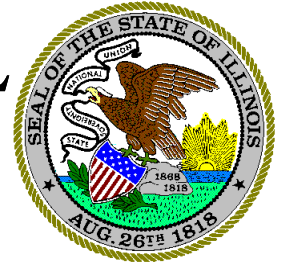




# ENVIRONMENTAL REGISTER



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## RULEMAKING UPDATE

### **S**DWA Update Amendments Adopted, R95-17

On September 5, 1996, the Board adopted identical-in-substance amendments to the Illinois public water supplies regulations for public comment. The docket, R95-17, included federal amendments adopted by USEPA to the federal Safe Drinking Water Act (SDWA) regulations that occurred in the period January 1 through June 30, 1995. During that time period, USEPA adopted three sets of amendments that could potentially have affected the Illinois SDWA program. On June 28, 1995 (60 Fed. Reg. 33658), USEPA revised the provisions relating to federal review of the adequacy of state programs. On June 29, 1995, USEPA engaged in two actions. First (60 Fed. Reg. 33912), USEPA deleted obsolete, redundant, and out-dated rules in response to a Presidential initiative. Second (60 Fed. Reg. 34084), USEPA made technical corrections to the SDWA analytical methods. The Board analyzed the federal amendments and determined that no state-level amendments were necessary based on the June 28 action. The Board, however, did determine that amendments (Cont'd on p. 2)



## **B**oard Opinions and Orders Available for Free Download

The Pollution Control Board is pleased to announce that effective November 1, 1996 the opinions and orders/hearing transcripts portion of the Board's World Wide Web Page will be free of charge to the public. This service is being provided free in order to disseminate IPCB publications to the widest possible audience.

The IPCB continually looks for ways to make its Home Page an effective tool for the public. If you have any questions or suggestions, please contact Kevin St. Angel at 217-524-8510 or via email at [kstangel@pcb084R1.state.il.us](mailto:kstangel@pcb084R1.state.il.us)

## APPELLATE UPDATE

### **M**edical Disposal Services, Inc., and Industrial Fuels and Resources/Illinois, Inc., v. Environmental Protection Agency and the Pollution Control Board, No. 1-95-2908/2892 slip op. (First Dist. September 18, 1996).

This case involved an appeal by Medical Disposal Services (MDS) and Industrial Fuels and Resources/Illinois (Industrial Fuels) of the Illinois Pollution Control Board's (Board) affirmance in Medical Disposal Services, Inc., v. IEPA, PCB 95-75 and 95-76, consolidated (May 4, 1995), of the Illinois Environmental Protection Agency's (Agency) denial of construction permits for its medical waste treatment facility.

On appeal, the petitioners argued that the Board should not have granted summary judgment in favor of the (Cont'd on p.4)

## Inside This Issue

- |                               |     |
|-------------------------------|-----|
| ♦ Significant Federal Actions | p5  |
| ♦ Final Decisions             | p16 |
| ♦ New Cases                   | p18 |
| ♦ Calendar of Hearings        | p20 |
| ♦ IEPA Restricted Status List | p22 |

## **RULEMAKING UPDATE**

(Cont'd from p.1)

were necessary to address June 29 actions.

In addition to the immediate federally-prompted amendments, the Board determined that a number of additional amendments to the state's rules were necessary based on a comment received from the Illinois EPA (Agency). The Agency had suggested a series of corrections to the whole of the Board's Subtitle F regulations.

The Board proposed the amendments on April 18, 1996, and a Notice of Proposed Amendments appeared in the May 3, 1996 Illinois Register, at 20 Ill. Reg. 6121 (Part 607) and 6133 (Part 611). The public comment period ended on June 17, 1996. The Board then proceeded to adopt amendments with a number of minor revisions based on the public comments received. In adopting the amendments, the Board declined to make one revision requested by the Agency, concluding that the Board was constrained to retain an amendment made by USEPA. The Board has withheld filing the regulations with the Office of the Secretary of State to allow USEPA to comment on the issues raised by the Agency's comments.

Direct questions to Michael J. McCambridge, at 312-814-6924 (Internet address: mmccambr@pcb016r1.state.il.us). Request copies of the Board's opinion and order from Victoria Agyeman, at 312-814-3620 (Internet address: vagyeman@pcb016r1.state.il.us). Please refer to docket number R95-17. ♦

### **U**nderground Storage Tank Amendment Proposal Accepted For Board Consideration, R97-10

The Illinois Environmental Protection Agency (Agency) filed a new underground storage tank rulemaking proposal with the Board on September 16, 1996. The Board accepted the proposal for hearing on the same date. The proposal would have the Board amend the existing underground storage tank (UST) regulations as required by P.A. 89-457. In brief, the proposal would have the Board make the following changes to the existing rules: (1) make the UST program consistent with specified federal requirements; (2) clarify issues which have arisen since initial implementation of Part 732; and (3) address issues unresolved from predecessor proceeding, R94-2(B), such as determining risk-based remediation objectives and site classification. P.A. 89-457 requires the Board to complete this rulemaking on or before March 15, 1997.

Direct questions to Marie E. Tipsord, at 312-814-4925 or 618-498-9803 (Internet address: mtipsord@pcb016r1.state.il.us). Request copies of Board orders from Victoria Agyeman, at 312-814-3620 (Internet address: vagyeman@pcb016r1.state.il.us). Please refer to docket R97-10. ♦

### **B**rownfields Proposal Accepted For Board Consideration, R97-11

The Illinois Environmental Protection Agency (Agency) filed a new Brownfields rulemaking proposal with the Board on September 16, 1996. The Board accepted that proposal for hearing on September 19, 1996. The proposal would have the Board add new Part 742 to the land pollution control regulations, establishing procedures for site remediation programs (also known as "Brownfields" rules) as required by P.A. 89-431. The intent of this proposal and its companion proposal, R97-12, the Tiered Approach to Corrective Action Objectives proceeding (also known as "TACO") (35 Ill. Adm. Code 742), is to effectuate the objectives of P.A. 89-431, as follows: (1) establish a risk-based system of remediation based on the protection of human health and the environment relative to present and future use of the land; (2) assure that the land use for which remedial action was undertaken will not be modified without consideration of the adequacy of such remedial action for the new land use; (3) provide incentives for the private sector to undertake remedial action; (4) establish expeditious alternatives for the review of site investigation and remedial activities, including a privatized review process; and (5) assure that the resources of the Hazardous Waste Fund are used in a manner that is protective of human health and the environment relative to present and future uses of the site and surrounding area.

Direct questions to Amy Hoogasian, at 312-814-8917 (Internet address: ahoogas@pcb016r1.state.il.us). Request copies of Board orders from Victoria Agyeman, at 312-814-3620 (Internet address: vagyeman@pcb016r1.state.il.us). Please refer to docket R97-11. ♦

### **T**ACO Proposal Accepted For Board Consideration, R97-12

The Illinois Environmental Protection Agency (Agency) filed a new land pollution control rulemaking proposal with the Board on September 16, 1996. The Board accepted that proposal for hearing on September 19, 1996. The proposal would have the Board add new Part 740 to the land pollution control regulations, establishing a tiered approach to corrective action objectives (also known as "TACO"), as required by P.A. 89-431. The intent of this proposal and its companion

"Brownfields" proposal, R97-11 (35 Ill. Adm. Code 740), is to (1) establish a risk-based system of remediation based on the protection of human health and the environment relative to present and future use of the land; (2) assure that the land use for which remedial action was undertaken will not be modified without consideration of the adequacy of such remedial action for the new land use; (3) provide incentives for the private sector to undertake remedial action; (4) establish expeditious alternatives for the review of site investigation and remedial activities, including a privatized review process; and (5) assure that the resources of the Hazardous Waste Fund are used in a manner that is protective of human health and the environment relative to present and future uses of the site and surrounding area.

Direct questions to Kevin G. Desharnais, at 312-814-6926 (Internet address: [kdeshar@pcb016r1.state.il.us](mailto:kdeshar@pcb016r1.state.il.us)). Request copies of Board orders from Victoria Agyeman, at 312-814-3620 (Internet address: [vagyeman@pcb016r1.state.il.us](mailto:vagyeman@pcb016r1.state.il.us)). Please refer to docket R97-12. ♦

**P**roposal To Amend Subpart F Public Water Supplies Regulations Accepted, Set For Hearing, R96-18

On September 19, 1996, Board accepted a rulemaking proposal filed by the Illinois Environmental Protection Agency (Agency) for prospective amendments to the Illinois public water supplies regulations. Those regulations, codified as Subpart F of Title 35, include the Illinois drinking water rules, the federally-derived Safe Drinking Water Act (SDWA) rules, the groundwater quality rules, and the groundwater protection rules. The opening of docket R96-18 followed a June 20, 1996 request by the Agency that the Board consider certain amendments requested in another proceeding as a separate petition for rulemaking. The requested amendments basically fall into three categories: (1) amendments to update and correct several provisions throughout the text, (2) amendments that would allow the Agency to issue construction permits notwithstanding the fact that a supply is listed on "restricted status" for a violation of the radium MCL, and (3) revision of the authority note for the groundwater quality regulations to reflect that it was adopted pursuant to the Environmental Protection Act.

The Agency submitted a list of desired corrections and minor amendments in the identical-in-substance SDWA update docket R95-17, which includes federal amendments that occurred during the period January 1 through June 30, 1995. In its February 1, 1996 proposed opinion and order in R95-17, the Board proposed many of the amendments submitted by the Agency that it felt it could accomplish using the identical-in-substance

procedure. The Board did not propose several other suggested amendments that it felt were beyond its identical-in-substance authority. Rather, the Board suggested that the Agency should submit a general rulemaking petition pursuant to Section 27 of the Environmental Protection Act. The Agency responded with a request that the Board consider its request for amendments submitted in R95-17 as a general rulemaking petition. In the June 20 order, the Board opened and reserved the new docket R96-18, but it ordered the Agency to submit an amended petition by September 1, 1996 that cures the procedural defects in the R95-17 request. The Agency filed that amended proposal on September 4, 1996, so the Board proceeded to accept the proposal.

The Board has scheduled public hearings on the proposal, as follows:

10:00 a.m., Friday, October 25, 1996  
 Old Kane County Courthouse  
 100 South Third Street, Room 110  
 Geneva, Illinois

10:00 a.m., Wednesday, October 30, 1996  
 201 Municipal Center West  
 Council Chambers, Third Floor  
 7th Street & Monroe  
 Springfield, Illinois

Direct questions to Michael J. McCambridge, at 312-814-6924 (Internet: [mmccambr@pcb016r1.state.il.us](mailto:mmccambr@pcb016r1.state.il.us)). Request copies of Board orders from Victoria Agyeman, at 312-814-3620 (Internet address: [vagyeman@pcb016r1.state.il.us](mailto:vagyeman@pcb016r1.state.il.us)). Please refer to consolidated docket R96-18. ♦

## **APPELLATE UPDATE**

(Cont'd from p.1)

Agency because local siting approval of pollution control facilities is transferable to purchasers, that the Board should have applied equitable estoppel or equitable tolling, and that the Board erred in denying Industrial Fuel's motion for intervention. The First District affirmed the Board.

The facts of the case are as follows. Industrial Fuels sought and eventually gained siting approval from the City of Harvey for a medical waste treatment facility. In 1994, MDS entered into an agreement with Industrial Fuels for an option to purchase the Harvey site. Prior to that, MDS had inquired of the Agency whether it could rely on Industrial Fuels' siting approval from the City of Harvey. An Agency assistant responded in a letter to MDS on January 10, 1994, that the Agency's policy was that siting approval was location-specific so that it remained with the land upon sale. The letter also stated that the siting approval granted to Industrial Fuels was valid for MDS's development of the facility. In May of 1994, MDS submitted construction permits to the Agency. In September of 1994, the Illinois Attorney General's office (AG) wrote to MDS stating that Harvey had not granted MDS siting approval. In October, the AG's office wrote to the Agency expressing its view that local siting was site-specific but also facility-specific and applicant-specific. On January 13, 1995, the Director of the Agency wrote to the AG stating that the two agencies had differing interpretations of the law. Finally, on January 31, 1995, the Agency denied MDS's permit application.

MDS then appealed to the Board in March, 1995. MDS argued in its appeal before the Board that the permits could be issued because the Act required proof that the municipality had approved siting, not that the municipality approved the transfer of ownership. MDS filed a motion for summary judgment and the Agency filed a cross motion for summary judgment. The Board denied MDS's motion and granted the Agency's motion. The Board in its opinion and order found that local siting approval was applicant-specific and could not be transferred from Industrial Fuels to MDS.

The First District affirmed the Board finding that if Sections 39(c) and 39.2(a) of the Environmental Protection Act (Act) (415 ILCS 5/39(c), 39.2(a)) are read together that Section 39(c) contemplates that the applicant must be the same entity which received local siting approval. Section 39(c) of the Act provides that no permit may be granted unless the applicant submits proof of local siting. Section 39.2(a) of the Act states that the

local unit of government may consider "... the previous operating experience and past record of convictions or admissions of violations of the applicant (or any subsidiary or parent corporation) in the field of solid waste management..." in making its decision on siting. Thus, the court found that even if the MDS facility was going to be substantially similar to the original proposed by Industrial Fuels, the ownership had changed and Section 39.2(a) of the Act recognizes the "significance of the experience of the owner."

The court went on to state that even though local governments do not generally have the power to approve the transfer of ownership after the construction permits have been issued by the Agency, that does not change the fact that a new applicant for a permit must "re-obtain" siting approval before applying for a permit under Section 39(c) of the Act. The court also found that requiring a new application for local siting approval does not prevent transferability of the owner's property right because siting approval is not a property right. The court explained by saying that local siting only gives the applicant the right to apply for a permit and that although permits in general can be assigned, local siting is only a condition which is required before a permit can be issued.

