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# Environmental Register

January 2003 - Number 583

The Environmental Register is a Publication of the Illinois Pollution Control Board

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Thomas E. Johnson, Chairman

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# Letter from the Chairman

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On behalf of the Illinois Pollution Control Board, I am very pleased to welcome new Board Members Doris C. Karpel and Lynne P. Padovan. Board Members Karpel and Padovan bring with them a wealth of significant and diverse environmental experience. I am confident that this experience will help the Board in its mission to restore, protect, and enhance the environment for all Illinois citizens.



Board Member Karpel is very familiar with State Government. She served in the Illinois Senate from 1984 until 2003, and in the Illinois House of Representatives from 1979 until 1984. During her time in the Senate, Board Member Karpel chaired the Executive committee and was a member of the Environment and Energy committee. She was Illinois State Chairman of the American Legislative Exchange Council and on the Task Force on Energy, Environment, Natural Resources and Agriculture. As a lawmaker, she worked with constituents on environmental issues, which included removing low-level radioactive waste from West Chicago and defeating a proposed balefill in Bartlett.

Board Member Padovan has extensive experience with environmental issues. She served as the Senior Advisor to Governor George H. Ryan for natural resources and the environment. She also chaired the Governor's Balanced Growth Cabinet and the Environment and Natural Resources Cabinet. She co-chaired the Energy Cabinet, was a Trustee of the Illinois Clean Energy Foundation, and served as the Executive Director of the Illinois Environmental Council for ten years.

I look forward to working with both new Board Members over the next few years, and have no doubt that the Board will be stronger as a result of their addition. Board Member Karpel's term on the Board runs through June 30, 2005, and Board Member Padovan's runs through June 30, 2004.

Sincerely,

A handwritten signature in black ink, appearing to be 'T. Johnson', with a long horizontal line extending to the right.

Thomas E. Johnson, Chairman

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## Federal Update

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### **United States Environmental Protection Agency Proposes National Emission Standards for Hazardous Air Pollutants: Plywood and Composite Wood Products Under the Clean Air Act**

On January 9, 2003, (68 Fed. Reg. 1275) the United States Environmental Protection Agency (USEPA) proposed national emission standards for hazardous air pollutants (NESHAP) for the plywood and composite wood products (PCWP) source category.

The USEPA has determined that the PCWP source category contains major sources of hazardous air pollutants (HAP), including acetaldehyde, acrolein, formaldehyde, methanol, phenol, and propionaldehyde. These HAPs are associated with a variety of adverse health effects, including chronic health disorders (e.g., damage to nasal membranes, reproductive disorders, and problems with pregnancies) and acute health disorders (e.g., irritation of eyes, throat, and mucous membranes, dizziness, headache, and nausea).

These proposed standards would implement section 112(d) of the Clean Air Act (CAA) by requiring all major sources subject to the rule to meet HAP emission standards reflecting the application of the maximum achievable control technology (MACT). Implementation of the proposed standards would reduce HAP emissions from the PCWP source category by approximately 9,700 megagrams per year (Mg/yr) (11,000 tons per year (tons/yr)). In addition, the proposed standards would reduce emissions of volatile organic compounds (VOC) by 25,000 Mg/yr (27,000 tons/yr). This action also proposes to add a method to measure methanol, formaldehyde, and phenol and a method to measure total HAP at PCWP facilities.

Comments must be submitted on or before March 10, 2003 to: Air and Radiation Docket and Information Center (Mail Code 6102T), Attention Docket Number A-98-44, Room B108, U.S. EPA, 1301 Constitution Avenue, NW., Washington, DC 20460.

For further information contact: Mary Tom Kissell, Waste and Chemical Processes Group, Emissions Standards Division (C439-03), U.S. EPA, Research Triangle Park, North Carolina 27711, telephone number (919) 541-4516, e-mail address [kissell.mary@epa.gov](mailto:kissell.mary@epa.gov).

Pursuant to Section 9.1(b) of the Environmental Protection Act (Act) (415 ILCS 5/9.1(b) (2002)), once adopted by the USEPA, NESHAP rules are applicable and enforceable under the Act without further action by the Board.

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### **United States Environmental Protection Agency Issues Water Quality Trading Policy Under the Clean Water Act**

On January 13, 2003, (68 Fed. Reg. 1608) the United States Environmental Protection Agency (USEPA) published its final Water Quality Trading Policy. The final policy incorporates public comments received on the proposal published by USEPA on May 15, 2002.

The final policy describes ways that water quality trading programs may be aligned with the Clean Water Act and implementing regulations, and describes elements of environmentally sound trading programs. Water quality trading is a voluntary, incentive-based approach that can offer greater efficiency in restoring or protecting water bodies. Trading allows a source to meet its regulatory obligations by using pollutant reductions created by another party with lower pollution control costs. USEPA's final Water Quality Trading Policy offers guidance to states and tribes on developing and implementing water quality trading programs.

USEPA supports implementation of water quality trading by states, interstate agencies and tribes where trading:

- A. Achieves early reductions and progress towards water quality standards pending development of Total Maximum Daily Loadings (TMDLs) for impaired waters.
- B. Reduces the cost of implementing TMDLs through greater efficiency and flexible approaches.
- C. Establishes economic incentives for voluntary pollutant reductions from point and nonpoint sources within a watershed.
- D. Reduces the cost of compliance with water quality-based requirements.
- E. Offsets new or increased discharges resulting from growth in order to maintain levels of water quality that support all designated uses.
- F. Achieves greater environmental benefits than those under existing regulatory programs. USEPA supports the creation of water quality trading credits in ways that achieve ancillary environmental benefits beyond the required reductions in specific pollutant loads, such as the creation and restoration of wetlands, floodplains and wildlife and/or waterfowl habitat.
- G. Secures long-term improvements in water quality through the purchase and retirement of credits by any entity.
- H. Combines ecological services to achieve multiple environmental and economic benefits, such as wetland restoration or the implementation of management practices that improve water quality and habitat.

An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. See EPA Dockets at <http://www.epa.gov/edocket/> to view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically.

The Board anticipates that the Illinois Environmental Protection Agency (IEPA) will determine, as part of the triennial review of the State's water rules required by the Clean Water Act, whether any amendments to the State's water rules are necessary as a result of this federal action. If so, the Board would expect to receive a regulatory proposal from the IEPA under Section 27 or 28.2 of the Environmental Protection Act (415 ILCS 5/27, 28.2 (2002)).

### **The United States Environmental Protection Agency and the Department Of Defense Publish Advance Notice of Proposed Rulemaking**

On January 15, 2003, (68 Fed. Reg. 1991) the U.S. Army Corps of Engineers (Corps) and the United States Environmental Protection Agency (USEPA) issued an advance notice of proposed rulemaking (ANPRM). The ANPRM solicits early comment on issues associated with the scope of waters that are subject to the Clean Water Act (CWA), in light of the U.S. Supreme Court decision in Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers, 531 U.S. 159 (2001) (SWANCC).

The ANPRM requests public input on issues associated with the definition of "waters of the United States" and also solicits information or data from the general public, the scientific community, and Federal and State resource

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agencies on the implications of the SWANCC decision for jurisdictional decisions under the CWA. The goal of the agencies is to develop proposed regulations that will further the public interest by clarifying what waters are subject to CWA jurisdiction and affording full protection to these waters through an appropriate focus of Federal and State resources consistent with the CWA. The input received from the public in response to the ANPRM will be used by the agencies to determine the issues to be addressed and the substantive approach for a future proposed rulemaking addressing the scope of CWA jurisdiction.

Comments or information in response to this ANPRM must be postmarked or e-mailed on or before March 3, 2003 and should be sent to Water Docket, Environmental Protection Agency, Mailcode 4101T, 1200 Pennsylvania Ave., NW., Washington, DC 20460, Attention Docket ID No. OW-2002-0050.

For information on this ANPRM, contact either Donna Downing, U.S. Environmental Protection Agency, Office of Wetlands, Oceans and Watersheds (4502T), 1200 Pennsylvania Avenue N.W., Washington, DC 20460, phone: (202) 566-1366, e-mail: [CWAwaters@epa.gov](mailto:CWAwaters@epa.gov), or Ted Rugiel, U.S. Army Corps of Engineers, ATTN CECW-OR, 441 G Street NW., Washington, DC 20314-1000, phone: (202) 761-4595, e-mail: [Thaddeus.J.Rugiel@HQ02.USACE.ARMY.MIL](mailto:Thaddeus.J.Rugiel@HQ02.USACE.ARMY.MIL).

If USEPA adopts rules, the Board anticipates that the Illinois Environmental Protection Agency (IEPA) will determine, as part of the triennial review of the State's water rules required by the Clean Water Act, whether any amendments to the State's water rules are necessary as a result of this federal action. If so, the Board would expect to receive a regulatory proposal from the IEPA under Section 27 or 28.2 of the Environmental Protection Act (415 ILCS 5/27, 28.2 (2002)).

### **United States Environmental Protection Agency Adopts National Emission Standards for Hazardous Air Pollutants for Municipal Solid Waste Landfills Under the Clean Air Act**

On January 16, 2003, (68 Fe. Reg. 2227) the United States Environmental Protection Agency (USEPA) adopted national emission standards for hazardous air pollutants (NESHAP) for municipal solid waste (MSW) landfills. The final rule is applicable to both major and area sources and contains the same requirements as the Emission Guidelines and New Source Performance Standards (EG/NSPS).

