
Environmental Register

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G. Tanner Girard, Acting Chairman

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Letter from the Chairman

The Environmental Protection Act (Act) provides that the "Board shall determine, define and implement the environmental control standards applicable in the State of Illinois." Rulemaking is an important responsibility arising from this charge by the Illinois Legislature and we expect another busy year in 2007. The Board's semi-annual regulatory agenda recently appeared in the *Illinois Register*. Anyone can view and download the regulatory agenda from the Board's Web site at:

<http://www.ipcb.state.il.us/documents/dsweb/Get/Document-55605/2007%20January%20Regulatory%20Agenda.pdf>. During the next six months the Board expects to receive proposals to amend rules in groundwater quality, land application of sewage sludge, the used and waste tire program, and operation of municipal waste transfer stations. The expected proposals are summarized below.



The Illinois Environmental Protection Agency (IEPA) expects to submit a rulemaking proposal addressing groundwater quality in the spring or summer of 2007. The IEPA's proposal will address contaminants of concern such as perchlorate, a rocket fuel component that has been discovered in Illinois' groundwater. Ammonia may also be included in the rulemaking proposal. The IEPA has evaluated groundwater contaminants commonly detected in association with solid waste and Resource Conservation and Recovery Act (RCRA) sites. Groundwater standards are being developed for approximately 48 contaminants commonly detected in groundwater at these sites where cleanup objectives have been developed under Tiered Approach to Corrective Action Objectives. Finally, radium 226, radium 228, and arsenic have had new Maximum Contaminant Levels (MCLs) adopted, and the IEPA will propose a groundwater standard amendment consistent with the MCL.

The IEPA is currently preparing a rulemaking proposal relating to land application of sewage sludge and expects to file that proposal with the Board in the spring or summer of 2007. These rules are expected to establish pollutant limits, pathogen reduction requirements, and vector control measures for sewage sludge applied to land.

To comply with the statutory changes enacted in Public Act 92-0024, the IEPA plans to propose amending the Board's regulations for better implementation of the used and waste tire program. The Board expects the IEPA to file this rulemaking proposal in the spring or summer of 2007.

The IEPA is developing a proposal to add new rules regarding municipal waste transfer stations to the Board's waste regulations. This proposal is expected to provide more specific requirements for permitting, design, construction, operation, and closure of municipal waste transfer stations. The Board expects the IEPA to file this proposal in the spring or summer of 2007.

Other rulemaking proposals may be filed with the Board during the next six months, and we continue to have a full schedule of open rulemaking dockets that can be viewed on our website (www.ipcb.state.il.us). Citizen involvement is always welcome and greatly appreciated.

Sincerely,

A handwritten signature in black ink that reads "G. Tanner Girard". The signature is written in a cursive style.

G. Tanner Girard, Ph.D.
Acting Chairman

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Federal Update

United States Environmental Protection Agency Adopts Amendments to the Unregulated Contaminant Monitoring Regulation Under the Safe Drinking Water Act

On January 4, 2007 (72 Fed. Reg. 367) the United States Environmental Protection Agency (USEPA) adopted amendments to the Unregulated Contaminant Monitoring Regulation (UCMR). The amendments are driven by provisions in the federal Safe Drinking Water Act (SDWA) that require the USEPA to establish criteria for a program to monitor unregulated contaminants and to publish a list of contaminants to be monitored every five years. This is the second set of listed contaminants; USEPA established the first in 1999. Effective on February 5, 2007, this final rule is sometimes referred to as UCMR 2.

UCMR 2 covers calendar years 2007-2011, UCMR 2 monitoring will occur during the years 2008-2010. USEPA is requiring monitoring of 25 chemicals using 5 different analytical methods. USEPA stated that implementation of this final rule will benefit the environment by providing USEPA and other interested parties with scientifically valid data on the occurrence of these contaminants in drinking water, thereby permitting the assessment of the population potentially being exposed and the levels of that exposure. These data are the primary source of occurrence and exposure data for USEPA to determine whether to regulate these contaminants.

UCMR 2: Tier 1—List 1 Assessment Monitoring. UCMR 2 has three monitoring components (or tiers); is the largest in scope of the three. All large community and non-transient, non-community water systems serving more than 10,000 people, and a nationally representative sample of 800 small water systems serving 10,000 or fewer people must conduct Assessment Monitoring. Transient non-community water systems and those systems that purchase all of their finished water from another system are excluded from the requirements of UCMR 2. Under Assessment Monitoring, “List 1” contaminants, for which standard analytical methods are available, are monitored to assess national occurrence in drinking water. These are the priority contaminants for which analytical method technologies are well established.

UCMR 2: Tier 2—List 2 Screening Survey Monitoring. The second tier of UCMR 2 is referred to as “List 2” or Screening Survey monitoring. List 2 contaminants are those for which analytical methods have been recently developed, and for which the technologies are not widely used; laboratory capacity, therefore, may be insufficient to conduct the larger scale Assessment Monitoring. The Screening Survey will be conducted by approximately 400 Public Water Supplies (PWSs) serving more than 100,000 people (all systems in this largest size category), by a randomly selected sample of 320 PWSs serving between 10,001 and 100,000 people, and by 480 small PWSs.

UCMR 2: Tier 3—List 3 Survey Pre-Screen Testing. The third tier of UCMR monitoring is termed the Pre-Screen Testing. The Pre-Screen Testing, which is designed for priority “List 3”

contaminants-whose methods are very new or specialized, is not required in this action, although USEPA is retaining the regulatory language that supports Pre-Screen Testing authority as part of the three-tiered UCMR framework. USEPA stated that if it ultimately decides to include Pre-Screen Testing as part of a future UCMR, it would initiate a rulemaking action to propose List 3 contaminants (and their associated analytical methods) and to solicit public comments.

For further information contact David J. Munch, Technical Support Center, Office of Ground Water and Drinking Water, United States Environmental Protection Agency, Office of Water, 26 West Martin Luther King Drive (MS 140), Cincinnati, OH 45268, telephone (513) 569-7843; e-mail address munch.dave@epa.gov.

The Board will include any necessary amendments to Board rules resulting from this federal action in a future SDWA identical in substance rulemaking pursuant to Sections 7.2 and 17.5 of the Environmental Protection Act (415 ILCS 5/7.2, 17.5 (2006)).

Rule Update

Board Adopts Final Opinion and Order in Proposal of Vaughan & Bushnell Manufacturing Company of Amendment to a Site-Specific Rule, 35 Ill. Adm. Code 901.121 (R06-11)

On January 4, 2007, the Board adopted a final opinion and order in Proposal of Vaughan & Bushnell Manufacturing Company of Amendment to a Site-Specific Rule, 35 Ill. Adm. Code 901.121 (R06-11). The adopted amendments were filed with the Secretary of State's Index department and effective January 11, 2007, and were published at 31 Ill. Reg. 1984 (January 26, 2007).

The adopted amendments are based on an October 2005 proposal filed by the Vaughan & Bushnell Manufacturing Company (V&B). V & B requested amendment of its existing site-specific noise rule for its forging facility, located at the intersection of Davis and Main Streets, Bushnell in McDonough County. The amended rule will allow the company to operate 24-hours a day.