The next argument made by the petitioner was that the Agency should have been equitably estopped from denying permits because MDS detrimentally relied on the Agency's letter stating that the siting granted to Industrial Fuels was valid for MDS. The court used a two-part test to determine if estoppel was appropriate in this case, finding that there must be a misrepresentation and knowledge that the representation was untrue. The court found that no misrepresentation was made since the Agency letter stated the Agency's interpretation of the statute and its policy at the time. Additionally, the court held that estoppel was not an appropriate remedy against a governmental agency because it would "defeat the statutory intent to give approval powers to localities in a matter concerning public health and safety."

The petitioners then argued that equitable tolling should be used to toll the two-year expiration period found in Section 39.2(f) of the Act for which local siting approval is valid. Petitioners argued that either the date of the Agency's letter to MDS or the date of MDS's filing of its permit applications should be used so that MDS could use the additional time to comply with 39(c) of the Act. The court stated that, generally, equitable tolling is used to extend statute of limitations deadlines where an agency acted unfairly. The court declined to make equitable tolling available to MDS even if the principle of equitable tolling could be extended outside the typical situation. The court declined because, although MDS will suffer a delay in setting to obtain its permits because of the change in Agency policy, MDS was not prevented by the Agency from seeking local siting. Tolling, in this case, the court

found, would not prevent the permanent expiration of any right. The Agency's conduct did not forever cut off MDS's ability to proceed with development of the facility.

Finally, Industrial Fuels argued that the Board erred in denying its petition to intervene, which was filed after summary judgment was entered. Industrial Fuels cited a Board rule which provides for intervention in enforcement cases. The court found that the rule was not applicable to permit appeals and that no other Board rule gave Indus-

trial Fuels a right to intervene. The court additionally found that even if the Board had the authority to allow intervention and even if the Board erred, Industrial Fuels was not harmed because it was allowed to file an *amicus curiae* brief in support of MDS's motion for reconsideration and was able to make its arguments to the Board. ♦

## **SIGNIFICANT FEDERAL ACTIONS**

The Board continues its series of reports on recent federal announcements and actions from the Federal Register that are of interest to the Board and the regulated community. Below are highlighted over 60 such announcements and actions that appeared in September, 1996: ♦

### **G**uidelines for Implementing the Hardship Grants Program for Rural Communities

On September 4, 1996 (61 Fed. Reg. 46642), USEPA announced the availability of its guidelines for implementing the Hardship Grants Program for Rural Communities. The program implements a \$50 million grant in the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Pub. L. 104-134) through which USEPA can provide assistance to small rural communities (population 3,000 or less) that have inadequate wastewater treatment services. USEPA intends to implement the program with the Clean Water Act State Revolving Fund program. ♦

### **P**olicy on Electronic Filing of Environmental Reports

On September, 1996 (61 Fed. Reg. 46683), USEPA announced its policy on acceptance of electronically-filed environmental reports through the Electronic Data Interchange (EDI). The policy embraces regulatory, compliance, and informational reporting via EDI, but excludes procurement-related reporting. It is based on USEPA's experience in pilot tests of reporting through EDI. USEPA said that it was taking the action to streamline reporting in response to the President's March, 1996 report, "Reinventing Environmental Regulation" and to support its own "One-Stop

Reporting" initiative. USEPA stated that as specific USEPA programs adopt the EDI for reports, future

notices will announce those adoptions. USEPA stated further that it is studying alternative means of electronic reporting by facilities not equipped for EDI. Although the policy does not address state-delegated reporting, USEPA strongly urges uniform EDI implementation by the states. ♦

### **E**xpiring Hazardous Waste Information Collection Requests Submitted to OMB for Review and Renewal

On September 5, 1996 (61 Fed. Reg. 46803), USEPA announced that it is sending two expiring hazardous waste-related information collection requests (ICRs) to the Office of Management and Budget (OMB) for review and renewal. The ICRs relate to the general hazardous waste facility standards and specific facility standards of 40 CFR 261 and 264 through 266. USEPA estimated that reporting under the general facility ICR would affect 5772 facilities at an estimated aggregate cost over \$79 million, taking nearly two million man-hours to complete the ICR. USEPA estimated the aggregate cost of the specific facility ICR at over \$19 million for 6658 facilities, taking nearly 400,000 man-hours to complete. ♦

### **D**raft Guidance Available for Implementation of Radiation Protection Standards at New Mexico Waste Isolation Pilot Plant

On September 5, 1996 (61 Fed. Reg. 46804), USEPA announced the availability of draft guidance for implementation of the radiation protection standard for management of radioactive waste at the Waste Isolation Pilot Plant (WIPP) in New Mexico. USEPA explained that it is required under the 1992 Waste Isolation Pilot Plant Land Withdrawal Act (Pub. L. 102-579) to biennially determine compliance at the WIPP with the 40 CFR 191, Subpart A radiation dose limits to the public. USEPA solicited public comments on the draft WIPP Subpart A guidance.

The guidance document describes application of the Subpart A standards during the estimated 25- to 30-year period that the above ground portions of WIPP would

receive packaged waste. WIPP will receive transuranic radioactive waste generated in the U.S. weapons program. Waste will be unloaded and prepared for placement at WIPP and ultimately lowered into a mined-out underground repository for disposal.

(Note: On August 19, 1996 (61 Fed. Reg. 42899), USEPA published notice of a petition from the Department of Energy (DOE) for a no-migration exemption from the Resource Conservation and Recovery Act (RCRA) Subtitle C hazardous waste land disposal restrictions (LDRs) pertaining to the land disposal of hazardous waste at the WIPP repository. See issue 508, Sept., 1996.) ♦

### Notices of Superfund Settlements Involving Illinois Sites

On September 5, 1996 (61 Fed. Reg. 46825), the U.S. Department of Justice announced a proposed settlement in the bankruptcy case *In re the Parsons Company*, No. 82 B 751 (N.D. Ill.) Under the proposed settlement, filed with bankruptcy court, the U.S. and the State of Illinois would equally divide all of the respondents assets that remain after payment of attorney fees and taxes in satisfaction of liabilities incurred through investigation and clean-up costs incurred under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or "Superfund") at the respondents' Belvidere property.

On September 25, 1996 (61 Fed. Reg. 50297), USEPA published notice that it was proposing a de minimis settlement of a Superfund claim involving the MIG DeWane landfill site in Belvidere. USEPA proposed settling the claim against a potentially responsible party, Beloit College, for \$30,000. USEPA stated that Beloit College may have arranged for disposal of waste at the site, but its share of waste at the site was believed to constitute less than 0.2 percent of the total waste at the site. ♦

### Group I and Group IV Polymers and Resins NESHAPs Adopted

On September 5, 1996 (61 Fed. Reg. 46905), USEPA adopted national emissions standards for hazardous air pollutants (NESHAP) applicable to new and existing Group I polymer and resin manufacturing facilities. The affected facilities manufacture butyl rubber, halobutyl rubber, epichlorohydrin elastomers, ethylene propylene rubber, Hypalon™, neoprene, nitrile butadiene rubber, nitrile butadiene latex, polysulfide rubber, polybutadiene rubber/styrene butadiene rubber by solution, styrene butadiene latex, and styrene butadiene rubber by emulsion. USEPA estimated in adopting the NESHAP that the rules would reduce

emissions of hazardous air pollutants (HAPs) by over 6,900 tons per year (tpy), at an estimated aggregate capital cost of \$26 million and aggregate annual operating costs of about \$18 million for existing sources. The estimated per-ton-eliminated costs range from \$1,000 to \$8,700 per ton of HAP removed, depending on the polymer produced. Among the HAPs emitted by the covered elastomer facilities covered by the Group I facilities are styrene, n-hexane, 1,3-butadiene, acrylonitrile, methyl chloride, hydrogen chloride, carbon tetrachloride, chloroprene, and toluene.

USEPA adopted a NESHAP for Group IV polymers and resins on September 12, 1996 (61 Fed. Reg. 48207). The Group IV polymers and resins are acrylonitrile butadiene styrene resin (ABS), styrene acrylonitrile resin (SAN), methyl methacrylate acrylonitrile butadiene styrene resin (MABS), methyl methacrylate butadiene styrene resin (MBS), polystyrene resin, poly (ethylene terephthalate) resin (PET), and nitrile resin. USEPA estimated that the Group IV NESHAP would reduce HAP emissions by over 3,900 tpy from existing sources and nearly 7,600 tpy from new sources. USEPA estimated the capital costs of this regulation as \$10.7 million (1989 dollars) for existing sources and \$6.5 million for new sources. It estimated the annual operating costs at \$3.3 million for existing facilities and an annual cost savings to new facilities \$5.2 million. Among the HAPs emitted by the thermoplastic facilities covered by the Group IV standards are styrene, acrylonitrile, butadiene, ethylene glycol, methanol, acetaldehyde, and dioxane. ♦

### Expanded List of Acceptable Substitutes for Ozone-Depleting Substances

On September 5, 1996 (61 Fed. Reg. 47011), USEPA published notice that it had expanded the list of acceptable substitutes for ozone-depleting substances under the Significant New Alternatives Policy (SNAP). USEPA further clarified information relating to three refrigerant blends previously added to the list. USEPA also requested information about the fluids used in secondary loop systems, which are used to transfer heat from an air conditioned space to the refrigeration unit. USEPA added a series of fluids for a variety of Class I refrigerant uses, including by-substitution for a Class II refrigerant that is itself an approved substitute for Class I refrigerant. USEPA also announced acceptable substitutes for foam blowing and fire suppression and explosion protection uses.

Section 612 of the CAA required USEPA to develop a program for evaluating alternatives to ozone-depleting substances, which USEPA has done and dubbed the "SNAP" program. Section 612 makes it unlawful to replace any Class I (chlorofluorocarbon, halon, carbon tetrachloride, methyl chloroform, methyl bromide, and

hydrobromofluorocarbon) or Class II (hydrochlorofluorocarbon) ozone-depleting substance with one that USEPA determines may present adverse effects on human health or the environment if USEPA has determined that an alternative is currently or potentially available that reduces risks. Section 612 further requires USEPA to publish lists of substitutes that it has found acceptable or unacceptable. ♦

### **P**roposed Guidelines for Ecological Risk Assessment Published

On September 9, 1996 (61 Fed. Reg. 47551), USEPA published its Proposed Guidelines for Ecological Risk Assessment. These proposed guidelines describe the process by which USEPA will perform ecological risk assessments. USEPA's Risk Assessment Forum is developing the guidelines. USEPA stated that it hopes to apply the final form of the guidelines to improve the quality and consistency of the assessments performed by its various programs and regions. ♦

### **S**tudies of Solvent Use and Petroleum Waste, Draft Study on Environmental Contamination from Non-Hazardous Waste Management Available

On September 10, 1996 (61 Fed. Reg. 47751), USEPA announced the availability of two studies. USEPA undertook the two studies pursuant to a consent decree in *Environmental Defense Fund v. Browner*, No. 89-0598 (D.D.C.). The December 9, 1994 consent decree further required USEPA to undertake study of seven additional solvent wastes and issue a final report on their use, toxicity, and waste management by August 30, 1996. The seven wastes on which USEPA has thus reported are diethylamine, aniline, ethylene oxide, allyl chloride, 1,4-dioxane, 1,1-dichloroethylene, and bromoform. The decree also required USEPA to release a report on petroleum refining wastes by that date. The petroleum refining waste study characterizes a variety of wastes: desalting sludge from crude desalting, off-specification product and fines from residual upgrading, residual oil storage tank sludge, treating clay from clay filtering, treating clay from the extraction/isomerization process, catalyst from catalytic hydrocracking, process sludge from residual upgrading, off-specification product from sulfur complex and hydrogen sulfide removal facilities, catalyst from extraction/isomerization process, treating clay from lube oil processing, off-specification treating solution from sulfur complex and hydrogen sulfide removal facilities, catalyst from polymerization, treating clay from alkylation, acid soluble oil from hydrofluoric acid alkylation, and catalyst from hydrofluoric acid alkylation. The study discusses the toxic constituent content of each waste, waste volumes

generated, and waste management practices, including possible mismanagement practices.

The consent decree required USEPA to propose whether or not to regulate certain wastes as listed hazardous wastes from non-specific sources by July 31, 1996 and take final action by May 31, 1997.

On September 25, 1996 (61 Fed. Reg. 50295), USEPA announced that it had released a draft report, "Hazardous Waste Characteristics Scoping Study: Environmental Release Descriptions." This report considers environmental contamination resulting through non-hazardous waste management. The draft study considers data selection criteria and methodologies and sets forth initial results. The purpose of the study is to determine the existence, nature, and extent of any gaps in the current criteria for hazardous waste characteristics. USEPA stated that it prepared the draft report in compliance with a consent decree entered May 17, 1996 in the *Environmental Defense Fund* litigation.

(Note: USEPA proposed not to list 14 used solvent-related wastes as RCRA Subtitle C hazardous waste on August 14, 1996 (61 Fed. Reg. 42317), under the July 31, 1996 deadline of the consent decree. The proposed determination related to spent solvents, distillation bottoms from the recovery of the solvents, and spent mixtures of 14 solvents: cumene, phenol, isophorone, acetonitrile, furfural, epichlorohydrin, methyl chloride, ethylene dibromide, benzyl chloride, p-dichlorobenzene, 2-methoxyethanol, 2-methoxyethanol acetate, 2-ethoxyethanol acetate, and cyclohexanol. See issue 508, Sept., 1996.) ♦

### **T**SCA Test Data Received for Refractory Ceramic Fibers

On September 10, 1996 (61 Fed. Reg. 47752), USEPA announced that it had received test data submitted under the Toxic Substances Control Act (TSCA). The data, submitted by members of the Refractory Ceramic Fiber Coalition (Carborundum Co., Premier Refractories and Chemicals, Inc., and Thermal Ceramics, Inc.) under a testing consent order, pertained to workplace exposure monitoring data on refractory ceramic fibers. ♦

### **P**roposed Amendments to CAA Recordkeeping and Reporting Requirements to Reduce Regulatory Burden

On September 11, 1996 (61 Fed. Reg. 47840), USEPA proposed amendments to the recordkeeping and reporting requirements of the Clean Air Act (CAA) regulations. USEPA intends that the amendments would reduce the burden of the recordkeeping and reporting requirements through the elimination of unnecessary

burdens. USEPA estimated that the amendments would annually reduce the burden by 25,000 workweeks across the country. USEPA is proposing the action in furtherance of the President's March 4, 1995 mandate for agencies to search out and eliminate outdated, redundant, and obsolete provisions in their regulations. Among the proposed amendments are changes in monitoring and reporting frequencies and thresholds and the allowance of electronic reporting. ♦

### Proposals Solicited for Regulatory Reinvention (XL) Pilot Projects and Comments Sought

On September 11, 1996 (61 Fed. Reg. 47929), USEPA augmented its solicitation for regulatory reinvention project (XL Project) proposals. USEPA published a specific request for proposals that feature innovative technologies. Of particular interest are innovative control, monitoring, and data handling technologies and operational or process changes that reduce environmental impacts without reducing productivity. USEPA stated that an XL project might accomplish this by removing regulatory barriers to development or deployment of a technology, creating regulatory incentives for innovation, or creating cost savings through regulatory efficiency.