The final rule 1) adds startup, shutdown, and malfunction (SSM) requirements, 2) adds operating condition deviations for out-of-bounds monitoring parameters, 3) requires timely control of bioreactor landfills, and 4) changes the reporting frequency for one type of report. The intent of the standards is to protect the public health by requiring new and existing sources to control emissions of HAP to the level reflecting the maximum achievable control technology (MACT). The HAP emitted by MSW landfills include, but are not limited to, vinyl chloride, ethyl benzene, toluene, and benzene. Each of the HAP emitted from MSW landfills can cause adverse health effects provided sufficient exposure.

The final rule is effective January 16, 2003.

For information concerning the development of the final rule, contact Ms. JoLynn Collins, Waste and Chemical Processes Group, Emission Standards Division (C439-03), Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, Research Triangle Park, NC 27711, telephone number (919) 541-5671, facsimile number (919) 541-0246, electronic mail address [collins.jolynn@epa.gov](mailto:collins.jolynn@epa.gov).

Pursuant to Section 9.1(b) of the Environmental Protection Act (Act) (415 ILCS 5/9.1(b) (2002)), once adopted by the USEPA, NESHAP rules are applicable and enforceable under the Act without further action by the Board.

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### **United States Environmental Protection Agency Proposes Determination of Attainment, Approval and Promulgation of Implementation Plans, and Designation of Areas for Air Quality Planning Purposes; States of Missouri and Illinois Under the Clean Air Act**

On January 30, 2003, (68 Fed. Reg. 4847) the United States Environmental Protection Agency (USEPA) proposed a rulemaking to determine that the St. Louis ozone nonattainment area (St. Louis area) has attained the 1-hour ozone National Ambient Air Quality Standard (NAAQS). This proposal is based on three years of complete, quality-assured ambient air quality monitoring data for the 2000 through 2002 ozone seasons that demonstrate that the 1-hour ozone NAAQS has been attained in the area. USEPA is also proposing to determine that certain attainment demonstration requirements along with certain other related requirements of part D of Title I of the Clean Air Act (CAA) are not applicable to the St. Louis area.

Additionally, USEPA is proposing to approve an exemption from certain nitrogen oxides (NO<sub>x</sub>) requirements as provided for in section 182(f) for the Illinois portion of the St. Louis area. Section 182(f) establishes NO<sub>x</sub> requirements for ozone nonattainment areas. However, it provides that these requirements do not apply to an area if the Administrator determines that NO<sub>x</sub> reductions would not contribute to attainment. Because the St. Louis area is currently attaining the ozone NAAQS, USEPA is proposing to grant the Illinois portion of the St. Louis area a NO<sub>x</sub> exemption from NO<sub>x</sub> reasonably available control technology (RACT) requirements. If final action is taken, the Illinois portion of the St. Louis area would no longer be subject to these NO<sub>x</sub> emission control requirements. However, all emission controls previously adopted by Illinois must continue to be implemented.

Lastly, USEPA is proposing to approve requests from the States of Missouri and Illinois, submitted on December 6, 2002, and December 30, 2002, respectively, to redesignate the St. Louis area to attainment of the 1-hour ozone NAAQS. In proposing to approve these requests USEPA is also proposing to approve the states' plans for maintaining the 1-hour ozone NAAQS through 2014, as revisions to the Missouri and Illinois State Implementation Plans (SIPs). USEPA is also proposing to find adequate and approve the states' 2014 Motor Vehicle Emission Budgets (MVEBs) for volatile organic compounds (VOCs) and nitrogen oxide compounds (NO<sub>x</sub>) in the submitted maintenance plans for transportation conformity purposes.

The St. Louis nonattainment area is located in portions of Illinois and Missouri. The Illinois portion of the nonattainment area includes Madison, Monroe, and St. Clair Counties (collectively referred to as the Metro-East area). The Missouri portion of the nonattainment area includes Franklin, Jefferson, St. Charles, and St. Louis Counties and St. Louis City.

Comments must be received on or before March 3, 2003, and should be mailed to J. Elmer Bortzer, Chief, Regulation Development Section, Air Programs Branch (ART-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604; or to Joshua Tapp, Chief, Air Planning and Development Branch, Environmental Protection Agency, Region 7, 901 North 5th Street, Kansas City, Kansas 66101.

If any amendments to the Illinois air rules become necessary, the Board would expect the Illinois Environmental Protection Agency to propose amendments using the Clean Air Act "fast-track" procedures at Section 28.5 of the Environmental Protection Act (415 ILCS 5/28.5 (2002)).

## **Appellate Update**

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### **Fourth District Affirms The Board In Illinois Environmental Protection Agency v. Jersey Sanitation Corp., No. 4-02-0319 (Jan. 29, 2003) (PCB 00-82)**

In its January 29, 2003 unpublished order under Supreme Court Rule 23 (155 Ill.2d R. 23), in Illinois Environmental Protection Agency v. Jersey Sanitation Corp., No. 4-02-0319 (Jan. 29, 2003), the Fourth District Appellate Court affirmed an important Board decision concerning appealed conditions of a supplemental landfill permit. See Jersey Sanitation Corp. v. IEPA, PCB 00-82 (June 21, 2002). This order addresses several issues of first impression concerning interpretation of 1) substantive Board rules concerning the nature and interrelationship of closure certifications and post-closure care permits issued under the Board's landfill rules at 35 Ill. Adm. Code

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807.502 and 807.523, and 2) Board procedural rules for the timely filing and consideration of motions for reconsideration at 35 Ill. Adm. Code 101.202 and 101.520. Among other things, the Court's order also provides useful guidance to the parties in future cases before the Board on issues including the standard of review of the Board's decisions, and the issue of waiver of rights to challenge conditions contained in prior permits.

In February 1993, the Illinois Environmental Protection Agency (IEPA) approved a landfill closure plan for Jersey Sanitation Corporation (Jersey). In June 1999, Jersey applied for a supplemental permit seeking facility closure certification, including closure and post closure care plans and cost estimates. The IEPA granted the supplemental permit with conditions. Jersey filed a petition with the Board seeking review of the conditions attached to the supplemental permit. The Board eliminated the challenged conditions. The IEPA filed a motion to reconsider and Jersey filed a motion to strike the IEPA's motion. The Board denied both motions. The IEPA then appealed the Board's decision to the Fourth District Appellate Court on both the reconsideration denial and the stricken conditions. Jersey filed a cross-appeal solely on the Board's denial of its motion to strike the IEPA reconsideration motion. The fourth district affirmed the Board's decision in all respects.

In its cross-appeal, Jersey argued that the Board erred in denying Jersey's motion to strike the IEPA's motion for reconsideration because the IEPA's motion was untimely. The Board's decision on Jersey's petition was issued on June 21, 2001. The IEPA received the Board's decision on June 27, 2001. The Board received the IEPA's motion for reconsideration on August 14, 2001, although the petition was postmarked August 1, 2001. Jersey filed a motion to strike the motion for reconsideration for lack of timeliness. The Board denied Jersey's motion and denied the motion for reconsideration.

The Board's rules require a motion for reconsideration to be filed within 35 days of the date of service of its final order. 35 Ill. Adm. Code 101.520. Section 101.300(b)(2) provides that "[i]f a document is filed by U.S. Mail subsequent to a filing deadline, yet the postmark date precedes the filing deadline, the document will be deemed filed on the postmark date."

The appellate court held that the Board's rule allows filing by mail on the due date. The court stated, "[c]onsidering the Board's rules that the deadline's time computation runs until the close of business on the last day, that being the 35th day, a motion postmarked on that 35th and final day would fall within the filing deadline." Slip op. at 10. Consequently, the court held that the Board did not err in denying Jersey's motion to dismiss the IEPA's motion for reconsideration. Since the court had jurisdiction over the appeal, it considered the merits of the IEPA's appeal.

Before reaching the merits of the IEPA's appeal, the court concluded that the proper standard of review on appeal was the manifest weight of the evidence standard. Slip op. at 11. Noting that sister appellate courts had routinely applied the manifest weight of the evidence standard to Board decisions, the Fourth District Appellate Court saw no reason to deviate from that precedent.

The IEPA raised two arguments on appeal. First, the IEPA argued Jersey waived its right to object to groundwater monitoring conditions in the 1999 supplemental permit since it had agreed to those conditions in the 1992 supplemental permit. The Board found that Jersey had not waived its right to object to groundwater monitoring conditions. The court affirmed the Board's ruling.

After filing its petition for review before the Board, Jersey filed a motion for summary judgment. Jersey argued that the conditions in the 1999 supplemental permit were not necessary to accomplish the purposes of the Act and were inconsistent with Board regulations applicable to Jersey's facility because they were not required by the Code.

The IEPA argued that once a condition is imposed in a permit, and no appeal is made to the Board, an appeal of that permit condition may not be taken in a subsequent permit. In its order, the Board rejected the IEPA's waiver argument because Jersey's facility was "at a very different place in its history and a condition that may have been appropriate during the operation of the facility may not be appropriate during the post closure care period." Jersey Sanitation Corp. v. IEPA, PCB 00-82, slip op. at 7-8 (June 21, 2001). The appellate court concluded that Jersey's appeal of the conditions imposed in the 1999 supplemental permit was neither an attempt to avoid compliance with regulations nor a belated attempt to alter the scope of the 1992 permit. The court determined that the 1992 permit and the 1999 postclosure care permit were different types of permits "as characterized by the Board... Here, Jersey has passed the closure phase, and the conditions imposed in the postclosure care permit are appropriate for Jersey to

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challenge. Thus, the Board correctly found Jersey had not waived its objection to the conditions in the postclosure care permit.” Illinois Environmental Protection Agency v. Jersey Sanitation Corp., No. 4-02-0319 (Jan. 29, 2003), slip op. at 17.