In considering the character of the surrounding areas and land uses, the Board found that the V&B facility is appropriately located in an area that is heavily industrial in nature, and that the amendments would not have an adverse environmental impact on the area. All of the testimony presented at the Board's March 7, 2006 hearing on the proposal supported the proposed extension of V & B's operating hours.

Copies of the Board's opinion and order in R06-11 may be obtained by calling Dorothy Gunn at 312-814-3620, or by downloading copies from the Board's Web site at www.ipcb.state.il.us.

For additional information contact John Knittle at 217-278-3111; e-mail address knittlej@ipcb.state.il.us.

Board Adopts Order Consolidating Dockets and Extending the Adoption Deadline in the Identical In Substance Rulemaking RCRA Subtitle C Update, USEPA Amendments (January 1, 2006 though June 30, 2006) R07-5; RCRA Subtitle C Update, USEPA Amendments (July 1, 2006 though December 31, 2006) R07-14 (consolidated)

On January 26, 2007, the Board consolidated two dockets, RCRA Subtitle C Update, USEPA Amendments (January 1, 2006 though June 30, 2006) R07-5; RCRA Subtitle C Update, USEPA Amendments (July 1, 2006 though December 31, 2006) R07-14, and extended the deadline for completion of amendments in the consolidated docket. The consolidated docket concerns Illinois regulations that are "identical in substance" to hazardous waste regulations adopted by the United States Environmental Protection Agency (USEPA). The USEPA rules implement Subtitle C of the federal Resource Conservation and Recovery Act of 1976 (RCRA Subtitle C) (42 U.S.C. §§ 6921 *et seq.* (2003)).

The Board also found that extension of the completion deadline would be necessary for this consolidated docket under Section 7.2(b) of the Environmental Protection Act (Act), 415 ILCS 5/7.2(b) (2004). The final date for Board completion of the amendments was extended from April 5, 2007 to October 1, 2007. The Board stated that it anticipates that it will adopt a proposal for public comment at its May 3, 2007 meeting, and that the proposal will be filed by May 14, 2007 with the Secretary of State's Index Department for publication in the *Illinois Register*. If these events timely occur and no additional delay is required to adequately respond to public comments, the Board anticipates adoption of final rules at its August 23, 2007 meeting. Because the Board holds adopted RCRA Subtitle C rulemakings for 30 days for USEPA review, the Board anticipates filing the adopted amendments with the Secretary of State's Index Department by October 1, 2007.

Copies of the Board's opinion and order in R07-5/14 may be obtained by calling Dorothy Gunn at 312-814-3620, or by downloading copies from the Board's Web site at www.ipcb.state.il.us.

For additional information contact Michael J. McCambridge at 312-814-6924; e-mail address mccambm@ipcb.state.il.us.

Appellate Update

Second District Dismisses Appeal of Non-Final Order in *Northern Illinois Service Co. v. Illinois Environmental Protection Agency and Illinois Pollution Control Board*, No. 2-06-1237 (January 19, 2007) (AC 05-40)

In a January 19, 2007 unpublished order under Supreme Court Rule 23 (155 Ill.2d R. 23), the Second District Appellate Court dismissed, for lack of jurisdiction, the appeal captioned *Northern Illinois Service Co. v. Illinois Environmental Protection Agency and Illinois Pollution Control Board*, No. 2-06-1237 (January 19, 2007). Northern Illinois Service Company (NISC) had appealed the Board's opinion and order issued November 16, 2006 in an administrative citation action brought by the Illinois Environmental Protection Agency (IEPA). *IEPA v. Northern Illinois Service Company*, AC 05-40 (order of November 16, 2006, vacated December 7, 2006). The court found, as the Board had argued in its January 13, 2007 motion to dismiss, that there was "no final appealable order". *Northern Illinois Service Co. v. Illinois Environmental Protection Agency and Illinois Pollution Control Board*, No. 2-06-1237 (January 19, 2007) (slip op at 1.) As detailed in the chronology of events in this case below, NISC's premature appeal was the result of two separate mail misadventures.

On November 22, 2004, the IEPA filed an administrative citation against NISC as the result of an October 4, 2006 site inspection. The citation alleged that respondent violated Sections 21(p)(1) and 21(p)(7) of the Environmental Protection Act (Act) (415 ILCS 5/21(p)(1), and (7) (2004)) by causing or allowing the open dumping of waste resulting in litter and the deposition of general construction or demolition debris or clean construction or demolition debris, at its Roscoe Quarry located at 4960 Rockton Road, Roscoe, Winnebago County. NISC filed a timely petition for review by the Board, and the Board held a public hearing April 20, 2006. After considering the record and parties' arguments, on September 21, 2006 the Board issued an interim opinion and order. In that order, the Board found the violations as alleged, and stated that it would issue a final order assessing the mandatory \$3,000 statutory penalty after the Board and IEPA had each filed statements of hearing costs and NISC had had an opportunity to reply to those statements. Statements of hearing costs were due to be filed on or before October 11, 2006, and any NISC replies were due 21 days thereafter.

In its November 6, 2006 order, the Board noted that the IEPA had filed no statement of costs, noted that the respondent had filed no response to the Board's statement, and assessed \$406.50 in hearing costs against the respondent. *IEPA v. Northern Illinois Service Co.*, AC 05-40, slip op. at

2 (Nov. 16, 2006). Accordingly, the final order assessed a total amount of \$3,406.50 due from the respondent no later than January 2, 2007. *Id.*

But, in a December 7, 2006 order, the Board on its own motion reconsidered and vacated its November 6, 2006 order. The December 7 order relayed that on December 1, 2006, the Board received IEPA's statement of hearing costs in the amount of \$265.75. Although the mailing envelope shows no specific postmarked date, the proof of service filed with that statement shows that the IEPA timely filed it by placing it in the U.S. Mail on October 11, 2006. Due to the delay of seven weeks between service of the IEPA's statement and its arrival in the Board's office, the Board on its own motion vacated its order of November 16, 2006. The Board allowed NISC 21 days, or until Friday, December 22, 2006, to file a response limited to the issue of the IEPA's claimed costs. *See* 35 Ill. Adm. Code 108.506(a). The IEPA was then given 14 days after service of the response to file any reply. *See* 35 Ill. Adm. Code 108.506(b). IEPA v. Northern Illinois Service Company, AC 05-40 (December 7, 2006) (vacating order of November 16, 2006).

But, unaware of the Board's December 7 order, NISC filed its petition for review of the vacated November 16, 2006 order in the Second District. On December 18, 2006, NISC moved the Board to stay enforcement of the Board's November 16, 2006 order, pending review by the appellate court. On December 22, 2006, the court issued its docketing and scheduling order concerning the appeal. On January 3, 2007, NISC filed a motion asking the court to stay its order, acknowledging that the Board had vacated its November 16, 2006 order (from which it had appealed). NISC asked the court to stay all matters in its scheduling order and to refrain from dismissing the appeal until after NISC files a separate appeal of the Board's then-yet-to-come final order. In the court's January 19, 2007 order, dismissing the appeal, the court also denied NISC's motion to stay the court's December 22, 2006 order. Northern Illinois Service Co. v. Illinois Environmental Protection Agency and Illinois Pollution Control Board, No. 2-06-1237 (January 19, 2007) (slip op at 1.)

