

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

VILLAGE OF DAVIS JUNCTION, an Illinois )  
municipal corporation; )  
 )  
 *Petitioner,* ) PCB 2023-\_\_\_\_ )  
 )  
 v. )  
 )  
 ILLINOIS ENVIRONMENTAL PROTECTION )  
 AGENCY, )  
 )  
 *Respondent.* )

**PETITION FOR REVIEW OF IEPA DECISION**

Petitioner Village of Davis Junction (“Village”) pursuant to Section 5(d) of the Illinois Environmental Protection Act (the “Act”), 415 Ill. Comp. Stat. 5/5(d), and 35 Ill. Admin. Code Parts 101 and 105, contests the Illinois Environmental Protection Agency’s (“**IEPA**”) decision documented in IEPA’s October 23, 2023 letter suggesting the Village is required to issue public notice due to an alleged lead and copper rule monitoring violation (“**Decision**”). As detailed herein, the Decision was against the manifest weight of the evidence, was arbitrary and capricious, and was not necessary to accomplish the purpose of the Act or the regulations of the Illinois Pollution Control Board (the “**Board**”). The Village respectfully requests Board review of IEPA’s Decision and a finding that public notice is not required where the IEPA has not established the violation of any rules. In support of this Petition, the Village states as follows:

**BACKGROUND**

1. On October 10, 2023, Pace Analytical Services (“**Pace**”) timely submitted lead and copper samples on behalf of the Village for the monitoring period ending on September 30, 2023. Ex. 1, Village IEPA Filing (Oct. 10, 2023).

2. On October 18, 2023, IEPA rejected the submitted samples and, in response, Pace immediately re-filed samples on behalf of the Village.

3. On information and belief, IEPA issued and served its Decision dates October 23, 2023 notifying the Village that “[a]ccording to our records, your water system is required to issue public notice [ . . . ]” Ex. 2, IEPA Decision (Oct. 23, 2023).

4. The Decision does not provide any factual background or cite any administrative code sections violated but concludes “Public Notification Must be Issued for the Following Violation(s)” only described as “Monitoring (Follow-up or Routine)” and “LEAD & COPPER RULE.” Ex. 2.

5. The Village’s water operator immediately contacted IEPA for an explanation of the Decision.

6. In an October 26, 2023 email, IEPA replied that “[t]he violation is due to lead and copper samples being upload [sic] into our system from the laboratory after the monitoring period. The samples needed to be uploaded on October 10th. In our system it is showing that some of the samples were uploaded the 18th.” Ex. 3, IEPA Email to Village (Oct. 26, 2023).

7. On November 2, 2023, the Village sent a letter to IEPA explaining the samples were uploaded by October 10, 2023 and that, after IEPA rejected those samples, Pace immediately re-filed samples on behalf of the Village on October 18, 2023. The Village’s letter further asked IEPA to reconsider the alleged violation and confirm whether the Decision is a final administrative decision. Ex. 4, Village Letter to IEPA (Nov. 2, 2023).

8. On November 22, 2023, the Village contacted IEPA and left a voice message inquiring about a response to the Village’s November 2, 2023 letter.

9. As of this writing, IEPA has not responded to the Village's November 2, 2023 letter or the Village's November 22, 2023 voice message.

**GROUND OF APPEAL**

10. IEPA's Decision overlooks the Village's timely submission of samples on October 10, 2023. Ex. 1.

11. When IEPA rejected those samples on October 18, 2023, the Village re-filed samples immediately.

12. The Village fully and timely complied with reporting requirements under the applicable rules and, therefore, public notice is not required because no violation of the rules occurred. 35 Ill. Admin. Code 611.901, *et seq.*

WHEREFORE, the Village respectfully requests that the Board review IEPA's Decision, find that public notice is not required where the IEPA has not established the violation of any rules, and grant the Village such other and further relief as is deemed appropriate under the circumstances.

