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# Environmental Register

January 2004 - Number 595

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

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J. Philip Novak, Chairman

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# Letter from the Chairman

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Two new laws affecting the operation of the Pollution Control Board took effect on January 1, 2004. Members and staff are now implementing these new requirements in the Board's rulemaking and adjudicatory proceedings.

First, P.A. 93-523 (SB 1856) amends the Open Meetings Act, 5 ILCS 120/1 *et seq.*, by requiring a public body such as the Pollution Control Board to make a verbatim audio or video recording of closed meetings. Unless the Board determines that the recording no longer requires confidential treatment, the audio or video recording is not open to public inspection. The recording is also not subject to discovery in any administrative proceeding other than one brought to enforce the Open Meetings Act. In that instance, the court may examine the recording *in camera* to determine whether there has been a violation of the Act. The audio or video recording of the closed meeting may be destroyed no less than 18 months after the closed meeting only if the Board approves both the minutes of the meeting and the destruction of the recording. P.A. 93-523 does not change the requirement that the Board must keep written minutes of open meetings.



The Open Meetings Act reminds us that public bodies exist to perform the people's business and that the people have a right to be informed of those important matters. Those principles will guide the Board in all of its work.

Public Act 93-575 (SB 1379) changes the penalty provisions of the Environmental Protection Act. Specifically, the Board must ensure that civil penalties are at least as great as any economic benefit of the violation, unless that penalty would result in arbitrary or unreasonable financial hardship. The economic benefit must be determined by the lowest cost alternative for achieving compliance with the Act. P.A. 93-575 further provides that civil penalties may be offset in whole or in part by a supplemental environmental project. Qualifying projects must be environmentally beneficial, and their performance cannot be otherwise legally required. Also, P.A. 93-575 allows "voluntary self-disclosure" to the Environmental Protection Agency if the Agency had been unaware of a violation. Upon satisfying a nine-part test determining whether self-disclosure is voluntary, the respondent is entitled to a 100% reduction of the portion of their penalty that is not based on the economic benefit of non-compliance. Finally, P.A. 93-575 also changes the issuance of permits by the Environmental Protection Agency to allow consideration of prior adjudications of noncompliance.

When considering any civil penalty, the Board will judiciously apply both existing law and these new provisions to protect and improve the quality of Illinois' natural environment.

Sincerely,

A handwritten signature in black ink that reads "J. Philip Novak". The signature is written in a cursive, slightly slanted style.

J. Philip Novak  
Chairman

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## Federal Update

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### **United States Environmental Protection Agency Adopts Amendments Under the Clean Air Act to the Monitoring Requirements in the Standards of Performance for New Stationary Sources**

On January 12, 2004 (69 Fed. Reg. 1785), the United States Environmental Protection Agency (USEPA) promulgated Performance Specification 11 (PS-11): Specifications and Test Procedures for Particulate Matter Continuous Emission Monitoring Systems at Stationary Sources, and Procedure 2: Quality Assurance (QA) Requirements for Particulate Matter Continuous Emission Monitoring Systems at Stationary Sources. The PS-11 and QA Procedure 2 will apply to sources that are required under an applicable regulation to use particulate matter continuous emission monitoring systems (PM CEMS) to monitor PM continuously. The PS-11 and Procedure 2 will help to ensure that PM CEMS are installed and operated properly and produce good quality monitoring data on an ongoing basis.

The amendments are effective January 12, 2004.

For further information contact Mr. Daniel G. Bivins, Emission Measurement Center (D205-02), Emissions, Monitoring, and Analysis Division, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone number (919) 541-5244, e-mail address [bivins.dan@epa.gov](mailto:bivins.dan@epa.gov)

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

### **United States Environmental Protection Agency Proposes Amendments Under the Clean Air Act to the Interstate Air Quality Rule to Reduce Interstate Transport of Fine Particulate Matter and Ozone**

On January 30, 2004 (69 Fed. Reg. 4565), the United States Environmental Protection Agency (USEPA) proposed amendments to reduce interstate transport of fine particulate matter and ozone. The amendments to the interstate air quality rule are based on USEPA's proposed finding that 29 States and the District of Columbia contribute significantly to nonattainment of the national ambient air quality standards (NAAQS) for fine particles (PM<sub>2.5</sub>) and/or 8-hour ozone in downwind States.

USEPA is proposing to require upwind States to revise their State implementation plans (SIPs) to include control measures to reduce emissions of sulfur dioxide (SO<sub>2</sub>) and/or nitrogen oxides (NO<sub>x</sub>). Sulfur dioxide is a precursor to PM<sub>2.5</sub> formation, and NO<sub>x</sub> is a precursor to both ozone and PM<sub>2.5</sub> formation. Reducing upwind precursor emissions will assist the downwind PM<sub>2.5</sub> and 8-hour ozone nonattainment areas in achieving the NAAQS. Moreover, USEPA stated that attainment would be achieved in a more equitable, cost-effective manner than if each nonattainment area attempted to achieve attainment by implementing local emissions reductions alone.

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Based on State obligations to address interstate transport of pollutants under section 110(a)(2)(D) of the Clean Air Act, USEPA is proposing statewide emissions reduction requirements for SO<sub>2</sub> and NO<sub>x</sub>. The USEPA is proposing that the emissions reductions be implemented in two phases, with the first phase in 2010 and the second phase in 2015. The proposed emissions reduction requirements are based on controls that are known to be highly cost effective for electric generating units (EGUs). The proposed rules also discuss model multi-state cap and trade programs for SO<sub>2</sub> and NO<sub>x</sub> that states could choose to adopt to meet the proposed emissions reductions in a flexible and cost-effective manner. The USEPA intends to propose the model trading programs in a future supplemental action.

The comment period on this proposal ends on March 30, 2004. Comments must be postmarked by the last day of the comment period and sent directly to the Docket Office at: Air Docket, Environmental Protection Agency, Mail code: 6102T, 1200 Pennsylvania Ave., NW., Washington, DC 20460, Attention Docket ID No. OAR-2003-0053. Documents relevant to this action are available for public inspection at the EPA Docket Center, located at 1301 Constitution Avenue, NW., Room B102, Washington, DC between 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding legal holidays.

For further information contact Scott Mathias, U.S. EPA, Office of Air Quality Planning and Standards, Air Quality Strategies and Standards Division, C539-01, Research Triangle Park, NC, 27711, telephone (919) 541-5310, e-mail at [mathias.scott@epa.gov](mailto:mathias.scott@epa.gov).

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

## **Rule Update**

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### **Board Adopts Final Opinion and Order in Brownfields Site Restoration Program, Amendments to 35 Ill. Adm. Code 740 (R03-20)**

On January 22, 2004, the Board adopted a final opinion and order in Brownfields Site Restoration Program, Amendments to 35 Ill. Adm. Code 740 (R03-20). The Board did not make any substantive changes to the proposal it adopted for first notice on July 10, 2003 (published in the *Illinois Register* at 27 Ill. Reg. 11879 (July 25, 2003)). The adopted rulemaking will be sent to the Secretary of State’s Index department for publication in the *Illinois Register*, to become effective upon filing.

This rulemaking was initiated by a proposal filed on February 18, 2003 by the Illinois Environmental Protection Agency (IEPA) to establish procedures and standards for administering the Brownfields Site Restoration Program (BSRP). The adopted rules implement Section 58.15 of the Act, added by P. A. 92-715, effective July 23, 2002. As required, the Board timely adopted its second notice order on November 6, 2003, within 9 months of receipt of the IEPA’s proposal.

The adopted rules add a new Subpart I to the Board’s site remediation program rules at 35 Ill. Adm. Code Part 740. For BSRP reimbursement under the new Subpart I, Remediation Applicants (RA) must apply to both the IEPA and the Department of Commerce and Economic Opportunity (DCEO), and pay associated application fees totaling from \$2,000 to \$2,500 per site. The fee is \$1,000 per site for eligibility reviews conducted by the DCEO. The fee is \$1,000 fee per site per application for review of remediation costs conducted by the IEPA, and \$500 per site per preliminary review of the budget plan, also conducted by the IEPA.

Generally, to be eligible for reimbursement, an RA must have been issued a No Further Remediation (NFR) Letter under the Site Remediation Program, must have recorded the NFR Letter, and must not have materially caused or contributed to the contamination. The RA also must apply for and receive a DCEO letter: (1) determining that the RA is eligible for reimbursement because the site qualifies as either “abandoned property” or “underutilized property”; (2) setting forth the remediation’s “net economic benefit” to the State based on factors such as capital

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investment and job creation; and (3) providing the maximum amount the RA may be reimbursed. DCEO approval is required before any costs are incurred.

Reimbursement is subject to funds available in the Brownfields Redevelopment Fund for the BSRP each fiscal year, and funds are distributed based on the order applications for reimbursement are received. In addition, an RA cannot be reimbursed more than the lowest of the following: (1) \$750,000 in remediation costs at the site; (2) 20% of the capital investment at the site; or (3) the net economic benefit to the State of the remediation.