The Board issued its final order in the case on January 26, 2007. Noting the foregoing events, the Board denied the motion for stay before it. The Board assessed the civil penalty of \$3,000 against NISC for the violations, as well as hearing costs totaling \$672.25, for a total amount due of \$3,672.25. Under the January 26, 2007 final order, NISC must pay \$3,672.25 no later than March 12, 2007. IEPA v. Northern Illinois Service Company, AC 05-40 (January 26, 2007).

Dismissal of the premature appeal of the November 2006 vacated order in no way limits NISC's ability to appeal the January 2007 final order.

Sangamon County Circuit Court Enters Agreed Dismissal Order in Dynegy Midwest Generation, Inc., Kincaid Generation, LLC, and Midwest Generation, LLC v. Illinois Pollution Control Board and Illinois Protection Environmental Agency, Case No. 2006 CH213 (Sangamon County Circuit Court)(case dismissed by agreed order of January 26, 2007)(R06-25)

On January 26, 2007, the Sangamon County Circuit court entered an agreed order dismissing, without prejudice, the case captioned Dynegy Midwest Generation, Inc., Kincaid Generation, LLC, and Midwest Generation, LLC v. Illinois Pollution Control Board and Illinois Protection Environmental Agency, Case No. 2006 CH213 (Sangamon County Circuit Court)(dismissed January 26, 2007) (hereinafter Dynegy). Dynegy was noted in this "Appellate Update" section some months ago, but was not summarized in this section, as the case did not involve an appeal of a Board order. Rather, the case was an action for declaratory and injunction relief regarding the procedures the Board was to use in hearing the Illinois Environmental Protection Agency's March 14, 2006 regulatory proposal in Docket R06-25, In the Matter of: Proposed New 35 Ill. Adm. Code 225 Control of Emissions From Large Combustion Sources (Mercury) (hereinafter R06-25). *See Environmental Register* No. 623 (May 2006) at pp.6-7.

As reported at that time, on May 1, 2006 the Sangamon County Circuit Court issued an injunction order precluding the Board from proceeding with the rulemaking under the procedures of Section 28.5 of the Environmental Protection Act (Act), 415 ILCS 5/28.5 (2004). Dynegy Midwest

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Generation, Inc., Kincaid Generation, LLC, and Midwest Generation, LLC. v. Illinois Pollution Control Board and Illinois Protection Environmental Agency, Case No. 2006 CH213 (Sangamon County Circuit Court)(May 1, 2006 injunction order). On May 4, 2004 the Board issued an order that R06-25 would proceed under the rulemaking procedures under Section 27 of the Act, 415 ILCS 5/27. On May 8, the Board and IEPA filed a joint motion for dismissal of the action as moot. *See Environmental Register* No. 623 (May 2006) at 4-5.

Prior to any action by the court on the motion to dismiss Dynegy, the Board completed its rulemaking in R06-25 under Section 27 of the Act, adopting final rules on December 21, 2006. The rules were filed and effective the same day. *See Environmental Register* No. 630 (December 2006) at 4-5. On January 24, 2007, the Board received a petition for review appealing the Board's December 21, 2006 decision in R06-25 to the Fourth District Appellate Court captioned Kincaid Generation, LLC v. Illinois Environmental Protection Agency and Illinois Pollution Control Board. On January 26, 2007, the Board received a petition for review from Midwest Generation, appealing the same final decision to the Third District Appellate Court, captioned Midwest Generation, LLC v. Illinois Environmental Protection Agency and Illinois Pollution Control Board.

Board Actions

January 4, 2007

Via Videoconference
Springfield and Chicago, Illinois

Rulemakings

R06-11	<u>In the Matter of: Proposal of Vaughan & Bushnell Manufacturing Company of Amendment to a Site-Specific Rule 35 Ill. Adm. Code 901.121</u> – The Board adopted a final opinion and order in this rulemaking which amends the Board's noise regulations.	4-0 R, Noise
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Administrative Citations

AC 07-25	<u>City of Chicago Department of Environment v. 1601-1759 East 130th Street, L.L.C.</u> – The Board accepted respondent's petition for review of administrative citation, but reserved ruling on respondent's motion to consolidate this proceeding with another pending administrative citation action involving the same parties, AC 06-41.	4-0
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Decisions

PCB 04-36	<u>Michael A. Petrosius and Darla G. Petrosius v. Illinois State Toll Highway Authority</u> – The Board found that sound emanating from traffic using a toll collection/entrance ramp on the northbound side of the I-294 tollway and the 75th Street Exchange in LaGrange, Illinois did not unreasonably interfere with the complainants' enjoyment of their lives and property.	4-0 Citizens N-E
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Motions and Other Matters

PCB 00-104	<u>People of the State of Illinois v. The Highlands, L.L.C., Murphy Farms, Inc., and Smithfield Foods, Inc.</u> – 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 Knox County facility, the Board ordered publication of the required newspaper notice.	4-0 W-E
PCB 00-204	<u>Gutmann Leather Company, Inc. v. IEPA</u> – The Board granted this Cook County facility’s motion for voluntary dismissal of this permit appeal.	4-0 P-A, Air
PCB 07-18	<u>Frey Enterprises, Inc. (November 1, 2005 to February 25, 2006) v. IEPA</u> – 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 facility in St. Clair County.	4-0 UST Appeal
PCB 07-19	<u>Frey Enterprises, Inc. (February 1, 2006 to April 15, 2006) v. IEPA</u> – 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 facility in St. Clair County.	4-0 UST Appeal
PCB 07-49	<u>People of the State of Illinois v. City of Woodstock</u> – The Board accepted for hearing this water enforcement action involving a site located in McHenry County.	4-0 W-E
PCB 07-50	<u>Growmark, Inc. (Property Identification Number 38-11-400-001 and 38-11-400-005) v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified agrichemical structures of Growmark, Inc.’s at its plant located in McLean County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2004)).	4-0 T-C
PCB 07-51	<u>LaSalle County Farm Supply (Vapor Recovery System)(Property Identification Number (22-25-333-000) v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that the specified vapor recovery system of LaSalle County Farm Supply’s at its bulk fuel storage facility located in LaSalle County is a pollution control facility for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2004)).	4-0 T-C
PCB 07-52	<u>Logan Agri Service, Inc. (Vapor Recovery System)(Property Identification Number 43-033-07) v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that the specified vapor recovery system of Logan Agri Service, Inc.’s at its bulk fuel storage facility located in Pike County is a pollution control facility for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2004)).	4-0 T-C

