



# ENVIRONMENTAL REGISTER



No. 517 ♦ A Publication of the Illinois Pollution Control Board ♦ July 1997

## **APPELLATE UPDATE**

**C**olor Communications, Inc. v PCB and IEPA, (Fourth District slip op. No. 4-96-0657) May 28, 1997.

This case involved an appeal from the Board's decision in PCB 96-125 (July 18, 1996) which upheld the Illinois Environmental Protection Agency's (Agency) denial of separate Clean Air Act Permit Program (CAAPP) permits for Color Communications Inc.'s (CCI) two Chicago plants. The Illinois Appellate Court, Fourth District, reversed the Board's decision and remanded the case for further proceedings.

CCI manufactures color systems, samples, color boards, and color marketing systems for paint, automotive, and other industries. Two of CCI's facilities are located at 4000 West Fillmore and 4242 West Fillmore in Chicago, Illinois. Each of these plants perform different operations and use different raw material and are classified differently under the Standard Industrial Classification Manual (SIC) and in the past, the Agency had issued separate air operating permits for each of the plants. These two CCI facilities are the subject of the instant appeal.

In September 1995, CCI filed separate CAAPP (*Cont'd on p.2*)

## **RULEMAKING UPDATE**

**B**oard Adopts Exemptions from State Air Permit Requirements Adopted, R96-17

On June 5, 1997, the Board adopted amendments to the permit requirements of the air pollution control regulations. The list of emission units and activities that are exempt from the permit requirements was expanded in this rule to enhance consistency between the State permit program exemptions and the "insignificant activities" provision of the federally-mandated Clean Air Act Permit Program (CAAP).

The Illinois Environmental Protection Agency filed the proposal on May 10, 1996. Hearings on the proposal were held on July 23, 1996, in Collinsville, Illinois and on August 16, 1996, in Chicago, Illinois. The proposed amendments were published in the *Illinois Register* on (*Cont'd on p.2*)

## **FEDERAL ACTIONS**

**P**roposed Final Water Quality Guidance for the Great Lakes System Draft Mercury Permitting Strategy

The United States Environmental Protection Agency (USEPA) proposes a Mercury Permitting Strategy for public review and comment. Comments on the proposal may be filed with the USEPA through August 5, 1997. The purpose of the Mercury Permitting Strategy is to identify how the Final Water Quality Guidance for the Great Lakes System provides for implementation of mercury water quality standards through the National Pollutant Discharge Elimination System permits for point sources, focusing on the flexibility states or tribes have for adjusting point source controls to account for non-point sources of mercury. The proposed (*Cont'd on p.5*)

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## **APPELLATE UPDATE**

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applications for its two Fillmore plants. In November 1995, the Agency issued a notice of incompleteness advising CCI that the plants must be considered as one source for purposes of the CAAPP permit. The Agency then told CCI that it must resubmit one CAAPP application for both sources. CCI appealed the Agency decision to the Board. The Board upheld the Agency's decision on a 5-2 vote with Members Dunham and Meyer dissented and Member Yi concurred.

On appeal, CCI argued that the Board's decision was in conflict with applicable State and federal law. CCI contended that the plants did not constitute a single source because: (1) they did not belong to the same industrial grouping; (2) they were classified by different SIC codes; and (3) they were neither located on the same property nor on contiguous or adjacent properties.

In analyzing section 39.5(2)(a)(i) of the Environmental Protection Act (Act) (415 ILCS 5/39.5(2)(a)(i) (1994)) the appellate court found that in order for the two plants to be considered a single source, they must (1) be under common control by the same entity; (2) be on contiguous or adjacent property; and (3) belong to a single major industrial grouping. The court went on to state that for two sources to belong to a single major industrial grouping, the sources must have the same two-digit SIC code.

In its opinion, the Board found that the plant at 4242 Fillmore supports the plant at 4000 Fillmore by providing raw materials. Thus, the Board held, the plants should be treated as a single source despite the fact that the facilities had different SIC codes. The Board's conclusion was based on its belief that federal law incorporates the support-facility concept in its definition of major source and that Illinois law parallels federal law.

The appellate court disagreed with the Board's conclusion that, although the sources had different SIC codes, they should be treated as a single source. The court pointed out that the Board relied upon a federal preamble to a regulation which had never been adopted and the testimony of a USEPA permitting expert who testified that USEPA employs the support-facility concept when determining whether two facilities fall under a single major industrial grouping.

The Fourth District found that the plain language of the statute required that CCI's stationary sources have the same two digit SIC code to belong to a single major industrial grouping. Thus, the court rejected the application of the concept of a support-facility in deciding whether the two plants constituted a single source for purposes of the CAAPP. The court reversed that Board's decision and remanded it for further proceedings consistent with its order. ♦

## **RULEMAKING UPDATE**

(Cont'd from p.1)

January 3, 1997, at 21 Ill. Reg. 329 (Part 211) and 21 Ill. Reg. 342 (Part 201). On April 17, 1997, the Board proposed the amendments for second notice review by the Joint Committee on Administrative Rules (JCAR). JCAR suggested minor changes and voted no-objection to the amendments on May 13, 1997.

Direct questions to Marie Tipsord at 312-814-4925 or 618-498-5934 (internet address: mtipsord@pcb084r1.state.il.us). Request copies of Board orders from Victoria Agyeman, at 312-814-3620 (Internet address: vagyeman@pcb084r1.state.il.us). Please refer to docket R96-17. ♦

## **Site Remediation Program "Brownfields" Adopted, R97-11**

On June 5, 1997, the Board adopted procedures and standards for the Site Remediation Program (SRP) (35 Ill. Adm. Code 740). The SRP was timely adopted as required by Title XVII of the Environmental Protection Act (415 ILCS 5/58-58.12, as added by P.A. 89-431, effective December 15, 1995, and amended by P.A. 89-443, effective July 1, 1996) and has an effective date of July 1, 1997.

The SRP is a voluntary program in which any person performing site investigation or remediation may elect to proceed under the SRP. The rules require the Remediation Applicant (RA) to submit an application and enter into a service agreement with the Illinois Environmental Protection Agency (Agency) before performing a site investigation. If contamination is discovered, the RA must propose remedial objectives to the Agency. If remediation is necessary to achieve compliance with the objectives, the RA must propose a remedial action plan. After the plan is approved by the Agency, the RA must submit a remedial action completion report to show that the objectives have been achieved. The Agency will issue a No Further Remediation (NFR) Letter upon approval of the remedial completion report. The NFR Letter is considered to be *prima facie* evidence that the site does not constitute a threat to human health and the environment.

The SRP is a new program which establishes procedures for the investigative and remedial activities at sites where there is a release, threatened release, or suspected release of hazardous substances, pesticides, or petroleum and for the review and approval of those activities. The Board also amended 35 Ill. Adm. Code 620, Groundwater Quality, to provide consistency in cross-referencing between Part 620 and the Part 740. The regulations establish a program which is designed to ensure cleanup

of contaminated property in Illinois based on an analysis of risks associated with current and future uses of the site. The SRP provides incentives to clean up abandoned or under-used property within the State of Illinois.

The Agency filed the proposal with the Board on September 16, 1996. Hearings were held on November 25-26, 1996, in Chicago, Illinois, and on December 17-18, 1996, in Springfield, Illinois. The first notice proposal appeared in the *Illinois Register* on February 21, 1997, at 21 Ill. Reg. 2571. The related amendments to the groundwater quality standards were printed at 21 Ill. Reg. 2562 (February 21, 1997). On April 17, 1997, the Board proceeded to second notice for review by the Joint Committee on Administrative Rules (JCAR), which requested minor changes in the rule. The Board has made the changes suggested by JCAR. JCAR voted no objection to the amendments on May 13, 1997.

Direct questions to Amy Hoogasian at 312-814-8917 (internet address: ahoogasi@pcb084r1.state.il.us). Request copies of Board orders from Victoria Agyeman, at 312-814-3620 (Internet address: vagyeman@pcb084r1.state.il.us). Please refer to docket R97-11. ♦

### **B**oard Adopts Tiered Approach to Corrective Action Objectives (T.A.C.O.) Rules (35 Ill. Adm. Code 742) (R97-12(A))

On June 5, 1997, the Board adopted a new Part 742 to the land pollution control regulations. The regulations establish a T.A.C.O. The intent of the proposal 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 uses of the land, and (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. The T.A.C.O. procedure consists of a three-tiered approach for establishing remediation objectives. The tiers can operate fully independent of each other; each successive tier allows a person conducting a remedial investigation pursuant to the Environmental Protection Act to rely on more site-specific information, and requires a concomitant increase in the level of site-specific investigation and analysis under Part 742.

