
Environmental Register

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G. Tanner Girard, Acting Chairman

Board Members:

Thomas E. Johnson, Nicholas J. Melas, Andrea S. Moore

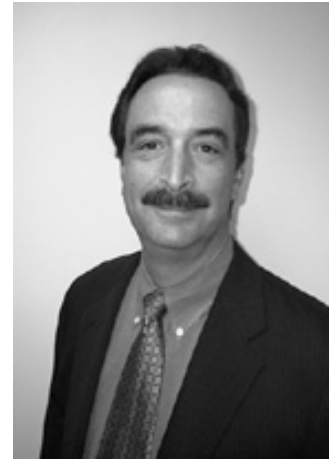
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601
(312) 814-3620
(312) 814-6032 TDD

Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, Illinois 62794-9274
(217) 524-8500

Web Site: <http://www.ipcb.state.il.us>

Letter from the Chairman

Water quality standards received considerable attention from the Board during January. After a lengthy proceeding that began in 2004, the Board adopted a new general use water quality standard for dissolved oxygen (DO). The Board also began hearings on a proposal filed late in 2007 to change water quality standards and effluent limitations for the Chicago Area Waterway System and the Lower Des Plaines River. These two rulemakings are summarized below. Information about these proceedings and the Board's other cases is available through the Clerk's Office Online (COOL) on our Web site at www.ipcb.state.il.us.



On January 24, 2008, the Illinois Pollution Control Board adopted final amendments to Proposed Amendments To Dissolved Oxygen Standard 35 Ill. Adm. Code 302.206, R04-25. The rulemaking amended the Illinois general use water quality standards for DO based on a proposal filed by the Illinois Association of Wastewater Agencies with changes suggested by the Illinois Department of Natural Resources and the Illinois Environmental Protection Agency (IEPA).

The new DO rules take into account the natural variability of DO and aquatic organisms in Illinois waters, based on additional research conducted since the original DO rules were adopted by the Board in 1972. The rule adopts "two-season" numeric DO standards. The rule divides the year into an "early life stages" season (March through July) and an "other life stages" season (August through February). The "early life stages" of fish (egg, embryo, larval, and recently-hatched juvenile) are more sensitive to low DO concentrations than later juvenile and adult stages, and therefore warrant greater protection. The proposal also includes a narrative DO standard to protect quiescent and isolated sectors of general use waters where naturally-occurring DO concentrations cannot reasonably be expected to attain the numeric DO standards. Finally, the new DO rule designates approximately 8% of Illinois' 71,394 general use stream miles to receive "enhanced" numeric DO standards to protect DO-sensitive species present in meaningful amounts.

At the other end of the rulemaking process, the Board held the first five days of hearing in Chicago on the proposal docketed as In the Matter of: Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System and Lower Des Plaines River Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303, and 304, R08-9. The rulemaking is an IEPA proposal to update the designated uses and criteria necessary to protect the uses for the waters currently designated for Secondary Contact and Indigenous Aquatic Life Uses. Water bodies that carry these designations were all part of the engineering effort that reversed the flow of the Chicago River and are known as the Chicago Area Waterway System and Lower Des Plaines River. In 2000 and 2002, the IEPA began pilot programs for the Lower Des Plaines River and the Chicago Area Waterway System to develop use attainability analysis for these waters. The proposed rule changes incorporate the findings of the pilot programs. The IEPA proposal recommends three distinct recreational uses and three distinct aquatic life uses applicable to these waterways. In March, the Board has scheduled additional hearings in Joliet in this rulemaking. Dates and locations are listed on our website at www.ipcb.state.il.us

Sincerely,

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

Dr. G. Tanner Girard

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Federal Update

United States Environmental Protection Agency Adopts National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Iron and Steel Foundries Area Sources Under the Clean Air Act

On January 2, 2008 (73 Fed. Reg. 225) the United States Environmental Protection Agency (USEPA) adopted National Emission Standards for Hazardous Air Pollutants (NESHAPs) for iron and steel foundries area sources.

In this final rule, USEPA adopted requirements for the two area source categories in one subpart. The final rule establishes different requirements for foundries based on size. Small area source foundries are required to comply with pollution prevention management practices for metallic scrap, the removal of mercury switches, and binder formulations. Large area source foundries are required to comply with the same pollution prevention management practices as small foundries in addition to emissions standards for melting furnaces and foundry operations. USEPA stated that the final standards reflect the generally achievable control technology and/or management practices for each subcategory.