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Rulemakings

R07-5	<u>In the Matter of: RCRA Subtitle C (Hazardous Waste) Update, USEPA</u>	4-0
R07-14	<u>Amendments (January 1, 2006 through June 30, 2006); In the Matter of: RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (July 1, 2006 through December 31, 2006) – The Board on its own motion consolidated these “identical-in-substance” rulemaking to amend the Board’s hazardous waste regulations and extended the deadline for completion of amendments from April 5, 2007 to October 1, 2007.</u>	R, Land

Administrative Citations

AC 05-40	<u>IEPA v. Northern Illinois Service Company</u> – The Board denied respondents motion to stay, noting the appellate court’s dismissal of respondent’s appeal. 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 \$672.25 and a civil penalty of \$3,000. This order follows the Board’s interim order of September 21, 2006, which found that this respondent had violated Sections 21(p)(1) and (p)(7) of the Illinois Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(7) (2004)).	4-0
AC 07-21	<u>County of Macon v. Tim Walker</u> –The Board dismissed respondent’s petition for review as untimely filed and found that this Macon County respondent violated Section (p)(1), (p)(3), and (p)(7) of the Act (415 ILCS 5/21(p)(1), (p)(3), and (p)(7) (2004)), and ordered respondent to pay a civil penalty of \$4,500.	4-0
AC 07-25	<u>City of Chicago Department of Environment v. 1601-1759 East 130th Street, L.L.C.</u> – The Board denied respondent’s motion to consolidate with another pending administrative citation action involving the same parties, AC 06-41.	4-0
AC 07-26	<u>IEPA v. Leonard Hostetler</u> – The Board found that this Macon County respondent violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (2004)), and ordered respondent to pay a civil penalty of \$1,500.	4-0
AC 07-27	<u>IEPA v. Paul Sahlstrom</u> – The Board found that this Winnebago County respondent violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (2004)), and ordered respondent to pay a civil penalty of \$1,500.	4-0

Decisions

PCB 97-179	<u>People of the State of Illinois v. Midwest Grain Products of Illinois, Inc.</u> – In	4-0
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	<p>this air enforcement action concerning a Tazewell 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) (2004)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$200,000, and to cease and desist from further violations. Respondent must contribute \$300,000 to the Illinois Environmental Protection Agency’s Special Projects Fund.</p>	A-E
PCB 00-104	<p><u>People of the State of Illinois v. The Highlands, L.L.C., Murphy Farms, Inc. a/k/a Murphy Family Farms, and Bion Technologies, Inc.</u> – In this water enforcement action concerning a Knox 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) (2004)), accepted a stipulation and settlement agreement as to the Highlands, L.L.C. (Highlands) only, and ordered the Highlands to pay a total civil penalty of \$9,000, and to cease and desist from further violations.</p>	4-0 A-E
PCB 06-150	<p><u>People of the State of Illinois v. Stoecker Farms, Inc.</u> – In this water enforcement action concerning a Macoupin 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) (2004)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$5,000, and to cease and desist from further violations.</p>	4-0 W-E
PCB 06-171	<p><u>American Bottom Conservancy v. IEPA and United Steel Corporation – Granite City Works</u> – The Board found that the Illinois Environmental Protection Agency’s decision not to hold a public hearing prior to the issuance of the U.S. Steel permit on March 31, 2006 violated 35 Ill. Adm. Code 309.115(a) of the Board’s regulations, and ruled the permit invalid.</p>	4-0 P-A, NPDES
PCB 06-175	<p><u>People of the State of Illinois v. Tres Amigos Properties, L.L.C.</u> – In this water enforcement action concerning a Sangamon 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) (2004)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$5,000, and to cease and desist from further violations.</p>	4-0 W-E
PCB 07-1	<p><u>People of the State of Illinois v. Kurt Carlson</u> – In this water enforcement action concerning a Winnebago 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) (2004)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$22,000, and to cease and desist from further violations.</p>	4-0 W-E
PCB 07-26	<p><u>People of the State of Illinois v. Palos Township, Cook County, Illinois</u> – In this 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) (2004)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of</p>	4-0 W-E

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\$3,800, and to cease and desist from further violations.

PCB 07-35	<u>People of the State of Illinois v. Bradshaw Enterprises, L.L.C. and Brian Bradshaw individually</u> – In this water enforcement action concerning a Clark 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) (2004)), accepted a stipulation and settlement agreement, and ordered the respondents to pay a total civil penalty of \$3,500, and to cease and desist from further violations.	4-0 W-E
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Motions and Other Matters

PCB 06-14	<u>Q&E Properties, Inc. v. IEPA</u> – The Board granted this Sangamon County facility’s motion for voluntary dismissal of this underground storage tank appeal.	4-0 UST Appeal
PCB 06-132	<u>People of the State of Illinois v. Lake Pointe Estates, L.L.C.</u> – 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 Sangamon County facility, the Board ordered publication of the required newspaper notice.	4-0 W-E
PCB 06-152	<u>James Chew and Lynn Chew v. Dick F. Borgmiller and Sportsblast, L.L.C.</u> – The Board granted this Jackson County facility’s motion for voluntary dismissal of this citizens’ noise enforcement action.	4-0 Citizens N-E
PCB 06-177	<u>People of the State of Illinois v. Sheridan Sand & Gravel Co.</u> – The Board granted respondent’s motion for leave to file an amended answer and affirmative defenses. The Board denied as moot complainant’s motion to strike affirmative defenses as plead in the first answer. The Board granted complainant leave to file a new motion to strike in response to the amended answer and affirmative defenses.	4-0 L-E
PCB 06-188	<u>People of the State of Illinois v. Karam Toor and Surjit Toor individuals d/b/a Toor Car and Truck Plaza and Singh Inc. of Illinois d/b/a Toor Car and Truck Plaza</u> – 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 Lake County facility, the Board ordered publication of the required newspaper notice.	4-0 W-E, NPDES
PCB 07-11	<u>Lincolnshire/State Oil S&S Petroleum v. IEPA</u> – The Board granted this Lake County facility’s motion for voluntary dismissal of this underground storage tank appeal.	4-0 UST Appeal
PCB 07-22	<u>Estate of William Eggert v. IEPA</u> – The Board granted this Cook County facility’s motion for voluntary dismissal of this underground storage tank appeal.	4-0 UST Appeal

