

# ENVIRONMENTAL REGISTER

## *Illinois Pollution Control Board News*

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### PROCEDURAL RULES FOR APPEALS FROM STATE FIRE MARSHALL DETERMINATIONS ADOPTED, R94-11

On October 20, 1994, the Board adopted procedural rules for appeals from determinations of the Office of the State Fire Marshall (OSFM). Under recent amendments to the Environmental Protection Act, in P.A. 88-496, effective September 13, 1993 (see issue 475, Oct. 6, 1993.), the OSFM is charged with making two new determinations in the course of remedial action relating to leaking underground petroleum storage tanks. The OSFM now makes the eligibility and deductibility determinations formerly made by the Agency. The Board is charged with hearing appeals of those OSFM determinations. Although the Board has always heard those appeals when the determinations were made by the Agency, these are the first appeals of OSFM determinations that the Board has ever heard.

The adopted rules set forth the information that a petitioner must include in its petition for review. Among the provisions unique to OSFM appeals is the scheduling of hearings only in Chicago and Springfield, unless the petitioner sets forth sufficient reasons in its petition for holding it elsewhere. This will avoid the parties travelling throughout the state. It will further allow scheduling multiple hearings on a single day. Other rules relate to cancelling hearings, staying the proceedings, and motions for summary judgment. Other aspects of the rules either codify existing Board practices or reference segments of the pre-existing procedural rules.

The Board opened this docket on its own subsequent to the passage of P.A. 88-496. On June 30, 1994, the Board proposed the amendments for First Notice publication in the Illinois Register (see issue 484, July, 1994) and conducted a public hearing in Springfield on August 22. The Board proposed the amendments for Second Notice review by the Joint Committee on Administrative Rules (JCAR) on September 15, 1994 (see issue 487, October, 1994) and received the Certificate of No Objection from JCAR on October 21, 1994. The amendments were filed with the Secretary of State and became effective on November 1, 1994.

Direct questions to Deborah Frank, at 217-356-5275. Request copies from Victoria Agyeman, at 312-814-3620. Please refer to docket R94-11.

### POLLUTION CONTROL BOARD ELECTRONIC BULLETIN BOARD SYSTEM (BBS)

The Pollution Control Board operates an electronic BBS at 312-814-1590. The BBS is available 24 hours a day, 7 days a week, to anyone with access to a computer and a modem - there is no charge for access to the BBS. The best communications settings are 8 data bits (or data length 8), no parity (or parity = none) and 1 stop bit, i.e., 8-N-1. The best terminal emulation is ANSI-BBS or just ANSI. The BBS contains Board Agendas, Environmental Registers, Annual Reports, and various documents about the Board. You may download these documents to your computer. For additional information contact Don Brown at the Board Offices 312-814-3461.

## **APPELLATE UPDATE**

### **FOURTH DISTRICT AFFIRMS ADMINISTRATIVE CITATION, REVERSES IMPOSITION OF COSTS; THE BOARD LACKED THE AUTHORITY TO BIFURCATE ITS DECISION ON THE MERITS AND ITS DECISION ON COSTS**

In the recent decision of the Fourth District, in *Gerald B. Miller v. PCB* (4th Dist Sept. 30, 1994), Nos. 4-93-0047 & 4-93-0585, the court denied challenges to the imposition of a \$500 penalty in an administrative citation and held that the Board had abused its discretion in assessing \$952.25 in hearing costs.

On December 17, 1992, the Board found after hearing that the respondent had violated Section 21(p)(1) of the Environmental

Protection Act (Act) and assessed the statutory \$500 penalty in *Sangamon County v. Gerald B. Miller*, under docket number AC 92-37(A). The Board ordered the county to submit an affidavit of costs.

On February 4, 1994, under docket number AC 92-37(B), the Board assessed \$952.25 in costs against the respondent. This included \$60.00 in attorney's fees for the county, \$20.00 in expert witness' fees for the county inspector who investigated the violation, and \$10.00 for the county's preparation and mailing of the administrative citation documents; \$200.00 in court reporter's attendance fees, \$126.00 in court reporter's travel time, \$49.25 in mileage from Peoria, \$132.00 in transcript fees; and \$300.00 for attendance of the hearing officer, \$45.00 in travel expenses, and a parking fee of \$10.00.

The respondent appealed the decisions in AC 92-37(A) and AC 92-37(B) separately, and the Fourth District consolidated the appeals for decision. The Fourth district affirmed the Board's imposition of the \$500.00 statutory penalty (docket AC 92-37(A)) and reversed the imposition of \$952.25 in costs (docket AC 92-37(B)). In rendering its decision, the court held that the Board was obligated under its interpretation of Section 31.1(d)(2) of the Act to render its decision on both the statutory penalty and the amount of hearing costs in a single decision. The court held that costs in an administrative citation proceeding were not a collateral matter, such as would have permitted the Board to impose them separately, since the authority to assess costs arose from the same statutory provision that authorized imposition of the penalty. This determination, however, did not affect the outcome on the substantive decisions on the issues of the penalty and the costs, since, in the opinion of the court, the improper bifurcation did not amount to an improper imposition of costs but to an improper styling of the docket A order as a final order.

The respondent raised a number of constitutional objections on appeal to the administrative citation procedure. The Fourth District noted that the respondent had failed to raise his objections in the administrative hearings and observed that such a failure constituted a waiver of his right to raise the issues on appeal. The court then addressed the merits of each argument and rejected each of these arguments in turn. The court held that the administrative citation procedure does not violate the constitutional separation of powers because the Board was given no discretion under the statute to vary the amount of the penalty, so no statutory guidelines are necessary. It rejected the argument that the administrative citation procedure violates constitutional due process because the \$500 penalty was minimal, so the Board needs not weigh factors in aggravation and mitigation. The court also held that the administrative citation procedure did not violate the federal equal protection clause (U.S. Const. Art. XIV) due to the fact that it was not possible to use it against certain violations by units of local government because the distinction in the Act did not adversely affect a suspect class, it did not infringe on a fundamental right, and the respondent had failed to prove that the distinction did not serve a legitimate governmental purpose.

The Fourth District rejected the argument that the term "litter" was unconstitutionally vague because, given its ordinary meaning, it was capable of being understood to mean "material of little or no value which has not been properly disposed of". Further, examples set forth in the Litter Control Act (415 ILCS 105) lent definiteness to the term, and the court noted that the respondent could not convincingly argue that the term was vague because he conceded at hearing that there was litter on his property. The court rejected the argument that the hearing officer should have suppressed the photographs of the conditions on his property because they were not the result of an unreasonable search and seizure. The initial observations depicted in the pictures were made from a public highway, and the photographs taken on the respondent's land depicted only conditions observable from neighboring lands.

Finally, the Fourth District determined that the administrative citation procedure did not violate due process by requiring unsuccessful challenging respondents to pay hearing costs. The legislative intent in the challenged provision was the permissible

recouping of administrative costs, rather than to penalize a respondent for exercising his right to a hearing.

The Fourth District reversed the Board's decision and remanded on the issue of costs because it held that the Board had abused its discretion in assessing the costs. This was despite the fact that the respondent had failed to object to the costs before the Board. The court noted, "the waiver rule is an admonition to litigants, not a limitation on the jurisdiction of the reviewing court." It proceeded to examine each item of costs individually because the issue of costs was one of public importance and likely to recur. The court began this examination with the premise that it must strictly construe the statutory provision allowing costs.

The Fourth District held that it was not proper for the Board to include the county's attorney's fees (\$60.00) as costs because Section 42(b) of the Act did not expressly include these fees. It held that it was improper to tax the county inspector's time in testifying at hearing (\$20.00) as costs because that employee was under a pre-existing obligation to testify. The court noted that although the cost of service of the administrative citation on the respondent by certified mail would have been allowable, the costs of preparing and copying the citation together with the costs of service (\$10.00) was not permissible. Although reasonable court reporter fees were allowable costs, the Fourth District found that the amount assessed by the Board against the respondent was excessive to the Fourth District. The court looked to statutory provisions specifying allowable costs and concluded that the reporter's attendance and transcript fees (\$200.00 and \$132.00, respectively) were too high to the court, and the Board failed to show that no reporter was available in Springfield, so the reporter's travel time and mileage fees from Peoria (\$126.00 and \$49.25, respectively) was not justified. Finally, the Fourth District held that the Board "offered no explanation regarding why a hearing officer was paid \$300.00 to preside over a 30- to 60-minute hearing." (The court did not directly address the hearing officer's \$45.00 travel expenses and \$10.00 parking fee.)

The Fourth District appellate court affirmed the Board's finding of violation and the imposition of a \$500.00 penalty (docket AC 92-27(A)). It held that the Board had abused its discretion in taxing \$952.25 in costs to the respondent. The court reversed the decision on costs and remanded the case to the Board (docket AC 92-27(B)).

## **FOR YOUR INFORMATION**

### **RESTRICTED STATUS AND CRITICAL REVIEW LISTS FOR PUBLIC WATER SUPPLIES IN THIS ISSUE**

The Illinois Environmental Protection Agency, Division of Public Water Supplies, is publishing copies of the Division's Restricted Status and Critical Review lists at the end of this issue of the Environmental Register. These lists reflect the status as of October 1, 1994.

## **RULEMAKING UPDATE**

### **PART II AND PART III 15% ROP PLANS FOR VOM EMISSIONS ADOPTED, R94-15 & R94-16; PART V AND PART VI 15% ROP PROPOSALS FILED, SET FOR HEARING, R94-31 & R94-32**

On October 20, 1994, the Board undertook two separate actions relating to two parts of the Illinois 15 percent reduction of pollution (15% ROP) plan. Additionally, the Illinois Environmental Protection Agency filed two new 15% ROP rulemaking proposals on October 28, 1994. The Agency has filed six separate 15% ROP Plan proposals to date, which the Board is dealing with under six separate docket numbers. In sum, all the ROP plan segments would seek a 15 percent 1990 VOM emissions levels in the Chicago and Metro-East St. Louis areas, in order to fulfill requirements under the federal Clean Air Act (CAA). The state is federally required to reduce VOM emissions by 159 tons per day (tpd) in the Chicago area and by 36 tpd in the Metro-East area. (See issues 483, June, 1994; 484, July, 1994; 485, Aug., 1994; 486, Sept., 1994 & 487, Oct., 1994.)

The Board accepted each of the four 15% ROP plan rulemaking proposals pursuant to the "fast-track" rulemaking provisions of Section 28.5 of the Environmental Protection Act (Act). Section 28.5 requires the Board to proceed within set time-frames toward the adoption of the proposed amendments. The Board lacks any discretion under the statute to adjust these time-frames under any circumstances. Under Section 28.5(o), the Board must have adopted the proposal for Second Notice within 130 days on receipt of the proposal from the Agency. Section 28.5(p) requires that the Board must adopt and file final rules based on the proposal within 21 days of when it receives a Certificate of No Objection from the Joint Committee on Administrative Rules (JCAR).

*(Editor's note: The Board adopted the Part I ROP proposal on September 15, 1994. As of this writing, the Part IV proposal, docketed as R94-21, is still pending. The Board has scheduled hearings to occur in R94-21 at the James R. Thompson Center, 100 West Randolph Street, Chicago, as follows:*

*Room 9-040: 10:00 a.m., Friday, November 4, 1994*

*Room 9-025: 10:00 a.m., Friday, December 2, 1994*

*Room 9-040: 10:00 a.m., Friday, December 16, 1994*

*Direct questions on the Part IV proposal to Marie E. Tipsord, at 312-814-4925 or 618-498-9803. Please refer to docket R94-21. See issue 487, Oct., 1994.*

*Also, immediately before this issue went to press, the Agency filed R94-33, the Part VII 15% ROP proposal. Part VII relates to control of emissions from batch chemical process leaks. Direct questions to Audrey Lozuk-Lawless, at 312-814-3473.)*

#### **Part II Proposal, R94-15**

On September 15, 1994, the Board adopted amendments based on the Agency's Part II ROP plan proposal under docket R94-15. The proposed Part II amendments contemplate extending VOM emissions control measures to the loading of marine vessels and deletion of the exemption for barge loading from the regulations applicable to "Miscellaneous Fabricated Product Manufacturing Processes", "Miscellaneous Formulated Manufacturing Processes",

"Miscellaneous Organic Chemical Manufacturing Processes", and "Other Emissions Units" source categories. The record indicated that the Part II proposal would reduce the VOM emissions by 1.3 tpd in the Chicago area and by 11.82 tpd in the Metro-East area.

The Agency filed the Part II proposal with the Board on May 26, 1994. The Board held public hearings on the proposal on July 12 and August 9, 1994 in Collinsville. On June 2, 1994, the Board proposed a new Clean Air Act (CAA) rulemaking for First Notice publication in the *Illinois Register*. The Board cancelled a third scheduled hearing because the level of public interest did not warrant holding it. On September 15, 1994, the Board proposed the Part II amendments for Second Notice review by JCAR and received the Certificates of No Objection on October 20, 1994. Direct questions on the Part II proposal to Marie E. Tipsord, at 312-814-4925 or 618-498-9803. Request copies from Victoria Agyeman, at 312-814-6924. Please refer to docket R94-15.