Under the BSRP, the IEPA must make a final determination within 60 days of receipt of a reimbursement application. Submittal of a budget plan automatically waives the remedial action plan deadlines for an additional 60 days. Furthermore, amendments to the application or the budget plan restart the IEPA's time for review. The DCEO will establish its own timeframe for making the eligibility determination.

The Board held hearings in this rulemaking on April 30, 2003, in Springfield and on May 14, 2003, in Chicago.

Copies of the Board's opinion and order in R03-20 may be obtained by calling Dorothy Gunn at 312-814-3620, or by downloading copies from the Board's Web site at [www.ipcb.state.il.us](http://www.ipcb.state.il.us).

For additional information contact Amy Antonioli at 312/814-3665; email address [antonioa@ipcb.state.il.us](mailto:antonioa@ipcb.state.il.us).

### **Board Adopts Final Opinion and Order in Wastewater Pretreatment Update, USEPA Amendments (January 1, 2003 through June 30, 2003) (R04-01)**

On January 22, 2004, the Board adopted a final opinion and order in Wastewater Pretreatment Update, USEPA Amendments (January 1, 2003 through June 30, 2003) (R04-01). The Board adopted amendments to its wastewater pretreatment regulations that are "identical-in-substance" to wastewater pretreatment regulations adopted by the United States Environmental Protection Agency (USEPA). These are rules adopted by the USEPA pursuant to sections 307(b), (c), and (d) and 402(b)(8) and (b)(9) of the Federal Water Pollution Control Act (FWPCA) (33 USC §§ 1317(b), (c), and (d) and 1342(b)(8) and (b)(9) (1994)). The Board made only minor, nonsubstantive changes to the proposal it adopted for public comment that was published in the *Illinois Register* on December 1, 2003 at 27 Ill. Reg. 17494 and 17808. The adopted rulemaking will be sent to the Secretary of State's Index department for publication in the *Illinois Register*, to become effective upon filing.

As explained in detail below, the substantive amendments involved in this proceeding include adding wastewater pretreatment portions of the USEPA regulations on concentrated animal feeding operation (CAFO) facilities, and amending the effluent limitations guidelines and standards applicable to the Pharmaceutical Manufacturing Point Source Category.

#### **Amended Standards for CAFO Facilities--Subpart M of Part 307**

The USEPA action of February 12, 2003 (68 Fed. Reg. 7176), is related to discharges from CAFO facilities. The primary emphasis of the CAFO rule is the control of water pollution from animal manure. The rules include animal confinement areas, manure containment facilities, land application of animal wastes, and stormwater runoff from facilities. In broad terms, the applicability of the CAFO rule is determined by a combination of facility size and the facility's capacity to discharge pollutants. USEPA divided the universe of animal feeding operations (AFOs) into three categories based on size. The number of animals that the facility manages determines the AFO size. A large AFO is designated by rule as a CAFO that is subject to regulation. A medium AFO is designated by rule as a CAFO that is subject to regulation if it discharges pollutants to waters of the United States. The USEPA (or an authorized State) may designate a small AFO as a CAFO that is subject to regulation based on its determination that the facility is a significant contributor of pollutants to waters of the United States in light of specified considerations.

Most of the substance of the federal CAFO rules is beyond the scope of the Board's identical in substance rulemaking authority, since only a small segment relates to wastewater pretreatment. Under 40 C.F.R. 412.3 (corresponding with 35 Ill. Adm. Code 307.2201(c)), any CAFO that discharges process wastewater into the

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collection system of a publicly owned treatment works (POTW) must comply with the general pretreatment standards of 40 C.F.R. 403 (corresponding with 35 Ill. Adm. Code 310). The only sub-category for which USEPA established specific pretreatment standards was subpart B of 40 C.F.R. 412 (corresponding with 35 Ill. Adm. Code 307.2202), applicable to new wet lot and dry lot duck CAFOs. That standard, however, is no more specific than to prohibit discharge of pollutants from these facilities into the waters of the United States, except runoff from a 25-year, 24-hour rainfall event.

### **Amended Standards for Subcategories of the Pharmaceutical Manufacturing Point Source Category-- Subpart BN of Part 307**

On March 13, 2003 (68 Fed. Reg. 12266), USEPA adopted a direct final rule that amended the effluent limitations guidelines and standards applicable to the Pharmaceutical Manufacturing Point Source Category. USEPA partially withdrew the March 13, 2003 direct final rule on June 11, 2003 (68 Fed. Reg. 34831). USEPA stated that the intent of the amendments was to clarify rules published on September 21, 1998 (at 63 Fed. Reg. 50424). The first clarification related to the effective date for the standards applicable to new sources. The second clarification was to establish an average 5-day biochemical oxygen demand (BOD<sub>5</sub>) limitation omitted from the 1998 rule. Finally, the amendments corrected an error in USEPA's pass-through analysis and deleted methyl cellosolve from the pretreatment standards. USEPA stated that its amendments also included a number of non-substantive editorial and format changes. The June 11, 2003 partial withdrawal related to the new source effective dates.

Copies of the Board's opinion and order in R04-01 may be obtained by calling Dorothy Gunn at 312-814-3620, or by downloading copies from the Board's Web site at [www.ipcb.state.il.us](http://www.ipcb.state.il.us).

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

### **Board Accepts Proposal for Hearing in Clean-Up Part III, Amendments to 35 Ill Adm. Code Part 211, 218, and 219 (R04-20), and Consolidates It For Hearing With Board Proposal for Public Comment in Technical Correction to Formulas in 35 Ill. Adm. Code 214 "Sulfur Limitations" (R04-20)**

On January 22, 2004, the Board accepted for hearing a January 6, 2004 Illinois Environmental Protection Agency (IEPA) proposal to amend Parts 211, 218, and 219 of the Board's air regulations. In the same order, the Board adopted a proposal for public comment to make technical corrections to formulas in Part 214.

To achieve administrative economies during the hearing process, the Board consolidated the R04-20 IEPA rulemaking proposal with the R04-12 Board-initiated rulemaking proposal. The IEPA R04-20 proposal, filed by the IEPA on January 6, 2004, was described by the IEPA as non-substantive corrections and updates; a "clean-up" that will reduce the burden of, and increase the flexibility in, demonstrating compliance. The proposal filed by IEPA focuses on volatile organic material (VOM) emissions in the Chicago ozone nonattainment area and Metro-East St. Louis ozone area, as designated under the federal Clean Air Act.

#### The Board R04-12 Proposal

R04-12 is a Board-initiated rulemaking proposal. The Board is proposing to correct technical errors in formulas that are in the Board's air pollution rules on sulfur limitations at 35 Ill. Adm. Code 214. The errors appear to have occurred when the Illinois Administrative Code was re-codified.

The Board found that consolidating R04-12 and R04-20 will promote efficiency without materially prejudicing any participants. First, the nature of the changes proposed in R04-12 is similar to that described by the IEPA for the changes proposed in R04-20. Second, both rulemakings propose amendments to the Board air pollution rules. Third, both rulemaking proceedings are of the same type under Sections 27 and 28 of the Environmental Protection Act (Act) (415 ILCS 5/27, 28 (2002)), neither being a Section 28.5 Clean Air Act "fast-track" rulemaking (415 ILCS 5/28.5 (2002)). Finally, both R04-12 and R04-20 are in the same procedural posture, neither having been to hearing or first notice publication in the *Illinois Register*.

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Copies of the Board's opinion and order in R04-20 may be obtained by calling Dorothy Gunn at 312-814-3620, or by downloading copies from the Board's Web site at [www.ipcb.state.il.us](http://www.ipcb.state.il.us).

For additional information contact Richard McGill at 312-814-6983; e-mail address [mcgillr@ipcb.state.il.us](mailto:mcgillr@ipcb.state.il.us)

### **Board Accepts Proposal for Hearing in Revisions to Radium Water Quality Standards: Proposed New 35 Ill. Adm. Code 302.307 and Amendments to 35 Ill. Adm. Code 302.207 and 302.525 (R04-21)**

On January 22, 2004, the Board accepted for hearing a January 13, 2004 proposal filed by the Illinois Environmental Protection Agency (IEPA). IEPA seeks to amend the Board's water quality standards for radium at 35 Ill. Adm. Code 302.

The proposed changes to Sections 302.207 and 302.525 eliminate the existing general use and Lake Michigan (respectively) water quality standards for radium 226, yet retain the existing radioactivity standards for gross beta particle activity and strontium 90. The proposed new Section 302.307 establishes a public and food processing water supply standard for radium 226 and 228 combined of 5 pCi/L. The IEPA states that these proposed amendments correspond to the United States Environmental Protection Agency's Maximum Contaminant Level for finished drinking water. This final drinking water standard became effective December 8, 2003 (National Primary Drinking Water Regulations; Radionuclide; Final Rule. 65 Fed. Reg. 76707 (Dec. 7, 2000)). The Board adopted these federal amendments in its identical in substance rulemaking SDWA Update, USEPA Amendments (July 1, 2000 through December 31, 2000) (R01-20) at 25 Ill. Reg. 13611, effective October 9, 2001.