Next, the IEPA argued that the Board incorrectly struck the supplemental permit conditions. To prevail on its petition, Jersey had to show that the IEPA’s conditions were unnecessary to accomplish the purposes of the Act. The Board struck IEPA conditions regarding groundwater monitoring requirements, a requirement to compare the groundwater quality standard to an analysis of parameters of all wells and an assessment of the landfill’s impact on groundwater, and a condition requiring water quality records to be maintained at the site operator office and reviewed quarterly during the postclosure care period. For each condition, Jersey already had groundwater monitoring plan procedures. The Board held that Jersey’s plan was sufficient to meet the requirements of the Act and the Board regulations. Consequently, the IEPA’s permit conditions were unnecessary. The court held that the Board’s decision was not against the manifest weight of the evidence. Slip op. at 21.

### **Second District Grants The Board’s Motion To Dismiss Appeal in Nordean & Susan Simon d/b/a Berman's Auto Parts v. IEPA, No. 2-02-1216 (Jan. 27, 2003) (AC 02-2)**

In its January 27, 2003 final unpublished order under Supreme Court Rule 23 (155 Ill.2d R. 23), in Nordean & Susan Simon d/b/a Berman's Auto Parts v. IEPA, No. 2-02-1216 (Jan. 27, 2003), the Second District Appellate Court dismissed the appeal for lack of jurisdiction. When filing the appeal, the Simons named only the Illinois Environmental Protection Agency as respondent, but did not name the Board. The court held that the appellant’s failure to name all necessary parties of record pursuant to Supreme Court Rule 335 was a fatal error.

In the underlying Board decision, the Board found that the respondents had committed the violations alleged by the IEPA in the administrative citation. After a hearing on the Simons’ petition for review, the Board found that they had violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (2002)) by causing or allowing open dumping resulting in litter on their Belvidere, Boone County property. The Board imposed the \$1500 statutory penalty and assessed roughly \$800 in IEPA and Board hearing costs. IEPA v. Nordean & Susan Simon d/b/a Berman's Auto Parts, AC 02-2 (September 9, 2002).

## Rule Update

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### **Board Adopts Final Opinion and Order in RCRA Subtitle C Update, USEPA Amendments (January 1, 2002 through June 30, 2002) (R03-07)**

On January 9, 2003, the Board adopted a final opinion and order for amendments that are “identical in substance” to hazardous waste regulations that the United States Environmental Protection Agency (USEPA) adopted to implement Subtitle C of the federal Resource Conservation and Recovery Act of 1976 (RCRA Subtitle C) (42 U.S.C. §§ 6921 *et seq.*). The final rules include federal RCRA Subtitle C amendments that USEPA adopted in the period January 1, 2002 through June 30, 2002. The final rules were held for a 30-day USEPA review period, and will then be filed with the Secretary of State’s Index Department.

The Board adopted amendments to the Illinois rules based on USEPA amendments of February 13, 2002 (67 Fed. Reg. 6792), February 14, 2002 (67 Fed. Reg. 6968), and May 8, 2002 (67 Fed. Reg. 30811). The February 13, 2002 amendments established interim emission standards for hazardous waste combustors, the February 14, 2002 action amended the September 30, 1999 hazardous waste combustor rule to facilitate implementation of the rule, and the May 8, 2002 amendments covered correction of segments of the consolidated permit rules of 40 C.F.R. 124 as printed in the 2001 edition of the *Code of Federal Regulations*. The Board also made numerous nonsubstantive cleanup amendments to the existing text of the Parts opened in this rulemaking.

Sections 7.2 and 22.4(a) provide for quick adoption of regulations that are identical in substance to federal regulations that USEPA adopts to implement Sections 3001 through 3005 of RCRA (42 U.S.C. §§ 6921-6925 (2000)). Sections 13(c) and 22.4(a) also provide that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) (5 ILCS 100/5-35 and 5-40 (2002)) do not apply to the Board’s adoption of identical-in-



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substance regulations. The federal RCRA Subtitle C regulations are found at 40 C.F.R. 260 through 266, 268, 270, 271, 273, and 279.

For additional information contact Michael J. McCambridge at 312-814-6924; e-mail address [mccambm@ipcb.state.il.us](mailto:mccambm@ipcb.state.il.us)

### **Board Adopts First Notice Opinion and Order in Petition of Central Illinois Light Company (E. D. Edwards Generating Station) for a Site Specific Air Regulation: 35 Ill. Adm. Code 214.561 (R02-21)**

On January 23, 2003, the Board adopted a first notice opinion and order in Petition of Central Illinois Light Company (E. D. Edwards Generating Station) for a Site Specific Air Regulation: 35 Ill. Adm. Code 214.561 (R02-21). The proposed rulemaking was filed with the Secretary of State's Index Department and will be published in the *Illinois Register*. The Board will accept comments on the proposal for 45 days after its publication.

Central Illinois Light Company (CILCO) operates the E.D. Edwards Generating Station (facility) located near Peoria in Peoria County. The facility consists of three coal-fired boilers. CILCO previously received a variance from 35 Ill. Adm. Code 214.141. See Central Illinois Light Company v. IEPA, PCB 99-80 (Apr. 15, 1999). The variance is effective through July 31, 2003. Boilers 1 and 3 are subject to a sulfur dioxide emission limit under a site-specific rule at 35 Ill. Adm. Code 214.561. Boiler 2 is subject to the sulfur dioxide emissions limit under 35 Ill. Adm. Code 214.141.

CILCO seeks to make permanent the relief it was granted in PCB 99-80 by amending 35 Ill. Adm. Code 214.561 to apply to the operation of Boiler 2. But, CILCO also requests that the Board repeal the text of 35 Ill. Adm. Code 214.561 and replace it verbatim with text from the variance order of April 15, 1999. CILCO asserts that this language has already been reviewed, approved by the United States Environmental Protection Agency, and incorporated into the approved Illinois State Implementation Plan pursuant to the Clean Air Act. See 42 U.S.C. Section 7401, *et seq.*

This petition replaces CILCO's earlier-filed petition for adjusted standard seeking the same relief. This petition was dismissed as unnecessary. In the Matter of: Petition of Central Illinois Light Company (E.D. Edwards Generating Station) for an Adjusted Standard from 35 Ill. Adm. Code 214.141, AS 02-4 (May 5, 2002).

A hearing in this rulemaking was held on October 11, 2002 in Peoria, Illinois.

For more information contact John Knittle at (217) 278-3111 or email at [knittlej@ipcb.state.il.us](mailto:knittlej@ipcb.state.il.us)

### **Board Accepts Proposal for Hearing in Proposed Amendments to: Public Participation Rules in 35 Ill. Adm. Code Part 309 NPDES Permits and Permitting Procedures (R03-19)**

On January 23, 2003, the Board accepted for hearing a rulemaking proposal filed by the Environmental Law and Policy Center of the Midwest, Illinois Chapter of the Sierra Club, Prairie Rivers Network, and 225 citizen petitioners (the proponents) in the matter of Proposed Amendments to: Public Participation Rules in 35 Ill. Adm. Code Part 309 NPDES Permits and Permitting Procedures (R03-19).

The proposal, filed with the Board on January 13, 2003, seeks to amend the Board's regulations at 35 Ill. Adm. Code 309 for the issuance of permits by the Illinois Environmental Protection Agency under the National Pollutant Discharge Elimination System (NPDES). The rulemaking proposes changes to the public participation procedures of the NPDES permit process.

The Board found that the petition met the content requirements of 35 Ill. Adm. Code 102.202 in the Board's procedural rules. Hearings in this rulemaking have been scheduled in Chicago on March 17, 2003 in the James R. Thompson Center Room 9-040, 100 W. Randolph Street, and in Springfield on April 2, 2003 in Room 403, 600 S. Second Street.