This final rule is effective on January 2, 2008.

For further information contact Mr. Conrad Chin, Sector Policies and Programs Division, Office of Air Quality Planning and Standards (D243-02), Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone number: (919) 541-1512; fax number: (919) 541-3207; e-mail address: chin.conrad@epa.gov.

Pursuant to Section 9.1(b) of the Environmental Protection Act (Act) (415 ILCS 5/9.1(b) (2006)), once adopted by the USEPA, NESHAP rules are applicable and enforceable under the Act without further action by the Board.

United States Environmental Protection Agency Adopts Standards of Performance for Stationary Spark Ignition Internal Combustion Engines and National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines Under the Clean Air Act

On January 18, 2008 (73 Fed. Reg. 3567) the United States Environmental Protection Agency (USEPA) adopted standards of performance for stationary spark ignition internal combustion engines and National Emission Standards for Hazardous Air Pollutants (NESHAPs) for reciprocating internal combustion engines under the Clean Air Act.

In this final rule, the USEPA is promulgating new source standards of performance for stationary spark ignition internal combustion engines. USEPA is also promulgating NESHAP standards for new and reconstructed stationary reciprocating internal combustion engines that either are located

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at area sources of hazardous air pollutant emissions or that have a site rating of less than or equal to 500 brake horsepower and are located at major sources of hazardous air pollutant emissions.

This final rule is effective on March 18, 2008.

For further information contact Mr. Jaime Pagan, Energy Strategies Group, Sector Policies and Programs Division (D243-01), Environmental Protection Agency, Research Triangle Park, North Carolina 27711; telephone number (919) 541-5340; facsimile number (919) 541-5450; e-mail address pagan.jaime@epa.gov.

Pursuant to Section 9.1(b) of the Environmental Protection Act (Act) (415 ILCS 5/9.1(b) (2006)), once adopted by the USEPA, NESHAP rules are applicable and enforceable under the Act without further action by the Board.

United States Environmental Protection Agency Adopts Direct Final Rule, and Proposes Identical Rule, Approving Revisions to the Illinois Emission Reduction Market System Rules

On January 30, 2008 (73 Fed. Reg. 5435) the United States Environmental Protection Agency (USEPA) adopted a direct final rule, and proposed an identical rule, to approve amendments to the Illinois Emission Reduction Market System (ERMS) regulations.

The Board adopted the approved amendments in Amendments to Emissions Reduction Market System, 35 Ill. Adm. Code 205 and 211, R05-11 (June 2, 2005).

Illinois has an established a cap and trade program regulating emissions of volatile organic compounds (VOC) that is designed to address VOC sources in the Chicago area with potential to emit at least 25 tons per year. Then, in 2004, the Chicago ozone nonattainment area was in effect reclassified from severe to moderate, which according to USEPA guidance revised the applicable definition of major sources from 25 tons per year to 100 tons per year (see 69 Fed. Reg. 23951, April 30, 2004). This reclassification could have resulted in the ERMS program no longer including sources with potential to emit more than 25 but less than 100 tons per year.

Instead, the Board adopted rule revisions in R05-11, which required that these sources remain part of the program. The R05-11 rule revisions also addressed other ramifications of the reclassification to ensure that the ERMS program remained in place so as to maintain the required volatile organic material emissions reductions in the Chicago area. R05-11 modified the applicability provisions and clarified other related provisions as a result of the implementation of the 8-Hour Ozone National Ambient Air Quality Standard and the revocation of the 1-Hour Ozone National Ambient Air Quality Standard.

This direct final rule will be effective March 31, 2008, unless USEPA receives adverse comments by February 29, 2008. If adverse comments are received, USEPA will publish a timely withdrawal of the direct final rule in the *Federal Register* informing the public that the rule will not take effect.

Submit your comments, identified by Docket ID No. EPA-R05-OAR-2007-0183, by one of the following methods:

1. Online at <http://www.regulations.gov>: Follow the on-line instructions for submitting comments.
2. Email: mooney.john@epa.gov.
3. Fax: (312) 886-5824.
4. Mail: John M. Mooney, Chief, Criteria Pollutant Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

5. Hand Delivery: John M. Mooney, Chief, Criteria Pollutant Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

For further information contact John Summerhays, Environmental Scientist, Criteria Pollutant Section, Air Programs Branch (AR-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-6067, summerhays.john@epa.gov.