The T.A.C.O. methodology is premised upon the statutory mandates in the site remediation legislation, P.A. 89-431, which was signed and became effective December 15, 1995, as amended by P.A. 89-443, effective July 1, 1996. The proposal was filed by the Illinois Environmental Protection Agency on September 16, 1996. The first set of hearings on the proposal was held on December 2 and 3, 1996, in Chicago and on December 10, 1996, in Springfield. The second set of hearings was held on January 15 and 16, 1997, in Springfield. The first notice

proposal was published in the *Illinois Register* at 20 Ill. Reg. 15429 (December 6, 1996). On April 17, 1997, the Board proceeded to second notice review by the Joint Committee on Administrative Rules (JCAR), which requested minor changes to the rule. JCAR voted no objection to the amendments on May 13, 1997. On May 1, 1997, the Board created docket B in this rulemaking for the purpose of considering the adoption of a "mixture" rule. (See Issue No. 515, May 1997.)

Direct questions to Amy Muran Felton at 312-814-7011 (internet address: amuranfe@pcb084r1.state.il.us). Request copies of Board orders from Victoria Agyeman, at 312-814-3620 (Internet address: vagyeman@pcb084r1.state.il.us). Please refer to docket R97-12 (A). ♦

### **B**oard Adopts More Stringent Volatile Organic Materials (VOM) Standards for Solvents Used in Cold Cleaning Degreasing (R97-24)

On June 5, 1997, the Board adopted amendments to 35 Ill. Adm. Code Parts 211, 218, and 219. The amendments include more stringent requirements for solvents sold and used in cold cleaning degreasing. The Board amended the volatile organic material (VOM) emissions control requirements of the air pollution control regulations as part of the Clean Air Act. The amendments required 9% rate of progress (ROP) in the metropolitan Chicago and East St. Louis areas. The rules limit the vapor pressure of solvents sold or used in cold cleaning degreasing operations to 2.0 millimeters of mercury at 20°C (68°F) beginning on March 19, 1999, in the Chicago and Metro-East areas. The vapor pressure would be limited to 1.0 millimeters of mercury beginning March 15, 2001. The amended regulations also provide for recordkeeping provisions which require solvent suppliers and users of solvents to maintain documents which indicates the vapor pressures at the prescribed temperatures for three years.

The amendments were filed by the Illinois Environmental Protection Agency pursuant to Section 28.5 of the Environmental Protection Act (415 ILCS 5/28.5 (1996)), which establishes fast-track procedures and timetables for Board adoption of rules to implement the Clean Air Act Amendments of 1990. The Board adopted the proposal for first notice on January 23, 1997. First notice of the proposal was published in the *Illinois Register* on February 18, 1997, at 21 Ill. Reg. 1754 (Part 211), 21 Ill. Reg. 1768 (Part 218) and 21 Ill. Reg. 1781 (Part 219). A hearing on the proposal was held in Chicago, Illinois on arch 4, 1997. On April 17, 1997, the Board proposed the amendments for second notice review by the Joint Committee on Administrative Rules (JCAR). JCAR voted no objection to the amendments on May 13, 1997.

Direct questions to K.C. Poulos at 312-814-3665 (internet address: kpoulos@pcb084r1.state.il.us). Request copies of Board orders from Victoria Agyeman, at 312-814-3620 (Internet address: vageyman@pcb084r1.state.il.us). Please refer to docket R97-24. ♦

### **B**oard Accepts for Hearing Amendments to Wood Furniture Coating Regulations, R97-31

On June 19, 1997, the Board accepted for hearing a proposal by the Illinois Environmental Protection Agency (Agency) to amend the Board's Reasonably Available Control Technology (RACT) rules in response to the issuance by the United States Environmental Protection Agency (USEPA) of a Control Technical Guideline (CTG) for wood furniture coating operations.

Section 182(b)(2) of the Clean Air Act (CAA), as amended in 1990 (42 U.S.C. Section 7511(a)(b)(2)) requires the implementation of the RACT for each category of volatile organic material (VOM) sources covered by a CTG document issued by the administrator of the USEPA after the enactment of the CAA amendments in 1990. Pursuant to Section 183 of the CAA, wood furniture coating operations are one of the eleven stationary source categories of VOM emissions for which a CTG must be issued by the USEPA. On May 20, 1996, the USEPA published its final CTG for wood furniture coating operations.

On June 10, 1997, the IEPA filed an errata sheet, the principal item of which is a request to delete from the caption of prior and future documents in this matter referencing the rulemaking as the "15% ROP Plan." The Board granted the IEPA's request to delete "15% ROP Plan" from the caption in this rulemaking.

Direct questions regarding this rulemaking to Audrey Lozuk-Lawless at (312)814-6923; e-mail address: alozukla@pcb084r1.state.il.us ♦

### **B**oard Adopts for First Notice Conforming Amendments for the Great Lakes Initiative, R97-25

On June 19, 1997, the Board adopted for first notice Conforming Amendments for the Great Lakes Initiative: 35 Ill. Adm. Code 302.101; 302.105; 302.Subpart E; 303.443 and 304.222. The Board proceeded to first notice as a result of the Illinois Environmental Protection Agency (IEPA) rulemaking proposal, filed on March 21, 1997. The proposal amends the water quality standards for the Lake Michigan Basin in conformance with the federal Great Lakes Initiative. The first hearing in this matter was held on May 19, 1997, in Chicago. At that hearing, the IEPA presented testimony to support the proposed rules. A second hearing is scheduled for July

28, 1997, in Waukegan, Illinois, at which time additional testimony by the IEPA and testimony from other interested persons will be heard. Prefiled testimony for that hearing is due to the Board by July 14, 1997.

The proposed rules affect the Illinois portion of Lake Michigan and its drainage basin which includes about 18 dischargers to the Lake Michigan Basin (Basin). The Basin does not include the North Shore Channel, the Calumet River, or the Chicago River due to diversions away from Lake Michigan for water supply and navigation. The proposed rules addresses the water quality criteria and methodology and antidegradation procedures which are required by the Great Lakes Initiative.

Direct questions regarding this rulemaking to Marie Tipsord at (312)814-4925; e-mail address: mtipsord@pcb084r1.state.il.us ♦

### **B**oard Accepts for Hearing Amendments to Lab Accreditation Rules, R97-30

On June 19, 1997, the Board accepted for hearing amendments to 35 Ill. Adm. Code Part 611 (Cross Reference to Lab Accreditation Rules at 35 Ill. Adm. Code 186). On June 2, 1997, the Illinois Environmental Protection Agency (IEPA) filed a proposal for a rulemaking amending these rules to cross reference the IEPA's own laboratory accreditation rules proposed at Part 186. On June 13, 1997, the first notice publication of the IEPA's proposed Part 186 lab accreditation rule was published in the *Illinois Register*. (21 Ill. Reg. 6948 (June 13, 1997).)

Direct questions regarding this rulemaking to K.C. Poulos at (312)814-3665; e-mail address: kpoulos@pcb084r1.state.il.us ♦

## **FEDERAL ACTIONS**

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Mercury Permitting Strategy also addresses several permit implementation issues related to mercury data. ♦

### **Control of Air Pollutant from New Motor Vehicles and New Motor Vehicle Engines: Voluntary Standards for Light-Duty Vehicles**

The United States Environmental Protection Agency (USEPA) finalized the main regulatory framework for the National Low Emission Vehicle (NLEV) program. The regulations would allow auto manufacturers to volunteer to comply with tailpipe standards for cars and light-duty trucks that are more stringent than USEPA can mandate. Once a manufacturer opts into the program, the standards would be enforced in the same manner as any other federal motor vehicle pollution control requirement. The NLEV program will achieve significant reductions in smog and other air pollution nationwide. With this regulation, USEPA is providing the regulatory structure that is a necessary step toward completion of an on-going process initiated by the Ozone Transport Commission States and the auto manufacturers to improve public health through the introduction of cleaner vehicles nationwide. ♦

### **Approval and Promulgation of State Implementation Plan for Cook County Company**

On July 23, 1996, Illinois submitted a site specific State Implementation Plan (SIP) revision request to revise Volatile Organic Material (VOM) Reasonably Available Control Technology (RACT) requirements for Chase Products Company (Chase) in Broadview, Cook County, Illinois. On August 8, 1995, Chase and the Illinois Environmental Protection Agency (IEPA) filed a joint petition for an adjusted standard with the Board. The adjusted standard sought relief for the Chase facility's aerosol can filling lines from VOM control requirements found in Part 218, Subpart DD. On May 16, 1996, the Board adopted a final opinion and order in AS 94-4 granting the adjusted standard subject to certain conditions. The IEPA formally submitted the adjusted standard to United States Environmental Protection Agency (USEPA) as a site-specific revision to the Illinois SIP on July 23, 1996.

