



# ENVIRONMENTAL REGISTER

JULY 30, 2020 – Number 754

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A PUBLICATION OF THE ILLINOIS POLLUTION CONTROL BOARD

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<https://pcb.illinois.gov>

## BOARD MEMBERS

- ❖ Barbara Flynn Currie, Chair
- ❖ Cynthia M. Santos
- ❖ Brenda K. Carter
- ❖ Anastasia Palivos

The **Illinois Pollution Control Board** is an independent, five-member board that adopts environmental control regulations and decides enforcement actions and other environmental cases for the State of Illinois.

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## CHAIR'S UPDATE

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Since March of this year, the Board restricted its in-person operations to help in combating the COVID-19 pandemic, as directed by Governor Pritzker in his disaster proclamations and related executive orders. But the core business of the Board—its rulemakings and adjudications—continued with little disruption or delay. We owe this to the teamwork and diligence of the Board's exceptional staff. I am deeply grateful to each and every one of them.

Faced with these unpredictable times, Board staff responded predictably. They investigated and saw to the successful implementation of new ways for safely participating in Board meetings and hearings. They maintained the smooth functioning of the Board's electronic filing, docketing, and notice systems, which are relied on by both the public and the Board. They ensured the Board's continued compliance with the Open Meetings Act, the Freedom of Information Act, and the Administrative Procedure Act, as well the Board's founding statute, the Environmental Protection Act. In short, they took all the steps required for the Board to meet the needs of its constituents—the people of Illinois.

Board meetings were held each month by teleconference, with members of the public able to listen in and make remarks using their telephones. At those meetings, the Board adopted opinions and orders in substantial rulemakings, including first notice in Standards for the Disposal of Coal Combustion Residuals in Surface Impoundments: Proposed New 35 Ill. Adm. Code 845 (CCR), R20-19 (Apr. 16, 2020), second notice in Proposed New 35 Ill. Adm. Code 204, Prevention of Significant Deterioration, Amendments to 35 Ill. Adm. Code Parts 101,105, 203, 211, and 215, R19-1 (June 18, 2020), and final adoption in Amendments to Manifesting Requirements: Special Waste Hauling 35 Ill. Adm. Code 809, R19-18 (July 16, 2020). These and other rulemaking decisions are summarized in the “Rulemaking Update” of this *Environmental Register*.

The Board also held hearings that offered multiple means to participate, including in-person attendance with social distancing and remote attendance by either telephone or web-based video. Two rulemaking hearings were held in June: (1) Cross Connection Control Device Inspectors of Public Water Supplies at 35 Ill. Adm. Code 604.1520 (CCCDI), R20-21; and (2) Proposed New 35 Ill. Adm. Code 249 Ethylene Oxide Ambient Air Monitoring, R20-18. Three more rulemaking hearings were held this month: (1) CCCDI, R20-21; (2) National Ambient Air Quality Standards, USEPA Amendments (July 1, 2018 through December 31, 2018), R19-14, National Ambient Air Quality Standards, USEPA Amendments (January 1, 2019 through June 30, 2019), R20-3, National Ambient Air Quality Standards, USEPA Amendments (July 1, 2019 through December 31, 2019), R20-11 (consol.); and (3) Definition of VOM Update, USEPA Regulations (July 1, 2018 through December 31, 2018), R19-15. And hearings set for August and September are noted in the “Calendar” of this *Environmental Register*, including one in a time-limited water quality standard proceeding (Metropolitan Water Reclamation District of Greater Chicago v. IEPA, PCB 16-28) and one in a rulemaking (CCR, R20-19).

The Board did not limit itself, however, to processing its caseload. The Board celebrated its golden anniversary, turning 50 on July 1, 2020. Governor Pritzker marked the date by



proclaiming it “Pollution Control Board Day” in the State of Illinois. In his proclamation, the Governor commended the Board “for the important role it has played since 1970 in protecting the environment of Illinois and the health and well-being of its people.” Also on the first of this month, the Board released its comprehensive 50th anniversary report entitled *At the Half-Century Mark: Illinois’ Pollution Control Board and Environmental Protection Act*, which includes articles on the legislative battle to pass the Act, what made the Act revolutionary, and the Board’s early years. The Governor’s proclamation and the Board’s 50th anniversary report, along with other commemorative materials, may be viewed on the Board’s website (<https://pcb.illinois.gov>).

Lastly, we mourn the passing of the Board’s long-time Clerk, Dorothy Gunn. For nearly half of the Board’s 50-year existence, Dorothy was, to many, the face of the Board. Respected and warmly regarded inside and outside of this agency, Dorothy retired in 2007 after 32 years with the Board, the last 23 as Clerk. Our memorial tribute to Dorothy follows.

Sincerely,



Barbara Flynn Currie  
Chair



# IN MEMORY OF DOROTHY GUNN

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Dorothy Mae Gunn passed away peacefully on July 7, 2020, at the age of 78. As many reading this memorial know, Dorothy was the Clerk of the Illinois Pollution Control Board for well over two decades.

Less well known in the Board community are the early years of Dorothy's life. She was born on August 1, 1941, in West Helena, Arkansas, the youngest of six children. After her family relocated to Chicago, she graduated with honors from DuSable High School. She worked for Spiegel Clothing Company right out of high school and later received an associate degree from Harold Washington College, majoring in accounting.

Her service to the State of Illinois began in 1968 at the Youth Opportunity Center. In 1970, she joined the Illinois Bureau of Employment Security. Her career with the Board started in 1975 as a staff secretary. Before becoming Board's Clerk in 1984, she served as the private secretary to Board Member Irvin G. Goodman and then as a staff accounting assistant.

In her position as Clerk, from which she retired in 2007, Dorothy did everything expected of her and then some. Of course, she accepted and docketed filings, prepared meeting agendas and minutes, arranged for newspaper notices of hearings, and certified records to the Appellate Court, all while fulfilling other official duties as Clerk. She performed each of these tasks efficiently and tirelessly. She was also at the helm of the Clerk's Office as it ushered in electronic filing. Over Dorothy's unmatched tenure as Clerk, she established a well-earned reputation for professionalism, flexibility, and excellence.

But no matter how busy Dorothy was with her myriad responsibilities as Clerk, she would take the time to field procedural questions from members of the public and attorneys participating in Board proceedings, as well as from new Board staff. She was highly regarded as a friendly and helpful public servant and colleague.

Dorothy was with the Board for a remarkable 32 of its 50 years. She was beloved by Board Members and staff alike, and by those who appeared before the Board. She is sorely missed and will be forever remembered.

Long before she joined the Board, Dorothy developed a passion for gospel music. In fact, she was singing with the Harold Bailey Singers in 1964 when she met and married Reverend Kenneth Hartzell Gunn. She directed the choir at Haven of Rest Missionary Baptist Church and assisted her husband with the renowned Second Generation Community Choir. Dorothy never boasted about



her vocal accomplishments, but she became one of Chicago’s most outstanding gospel singers, ultimately featuring as a soloist on the Chicago Gospel Fest’s main stage. It is a gross understatement to say that the “Happy Birthday” song at the Board has suffered without her melodious voice.

Kenneth and Dorothy celebrated their 56th wedding anniversary on February 15, 2020. She is survived by her husband and their two children, son D’Artagnon and daughter Tracey, two grandchildren, Kyla and Bianca, and four great grandchildren, Jaleel, Jalen, Kira, and Avani.



# RULEMAKING UPDATE

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## Board Proposes First-Notice Rules for Ambient Air Monitoring of Ethylene Oxide

On January 16, 2020, the Board proposed new air monitoring rules for determining ambient levels of ethylene oxide (EtO) across Illinois (35 Ill. Adm. Code 249). Section 9.16(n) of the Environmental Protection Act (415 ILCS 5/9.16(n), added by P.A. 101-22, eff. June 21, 2019) requires the Illinois Environmental Protection Agency (IEPA) to both “conduct air testing to determine the ambient levels of [EtO] throughout the State” and, within a specified timeframe, “submit rules for ambient air testing of [EtO] to the Board.” IEPA filed this rulemaking proposal on December 17, 2019. Without commenting on the substantive merits of IEPA’s proposal, the Board proposed the rules for first-notice publication in the *Illinois Register*. See 44 Ill. Reg. 2216 (Jan. 31, 2020).

IEPA explains that there is no federal ambient air quality standard for EtO and that this rulemaking’s purpose “is not to establish a standard for EtO in Illinois,” but rather to establish “a system to ascertain baseline levels” of EtO across the State. Under the rules, IEPA expects to collect EtO monitoring data that will supplement the monitoring being conducted by the United States Environmental Protection Agency. IEPA proposes that the rules will no longer apply 24 months after they become effective.

The Board is accepting public comments on the first-notice proposal. The Board held a public hearing on June 25, 2020, and has another scheduled for September 10, 2020. The rulemaking is captioned Proposed New 35 Ill. Adm. Code 249 Ethylene Oxide Ambient Air Monitoring, docket R20-18. Here are links to the Board’s [first-notice opinion and order](#) and the Board’s [addendum](#) containing the proposed rule text. For more information, please contact Mark Kaminski at 312-814-3886 or [mark.kaminski@illinois.gov](mailto:mark.kaminski@illinois.gov).

## Board Proposes First-Notice Amendments to Adopt State PSD Permitting Program

On March 5, 2020, the Board proposed new and amended rules for first-notice publication in the *Illinois Register*. Specifically, the Board proposed a new Part 204 of its air pollution regulations to create a Prevention of Significant Deterioration (PSD) permitting program that would apply in Illinois instead of the federal PSD program. To accommodate PSD permit appeals, the proposal also would amend existing Parts 101 and 105 of the Board’s procedural rules. In addition, to conform to the new Part 204, the proposal would amend existing Parts 203, 211, and 215 of the Board’s air pollution regulations. See 44 Ill. Reg. 4316 (Mar. 20, 2020).

With its rulemaking proposal to the Board, the Illinois Environmental Protection Agency (IEPA) intended to satisfy the requirements of Section 9.1 of the Environmental Protection Act (Act) (415 ILCS 5/9.1(c) (2018); see Public Act 99-463, eff. Jan. 1, 2016), which calls for the establishment of a State PSD program meeting the requirements of the federal Clean Air Act. As proposed, instead of IEPA making PSD permit determinations under federal PSD regulations (by delegation agreement with the United States Environmental Protection Agency (USEPA)), IEPA would make PSD permit determinations under Board PSD regulations. And IEPA’s PSD permit



determinations would be appealable to the Board rather than to USEPA's Environmental Appeals Board.

The Board held two public hearings in this rulemaking. The Board also accepted public comments on all aspects of its first-notice opinion and order, including the Board's decision on the role of environmental justice in the proposed PSD permit program. As discussed later in this "Rulemaking Update," the Board issued its second-notice opinion and order on June 18, 2020.

This rulemaking is captioned Proposed New 35 Ill. Adm. Code 204, Prevention of Significant Deterioration, and Amendments to 35 Ill. Adm. Code 101, 105, 203, 211, and 215, docket R19-1. Here is a link to the Board's [first-notice opinion and order](#), which includes the proposed rule text. For more information, please contact Tim Fox at 312-814-6085 or [tim.fox@illinois.gov](mailto:tim.fox@illinois.gov).

### **Board Proposes CCR Surface Impoundment Rules for First Notice**

On April 16, 2020, the Board issued a first-notice opinion and order proposing new rules concerning the disposal of coal combustion residual (CCR) in surface impoundments at power generating facilities (35 Ill. Adm. Code 845). The CCR rules had been proposed to the Board on March 30, 2020, by the Illinois Environmental Protection Agency (IEPA). Receiving IEPA's proposal started the Board's one-year statutory deadline to adopt final rules. Accordingly, the Board proceeded to first notice without commenting on the substantive merits of IEPA's proposal.

The first-notice rules were published in the *Illinois Register* on May 1, 2020 (44 Ill. Reg. 6696), beginning a period during which any person may file with the Board a public comment on the proposed rules. Currently, two public hearings are scheduled in this rulemaking: the first hearing is set for August 11, 12, and 13, 2020; and the second hearing is set for September 29 and 30 and October 1, 2020.

The rulemaking is captioned Standards for the Disposal of Coal Combustion Residuals in Surface Impoundments: Proposed New 35 Ill. Adm. Code 845, docket R20-19. Here are links to (1) the Board's [first-notice opinion and order](#) and (2) the Board's [addendum](#), which contains the text of the proposed rules. For more information, please contact Vanessa Horton at 312-814-5053 or [vanessa.horton@illinois.gov](mailto:vanessa.horton@illinois.gov).

### **Board Adopts Emergency Rule Extending Period to Renew Approvals for Cross Connection Control Device Inspectors of Public Water Supplies**

On April 16, 2020, the Board issued an opinion and order adopting an emergency rule that extended the period for cross connection control device inspectors (CCCDIs) to renew their annual CCCDI approvals. The Board received the emergency rulemaking proposal from the Illinois Environmental Protection Agency (IEPA) on April 10, 2020.

CCCDIs play a significant role in protecting public health and welfare by helping to ensure that public water supplies are protected from connections to and contamination by unsafe sources of water. Generally, a CCCDI must renew his or her CCCDI approval each year between May 1



and June 30. *See* 35 Ill. Adm. Code 604.1510(b)(2). IEPA’s emergency rulemaking proposal sought to extend this renewal period for 2020 because of delays caused by the COVID-19 pandemic. The Illinois Department of Public Health, due to COVID-19, had adopted emergency rules extending the deadline for plumbers’ license renewals, and CCCDIs must be licensed plumbers. Based on Governor JB Pritzker’s proclaimed state of emergency in response to the COVID-19 pandemic, as well as related factors, including a potential shortage in approved CCCDIs, the Board found that an emergency existed. The Board therefore adopted an emergency rule at 35 Ill. Adm. Code 604.1520 (“COVID-19 Emergency Provisions”), which changed the 2020 approval renewal period for CCCDIs to between August 31 and October 30.

The emergency rule took effect on April 17, 2020 (44 Ill. Reg. 7777 (May 1, 2020)) and remains in effect up to 150 days. The Board invited public comment on the fact that the emergency rule, having a maximum duration of 150 days, would expire before the extended deadline of October 30, 2020. To address this gap, the Board opened a separate docket (R20-21) for a general rulemaking, as discussed later in this “Rulemaking Update.”