Rule Update

Board Grants Motion to Proceed with Amended Proposal in Section 27 Proposed Rules for Nitrogen Oxide (NO_x) Emissions from Stationary Reciprocating Internal Combustion Engines and Turbines: Amendments to 35 Ill. Adm. Code Parts 211 and 217 (R07-19)

On January 10, 2008, the Board granted a motion filed by the Illinois Environmental Protection Agency (IEPA) to proceed with an amended proposal in Section 27 Proposed Rules for Nitrogen Oxide (NO_x) Emissions From Stationary Reciprocating Internal Combustion Engines and Turbines: Amendments to 35 Ill. Adm. Code Parts 211 and 217 (R07-19). The IEPA also sought and was granted leave to withdraw testimony in support of the original proposal that the IEPA had previously filed, but not presented at hearing in this docket.

The following is a brief synopsis of the history of this rulemaking proposal. On April 6, 2007, the IEPA filed a rulemaking proposal intended to reduce emissions of NO_x from stationary reciprocating engines and turbines, which the Board docketed as R07-18. In an order dated May 17, 2007, the Board concluded that the IEPA's entire proposal was not "required to be adopted" by the Clean Air Act (CAA) under Section 28.5 of the Environmental Protection Act (Act). Accordingly, the Board bifurcated the proposal by continuing to consider only the portion applicable to the 28 internal combustion engines affected by the NO_x State Implementation Plan (SIP) Call Phase II under Section 28.5. The Board directed the publication of the remainder of the IEPA's proposal for first notice under Sections 27 and 28 of the Act in docket R07-19 without commenting on the merits of the proposal. This was published at 31 Ill. Reg. 7702 (June 8, 2007).

On June 15, 2007, the hearing officer issued an order scheduling a first hearing beginning September 18, 2007 in Springfield and a second hearing beginning November 5, 2007 in Chicago. On August 23, 2007, the IEPA filed a motion to cancel the scheduled hearings and associated deadlines. In an order dated August 27, 2007, the hearing officer granted the motion. At the direction of the hearing officer, the IEPA has since filed two status reports, a first on October 31, 2007, and a second, on November 19, 2007, which indicated that the IEPA would file an amended proposal with the Board before the end of December 2007.

On December 20, 2007, the IEPA filed its "Motion to Proceed with Amended Proposal and Withdraw Testimony." The Board granted the IEPA's motion to proceed with the amended proposal and directed the hearing officer to proceed under the rulemaking provisions of the Act and the Board's procedural rules. The Board stated that it would determine in the course of this proceeding whether to file a second proposal for first notice. *See* 5 ILCS 100/5-40 (e) (one-year deadline).

Copies of the Board's opinion and orders as well as hearing officer orders in R07-19 may be obtained by calling the Clerk's office at 312-814-3620, or by downloading copies from the Board's Web site at www.ipcb.state.il.us.

For additional information contact Tim Fox at 312-814-6085; e-mail address foxt@ipcb.state.il.us.

Board Adopts Final Opinion and Order in Proposed Amendments to Dissolved Oxygen Standard 35 Ill. Adm. Code 302.206 (R04-25)

On January 24, 2008, the Board adopted a final opinion and order in Proposed Amendments to Dissolved Oxygen Standard 35 Ill. Adm. Code 302.206 (R04-25). The adopted amendments were filed with the Secretary of State's Index department and published at 32 Ill. Reg. 2254 (February 8, 2008) with a January 28, 2008 effective date.

The rules, adopted after five days of public hearings, are based on aspects of both the original proposal filed by the Illinois Association of Wastewater Agencies, and the joint proposal later filed by the Illinois Department of Natural Resources and Illinois Environmental Protection Agency. The Board updated the existing general use water quality standard for dissolved oxygen or "DO", to make them consistent with the National Criteria Document or "NCD" for DO of the United States Environmental Protection Agency (USEPA), *Ambient Aquatic Life Water Quality Criteria for Dissolved Oxygen (Freshwater)* (USEPA, Chapman 1986).