Chicago area RACT rules are intended to establish, for each particular major stationary source in the Chicago ozone nonattainment area, the lowest VOM emission limitation it is capable of meeting by the application of control technology that is reasonably available, considering technological and economic feasibility. RACT

controls are a major component of the Chicago ozone nonattainment area's overall strategy to achieve and maintain attainment with the ozone standard. A direct final approval action is being taken because the submittal meets all pertinent federal requirements. The direct final rule is effective August 8, 1997, unless the USEPA receives adverse or critical comments by July 9, 1997. ♦

### **National Emission Standards for Hazardous Air Pollutants: Final Standards for Emissions from Wood Furniture Manufacturing Operations**

United States Environmental Protection Agency (USEPA) proposes amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAPs); Final Standards for Emissions from Wood Furniture Manufacturing Operations promulgated in the *Federal Register* on December 7, 1995 (60 FR 62930). This action proposes to revise the definition of wood furniture component to exclude from this definition, and therefore, from the requirements of this NESHAPs. Section 9.1 of the Environmental Protection Act (Act) provides that NESHAPs are applicable and enforceable under the Act without further rulemaking action by the Board. ♦

### **Update of Hazardous Waste Test Methods**

The United States Environmental Protection Agency (USEPA) has amended its hazardous waste regulations for testing and monitoring activities. This amendment adds new and revised methods as Updated III to the third edition of the USEPA-approved test methods manual "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," USEPA publication SW-846 and deletes several obsolete methods from SW-846 and the Resource Conservation and Recovery Act (RCRA) regulations. It also incorporates SW-846, Third Edition, as amended by Updates I (July 1992), II (September 1994), and IIA (August 1993, as part of the wood surface protection rule), IIB (January 1995, clarifying the temperature requirement for pH measurements of highly alkaline wastes), and III (December 1996). The intent of this action is to provide state-of-the-art analytical technologies for RCRA-related testing, thus promoting cost effectiveness and flexibility in choosing analytical test methods, as well as clarifying the RCRA program's approach to working towards the Performance Based Measurement System. This action was effective as of June 13, 1997. The Board will include this matter in its identical-in-substance rulemaking update. ♦

### **A**doption of Ozone Reduction Protocol for State Implementation Plans (SIP)

This final rule adds seven methods to Appendix M of 40 CFR Part 51 for capture efficiency (CE) testing to assist states in adopting enforceable CE measurement protocols into their SIPs for ozone. The proposed rulemaking was published in the *Federal Register* on August 2, 1995 (60 FR 39297). These final methods, in conjunction with the protocols, will improve the USEPA's ability to enforce state regulations to reduce volatile organic compounds (VOC) emissions in ozone nonattainment areas. These methods became effective June 16, 1997. ♦

### **A**doption of Standards of Performance for New Stationary Sources for Nonmetallic Mineral Processing Plants

This final action revises and clarifies several provisions of the standards of performance for nonmetallic mineral processing plants, which were proposed in the *Federal Register* on June 27, 1996 (61 FR 33415). These standards implement Section 111 of the Clean Air Act (42 U.S.C. 7411 (1990)), as amended, and require all new, modified, and reconstructed nonmetallic mineral processing plants to achieve emission levels that reflect the best demonstrated system of continuous emissions reduction, considering cost, nonair quality health, and environmental and energy impacts. This action presents the final revisions to the applicability, definitions, test methods, procedures, reporting, and recordkeeping requirements of the standards, and the basis for those revisions. The affected industries and numerical emission limits remain unchanged. The provisions of Section 111 of the Clean Air Act (42 U.S.C. 7411 (1990)), as amended, relating to standards of performance for new stationary sources are applicable in Illinois and are enforceable under Section 9.1(b) of the Environmental Protection Act. (415 ILCS 5/9.1 (1996).) ♦

### **A**pproval of State Implementation Plan (SIP) Amendment for Stepan Company

On May 5, 1995, and May 26, 1995, Illinois submitted a SIP revision request to the United States Environ-

mental Protection Agency (USEPA) for reactor processes and distillation operation processes in Synthetic Organic Chemical Manufacturing Industry (SOCMI) as part of Illinois' control measures for volatile organic material (VOM) emissions for the Chicago and Metro-East (East St. Louis) areas. This rulemaking only addresses compliance with the Reasonable Available Control Technology (RACT) for one source, Stepan Company's Millsdale facility. VOM is one of the air pollutants which combine on hot summer days to form ground-level ozone, commonly known as smog. The control measures specified in this SOCMI SIP revision are not expected by Illinois to further reduce VOM emissions in the Chicago or the East St. Louis area, because Illinois identified only two sources which meet the applicability criteria, and Illinois states that the sources are already in compliance with the State's SOCMI rules. The direct final approval shall be effective on August 18, 1997, unless the USEPA receives adverse or critical comments by July 17, 1997. ♦

### **P**roposed Consent Decree Lodged in United States v. M & O Environmental

On June 6, 1997, a proposed consent decree, United States v. M & O Environmental Company, et al., was lodged in the United States District Court for the Northern District of Illinois. This consent decree resolves claims against two parties, Luse Asbestos Removal Company (Luse) and Carnow Conibear & Associates, Ltd. (Carnow), for violations of Sections 112 and 114 of the Clean Air Act (CAA) (42 U.S.C. Sections 7412 and 7414) and various work practice standards and notice requirements promulgated as part of the National Emissions Standards for Hazardous Air Pollutants for asbestos (asbestos NESHAP). The consent decree requires Luse and Carnow to comply with the asbestos NESHAP and the CAA of each demolition and/or renovation operation that is owned, leased, operated, controlled, or supervised by Luse or Carnow and to pay collectively \$70,000 in civil penalties. The Department of Justice in Washington, D.C., will receive comments relating to this consent decree for a period of 30 days, or until July 24, 1997. ♦

**FINAL DECISIONS 6/5/97**

**93-124** Tolles Realty Company v. IEPA - The Board granted petitioner's motion for summary judgment in this underground storage tank appeal involving a Madison County facility.

**93-137** Safety-Kleen Corp. v. IEPA - The Board granted petitioner's motion for withdrawal of this Resource Conservation and Recovery Act (RCRA) permit appeal involving a St. Clair County facility.

**93-138** Safety-Kleen Corp. v. IEPA - The Board granted petitioner's motion for withdrawal of this RCRA permit appeal involving a Champaign County facility.

**93-186** People of the State of Illinois v. Emco Chemical Distributors - The Board accepted a stipulation and settlement agreement in this air enforcement action involving a Lake County facility, ordered the respondent to pay a civil penalty of \$22,080, and ordered the respondent to cease and desist from further violations. Board Member J. Theodore Meyer dissented.

**93-228** Safety-Kleen Corp. v. IEPA - The Board granted petitioner's motion for withdrawal of this RCRA permit appeal involving a Cook County facility.

**94-97** Safety-Kleen Corp. v. IEPA - The Board granted petitioner's motion for withdrawal of this RCRA permit appeal involving a Champaign County facility.

**94-119** Safety-Kleen Corp. v. IEPA - The Board granted petitioner's motion for withdrawal of this RCRA permit appeal involving a St. Clair County facility.

**94-166** Safety-Kleen Corp. v. IEPA - The Board granted petitioner's motion for withdrawal of this RCRA permit appeal involving a Cook County facility.

**94-172** Safety-Kleen Corp. v. IEPA - The Board granted petitioner's motion for withdrawal of this land permit appeal involving a Tazewell County facility.

**94-209** Safety-Kleen Corp. v. IEPA - The Board granted petitioner's motion for withdrawal of this RCRA permit appeal involving a St. Clair County facility.

**94-225** Amoco Oil Company v. IEPA - The Board granted petitioner's motion for withdrawal of this underground storage tank appeal involving a DuPage County facility.

**94-323** Safety-Kleen Corp. v. IEPA - The Board granted petitioner's motion for withdrawal of this RCRA permit appeal involving a St. Clair County facility.

**94-324** Safety-Kleen Corp. v. IEPA - The Board granted petitioner's motion for withdrawal of this RCRA permit appeal involving a Champaign County facility.

**94-330** Safety-Kleen Corp. v. IEPA - The Board granted petitioner's motion for withdrawal of this land permit appeal involving a Tazewell County facility.

**94-331** Safety-Kleen Corp. v. IEPA - The Board granted petitioner's motion for withdrawal of this land permit appeal involving a Champaign County facility.

**96-3** General Motors Corp. v. IEPA - The Board granted petitioner's motion for withdrawal of this air permit appeal involving a Vermilion County facility.