The emergency rulemaking is captioned Emergency Rulemaking for Cross Connection Control Device Inspectors of Public Water Supplies at 35 Ill. Adm. Code 604.1520, docket R20-20. Here is a link to the Board’s [opinion and order](#), which includes the text of the emergency rule. For more information, please contact Daniel Pauley at 312-814-3886 or [daniel.pauley@illinois.gov](mailto:daniel.pauley@illinois.gov).

### **Board Adopts “Identical-in-Substance” Amendments to Drinking Water Rules**

On April 16, 2020, the Board adopted amendments to Illinois’ primary drinking water regulations in 35 Ill. Adm. Code 611. The amendments are “identical in substance” to rule amendments adopted by the United States Environmental Protection Agency (USEPA) during the second half of 2018. Specifically, USEPA adopted approximately 100 new methods for demonstrating compliance with the National Primary Drinking Water Regulations. Most were updated methods appearing in the recent 23rd edition of *Standard Methods for Examination of Water and Wastewater*.

In addition, the Board reorganized Part 611’s incorporations by reference to simplify them, make them easier to use, and facilitate future amendments. The Board also updated sources for USEPA methods, corrected some methods’ listings, and deleted two methods: one was a national standard that is no longer required; the other was not available from its former federal source or any source the Board could find.

The Board’s rulemaking is captioned SDWA Update, USEPA Amendments (July 1, 2018 through December 31, 2018), docket R19-16. Here are links to (1) the Board’s [opinion and order](#), which includes the text of the adopted rules, and (2) the Board’s [addendum](#), which provides tables of information concerning the rulemaking. For more information, please contact Michael McCambridge at 312-814-6924 or [michael.mccambridge@illinois.gov](mailto:michael.mccambridge@illinois.gov).



## **Board Proposes Second-Notice Amendments to Non-Hazardous Special Waste Manifest Rules**

On May 21, 2020, the Board issued a second-notice opinion and order proposing to amend its manifesting regulations on transporting non-hazardous special waste. In doing so, the Board addressed each of the public comments received during the first-notice period and submitted the proposed amendments to the Joint Committee on Administrative Rules for review.

As proposed, the amendments would allow transporters of State-regulated non-hazardous special waste to use manifests that are functionally identical to the Uniform Hazardous Waste Manifest of the United States Environmental Protection Agency (USEPA)—but without the financial and regulatory burdens associated with USEPA’s new e-Manifest System.

This rulemaking, which began with the Illinois Environmental Protection Agency’s proposal, is captioned Amendments to Manifesting Requirements: Special Waste Hauling 35 Ill. Adm. Code 809, docket R19-18. Here is a link to the Board’s [second-notice opinion and order](#), which includes the text of the proposed rule amendments. As discussed later in this “Rulemaking Update,” the Board adopted final rules at its July 16, 2020 meeting. For more information, please contact Daniel Pauley at 312-814-6931 or [daniel.pauley@illinois.gov](mailto:daniel.pauley@illinois.gov).

## **Board Proposes First-Notice Rule Extending 2020 Period to Renew Approvals for Cross Connection Control Device Inspectors of Public Water Supplies**

Generally, a cross connection control device inspectors (CCCDIs) must renew his or her CCCDI approval each year between May 1 and June 30, as discussed earlier in this “Rulemaking Update.” See 35 Ill. Adm. Code 604.1510(b)(2). Because of related licensing delays caused by the COVID-19 pandemic, the Illinois Environmental Protection Agency (IEPA) proposed and the Board adopted an emergency rule to extend this renewal period for 2020 to between August 31 and October 30. See Emergency Rulemaking for Cross Connection Control Device Inspectors of Public Water Supplies 35 Ill. Adm. Code 604.1520, docket R20-20 (Apr. 16, 2020) (adopting 35 Ill. Adm. Code 604.1520 (“COVID-19 Emergency Provisions” as emergency rule)). The emergency rule took effect on April 17, 2020.

As the Board observed when it adopted the emergency rule, the Illinois Administrative Procedure Act does not allow an emergency rule to last longer than 150 days. See 5 ILCS 100/5-45(c) (2018). Accordingly, the emergency rule cannot last beyond September 14, 2020, which is about seven weeks before the extended deadline of October 30, 2020, for CCCDI approval renewals. To bridge this gap, the Board opened a separate docket and, on May 21, 2020, proposed the text of the emergency rule in a general rulemaking, Rulemaking for Cross Connection Control Device Inspectors of Public Water Supplies 35 Ill. Adm. Code 604.1520, docket R20-21 (May 21, 2020). When it becomes effective, this rule will replace the emergency rule.

The Board accepted public comments on the proposed rule, which was published in the *Illinois Register* on June 5, 2020 (44 Ill. Reg. 9352). The Board also held two public hearings. As discussed later in this “Rulemaking Update,” the Board issued its second-notice opinion and



order at a special meeting held on July 27, 2020. The Board expects to adopt a final rule at its September 3, 2020 meeting.

Here is a link to the Board's [first-notice opinion and order](#), which includes the proposed rule text. For more information, please contact Daniel Pauley at 312-814-6931 or [daniel.pauley@illinois.gov](mailto:daniel.pauley@illinois.gov).

### **Board Proposes “Identical-in-Substance” Amendments to RCRA Hazardous Waste and MSWLF Rules**

On May 21, 2020, for public comment, the Board proposed amendments to its hazardous waste rules. The proposed amendments are “identical in substance” to federal rule amendments made by the United States Environmental Protection Agency (USEPA) during 2019 under Subtitle C of the Resource Conservation and Recovery Act (RCRA). The USEPA actions considered were the February 22, 2019 Hazardous Waste Pharmaceuticals Rule and the December 9, 2019 Universal Waste Aerosol Cans Rule. The Board also included proposed corrections to its RCRA Subtitle C hazardous waste rules and RCRA Subtitle D municipal solid waste landfill (MSWLF) rules, many at the request of the Joint Committee on Administrative Rules and the Illinois Environmental Protection Agency.

The Board's rulemaking is captioned RCRA Subtitle C Update, USEPA Amendments (January 1, 2019 through June 30, 2019) and RCRA Subtitle D Corrections and RCRA Subtitle C Update, USEPA Amendments (July 1, 2019 through December 31, 2019), dockets R20-8 and R20-16 (consol.) (May 21, 2020). Here are links to (1) the Board's [opinion and order](#), which includes the proposed rule amendments, and (2) the Board's [addendum](#), which provides tables of information concerning the rulemaking. For more information, please contact Michael McCambridge at 312-814-6924 or [michael.mccambridge@illinois.gov](mailto:michael.mccambridge@illinois.gov).

### **Board Proposes “Identical-in-Substance” Amendments to Ambient Air Quality Standards**

On May 21, 2020, for public comment and hearing, the Board proposed rule amendments that are “identical in substance” to federal actions taken during 2019 and the second half of 2018. The federal actions were taken by the United States Environmental Protection Agency (USEPA) and concerned the National Ambient Air Quality Standards (NAAQS). The USEPA actions considered by the Board included the October 16, 2018 corrections to area designations for the 2015 NAAQS for ozone (O<sub>3</sub>); the December 27, 2018 and May 28, 2019 area redesignations for the 1997 primary NAAQS for fine particulate matter (PM<sub>2.5</sub>); the March 29, 2019, May 28, 2019, and September 26, 2019 designation of new federal reference methods (FRMs) and federal equivalent methods (FEMs) for sulfur dioxide (SO<sub>2</sub>), O<sub>3</sub>, and carbon monoxide; the August 23, 2019 area reclassification for O<sub>3</sub>; the September 13, 2019 reconsideration of an area designation for the 2016 SO<sub>2</sub> NAAQS; and the December 15, 2019 release of an update to USEPA's *List of Designated Reference and Equivalent Methods*.

The Board held a public hearing on July 16, 2020. The Board's rulemaking is captioned National Ambient Air Quality Standards, USEPA Amendments (July 1, 2018 through December 31, 2018), National Ambient Air Quality Standards, USEPA Amendments (January 1, 2019



through June 30, 2019), and National Ambient Air Quality Standards, USEPA Amendments (July 1, 2019 through December 31, 2019), dockets R19-14, R20-3, and R20-11 (consol.) (May 21, 2020). Here are links to (1) the Board's [opinion and order](#), which includes the proposed rule amendments, and (2) the Board's [addendum](#), which provides tables of information concerning the rulemaking. For more information, please contact Hearing Officer Michael McCambridge at 312-814-6924 or [michael.mccambridge@illinois.gov](mailto:michael.mccambridge@illinois.gov).

### **Board Proposes “Identical-in-Substance” Amendments to VOM Definition**

On May 21, 2020, for public comment and hearing, the Board proposed rule amendments that keep Illinois' definition of “volatile organic material” (VOM) “identical in substance” to the federal definition of “volatile organic compound” (VOC). The proposal reflects action taken by the United States Environmental Protection Agency (USEPA) on November 28, 2018, to exclude a new hydrofluoroolefin from the VOC definition. The Board therefore proposed expanding its exclusion from ozone regulation “due to negligible photochemical reactivity.” 415 ILCS 5/9.1(e) (2018). The Board also included proposed corrections to chemical names in the list of excluded compounds.

The Board held a public hearing on July 16, 2020. The Board's rulemaking is captioned Definition of VOM Update, USEPA Regulations (July 1, 2018 through December 31, 2018), docket R19-15 (May 21, 2020). Here are links to (1) the Board's [opinion and order](#), which includes the proposed rule amendments, and (2) the Board's [addendum](#), which provides tables of information concerning the rulemaking. For more information, please contact Hearing Officer Michael McCambridge at 312-814-6924 or [michael.mccambridge@illinois.gov](mailto:michael.mccambridge@illinois.gov).

### **Board Sends PSD Permitting Rules to Second Notice**

On June 18, 2020, the Board issued a second-notice opinion and order proposing a new Part 204 of its air pollution rules. As proposed, Part 204 would create Illinois' Prevention of Significant Deterioration (PSD) permitting program. To conform its other rules to the proposed new program, the Board also proposed amending its air pollution rules at Parts 230, 211, and 215, as well as its procedural rules at Parts 101 and 105. In doing so, the Board addressed each of the public comments received during the first-notice period and submitted the proposal to the Joint Committee on Administrative Rules (JCAR) for second-notice review. JCAR is scheduled to consider the proposed rules at its August 11, 2020 meeting.

On July 2, 2018, the Illinois Environmental Protection Agency (IEPA) initiated this rulemaking by submitting a proposal to the Board. Procedurally, the proposal has two main objectives: Illinois will have its own PSD program rather than IEPA implementing the federal PSD program on behalf of the United States Environmental Protection Agency (USEPA); and the Board, instead of USEPA's Environmental Appeals Board, will hear appeals of IEPA's PSD permitting determinations. In addition, IEPA stated that its proposal meets the Illinois Environmental Protection Act's requirements for establishing a State PSD program (415 ILCS 5/9.1(c); Public Act 99-463, eff. Jan. 1, 2016).



This rulemaking is captioned Proposed New 35 Ill. Adm. Code 204, Prevention of Significant Deterioration, Amendments to 35 Ill. Adm. Code Parts 101,105, 203, 211, and 215, docket R19-1. Here is a link to the Board’s [second-notice opinion and order](#), which includes the text of the proposed rules. For more information, please contact Tim Fox at 312-814-6085 or [tim.fox@illinois.gov](mailto:tim.fox@illinois.gov).

### **Board Adopts Amendments to Non-Hazardous Special Waste Manifest Rules**

On July 16, 2020, the Board issued a final opinion and order amending its manifesting regulations on transporting non-hazardous special waste. The amendments allow transporters of State-regulated non-hazardous special waste to use manifests that are functionally identical to the Uniform Hazardous Waste Manifest of the United States Environmental Protection Agency (USEPA)—but without the financial and regulatory burdens associated with USEPA’s new e-Manifest System. The Joint Committee on Administrative Rules issued a “Certification of No Objection” to the rules at its June 16, 2020 meeting. The rules took effect on July 20, 2020.

This rulemaking, which began with the Illinois Environmental Protection Agency’s proposal, is captioned Amendments to Manifesting Requirements: Special Waste Hauling 35 Ill. Adm. Code 809, docket R19-18. Here is a link to the Board’s [final opinion and order](#), which includes the text of the adopted rule amendments. For more information, please contact Daniel Pauley at 312-814-6931 or [daniel.pauley@illinois.gov](mailto:daniel.pauley@illinois.gov).

### **Board Proposes Second-Notice Rule Extending 2020 Period to Renew Approvals for Cross Connection Control Device Inspectors of Public Water Supplies**

At a special meeting on July 27, 2020, the Board proposed a second-notice rule that, when it becomes effective, will replace an emergency rule extending the period for cross connection control device inspectors (CCCDIs) to renew their 2020 CCCDI approvals. This general rulemaking is discussed earlier in this “Rulemaking Update.” *See Rulemaking for Cross Connection Control Device Inspectors of Public Water Supplies 35 Ill. Adm. Code 604.1520*, docket R20-21 (May 21, 2020).

The Board held two public hearings; one on June 18, 2020, and the other on July 13, 2020. JCAR is scheduled to consider the proposed rule at its August 11, 2020 meeting. The Board expects to adopt a final rule at its September 3, 2020 meeting.

Here is a link to the Board’s [second-notice opinion and order](#), which includes the proposed rule text. For more information, please contact Hearing Officer Daniel Pauley at 312-814-6931 or [daniel.pauley@illinois.gov](mailto:daniel.pauley@illinois.gov).



# BOARD ACTIONS

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**January 16, 2020 Meeting**

**By videoconference: IPCB Offices in Chicago and Springfield**

## **RULEMAKINGS**

**R20-18** Proposed New 35 Ill. Adm. Code 250 Ethylene Oxide Ambient Air Monitoring (Air) – The Board adopted a first-notice proposal in this rulemaking to amend the Board’s air pollution regulations.

## **ADMINISTRATIVE CITATIONS**

**AC 20-1** IEPA v. Sammy J. Shafer, Tammy J. Shafer, and S. Shafer Excavating, Inc. (Land) – The Board granted IEPA’s motion to withdraw the administrative citation, dismissed the case, and closed the docket.

## **ADJUDICATORY CASES**

**PCB 20-3** People of the State of Illinois v. Signcraft Screenprint, Inc. (Air – Enforcement) – Upon receiving a stipulation, proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving a Jo Daviess County site, the Board ordered publication of the required newspaper notice.

