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ENVIRONMENTAL REGISTER

No. 497 " Illinois Pollution Control Board News " October, 1995

THE BOARD WELCOMES TWO NEW EMPLOYEES

Two new employees recently joined the Board staff. These are Amy C. Hoogasian, a new attorney-assistant to Chairman Claire A. Manning, and Kevin P. St. Angel, the Board's new Public Information Coordinator. Ms. Hoogasian will maintain her office at the Board's Chicago office, and Mr. St. Angel will work out of the Board's Springfield office. NEW EMPLOYEES continued on page 11.

1

RULEMAKING UPDATE

CLEAN-FUEL FLEET PROGRAM ADOPTED, R95-12

On September 7, 1995, the Board adopted rules that establish clean-fuel fleet program requirements in Illinois. The program requires fleet owners that acquire new motor vehicles to use a specified minimum percentage of clean-fuel vehicles (CFFVs), which meet low emissions requirements established by U.S. EPA, as part of those fleets, beginning with model year 1998.

The Illinois EPA (Agency) filed its clean-fuel proposal on March 30, 1995 as a Section 28.5 "fast-track" rulemaking proposal. The Agency stated in its rulemaking proposal that these rules are necessitated by the federal Clean Air Act Amendments of 1990 (CAAA). The CAAA requires a reduction in ozone precursor emissions in areas that are nonattainment for ozone. As part of the federal requirements, states must adopt a clean-fuel fleet program for areas that are federally-designated as serious, severe, and extreme for ozone nonattainment. A clean-fuel fleet program is required for the Chicago metropolitan area, which U.S. EPA has designated as a severe ozone nonattainment area.

The Board proposed the regulations for First Notice publication on April 6, 1995.

The Board accepted the clean-fuel fleet program rulemaking proposal pursuant to the "fast-track" rulemaking provisions of Section 28.5 of the Environmental Protection Act (Act). 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 must have adopted the regulations for Second Notice within 130 days on receipt of the regulations from the Agency. Section 28.5(p) required that the Board must adopt and file final rules based on the regulations within 21 days of when it received the Certificate of No Objection from JCAR.

Direct questions to Chuck Feinen, at 312-814-3473. Request copies from Victoria Agyeman, at 312-814-3620. Please refer to docket R95-12.

EXEMPTION FROM LANDFILL REQUIREMENTS FOR DISPOSAL OF DEAD ANIMALS ADOPTED, R95-9

On September 21, 1995, the Board adopted amendments to the Illinois landfill regulations relating to the disposal of dead animals in Illinois. The amendments clarified the relationship between the Illinois landfill regulations and the Illinois Dead Animal Act (225 ILCS 610/1). To this end, the amendments added a definition of "dead animal disposal site" and excluded such a site from regulation as a municipal solid waste landfill (MSWLF) by excluding it from the definition of a MSWLF. MSWLFs are subject to regulation under the federal RCRA Subtitle D rules and the Illinois landfill rules.

The Illinois Farm Bureau, Illinois Beef Association, Illinois Lamb and Wool Producers, Inc., Illinois Milk Producers Association, and Illinois Pork Producers Association filed a petition on February 2, 1995. The Board accepted the petition on February 16, and conducted public hearings on April 3, in DeKalb, and April 10, in Springfield. The Board proposed the amendments for First Notice on May 18, 1995, and a Notice of Proposed Amendments appeared in the June 9, 1995 Illinois Register. On August 24, 1995, the Board proposed amendments to the Illinois landfill regulations relating to the disposal of dead animals in Illinois for Second Notice review by the Joint Committee on Administrative Rules (JCAR). JCAR voted No Objection to the amendments at its meeting of September 12, 1995, which left the Board free to adopt the amendments.

Direct questions to Audrey Lozuk-Lawless, at 312-814-6923. Request copies of the Board's opinion and order from Victoria Agyeman, at 312-814-3620. Please refer to docket R95-9.

SPECIAL WASTE VEHICLE NUMBER AMENDMENTS PROPOSED FOR FIRST

federal law, as interpreted by the U.S. Department of Transportation. The ATA suggested an amendment to Section 809.401 that was jointly drafted with the Agency. On March 16, 1995, the Board opened a docket to consider amendment of the special waste hauler requirements of the land pollution control regulations and authorized two hearings in the matter. (See issue 493, Apr., 1995.) The Board held public hearings on the proposed amendments on June 7, 1995, in Chicago, and June 21, 1995, in Springfield.

A Notice of Proposed Amendments appeared in the September 22, 1995 Illinois Register. This commenced the 45-day public comment period, which will end on November 6, 1995. After the First Notice comment period has ended, the Board will be free to propose the amendments for Second Notice review by the Joint Committee on Administrative Rules (JCAR).

Direct questions to Musette H. Vogel, at 217-524-8509. Request copies from Victoria Agyeman, at 312-814-6920. Please refer to docket R95-11.

PART I 15% ROP CLEANUP AMENDMENTS PROPOSED, R96-2

The Board proposed Part I cleanup amendments to the 15% reduction of pollution (ROP) plan regulations on September 7 and 21, 1995. The amendments would change the 15% ROP plan to revise the annual deadline for compliance with the 7.2 pounds per square inch (psi) Reid vapor pressure (RVP) requirement for certain gasoline suppliers from May 1 to June 1. The Board adopted the 7.2 psi RVP requirements as a portion of the Part I 15% ROP rules on September 15, 1994. The presently-proposed cleanup amendments would make an emergency rule that delayed the annual effective date, of February 23, 1995, in R95-10, into a permanent rule. The Second change is to correct the identification number for the Clark Oil terminal in the metropolitan East St. Louis area, which is subject to the marine vessel loading rules. The marine vessel loading regulations were involved in the Part II 15% ROP proceeding, which the Board adopted on October 20, 1994, under docket number R94-15.

The Board adopted the 15% ROP regulations in seven parts, as submitted by the Agency, between September 15, 1994 and May 4, 1995. The aggregate of the seven parts are intended to reduce emissions of ozone-forming volatile organic compounds in the Chicago and metropolitan East St. Louis areas, as required by federal law. The federal Clean Air Act Amendments of 1990 (CAAA) require a reduction in ozone precursor emissions in areas that are nonattainment for ozone. (See issue 495, June-July, 1995.)

The Board initially accepted and proposed the Part I 15% ROP cleanup proposal pursuant to the "fast-track" rulemaking provisions of Section 28.5 of the Environmental Protection Act (Act) on September 7, 1995. However, after closer scrutiny of the proposal, on September 21, 1995, the Board corrected this and accepted and proposed the

Administration Building, County Board Room, 157 North Main Street, Edwardsville.

Direct questions to Audrey Lozuk-Lawless, at 312-814-6923. Request copies from Victoria Agyeman, at 312-814-3620. Please refer to docket R96-2.

STANDARDS PROPOSED FOR NEW UTILITY WASTE LANDFILLS, R96-1

The Board proposed alternative standards for new utility waste landfills on September 21, 1995, in docket R96-1. The proposed new Part 816 standards would establish an alternative means of satisfying the liner and cap requirements for certain new landfills. They would allow owners and operators of chemical waste landfills that accept only flue gas desulfurization (FGD) sludges and coal combustion ash from electric utilities to use these materials stabilized using the proprietary, patented Poz-O-Tec© process as liner and cap material. The proposed rules would alternatively allow monofilling of Poz-O-Tec© materials without a liner and cap.

The proposed rules mirror adjusted standards granted to Conversion Systems, Inc. in AS 93-4 and AS 93-5, on July 7, 1995. In granting the adjusted standards, the Board initiated this rulemaking in the belief that a rule of general applicability was a more appropriate method to allow the use of the Poz-O-Tec© materials. (See issue 496, Aug., 1995.) Board Member Ronald C. Flemal dissented from the vote to propose the regulations.

Direct questions to Chuck Feinen, at 312-814-3473. Request copies from Victoria Agyeman, at 312-814-3620. Please refer to docket R96-1.

PRE-HEARING CONFERENCE SCHEDULED FOR WATER QUALITY AMENDMENTS PROPOSAL, R94-1

The Board has scheduled a pre-hearing conference on the proposed amendments to certain of the water quality regulations. The proposed amendments would amend certain of the water quality regulations by updating various standards for ammonia nitrogen, lead, and mercury. The Board has scheduled a pre-hearing conference to occur in Chicago as follows:

11:00 a.m., Wednesday, November 8, 1995
Illinois State Labor Relations Board
160 North LaSalle Street
4th Floor
Chicago.

The Illinois EPA (Agency) water quality proposal proceeded from a mandatory triennial review of the Illinois stream water quality regulations required under the federal

Notices of Proposed Amendments appeared in the Register on September 30, 1994. As observed in the hearing officer order scheduling the pre-hearing conference, those Notices have since expired, and the Board will have to consider the proposal again for First Notice publication. (Issues 481, April, 1994; 483, June, 1994 & 487, Oct., 1994.) The Board has already conducted three public hearings on the proposal, on November 10, 1994 and January 26, 1995, in Chicago, and on November 22, 1994, in Springfield.

Direct questions to Diane F. O'Neill, at 312-814-6062. Please refer to docket R94-1.

PROPOSAL TO AMEND STEEL AND FOUNDRY LANDFILL RULES ACCEPTED, SET FOR HEARING, R96-3

The Board accepted a petition on September 21, 1995 that would have the Board amend the regulations applicable to existing landfills that accept steel and foundry industry waste. The Board accepted the filing and granted a motion to waive the statutory 200-signature requirement. The proposal, filed September 6 by the Illinois Cast Metals Association, would have the Board amend the landfill regulations by adding an exemption from the existing locational standards. At present, the regulations prohibit construction of new landfill units within a regulated recharge area or within 1200 feet of Class I or Class III groundwater. The Association would have the Board create an exemption for those facilities that can demonstrate no potential to impact groundwater.

The hearing officer has scheduled two public hearings on the proposal, to occur as follows:

10:00 a.m., Tuesday, November 28, 1995

James R. Thompson Center

100 West Randolph Street, Suite 11-500

Chicago

12:00 a.m., Thursday, November 30, 1995

Illinois Local Government Law Enforcement Officers Training Board

600 South Second Street

Springfield

Direct questions to the hearing officer, Audrey Lozuk-Lawless, at 312-814-6923.

Please refer to docket R96-3.