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For more information contact Marie Tipsord at (312) 814-4925 or email at tipsordm@ipcb.state.il.us

## **Board Actions**

**January 9, 200**

**Via Video Conference Between  
Springfield and Chicago, Illinois**

### **Rulemakings**

- |         |   |                |
|---------|---|----------------|
| R03-7   | <u>In the Matter of: RCRA Subtitle C Update, USEPA Amendments (January 1, 2002 through June 30, 2002)</u> – The Board adopted a final opinion and order in this “identical-in-substance” rulemaking to amend the Board’s hazardous waste regulations.   | 5-0<br>R, Land |
| R03-12  | <u>In the Matter of: UST Update, USEPA Amendments (July 1, 2002 through December 31, 2002)</u> – The Board reserved this docket for a routine identical-in-substance update. The update includes any federal amendments which occurred during the period of July 1, 2002 through December 31, 2002.                           | R, Land        |
| R03-13  | <u>In the Matter of: Wastewater Pretreatment Update, USEPA Amendments (July 1, 2002 through December 31, 2002)</u> – The Board reserved this docket for a routine identical-in-substance update. The update includes any federal amendments that occurred during the period of July 1, 2002 through December 31, 2002.        | R, Water       |
| R03-14  | <u>In the Matter of: Definition of VOM Update, USEPA Amendments (July 1, 2002 through December 31, 2002)</u> – The Board reserved this docket for a routine identical-in-substance update. The update includes any federal amendments that occurred during the period of July 1, 2002 through December 31, 2002.              | R, Air         |
| R03-15  | <u>SWDA Update, USEPA Amendments (July 1, 2002 through December 31, 2002)</u> – The Board reserved this docket for a routine identical-in-substance update. The update includes any federal amendments that occurred during the period of July 1, 2002 through December 31, 2002.   | R, PWS         |
| R03- 16 | <u>UIC Update, USEPA Amendments (July 1, 2002 through December 31, 2002)</u> – The Board reserved this docket for a routine identical-in-substance update. The update includes any federal amendments that occurred during the period of July 1, 2002 through December 31, 2002.  | R, Land        |
| R03-17  | <u>RCRA Subtitle D (Municipal Solid Waste Landfill) Update, USEPA Amendments (July 1, 2002 through December 31, 2002)</u> – The Board reserved this docket for a routine identical-in-substance update. The update includes any federal amendments that occurred during the period of July 1, 2002 through December 31, 2002. | R, Land        |

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R03-18      RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (July 1, 2002 through December 31, 2002) – The Board reserved this docket for a routine identical-in-substance update. The update includes any federal amendments that occurred during the period of July 1, 2002 through December 31, 2002.      R, Land

### Administrative Citations

AC 03-13      IEPA v. Dan Cadwallader – The Board accepted for hearing this petition for review of an administrative citation against this Putnam County respondent.      5-0

### Decisions

PCB 00-140      Gladys L. Knox and David A. Knox v. Turriss Coal Company and AEI Resources, Inc. – The Board found that the respondent did not violate Section 24 of the Act (415 ILCS 5/24 (2000)) amended by P.A. 92-0574, eff. June 26, 2002, and 35 Ill. Adm. Code 900.102, 901.102(a) and (b) of the Board’s noise regulations. The Board dismissed the case and closed the docket.      5-0  
Citizens N-E

PCB 03-31      County of Kankakee and Edward D. Smith, State’s Attorney of Kankakee County v. City of Kankakee, Illinois, The City Council, Town and Country Utilities, Inc., and Kankakee Regional Landfill, L.L.C.; Byron Sandberg v. The City of Kankakee, Illinois City Council, Town and Country Utilities, Inc. and Kankakee Regional Landfill, L.L.C.; Waste Management of Illinois v. City of Kankakee, Illinois, City Council, Town and Country Utilities, Inc. and Kankakee Regional Landfill, L.L.C. – The Board reversed the August 19, 2002 decision of the City of Kankakee that granted Town & Country Utilities, Inc. and Kankakee Regional Landfill’s application to site a pollution control facility.      5-0  
PCB 03-33      P-C-F-S-R  
PCB 03-35      Third Party

### Motions and Other Matters

PCB 99-78      Kiehl Engineering Company, Inc. v. IEPA – The Board granted petitioner’s motion for voluntary dismissal of this request for an air variance involving a DuPage County facility.      5-0  
A-V

PCB 00-110      People of the State of Illinois v. Joe Decicco Demolition, Inc. – The Board granted complainant’s motion for summary judgment in part. The Board found that the respondent violated Section 9.1(d)(1) of the Environmental Protection Act (415 ILCS 5/9.1(d)(1) (2000)), and Sections 61.145(b)(3), 61.145(b)(4)(i), 61.145(b)(4)(iii), 61.145(b)(4)(v), and 61.145(b)(4)(ix) of the asbestos National Emission Standards for Hazardous Air Pollutants (40 C.F.R. §§ 61.145(b)(3), 61.145(b)(4)(i), 61.145(b)(4)(iii), 61.145(b)(4)(v), and 61.145(b)(4)(ix) (2000)). The Board directed this matter to hearing as expeditiously as practicable on the specific issues of the appropriate penalty amount, costs, and attorney fees.      5-0  
A-E

## Environmental Register – January 2003

PCB 01-156	<u>People of the State of Illinois v. Union Pacific Railroad</u> – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this air enforcement action involving a site in Randolph and Jackson Counties, the Board ordered publication of the required newspaper notice.	5-0 A-E
PCB 02-71	<u>People of the State of Illinois v. FIC America Corporation</u> – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this air enforcement action involving a DuPage County facility, the Board ordered publication of the required newspaper notice.	5-0 W-E
PCB 02-116	<u>Rezmar Corporation v. IEPA</u> – The Board granted petitioner’s motion for voluntary dismissal of this underground storage tank appeal involving a Cook County facility.	4-0 Melas abstained UST Appeal
PCB 03-34	<u>Barry Amoco, Inc. v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a Pike County facility.	5-0 P-A, Land
PCB 03-37	<u>Illinois Ayers Oil Company v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a Knox County facility.	5-0 UST Appeal
PCB 03-41	<u>Newton Community High School v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a Jasper County facility.	5-0 UST Fund
PCB 03-44	<u>Pioneer Oil Company v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a Christian County facility.	5-0 UST Fund
PCB 03-46	<u>Mahr’s Sales &amp; Service v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a Fulton County facility.	5-0 UST Appeal
PCB 03-86	<u>Herr Petroleum Corporation v. Illinois State Fire Marshal</u> – The Board accepted for hearing this underground storage tank appeal involving a Knox County facility.	5-0 UST Appeal
PCB 03-87	<u>Main Station 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 Macoupin County facility.	5-0 UST Appeal 90-Day Ext.

## Environmental Register – January 2003

PCB 03-88	<u>Sheridan Oil 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 McLean County facility.	5-0 UST Appeal 90-Day Ext.
PCB 03-89	<u>Wabash Valley 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 Edwards County facility.	5-0 UST Appeal 90-Day Ext.
PCB 03-90	<u>Chicago Fire Brick 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 Cook County facility.	5-0 UST Fund 90-Day Ext.
PCB 03-91	<u>Chicago Fire Brick 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 Cook County facility.	5-0 UST Fund 90-Day Ext.
PCB 03-92	<u>Ralph Johnson 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.	5-0 UST Appeal 90-Day Ext.
PCB 03-93	<u>Dean Schneidewind 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 St. Clair County facility.	5-0 UST Appeal 90-Day Ext.
PCB 03-94	<u>Lone Star Industries, Inc. v. IEPA</u> – The Board accepted for hearing this air permit appeal involving a LaSalle County facility. The Board granted petitioners motion to stay effectiveness of CAAPP permit until the Board’s final action in this matter or until the Board orders otherwise.	5-0 P-A, Air
PCB 03-95	<u>Abitec Corporation v. IEPA</u> – The Board accepted for hearing this air permit appeal involving an Edgar County facility. No action was taken on petitioners request for stay of CAAPP permit.	5-0 P-A, Air
PCB 03-97	<u>Illinois Department of Transportation 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 Knox County facility.	5-0 UST Appeal

## Environmental Register – January 2003

**January 23, 2003**  
**Chicago, Illinois**

### Rulemakings

- R02-21      In the Matter of: Petition of Central Illinois Light Company (E.D. Edwards Generating Station) for a Site-Specific Air Regulation: 35 Ill. Adm. Code 214.561 – The Board adopted a first notice opinion and order in this matter to amend the Board’s air regulations.      5-0  
R, Air
- R03-19      In the Matter of: Proposed Amendments to Public Participation Rules in 35 Ill. Adm. Code Part 309 NPDES Permits and Permitting Procedures – The Board accepted for hearing the Environmental Law and Policy Center of the Midwest, Illinois Chapter of the Sierra Club, the Prairie Rivers Network, and 225 citizen petitioners’ January 13, 2003 proposal to amend the Board’s water pollution control regulations.      6-0  
R, Water

### Decisions

- PCB 97-89      People of the State of Illinois v. API Industries, Inc. – In this air 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) (2002)), accepted a final stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$50,000, and to cease and desist from further violations.      6-0  
A-E
- PCB 01-135      People of the State of Illinois v. Patrick Robert Land Trust – The Board entered an order requiring respondent to reimburse the Office of the Attorney General \$2,730.90 for attorney fees. This order follows the Board’s interim order of September 19, 2002, which found that this respondent had violated Sections 12(a) and 21(a), (d), and (p) of the Act (415 ILCS 5/12(a), 21(a), (d), (p) (2002)) and 35 Ill. Adm. Code 812.101(a) and assessed a penalty of \$12,000.      5-1  
Marovitz  
dissented  
L-E
- PCB 01-150      People of the State of Illinois v. Marc Development Corporation and Silver Glen Estates Homeowners’ Association – In this water enforcement action concerning a Kane 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) (2002)), and accepted a final stipulation and settlement agreement for the Silver Glen Estates Homeowners’ Association (Silver Glen) only. Silver Glen was ordered to pay a civil penalty of \$2,000. Silver Glen was ordered to cease and desist from further violations. This matter shall proceed against the remaining respondent, Marc Development Corporation.      6-0  
W-E
- PCB 03-39      Mineral Solutions, Inc. v. IEPA – The Board struck as unnecessary to accomplish the purpose of the Environmental Protection Act (Act) a temporary waste suspension permit condition that required petitioner to submit proof of local siting approval pursuant to Section 39.2 of the Act (415 ILCS 5/39.2 (2002)) prior to accepting more waste. The Board remanded the permit to the Illinois Environmental Protection Agency to issue the permit consistent with this opinion and order.      6-0  
P-A, Land