**PCB 20-9** People of the State of Illinois v. Chicago Tire, Inc. and Chicago Industrial Retreaders, Inc. (Air – Enforcement) – Upon receiving a stipulation, proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving a Cook County site, the Board ordered publication of the required newspaper notice.

**PCB 20-28** People of the State of Illinois v. Jane Cooney and Jane Cooney, D.D.S., P.C. (Air, Land – Enforcement) – In this enforcement action concerning two sites located in Vermillion County, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c)(1) (2018)), accepted a stipulation and proposed settlement, and ordered respondents to pay a total civil penalty of \$7,500 and to cease and desist from future violations.

**PCB 20-36** Cady Oil Company v. IEPA (UST Appeal) – The Board accepted for hearing this underground storage tank (UST) appeal involving a site in Tazewell County.

**PCB 20-37** Sheffey Farms, Inc. v. IEPA (Water – Tax Certification) – The Board found and certified that Sheffey Farms’ specified facilities located in Stephenson County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).



- PCB 20-40** Parks Finishing E2, LLC v. IEPA (Water – Tax Certification) – The Board found and certified that Parks Finishing E2’s specified facilities located in Vermilion County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).
- PCB 20-41** Dare Farms, LLP v. IEPA (Water – Tax Certification) – To contest IEPA’s recommended partial denial, petitioner must appeal within 35 days after service of IEPA’s recommendation.
- PCB 20-42** Mark Komnick v. IEPA (Water – Tax Certification) – The Board found and certified that Mark Komnick’s specified facilities located in Sangamon County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).
- PCB 20-43** Alex Blythe v. IEPA (Water – Tax Certification) – The Board found and certified that Alex Blythe’s specified facilities located in Hancock County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).
- PCB 20-44** NYG Line Farms, LLC v. IEPA (Water – Tax Certification) – The Board found and certified that NYG Line Farms’ specified facilities located in Henderson County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).
- PCB 20-45** Legend Gilts LLC v. IEPA (Water – Tax Certification) – The Board found and certified that Legend Gilts’ specified facilities located in Greene County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).
- PCB 20-46** Ahmad Samha v. IEPA (UST Appeal) – The Board granted this request for a 90-day extension to file an underground storage tank (UST) appeal on behalf of this McLean County facility.
- PCB 20-47** IMTT Illinois, LLC v. IEPA (Water, NPDES-Permit Appeal) – The Board granted this request for a 30-day extension to file a permit appeal on behalf of this Cook County facility.

**February 6, 2020 Meeting**

**By videoconference: IPCB Offices in Chicago and Springfield**

**RULEMAKINGS**

- R19-1** Proposed New 35 Ill. Adm. Code 204, Prevention of Significant Deterioration, Amendments to 35 Ill. Adm. Code Parts 101, 105, 203, 211, and 215 (Air) – The Board granted IEPA’s motion for expedited review.



## Adjusted Standards

[AS 19-1](#) Petition of Midwest Generation, LLC for an Adjusted Standard from 35 Ill. Adm. Code 811 and 814 (Land) – The Board granted Midwest Generation’s motion to extend the stay and stayed this proceeding for an additional 45 days. The Board also directed Midwest Generation to file a status report at the close of the extended stay.

## ADMINISTRATIVE CITATIONS

[AC 19-20](#) IEPA v. Bruce Bontz, Nannette Bontz, and D. Brooks Excavating, Inc. (Land) – In response to a joint stipulation and proposed settlement agreement in this administrative citation action involving a Peoria County facility, the Board found that respondents had violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (2018)) and ordered respondents to pay a civil penalty of \$1,500. The Board also dismissed the alleged violations of Sections 21(p)(3) and (p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(3), (p)(7) (2018)) and granted the parties’ joint motion to dismiss respondents’ petition for review.

[AC 20-2](#) IEPA v. Fields Italian Cars, Inc. (Land) – The Board found that respondent had violated Section 55(k)(1) of the Act (415 ILCS 55(k)(1) (2018)). Because there was one violation of Section 55(k), the Board ordered respondent to pay a civil penalty of \$1,500.

## ADJUDICATORY CASES

[PCB 13-15](#) Sierra Club, Environmental Law and Policy Center, Prairie Rivers Network, and Citizens Against Ruining the Environment v. Midwest Generation, LLC (Citizen Enforcement – Water, Land) – The Board granted Amicus Groups’ motion for leave to file the amicus curiae brief and accepted that brief but struck its Attachment 1. The Board partially granted and partially denied Midwest Generation’s motion to reconsider and clarify.

[PCB 17-80](#) B-Petro Corporation v. IEPA (UST Appeal) – The Board granted petitioner’s motion for voluntary dismissal of this underground storage tank appeal.

[PCB 19-112](#) People of the State of Illinois v. Marino Development LLC and A-W-Bennett Enterprises, Inc. (Land – Enforcement) – Upon receiving a proposed stipulation and settlement agreement (as to A-W-Bennett Enterprises only) and an agreed motion for relief from the hearing requirement in this land enforcement action involving a facility located in Winnebago County, the Board ordered publication of the required newspaper notice.



- PCB 20-34** People of the State of Illinois v. GDB International, Inc. (Land – Enforcement) – In this land enforcement action concerning a Perry 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) (2018)), accepted a stipulation and settlement agreement, and ordered respondent to both pay a total civil penalty of \$22,000 and cease and desist from future violations.
- PCB 20-35** Frankenreider Beef Facility-Annawan v. IEPA (Water – Tax Certification) – Under the Property Tax Code (35 ILCS 200/11-5 *et seq.* (2018)), the Board partially granted and partially denied “pollution control facility” certification for Frankenreider Beef’s specified facilities located in Henry County.
- PCB 20-38** Midwest Generation, LLC (Joliet 9 Generating Station) v. IEPA (Thermal Demonstration) – The Board accepted this petition for alternative thermal effluent limitations but reserved ruling on the petition’s sufficiency and whether the Board will hold a hearing. The Board, on its own motion, consolidated this proceeding with PCB 20-39 for hearing.
- PCB 20-39** Midwest Generation, LLC (Joliet 29 Generating Station) v. IEPA (Thermal Demonstration) – The Board accepted this petition for alternative thermal effluent limitations but reserved ruling on the petition’s sufficiency and whether the Board will hold a hearing. The Board, on its own motion, consolidated this proceeding with PCB 20-38 for hearing.
- PCB 20-48** Bank of Pontiac v. IEPA (UST Appeal) – The Board directed Pontiac to file in PCB 20-48, by March 9, 2020, an amended petition for review of IEPA’s December 13, 2019 rejection of Site Investigation Completion Report. The Board further directed Pontiac to file separate amended petitions for review of each of IEPA’s remaining four determinations by March 9, 2020: in PCB 20-49 for IEPA’s December 18, 2019 deduction of Stage 2 investigation costs; in PCB 20-50 for IEPA’s December 18, 2019 deduction of Stage 3 investigation costs; in PCB 20-51 for IEPA’s December 23, 2019 modification of Stage 2 Budget; and in PCB 20-52 for IEPA’s January 11, 2019 modification of Stage 3 Budget.

## **February 20, 2020 Meeting**

**By videoconference: IPCB Offices in Chicago and Springfield**

### **Adjusted Standards**

- AS 19-1** In the Matter of: Petition of Midwest Generation, LLC for an Adjusted Standard from 35 Ill. Adm. Code 811 and 814 (Land) – The Board granted Midwest Generation’s motion to withdraw its petition and therefore denied as moot the pending request for hearing.



## ADJUDICATORY CASES

- PCB 09-96** Holland Energy, LLC v. IEPA (Air – Permit Appeal, CAAPP) – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal.
- PCB 20-1** People of the State of Illinois v. Pitchford Elevator Company (Land, Air – Enforcement) – Upon receiving a proposed stipulation and settlement agreement and an agreed motion for relief from the hearing requirement in this land and air enforcement action involving a facility located in Washington County, the Board ordered publication of the required newspaper notice.
- PCB 20-3** People of the State of Illinois v. Signcraft Screenprint, Inc. (Air – Enforcement) – In this air enforcement action concerning a Jo Daviess 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) (2018)), accepted a stipulation and settlement agreement, and ordered respondent to both pay a total civil penalty of \$37,500 and cease and desist from future violations.
- PCB 20-9** People of the State of Illinois v. Chicago Tire, Inc. and Chicago Industrial Retreaders, Inc. (Air – Enforcement) – 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) (2018)), accepted a stipulation and settlement agreement, and ordered respondents to both pay a total civil penalty of \$13,375 and cease and desist from future violations.
- PCB 20-41** Dare Farms, LLP v. IEPA (Water – Tax Certification) – The Board accepted the petition as timely filed but found that the petition was deficient. The Board directed Dare Farms to file an amended petition with the Board by March 23, 2020.
- PCB 20-47** IMTT Illinois, LLC v. IEPA (Water, NPDES-Permit Appeal) – The Board construed IMTT Illinois’ agreed request to extend the appeal period as a timely petition for review and directed IMTT Illinois to file an amended petition for review by April 20, 2020.
- PCB 20-53** Premcor Refining Group, Inc. v. IEPA (UST Appeal) – The Board granted this request for a 90-day extension to file an underground storage tank (UST) appeal on behalf of this Peoria County facility.



## March 5, 2020 Meeting

### By videoconference: IPCB Offices in Chicago and Springfield

#### Rulemakings

##### [R19-1](#)

Proposed New 35 Ill. Adm. Code 204, Prevention of Significant Deterioration, Amendments to 35 Ill. Adm. Code Parts 101, 105, 203, 211, and 215 (Air) – The Board adopted a first-notice opinion and order in this rulemaking to amend the Board’s air pollution control regulations and procedural rules.

#### ADJUDICATORY CASES

##### [PCB 06-37](#)

Illinois State Toll Highway Authority (Lincoln Oasis South) v. IEPA (UST Appeal) – The Board granted petitioner’s motion for voluntary dismissal of this underground storage tank appeal.

##### [PCB 18-49](#)

Marathon Petroleum Company LP v. IEPA (Thermal Demonstration) – The Board directed the hearing officer to issue an order with questions to complete the record.

##### [PCB 19-112](#)

People of the State of Illinois v. Marion Development LLC and A-W-Bennett Enterprises, Inc. (Land – Enforcement) – In this 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) (2018)), accepted a stipulation and settlement agreement between the People and A-W-Bennett Enterprises, Inc (Bennett) only, and ordered Bennett to both pay a total civil penalty of \$12,500 and cease and desist from future violations. The Board also noted that the case against Marino Development LLC would continue.

##### [PCB 20-32](#)

People of the State of Illinois v. Landfill 33, Ltd. and Wendt Family Trust (Water, NPDES, Land – Enforcement) – Upon receiving a proposed stipulation and settlement agreement and an agreed motion for relief from the hearing requirement in this enforcement action involving a facility located in Effingham County, the Board ordered publication of the required newspaper notice.

##### [PCB 20-54](#)

Charles Leitz v. IEPA (Water – Tax Certification) – The Board found and certified that Charles Leitz’s specified facilities located in Iroquois County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).

##### [PCB 20-55](#)

KJMM Partnership v. IEPA (Water – Tax Certification) – The Board found and certified that KJMM Partnership’s specified facilities located in Randolph County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).



[PCB 20-56](#) Steve and Jarilyn Stavropoulos v. IEPA (UST Appeal) – The Board directed the Stavropouloses to file an amended petition for review by March 26, 2020, stating the date of service of the Agency’s final decision.

**April 16, 2020 Meeting**  
**By teleconference**

**RULEMAKINGS**

[R19-16](#) SDWA Update, USEPA Amendments (July 1, 2018 through December 31, 2018) (Public Water Supply) – The Board adopted a final opinion and order in this rulemaking amending the Board’s drinking water regulations

[R20-19](#) Standards for the Disposal of Coal Combustion Residuals in Surface Impoundments: Proposed New 35 Ill. Adm. Code 845 (Land) – The Board adopted a first-notice proposal in this rulemaking to amend the Board’s waste disposal regulations.

[R20-20](#) Emergency Rulemaking for Cross Connection Control Device Inspectors of Public Water Supplies at 35 Ill. Adm. Code 604.1520 (Public Water Supply) – The Board adopted an emergency rule extending the period for cross connection control device inspectors (CCCDIs) to renew their respective CCCDI Approvals.

**ADJUSTED STANDARDS**

[AS 13-2](#) Petition of Emerald Performance Materials, LLC for an Adjusted Standard from 35 Ill. Adm. Code 304.122(b) (Water) – The Board denied petitioner’s motion to stay the expiration date of this adjusted standard.

**ADMINISTRATIVE CITATIONS**

[AC 20-3](#) County of LaSalle v. DSV SPV2, Inc. (Land) – The Board found that respondent had violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (2018)). Because there was one violation of Section 21(p), the Board ordered respondent to pay a civil penalty of \$1,500.

[AC 20-4](#) County of Jackson v. Norman Martie and Monica Martie (Land) – The Board found that respondents had violated Sections 21(p)(1), (p)(3), and (p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(3), (p)(7) (2018)). Because there were three violations of Section 21(p), the Board ordered respondents to pay a civil penalty of \$4,500.

[AC 20-5](#) County of Jackson v. Phillip Qualls (Land) – The Board found that respondent had violated Sections 21(p)(1), (p)(3), and (p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(3), (p)(7) (2018)). Because there were three violations of 21(p), the Board ordered respondent to pay a civil penalty of \$4,500.