The adopted amendments include a two-season numeric DO standard with values based on daily minima and 7- and 30-day averages. The "early life stages" season of the two-season numeric DO standard would run from March 1st through July 31st. (The egg, embryo, larval, and recently-hatched juvenile life stages of fish are more sensitive to low DO concentrations than later juvenile and adult stages.) Additionally, the rulemaking designates stream segments (approximately 8% of general use stream miles in Illinois) to receive "enhanced" numeric dissolved oxygen standards to protect DO-sensitive fish and macroinvertebrate species present in meaningful amounts. The adopted amendments also include a narrative DO standard to protect quiescent and isolated sectors of general use waters.

Copies of the Board's opinion and order in R04-25 may be obtained by calling the Clerk's office at 312-814-3620, or by downloading copies from the Board's Web site at www.ipcb.state.il.us.

For additional information contact Richard McGill at 312-814-6983; e-mail address mcgillr@ipcb.state.il.us.

Board Accepts Proposal for Hearing in Standards and Limitations for Organic Material Emissions for Area Sources, Proposed New 35 Ill. Adm. Code Part 223 (R08-17)

On January 24, 2008, the Board accepted a proposal for hearing in Standards and Limitations for Organic Material Emissions for Area Sources, Proposed New 35 Ill. Adm. Code Part 223 (R08-17). This proposal, filed by the Illinois Environmental Protection Agency (IEPA) on January 2, 2008, proposes a new 35 Ill. Adm. Code 223 to reduce volatile organic material (VOM) emissions from various consumer products, architectural and industrial maintenance products, and aerosol coatings.

In support of this proposal, the IEPA stated that, effective July 17, 1997, the United State Environmental Protection Agency (USEPA) revised the national ambient air quality standard (NAAQS) for ozone from 0.120 parts per million (ppm) to 0.080 ppm. In addition, USEPA increased from one hour to eight hours the time period used as the basis for compliance with the NAAQS for ozone.

The IEPA claimed that, while many large sources of VOM in the state are already regulated, Illinois requires additional control measures to achieve compliance with the eight-hour ozone NAAQS. The IEPA stated that it proposed this rulemaking in order to attain the ozone NAAQS by 2010 and to protect the health of the state's citizens. The IEPA claims that combined VOM emissions from consumer products, architectural and industrial maintenance coatings, and aerosol coating products "account for approximately 9.86% of all anthropogenic VOM emissions in the State of Illinois." The IEPA argued that this proposed rulemaking would reduce VOM emissions by approximately 28.5 tons per day and slightly more than 10,000 tons on an annual basis.

The Board is currently in the process of scheduling hearings in this rulemaking.

Copies of the Board's opinion and order in R08-17 may be obtained by calling the Clerk's office at 312-814-3620, or by downloading copies from the Board's Web site at www.ipcb.state.il.us.

For additional information contact Tim Fox at 312-814-6085; e-mail address foxt@ipcb.state.il.us.

Appellate Update

Circuit Court Grants Agreed Motion to Dismiss Challenge to Constitutionality of Board Fast Track Rulemaking in ANR Pipeline Company, Natural Gas Pipeline Company, Trunkline Gas Company, and Panhandle Eastern Pipe Line Company v. Illinois Pollution Control Board and Illinois Environmental Protection Agency, No. 07MR190 (Sangamon County Circuit Court, Jan. 9, 2008)(R07-18)

On January 9, 2008, the Sangamon County Circuit Court entered an agreed order dismissing, without prejudice, a complaint seeking declaratory and injunctive relief filed by several natural gas companies against the Board and the Illinois Environmental Protection Agency (IEPA). ANR Pipeline Company, Natural Gas Pipeline Company, Trunkline Gas Company, and Panhandle Eastern Pipe Line Company v. Illinois Pollution Control Board and Illinois Environmental Protection Agency, No. 07MR190 (Sangamon County Circuit Court, Jan. 9, 2008) (hereinafter ANR Pipeline). The complaint concerned the IEPA's April 6, 2007 rulemaking proposal to control certain nitrogen oxide (NOx) emissions, initially docketed as NOx Emissions From Stationary Reciprocating Internal Combustion Engines and Turbines, 35 Ill. Adm. Code Section 201.146 and Parts 211 and 217, R07-18 (April 19, 2007). The plaintiff companies sought to enjoin Board use of the Clean Air Act fast track rulemaking procedures under Section 28.5 of the Environmental Protection Act (Act), 415 ILCS 5/28.5 (2006), and have the court declare Section 28.5 unconstitutional.