The IEPA contends this proposal will primarily benefit publicly owned treatment works (POTWs) and public drinking water supplies and the people who drink the water they furnish.

Hearings will be held this spring.

Copies of the Board's opinion and order in R04-21 may be obtained by calling Dorothy Gunn at 312-814-3620, or by downloading copies from the Board's Web site at [www.ipcb.state.il.us](http://www.ipcb.state.il.us).

For additional information contact Amy Antonioli at 312/814-3665; email address [antonioa@ipcb.state.il.us](mailto:antonioa@ipcb.state.il.us).

### **Board Accepts Proposals and Consolidates Them for Hearing in Proposed Amendments to Regulations of Petroleum Leaking Underground Storage Tanks (35 Ill. Adm. Code 732) (R04-22) and Regulation of Petroleum Leaking Underground Storage Tanks (Proposed New 35 Ill. Adm. Code 734) (R04-23)**

On January 22, 2004, the Board accepted for hearing two separate January 13, 2004 proposals filed by the Illinois Environmental Protection Agency (IEPA). R04-22 seeks to amend the Board's petroleum leaking underground storage tanks rules at 35 Ill. Adm. Code 732, while R04-23 seeks to add a new Part at 35 Ill. Adm. Code 734. The Board consolidated the two proposals for hearing at the IEPA's request.

#### The R04-22 Proposal

The R04-22 proposed amendments to Part 732 would establish the corrective action measures that must be taken in response to a leak and procedures for seeking payment from the Underground Storage Tank Fund (UST Fund). The amendments to Part 732 also reflect changes from P.A. 92-0554, effective June 24, 2002 and 92-0735, effective July 25, 2003, which allow a Licensed Professional Geologist to certify certain information.

The proposed amendments seek to streamline the process in Part 732 for obtaining payment from the UST Fund. The IEPA has also proposed new Subpart H that contains maximum reimbursement amounts that can be paid for different activities performed in a release response. Some of the topics covered by this proposed Subpart H include: free product or groundwater removal, well installation and abandonment, soil removal and disposal, and professional consulting services.

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## The R04-23 Proposal

The IEPA's proposed new Part 734, which is applicable to releases reported after June 24, 2002, is largely identical to Part 732 except for changes enacted in P.A. 92-0554. Those exceptions include different corrective action requirements and increased caps on the total amount owners and operators can be paid from the UST Fund.

Hearings on the consolidated proposals will be scheduled soon.

Copies of the Board's opinion and order in R04-22/23 may be obtained by calling Dorothy Gunn at 312-814-3620, or by downloading copies from the Board's Web site at [www.ipcb.state.il.us](http://www.ipcb.state.il.us).

For additional information contact Marie Tipsord at 312/ 814-4925; email address [tipsordm@ipcb.state.il.us](mailto:tipsordm@ipcb.state.il.us).

## **Board Actions**

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**January 8, 2004**

**Via Teleconference**

**Chicago and Springfield, Illinois**

### **Administrative Citations**

- |          |   |     |
|----------|---|-----|
| AC 04-23 | <u>IEPA v. Roy Baur d/b/a Baur Trucking</u> – The Board found that this St. Clair County respondent violated Section 21(p)(1) and (p)(7) of the Act (415 ILCS 5/21(p)(1), (p)(7) (2002)), and ordered respondent to pay a civil penalty of \$3,000.       | 5-0 |
| AC 04-24 | <u>Ogle County v. Kenneth Gilland</u> – The Board found that this Ogle County respondent violated Section 21(p)(1), (p)(3), and (p)(7) of the Act (415 ILCS 5/21(p)(1), (p)(3), (p)(7) (2002)), and ordered respondent to pay a civil penalty of \$4,500. | 5-0 |
| AC 04-25 | <u>IEPA v. Colorado Real Estate &amp; Investment Company (Kingspark Mobile Estates)</u> – The Board accepted for hearing this petition for review of an administrative citation against this Peoria County respondent.                                    | 5-0 |

### **Decisions**

- |            |  |  |
|------------|--|--|
| PCB 01-167 | <u>People of the State of Illinois v. ESG Watts, Inc. (Taylor Ridge Landfill)</u> – In an interim order, the Board found that respondent violated Sections 9(a), 12(a), 21(d) and (o)(11) of the Act (415 ILCS 5/9(a), 5/21(d)(1), (o)(11) (2002)). The Board assessed a total civil penalty of one million dollars and ordered respondent to cease and desist from further violations. Complainant must file an affidavit in support of their request for attorney fees by February 12, 2004, and respondent may file a response to the affidavit within 14 days of the receipt of the affidavit of attorney fees. The Board will then issue a final order assessing fees and directing payment of the one million dollar penalty and cost. | 4-1<br>Johnson<br>dissented<br>A,L,W-E |
| PCB 03-20  | <u>People of the State of Illinois v. Acme Refining Scrap Iron and Metal Company</u>   | 5-0                                    |



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– In this water enforcement action concerning a Lake County facility, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c)(1) (2002)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$21,000 and to cease and desist from further violations. W-E

### Motions and Other Matters

PCB 98-148	<u>Briggs Industries, Inc. v. Loren West and Abingdon Salvage Company, Inc.</u> – The Board granted complainant’s motion to dismiss this citizen enforcement action involving a Knox County facility. This order closes the case.	5-0 L-E
PCB 01-7	<u>People of the State of Illinois v. QC Finishers, Inc.</u> – The Board denied respondent’s request for a ruling on motion to strike, for leave to file a reply and that the Board reopen its September 18, 2003 decision to address all timely filed pleadings. The Board granted respondent 21 days from service of the order to file a supplemental answer setting forth any affirmative defenses. Complainant has 21 days from service of the supplemental answer to file any responsive motion.	5-0 A-E
PCB 03-73	<u>People of the State of Illinois v. Riverdale Recycling, Inc. and Tri-State Disposal, Inc.</u> – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this land enforcement action involving a Cook County facility, the Board ordered publication of the required newspaper notice.	5-0 L-E
PCB 03-115	<u>David Haworth v. Coresaw Log &amp; Lumber, Inc.</u> – The Board granted complainant’s motion to dismiss this citizen enforcement action involving a Marshall County facility.	5-0 Citizens A&N-E
PCB 04-10	<u>Illinois State Toll Highway Authority (Belvidere North CACR) v. IEPA</u> – The Board granted petitioner’s motion to consolidate this underground storage tank appeal involving a Boone County facility with PCB 04-11.	5-0 UST Appeal
PCB 04-11	<u>Illinois State Toll Highway Authority (Belvidere North CAP) v. IEPA</u> – The Board granted petitioner’s motion to consolidate this underground storage tank appeal involving a Boone County facility with PCB 04-10.	5-0 UST Appeal
PCB 04-37	<u>Piasa Motor Fuels v. IEPA</u> – Having previously granted a request for a 90-day extension, the Board dismissed this matter because no underground storage tank appeal was filed on behalf of this Madison County facility.	5-0 UST Appeal
PCB 04-38	<u>Cooper Oil Company v. IEPA</u> – Having previously granted a request for a 90-day extension, the Board dismissed this matter because no underground storage tank appeal was filed on behalf of this Clay County facility.	5-0 UST Appeal

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PCB 04-39	<u>Kresser Motor Service, Inc. v. IEPA</u> – Having previously granted a request for a 90-day extension, the Board dismissed this matter because no underground storage tank appeal was filed on behalf of this LaSalle County facility.	5-0 UST Appeal
PCB 04-40	<u>Premcor Refining Group v. IEPA</u> – Having previously granted a request for a 90-day extension, the Board dismissed this matter because no underground storage tank appeal was filed on behalf of this Madison County facility.	5-0 UST Appeal
PCB 04-48	<u>Village of Robbins and Allied Waste Transportation, Inc. v. IEPA</u> – The Board accepted for hearing this permit appeal involving a Cook County facility.	5-0 P-A, Land
PCB 04-65	<u>Champion Laboratories, Inc. v. IEPA</u> – The Board granted petitioner’s motion to stay effectiveness of the CAAPP Permit pending decision of this appeal.	5-0 P-A, Air
PCB 04-99	<u>Simpson Auto Service v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a Madison County facility.	5-0 UST Appeal
PCB 04-102	<u>Noveon, Inc. v. IEPA</u> – The Board accepted for hearing this permit appeal involving a Marshall County facility. No action was taken on petitioner’s motion to stay effectiveness of CAAPP Permit.	5-0 P-A, Air
PCB 04-103	<u>Illinois State Toll Highway Authority (Des Plaines South) v. IEPA</u> – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Cook County facility.	5-0 UST Appeal 90-Day Ext.
PCB 04-104	<u>Detrex Corporation v. IEPA</u> – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Cook County facility.	5-0 UST Appeal 90-Day Ext.
PCB 04-105	<u>Webb &amp; Sons, Inc. v. IEPA</u> – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Coles County facility.	5-0 UST Appeal 90-Day Ext.
PCB 04-108	<u>Midwest Generation, L.L.C. – Collins Generating Station v. IEPA</u> – The Board accepted for hearing and granted petitioner’s motion to file reduced number of copies in this permit appeal involving a Marshall County facility. No action was taken on petitioner’s motion to stay effectiveness of CAAPP Permit.	5-0 P-A, Air
PCB 04-109	<u>R.W. Sheridan Oil Co., Inc. (High Priority Corrective Action Plan Budget) v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal	5-0