## Environmental Register – January 2003

PCB 03-74	<p><u>People of the State of Illinois v. City of Georgetown &amp; T.K. Fleming Construction, Inc.</u> – In this public water supply enforcement action concerning a Vermilion 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) (2002)), and accepted a final stipulation and settlement agreement for the City of Georgetown (Georgetown) only. Georgetown was ordered to pay a civil penalty of \$500. Georgetown was ordered to cease and desist from further violations. This matter shall proceed against the remaining respondent, T.K. Fleming Construction, Inc.</p>	6-0 PWS-E
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### Motions and Other Matters

PCB 95-78	<p><u>Vogue Tyre &amp; Rubber Company v. Office of the State Fire Marshal</u> – The Board denied petitioner’s motion to reconsider the Board’s December 5, 2002 decision.</p>	6-0 P-A, Land
PCB 01-2	<p><u>People of the State of Illinois v. National Material L.P. d/b/a National Lamination Company, and NM Holding, Inc.</u> – The Board granted complainant’s motion for leave to file an amended complaint and accepted the first amended complaint for hearing.</p>	6-0 A-E
PCB 02-77	<p><u>People of the State of Illinois v. Millenium Recycling &amp; Solid Waste Consultants, Inc.</u> – The Board granted an attorney’s motion to withdraw as counsel for respondent.</p>	6-0 L-E
PCB 02-157	<p><u>David L. &amp; Rachel B. Weber v. Cisco Methodist Church</u> – The Board granted complainants’ motion to dismiss this noise enforcement action involving a Piatt County facility.</p>	6-0 N-E
PCB 02-164	<p><u>Barbara and Ronald Stuart v. Franklin Fisher</u> – The Board denied the County of Will’s motion to intervene.</p>	6-0 Citizens N-E
PCB 03-36	<p><u>D&amp;R Service v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a Randolph County facility.</p>	6-0 UST Appeal
PCB 03-48	<p><u>Mueller Shell, Inc. v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a St. Clair County facility.</p>	6-0 UST Appeal
PCB 03-49	<p><u>Karco, Inc. 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 Jackson County facility.</p>	6-0 UST Appeal

## Environmental Register – January 2003

PCB 03-54	<u>Freedom Oil Company v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving an Edgar County facility.	6-0 UST Appeal
PCB 03-55	<u>2222 Elston L.L.C. v. Purex Industries, Inc., Federal Die Casting Co., Federal Chicago Corp., Raymond E. Cross, Beverly Bank Trust No. 8-7611, and Lakeside Bank Trust Nos. 10-1087 &amp; 10-1343</u> – The Board denied the City of Chicago’s (City) motion to intervene, noting that the City could file its own enforcement action.	6-0 Citizens UST-E
PCB 03-56	<u>Freedom Oil Company v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving an Edgar County facility.	6-0 UST Appeal
PCB 03-98	<u>Nielsen &amp; Bainbridge, L.L.C. v. IEPA</u> – The Board accepted for hearing this air permit appeal involving a Cook County facility. No action was taken on petitioner’s request for stay of CAAPP permit.	6-0 P-A, Air
PCB 03-99	<u>Sather Enterprises, 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 Dewitt County facility.	6-0 UST Appeal 90-Day Ext.
PCB 03-100	<u>People of the State of Illinois v. National Container Services Corporation</u> – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this air enforcement action involving a Cook County facility, the Board ordered publication of the required newspaper notice.	6-0 A-E
PCB 03-101	<u>People of the State of Illinois v. Werner Co.</u> – The Board accepted for hearing this air enforcement action involving a Cook County facility.	6-0 A-E
PCB 03-102	<u>U.S. Department of Energy v. IEPA</u> – The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of this DuPage County facility.	6-0 P-A, RCRA 90-Day Ext.
PCB 03-103	<u>Eugene J. and Ruth A. Brummer-Dieterich v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Eugene J. and Ruth A. Brummer-Dieterich located in Effingham County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2002)).	6-0 T-C



## Environmental Register – January 2003

PCB 03-104	<u>Waste Management of Illinois, Inc. v. County Board of Kane County, Illinois</u> – The Board accepted for hearing this pollution control facility siting appeal involving a Kane County facility.	6-0 P-C-F-S-R
PCB 03-105	<u>Freedom Oil Company v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving an Edgar County facility.	6-0 UST Appeal
PCB 03-107	<u>Willaredt 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 Macon County facility.	6-0 UST Appeal 90 Day Ext.

## New Cases

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### January 9, 2003 Board Meeting

- 03-086** Herr Petroleum Corporation v. Illinois State Fire Marshal – The Board accepted for hearing this underground storage tank appeal involving a Knox County facility.
- 03-087** Main Station 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 Macoupin County facility.
- 03-088** Sheridan Oil 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 McLean County facility.
- 03-089** Wabash Valley 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 Edwards County facility.
- 03-090** Chicago Fire Brick 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 Cook County facility.
- 03-091** Chicago Fire Brick 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 Cook County facility.
- 03-092** Ralph Johnson 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.
- 03-093** Dean Schneidewind 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 St. Clair County facility.
- 03-094** Lone Star Industries, Inc. v. IEPA – The Board accepted for hearing this air permit appeal involving a LaSalle County facility. The Board granted petitioners motion to stay effectiveness of CAAPP permit until the Board’s final action in this matter or until the Board orders otherwise.
- 03-095** Abitec Corporation v. IEPA – The Board accepted for hearing this air permit appeal involving an Edgar County facility. No action was taken on petitioners request for stay of CAAPP permit.
- 03-096** Martin E. & Kathy L. Geber v. Clayton Moushon, Carri Scharf Trucking and Materials, City of East Peoria, Mayor Chuck Dobbelaire, and City Administrator James Brimberry – The Board held for a later duplicitous/frivolous determination this citizen’s noise enforcement action involving a Peoria County facility.
- 03-097** Illinois Department of Transportation 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 Knox County facility.
- AC 03-014** County of Jackson v. James Qualls – The Board accepted an administrative citation against this Jackson County respondent.

## Environmental Register – January 2003

**AC 03-015** IEPA v. Paul Rider – The Board accepted an administrative citation against this McLean County respondent.

**AC 03-016** Lloyd Milles Farm, Inc. v. IEPA – IEPA v. Terry Stanley – The Board accepted an administrative citation against this Marshall County respondent.

**AS 03-001** Lloyd Milles Farm, Inc. v. IEPA – Pending receipt of the certificate of publication, the Board held this Will County facility's petition for an adjusted standard from the Board's water pollution control regulations.

**R03-012** In the Matter of: UST Update, USEPA Amendments (July 1, 2002 through December 31, 2002) – The Board reserved this docket for a routine identical-in-substance update. The update includes any federal amendments that occurred during the period of July 1, 2002 through December 31, 2002.

**R03-013** In the Matter of: Wastewater Pretreatment Update, USEPA Amendments (July 1, 2002 through December 31, 2002) – The Board reserved this docket for a routine identical-in-substance update. The update includes any federal amendments that occurred during the period of July 1, 2002 through December 31, 2002.

**R03-014** In the Matter of: Definition of VOM Update, USEPA Amendments (July 1, 2002 through December 31, 2002) – The Board reserved this docket for a routine identical-in-substance update. The update includes any federal amendments that occurred during the period of July 1, 2002 through December 31, 2002.

**R03-015** SWDA Update, USEPA Amendments (July 1, 2002 through December 31, 2002) – The Board reserved this docket for a routine identical-in-substance update. The update includes any federal amendments that occurred during the period of July 1, 2002 through December 31, 2002.

**R03-016** UIC Update, USEPA Amendments (July 1, 2002 through December 31, 2002) - The Board reserved this docket for a routine identical-in-substance update. The update includes any federal amendments that occurred during the period of July 1, 2002 through December 31, 2002.

**R03-017** RCRA Subtitle D (Municipal Solid Waste Landfill) Update, USEPA Amendments (July 1, 2002 through December 31, 2002) – The Board reserved this docket for a routine identical-in-substance update. The update includes any federal amendments that occurred during the period of July 1, 2002 through December 31, 2002.

**R03-018** RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (July 1, 2002 through December 31, 2002) – The Board reserved this docket for a routine identical-in-substance update. The update includes any federal amendments that occurred during the period of July 1, 2002 through December 31, 2002.

### January 23, 2003 Board Meeting

**03-098** Nielsen & Bainbridge, L.L.C. v. IEPA – The Board accepted for hearing this air permit appeal involving a Cook County facility. No action was taken on petitioner's request for stay of CAAPP permit.

**03-099** Sather Enterprises, 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 Dewitt County facility.

**03-100** People of the State of Illinois v. National Container Services Corporation – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this air enforcement action involving a Cook County facility, the Board ordered publication of the required newspaper notice.

**03-101** People of the State of Illinois v. Werner Co. – The Board accepted for hearing this air enforcement action involving a Cook County facility.

**03-102** U.S. Department of Energy v. IEPA – The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of this DuPage County facility.

**03-103** Eugene J. and Ruth A. Brummer-Dieterich v. IEPA – Upon receipt of the Illinois Environmental Protection Agency's recommendation, the Board found and certified that specified facilities of Eugene J. and Ruth A. Brummer-Dieterich located in Effingham County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2002)).