Respectfully submitted,

VILLAGE OF DAVIS JUNCTION

By: /s/ Daniel J. Bolin  
One of its Attorneys

Daniel J. Bolin  
ANCEL GLINK, P.C.  
140 South Dearborn Street, Sixth Floor  
Chicago, Illinois 60603  
(312) 782-7606  
[dbolin@ancelglink.com](mailto:dbolin@ancelglink.com)

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VILLAGE OF DAVIS JUNCTION, an Illinois	)	
municipal corporation;	)	
	)	
<i>Petitioner,</i>	)	PCB 2023-_____
	)	
v.	)	
	)	
ILLINOIS ENVIRONMENTAL PROTECTION	)	
AGENCY,	)	
	)	
<i>Respondent.</i>	)	

INDEX OF EXHIBITS VILLAGE OF DAVIS JUNCTION'S  
PETITION FOR REVIEW

- Exhibit 1 Village IEPA Filing (Oct. 10, 2023)
- Exhibit 2 Decision (Letter from IEPA to Village, Oct. 23, 2023)
- Exhibit 3 Email from IEPA to Village (Oct. 26, 2023)
- Exhibit 4 Letter from Village/Ancel Glink to IEPA (w/o encl.) (Nov. 2, 2023)

**EXHIBIT 1**

**Village IEPA Filing (Oct. 10, 2023)**

(see attached)

**Job Listing**

Job ID	File Name	Submitted By	Submitted On	Laboratory Name	Certified	Certified By	Certified On	Select
37723	GH00030 GH01866 GH04660 GI04099 FINAL 10 Oct 23 0749 GE.xml	pdcl	2023-10-10 07 51 24 32	PDC Lab	Y	pdcl	2023-10-10 08 08 27 698	<input type="checkbox"/>
37721	GI00378 GI01487 GI01522 GI02775 FINAL 10 Oct 23 0727 GE.xml	pdcl	2023-10-10 07 31 51 911	PDC Lab	Y	pdcl	2023-10-10 07 32 06 572	<input type="checkbox"/>
37719	GI00378 GI01487 GI01522 GI02775 FINAL 10 Oct 23 0726 GE.xml	pdcl	2023-10-10 07 30 14 011	PDC Lab	Y	pdcl	2023-10-10 07 30 29 985	<input type="checkbox"/>
37717	GI04848 GI04855 FINAL 10 Oct 23 0723 GE.xml	pdcl	2023-10-10 07 25 10 031	PDC Lab	Y	pdcl	2023-10-10 07 25 20 219	<input type="checkbox"/>
37716	GI04855 FINAL 10 Oct 23 0721 GE.xml	pdcl	2023-10-10 07 22 43 726	PDC Lab	Y	pdcl	2023-10-10 07 22 53 201	<input type="checkbox"/>
37715	GI04848 FINAL 10 Oct 23 0720 GE.xml	pdcl	2023-10-10 07 21 17 726	PDC Lab	Y	pdcl	2023-10-10 07 21 26 898	<input type="checkbox"/>
37714	GI00746 GI04003 FINAL 10 Oct 23 0720 GE.xml	pdcl	2023-10-10 07 21 08 829	PDC Lab	Y	pdcl	2023-10-10 07 21 16 961	<input type="checkbox"/>
37713	GI03936 FINAL 10 Oct 23 0717 GE.xml	pdcl	2023-10-10 07 18 37 158	PDC Lab	Y	pdcl	2023-10-10 07 18 49 065	<input type="checkbox"/>
37693	GI01535 GI02282 FINAL 09 Oct 23 1515 GE.xml	pdcl	2023-10-09 15 15 52 98	PDC Lab	Y	pdcl	2023-10-09 15 16 02 671	<input type="checkbox"/>
37692	GI00849 GI05242 FINAL 09 Oct 23 1512 GE.xml	pdcl	2023-10-09 15 13 27 96	PDC Lab	Y	pdcl	2023-10-09 15 13 34 104	<input type="checkbox"/>

< 26 of 89 >

Delete Jobs Clear

**EXHIBIT 2**

**Decision (Letter from IEPA to Village, Oct. 23, 2023)**

(see attached)

**Illinois Environmental Protection Agency**

1021 North Grand Avenue East, P.O. Box 19276, Springfield, IL 62794-9276  
JB Pritzker, Governor                      John J. Kim, Director