The complaint was filed on May 14, 2007, three days before the Board bifurcated the rulemaking into "Fast-Track" NOx SIP Call Phase II R07-18 and Section 27 Proposed Rules for NOx Emissions From Stationary Reciprocating Internal Combustion Engines and Turbines R07-19 (combined order of May 17, 2007). The power companies had agreed that some provisions of the IEPA proposal could properly proceed under Section 28.5, and the Board deferred consideration of the challenged rule provisions to a general rulemaking, captioned as R07-19. The Board completed rulemaking and adopted fast track rules in R07-18 by order of September 20, 2007. See *Environmental Register* No. 639 (September, 2007) at p. 3. (As reported in this issue of the *Environmental Register*, the R07-19 docket is still pending, and hearings will be set shortly on an IEPA amended proposal accepted by the Board January 10, 2008.)

As regards the NOx rulemaking, the January 9, 2008 order dismisses "without prejudice" an action that has been effectively moot for months. ANR Pipeline was the second action seeking preliminary and permanent injunctive relief from proceeding in a rulemaking under Section 28.5. The previous action was also eventually dismissed without prejudice after rulemaking was completed, although not before entry of a preliminary injunction requiring use of Section 27 general rulemaking procedures. 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)(preliminary injunction order May 1, 2006; agreed dismissal order without prejudice entered January 26, 2007). See Proposed New 35 Ill. Adm. Code 225 Control of Emissions From Large Combustion Sources (Mercury), R06-25 (adopted rule December 21, 2006). See also *Environmental Register* Nos. 623 (May, 2006) at 4, and 630 (Dec. 2007) at 4-5.

ANR Pipeline is likely the last action of its kind challenging Section 28.5, as the section by its terms provides that it "is repealed on December 31, 2007". 415 ILCS 5/28.5(b) 2006.

Board Actions

January 10, 2008

Chicago, Illinois

Rulemakings

R07-19	<u>In the Matter of : Section 27 Proposed Rules for Nitrogen Oxide (NOx) Emissions From Stationary Reciprocating Internal Combustion Engines and Turbines: Amendments to 35 Ill. Adm. Code Parts 211 and 217</u> – The Board granted the Illinois Environmental Protection Agency’s motion to proceed with the amended proposal and to withdraw testimony submitted in support of the original proposal on May 11, 2007. The hearing officer is directed to proceed with hearing.	4-0 Air
R08-6	<u>Definition of VOM Update, USEPA Amendments (January 1, 2007 through June 30, 2007)</u> – The Board adopted a final opinion and order in this “identical-in-substance” rulemaking to update the definition of “volatile organic material” (VOM) in the Board’s air pollution regulations.	4-0 Air
R08-10	<u>UST Update, USEPA Amendments (July 1, 2007 through December 31, 2007)</u> – 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.	Land
R08-11	<u>Wastewater Pretreatment Update, USEPA Amendments (July 1, 2007 through December 31, 2007)</u> – 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.	Water
R08-12	<u>Definition of VOM Update, USEPA Amendments (July 1, 2007 through December 31, 2007)</u> – 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.	Air
R08-13	<u>SDWA Update, USEPA Amendments (July 1, 2007 through December 31, 2007)</u> – 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.	Public Water Supply
R08-14	<u>UIC Update, USEPA Amendments (July 1, 2007 through December 31, 2007)</u> – 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.	Land
R08-15	<u>RCRA Subtitle D (Municipal Solid Waste Landfill) Update, USEPA Amendments (July 1, 2007 through December 31, 2007)</u> – 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.	Land

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R08-16 RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (July 1, 2007 through December 31, 2007) – 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. Land

Adjusted Standards

AS 08-5 In the Matter of: Petition of BFI Waste Systems of North America, Inc. for Waste Delisting – The Board found that petitioner satisfied jurisdictional requirement of providing notice of its petition for an adjusted standard; granted the motion to file a reduced number of copies. 4-0
Land

AS 08-6 In the Matter of: Petition of BioMedical Technology Solutions, Inc. for an Adjusted Standard from 35 Ill. Adm. Code 1422 – The Board granted the motion for leave to file *instanter* and accepted the amended petition. 4-0
Land

Adjudicatory Cases

PCB 07-20 Atkinson Landfill Company v. The Village of Atkinson and The Village Board of the Village of Atkinson – The Board granted parties’ motion to stay this matter until March 20, 2008. 4-0
Landfill
Siting