Project XL arose from the President's March 16, 1995 initiative, "Reinventing Environmental Regulation," and the Administration's April, 1995 report, "Bridge to a Sustainable Future." Project XL seeks to replace prescriptive regulations with performance-based environmental management strategies. USEPA seeks to ultimately sponsor 50 XL projects in four categories: XL for facilities (60 Fed. Reg. 27282, May 23, 1995), XL for sectors, XL for federal facilities, and XL for communities (60 Fed. Reg. 63711, Dec. 12, 1995). (See issues 496, Aug.-Sept., 1995 & 501, Feb., 1996.) USEPA stated that it has thus far selected 15 projects for development. One facility in Illinois under consideration is the Minnesota, Mining, and Manufacturing Company (3M) located at Bedford Park. ♦

### Amendments Proposed to Department of Agriculture Rural Utilities Service Water and Waste Program Regulations

On September 12, 1996 (61 Fed. Reg. 48075), the U.S. Department of Agriculture proposed amendments to its Rural Utilities Service Water and Waste Program regulations. The Department is seeking to combine its water and waste loan and grant rules into a single regulation, in order to streamline those rules, to eliminate unneeded rules, and to incorporate changes

brought about by the 1996 Farm Bill. The grants and loan programs are authorized by the Consolidated Farm and Rural Development Act to provide funds to needy rural communities and small towns (population 10,000 or less) for water and waste disposal projects. The Department stated that the amendments could affect the amounts of grants or loans an applicant could receive. ♦

### Comment Sought on Expansion of the Number of Facilities to Which CWA Centralized Waste Treatment Standards Would Apply

On September 16, 1996 (61 Fed. Reg. 48805), USEPA announced that it had expanded the number of facilities to which proposed Clean Water Act (CWA) regulations would apply. In proposing effluent and wastewater pretreatment standards for the Centralized Waste Treatment Category on January 27, 1995 (60 Fed. Reg. 5464), USEPA originally estimated that the rules would affect 35 facilities. New information submitted by the oils recycling industry indicates that the proposed regulations would actually affect 275 facilities. USEPA requested comment on the accuracy of the information in its possession and on the likely impact of the proposed rules on the covered facilities.

### TSCA Test Data Submitted on Cyclohexane

On September 18, 1996 (61 Fed. Reg. 49135), USEPA announced that it had received data under the Toxic Substances Control Act (TSCA). The data on cyclohexane was submitted by the Cyclohexane Panel of the Chemical Manufacturers Association pursuant to an enforceable consent order under the TSCA rules. Cyclohexane is a component of several consumer products, including spray paint and adhesives. It is also a common laboratory solvent. The data relate to inhalation toxicity in mice and rats. ♦

### Perchloroethylene Dry Cleaning NESHAP Amended to Allow Transfer Machines Installed Before Adoption

On September 19, 1996 (61 Fed. Reg. 49263), USEPA amended the national emission standards for hazardous air pollutants (NESHAP) for perchloroethylene drycleaning facilities. The amendments allow the continued use of solvent transfer machines installed between December 9, 1991, when USEPA proposed the NESHAP, and September 22, 1993, when USEPA adopted the NESHAP.



USEPA adopted the NESHAP under the federal Clean Air Act (CAA) on September 22, 1993 (58 Fed. Reg. 49354) and amended it on December 20, 1993 (58 Fed. Reg. 66287). The International Fabricare Institute sued USEPA in the District of Columbia circuit court because the original proposed rule did not prohibit the use of transfer machines for emissions control; the final rule would have required these facilities to purchase a second system, dry-to-dry machines. USEPA stated that it did not believe that new transfer machines were going into use, so it did not propose to ban them. USEPA entered into a settlement agreement that promised to allow the transfer machines installed during the pendency of the regulation - i.e., between December 9, 1991 and December 20, 1993 - to continue to operate. The proposed amendments would allow their continued use on a basis similar to transfer machines in existence prior to December 9, 1991. The amendments do not affect the status of transfer machines installed after adoption of the final rule on December 20, 1993; those are still prohibited from operation. (See issue 505, June, 1996.)



### Community/University Partnership Grants Awarded

On September 20, 1996 (61 Fed. Reg. 49456), USEPA announced the award of \$2 million in grants to nine projects in its fiscal year 1996 Community/University Partnership Grants program. USEPA stated that it reviewed 102 applications to select the awards. The nine awards are summarized as follows:

University of Washington (\$205,316), Asian and Pacific Islander Seafood Consumption Study: to document seafood consumption in the Asian Pacific Islander community in the Seattle/Puget Sound, Washington, work with community leaders to develop outreach models, and develop culturally appropriate and effective risk communication materials, in order to improve health and environmental quality in the area.

Haskell Indian Nations University (\$220,320), Community/University Partnership for Native American Science Education and Technical Support: to address water quality concerns of the Prairie Band Potawatomi Tribe and Kickapoo Tribe by assessing sources and the extent of water contamination, seeking compliance with existing water quality standards, and creating a remediation plan to resolve problems.

University of Texas at El Paso (\$250,000), The UTEP/UT at Houston School of Public Health in El Paso Community Partnership Program for Environmental Justice: to address local environmental justice issues by

creating an environment where local community groups can have input in the development environmental policies and enforcement.

North Carolina Central University (\$249,404), Partnership Effort for the Advancement of Children's Health: to reduce lead exposure in houses located in the North/East Central Durham area.

Hostos Community College (\$77,977), Community Access Geographic Information System (GIS) for Environmental Justice Initiatives in the South Bronx: to develop a community-access geographic information system (GIS) for environmental justice initiatives in the South Bronx area by developing a GIS laboratory and to conduct an environmental assessment of baseline conditions in the Bronx.

Arizona State University (\$249,999), Environmental Justice Partnership Project: Reservation Environmental Assessment Project: to utilize the Reservation Environmental Assessment Project (REAP), a program designed to instruct and educate representatives in the Camp Verde and Colorado River reservations about specific problems affecting their communities through both classroom and hands-on techniques.

Columbia University in the City of New York (\$244,920), The Northern Manhattan Environmental Justice Partnership to Develop Environmental Health Leadership: to facilitate communication between residents in three urban communities (Central and West Harlem and Washington Heights) and environmental health researchers about the excessive levels of airborne particulate matter and carbon monoxide from heavy car, bus, and truck traffic as well as other environmental pollutants; to provide environmental health leadership training for residents; to utilize the geographic information system (GIS) as an effective education tool; and to intervene and reduce exposure to environmental toxins.

Xavier University of Louisiana (\$250,000), Community Lead Education Project: to address lead exposure in ten parishes along the Mississippi River between Baton Rouge and New Orleans by conducting studies on the toxicology and epidemiology of lead-related environmental hazards and the socioeconomic impact of lead exposures, by developing community-based education/communication programs for lead-impacted communities, and by developing environmental education teacher training and classroom materials that emphasize lead poisoning prevention.

University of Missouri-St. Louis (\$248,098), St. Louis Metropolitan Environmental Justice Empowerment Project: to address environmental justice problems in the St. Louis area by developing strategies focusing on local community involvement and empowerment through the establishment of an Environmental Justice Advisory Board, providing expert consultants to advise residents, enhancing opportunities for scientific analysis, developing plans for community work in each neighborhood, and compiling and disseminating information to affected communities. ♦

### **V**ehicle Inspection and Maintenance Requirements Amended to Allow the Use of Sticker Enforcement Mechanism

On September 23, 1996 (61 Fed. Reg. 49680), USEPA published a direct final rule that amends its Clean Air Act (CAA) vehicle inspection and maintenance (VIM) programs requirements. The amendment allows states to use such effective pre-existing enforcement mechanisms and sticker enforcement in any area adopting a VIM program. Previously, the federal regulations limited the use of pre-existing enforcement mechanisms other than denial of vehicle registration.

USEPA stated that section 182(c)(3) of the CAA requires the use of vehicle registration denial unless alternative enforcement mechanisms are demonstrated more effective. USEPA explained that it interpreted this in its 1992 rules to allow pre-existing alternative enforcement mechanisms only in the geographic areas where a VIM program had previously existed. USEPA's changed position is that a state can apply more effective alternatives anywhere within its borders to implement a VIM program. All that the state need do is demonstrate that the pre-existing alternative is more effective without regard to any prior geographic limits within the state. An accompanying amendment removed the limitation that the alternative must have been part of an approved state implementation plan (SIP). The amendments are effective November 22, 1996 unless earlier withdrawn in response to substantive adverse public comment. The accompanying notice of proposed rule appeared in the same issue of the Federal Register (61 Fed. Reg. 49715). ♦

### **P**roposed Amendments Would Target the Department of Agriculture Conservation Reserve Program to More Environmentally-Sensitive Acreage

On September 23, 1996 (61 Fed. Reg. 49697), the U.S. Department of Agriculture, Farm Service Agency and Commodity Credit Corporation (CCC), proposed amendments to their regulations that would target the Conservation Reserve Program (CRP) to reserve more

environmentally sensitive acreage. The CRP is designed to aid farmers in conserving and improving ails, water, and wildlife resources. The program makes rent payments and cost contributions for turning highly erodible and environmentally sensitive areas to long-term vegetative cover. Under the program, farmers may submit bids to have their land participate. If a bid exceeds what CCC is willing to pay for the soil type, it is rejected. Among the intended changes, some are intended to increase participation of certain wetlands not permanently under water. Others would limit participation to 10 percent of the arable land in any state, provide assistance in restoring hydrology, and promote participation of such areas as those that act as windbreaks or riparian buffers and those in USEPA wellhead protection areas. Many of the amendments are prompted by the Federal Agriculture Improvement and Reform Act of 1996. ♦

### **R**quests to Delete Pesticide Uses

On September 25, 1996 (61 Fed. Reg. 50294), USEPA announced that it had received petitions from pesticide manufacturers to delete certain uses of their products. Among the pesticide products for which deletions were requested were methoxychlor, diazinon, carbaryl, and rotenone. Requested deletions included several agricultural uses, mosquito abatement, and pest control on pet animals. ♦

### **G**roundwater Monitoring Exemption for Small Municipal Solid Waste Incinerators in Dry or Remote Areas Re-Established

On September 25, 1996 (61 Fed. Reg. 50409), USEPA re-established the groundwater monitoring exemption for small municipal solid waste landfill (MSWLFs) located in dry or remote areas. The exemption applies to MSWLFs that accept an average of less than 20 tons per day of municipal solid waste, which have no evidence of groundwater contamination, and which are located either in a dry or a remote location. USEPA undertook this action to codify section 3 of the Land Disposal Program Flexibility Act of 1996 (Pub. L. 104-119, effective March 26, 1996), which amended section 4010(c) of the Resource Conservation and Recovery Act (RCRA).

USEPA explained that the original RCRA Subtitle D MSWLF regulations, adopted on October 9, 1991 (56 Fed. Reg. 50978), included an exemption for certain qualifying small MSWLFs from the monitoring requirements. As a result of the decision in *Sierra Club v. EPA*, 992 F.2d 337 (D.C. Cir. 1993), the court effectively vacated the groundwater monitoring exemption, and USEPA rescinded it on October 1, 1993

(58 Fed. Reg. 51536). USEPA proposed alternative groundwater monitoring standards for these facilities on August 10, 1995 (60 Fed. Reg. 40799) and twice delayed the effective date, so that the ultimate groundwater monitoring requirements would go into effect as to these facilities on October 9, 1997.

Enactment of the Land Disposal Program Flexibility Act now allows exemption of the small MSWLFs, so long as no groundwater contamination is evident and the unit is located in a dry or remote area that has no practicable waste management alternative. However, the statute allows an authorized state to require the monitoring if necessary to protect groundwater resources and ensure compliance with a state groundwater protection plan. It further allows states to require corrective action in the event of a release or to use alternative methods for leak detection. Finally, the statute allows a state to suspend the groundwater monitoring requirements for any MSWLF that demonstrates that there is no potential for migration of hazardous constituents from the unit during its active life and post-closure care period.

USEPA amended its regulations to include the exemption for the small MSWLFs in dry or remote areas. The amendments further incorporated the requirement that the owner or operator notify the state of any groundwater contamination of which it becomes aware. USEPA noted that the existing regulations include provisions for "no migration" exemptions, but that it will issue guidance to facilitate use of this exemption by the small MSWLFs.