## Environmental Register – January 2003

**03-104** Waste Management of Illinois, Inc. v. County Board of Kane County, Illinois – The Board accepted for hearing this pollution control facility siting appeal involving a Kane County facility.

**03-105** Freedom Oil Company v. IEPA – The Board accepted for hearing this underground storage tank appeal involving an Edgar County facility.

**03-106** Village of South Elgin v. Waste Management of Illinois, Inc. – The Board held for a later duplicative/frivolous determination this citizen’s land enforcement action involving a Kane County facility.

**03-107** Willaredt 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 Macon County facility.

**AC 03-017** IEPA v. Village of Metamora – The Board accepted an administrative citation against this Woodford County respondent.

**AC 03-018** IEPA v. Jerry Summers – The Board accepted an administrative citation against this Fayette County respondent.

**AC 03-019** IEPA v. Harley Lafary d/b/a Lafary Construction, Harris Lafary and Larry Payne, Sr. – The Board accepted an administrative citation against these McDonough County respondents.

**R03-019** In the Matter of: Proposed Amendments to Public Participation Rules in 35 Ill. Adm. Code Part 309 NPDES Permits and Permitting Procedures – The Board accepted for hearing the Environmental Law and Policy Center of the Midwest, Illinois Chapter of the Sierra Club, the Prairie Rivers Network, and 225 citizen petitioners’ January 13, 2003 proposal to amend the Board’s water pollution control regulations.

## Calendar

1/9/2003 11:00 AM	<b><u>ILLINOIS POLLUTION CONTROL BOARD MEETING</u></b>		<b>VIDEOCONFERENCE— Chicago/Springfield James R. Thompson Center Hearing Room 11-512 100 West Randolph St./Chicago Hearing Room 403 600 South Second St./Springfield</b>
1/23/2003 11:00 AM	<b><u>ILLINOIS POLLUTION CONTROL BOARD MEETING</u></b>		<b>Chicago James R. Thompson Center Conference Room 2-025 100 West Randolph St.</b>
1/30/03 9:00 AM	PCB 02-208	<u>Brian Finley, Local 3315 of the American Federation of State County and Municipal Employees (Cook County Public Defenders Assn.) and named others v. Acme Barrel Company, Inc. a/k/a Acme Barrel Company, a/k/a IFCO Systems Chicago, Inc. and others.</u>	Chicago James R. Thompson Center Conference Room 11-512 100 West Randolph Street
2/06/2003 11:00 AM	<b><u>ILLINOIS POLLUTION CONTROL BOARD MEETING</u></b>		<b>VIDEOCONFERENCE— Chicago/Springfield James R. Thompson Center Hearing Room 11-512 100 West Randolph St./Chicago Hearing Room 403 600 South Second St./Springfield</b>
2/18/03 9:00 AM	PCB 03-42	Rantoul Township High School District No. 193 v. IEPA	Springfield Conference Room 403 600 South Second Street

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2/19/03 9:00 AM	PCB 01-167	CANCELLED People of the State of Illinois v. ESG Watts, Inc. (Taylor Ridge Landfill)	Springfield Conference Room 403 600 South Second Street
2/20/03 9:00 AM	PCB 01-167	CANCELLED People of the State of Illinois v. ESG Watts, Inc. (Taylor Ridge Landfill)	Springfield Conference Room 403 600 South Second Street
2/20/2003 11:00 AM	<b><u>ILLINOIS POLLUTION CONTROL BOARD MEETING</u></b>		<b>Chicago James R. Thompson Center Conference Room 9-040 100 West Randolph Street</b>
3/06/2003 11:00 AM	<b><u>ILLINOIS POLLUTION CONTROL BOARD MEETING</u></b>		<b>VIDEOCONFERENCE— Chicago/Springfield James R. Thompson Center Hearing Room 11-512 100 West Randolph St./Chicago Hearing Room 403 600 South Second St./Springfield</b>
3/5/2003 9:00 AM	AC 03-111	City of Chicago Department of Environment v. City Wide Disposal Inc.	Chicago James R. Thompson Center 100 West Randolph Street Suite 11-512
3/12/2003 9:00 AM	PCB 01-104	People of the State of Illinois v. City of Waukegan	Libertyville Village Hall 2nd Floor – Board Room 118 W. Cook
3/17/2003 10:00 AM	R03-19	Proposed Amendments to: Public Participation Rules in 35 Ill. Adm. Code Part 309 NPDES Permits and Permitting Procedures	<b>Chicago James R. Thompson Center Conference Room 9-040 100 West Randolph Street</b>
3/20/2003 11:00 AM	<b><u>ILLINOIS POLLUTION CONTROL BOARD MEETING</u></b>		<b>Chicago James R. Thompson Center Conference Room 9-040 100 West Randolph Street</b>
3/25/2003 10:00 AM	PCB 01-155	People of the State of Illinois v. Alloy Engineering and Casting Company	Champaign City Council Chambers 102 North Neil
4/2/2003 10:00 AM	R03-19	Proposed Amendments to: Public Participation Rules in 35 Ill. Adm. Code Part 309 NPDES Permits and Permitting Procedures	Springfield Conference Room 403 600 South Second Street
4/3/2003 11:00 AM	<b><u>ILLINOIS POLLUTION CONTROL BOARD MEETING</u></b>		<b>VIDEOCONFERENCE— Chicago/Springfield James R. Thompson Center Hearing Room 11-512 100 West Randolph St./Chicago Hearing Room 403 600 South Second St./Springfield</b>
4/17/2003 11:00 AM	<b><u>ILLINOIS POLLUTION CONTROL BOARD MEETING</u></b>		<b>Chicago James R. Thompson Center Conference Room 9-040 100 West Randolph Street</b>

# Environmental Register – January 2003

## Illinois Environmental Protection Agency

### Division of Public Water Supplies

#### Restricted Status List -- Public Water Supplies

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. This list reflects the status as of January 1, 2003.

\* Indicates public water supplies that have been added to the list since the previous publication.

NAME OF PUBLIC WATER SUPPLY/COUNTY/FACILITY	EPA #RGN	NATURE OF PROBLEM	POP. SERVED	LISTING DATE
Acorn Acres Sbdv (Lake Co - 0975020)	2	Inadequate Pres Tank	250	12/16/83
Alden Long Grove Nursing Center(Lake Co - 0971090)	2	Inadequate Pres Tank	204	06/15/93
Alpha (Henry Co - 0730050)	1	Adjusted Gross Alpha	750	11/01/01
Bahl Wtr Corp (Jo Daviess Co - 0855200)	1	Inadequate Pres Storage	700	12/15/93
Biggsville (Henderson Co - 0710050)	5	Adjusted Gross Alpha	350	03/15/98
Bonnie Lane Water Supply (Kendall Co - 0930010)	2	Inadequate Pres Tank	49	09/16/93
Bradford (Stark Co - 1750050)	1	Gross Alpha	650	06/15/98
Bradley Hts Sbdv (Winnebago Co - 2015050)	1	Inadequate Pres Tank	192	09/13/85
* Brimfield (Peoria Co - 1430150)	5	Adjusted Gross Alpha	933	10/15/02
Bryant (Fulton Co - 0570200)	5	Adjusted Gross Alpha	310	03/15/98
Buckingham (Kankakee Co - 0910250)	2	Inadequate Pres Tank	330	03/17/89

## Environmental Register – January 2003

NAME OF PUBLIC WATER SUPPLY/COUNTY/FACILITY	EPA #RGN	NATURE OF PROBLEM	POP. SERVED	LISTING DATE
Bushnell (McDonough Co - 1090150)	5	Adjusted Gross Alpha	3,300	03/14/01
Byron Woods Sbdv (Rock Island Co - 1610070)	1	Arsenic	216	03/14/01
Carbon Hill (Grundy Co - 0630100)	2	Adjusted Gross Alpha	376	03/14/01
Carroll Hts Utl Cmpny (Carroll Co - 0155200)	1	Inadequate Pres Tank	80	03/20/81
Century Pines Apts (Carroll Co - 0150020)	1	Inadequate Pres Tank	50	12/14/90
Claremont Hls Sbdv (McHenry Co - 1115080)	2	Inadequate Pres Tank	330	03/15/96
Clearview Sbdv (Will Co - 1975360)	2	Inadequate Pres Tank	420	01/13/82
Coyne Cntr Coop (Rock Island Co - 1615150)	1	Inadequate Pres Tank	150	12/15/97
Cropsey Cmnty Wtr (McLean Co - 1135150)	4	Inadequate Pres Tank	60	03/20/81
Crystal Clear Wtr Cmpny (McHenry Co - 1115150)	2	Inadequate Pres Tank	900	09/16/88
Crystal Hts Assn (McHenry Co - 1115100)	2	Inadequate Pres Tank	93	06/17/96
D and R Apts (Champaign Co - 0190030)	4	Inadequate Pres Tank	26	09/16/93
Deering Oaks Sbdv (McHenry Co - 1115200)	2	Inadequate Pres Tank	60	12/17/82
DeKalb Univ Dvl Corp (DeKalb Co - 0375148)	1	Inadequate Pres Tank	950	12/16/92
DeWitt Cnty NH (DeWitt Co - 0395129)	4	Inadequate Pres Tank	80	06/17/83
DL Well Owners Assn (Lake Co - 0975380)	2	Inadequate Pres Tank	125	03/18/83
Dover (Bureau Co - 0110350)	1	Inadequate Pres Tank	200	05/25/81
East End Wtr Assn (Rock Island Co - 1610140)	1	Inadequate Storage Capacity	40	03/15/02
Eaton PWD (Crawford - 0335100)	4	Indequate Source Capacity	920	03/15/02
East Moreland Wtr Assn (Will Co - 1975600)	2	Inadequate Pres Tank	753	03/20/81
East Moreland Wtr Corp (Will Co - 1975640)	2	Inadequate Pres Tank	135	03/15/96
Edelstein (Peoria Co - 1435150)	5	Adjusted Gross Alpha	125	03/15/98
Edgington Water District (Rock Island Co-1615550)	1	Inadequate Pres Tank	470	03/20/81
Emmett Utl Inc (McDonough Co - 1095200)	5	Inadequate Pres Tank	39	12/17/82
Evansville (Randolph Co - 1570250)	6	Trihalomethane	73,233	06/15/02