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PCB 07-29	<u>People of the State of Illinois v. Pinnacle Genetics, L.L.C. and Professional Swine Management, L.L.C.</u> – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this air and water enforcement action involving a McDonough County facility, the Board ordered publication of the required newspaper notice.	4-0 A,W-E
PCB 07-30	<u>The Premcor Refining Group, Inc. v. IEPA</u> – The Board granted petitioner’s motion for leave to file an amended petition, and accepted the amended petition for review. The respondent’s motion to dismiss was denied as moot. The Board also granted petitioner’s motion to stay the effectiveness of the CAAPP permit. The Board also granted respondent’s motion for leave to file the administrative record <i>instanter</i> , and accepted the administrative record.	4-0 P-A, Air
PCB 07-53	<u>People of the State of Illinois v. Moline Place Development, L.L.C. and Crosstowne Place Development, L.L.C.</u> – The Board accepted for hearing this water enforcement action involving a site located in Rock Island County.	4-0 W-E
PCB 07-54	<u>Auburn Realty Company, Inc. v. IEPA</u> – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Christian County facility.	4-0 UST Appeal 90-Day Ext.
PCB 07-55	<u>Marathon Ashland Petroleum, L.L.C. (Continuous Emissions Monitoring System) (Property Identification Number 51-34-1-21 or portion thereof) v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Marathon Ashland Petroleum, L.L.C. located in Crawford County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2004)).	4-0 T-C Air
PCB 07-56	<u>Marathon Ashland Petroleum, L.L.C. (Gasoline Desulfurization Unit) (Property Identification Number 51-34-1-21 or portion thereof) v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Marathon Ashland Petroleum, L.L.C. located in Crawford County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2004)).	4-0 T-C Air
PCB 07-57	<u>Marathon Ashland Petroleum, L.L.C. (Platformer Vent Gas Scrubber) (Property Identification Number 51-34-1-21 or portion thereof) v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Marathon Ashland Petroleum, L.L.C. located in Crawford County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2004)).	4-0 T-C Air

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PCB 07-58	<u>Marathon Ashland Petroleum, L.L.C. (Steam Supply to Nos. 1 and 5 Flares) (Property Identification Number 51-34-1-21 or portion thereof) v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Marathon Ashland Petroleum, L.L.C. located in Crawford County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2004)).	4-0 T-C Air
PCB 07-59	<u>Gateway FS, Inc. v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a Randolph County facility and on its own motion consolidated this matter with PCB 06-61.	4-0 UST Appeal
PCB 07-60	<u>Mikuska Investments, Ltd. v. IEPA</u> – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Will County facility.	4-0 UST Appeal 90-Day Ext.
PCB 07-61	<u>Gateway FS, Inc. v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a Randolph County facility and on its own motion consolidated this matter with PCB 06-59.	4-0 UST Appeal
PCB 07-62	<u>R.W. Sheridan Oil Company v. IEPA</u> – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this DeWitt County facility.	4-0 UST Appeal 90-Day Ext.
PCB 07-63	<u>PMA & Associates, Inc. v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a Union County facility.	4-0 UST Appeal
PCB 07-64	<u>Wright Petroleum v. IEPA</u> – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Hancock County facility.	4-0 UST Appeal 90-Day Ext.
PCB 07-65	<u>Electro-Motive Diesel, Inc. v. IEPA</u> – The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of this Cook County facility.	4-0 P-A, Air 90-Day Ext.
PCB 07-66	<u>Ted’s Citgo v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a Lake County facility.	4-0 UST Appeal

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PCB 07-67	<u>Klean Wash, Inc. (Property Identification Number 06-06-08-406-027) v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Klean Wash, Inc. located in Tazewell County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2004))	4-0 T-C Water
PCB 07-68	<u>People of the State of Illinois v. Chippewa Loft, L.L.C.</u> – The Board accepted for hearing this air enforcement action involving a site located in Madison County.	4-0 A-E
PCB 07-69	<u>Siemens Energy & Automation v. IEPA</u> – 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 UST Appeal 90-Day Ext.

New Cases

January 4, 2007 Board Meeting

07-049 People of the State of Illinois v. City of Woodstock – The Board accepted for hearing this water enforcement action involving a site located in McHenry County.

07-050 Growmark, Inc. (Property Identification Number 38-11-400-001 and 38-11-400-005) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified agrichemical structures of Growmark, Inc.’s at its plant located in McLean County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2004)).

07-051 LaSalle County Farm Supply (Vapor Recovery System)(Property Identification Number 22-25-333-000) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that the specified vapor recovery system of LaSalle County Farm Supply’s at its bulk fuel storage facility located in LaSalle County is a pollution control facility for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2004)).

07-052 Logan Agri Service, Inc. (Vapor Recovery System)(Property Identification Number 43-033-07) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that the specified vapor recovery system of Logan Agri Service, Inc.’s at its bulk fuel storage facility located in Pike County is a pollution control facility for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2004)).

AC 07-029 IEPA v. Gere Properties, Inc., Perry Ridge Landfill, Inc., and Mike Whitlock – The Board accepted an administrative citation against these Perry County respondents.

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07-053 People of the State of Illinois v. Moline Place Development, L.L.C. and Crosstowne Place Development, L.L.C. – The Board accepted for hearing this water enforcement action involving a site located in Rock Island County.

07-054 Auburn Realty Company, Inc. v. IEPA – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Christian County facility.

07-055 Marathon Ashland Petroleum, L.L.C. (Continuous Emissions Monitoring System) (Property Identification Number 51-34-1-21 or portion thereof) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency's recommendation, the Board found and certified that specified facilities of Marathon Ashland Petroleum, L.L.C. located in Crawford County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2004)).

07-056 Marathon Ashland Petroleum, L.L.C. (Gasoline Desulfurization Unit) (Property Identification Number 51-34-1-21 or portion thereof) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency's recommendation, the Board found and certified that specified facilities of Marathon Ashland Petroleum, L.L.C. located in Crawford County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2004)).

07-057 Marathon Ashland Petroleum, L.L.C. (Platformer Vent Gas Scrubber) (Property Identification Number 51-34-1-21 or portion thereof) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency's recommendation, the Board found and certified that specified facilities of Marathon Ashland Petroleum, L.L.C. located in Crawford County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2004)).

07-058 Marathon Ashland Petroleum, L.L.C. (Steam Supply to Nos. 1 and 5 Flares) (Property Identification Number 51-34-1-21 or portion thereof) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency's recommendation, the Board found and certified that specified facilities of Marathon Ashland Petroleum, L.L.C. located in Crawford County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2004)).

07-059 Gateway FS, Inc. v. IEPA – The Board accepted for hearing this underground storage tank appeal involving a Randolph County facility and on its own motion consolidated this matter with PCB 06-61.

07-060 Mikuska Investments, Ltd. v. IEPA – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Will County facility.

07-061 Gateway FS, Inc. v. IEPA – The Board accepted for hearing this underground storage tank appeal involving a Randolph County facility and on its own motion consolidated this matter with PCB 06-59.

07-062 R.W. Sheridan Oil Company v. IEPA – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this DeWitt County facility.

07-063 PMA & Associates, Inc. v. IEPA – The Board accepted for hearing this underground storage tank appeal involving a Union County facility.

07-064 Wright Petroleum v. IEPA – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Hancock County facility.

07-065 Electro-Motive Diesel, Inc. v. IEPA – The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of this Cook County facility.

07-066 Ted's Citgo v. IEPA – The Board accepted for hearing this underground storage tank appeal involving a Lake County facility.

07-067 Klean Wash, Inc. (Property Identification Number 06-06-08-406-027) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency's recommendation, the Board found and certified that specified facilities of Klean Wash, Inc. located in Tazewell County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2004)).

07-068 People of the State of Illinois v. Chippewa Loft, L.L.C. – The Board accepted for hearing this air enforcement action involving a site located in Madison County.

07-069 Siemens Energy & Automation v. IEPA – 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.