(Note: This federal action will be included in the RCRA Subtitle D update docket for the period July 1 through December 31, 1996. As noted in the Board's March 7, 1996 dismissal of the RCRA Subtitle D update docket R96-9, which covered the time-frame that included the October 5, 1995 federal amendments, the Board never incorporated the original exemption for small MSWLFs located in dry or remote areas. This means that no Board action will be required based on the present amendments re-establishing the exemption.) ♦

### State Primacy Approval Granted Illinois Drinking Water Program Updates

In September, 1996 (61 Fed. Reg. 50485), USEPA granted state primacy approval to certain updates to the Illinois drinking water regulations. The state primacy approvals related to amendments made by the Board to correspond with USEPA amendments to the federal Safe Drinking Water Act (SDWA) regulations. USEPA made these amendments on June 30 (59 Fed. Reg. 33860), July 1 (59 Fed. Reg. 34320), and December 5, 1994 (59 Fed. Reg. 62456) and June 29, 1995 (59 Fed. Reg. 33926 & 34084). The Board adopted the corresponding

amendments to the Illinois regulations in SDWA update dockets R94-23/R95-3 (consolidated) and R95-17, on June 15, 1995 and September 20, 1996, respectively. ♦

### CAA NESHAP Proposed for Primary Aluminum Reduction Plants

On September 26, 1996 (61 Fed. Reg. 50585), USEPA proposed Clean Air Act (CAA) national emission standards for hazardous air pollutants (NESHAP) for primary aluminum reduction plants. The standards would apply to new or existing potlines, paste production operations, and anode bake furnaces associated with primary aluminum production plants. USEPA stated that the major hazardous air pollutants (HAPs) emitted by these facilities are hydrogen fluoride (HF) and polycyclic organic matter (POM). Polycyclic Aromatic hydrocarbons (PAH) are included in the POM group. USEPA estimated that these sources emit 11,000 tons of HF and POM per year. USEPA believes that the proposed rule would eliminate half of the HF and POM emissions from these sources. ♦

### CAA RACT Implementation Deadlines Set for Wood Furniture Manufacturing Operations

On September 27, 1996 (61 Fed. Reg. 50823), USEPA announced the deadlines for implementation of Clean Air Act (CAA) reasonably available control technology (RACT) requirements for wood furniture manufacturing operations. The deadline for states to submit state implementation plan (SIP) revisions including RACT for wood furniture manufacturing operations is May 20, 1997. The deadline for compliance with the RACT rules is May 20, 1998.

Section 182(b)(2) of the CAA requires the states to submit a revision to their SIPs that would require Ract implementation for each category of volatile organic material (VOM) sources for which USEPA has published a control technology guidance (CTG) document. USEPA established a CTG document for wood furniture manufacturing operations on May 20, 1996 (61 Fed. Reg. 25223). (See issue 505, June, 1996.)

(Note: USEPA adopted national emission standards for hazardous air pollutants (NESHAP) applicable to wood furniture manufacturing operations on December 7, 1995 (60 Fed. Reg. 62930). See issue 500, Jan., 1996. It is uncertain whether the Agency will file a rulemaking proposal with the Board to incorporate the CTG requirements into the Illinois VOM rules. Although Section 39.5 clearly allows the direct implementation of federal NESHAPs in Illinois, it does not appear to allow similar direct implementation of uncodified federal guidelines.) ♦

## U.S. DOT Congestion Mitigation and Air Quality Improvement Program Guidance Published

On September 27, 1996 (61 Fed. Reg. 50890), the U.S. Department of Transportation (U.S. DOT) published its Congestion Mitigation and Air Quality Improvement (CMAQ) Program guidance. U.S. DOT established this guidance for the CMAQ Program, initially issued as a memorandum, under the Intermodal Transportation Efficiency Act. The objective of that statute and the CMAQ Program is to set air quality improvement as a specific objective for federal transportation funding assistance to the states. Congress made available \$6 billion (\$1 billion in each of 1992 through 1997) to states to help areas designated as nonattainment or maintenance under the Clean Air Act (CAA) achieve improved air quality through transportation projects that will contribute to attainment of a national ambient air quality standard (NAAQS). The guidelines set forth the requirements a state and project must meet to qualify for funding. ♦

## Potential Exemptions to Phaseout of Ozone-Depleting Substances Solicited

On September 30, 1996 (61 Fed. Reg. 51110), USEPA solicited candidates for potential exemption from the phaseout of use of ozone-depleting substances under the Montreal Protocol. The ninth meeting of the parties to the Montreal Protocol is scheduled to occur in September, 1997 for exemptions to the 1998 and later phaseouts of ozone-depleting substances. Those substances are halons 1211 and 1301, CFC-11, CFC-12, CFC-113, CFC-114, CFC-115, CFC-13, CFC-111, CFC-112, CFC-211, CFC-212, CFC-213, CFC-214, CFC-215, CFC-216, CFC-217, carbon tetrachloride, and methyl chloroform. Applications for essential use exemptions must be submitted to USEPA by October 30, 1996 for consideration. Under the Montreal Protocol, an exemption that allows continued use after a phaseout qualifies as an "essential use" if it is necessary for public health and safety or is critical for the function of society and there are no technically available and economically reasonable alternatives or substitutes for the substance. Further, continued production and consumption under an "essential use" is allowed only if all economically feasible steps have been taken to minimize the use and any associated emissions, and the substance is not readily available in sufficient quantity and quality in existing stocks. ♦

## Notice of Consent Decrees in Sanitary District of Hammond (Indiana) Litigation

On September 30, 1996 (61 Fed. Reg. 51130), the U.S. Department of Justice published notice of consent decrees filed in the case of U.S. v. Sanitary District of Hammond, No. 2:93 CV 225 JM (N.D. Ind.). One consent decree would resolve the claims of the United States and the State of Indiana under the Clean Water Act (CWA) against Cerestar USA, Inc. (formerly American Maize-Products Company), Ferro Corporation (Keil Chemical Division), and Lever Brothers Company. This first decree requires the three defendants to achieve and maintain compliance with the CWA, to pay a civil penalty of \$200,000 each, and to pay a total of \$4.7 million into a trust fund for remediation and restoration of the Grand Calumet River. The second consent decree resolves the claims of the United States and the State of Indiana under the Clean Water Act (CWA) against Tenneco Packaging (formerly Packaging Corporation of America). This second decree requires Tenneco Packaging to achieve and maintain compliance, to pay civil penalties of \$200,000 and \$50,000, and to undertake measures to reduce water usage at its Griffith, Indiana facility.

(Note: This litigation indirectly affects Illinois. The defendants are located in northwest Indiana near to Illinois, and both the Grand Calumet and Little Calumet Rivers flow short distances from the points of discharge into Illinois.) ♦

## Miscellaneous Federal Meetings

Meeting of: Common Sense Initiative Council  
Date and Location: September 19 and 20, 1996, Washington, D.C.

Announced purpose: Updates to actions since June 1996 meeting; discussion of the President's Council on Sustainable Development, the One Stop Reporting Guide, economic assessments for environmental regulations, community involvement; and reports by Iron and Steel, Automobile Manufacturing, Printing Sector, Metal Finishing Sector, Petroleum Sector, and Computers and Electronics Subcommittees.

Notice citation: 61 Fed. Reg. 46461, September 3, 1996

Meeting of: Common Sense Initiative Council, Computers and Electronics Sector Subcommittee  
Date and Location: September 17 and 18, 1996, Washington, D.C.

Announced purpose: Discussion of ongoing reporting reinvention projects, product end-life management, and development of strategies for study of reinvention pilot projects.

Notice citation: 61 Fed. Reg. 46461, September 3, 1996

Meeting of: Common Sense Initiative Council, Metal Finishing Sector Subcommittee  
Date and Location: September 25 and 26, 1996, Arlington, VA  
Announced purpose: Discussion of the Strategic Goals Project, the Strategic Research Plan, the Tier 4 Targeted Enforcement Project, and Tier 3 environmentally responsible site transition case studies.  
Notice citation: 61 Fed. Reg. 46461, September 3, 1996

Meeting of: Common Sense Initiative Council, Iron and Steel Sector Subcommittee  
Date and Location: September 26, 1996, Chicago, IL  
Announced purpose: Discussion of projects: Brownfields, Consolidated Multi-media Reporting, the Alternative Compliance Strategy, the Iron and Steel Web Site, Barriers to the Use of Innovative Technology, the Spent Pickle Liquor Conference, Multi-media Permitting, Permit Issues, and Community Involvement; discussion of an effort to analyze compliance data and potential self-evaluation; and a USEPA presentation on regulation of air particulates and potential revisions to the existing standards.  
Notice citation: 61 Fed. Reg. 46461, September 3, 1996

Meeting of: Common Sense Initiative Council, Automobile Manufacturing Sector Subcommittee  
Date and Location: September 26, 1996, by conference call  
Announced purpose: Updates from the Life-Cycle Management/Supplier Partnership Project Team and the Alternative Sector Regulatory System/Community Technical Assistance Project Team; planned decision on whether there are regulatory issues for the automobile industry for the forum.  
Notice citation: 61 Fed. Reg. 47751, September 10, 1996

Meeting of: Common Sense Initiative Council, Printing Sector Subcommittee  
Date and Location: October 7, 1996, Washington, D.C.  
Announced purpose: Discussion of Permitting Workgroup the New York City Education Project Workgroup projects, including multimedia permitting for all printers and community outreach and technical assistance for printers.  
Notice citation: 61 Fed. Reg. 49458, September 20, 1996

Meeting of: Urban Wet Weather Flows (UWWF) Advisory Committee  
Date and Location: September 26 and 27 and November 18 and 19, 1996, Alexandria, VA  
Announced purpose: Continued discussion of monitoring, watershed framework, storm water effluent

limitations, no exposure, physical impacts, and water quality standards in a wet weather context.  
Notice citation: 61 Fed. Reg. 46462, September 3, 1996

Meeting of: Storm Water Phase II Advisory Subcommittee  
Date and Location: October 17 and 18 and December 12 and 13, 1996, Alexandria, VA  
Announced purpose: Continued discussion of Phase II implementation.  
Notice citation: 61 Fed. Reg. 46462, September 3, 1996

Meeting of: Sanitary Sewer Overflow (SSO) Advisory Subcommittee  
Date and Location: September 9 and 10 and October 21 and 22, 1996, Alexandria, VA  
Announced purpose: Continued discussion of an overall SSO strategy.  
Notice citation: 61 Fed. Reg. 46462, September 3, 1996

Meeting of: Food Safety Advisory Committee  
Date and Location: September 26, October 22 and 23, November 14 and 15, and December 4, 1996, Arlington, VA  
Announced purpose: Discussion of implementation of the Food Quality Protection Act (Pub. L. 104-170, eff. Aug. 3, 1996), which amended the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Federal Food, Drug, and Cosmetic Act (FFDCA) to provide greater protection for consumers, particularly infants and children.  
Notice citation: 61 Fed. Reg. 46641, September 4, 1996

Meeting of: FIFRA Scientific Advisory Panel  
Date and Location: October 29 and 30, 1996, Arlington, VA  
Announced purpose: Discussion of scientific issues related to the proposed Series 870, Health Effects Test Guidelines, specifically relating to applying an extra 10-fold safety factor for developmental effects and in utero exposure for carcinogenicity studies. The Panel will review carcinogenicity assessments for alachlor and carcinogenicity assessments and developmental effects of vinclozolin. (Note: On August 28, 1996 (61 Fed. Reg. 44308), USEPA announced the creation of a unified library for test guidelines. Its Office of Prevention, Pesticides and Toxic Substances (OPPT) is engaged in a long-term project harmonizing test guidelines among OPPT, the Office of Pesticide Programs, and the Organization for Economic Cooperation and Development. The test guidelines will ultimately be published in ten series, five of which have been released in final form. See issue 508, Sept., 1996.)  
Notice citation: 61 Fed. Reg. 47126, September 6, 1996

Meeting of: USEPA Office of Pollution Prevention and Toxics

Date and Location: October 1, 1966, Bethesda, MD  
Announced purpose: To give opportunity for public comment on the health effects test rule for 21 hazardous air pollutants (biphenyl, carbonyl sulfide, chlorine, chlorobenzene, chloroprene, cresols [3 isomers], diethanolamine, ethylbenzene, ethylene dichloride, ethylene glycol, hydrochloric acid, hydrogen fluoride, maleic anhydride, methyl isobutyl ketone, methyl methacrylate, naphthalene, phenol, phthalic anhydride, 1,2,4-trichlorobenzene, 1,1,2-trichloroethane, and vinylidene chloride) proposed on June 26, 1996 (61 Fed. Reg. 33178).

Notice citation: 61 Fed. Reg. 47853, September 11, 1996

Meeting of: Clean Air Act Advisory Committee, Ozone, Particulate Matter and Regional Haze Implementation Programs Subcommittee

Date and Location: September 26 and 27, 1996, Norfolk, VA

Announced purpose: Not announced.

Notice citation: 61 Fed. Reg. 47930, September 11, 1996

Meeting of: USEPA, Office of Ground Water and Drinking Water

Date and Location: September 25 through 27, 1996, Washington, D.C.

Announced purpose: Information exchange on the development of rules to address microbial contaminants and disinfectants/disinfection by-products in drinking water; discuss identification of data sub-sets to be developed from sample collection and analytical activities under the Information Collection Rule (61 Fed. Reg. 24353, May 14, 1996).

Notice citation: 61 Fed. Reg. 47931, September 11, 1996

Meeting of: Clean Air Act Advisory Committee, Accident Prevention Subcommittee

Date and Location: September 24, 1996 (teleconference)

Announced purpose: Discuss potential activities to advise USEPA on chemical accident prevention issues under Section 112(r) of the CAA.

Notice citation: 61 Fed. Reg. 48153, September 12, 1996

Meeting of: Clean Air Act Advisory Committee, Accident Prevention Subcommittee, Electronic Submission Workgroup

Date and Location: September 24, October 9 and 23, November 5 and 19, and December 5, 1996 and January

8 and 22, February 5 and 20, March 5 and 20, April 2 and 17, and May 14 and 28, 1997 (teleconferences)

Announced purpose: Discuss electronic submission of risk management plans (RMPs)

Notice citation: 61 Fed. Reg. 48153, September 12, 1996

Meeting of: Industrial Combustion Coordinated Rulemaking Advisory Committee

Date and Location: October 1 and 2, 1996.

Announced purpose: Discussion of work groups and projects. (Note: USEPA formed the Industrial Combustion Rulemaking Advisory Committee to aid in assembly of air regulations for combustion sources: industrial boilers, commercial-institutional boilers, process heaters, industrial-commercial solid waste incinerators, other solid waste incinerators, stationary gas turbines, and stationary internal combustion engines. See issues 507, Aug., 1996 & 508, Sept., 1996. This is the first meeting of the Committee. The Committee has formed work groups: one for consideration of boilers, process heaters, and incinerators; a second for consideration of stationary internal combustion engines and gas turbines; and a third relating to test methods and economics.)

