Environmental Protection Act (415 ILCS 5/14.2(a), (2012)).
- PCB 14-125** Ginger L. Deavers v. IEPA 4-0
(UST-Permit Appeal, 90-Day Ext.) – 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 McLean County facility.
- PCB 14-134** Sierra Club v. Ameren Energy Medina Valley Cogen, LLC and Futuregen Industrial Alliance, Inc. 4-0
(Air, Enforcement; Citizen’s) – The Board accepted for hearing this citizen’s air enforcement action concerning a facility located in Morgan County. The Board denied respondent FutureGen Industrial Alliance Inc.’s (FutureGen) motions to appear *pro hac vice*. No action was taken on respondents’ motion for summary judgment or respondents’ motion for expedited review.
- PCB 15-2** JD Pork, LLC-LaHarpe v. IEPA 4-0
(Water-Tax Certification) – The Board found and certified that specified facilities of JD Pork, LLC located in Hancock County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2012)).
- PCB 15-3** Muegge Stock, LLC v. IEPA 4-0
(Water-Tax Certification) – The Board found and certified that specified facilities of Muegge Stock, LLC located in Adams County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2012)).
- PCB 15-4** Knox Farm, LLC-Roanoke v. IEPA 4-0
(Water-Tax Certification) – The Board found and certified that specified facilities of Knox Farm, LLC located in Knox County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2012)).

PCB 15-5	<u>Dan Reed v. IEPA</u> (Water-Tax Certification) – The Board found and certified that specified facilities of Dan Reed located in Rock Island County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2012)).	4-0
PCB 15-6	<u>Aurora Blacktop, Inc. v. IEPA</u> (UST-Permit 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 Kane County facility.	4-0
PCB 15-7	<u>People of the State of Illinois v. Ernest Bennett d/b/a Bennett Excavating</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 Shelby County facility, the Board ordered publication of the required newspaper notice.	4-0
PCB 15-8	<u>Ron Parmele v. IEPA</u> (UST-Permit 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 Tazewell County facility.	4-0
PCB 15-9	<u>Christensen Swine-Sheffield v. IEPA</u> (Water-Tax Certification) – The Board found and certified that specified facilities of Christensen Swine 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 (2012)).	4-0

New Cases

July 10, 2014 Board Meeting

AC 15-1 IEPA v. Jamie & Angela Hollon – The Board accepted an administrative citation against these Hardin County respondents.

AC 15-2 Perry County v. Edward Burgess – The Board accepted an administrative citation against this Perry County respondent.

PCB 14-135 People of the State of Illinois v. Sanitary District of Decatur (Water-Enforcement) – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this water enforcement action involving a Macon County facility, the Board ordered publication of the required newspaper notice.

PCB 15-1 People of the State of Illinois v. Carmeuse Lime, Inc., (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.

PCB 15-2 JD Pork, LLC-LaHarpe v. IEPA (Water-Tax Certification) – No action taken.

PCB 15-3 Muegge Stock, LLC v. IEPA (Water-Tax Certification) – No action taken.

PCB 15-4 Knox Farm, LLC-Roanoke v. IEPA (Water-Tax Certification) – No action taken.

PCB 15-5 Dan Reed v. IEPA (Water-Tax Certification) – No action taken.

R14-23 In the Matter of: Standards and Requirements for Potable Water Well Surveys and Community Relations Activities Performed in Conjunction With Agency Notices of Threats From Contamination: Proposed Amendments to 35 Ill. Adm. Code 1600 (Land) – No action taken.

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- Site Specific) – No action taken.

R15-1 RCRA Subtitle C Update, USEPA Amendments (January 1, 2014 through June 30, 2014) (Land) – The Board reserved this docket for a routine update to make the Board rules “identical in substance” to United States Environmental Protection Agency rules adopted during the update period.

R15-2 UST Update, USEPA Amendments (January 1, 2014 through June 30, 2014) (Land) – The Board reserved this docket for a routine update to make the Board rules “identical in substance” to United States Environmental Protection Agency rules adopted during the update period.

R15-3 Wastewater Pretreatment Update, USEPA Amendments (January 1, 2014 through June 30, 2014) (Water) – The Board reserved this docket for a routine update to make the Board rules “identical in substance” to United States Environmental Protection Agency rules adopted during the update period.