APPELLATE UPDATE

FOURTH DISTRICT UPHOLDS BOARD RECONSIDERATION DECIDED BY TELEPHONE CONFERENCE

In a case of first impression in Illinois, the Fourth District upheld a Board decision

On May 5, 1994, in *People of the State of Illinois v. Freedom Oil Co.*, PCB 93-59, the Board found that the appellant had violated the Act and Board regulations and issued an order that assessed a \$15,000 penalty against the appellant. The appellant paid that penalty on May 23, 1994. The Board noticed that the draft of the opinion and order issued, which assessed the \$15,000 penalty, was not the draft version that it considered and approved on May 5. The Board decided to reconsider its decision and issue the appropriate draft. To this end, the Board published notice of a special Board meeting (including personal notice to counsel for the appellant) and conducted a meeting by telephone conference call by speaker phone on June 6, 1994. The Board issued the appropriate opinion and order on that date, assessing a \$30,000 penalty against the appellant. (See issues 483, June, 1994 & 484, July, 1994.)

The appellant appealed the May 5, 1994 Board opinion and order on June 9, 1994, before receiving a copy of the Board's June 6 opinion and order. The appellate court dismissed that appeal, in *Freedom Oil Co. v. People* (4th Dist. July 19, 1994), No. 4-94-0537), because the appellant had failed to name the Board as a party. The appellant appealed the Board's June 6, 1994 reconsideration on September 2, 1994, which is the proceeding that resulted in the instant decision of the Fourth District appellate court.

The first issue decided by the court of appeals was whether it had jurisdiction over the appeal. In response to the Board's argument that the court's dismissal of July 19, 1994 was dispositive, the court observed that it was a dismissal for lack of jurisdiction, and was not on the merits of the case. It noted that Board procedural rules provide for reconsideration of Board decisions and that Board reconsideration on June 6, 1994 rendered the May 5 decision interlocutory. The Fourth District observed that the appeal before it was of the Board's June 6, 1994 decision and timely filed. The court concluded that it had jurisdiction to hear the appeal.

The second issue, raised by the appellant, related to whether the Board had the authority to alter the amount of the penalty. The court noted that the Board's procedural rules provided for the Board initiating reconsideration and correcting clerical errors on its own initiative. It observed that the appellant did not challenge this authority, but that the appellant argued instead that the Board's reconsideration of June 6 went beyond the mere correction of a clerical error to a doubling of the penalty assessed. The appellate court examined the record and concluded that the record supported a conclusion that the Board was correcting a clerical error in its reconsideration of June 6, 1994.

The final issue, raised by the appellant, related to whether the Board had the authority to reconsider its May 5 decision by a telephone conference on June 6. The court first determined that although the appellant had not earlier raised the issue, the issue fell within an exclusion to the waiver rule because it was capable of arising again. The

with the Board of Elections, and that such telephone meetings actually could further the goals of the Open Meetings Act. Observing that the appellant had failed to cite any authority to support a conclusion that the Board was prohibited from meeting by telephone, the appellate court held that the Board had not acted improperly by reconsidering its penalty in this way. In concluding, the Fourth District cautioned that the Board should adopt procedural rules for the conduct of telephonic meetings if it intends to conduct some of its meetings by telephone in the future.

FOURTH DISTRICT AFFIRMS BOARD CITING REVERSAL; PROCEEDINGS NOT FUNDAMENTALLY FAIR

In a recent decision, *Southwest Energy Corp. v. PCB* (4th Dist. Sep. 7, 1995), No. 4-94-0759, the Fourth District appellate court affirmed a Board determination in a pollution control facility siting appeal. The Board had vacated the siting approval granted in *Concerned Citizens for a Better Environment v. City of Havana* (May 19, 1994), PCB 94-44, determining that the City had deprived opponents to the proposed waste-to-energy incinerator of fundamental fairness. On appeal, the Fourth district agreed.

The siting applicant filed an application for siting approval for its proposed facility with the City of Havana. With the assistance of the siting applicant, the City hired an attorney to act as hearing officer. The local chamber of commerce sponsored a luncheon where the siting applicant discussed the proposed facility on September 16, 1993. An opponent to the facility siting was barred from the luncheon because she did not have an invitation. Siting opponents filed an appearance to challenge the siting on September 29, 1993. In October, 1993, the siting applicant at least partially sponsored City council members, the press, and others on a tour of its similar facility in Massachusetts. Opponents to the facility siting were not invited on the tour. The City conducted public hearings on the siting application in October and November, 1993, following which the hearing officer submitted her report that included recommended findings of fact and conclusions of law. The City granted citing approval under Section 39.2 of the Environmental Protection Act.

The siting opponents appealed the approval to the Board. The record assembled before the Board indicated that the siting applicant had participated in the interviewing and hiring of the City's hearing officer. The siting applicant had paid the hearing officer directly and, along with the City, had reviewed and commented on her draft siting ordinances during the editing process. The record further indicated that the hearing officer experienced confusion over whether the City or the siting applicant was her client. Finally, City council members indicated that the tour of the Massachusetts facility did not influence their decision to vote in favor of siting approval.

siting applicant contained inherent bias and that the City had allowed the applicant control over the hearing officer.

The Fourth District first observed the nature of the role of the local governing body in reviewing an application for siting approval. It noted that the process is frequently characterized as quasi-adjudicatory, but that even after the governing body has given consideration to the nine criteria of Section 39.2 and determined that the applicant has met all nine, the body may still permissibly deny siting approval based on quasi-legislative concerns. Citing *Tate v. PCB* (4th Dist. 1989), 188 Ill. App. 3d 994, 544 N.E.2d 1176, the court stated that although participants can demand fundamental fairness in the review of a siting application, they are not entitled to a fair hearing under the Constitutional guarantee of Due Process. The participants have a right to present, review, and object to evidence in the record, but they have no right to cross-examine witnesses.

The court then considered whether the trip to the Massachusetts facility denied fundamental fairness. The Fourth District stated that the way the trip occurred denied opponents of the proposed facility "knowledge of information which the trip participants obtained", thus hindering their preparation of their case against the facility. Even if allowed a later opportunity to tour the facility, the court believed there was no guarantee that the opponents would have had access to the same information. The court held that the Board had correctly determined that the trip to Massachusetts denied fundamental fairness, and further noted that its conclusion did not depend on any right to cross-examine trip participants. The court responded to the siting applicant's arguments that the tour was only marginally relevant to the siting decision and that it did not prejudice the siting opponents. It stated that the trip was highly relevant to the suitability of the proposed facility to the surrounding area. It further concluded that whether there was actual prejudice was immaterial because the siting opponents were not given equal access to information obtained by the counsel members.

In response to a request for future guidance on the issue, the Fourth District stated that a local governing body could tour an existing facility without violating fundamental fairness. The court said, "Fundamental fairness merely requires that representatives of all parties to the siting proceeding be given an opportunity to accompany the local governing body when it takes such a tour." The court further observed that although it is proper for the siting applicant to bear the expenses of such a tour, the appropriate procedure is for the local governing body to pay the expenses directly and later seek reimbursement from the applicant.

The Fourth District then examined the relationship among the City, the hearing officer, and the siting applicant. The court noted that the Board had found that the hearing officer was not actually biased and that she had not voted for the siting approval.

held that the Board properly considered the hearing officer's testimony that she was confused whether the siting applicant was also her client, as well as the City.

Finally, the Fourth District considered the issue of whether the chamber of commerce luncheon denied fundamental fairness. It concluded that it did not. The court observed that at the time of the luncheon, no opponents to the siting application had filed an appearance. The court stated that, unlike the Massachusetts facility tour, it would have been impossible to include them in the luncheon at that time.

FOR YOUR INFORMATION BOARD HOME PAGE ON THE INTERNET

The Board has opened a Home Page on the internet. Available through the Home Page is various information about the Board and Board members, including electronic access to issues of the Environmental Register. In a recent newspaper article about access to Illinois government through the Internet, the State Journal-Register (Sunday, September 17, 1995) stated: "One of the more substantive pages is offered by the Pollution Control Board. Aside from the usual Web fodder of personnel profiles, meeting dates and agendas, the IPCB also includes an extensive fiscal year 1995 review and case statistics." More information on the Home Page appears on page 26 of this issue, including the address information.

IEC CONFERENCE TO BE HELD IN SPRINGFIELD

The Illinois Environmental Council will hold its annual conference in Springfield on Saturday, October 28, 1995. The open program, which will begin at around 10:00 a.m., after the closed business meeting, will include Lieutenant Governor Bob Kustra and Congressman Dick Durban. The conference will be held at the Public Affairs Center of the University of Illinois at Springfield (formerly Sangamon State University).

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, 1995.

RESTRICTED STATUS AND CRITICAL REVIEW LISTS FOR SEWAGE TREATMENT IN THIS ISSUE

The Illinois Environmental Protection Agency, Division of Water Pollution

New NESHAP for Aerospace Manufacturing and Rework Facilities

On September 1, 1995, U.S. EPA adopted national emission standards for hazardous air pollutants (NESHAP) for the aerospace manufacturing and rework facilities category. New 40 CFR 60, Subpart GG would regulate the emission of hazardous air pollutants from sources within the category. Among the contaminants emitted by the 2,869 facilities nationwide in this category that will now become subject to regulation are emissions of chromium, methylene chloride, toluene, xylene, methyl ethyl ketone, ethylene glycol, and glycol ethers. U.S. EPA anticipates annual emissions reductions of 123,700 tons of hazardous air pollutants through the rule, which amounts to about 59 percent of all emissions. The cost of nationwide compliance is estimated to range from a net savings of \$49.2 million to a net cost of \$660 million, with U.S. EPA anticipating a net cost of about \$21 million. The compliance deadline for all commercial, civil, and military facilities is September 1, 1998.

Rescission of Radionuclide Emissions Standards

On September 5, 1995 (60 Fed. Reg. 46206), U.S. EPA rescinded its 40 CFR 61, Subpart I regulations, as it applied to nuclear reactors. Section 112(d)(9) of the Clean Air Act Amendments allowed U.S. EPA to decline to regulate emissions from nuclear reactors if it determines in consultation with the Nuclear Regulatory Commission (NRC) that the NRC regulations provide an "ample margin of safety" to adequately protect public health. Having now made this determination, U.S. EPA rescinded its October 31, 1989 Clean Air Act Section 112 regulations governing emissions of radionuclides from nuclear power reactors. The facilities formerly regulated included hospitals, research facilities, pharmaceutical manufacturers, laboratories, industrial facilities, uranium mills, fuel fabrication plants, and nuclear power reactors. Never regulated were facilities like naval nuclear reactors that never had an NRC license.