Notice citation: 61 Fed. Reg. 48452, September 13, 1996

Meeting of: Science Advisory Board (SAB) Integrated Risk Project, Human Exposure and Health Subcommittee  
Date and Location: October 9 and 10, 1996, Berkeley, CA

Announced purpose: Continued discussion of human exposure to various pollutants and the potential for risk reduction; hear reports on efforts to "pilot test" four possible approaches for assessing exposure and risk. USEPA has requested that SAB develop an updated ranking of the relative risk of different environmental problems based upon explicit scientific criteria. SAB is to provide an assessment of techniques and criteria that USEPA could use to discriminate among emerging environmental risks and identify those that merit serious attention; assess the potential for risk reduction and propose alternative technical risk reduction strategies for the environmental problems identified; and identify the uncertainties and data quality issues associated with the relative rankings.

Notice citation: 61 Fed. Reg. 48950, September 17, 1996

Meeting of: Science Advisory Board (SAB), Ecological Processes and Effects Committee

Date and Location: October 8 and 9, 1996, Washington, D.C.

Announced purpose: Discuss ecological risks and risk ranking criteria to update the 1990 SAB report, "Reducing Risk: Setting Priorities and Strategies for Environmental Protection" and conduct general committee business, including briefings on upcoming review topics, agenda planning, and discussion of subcommittee activities.

Notice citation: 61 Fed. Reg. 49458, September 20, 1996

Meeting of: Science Advisory Board, Integrated Risk Project Committee, Valuation Subcommittee

Date and Location: October 15 and 16, 1996, Washington, D.C.

Announced purpose: Conduct general subcommittee business towards proposing a new framework for assessing the value of ecosystems to humans, including ecological services and environmentally-mediated health and quality of life values.

Notice citation: 61 Fed. Reg. 49458, September 20, 1996

Meeting of: Science Advisory Board, Environmental Economics Advisory Committee and Integrated Risk Project Committee, Economic Analysis Subcommittee

Date and Location: October 18, 1996, Washington, D.C.

Announced purpose: Conduct general subcommittee business.

Notice citation: 61 Fed. Reg. 49458, September 20, 1996

Meeting of: National Environmental Justice Advisory Council and USEPA

Date and Location: October 17 through 19, 1996, San Antonio, TX

Announced purpose: Enforcement and Compliance Roundtable; exchange ideas as to how communities can assume a more active role in environmental enforcement and compliance activities.

Notice citation: 61 Fed. Reg. 50293, September 25, 1996

Meeting of: Clean Air Act Committee, Mobile Source Technical Advisory Committee

Date and Location: October 9, 1996, Falls Church, VA

Announced purpose: Continued discussion of report to Committee and formation of workgroups.

Notice citation: 61 Fed. Reg. 50822, September 27, 1996

Meeting of: State FIFRA Issues Research and Evaluation Group Pesticide Operations and Management Working Committee

Date and Location: October 10 and 11, 1996, Crystal City-Arlington, VA

Announced purpose: Review comments on "Guide to Clear Labelling"; discussion of bee labelling, pesticide resistance management, and FIFRA sections 24(c) and 25(b) issues; consumer information sheets for treated wood products; boric acid termiticide; enforcement at federal facilities; and USEPA web-sites.

Notice citation: 61 Fed. Reg. 50823, September 27, 1996

**FINAL DECISIONS 9/5/96**

**92-60** Kean Oil Company v. EPA - The Board affirmed an Agency finding that this McHenry County facility was ineligible for reimbursement in this underground storage tank fund reimbursement determination appeal.

**93-250** People of the State of Illinois v. Clark Oil & Refining Corporation - The Board accepted a stipulation and settlement agreement in this air enforcement action against two Madison and Cook County facilities, ordered the respondent to pay a civil penalty of \$40,000.00, and ordered it to cease and desist from further violation.

**95-40** Comerica Bank-Illinois v. EPA - The Board granted voluntary withdrawal of this underground storage tank appeal involving a Cook County facility.

**96-162** Oscar Mayer Corporation/Kraft Foods, Inc. v. EPA - The Board granted voluntary dismissal of this underground storage tank reimbursement determination appeal involving a Cook County facility.

**96-166** Oscar Mayer Corporation/Kraft Foods, Inc. v. EPA The Board granted voluntary dismissal of this underground storage tank reimbursement determination appeal involving a Cook County facility.

**96-198** Land Lakes Company v. EPA - The Board granted this Cook County facility a retroactive variance from the requirement of the land pollution control (landfill) regulations that required existing landfills remaining open to file an application for significant modification within four years of the effective date of the regulations.

**96-206** Anne Shephard, James Verhein and Jerold Leckman v. Northbrook Sports Club - The Board dismissed this citizens' noise enforcement action against a Lake County gun club, finding the complaint to be identical to one previously filed, dismissed by the Board for lack of jurisdiction, and affirmed by the appellate court. Board Member M. McFawn concurred.

**96-226** Shell Oil Company v. EPA - The Board granted voluntary withdrawal of this underground storage tank appeal involving a Cook County facility.

**96-230** The Clorox Company v. EPA - The Board granted a voluntary dismissal of this petition for a trade secret determination involving a Cook County facility.

**96-239** The Solar Corporation v. EPA - The Board granted this Lake County facility a variance from certain volatile organic material emissions requirements of the air pollution control regulations applicable to automotive plastic parts coating operations in the Chicago metropolitan area, subject to conditions.

**97-12** Amoco Oil Company v. Office of State Fire Marshal - The Board granted voluntary dismissal of this underground storage tank fund reimbursement determination appeal involving a Cook County facility.

**97-45** Village of Fayetteville v. EPA - Upon receipt of an Agency recommendation, the Board granted this St. Clair County facility a 45-day provisional variance from the biochemical oxygen demand and total suspended solids effluent requirements of the water pollution control regulations during a period of treatment plant repairs.

**97-46** Village of Romeoville v. EPA - Upon receipt of an Agency recommendation, the Board granted this Will County facility a 45-day provisional variance from the total residual chlorine and ammonia nitrogen requirements of the water pollution control regulations during modification of the treatment plant.

**AC 96-51** Montgomery County v. Envotech-Illinois - The Board accepted a stipulation and settlement agreement in this administrative citation appeal involving a Montgomery County facility, ordered the respondent to pay a civil penalty of \$1,000.00, and dismissed this action. Board member M. McFawn abstained.

**AC 96-56** County of Jackson v. James Qualls - The Board entered a default order, finding that this Jackson County respondent had violated Sections 21(p)(1), 21(p)(2), and 21(p)(5) of the Act and ordering him to pay a civil penalty of \$1,500.00.

**AC 96-59** County of Jackson v. Greg Burris, individually and d/b/a Burris Disposal Service - The Board entered a default order, finding that this Jackson County respondent had violated Sections 21(p)(1), 21(p)(4), and 21(p)(6) of the Act and ordering him to pay a civil penalty of \$1,500.00.

**AC 96-60** County of Will v. Arthur Hammel - The Board entered a default order, finding that this Will County respondent had violated Section 21(p)(3) of the Act and ordering him to pay a civil penalty of \$500.00.

**AC 96-61** County of Will v. First United Bank/Trust # 1279 - The Board entered a default order, finding that this Will County respondent had violated Sections 21(p)(1)



and 21(p)(4) of the Act and ordering it to pay a civil penalty of \$1,000.00.

**AC 97-1** EPA v. Banner Disposal, Inc. - The Board entered a default order, finding that this Fulton County respondent had violated Section 21(p)(1) of the Act and ordering it to pay a civil penalty of \$500.00.

**AS 95-6** In the Matter of: Petition of National Metalwares, Inc. for an Adjusted Standard from 35 Ill. Adm. Code Part 218.204(g)- The Board granted voluntary withdrawal of this petition filed on behalf of a Kane County facility for an adjusted standard from certain volatile organic emission requirements of the air pollution control regulations applicable to metal furniture coating operations in the Chicago metropolitan area.

**AS 96-7** In the Matter of: Petition of the City of Belleville, Illinois for an Adjusted Standard from 35 Ill. Adm. Code Part 306.305(b) - The Board dismissed this petition filed on behalf of a St. Clair County facility for an adjusted standard from certain primary treatment requirements of the water pollution control regulations applicable to wet weather flows due to the petitioner's failure to file an amended petition as instructed by an earlier Board order.

**R95-17** In the Matter of: Safe Drinking Water Act Update, USEPA Amendments (January 1 through June 30, 1995) - The Board adopted an update to the Illinois public water supply regulations based on amendments to the federal Safe Drinking Water Act. *See Rulemaking Update.*

**R97-9** In the Matter of: Procedures for the Collection of Air Pollution Site Fees: Amendments to 35 Ill. Adm. Code 251 - The Board granted voluntary withdrawal of this Agency-proposed procedural rulemaking as improperly filed with the Board.

## **FINAL DECISIONS 9/19/96**

**93-16** Beloit Corporation v. EPA - The Board granted voluntary withdrawal of this air permit appeal involving a Winnebago County facility.

**95-72** Burwell Oil Services, Inc., d/b/a TotalG.B. Oil v. EPA - The Board granted voluntary withdrawal of this underground storage tank appeal involving a Tazewell County facility.

**95-113** White Glove of Morton Grove, a limited partnership v. Amoco Oil Company- The Board granted

voluntary dismissal of this underground storage tank citizen's enforcement action against a Cook County facility.

**95-162** Illinois Landfill, Inc. v. EPA- The Board granted this Vermilion County facility a retroactive variance from the requirement of the land pollution control (landfill) regulations that required existing landfills remaining open to file an application for significant modification within four years of the effective date of the regulations.

**95-168** Brunetto Brothers Mobil v. EPA - The Board granted voluntary dismissal of this underground storage tank fund reimbursement determination appeal involving a Macoupin County facility.

**96-5** Ebbrey Standard Service v. EPA - The Board granted voluntary dismissal of this underground storage tank fund reimbursement determination appeal involving a Morgan County facility.

**96-9** Owens Oil Company v. EPA- The Board granted voluntary dismissal of this underground storage tank fund reimbursement determination appeal involving a Greene County facility.

**96-37** Denny's Phillips 66 v. EPA- The Board granted voluntary dismissal of this underground storage tank fund reimbursement determination appeal involving a Bond County facility.

**96-176** Steve's Mobil Service v. EPA- The Board granted voluntary withdrawal of this underground storage tank appeal involving a Morgan County facility.

**96-177** Royer Oil Company v. EPA- The Board granted voluntary dismissal of this underground storage tank fund reimbursement determination appeal involving a Bond County facility.

**96-178** Alexander/Franklin Community Unit School District #1 v. EPA - The Board granted voluntary dismissal of this underground storage tank fund reimbursement determination appeal involving a Morgan County facility.

**96-225** Dalee Oil Company v. EPA- The Board granted voluntary dismissal of this underground storage tank fund reimbursement determination appeal involving a St. Clair County facility.

**96-238** Citizens United For A Responsible Environment v. Browning-Ferris Industries of Illinois, Inc. and the Village Board of the Village of Davis Junction, Illinois The Board affirmed the local siting approval granted this

proposed Ogle County pollution control facility (landfill). Board Member J. Theodore Meyer concurred.

**96-243** Residents Against A Polluted Environment and the Edmund B. Thornton Foundation v. County of LaSalle & Landcomp Corporation- The Board vacated the local siting approval granting this proposed LaSalle County pollution control facility (landfill) and remanded the petition to the unit of local government with instructions. Board Member J. Theodore Meyer dissented.

**96-246** City of DeKalb v. EPA- The Board granted this DeKalb County facility a variance, subject to conditions, from the standards of issuance and restricted status provisions of the public water supplies regulations, as those regulations relate to the radium content of the petitioner's drinking water. Board Member R. C. Flemal abstained.

**97-28** Village of Lynwood v. Cook County Board of Commissioners and J.T. Einodes Company - The Board involuntarily dismissed this pollution control facility siting approval appeal involving a Cook County facility, finding that the action appealed was a zoning action beyond the Board's jurisdiction and not subject to Board review.

**97-44** Wayne County Regional Landfill v. EPA- The Board dismissed this docket reserved on a request for an extension of time to file a land permit appeal as unnecessary because the Board previously granted such an extension for the same subject matter in another docket, PCB 97-47.

**AC 97-10** County of Will v. Land and Lakes/Willow Ranch The Board granted voluntary withdrawal of this administrative citation against a Will County facility.

## **NEW CASES 9/5/96**

**97-1** Lawrence Cadillac v. EPA - Having previously granted an extension of time to file, and having received a timely-filed petition, the Board accepted this underground storage tank fund reimbursement determination appeal involving a Cook County facility for hearing.

**97-33** People of the State of Illinois v. Archer Daniels Midland - The Board received this water enforcement action against a Peoria County facility for hearing.

**97-34** Prairie Preservation Properties, Inc. v. EPA- The Board accepted this request for 90-day extension of time

to file a land permit appeal on behalf of a Cook County facility.

**97-35** Illinois Power Company (Unit 1-Baldwin Power Station) v. EPA - The Board accepted this air permit appeal involving a Randolph County facility for hearing. (Consolidated with PCB 97-36.)

**97-36** Illinois Power Company (Unit 2-Baldwin Power Station) v. EPA - The Board accepted this air permit appeal involving a Randolph County facility for hearing. (Consolidated with PCB 97-35.)

**97-37** People of the State of Illinois v. Touhy Mobile Homes Park, Inc. - Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this water enforcement action against a Cook County facility, the Board ordered publication of the required newspaper notice.

**97-38** People of the State of Illinois v. Amsted Industries, Inc., d/b/a Griffin Wheel Company; L.E. Swiderski, d/b/a Griffin Wheel Company; L. E. Swiderski, d/b/a Griffin Wheel Company, Hellman Trucking Company, Inc., and Horsehead Resource Development Company, Inc., Central Illinois Public Service Company- The Board received this land, special waste, and RCRA enforcement action against a Cook County facility for hearing.