PCB 08-8 People of the State of Illinois v. Arona Corporation, d/b/a Aaron's Sales & Lease Ownership – In this land and 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) (2006)), and accepted a stipulation and settlement agreement, ordering the respondent to pay a total civil penalty of \$6,000, and to cease and desist from further violations. 4-0
L,W-E

PCB 08-25 Peoria Disposal Company v. IEPA – The Board affirmed the August 30, 2007 Illinois Environmental Protection Agency’s denial of petitioner’s application for Class 3 modification of its RCRA Part B permit. 4-0
P-A, RCRA

PCB 08-33 Citgo Petroleum Corporation and PDV Midwest Refining, L.L.C. v. IEPA – The Board granted respondent’s motion for extension of time to publish notice of variance petition. 4-0
W-V

PCB 08-38 Interstate Oil, Inc. v. IEPA – The Board directed petitioner to file an amended petition to cure noted deficiencies on or before February 13, 2008, or the petition would be subject to dismissal. 4-0
P-A, NPDES

PCB 08-39 Wauconda Community Unit School District #118 v. IEPA – The Board accepted for hearing this underground storage tank appeal involving a Lake County facility. 4-0
P-A, UST

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PCB 08-40	<u>Illinois State Toll Highway authority (Belvidere Oasis – South Side) v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a Boone County facility.	4-0 UST Appeal
PCB 08-41	<u>Illinois State Toll Highway authority (Belvidere Oasis – South Side CACR) v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a Boone County facility.	4-0 UST Appeal
PCB 08-43	<u>Moto, Inc. v. IEPA</u> – The Board granted this request for a 90-day extension of time to file an underground storage appeal on behalf of this Effingham County facility.	4-0 UST 90-Day Extension

January 24, 2008 Chicago, Illinois

Rulemakings

R04-25	<u>In the Matter of: Proposed Amendments to Dissolved Oxygen Standard 35 Ill. Adm. Code 302.206</u> – The Board adopted a final opinion and order in this rulemaking amending the Board’s general use water quality standard for dissolved oxygen.	4-0 Water
R08-17	<u>In the Matter of: Standards and Limitations for Organic Material Emissions for Area Sources, Proposed New 35 Ill. Adm. Code Part 223</u> – The Board accepted for hearing the Illinois Environmental Protection Agency’s January 2, 2008 proposal to amend the Board’s air pollution control regulations for volatile organic material emissions. The Board also granted the motion to file a limited number of copies and accepted this matter for hearing.	4-0 Air

Adjusted Standards

AS 08-3	<u>In the Matter of: Petition for Adjusted Standard from 35 Ill. Adm. Code 620.420 for Nobel Risley's Landfill #2</u> – The Board ordered petitioner to file an amended petition to cure noted deficiencies, and notice of newspaper publication of the filing of the amended petition, on or before February 29, 2008, or the petition would be subject to dismissal.	4-0 Ground Water
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Administrative Citations

- | | | |
|-----------------|--|-----|
| AC 05-72 | <u>IEPA v. Gary Clover, d/b/a Clover Concrete, Marion, IL</u> – 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 \$353.07 and a civil penalty of \$4,500. This order follows the Board's interim order of December 6, 2007, which found that this respondent had violated Sections 21(p)(1), (3) and (4) of the Environmental Protection Act. (415 ILCS 5/21(p)(1), (3), and (4) (2006)). | 4-0 |
| AC 06-33 | <u>IEPA v. Johnny Kemper d/b/a Kemper Tree Service</u> – In response to a joint stipulation and settlement agreement in this administrative citation action involving an Edgar County facility, the Board found that respondent violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (2006)) and ordered him to pay a civil penalty of \$1,500. The Board also granted the parties' joint motion to dismiss respondent's petition for review and the alleged violation of 415 ILCS 5/21(p) (3) (2006). | 4-0 |
| AC 06-49 | <u>IEPA v. Michael Gruen and Jon Eric Gruen, d/b/a Jon's Tree Service</u> – The Board entered an interim opinion and order finding respondent violated Sections 21(p)(1) of the Act (415 ILCS 5/21(p)(1) (2006)) and assessing a penalty of \$1,500. The Board ordered the Clerk of the Board and the Illinois Environmental Protection Agency to file within 14 days a statement of hearing costs, supported by affidavit, with service on respondent. Respondent may respond to the cost statement within 14 days of service. | 4-0 |
| AC 08-10 | <u>IEPA v. Henry, Patty and Bradley Maynor – The Board granted complainant's motion for withdrawal of this administrative citation and closed the docket.</u> | 4-0 |