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NAME OF PUBLIC WATER SUPPLY/COUNTY/FACILITY	EPA #RGN	NATURE OF PROBLEM	POP. SERVED	LISTING DATE
Evergreen Vlg Sbdv (Rock Island Co - 1615310)	1	Inadequate Pres Tank	250	03/20/81
Fahnstock Court Sbdv (Peoria Co - 1435200)	5	Inadequate Pres Tank	30	05/25/81
Fair Acres Sbdv (Will Co - 1975680)	2	Inadequate Pres Tank	185	10/19/81
Forest Lake Addn (Lake Co - 0975500)	2	Inadequate Pres Tank	180	12/16/83
Frwr-Skyline Cpy (Kane Co - 0895030)	2	Inadequate Pres Tank	1,300	09/19/86
Galva (Henry Co - 0730450)	1	Adjusted Gross Alpha	2,900	03/14/01
Garden Street Imprv Assn (Will Co - 1975376)	2	Inadequate Pres Tank	62	09/15/89
Gardner (Grundy Co - 0630400)	2	Adjusted Gross Alpha	1,450	03/14/01
Glasford (Peoria Co - 1430350)	5	Adjusted Gross Alpha	1,115	12/15/97
Glenkirk Campus North (Lake Co - 0977189)	2	Inadequate Pres Tank	64	06/15/88
Glenkirk Campus South (Lake Co - 0977199)	2	Inadequate Pres Tank	36	06/15/88
Good Shepherd Mnr (Kankakee Co - 0915189)	2	Inadequate Pres Tank	140	03/17/89
Great Oaks&Beacon Hls Apts (Winnebago Co-2015488)	1	Inadequate Pres Tank	943	12/17/82
Greenwood Outback (LaSalle Co - 0990080)	1	Inadequate Pres Tank		12/15/98
Harbor Lites/Pistakee Fshg Cl (McHenry Co - 1110011)	2	Inadequate Pres Tank	100	03/14/01
Hardinville (Crawford Co - 0330020)	4	Inadequate Source Capacity	2,361	03/15/02
Hawthorn Woods (Lake Co - 0970450)	2	Inadequate Pres Tank	800	03/15/95
Heatherfield Sbdv (Grundy Co - 0635150)	2	Inadequate Pres Tank	91	09/17/82
Hettick (Macoupin Co - 1170500)	5	Trihalomethane	220	06/15/02
Highland Sbdv (Kane Co - 0895530)	2	Inadequate Pres Tank	50	09/16/83
Hillview Sbdv (Will Co - 1975800)	2	Inadequate Pres Tank	99	03/15/85
Holy Family Villa (Cook Co - 0310280)	2	Inadequate Pres Tank	200	09/15/99
Hopewell (Marshall Co - 1235150)	1	Adjusted Gross Alpha	805	03/14/01
Huntley Cmnty Sbdv (Will Co - 1975840)	2	Inadequate Pres Tank	48	03/16/84
Ingalls Pk Sbdv (Will Co - 1975880)	2	Inadequate Pres Tank	690	09/16/83
Kewanee (Henry Co - 0730650)	1	Adjusted Gross Alpha	12,900	03/14/01

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NAME OF PUBLIC WATER SUPPLY/COUNTY/FACILITY	EPA #RGN	NATURE OF PROBLEM	POP. SERVED	LISTING DATE
Kingston Mines (Peoria Co - 1430450)	5	Adjusted Gross Alpha	295	03/14/01
Kirk Wtr Line (Crawford Co - 0330030)	4	Inadequate Source Capacity	72	03/15/02
Knoxville (Knox Co - 0950300)	5	Adjusted Gross Alpha	3,243	03/15/98
Lake Lynwood Wtr Sys (Henry Co - 0735330)	1	Inadequate Pres Tank	98	08/31/81
Lakeview Acres (McHenry Co - 1110120)	2	Inadequate Hydro Storage	35	11/01/01
Lakeview Hills Wtr Supply Cp (Whiteside Co - 1955150)	1	Inadequate Pres Tank	146	03/20/81
Lakewood Shores Imprv Assn	2	Adjusted Gross Alpha	760	03/14/01
Land and Water Assn (LaSalle Co - 0995050)	1	Inadequate Pres Storage	110	06/15/01
Larchmont Sbdv (Winnebago Co - 2015290)	1	Inadequate Pres Tank	106	06/17/83
Larson Court Rentals (Rock Island Co - 1615728)	1	Inadequate Pres Tank	48	01/14/82
Legend Lakes Wtr Assn (Winnebago Co - 2015300)	1	Inadequate Pres Tank	225	03/14/91
Liberty Park Homeowners Assn (DuPage Co - 0435600)	2	Inadequate Pres Tank	1,092	09/17/92
Lindenwood Wtr Assn (Ogle Co - 1415300)	1	Inadequate Pres Tank	50	01/13/82
Lisbon North Inc (Grundy Co - 0631000)	2	Inadequate Pres Tank	30	09/14/90
Little York (Warren Co - 1870100)	5	Adjusted Gross Alpha	350	03/14/01
London Mills (Fulton Co - 0574620)	5	Inadequate Pres Tank	670	12/14/84
Lostant (LaSalle Co - 0990450)	1	Adjusted Gross Alpha	510	03/14/01
Lynn Cntr (Henry Co - 0735100)	1	Inadequate Pres Tank	147	03/15/95
Lynnwood Water Corp (LaSalle Co - 0995336)	1	Inadequate Pres Tank	114	03/18/83
M C L W Sys Inc (Mercer Co - 1315150)	1	Inadequate Source	100	03/20/81
Maple Leaf Ests Wtr Corp (Monroe Co - 1335100)	6	Inadequate Pres Tank	39	03/20/81
Mapleton (Peoria Co - 1430500)	5	Adjusted Gross Alpha	350	03/15/98
Mayfair Sbdv (Tazewell Co - 1795750)	5	Inadequate Pres Tank	150	03/16/90
Monmouth (Warren Co - 1870150)	5	Adjusted Gross Alpha	9,500	03/14/01
Mound PWD (St Clair Co - 1635050)	6	Inadequate Plant Capacity	1,800	06/17/96
Northfield (Cook Co - 0312100)	2	Inadequate Storage Capacity	4,777	06/15/02



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NAME OF PUBLIC WATER SUPPLY/COUNTY/FACILITY	EPA #RGN	NATURE OF PROBLEM	POP. SERVED	LISTING DATE
Northwest Belmont Imprv Assn (DuPage Co - 0435900)	2	Inadequate Pres Tank	115	09/29/81
Oak Ridge Sndst (Woodford Co - 2035300)	1	Inadequate Pres Tank	240	03/20/81
Oakview Avenue Wtrwks Inc (Will Co - 1977210)	2	Inadequate Pres Tank	350	03/20/81
Oblong (Crawford Co - 0330150)	4	Inadequate Source Capacity	2,317	03/15/02
Olivet Nazarene College (Kankakee Co - 0915279)	2	Inadequate Pres Tank	1,450	03/15/94
Opheim PWS (Henry Co - 0735150)	1	Inadequate Pres Tank	150	06/18/82
Osco Mutual Wtr Supply Cpy Inc (Henry Co-0735200)	1	Inadequate Pres Tank	115	12/15/89
Park Road Wtr Assn (Will Co - 1977330)	2	Inadequate Pres Tank	60	12/17/82
Park View Wtr Corp (Kane Co - 0895500)	2	Inadequate Pres Tank	150	12/17/82
Patoka (Marion Co - 1210400)	6	Inadequate Plant Capacity	731	03/15/97
Polo Dr & Saddle Rd Sbdv (DuPage Co - 0437000)	2	Inadequate Pres Tank	95	12/17/82
Ports of Sullivan Lake Assn (Lake co - 0971160)	2	Inadequate Pres Tank	638	06/15/99
* Prairie Oaks Ests Hmown Assn (Grundy Co - 0630060)	2	Adjusted Gross Alpha	96	10/15/02
Prairie Ridge Assn (McHenry Co - 1115730)	2	Inadequate Pres Tank	140	03/16/90
Ridgecrest North Sbdv (Grundy Co - 0635250)	2	Inadequate Pres Tank	85	09/16/93
Ridgewood Ledges Wtr Assoc(Rock Island Co-1615670)	1	Inadequate Pres Tank	475	03/20/81
Ridgewood Sbdv (Will Co - 1977650)	2	Inadequate Pres Tank	315	06/18/82
Riverwoods Spcl Dstrect 3 (Lake Co - 0971451)	2	Inadequate Souce Capacity	234	11/01/01
Robinson Palestine Wtr Cmsn (Crawford Co - 0335030)	4	Inadequate Plant Capacity	10,728	11/01/01
* Santa Fe Ests (Peoria Co - 1435490)	5	Adjusted Gross Alpha	84	10/15/02
Sbdv Wtr Trust No 1 (Kane Co - 0895300)	2	Inadequate Pres Tank	1,120	03/20/81
Shawntita Trc Wtr Assn (Will Co - 1977690)	2	Inadequate Pres Tank	125	09/17/92
Skyview Estates (Kankakee Co - 0915526)	2	Inadequate Pres Tank	65	09/14/84
* South Wilmington (Grundy Co - 0630650)	2	Adjusted Gross Alpha	698	10/15/02
St Charles Cmsn Wlfnd 3 (DuPage Co - 0437040)	2	Inadequate Pres Tank	30	12/15/89
Standard (Putnam Co - 1550300)	1	Adjusted Gross Alpha	300	03/14/01