#### **Part III Proposal, R94-16**

The Board proposed amendments for Second Notice review by JCAR based on the Agency's Part III ROP plan proposal under docket R94-16. The proposed Part III amendments contemplate making the standards of Parts 218 and 219, Subpart B, "Organic Emissions from Storage and Loading Operations", and Subpart V, "Total Resource Effectiveness" (TRE), more stringent. The proposed Part III plan rules would add the federal Control Technology Guidelines (CTG) and Alternative Control Technology (ACT) recommended controls for volatile organic liquids (VOLs) and volatile petroleum liquids (VPLs). The Agency anticipates that the TRE amendments will reduce VOM emissions by 4.05 tpd in the metropolitan Chicago area by 1996 and by an additional 1.58 tpd by 1999. The VOL/VPL amendments are anticipated to reduce the VOM emissions by 2.18 tpd in the Chicago area. The Agency expects no reductions in the Metro-East area.

The Agency filed the Part III ROP plan proposal on June 15, 1994. The Board proposed the Part III amendments for First Notice publication in the *Illinois Register* on June 23, 1994. The Board conducted a public hearing on the Part III plan on August 4, 1994 in Chicago. The Board cancelled two later scheduled hearings because the level of public interest did not warrant conducting them. On September 15, 1994, the Board proposed the Part II amendments for Second Notice review by JCAR and received the Certificates of No Objection on October 21, 1994. Direct questions on the Part II proposal to Diane F. O'Neill, at 312-814-6062. Request copies from Victoria Agyeman, at 312-814-6924. Please refer to docket R94-16.

#### **Part V Proposal, R94-31**

The Agency filed the Part V ROP plan proposal on October 28, 1994. The Part V proposal contemplates lowering the VOM emissions from lithographic printing operations in the Chicago and Metro-East areas. The Part V proposal would add definitions of non-heatset and sheet-fed lithographic printing, as-applied foundation solution, and alcohol. The proposal would further establish control measures for VOM emissions from lithographic printers in the Chicago and Metro-East areas. The Part IV proposal would also make minor corrective amendments to the existing regulations.

The Agency stated that the federal Clean Air Act Amendments of 1990 required U.S. EPA to publish a control technology guideline (CTG) for the lithographic printing category within three years. U.S. EPA published a draft CTG in September, 1993, which is not yet finalized. In June, 1994, U.S. EPA published alternative control techniques (ACT) to aid the states in developing control regulations. according to the Agency, U.S. EPA has taken the position that the lack of final federal action on a CTG does not relieve the states from their obligation to impose controls.

The Agency stated that it contemplates that the Part V amendments would affect about 113 facilities in the Chicago area and one source in the Metro-East area. It estimated that the Part V proposal would reduce VOM emissions by 4.0 tpd in the Chicago area and by minimal amounts in the Metro-East area.

The statute requires the Board to schedule three hearing dates, each for a prescribed purpose. The first day of hearing is reserved for presentations by the Agency and questions of Agency witnesses. The second scheduled day of hearing, if it occurs, is reserved for presentations by affected entities and all other interested persons. The third scheduled day of hearing, if it occurs, is reserved for any Agency response and responses of other parties. The hearings will be continued from day to day, as necessary, until all business is completed. However, the second and third hearing dates are subject to cancellation if the level of public interest and participation so warrant. The Board has scheduled hearings to occur in R94-31 at the James R. Thompson Center, 100 West Randolph Street, Chicago, as follows:

Room 9-040: 10:00 a.m., Thursday, December 15, 1994  
 Room 9-040: 10:00 a.m., Monday, January 9, 1995  
 Room 9-040: 10:00 a.m., Tuesday, January 24, 1995

Direct questions on the Part V proposal to Kevin Desharnais, at 312-814-6926. Request copies of any November 3, 1994 Board action from Victoria Agyeman, at 312-814-6920. Please refer to docket R94-31.

*(Editor's note: As of this writing, the Board had accepted the Part V ROP proposal for hearing and had adopted a First Notice opinion and order at its November 3, 1994 meeting.)*

#### **Part VI Proposal, R94-32**

The Agency filed the Part VI ROP plan proposal on October 28, 1994. The Part VI proposal contemplates lowering VOM emissions from motor vehicle refinishing operations in the Chicago and Metro-East areas. The Part VI proposal would impose limitations on the VOM content of coatings and surface preparation materials, require the use of specific coatings applicators and applicator cleaning equipment, and provide a control equipment alternative. The proposal would further impose recordkeeping and reporting requirements on refinishers.

The Agency stated that it contemplates that the Part VI amendments would reduce VOM emissions by 16.3 tpd in the Chicago area. The Agency estimate of reduction of VOM emissions in the Metro-East area is 1.2 tpd.

The statute requires the Board to schedule three hearing dates, each for a prescribed purpose. The first day of hearing is reserved for presentations by the Agency and questions of Agency witnesses. The second scheduled day of hearing, if it occurs, is

reserved for presentations by affected entities and all other interested persons. The third scheduled day of hearing, if it occurs, is reserved for any Agency response and responses of other parties. The hearings will be continued from day to day, as necessary, until all business is completed. However, the second and third hearing dates are subject to cancellation if the level of public interest and participation so warrant. The Board has scheduled hearings to occur in R94-32 at the James R. Thompson Center, 100 West Randolph Street, Chicago, as follows:

Room 9-040: 10:00 a.m., Friday, December 16, 1994  
 Room 9-040: 10:00 a.m., Friday, January 13, 1995  
 Room 9-040: 10:00 a.m., Wednesday, January 25, 1995

Direct questions on the Part VI proposal to Audrey Lozuk, at 312-814-3473. Request copies of any November 3, 1994 Board action from Victoria Agyeman, at 312-814-6920. Please refer to docket R94-32.

*(Editor's note: As of this writing, the Board had accepted the Part VI ROP proposal for hearing and had adopted a First Notice opinion and order at its November 3, 1994 meeting.)*

#### **CATEGORIES OF INSIGNIFICANT ACTIVITIES OR LEVELS AT CAAPP SOURCES RULEMAKING ADOPTED, R94-14**

On October 6, 1994, the Board adopted certain amendments to the air permit regulations. The rulemaking, docketed as R94-14, amended various of the air permit regulations to set forth informational requirements for sources subject to Section 39.5 of the Environmental Protection Act (Act), in order to meet federal Clean Air Act (CAA) requirements. The purpose is to define insignificant activities and emissions for the purposes of permitting under the air permit regulations.

The CAA mandates that the state develop and submit a CAAPP to U.S. EPA by November 15, 1993 that meets Title V of the CAA. The CAA requires a source to submit detailed activities and emissions information in its application for a CAA permit program (CAAPP) permit, but that certain insignificant activities and emissions may be submitted as a list. Section 39.5(5)(w) of the Act, which the Illinois General Assembly adopted to fulfill the federal requirements, required the Illinois Environmental Protection Agency (Agency) to propose regulations that define insignificant activities or emission levels by March 26, 1994. Section 39.5(5)(w) then required the Board to conduct proceedings on the proposal and adopt final regulations in this regard within nine months of receiving the proposal from the Agency.

The Agency filed this CAA rulemaking proposal with the Board on May 11, 1994. On May 19, 1994, the Board accepted the proposal as a Section 28.5 "fast-track" rulemaking proceeding and set it for hearings. The Board also proposed the amendments for First Notice publication in the *Illinois Register* without substantive review on May 19. (See issue 483, June, 1994.) The Board conducted a public hearing on the proposal on June 28, 1994 and received the transcript of that hearing on an expedited basis on July 7. The Board cancelled two later scheduled hearings because the level of public interest did not warrant conducting them. This means that under Section 28.5(l), the record formally closed on July 21, 1994.

The Board proposed the amendments for Second Notice review by the Joint Committee on Administrative Rules (JCAR) on August 11, 1994. (See *issue 486, September, 1994.*) The Board received Certificates of No Objection from JCAR on September 19, 1994.

Section 28.5 required the Board to proceed within set time-frames toward the adoption of the proposed amendments. The Board lacked any discretion under the statute to adjust these time-frames under any circumstances. Under Section 28.5(o), the Board was required to have adopted the proposal for Second Notice within 130 days on receipt of the proposal from the Agency, by September 18, 1994, and under Section 28.5(p), to have adopted the amendments within 21 days of receiving a Statement of No Objection from JCAR, by October 10, 1994. The amendments became effective on October 17, upon filing with the Secretary of State.

Direct questions to Diane F. O'Neill, at 312-814-6062. Request copies from Victoria Agyeman, at 312-814-3620. Please refer to docket R94-14.

#### **VEHICLE INSPECTION AND MAINTENANCE AMENDMENTS PROPOSED FOR SECOND NOTICE, R94-19**

On October 20, 1994, the Board proposed amendments to the Illinois vehicle inspection and maintenance regulations for Second Notice review by the Joint Committee on Administrative Rules. The proposed amendments are intended to help implement an enhanced vehicle inspection and maintenance (I/M) program in certain areas in Illinois. The amendments would establish the federal dynamic-load "IM 240" engine exhaust emissions test for 1991 and later light duty vehicles and light duty trucks. The existing static "idle" test would remain the test used for older vehicles and for those newer vehicles for which the "IM 240" test is unsuitable.

Section 182(b) and (c) of the CAA, as amended in 1990, requires the use of "inspection and maintenance" (I/M) programs in areas not meeting the national ambient air quality standards (NAAQS) for ozone and/or carbon monoxide. The CAA specifies the use of "basic" I/M programs in "moderate" nonattainment areas and "marginal" nonattainment areas with existing I/M programs. It requires the use of "enhanced" I/M programs in "serious", "severe", and "extreme" ozone nonattainment areas with urbanized populations of 200,000 or more. In Illinois, the Chicago and Metro-East St. Louis (Metro-East) areas are classified as "severe" and "moderate" nonattainment for ozone, respectively, and as such are subject to the I/M requirement.

The General Assembly enacted the Vehicle Emissions Inspection Law of 1995 (625 ILCS 5/13B) effective January 18, 1994. (P.A. 88-533.) That statute provides authority for the Agency to implement an enhanced I/M program and meet the United States Environmental Protection Agency's (U.S. EPA's) requirements for such a program. P.A. 88-533 mandates enhanced I/M testing for the Metro-East area and certain portions of the Chicago nonattainment area. Section 13B-20 mandates that the Agency propose and the Board adopt implementing regulations using identical-in-substance procedures.

On July 20, 1994, the Illinois Environmental Protection Agency (Agency) filed two proposals for Clean Air Act (CAA) rulemaking to implement the Vehicle Inspection Law. The Board proposed the

amendments for First Notice publication in the *Illinois Register* on July 21, 1994 and conducted a public hearing in Chicago on September 8, 1994. Later scheduled hearings were cancelled on request of the Agency because the Board had not received an objection to the amendments from U.S. EPA or a request to hold the hearings pursuant to Section 28.5 of the Environmental Protection Act. JCAR received the proposed amendments on October 21, 1994, beginning the Second Notice period, and it was placed on the agenda for the November 15 JCAR meeting. The Board will be free to adopt amendments based on the proposed rules when 45 days have elapsed since submittal to JCAR or when the Board receives a Certificate of Not Objection, whichever comes first.

The R94-19 proposal dealt with engine exhaust emissions testing. It is a Section 28.5 "fast-track" rulemaking largely based on federal guidance documents. As previously reported for earlier-filed CAA proceedings, (See *Environmental Register issues 461 (Dec. 2, 1992), 462 (Dec. 16, 1992), 465 (Feb. 24, 1993), 467 (Mar. 24, 1993), 468 (Apr. 7, 1993), 478 (Jan., 1994) & 482 (May, 1994).*), Section 28.5 requires the Board to proceed within set time-frames toward the adoption of the proposed amendments. The Board lacks any discretion under the statute to adjust these time-frames under any circumstances. Section 28.5(o) required the Board to propose the Amendments for Second Notice review by JCAR within 130 days after receiving the proposal, by November 27, 1994. Section 28.5(p) will require the Board to adopt amendments based on the proposal within 21 days of when it receives the Certificate of No Objection from JCAR.

The companion rulemaking, docketed as R94-20, deals with fuel evaporative emissions control system testing. It is a Section 28.4 "identical-in-substance" rulemaking based on codified U.S. EPA emissions standards concerning evaporative system pressure and purge testing. (See *issue 485, Aug., 1994.*)

(Editor's note: As of this writing, the Board had placed the R94-19 and R94-20 amendments on its November 3, 1994 for discussion and for adoption at the December 1, 1994 meeting.

Direct questions to Michael J. McCambridge, at 312-814-6924. Request copies from Victoria Agyeman, at 312-814-3620. Please refer to docket R94-19.