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	involving a McLean County facility.	UST Appeal
PCB 04-110	<u>Board of Trustees of Eastern Illinois University v. IEPA</u> – The Board accepted for hearing this permit appeal involving a Coles County facility. No action was taken on petitioner’s motion to stay effectiveness of CAAPP Permit.	5-0 P-A, Air
PCB 04-111	<u>City of Charleston, Illinois v. IEPA</u> – The Board accepted for hearing this request for variance on behalf of a Coles County facility.	5-0 PWS-V
PCB 04-112	<u>Swif-T Food Mart (IEPA letter dated 12/1/2003; 12/1/1995 – 11/20/2001) v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a Lake County facility.	5-0 UST Appeal
PCB 04-113	<u>Ethyl Petroleum Additives, Inc. v. IEPA</u> – The Board accepted for hearing this permit appeal involving a St. Clair County facility. No action was taken on petitioner’s motion to stay effectiveness of CAAPP Permit.	5-0 P-A, Air
PCB 04-114	<u>Archer Daniels Midland Company v. IEPA</u> – The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of this Peoria County facility.	5-0 P-A, Air 90-Day Ext.

### January 22, 2004 Chicago, Illinois

#### Rulemakings

R03-20	<u>In the Matter of: Brownfields Site Restoration Program; Amendments to 35 Ill. Adm. Code 740</u> – The Board adopted as final rules to establish procedures and standards for administering the new Brownfields Site Restoration Program.	5-0 R, Land
R04-1	<u>In the Matter of: Wastewater Pretreatment Update, USEPA Amendments (January 1, 2003 through June 30, 2003)</u> – The Board adopted as final rules in this “identical-in-substance” rulemaking to amend the Board’s water pollution control regulations.	5-0 R, Water
R04-20	<u>In the Matter of: Clean-Up Part III, Amendments to 35 Ill. Adm. Code Part 211, 218, and 219</u> – The Board accepted for hearing the Illinois Environmental Protection Agency’s January 6, 2004 proposal to amend the Board’s air pollution control regulations. On its own motion the Board consolidated this matter for hearing with R04-12, Technical Corrections to Formulas in 35 Ill. Adm. Code 214 "Sulfur Limitations," and adopted a proposal for public comment.	5-0 R, Air
R04-21	<u>In the Matter of: Revisions to Radium Water Quality Standards: Proposed New 35 Ill. Adm. Code 302.307 and Amendments to 35 Ill. Adm. Code 302.207 and</u>	5-0 R, Water

## Environmental Register – January 2004

302.525 – The Board accepted for hearing the Illinois Environmental Protection Agency’s January 13, 2004 proposal to amend the Board’s water quality standards regulations.

R04-22      In the Matter of: Proposed Amendments to Regulation of Petroleum Leaking Underground Storage Tanks (35 Ill. Adm. Code 732) – The Board accepted for hearing the Illinois Environmental Protection Agency’s (IEPA) January 13, 2004 proposal to amend the Board’s land pollution control regulations. As requested by the IEPA, the Board consolidated this matter with R04-23, In the Matter of: Regulation of Petroleum Leaking Underground Storage Tanks (Proposed New 35 Ill. Adm. Code 734).      5-0  
R, Land

R04-23      In the Matter of: Regulation of Petroleum Leaking Underground Storage Tanks (Proposed New 35 Ill. Adm. Code 734) – The Board accepted for hearing the Illinois Environmental Protection Agency’s (IEPA) January 13, 2004 proposal to amend the Board’s land pollution control regulations. As requested by the IEPA, the Board consolidated this matter with R04-22, In the Matter of: Proposed Amendments to Regulation of Petroleum Leaking Underground Storage Tanks (35 Ill. Adm. Code 732).      5-0  
R, Land

### Administrative Citations

AC 04-27      IEPA v. Douglas S. Carrico d/b/a Carrico’s Auto Heap – The Board accepted for hearing this petition for review of an administrative citation against this Greene County respondent.      5-0

### Decisions

PCB 02-1      People of the State of Illinois v. Stein Steel Mill Services, Inc. – In this air enforcement action concerning a Madison County facility, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c)(1) (2002)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$15,000 and to cease and desist from further violations.      5-0  
A-E

PCB 03-2      Todd’s Service Station v. IEPA – The Board affirmed the June 7, 2000 Illinois Environmental Protection Agency approval with modifications, of petitioner’s corrective action plan budget.      5-0  
UST Appeal

PCB 03-14      People of the State of Illinois v. Riba-Fairfield, Inc. – In this Resource Conservation and Recovery Act enforcement action concerning a Macon County facility, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c)(1) (2002)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$5,000 and to cease and desist from further violations.      5-0  
L-E

PCB 03-233      People of the State of Illinois v. Gerald Hewing d/b/a Hewing Technical Services – In this water enforcement action concerning a Shelby County facility, the Board granted relief from the hearing requirement of Section 31(c)(1) of the      5-0  
W-E

## Environmental Register – January 2004

Environmental Protection Act (415 ILCS 5/31(c)(1) (2002)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$2,000 and to cease and desist from further violations.

PCB 04-46	<u>People of the State of Illinois v. Marathon Ashland Pipeline L.L.C.</u> – In this air enforcement action concerning a Clark County facility, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c)(1) (2002)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$55,000 and to cease and desist from further violations.	5-0 A-E
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### Motions and Other Matters

PCB 98-80	<u>People of the State of Illinois v. Craig Linton an individual and Randy Rowe an individual</u> – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this land enforcement action involving a LaSalle County facility, the Board ordered publication of the required newspaper notice.	5-0 L-E
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PCB 99-163	<u>Homewood Disposal Service Company v. IEPA</u> – The Board granted petitioner’s motion for voluntary dismissal of this underground storage tank appeal involving a Cook County facility.	5-0 P-A, Land
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PCB 03-85	<u>Biggs Brothers Service v. IEPA</u> – The Board granted petitioner’s motion for voluntary dismissal of this underground storage tank appeal involving a Madison County facility.	5-0 UST Appeal
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PCB 03-96	<u>Martin E. and Kathy L. Geber v. Carrie Scharf Trucking and Materials, Carrie Scharf Materials Company, and East Side Materials, L.L.C.</u> – The Board granted the parties’ joint motion for dismissal of this citizen’s noise enforcement action involving a Tazewell County facility.	5-0 Citizens N-E
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PCB 03-182	<u>People of the State of Illinois v. Reilly Industries, Inc.</u> – The Board granted complainant’s motion to file first supplemental complaint and accepted the supplemental complaint.	5-0 RCRA-E Air and Water
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PCB 04-8	<u>People of the State of Illinois v. Greg Prey individually and d/b/a King Tire</u> – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this land enforcement action involving a LaSalle County facility, the Board ordered publication of the required newspaper notice.	5-0 Johnson L-E
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PCB 04-12	<u>Teresa L. Shepro, as Trustee of the Justice W. Shepro Trust, and Teresa L. Shepro and Frank Wiemerslage, as beneficiaries under Trust No. 898, of the Chicago Trust Company v. Newby Oil Company, David E. Tripp and Janice Tripp</u> – The Board struck the alleged violation of 35 Ill. Adm. Code Part 742 as	5-0 Citizens L&W-E
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## Environmental Register – January 2004

frivolous and accepted this matter involving a DeKalb County facility for hearing.

PCB 04-14	<u>McDonald’s Corporation v. IEPA</u> – The Board denied petitioner’s motion for summary judgment but granted the respondent’s motion, affirming the Illinois Environmental Protection Agency’s June 23, 2003 denial of reimbursement for \$31,515 in costs.	5-0 UST Appeal
PCB 04-33	<u>Byron Sandberg v. City of Kankakee, Illinois City Council and Town and Country Utilities, Inc. and Kankakee Regional Landfill, L.L.C.; Waste Management of Illinois v. City of Kankakee, Illinois City Council and Town and Country Utilities, Inc. and Kankakee Regional Landfill, L.L.C.; County of Kankakee, Illinois and Edward D. Smith, Kankakee County States Attorney v. City of Kankakee, Illinois City Council and Town and Country Utilities, Inc. and Kankakee Regional Landfill, L.L.C.</u> – The Board ordered petitioners Waste Management and the County of Kankakee (County) to pay the costs of preparing seven copies of the transcript and one original and nine copies of all other documents in the record with the Board. The Board also ordered Waste Management and the County to reimburse the City of Kankakee (City) for binding and numbering the pages of the record on appeal, as well as for delivery of the record to the Board. The Board deferred ruling on the City’s motion October 23, 2003 motion to waive the necessity of filing approximately 1,700 pounds of rock core samples and ordered the City to complete the record by February 1, 2004, by providing either: (1) citation to physical and quantitative descriptions of the rock core samples in the record; or (2) the actual rock core samples.	5-0 P-C-F-S-R 3d Party
PCB 04-51	<u>Illinois State Toll Highway Authority (Lincoln Oasis North) v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a Cook County facility.	5-0 UST Appeal
PCB 04-52	<u>Kramer’s Service Station v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a Vermilion County facility.	5-0 UST Appeal
PCB 04-66	<u>Premcor Refining Group v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a Madison County facility.	5-0 UST Appeal
PCB 04-68	<u>Martin Oil Marketing, Ltd. v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a Cook County facility.	5-0 UST Appeal
PCB 04-69	<u>Republic Bank of Chicago as Trustee of Trust #2234, Aristotle Halikias, Lena Halikias, Michael Halikias, Nikolas Halikias, Noula Halikias, and Patricia Halikias as beneficiaries of Trust #2234 v. Sunoco, Inc. (R&amp;M)</u> – The Board denied the motion to reconsider or clarify the Board’s December 4, 2003 order.	4-0 Melas abstained Citizens UST Appeal