**96-47** Joseph Bogacz v. Commonwealth Edison Company - The Board dismissed this citizen's air enforcement action involving a Cook County facility finding no violation of Sections 9 or 9.1 of the Environmental Protection Act (415 ILCS 5/9, 9.1 (1996)). Board Member K. M. Hennessey abstained.

**96-136** People of the State of Illinois v. Steve Kulovsek d/b/a WSH Management Group and d/b/a Kulovsek Excavating - The Board accepted a stipulation and settlement agreement in this air enforcement action involving a McHenry County facility, ordered the respondent to pay a civil penalty of \$5,000, and ordered the respondent to cease and desist from further violations.

**96-144** People of the State of Illinois v. Coastal Mart, Inc. - The Board accepted a stipulation and settlement agreement in this underground storage tank enforcement action involving a Morgan County facility, ordered the respondent to pay a civil penalty of \$24,000, and ordered the respondent to cease and desist from further violations. Board Member J. Theodore Meyer dissented.

**97-131** Central Illinois Public Service Company (Coffeen Power Station) v. IEPA - The Board granted this Montgomery County facility a variance, subject to conditions, from the thermal standards applicable to Coffeen Lake as established on March 19, 1982, in PCB 77-158.

**97-137** City of Joliet v. IEPA - The Board granted petitioner's motion for withdrawal of this request for public water supply variance involving a Will County facility.

**97-159** Central Illinois Public Service Company (Newton Lake Thermal Power Station) v. IEPA - The Board granted this Montgomery County facility a variance, subject to conditions, from the thermal standards applicable to Newton Lake as established on August 21, 1980, in PCB 78-271.

**97-167** Litchfield-Hillsboro Landfill v. IEPA - Having previously granted a request for a 90-day extension, the Board dismissed this matter because no permit appeal was timely filed on behalf of this Montgomery County facility.

**97-218** Laclede Steel Company v. IEPA - Upon receipt of an IEPA recommendation, the Board granted a 30-day provisional variance from the 90-day limitation on the accumulation of hazardous wastes at this Madison County facility.

**97-219** City of Fulton v. IEPA - Upon receipt of an IEPA recommendation, the Board granted this Whiteside County facility a 45-day provisional variance, subject to conditions, from certain effluent discharge requirements of the water pollution control regulations, as set forth 35 Ill. Adm. Code 304.120(c) and 304.141(a) of the Board's water regulations and imposed by National Pollutant Discharge Elimination System Permit (NPDES) No. IL0028860. Board Member K.M. Hennessey abstained.

**97-220** Village of Tonica v. IEPA - Upon receipt of an IEPA recommendation, the Board granted this LaSalle County facility a 45-day provisional variance, subject to conditions, from certain effluent discharge requirements of the water pollution control regulations, as set forth 35 Ill. Adm. Code 304.120(c), 304.141(a), and 304.212 and imposed by National Pollutant Discharge Elimination System Permit (NPDES) No. IL0023639. Board Member K.M. Hennessey abstained.

**AC 97-58** County of Will v. Daniel Stokes - The Board granted complainant's motion for withdrawal of this administrative citation involving a Will County facility.

**AC 97-59** County of Montgomery v. Envotech Illinois, Inc. - The Board entered a default order, finding that this Montgomery County respondent had violated the Environmental Protection Act (415 ILCS 5/21 (o)(5) (1996)) and ordering him to pay a civil penalty of \$500.

**AS 94-5** In the Matter of: Petition of Abbott Laboratories for an Adjusted Standard from 35 Ill. Adm. Code 7218 Subpart RR - The Board granted petitioner's motion for withdrawal of this request for an adjusted standard involving a Lake County facility.

**R96-17** In the Matter of: Exemptions from State Permit Requirements, Amendments to 35 Ill. Adm. Code 201 and 211 - The Board adopted amendments to its existing air pollution control rules. - *See Rulemaking Update*

**R97-11** In the Matter of: Site Redemption Program and Groundwater Quality (35 Ill. Adm. Code 740 and 35 Ill. Adm. Code 620) - The Board added a new part, Part 740, to its land rules and adopted amendments to its existing groundwater pollution control rules. - *See Rulemaking Update*

**R97-12(A)** Tiered Approach to Corrective Action (T.A.C.O.) 35 Ill. Adm. Code 742 - The Board added a new part, Part 742, to its existing land rules. - *See Rulemaking Update*

**R97-24** In the Matter of: 9% ROP Plan Control Measures from VOM Emissions-Tightening Cold Cleaning Requirements: Amendments to 35 Ill. Adm. Code Parts 211, 218 and 219, Subpart E - The Board adopted amendments to its existing air pollution control rules. - *See Rulemaking Update*

## **FINAL DECISIONS 6/19/97**

**91-28** Acme Steel Company v. IEPA (Consolidated with PCB 92-2) - The Board granted petitioner's motion for withdrawal of this NPDES permit appeal involving a Cook County facility. Board Member K.M. Hennessey abstained.

**92-2** Acme Steel Company v. IEPA (Consolidated with PCB 91-28) - The Board granted petitioner's motion for withdrawal of this NPDES permit appeal involving a Cook County facility. Board Member K.M. Hennessey abstained.

**95-122** Olive Streit and Lisa Streit v. Oberweis Dairy, Inc., Richard J. Fetzer, and Johnnie W. Ward d/b/a Serve-N-Save, and Richard J. Fetzer, individually - The Board granted complainants' motion for withdrawal of this citizens' underground storage tank enforcement action involving a Kane County facility.

**96-220** People of the State of Illinois v. Allied Signal, Inc. - The Board accepted a stipulation and settlement agreement in this RCRA and water enforcement action involving a Sangamon County facility, ordered the respondent to pay a civil penalty of \$35,000, and ordered the respondent to cease and desist from further violations. Board Member K.M. Hennessey abstained.

**97-38** People of the State of Illinois v. Amsted Industries, Inc., a Delaware corporation d/b/a Griffin Wheel Company, L.E. Swiderski d/b/a Griffin Wheel Company; Horsehead Resource Development Company, Inc., a Delaware corporation, and Hellman Trucking Company, Inc., an Iowa corporation - The Board accepted a stipulation and settlement agreement from Hellman Trucking Company, Inc. in this RCRA enforcement action involving a Cook County facility, ordered the respondent to pay a civil penalty of \$5,000, and ordered the respondent to cease and desist from further violations. This action remains open to the remaining respondents.

**97-93** People of the State of Illinois v. Ashland Inc. - The Board accepted a stipulation and settlement agreement in this air enforcement action involving facilities located in Cook, Lake, and DuPage Counties, ordered the respondent to pay a civil penalty of \$25,000, and ordered the respondent to cease and desist from further violations.

**97-95** People of the State of Illinois v. City of Sterling - The Board accepted a stipulation and settlement agreement in this air and land enforcement action involving a Whiteside County facility, ordered the respondent to pay a civil penalty of \$3,000, and ordered the respondent to cease and desist from further violations.

**97-139** Residents Against a Polluted Environment and The Edmund Thornton Foundation v. County of LaSalle and LandComp Corporation - The Board affirmed the County's decision granting siting approval to LandComp Corporation. Board Member J. Theodore Meyer concurred.

**97-154** Monsanto Company v. IEPA - The Board granted petitioner's motion for withdrawal of this RCRA permit appeal involving a St. Clair County facility.

**97-158** Donald and Venus Bryant v. Doug Heil and The Harrisburg Truss Co. - The Board granted complainants' motion for withdrawal of this citizens' noise enforcement action involving a Saline County facility.

**AC 97-24** County of LaSalle v. Charlie Raikes d/b/a Kickapoo Iron & Metals - The Board entered an order requiring the respondent to pay \$155.40 in hearing costs. This order supplements the Board's interim order of April 17, 1997, which found that this LaSalle County respondent had violated the Environmental Protection Act (415 ILCS 5/21(p)(3) (1996)) and ordered the respondent to pay a civil penalty of \$500.

**AC 97-61** IEPA v. William Decker - The Board entered a default order, finding that this Livingston County respondent had violated the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(3), and (p)(4) (1996)) and ordered him to pay a civil penalty of \$1,500.

**AC 97-62** County of Will v. Crown-Trygg Corporation - The Board entered a default order, finding that this Will County respondent had violated the Environmental Protection Act (415 ILCS 5/21(p)(1) (p)(3) (1996)) and ordered it to pay a civil penalty of \$1,000.

**AC 97-65** IEPA v. Peter Gomez and Teri Wakeland - The Board granted complainant's motion for withdrawal of this administrative citation involving a Mercer County facility.

**AS 97-4** In the Matter of: Petition of Ensign-Bickford Company for an Adjusted Standard from 35 Ill. Adm. Code 703.183 - The Board denied petitioner's request for an adjusted standard from 35 Ill. Adm. Code 702.183 for this Union County facility. Board Member J. Theodore Meyer dissented.