## ADJUDICATORY CASES

- PCB 04-115** SABIC Innovative Plastics US, LLC v. IEPA (Air, CAAPP – Permit Appeal) – The Board granted the joint motion to lift the stay of uncontested Clean Air Act Permit Program (CAAPP) permit conditions and, while retaining jurisdiction over the appeal, remand the CAAPP permit to respondent for revision.
- PCB 13-15** Sierra Club, Environmental Law and Policy Center, Prairie Rivers Network, and Citizens Against Ruining the Environment v. Midwest Generation, LLC (Citizen Enforcement – Water, Land) – The Board denied respondent’s motion to stay this proceeding.
- PCB 17-19** People of the State of Illinois v. Cranbrook Farms, LLC (Water – Enforcement) – Upon receiving a stipulation, a proposed settlement agreement, and an agreed motion for relief from the hearing requirement in this water enforcement action involving a facility located in Henry County, the Board ordered publication of the required newspaper notice.
- PCB 18-54** Piasa Motor Fuels, Inc. v. IEPA (UST Appeal) – The Board denied the Agency’s motion to dismiss; partially granted and partially denied Piasa’s motion for summary judgment; and partially granted and partially denied the Agency’s cross-motion for summary judgment.
- PCB 19-112** People of the State of Illinois v. Marino Development LLC and A-W-Bennett Enterprises, Inc. (Land – Enforcement) – The Board granted the People’s unopposed motions to deem facts admitted and for summary judgment. The Board therefore found that respondent Marino Development violated numerous provisions of the Environmental Protection Act and the Board’s regulations. The Board also ordered respondent Marino Development to both pay a civil penalty of \$25,000 and cease and desist from further violations.
- PCB 20-41** Dare Farms, LLP v. IEPA (Water – Tax Certification) – The Board issued two separate orders in this docket concerning Dare Farms’ cattle operation located in Fulton County. In one order, under the Property Tax Code (35 ILCS 200/11-5 *et seq.* (2018)) and consistent with the Agency’s recommended grant, the Board granted “pollution control facility” certification for specified facilities of Dare Farms. In the other order, the Board accepted for hearing Dare Farms’ amended petition to contest the Agency’s recommend denial of “pollution control facility” certification for different specified facilities of Dare Farms; the Board also granted the Agency’s motion to extend the deadline for filing the record to June 1, 2020.



- PCB 20-46** Ahmad Samha v. IEPA (UST Appeal) – 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 McClean County facility.
- PCB 20-48** Bank of Pontiac v. IEPA (UST Appeal) – The Board accepted petitioner’s amended petition for hearing. The Board also granted petitioner’s motion to consolidate and consolidated PCB 20-48, PCB 20-49, PCB 20-50, PCB 20-51, PCB 20-52 for hearing.
- PCB 20-49** Bank of Pontiac v. IEPA (UST Appeal) – The Board accepted petitioner’s amended petition for hearing. The Board also granted petitioner’s motion to consolidate and consolidated PCB 20-48, PCB 20-49, PCB 20-50, PCB 20-51, PCB 20-52 for hearing.
- PCB 20-50** Bank of Pontiac v. IEPA (UST Appeal) – The Board accepted petitioner’s amended petition for hearing. The Board also granted petitioner’s motion to consolidate and consolidated PCB 20-48, PCB 20-49, PCB 20-50, PCB 20-51, PCB 20-52 for hearing.
- PCB 20-51** Bank of Pontiac v. IEPA (UST Appeal) – The Board accepted petitioner’s amended petition for hearing. The Board also granted petitioner’s motion to consolidate and consolidated PCB 20-48, PCB 20-49, PCB 20-50, PCB 20-51, PCB 20-52 for hearing.
- PCB 20-52** Bank of Pontiac v. IEPA (UST Appeal) – The Board accepted petitioner’s amended petition for hearing. The Board also granted petitioner’s motion to consolidate and consolidated PCB 20-48, PCB 20-49, PCB 20-50, PCB 20-51, PCB 20-52 for hearing.
- PCB 20-56** Steve and Jarilyn Stavropoulos v. IEPA (UST Appeal) – The Board accepted petitioners’ amended petition for hearing.
- PCB 20-57** Humphrey Farms v. IEPA (Water – Tax Certification) – The Board found and certified that Humphrey Farms’ specified facilities located in Lee County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).
- PCB 20-58** Evergreen FS, Inc. - Pontiac v. IEPA (Water – Tax Certification) – The Board found and certified that Evergreen FS’ specified facilities located in Livingston County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).



- [PCB 20-59](#) Dave, Michelle, and Aaron Rauch v. IEPA (Water – Tax Certification) – The Board found and certified that Dave, Michelle, and Aaron Rauch’s specified facilities located in Clay County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).
- [PCB 20-60](#) D & B Farms LLC v. IEPA (Water – Tax Certification) – The Board found and certified that D & B Farms’ specified facilities located in Adams County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).
- [PCB 20-61](#) Clark Farms Rossville v. IEPA (Water – Tax Certification) – The Board found and certified that Clark Farms’ specified facilities located in Vermilion County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).
- [PCB 20-63](#) People of the State of Illinois v. Country Squire Cleaners, Inc. (Air – Enforcement) – Upon receiving a complaint, a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving a site located in Champaign County, the Board ordered publication of the required newspaper notice.
- [PCB 20-64](#) People of the State of Illinois v. R & H Farm & Home, Inc. d/b/a R & H Service Center (Land – Enforcement) – Upon receiving a complaint, a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving a site located in Menard County, the Board ordered publication of the required newspaper notice.
- [PCB 20-65](#) BPS Oil, Inc. v. IEPA (UST Appeal) – The Board accepted petitioner’s petition for hearing in this underground storage tank (UST) appeal involving a site in Sangamon County.
- [PCB 20-66](#) People of the State of Illinois v. J & M Vehicle Management Enterprises, LLC d/b/a B & O Used Auto Parts (Water, NPDES – Enforcement) – The Board accepted for hearing the People’s complaint involving a site located in DeKalb County.
- [PCB 20-67](#) BP Products North America Inc. v. IEPA (UST Appeal) – The Board granted this request for a 90-day extension to file an underground storage tank (UST) appeal on behalf of this Madison County facility.



- [PCB 20-68](#) People of the State of Illinois v. Cerro Flow Products, LLC (Land, RCRA – Enforcement) – Upon receiving a complaint, a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving a site located in St. Clair County, the Board ordered publication of the required newspaper notice.
- [PCB 20-69](#) NMP Family Corporation v. IEPA (UST Appeal) – The Board granted this request for a 90-day extension to file an underground storage tank (UST) appeal on behalf of this Williamson County facility.
- [PCB 20-70](#) People of the State of Illinois v. North American E.N., Inc. (Air – Enforcement) – Upon receiving a complaint, a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving a site located in Cook County, the Board ordered publication of the required newspaper notice.
- [PCB 20-71](#) Alter Trading Corporation v. IEPA (Air – Permit Appeal) – The Board granted this request for a 90-day extension to file a permit appeal on behalf of this Winnebago County facility.

**May 21, 2020 Meeting**  
**By teleconference**

**RULEMAKING**

- [R19-14](#) National Ambient Air Quality Standards, USEPA Amendments (July 1, 2018 through December 31, 2018)
- [R20-3](#) National Ambient Air Quality Standards, USEPA Amendments (January 1, 2019 through June 30, 2019)
- [R20-11 \(consol.\)](#) National Ambient Air Quality Standards, USEPA Amendments (July 1, 2019 through December 31, 2019) (Air) – The Board adopted a proposal for public comment in this consolidated “identical-in-substance” rulemaking to amend the Board’s air pollution control regulations.
- [R19-15](#) Definition of VOM Update, USEPA Regulations (July 1, 2018 through December 31, 2018) (Air) – The Board adopted a proposal for public comment in this “identical-in-substance” rulemaking to amend the Board’s air pollution control regulations.
- [R19-18](#) Amendments to Manifesting Requirements: Special Waste Hauling 35 Ill. Adm. Code 809 (Land) – The Board adopted a second-notice proposal in this rulemaking to amend the Board’s non-hazardous special waste hauling regulations.



- [R20-8](#) RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (January 1, 2019 through June 30, 2019) and RCRA Subtitle D (MSWLF) Corrections
- [R20-16 \(consol.\)](#) RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (July 1, 2019 through December 31, 2019) (Land) – The Board adopted a proposal for public comment in this consolidated “identical-in-substance” rulemaking to amend the Board’s hazardous waste regulations and municipal solid waste landfill regulations.
- [R20-9](#) UST Update, USEPA Regulations (July 1, 2019 through December 31, 2019) (Land) – The Board dismissed this reserved “identical-in-substance” docket because the United States Environmental Protection Agency did not amend its corresponding underground storage tank regulations during the update period of July 1, 2019 through December 31, 2019.
- [R20-10](#) Wastewater Pretreatment Update, USEPA Regulations (July 1, 2019 through December 31, 2019) (Water) – The Board dismissed this reserved “identical-in-substance” docket because the United States Environmental Protection Agency did not amend its corresponding wastewater pretreatment regulations during the update period of July 1, 2019 through December 31, 2019.
- [R20-12](#) Definition of VOM Update, USEPA Regulations (July 1, 2019 through December 31, 2019) (Air) – The Board dismissed this reserved “identical-in-substance” docket because the United States Environmental Protection Agency did not amend its corresponding air pollution control regulations during the update period of July 1, 2019 through December 31, 2019.
- [R20-13](#) SDWA Update, USEPA Regulations (July 1, 2019 through December 31, 2019) (Public Water Supply) – The Board dismissed this reserved “identical-in-substance” docket because the United States Environmental Protection Agency did not amend its corresponding National Primary Drinking Water regulations (NPDWRs) during the update period of July 1, 2019 through December 31, 2019.
- [R20-14](#) UIC Update, USEPA Regulations (July 1, 2019 through December 31, 2019) (Land) – The Board dismissed this reserved “identical-in-substance” docket because the United States Environmental Protection Agency did not amend its corresponding underground injection control regulations during the update period of July 1, 2019 through December 31, 2019.



[R20-15](#) RCRA Subtitle D (MSWLF) Update, USEPA Regulations (July 1, 2019 through December 31, 2019) (Land) – The Board dismissed this reserved “identical-in-substance” docket because the United States Environmental Protection Agency did not amend its corresponding municipal solid waste landfill regulations during the update period of July 1, 2019 through December 31, 2019.

[R20-21](#) Cross Connection Control Device Inspectors of Public Water Supplies at 35 Ill. Adm. Code 604.1520 (Public Water Supply) – The Board adopted a first-notice proposal in this rulemaking to amend the Board’s public water supply regulations.

#### ADJUDICATORY CASES

[PCB 04-110](#) Board of Trustees of Eastern Illinois University v. IEPA (Air, CAAPP – Permit Appeal) – The Board granted petitioner’s motion for voluntary dismissal of this Clean Air Act Permit Program permit appeal.

[PCB 04-115](#) SABIC Innovative Plastics US, LLC v. IEPA (Air, CAAPP – Permit Appeal) – The Board granted petitioner’s motion for voluntary dismissal of this Clean Air Act Permit Program permit appeal.

[PCB 04-141](#) Illinois State Toll Highway Authority v. IEPA (UST Appeal) – The Board granted petitioner’s motion for voluntary dismissal of this underground storage tank appeal.

[PCB 06-57](#) Midwest Generation, LLC, Fisk Generating Station v. IEPA (Air, CAAPP – Permit Appeal) – The Board granted the joint motion to lift the stay of uncontested Clean Air Act Permit Program (CAAPP) permit conditions and, while retaining jurisdiction over the appeal, remand the CAAPP permit to respondent for revision.

[PCB 11-50](#) People of the State of Illinois v. The City of Morris and Community Landfill Company, Inc. (Land – Enforcement) – The Board denied the City of Morris’ motion to dismiss for want of prosecution.

[PCB 15-112](#) People of the State of Illinois v. Incobrasa Industries, Ltd. (Air – Enforcement) – Upon receiving a stipulation, a proposed settlement agreement, and an agreed motion for relief from the hearing requirement in this air enforcement action involving a facility located in Iroquois County, the Board ordered publication of the required newspaper notice.



- [PCB 17-19](#) People of the State of Illinois v. Cranbrook Farms, LLC (Water – Enforcement) – In this water enforcement action concerning a Henry 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) (2018)), accepted a stipulation and settlement agreement, and ordered respondent to pay a total civil penalty of \$1,500 and to cease and desist from further violations.
- [PCB 19-2](#) Reliable Stores, Inc. v. Office of the State Fire Marshal (UST Appeal) – Held
- [PCB 20-47](#) IMTT Illinois, LLC v. IEPA (Water, NPDES – Permit Appeal) – The Board accepted petitioner’s amended petition for hearing in this National Pollutant Discharge Elimination System permit appeal involving a site in Cook County.
- [PCB 20-63](#) People of the State of Illinois v. Country Squire Cleaners, Inc. (Air – Enforcement) – In this air enforcement action concerning a Champaign 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) (2018)), accepted a stipulation and settlement agreement, and ordered respondent to pay a total civil penalty of \$5,000 and to cease and desist from further violations.
- [PCB 20-64](#) People of the State of Illinois v. R & H Farm & Home, Inc. d/b/a R & H Service Center (Land – Enforcement) – In this land enforcement action concerning a Menard 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) (2018)), accepted a stipulation and settlement agreement, and ordered respondent to pay a total civil penalty of \$3,500 and to cease and desist from further violations.
- [PCB 20-68](#) People of the State of Illinois v. Cerro Flow Products, LLC (Land, RCRA – Enforcement) – In this land enforcement action concerning a St. Clair 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) (2018)), accepted a stipulation and settlement agreement, and ordered respondent to pay a total civil penalty of \$20,000 and to cease and desist from further violations.
- [PCB 20-70](#) People of the State of Illinois v. North American E.N., Inc. (Air – Enforcement) – 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) (2018)), accepted a stipulation and settlement agreement, and ordered respondent to pay a total civil penalty of \$7,000 and to cease and desist from further violations.



[PCB 20-72](#) M. Sidhu Enterprises, Inc. v. IEPA (UST Appeal) – The Board accepted petitioner’s petition for hearing in this underground storage tank appeal involving a site in Fulton County.

[PCB 20-73](#) People of the State of Illinois v. BSREP II West Jackson LLC (Air – Enforcement) – Upon receiving a complaint, a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving a site in Cook County, the Board ordered publication of the required newspaper notice.

[PCB 20-74](#) Thorntons, LLC v. IEPA (UST Appeal) – The Board granted this request for a 90-day extension to file an underground storage tank appeal on behalf of this Kane County facility.

**June 18, 2020 Meeting**  
**By teleconference**

**RULEMAKING**

[R19-1](#) Proposed New 35 Ill. Adm. Code 204, Prevention of Significant Deterioration, Amendments to 35 Ill. Adm. Code Parts 101, 105, 203, 211, and 215 (Air) – The Board adopted a second-notice opinion and order in this rulemaking to amend the Board’s air regulations and procedural rules.

**ADJUDICATORY CASES**

[PCB 06-66](#) Illinois Power Resources Generating, LLC, Duck Creek Power Station v. IEPA (Air, CAAPP – Permit Appeal) – The Board granted petitioner’s motion for voluntary dismissal of this Clean Air Act Permit Program permit appeal.