217-785-0561

October 23, 2023

**BRET FERGE**

106 N. Elm Street  
DAVIS JUNCTION, IL 61020

**Re: IL1410030, DAVIS JUNCTION - Public Notice Requirement**

Dear Water Supply Official:

According to our records, your water system is required to issue public notice due to the violation(s) identified on page 3 of this letter. Within 10 days of completing all public notification requirements, you **MUST** complete the "Public Notification Certification and Self-Assessment Form" (page 2 of this letter) and return to: Illinois EPA, Bureau of Water, CAS #19, P.O. Box 19276, Springfield, Illinois 62794-9276. In addition to the certification and self-assessment form, also include a representative copy of each type of notice distributed, published, posted, and/or made available to the persons served by the water supply and to the media (e.g. newspaper article, press release to TV/radio, mail notices, etc.).

Also included with this letter are detailed public notice requirements and a public notice example. Failure to issue public notification or complete the self-assessment will result in a violation of the Public Notice Rule. If you have questions or need assistance preparing your notice, please call me at (217) 785-0561.

You can download a public notification template and customize at the following web site:  
<https://epa.illinois.gov/topics/forms/water-forms/violation-templates.html>

Sincerely,



Adam J. Nutt  
Drinking Water Compliance Unit  
Bureau of Water

JASON J. VOHS



## Illinois Environmental Protection Agency

1021 North Grand Avenue East, P.O. Box 19276, Springfield, IL 62794-9276  
JB Pritzker, Governor                      John J. Kim, Director

PAGE 2    IL1410030, DAVIS JUNCTION

### Illinois EPA Public Notice Certification and Self-Assessment

This form is required to be submitted as a means to certify that your Public Notice (PN) met all state and federal requirements. The owner, administrative contact, or responsible operator in charge must sign this certificate of acceptance acknowledging compliance with Illinois Environmental Protection Agency's Primary Drinking Water Standards found in Part 611 Subpart V: Public Notification of Drinking Water Violations. Please complete the self-assessment and delivery certification, sign, and return it along with a copy of the issued public notice to the Illinois EPA, Public Notification Coordinator, BOW/CAS #19, 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276.

**\*\*This section must be completed PRIOR to issuing your public notice\*\***

Check Each Box to Acknowledge Fulfillment of PN Requirement or if statement is Not Applicable, enter "NA".

My PN Includes:

- A description of the violation or situation, including the contaminants of concern, and (as applicable) the contaminant levels.
- When the violation or situation occurred.
- The population at risk, including subpopulations particularly vulnerable if exposed to the contaminant in their drinking water.
- All potential adverse health effects from the violation or situation.
- What actions consumers should take, including when they should seek medical help, if known.
- Information as to whether alternative water supplies should be used.
- What the supplier is doing to correct the violation or situation.
- When the water supplier expects to return to compliance or resolve the situation.
- The name, business address, and phone number of the water system owner, operator, or designee of the public water system who can provide additional information concerning the notice.
- The following statement to encourage the notice recipient to distribute the public notice to other persons served, using this standard language (where applicable): "Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail."
- If PN resulted from a MCL, MRDL, or treatment technique violation, the standard health effects language as specified in the Sample Collector's Handbook, Chapter 2 PN Appendix B is included. Enter "NA" if not applicable.
- If PN resulted from a monitoring violation or testing procedure, our PN includes the following statement: "We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During [compliance period] we [did not monitor or test] or [did not complete all monitoring or testing] for [contaminant(s)] and therefore cannot be sure of the quality of our drinking water during that time."
- PN was displayed in a conspicuous way. It did not contain overly technical language or very small print; was not formatted in a way that defeats the purpose of the notice; and did not contain language that nullifies the purpose of the notice.