**NEW CASES 6/5/97**

**97-169** Maywood/Phillips 66 v. IEPA - The Board accepted for hearing this underground storage tank appeal on behalf of a Cook County facility.

**97-180** Atkinson Landfill Company v. IEPA - The Board accepted for hearing this appeal of a land permit on behalf of a Henry County facility. Board Member J. Theodore Meyer abstained.

**97-204** Swearingin Services, Inc. v. IEPA - The Board accepted for hearing this underground storage tank appeal on behalf of a Jersey County facility.

**97-205** Illinois Landfill, Inc. v. IEPA - The Board held this petition for land variance involving a Vermilion County facility for IEPA recommendation.

**97-206** Sky-View Wholesale Nursery Sales Company v. IEPA - The Board accepted this request for a 90-day extension of time to file a underground storage tank appeal on behalf of a Cook County facility.

**97-207** People of the State of Illinois v. Inspiration Development Company - The Board received for hearing this air and land enforcement action against a Jo Daviess County facility.

**97-209** Land and Lakes Company v. IEPA - The Board held this land variance involving a Cook County facility for IEPA recommendation.

**97-210** ESG Watts, Inc. v. IEPA - The Board accepted for hearing this appeal of a land permit on behalf of a Rock Island County facility.

**97-211** Gord Leonard Union 76, Inc. v. IEPA - The Board accepted for hearing this underground storage tank appeal on behalf of a Lake County facility.

**97-212** People of the State of Illinois v. City of Kewanee - The Board ordered the statutorily required publication of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this air enforcement action against a Henry County facility.

**97-213** Ryder Truck Rentals, Inc. v. IEPA - The Board accepted for hearing this underground storage tank appeal on behalf of a Cook County facility.

**97-214** People of the State of Illinois v. Village of Carpentersville - The Board received for hearing this water enforcement action against a Kane County facility.

**97-215** People of the State of Illinois v. Keyser Industries, Inc., aka Florida Plastics, Inc. - The Board received for hearing this air enforcement action against a Cook County facility.

**97-216** The Knapheide Manufacturing Company v. IEPA - The Board held this petition for air variance involving an Adams County facility for IEPA recommendation.

**97-217** People of the State of Illinois v. Bigelow Group, Inc. - The Board received for hearing this water enforcement action against a Lake County facility.

**97-218** Laclede Steel Company v. IEPA - *See Final Actions*

**97-219** City of Fulton v. IEPA - *See Final Actions*

**97-220** Village of Tonica v. IEPA - *See Final Actions*

**AC 97-66** IEPA v. RCS, Inc. and Rickie L. Laird - The Board received an administrative citation against these Jersey County respondents.

**R97-30** Amendments to 35 Ill. Adm. Code Part 611 (Cross Reference to Lab Accreditation Rules at 35 Ill. Adm. Code 186) - The Board accepted for hearing the IEPA proposal to amend the Board's public water supply regulations. - *See Rulemaking Update*

**R97-31** 15% ROP Plan: Wood Furniture Coating Amendments to 35 Ill. Adm. Code Parts 211, 218 and 219, Subpart F - The Board accepted for hearing the IEPA proposal to amend the Board's air pollution control regulations. - *See Rulemaking Update*

**NEW CASES 6/19/97**

**97-182** Ingleside Citgo Service v. IEPA - The Board accepted for hearing this underground storage tank appeal on behalf of a Lake County facility.

**97-205** Illinois Landfill, Inc. v. IEPA - The Board accepted this matter for hearing after receiving an objection on June 6, 1997, to granting a land variance for this Vermilion County facility.

**97-221** Debra Conway v. Edward and Winona Johnson, Sr. - The Board held this citizen's air enforcement action against a Cook County facility for a frivolous and duplicitous determination.

**97-222** Amoco Chemical Company (Joliet Chemical Plant) v. IEPA - The Board accepted for hearing this appeal of an NPDES permit on behalf of a Will County facility.

**97-223** People of the State of Illinois v. Rose Construction Company and Lindahl Brothers, Inc. - The Board received for hearing this air enforcement action against a Cook County facility.

**97-224** Emro Marketing Company v. IEPA - The Board accepted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a Cook County facility.

**97-225** People of the State of Illinois v. Heartland Pork Enterprises, Inc. - The Board received for hearing this air enforcement action against this Edgar County facility.

**97-226** Riverview FS v. IEPA - The Board held this petition for review of an underground storage tank determination involving a Winnebago County facility for further review.

**97-227** Dwight Correctional Center v. IEPA - The Board accepted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a Livingston County facility.

**97-228** Waste Professionals, Inc. d/b/a Pekin Landfill v. IEPA - The Board held for the IEPA recommendation this petition for land variance involving a Tazewell County facility.

**AC 97-67** County of LaSalle v. Mike and Janet Brown - The Board received an administrative citation against these LaSalle County respondents.

**AC 97-68** County of Vermilion v. Randall Richter - The Board received an administrative citation against this Vermilion County respondent.

**AC 97-69** County of Will v. Timothy A. Nichols - The Board received an administrative citation against this Will County respondent.

**AC 97-70** IEPA v. Sharon Tondina - The Board received an administrative citation against this Iroquois County respondent.

**AS 97-10** In the Matter of: Petition of Waste Professionals, Inc. d/b/a Pekin Landfill for an Adjusted Standard from 35 Ill. Adm. Code Part 814, Subpart D - The Board acknowledged receipt of this petition for an adjusted standard from certain requirements on behalf of a Tazewell County facility and held it pending receipt of publication.

**AS 97-11** In the Matter of: Petition of the Greater Rockford Airport Authority for an Adjusted Standard from 35 Ill. Adm. Code Part 814 Subpart D - The Board acknowledged receipt of this petition for an adjusted standard from certain requirements on behalf of a Winnebago County facility and held it pending receipt of publication.

CALENDAR OF HEARINGS

JULY 1997

Monday	Tuesday	Wednesday	Thursday	Friday
	1)	2) R97-28, Petition of Mobile Oil for relief from Ammonia Nitrogen Effluent Standards, 11am, 375 West Briar Cliff, Bolingbrook, IL	3)	4)
7)	8)	9)	10)	11)
14)	15)	16)	17) PCB 97-143, Jeffrey Webb V. City of Anna, 10:00am, Anna City Hall, Conference Room, 123 Davie Street, Anna, IL	18)
21)	22)	23)	24) PCB 97-210, ESG Watts v. IEPA, 9:30am, County Building, County Board Room, 1504 Third Ave., Rock Island, IL	25) PCB 97-205, Illinois Landfill v. IEPA, 9:30am, Vermillion County Courthouse, Annex County Board Room, 6 North Vermillion, Danville, IL
28) R97-25, Conforming Amendments for Great Lakes Initiative, 10:00am, Waukegan Port District, Conference Room, 555 South Harbor Place, Waukegan, IL	29)	30) An IEPA public hearing on the Bureau of Water Program Plans for Fiscal Year 1998, 1001 North Grand Avenue East in Springfield, Illinois. Address questions to John Williams, IEPA Hearing Officer, 217-782-5544.	31)	

**LEGISLATIVE HIGHLIGHTS**  
**MAJOR ENVIRONMENTAL BILLS PASSED IN 1997**

The following is a summary of some of the bills that recently passed both houses of the Illinois General Assembly that could either impact the Board or the State's environmental laws in general. These bills are all currently awaiting final action by the Governor. To check the status of these bills visit the Board's web site at <http://www.ipcb.state.il.us/leupdate.htm>

**SB 54 (Mahar/Hassert)** prohibits local governments from siting new or expanded landfills or waste disposal areas anywhere within the 100-year floodplain. (Current law prohibits landfills, incinerators, and waste transfer stations from being sited within the 100-year floodplain unless they are floodproofed; this bill removes the floodproof option.) It exempts from this prohibition the expansion of any existing landfill within the 100-year floodplain provided the proposed expansion has already received local siting approval. The bill also allows expansion of existing landfills within the 100-year floodplain on property currently owned by a landfill company which has not yet received local siting, but extends the financial assurance requirement from 30 years after closure of the landfill to 100 years after closure for such landfills.

**SB 140 (Radogno/E. Lyons)** requires any community proposing to build or expand a pollution control facility (landfill, incinerator, or waste transfer station) to notify all contiguous municipalities, and the county board of the county in which the community is located, of the local siting hearing at least 14 days prior to the local hearing. Effective January 1, 1998, the bill specifically allows the contiguous communities and county board to participate in the local siting hearing.