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PCB 04-70	<u>Briarwood Country Club v. IEPA</u> – Having previously granted a request for a 90-day extension, the Board dismissed this matter because no underground storage tank appeal was filed on behalf of this Lake County facility.	5-0 UST Appeal
PCB 04-71	<u>Paul Phelan v. IEPA</u> – Having previously granted a request for a 90-day extension, the Board dismissed this matter because no underground storage tank appeal was filed on behalf of this Macoupin County facility.	5-0 UST Appeal
PCB 04-72	<u>Willaredt Oil Company v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a Macon County facility.	5-0 UST Appeal
PCB 04-75	<u>Mate Technologies, Inc. v. F.I.C. America Corporation</u> – The Board found that the alleged violations in the complaint were neither duplicative nor frivolous and accepted for hearing this matter involving a Cook County facility.	5-0 Citizens L-E
PCB 04-93	<u>Martin Oil Marketing, Ltd. v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a McLean County facility.	5-0 UST Appeal
PCB 04-98	<u>People of the State of Illinois v. Onyx Environmental Services L.L.C. and Aura II, Inc.</u> – The Board accepted for hearing this air, land and water enforcement action involving a site located in Lake County.	5-0 A, L&W-E
PCB 04-100	<u>People of the State of Illinois v. Marc Realty, Inc., 11 East Adams, L.L.C., and Roberts Environmental Control, Inc.</u> – The Board accepted for hearing this air enforcement action involving a site located in Cook County.	5-0 A-E
PCB 04-101	<u>People of the State of Illinois v. DuPage Machine Products, Inc.</u> – The Board accepted for hearing this air enforcement action involving a site located in DuPage County.	5-0 A-E
PCB 04-102	<u>Noveon, Inc. v. IEPA</u> – The Board granted petitioner’s motion to stay effectiveness of the CAAPP Permit pending decision of this appeal.	5-0 P-A, Air
PCB 04-106	<u>People of the State of Illinois v. Thomas Gray an individual, Steve Whyte an individual, Gladys Whyte an individual, Leona Childress an individual, and William McCoy an individual</u> – The Board accepted for hearing this air enforcement action involving a site located in Kankakee County.	5-0 L-E
PCB 04-107	<u>People of the State of Illinois v. Peter Babaniotis</u> - The Board accepted for hearing this land and water enforcement action involving a site located in Will County.	5-0 L&W-E

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PCB 04-108	<u>Midwest Generation, L.L.C. – Collins Generating Station v. IEPA</u> – The Board granted petitioner’s motion to stay effectiveness of the CAAPP Permit pending decision of this appeal.	5-0 P-A, Air
PCB 04-115	<u>General Electric Company d/b/a GE Plastics v. IEPA</u> – The Board accepted for hearing this permit appeal involving a LaSalle County facility. The Board granted attorneys Alphonse McMahon and Shannon S. Broome permission to appear <i>pro hac vice</i> on behalf of respondent.	5-0 P-A, Air
PCB 04-116	<u>Oasis Industries, Inc. v. IEPA</u> – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Kane County facility.	5-0 UST Appeal 90-Day Ext.
PCB 04-117	<u>Saline County Landfill, Inc. v. IEPA</u> – The Board accepted for hearing this permit appeal involving a Saline County facility.	5-0 P-A, Land
PCB 04-118	<u>AJ Oil Company v. IEPA</u> – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Peoria County facility.	5-0 UST Appeal 90-Day Ext.
PCB 04-119	<u>Illinois State Toll Highway Authority (Des Plaines South) v. IEPA</u> – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Cook County facility.	5-0 UST Appeal 90-Day Ext.
PCB 04-120	<u>Didier Greenhouses, Inc. v. IEPA</u> – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Winnebago County facility.	5-0 UST Appeal 90-Day Ext.
PCB 04-121	<u>Gregory M. and Nancy C. Leigh (Property Identification Number 06-05-26-200-002) v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Gregory M. and Nancy C. Leigh located in Fulton County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2002)).	5-0 T-C Water
PCB 04-122	<u>Bacon Hill Farm, Inc. (Property Identification Number 06-05-25-100-005)</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Bacon Hill Farm, Inc. located in Fulton County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS	5-0 T-C Water



## Environmental Register – January 2004

200/11-10 (2002)).

PCB 04-123	<u>Hammett Farms, Inc. (Property Identification Number 11-12-300-009 v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Hammett Farms, Inc. located in DeKalb County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2002)).	5-0 T-C Water
PCB 04-124	<u>Hilleson Farms, Inc. (Property Identification Number 21-12-10-300-001 v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Hilleson Farms, Inc. located in Lee County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2002)).	5-0 T-C Water
PCB 04-125	<u>David and Kathleen Helregel (Property Identification Number 75-20-19-100-008) v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of David and Kathleen Helregel located in Jasper County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2002)).	5-0 T-C Water
PCB 04-126	<u>Independence Pork, L.L.C. (Property Identification Number 17-11-400-002) v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Independence Pork, LLC located in DeKalb County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2002)).	5-0 T-C Water
PCB 04-127	<u>Wayne A. and Susan E. Bergbower (Property Identification Number 90-08-16-300-009) v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Wayne A. and Susan E. Bergbower located in Jasper County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2002)).	5-0 T-C Water

## New Cases

### January 8, 2004 Board Meeting

**04-098** People of the State of Illinois v. Onyx Environmental Services L.L.C. and Aura II, Inc. – No action taken.

**04-099** Simpson Auto Service v. IEPA – The Board accepted for hearing this underground storage tank appeal involving a Madison County facility.

**04-100** People of the State of Illinois v. Marc Realty, Inc., 11 East Adams, L.L.C., and Roberts Environmental Control, Inc. - No action taken.

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- 04-101** People of the State of Illinois v. DuPage Machine Products, Inc. – No action taken.
- 04-102** Noveon, Inc. v. IEPA – The Board accepted for hearing this permit appeal involving a Marshall County facility. No action was taken on petitioner’s motion to stay effectiveness of CAAPP Permit.
- 04-103** Illinois State Toll Highway Authority (Des Plaines South) v. IEPA – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Cook County facility.
- 04-104** Detrex Corporation v. IEPA – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Cook County facility.
- 04-105** Webb & Sons, Inc. v. IEPA – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Coles County facility.
- 04-106** People of the State of Illinois v. Thomas Gray an individual, Steve Whyte an individual, Gladys Whyte an individual, Leona Childress an individual, and William McCoy an individual – No action taken.
- 04-107** People of the State of Illinois v. Peter Babaniotis - No action taken.
- 04-108** Midwest Generation, L.L.C. – Collins Generating Station v. IEPA – The Board accepted for hearing and granted petitioner’s motion to file reduced number of copies in this permit appeal involving a Marshall County facility. No action was taken on petitioner’s motion to stay effectiveness of CAAPP Permit.
- 04-109** R.W. Sheridan Oil Co., Inc. (High Priority Corrective Action Plan Budget) v. IEPA – The Board accepted for hearing this underground storage tank appeal involving a McLean County facility.
- 04-110** Board of Trustees of Eastern Illinois University v. IEPA – The Board accepted for hearing this permit appeal involving a Coles County facility. No action was taken on petitioner’s motion to stay effectiveness of CAAPP Permit.
- 04-111** City of Charleston, Illinois v. IEPA – The Board accepted for hearing this request for variance on behalf of a Coles County facility.
- 04-112** Swif-T Food Mart (IEPA letter dated 12/1/2003; 12/1/1995 – 11/20/2001) v. IEPA – The Board accepted for hearing this underground storage tank appeal involving a Lake County facility.
- 04-113** Ethyl Petroleum Additives, Inc. v. IEPA – The Board accepted for hearing this permit appeal involving a St. Clair County facility. No action was taken on petitioner’s motion to stay effectiveness of CAAPP Permit.
- 04-114** Archer Daniels Midland Company v. IEPA – The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of this Peoria County facility.
- AC 04-029** IEPA v. Charles L. Parker – The Board accepted an administrative citation against this Logan County respondent.
- AC 04-030** IEPA v. Larry Lord – The Board accepted an administrative citation against this Marshall County respondent.
- AC 04-031** IEPA v. Equipping The Saints Ministry, International, Inc. – The Board accepted an administrative citation against this Macoupin County respondent.
- AC 04-032** IEPA v. Rosemary Pehm – The Board accepted an administrative citation against this Marshall County respondent.
- AC 04-033** IEPA v. Everett C. Glover Trust c/o Rebecca Cloney, Trustee – The Board accepted an administrative citation against this Montgomery County respondent.
- AC 04-034** IEPA v. Troy Williamson and Swords Vaneer and Lumber Company – The Board accepted an administrative citation against these Henry County respondents.
- R04-012** Technical Correction to Formulas in 35 Ill. Adm. Code 214 “Sulfur Limitations” – The Board reserved this docket for a future rulemaking to amend the Board’s air pollution control regulations.
- R04-013** SDWA Update, USEPA Amendments (July 1, 2003 through December 31, 2003) – The Board reserved this docket for a routine identical-in-substance update. The update includes any federal amendments which occurred during the period of July 1, 2003 through December 31, 2003