Adjudicatory Cases

- | | | |
|-------------------|--|----------------------|
| PCB 04-186 | <u>Waste Management of Illinois, Inc. v. County Board of Kankakee County, Illinois</u> – The Board affirmed the respondent's decision to deny siting for the landfill expansion proposed by Waste Management of Illinois, Inc. | 4-0
Siting Appeal |
| PCB 06-80 | <u>People of the State of Illinois v. Fulford Construction, 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 St. Clair County facility, the Board ordered publication of the required newspaper notice. | 4-0
W-E |
| PCB 06-163 | <u>The Theodore Kosloff Trust (As formed by the Irrevocable Agreement of Trust of Theodore Kosloff, dated December 6, 1989, for Rachel Kosloff and Abigail Kosloff, a Pennsylvania trust) v. A&B Wireform Corporation</u> – The Board granted the parties' motion for voluntary dismissal of this citizen enforcement action. | 4-0
L-E |

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- PCB 07-113** Rochelle Waste Disposal, L.L.C. v. The City of Rochelle, an Illinois Municipal Corporation and The Rochelle City Council – The Board affirmed special conditions 8, 13, 22, 23, 26, and 28, and, as requested, modified conditions 33 and 34 of the sitting approval granted by the City of Rochelle on April 11, 2007. 4-0
P-A, Land
- PCB 07-125** Low Oil (Robert and Tony Thompson) v. IEPA – The Board granted this Alexander County facility’s motion for voluntary dismissal of this underground storage tank appeal. 4-0
UST Appeal

New Cases

January 10, 2008 Board Meeting

- 08-39** Wauconda Community Unit School District #118 v. IEPA – The Board accepted for hearing this underground storage tank appeal involving a Lake County facility.
- 08-40** Illinois State Toll Highway authority (Belvidere Oasis – South Side) v. IEPA – The Board accepted for hearing this underground storage tank appeal involving a Boone County facility.
- 08-41** Illinois State Toll Highway authority (Belvidere Oasis – South Side CACR) v. IEPA – The Board accepted for hearing this underground storage tank appeal involving a Boone County facility.
- 08-42** River Rescue v. IEPA and Peoria Disposal Company – No action taken.
- 08-43** Moto, 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 Effingham County facility.
- R08-10** UST Update, USEPA Amendments (July 1, 2007 through December 31, 2007) – 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.
- R08-11** Wastewater Pretreatment Update, USEPA Amendments (July 1, 2007 through December 31, 2007) – 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.
- R08-12** Definition of VOM Update, USEPA Amendments (July 1, 2007 through December 31, 2007) – 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.
- R08-13** SDWA Update, USEPA Amendments (July 1, 2007 through December 31, 2007) – 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.
- R08-14** UIC Update, USEPA Amendments (July 1, 2007 through December 31, 2007) – 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.
- R08-15** RCRA Subtitle D (Municipal Solid Waste Landfill) Update, USEPA Amendments (July 1, 2007 through December 31, 2007) – 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.

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R08-16 RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (July 1, 2007 through December 31, 2007) – 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.

R08-17 In the Matter of: Standards and Limitations for Organic Material Emissions for Area Sources, Proposed New 35 Ill. Adm. Code Part 223 – No action taken.

January 24, 2008 Board Meeting

AC 08-12 IEPA v. Norma Eddington and Cecil Eddington – The Board accepted an administrative citation against these Tazewell County respondents.

Calendar

2/01/08 10:00 AM	R08-09	<u>In the Matter of: Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System and Lower Des Plaines, River: Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303 and 304</u>	James R. Thompson Center 100 West Randolph, Room 9-040 Chicago
2/5/08 8:30 AM	PCB 04-102	<u>Noveon, Inc. (Emerald Performance Materials, L.L.C.) v. IEPA</u>	Municipal Building Council Chamber 426 E. Park Row Henry
2/7/08 11:00 AM	<u>Illinois Pollution Control Board Meeting</u>		James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago
2/21/08 11:00 AM	<u>Illinois Pollution Control Board Meeting</u>		Chicago/Springfield James R. Thompson Center Hearing Room 9-040 100 W. Randolph Street Chicago
3/6/08 11:00 AM	<u>Illinois Pollution Control Board Meeting</u>		James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago
3/07/08 1:00 pm	R08-08	<u>In the Matter of: Abbott Laboratories' Proposed Site-Specific Amendment to Applicability Section of Organic Material Emission Standards and Limitations for the Chicago Area: Subpart T: Pharmaceutical Manufacturing (35 Ill. Adm. Code 218.480(b))</u>	Libertyville Village Hall Second Floor 118 W. Cook Street Libertyville