#### **RCRA SUBTITLE C UPDATE AMENDMENTS ADOPTED, R94-17**

The Board adopted identical-in-substance amendments to the Illinois Resource Conservation and Recovery Act (RCRA) Subtitle C hazardous waste regulations on October 20, 1994. The amendments are intended to include amendments to the federal RCRA Subtitle C regulations adopted by U.S. EPA during the period January 1 through June 30, 1994. During this period, U.S. EPA undertook a handful of major regulatory actions of interest. It determined not to regulate certain wood surface protection wastes as hazardous wastes and expanded the exemption from regulation for certain hazardous wastes used in conducting treatability studies.

U.S. EPA also clarified aspects of the used oil regulations and responded to a U.S. Supreme Court remand that determined that certain municipal incinerator ash wastes must be managed under RCRA Subtitle C. The Board also used this opportunity to adopt corrective amendments to the Illinois RCRA Subtitle C rules. The primary corrections related to correcting a federal error in citation to

its own Spill Control and Countermeasures regulations in various locations.

The Board proposed the amendments for public comment on August 11, 1994. (*See Issue 486, Sept., 1994.*) This identical-in-substance proceeding was not subject to Second Notice review by the Joint Committee on Administrative Rules before the Board adopted the amendments. The Board will hold the amendments for 30 days after the date of adoption before filing them with the Secretary of State, in order to allow U.S. EPA review and comment on the adopted amendments. Direct questions to Michael J. McCambridge, at 312-814-6924. Request copies from Victoria Agyeman, at 312-814-3620. Please refer to docket R94-17. (*Editor's note: At the time of this writing, the Board had placed a supplemental opinion and order relating to the amendments on its November 3, 1994 agenda. That supplemental opinion and order would restore three words omitted from the original amendments and update the listing of hazardous waste delistings granted by the Board to date.*)

#### **ROUTINE IDENTICAL-IN-SUBSTANCE UPDATE DOCKETS DISMISSED, R94-22, R94-24, R94-25, R94-26 & R94-28**

On October 6, 1994, the Board simultaneously opened and dismissed a series of routine identical-in-substance update dockets because no Board action was required in each of the programs involved. The time-frame for all of the dockets was January 1 through June 30, 1994.

The reasons for the dismissals varied slightly from one docket to another. The Board dismissed the dockets relating to the definition of volatile organic material (VOM) (R94-22), underground storage tanks (R94-26), and wastewater pretreatment (R94-28) because U.S. EPA did not amend its regulations during the update period. The Board dismissed the underground injection control (UIC) docket (R94-24) because the only federal action involved (June 10, 1994) was so closely related to parallel RCRA Subtitle C (hazardous waste) amendments that the Board included the UIC amendments with the RCRA Subtitle C amendments in docket R94-17. The Board dismissed the RCRA Subtitle D (municipal solid waste landfill) docket (R94-25) because the only federal action (January 3, 1994) related to federal authorization of the Illinois RCRA Subtitle D program, so no amendments were required. The Board dismissed the underground storage tank (UST) docket (R94-26) because although U.S. EPA amended its financial responsibility regulations, those amendments fell outside the Board's statutory identical-in-substance mandate.

Two identical-in-substance dockets remain open. The Board has already adopted amendments in docket R94-17, the RCRA Subtitle C docket mentioned above. (*See item this issue.*) The Board reserved docket R94-23 for the federal SDWA (drinking water) amendments of June 30, 1994. The Board intends to propose amendments based on

that federal action in the near future.

Direct questions to Michael J. McCambridge, at 312-814-6924. Please refer to the appropriate docket number.

In an interim opinion and order, in *In the Matter of: Petition of Illinois Wood Energy Partners, L.P. for an Adjusted Standard from 35 Ill. Adm. Code 807 or, in the Alternative, a Finding of Inapplicability* (Oct. 6, 1994), No. AS 94-1, the Board determined that a proposed waste-to-energy facility would burn "solid waste", as that term is defined in the Environmental Protection Act and Board regulations. The Board ordered the petitioner to submit additional information to proceed with its petition for an adjusted standard from the solid waste management facility permit requirements of Part 807 of the Illinois land pollution control regulations.

On February 8, 1994, Illinois Wood Energy Partners filed a petition before the Board for a declaration that the solid waste facility regulations do not apply or for an adjusted standard from the solid waste facility permit requirements of Part 807. The petitioner plans to construct a facility in Bloom Township, in southern Cook County that would receive about 220,000 tons of waste wood per year from industry, construction, demolition, forest land management, general land clearing operations, sawmills, wood product manufacturers, and other "urban waste wood". It intends to process this material and burn it to generate electric energy for sale to the local electric utility. The petitioner proposes to regulate the composition and variety of material it receives and to control the burning process.

Previous to the Board's decision Wood Energy was deemed by the Illinois Commerce Commission (ICC) to be a "qualified solid waste energy facility" in Commission orders of June 3, 1993 and a supplemental order of February 8, 1994.

The Board determined by a March 17, 1994 order that the petition for adjusted standard was deficient. However, the Board proceeded with a hearing to determine whether the discarded waste wood being put through Wood Energy's process would subject the incinerator facility to the Part 807 regulations for which they were seeking relief. The hearing, held on May 11, 1994, was limited to the issues of whether the materials burned by the proposed facility were "waste" within the meaning of the Act; whether any portion of the materials received would become "waste"; and whether an adjusted standard would grant the desired relief, considering that Section 21(d) of the Act requires permits of solid waste management facilities. Interested persons, the Environmental Action Coalition (EAC), and the Citizens for a Better Environment (CBE) attended and participated at the hearing.

The facility argued before the Board that the wood fuel it intends to use is not discarded material. EAC, citing federal cases, argued that the wood received would be a waste even if later used because it would be discarded by the original owner and because it is generated from discarded material. CBE argued that the hazardous waste regulations would apply to the facility and that the record included no information relating to the availability of relief from those regulations. CBE further argued that the petitioner was estopped from arguing that the wood material would not be a waste because it had argued before the ICC that the facility was a solid waste management facility under the Local Solid Waste Disposal Act (415 ILCS 10/2).

The Board noted that the issue was whether the wood material would be a "waste" within the meaning of the Environmental Protection Act. The Board compared the definition of "solid waste" under the Local Solid Waste Disposal Act with that of the Environmental Protection Act. The Board observed that the Local Solid Waste Disposal Act definition is "virtually identical" to that of "waste" in Section 3.53 of the Environmental Protection Act. Highlighting the phrase "other discarded material" from that definition, and citing its own prior decisions, the Board noted that it had determined that material intended for reuse was not "discarded material" when retained in the possession of the original generator or when sent directly for reuse without further processing. The Board distinguished those earlier decisions from the petitioner's planned activities because the petitioner would not generate the wood material it intends to burn, and the wood material would not be "part of its ongoing process". The Board determined that the wood would be a "waste", as defined by the Act, and the incinerator would be a waste treatment process subject to the Part 807 regulations. It ordered the petitioner to submit certain additional information in support of its petition for an adjusted standard.

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### **FINAL ACTIONS - October 6, 1994 BOARD MEETING**

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| 94-1   | <u>People of the State of Illinois v. Robert D. Fosnock, d/b/a Fos Auto and Truck Parts</u> - The Board having previously found on September 15, 1994 that this Macoupin County respondent had violated the used tire management and land pollution control provisions of the Act and Board regulations in this land pollution control enforcement action and ordering him to pay a \$156,250.00 civil penalty and to cease and desist from further violation, ordered him to pay \$1,300 in Office of the Attorney General attorney's fees. Member Meyer concurred. | determination appeal involving a Sangamon County facility.   |
|        | 94-145   | <u>PACE - Suburban Bus Division of the RTA v. IEPA</u> - The Board reversed the Agency's determination that a \$100,000 deductible applied in this underground storage tank fund reimbursement determination appeal involving a Cook County facility, and remanded the matter to the Agency. |
|        | 94-152   | <u>Madison Avenue Venture v. IEPA</u> - The Board granted voluntary withdrawal of this underground storage tank fund reimbursement determination appeal involving a DuPage County facility.  |
| 94-107 | <u>Illico Independent Oil Company v. IEPA</u> - The Board granted voluntary dismissal of this underground storage tank fund reimbursement  |  |

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| 94-193 | First Colonial Bank-Rosemont v. IEPA - The Board granted voluntary dismissal of this underground storage tank fund reimbursement determination appeal involving a Cook County facility.  | 94-286   | The UNO-VEN Company v. EPA - Upon receipt of an Agency recommendation, the Board granted this Will County facility a 45-day provisional variance from certain of the water pollution control regulations pertaining to cyanide discharges during a period of total refinery startup.   |
| 94-210 | Violet Miksa, as authorized representative of Holiday Bakers v. Office of the State Fire Marshal - The Board granted voluntary withdrawal of this underground storage tank fund reimbursement determination appeal involving a Cook County facility.   | AC 94-56 | EPA v. Walter J. Griminger, d/b/a Land of Lincoln Motel, a Division of Aaro Management Inc. - The Board granted withdrawal of a petition for review and entered a default order, finding that the Livingston County respondent had violated Section 21(o)(5) of the Act and ordering him to pay a civil penalty of \$500.00. |
| 94-211 | City of Spring Valley v. IEPA - The Board granted the Bureau County petitioner a variance for a maximum of five years from the restricted status and standards for issuance provisions of the public water supply regulations as they pertain to radium-226 and radium-228 content of drinking water.  | AC 94-66 | County of Macon and EPA v. Macon County Landfill Corp. - The Board denied a waiver of the recycled paper requirement and dismissed this administrative citation against a Macon County respondent.   |
| 94-212 | Waste Management of Illinois, Inc. v. IEPA - The Board granted this Kane County facility a variance until March 18, 1995 from the requirement of the landfill regulations that the petitioner file by September 18, 1994 a permit application demonstrating compliance with the regulations. Members Dunham, Flemal, and Girard concurred.         | AC 94-69 | EPA v. Gallatin National Company - The Board entered a default order, finding that the Fulton County respondent had violated Section 21(o)(5) of the Act and ordering it to pay a civil penalty of \$500.00.   |
| 94-223 | J. I. Case Company v. IEPA - The Board dismissed this underground storage tank voluntary cleanup objectives appeal involving a Rock Island County facility for lack of subject matter jurisdiction.  | AC 94-70 | County of Madison v. Leroy Beck - The Board entered a default order, finding that the Madison County respondent had violated Section 21(p)(1) of the Act and ordering him to pay a civil penalty of \$500.00.  |
| 94-228 | People of the State of Illinois v. ABC Rail Products Corporation - The Board accepted a proposed stipulation and settlement agreement in this air enforcement action against a Cook County facility, ordered the respondent to pay a civil penalty of \$20,000, and ordered it to cease and desist from further violation. Member Meyer concurred. | AC 94-72 | EPA v. Carl J. Lingo and Mary Lingo - The Board entered a default order, finding that the Logan County respondents had violated Sections 21(p)(1) and 21(p)(3) of the Act and ordering them to pay a civil penalty of \$1,000.00.  |
| 94-241 | Crop Production Services, Inc. v. EPA - The Board granted voluntary withdrawal of this underground storage tank fund reimbursement determination appeal involving a Randolph County facility.  | AC 94-74 | County of Vermilion v. Brickyard Disposal and Recycling, Inc., and Roy Larson - The Board entered a default order, finding that the Vermilion County respondents had violated Section 21(o)(5) of the Act and ordering them  |
| 94-283 | Koppers Industries, Inc. v. EPA - Upon receipt of an Agency recommendation, the Board granted this Knox County facility a 30-day provisional variance from the 90-day limitation on accumulation of hazardous waste.   |          |  |
| 94-285 | Metropolitan Water Reclamation District of Greater Chicago v. EPA - Upon receipt of an Agency recommendation, the Board granted this Cook County petitioner a 45-day provisional variance from certain of the water pollution control regulations during a period of facility modifications.   |          |  |



to pay a civil penalty of \$500.00.

- AC 94-75 County of DuPage v. Waste Management of Illinois - The Board entered a default order, finding that the DuPage County respondents had violated Section 21(o)(5) of the Act and ordering them to pay a civil penalty of \$500.00.
- R94-14 In the Matter of: Categories of Insignificant Activities or Emission Levels at a CAAPP Source, Amendments to 35 Ill. Adm. Code Parts 201 and 211 - See Rulemaking Update.
- R94-22 In the Matter of: Exemptions From the Definition of VOM, USEPA Amendments (January 1, 1994 through June 30, 1994) - See Rulemaking Update.
- R94-24 In the Matter of: UIC Update, USEPA Regulations (January 1, 1994 through June 30, 1994) - See Rulemaking Update.
- R94-25 In the Matter of: RCRA Subtitle D Amendments (January 1, 1994 through June 30, 1994) - See Rulemaking Update.
- R94-26 In the Matter of: UST Update, USEPA Regulations (January 1, 1994 through June 30, 1994) - See Final Actions.
- R94-28 In the Matter of: Pretreatment Update (NPDES) USEPA Regulations (July 1, 1993 through December 31, 1993) - See Rulemaking Update.