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**R04-014** UIC Update, USEPA Amendments (July 1, 2003 through December 31, 2003) – The Board reserved this docket for a routine identical-in-substance update. The update includes any federal amendments which occurred during the period of July 1, 2003 through December 31, 2003.

**R04-015** RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (July 1, 2003 through December 31, 2003) – The Board reserved this docket for a routine identical-in-substance update. The update includes any federal amendments which occurred during the period of July 1, 2003 through December 31, 2003.

**R04-016** RCRA Subtitle D (Municipal Solid Waste Landfill) Update, USEPA Amendments (July 1, 2003 through December 31, 2003) – The Board reserved this docket for a routine identical-in-substance update. The update includes any federal amendments which occurred during the period of July 1, 2003 through December 31, 2003.

**R04-017** UST Update, USEPA Amendments (July 1, 2003 through December 31, 2003) – The Board reserved this docket for a routine identical-in-substance update. The update includes any federal amendments which occurred during the period of July 1, 2003 through December 31, 2003.

**R04-018** Wastewater Pretreatment Update, USEPA Amendments (July 1, 2003 through December 31, 2003) – The Board reserved this docket for a routine identical-in-substance update. The update includes any federal amendments which occurred during the period of July 1, 2003 through December 31, 2003.

**R04-019** Definition of VOM Update, USEPA Amendments (July 1, 2003 through December 31, 2003) – The Board reserved this docket for a routine identical-in-substance update. The update includes any federal amendments which occurred during the period of July 1, 2003 through December 31, 2003.

### January 22, 2004 Board Meeting

**04-115** General Electric Company d/b/a GE Plastics v. IEPA – The Board accepted for hearing this permit appeal involving a LaSalle County facility. The Board granted attorneys Alphonse McMahon and Shannon S. Broome permission to appear *pro hac vice* on behalf of respondent.

**04-116** Oasis Industries, Inc. v. IEPA – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Kane County facility.

**04-117** Saline County Landfill, Inc. v. IEPA – The Board accepted for hearing this permit appeal involving a Saline County facility.

**04-118** AJ Oil Company v. IEPA – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Peoria County facility.

**04-119** Illinois State Toll Highway Authority (Des Plaines South) v. IEPA – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Cook County facility.

**04-120** Didier Greenhouses, Inc. v. IEPA – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Winnebago County facility.

**04-121** Gregory M. and Nancy C. Leigh (Property Identification Number 06-05-26-200-002) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency's recommendation, the Board found and certified that specified facilities of Gregory M. and Nancy C. Leigh located in Fulton County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2002)).

**04-122** Bacon Hill Farm, Inc. (Property Identification Number 06-05-25-100-005) – Upon receipt of the Illinois Environmental Protection Agency's recommendation, the Board found and certified that specified facilities of Bacon Hill Farm, Inc. located in Fulton County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2002)).

**04-123** Hammett Farms, Inc. (Property Identification Number 11-12-300-009 v. IEPA – Upon receipt of the Illinois Environmental Protection Agency's recommendation, the Board found and certified that specified facilities of Hammett Farms, Inc. located in DeKalb County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2002)).

**04-124** Hilleson Farms, Inc. (Property Identification Number 21-12-10-300-001 v. IEPA – Upon receipt of the Illinois Environmental Protection Agency's recommendation, the Board found and certified that specified facilities

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of Hilleson Farms, Inc. located in Lee County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2002)).

**04-125** David and Kathleen Helregel (Property Identification Number 75-20-19-100-008) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of David and Kathleen Helregel located in Jasper County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2002)).

**04-126** Independence Pork, L.L.C. (Property Identification Number 17-11-400-002) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Independence Pork, LLC located in DeKalb County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2002)).

**04-127** Wayne A. and Susan E. Bergbower (Property Identification Number 90-08-16-300-009) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Wayne A. and Susan E. Bergbower located in Jasper County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2002)).

**04-128** Pioneer Engineering & Environmental Services, Inc. v. IEPA – No action taken.

**R04-020** In the Matter of: Clean-Up Part III, Amendments to 35 Ill. Adm. Code Part 211, 218, and 219 – The Board accepted for hearing the Illinois Environmental Protection Agency’s January 6, 2004 proposal to amend the Board’s air pollution control regulations. On its own motion the Board consolidated this matter for hearing with R04-12, Technical Corrections to Formulas in 35 Ill. Adm. Code 214 "Sulfur Limitations," and adopted a proposal for public comment.

**R04-021** In the Matter of: Revisions to Radium Water Quality Standards: Proposed New 35 Ill. Adm. Code 302.307 and Amendments to 35 Ill. Adm. Code 302.207 and 302.525 – The Board accepted for hearing the Illinois Environmental Protection Agency’s January 13, 2004 proposal to amend the Board’s water quality standards regulations.

**R04-022** In the Matter of: Proposed Amendments to Regulation of Petroleum Leaking Underground Storage Tanks (35 Ill. Adm. Code 732) – The Board accepted for hearing the Illinois Environmental Protection Agency’s (IEPA) January 13, 2004 proposal to amend the Board’s land pollution control regulations. As requested by the IEPA, the Board consolidated this matter with R04-23, In the Matter of: Regulation of Petroleum Leaking Underground Storage Tanks (Proposed New 35 Ill. Adm. Code 734).

**R04-023** In the Matter of: Regulation of Petroleum Leaking Underground Storage Tanks (Proposed New 35 Ill. Adm. Code 734) – The Board accepted for hearing the Illinois Environmental Protection Agency’s (IEPA) January 13, 2004 proposal to amend the Board’s land pollution control regulations. As requested by the IEPA, the Board consolidated this matter with R04-22, In the Matter of: Proposed Amendments to Regulation of Petroleum Leaking Underground Storage Tanks (35 Ill. Adm. Code 732).

## Calendar

2/03/04 9:00am	PCB 02-115	<b>People of the State of Illinois v. Blue Ridge Construction Corporation</b>	Peoria County Board Offices Board Room 403 324 Main Street Peoria
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<p><b>2/05/04 11:00AM</b></p>	<p align="center"><b>Illinois Pollution Control Board Meeting</b></p>		<p><b>Videoconference Chicago/Springfield James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago and 1021 N. Grand Avenue East Oliver Holmes Conference Room 2012 N Springfield</b></p>
<p>2/10/04 10:00AM</p>	<p>R03-9</p>	<p>In the Matter of: Proposed New and Updated Rules for Measurement and Numerical Sound Emissions Standards Amendments to 35 Ill. Adm. Code 901 and 910</p>	<p>James R. Thompson Center 100 West Randolph, Room 8-033 Chicago</p>
<p>2/11/04 10:00AM</p>	<p>PCB 03-185</p>	<p>Swif-T-Food Mart (IEPA Letter Dated March 3, 2003; December 1, 1995 to November 20, 2001) v. IEPA</p>	<p>Council Chambers Village Hall 118 West Cook Libertyville</p>
<p>2/17/04 9:00AM</p>	<p>AS 02-5</p>	<p>In the Matter of: Petition of Noveon, Inc. for an Adjusted Standard from 35 Ill. Adm. Code 304.122</p>	<p>Marshall County Courthouse Boardroom 122 North Prairie Lacon</p>
<p>2/17/04 9:00AM</p>	<p>PCB 91-17</p>	<p>Noveon, Inc. f/k/a BF Goodrich Corporation (Henry Facility) v. IEPA</p>	<p>Marshall County Courthouse Boardroom 122 North Prairie Lacon</p>
<p>2/18/04 9:00AM</p>	<p>AS 02-5</p>	<p>In the Matter of: Petition of Noveon, Inc. for an Adjusted Standard from 35 Ill. Adm. Code 304.122</p>	<p>Marshall County Courthouse Boardroom 122 North Prairie Lacon</p>
<p>2/18/04 9:00AM</p>	<p>PCB 91-17</p>	<p>Noveon, Inc. f/k/a BF Goodrich Corporation (Henry Facility) v. IEPA</p>	<p>Marshall County Courthouse Boardroom 122 North Prairie Lacon</p>
<p>2/19/04 9:00AM</p>	<p>AS 02-5</p>	<p>In the Matter of: Petition of Noveon, Inc. for an Adjusted Standard from 35 Ill. Adm. Code 304.122</p>	<p>Marshall County Courthouse Boardroom 122 North Prairie Lacon</p>
<p>2/19/04 9:00AM</p>	<p>PCB 91-17</p>	<p>Noveon, Inc. f/k/a BF Goodrich Corporation (Henry Facility) v. IEPA</p>	<p>Marshall County Courthouse Boardroom 122 North Prairie Lacon</p>
<p><b>2/19/04 11:00AM</b></p>	<p align="center"><b>Illinois Pollution Control Board Meeting</b></p>		<p><b>Illinois Pollution Control Board James R. Thompson Center 100 W. Randolph Street Room 9-040 Chicago</b></p>
<p>2/20/04 9:00AM</p>	<p>AS 02-5</p>	<p>In the Matter of: Petition of Noveon, Inc. for an Adjusted Standard from 35 Ill. Adm. Code 304.122</p>	<p>Marshall County Courthouse Boardroom 122 North Prairie Lacon</p>
<p>2/20/04 9:00AM</p>	<p>PCB 91-17</p>	<p>Noveon, Inc. f/k/a BF Goodrich Corporation (Henry Facility) v. IEPA</p>	<p>Marshall County Courthouse Boardroom 122 North Prairie Lacon</p>
<p>2/25/04 10:00AM</p>	<p>PCB 04-48</p>	<p>Village of Robbins and Allied Waste Transportation, Inc. v. IEPA</p>	<p>Illinois Pollution Control Board Room 11-512 100 West Randolph Street Chicago</p>