R15-4 National Ambient Air Quality Standards Update, USEPA Amendments (January 1, 2014 through June 30, 2014) (Air) – The Board reserved this docket for a routine update to make the Board rules “identical in substance” to United States Environmental Protection Agency rules adopted during the update period.

R15-5 Definition of VOM Update, USEPA Amendments (January 1, 2014 through June 30, 2014) (Air) – The Board reserved this docket for a routine update to make the Board rules “identical in substance” to United States Environmental Protection Agency rules adopted during the update period.

R15-6 SDWA Update, USEPA Amendments (January 1, 2014 through June 30, 2014) (Water) – The Board reserved this docket for a routine update to make the Board rules “identical in substance” to United States Environmental Protection Agency rules adopted during the update period.

R15-7 UIC Subtitle D Update, USEPA Amendments (January 1, 2014 through June 30, 2014) (Land) – The Board reserved this docket for a routine update to make the Board rules “identical in substance” to United States Environmental Protection Agency rules adopted during the update period.

R15-1 RCRA Subtitle D Update, USEPA Amendments (January 1, 2014 through June 30, 2014) (Land) – The Board reserved this docket for a routine update to make the Board rules “identical in substance” to United States Environmental Protection Agency rules adopted during the update period.

July 24, 2014

AC 15-3 IEPA v. Jamie & Angela Hollon – The Board accepted an administrative citation against these Hardin County respondents.

AC 15-4 Perry County v. Edward Burgess – The Board accepted an administrative citation against this Perry County respondent.

AC 15-5 County of Jackson v. Deana Ardrey and Paul Smith – The Board accepted an administrative citation against these Jackson County respondents.

PCB 15-6 Aurora Blacktop, Inc. v. IEPA (UST-Permit 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 Kane County facility.

PCB 15-7 People of the State of Illinois v. Ernest Bennett d/b/a Bennett Excavating (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 Shelby County facility, the Board ordered publication of the required newspaper notice.

PCB 15-8 Ron Parmele v. IEPA (UST-Permit 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 Tazewell County facility.

PCB 15-9 Christensen Swine-Sheffield v. IEPA (Water-Tax Certification) – The Board found and certified that specified facilities of Christensen Swine 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 (2012)).

Calendar

<p>8/7/2014 11:00 AM</p>	<p>Illinois Pollution Control Board Meeting</p>		<p>Videoconference Chicago/Springfield James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago And Pollution Control Board Hearing Room 1021 N. Grand Avenue East Room 2012 N Springfield</p>
<p>8/21/2014 11:00 AM</p>	<p>Illinois Pollution Control Board Meeting</p>		<p>Chicago/Springfield James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago</p>
<p>8/27/2014 10:00 AM</p>	<p>AC 13-60</p>	<p><u>IEPA v. James Harris (IEPA File No. 126-13-AC)</u></p>	<p>Galesburg City Hall Main floor Erickson Conference Room 55 West Tompkins Street Galesburg</p>
<p>9/4/2014 11:00 AM</p>	<p>Illinois Pollution Control Board Meeting</p>		<p>Videoconference Chicago/Springfield James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago And Pollution Control Board Hearing Room 1021 N. Grand Avenue East Room 2012 N Springfield</p>
<p>9/4/2014 1:00 PM</p>	<p>R14-23</p>	<p><u>In the Matter of Standards and Requirements for Potable Water Well Surveys and Community Relations Activities Performed in Conjunction With Agency Notices of Threats From Contamination: Proposed Amendments to 35 Ill. Adm. Code 1600</u></p>	<p>Illinois Pollution Control Board Conference Room 1021 North Grand Avenue East Springfield</p>

9/10/2014 9:00 AM	PCB 14-131	<u>Piasa Motor Fuels, Inc. v. IEPA</u>	Illinois Pollution Control Board Hearing Room 1021 North Grand Avenue East Springfield
9/18/2014 11:00 AM	Illinois Pollution Control Board Meeting		Chicago/Springfield James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago
9/23/2014 11:00 AM	R14-22	<u>In the Matter of: Proposal of Clifford-Jacobs Forging Co. for an Amendment to the Site-Specific Rule at 35 Ill. Adm. Code 901-119</u>	Brookens Administrative Center Lyle Shields Meeting Room 1776 E. Washington Street Urbana
10/2/2014 11:00 AM	Illinois Pollution Control Board Meeting		Chicago/Springfield James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago
10/16/2014 11:00 AM	Illinois Pollution Control Board Meeting		Chicago/Springfield James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago
10/16/2014 1:00 PM	R14-23	<u>In the Matter of Standards and Requirements for Potable Water Well Surveys and Community Relations Activities Performed in Conjunction With Agency Notices of Threats From Contamination: Proposed Amendments to 35 Ill. Adm. Code 1600</u>	Illinois Pollution Control Board Conference Room 11-512 James R. Thompson Center 100 W. Randolph Street Chicago