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NAME OF PUBLIC WATER SUPPLY/COUNTY/FACILITY	EPA #RGN	NATURE OF PROBLEM	POP. SERVED	LISTING DATE
Sturm Sbdv (Lake Co - 0977010)	2	Inadequate Pres Tank	63	03/16/84
Suburban Heights Sbdv (Rock Island Co - 1615800)	1	Inadequate Pres Tank	114	12/16/83
Summit Homeowners Assn (Lake Co - 0975280)	2	Inadequate Pres Tank	48	03/16/84
Sunny Hill Ests Sbdv (Henry Co - 0735300)	1	Inadequate Pres Tank	525	06/15/00
Sunnyland Sbdv (Will Co - 1977730)	2	Inadequate Pres Tank	350	09/16/83
Swedona Wtr Assn (Mercer Co - 1315200)	1	Inadequate Pres Tank	100	06/15/90
Sylvan Lake 1st Sbdv (Lake Co - 0977100)	2	Inadequate Pres Tank	210	06/14/91
Toulon (Stark Co - 1750150)	1	Adjusted Gross Alpha	1,400	12/12/99
Towners Sbdv (Lake Co - 0977250)	2	Inadequate Pres Tank	238	01/14/82
Trimble Wtr Co (Crawford Co - 0335200)	4	Inadequate Source Capacity	350	03/15/02
Trivoli PWD (Peoria Co - 1435510)	5	Inadequate Pres Tank	350	06/17/83
Turkey Hollow Well Corp (Rock Island Co - 1615686)	1	Inadequate Pres Tank	32	06/18/82
Utl Inc Holiday Hills (McHenry Co - 1115350)	2	Inadequate Pres Tank	750	09/16/83
Utl Inc Lake Holiday (LaSalle Co - 0995200)	1	Inad Source & Treat Plt	4,908	09/15/98
Utl Inc Northern Hls Utl Co (Stephenson Co-1775050)	1	Inadequate Pres Tank	290	03/15/96
Utl Inc Walk-Up Woods Wtr Co (McHenry Co - 1115800)	2	Inadequate Pres Tank	763	12/17/82
* Viola (Mercer Co - 1310450)	1	Adjusted Gross Alpha	950	10/15/02
Wermes Sbdv (Kane Co - 0895750)	2	Inadequate Pres Tank	150	12/16/88
West Salem (Edwards Co - 0470200)	7	Inadequate Treatment Plant	1,058	03/15/99
West Shore Park Sbdv (Lake Co - 0977370)	2	Inadequate Pres Tank	450	06/15/00
West Shoreland Sbdv (Lake Co - 0977050)	2	Inadequate Pres Tank	220	06/14/91
Westlake Utl (Winnebago Co - 2010070)	1	Inadequate Source Capacity	25	11/01/01
Whispering Lakes Wtr Sys Inc (Lake Co - 0970220)	2	Adjusted Gross Alpha	375	03/14/01
Wienen Estates (Jo Daviess Co - 0850030)	1	Inadequate Pres Tank	70	12/15/97
Winnetka (Cook Co - 0313330)	2	Inadequate Storage Capacity	12,174	06/15/02
Wonder Lake Wtr Cmpny (McHenry Co - 1115750)	2	Inadequate Pres Tank	1,161	06/16/94

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NAME OF PUBLIC WATER SUPPLY/COUNTY/FACILITY	EPA #RGN	NATURE OF PROBLEM	POP. SERVED	LISTING DATE
Woodland Hts Ests Sbdv (Peoria Co - 1435760)	5	Inadequate Pres Tank	245	03/20/81
Woodsmoke Ranch Assn (LaSalle Co - 0990030)	1	Inadequate Pres Tank	350	06/15/90
York Cntr Coop (DuPage Co - 0437550)	2	Inadequate Pres Tank	240	06/15/88
2nd Street Wtr Assn (Lake Co - 0971140)	2	Inadequate Pres Tank	33	12/15/95

PUBLIC WATER SUPPLIES REMOVED FROM PREVIOUS LIST

Farmington (Fulton Co - 0570500)  
 Princeville (Peoria Co - 1430750)

# Environmental Register – January 2003

## Illinois Environmental Protection Agency

### Division of Public Water Supplies

#### Critical Review List -- Public Water Supplies

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 which 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. This list reflects the status as of January 1, 2003.

\* Indicates public water supplies that have been added to the list since the previous publication.

NAME OF PUBLIC WATER SUPPLY/COUNTY/FACILITY	EPA #RGN	NATURE OF PROBLEM	POP. SERVED	LISTING DATE
Arenzville (Cass Co - 0170050)	5	Inadequate Pres Tank	492	03/14/01
Beecher (Will Co - 1970050)	2	Inadequate Storage Capacity	2,032	03/14/01
Bluford (Jefferson Co - 0810100)	7	Low System Pressure	465	03/20/81
Browning (Schuyler Co - 1690050)	5	Inadequate Source	495	03/15/98
Clayton Camp Point Wtr Cmsn (Adams Co - 0015200)	5	Inad Pumping Capacity	1,200	09/15/98
Clinton (DeWitt Co - 0390050)	4	Inad Plant Capacity	7,437	06/14/91
Columbia (Monroe Co - 1330050)	6	Inad Pumping Capacity	5,893	03/15/98
DePue (Bureau Co - 0110300)	1	Inad Treatment Plant	1,930	12/15/93
Elizabeth (Jo Daviess Co - 0850150)	1	Low System Pressure	700	06/15/99
Evansville (Randolph Co - 1570250)	6	Low System Pressure	1,838	05/25/81
Galena (Jo Daviess Co - 0850200)	1	Low System Pressure	3,790	06/15/99
Georgetown (Vermilion Co - 1830350)	4	Inadequate Water Plant	3,678	06/15/93
Highland Hills Sndst (DuPage Co - 0435560)	2	Inadequate Pres Tank	1,100	09/17/92
Joy (Mercer Co - 1310100)	1	Low System Pressure	495	06/15/99

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Kincaid (Christian Co - 0210250)	5	Plant Capacity	2,640	06/14/85
LaMoille (Bureau Co - 0110500)	1	Inadequate Plant Capacity	750	06/15/99
* Mahomet (Champaign Co - 0190450)	4	Inadequate Plant Capacity	4,877	10/15/02
Marion (Williamson Co - 1990550)	7	Inadequate Source Capacity	14,610	11/01/01
Mathersville (Mercer Co - 1310200)	1	Low System Pressure	793	09/13/00
McHenry Shores Wtr Cmpny (McHenry Co - 1115020)	2	Low System Pressure	1,170	09/17/92
Mechanicsburg Buffalo Wtr (Sangamon Co - 1675150)	5	Inadequate Source	1,030	03/15/98
Minonk (Woodford Co - 2030400)	1	Inadequate Source Capacity	2,200	03/14/01
Pheasant Knolls Sbdv (Lake Co - 0970290)	2	Inadequate Pres Tank	130	09/15/98
Scales Mound (Jo Daviess Co - 0850400)	1	Low System Pressure	400	09/15/97
Seneca (LaSalle Co - 0991050)	1	Inadequate Plant Capacity	1,937	06/15/99
South Highway PWD (Jackson Co - 0775400)	7	Low System Pressure	8,189	06/15/92
Stockton (Jo Daviess Co - 0850450)	1	Low System Pressure	1,900	06/15/84
Sumner (Lawrence Co - 1010300)	7	Low System Pressure	1,553	12/13/85
Tower Ridge Sbdv (Rock Island Co - 1615780)	1	Inadequate Pres Tank	70	03/15/94
Utl Inc Lake Marian Wtr Corp (Kane Co - 0895200)	2	Low Sys Pres & Inad Pres Storage	800	09/14/84
Walnut Hill (Marion Co - 1210600)	6	Low System Pressure	1,200	06/14/85
Wonder Lake Wtr Cmpny (McHenry Co - 1115750)	2	Inadequate Storage	1,080	12/14/90

### PUBLIC WATER SUPPLIES REMOVED FROM PREVIOUS LIST

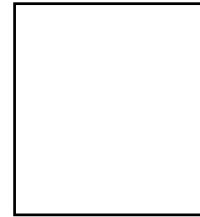
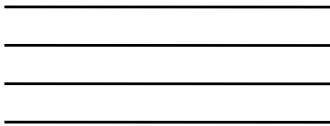
Lee (Lee Co - 1034600)



The Illinois Pollution Control Board is an independent seven-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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