[PCB 06-71](#) Dynegy Midwest Generation, LLC (Havana Power Station) (Air, CAAPP – Permit Appeal) – The Board granted petitioner’s motion for voluntary dismissal of this Clean Air Act Permit Program permit appeal.

[PCB 07-115](#) Dynegy Midwest Generation, LLC (Havana Power Station) v. IEPA (Air – Permit Appeal) – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal.

[PCB 14-3](#) Johns Manville v. IDOT (Land, Citizens – Enforcement) – The Board heard Johns Manville’s interlocutory appeal and affirmed the hearing officer’s denial of Johns Manville’s motion to exclude.

[PCB 19-2](#) Reliable Stores, Inc. v. OSFM (UST Appeal) – The Board granted the Office of the State Fire Marshal’s motion to supplement the record of its decision with Exhibit A to that motion.



- [PCB 20-7](#) GBL Properties, Inc. v. IEPA (UST Appeal) – The Board granted petitioner’s motion for voluntary dismissal of this underground storage tank appeal.
- [PCB 20-13](#) People of the State of Illinois v. Erickson Steel Company, Inc. (Air – Enforcement) – Upon receiving a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving a site in Tazewell County, the Board ordered publication of the required newspaper notice.
- [PCB 20-20](#) Dixie Travel Plaza v. IEPA (UST Appeal) – The Board granted petitioner’s motion for voluntary dismissal of this underground storage tank appeal.
- [PCB 20-53](#) Premcor Refining Group, Inc. v. IEPA (UST Appeal) – 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 Peoria County facility.
- [PCB 20-62](#) Michael J. Korman v. IDOT (Water, Citizens – Enforcement) – The Board found that the complaint is neither duplicative nor frivolous and accepted it for hearing.
- [PCB 20-75](#) Gateway FS, Inc. v. IEPA (Water – Tax Certification) – The Board found and certified that Gateway FS’ specified facilities located in Randolph County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).
- [PCB 20-76](#) Bradley Colton Welch v. IEPA (Water – Tax Certification) – The Board found and certified that Bradley Colton Welch’s specified facilities located in Mercer County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).
- [PCB 20-77](#) People of the State of Illinois v. Greenbrier Rail Services, Corp., d/b/a Gunderson Rail Services, LLC (Air – Enforcement) – Upon receiving a complaint, a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving a site in Cook County, the Board ordered publication of the required newspaper notice.
- [PCB 20-78](#) Koppers, Inc. (Sulfur Dioxide Scrubber) v. IEPA (Air – Tax Certification) – The Board found and certified that Koppers’ specified facilities located in Cook County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).



- PCB 20-79** Koppers, Inc. (Thermal Oxidizer) v. IEPA (Air – Tax Certification) – The Board found and certified that Koppers’ specified facilities located in Cook County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).
- PCB 20-80** Joliet Bulk, Barge & Rail, LLC (Vapor Combustion Unit) v. IEPA (Air – Tax Certification) – The Board found and certified that Joliet Bulk, Barge & Rail’s specified facilities located in Will County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).
- PCB 20-81** Joliet Bulk, Barge & Rail, LLC (Low-Nitrogen Oxides Burner for Boiler) v. IEPA (Air – Tax Certification) – The Board found and certified that Joliet Bulk, Barge & Rail’s specified facilities located in Will County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).
- PCB 20-82** Joliet Bulk, Barge & Rail, LLC (Internal Floating Roof, Tank No. 2) v. IEPA (Air – Tax Certification) – The Board found and certified that Joliet Bulk, Barge & Rail’s specified facilities located in Will County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).
- PCB 20-83** Joliet Bulk, Barge & Rail, LLC (Internal Floating Roof, Tank No. 1) v. IEPA (Air – Tax Certification) – The Board found and certified that Joliet Bulk, Barge & Rail’s specified facilities located in Will County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).
- PCB 20-84** WRB Refining, LP (Tier 3 Gasoline Project) v. IEPA (Air – Tax Certification) – The Board found and certified that WRB Refining’s specified facilities located in Madison County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).
- PCB 20-85** WRB Refining, LP (Low Sulfur International Maritime Organization Fuel Project) v. IEPA (Air – Tax Certification) – The Board found and certified that WRB Refining’s specified facilities located in Madison County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).
- PCB 20-86** WRB Refining, LP (Refinery Sector Rule Flare Project) v. IEPA (Air – Tax Certification) – The Board found and certified that WRB Refining’s specified facilities located in Madison County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).



- [PCB 20-87](#) WRB Refining, LP (Selective Catalytic Reduction System for Boiler No. 19) v. IEPA (Air – Tax Certification) – The Board found and certified that WRB Refining’s specified facilities located in Madison County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).
- [PCB 20-88](#) People of the State of Illinois v. H.B. Fuller Company, successor to Adhesive Systems Inc. (Air – Enforcement) – Upon receiving a complaint, a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving two facilities in Will County, the Board ordered publication of the required newspaper notice.
- [PCB 20-89](#) County Line Swine v. IEPA (Water – Tax Certification) – The Board found and certified that County Line Swine’s specified facilities located in Adams County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).
- [PCB 20-90](#) Organic Nutrient Solutions v. IEPA (Water – Tax Certification) – The Board found and certified that Organic Nutrient Solutions’ specified facilities located in Henderson County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).
- [PCB 20-91](#) People of the State of Illinois v. Nokia of America Corporation, f/k/a Alcatel-Lucent USA Inc. (Air – Enforcement) – Upon receiving a complaint, a stipulation, and an agreed motion for relief from the hearing requirement in this enforcement action involving a site in DuPage County, the Board ordered publication of the required newspaper notice.

**July 16, 2020 Meeting**  
**By teleconference**

**RULEMAKING**

- [R19-18](#) Amendments to Manifesting Requirements: Special Waste Hauling 35 Ill. Adm. Code 809 (Land) – The Board adopted a final opinion and order in this rulemaking to amend the Board’s non-hazardous special waste hauling rules.
- [R20-21](#) Cross Connection Control Device Inspectors of Public Water Supplies at 35 Ill. Adm. Code 604.1520 (Public Water Supply) – Chair Currie noted that second notice in this rulemaking would be considered at the Board’s July 27, 2020 special meeting. No action taken.

**ADMINISTRATIVE CITATIONS**



[AC 20-6](#) County of Jackson v. Nicole Coomer Dobbs (Land) – The Board found that respondent had violated Sections 21(p)(1), (p)(3), and (p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(3), (p)(7) (2018)). Because there were three violations of Section 21(p), the Board ordered respondent to pay a civil penalty of \$4,500.

#### **ADJUDICATORY CASES**

[PCB 15-112](#) People of the State of Illinois v. Incobrasa Industries, Ltd. (Air, CAAPP – Enforcement) – In this enforcement action concerning an Iroquois 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) (2018)), accepted a stipulation and settlement agreement, and ordered respondent to pay a total civil penalty of \$750,000 and to cease and desist from further violations.

[PCB 17-20](#) Davis & Sons Oil Co. v. IEPA (UST Appeal) – The Board granted petitioner’s motion for voluntary dismissal of this underground storage tank appeal.

[PCB 17-45](#) People of the State of Illinois v. Magna Tax Service Co., Inc. and Dennis Ballinger (Land, Water – Enforcement) – Upon receiving a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving a site in Coles County, the Board ordered publication of the required newspaper notice.

[PCB 20-18](#) Landfill 33 v. IEPA (Land – Permit Appeal) – In affirming IEPA’s determination, the Board granted IEPA’s motion for summary judgment and denied Landfill 33’s motion for summary judgment.

[PCB 20-69](#) NMP Family Corporation v. IEPA (UST Appeal) – Having previously granted a request for a 90-day extension of the appeal period, the Board dismissed this matter because no underground storage tank appeal was filed on behalf of this Williamson County facility.

[PCB 20-75](#) Gateway FS, Inc. v. IEPA (Water – Tax Certification) – The Board granted IEPA’s motion to correct the property identification number. The Board also found and certified that Gateway FS’ specified facilities located in Randolph County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).

[PCB 20-92](#) People of the State of Illinois v. The City of Chicago (Water, NPDES – Enforcement) – Upon receiving a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving a site in Cook County, the Board ordered publication of the required newspaper notice.



- [PCB 20-93](#) BOI, LLC v. IEPA (UST Appeal) – The Board accepted BOI’s petition for hearing in this underground storage tank appeal involving a site in Cook County.
- [PCB 20-94](#) People of the State of Illinois v. Equistar Chemicals, LP (Air, CAAPP – Enforcement) – Upon receiving a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving a site in Douglas County, the Board ordered publication of the required newspaper notice.
- [PCB 20-95](#) People of the State of Illinois v. Valid USA, Inc. (Air – Enforcement) – Upon receiving a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving a site in Will County, the Board ordered publication of the required newspaper notice.
- [PCB 20-96](#) J.D. Streett & Company, Inc. v. IEPA (UST Appeal) – The Board accepted J.D. Street & Company’s petition for hearing in this underground storage tank appeal involving a site in Jackson County.
- [PCB 20-97](#) Kuntz By-Products, LLC-Chenoa v. IEPA (Water – Tax Certification) – The Board found and certified that Kuntz By-Products’ specified facilities located in McLean County are pollution control facilities for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2018)).
- [PCB 20-98](#) People of the State of Illinois v. Aux Sable Liquid Products, Inc., Aux Sable Liquid Products LP, Clean Harbors Environmental Services, Inc., and Waste Management of Illinois, Inc. (Land, RCRA – Enforcement) – The Board accepted for hearing the People’s complaint involving two sites, one in Grundy County and the other in Will County.
- [PCB 20-99](#) People of the State of Illinois v. Master Graphics, LLC (Air – Enforcement) – Upon receiving a complaint, a stipulation, a proposed settlement, and an agreed motion for relief from the hearing requirement in this enforcement action involving a site in Ogle County, the Board ordered publication of the required newspaper notice.



**July 27, 2020 Special Meeting**  
**By teleconference**

**RULEMAKING**

**R20-21**

Cross Connection Control Device Inspectors of Public Water Supplies at 35 Ill. Adm. Code 604.1520 (water) – The Board adopted a second-notice opinion and order in this rulemaking to amend the Board’s public water supply regulations.

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# CALENDAR

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**Tuesday, August 4, 2020 9:00 AM and, if necessary, Wednesday, August 5, 2020 9:00 AM**

**Hearing:** Metropolitan Water Reclamation District of Greater Chicago v. IEPA, PCB 16-28  
(Dissolved Oxygen TLWQS)

**Tuesday, August 11, 2020 9:00 AM**

**Hearing:** Standards for the Disposal of Coal Combustion Residuals in Surface Impoundments: Proposed New 35 Ill. Adm. Code 845, R20-19 (Rulemaking – Air)

**Wednesday, August 12, 2020 9:00 AM**

**Hearing:** Standards for the Disposal of Coal Combustion Residuals in Surface Impoundments: Proposed New 35 Ill. Adm. Code 845, R20-19 (Rulemaking – Air)

**Thursday, August 13, 2020 9:00 AM**

**Hearing:** Standards for the Disposal of Coal Combustion Residuals in Surface Impoundments: Proposed New 35 Ill. Adm. Code 845, R20-19 (Rulemaking – Air)

**Thursday, August 13, 2020 11:00 AM**

**Board Meeting**

**Wednesday, August 19, 2020 9:00 AM**

**Hearing:** People of the State of Illinois v. Landfill 33 LTD. and Wendt Family Trust, PCB 20-32 (Enforcement – Water, NPDES, Land)

**Thursday, September 3, 2020 11:00 AM**

**Board Meeting**

**Thursday, September 10, 2020 1:00 PM**

**Hearing:** Proposed New 35 Ill. Adm. Code 249 Ethylene Oxide Ambient Air Monitoring, R20-18 (Rulemaking – Air)

**Thursday, September 17, 2020 11:00 AM**

**Board Meeting**

**Tuesday, September 29, 2020 9:00 AM**

**Hearing:** Standards for the Disposal of Coal Combustion Residuals in Surface Impoundments: Proposed New 35 Ill. Adm. Code 845, R20-19 (Rulemaking – Air)

**Wednesday, September 30, 2020 9:00 AM**

**Hearing:** Standards for the Disposal of Coal Combustion Residuals in Surface Impoundments: Proposed New 35 Ill. Adm. Code 845, R20-19 (Rulemaking – Air)



**Thursday, October 1, 2020 9:00 AM**

**Hearing: Standards for the Disposal of Coal Combustion Residuals in Surface Impoundments: Proposed New 35 Ill. Adm. Code 845, R20-19 (Rulemaking – Air)**

**Thursday, October 1, 2020 11:00 AM**

**Board Meeting**

**Thursday, October 15, 2020 11:00 AM**

**Board Meeting**

The events listed above are subject to change, and more events may be added. Here is a link to the [Board's current calendar](#).