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

JULY 2014

<i>SYSTEM NAME</i>	<i>EPA 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
CROPSEY COMMUNITY WATER - IL1135150	4	INADEQUATE PRESSURE TANK	31	3/20/1981
CRYSTAL CLEAR WATER COMPANY - IL1115150	2	INADEQUATE GROUND STORAGE AND PRESSURE TANK	885	9/16/1988
CUTLER – IL1450050	7	EXCEEDING THE COMBINED MCL FOR RADIUM	676	6/15/2012
DE KALB UNIV DVL CORP - IL0375148	1	INADEQUATE PRESSURE TANK	1050	12/16/1992
DELAND – IL1470200	4	EXCEEDING THE MAXIMUM CONTAMINANT LEVEL (MCL) FOR ARSENIC	475	3/16/2012
EAST END WATER ASSOCIATION - IL1610140	1	INADEQUATE STORAGE CAPACITY	40	3/15/2002
EAST MORELAND WATER CORPORATION -	2	INADEQUATE PRESSURE	135	3/15/1996

SYSTEM NAME	EPA RGN	NATURE OF PROBLEM	POP SERVED	LISTING DATE
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

SYSTEM NAME	EPA RGN	NATURE OF PROBLEM	POP SERVED	LISTING DATE
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>SYSTEM NAME</i>	<i>EPA 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

** 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

JULY 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	APPROACHING WATER TREATMENT PLANT CAPACITY	51922	4/1/2009
IL AMERICAN-E ST. LOUIS - IL1635040	6	APPROACHING INADEQUATE STORAGE CAPACITY	155382	1/01/2011
JONESBORO PWS – IL1810250	7	**	1853	7/1/2011
LA SALLE - IL0990300	1	INAD PLANT & SOURCE CAPACITY	9700	11/1/2004
LACON - IL1230100	1	UNDERSIZED WATERMAINS	1979	1/1/2006
LICK CREEK PWD – IL1815100	7	**	1929	7/1/2011
MALDEN - IL0110550	1	UNDERSIZED WATERMAINS	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
MENDOTA – IL0990550	1	LOW SYSTEM PRESSURE	7272	10/1/2012

<i>SYSTEM NAME</i>	<i>EPA RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTING DATE</i>
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

*** DENOTES ADDED WATER SUPPLIES**

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

Restricted Status/Critical Review

The Environmental Protection Act prohibits the Agency from issuing a construction permit that will cause or extend a violation. A construction permit to expand the distribution system cannot be granted when a water supply has a maximum contaminant level or treatment technique violation, an inadequate source of raw water supply, inadequate treatment plant capacity, finished water storage or distribution system pressure. A Restricted Status List is published quarterly in the Illinois Pollution Control Board Environmental Register to notify those persons considering expansion of a water supply distribution system of that status before large sums of money have been spent on items such as land acquisition, financing and engineering fees. A companion Critical Review List is published concurrently with the Restricted Status List and has the water supplies that are approaching a point where the supply could be placed on Restricted Status. A permit application from a supply on Critical Review will be examined carefully to ensure that the proposed construction will not cause a violation. Restricted Status and Critical Review are presented as a combined list with the status of the water supply denoted as either RS (Restricted Status) or CR (Critical Review). The current list reflects the status as of July 1, 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.

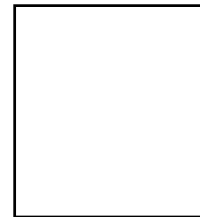
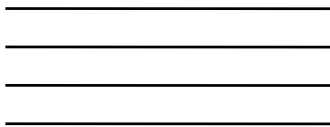
A supply will be placed on the Critical Review List when Agency records indicate that it is approaching any of the violations that would place it on the Restricted Status List.

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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Environmental Register Coordinator
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