Specified Conditions for UST Lender Liability Exemption

U.S. EPA adopted amendments to its underground storage tank (UST) regulations on September 7, 1995 (60 Fed. Reg. 46692) that limit the liability of lenders for UST remedial action. New 40 CFR 280, Subpart I specifies the conditions under which a "security interest holder" may be exempted from payment of remedial action costs and from technical and financial assurance requirements that otherwise apply to tank owners and operators. Section 9003(h)(9) of RCRA exempts a person who holds indicia of ownership primarily to protect a security interest and who meets certain conditions from the definition of "owner". The conditions are that that person must not have actively participated in the management of the facility and must not have otherwise been active in petroleum production, refining, or marketing. The statutory exemption is not limited to

5403-93, which does not apply to thin film UV-cured surface coatings and inks. U.S. EPA modified Method 24 to state the inapplicability of method D 5403-93 under certain circumstances.

Lead-Based Paint Hazards Guidance Available

U.S. EPA had its "Guidance on Identification of Lead-Based Paints Hazards" printed in the Federal Register, on September 11, 1995 (60 Fed. Reg. 47248). Section 403 of the federal Toxic Substances Control Act (TSCA) requires U.S. EPA to adopt rules for the identification of the hazards of lead-based paint and lead-contaminated soil and dust. It issued a guidance document to identify those hazards on July 14, 1994 as an interim measure while assembling the required regulations. U.S. EPA had the entire text of the document reprinted in the Register in order to make the document more widely available.

Federal Vehicle I/M Relaxations

On September 18, 1995 (60 Fed. Reg. 48029), U.S. EPA adopted an alternative relaxation of the vehicle inspection and maintenance (I/M) regulations for areas that can demonstrate that they can achieve the goals of the Clean Air Act Amendments of 1990 (CAAA). The adopted rules would create a second, less stringent test for those areas that can achieve the reasonable further progress (RFP) deadlines of the CAAA. The original test, formerly the enhanced I/M test, is now called the high enhanced I/M performance standard. The new test is called the low enhanced performance standard. The new low enhanced test includes the minimum two inspections per vehicle: an emissions inspection and a visual inspection.

The new low enhanced I/M standard changes a number of elements required under the high enhanced standard. Among these changes are an extended deadline for implementing the minimum repair expenditure for a waiver; the allowable application of the costs of pre-inspection repairs and repairs of primary emissions control components by non-technicians towards the waiver expenditure; and that more than one hardship exemption may issue per vehicle lifetime. U.S. EPA also amended the high enhanced I/M test to include a visual inspection of the positive crankcase ventilation (PCV) valve on all 1968 through 1971 and of the exhaust gas recirculation (EGR) system on all 1972 through 1983 light-duty vehicles and light-duty trucks. In a change to the applicability of the basic I/M test, U.S. EPA changed the population cutoff for basic I/M from 50,000 to 200,000; it intends to propose an additional performance test for those areas in the future. In a more general amendment to the applicability provisions, U.S. EPA made clarifying amendments to the requirements for areas undergoing redesignation. U.S. EPA adopted the rules on April 28, 1995 (60 Fed. Reg. 20934). (See memo of May 18, 1995.)

U.S. EPA established the 40 CFR 51 vehicle I/M rules on November 2, 1992 (57

As to the waiver requirements, U.S. EPA has extended the deadline for full implementation of the waiver expenditure requirements until January, 1998, allowing the states to establish any minimum expenditure requirements they choose. Further, states may apply repair expenditures incurred within 60 days prior to an emissions test to the waiver expenditure, and the bar is removed from receiving more than a single hardship exemption during the lifetime of a vehicle.

As to the enhanced I/M requirements, a state can use the low enhanced I/M test if it can show that an area can achieve the RFP objectives for carbon monoxide or ozone, as applicable, without the benefits of the high enhanced I/M test regime. This low enhanced I/M alternative was designed for areas that do not have a major mobile source component to their air quality problem or those that can attain sufficient emissions reductions from other sources to meet the 15% VOM emission reduction requirement (15% ROP) and demonstrate compliance with the national ambient air quality standard (NAAQS).

In addition to the adopted waiver and low enhanced I/M amendments, U.S. EPA adopted amendment of the enhanced I/M performance standard to correct the omission of a visual inspection for pre-1984 vehicles. This was in response to the remand in *NRDC v. EPA*, 22 F.3d 1125 (D.C. Cir. 1994). The visual inspection is of the positive crankcase ventilation (PCV) valve of all 1968 through 1971 light-duty vehicles and light-duty trucks and of the exhaust gas recirculation (EGR) valve of all 1972 through 1983 light-duty vehicles and light-duty trucks.

The amendment of the population threshold, based on a 1990 census, to 200,000 would essentially revert the minimum population requirements to the levels that existed before the CAAA. The amendments relating to areas undergoing redesignation from nonattainment to attainment clarify amendments of January 5, 1995 (60 Fed. Reg. 1738). These amendments clarify that an area that is eligible for redesignation does not need to implement or upgrade an I/M program if it experiences a violation of an NAAQS. Rather, the state can select whatever measures it deems appropriate to quickly bring the area into attainment. However, U.S. EPA will still require that the I/M program be among the measures from which the state may choose.

(Editor's note: The Board adopted rules relating to the high enhanced I/M program on December 1, 1994 under dockets R94-19 and R94-20. See issue 490, Jan., 1995. R94-19 was a "fast-track" proceeding, and it involved vehicle engine exhaust emissions. R94-20, and identical-in-substance proceeding, involved fuel evaporative emissions.)

Emission Standards for Marine Tank Vessel Loading Operations

On September 19, 1995 (60 Fed. Reg. 48388), U.S. EPA adopted reasonably available control technology (RACT) requirements to limit the emission of volatile

1995 (60 Fed. Reg. 16801). (See memo of April 13, 1995.) U.S. EPA anticipates reductions of about 4,565 tons per year of HAPs and 42,900 tons of VOCs after 1999, at a nationwide cost of between \$60 and \$100 million for existing facilities and a total cost of between \$266 and \$440 million.

(Editor's note: The Board adopted the R94-15 Part II proposal on October 20, 1994, which extended VOM emissions control measures to the loading of marine vessels. U.S. EPA approved the Part II ROP amendments on August 18, 1995 (60 Fed. Reg. 43244).)

Approval of Illinois VMT Plan

On September 21, 1995, U.S. EPA granted state implementation plan (SIP) approval, effective October 23, 1995, for the Chicago area vehicle miles travelled (VMT) plan. The federal notice states that Illinois has implemented 127 transportation control measures (TCMs) that will result in vehicle emission reductions of more than two tons of volatile organic compounds (VOCs) per day in the affected area.

Section 182(d)(1)(A) of the federal Clean Air Act (CAA) requires states to submit transportation control strategies and TCMs for areas designated as severe ozone nonattainment to offset growth in vehicle miles travelled (VMT). U.S. EPA interprets three elements to this requirement. The first, emissions offsets, was due on November 15, 1992. The second element, a VMT offset to comply with the 15 percent reasonable further progress (RFP) requirements, was due on November 15, 1993. The final element, which requires the VMT offset SIP to comply with post-1996 RFP was due on November 15, 1994. Illinois submitted the documentation to U.S. EPA to support the VMT offset SIP on July 14, 1994. U.S. EPA proposed SIP approval of the first and second elements on December 6, 1994 (at 59 Fed. Reg. 62649). (See memo of December 19, 1994.) U.S. EPA stated on the third element that if its evaluation indicates that Illinois will have to submit further TCMs, U.S. EPA will be required to re-evaluate the second element, the VMT offset.

Illinois demonstrated to U.S. EPA that vehicles will not increase through 2007 with the anticipated annual growth in VMT at the rate of 2.7 percent. If the socioeconomic assumptions built into this projection prove in error, Illinois will be required to monitor actual VMT growth on a triennial basis beginning in 1996. The Chicago Area Transportation Study (CATS), the metropolitan planning organization for the area, studied TCMs and anticipated emissions reductions, and the state has implemented 111 TCMs based on the study. 127 TCMs are incorporated into the Illinois SIP, which are anticipated to reduce VOC emissions by an aggregated 2.78 tons per day (tpd). Illinois will use 2.0 tpd to fulfill the 15 percent RFP requirement; the remaining 0.78 tpd will apply towards post-1996 RFP. Among the TCMs in the SIP are vanpool

7503), by which the state will review all new major pollutant sources for issuance of CAA permits in nonattainment areas.

The NSR rules are the amendments adopted by the Board on April 22, 1993, in docket R92-21, and corrected a typographical error in the rules on March 31, 1994, in docket R93-26. (See issues 470, May 19, 1993 & 481, Apr., 1994.) U.S. EPA had proposed conditional approval or, in the alternative, disapproval of the rules on September 23, 1994 (60 Fed. Reg. 49779) due to cited defects in the rules. U.S. EPA perceived no problems with the language of the R92-21 regulations themselves. Rather, the problem is with two Board opinion interpretations of a certain provision, Section 203.209(b), set forth in the Board's April 22, 1993 opinion and order. U.S. EPA stated that it would approve the NSR regulations if the Board withdrew its interpretations. Alternatively, U.S. EPA stated that it would disapprove the Illinois NSR SIP if the Board interpretations remained unchanged at the time of final U.S. EPA action. On February 16, 1995, the Board withdrew segments of its April 22, 1993 final opinion and order in R92-21, which satisfied U.S. EPA, resulting in federal approval of the Illinois NSR rules.

U.S. EPA approved the NSR rules despite two other features that it earlier cited as deficiencies. First, U.S. EPA approved a switch from a dual definition of stationary source to a plantwide definition because it did not perceive that this substitution will affect the state's ability to come into compliance. Second, the fact that the state does not have authority under the rules to review major new sources of particulate matter (PM) precursors did not affect the decision to approve the SIP revision. The PM nonattainment areas of the state are McCook, Lake Calumet, LaSalle, and Granite City. U.S. EPA analyzed these areas and concluded that PM precursors did not significantly contribute to the PM problems they had. For this reason, U.S. EPA granted its approval notwithstanding this lack of authority.

Approval of Illinois Part IV 15% ROP

On September 27, 1995 (60 Fed. Reg. 49770), U.S. EPA approved major segments of Illinois' Part IV 15% reduction of pollution (ROP) plan by a direct final rule. The approval will become effective November 27, 1995 unless earlier withdrawn by U.S. EPA. U.S. EPA published the associated notice of proposed rule on the same date (60 Fed. Reg. 49814).