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### **NEW CASES - October 6, 1994 BOARD MEETING**

- 94-236 J. R. Meyers Company, Inc. v. IEPA - The Board accepted this underground storage tank fund reimbursement determination appeal involving a Lake County facility for hearing.
- 94-240 International Union, United Automobile, Aerospace and Agricultural Implement Workers of America and UAW Local 974; and Citizens For a Better Environment v. Caterpillar, Inc. - The Board granted an extension of time to file a response in this citizens' RCRA enforcement action against a Tazewell County facility, presently pending for a frivolous and duplicitous determination.
- 94-244 Rodney B. Nelson, M.D. v. Kane County Forest Preserve, Bradley Sauer, Chairman; Kane County Board, Warren Kammerer, Chairman - The Board found that this citizen's water enforcement action against a Kane County facility was neither frivolous nor duplicitous and accepted it for hearing.
- 94-247 Rodney B. Nelson, M.D. v. Kane County Forest Preserve, Bradley Sauer, Chairman; Kane County Cougars, William Larsen,
- General Manager - The found that this citizen's air and noise enforcement action against a Kane County facility was neither frivolous nor duplicitous and accepted it for hearing. Chairman Manning and Member Meyer dissented.
- 94-255 Marion Pepsi Cola v. EPA - The Board accepted this reimbursement determination appeal involving a Williamson County facility for hearing.
- 94-256 DoAll Company, DoAll Credit Corporation, and the Rams-Head Company v. Mobil Oil Company, Skokie Valley Asphalt Company, and Steptran, Inc. - The Board held this citizens' land enforcement action against a Cook County facility.
- 94-257 Waste Professionals, Inc., d/b/a Pekin Metro Landfill v. EPA - The Board held this petition for a variance for a Tazewell County facility from certain of the land pollution control requirements for the Agency's recommendation.

- 94-258 Northern FS, Inc. v. EPA - The Board accepted this underground storage tank fund reimbursement determination appeal involving a McHenry County facility for hearing.
- 94-259 Atkinson Landfill Company v. EPA - The Board held this petition for a variance from certain of the land pollution control (landfill) regulations for a Henry County facility for the Agency's recommendation.
- 94-260 People of the State of Illinois v. Components Corporation of America - The Board received a land enforcement complaint against a Crawford County respondent for which a hearing is mandatory.
- 94-261 Chemetco, Inc. v. EPA - The Board accepted this air permit appeal involving a Madison County facility for hearing.
- 94-262 Concerned Citizens of Williamson County, Rev. Paul Crain, and Rose Rowell v. Bill Kibler Development Corporation, a/k/a Kibler Development Corporation, and Williamson County Board of Commissioners - The Board accepted this third party appeal of local siting approval for a proposed regional pollution control facility for hearing and ordered the submission of a copy of the respondent's decision and the record before the county board.
- 94-263 Amoco Oil Company v. EPA - The Board accepted this petition for a variance for multiple facilities located in Cook, Lake, DuPage, Will, and Kane Counties from certain of the air pollution control regulations (the Stage II gasoline vapor recovery requirements) for hearing.
- 94-264 People of the State of Illinois v. First Baptist Church of Marseilles - The Board received a complaint and a proposed stipulation and settlement agreement in this air enforcement action against a LaSalle County respondent and ordered publication of the required newspaper notice.
- 94-265 People of the State of Illinois v. Work Area Protection - The Board received a complaint and a proposed stipulation and settlement agreement in this air and EPCRA enforcement action against a Kane County respondent and ordered publication of the required newspaper notice.
- 94-266 People of the State of Illinois v. Automatic Anodizing Corporation - The Board received a complaint and a proposed stipulation and settlement agreement in this EPCRA enforcement action against a Cook County respondent and ordered publication of the required newspaper notice.
- 94-267 People of the State of Illinois v. Dean Foods Company - The Board received a complaint and a proposed stipulation and settlement agreement in this EPCRA enforcement action against a Winnebago County respondent and ordered publication of the required newspaper notice.
- 94-268 People of the State of Illinois v. American Generator and Armature Company - The Board received a complaint and a proposed stipulation and settlement agreement in this EPCRA enforcement action against a Cook County respondent and ordered publication of the required newspaper notice.
- 94-269 People of the State of Illinois v. American Rack Company - The Board received a complaint and a proposed stipulation and settlement agreement in this EPCRA enforcement action against a Cook County respondent and ordered publication of the required newspaper notice.
- 94-270 People of the State of Illinois v. Spraying Systems Company - The Board received an air enforcement action against a DuPage County respondent for which a hearing is mandatory.
- 94-271 People of the State of Illinois v. National Interchem Corporation - The Board received an EPCRA enforcement action against a Cook County respondent for which a hearing is mandatory.
- 94-272 People of the State of Illinois v. Allied Metal Company - The Board received an EPCRA enforcement action against a Cook County respondent for which a hearing is mandatory.
- 94-273 People of the State of Illinois v. Metals Technology Corporation - The Board received an EPCRA enforcement action against a DuPage County respondent for which a hearing is mandatory.
- 94-274 People of the State of Illinois v. Chicago Steel Rule Die and Fabricators Company - The Board received an air enforcement action against a Cook County respondent for which a hearing is mandatory.
- 94-275 People of the State of Illinois v. Boyd Brothers, Inc. - The Board received a water enforcement action against a Williamson County respondent for which a hearing is mandatory.
- 94-276 City of Batavia v. EPA - The Board held this petition for a variance for a Kane County facility from certain of the air pollution control regulations for the Agency's recommendation.
- 94-277 Jerry Gleason Buick, Inc. v. EPA - The Board accepted this underground storage tank fund reimbursement determination appeal involving a Cook County facility for hearing.

- 94-278     Reichhold Chemicals, Inc. v. EPA - The Board accepted this underground storage tank fund reimbursement determination appeal involving a Cook County facility for hearing.
- 94-279     Inspiration Development Company v. EPA - The Board held this petition for a variance for a Jo Daviess County facility from certain of the water pollution control regulations for the Agency's recommendation.
- 94-280     Charles Gatewood v. EPA - The Board accepted this underground storage tank fund reimbursement determination appeal involving a Cook County facility for hearing.
- 94-281     Resourceful Environmental Ideas v. EPA - The Board held this land permit appeal involving a St. Clair County facility.
- 94-282     UNO-VEN Company v. EPA - The Board accepted this petition for a variance for a DuPage County facility from certain of the air pollution control regulations for hearing.
- 94-283     Koppers Industries, Inc. v. EPA - See Final Actions.
- 94-284     Illico Independent Oil Company v. EPA - The Board accepted this underground storage tank fund reimbursement determination appeal involving a Cook County facility for hearing.
- 94-285     Metropolitan Water Reclamation District of Greater Chicago v. EPA - See Final Actions.
- 94-286     The UNO-VEN Company v. EPA - See Final Actions.
- AS 94-14     In the Matter of: Petition of City of Wood River for an Adjusted Standard from Treatment of Overflows and Bypass Regulations, 35 Ill. Adm. Code 306.305(a) and (b) - The Board held this petition for an adjusted standard for a Madison County facility from certain of the water pollution control regulations pertaining to treatment of treatment plant overflow and bypass effluent for the Agency's recommendation.
- AS 94-15     In the Matter of: Petition of Lone Star Industries, Inc. for an Adjusted Standard from 35 Ill. Adm. Code 811.320(d) - The Board held this petition for an adjusted standard for a LaSalle County facility from certain of the land pollution control (landfill) regulations pertaining to establishing the background concentration of contaminants in the groundwater at the facility for the Agency's recommendation.
- R94-22     In the Matter of: Exemptions From the Definition of VOM, USEPA Amendments (January 1, 1994 through June 30, 1994) - See Rulemaking Update.
- R94-23     In the Matter of: SDWA Update, USEPA Regulations (January 1, 1994 through June 30, 1994) - See Rulemaking Update.
- R94-24     In the Matter of: UIC Update, USEPA Regulations (January 1, 1994 through June 30, 1994) - See Rulemaking Update.
- R94-25     In the Matter of: RCRA Subtitle D Amendments (January 1, 1994 through June 30, 1994) - See Rulemaking Update.
- R94-26     In the Matter of: UST Update, USEPA Regulations (January 1, 1994 through June 30, 1994) - See Rulemaking Update.

1994) - See Final Actions.

R94-27 Contingency Plan Update (CERCLA), USEPA Regulations (January 1, 1994 through June 30, 1994) - See Rulemaking Update.

R94-28 In the Matter of: Pretreatment Update (NPDES) USEPA Regulations (July 1, 1993 through December 31, 1993) - See Rulemaking Update.

### **FINAL ACTIONS - October 20, 1994 BOARD MEETING**

93-58 People of the State of Illinois v. L. Keller Oil Company - The Board found that the respondent had failed to timely report a release of petroleum, in violation of Sections 731.162(b) and 731.163(b) of the land pollution control regulations, in this underground storage tank enforcement action involving an Jefferson County facility. Member McFawn concurred.

93-196 TRW, Inc. v. EPA - The Board granted this Clark County facility a variance, with conditions, until September 30, 1995, from certain of the air pollution control regulations limiting emissions of volatile organic material.

94-25 Shell Oil Company v. County of DuPage and EPA - The Board granted voluntary withdrawal of this water well setback proceeding involving a DuPage County facility.

94-26 Marathon Oil Company v. EPA - The Board granted voluntary withdrawal of this air permit appeal involving a Crawford County facility.

94-177 Burlington Environmental, Inc. v. IEPA - The Board granted this Monroe County facility a variance, with conditions, from certain of the RCRA hazardous waste regulations limiting the quantity of hazardous waste used for treatability studies that is exempted from RCRA Subtitle C regulation, until the Board can adopt identical-in-substance amendments to the hazardous waste regulations that will permanently exempt that quantity of waste used for study.

94-194 Freeman Unit Coal Mining Company v. IEPA - The Board granted this Jefferson County petitioner a variance, with conditions, from certain of the mine pollution control regulations that would limit the chloride content of its wastewater discharges into Buck Creek.

94-208 A.E. Staley Manufacturing Company v. IEPA - The Board granted voluntary withdrawal of this air permit appeal involving a Macon County facility.

94-289 Montgomery Ward & Company v. EPA - The Board dismissed this underground storage tank fund reimbursement determination appeal involving a Cook County facility for lack of jurisdiction, since it was not timely filed within 35 days of the date of the Agency's determination letter. Member Flemal dissented.

94-293 Runnfeldt & Belmont v. EPA - Upon receipt of an Agency recommendation, the Board granted this Cook County gasoline dispensing facility a 45-day provisional variance from the air pollution control regulations that require the installation and operation of Stage II vapor recovery equipment.

94-294 Mobil Oil Corporation v. EPA - Upon receipt of an Agency recommendation, the Board granted seven of this petitioner's gasoline dispensing facilities in Cook, DuPage, and Lake Counties a 45-day provisional variance from the air pollution control regulations that require the installation and operation of Stage II vapor recovery equipment.

94-298 Amoco Oil Company v. EPA - Upon receipt of an Agency recommendation, the Board granted this Cook County facility a 45-day provisional variance from certain of the water pollution control regulations wastewater effluent requirements during a period of tank hydrostatic testing.

94-300 Borden Chemicals and Plastics v. EPA - Upon receipt of an Agency recommendation, the Board granted this Cook County facility a 45-day provisional variance from certain of the water pollution control regulations wastewater effluent requirements to allow it to continue operating during a period of wastewater treatment plant malfunction.

AC 94-42 IEPA v. Wayne D. Alberts and Sharon J. Alberts - The Board corrected its order of August 11, 1994 to read that the Logan County respondents had violated Sections 21(p)(1) and 21(p)(3) of the Act and ordering them to pay a civil penalty of \$1,000.00.

AC 94-77 EPA v. Robert L. Best - The Board entered a

default order, finding that the Macon County respondent had violated Sections 21(p)(1) and 21(p)(3) of the Act and ordering him to pay a civil penalty of \$1,000.00.

R94-11 In the Matter of: Procedural Rules for Ap-

R94-15

peals from the Office of the State Fire Marshal  
Eligibility/Deductibility Determination: 35 Ill. Adm. Code 107 - See Rulemaking Update.

In the Matter of: 15% ROP Plan Control Measures for VOM Emissions--Part II: Marine Vessel Loading: Amendments to 35 Ill. Adm. Code 211, 218 & 219 - See Rule-making Update.

R94-16

In the Matter of: 15% ROP Plan Control Measures for VOM Emissions-Part III: Air Oxidation and organic Emissions From Storage and Loading Operations: Amendments to 35 Ill. Adm. Code Parts 211, 218, and 219 - See Rulemaking Update.

R94-17

In the Matter of: RCRA Subtitle C Update, USEPA Regulations (January 1, 1994 through June 30, 1994) - See Rulemaking Update.

### **NEW CASES - October 20, 1994 BOARD MEETING**

94-259 Atkinson Landfill Company v. EPA - The Board accepted this petition for a variance from certain of the land pollution control (landfill) regulations for a Henry County facility for hearing.