**Due to the COVID-19 pandemic, there may be different ways than are customary for participating in these Board hearings and meetings. Please check the Board's website (<https://pcb.illinois.gov>) for information on how to participate in a specific hearing or meeting.**



# RESTRICTED STATUS / CRITICAL REVIEW LISTS

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Division of Public Water Supplies

<http://www.epa.illinois.gov>



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

February 2020

SYSTEM NAME	SYSTEM ID	EPA REGION	NATURE OF PROBLEM	POPULATION SERVED	LISTING DATE
ANDALUSIA (upper elevation area)	IL1610050	1	LOW SYSTEM PRESSURE	1050	10/1/2003
ANDOVER	IL0730100	1	NO BACKUP SOURCE	600	3/24/2016
AQUA ILLINOIS - CRYSTAL CLEAR WATER CO.	IL1115150	2	NO EMERGENCY POWER & NO PRESSURE TANK	855	9/16/1988
AQUA ILLINOIS - NUNDA	IL1115600	2	INADEQUATE PRESSURE TANK	570	4/1/2015
AVANTARA LONG GROVE	IL0971110	2	INADEQUATE PRESSURE TANK	200	12/1/2003
BAHL WATER CORP	IL0855200	1	NO ELEVATED OR GROUND STORAGE	700	12/15/1993
BARBERRY ACRES MHP	IL0915145	2	NO CHLORINE FEED SYSTEM; INADEQUATE PRESSURE TANK	61	10/31/2018
BEVERLY HILLSDALE ESTATES, LLC	IL1615530	1	INADEQUATE PRESSURE TANK	63	3/18/1983
BILL-MAR HEIGHTS MHP	IL2015345	1	INADEQUATE PRESSURE TANK	160	3/18/1983
BISHOP HILL	IL0730250	1	NO BACKUP SOURCE	137	11/14/2017
BLUFF LAKE LODGES*	IL0970240	2	ARSENIC MCL VIOLATION	24	1/28/2020
BONNIE	IL0810150	7	INADEQUATE ELEVATED STORAGE CAPACITY	527	7/20/2018
BUFFALO HOLLOW FARMS WATER ASSOCIATION	IL1430080	5	INADEQUATE PRESSURE TANK	45	6/16/2008
CAPRON MHP	IL0075105	1	INADEQUATE PRESSURE TANK	98	3/18/1983
CARBON CLIFF*	IL1610100	1	RADIUM MCL VIOLATION	2000	1/28/2020
CENTRAL MACOUPIN RURAL WATER DISTRICT	IL1170040	5	MINIMUM CHLORINE RESIDUAL VIOLATION	1825	8/29/2018
CENTURY PINES APARTMENTS	IL0150020	1	INADEQUATE PRESSURE TANK	50	12/14/1990
CHAIN-O-LAKES MHP	IL0975165	2	INADEQUATE PRESSURE TANK	81	12/15/1989
CHESTERFIELD	IL1170200	5	MINIMUM CHLORINE RESIDUAL VIOLATION	180	8/29/2018
CHRISMAN	IL0450100	4	ARSENIC MCL VIOLATION & NITRITE MCL VIOLATION	1,200	1/31/2018
CLARKS MHP	IL2015425	1	INADEQUATE PRESSURE TANK	80	12/16/1991
COLONIAL MEADOWS**	IL1135100	6	MINIMUM CHLORINE RESIDUAL VIOLATION	190	9/19/2018



COOKSVILLE	IL1130400	4	TOTAL TRIHALOMETHANES MCL VIOLATION	213	4/24/2019
COUNTRY VIEW ESTATES SUBDIVISION	IL1415220	1	MINIMUM CHLORINE RESIDUAL VIOLATION	120	12/12/2018
COYNE CENTER COOP	IL1615150	1	INADEQUATE PRESSURE TANK	150	12/15/1997
CRISWELL COURT MHP	IL1975105	2	INADEQUATE PRESSURE TANK	136	12/15/1989
DANFORTH	IL0750350	4	TOTAL TRIHALOMETHANE MCL VIOLATION	550	8/9/2019
DAYSPRING BIBLE COLLEGE	IL0977189	2	INADEQUATE PRESSURE TANK	60	6/15/1988
DES PLAINES MHP	IL0317775	2	INADEQUATE SOURCE CAPACITY & INADEQUATE PRESSURE TANK	580	3/16/1984
DONNELLSON	IL0054360	6	TOTAL TRIHALOMETHANES MCL VIOLATION AND HALOACETIC ACID MCL VIOLATION	210	7/25/2019
EAST END WATER ASSOCIATION	IL1610140	1	INADEQUATE PRESSURE TANK	40	3/15/2002
EAST MORELAND WATER ASSOCIATION	IL1975600	2	NO ELEVATED OR GROUND STORAGE	1055	9/9/2016
EDELSTEIN WATER COOPERATIVE	IL1435150	5	INADEQUATE GROUND STORAGE & NO EMERGENCY POWER	125	1/1/2015
EHLERS MHP	IL0195645	4	INADEQUATE PRESSURE TANK	112	12/17/1982
ELIZABETH (upper elevation area)	IL0850150	1	LOW SYSTEM PRESSURE	675	6/15/1999
ELM OAK MUTUAL WATER SYSTEM	IL0975736	2	RADIUM MCL VIOLATION	50	10/24/2019
EXETER - MERRITT WATER COOP	IL1710010	5	INADEQUATE STORAGE CAPACITY	765	10/1/2013
FALCON FARMS	IL1617635	1	NO ELEVATED OR GROUND STORAGE	475	10/31/2019
FAMILY MANUFACTURED HOME COMMUNITY, LLC	IL2015125	1	INADEQUATE PRESSURE TANK	240	12/17/1982
FOUR STAR CAMPGROUND	IL0990060	1	INADEQUATE PRESSURE TANK	150	6/15/1999
GRANDVIEW MHP	IL1795365	5	INADEQUATE PRESSURE TANK	300	3/18/1983
GREAT OAKS AND BEACON HILLS APARTMENTS	IL2015488	1	NO ELEVATED OR GROUND STORAGE & A RADIUM MCL VIOLATION	1816	12/17/1982
GREEN MEADOWS ESTATES OF ROCKFORD LLC	IL2015495	1	INADEQUATE GROUND STORAGE & INADEQUATE PRESSURE TANK	970	6/15/2012
GREENFIELD	IL0610150	6	HALOACETIC ACIDS MCL VIOLATION	1200	10/2/2019
HARVEST ESTATES	IL0915165	2	INADEQUATE PRESSURE TANK	54	4/18/2019
HAWTHORN ESTATES SUBDIVISION	IL0630030	2	INADEQUATE PRESSURE TANK	49	4/7/2017
HICKORY HILLS 2ND ADDITION	IL0730080	1	ARSENIC MCL VIOLATION	93	1/25/2019
HIDE-A-WAY LAKES	IL0935300	2	NO CHLORINE FEED SYSTEM	50	10/31/2019
HIGHLAND SUBDIVISION	IL0895530	2	INADEQUATE PRESSURE TANK	50	9/16/1983
HILLCREST	IL1410250	1	INADEQUATE SOURCE CAPACITY	1400	2/13/2018
HILLSBORO	IL1350300	5	HALOACETIC ACIDS MCL VIOLATION	4359	10/3/2019



HILLSDALE PROPERTIES	IL1615728	1	INADEQUATE PRESSURE TANK	58	1/14/1982
HILLVIEW SUBDIVISION	IL1975800	2	INADEQUATE PRESSURE TANK	100	3/15/1985
HOLLY HOCK HILL MHP	IL0975245	2	INADEQUATE PRESSURE TANK	52	12/16/1983
HONEYCUTT HILL MHP LLC	IL1955225	1	INADEQUATE PRESSURE TANK	75	9/17/1982
INGALLS PARK SUBDIVISION	IL1975880	2	NO ELEVATED OR GROUND STORAGE	744	9/16/1983
LIBERTY PARK HOMEOWNERS ASSOCIATION	IL0435600	2	INADEQUATE GROUND STORAGE CAPACITY	837	9/17/1992
LIMA	IL0010400	5	INADEQUATE SOURCE CAPACITY & NITRATE MCL VIOLATION	163	5/4/2016
LINDENWOOD WATER ASSOCIATION	IL1415300	1	INADEQUATE PRESSURE TANK	50	1/13/1982
LINWAY ESTATES MHP	IL0315935	2	NO ELEVATED OR GROUND STORAGE	450	2/28/2017
LISBON NORTH, INC.	IL0631000	2	INADEQUATE PRESSURE TANK	30	9/14/1990
LYNNWOOD WATER CORPORATION	IL0995336	1	INADEQUATE PRESSURE TANK	110	3/18/1983
MALTA	IL0370350	1	NO AUTO-START GENERATOR & INADEQUATE HIGH SERVICE PUMP CAPACITY	1175	6/15/2012
MANCUSO VILLAGE PARK MHP	IL2015545	1	INADEQUATE PRESSURE TANK	500	6/18/1982
MANTENO MHP	IL0915385	2	INADEQUATE PRESSURE TANK	144	12/14/1990
MITCHELLSVILLE PWD	IL1655200	7	LOW SYSTEM PRESSURE	1989	10/1/2012
MONTGOMERY COUNTY WATER COMPANY	IL1350020	5	HALOACETIC ACIDS MCL VIOLATION	2075	10/2/2019
MONTROSE*	IL0490350	4	TOTAL TRIHALOMETHANES MCL VIOLATION	201	12/18/2019
MULBERRY GROVE*	IL0050100	6	HALOACETIC ACIDS MCL VIOLATION	725	1/7/2020
NEPONSET	IL0110700	1	MINIMUM CHLORINE RESIDUAL VIOLATION	374	4/17/2019
NORTH TAZEWELL PWD*	IL1795780	5	HALOACETIC ACIDS MCL VIOLATION	8300	1/9/2020
OAK RIDGE SD	IL2035300	1	INADEQUATE PRESSURE TANK	240	3/20/1981
OSCO MUTUAL WATER SUPPLY COMPANY, INC.	IL0735200	1	INADEQUATE PUMP CAPACITY	115	12/15/1989
OTTAWA ESTATES MHP	IL0995225	1	INADEQUATE PRESSURE TANK	115	3/18/1983
PARADISE MANOR MHP	IL1617665	1	INADEQUATE PRESSURE TANK	193	2/19/1982
PARK MEADOWLAND WEST MHP	IL0075235	1	INADEQUATE PRESSURE TANK	100	3/18/1982
PAULS MHP	IL0975485	2	INADEQUATE PRESSURE TANK	38	12/16/1983
PORTS SULLIVAN LAKE OWNERS ASSOCIATION	IL0971160	2	INADEQUATE PRESSURE TANK	293	6/15/1999
PRAIRIE ROAD PUMP ASSOCIATION	IL2015100	1	INADEQUATE PRESSURE TANK	150	1/1/2006
RAINBOW LANE MHP**	IL2015645	1	INADEQUATE PRESSURE TANK	85	6/17/1983
ROCKLAND MHP	IL0975585	2	INADEQUATE PRESSURE TANK	165	12/16/1983
ROLLING GREEN ESTATES MHP	IL1415245	1	INADEQUATE PRESSURE TANK	191	6/14/1985
ROYAL OAKS MHP	IL1115145	2	INADEQUATE PRESSURE TANK	114	6/17/1983
SCALES MOUND	IL0850400	1	LOW SYSTEM PRESSURE (at elev. above 990 ft. MSL)	401	9/15/1997
SHANGRI-LA MHP	IL1415285	1	INADEQUATE PRESSURE TANK	444	9/16/1983
SHANNON**	IL0150300	1	RADIUM MCL VIOLATION	758	8/4/2016



SHAWNITA TRC WATER ASSOCIATION	IL1977690	2	INADEQUATE PRESSURE TANK	135	9/17/1992
SILVIS HEIGHTS WATER CORP	IL1615750	1	NO EMERGENCY GENERATOR	1600	12/1/2003
SIX OAKS MHP	IL2015685	1	INADEQUATE PRESSURE TANK	48	6/18/1982
ST. JACOB*	IL1190950	6	TOTAL TRIHALOMETHANES MCL VIOLATION	1735	12/18/2019
STEPHENSON MOBILE ESTATES	IL1775235	1	INADEQUATE PRESSURE TANK AND INADEQUATE CHLORINE RESIDUAL	223	6/17/1983
SUBURBAN APARTMENTS (DE KALB UNIV DVL)	IL0375148	1	INADEQUATE PRESSURE TANK	1050	12/16/1992
SUMNER	IL1010300	7	LOW SYSTEM PRESSURE (areas served by undersized water mains)	1108	12/13/1985
SUNNY HILLS ESTATES SUBDIVISION	IL0735300	1	INADEQUATE PRESSURE TANK	525	6/15/2000
SUNNYLAND SUBDIVISION	IL1977730	2	INADEQUATE SOURCE CAPACITY & INADEQUATE PRESSURE TANK	300	6/12/2018
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
TIMBER RIDGE MOBILE ESTATES**	IL1775255	1	INADEQUATE PRESSURE TANK	150	6/17/1996
TOWNERS SUBDIVISION	IL0977250	2	INADEQUATE PRESSURE TANK	204	1/14/1982
TRIANGLE MHP	IL0195925	4	ARSENIC MCL VIOLATION	90	6/15/2012
UTL INC - LAKE HOLIDAY	IL0995200	1	INADEQUATE TREATMENT CAPACITY	6479	4/1/2015
UTL INC - LAKE WILDWOOD UTILITIES CORP	IL1235200	1	INADEQUATE GROUND STORAGE & HIGH SERVICE PUMP CAPACITY	950	10/22/2015
UTL INC - WALK-UP WOODS WATER COMPANY	IL1115800	2	NO ELEVATED OR GROUND STORAGE	781	12/17/1982
VALLEY VIEW SUBDIVISION (WOODFORD COUNTY)	IL2030010	1	INADEQUATE PRESSURE TANK	100	6/15/2012
VIETZEN MHP	IL0437245	2	INADEQUATE PRESSURE TANK & LACK OF A CHLORINE FEED SYSTEM	145	6/17/1983
WILDLIFE MHP	IL0995425	1	INADEQUATE PRESSURE TANK	73	9/17/1982
WILLOWAY TERRACE MHP	IL0317595	2	NO ELEVATED OR GROUND STORAGE & INADEQUATE SOURCE CAPACITY	900	6/15/1984
WOODLAND	IL0751000	4	NITRITE MCL VIOLATION	319	5/1/2019



**Illinois Environmental Protection Agency  
Division of Public Water Supplies  
Critical Review List – Community Water Supplies**

**February 2020**

<b>SYSTEM NAME</b>	<b>SYSTEM ID</b>	<b>EPA REGION</b>	<b>NATURE OF PROBLEM</b>	<b>POPULATION SERVED</b>	<b>LISTING DATE</b>
CANTON	IL0570250	5	INADEQUATE TREATMENT CAPACITY	13932	3/15/2007
CARBON HILL	IL0630100	2	INADEQUATE TREATMENT CAPACITY	392	12/14/2016
COAL CITY	IL0630200	2	INADEQUATE TREATMENT CAPACITY	5587	12/14/2016
HILLCREST	IL1410250	1	INADEQUATE STORAGE CAPACITY INADEQUATE SOURCE CAPACITY & INADEQUATE	1400	11/2/2017
LASALLE	IL0990300	1	TREATMENT CAPACITY INADEQUATE CLARIFIER	9700	11/1/2004
MACOMB	IL1090350	5	CAPACITY	11309	12/14/2016
MASON CITY	IL1250350	5	INADEQUATE STORAGE CAPACITY	2558	1/1/2006
MOUND PWD	IL1635050	6	INADEQUATE PLANT CAPACITY	2200	6/17/1996
QUINCY	IL0010650	5	INADEQUATE CLARIFIER CAPACITY	45000	8/3/2016
TISKILWA	IL0111050	1	INADEQUATE STORAGE CAPACITY	830	9/20/2017
WHITE HALL	IL0610400	6	INADEQUATE STORAGE CAPACITY	2900	10/1/2012
WITT	IL1350850	5	INADEQUATE TREATMENT CAPACITY	991	3/17/2008