The Board adopted the Part IV 15% ROP amendments on April 20, 1995, under docket R94-21. The Part IV amendments lowered the VOM content of coatings for several categories of surface coatiers: the can, paper, coil, fabric, vinyl, metal furniture, baked large appliance, and miscellaneous parts and products coating categories. The Part IV amendments also imposed reductions in VOM emissions from sources in the automotive/transportation and business machine plastic parts coating categories that

The segment of the Part IV 15% ROP amendments approved by U.S. EPA were those pertaining to SOCOMI air oxidation process emissions. The Part IV amendments extend the applicability of the SOCOMI air oxidation process rules to existing processes with a total resource effectiveness (TRE) between 1.0 and 6.0 effective December 31, 1999. The amendments caused the rules to apply to new processes with a TRE less than 6.0 upon startup. The rules already required compliance of process units with a TRE of 1.0 or less. Once a source becomes subjected to the requirements, it will remain subjected to them despite any operational changes that increase the TRE above 6.0.

Issuance of General Stormwater Discharge Permit for Industrial Activities

U.S. EPA issued a general permit for industrial stormwater discharges on September 29, 1989 (60 Fed. Reg. 50804). The permit governs stormwater discharges associated with industrial activity, including discharges through large and medium municipal separate stormwater sewer systems. Included in the permit are discharges from a myriad of industrial facilities in 29 categories. Included in the general permit are effluent limitations, permit conditions, and compliance options for each of the categories.

U.S. EPA established its definition of "storm water discharge associated with industrial activity" on November 16, 1990 (55 Fed. Reg. 47990), along with permit application requirements for such discharges. U.S. EPA allowed three permit options: individual permit applications, participation in a group permit application, or coverage under a general permit. The group permit applications were due in separate segments,

with the Part 1 application due on September 30, 1991 and Part 2 due on October 1, 1992. The general permit issued was the result of the 1,200 group Part 1 permit applications received to cover 60,000 facilities. The permit covers sources in states that are not fully authorized to issue NPDES permits. It does not apply to sources in Illinois, since Illinois is NPDES-authorized. However, U.S. EPA encourages the authorized states to use the general permit if they have the authority to do so.

U.S. EPA estimates that nationwide there are about 100,000 facilities that discharge stormwater associated with industrial activity. Due to the administrative burden of permitting these facilities, U.S. EPA is pursuing a tiered approach. Under Tier I, baseline permitting, U.S. EPA will issue one or more general permits to cover the majority of the discharges. Under Tier II, watershed permitting, U.S. EPA will target watersheds adversely impacted by the discharges and issue the necessary general permits on a watershed-specific basis. U.S. EPA will issue industry-specific general permits under Tier III, industry-specific permitting. Finally, Tier IV, facility-specific permitting, will target specific targets for permitting. U.S. EPA issued the general permit in implementing Tier I.

stated that certain organic peroxide manufacturing wastes are inherently unstable and cannot be safely contained in closed units or systems; they can undergo spontaneous, rapid thermal decomposition and hydrolysis at ambient temperatures or below. Once initiated, these self-accelerating reactions rapidly generate large volumes of organic gasses and oxygen. Confinement under these conditions, according to U.S. EPA can result in explosion, detonation, and/or fire.

(Editor's note: The Board adopted the Subpart CC regulations and the later stay in the R95-4/R95-6 RCRA Subtitle C/UIC update on June 1, 1995. See issue 495, June-July, 1995.)

POLLUTION CONTROL BOARD OPENS A HOME PAGE ON THE WORLD WIDE WEBB

The Pollution Control Board has developed a Home Page on the World Wide Webb on the Internet and began placing information on the Home Page in September. This replaces the former Electronic Bulletin Board System (BBS). The World Wide Webb contains Board Agendas, Environmental Registers, Annual Reports, Citizen Participation Guides, and various documents about the Board. Additional information about the Home Page address is provided on page 27 of this issue.

2

NEW EMPLOYEES continued from page 1.

Ms. Hoogasian is a 1994 graduate of the John Marshall Law School. Among other activities in law school, Ms. Hoogasian studied international law abroad through the University of Minnesota Law School at Uppsala University in Uppsala, Sweden. She was a finalist in the Fred H. Herzog Moot Court Competition, a class representative for the Student Bar Association, a student advisor, and a member of the Environmental Law Society. During law school, Ms. Hoogasian clerked at the Lake County State's Attorney's office and the Cook County State's Attorney's office. She also interned in the Environmental Control Division of the Illinois Attorney General's office. After receiving her law degree, Ms. Hoogasian worked as an Assistant State's Attorney prosecuting misdemeanor cases for the Lake County State's Attorney. Ms. Hoogasian received her undergraduate degree in behavioral science and law and history from the University of Wisconsin at Madison. She was a member of the Gamma Phi Beta sorority and the National Order of Omega. As part of her undergraduate curriculum, Ms. Hoogasian

inter-fraternity activities, and participated in the Eastern Illinois University Mock Trial Team. Mr. St. Angel earned several distinctions and awards in undergraduate school, including being named in Who's Who Among Students in American Universities and Colleges and on the university's dean's list and receiving the Pi Kappa Alpha Distinguished Service and Outstanding Executive Officer Awards and the Dick Lynch Award for Outstanding Involvement. He was President of the Order of Omega, an honorary member of Sigma Iota Lambda, and a member of Psi Chi, the psychology honor society. After graduation, Mr. St. Angel worked for the Governor's legislative office and for the Board under a Dunn Fellowship from the Governor's office. He subsequently was the Governor's Travel Aide prior to returning to work for the Board on a permanent basis.

The Board and staff hope that you will join them in warmly welcoming these two new employees.

ENVIRONMENTAL REGISTER MAILING LIST

The Board is currently in the process of updating the mailing list for the Environmental Register and anyone who is not presently on the list is invited to join the approximately 1900 other members of the public who receive our free monthly newsletter. Please complete the address Label on page @ and let us know if you wish to be added, or if applicable, deleted from the list. If you know of someone who would also like to receive his or her own copy of the Environmental Register, please pass on the address label form.

3

FINAL ACTIONS - September 7, 1995 BOARD MEETING

94-371 City of Elgin v.EPA - The Board granted this Kane County facility an exception to the community water supply well setback zone requirements of the public water supply regulations, to allow construction of a new two-cell lime residue storage lagoon at the petitioner's water treatment plant.

95-98 JLM Chemicals, Inc. (formerly BTL Specialty Resins Corporation) v. EPA - The Board found that phenol production waste generated by this Cook County facility is a listed hazardous waste and denied a variance from the RCRA hazardous waste management requirements of the land pollution control regulations because the petitioner

96-51 Commonwealth Edison Company, Fisk, Crawford, Will County and Joliet Generating Stations v. EPA - Upon receipt of an Agency recommendation, the Board granted four of the petitioner's Cook and Will County facilities an 18-day extension of the provisional variances previously granted in PCB 95-183 and PCB 96-26 from the effluent temperature standards of the water pollution control regulations and from the Board's order in PCB 91-29, subject to conditions, to allow them to continue to operate during a period of peak electrical demands and outages of several generating units.

AC 92-37 Sangamon County v. Gerald Bruce Miller - On remand from the Fourth District appellate court in this administrative citation, the Board assessed \$150.00 as its costs of hearing against the Sangamon County respondent, disallowed \$90.00 in the County's costs determined by the court as beyond the scope of hearing costs, and ordered the respondent to pay a civil penalty of \$500.00. Board Member J. Theodore Meyer dissented.

AC 95-41 Will County v. Carl Smits - The Board granted voluntary withdrawal of this administrative citation involving a Will County respondent, and closed this docket.

AC 95-46 Will County v. William Mintz - The Board granted reconsideration of its August 3, 1995 default order in this administrative citation against a Will County respondent, in which the Board found that the respondent had violated the Act, and granted voluntary withdrawal of the citation.

AC 96-3 County of Jackson v. Mary Endress - The Board granted voluntary withdrawal of this administrative citation against a Jackson County respondent.

AC 96-5 Montgomery County v. Envotech Illinois, Inc. - The Board entered a default order, finding that the Montgomery County respondent had violated Section 21(o)(5) of the Act and ordering it to pay a civil penalty of \$500.00

AC 96-9 EPA v. Charlie Fyffe - The Board granted voluntary dismissal this administrative citation against a Wabash County respondent.

R95-12 In the Matter of: Clean Fuel Fleet Program: Proposed 35 Ill. Adm. Code Part 241 - See Rulemaking Update.

95-122 Olive Streit and Lisa Streit v. Oberweis Dairy, Inc., Richard Fetzer and Johnnie W. Ward, d/b/a Serve-N-Save, and Richard J. Fetzer, individually, Amoco Oil Company, and Mobil Oil Corporation - The Board determined that this citizens' underground storage tank enforcement action against a Kane County facility was not frivolous and duplicitous, that the complaint stated a cause of action, and granted dismissal of the Agency as a respondent and accepted the complaint for hearing.

95-154 Central Illinois Public Service Company v. EPA - Having previously granted this Jasper County facility an extension of time to file its land permit appeal, the Board accepted a timely petition for hearing.

96-20 Barbara Norman, Laddie Kartes, Edward Wesolowski, Jacqueline Wesolowski, Will Burgess, Dorothy Burgess, Frank Rubino, Donna Rubino, Toby Gruszecki, and Mike Gruszecki v. U.S. Postal Service, Barrington, Illinois - The Board found that this citizens' noise enforcement action against a Cook County facility was neither frivolous nor duplicitous and accepted the complaint for hearing.

96-22 Lew D'Souze and Patricia D'Souza v. Ricahrd Marraccini and Joanne Marraccini - The Board found that this citizens' noise enforcement action against a Cook County facility was neither frivolous nor duplicitous and accepted the complaint for hearing.

96-45 Village of Gardner v. EPA - The Board held this petition filed on behalf of a Grundy County facility for a variance from the standards of issuance and restricted status provisions of the public water supply regulations, to the extent they apply to the radium-226 and radium-228 content and gross alpha activity of the petitioner's water, for an Agency recommendation.

96-46 The Galesburg Sanitary District v. EPA - The Board held this petition filed on behalf of a Knox County facility for a variance from the effluent biochemical oxygen demand requirements of the water pollution control requirements for an Agency recommendation.

96-47 Joseph Bogacz v. Commonwealth Edison - The Board held this citizen's air enforcement action against a Cook County facility for a frivolous and duplicitous determination.

96-48 Shell Oil Company (Orland Park Facility) v. EPA - The Board accepted this

96-51 Commonwealth Edison Company, Fisk, Crawford, Will County and Joliet Generating Stations v. EPA - See Final Actions.

AC 96-6 County of Will v. CDT Landfill - The Board accepted an appeal requesting a hearing in this administrative citation against a Will County facility.