94-279 Inspiration Development Company v. EPA - The Board ordered the submission of an amended petition in this proceeding for a variance for a Jo Daviess County facility from certain of the water pollution control regulations.

94-287 Indian Refining Limited Partnership v. EPA - The Board accepted this petition for a variance for a Lawrence County facility from certain of the air pollution control regulations for hearing.

94-288 People of the State of Illinois v. Grayslake Gelatin Company; Blidso, Inc.; ACME Construction Company; and Diversified Abatement Contractors, Inc. - The Board received a complaint in this air enforcement action against Lake County respondents and ordering them to pay a civil penalty of \$1,000.00.

94-289 Montgomery Ward & Company v. EPA - See Final Actions.

94-290 Bank of Illinois in DuPage v. EPA - The Board accepted this underground storage tank fund reimbursement determination appeal involving a DuPage County facility for hearing.

94-291 People of the State of Illinois v. The Art Institute of Chicago - The Board received a complaint and a proposed stipulation and settlement agreement in this air enforcement

action against a Cook County respondent and ordered publication of the required newspaper notice.

94-292

Ernie and Frank Tagliere, d/b/a Ravinia Auto Service Center v. EPA - The Board accepted this underground storage tank fund reimbursement determination appeal involving a Lake County facility for hearing.

94-293

Runnfeldt & Belmont v. EPA - See Final Actions.

94-294

Mobil Oil Corporation v. EPA - See Final Actions.

94-295

RTC Industries, Inc. v. EPA - The Board accepted this underground storage tank fund reimbursement determination appeal involving a Cook County facility for hearing.

94-296

People of the State of Illinois v. American Circuit Systems, Inc. - The Board received a complaint and a proposed stipulation and settlement agreement in this RCRA enforcement action against a DuPage County respondent and ordered publication of the required newspaper notice.

94-297

J.M. Sweeney Company v. EPA - The Board accepted this petition for a variance for a Lake County facility for a variance from certain of the air pollution control regulations for hearing.

94-298

Amoco Oil Company v. EPA - See Final Actions.

94-299

P & S, Inc. v. EPA - The Board accepted this petition for a variance for a DuPage County facility from certain of the air pollution control

regulations for hearing.

Final Actions.

94-300 Borden Chemicals and Plastics v. EPA - See

R94-29

In the Matter of: Petition of Indian Refining Limited Partnership for a Site-Specific Rule - The Board ordered an amended petition in this site-specific rulemaking proceeding relating to the opacity and rate of emissions from the fluidized catalytic cracking unit at this Lawrence County facility.

R94-30

In the Matter of: Petition of Commonwealth Edison Company for a Site-Specific Regulation for Existing Landfills and Units, 35 Ill. Adm. Code 811 through 814 - The Board received a petition for a declaration that a Will County quarry is a surface impoundment, and not a landfill subject to the land pollution control (landfill) regulations, or, in the alternative, for site-specific regulations relating to leachate management, groundwater monitoring, and final cover requirements at this facility.

### **FINAL ACTIONS - October 27, 1994 SPECIAL BOARD MEETING**

94-138 Continental Waste Industries of Illinois, Inc. v. City of Mt. Vernon, Illinois - The Board found no Constitutional infirmity in the statutory framework, found that the respondent did not deny the petitioner fundamental fairness, and found that the respondent's decision was not against the manifest weight of the evidence, affirming the local approval granted in this regional pollution control facility siting appeal involving an existing Jefferson County facility. Member Meyer concurred.

an Agency recommendation, the Board granted this Cook County gasoline dispensing facility a 45-day provisional variance from the air pollution control regulations that require the installation and operation of Stage II vapor recovery equipment.

AC 93-42

Sangamon County v. Norman Clark and Brenda Bertrand - The Board found that the Sangamon County respondents did not violate Sections 21(p)(1) and 21(p)(3) of the Act and dismissed this administrative citation. Chairman Manning and Member McFawn concurred; Members Meyer and Flemal dissented.

94-242 People of the State of Illinois v. Central Lake County Joint Action Water Agency - The Board accepted a stipulation and settlement agreement in this water enforcement action, ordering the Lake County respondent to pay a civil penalty of \$10,000.00 and to cease and desist from further violation. Member Meyer concurred.

AC 94-56

EPA v. Walter J. Griminger, d/b/a Land of Lincoln Motel, a Division of Aaro Management Inc. - The Board modified its order of October 6, 1994 to read that the Livingston County respondent had violated Sections 21(p)(1) and 21(p)(3) of the Act and

94-249 People of the State of Illinois v. Village of Rock City - The Board accepted a stipulation and settlement agreement in this water enforcement action, ordering the Stephenson County respondent to pay a civil penalty of \$300.00 and to cease and desist from further violation.

94-303 Rawlings Towing, Inc. v. EPA - Upon receipt of an Agency recommendation, the Board granted this Cook County gasoline dispensing facility a 45-day provisional variance from the air pollution control regulations that require the installation and operation of Stage II vapor recovery equipment.

94-304 Tahoe Mobil, Inc. v. EPA - Upon receipt of

ordering him to pay a civil penalty of \$1,000.00.

### **NEW CASES - October 27, 1994 SPECIAL BOARD MEETING**

94-301	<u>People of the State of Illinois v. Colfax Corporation</u> - The Board received a complaint and a proposed stipulation and settlement agreement in this air enforcement action against a Cook County respondent and ordered publication of the required newspaper notice.	94-303	<u>Rawlings Towing, Inc. v. EPA</u> - See Final Actions.
94-302	<u>The Alter Group v. Lake County Board and USA Waste Services, Inc.</u> - The Board	94-304	<u>Tahoe Mobil, Inc. v. EPA</u> - See Final Actions.

### **CALENDAR OF HEARINGS**

All hearings held by the Board are open to the public. All Pollution Control Board Meetings (highlighted) are open to the public but public participation is generally not allowed. Times and locations are subject to cancellation and rescheduling without notice. Confirmation of hearing dates and times is available from the Clerk of the Board at 312- 814-6931.

November 3 10:30 a.m.		Pollution Control Board Meeting, James R. Thompson Center, 100 W. Randolph St., Conference Room 9-040, Chicago
November 4 10:00 a.m.	R 94-21 R, Air	<u>In the Matter of: 15% ROP Plan Control Measures for VOM Emissions--Part IV: Amendments to 35 Ill. Adm. Code 211, 218 &amp; 219</u> - James R. Thompson Center, Room 9-040, 100 West Randolph Street, Chicago.
November 9 9:30 a.m.	PCB 93-205 P-A, RCRA	<u>Safety-Kleen Corporation (Dolton Recycling Center) v. EPA</u> - James R. Thompson Center, 100 West Randolph Street, Room 11-500, Chicago.
November 10 10:30 a.m.	R 94-1 R, Water	<u>In the Matter of: Amendments to 35 Ill. Adm. Code 302.202, 302.208, 302.212, 302.213, 302.407, 304.122 &amp; 304.301 (Ammonia Nitrogen, Lead, and Mercury)</u> - James R. Thompson Center, Room 2-025, 100 West Randolph Street, Chicago.
November 21 9:00 a.m.	PCB 94-127 L-E	<u>People of the State of Illinois v. James Lee Watts, individually and d/b/a Watts Trucking Service, Inc., and ESG Watts, Inc.</u> - Illinois Pollution Control Board, Suite 402, 600 South Second Street, Springfield.
November 22 10:00 a.m.	PCB 94-263 A-V	<u>Amoco Oil Company v. EPA</u> - James R. Thompson Center, Suite 11-500, 100 West Randolph Street, Chicago.
November 22 10:30 a.m.	R 94-1 R, Water	<u>In the Matter of: Amendments to 35 Ill. Adm. Code 302.202, 302.208, 302.212, 302.213, 302.407, 304.122 &amp; 304.301 (Ammonia Nitrogen, Lead, and Mercury)</u> - Law Enforcement Training Center, 600 South 2nd Street, Suite 300, Springfield.
November 23 9:30 a.m.	PCB 92-170 P-A, RCRA	<u>Talley Defense Systems, Inc. v. EPA</u> - Will County Courthouse, 14 West Jefferson Street, Joliet.
November 30 10:00 a.m.	PCB 94-258 UST-FRD	<u>Northern FS, Inc. v. EPA</u> - Woodstock Public Library, Meeting Room, 414 West Judd Street, Woodstock.
December 1 10:30 a.m.		Pollution Control Board Meeting, James R. Thompson Center, 100 W. Randolph St., Conference Room 9-040, Chicago
December 2 10:30 a.m.	PCB 94-236 UST-FRD	<u>J.R. Meyers Company v. EPA</u> - County Building, Conference Room C, 18 North County Street, Waukegan.

December 2 10:00 a.m.	R 94-21 R, Air	<u>In the Matter of: 15% ROP Plan Control Measures for VOM Emissions--Part IV: Amendments to 35 Ill. Adm. Code 211, 218 &amp; 219</u> - James R. Thompson Center, Room 2-025, 100 West Randolph Street, Chicago.
December 7 10:00 a.m.	AC 94-37 AC	<u>County of Ogle v. City of Rochelle, Owner/Operator, and Rochelle Disposal Service, Inc., Operator under Contract ((Rochelle Municipal #2 Landfill)</u> - Ogle County Courthouse, Basement Conference Room #5, 110 South Fourth Street, Oregon.
December 9 10:00 a.m.	PCB 94-150 A&N, Citiz.	<u>Angela M. White v. Terry &amp; Billie Van Tine &amp; Schneider Transport, Inc.</u> - City Council Chambers, 211 North Hamilton, Monticello.
December 9 1:00 p.m.	PCB 94-259 L-V	<u>Atkinson Landfill Company v. EPA</u> - Macon County Courthouse, Second Floor, Small Court Room, Courthouse Square, Cambridge.
December 12 10:00 a.m.	PCB 94-191 P-A, NPDES	<u>Arco Products Company, a Division of Atlantic Richfield Company v. EPA</u> - James R. Thompson Center, Suite 11-500, 100 West Randolph Street, Chicago.
December 12 10:00 a.m.	PCB 94-227 P-A, Land	<u>Western Lion Limited v. EPA</u> - Charleston City Council Chambers, 520 Jackson, Charleston.
December 15 9:00 a.m.	PCB 94-255 UST-Appeal	<u>Marion Pepsi Cola v. EPA</u> - Centralia City Hall, Counsel Chambers, 622 South Poplar Street, Centralia.
December 15 10:00 a.m.	PCB 94-302 L-S-R, 3d P	<u>The Alter Group v. The Lake County Board and USA Waste Services, Inc. (Countryside Landfill)</u> - Lake County Courthouse, Assembly Room, 10th Floor, 18 North County Steet, Waukegan.
December 15 10:00 a.m.	R 94-31 R, Air	<u>In the Matter of: 15% ROP Plan Control Measures for VOM Emissions--Part V: Control of Volatile Organic Compound Emissions from Lithographic Printing, Amendments to 35 Ill. Adm. Code 211, 218 &amp; 219</u> - James R. Thompson Center, Room 9-040, 100 West Randolph Street, Chicago.
December 14 10:30 a.m.		Pollution Control Board Meeting, James R. Thompson Center, 100 W. Randolph St., Conference Room 2-025, Chicago
December 16 10:00 a.m.	PCB 94-302 L-S-R, 3d P	<u>The Alter Group v. The Lake County Board and USA Waste Services, Inc. (Countryside Landfill)</u> - Lake County Courthouse, Assembly Room, 10th Floor, 18 North County Steet, Waukegan.
December 16 10:00 a.m.	R 94-21 R, Air	<u>In the Matter of: 15% ROP Plan Control Measures for VOM Emissions--Part IV: Amendments to 35 Ill. Adm. Code 211, 218 &amp; 219</u> - James R. Thompson Center, Room 9-040, 100 West Randolph Street, Chicago.
December 16 10:00 a.m.	R 94-32 R, Air	<u>In the Matter of: 15% ROP Plan Control Measures for VOM Emissions--Part VI: Motor Vehicle Refinishing, Amendments to 35 Ill. Adm. Code 211, 218 &amp; 219</u> - James R. Thompson Center, Room 9-040, 100 West Randolph Street, Chicago.
December 19 1:00 p.m.	PCB 94-202 RCRA-E	<u>People of the State of Illinois v. Summit Environmental Services, Inc.</u> - City Hall Building, 1529 3rd Street, Madison.
December 19 8:30 a.m.	PCB 94-262 L-S-R, 3d P	<u>Concerned Citizens of Williamson County, Rev. Paul Crain and Rose Rowell v. Bill Kibler Development Corp., a/k/a Kibler Development Corp., and Williamson County Board of Commissioners</u> - Herrin City hall, Council Chambers, 300 North Park Avenue, Herrin.
December 20 1:00 p.m.	PCB 94-299 A-V	<u>P &amp; S, Inc. v. EPA</u> - Wood Dale City Hall, Council Chambers, 404 North Wood Dale Road, Wood Dale.
December 21 10:00 a.m.	PCB 93-179 P-A, NPDES	<u>IBP, Inc. (Joslin Facility) v. EPA</u> - County Building, Rock Island County Boardroom, 1504 Third Avenue, Rock Island.
December 21 10:00 a.m.	PCB 94-312 UST-FRD	<u>Spraylat Corporation v. EPA</u> - James R. Thompson Center, Suite 11-500, 100 West Randolph Street, Chicago.