**\*\*This section must be completed AFTER your public notice is issued to consumers\*\***

**Illinois Environmental Protection Agency**

1021 North Grand Avenue East, P.O Box 19276, Springfield, IL 62794-9276  
JB Pritzker, Governor John J. Kim, Director

Under certain situations, i.e., acute violations, immediate consultation with the Illinois EPA Regional Field Operations Staff was required at the time. If this is applicable, list who and date of contact  
Contacted: \_\_\_\_\_ (IEPA contact name) on \_\_\_\_\_ (date)

**Method of Distribution**

Check all that is applicable

Date Issued

- Direct mailed to each paying customer. \_\_\_\_\_
- Distributed using a circular:shopper:newsletter that is sent to each bill paying customer via direct mail (free of charge) \_\_\_\_\_  
List Newspaper Name Here: \_\_\_\_\_
- PN was Hand Delivered to each bill paying consumer \_\_\_\_\_

**Signature of Owner, Administrative Contact, or Responsible Operator in Charge**

Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Illinois EPA commits a Class 4 felony. A second or subsequent offense after conviction is a Class 3 felony. (415 ILCS 5/44(h))

I \_\_\_\_\_ (print name), hereby certify that the public water system indicated on page 1 hereby affirms that public notice has been provided to consumers in accordance with the delivery, content, and format requirements and deadlines in the Illinois Environmental Protection Agency's Primary Drinking Water Standards found Part 611 SubPart V: Public Notification of Drinking Water Violations.

Signature

Date \_\_\_\_\_

Title \_\_\_\_\_ Telephone (\_\_\_\_) \_\_\_\_\_

This Agency is authorized to require this information under 415 ILCS 5/17.5. Failure to disclose this information may result in a civil penalty of not to exceed \$50,000 for the violation and an additional civil penalty of not to exceed \$10,000 for each day during which the violation continues (415 ILCS 5.42). This has been approved by the Forms Management Center  
IL532-2626  
PWS266 Revised (3.11)

**Public Notification Must be Issued for the Following Violation(s)**

<i>Violation Description</i>	<i>Contaminant(s)</i>	<i>Level Found</i>	<i>Compliance Period</i>	<i>PN Tier</i>	<i>PLID</i>
Monitoring (Follow-up or Routine)	LEAD & COPPER RULE	N/A	1/1/2021 - 12/31/2023	3	106871

0 0

### **Tier 3 – Public Notice Instructions**

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The enclosed public notice (PN) template contains all of the mandatory PN elements. If you choose to format the PN in a different manner you must be sure to include all 10 of the required elements. You may want to refer to the *Illinois EPA Sample Collectors Handbook, Chapter 1, page 10* for additional guidance.

You must complete the template by filling in information that is specific to your supply. This information in the template has been put in [brackets and highlighted]. In order to prepare a notice that has all of the required elements, all of these highlighted areas must be filled in and included as part of your notice.

#### **Notification and Delivery Methods**

Since most monitoring/reporting violations are included in Tier 3, you must provide public notice to persons served within one year after you learn of the violation. Multiple monitoring/reporting violations can be serious.

Community systems must use one of the following methods:

- Hand or direct delivery
- Mail, as a separate notice or included with the bill

In addition, public water supplies must use another method reasonably calculated to reach others if they would not be reached by the first method. Such methods could include newspapers (*newspaper notices are not allowed as a primary means of notification; unless, it is direct mail or hand delivered to each bill-paying unit*), e-mail, or delivery to community organizations. If you post the notice, it must remain posted until the violation is resolved. If the violation has been resolved, you must post the notice for at least one week. If you mail, post, or hand deliver, print your notice on letterhead, if available.

The notice on the next page is appropriate for insertion in an annual notice or the CCR, as long as public notification timing and delivery requirements are met. You must send 2 copies of the CCR to the Agency, one with the CCR and one with the Public Notice Certification Form. You may need to modify the template for a notice for individual monitoring violations. This example presents violations in a table; however, you may write out an explanation for each violation if you wish. For any monitoring violation for volatile organic compounds (VOCs), synthetic organic chemicals (SOCs), or inorganic chemicals (IOCs), you may list the group name in the table, but you must provide the name of every chemical in the group on the notice, e.g., in a footnote.

You may need to modify the notice if you had any monitoring violations for which monitoring later showed a maximum contaminant level or other violation. In such cases, you should refer to the public notice you issued at that time.