AC 96-11 EPA v. Thomas E. Damm and Marily S. Damm - The Board received an administrative citation against Macoupin County respondents.

AS 95-1 In the Matter of: Petition of Tommy House Tire for an Adjusted Standard from 35 Ill. Adm. Code 848.202(b)(2) and (b)(5) - The Board accepted an amended petition filed on behalf of a Macon County facility for an adjusted standard from certain of the used tire accumulation and storage requirements of the land pollution control regulations, and, finding that the petition raises several issues, the Board set this matter for hearing despite a waiver from the petitioner.

AS 96-2 In the Matter of: Petition of Western Lion Limited for an Adjusted Standard from 35 Ill. Adm. Code 814.Subpart C - The Board accept this petition on behalf of a Coles County facility for an adjusted standard from certain of the landfill closure requirements of the land pollution control regulations.

AS 96-3 In the Matter of: Petition of the Cabot Corporation for an Adjusted Standard from 35 Ill. Adm. Code 738.Subpart B - Board acknowledged receipt of this petition for modification of the adjusted standard from certain of the hazardous waste underground injection disposal restrictions of the land pollution control regulations granted this Douglas County facility in docket AS 92-8, noted substantial differences between this petition and the prior petition, opened a new

docket for this petition, and ordered the filing of an amended petition with the appropriate filing fee.

R96-2 In the Matter of: Clean-Up Part I, Amend ments to 35 Ill. Adm. Code 219.585(a) and 219.Appendix E - See Rulemaking Update.

enforcement action against a Cass County facility, ordered the respondent to pay a civil penalty of \$500.00, and ordered it to cease and desist from further violation.

94-202 People of the State of Illinois v. Summit Environmental Services, Inc. - The Board found that respondent had improperly transported hazardous waste to a facility not permitted and equipped to receive it, in violation of the Act and the RCRA Subtitle C hazardous waste requirements of the Illinois land pollution control regulations, and ordered the respondent to pay a civil penalty of \$200,000.00 and the People's attorneys fees and costs in the amount of \$1,963.00.

94-297 J.M. Sweeney Co. v. EPA- The Board granted this Lake County gasoline dispensing facility a variance, retroactive from November 1, 1994 through March 31, 1996, from the Stage II gasoline vapor recovery requirements of the air pollution control regulations, subject to conditions.

94-370 The Dow Chemical Company v. EPA - The Board granted this Will County facility a 15-month variance from certain of the volatile organic material emissions requirements of the air pollution regulations, subject to conditions.

94-377 Barbara L. Heiser (Heiser's Garage) v. Office of the State Fire Marshal - The Board affirmed the finding that the Peoria County petitioner is eligible to access the Underground Storage Tank Fund for remedial action undertaken in response to a release of petroleum, subject to a \$100,000.00 deductible.

95-137 Community Landfill Corporation v. EPA - The Board denied a variance from the requirement of the land pollution control regulations that an existing landfill that will remain open must submit an application for significant permit modification, finding that this Grundy County facility had not demonstrated that an arbitrary and unreasonable hardship would result from compliance. Board Member J. Theodore Meyer dissented.

95-152 City of Lockport v. EPA - The Board granted a five-year variance from the standards for issuance and restrict status requirements of the public water supply regulations, as they relate to radium-226 and radium-228 content and gross alpha particle activity of this Will County facility's water, subject to conditions.

95-164 General Motors Corporation v. EPA - Having previously granted an extension of time to file a land permit appeal, the Board dismissed this docket because no petition was

dismissed the docket because no petition was timely filed on behalf of this Cook County facility.

95-169 Glen Ellyn Storage Corporation v. EPA - Having previously granted an extension of time to file an underground storage tank corrective action appeal, the Board dismissed the docket because no petition was timely filed on behalf of this DuPage County facility.

95-172 Compost Enterprises, Inc. EPA - Having previously granted an extension of time to file a land permit appeal, the Board dismissed the docket because no petition was timely filed on behalf of this McHenry County facility.

96-14 Carl and Edna Ball, d/b/a C & E Recycling and Resource Recovery - The Board granted voluntary withdrawal of this petition filed on behalf of a Coles County Facility for a variance from the requirement of the land pollution control regulations that deems a permit application not filed until complete.

96-34 Prairie Recreational Developments, Inc. (Land & Lakes Company/Wheeling) v. EPA - The Board granted voluntary withdrawal of this land permit appeal involving a Lake County Facility.

96-66 Micro Switch - Plant 1 v. EPA - Upon receipt of an Agency recommendation, the Board granted a thirteen 13-day provisional variance from the ninety 90-day limitation on the accumulation of hazardous wastes at this Stephenson County facility.

AC 95-35 EPA v. The Rock Island Bank as Trustee

of Land Trust No. 2113 - The Board accepted a stipulation and settlement agreement, granted voluntary withdrawal of the petition for review, and entered a default order, finding that the Rock Island County respondent had violated Sections 21(p)(1) and 21(p)(3) of the Act and ordering it to pay a civil penalty of \$1,000.00.

AC 96-7 EPA v. Alice E. Guth - The Board entered a default order, finding that the Tazewell County respondent had violated Section 21(p)(1) of the Act and ordering it to pay a civil penalty of \$500.00.

AC 96-8 County of Jackson v. Easton Automotive - The Board entered a default order, finding that the Jackson County respondent had violated Sections 21(p)(1) and

R95-9 In the Matter of: Amendments to 35 Ill. Adm. code 810.103 (Solid Waste Disposal General Provision) Concerning On-Farm Disposal of Dead Animals - See Rulemaking Update.

NEW CASES - September 21 SPECIAL BOARD MEETING

95-166 Henri Studio, Inc. v. EPA - Having previously granted a 90-day extension and with the September 7, 1995 filing of the petition for an air permit appeal involving a Lake County facility the Board accepted this matter for hearing.

96-47 Joseph Bogacz v. Commonwealth Edison - The Board held this citizen's air enforcement action against a Cook County facility for a frivolous and duplicitous determination.

96-52 Kean Brothers, Inc. v. EPA - Having received a notice of 90-day extension of time to file, the Board reserved this docket for any underground storage tank fund reimbursement determination appeal that may be filed on behalf of this Cook County facility.

96-53 David and Susi Shelton v. Steven and Nancy Crown - The Board held this citizens' noise enforcement action against a Cook County facility for a frivolous and duplicitous determination.

96-54 National Supermarkets v. EPA - Having received a notice of 90-day extension of time to file, the Board reserved this docket for any underground storage tank corrective action appeal that may be filed on behalf of this Madison County facility.

96-55 People of the State of Illinois v. Lafarge Corporation - Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this air enforcement action against a Massac County facility, the Board ordered publication of the required newspaper notice.

96-57 Coles County Landfill (Laidlaw Waste Systems, Inc.) v. EPA - Having received a notice of 90-day extension of time to file, the Board reserved this docket for any land permit appeal that may be filed on behalf of this Coles County facility.

96-58 Effingham Tire Center v. EPA - Having received a notice of 90-day extension of time to file, the Board reserved this docket for any underground storage tank fund reimbursement determination appeal that may be filed on behalf of this Effingham County facility.

96-59 Earle Aronson (Don's Gas for Less) v. Office of the State Fire Marshal - The Board acknowledged receipt of this underground storage tank fund reimbursement determination appeal involving a Kane County facility and held this matter to the October 5, 1995 Board meeting.

96-60 Concerned Citizens of Williamson County and Rev. Paul Crain and Rose Rowell, as members of Concerned Citizens of Williamson County, et al. v. Bill Kibler Development Corp., a/k/a Kibler Development Corp. and the William County Board of Commissioners - The Board accepted this third party appeal of local siting approval granted a proposed Williamson County pollution control facility for hearing.

96-61 People of the State of Illinois and Gary W. Pack, State's Attorney of McHenry County v. Paul J. May & Sons, Inc. and Paul J. May, individually and as President of Paul J. May & Sons, Inc. - The Board received this mining land enforcement action against a McHenry County facility for hearing.

96-62 Sequa Corporation, Precoat Metals Division v. EPA - The Board accepted this air permit appeal involving a Madison County facility for hearing.

96-63 People of the State of Illinois v. Scholle Chemical Corporation, Inc. - The Board received this RCRA Subtitle C (hazardous waste), air, and water enforcement action against a Cook County facility for hearing.

96-64 City of Auburn v. EPA - Having received a notice of 90-day extension of time to file, the Board reserved this docket for any land permit appeal that may be filed on behalf of this Sangamon County facility.

96-65 City of Altamont v. EPA - The Board held this petition filed on behalf of a

of the standards of issuance and restricted status requirements of the public water supply regulations, as they relate to barium, as a new petition for variance, opened a new docket for the petition, and directed the petitioner to submit the required filing fee.

AC 96-10 County of Will v. CDT Landfill - The Board accepted an appeal of this administrative citation filed against a Will County facility.

AC 96-12 EPA v. RSC, Inc. and Michael Duvall - The Board received an administrative citation filed against a Jersey County respondent.

AC 96-13 EPA v. Otho Tate - The Board received an administrative citation filed against a Henderson County respondent.

AC 96-14 County of Will v. CDT Landfill - The Board received an administrative citation against a Will County respondent.

AC 96-15 County of Will v. CDT Landfill - The Board received an administrative citation filed against a Will County respondent.

AS 96-2 In the Matter of: Petition of Western Lion Limited for an Adjusted Standard from 35

Ill. Adm. Code 814.Subpart C - Having received three letters of objection and a request for hearing, the Board set this petition involving a Coles County facility for an adjusted standard from certain closure requirements of the land pollution control regulations for hearing.

R96-1 In the Matter of: Proposed Alternative Standards for New Utility Waste Landfills, 35 Ill. Adm. Code 807, 810, 811, and 816 - See Rulemaking Update.

R96-2 In the Matter of: 15% ROP Plan: Clean-Up Part I - Amendments to 35 Ill. Adm. Code 219.585(a) and 219.Appendix E - See Rulemaking Update.

R96-3 In the Matter of: Waste disposal Rules: Amendment to 35 Ill. Adm. Code 814.902 - See Rulemaking Update.

Confirmation of hearing dates and times is available from the Clerk of the Board at 312-814-6931.

October 5
10:30 a.m.

Pollution Control Board Meeting, James R. Thompson Center, 100 W. Randolph St.,
Conference Room 9-040, Chicago

October 6
9:00 a.m.
PCB 94-244
W-E, Citizens

Rodney B. Nelson, M.D. v. Kane County Forest Preserve, Jack E. Cook, Chairman, Kane
County Board, Warren Kammerer, Chairman - Kane County Government Center,
Building A, Auditorium, 719 South Batavia Street, Geneva.