December 22 9:00 a.m.	PCB 93-179 P-A, NPDES	IBP, Inc. (Joslin Facility) v. EPA - County Building, Rock Island County Boardroom, 1504 Third Avenue, Rock Island.
December 22 10:00 a.m.	PCB 94-320 A-V	Dorothy B. Kindy, d/b/a Rex's Service Station, Inc. v. EPA - James R. Thompson Center, Suite 11-500, 100 West Randolph Street, Chicago.
January 9 10:00 a.m.	R 94-31 R, Air	<u>In the Matter of: 15% ROP Plan Control Measures for VOM Emissions--Part V: Control of Volatile Organic Compound Emissions from Lithographic Printing, Amendments to 35 Ill. Adm. Code 211, 218 &amp; 219</u> - James R. Thompson Center, Room 9-040, 100 West Randolph Street, Chicago.
January 12 10:30 a.m.		Pollution Control Board Meeting, James R. Thompson Center, 100 W. Randolph St., Conference Room 9-040, Chicago
January 13 10:00 a.m.	R 94-32 R, Air	<u>In the Matter of: 15% ROP Plan Control Measures for VOM Emissions--Part VI: Motor Vehicle Refinishing, Amendments to 35 Ill. Adm. Code 211, 218 &amp; 219</u> - James R. Thompson Center, Room 9-040, 100 West Randolph Street, Chicago.
January 19 10:00 a.m.	R 94-2(B) R, Land	<u>In the Matter of: Petroleum Leaking Underground Storage Tanks, 35 Ill. Adm. Code 732</u> - County Board Chambers, 200 South Ninth Street, 2nd Floor, Springfield.
January 20 10:00 a.m.	R 94-2(B) R, Land	<u>In the Matter of: Petroleum Leaking Underground Storage Tanks, 35 Ill. Adm. Code 732</u> - County Board Chambers, 200 South Ninth Street, 2nd Floor, Springfield.
January 24 10:00 a.m.	R 94-31 R, Air	<u>In the Matter of: 15% ROP Plan Control Measures for VOM Emissions--Part V: Control of Volatile Organic Compound Emissions from Lithographic Printing, Amendments to 35 Ill. Adm. Code 211, 218 &amp; 219</u> - James R. Thompson Center, Room 9-040, 100 West Randolph Street, Chicago.
January 25 10:00 a.m.	R 94-32 R, Air	<u>In the Matter of: 15% ROP Plan Control Measures for VOM Emissions--Part VI: Motor Vehicle Refinishing, Amendments to 35 Ill. Adm. Code 211, 218 &amp; 219</u> - James R. Thompson Center, Room 9-040, 100 West Randolph Street, Chicago.
February 16 10:30 a.m.		Pollution Control Board Meeting, James R. Thompson Center, 100 W. Randolph St., Conference Room 9-040, Chicago
February 22 10:00 a.m.	R 94-2(B) R, Land	<u>In the Matter of: Petroleum Leaking Underground Storage Tanks, 35 Ill. Adm. Code 732</u> - James R. Thompson Center, Room 9-040, 100 West Randolph Street, Chicago.
February 23 10:00 a.m.	R 94-2(B) R, Land	<u>In the Matter of: Petroleum Leaking Underground Storage Tanks, 35 Ill. Adm. Code 732</u> - James R. Thompson Center, Room 9-040, 100 West Randolph Street, Chicago.
March 16 10:30 a.m.		Pollution Control Board Meeting, James R. Thompson Center, 100 W. Randolph St., Conference Room 9-040, Chicago
April 20 10:30 a.m.		Pollution Control Board Meeting, James R. Thompson Center, 100 W. Randolph St., Conference Room 9-040, Chicago
May 18 10:30 a.m.		Pollution Control Board Meeting, James R. Thompson Center, 100 W. Randolph St., Conference Room 9-040, Chicago
June 15 10:30 a.m.		Pollution Control Board Meeting, James R. Thompson Center, 100 W. Randolph St., Conference Room 9-040, Chicago
June 21 1:00 p.m.	PCB 94-136 UST-FRD	Elmhurst-Chicago Stone Company v. EPA - DuPage County Board Office, Third Floor, 421 North County Farm Road, Wheaton.

**Calendar Code**

3d P	Third Party Action
A-E	Air Enforcement
A-V	Air Variance
GW	Groundwater
L-E	Land Enforcement
L-V	Land Variance

A-C	Administrative Citation
A-S	Adjusted Standard
CSO	Combined Sewer Overflow Exception
HW Delist	RCRA Hazardous Waste Delisting
L-S-R	Landfill Siting Review
N-E	Noise Enforcement

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N-V	Noise Variance	P-APermit Appeal
PWS-E	Public Water Supply Enforcement	PWS-VPublic Water Supply Variance
R	Regulatory Proceeding	RCRAResource Conservation and Recovery Act proceeding (hazardous waste only)
S0 <sub>2</sub>	S0 <sub>2</sub> Alternative Standards (35 ILL. ADM. CODE 302.211(f))	SWH-ESpecial Waste Hauling Enforcement
SWH-V	Special Waste Hauling Variance	TThermal Demonstration Rule
T-C	Tax Certifications	T-STrade Secrets
UST-E	Underground Storage Tank Enforcement	UST-FRDUnderground Storage Tank Fund Reimbursement Determination
W-E	Water Enforcement	W-VWater Variance
WWS	Water-Well Setback Exception	

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## Illinois Environmental Protection Agency

## Division of Public Water Supplies

## Restricted Status List -- Public Water Supplies

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

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

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

This list is continually being revised as new information becomes available, and therefore, specific inquiries as to the status of any public water supply should be directed to the Division of Public Water Supplies for final determination. This list reflects the status as of October 1, 1994.

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

\*\* Indicates actions are being taken by officials to bring the public water supply into compliance.

RDS:sp/0046g/2

Illinois Environmental Protection Agency  
Division of Public Water Supplies  
Restricted Status List -- Public Water Supplies  
October, 1994

NAME OF PUBLIC WATER SUPPLY/COUNTY/FACILITY NO.	RGN	NATURE OF PROBLEM	POP. SERVED	LISTING DATE
Arenzville (Cass Co. - 0170050)	5	Nitrate	400	03/20/81
Ashley (Washington Co. - 1890100)	6	Trihalomethane	825	06/15/92
Bellwood (Cook Co. - 0310150)	2	Radium	20,000	12/14/90
Benld (Macoupin Co. - 1170050)	%	Trihalomethane	2,174	06/16/94
Biggsville (Henderson Co. - 0710050)	5	Radium & Radiological	400	03/17/86
Bond Co. - Royal Lake Wtr Dstrct (0055100)	6	Trihalomethane	228	06/15/92
Bradford (Stark Co. - 1750050)	1	Radium	920	03/17/86
Brownstown (Fayette Co. - 0510100)	6	Trihalomethane	820	06/15/92
Buckingham (Kankakee Co. - 0910250)	2	Inadequate Pres. Tank	330	03/17/89
Buda (Bureau Co. - 0110100)	1	Radium	700	06/15/93
Bureau Co. - Bailey Sbdv (0115100)	1	Inadequate Pres. Tank	43	01/13/82
Byron (Ogle Co. - 1410100)	1	Radium	2,500	06/15/93
Campus (Livingston Co. - 1050050)	4	Inadequate Pres. Tank	230	03/20/81
** Carroll Co. - Carroll Hts Utl Cmpny (0155200)	1	Inadequate Pres. Tank	80	03/20/81
Carroll Co. - Century Pines Apts (0150020)	1	Inadequate Pres. Tank	50	12/14/90
Cedar Point Wtr Cmpny (LaSalle Co. - 0995040)	1	Radium	800	03/17/86
Champaign Co. - D&R Apts (0190030)	4	Inadequate Pres Tank	26	09/16/93
Chandlerville (Cass Co. - 0170200)	5	Nitrate	7,800	03/17/86
Coalton (Montgomery Co. - 1350100)	5	Low System Pressure	325	03/20/81
Coffee (Montgomery Co. - 1350150)	5	Trihalomethane	800	03/17/92
Concord (Morgan Co. - 1370100)	5	Nitrate	240	03/17/86
Cook Co. - Mission Brook Sndst (0315920)	2	Radium	3,200	03/14/91
Cook Co. - Orland Hills Sbdv (0317000)	2	Inadequate Pres. Tank	154	08/31/81
Cook Co. - Plum Creek Condos (0317080)	2	Radium	570	03/17/86
Coulterville (Randolph Co. - 1570150)	6	Trihalomethane	1,100	06/15/92
Creal Springs (Williamson Co. - 1990300)	7	Inadequate Treatment Plant & Source	1,020	09/15/89
Crystal Clear Wtr Cmpny (McHenry Co. - 1115150)	2	Inadequate Pres. Tank	900	09/16/88
Dallas City (Hancock Co. - 0674300)	5	Trihalomethane	1,500	06/15/92
DeKalb Co. - Buck Lake Ests Sbdv (0375100)	1	Inadequate Pres. Tank	200	09/14/84
DeKalb Co. - DeKalb Univ Dvl Corp (0375148)	1	Inadequate Pres. Tank	950	12/16/92
* DePue (Bureau Co. - 0110300)	1	Radium	1,725	09/16/94
DeWitt Co. - DeWitt Cnty Nursing Home (0395129)	4	Inadequate Pres. Tank	80	06/17/83
Diamond (Grundy Co. - 0630250)	2	Radium & Radiological	1,170	08/21/81
Dorchester (Macoupin Co. - 1170250)	5	Trihalomethane	531	06/16/94
Dover (Bureau Co. - 0110350)	1	Inadequate Pres. Tank	200	05/25/81
DuBois (Washington Co. - 1890150)	6	Trihalomethane	216	06/16/94
DuPage Co. - Belmont- Highwood PWD (0435180)	2	Trichloroethylene	498	09/16/93
DuPage Co. - Clarendon Wtr Cmpny (0435300)	2	Inadequate Pres. Tank	1,953	03/20/81
DuPage Co. - Ctznns Lombard Heights Dvn (0435700)	2	Inadequate Pres. Tank	980	12/17/82
DuPage Co. - Liberty Park Homeowners Assn (0435600)	2	Inadequate Pres. Tank	1,092	09/17/92
DuPage Co. - Maple Hill Imprv Assn (0435800)	2	Inadequate Pres. Tank	234	08/31/81
DuPage Co. - Metro Util.-Liberty Ridge (0435650)	2	Inadequate Pres. Tank	2,510	03/15/94
DuPage Co. - Northside Peterson Wlfnd (0435866)	2	Inadequate Pres. Tank	30	12/15/89
DuPage Co. - Northwest Belmont Imprv Assn (0435900)	2	Inadequate Pres. Tank	115	09/29/81
DuPage Co. - Pleasant Hill Cmnty Assn (0435980)	2	Inadequate Pres. Tank	180	03/17/89
DuPage Co. - Polo Drive & Saddle Rd Sbdv (0437000)	2	Inadequate Pres. Tank	95	12/17/82