**Illinois Environmental Protection Agency  
Division of Public Water Supplies  
Restricted Status and Critical Review Lists – Community Water Supplies**

**February 2020**

**WATER SYSTEMS REMOVED FROM PREVIOUS LIST**

CHATHAM  
COFFEEN  
E J WATER - SANGCHRIS SERVICE AREA  
FAYETTE WATER COMPANY (area served by Gateway Water Co.)  
FOUNTAIN VALLEY MHP  
FRANKLIN  
HOLIDAY SHORES SANITARY DISTRICT  
MAPLE ACRES MHP  
MCNABB  
SMG WATER COOP  
SOUTH SANGAMON WATER COMMISSION

**\*WATER SYSTEMS ADDED**

BLUFF LAKE LODGES  
CARBON CLIFF  
MONTROSE  
MULBERRY GROVE  
NORTH TAZEWELL PWD  
ST. JACOB

**\*\*WATER SYSTEM UPDATES**

COLONIAL MEADOWS (arsenic MCL violation resolved, but still on restricted status)  
RAINBOW LANE MHP (nitrate MCL violation resolved, but still on restricted status)  
SHANNON (gross alpha MCL violation added)  
TIMBER RIDGE MOBILE ESTATES (radium MCL violation resolved, but still on restricted status)



**Illinois Environmental Protection Agency  
Division of Public Water Supplies  
Restricted Status List – Community Water Supplies**

**June 2020**

<b>SYSTEM NAME</b>	<b>SYSTEM ID</b>	<b>EPA REGION</b>	<b>NATURE OF PROBLEM</b>	<b>POPULATION SERVED</b>	<b>LISTING DATE</b>
ANDALUSIA (upper elevation area)	IL1610050	1	LOW SYSTEM PRESSURE	1050	10/1/2003
ANDOVER	IL0730100	1	NO BACKUP SOURCE	600	3/24/2016
AQUA ILLINOIS - CRYSTAL CLEAR WATER CO.	IL1115150	2	NO EMERGENCY POWER & NO PRESSURE TANK	855	9/16/1988
AQUA ILLINOIS - NUNDA	IL1115600	2	INADEQUATE PRESSURE TANK	570	4/1/2015
AVANTARA LONG GROVE	IL0971110	2	INADEQUATE PRESSURE TANK	200	12/1/2003
BAHL WATER CORP	IL0855200	1	NO ELEVATED OR GROUND STORAGE	700	12/15/1993
BARBERRY ACRES MHP	IL0915145	2	NO CHLORINE FEED SYSTEM; INADEQUATE PRESSURE TANK	61	10/31/2018
BEVERLY HILLSDALE ESTATES, LLC	IL1615530	1	INADEQUATE PRESSURE TANK	63	3/18/1983
BILL-MAR HEIGHTS MHP	IL2015345	1	INADEQUATE PRESSURE TANK	160	3/18/1983
BISHOP HILL	IL0730250	1	NO BACKUP SOURCE	137	11/14/2017
BLUFF LAKE LODGES	IL0970240	2	ARSENIC MCL VIOLATION	24	1/28/2020
BONNIE	IL0810150	7	INADEQUATE ELEVATED STORAGE CAPACITY	527	7/20/2018
BUFFALO HOLLOW FARMS WATER ASSOCIATION	IL1430080	5	INADEQUATE PRESSURE TANK	45	6/16/2008
CAPRON MHP	IL0075105	1	INADEQUATE PRESSURE TANK	98	3/18/1983
CARBON CLIFF	IL1610100	1	RADIUM MCL VIOLATION	2000	1/28/2020
CENTRAL MACOUPIN RURAL WATER DISTRICT	IL1170040	5	MINIMUM CHLORINE RESIDUAL VIOLATION	1825	8/29/2018
CENTURY PINES APARTMENTS	IL0150020	1	INADEQUATE PRESSURE TANK	50	12/14/1990
CHAIN-O-LAKES MHP	IL0975165	2	INADEQUATE PRESSURE TANK	81	12/15/1989
CHESTERFIELD	IL1170200	5	MINIMUM CHLORINE RESIDUAL VIOLATION	180	8/29/2018
CHRISMAN	IL0450100	4	ARSENIC MCL VIOLATION & NITRITE MCL VIOLATION	1,200	1/31/2018
CLARKS MHP	IL2015425	1	INADEQUATE PRESSURE TANK	80	12/16/1991
COLONIAL MEADOWS	IL1135100	6	MINIMUM CHLORINE RESIDUAL VIOLATION	190	9/19/2018
COUNTRY VIEW ESTATES SUBDIVISION	IL1415220	1	MINIMUM CHLORINE RESIDUAL VIOLATION	120	12/12/2018
COYNE CENTER COOP	IL1615150	1	INADEQUATE PRESSURE TANK	150	12/15/1997
CRISWELL COURT MHP	IL1975105	2	INADEQUATE PRESSURE TANK	136	12/15/1989
DANFORTH	IL0750350	4	TOTAL TRIHALOMETHANE MCL VIOLATION	550	8/9/2019
DAYSRING BIBLE COLLEGE	IL0977189	2	INADEQUATE PRESSURE TANK	60	6/15/1988



DE LAND*	IL1470200	4	ARSENIC MCL VIOLATION	450	5/8/2020
DES PLAINES MHP	IL0317775	2	INADEQUATE SOURCE CAPACITY & INADEQUATE PRESSURE TANK	580	3/16/1984
DONNELLSON	IL0054360	6	TOTAL TRIHALOMETHANES MCL VIOLATION AND HALOACETIC ACID MCL VIOLATION	210	7/25/2019
EAST END WATER ASSOCIATION	IL1610140	1	INADEQUATE PRESSURE TANK	40	3/15/2002
EAST MORELAND WATER ASSOCIATION	IL1975600	2	NO ELEVATED OR GROUND STORAGE	1055	9/9/2016
EDELSTEIN WATER COOPERATIVE	IL1435150	5	INADEQUATE GROUND STORAGE & NO EMERGENCY POWER	125	1/1/2015
EHLERS MHP	IL0195645	4	INADEQUATE PRESSURE TANK	112	12/17/1982
ELIZABETH (upper elevation area)	IL0850150	1	LOW SYSTEM PRESSURE	675	6/15/1999
ELM OAK MUTUAL WATER SYSTEM	IL0975736	2	RADIUM MCL VIOLATION	50	10/24/2019
EXETER - MERRITT WATER COOP	IL1710010	5	INADEQUATE STORAGE CAPACITY	765	10/1/2013
FALCON FARMS	IL1617635	1	NO ELEVATED OR GROUND STORAGE	475	10/31/2019
FAMILY MANUFACTURED HOME COMMUNITY, LLC	IL2015125	1	INADEQUATE PRESSURE TANK	240	12/17/1982
FOUR STAR CAMPGROUND	IL0990060	1	INADEQUATE PRESSURE TANK	150	6/15/1999
GRANDVIEW MHP	IL1795365	5	INADEQUATE PRESSURE TANK	300	3/18/1983
GREAT OAKS AND BEACON HILLS APARTMENTS	IL2015488	1	NO ELEVATED OR GROUND STORAGE & A RADIUM MCL VIOLATION	1816	12/17/1982
GREEN MEADOWS ESTATES OF ROCKFORD LLC	IL2015495	1	INADEQUATE GROUND STORAGE & INADEQUATE PRESSURE TANK	970	6/15/2012
GREENFIELD	IL0610150	6	HALOACETIC ACIDS MCL VIOLATION	1200	10/2/2019
HARVEST ESTATES	IL0915165	2	INADEQUATE PRESSURE TANK	54	4/18/2019
HAWTHORN ESTATES SUBDIVISION	IL0630030	2	INADEQUATE PRESSURE TANK	49	4/7/2017
HICKORY HILLS 2ND ADDITION	IL0730080	1	ARSENIC MCL VIOLATION	93	1/25/2019
HIGHLAND SUBDIVISON	IL0895530	2	INADEQUATE PRESSURE TANK	50	9/16/1983
HILLCREST	IL1410250	1	INADEQUATE SOURCE CAPACITY	1400	2/13/2018
HILLSBORO	IL1350300	5	HALOACETIC ACIDS MCL VIOLATION	4359	10/3/2019
HILLSDALE PROPERTIES	IL1615728	1	INADEQUATE PRESSURE TANK	58	1/14/1982
HILLVIEW SUBDIVISION	IL1975800	2	INADEQUATE PRESSURE TANK	100	3/15/1985
HOLLY HOCK HILL MHP	IL0975245	2	INADEQUATE PRESSURE TANK	52	12/16/1983
HONEYCUTT HILL MHP LLC	IL1955225	1	INADEQUATE PRESSURE TANK	75	9/17/1982



HYDE-A-WAY LAKES	IL0935300	2	NO CHLORINE FEED SYSTEM	50	10/31/2019
INGALLS PARK SUBDIVISION	IL1975880	2	NO ELEVATED OR GROUND STORAGE	744	9/16/1983
LIBERTY PARK HOMEOWNERS ASSOCIATION	IL0435600	2	INADEQUATE GROUND STORAGE CAPACITY	837	9/17/1992
LIMA	IL0010400	5	INADEQUATE SOURCE CAPACITY & NITRATE MCL VIOLATION	163	5/4/2016
LINDENWOOD WATER ASSOCIATION	IL1415300	1	INADEQUATE PRESSURE TANK	50	1/13/1982
LINWAY ESTATES MHP	IL0315935	2	NO ELEVATED OR GROUND STORAGE	450	2/28/2017
LISBON NORTH, INC.	IL0631000	2	INADEQUATE PRESSURE TANK	30	9/14/1990
LYNNWOOD WATER CORPORATION	IL0995336	1	INADEQUATE PRESSURE TANK	110	3/18/1983
MALTA	IL0370350	1	NO AUTO-START GENERATOR & INADEQUATE HIGH SERVICE PUMP CAPACITY	1175	6/15/2012
MANCUSO VILLAGE PARK MHP	IL2015545	1	INADEQUATE PRESSURE TANK	500	6/18/1982
MANTENO MHP	IL0915385	2	INADEQUATE PRESSURE TANK	144	12/14/1990
MITCHELLSVILLE PWD	IL1655200	7	LOW SYSTEM PRESSURE	1989	10/1/2012
MONTGOMERY COUNTY WATER COMPANY	IL1350020	5	HALOACETIC ACIDS MCL VIOLATION	2075	10/2/2019
MONTROSE	IL0490350	4	TOTAL TRIHALOMETHANES MCL VIOLATION	201	12/18/2019
NEPONSET	IL0110700	1	MINIMUM CHLORINE RESIDUAL VIOLATION	374	4/17/2019
NORTH TAZEWELL PWD	IL1795780	5	HALOACETIC ACIDS MCL VIOLATION	8300	1/9/2020
OAK RIDGE SD	IL2035300	1	INADEQUATE PRESSURE TANK	240	3/20/1981
OSCO MUTUAL WATER SUPPLY COMPANY, INC.	IL0735200	1	INADEQUATE PUMP CAPACITY	115	12/15/1989
OTTAWA ESTATES MHP	IL0995225	1	INADEQUATE PRESSURE TANK	115	3/18/1983
PARADISE MANOR MHP	IL1617665	1	INADEQUATE PRESSURE TANK	193	2/19/1982
PARK MEADOWLAND WEST MHP	IL0075235	1	INADEQUATE PRESSURE TANK	100	3/18/1982
PAULS MHP	IL0975485	2	INADEQUATE PRESSURE TANK	38	12/16/1983
PORTS SULLIVAN LAKE OWNERS ASSOCIATION	IL0971160	2	INADEQUATE PRESSURE TANK	293	6/15/1999
PRAIRIE ROAD PUMP ASSOCIATION	IL2015100	1	INADEQUATE PRESSURE TANK	150	1/1/2006
RAINBOW LANE MHP	IL2015645	1	INADEQUATE PRESSURE TANK	85	6/17/1983
ROCKLAND MHP	IL0975585	2	INADEQUATE PRESSURE TANK	165	12/16/1983
ROLLING GREEN ESTATES MHP	IL1415245	1	INADEQUATE PRESSURE TANK	191	6/14/1985
ROYAL OAKS MHP	IL1115145	2	INADEQUATE PRESSURE TANK	114	6/17/1983
SCALES MOUND	IL0850400	1	LOW SYSTEM PRESSURE (at elev. above 990 ft. MSL)	401	9/15/1997
SHANGRI-LA MHP	IL1415285	1	INADEQUATE PRESSURE TANK	444	9/16/1983
SHANNON	IL0150300	1	RADIUM MCL VIOLATION	758	8/4/2016
SHAWNITA TRC WATER ASSOCIATION	IL1977690	2	INADEQUATE PRESSURE TANK	135	9/17/1992
SILVIS HEIGHTS WATER CORP	IL1615750	1	NO EMERGENCY GENERATOR	1600	12/1/2003
SIX OAKS MHP	IL2015685	1	INADEQUATE PRESSURE TANK	48	6/18/1982
ST. JACOB	IL1190950	6	TOTAL TRIHALOMETHANES MCL VIOLATION	1735	12/18/2019
STEPHENSON MOBILE ESTATES	IL1775235	1	INADEQUATE PRESSURE TANK AND INADEQUATE CHLORINE RESIDUAL	223	6/17/1983
SUBURBAN APARTMENTS (DE KALB UNIV DVL)	IL0375148	1	INADEQUATE PRESSURE TANK	1050	12/16/1992