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<b>3/04/04 11:00AM</b>	<b>Illinois Pollution Control Board Meeting</b>		<b>Illinois Pollution Control Board Hearing Room 1244 N, First Floor 1021 N. Grand Avenue East Springfield</b>
3/09/04 9:00AM	PCB 02-164	Barbara and Ronald Stuart v. Franklin Fisher	Bolingbrook Village Hall Boardroom 375 West Briar Cliff Road Bolingbrook
3/10/04 9:00AM	PCB 02-164	Barbara and Ronald Stuart v. Franklin Fisher	Bolingbrook Village Hall Boardroom 375 West Briar Cliff Road Bolingbrook
3/10/04 9:30AM	PCB 03-16	King's 66 Service Station v. IEPA	Madison County Administration Building Room 203 157 N. Main Street Edwardsville
3/17/04 9:00AM	PCB 96-10	Vogue Tyre & Rubber Company v. IEPA	Illinois Pollution Control Board Room 11-512 100 West Randolph Street Chicago
<b>3/18/04 11:00AM</b>	<b>Illinois Pollution Control Board Meeting</b>		<b>Illinois Pollution Control Board James R. Thompson Center 100 W. Randolph Street Room 9-040 Chicago</b>
3/23/04 9:00AM	PCB 01-43	People of the State of Illinois ex rel. Gary W. Pack, McHenry County State's Attorney v. Michael Stringini	McHenry County Government Center Grand Jury Room, Room A210 2200 North Seminary Avenue Woodstock
<b>4/01/04 11:00AM</b>	<b>Illinois Pollution Control Board Meeting</b>		<b>Videoconference Chicago/Springfield James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago and 1021 N. Grand Avenue East Oliver Holmes Conference Room 2012 N Springfield</b>
4/05/04 1:00PM	AC 04-13	City of Chicago Department of Environment v. Eddie Greer	Illinois Pollution Control Board Room 11-512 100 West Randolph Street Chicago
<b>4/15/04 11:00AM</b>	<b>Illinois Pollution Control Board Meeting</b>		<b>Illinois Pollution Control Board James R. Thompson Center 100 W. Randolph Street Room 9-040 Chicago</b>

# Environmental Register – January 2004

Illinois Environmental Protection Agency

Division of Public Water Supplies

Restricted Status List -- Public Water Supplies

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

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

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

This list is continually being revised as new information becomes available, and therefore, specific inquiries as to the status of any public water supply should be directed to the Division of Public Water Supplies for final determination. This list reflects the status as of January 1, 2004.

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

RDS:sp/0046g/2

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

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NAME OF PUBLIC WATER SUPPLY/COUNTY/FACILITY #	EPA #RGN	NATURE OF PROBLEM	POP. SERVED	LISTING DATE
Buckingham (Kankakee Co - 0910250)	2	Inadequate Pres Tank	330	03/17/89
Bushnell (McDonough Co - 1090150)	5	Adjusted Gross Alpha	3,300	03/14/01
Byron Woods Sbdv (Rock Island Co - 1610070)	1	Arsenic	216	03/14/01
Carbon Hill (Grundy Co - 0630100)	2	Adjusted Gross Alpha	376	03/14/01
Carroll Hts Utl Cmpny (Carroll Co - 0155200)	1	Inadequate Pres Tank	80	03/20/81
Century Pines Apts (Carroll Co - 0150020)	1	Inadequate Pres Tank	50	12/14/90
Claremont Hls Sbdv (McHenry Co - 1115080)	2	Inadequate Pres Tank	330	03/15/96
Clearview Sbdv (Will Co - 1975360)	2	Inadequate Pres Tank	420	01/13/82
Coyne Cntr Coop (Rock Island Co - 1615150)	1	Inadequate Pres Tank	150	12/15/97
Cropsey Cmnty Wtr (McLean Co - 1135150)	4	Inadequate Pres Tank	60	03/20/81
Crystal Clear Wtr Cmpny (McHenry Co - 1115150)	2	Inadequate Pres Tank	900	09/16/88
Crystal Hts Assn (McHenry Co - 1115100)	2	Inadequate Pres Tank	93	06/17/96
D and R Apts (Champaign Co - 0190030)	4	Inadequate Pres Tank	26	09/16/93
Deering Oaks Sbdv (McHenry Co - 1115200)	2	Inadequate Pres Tank	60	12/17/82
DeKalb Univ Dvl Corp (DeKalb Co - 0375148)	1	Inadequate Pres Tank	950	12/16/92
DeWitt Cnty NH (DeWitt Co - 0395129)	4	Inadequate Pres Tank	80	06/17/83
DL Well Owners Assn (Lake Co - 0975380)	2	Inadequate Pres Tank	125	03/18/83
Dover (Bureau Co - 0110350)	1	Inadequate Pres Tank	200	05/25/81
East End Wtr Assn (Rock Island Co - 1610140)	1	Inadequate Storage Capacity	40	03/15/02
Eaton PWD (Crawford - 0335100)	4	Indequate Source Capacity	920	03/15/02
East Moreland Wtr Assn (Will Co - 1975600)	2	Inadequate Pres Tank	753	03/20/81
East Moreland Wtr Corp (Will Co - 1975640)	2	Inadequate Pres Tank	135	03/15/96
Edelstein (Peoria Co - 1435150)	5	Adjusted Gross Alpha	125	03/15/98
Edgington Water District (Rock Island Co-1615550)	1	Inadequate Pres Tank	470	03/20/81
Emmett Utl Inc (McDonough Co - 1095200)	5	Inadequate Pres Tank	39	12/17/82



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NAME OF PUBLIC WATER SUPPLY/COUNTY/FACILITY #	EPA #RGN	NATURE OF PROBLEM	POP. SERVED	LISTING DATE
Evansville (Randolph Co - 1570250)	6	Trihalomethane	850	06/15/02
Evergreen Vlg Sbdv (Rock Island Co - 1615310)	1	Inadequate Pres Tank	250	03/20/81
Fahnstock Court Sbdv (Peoria Co - 1435200)	5	Inadequate Pres Tank	30	05/25/81
Fair Acres Sbdv (Will Co - 1975680)	2	Inadequate Pres Tank	185	10/19/81
Forest Lake Addn (Lake Co - 0975500)	2	Inadequate Pres Tank	180	12/16/83
Frwr-Skyline Cpy (Kane Co - 0895030)	2	Inadequate Pres Tank	1,300	09/19/86
Galva (Henry Co - 0730450)	1	Adjusted Gross Alpha	2,900	03/14/01
Garden Street Imprv Assn (Will Co - 1975376)	2	Inadequate Pres Tank	62	09/15/89
Gardner (Grundy Co - 0630400)	2	Adjusted Gross Alpha	1,450	03/14/01
Glasford (Peoria Co - 1430350)	5	Adjusted Gross Alpha	1,115	12/15/97
Glenkirk Campus North (Lake Co - 0977189)	2	Inadequate Pres Tank	64	06/15/88
Glenkirk Campus South (Lake Co - 0977199)	2	Inadequate Pres Tank	36	06/15/88
Good Shepherd Mnr (Kankakee Co - 0915189)	2	Inadequate Pres Tank	140	03/17/89
Great Oaks&Beacon Hls Apts (Winnebago Co-2015488)	1	Inadequate Pres Tank	943	12/17/82
Greenwood Outback (LaSalle Co - 0990080)	1	Inadequate Pres Tank		12/15/98
Harbor Lites/Pistakee Fshg Cl (McHenry Co - 1110011)	2	Inadequate Pres Tank	100	03/14/01
Hardinville (Crawford Co - 0330020)	4	Inadequate Source Capacity	2,361	03/15/02
Hawthorn Woods (Lake Co - 0970450)	2	Inadequate Pres Tank	800	03/15/95
Heatherfield Sbdv (Grundy Co - 0635150)	2	Inadequate Pres Tank	91	09/17/82
Hettick (Macoupin Co - 1170500)	5	Trihalomethane	220	06/15/02
Highland Sbdv (Kane Co - 0895530)	2	Inadequate Pres Tank	50	09/16/83
Hillview Sbdv (Will Co - 1975800)	2	Inadequate Pres Tank	99	03/15/85
Holy Family Villa (Cook Co - 0310280)	2	Inadequate Pres Tank	200	09/15/99
Hopewell (Marshall Co - 1235150)	1	Adjusted Gross Alpha	805	03/14/01
Huntley Cmnty Sbdv (Will Co - 1975840)	2	Inadequate Pres Tank	48	03/16/84
Ingalls Pk Sbdv (Will Co - 1975880)	2	Inadequate Pres Tank	690	09/16/83