**SB 348 (Mahar/Novak)** extends by one year (from the current December 31, 1997 until January 1, 1999) the deadline by which the Board must adopt final rules to implement proportionate share liability for environmental contamination and remediation costs.

**SB 475 (Radogno/Scully)** requires that any host agreements negotiated or entered into between counties and/or municipalities, with a developer of a pollution control facility (landfill, incinerator, or waste transfer station) be made public prior to the county or municipality voting on whether to site the proposed facility. In the case of an oral agreement, this bill requires that a summary of the agreement be prepared and made available to the public.

**SB 778 (Karpel/Hassert)** requires the Board to request the Department of Commerce and Community Affairs (DCCA) to conduct an economic impact study (EcIS) on any proposed Board rules prior to the adoption of the rules. The bill also authorizes (but does not require) DCCA to conduct the EcIS within 30 to 45 days of the Board's request. The bill requires public notice of any

EcIS conducted for the Board. It requires the Board to consider the EcIS during its hearing process on the proposed rule. The bill further exempts rules relating to the Board's or the Illinois Environmental Protection Agency's (IEPA) administrative procedures. It specifies that, at a minimum, the EcIS must address the economic, environmental, and public health benefits that may be achieved through compliance with the proposed rule, and the effects of the proposed rule on employment levels, commercial productivity, the cost of living, the economic growth of small businesses with 100 or less employees, and the State's overall economy.

**SB 814 (Mahar/Scully)** authorizes third party appeals, by petition for hearing before the Board, of National Pollutant Discharge Elimination System (NPDES) permit decisions by the IEPA. It authorizes the Board to dismiss such appeals where the Board determines that: (1) the appeal is duplicitous or frivolous, or (2) the petitioner is so located as to not be affected by the permitted facility.

**SB 819 (Mahar/Novak)** clarifies that Title IV of the federal Clean Air Act concerning sources of acid rain deposition are enforceable under the state Environmental Protection Act (EPAct). It allows parties required to obtain a Clean Air Act Permit Program (CAAPP) permit, 30 days from the time they receive the permit to pay the IEPA the initial annual permit fee (as opposed to paying the fee prior to receiving the CAAPP permit, as is now the law). The bill provides that entities not subject to the CAAPP program and not required to obtain a federally enforceable state operating permit (FESOP) shall not be required to renew an operating permit except upon the written request of the IEPA. This bill also delays from FY96 to FY99 the time by which Clean Air Act Permit Program (CAAPP) permit holders must be reimbursed by the IEPA in proportion to their original fee payments to the IEPA to the extent that the total fee revenues collected and deposited into the CAAPP Fund exceed 115% of the actual expenditures from the Fund.

**SB 939 (Watson/Stephens)** amends the Illinois Income Tax Act, the EPAct, the State Finance Act, and the Response Action Contractor Indemnification Act. It establishes an environmental remediation state income tax credit available for certain costs incurred by a person between January 1, 1998, and January 1, 2002, in performing remediation activities in accordance with the Site Remediation Program (Brownfields) under Title

XVII of the EAct. The bill provides for a 5-year carry-over of the tax credit. It amends the EAct to set forth the IEPA's procedures for determining whether the remediation sites may be used toward the environmental remediation tax credit. These parameters include: the party seeking the tax credit could not have caused or materially contributed to the contamination; the party must have completed the remediation and received his No Further Remediation Letter ("clean letter"); and the party must have spent at least \$100,000 on remediation costs to qualify for the tax credit up to a maximum of 25% up to \$700,000 (meaning the tax credit for any one site is limited to a maximum of \$150,000).

The bill further requires the IEPA to propose rules to the Board within six months after the immediate effective date of this bill setting forth what specific remediation costs are eligible for reimbursement through the tax credit. It requires the Board to adopt on second notice rules within six months of receiving the proposed rules from the IEPA (meaning the final rules would be adopted no longer than 45 days after the Board's six-month second notice deadline to allow for the Joint Committee on Administrative Rules review period). It also provides that all Brownfields remediation reimbursement determinations made by the IEPA are appealable to the Board.

The bill also creates the Brownfields Redevelopment Grant Program within the EAct to be administered by the IEPA to provide municipalities with funding for Brownfields redevelopment efforts. Parameters are set in the bill for awarding grants under the Grant Program (such as a lower minimum cost threshold for municipalities located in enterprise zones). The bill allows for grants to municipalities of up to 70% of the remediation costs, subject to the availability of funds. This legislation also creates the Brownfields Redevelopment (grant) Fund, to be made up of funds transferred out of the Response Action Contractor Indemnification Fund.

**SB 1103 (Severns/Novak)** requires the Board to adopt rules to ban the burning of landscape waste (leaves, grass, branches, etc.) in the 10 incorporated municipalities of the State with a population of 75,000 or more (Arlington Heights, Aurora, Chicago, Decatur, Elgin, Joliet, Naperville, Peoria, Rockford, and Springfield, all of which currently ban leaf-burning except Decatur). It allows the burning of landscape waste for agricultural, habitat management, and firefighting training purposes. The bill exempts those local governments that can demonstrate to the Pollution Control Board that prohibiting the burning of landscape waste will cause severe economic hardship. It further allows (but does not require) the Board to restrict or prohibit the burning of landscape waste in any other portions of the State where the Board determines it to be harmful to human, animal, or plant life or health. The bill preempts home rule to prohibit a local govern-

ment from regulating the burning of landscape waste in a manner less restrictive than the State. This legislation provides that a first violation is punishable by a fine of \$50, a second violation \$100, and a third or subsequent violation \$500. It allows alleged violations to be brought either before the Board or in circuit court.

**HB 767 (Novak/Rauschenberger)** exempts from the local siting process any subsequent owner of a new pollution control facility, provided the location has already been granted local siting prior to the transfer of ownership to the subsequent owner. In such a situation, this bill requires the IEPA to conduct an evaluation of the subsequent owner's prior experience in waste management operations. The bill requires the subsequent owner/developer to give public notice at the time he applies to the IEPA for a construction or development permit. It requires the subsequent owner to honor all previous terms and conditions entered into between the previous owner and the local government as part of any host agreement, but allows the developer and the local government to modify such agreements.

**HB 1230 (Phelps/Luechtefeld)** amends the Interstate Ozone Transport Oversight Act to provide for the review by the Illinois General Assembly of the IEPA's State Implementation Plan (SIP) for ozone attainment. This bill requires legislative hearings on the SIP's prospective economic and environmental impacts. It prohibits the IEPA from submitting a SIP for ozone attainment to the United States Environmental Protection Agency (USEPA) that is any more stringent than necessary to achieve attainment with the national ozone standard, except under certain circumstances.

**HB 1386 (Hassert/Rauschenberger)** extends by five years (from December 31, 1997 until December 31, 2002) the time period during which the IEPA may propose Clean Air Act rules to the Board for adoption under the current "fast-track" Clean Air Act rulemaking process. The bill provides that all fast-track rules be adopted under the fast-track rulemaking process unless another provision of the EAct specifies the method for adopting a specific rule.

**HB 1411 (Persico/Rauschenberger)** authorizes the owner or operator of any landfill to accept source separated and processed (composted) landscape waste for final disposal, provided the owner or operator has received a permit from the IEPA to use the landscape waste as alternative daily cover at the landfill.

**HB 1887 (Persico/Karpel)** amends the EAct to expand the definition of a "recycling center" to include certain sites and facilities accepting only general construction or demolition debris for the removal of recyclable materials. The bill exempts recycling centers used solely for general construction or demolition debris from certain IEPA

permit requirements. The bill further specifies the duties of owners or operators of such recycling centers. This legislation exempts recycling centers that accept only general construction or demolition debris and which are located in Cook and DuPage Counties from local siting but requires the facilities to comply with all local zoning or (in the absence of local zoning requirements) to be located no closer than 1,320 feet from the nearest property zoned for primarily residential use. It also sets additional requirements for the operation and handling of debris at such facilities.

The bill also expands the purposes for which local governments (either counties or municipalities) may utilize their local solid waste "tipping fee" revenues to include any environment-related purpose, including but not limited to environment-related public works projects. The bill prohibits such revenues from being used for the construction of any new pollution control facility (landfill, incinerator, or waste transfer station) other than a household hazardous waste facility.

This legislation amends the Vehicle Emissions Inspection (VEI) Law of the Illinois Vehicle Code. It relaxes requirements of the VEI Law to provide that new vehicles registered in those ozone nonattainment areas of the State (the Chicago metropolitan/collar county and Bi-State Metro East areas) must be inspected four years from the model year of the vehicle. (New cars must currently be tested in two years, as opposed to four.) The bill makes the evaporative system purge test (a test the IEPA conducts to inspect if pollutants are being emitted from loose hoses in the engine) discretionary; the test is currently mandatory. The legislation allows the IEPA to extend by one year a VEI certification for those vehicles which fail the inspection but for which costly or extensive repairs are needed to correct the problem.