SUMNER	IL1010300	7	LOW SYSTEM PRESSURE (areas served by undersized water mains)	1108	12/13/1985
SUNNY HILLS ESTATES SUBDIVISION	IL0735300	1	INADEQUATE PRESSURE TANK	525	6/15/2000
SUNNYLAND SUBDIVISION	IL1977730	2	INADEQUATE SOURCE CAPACITY & INADEQUATE PRESSURE TANK	300	6/12/2018
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
TIMBER RIDGE MOBILE ESTATES	IL1775255	1	INADEQUATE PRESSURE TANK	150	6/17/1996
TOWNERS SUBDIVISION	IL0977250	2	INADEQUATE PRESSURE TANK	204	1/14/1982
TRIANGLE MHP	IL0195925	4	ARSENIC MCL VIOLATION	90	6/15/2012
UTL INC - LAKE HOLIDAY	IL0995200	1	INADEQUATE TREATMENT CAPACITY	6479	4/1/2015
UTL INC - LAKE WILDWOOD UTILITIES CORP	IL1235200	1	INADEQUATE GROUND STORAGE & HIGH SERVICE PUMP CAPACITY	950	10/22/2015
UTL INC - WALK-UP WOODS WATER COMPANY VALLEY VIEW SUBDIVISION (WOODFORD COUNTY)	IL1115800	2	NO ELEVATED OR GROUND STORAGE	781	12/17/1982
	IL2030010	1	INADEQUATE PRESSURE TANK	100	6/15/2012
VERMONT*	IL0570950	5	TOTAL TRIHALOMETHANE MCL VIOLATION & HALOACETIC ACID MCL VIOLATION	660	5/27/2020
VIETZEN MHP	IL0437245	2	INADEQUATE PRESSURE TANK & LACK OF A CHLORINE FEED SYSTEM	145	6/17/1983
WILDLIFE MHP	IL0995425	1	INADEQUATE PRESSURE TANK	73	9/17/1982
WILLOWAY TERRACE MHP	IL0317595	2	NO ELEVATED OR GROUND STORAGE & INADEQUATE SOURCE CAPACITY	900	6/15/1984
WOODLAND	IL0751000	4	NITRITE MCL VIOLATION	319	5/1/2019



**Illinois Environmental Protection Agency  
Division of Public Water Supplies  
Critical Review List – Community Water Supplies**

**June 2020**

<b>SYSTEM NAME</b>	<b>SYSTEM ID</b>	<b>EPA REGION</b>	<b>NATURE OF PROBLEM</b>	<b>POPULATION SERVED</b>	<b>LISTING DATE</b>
CANTON	IL0570250	5	INADEQUATE TREATMENT CAPACITY	13932	3/15/2007
CARBON HILL	IL0630100	2	INADEQUATE TREATMENT CAPACITY	392	12/14/2016
COAL CITY	IL0630200	2	INADEQUATE TREATMENT CAPACITY	5587	12/14/2016
HILLCREST	IL1410250	1	INADEQUATE STORAGE CAPACITY	1400	11/2/2017
LASALLE	IL0990300	1	INADEQUATE SOURCE CAPACITY & INADEQUATE TREATMENT CAPACITY	9700	11/1/2004
MACOMB	IL1090350	5	INADEQUATE CLARIFIER CAPACITY	11309	12/14/2016
MASON CITY	IL1250350	5	INADEQUATE STORAGE CAPACITY	2558	1/1/2006
MOUND PWD	IL1635050	6	INADEQUATE PLANT CAPACITY	2200	6/17/1996
QUINCY	IL0010650	5	INADEQUATE CLARIFIER CAPACITY	45000	8/3/2016
TISKILWA	IL0111050	1	INADEQUATE STORAGE CAPACITY	830	9/20/2017
WHITE HALL	IL0610400	6	INADEQUATE STORAGE CAPACITY	2900	10/1/2012
WITT	IL1350850	5	INADEQUATE TREATMENT CAPACITY	991	3/17/2008



**Illinois Environmental Protection Agency  
Division of Public Water Supplies  
Restricted Status and Critical Review Lists – Community Water Supplies**

**June 2020**

**WATER SYSTEMS REMOVED FROM PREVIOUS LIST**

COOKSVILLE

MULBERRY GROVE

**\*WATER SYSTEMS ADDED**

DE LAND

VERMONT



## 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 2, 2018. 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.



# CLASS III SPECIAL RESOURCE GROUNDWATER

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
Division of Public Water Supplies  
<http://www.epa.illinois.gov>



## Class III Special Resource Groundwater Listing Statement

In accordance with 35 Ill. Adm. Code 620.230(b)(2), the Illinois Environmental Protection Agency (Illinois EPA) publishes a final listing of the following dedicated nature preserves (DNPs), as Class III: Special Resource Groundwater (Class III Groundwater): Bluff Spring Fen.

Based upon the authority of 35 Ill. Adm. Code 620.230, Class III Groundwater can be established for groundwater contributing to a DNP that has been listed by the Illinois EPA. The Illinois EPA is required to review a written request to list DNPs, and upon confirmation of the technical adequacy, publish the proposed listing of the DNP(s) in the Environmental Register for a 45-day public comment period. Within 60 days after the close of the comment period, the Illinois EPA is required to publish a final listing in the Environmental Register, or provide the requestor with a written response specifying reasons for not publishing a final listing.

The Groundwater Section of the Bureau of Water at the Illinois EPA completed the review required, per the criteria specified in subsection 620.230(b)(1), and found the petition to be technically adequate. The proposed listing was published in Number 752 of the Illinois Environmental Register, October 24, 2019. No comments were received during the 45-day public comment period. Therefore, the Illinois EPA is publishing the following final listing of a DNP as Class III Groundwater:

Bluff Spring Fen: Exhibit 1

Questions regarding Class III Groundwater and copies of the final listing exhibits can be obtained by mail, telephone, or e-mail at the following:

Lynn E. Dunaway, P.G.  
Groundwater Section  
Division of Public Water Supplies  
Bureau of Water  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
(217) 785-4787  
[lynn.dunaway@illinois.gov](mailto:lynn.dunaway@illinois.gov)



# EXHIBIT 1

## Bluff Spring Fen Nature Preserve Class III Special Resource Groundwater



## **Bluff Spring Fen Nature Preserve Class III Special Resource Groundwater Listing Notice**

### **A) A general description of the site and the surrounding land use.**

Bluff Spring Fen is located in the City of Elgin, in northwestern Cook County. Bluff Spring Fen DNP is a 94.3 acre tract, jointly owned by the Metropolitan Water Reclamation District of Greater Chicago and the City of Elgin. The DNP is situated partly on the north and predominantly on the south side of Poplar Creek, located in portions of Sections 19 and 30, of Township 41 North, Range 9 East of the Third Principal Meridian, Cook County. The groundwater contribution area (GCA) includes parts of Sections 19, 20, 21, 28, 29 30, Township 41 North, Range 9 East, Third Principal Meridian, Cook County and part of Section 24, Township 41 North, Range 8 East, Third Principal Meridian, Kane County. The total GCA, for which Class III is proposed, which includes the nature preserve and GCA outside the nature preserve, is 2.37 square miles (1,515 acres) composed of a generally wedge-shaped area, predominantly east of the DNP, with northeasterly and southeasterly components. Land use in the proposed Class III Area is composed of approximately 0.3 percent agricultural land, 17.3 percent forest and grassland, 3.2 percent wetland, 6.7 percent open water, 60.8 percent residential/urbanized land and approximately 11.7 percent barren/disturbed land.

### **B) A topographic map or other map of suitable scale denoting the location of the dedicated nature preserve.**

See Exhibit 1, Attachment 1.

### **C) A general description of the existing groundwater quality at and surrounding the dedicated nature preserve.**

The presence of the high quality graminoid fen community indicates that the groundwater system retains important geochemical characteristics that support the community. Samples collected in the fen area reported pH ranging from 6.6 to 8.6 standard units, which is circumneutral, to mildly alkaline. Mildly alkaline water that is enriched in calcium and magnesium is typical of calcareous fens. Groundwater samples collected from the DNP contained concentrations of chloride from 10 to 129 milligrams per liter. Elevated concentrations chloride can damage sensitive fen plants and favor generalist species that are more tolerant of chloride and less dependent on a calcium rich water.

### **D) A general geologic profile of the dedicated nature preserve, based on most reasonably available information, including but not limited to geologic maps and subsurface groundwater flow directions.**



The geology of Bluff Spring Fen and its groundwater contribution area can generally be described as 70 to 100 feet of unconsolidated glacial sediment overlaying Silurian age dolomite. The upper 20 feet of the glacial material is composed primarily of highly permeable sand and gravel of the Henry Formation, with some areas of peat. The Henry Formation sand and gravel is the primary conduit through which groundwater flows from the contribution area into the fen. Below the Henry Formation, there is typically 65 feet of clayey and sandy glacial till. Below the till is the dolomite, though in some areas, the dolomite may be in contact with the Henry Formation. Because of the relatively low permeability of the till, the dolomite is not believed to contribute groundwater to the fen. The fen occurs primarily on the southern slope of Poplar Creek, where the creek valley intersects the Henry Formation. Groundwater flow into the DNP occurs primarily from the northeast, east and southeast.

**E) A description of the interrelationship between groundwater and the nature of the site.**

Though the high quality graminoid fen is the major wetland feature, sedge meadow, mesic prairie, calcareous seep and marsh are also present. The near surface sand and gravel also support dry gravel prairie and oak/hickory savanna. All of these environments depend on the specialized hydrogeologic conditions for their continued survival. The DNP is home to eight endangered and four threatened plant species. In addition to the geochemical conditions that support the specialized wetland plants, the influx of cool groundwater creates microclimates which allow certain species, typically found further north, to survive within Bluff Spring Fen.

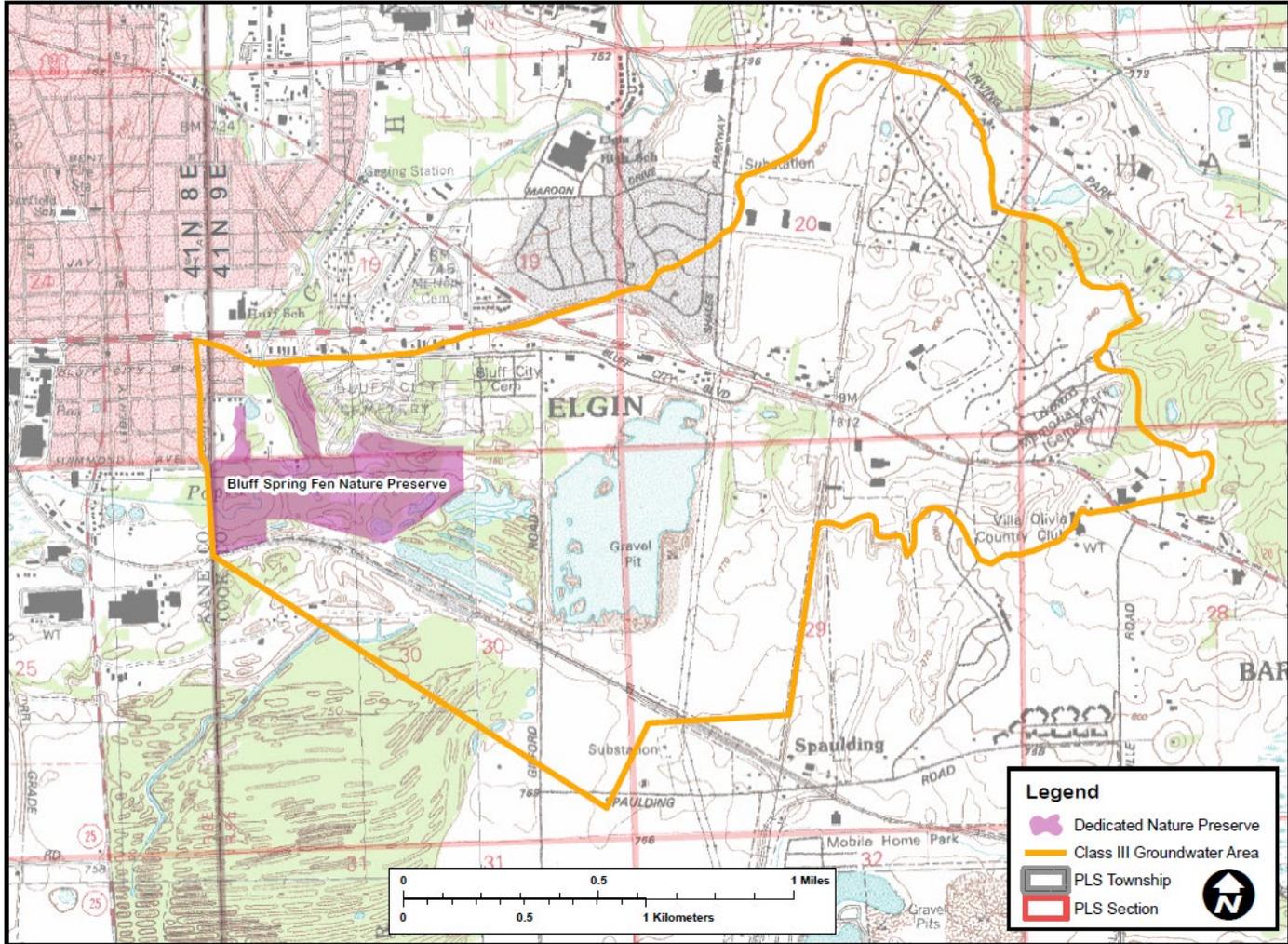


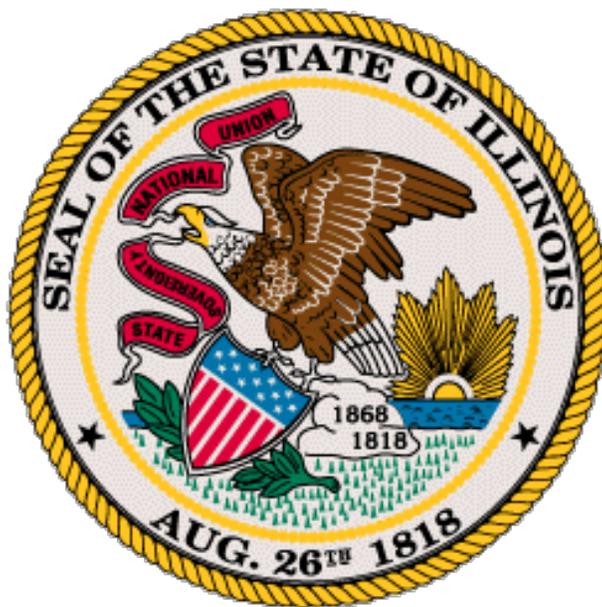
# EXHIBIT 1

# ATTACHMENT 1



# BLUFF SPRING FEN CLASS III GROUNDWATER AREA





**A PUBLICATION OF  
THE ILLINOIS POLLUTION CONTROL BOARD**

**JULY 2020**

Issues of the *Environmental Register* dating back to 1990 are available electronically at  
<https://pcb.illinois.gov>