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NAME OF PUBLIC WATER SUPPLY/COUNTY/FACILITY #	EPA #RGN	NATURE OF PROBLEM	POP. SERVED	LISTING DATE
Kewanee (Henry Co - 0730650)	1	Adjusted Gross Alpha	12,900	03/14/01
Kingston Mines (Peoria Co - 1430450)	5	Adjusted Gross Alpha	295	03/14/01
Kirk Wtr Line (Crawford Co - 0330030)	4	Inadequate Source Capacity	72	03/15/02
Knoxville (Knox Co - 0950300)	5	Adjusted Gross Alpha	3,243	03/15/98
Lake Lynwood Wtr Sys (Henry Co - 0735330)	1	Inadequate Pres Tank	98	08/31/81
Lakeview Acres (McHenry Co - 1110120)	2	Inadequate Hydro Storage	35	11/01/01
Lakeview Hills Wtr Supply Cp (Whiteside Co - 1955150)	1	Inadequate Pres Tank	146	03/20/81
Lakewood Shores Imprv Assn	2	Adjusted Gross Alpha	760	03/14/01
Land and Water Assn (LaSalle Co - 0995050)	1	Inadequate Pres Storage	110	06/15/01
Larchmont Sbdv (Winnebago Co - 2015290)	1	Inadequate Pres Tank	106	06/17/83
Larson Court Rentals (Rock Island Co - 1615728)	1	Inadequate Pres Tank	48	01/14/82
Legend Lakes Wtr Assn (Winnebago Co - 2015300)	1	Inadequate Pres Tank	225	03/14/91
Liberty Park Homeowners Assn (DuPage Co - 0435600)	2	Inadequate Pres Tank	1,092	09/17/92
Lindenwood Wtr Assn (Ogle Co - 1415300)	1	Inadequate Pres Tank	50	01/13/82
Lisbon North Inc (Grundy Co - 0631000)	2	Inadequate Pres Tank	30	09/14/90
Little York (Warren Co - 1870100)	5	Adjusted Gross Alpha	350	03/14/01
London Mills (Fulton Co - 0574620)	5	Inadequate Pres Tank	670	12/14/84
Lostant (LaSalle Co - 0990450)	1	Adjusted Gross Alpha	510	03/14/01
Lynn Cntr (Henry Co - 0735100)	1	Inadequate Pres Tank	147	03/15/95
Lynnwood Water Corp (LaSalle Co - 0995336)	1	Inadequate Pres Tank	114	03/18/83
M C L W Sys Inc (Mercer Co - 1315150)	1	Inadequate Source	100	03/20/81
Maple Leaf Ests Wtr Corp (Monroe Co - 1335100)	6	Inadequate Pres Tank	39	03/20/81
Mapleton (Peoria Co - 1430500)	5	Adjusted Gross Alpha	350	03/15/98
Mayfair Sbdv (Tazewell Co - 1795750)	5	Inadequate Pres Tank	150	03/16/90
Monmouth (Warren Co - 1870150)	5	Adjusted Gross Alpha	9,500	03/14/01
Mound PWD (St Clair Co - 1635050)	6	Inadequate Plant Capacity	1,800	06/17/96

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

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

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

### PUBLIC WATER SUPPLIES REMOVED FROM PREVIOUS LIST

Illinois Environmental Protection Agency

Division of Public Water Supplies

Critical Review List -- Public Water Supplies

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

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

This list is continually being revised as new information becomes available, and therefore, specific inquiries as to the status of any public water supply should be directed to the Division of Public Water Supplies for final determination. This list reflects the status as of January 1, 2004.

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

RDS:sp/0046g/4

NAME OF PUBLIC WATER SUPPLY/COUNTY/FACILITY	EPA #RGN	NATURE OF PROBLEM	POP. SERVED	LISTING DATE
Andalusia (Rock Island Co – 1610050)	1	Inadequate Pres Tank	1,050	12/01/03
Arenzville (Cass Co - 0170050)	5	Inadequate Pres Tank	492	03/14/01
Beecher (Will Co - 1970050)	2	Inadequate Storage Capacity	2,032	03/14/01
Bluford (Jefferson Co - 0810100)	7	Low System Pressure	465	03/20/81
Browning (Schuyler Co - 1690050)	5	Inadequate Source	495	03/15/98
Clayton Camp Point Wtr Cmsn (Adams Co - 0015200)	5	Inad Pumping Capacity	1,200	09/15/98
Clinton (DeWitt Co - 0390050)	4	Inad Plant Capacity	7,437	06/14/91
Columbia (Monroe Co - 1330050)	6	Inad Pumping Capacity	5,893	03/15/98

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NAME OF PUBLIC WATER SUPPLY/COUNTY/FACILITY #	EPA #RGN	NATURE OF PROBLEM	POP. SERVED	LISTING DATE
DePue (Bureau Co - 0110300)	1	Inad Treatment Plant	1,930	12/15/93
Elizabeth (Jo Daviess Co - 0850150)	1	Low System Pressure	700	06/15/99
Evansville (Randolph Co - 1570250)	6	Low System Pressure	1,838	05/25/81
Galena (Jo Daviess Co - 0850200)	1	Low System Pressure	3,790	06/15/99
Highland Hills Sndst (DuPage Co - 0435560)	2	Inadequate Pres Tank	1,100	09/17/92
Joy (Mercer Co - 1310100)	1	Low System Pressure	495	06/15/99
LaMoille (Bureau Co - 0110500)	1	Inadequate Plant Capacity	750	06/15/99
Mahomet (Champaign Co - 0190450)	4	Inadequate Plant Capacity	4,877	10/15/02
Marion (Williamson Co - 1990550)	7	Inadequate Source Capacity	14,610	11/01/01
Mathersville (Mercer Co - 1310200)	1	Low System Pressure	793	09/13/00
McHenry Shores Wtr Cmpny (McHenry Co - 1115020)	2	Low System Pressure	1,170	09/17/92
Mechanicsburg Buffalo Wtr (Sangamon Co - 1675150)	5	Inadequate Source	1,030	03/15/98
Scales Mound (Jo Daviess Co - 0850400)	1	Low System Pressure	400	09/15/97
Seneca (LaSalle Co - 0991050)	1	Inadequate Plant Capacity	1,937	06/15/99
South Highway PWD (Jackson Co - 0775400)	7	Low System Pressure	8,189	06/15/92
Stockton (Jo Daviess Co - 0850450)	1	Low System Pressure	1,900	06/15/84
Sumner (Lawrence Co - 1010300)	7	Low System Pressure	1,553	12/13/85
Utl Inc Lake Marian Wtr Corp (Kane Co - 0895200)	2	Low Sys Pres & Inad Pres Storage	800	09/14/84
Walnut Hill (Marion Co - 1210600)	6	Low System Pressure	1,200	06/14/85
Wonder Lake Wtr Cmpny (McHenry Co - 1115750)	2	Inadequate Storage	1,080	12/14/90

**PUBLIC WATER SUPPLIES REMOVED FROM PREVIOUS LIST**

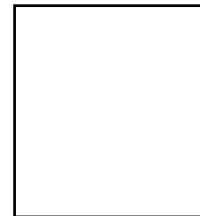
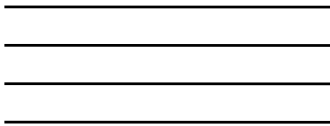
**Georgetown (Vermilion Co - 1830350)**



The Illinois Pollution Control Board is an independent five-member board that adopts environmental control standards, rules on enforcement actions, and other environmental disputes for the State of Illinois.

The Environmental Register is published monthly by the Board, and contains updates on rulemakings, descriptions of final decisions, the Board's hearing calendar, and other environmental law information.

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