Include in your notice the standard language for monitoring and testing procedure violations in italics. If you modify the notice, you may not alter this mandatory language.

#### **Corrective Action**

In your notice, describe corrective actions you took or are taking. Listed below are some steps commonly taken by water systems with monitoring/reporting violations. Choose the appropriate language, or develop your own:

- We have since taken the required samples, as described in the last column of the table above. The result(s) showed we are meeting drinking water standards.
- We have since taken the required samples, as described in the last column of the table above. The result(s) for [contaminant] exceeded the limit. [Describe corrective action; use information from public notice prepared for violating the limit.]
- We plan to take the required samples soon, as described in the last column of the table above.
- We have since submitted the report, as describe in the last column of the table above.

#### **After Issuing the Notice**

Send a copy of each type of notice and a certification that you have met all the public notice requirements to Illinois EPA within ten days from the time you issue the notice.

Monitoring Violations Annual Notice Template				
<b>IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER</b>				
<b>Monitoring Requirements Not Met for [System]</b>				
<p>Our water system violated several drinking water standards over the past year. Even though these were not emergencies, as our customers, you have a right to know what happened and what we did to correct these situations.</p> <p><i>We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During [compliance period] we [did not monitor or test' or 'did not complete all monitoring or testing'] for [contaminant(s)] and therefore cannot be sure of the quality of our drinking water during that time.</i></p>				
<b>What should I do?</b>				
<p>There is nothing you need to do at this time.</p> <p>The table below lists the contaminant(s) we did not properly test for during the last year, how often we are supposed to sample for [this contaminant/these contaminants], how many samples we are supposed to take, how many samples we took, when samples should have been taken, and the date on which follow-up samples were (or will be) taken.</p>				
<b>Contaminant</b>	<b>Required sampling frequency</b>	<b>Number of samples taken</b>	<b>When all samples should have been taken</b>	<b>When samples were or will be taken</b>
[Contaminant Name]	[Number of required samples]	[Number taken, if any]	[Compliance Period]	[When samples were or will be taken]
<b>What happened? What is being done?</b>				
<p>[Describe corrective action.]</p> <p>For more information, please contact [name of contact] at [phone number] or [mailing address].</p> <p><i>Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.</i></p> <p>This notice is being sent to you by [system].      Water System ID# _____      Date distributed _____</p>				

**EXHIBIT 3**

**Email from IEPA to Village (Oct. 26, 2023)**

(see attached)



**Vilaro Perez, Cynthia**

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**From:** Jason Vohs <JVohs@mcmgrp.net>  
**Sent:** Thursday, October 26, 2023 1:44 PM  
**To:** DJ Clerk; bferge  
**Subject:** Fwd: Davis Junction IL1410030

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

See email response below.

Jason Vohs  
Senior Water & Wastewater Specialist  
Integrated Public Resources - Operations LLC  
1700 Hutchins Rd  
Machesney Park, IL 61115  
Office: (815)636-9590  
Mobile: (815)631-8282

\*This email was sent from a mobile device. Please ignore any spelling or grammatical errors\*

---

**From:** Capranica, Kathryn A. <Kathryn.Capranica@Illinois.gov>  
**Sent:** Thursday, October 26, 2023 10:42:07 AM  
**To:** Jason Vohs <JVohs@mcmgrp.net>  
**Cc:** Burge, Justin W. <Justin.Burge@Illinois.gov>; Nutt, Adam <Adam.Nutt@Illinois.gov>  
**Subject:** Davis Junction IL1410030

Hello Jason,

Thank you for reaching out. The violation is due to lead and copper samples being upload into our system from the laboratory after the monitoring period. The samples needed to be uploaded on October 10<sup>th</sup>. In our system it is showing that some of the samples were uploaded the 18<sup>th</sup>. If there are any further questions let me know.