October 10
10:00 a.m.
PCB 96-41
L-S-R, 3d P

Village of LaGrange, City of Countryside, Christine Radogno, Laureen Dunne Silver,
Michael Turlek, and Donald Younker v. McCook Cogeneration Station, L.L.C., and the
Board of Trustees of the Village of McCook - Village Hall, 50th and Glencoe, McCook.

October 11
10:00 a.m.
PCB 96-41
L-S-R, 3d P

Village of LaGrange, City of Countryside, Christine Radogno, Laureen Dunne Silver,
Michael Turlek, and Donald Younker v. McCook Cogeneration Station, L.L.C., and the
Board of Trustees of the Village of McCook - Village Hall, 50th and Glencoe, McCook.

3:00 p.m.

R 96-2

R, Air

In the Matter of ROP Plan: Clean-Up Part I--Amendments to 35 Ill. Adm. Code 219.585(a) and 219. Appendix E - Law Enforcement Training Building, 600 South Second Street, Third Floor, Conference Room, Springfield.

October 26

10:00 a.m.

R 96-2

R, Air

In the Matter of ROP Plan: Clean-Up Part I--Amendments to 35 Ill. Adm. Code 219.585(a) and 219. Appendix E - Administration Building, County Board Room, 157 North Main Street, Edwardsville.

October 31

9:00 a.m.

R 94-146

N-E, Citizens

Dorothy L. Hoffman v. City of Columbia - Columbia City Hall, City Council Room, 208 South Rapp, Columbia.

November 2

10:30 a.m.

Pollution Control Board Meeting, James R. Thompson Center, 100 W. Randolph St., Conference Room 9-040, Chicago

November 2

10:00 a.m.

AC 95-25

AC

EPA v. Fred Smith, Jr. (Carlinville/Smith) - Macoupin County Correctional Center,

County Board, Warren Kammerer, Chairman - Kane County Judicial Center, Multi-Purpose Room, 37W777, Route 38, St. Charles.

November 7

9:00 a.m.

PCB 94-157

UST-FRD

Community Trust Bank (Wilson's Service Center) v. EPA - Centralia City Hall, Council Chambers, 222 South Poplar, Centralia.

November 16

10:30 a.m.

Pollution Control Board Meeting, James R. Thompson Center, 100 W. Randolph St., Conference Room 9-040, Chicago

November 20

10:00 a.m.

AS 96-2

Land

In the Matter of: Petition of Western Lion Limited for an Adjusted Standard from 35 Ill. Adm. Code 814.Subpart C - The City Building, City Council Chambers, 208 North 19th Street, Mattoon.

November 28

10:00 a.m.

R96-3

Land

In the Matter of: Waste Disposal Rules: 35 Ill. Adm. Code 814.902 - James R. Thompson Center, Suite 11-500, 100 West Randolph Street, Chicago.

November 30

10:00 a.m.

AS 95-3

Water

In the Matter of: The Joint Petition of the Illinois Environmental Protection Agency and the City of Metropolis for an Adjusted Standard from 35 Ill. Adm. Code 304, for Suspended Solids and 5-Day Biological Oxygen Demand (BOD-5) - Metropolis City Hall, City Council Chambers, 106 West 5th Street, Metropolis.

December 7

10:30 a.m.

Pollution Control Board Meeting, James R. Thompson Center, 100 W. Randolph St., Conference Room 9-040, Chicago

December 8

10:00 a.m.

PCB 94-374

UST-FRD

Eagle Ridge Inn & Resort (The Braniger Organization) v. EPA - Jo Daviess County Courthouse, Small Courtroom, 330 Bench Street, Galena.

December 12

1:30 p.m.

PCB 95-150

A-V

Marathon Oil Company v. EPA - Crawford County Courthouse, Second Floor Courtroom, Robinson.

December 12

10:00 a.m.

PCB 96-22

N-E, Citizens

Lew D'Souza and Patricia D'Souza v. Richard Marraccini and Joanne Marraccini - Elk

Concerned Citizens of Williamson County and Rev. Paul Crain and Rose Rowell, as members of Concerned Citizens of Williamson County, et al. v. Bill Kibler Development Corp., a/k/a Kibler Development Corp. and the William County Board of Commissioners - Williamson County Courthouse, 200 West Jefferson, Marion.

December 14

10:00 a.m.

PCB 96-60

L-S-R, 3d P

Concerned Citizens of Williamson County and Rev. Paul Crain and Rose Rowell, as members of Concerned Citizens of Williamson County, et al. v. Bill Kibler Development Corp., a/k/a Kibler Development Corp. and the William County Board of Commissioners - Williamson County Courthouse, 200 West Jefferson, Marion.

December 21

10:30 a.m.

Pollution Control Board Meeting, James R. Thompson Center, 100 W. Randolph St., Conference Room 9-040, Chicago

January 9

10:00 a.m.

PCB 95-163

A, W &

RCRA-E

People of the State of Illinois v. Clark Refining & Marketing, Inc. - Hartford Village Hall, 507 North Delmar, Hartford.

Calendar Code

3d P Third Party Action

A-C Administrative Citation

L-E Land Enforcement
L-S-R Landfill Siting Review

L-V Land Variance
MW Medical Waste (Biological Materials)

N-E Noise Enforcement
N-V Noise Variance

P-A Permit Appeal
PWS-E Public Water Supply Enforcement

PWS-V Public Water Supply Variance
R Regulatory Proceeding proceeding (hazardous waste only)

RCRA Resource Conservation and Recovery Act
S02 S02 Alternative Standards (35 ILL. ADM. CODE 302.211(f))

SWH-E Special Waste Hauling Enforcement
SWH-V Special Waste Hauling Variance

T Thermal Demonstration Rule
T-C Tax Certifications

T-S Trade Secrets
UST-Appeal Underground Storage Tank Corrective Action Appeal

UST-E Underground Storage Tank Enforcement
UST-FRD Underground Storage Tank Fund Reimbursement Determination

W-E Water Enforcement
W-V Water Variance

WWS Water-Well Setback Exception

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, 1995.

* 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, 1995

POP. LISTING
NAME OF PUBLIC WATER SUPPLY/COUNTY/FACILITY NO. RGN

	Bahl Wtr/Pioneer Acres (JoDaviess Co. - 0855200)1			Inad. Pres. Storage
	700	12/15/93		
	Bailey Sbdv (Bureau Co. - 0115100)1			Inadequate Pres. Tank43
	01/13/82			
	Bardolph (McDonough - 1090050) 5		Trihalomethane	299
	03/15/95			
*	Barry (Pike Co. - 1490050) 5		Nitrate 1,391	09/15/95
	Bartmann Health Care Center (Logan Co. - 1075169) 5			Inadequate
Pres. Tank	93	12/16/83		
	Bel-Air Sbdv (Will Co. - 1975130) 2			Inadequate Pres. Tank91
	08/04/81			
	Bellwood (Cook Co. - 0310150) 2		Radium	20,000 12/14/90
	Belmont-Highwood PWD (DuPage Co. - 0435180)2			Trichloroethylene
	498	09/16/93		
	Benld (Macoupin Co. - 1170050) 5		Trihalomethane	2,174
	06/16/94			
	Beverly Mnr Cntrl Imp Assn (Tazewell Co. - 1795120) 5			Inadequate
Pres. Tank	525	03/17/89		
	Beverly Mnr-Grant (Tazewell Co. - 1795100) 5			Inadequate Pres. Tank
	610	03/20/81		
	Biggsville (Henderson Co. - 0710050) 5			Radium & Radiological
	400	03/17/86		
	Blue & Gold Homeowners Assn (Winnebago Co. - 2015250) 1			
	Inadequate Press. Tank & 170	06/17/83		
	Source of Supply			
*	Blue Mound (MaconCo. - 1150100)4		Nitrate 1,350	09/15/95
	Bluff Lake Lodges, Inc (Lake Co. - 0970240) 2			Inad. Pres. Storage
	25-200	12/15/93		
	Bonnie Lane Wtr (Kendall Co. - 0930010) 2			Inadequate Pres. Tank49
	09/16/93			
	Bradford (Stark Co. - 1750050) 1		Radium	920 03/17/86
	Bradley Heights Sbdv (Winnebago Co. - 2015050)1			Inadequate Pres. Tank
	192	09/13/85		
	Breezeway Sbdv (Tazewell Co. - 1795150) 5			Inadequate Pres. Tank175
	09/17/82			
	Briar Garden Apts (Winnebago Co. - 2015190) 1			Inadequate Pres. Tank
	60	12/17/82		

	Bryant (Fulton Co. - 0570200)	5	Radium & Radiological	310
	03/15/95			
	Buck Lake Ests Sbdv (DeKalb Co. - 0375100)	1	Inadequate Pres. Tank	
	200 09/14/84			
	Buckingham (Kankakee Co. - 0910250)	2	Inadequate Pres. Tank	330
	03/17/89			
	Bunker Hill (Macoupin Co - 1170100)	5	Trihalomethane	2,550
	03/15/95			
	Byron (Ogle Co. - 1410100)	1	Radium	2,500 06/15/93
	Byron Hls Sbdv Well 6 (Rock Island Co. - 1617266)	1	Inadequate	
Pres. Tank	32 12/17/82			
	Campus (Livingston Co. - 1050050)	4	Inadequate Pres. Tank	230
	03/20/81			
	Carroll Hts Utl Cmpny (Carroll Co. - 0155200)	1	Inadequate Pres. Tank	
	80 03/20/81			
*	Cary (McHenry Co. - 1110100)	2	Barium	10,043 09/15/95
	Cedar Point Water Company (LaSalle Co. - 0995110)	1	Radiological	
	800 03/17/86			
	Century Pines Apts (Carroll Co. - 016020)	1	Inadequate Pres. Tank	50
	12/14/90			
	Cherry Vale East Apts (Winnebago Co. - 2015470)	1	Inadequate Pres. Tank	
	180 01/14/82			
	Cherry View Apts (Winnebago Co. - 2015278)	1	Inadequate Pres. Tank	
	60 06/17/83			
	Clarendon Wtr Cmpny (DuPage Co. - 0435300)	2	Inadequate Pres. Tank	
	1,953 03/20/81			
	Clearview Sbdv (Will Co. - 1975360)	2	Inadequate Pres. Tank	420
	01/13/82			
	Coalton (Montgomery Co. - 1350100)	5	Low System Pressure	325
	03/20/81			
	Coffeen (Montgomery Co. - 1350150)	5	Trihalomethane	800
	03/17/92			
	Community Srvs Corp (McHenry Co. - 1115350)	2	Inadequate Pres. Tank	
	750 09/16/83			
*	Cortland (DeKalb Co. - 0370051)	1	Radium	1,500 09/15/95
	Coulterville (Randolph Co. - 1570150)	6	Trihalomethane	1,100
	06/15/92			