AC 07-030 IEPA v. Bobby G. Myers and Donald D. Myers – The Board accepted an administrative citation against these Union County respondents.

AC 07-031 IEPA v. Mark A. Lewis – The Board accepted an administrative citation against this Clay County respondent.

AC 07-032 IEPA v. Don Jose Tandy – The Board accepted an administrative citation against this Macoupin County respondent.

AC 07-033 IEPA v. Donald R. Langley, Perry D. Winebrinner and Bret Slater – The Board accepted an administrative citation against these Logan County respondents.

AS 07-003 In the Matter of: Petition of Midwest Generation, L.L.C., Waukegan Generating Station for an Adjusted Standard from 35 Ill. Adm. Code 225.230 – Pending receipt of the certificate of publication, the Board held this Lake County facility's petition for an adjusted standard from the Board's air pollution control regulations for mercury emission.

AS 07-004 In the Matter of: Petition of Midwest Generation, L.L.C., Will County Generating Station for an Adjusted Standard from 35 Ill. Adm. Code 225.230 – Pending receipt of the certificate of publication, the Board held this Will County facility's petition for an adjusted standard from the Board's air pollution control regulations for mercury emission.

Provisional Variances

IEPA 07-12 City of Alton Inc. v. IEPA – In January 2007, the Illinois Environmental Protection Agency granted the City of Alton a provisional variance, subject to conditions, from Special Condition 13 of NPDES Permit IL0027464 requiring the City to maintain a 5:1 dilution ratio at Discharge 009. The City of Alton requested the provisional variance to make repairs to the Discharge 001 outfall pipe to the Mississippi River. The relief is granted for a 45-day period from January 30, 2007, and to end no later than February 28, 2007.

Public Act 93-0152 (Senate Bill 222) amended Sections 35-37 of the Illinois Environmental Act (415 ILCS 5/5(b) (2002)) so that provisional variances are issued by the Illinois Environmental Protection Agency (IEPA). If the IEPA grants a provisional variance, then the IEPA must file a copy of its written decision with the Board. The Board must maintain copies of the provisional variances for public inspection. Copies of provisional variances can be obtained by contacting the Clerk's Office at (312) 814-3620, or by visiting the Board's Website at www.ipcb.state.il.us. If the IEPA denies a provisional variance request, then the applicant may initiate a proceeding with the Board for a full variance.

Calendar

<p>2/1/07 11:00 AM</p>	<p><u>Illinois Pollution Control Board Meeting</u></p>		<p>Videoconference Chicago/Springfield James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago And 1021 N. Grand Avenue East Oliver Holmes Conference Room 2012 N Springfield</p>
<p>2/15/07 11:00 AM</p>	<p><u>Illinois Pollution Control Board Meeting</u></p>		<p>James R. Thompson Center Room 9-040 100 W. Randolph Street Chicago</p>
<p>2/27/07 11:00 AM</p>	<p>PCB 05-93</p>	<p>York High Neighborhood Committee (a voluntary organization) Janet and Fred Hodge, Patricia and David Bennett, Sheila and Mike Trant, Joe Vosicky, Jean and Peter Conroy, Frank Soldano, Joseph Reamer, Elizabeth and Charles Laliberte v. Elmhurst Public Schools, District 205</p>	<p>James R. Thompson Center 100 West Randolph, Room 512 Chicago</p>
<p>2/28/07 1:00 PM</p>	<p>R07-08</p>	<p>In the Matter of: Proposed Amendments to Solid Waste Landfill Rules, 35 Ill. Adm. Code 810 and 811</p>	<p>Pollution Control Board Conference Room 1021 N. Grand Avenue East (North Entrance, IEPA Building) Springfield</p>
<p>3/1/07 9:30 AM</p>	<p>R07-08</p>	<p>In the Matter of: Proposed Amendments to Solid Waste Landfill Rules, 35 Ill. Adm. Code 810 and 811</p>	<p>Pollution Control Board Conference Room 1021 N. Grand Avenue East (North Entrance, IEPA Building) Springfield</p>
<p>3/1/07 11:00 AM</p>	<p><u>Illinois Pollution Control Board Meeting</u></p>		<p>Illinois Pollution Control Board Hearing Room 1021 North Grand Avenue East North Entrance Springfield</p>
<p>3/07/07 10:30 AM</p>	<p>R07-9</p>	<p>In the Matter of: Triennial Review of Sulfate and Total Dissolved Solids Water Quality Standards: Proposed Amendments to 35 Ill. Adm. Code 302.102(b)(6), 302.102(b)(8), 302.102(b)(10), 302.208(g), 309.103(c)(3), 405.109(b)(2)(A),</p>	<p>IEPA Office Building Training Room 1214 West 1021 N. Grande Avenue East (North Entrance) Springfield</p>

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		409.109(b)(2)(B), 406.100(d); Repealer of 35 Ill. Adm. Code 406.203 and Part 407; and Proposed News 35 Ill. Adm. Code 302.208(h)	
3/14/07 9:00 AM	AC 06-49	IEPA v. Michael Gruen and Jon Eric Gruen, d/b/a Jon's Tree Service (IEPA File No. 96-06-AC)	Carlinville City Hall Council Chambers 550 N. Broad Street Carlinville
3/15/07 11:00 AM	<u>Illinois Pollution Control Board Meeting</u>		James R. Thompson Center Room 9-040 100 W. Randolph Street Chicago
4/5/07 11:00 AM	<u>Illinois Pollution Control Board Meeting</u>		Videoconference Chicago/Springfield James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago And 1021 N. Grand Avenue East Oliver Holmes Conference Room 2012 N Springfield
4/19/07 11:00 AM	<u>Illinois Pollution Control Board Meeting</u>		James R. Thompson Center Room 9-040 100 W. Randolph Street Chicago
04/23/07 10:00 AM	R07-9	In the Matter of: Triennial Review of Sulfate and Total Dissolved Solids Water Quality Standards: Proposed Amendments to 35 Ill. Adm. Code 302.102(b)(6), 302.102(b)(8), 302.102(b)(10), 302.208(g), 309.103(c)(3), 405.109(b)(2)(A), 409.109(b)(2)(B), 406.100(d); Repealer of 35 Ill. Adm. Code 406.203 and Part 407; and Proposed News 35 Ill. Adm. Code 302.208(h)	James R. Thompson Center Room 9-031 100 W. Randolph Chicago
5/3/07 11:00 AM	<u>Illinois Pollution Control Board Meeting</u>		Illinois Pollution Control Board Hearing Room 1021 North Grand Avenue East North Entrance Springfield
5/16/07 9:00 AM	AC 06-16	IEPA v. Rex D. Evans and Roy W. Evans, Jr. (Road Dist. No. 10/Evans)(IEPA File No. 442-05- AC)(Consolidated: AC 06-16 and AC 06-17	Municipal Building 2 nd Floor Commission Room 200 W. Douglas Jacksonville
5/16/07 9:00 AM	AC 06-17	IEPA v. Rex D. Evans and Roy W. Evans, Jr. (Road Dist. No. 11/Evans)(IEPA File No. 443-05-	Municipal Building 2 nd Floor Commission Room 200 W. Douglas