Thank you,

Kathryn Capranica  
Illinois Environmental Protection Agency  
Division of Public Water Supplies  
Phone: 217-782-1838



**Illinois Environmental  
Protection Agency**

State of Illinois - CONFIDENTIALITY NOTICE: The information contained in this communication is confidential, may be attorney-client privileged or attorney work product, may constitute inside information or internal deliberative staff communication, and is intended only for the use of the addressee. Unauthorized use, disclosure or copying of this

## Electronic Filing: Received, Clerk's Office 11/27/2023 \*\*PCB 2024-038\*\*

communication or any part thereof is strictly prohibited and may be unlawful. If you have received this communication in error, please notify the sender immediately by return e-mail and destroy this communication and all copies thereof, including all attachments. Receipt by an unintended recipient does not waive attorney-client privilege, attorney work product privilege, or any other exemption from disclosure.

### Confidentiality Statement

THE INFORMATION CONTAINED IN THIS E-MAIL IS INTENDED FOR PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENT(S) NAMED ABOVE. This message may be a client communication, and as such is privileged and confidential. If the reader(s) of this message is not the intended recipient(s) or agent(s) responsible for delivering it to the intended recipient(s), you are hereby notified that you have received this message in error, and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us by telephone and delete the original message. Thank you.

**EXHIBIT 4**

**Letter from Village/Ancel Glink to IEPA (w/o encl.) (Nov. 2, 2023)**

(see attached)





A Professional Corporation  
140 South Dearborn Street, Suite 600  
Chicago, IL 60603  
www.ancelglink.com

Daniel J. Bolin  
dbolin@ancelglink.com  
(P) 312.604.9178  
(F) 312.782.0943

November 2, 2023

**By Email and First Class Mail**

Adam J. Nutt  
Illinois Environmental Protection Agency  
Drinking Water Compliance Unit  
Bureau of Water  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276  
[Adam.Nutt@Illinois.gov](mailto:Adam.Nutt@Illinois.gov)

***Re: IL1410030, Davis Junction – Public Notice Requirement***

Dear Mr. Nutt:

Our firm serves as Village Attorney for the Village of Davis Junction (“*Village*”). We are writing to resolve a misunderstanding related to your October 23, 2023 letter suggesting the Village is required to issue public notice due to alleged lead and copper rule monitoring violations. The facts show that no monitoring violation has occurred and, therefore, public notice is not required.

On October 10, 2023, Pace Analytical Services (“*Pace*”) timely submitted lead and copper samples on behalf of the Village for the monitoring period ending on September 30, 2023. On October 18, 2023, IEPA rejected the submitted samples and, in response, Pace immediately re-filed samples on behalf of the Village.

On October 23, 2023, you notified the Village that “[a]ccording to our records, your water system is required to issue public notice [ . . . ]” The letter does not provide any factual background or cite any administrative code sections violated, but concludes “Public Notification Must be Issued for the Following Violation(s)” only described as “Monitoring (Follow-up or Routine” and “LEAD & COPPER RULE.”

The Village’s water operator immediately contacted IEPA for an explanation of the alleged violation. In an October 26, 2023 email, Kathryn Capranica of the IEPA Division of Public Water Supplies replied that “[t]he violation is due to lead and copper samples being upload into our system from the laboratory after the monitoring period. The samples needed to be uploaded on October 10th. In our system it is showing that some of the samples were uploaded the 18th.”

The above-referenced IEPA communications overlook the Village’s timely submission of samples on October 10, 2023. When IEPA rejected those samples on October 18, 2023, the Village re-filed samples immediately. The Village fully and timely complied with reporting requirements under the applicable rules. Where no violation of the rules occurred, public notice is not required. 35 Ill. Admin. Code 611.901, *et seq.*

ANCEL GLINK

November 2, 2023

Page 2

We encourage you to review your records and reconsider the alleged violation described in your October 23, 2023 letter. If you need additional records from the Village to assist with your evaluation of the facts, please do not hesitate to contact us.

If we have not fully resolved this misunderstanding, please contact us within seven days of this letter and confirm whether the agency has made a final administrative decision related to the alleged violation. The Village will pursue any necessary appeals or other legal actions related to the alleged violation, but we remain hopeful we can address any remaining concerns with you directly.

Please call me if you have any questions and we look forward to your response.