	Ctzns Lombard Heights Dvn (DuPage Co. - 0435700)	2	Inadequate	
Pres. Tank	980 12/17/82			
	Cuba (Fulton Co. - 5070300)5	Trihalomethane	1,440	03/15/95
	D&R Apts (Champaign Co. - 0190030)	4	Inadequate	Pres Tank26
	09/16/93			
	Deering Oaks Sbdv (McHenry Co. - 1115200)	2	Inadequate	Pres. Tank
	60 12/17/82			
	DeKalb Univ Dvl Corp (DeKalb Co. - 0375148)	1	Inadequate	Pres. Tank
	950 12/16/92			
	DePue (Bureau Co. - 0110300)	1	Radium	1,725 09/16/94
	DeWitt Cnty Nursing Home (DeWitt Co. - 0395129)	4	Inadequate	
Pres. Tank	80 06/17/83			
	Dixie Dells (Will Co. - 1977850)	2	Inadequate	Pres. Tank550
	09/17/82			
	DL Well Owners Assn (Lake Co. - 0975380)	2	Inadequate	Pres. Tank
	125 03/18/83			
*	Dongola (Union Co. - 1810200)	7	Trihalomethane	841
	09/15/95			
	Dover (Bureau Co. - 0110350)	1	Inadequate	Pres. Tank200
	05/25/81			
	Dunfermline-St. David Wtr Cmsn (Fulton Co. - 0575150)	5		
	Trihalomethane	50		03/15/95
	East Moreland Wtr Assn (Will Co. - 1975600)	2	Inadequate	Pres. Tank
	753 03/20/81			
	Eberts 2nd Addn (Rock IslandCo. - 1615280)	1	Inadequate	Pressure
Tank	35 09/15/89			
	Echo Lake Black IV Water Assn (Lake Co. - 0970130)	2	Inadequate	
Pres. Tank	50 06/15/88			
	Echo Lake Wtr Sys Block 7 (Lake Co. - 0975820)	2	Inadequate	Pres. Tank
	48 09/16/83			
	Edelstein Wtr Coop (Peoria Co. - 1435150)5		Radium & Radiological	
	115 06/13/86			
*	Elburn (Kane Co. - 0890300)2		Radium	1,450 09/15/95
	Ellis Grove (Randolph Co. - 1570200)	6	Trihalomethane	453
	12/16/94			
	Elm Oak Mutual Wtr Sys (Lake Co. - 0975736)	2	Inadequate	Pres. Tank
	45 06/13/86			

Fair Acres Sbdv (Will Co. - 1975680)	2	Inadequate Pres. Tank	185
10/19/81			
Fairview (Fulton Co. - 0570450)	5	Radiological, Radium &	620
03/20/81			
Inadequate Pressure Tank			
Farm Colony (Kendall Co. - 0935140)	2	Radium	25
03/17/86			
Forest Lake Addn (Lake Co - 0975500)	2	Inadequate Pres. Tank	180
12/16/83			
Fox Lawn Utl Cmpny (Kendall Co. - 0935150)	2	Radium	240
03/17/86			
Galena Knolls Sbdv (Peoria Co. - 1435300)	5	Nitrate	180 06/15/88
Garden Street Imprv Assn (Will Co. - 1975376)	2	Inadequate Pres. Tank	
62 09/15/89			
* Gardner (Grundy Co. - 0630400)	2	Radium & Radiological	1,237
9/15/95			
Glenkirk Campus North (Lake Co. - 0977189)	2	Inadequate Pres. Tank	
64 06/15/88			
Glenkirk Campus South (Lake Co. - 0977199)	2	Inadequate Pres. Tank	
36 06/15/88			
Good Shepherd Manor (Kankakee Co. - 0915189)	2	Inadequate Pres. Tank	
140 03/17/89			
Great Oaks & Beacon Hls Apts (Winnebago Co. - 2015488)			1
Inadequate Pres. Tank	43		12/17/82
Greenfield Cmnty Well Cmpny (Will Co. - 1975760)	2	Inadequate	
Pres. Tank	25		12/16/83
Hawthorn Woods (Lake Co. - 0970450)	2	Inadequate Pres. Tank	800
03/15/95			
Hazelwood 1st Addn Well 2 (Henry Co. - 0735446)		Inadequate Pres. Tank	
32 09/17/82			
Hazelwood 2nd Addn Well 2 (Henry Co. - 0735666)	1	Inadequate	
Pres. Tank	32		09/17/82
Hazelwood 2nd Addn Wel 3 (Henry Co. - 0735686)	1	Inadequate	
Pres. Tank	32		09/17/82
Hazelwood West Sbdv (Henry Co. - 0735250)	1	Inadequate Pres. Tank	
89 03/19/84			
Heatherfield Sbdv (Grundy Co. - 0635150)	2	Inadequate Pres. Tank	91

Highland Sbdv (Kane Co. - 0895530)	2	Inadequate Pres. Tank	50
09/16/83			
Hillsboro (Montgomery Co. - 1350300)	5	Atrazine & Trihalomethane	
7,249 12/16/94			
Hillview Sbdv (Will Co. - 1975800)	2	Inadequate Pres. Tank	99
03/15/85			
Homeowners Assn of Four Lakes Subdiv. (LaSalle - 0995110)	1		
Radium 45 09/19/88			
Holiday Shores Sndsst (Madison Co. - 1135110)	6	Atrazine	2,142
6/16/95			
* Hopewell (Marshall Co. - 1235150)	1	Radiological	350 09/15/95
Huntley Cmnty Sbdv (Will Co. - 1975840)	2	Inadequate Pres. Tank	48
03/16/84			
Ill. Prairie Est. Sbdv (LaSalle Co. - 0995300)	1	Radium	45
06/15/88			
Ingalls Park Sbdv (Will Co. - 1975880)	2	Inadequate Pres. Tank	690
09/16/83			
Island Lake Wtr Cmpny (Lake Co. - 0975080)	2	Iron	2,250
06/15/90			
Kingston Mines (Peoria Co. - 1430450)	5	Radium	350
03/17/86			
Kinsman (Grundy Co. - 0630450)	2	Radium	150 03/17/86
Kirkwood (Warren Co. - 1870050)	5	Radium & Radiological	1,008
07/23/93			
Ladd (Bureau Co. - 0110450)	1	Radium	1,350 10/04/85
Lake Lynwood Wtr Sys (Henry Co. - 073330)	1	Inadequate Pres. Tank	
98 08/31/81			
Lakeview Sbdv (Whiteside Co. - 1955150)	1	Inadequate Pres. Tank	146
03/20/81			
Lakewood Shores Imprv Assn (Will Co. - 1975930)	2	Radium	93
03/17/86			
Lakewood Wtr Sys (Lake Co. - 0975400)	2	Inadequate Pres. Tank	49
12/16/83			
Larchmont Sbdv (Winnebago Co. - 2015290)	1	Inadequate Pres. Tank	
106 06/17/83			
Larson Court Rentals (Rock Island Co. - 1615728)	1	Inadequate Pres. Tank	
48 01/14/82			

Lisbon North Inc (Grundy Co. - 0631000)	2	Inadequate Pres. Tank	30
09/14/90			
Little York (Warren Co. - 1870100)	5	Radium	356 12/16/91
London Mills - (Fulton County - 0574620)	5	Inadequate Pres. Tank	670
12/14/84			
Lostant (LaSalle Co. - 0990450)	1	Radium & Radiological	550
03/17/86			
Lynn Cntr (Henry Co. - 0735100)	1	Inadequate Pres. Tank	147
03/15/95			
Lynnwood Water Corp (LaSalle Co. - 0995336)	1	Inadequate Pres. Tank	
114 03/18/83			
M C L W Sys Inc (Mercer Co. - 1315150)	1	Inadequate Source	100
03/20/81			
Maple Hill Imprv Assn (DuPage Co. - 0435800)	2	Inadequate Pres. Tank	
234 08/31/81			
		Trichloroethylene	
Maple Hill Nursing Ctr (Lake Co. - 0971090)	2	Inadequate Pres. Tank	
204 06/15/93			
Maple Leaf Ests Wtr Corp (Monroe Co. - 1335100)	6	Inadequate Pres. Tank	
39 03/20/81			
Mapleton (Peoria Co. - 1430500)	5	Radium	235 03/17/86
Marseilles (LaSalle Co. - 0990500)	1	Radium	4,811 03/15/95
Mayfair Sbdv (Tazewell Co. - 1795750)	5	Inadequate Pres. Tank	150
03/16/90			
Media (Henderson Co. - 0710250)	5	Nitrate	150 03/17/86
Melrose Rental Apts (Kane Co. - 0895228)	2	Inadequate Pres. Tank	38
03/15/94			
Metro Util.-Liberty Ridge (DuPage Co. - 0435650)	2	Inadequate Pres. Tank	
2,510 03/15/94			
Metro Utl Valley Dvn (Kendall Co. - 0935100)	2	Inadequate Pres. Tank	
2,200 03/16/90			
Mission Brook Sndst (Cook Co. - 0315920)	2	Radium	3,200
03/14/91			
Modesto (Macoupin Co. - 1170600)	5	Atrazine	240 03/15/95
Moecherville Sbdv (Kane Co. - 0895300)	2	Inadequate Pres. Tank	1,120
03/20/81			
Monmouth (Warren Co. - 1870150)	5	Radium	9,500 12/15/93