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		AC)(Consolidated: AC 06-16 and AC 06-17	Jacksonville
5/17/07 11:00 AM	<u>Illinois Pollution Control Board Meeting</u>		James R. Thompson Center Room 9-040 100 W. Randolph Street Chicago

**Illinois Environmental Protection Agency
Division of Public Water Supplies
Restricted Status List - Public Water Supplies
JANUARY 2007**

<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
AURORA COMMUNITY WATER ASSN - IL0895750	2	INADEQUATE PRESSURE TANK	150	12/16/1988
BAHL WATER CORP - IL0855200	1	INADEQUATE PRESSURE TANK	700	12/15/1993
BALCITIS PUMP CORP - IL2015100	1	INADEQUATE STORAGE	150	1/1/2006
BRADLEY HEIGHTS SUBDIVISION - IL2015050	1	INADEQUATE PRESSURE TANK	192	9/13/1985
BUCKINGHAM - IL0910250	2	INADEQUATE PRESSURE TANK	340	3/17/1989
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
CHANDLERVILLE - IL0170200	5	INAD & UNAPPROVED STORAGE	704	1/1/2006
COOKSVILLE - IL1130400	4	TTHM & HALOACIDIC ACIDS	300	9/15/2005

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<i>SYSTEM NAME</i>	<i>EPA RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTING DATE</i>
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 PRESSURE TANK	885	9/16/1988
D L WELL OWNERS ASSOCIATION - IL0975380	2	INADEQUATE PRESSURE TANK	141	3/18/1983
DE KALB UNIV DVL CORP - IL0375148	1	INADEQUATE PRESSURE TANK	1050	12/16/1992
DEERING OAKS SUBDIVISION - IL1115200	2	INADEQUATE PRESSURE TANK	60	12/17/1982
DONNELLSON - IL0054360	6	TRICHALOMETHANE	197	9/15/2005
DOVER - IL0110350	1	INADEQUATE PRESSURE TANK	169	5/25/1981
EAST END WATER ASSOCIATION - IL1610140	1	INADEQUATE STORAGE CAPACITY	40	3/15/2002
EAST MORELAND WATER CORPORATION - IL1975640	2	INADEQUATE PRESSURE TANK	135	3/15/1996
EASTMORELAND WTR SERVICE ASSN - IL1975600	2	INADEQUATE PRESSURE TANK	650	3/20/1981
EATON PWD - IL0335100	4	INADEQUATE SOURCE CAPACITY	920	3/15/2002
EVANSVILLE - IL1570250	6	TRICHALOMETHANE	740	6/15/2002
EVERGREEN VILLAGE SUBDIVISION - IL1615310	1	INADEQUATE PRESSURE TANK	130	3/20/1981
FAHNSTOCK COURT SUBDIVISION - IL1435200	5	INADEQUATE PRESSURE TANK	35	5/25/1981
FAIR ACRES SUBDIVISION - IL1975680	2	INADEQUATE PRESSURE TANK	156	10/19/1981
FOREST LAKE ADDITION - IL0975500	2	INADEQUATE PRESSURE TANK	204	12/16/1983
FRWRD-SKYLINE PLANT - IL0895030	2	INADEQUATE PRESSURE TANK	700	9/19/1986

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<i>SYSTEM NAME</i>	<i>EPA RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTING DATE</i>
GARDEN STREET IMPROVEMENT ASSOCIATION - IL1975376	2	INADEQUATE PRESSURE TANK	54	9/15/1989
GOOD SHEPHERD MANOR - IL0915189	2	INADEQUATE PRESSURE TANK	25	3/17/1989
GREAT OAKS AND BEACON HILLS APARTMENTS - IL2015488	1	INADEQUATE PRESSURE TANK	2420	12/17/1982
HAWTHORN WOODS - IL0970450	2	INADEQUATE PRESSURE TANK	672	3/15/1995
HEATHERFIELD SUBDIVISION - IL0635150	2	INADEQUATE PRESSURE TANK	75	9/17/1982
HECKER - IL1330150	6	DISINFECTION BY-PRODUCTS	608	1/15/2005
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
HOLY FAMILY VILLA - IL0310280	2	INADEQUATE PRESSURE TANK	200	9/15/1999
INGALLS PARK SUBDIVISION - IL1975880	2	INADEQUATE PRESSURE TANK	745	9/16/1983
KIRK WATER LINE INC - IL0330030	4	INADEQUATE SOURCE CAPACITY	72	3/15/2002
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 PRESSURE TANK	837	9/17/1992

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<i>SYSTEM NAME</i>	<i>EPA RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTING DATE</i>
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 CENTER - IL0735100	1	INADEQUATE PRESSURE TANK	100	3/15/1995
LYNNWOOD WATER CORPORATION - IL0995336	1	INADEQUATE PRESSURE TANK	110	3/18/1983
M C L W SYSTEM, INC. - IL1315150	1	INADEQUATE SOURCE	98	3/20/1981
MOECHERVILLE WATER DISTRICT - IL0895300	2	INADEQUATE PRESSURE TANK	975	3/20/1981
MOUND PWD - IL1635050	6	INADEQUATE PLANT CAPACITY	2200	6/17/1996
NORTHWEST BELMONT IMPRV ASSN - IL0435900	2	INADEQUATE PRESSURE TANK	78	9/29/1981
OAK RIDGE SD - IL2035300	1	INADEQUATE PRESSURE TANK	240	3/20/1981
OLIVET NAZARENE UNIVERSITY - IL0915279	1	INADEQUATE PRESSURE TANK	0	3/15/1994
OPHIEM PWS - IL0735150	1	INADEQUATE PRESSURE TANK	100	6/18/1982
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
PATOKA - IL1210400	6	INADEQUATE PLANT CAPACITY	731	3/15/1997
PITTSFIELD - IL1490750	5	DISINFECTION BY-PRODUCTS	4250	1/15/2005
POLO DR AND SADDLE RD SUBDIVISION - IL0437000	2	INADEQUATE PRESSURE TANK	90	12/17/1982

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<i>SYSTEM NAME</i>	<i>EPA RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTING DATE</i>
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
RIDGECREST NORTH SUBDIVISION - IL0635250	2	INADEQUATE PRESSURE TANK	60	9/16/1993
RIDGEWOOD LEDGES WATER ASSOCIATION - IL1615670	1	INADEQUATE PRESSURE TANK	370	3/20/1981
RIDGEWOOD SUBDIVISION - IL1977650	2	INADEQUATE PRESSURE TANK	250	6/18/1982
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
SKYVIEW SBDV - IL0915526	2	INADEQUATE PRESSURE TANK	45	3/16/1990
SMITHBORO - IL0050250	6	DISINFECTION BY-PRODUCTS	200	1/15/2005
ST CHARLES COMMISSION WELLFUND 3 - IL0437040	2	INADEQUATE PRESSURE TANK	30	12/15/1989
STRATFORD WEST APARTMENTS - IL1095200	5	INADEQUATE PRESSURE TANK	39	12/17/1982
SUBURBAN HEIGHTS SUBDIVISION - IL1615800	1	INADEQUATE PRESSURE TANK	82	12/16/1983
SUMMIT HOMEOWNERS ASSOCIATION - IL0975280	2	INADEQUATE PRESSURE TANK	39	3/16/1984
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 TANK	157	6/15/1990
SYLVAN LAKE 1ST SUBDIVISION - IL0977100	2	INADEQUATE PRESSURE TANK	210	6/14/1991