Sincerely,



Daniel J. Bolin

Enclosure

- Village IEPA Filing (Oct. 10, 2023)
- Letter from IEPA to Village (Oct. 23, 2023)
- Email from IEPA to Village (Oct. 26, 2023)

cc: Jason J. Vohs, Water Operator (by email, w/o encl.)  
Bret Ferge, Public Works Supervisor (by email, w/o encl.)  
Sandie Maahs, Village Clerk (by email, w/o encl.)  
Rick Wurm, Village President (by email, w/o encl.)

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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<i>Petitioner,</i>	)	PCB 2023-_____
	)	
v.	)	
	)	
ILLINOIS ENVIRONMENTAL PROTECTION	)	
AGENCY,	)	
	)	
<i>Respondent.</i>	)	

**NOTICE OF ELECTRONIC FILING**

To: Division of Legal Counsel  
 Illinois Environmental Protection Agency  
 1021 North Grand Avenue East  
 P.O. Box 19276  
 Springfield, IL 62794-9276  
[epa.dlc@illinois.gov](mailto:epa.dlc@illinois.gov)

Pollution Control Board, Attn: Clerk  
 60 E. Van Buren Street, Suite 630  
 Chicago, Illinois 60605  
[PCB.Clerks@illinois.gov](mailto:PCB.Clerks@illinois.gov)

PLEASE TAKE NOTICE that on November 27, 2023, I caused to be electronically filed with the Illinois Pollution Control Board, via the "COOL" System, **PETITION FOR REVIEW OF IEPA DECISION, APPEARANCE OF DANIEL J. BOLIN**, and **CERTIFICATE OF SERVICE**, true and correct copies of which are attached hereto and hereby served upon you.

Dated: November 27, 2023

Respectfully submitted,

By: /s/ Daniel J. Bolin

One of the Attorneys for Petitioner

Daniel J. Bolin  
 ANCEL GLINK, P.C.  
 140 South Dearborn Street, Sixth Floor  
 Chicago, Illinois 60603  
 (312) 782-7606  
[dbolin@ancelglink.com](mailto:dbolin@ancelglink.com)

**CERTIFICATE OF SERVICE**

I, the undersigned, certify that on this date of November 27, 2023, I have electronically served a true and correct copy of the attached PETITION FOR REVIEW OF IEPA DECISION, Notice of Filing, Notice of Attorney Appearance, and Certificate of Service by electronically filing with the Clerk of the Illinois Pollution Control Board and by email upon the following persons:

Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62784-9276  
[epa.dlc@illinois.gov](mailto:epa.dlc@illinois.gov)

Pollution Control Board, Attn: Clerk  
60 E. Van Buren Street, Suite 630  
Chicago IL 60605  
[PCB.Clerks@illinois.gov](mailto:PCB.Clerks@illinois.gov)

The number of pages in the email transmission is 21.

The email transmission took place before 4:30 p.m.

Date: November 27, 2023

Respectfully submitted,

By: /s/ Daniel J. Bolin  
One of the Attorneys for Petitioner

Daniel J. Bolin  
Ancel Glink P.C.  
140 S. Dearborn Street  
6<sup>th</sup> Floor  
Chicago, Illinois 60603  
312.782.7606  
[dbolin@ancelglink.com](mailto:dbolin@ancelglink.com)

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

VILLAGE OF DAVIS JUNCTION, an Illinois	)	
municipal corporation;	)	
	)	
<i>Petitioner,</i>	)	PCB 2023-_____
	)	
v.	)	
	)	
ILLINOIS ENVIRONMENTAL PROTECTION	)	
AGENCY,	)	
	)	
<i>Respondent.</i>	)	

**APPEARANCE**

I, Daniel J. Bolin, hereby file my appearance on behalf of the VILLAGE OF DAVIS JUNCTION, and authorize the service of documents on me by email in lieu of receiving paper documents in the above-captioned proceeding. My email address to receive service is as follows: [dbolin@ancelglink.com](mailto:dbolin@ancelglink.com)

Dated: November 27, 2023

Respectfully submitted,

By: /s/ Daniel J. Bolin  
One of the Attorneys for the Petitioner

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