**HB 2164 (Novak/Mahar)** reclassifies hazardous fluorescent and high intensity discharge lamps (currently classified as hazardous waste) as a category of universal waste. Within two months of this bill taking effect, it requires the IEPA to propose to the Board rules to reflect this reclassification. The bill requires the Board to adopt final rules within six months of receiving the proposed rules from the IEPA. Should the USEPA adopt stream-lined hazardous waste regulations for fluorescent or high intensity discharge lamps or otherwise exempt such lamps from the current hazardous waste regulations, the

Pollution Control Board is required to adopt equivalent rules within six months of the USEPA's action as an alternative to adopting rules proposed to the Board by the IEPA.

The bill redefines "special waste," providing that certain industrial process waste and pollution control waste shall be managed as special waste unless the generator provides a specified certification. It also sets forth penalties for falsely certifying that such waste is not special waste.

The bill also creates the Drycleaner Environmental Response Trust Fund Act (Act) to support remediation of drycleaning solvent releases at drycleaning facilities through a reimbursement program for remediation of existing releases and an insurance program for prospective releases. Also created in this bill is the Drycleaner Environmental Response Trust Fund Council to administer the Act. The bill sets forth a continuing appropriation of monies in the fund to the council to make disbursements required under the Act. The bill authorizes the imposition of civil and criminal penalties for violations. It establishes a quantity-based drycleaning solvent fee to be imposed on any person selling and transferring drycleaning solvent to a person operating a drycleaning facility for use at the facility. The bill imposes a one-time drycleaning solvent floor stock fee to be assessed on January 1, 1998. It requires owners or operators of drycleaning facilities to obtain a license under the Act in order to be eligible for reimbursement and insurance benefits under the Act. The bill repeals the license, sale, and transfer fee provisions on July 1, 2007. It provides for a transfer of \$375,000 in State General Revenue Funds (GRF) to the Drycleaner Environmental Response Trust Fund, which, after six months, shall be transferred back into GRF. The bill amends the State Finance Act to create the Drycleaner Environmental Response Trust Fund as a new fund within the State treasury. It amends the Insurance Code to exempt the Drycleaner Environmental Response Trust Fund from the provisions of the Code.

This legislation also creates the offense of criminal disposal of waste, punishable as a Class 4 felony and a fine of up to \$25,000 for the first offense, and a Class 3 felony and fine of up to \$50,000 for a second or subsequent offense. The bill also makes it unlawful for any person to knowingly violate provisions of the Procedures for Asbestos Emission Control of the Code of Federal Regulations.

**ADJUSTED STANDARDS AND COMBINED  
SEWER OVERFLOW DETERMINATION LISTS**

Pursuant to Section 28.1(d)(3) of the Environmental Protection Act, the Board is publishing in this issue of the *Environmental Register* a list of all final determinations on adjusted standards made within the fiscal year 1997 (July 1, 1996 through June 30, 1997). While this list usually includes any final determinations on combined sewer overflow exceptions during the fiscal year, no such determinations were made in fiscal year 1997. To receive a copy of any of these determinations, please write to the Clerk of the Board and specify the docket number of the case. A copy of the adjusted standards will also appear in the *Illinois Register*, as also required by Section 28.1(d)(3).

**Docket/Docket Title****Final Determination**

**AS 94-10:** In the Matter of: Petition of Envirite Corporation for an Adjusted Standard from 35 Ill. Adm. Code Part 721, Subpart D: List of Hazardous Substances, Appendix I

On November 7, 1996, the Board amended its order of February 15, 1996, in which the Board granted an adjusted standard from certain Resource Conservation and Recovery Act (RCRA) Subtitle C hazardous waste listings, in order to accommodate a change in facility ownership.

**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)

On September 5, 1996, 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)

On September 5, 1996, the Board dismissed the 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.

**AS 96-9:** In the Matter of: Petition of Commonwealth Edison Company for an Adjusted Standard from 35 Ill. Adm. Code Parts 811, 814

On August 15, 1996, the Board granted this Will County facility an adjusted standard, with conditions, from certain leachate collection, monitoring well location, groundwater monitoring, final cover, zone of attenuation, and other requirements of the solid waste disposal (non-hazardous solid waste landfill) regulations.

**AS 96-10:** In the Matter of: Petition of Commonwealth Edison Company for an Adjusted Standard from 35 Ill. Adm. Code Parts 811, 814

On October 3, 1996, the Board granted this Will and Cook County facility an adjusted standard, subject to conditions, from certain effluent temperature requirements of the water pollution regulations.

**AS 96-11:** In the Matter of: Petition of Chemetco, Inc. for an Adjusted Standard from 35 Ill. Adm. Code Parts 720.131(a), (c)

On August 1, 1996, the Board found that petitioner had not timely filed a certificate of publication and dismissed this petition filed on behalf of a Madison County facility for a solid waste determination (adjusted standard) pursuant to the RCRA Subtitle C hazardous waste regulations.

**AS 96-12:** In the Matter of: Petition of Illinois Department of Transportation, District 8, for an Adjusted Standard from 35 Ill. Adm. Code Parts 302.208, 304.124, and 302.203.

On October 3, 1996, the Board granted this St. Clair County facility an adjusted standard, subject to conditions, from certain iron, total suspended solids, and effluent color discharge requirement standards of the water pollution control regulations, as they would relate to the natural oxidation and biotransformation of iron in the water discharged.

**AS 97-1:** In the Matter of: Petition of American River Transportation Company for an Adjusted Standard from 35 Ill. Adm. Code 809.201, 809.301, 809.302, and 809.501.

On February 6, 1997, the Board granted this LaSalle County facility an adjusted standard, subject to conditions, from the Board's regulations requiring that special waste haulers obtain a permit and that special waste be manifested prior to transportation and disposal.

**AS 97-3:** In the Matter of Shell Wood River Refining Company for an Adjusted Standard from 35 Ill. Adm. Code 725.213 and 725.321.

On May 15, 1997, the Board granted this Madison County facility an adjusted standard from the Board's regulations regarding closure of certain waste treatment ponds at its Wood River facility to allow use of the ponds to treat nonhazardous waste in compliance with its National Pollution Discharge Elimination System permit.

**AS 97-4:** In the Matter of: Petition of Ensign-Bickford Company for an Adjusted Standard from 35 Ill. Adm. Code 703.183

On June 19, 1997, the Board denied this Union County facility an adjusted standard from a regulation requiring it to submit to the IEPA topographic maps containing specific information as part of a RCRA permit application.

**AS 97-7:** In the Matter of: Petition of Southern Illinois Regional Landfill, Inc. (SIRL) for an Adjusted Standard from 35 Ill. Adm. Code 811.309

On April 17, 1997, the Board dismissed this matter for failure to timely file a certificate of publication.

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 IEPA 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 July 1, 1997.

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

RDS:sp/0046g/2

<u>NAME OF PUBLIC WATER SUPPLY/COUNTY/FACILITY#</u>	<u>EPA RGN</u>	<u>NATURE OF PROBLEM</u>	<u>POP. SERVED</u>	<u>LISTING DATE</u>
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 Corp (Jo Daviess Co - 0855200)	1	Inadequate Pres Storage	700	12/15/93
Bardolph (McDonough Co - 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 & Trihalomethane	1,634	09/16/96
Blue & Gold Hmownrs Assn (Winnebago Co - 2015250)	1	Inad Pres Tank & Source of Supply	170	06/17/83
Blue Mound (Macon Co - 1150100)	4	Nitrate	1,165	03/15/97
Bonnie Lane Water Supply (Kendall Co - 0930010)	2	Inadequate Pres Tank	49	09/16/93
Bradley Hts 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
Brookview Sbdv (Peoria Co - 1435100)	5	Nitrate	300	09/16/93
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 Sbdv (Rock Island Co - 1610070)	1	Arsenic	75	06/17/96
Campus (Livingston Co - 1050050)	4	Inadequate Pres Tank	230	03/20/81
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