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<i>SYSTEM NAME</i>	<i>EPA RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTING DATE</i>
TOWNERS SUBDIVISION - IL0977250	2	INADEQUATE PRESSURE TANK	210	1/14/1982
UTILITIES INC HOLIDAY HILLS - IL1115350	2	INADEQUATE PRESSURE TANK	729	9/16/1983
UTL INC-LAKE HOLIDAY - IL0995200	1	INAD SOURCE & TREATMENT PLT	5460	9/15/1998
UTL INC-NORTHERN HILLS UTILITIES COMPANY - IL1775050	1	INADEQUATE PRESSURE TANK	500	3/15/1996
UTL INC-WALK-UP WOODS WATER COMPANY - IL1115800	2	INADEQUATE PRESSURE TANK	654	12/17/1982
WEST SHORE PARK SUBDIVISION - IL0977370	2	INADEQUATE PRESSURE TANK	528	6/15/2000
WEST SHORELAND SUBDIVISION - IL0977050	2	INADEQUATE PRESSURE TANK	189	6/14/1991
WESTERN WAYNE WATER DISTRICT - IL1910010	7	TRICHALOMETHANE	2262	9/15/2005
WIENEN ESTATES - IL0850030	1	INADEQUATE PRESSURE TANK	70	12/15/1997
WILLIAMSON - IL1191100	6	TRICHALOMETHANE	340	9/15/2005
WONDER LAKE WATER COMPANY - IL1115750	2	INADEQUATE PRESSURE TANK	1442	6/16/1994
YORK CENTER COOP - IL0437550	2	INADEQUATE PRESSURE TANK	240	6/15/1988

WATER SYSTEMS REMOVED FROM PREVIOUS LIST

ALTO PASS – IL1815150

BEECHER – IL1970050

ROBINSON-PALESTINE WATER COMMISSION – IL0335030

**Illinois Environmental Protection Agency
Division of Public Water Supplies
Critical Review List - Public Water Supplies
JANUARY 2007**

<i>SYSTEM NAME</i>	<i>EPA RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTING DATE</i>
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Environmental Register – January 2007

<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
ARENZVILLE - IL0170050	5	INADEQUATE PRESSURE TANK	408	3/14/2001
BEASON CHESTNUT PWD - IL1075150	5	INAD PLANT & SOURCE CAP	600	6/15/2004
BROWNING - IL1690050	5	INADEQUATE SOURCE CAPACITY	175	3/15/1998
CASEYVILLE - IL1630250	6	INADEQUATE STORAGE	9900	10/1/2004
CEDARVILLE - IL1770050	1	EMERGENCY POWER	800	1/1/2006
COLUMBIA - IL1330050	6	INADEQUATE PUMPING CAPACITY	8365	3/15/1998
CROPPERS 1ST 4TH AND 5TH ADDITION - IL1615250	1	UNDERSIZED WATERMANS	650	1/1/2006
DE PUE - IL0110300	1	INADEQUATE TREATMENT PLANT	1729	12/15/1993
EFFINGHAM – IL0490250	4	INADEQUATE DISINFECTION	12384	7/1/2006
ELIZABETH - IL0850150	1	LOW SYSTEM PRESSURE	682	6/15/1999
EXETER-MERRITT WATER COOP - IL1710010	5	INADEQUATE PRESSURE TANK	428	10/1/2004
GALENA - IL0850200	1	LOW SYSTEM PRESSURE	3640	6/15/1999
*GRIGGSVILLE – IL1490300	5	INADEQUATE TREATMENT PLANT CAPACITY	1259	10/1/2006
HAMEL - IL1190450	6	INADEQUATE STORAGE CAPACITY	650	1/1/2006
HOLIDAY SHORES SD - IL1195110	6	INADEQUATE STORAGE CAPACITY	3192	1/1/2006
JOY - IL1310100	1	LOW SYSTEM PRESSURE	373	6/15/1999
LA MOILLE - IL0110500	1	INADEQUATE PLANT CAPACITY	750	6/15/1999
LA SALLE - IL0990300	1	INAD PLANT & SOURCE CAPACITY	9700	11/1/2004

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<i>SYSTEM NAME</i>	<i>EPA RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTING DATE</i>
LACON - IL1230100	1	UNDERSIZED WATERMANS	1979	1/1/2006
LEE - IL1034600	1	INADEQUATE PRESSURE TANK	350	10/1/2004
MALDEN - IL0110550	1	UNDERSIZED WATERMANS	370	1/1/2006
MARION - IL1990550	7	INADEQUATE SOURCE CAPACITY	14610	11/1/2001
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
MECHANICSBURG-BUFFALO WTR CMSN - IL1675150	5	INADEQUATE SOURCE CAPACITY	1350	3/15/1998
NAUVOO – IL0670500	5	INADEQUATE DISINFECTION	1612	7/1/2006
*O’FALLON – IL1970050	2	INADEQUATE STORAGE CAPACITY	43596	10/1/2006
OTTER CREEK LAKE UTILITIES DISTRICT - IL2015320	1	INADEQUATE STORAGE CAPACITY	2753	1/1/2006
OTTER LAKE WTR CMSN – IL1175200	5	INADEQUATE PLANT CAPACITY	1251	7/1/2006
*ROBINSON-PALESTINE WATER COMMISSION – IL0335030	4	INADEQUATE PLANT CAPACITY	11317	1/1/2007
SCALES MOUND - IL0850400	1	LOW SYSTEM PRESSURE	400	9/15/1997
SENECA - IL0991050	1	INADEQUATE PLANT CAPACITY	2053	6/15/1999
SOUTH HIGHWAY PWD - IL0775400	7	LOW SYSTEM PRESSURE & UNDERSIZED WATERMANS	8420	1/1/2006

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<i>SYSTEM NAME</i>	<i>EPA RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTING DATE</i>
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
WATERLOO - IL1330300	6	INADEQUATE STORAGE	7614	10/1/2004
WORDEN - IL1191200	6	INADEQUATE STORAGE CAPACITY	906	1/1/2006

WATER SYSTEMS REMOVED FROM PREVIOUS LIST

BLUFORD - IL0810100

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 January 1, 2006. 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.

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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.

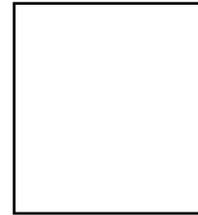
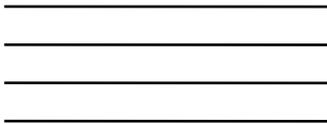
A supply will be placed on the Critical Review List when Agency records indicate that it is approaching any of the violations that would place it on the Restricted Status List.

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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