**97-39** City of Moline v. EPA - The Board held this petition for a variance for a Rock Island County facility from certain excess infiltration, combined sewer overflow, and wet weather flow primary treatment requirements of the water pollution control regulations for the Agency recommendation.

**97-40** People of the State of Illinois v. James R. Womack, d/b/a Womack Brothers Excavating- The Board received this land enforcement action against a St. Clair County facility for hearing.

**97-41** Cabot Corporation v. EPA - The Board accepted a request for an extension of time to file a land permit appeal on behalf of a Douglas County facility.

**97-42** Cabot Corporation v. EPA - The Board accepted a request for an extension of time to file a RCRA permit appeal on behalf of a Douglas County facility.

**97-43** People of the State of Illinois v. The Estate of Walter A. Brandy's formerly d/b/a A & D Auto Service, Barbara A. (Brandy's) Mandal, Christine m. (Brandy's) Douglas, Robert A. Brandy's and Vincent W. Brandy's, Sr. - The Board received this water and RCRA

enforcement action against a Cook County facility for hearing.

**97-44** Wayne County Regional Landfill v. EPA- The Board accepted a request for an extension of time to file a land permit appeal on behalf of a Wayne County facility.

**97-45** Village of Fayetteville v. EPA- *See Final Actions*

**97-46** Village of Romeoville v. EPA - *See Final Actions*

**97-47** Daub Landfill, Inc. v. EPA - The Board accepted a request for an extension of time to file a land permit appeal on behalf of a Wayne County facility.

**AS 97-3** In the Matter: of: Shell Wood River Refining petition for an Adjusted Standard from 35 Ill. Adm. Code Parts 725.213 and 725.321 - The Board received this petition for an adjusted standard for a Madison County facility from certain closure time and surface impoundment design and operating requirements of the land pollution control (RCRA Subtitle C hazardous waste) regulations interim status treatment storage and disposal facilities and held it pending receipt of publication.

**AS 97-4** In the Matter: of: Ensign-Bickford Company petition for an Adjusted Standard from 35 Ill. Adm. Code Part 703.183 - The Board received this petition for an adjusted standard for a Union County facility from certain permit application requirements of the land pollution control (RCRA Subtitle C hazardous waste) regulations and held it pending receipt of publication.

**AC 97-7** EPA v. RCS, Inc. and Michael Duvall - The Board received an administrative citation against Jersey County respondents.

**AC 97-8** County of Will v. Mark Henke and Gene Suprenant - The Board received an administrative citation against Will County respondents.

**AC 97-9** County of Will v. American Fly Ash- The Board received an administrative citation against a Will County respondent.

**AC 97-10** County of Will v. Land and Lakes- The Board received an administrative citation against a Will County respondent.

**AC 97-11** County of Will v. Kenric Hwang - The Board received an administrative citation against a Will County respondent.

**AC 97-12** County of Will v. Bob Linkowski- The Board received an administrative citation against a Will County respondent.

**AC 97-13** County of DuPage v. Saleem M. Choudhry - The Board received an administrative citation against a DuPage County respondent.

**AC 97-14** EPA v. Envirofil of Illinois, Inc. - The Board received an administrative citation against a McDonough County respondent.

**AC 97-15** EPA v. ESG Watts, Inc. - The Board received an administrative citation against a Rock Island County respondent.

**AC 97-16** County of Will v. David Stokes- The Board received an administrative citation against a Will County respondent.

**AC 97-17** County of Will v. Mitch Pinnick - The Board received an administrative citation against a Will County respondent.

## **NEW CASES 9/19/96**

**97-48** People of the State of Illinois v. Sentry Asbestos Abatement Company, Inc.- The Board received this air enforcement action against a Vermilion County facility for hearing.

**97-49** People of the State of Illinois v. K & B Wrecking, Ltd. - The Board received this air enforcement action against a Cook County facility for hearing.

**97-50** Lionel P. Trepanier, Daniel Miller, Wes Wager, Maureen Cole, Lorenz Joseph, Maxworks Garden Cooperative, Avi Pandya v. The Board of Trustees of the University of Illinois at Chicago, other unknown Owners, and Speedway Wrecking Company The Board held this citizen's air enforcement action against a Cook County facility for a frivolous and duplicitous determination.

**97-51** City of West Chicago v. EPA The Board held this petition for a variance for a DuPage County facility from the restricted status and standards for issuance provisions of the public water supply regulations, as they relate to the combined radium content of the petitioner's water, for the Agency recommendation.

**97-52** People of the State of Illinois v. Mutual Asbestos Control Contractors, Inc. - The Board received this air enforcement action against a Cook County facility for hearing.

**97-53** People of the State of Illinois v. General Business Forms, Inc.- The Board received this air enforcement action against a Cook County facility for hearing.

**97-54** People of the State of Illinois v. Capital Engineering & Manufacturing Company- The Board received this air enforcement action against a Cook County facility for hearing.

**97-55** People of the State of Illinois v. Capital Engineering & Manufacturing Company- The Board received this RCRA enforcement action against a Lake County facility for hearing.

**AC 97-18** EPA v. Alice M. Hoffer and Margaret A. Gunther- The Board received an administrative citation against Tazewell County respondents.

**AC 97-19** EPA v. Kit Owens, d/b/a Metropolis Tire Store- The Board received an administrative citation against a Massac County respondent.

**AC 97-20** EPA v. William Decker- The Board received an administrative citation against a Livingston County respondent.

**AC 97-21** EPA v. John Sexton Sand & Gravel Corporation - The Board received an administrative citation against a Cook County respondent.

**AC 97-22** EPA v. Citiwaste, Inc., and Allied Waste Industries - The Board received an administrative citation against a Will County respondent.

**AS 97-2** In the Matter of: Chemetco, Inc. petition for an Adjusted Standard from 35 Ill. Adm. Code Part 720.131(a) & (c) The Board accepted this petition for an adjusted standard for a Madison County facility from certain of the RCRA Subtitle C (hazardous waste) requirements of the land pollution control regulations (solid waste determination) for hearing.

**R97-10** In the Matter of: Regulation of Petroleum Leaking Underground Storage Tanks (35 Ill. Adm. Code 732) - The Board accepted an Agency proposal to amend the existing underground storage tank (UST) regulations as required by P.A. 89-457 for hearing. *See Rulemaking Update.*

**R97-11** In the Matter of: Site Redemption Program (Brownfields) 35 Ill. Adm. Code 740- The Board accepted an Agency proposal to add a new Part 740 to our rules establishing procedures for site remediation programs (also known as “Brownfields”) as required by P.A. 89-431, for hearing. *See Rulemaking Update.*

**R97-12** In the Matter of: Tiered Approach to Corrective Action (T.A.C.O.), 35 Ill. Adm. Code 742 - The Board accepted an Agency’s Proposal to add a new Part 742 to the land pollution control regulations that would establish a tiered approach to corrective action objectives (also known as “TACO”) for hearing, as required by P.A. 89-431. *See Rulemaking Update.*

## **CALENDAR OF HEARINGS**

All hearings held by the Board are open to the public. Times and locations are subject to cancellation and rescheduling without notice. Confirmation of hearing dates and times is available by calling the Clerk of the Board at 312- 814-6931.

<b>Date &amp; Time</b>	<b>Case # &amp; Type</b>	<b>Case Name and Location</b>
30-Oct-96 10:00 A.M.	R96-18 PWS, Rule	<u>Amendments to 35 Ill. Adm. Code Subtitle F (Parts 601 through 620)</u> - 201 Municipal Center West, 7 <sup>th</sup> and Monroe Streets, Council Chambers, 3 <sup>d</sup> Floor, Springfield, Illinois
6-Nov-96 10:00 A.M.	AC 96-057 AC	<u>County of Jackson v. Southern Illinois Regional Landfill</u> -Jackson County Courthouse, Jury Assembly Room, First Floor, Murphysboro, Illinois
6-Nov-96 02:00 P.M.	AC 96-058 AC	<u>County of Jackson v. Gary Easton</u> -Jackson County Courthouse, Jury Assembly Room, First Floor, Murphysboro, Illinois
18-Nov-96 10:00 A.M.	R97-010 R, Land	<u>In the Matter of: Regulation of Petroleum Leaking Underground Storage Tanks (35 Ill. Adm. Code 732)</u> --James R. Thompson Center, Room 9-040, 100 West Randolph Street, Chicago, Illinois
20-Nov-96 01:30 P.M.	R96-016 R, Air	<u>In the Matter of: Exemptions from the Definition of VOM, USEPA Amendments (Perchloroethylene)</u> --James R. Thompson Center, Suite 11-500, 100 West Randolph Street, Chicago, Illinois

21-Nov-96 10:00 A.M.	PCB 96-047 A-E, Citizens	Joseph Bogacz v. Commonwealth Edison-Lake Zurich Village Hall, Council Chambers, Lower Level, 70 East Main St., Lake Zurich, Illinois
25-Nov-96 10:00 A.M.	R97-011 R, Land	In the Matter of: Site Remediation Program (Brownfields) 35 Ill. Adm. Code 740- James R. Thompson Center, Room 9-040, 100 West Randolph Street, Chicago, Illinois
26-Nov-96 10:00 A.M.	R97-011 R, Land	In the Matter of: Site Remediation Program (Brownfields) 35 Ill. Adm. Code 740- James R. Thompson Center, Room 9-040, 100 West Randolph Street, Chicago, Illinois
2-Dec-96 10:00 A.M.	R97-012 R, Land	In the Matter of: Tierd Approach to Corrective Action (T.A.C.O.) 35 Ill. Adm. Code 742-- James R. Thompson Center, Room 9-040, 100 West Randolph Street, Chicago, Illinois
3-Dec-96 10:00 A.M.	R97-012 R, Land	In the Matter of: Tierd Approach to Corrective Action (T.A.C.O.) 35 Ill. Adm. Code 742-- James R. Thompson Center, Room 9-040, 100 West Randolph Street, Chicago, Illinois
9-Dec-96 10:00 A.M.	R97-010 R, Land	In the Matter of: Regulation of Petroleum Leaking Underground Storage Tanks (35 Ill. Adm. Code 732)--William Stratton Office Building, Room A-1, Springfield, Illinois
17-Dec-96 01:00 P.M.	R97-011 R, Land	In the Matter of: Site Remediation Program (Brownfields) 35 Ill. Adm. Code 740- 300 South Second Street, Rooms 403/404, Springfield, Illinois
18-Dec-96 09:00 A.M.	R97-011 R, Land	In the Matter of: Site Remediation Program (Brownfields) 35 Ill. Adm. Code 740- 201 Municipal Center West, 7 <sup>th</sup> and Monroe Streets, Council Chambers, 3 <sup>d</sup> Floor, Springfield, Illinois

**Calendar Code**

3d P	Third Party Action	A-C	Administrative Citation
A-E	Air Enforcement	A-S	Adjusted Standard
A-V	Air Variance	CSO	Combined Sewer Overflow Exception
GW	Groundwater	HW Delist	RCRA Hazardous Waste Delisting
L-E	Land Enforcement	L-S-R	Landfill Siting Review
L-V	Land Variance	MW	Medical Waste (Biological Materials)
N-E	Noise Enforcement	N-V	Noise Variance
P-A	Permit Appeal	PWS-E	Public Water Supply Enforcement
PWS-V	Public Water Supply Variance	R	Regulatory Proceeding
RCRA	Resource Conservation and Recovery Act proceeding (hazardous waste only)	SO <sub>2</sub>	SO <sub>2</sub> Alternative Standards (35 ILL. ADM. CODE 302.211(f))
SWH-E	Special Waste Hauling Enforcement	SWH-V	Special Waste Hauling Variance
T	Thermal Demonstration Rule	T-C	Tax Certifications
T-S	Trade Secrets	UST-Appeal	Underground Storage Tank Corrective Action Appeal
UST-E	Underground Storage Tank Enforcement	UST-FRD	Underground Storage Tank Fund Reimbursement Determination
W-E	Water Enforcement	W-V	Water Variance
WWS	Water-Well Setback Exception		

Illinois Environmental Protection Agency

Division of Public Water Supplies

Restricted Status List -- Public Water Supplies

The Restricted Status List was developed to give additional notification to officials of public water supplies which are in violation of 35 Ill. Adm. Code, Subtitle F: Public Water Supplies, Chapter I or the Illinois Environmental Protection Act.

The Restricted Status List will include all Public Water Supplies for which the Agency has information indicating a violation of any of the following requirements: Finished water quality requirements of 35 Ill. Adm. Code, Part 604, Subparts B and C; maintenance of adequate pressure on all parts of the distribution system under all conditions of demand; meeting raw water quantity requirements of 35 Ill. Adm. Code 604.502; or maintenance of treatment facilities capable of providing water "assuredly adequate in quantity" as required by Section 18 of the Illinois Environmental Protection Act.

A public water supply on the Restricted Status List will not be issued permits for water main extensions, except for certain limited situations, or unless the supply has been granted a variance from the Illinois Pollution Control Board for the violation, or from permit issuance requirements of Section 39 of the Act.

This list is continually being revised as new information becomes available, and therefore, specific inquiries as to the status of any public water supply should be directed to the Division of Public Water Supplies for final determination. This list reflects the status as of October 1, 1996.

- \* Indicates public water supplies which have been added to the list since the previous publication.
- \*\* Indicates actions are being taken by officials to bring the public water supply into compliance.