DuPage Co. - St Charles Cmsn Wlfnd 3 (0437040)	2	Inadequate Pres. Tank	30	12/15/89
DuPage Co. - South Burdette Wtr (0437320)	2	Inadequate Pres. Tank	30	06/16/89
DuPage Co. - York Center Coop (0437550)	2	Inadequate Pres. Tank	240	06/15/88
Eagerville (Macoupin Co. - 1170300)	5	Trihalomethane	187	06/16/94
Elmwood (Peoria Co. - 1430300)	5	Radiological & Radium	2,117	03/17/86
Fairview (Fulton Co. - 0570450)	5	Radiological, Radium & Inadequate Pressure Tank	20	03/20/81
Goreville (Johnson Co. - 0870200)	7	Inadequate Treatment Plant & Source	978	09/15/89
Greene Co. - Mt. Gilead Shchrhm (0615129)	6	Inadequate Pres. Tank	28	09/16/83
Grundy Co. - Heatherfield Sbdv (0635150)	2	Inadequate Pres. Tank	91	09/17/82
Grundy Co. - Lisbon North Inc (0631000)	2	Inadequate Pres. Tank	30	09/14/90
Grundy Co. - Ridgecrest North Sbdv (0635250)	2	Inadequate Pres Tank	85	09/16/93
Henry (Marshall Co. - 1230050)	1	Nitrate	2,740	06/15/90
Henry Co. - Country Ests Sbdv (0735050)	1	Nitrate	250	06/15/90
Henry Co. - Hazelwood 1st Addn Well 2 (0735446)	1	Inadequate Pres. Tank	32	09/17/82
Henry Co. - Hazelwood 2nd Addn Well 2 (0735666)	1	Inadequate Pres. Tank	32	09/17/82
Henry Co. - Hazelwood 2nd Addn Well 3 (0735686)	1	Inadequate Pres. Tank	32	09/17/82
Henry Co. - Hazelwood West Sbdv (0735250)	1	Inadequate Pres. Tank	89	03/19/84
Henry Co. - Lake Lynwood Wtr Sys (0735330)	1	Inadequate Pres. Tank	98	08/31/81
Henry Co. - Ophiem PWS (0735150)	1	Inadequate Pres. Tank	150	06/18/82
Henry Co. - Osco Mutual Wtr Supply Cpy Inc (0735200)	1	Inadequate Pres. Tank	115	12/15/89
Henry Co. - Pine Ridge Utl Inc (0735400)	1	Inadequate Pres. Tank	46	09/29/81
Iroquois Co. - A Merkle-C Kniprath Home (0755389)	4	Inadequate Pres. Tank	98	03/16/90
Iroquois Co. - Spring Creek Campground II Inc. (0750030)	4	Inadequate Pres. Tank	--	--
12/16/91				
Island Lake Wtr Cmpny (Lake Co. - 0975080)	2	Iron	2,250	06/15/90
JoDaviess Co. - Bahl Wtr/Pioneer Acres (0855200)	1	Inad. Pres. Storage	700	12/15/93
Kane Co. - Broadview Academy (0895149)	2	Radium	304	09/19/86
Kane Co. - Highland Sbdv (0895530)	2	Inadequate Pres. Tank	50	09/16/83
Kane Co. - Melrose Rental Apts (0895228)	2	Inadequate Pres. Tank	38	03/15/94
Kane Co. - Moecherville Sbdv (0895300)	2	Inadequate Pres. Tank	1,120	03/20/81
Kane Co. - Park View Wtr Corp (0895500)	2	Inadequate Pres. Tank	150	12/17/82
Kane Co. - Pleasant Village (0895228)	2	Inadequate Pres. Tank	N/A	06/18/82
Kane Co. - Silver Glen Ests (0890040)	2	Radium	10	06/15/93
Kane Co. - St Charles Skyline Swr-Wtr Cpy (0895030)	2	Inadequate Pres. Tank	1,300	09/19/86
Kane Co. - Wermes Sbdv (0895750)	2	Inadequate Pres. Tank	150	12/16/88
Kangley (LaSalle Co. - 0990250)	1	Radium	200	03/17/86
Kankakee Co. - Good Shepherd Manor (0915189)	2	Inadequate Pres. Tank	140	03/17/89
Kankakee Co. - Olivet Nazarene College (0915279)	2	Inadequate Pres. Tank	1,450	03/15/94
Kankakee Co. - Skyview Sbdv (0915526)	2	Inadequate Pres. Tank	65	09/14/84
Kendall Co. - Bonnie Lane Wtr (0930010)	2	Inadequate Pres. Tank	49	09/16/93
Kendall Co. - Farm Colony (0935140)	2	Radium	25	03/17/86
Kendall Co. - Fox Lawn Utl Cmpny (0935150)	2	Radium	240	03/17/86
Kendall Co. - Metro Utl Valley Dvn (0935100)	2	Inadequate Pres. Tank	2,200	03/16/90
Kingston Mines (Peoria Co. - 1430450)	5	Radium	350	03/17/86
Kinmundy (Marion Co. - 1210300)	6	Atrazine	1,923	12/15/93
Kinsman (Grundy Co. - 0630450)	2	Radium	150	03/17/86
Kirkwood (Warren Co. - 1870050)	5	Radium & Radiological	1,008	07/23/93
Ladd (Bureau Co. - 0110450)	1	Radium	1,350	10/04/85
Lake Co. - Acorn Acres Sbdv (0975020)	2	Inadequate Pres. Tank	250	12/16/83
Lake Co. - Blau Mar Hills Homeowners Assn (0970090)	2	Radium	18	12/16/91
Lake Co. - Bluff Lake Lodges, Inc (0970240)	2	Inad. Pres. Storage	25,200	12/15/93
Lake Co. - Briarcrest Sbdv Hmownrs Assn (0971060)	2	Radium & Gross Alpha	120	12/16/92
Lake Co. - D L Well Owners Assn (0975380)	2	Inadequate Pres. Tank	125	03/18/83
Lake Co. - Echo Lake Block IV Water Assn (0970130)	2	Inadequate Pres. Tank	50	06/15/88
Lake Co. - Echo Lake Wtr Sys Block 7 (0975820)	2	Inadequate Pres. Tank	48	09/16/83
Lake Co. - Elm Oak Mutual Wtr Sys (0975736)	2	Inadequate Pres. Tank & Radium	45	06/13/86
Lake Co. - Forest Lake Addn (0975500)	2	Inadequate Pres. Tank	180	12/16/83
Lake Co. - Glenkirk Campus North (0977189)	2	Inadequate Pres. Tank	64	06/15/88
Lake Co. - Glenkirk Campus South (0977199)	2	Inadequate Pres. Tank	36	06/15/88
Lake Co. - Glenstone Sbdv (0970160)	2	Radium	168	09/17/92
Lake Co. - Highland Lake Sbdv (0975750)	2	Inadequate Pres. Tank	294	03/20/81
Lake Co. - Lakewood Wtr Sys (0975400)	2	Inadequate Pres. Tank	49	12/16/83
Lake Co. - Maple Hill Nursing Ctr (0971090)	2	Inadequate Pres. Tank	204	06/15/93
Lake Co. - Sturm Sbdv (0977010)	2	Inadequate Pres. Tank	63	03/16/84
Lake Co. - Summit Homeowners Assn (0975280)	2	Inadequate Pres. Tank	48	03/16/84
Lake Co. - Sylvan Lake 1st Sbdv (0977100)	2	Inadequate Pres. Tank	210	06/14/91
Lake Co. - Towner Sbdv (0977250)	2	Inadequate Pres. Tank	238	01/14/82
Lake Co. - Wadsworth Oaks Sbdv (0977320)	2	Radium	80	09/19/86
Lake Co. - West Shoreland Sbdv (0977050)	2	Inadequate Pres. Tank	220	06/14/91
* LaSalle Co. - Cedar Point Water Company (0995110)	1	Radiological	19	09/16/94
LaSalle Co. - Four Lakes Sbdv (0995110)	1	Radium	35	09/19/86
LaSalle Co. - Il Prairie Est Sbdv (0995300)	1	Radium	45	06/15/88
LaSalle Co. - Lynnwood Water Corp (0995336)	1	Inadequate Pres. Tank	114	03/18/83
LaSalle Co. - Woodsmoke Ranch Assn (0990030)	1	Inadeq. Pres. Tank & Radium	350	06/15/90
Little York (Warren Co. - 1870100)	5	Radium	356	12/16/91
Livingston Co. - Salem Childrens Hm (1055229)	4	Inadequate Pres. Tank	66	03/18/83
Logan Co. - Bartmann Health Care Center (1075169)	5	Inadequate Pres. Tank	93	12/16/83
London Mills - (Fulton County - 0574620)	5	Inadequate Pres. Tank	670	12/14/84
Lostant (LaSalle Co. - 0990450)	1	Radium & Radiological	550	03/17/86
Macoupin Co. - RR 1 - Il Wtr Assn (1175260)	5	Trihalomethane	81	06/15/92
Macoupin Co. - Spring Creek Water Assn (1175450)	5	Trihalomethane	60	06/16/94
Madison Co. - Forest Home Maple Park PWD (1195100)	6	Trihalomethane	2,000	06/15/94

Mapleton (Peoria Co. - 1430500)	5	Radium	235	03/17/86
Marshall Co. - Hopewell Wtr Wks (1235150)	1	Radium & Radiological	350	03/17/86
McDonough Co. - Emmett Utl Inc (1095200)	5	Inadequate Pres. Tank	39	12/17/82
McHenry Co. - C & A Wtr Corp (1115270)	2	Inadequate Pres. Tank	33	06/18/82
McHenry Co. - Community Srvc Corp (1115350)	2	Inadequate Pres. Tank	750	09/16/83
McHenry Co. - Deering Oaks Sbdv (1115200)	2	Inadequate Pres. Tank	60	12/17/82
McHenry Co. - Prairie Ridge Assn (1115730)	2	Inadequate Pres. Tank	140	03/16/90
McHenry Co. - Walk-Up-Woods Wtr Cmpny (1115800)	2	Inadequate Pres. Tank	763	12/17/82
* McHenry Co. - Wonder Lake Water Company (1115750)	2	Inadequate Pres. Tank	1,161	06/16/94
McLean Co. - Cropsey Cmnty Wtr (1135150)	4	Inadequate Pres. Tank	60	03/20/81
McLean Co. - Hunters Knoll Sbdv (1130030)	4	1,2-Dichloropropane	25	12/15/93
Media (Henderson Co. - 0710250)	5	Nitrate	150	03/17/86
Mercer Co. - M C L W Sys Inc (1315150)	1	Inadequate Source	100	03/20/81
Mercer Co. - Swedona Wtr Assn (1315200)	1	Inadequate Pres. Tank	100	06/15/90
Monmouth (Warren Co. - 1870150)	5	Radium	9,500	12/15/93
Monroe Co. - Maple Leaf Ests Wtr Corp (1335100)	6	Inadequate Pres. Tank	39	03/20/81
Mount Clare (Macoupin Co. - 1170650)	5	Trihalomethane	858	03/17/92
* Mount Olive (Macoupin Co. - 1170700)	5	Trihalomethane	2,380	09/16/94
Naplate (LaSalle Co. - 0990600)	1	Radium	581	03/17/86
Neponset (Bureau Co. - 0110700)	1	Radium	640	09/14/90
New Boston (Mercer Co. - 1310250)	1	Nitrate	750	12/14/84
Odell (Livingston Co. - 1050550)	4	Radium	1,100	03/17/86
Ogle Co. - Lindenwood Wtr Assn (1415300)	1	Inadequate Pres. Tank	50	01/13/82
* Paris (Edgar Co. - 0450300)	1	Atrazine	8,990	09/16/94
Patoka (Marion Co. - 1210400)	6	Trihalomethane	820	12/16/92
Peoria Co. - Brookview Sbdv (1435100)	5	Nitrate	300	09/16/93
Peoria Co. - Edelstein Wtr Coop (1435150)	5	Radium & Radiological	115	06/13/86
Peoria Co. - Fahnstock Court Sbdv (1435200)	5	Inadequate Pres. Tank	30	05/25/81
Peoria Co. - Galena Knolls Sbdv (1435300)	5	Nitrate	180	06/15/88
Peoria Co. - Trivoli PWD (1435510)	5	Inadequate Pres. Tank	350	06/17/83
Peoria Co. - Woodland Hts Ests Sbdv (1435760)	5	Inadequate Pres. Tank	245	03/20/81
Prairie City (McDonough Co. - 1090400)	5	Radiological & Radium	620	03/17/86
Ransom (LaSalle Co. - 0990900)	1	Radium	450	03/17/86
Raritan (Henderson Co. - 0710350)	5	Radium & Radiological	177	03/17/86
Reddick (Kankakee Co. - 0914780)	2	Radium	208	09/16/93
Richview (Washington Co. - 1890500)	6	Inadequate Pres. Tank	592	09/19/86
Rockdale (Will Co. - 1970850)	2	Radium	1,500	03/17/86
Rock Island Co. - Byron Hls Sbdv Well 6 (1617266)	1	Inadequate Pres. Tank	32	12/17/82
Rock Island Co. - Country Club Mnr Well 1 (1617286)	1	Inadequate Pres. Tank	32	01/14/82
Rock Island Co. - Croppers 2nd & 3rd Addn (1615200)	1	Inadequate Pres. Tank	29	12/16/83
Rock Island Co. - Eberts 2nd Addn (1615280)	1	Inadequate Press ure Tank	35	09/15/89
Rock Island Co. - Evergreen Vlg Sbdv (1615310)	1	Inadequate Pres. Tank	250	03/20/81
Rock Island Co. - Larson Court Rentals (1615728)	1	Inadequate Pres. Tank	48	01/14/82
Rock Island Co. - Lemon Street Well Cmpny (1615550)	1	Inadequate Pres. Tank	470	03/20/81
Rock Island Co. - Park Hill Ests Well 1 (1617806)	1	Inadequate Pres. Tank	32	06/18/82
Rock Island Co. - Rock Island Arsn (1615387)	1	Trihalomethane	9,000	06/15/92
Rock Island Co. - Silvis Heights Wtr Corp (1615750)	1	Inadequate Pres. Tank	1,680	03/20/82
Rock Island Co. - Suburban Heights Sbdv (1615800)	1	Inadequate Pres. Tank	114	12/16/83
Rock Island Co. - Tindalls Addn Wtr Sys (1617956)	1	Inadequate Pres. Tank	32	06/18/82
Rock Island Co. - Tindalls 3rd & 6th Addns (1617376)	1	Inadequate Pres. Tank	28	06/18/82
Rock Island Co. - Turkey Hollow Well Corp (1615686)	1	Inadequate Pres. Tank	32	06/18/82
Rock Island Co. - WSCO Dvl-Ridgewood (1615670)	1	Inadequate Pres. Tank	475	03/20/81
Roseville (Warren Co. - 1870200)	5	Nitrate	1,254	03/17/89
Rosiclare (Hardin Co. - 0690150)	7	Trihalomethane	1,791	09/17/92
Schram City (Montgomery Co. - 1350600)	5	Trihalomethane	690	06/16/94
Shannon (Carroll Co. - 0150300)	1	Nitrate	887	03/15/94
Shipman (Macoupin Co. - 1170950)	5	Trihalomethane	695	06/16/94
Sims (Wayne Co. - 1910400)	7	Atrazine	71	06/16/94
Smithboro (Bond Co. - 0050250)	6	Total Trihalomethane	201	12/15/93
Sorento (Bond Co. - 0050300)	6	Atrazine	710	06/15/92
South Pekin (Tazewell Co. - 1790650)	5	Nitrate	1,400	06/15/93
South Wilmington (Grundy Co. - 0630650)	2	Radium	750	03/15/93
Spring Valley (Bureau Co. - 0111000)	1	Radium	5,850	09/17/92
St. Clair Co. - Save Site (1635289)	6	Trihalomethane	375	06/15/92
St. Peter (Fayette Co. - 0510300)	6	Trihalomethane	807	06/15/92
Standard (Putnam Co. -1550300)	1	Radium	280	09/16/91
Steeleville (Randolph Co. - 1570650)	6	Radium	2,305	03/17/86
Stephenson Co. - Park Crest Wtr Cmpny (1775100)	1	Inadequate Pres. Tank	1,200	09/14/84
* Sycamore (DeKalb Co. - 0370550)	1	Barium	9,905	09/16/94
Table Grove (Fulton Co. - 0570900)	5	Radium & Radiological	500	03/20/81
Taylor Springs (Montgomery Co. - 1350650)	5	Trihalomethane	671	03/17/92
Tazewell Co. - Beverly Mnr Cntrl Imp Assn (1795120)	5	Inadequate Pres. Tank	525	03/17/89
Tazewell Co. - Beverly Mnr-Grant (1795100)	5	Inadequate Pres. Tank	610	03/20/81
Tazewell Co. - Breezeway Sbdv (1795150)	5	Inadequate Pres. Tank	175	09/17/82
Tazewell Co. - Hickory Hls Sbdv Assn 1 (1795386)	5	Inadequate Pres. Tank	31	06/14/85
Tazewell Co. - Hickory Hls Sbdv Assn 2 (1795396)	5	Inadequate Pres. Tank	30	06/14/85
Tazewell Co. - Mayfair Sbdv (1795750)	5	Inadequate Pres. Tank	150	03/16/90
Tazewell Co. - Oakhaven Sbdv (1795760)	5	Inadequate Pres. Tank	35	05/25/81
Tazewell Co. - Prairie View Wtr Assn (1795900)	5	Inadequate Pres. Tank	55	03/20/81
Union Co. - Lick Creek PWD (1815100)	7	Inadequate Treatment Plant & Source	816	09/15/89
Vermilion Co. - North Fork Well Assn (1835186)	4	Inadequate Pres. Tank	66	06/17/83
* Vernon (Marion Co. - 1210550)	6	Trihalomethane	207	09/16/94
Viola (Mercer Co. - 1310450)	1	Radium	1,144	09/17/92
* Waterloo (Monroe Co. - 1330300)	6	Inadequate Treatment Plant	5,675	09/16/94