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<p>3/10/08 10:00 AM</p>	<p>R08-09</p>	<p><u>In the Matter of: Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System and Lower Des Plaines, River: Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303 and 304</u> (Continues until complete or through March 12, 2008)</p>	<p>Joliet Junior College Smith Businss & Technology Center 1215 Houbolt Road Joliet</p>
<p>3/20/08 11:00 AM</p>	<p><u>Illinois Pollution Control Board Meeting</u></p>		<p>James R. Thompson Center Room 09-040 100 W. Randolph Street Chicago</p>

Environmental Register – January 2008

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

JANUARY 2008

<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
ATHENS – IL1290050	5	INADEQUATE TREATMENT CAPACITY	4350	10/1/2007
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
CHESTERFIELD – IL1170200	5	TOTAL TRIHALOMETHANE	180	3/15/2007
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 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
DOVER - IL0110350	1	INADEQUATE PRESSURE TANK	169	5/25/1981

Environmental Register – January 2008

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

Environmental Register – January 2008

<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
MENARD RURAL WATER CO.(SWEETWATER SYSTEM)- IL1290010 5		INADEQUATE SOURCE CAPACITY	490	10/1/2007
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
POLO DR AND SADDLE RD SUBDIVISION - IL0437000	2	INADEQUATE PRESSURE TANK	90	12/17/1982
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

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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>
SKYVIEW SBDV - IL0915526	2	INADEQUATE PRESSURE TANK	45	3/16/1990
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
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
WIENEN ESTATES - IL0850030	1	INADEQUATE PRESSURE TANK	70	12/15/1997
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

EATON PWD – IL0335100

KIRK WATER LINE INC. – IL0330030

* DENOTES ADDED WATER SUPPLIES

Environmental Register – January 2008

Illinois Environmental Protection Agency
Division of Public Water Supplies
Critical Review List - Public Water Supplies
JANUARY 2008

<i>SYSTEM NAME DATE</i>	<i>EPA LISTING 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
CANTON – IL0570250	5	INSUFFICIENT TREATMENT CAPACITY	13932	3/15/2007
CASEYVILLE - IL1630250	6	INADEQUATE STORAGE	9900	10/1/2004
CEDARVILLE - IL1770050	1	EMERGENCY POWER	800	1/1/2006
* COLLINSVILLE – IL1194280	6	INADEQUATE STORAGE	29500	1/1/2008
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
ELLIS GROVE – IL1570200	6	INSUFFICIENT STORAGE CAPACITY	720	10/1/2007
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

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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
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
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 ADGPTV – IL1175200	5	INADEQUATE PLANT CAPACITY	1251	7/1/2006
SCALES MOUND - IL0850400	1	LOW SYSTEM PRESSURE	400	9/15/1997
SENECA - IL0991050	1	INADEQUATE PLANT CAPACITY AND UNDERSIZED WATERMANS	2053	6/15/1999
SOUTH HIGHWAY PWD - IL0775400	7	LOW SYSTEM PRESSURE & UNDERSIZED WATERMANS	8420	1/1/2006
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

WATER SYSTEMS REMOVED FROM PREVIOUS LIST

* DENOTES ADDED WATER SUPPLIES

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.

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.

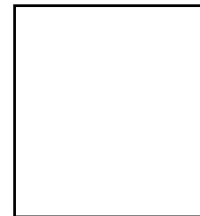
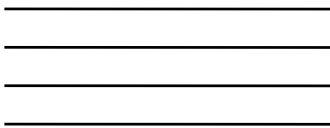
A supply will be placed on the Critical Review List when Agency records indicate that it is approaching any of the violations that would place it on the Restricted Status List.

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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Illinois Pollution Control Board
Environmental Register Coordinator
1021 N. Grand Avenue East
P.O. Box 19274
Springfield, Illinois 62794-9274