RDS:sp/0046g/2

Illinois Environmental Protection Agency  
 Division of Public Water Supplies  
 Restricted Status List -- Public Water Supplies  
 October, 1996

NAME OF PUBLIC WATER SUPPLY/COUNTY/FACILITY NO.	RGN	NATURE OF PROBLEM	POP. SERVED	LISTING DATE
Acorn Acres Sbdv (Lake Co. - 0975020)	2	Inadequate Pres. Tank	250	12/16/83
Alden Long Grove Nursing Center (Lake Co. - 0971090)	2	Inadequate Pres. Tank	204	06/15/93
Ashley (Washington Co. - 1890100)	6	Trihalomethane	825	06/15/92
Bahl Wtr/Pioneer Acres (JoDaviess Co. - 0855200)	1	Inad. Pres. Storage	700	12/15/93
Bardolph (McDonough - 1090050)	5	Trihalomethane	299	03/15/95
Bartmann Health Care Center (Logan Co. - 1075169)	5	Inadequate Pres. Tank	93	12/16/83
Belmont-Highwood PWD (DuPage Co. - 0435180)	2	Trichloroethylene	498	09/16/93
* Benld (Macoupin Co. - 1170050)	5	Atrazine	1,634	09/16/96
Beverly Mnr Cntrl Imp Assn (Tazewell Co. - 1795120)	5	Inadequate Pres. Tank	525	03/17/89
Beverly Mnr-Grant (Tazewell Co. - 1795100)	5	Inadequate Pres. Tank	610	03/20/81
Biggsville (Henderson Co. - 0710050)	5	Radium & Radiological	400	03/17/86
Blue & Gold Homeowners Assn (Winnebago Co. - 2015250)	1	Inadequate Press. Tank & Source of Supply	170	06/17/83
Blue Mound (Macon Co. - 1150100)	4	Nitrate	1,350	09/15/95
Bluff Lake Lodges, Inc (Lake Co. - 0970240)	2	Inad. Pres. Storage	25-200	12/15/93
Bonnie Lane Wtr (Kendall Co. - 0930010)	2	Inadequate Pres. Tank	49	09/16/93
Bradford (Stark Co. - 1750050)	1	Radium	920	03/17/86
Bradley Heights Sbdv (Winnebago Co. - 2015050)	1	Inadequate Pres. Tank	192	09/13/85
Breezeway Sbdv (Tazewell Co. - 1795150)	5	Inadequate Pres. Tank	175	09/17/82
Briar Garden Apts (Winnebago Co. - 2015190)	1	Inadequate Pres. Tank	60	12/17/82
Briarcrest Sbdv Hmownrs Assn (Lake Co. - 0971060)	2	Radium	120	12/16/92
Broadview Academy (Kane Co. - 0895149)	2	Radium	304	09/19/86
Brookview Sbdv (Peoria Co. - 1435100)	5	Nitrate	300	09/16/93
Bryant (Fulton Co. - 0570200)	5	Radium & Radiological	310	03/15/95
Buck Lake Ests Sbdv (DeKalb Co. - 0375100)	1	Inadequate Pres. Tank	200	09/14/84
Buckingham (Kankakee Co. - 0910250)	2	Inadequate Pres. Tank	330	03/17/89
Byron Woods Subdiv. (Rock Island Co. - 1610070)	1	Arsenic	75	06/17/96
* Cahokia (St. Clair Co. - 1630200)	6	Trihalomethane	4,212	09/16/96
Campus (Livingston Co. - 1050050)	4	Inadequate Pres. Tank	230	03/20/81
* Carbon Hill (Grundy Co. - 0630100)	2	Radium & Radiological	400	08/28/96

Carroll Hts Utl Cmpny (Carroll Co. - 0155200)	1	Inadequate Pres. Tank	80	03/20/81
Century Pines Apts (Carroll Co. - 0150020)	1	Inadequate Pres. Tank	50	12/14/90
Cherry Vale East Apts (Winnebago Co. - 2015470)	1	Inadequate Pres. Tank	180	01/14/82
Cherry View Apts (Winnebago Co. - 2015278)	1	Inadequate Pres. Tank	60	06/17/83
Claremont Hills Subdiv. (McHenry Co. - 1115080)	2	Inadequate Pres. Tank	330	03/15/96
Clarendon Wtr Cmpny (DuPage Co. - 0435300)	2	Inadequate Pres. Tank	1,953	03/20/81
Clearview Sbdv (Will Co. - 1975360)	2	Inadequate Pres. Tank	420	01/13/82
Coalton (Montgomery Co. - 1350100)	5	Low System Pressure & Trichloroethylene	325	03/20/81
Coffeen (Montgomery Co. - 1350150)	5	Trihalomethane	800	03/17/92
Community Srvc Corp (McHenry Co. - 1115350)	2	Inadequate Pres. Tank	750	09/16/83
* Coulterville (Randolph Co. - 1570150)	6	Trihalomethane	1,100	09/16/96
Country Club Mnr Well 1 (Rock Island Co. - 1617286)	1	Inadequate Pres. Tank	32	01/14/82
Croppers 2nd & 3rd Addn (Rock Island Co. - 1615200)	1	Inadequate Pres. Tank	29	12/16/83
Cropsey Cmnty Wtr (McLean Co. - 1135150)	4	Inadequate Pres. Tank	60	03/20/81
Crystal Clear Wtr Cmpny (McHenry Co. - 1115150)	2	Inadequate Pres. Tank	900	09/16/88
Crystal Heights Assn (McHenry Co. - 1115150)	2	Inadequate Pres. Tank	93	06/17/96
Ctzns Lombard Heights Dvn (DuPage Co. - 0435700)	2	Inadequate Pres. Tank	980	12/17/82
D and R Apts (Champaign Co. - 0190030)	4	Inadequate Pres. Tank	26	09/16/93
Deering Oaks Sbdv (McHenry Co. - 1115200)	2	Inadequate Pres. Tank	60	12/17/82
DeKalb (DeKalb Co. - 0370100)	1	Radium	35,000	06/20/96
DeKalb Univ Dvl Corp (DeKalb Co. - 0375148)	1	Inadequate Pres. Tank	950	12/16/92
DePue (Bureau Co. - 0110300)	1	Radium	1,725	09/16/94
DeWitt Cnty Nursing Home (DeWitt Co. - 0395129)	4	Inadequate Pres. Tank	80	06/17/83
DL Well Owners Assn (Lake Co. - 0975380)	2	Inadequate Pres. Tank	125	03/18/83
* Dorchester (Macoupin Co. - 1170250)	5	Atrazine	480	09/16/96
Dover (Bureau Co. - 0110350)	1	Inadequate Pres. Tank	200	05/25/81
* Eagerville (Macoupin Co. - 1170300)	5	Atrazine	187	09/16/96
East Moreland Wtr Assn (Will Co. - 1975600)	2	Inadequate Pres. Tank	753	03/20/81
East Moreland Wtr Corp. (Will Co. - 1975640)	2	Inadequate Pres. Tank	135	03/15/96
Eberts 2nd Addn (Rock Island Co. - 1615280)	1	Inadequate Pressure Tank	35	09/15/89
Echo Lake Black IV Water Assn (Lake Co. - 0970130)	2	Inadequate Pres. Tank	50	06/15/88
Echo Lake Wtr Sys Block 7 (Lake Co. - 0975820)	2	Inadequate Pres. Tank	48	09/16/83
Elm Oak Mutual Wtr Sys (Lake Co. - 0975736)	2	Inadequate Pres. Tank & Radium	45	06/13/86
Emmett Utl Inc (McDonough Co. - 1095200)	5	Inadequate Pres. Tank	39	12/17/82
Evergreen Vlg Sbdv (Rock Island Co. - 1615310)	1	Inadequate Pres. Tank	250	03/20/81
Fahnstock Court Sbdv (Peoria Co. - 1435200)	5	Inadequate Pres. Tank	30	05/25/81
Fair Acres Sbdv (Will Co. - 1975680)	2	Inadequate Pres. Tank	185	10/19/81
Fairview (Fulton Co. - 0570450)	5	Radiological, Radium & Inadequate Pressure Tank	620	03/20/81
Farm Colony (Kendall Co. - 0935140)	2	Radium	25	03/17/86
Forest Lake Addn (Lake Co. - 0975500)	2	Inadequate Pres. Tank	180	12/16/83
Fox Lawn Utl Cmpny (Kendall Co. - 0935150)	2	Radium	240	03/17/86
Galena Knolls Sbdv (Peoria Co. - 1435300)	5	Nitrate	180	06/15/88
Garden Street Imprv Assn (Will Co. - 1975376)	2	Inadequate Pres. Tank	62	09/15/89
* Gillespe (Macoupin Co. - 1170400)	5	Atrazine	3,900	09/16/96
Glenkirk Campus North (Lake Co. - 0977189)	2	Inadequate Pres. Tank	64	06/15/88
Glenkirk Campus South (Lake Co. - 0977199)	2	Inadequate Pres. Tank	36	06/15/88
Good Shepherd Manor (Kankakee Co. - 0915189)	2	Inadequate Pres. Tank	140	03/17/89
Great Oaks & Beacon Hls Apts (Winnebago Co. - 2015488)	1	Inadequate Pres. Tank	943	12/17/82
Hawthorn Woods (Lake Co. - 0970450)	2	Inadequate Pres. Tank	800	03/15/95
Hazelwood 1st Addn Well 2 (Henry Co. - 0735446)	1	Inadequate Pres. Tank	32	09/17/82
Hazelwood 2nd Addn Well 2 (Henry Co. - 0735666)	1	Inadequate Pres. Tank	32	09/17/82
Hazelwood 2nd Addn Well 3 (Henry Co. - 0735686)	1	Inadequate Pres. Tank	32	09/17/82
Heatherfield Sbdv (Grundy Co. - 0635150)	2	Inadequate Pres. Tank	91	09/17/82
Hettick (Macoupin Co. - 1170500)	5	Atrazine	250	03/15/95
Hickory Hls Sbdv Assn 2 (Tazewell Co. - 1795396)	5	Inadequate Pres. Tank	30	06/14/85
Highland Lake Sbdv (Lake Co. - 0975750)	2	Inadequate Pres. Tank	294	03/20/81
Highland Sbdv (Kane Co. - 0895530)	2	Inadequate Pres. Tank	50	09/16/83
Hillview Sbdv (Will Co. - 1975800)	2	Inadequate Pres. Tank	99	03/15/85
Homeowners Assn of Four Lakes Subdiv. (LaSalle - 0995110)	1	Radium	5	09/19/88
Hopewell (Marshall Co. - 1235150)	1	Radiological	350	09/15/95
Huntley Cmnty Sbdv (Will Co. - 1975840)	2	Inadequate Pres. Tank	48	03/16/84
Ill. Prairie Est. Sbdv (LaSalle Co. - 0995300)	1	Radium	45	06/15/88

Ingalls Park Sbdv (Will Co. - 1975880)	2	Inadequate Pres. Tank	690	09/16/83
Island Lake Wtr Cmpny (Lake Co. - 0975080)	2	Iron	2,250	06/15/90
* Joy (mercer Co. - 1310100)	1	Inadequate Source	495	09/16/96
* Kaho (Macoupin Co. - 1170030)	5	Atrazine	847	09/16/96
* Kangley (LaSalle Co. - 0990250)	1	Radium	300	09/16/96
Kingston Mines (Peoria Co. - 1430450)	5	Radium & Radiological	350	03/17/86
Kinsman (Grundy Co. - 0630450)	2	Radium	150	03/17/86
Kirkwood (Warren Co. - 1870050)	5	Radium & Radiological	1,008	07/23/93
Ladd (Bureau Co. - 0110450)	1	Radium	1,350	10/04/85
Lake Lynwood Wtr Sys (Henry Co. - 0735330)	1	Inadequate Pres. Tank	98	08/31/81
Lakeview Sbdv (Whiteside Co. - 1955150)	1	Inadequate Pres. Tank	146	03/20/81
Lakewood Shores Imprv Assn (Will Co. - 1975930)	2	Radium	93	03/17/86
Lakewood Wtr Sys (Lake Co. - 0975400)	2	Inadequate Pres. Tank	49	12/16/83
Larchmont Sbdv (Winnebago Co. - 2015290)	1	Inadequate Pres. Tank	106	06/17/83
Larson Court Rentals (Rock Island Co. - 1615728)	1	Inadequate Pres. Tank	48	01/14/82
Legend Lakes Wtr Assn (Winnebago Co. - 2015300)	1	Inadequate Pres. Tank	225	03/14/91
Lemon Street Well Cmpny (Rock Island Co. - 1615550)	1	Inadequate Pres. Tank	470	03/20/81
Liberty Park Homeowners Assn (DuPage Co. - 0435600)	2	Inadequate Pres. Tank	1,092	09/17/92
Lindenwood Wtr Assn (Ogle Co. - 1415300)	1	Inadequate Pres. Tank	50	01/13/82
Lisbon North Inc (Grundy Co. - 0631000)	2	Inadequate Pres. Tank	30	09/14/90
Little York (Warren Co. - 1870100)	5	Radium & Radiological	356	12/16/91
London Mills - (Fulton County - 0574620)	5	Inadequate Pres. Tank	670	12/14/84
Lostant (LaSalle Co. - 0990450)	1	Radium	550	03/17/86
Lynn Cntr (Henry Co. - 0735100)	1	Inadequate Pres. Tank	147	03/15/95
Lynnwood Water Corp (LaSalle Co. - 0995336)	1	Inadequate Pres. Tank	114	03/18/83
M C L W Sys Inc (Mercer Co. - 1315150)	1	Inadequate Source	100	03/20/81
Maple Hill Imprv Assn (DuPage Co. - 0435800)	2	Inadequate Pres. Tank & Trichloroethylene	234	08/31/81
Maple Hill Nursing Ctr (Lake Co. - 0971090)	2	Inadequate Pres. Tank	204	06/15/93
Maple Leaf Ests Wtr Corp (Monroe Co. - 1335100)	6	Inadequate Pres. Tank	39	03/20/81
Mayfair Sbdv (Tazewell Co. - 1795750)	5	Inadequate Pres. Tank	150	03/16/90
Melrose Rental Apts (Kane Co. - 0895228)	2	Inadequate Pres. Tank	38	03/15/94
Metro Util.-Liberty Ridge (DuPage Co. - 0435650)	2	Inadequate Pres. Tank	2,510	03/15/94
Metro Utl Valley Dvn (Kendall Co. - 0935100)	2	Inadequate Pres. Tank	2,200	03/16/90
Moecherville Sbdv (Kane Co. - 0895300)	2	Inadequate Pres. Tank	1,120	03/20/81
Mound PWD (St. Clair Co. - 1635050)	6	Inadequate Plant Capacity	1,800	06/17/96
Mount Carroll (Carroll Co. - 0150200)	1	Radium	1,726	12/15/95
* Mount Clare (Macoupin Co. - 1170650)	5	Atrazine	297	09/16/96
Mount Gilead Shchrhm (Greene Co. - 0615129)	6	Inadequate Pres. Tank	28	09/16/83
Naplate (LaSalle Co. - 0990600)	1	Radium	560	03/15/96
Nauvoo (Hancock Co. - 0670500)	5	Trihalomethane	1,200	8/13/93
Neponset (Bureau Co - 0110700)	1	Radium & Radiological	640	09/14/90
Nokomis (Montgomery Co. - 1350450)	5	Trichloroethylene	2,908	09/15/95
Northern Hills Util. Co. (Stephenson Co. - 1775050)	1	Inadequate Pres. Tank	290	03/15/96
Northside Peterson Wifnd (DuPage Co. - 0435866)	2	Inadequate Pres. Tank	30	12/15/89
Northwest Belmont Imprv Assn (DuPage Co. - 0435900)	2	Inadequate Pres. Tank	115	09/29/81
Oak Ridge Sndst (Woodford Co. - 2035300)	1	Inadequate Pres. Tank	240	03/20/81
Oakhaven Sbdv (Tazewell Co. - 1795760)	5	Inadequate Pres. Tank	35	05/25/81
Oakview Avenue Wtrwks Inc (Will Co. - 1977210)	2	Inadequate Pres. Tank	350	03/20/81
Odell (Livingston Co. - 1050550)	4	Radium	1,100	03/17/86
Olivet Nazarene College (Kankakee Co. - 0915279)	2	Inadequate Pres. Tank	1,450	03/15/94
Ophiem PWS (Henry Co. - 0735150)	1	Inadequate Pres. Tank	150	06/18/82
Oscos Mutual Wtr Supply Cpy Inc (Henry Co. - 0735200)	1	Inadequate Pres. Tank	115	12/15/89
Park Crest Wtr Cmpny (Stephenson Co. - 1775100)	1	Inadequate Pres. Tank	1,200	09/14/84
Park Hill Ests Well 1 (Rock Island Co. - 1617806)	1	Inadequate Pres. Tank	32	06/18/82
Park Road Wtr Assn (Will Co. - 1977330)	2	Inadequate Pres. Tank	60	12/17/82
Park View Wtr Corp (Kane Co. - 0895500)	2	Inadequate Pres. Tank	150	12/17/82
Pleasant Village (Kane Co. - 0895228)	2	Inadequate Pres. Tank	N/A	06/18/82
Plum Creek Condos (Cook Co. - 0317080)	2	Radium	570	03/17/86
Polo Drive & Saddle Rd Sbdv (DuPage Co. - 0437000)	2	Inadequate Pres. Tank	95	12/17/82
Prairie Ridge Assn (McHenry Co. - 1115730)	2	Inadequate Pres. Tank	140	03/16/90
Prairie View Wtr Assn (Tazewell Co. - 1795900)	5	Inadequate Pres. Tank	55	03/20/81
Ransom (LaSalle Co. - 0990900)	1	Radium	450	03/17/86
Reddick (Kankakee Co. - 0914780)	2	Radium	208	09/16/93
Ridgecrest North Sbdv (Grundy Co. - 0635250)	2	Inadequate Pres Tank	85	09/16/93