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Cherry View Apts (Winnebago Co - 2015278)	1	Inadequate Pres Tank	60	06/17/83
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
Coalton (Montgomery Co - 1350100)	5	Low System Pres	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
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
Ctzns Liberty Ridge Dvn (DuPage Co - 0435650)	2	Inadequate Pres Tank	2,510	03/15/94
Ctzns Lombard Heights Dvn (DuPage Co - 0435700)	2	Inadequate Pres Tank	980	12/17/82
Ctzns Marina Village (Kendall Co - 0935100)	2	Inadequate Pres Tank & Inadequate Pres Storage	2,200	03/16/90
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
Dieterich (Effingham Co - 0490150)	4	Nitrite	568	12/16/96
DL Well Owners Assn (Lake Co - 0975380)	2	Inadequate Pres Tank	125	03/18/83
Dorchester (Macoupin Co - 1170250)	5	Atrazine & Trihalomethane	480	09/16/96
Dover (Bureau Co - 0110350)	1	Inadequate Pres Tank	200	05/25/81
Eagerville (Macoupin Co - 1170300)	5	Atrazine & Trihalomethane	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
Echo Lake Block IV Wtr 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
Ellis Grove (Randolph Co - 1570200)	6	Trihalomethane	720	12/16/96
Elm Oak Mutual Wtr Syst (Lake Co - 0975736)	2	Inad Pres Tank	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	Inadequate Pres Tank	620	03/20/81
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
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
Gillespie (Macoupin Co - 1170400)	5	Atrazine & Trihalomethane	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 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
* Greenfield (Greene Co - 0610150)	6	Atrazine	1,200	06/13/97
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

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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
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
Hull (Pike Co - 1490350)	5	Tetrachloroethylene	529	03/15/97
Huntley Cmnty Sbdv (Will Co - 1975840)	2	Inadequate Pres Tank	48	03/16/84
Ill City Waterworks (Rock Island Co - 1610110)	1	Inadequate Pres Storage	43	03/15/97
Ingalls Pk 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 County - 1310100)	1	Inadequate Source	495	09/16/96
Kaho (Macoupin Co - 1170030)	5	Atrazine	847	09/16/96
* LaHarpe (Hancock Co - 0670450)	5	Atrazine	1,500	06/13/97
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 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 Wl Cmpny Inc (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
London Mills (Fulton Co - 0574620)	5	Inadequate Pres Tank	670	12/14/84
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	Inad Pres Tank & Trichloroethylene	234	08/31/81
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
* McHenry Shores (McHenry Co - 1115020)	2	Iron	1,460	06/13/97
Mound PWD (St Clair Co - 1635050)	6	Inadequate Plant Capacity	1,800	06/17/96
Mount Clare (Macoupin Co - 1170650)	5	Atrazine & Trihalomethane	297	09/16/96
Mount Gilead Shlcrhm (Greene Co - 0615129)	6	Inadequate Pres Tank	28	09/16/83
Nauvoo (Hancock Co - 0670500)	5	Trihalomethane	1,200	08/13/93
Northside Peterson Wlfnd (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
Oakview Avenue Wtrwks Inc (Will Co - 1977210)	2	Inadequate Pres Tank	350	03/20/81
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 Crest Wtr Cmpny (Stephenson Co - 1775100)	1	Inadequate Pres Tank	1,200	09/14/84
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

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Patoka (Marion Co - 1210400)	6	Inadequate Plant Capacity	731	03/15/97
* Pittsfield (Pike Co - 1490750)	5	Atrazine	4,245	06/13/97
Polo Dr & 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
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
Rome Farms #9 (Peoria Co - 1435500)	5	Nitrate	200	09/15/95
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
Sawyerille (Macoupin Co - 1170850)	5	Atrazine	570	09/16/96
Sbdv Wtr Trust No 1 (Kane Co - 0895300)	2	Inadequate Pres Tank	1,120	03/20/81
Scribner Street Sbdv (Will Co - 1977660)	2	Inadequate Pres Tank	50	03/18/83
Shawnita Trc Wtr Assn (Will Co - 1977690)	2	Inadequate Pres Tank	125	09/17/92
Shipman (Macoupin Co - 1170950)	5	Atrazine & Trihalomethane	675	12/16/96
Silvis Heights Wtr Corp (Rock Island Co - 1615750)	1	Inadequate Pres Tank	1,680	03/20/82
Skyview Estates (Kankakee Co - 0915526)	2	Inadequate Pres Tank	65	09/14/84
Sorento (Bond Co - 0050300)	6	Trihalomethane	750	09/16/96
Spring Creek Wtr Assn (Macoupin Co - 1175450)	5	Atrazine & Trihalomethane	60	09/16/96
St Charles Cmsn Wlwnd 3 (DuPage Co - 0437040)	2	Inadequate Pres Tank	30	12/15/89
Staunton Res Rd Wtr (Macoupin Co - 1175250)	5	Trihalomethane	70	12/16/96
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
The Mill (Winnebago Co - 2010040)	1	Inadequate Pres Tank	90	12/16/94
Tindalls 3rd & 6th Addn (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
Utl Inc Clarendon Wtr Cmpny (DuPage Co - 0435300)	2	Inadequate Pres Tank	1,953	03/20/81
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
Vet's Place Sbdv (Peoria Co - 1435650)	5	Nitrate & Inadequate Pressure Tank	85	09/16/94
Warsaw (Hancock Co - 0670650)	5	Trihalomethane	1,882	12/16/96
Wermes Sbdv (Kane Co - 0895750)	2	Inadequate Pres Tank	150	12/16/88
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
White City (Macoupin Co - 1171150)	5	Trihalomethane	280	12/16/96
White Hall (Greene Co - 0610400)	6	Atrazine & Trihalomethane	2,950	03/15/97
Wilsonville (Macoupin Co - 1171200)	5	Atrazine & Trihalomethane	609	09/16/96

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Wonder Lake Wtr Cmpny (McHenry Co - 1115750)	2	Inadequate Pres Tank	1,161	06/16/94
* Woodland (Iroquois Co - 0751000)	4	Nitrite	333	06/13/97
Woodland Hts Ests Sbdv (Peoria Co - 1435760)	5	Inadequate Pres Tank	245	03/20/81
Woodsmoke Ranch Assn (LaSalle Co - 0990030)	1	Inad 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	Indaquate Pres Tank	33	12/15/95

PUBLIC WATER SUPPLIES REMOVED FROM PREVIOUS LIST

Biggsville (Henderson Co - 0710050)	Kirkwood (Warren Co - 1870050)
Bradford (Stark Co - 1750050)	Knoxville (Knox Co - 0950300)
Briarcrest Sbdv Hmowners Assn (Lake Co - 0971060)	Ladd (Bureau Co - 0110450)
Broadview Acdmy (Kane Co - 0895149)	Lakewood Shores Imprv Assn (Will Co - 1975930)
Brownstown (Fayette Co - 0510100)	Little York (Warren Co - 1870100)
Bryant (Fulton Co - 0570200)	Lostant (LaSalle Co - 0990450)
Carbon Hill (Grundy Co - 0630100)	Marseilles (LaSalle Co - 0990500)
Channahon East (Will Co - 1970070)	Naplate (LaSalle Co - 0990600)
DePue (Bureau Co - 0110300)	Neponset (Bureau Co - 0110700)
Farm Colony Sbdv (Kendall Co - 0935140)	Odell (Livingston Co - 1050550)
Fields Hill Impvmt Assn (LaSalle Co - 0995150)	Plum Creek Cndos (Cook Co - 0317080)
Fields of Long Grove (Lake Co - 0971050)	Ransom (LaSalle Co - 0990900)
Fox Lawn Utl Cmpny Inc (Kendall Co - 0935150)	Reddick (Kankakee Co - 0914780)
Hmownrs Assn of Four Lks Sbdv (LaSalle Co- 0995110)	Retz Addn Impv Assn (LaSalle Co - 0995400)
Hopewell (Marshall Co - 1235150)	South Wilmington (Grundy Co - 0630650)
Il Prairie Est Sbdv (LaSalle Co - 0995300)	St Elmo (Fayette Co - 0510250)
Joliet (Will Co - 1970450)	St Peter (Fayette Co - 0510300)
Kangley (LaSalle Co - 0990250)	Standard (Putnam Co - 1550300)
Kewanee (Henry Co - 0730650)	Steeleville (Randolph Co - 1570650)
Kingston Mines (Peoria Co - 1430450)	Wadsworth Oaks Sbdv (Lake Co - 0977320)
Kinsman (Grundy Co - 0630450)	Yates City (Knox Co - 0950700)

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 IEPA 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 July 1, 1997.

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

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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
Ctzns Chickasaw Hills Div (Will Co - 1975320)	2	Low System Pressure	7,700	09/17/92
Clinton (DeWitt Co - 0390050)	4	Inad Plant Capacity	7,437	06/14/91
DePue (Bureau Co - 0110300)	1	Inad 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	Low System Pressure	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 Hills Sndst (DuPage Co - 0435560)	2	Inadequate Pres 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
McHenry Shores Wtr Cmpny (McHenry Co - 1115020)	2	Low System Pressure	1,170	09/17/92
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
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
West Liberty-Dundas Wtr Dst (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

none