Westfield (Clark Co. - 0230200)	4	Inadequate Water Source	700	06/15/93
White City (Macoupin Co. - 1171150)	7	Trihalomethane	280	06/15/93
White Hall (Greene Co. - 0610400)	6	Atrazine	2,950	06/15/93
Whiteside Co. - Lakeview Sbdv (1955150)	1	Inadequate Pres. Tank & Nitrate	146	03/20/81
Will Co. - Bel-Air Sbdv (1975130)	2	Inadequate Pres. Tank	91	08/04/81
Will Co. - Clearview Sbdv (1975360)	2	Inadequate Pres. Tank	420	01/13/82
Will Co. - Dixie Dells (1977850)	2	Inadequate Pres. Tank	550	09/17/82
Will Co. - East Moreland Wtr Assn (1975600)	2	Inadequate Pres. Tank	753	03/20/81
Will Co. - Fair Acres Sbdv (1975680)	2	Inadequate Pres. Tank	185	10/19/81
Will Co. - Garden Street Imprv Assn (1975376)	2	Inadequate Pres. Tank	62	09/15/89
Will Co. - Greenfield Cmnty Well Cmpny (1975760)	2	Inadequate Pres. Tank	25	12/16/83
Will Co. - Hillview Sbdv (1975800)	2	Inadequate Pres. Tank	99	03/15/85
Will Co. - Huntley Cmnty Sbdv (1975840)	2	Inadequate Pres. Tank	48	03/16/84
Will Co. - Ingalls Park Sbdv (1975880)	2	Inadequate Pres. Tank	690	09/16/83
Will Co. - Lakewood Shores Imprv Assn (1975930)	2	Radium	93	03/17/86
Will Co. - Oakview Avenue Wtrwks Inc (1977210)	2	Inadequate Pres. Tank	350	03/20/81
Will Co. - Park Road Wtr Assn (1977330)	2	Inadequate Pres. Tank	60	12/17/82
Will Co. - Ridgewood Sbdv (1977650)	2	Inadequate Pres. Tank	315	06/18/82
Will Co. - Scribner Street Sbdv (1977660)	2	Inadequate Pres. Tank	50	03/18/83
Will Co. - Shawnita Trc Wtr Assn (1977690)	2	Inadequate Pres. Tank	125	09/17/92
Will Co. - Sunnyland Sbdv (1977730)	2	Inadequate Pres. Tank	350	09/16/83
Williamson (Madison Co. - 1191100)	6	Trihalomethane	350	06/15/92
Williamson Co. - Devils Kitchen Wtr Dst (1995160)	7	Inadequate Treatment Plt1,330 & Source & Trihalomethane	1,330	09/15/89
Williamson Co. - Lake of Egypt PWD (1995200)	7	Inadequate Treatment	7,743	09/15/89
Wilsonville (Macoupin Co. - 1171200)	5	Trihalomethane	609	06/15/92
Winnebago Co. - Blue & Gold Homeowners Assn (2015250)	1	Inad. Press. Tank & Inad. Source of Supply	170	06/17/83
Winnebago Co. - Bradley Heights Sbdv (2015050)	1	Inadequate Pres. Tank	192	09/13/85
Winnebago Co. - Briar Garden Apts (2015190)	1	Inadequate Pres. Tank	60	12/17/82
Winnebago Co. - Cherry Vale East Apts (2015470)	1	Inadequate Pres. Tank	180	01/14/82
Winnebago Co. - Cherry View Apts (2015278)	1	Inadequate Pres. Tank	60	06/17/83
Winnebago Co. - Great Oaks & Beacon Hls Apts (2015488)	1	Inadequate Pres. Tank	943	
12/17/82				
Winnebago Co. - Kishwaukee-Kilbuck Assn (2010010)	1	Inadequate Pres. Tank	42	03/16/90
Winnebago Co. - Larchmont Sbdv (2015290)	1	Inadequate Pres. Tank	106	06/17/83
Winnebago Co. - Legend Lakes Wtr Assn (2015300)	1	Inadequate Pres. Tank	225	03/14/91
Woodford Co. - Oak Ridge Sndst (2035300)	1	Inadequate Pres. Tank	240	03/20/81
Wyoming (Stark Co. - 1750200)	1	Radiological & Radium	1,614	03/17/86
Yates City (Knox Co. - 0950700)	5	Radium and Inadequate Pressure Tank	900	03/20/81

Public Water Supplies Removed from Previous List

Greenfield (Greene Co. - 0610150)  
 Greenville - (Bond Co. - 0050050)  
 Hurst - (Williamson Co. 1990450)  
 Nilwood (Macoupin Co. - 1170750)  
 Panama (Bond Co. - 0054720)  
 St. Elmo (Fayette Co. - 0510250)  
 Virden (Macoupin Co. - 1171100)

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## Illinois Environmental Protection Agency

## Division of Public Water Supplies

## Critical Review List -- Public Water Supplies

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

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

This list is continually being revised as new information becomes available, and therefore, specific inquiries as to the status of any public water supply should be directed to the Division of Public Water Supplies for final determination. This list reflects the status as of October 1, 1994.

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

\*\* Indicates actions are being taken by officials to bring the public water supply into compliance.

RDS:sp/0046g/4

Illinois Environmental Protection Agency  
Division of Public Water Supplies  
Critical Review List -- Public Water Supplies  
October, 1994

NAME OF PUBLIC WATER SUPPLY/COUNTY/FACILITY NO.	RGN	NATURE OF PROBLEM	POP.	LISTING
			SERVED	DATE
Baylis (Pike Co. - 1490100)	5	Source Capacity	300	09/13/85
Bluford (Jefferson Co. - 0810100)	7	Low System Pressure	465	03/20/81
Camargo (Douglas Co. - 0410100)	4	Inadequate Treatment Plant	400	12/16/91
Carlyle (Clinton Co. - 0270300)	6	Inadequate Treatment Plant	400	12/15/93
Caseyville (St. Clair Co. - 1630250)	6	Low System Pressure	12,338	09/14/84
Clinton (DeWitt Co. - 0390050)	4	Inadequate Plant Capacity	7,437	06/14/91
Davis (Stephenson Co. - 1770150)	1	Low System Pressure	600	09/17/92
DePue (Bureau Co. - 0110300)	1	Inadequate Treatment Plant	1,930	12/15/93
Dieterich (Effingham Co. - 0490150)	1	Inadequate Source	568	03/15/94
DuPage Co. - Highland Hls Sndst (0435560)	2	Inadequate Pressure Tank	1,100	09/17/92
Edwardsville (Madison Co. - 1190250)	6	Inad. Treatment Plant	30,581	12/15/93
Evansville (Randolph Co. - 1570250)	6	Plant Capacity	1,838	05/25/81
Georgetown (Vermilion Co. - 1830350)	4	Inadequate Wtr Plant	3,678	06/15/93
Hardin (Calhoun Co. - 0130200)	6	Low System Pressure	1,175	11/25/81
Homer (Champaign Co. - 0190300)	4	Inadequate Source	1,300	03/15/94
Jackson Co. - South Highway PWD (0775400)	7	Low System Pressure	8,189	06/15/92
Kane Co. - Lake Marian Wtr Corp (0895200)	2	Low System Pressure & Inadequate Pres. Storage	800	09/14/84
Kincaid (Christian Co. - 0210250)	5	Plant Capacity	2,640	06/14/85
Lewistown (Fulton Co. - 0570600)	5	Inadequate Source	2,700	06/15/88
McHenry Co. - McHenry Shores Wtr Cmpny (1115020)	2	Low System Pressure	1,170	09/17/92
McHenry Co. - Whispering Hills Wtr Cmpny (1115700)	2	Low System Pressure	6,000	06/15/93
McHenry Co - Wonder Lake Wtr Cmpny (1115750)	2	Inadequate Storage	1,080	12/14/90
Millstadt (St. Clair Co. - 1630850)	6	Low System Pressure	2,750	12/16/91
North Utica (LaSalle Co. - 0990650)	1	Low System Pressure	3,943	03/18/84
Patoka (Marion Co. - 1210400)	6	Inadequate Treatment Plant	820	12/15/93
Pearl (Pike Co. 1490650)	5	Inadequate Pres. Tank	322	09/17/82
Pecatonica (Winnebago Co. - 2010250)	1	Low System Pres.	1,830	06/15/90
Ramsey (Fayette Co. - 0510200)	6	Source Capacity & Low System Pres.	1,350	09/13/85
Richland Co. - West Liberty Dundas Wtr Dist (1595050)	7	Low System Pres. & Inadequate Source	693	12/14/84
Rock Island Co. - Tower Ridge Sbdv (1615780)	1	Inadequate Pres. Tank	70	03/15/94
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
Walnut Hill (Marion Co. - 1210600)	6	Low System Pressure	1,200	06/14/85
Will Co. - Metro Utl Chickasaw Dvn (1975320)	2	Low System Pressure	7,700	09/17/92

Public Water Supplies Removed from Previous List

Edgewood (Effingham Co. - 0490200)  
Mason (Effingham Co. - 0490300)  
Orangeville (Stephenson Co. - 1770350)

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The Illinois Pollution Control Board is an independent seven member board which adopts the environmental control standards for the State of Illinois and rules on enforcement actions and other environmental disputes. The Board Members are:

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The Environmental Register is a newsletter published by the Board monthly. The Register provides updates on rulemakings and other information, lists final actions, and contains the Board's hearing calendar. The Register is provided free of charge.

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