Ridgewood Sbdv (Will Co. - 1977650)	2	Inadequate Pres. Tank	315	06/18/82
Rock Island Arsn (Rock Island Co. - 1615387)	1	Trihalomethane	9,000	06/15/92
Rockdale (Will Co. - 1970850)	2	Radium	1,500	03/17/86
Rome Farms #9 (Peoria Co. - 1435500)	5	Nitrate	200	09/15/95
RR 1 - Il Wtr Assn (Macoupin Co. - 1175260)	5	Trihalomethane	81	06/15/92
Salem Childrens Hm (Livingston Co. - 1055229)	4	Inadequate Pres. Tank	66	03/18/83
Save Site (St. Clair Co. - 1635289)	6	Trihalomethane	375	06/15/92
* Sawyerville (Macoupin Co. - 1170850)	5	Atrazine	570	09/16/96
Scribner Street Sbdv (Will Co. - 1977660)	2	Inadequate Pres. Tank	50	03/18/83
Shawnta Trc Wtr Assn (Will Co. - 1977690)	2	Inadequate Pres. Tank	125	09/17/92
Silvis Heights Wtr Corp (Rock Island Co. - 1615750)	1	Inadequate Pres. Tank	1,680	03/20/82
Skyview Sbdv (Kankakee Co. - 0915526)	2	Inadequate Pres. Tank	65	09/14/84
* Sorento (Bond Co. - 0050300)	6	Trihalomethane	750	09/16/96
South Wilmington (Grundy Co. - 0630650)	2	Radium	750	03/15/93
* Spring Creek Water Assn (Macoupin Co. - 1175450)	5	Atrazine	60	09/16/96
St. Charles Cmsn Wifnd 3 (DuPage Co. - 0437040)	2	Inadequate Pres. Tank	30	12/15/89
St. Charles Skyline Swr-Wtr Cpy (Kane Co. - 0895030)	2	Inadequate Pres. Tank	1,300	09/19/86
Standard (Putnam Co. -1550300)	1	Radium & Radiological	280	09/16/91
Steeleville (Randolph Co. - 1570650)	6	Radium	2,305	03/17/86
Sturm Sbdv (Lake Co. - 0977010)	2	Inadequate Pres. Tank	63	03/16/84
Suburban Heights Sbdv (Rock Island Co. - 1615800)	1	Inadequate Pres. Tank	114	12/16/83
Summit Homeowners Assn (Lake Co. - 0975280)	2	Inadequate Pres. Tank	48	03/16/84
Sunnyland Sbdv (Will Co. - 1977730)	2	Inadequate Pres. Tank	350	09/16/83
Swedona Wtr Assn (Mercer Co. - 1315200)	1	Inadequate Pres. Tank	100	06/15/90
Sylvan Lake 1st Sbdv (Lake Co. - 0977100)	2	Inadequate Pres. Tank	210	06/14/91
Table Grove (Fulton Co. - 0570900)	5	Radium	500	03/20/81
The Mill (Winnebago Co. - 2010040)	1	Inadequate Pres. Tank	90	12/16/94
Tindalls 3rd & 6th Addns (Rock Island Co. - 1617376)	1	Inadequate Pres. Tank	28	06/18/82
Towners Sbdv (Lake Co. - 0977250)	2	Inadequate Pres. Tank	238	01/14/82
Trivoli PWD (Peoria Co. - 1435510)	5	Inadequate Pres. Tank	350	06/17/83
Turkey Hollow Well Corp (Rock Island Co. - 1615686)	1	Inadequate Pres. Tank	32	06/18/82
Vet's Place Sbdv (Peoria Co. - 1435650)	5	Nitrate & Inadequate Pres. Tank	85	12/16/94
Wadsworth Oaks Sbdv (Lake Co. - 0977320)	2	Radium	80	09/19/86
Walk-Up Woods Wtr Cmpny (McHenry Co. - 1115800)	2	Inadequate Pres. Tank	763	12/17/82
Wermes Sbdv (Kane Co. - 0895750)	2	Inadequate Pres. Tank	150	12/16/88
West Chicago (DuPage Co. - 0430900)	2	Radium	14,796	06/20/96
West Shoreland Sbdv (Lake Co. - 0977050)	2	Inadequate Pres. Tank	220	06/14/91
Westfield (Clark Co. - 0230200)	4	Inadequate Water Source	700	06/15/93
Williamson (Madison Co. - 1191100)	6	Trihalomethane	350	06/15/92
* Wilsonville (Macoupin Co. - 1171200)	5	Atrazine	609	09/16/96
Wonder Lake Water Company (McHenry Co. - 1115750)	2	Inadequate Pres. Tank	1,161	06/16/94
Woodland Hts Ests Sbdv (Peoria Co. - 1435760)	5	Inadequate Pres. Tank	245	03/20/81
Woodsmoke Ranch Assn (LaSalle Co. - 0990030)	1	Inadeq. Pres. Tank & Radium	350	06/15/90
WSCO Dvl-Ridgewood (Rock Island Co. - 1615670)	1	Inadequate Pres. Tank	475	03/20/81
Yates City (Knox Co. - 0950700)	5	Radium, Inadequate Pres. Tank & Radiological	900	03/20/81
York Center Coop (DuPage Co. - 0437550)	2	Inadequate Pres. Tank	240	06/15/88
2nd Street Water Assn (Lake Co. - 0971140)	2	Inadequate Pres. Tank	33	12/15/95

Public Water Supplies Removed from Previous List

Bel-Air Sbdv (Will Co. - 1975130)  
 Camelot Water Company, Inc. (Peoria Co. - 1435450)  
 Carlinville (Macoupin Co. - 1170150)  
 Donnellson (Bond Co. - 0054360)  
 Edelstein Wtr Coop (Peoria Co. - 1435150)  
 Hickory Hls Sbdv Assn 1 (Tazewell Co. - 1795386)  
 Hillsboro (Montgomery Co. - 1350300)  
 Huntley (McHenry C. - 1110350)  
 Lake Williamson Christian Center (Macoupin Co. - 1175100)  
 Mission Brook Sndst (Cook Co. - 0315920)  
 Monmouth (Warren Co. - 1870150)  
 Oswego (Kendall Co. - 0930150)  
 Schram City (Montgomery Co. - 1350600)  
 Spring Valley (Bureau Co. - 0111000)

St. Peter (Fayette Co. - 0510300)  
 Taylor Springs (Montgomery Co. - 1350650)  
 Vermont (Fulton Co. - 0570950)

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

The Critical Review List was developed to give additional notification to officials of public water supplies which may be close to being in violation of 35 Ill. Adm. Code, Subtitle F: Public Water Supplies, Chapter I or the Illinois Environmental Protection Act.

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

This list is continually being revised as new information becomes available, and therefore, specific inquiries as to the status of any public water supply should be directed to the Division of Public Water Supplies for final determination. This list reflects the status as of October 1, 1996.

- \* Indicates public water supplies which have been added to the list since the previous publication.
- \*\* Indicates actions are being taken by officials to bring the public water supply into compliance.

RDS:sp/0046g/4

Illinois Environmental Protection Agency  
 Division of Public Water Supplies  
 Critical Review List -- Public Water Supplies  
 October, 1996

<u>NAME OF PUBLIC WATER SUPPLY/COUNTY/FACILITY NO.</u>	<u>RGN</u>	<u>NATURE OF PROBLEM</u>	<u>POP. SERVED</u>	<u>LISTING DATE</u>
Albers (Clinton Co. - 0270050)	6	Inadequate Plant Capacity	850	03/15/96
Baylis (Pike Co. - 1490100)	5	Source Capacity	300	09/13/85
Bluford (Jefferson Co. - 0810100)	7	Low System Pressure	465	03/20/81
Carlyle (Clinton Co. - 0270300)	6	Inadequate Treatment Plant	7,978	12/15/93
Clinton (DeWitt Co. - 0390050)	4	Inadequate Plant Capacity	7,437	06/14/91
DePue (Bureau Co. - 0110300)	1	Inadequate Treatment Plant	1,930	12/15/93
Dieterich (Effingham Co. - 0490150)	4	Inadequate Source	568	03/15/94
Edwardsville (Madison Co. - 1190250)	6	Inad. Treatment Plant	30,581	12/15/93
Evansville (Randolph Co. - 1570250)	6	Plant Capacity	1,838	05/25/81
Georgetown (Vermilion Co. - 1830350)	4	Inadequate Water Plant	3,678	06/15/93
Hardin (Calhoun Co. - 0130200)	6	Low System Pressure	1,175	11/25/81
Highland Hls Sndst (DuPage Co. - 0435560)	2	Inadequate Pressure Tank	1,100	09/17/92
Homer (Champaign Co. - 0190300)	4	Inadequate Source	1,300	03/15/94
Kincaid (Christian Co. - 0210250)	5	Plant Capacity	2,640	06/14/85
Lake Marian Wtr Corp (Kane Co. - 0895200)	2	Low System Pressure & Inadequate Pres. Storage	800	09/14/84
McHenry Shores Wtr Cmpny (McHenry Co. - 1115020)	2	Low System Pressure	1,170	09/17/92
Metro Utl Chickasaw Dvn (Will Co. - 1975320)	2	Low System Pressure	7,700	09/17/92
Patoka (Marion Co. - 1210400)	6	Inadequate Treatment Plant	820	12/15/93
Pearl (Pike Co. 1490650)	5	Inadequate Pres. Tank	322	09/17/82
Pecatonica (Winnebago Co. -2010250)	1	Low System Pressure	1,830	06/15/90
South Highway PWD (Jackson Co. - 0775400)	7	Low System Pressure	8,189	06/15/92
Stockton (Jo Daviess Co. - 0850450)	1	Low System Pressure	1,900	06/15/84
Sumner (Lawrence Co. - 1010300)	7	Low System Pressure	1,553	12/13/85
Taylor Springs (Montgomery Co. - 1350650)	5	Low System Pressure	650	02/20/81
Tower Ridge Sbdv (Rock Island Co. - 1615780)	1	Inadequate Pres. Tank	70	03/15/94

Walnut Hill (Marion Co. - 1210600)	6	Low System Pressure	1,200	06/14/85
West Liberty Dundas Wtr Dist (Richland Co. - 1595050)	7	Low System Pressure & Inadequate Source	693	12/14/84
Wonder Lake Wtr Cmpny (McHenry Co - 1115750)	2	Inadequate Storage	1,080	12/14/90

Public Water Supplies Removed from Previous List

Lewistown (Fulton Co. - 0570600)  
Millstadt (St. Clair Co. - 1630850)