Norris (Fulton Co. - 0570750)	5	Trihalomethane	250	
12/16/94				
Northside Peterson Wlnd (DuPage Co. - 0435866)	2			Inadequate Pres. Tank
30				12/15/89
Northwest Belmont Imprv Assn (DuPage Co. - 0435900)	2			Inadequate
Pres. Tank 115				09/29/81
Oak Ridge Sndst (Woodford Co. - 2035300)	1			Inadequate Pres. Tank240
03/20/81				
Oakhaven Sbdv (Tazewell Co. - 1795760)	5			Inadequate Pres. Tank35
05/25/81				
Oakview Avenue Wtrwks Inc (Will Co- 1977210)	2			Inadequate Pres. Tank
350				03/20/81
Odell (Livingston Co. - 1050550)	4	Radium	1,100	03/17/86
Olivet Nazarene College (Kankakee Co. - 0915279)	2			Inadequate Pres. Tank
1,450				03/15/94
Ophiem PWS (Henry Co. - 0735150)	1			Inadequate Pres. Tank150
06/18/82				
Orland Hills Sbdv (Cook Co. - 0317000)	2			Inadequate Pres. Tank154
08/31/81				
Osco Mutual Wtr Supply Cpy Inc (Henry Co. - 0735200)	1			Inadequate
Pres. Tank 115				12/15/89
Palmyra (Macoupin Co. - 1170800)	5	Atrazine	850	03/15/95
Palmyra-Modesto WtrCmsn (Macoupin Co. - 1175150)	5			Atrazine
1,140				03/15/95
Park Crest Wtr Cmpny (Stephenson Co. - 1775100)	1			Inadequate Pres. Tank
1,200				09/14/84
Park Hill Ests Well 1 (Rock Island Co. - 1617806)	1			Inadequate Pres. Tank
32				06/18/82
Park Road Wtr Assn (Will Co. - 1977330)	2			Inadequate Pres. Tank60
12/17/82				
Park View Wtr Corp (Kane Co. - 0895500)	2			Inadequate Pres. Tank150
12/17/82				
Pleasant Hill Cmnty Assn (DuPage Co. - 0435980)	2			Inadequate Pres. Tank
180				03/17/89
Pleasant Village (Kane Co. - 0895228)	2			Inadequate Pres. TankN/A
06/18/82				
Plum Creek Condos (Cook Co. - 0317080)	2	Radium	570	

	Reddick (Kankakee Co. - 0914780)	2	Radium	208	09/16/93
	Ridgecrest North Sbdv (Grundy Co. - 0635250)	2	Inadequate Pres Tank		
	85				09/16/93
	Ridgewood Sbdv (Will Co. - 1977650)	2	Inadequate Pres. Tank	315	
	06/18/82				
	Rock Island Arsn (Rock Island Co. - 1615387)	1	Trihalomethane		
	9,000				06/15/92
	Rockdale (Will Co. - 1970850)	2	Radium	1,500	03/17/86
*	Rome Farms #9 (Peoria Co. - 1435500)	5	Nitrate	200	09/15/95
	Royal Lake Wtr Dstret (Bond Co. - 0055100)	6	Trihalomethane		
	228				06/15/92
	RR 1 - Il Wtr Assn (Macoupin Co. - 1175260)	5	Trihalomethane		
	81				06/15/92
	Salem Childrens Hm (Livingston Co. - 1055229)	4	Inadequate Pres Tank		
	66				03/18/83
	Save Site (St. Clair Co. - 1635289)	6	Trihalomethane	375	
	06/15/92				
	Schram City (Montgomery Co. - 1350600)	5	Trihalomethane	690	
	06/16/94				
	Scottville RWC (Macoupin Co. - 1170010)	5	Atrazine	510	
	03/15/95				
	Scribner Street Sbdv (Will Co. - 1977660)	2	Inadequate Pres. Tank	50	
	03/18/83				
	Shawnta Trc Wtr Assn (Will Co. - 1977690)	2	Inadequate Pres. Tank		
	125				09/17/92
	Shipman (Macoupin Co. - 1170950)	5	Trihalomethane	695	
	06/16/94				
	Silvis Heights Wtr Corp (Rock Island Co. - 1615750)	1	Inadequate		
Pres. Tank	1,680				03/20/82
	Skyview Sbdv (Kankakee Co. - 0915526)	2	Inadequate Pres. Tank	65	
	09/14/84				
	South Burdette Wtr (DuPage Co. - 0437320)	2	Inadequate Pres. Tank	30	
	06/16/89				
	South Wilmington (Grundy Co. - 0630650)	2	Radium	750	
	03/15/93				
	Spring Valley (Bureau Co. - 0111000)	1	Radium	5,850	
	09/17/92				

Standard (Putnam Co. -1550300)	1	Radium	280	09/16/91
Staunton Res. Rd Wtr Corp (Macoupin Co. - 1175250)	5			
Trihalomethane	60			12/16/94
Steeleville (Randolph Co. - 1570650)	6	Radium	2,305	
				03/17/86
Sturm Sbdv (Lake Co. - 0977010)	2	Inadequate Pres. Tank	63	
				03/16/84
Suburban Heights Sbdv (Rock Island Co. - 1615800)	1	Inadequate		
Pres. Tank 114	12/16/83			
Summit Homeowners Assn (Lake Co. - 0975280)	2	Inadequate Pres. Tank		
48	03/16/84			
Sunnyland Sbdv (Will Co. - 1977730)	2	Inadequate Pres. Tank	350	
				09/16/83
Swedona Wtr Assn (Mercer Co. - 1315200)	1	Inadequate Pres. Tank	100	
				06/15/90
Sylvan Lake 1st Sbdv (Lake Co. - 0977100)	2	Inadequate Pres. Tank	210	
				06/14/91
Table Grove (Fulton Co. - 0570900)	5	Radium & Radiological	500	
				03/20/81
Taylor Springs (Montgomery Co. - 1350650)	5	Trihalomethane		
671	03/17/92			
The Mill (Winnebago Co. - 2010040)	1	Inadequate Pres. Tank	90	
				12/16/94
Tindalls 3rd & 6th Addns (Rock Island Co. - 1617376)	1	Inadequate		
Pres. Tank 28	06/18/82			
Towner Sbdv (Lake Co. - 0977250)	2	Inadequate Pres. Tank	238	
				01/14/82
Trivoli PWD (Peoria Co. - 1435510)	5	Inadequate Pres. Tank	350	
				06/17/83
Turkey Hollow Well Corp (Rock Island Co. - 1615686)	1	Inadequate		
Pres. Tank 32	06/18/82			
* Vermont (Fulton Co. - 0570950)	5	Atrazine	808	09/15/95
Vernon (Marion Co. - 1210550)	6	Trihalomethane	207	
				09/16/94
Vet's Place Sbdv (Peoria Co. - 1435650)	5	Nitrate & Inadequate	85	
				12/16/94

Pres. Tank

West Shoreland Sbdv (Lake Co. - 0977050)	2	Inadequate Pres. Tank	220
06/14/91			
Westfield (Clark Co. - 0230200)	4	Inadequate Water Source	700
06/15/93			
White City (Macoupin Co. - 1171150)	7	Trihalomethane	280
06/15/93			
Williamson (Madison Co. - 1191100)	6	Trihalomethane	350
06/15/92			
Wilsonville (Macoupin Co. - 1171200)	5	Trihalomethane	609
06/15/92			
Wonder Lake Water Company (McHenry Co. - 1115750)	2	Inadequate	
Pres. Tank 1,161			
06/16/94			
Woodland Hts Ests Sbdv (Peoria Co. - 1435760)	5	Inadequate Pres. Tank	
245			
03/20/81			
Woodsmoke Ranch Assn (LaSalle Co. - 0990030)	1	Inadeq. Pres. Tank &	
Radium 350			
06/15/90			
WSCO Dvl-Ridgewood (Rock Island Co. - 1615670)	1	Inadequate	
Pres. Tank 475			
03/20/81			
Wynstone Wtr Cmpny (Lake Co. - 0970080)		Radium	450
03/15/95			
Yates City (Knox Co. - 0950700)	5	Radium, Inadequate Pres. Tank	
900			
03/20/81			
		& Radiological	
York Center Coop (DuPage Co. - 0437550)	2	Inadequate Pres. Tank	240
06/15/88			

Public Water Supplies Removed from Previous List

Creal Springs (Williamson Co. - 1990300) Naplate (LaSalle Co. - 0990600)
 Devils Kitchen Wtr Dst (Williamson Co. - 1995160) Oakland (Coles Co. - 0290300)
 Dorchester (Macoupin Co. - 1170250) Paris (Edgar Co. - 0450300)
 Eagerville (Macoupin Co. - 1170300) Patoka (Marion Co. - 1210400)
 Forest Homes-Maple Park PWD (Madison Co. - 1195100) Richview (Washington Co. - 1890500)
 Goreville (Johnson Co. - 0870200) Roseville (Warren Co. - 1870200)
 Kincaid (Christian Co. - 0210250) Rosiclare (Hardin Co. - 0690150)
 Lake of Egypt PWD (Williamson Co. - 1995200) Shannon (Carroll Co. -

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, 1995.

* 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, 1995

POP. LISTING				
NAME OF PUBLIC WATER SUPPLY/COUNTY/FACILITY NO.	RG	N	DATE	
NATURE OF PROBLEM	SERVED			
Baylis (Pike Co. - 1490100)	5	Source Capacity	300	09/13/85
Bluford (Jefferson Co. - 0810100)	7	Low System Pressure	465	03/20/81
Carlyle (Clinton Co. - 0270300)	6	Inadequate Treatment Plant	7,978	12/15/93
Caseyville (St. Clair Co. - 1630250)	6	Low System Pressure	12,338	09/14/84

Evansville (Randolph Co. - 1570250)	6	Plant Capacity	1,838
05/25/81			
Georgetown (Vermilion Co. - 1830350)	4	Inadequate Water Plant	3,678
06/15/93			
Hardin (Calhoun Co. - 0130200)	6	Low System Pressure	1,175
11/25/81			
Highland Hls Sndst (DuPage Co. - 0435560)	2	Inadequate Pressure Tank	1,100
09/17/92			
Homer (Champaign Co. - 0190300)	4	Inadequate Source	1,300
03/15/94			
Kincaid (Christian Co. - 0210250)	5	Plant Capacity	2,640
06/14/85			
Lake Marian Wtr Corp (Kane Co. - 0895200)	2	Low System Pressure	800
09/14/84			
&			
		Inadequate Pres. Storage	
Lewistown (Fulton Co. - 0570600)	5	Inadequate Source	2,700
06/15/88			
McHenry Shores Wtr Cmpny (McHenry Co. - 1115020)	2	Low System	1,170
09/17/92			
Pressure			
Metro Utl Chickasaw Dvn (Will Co. - 1975320)	2	Low System Pressure	7,700
09/17/92			
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 Pressure	1,830
06/15/90			
Ramsey (Fayette Co. - 0510200)	6	Source Capacity &	1,350
09/13/85			
		Low System Pressure	
South Highway PWD (Jackson Co. - 0775400)	7	Low System Pressure	8,189
06/15/92			
Stockton (Jo Daviess Co. - 0850450)	1	Low System Pressure	1,900
06/15/84			
Sumner (Lawrence Co. - 1010300)	7	Low System Pressure	1,553

West Liberty Dundas Wtr Dist (Richland Co. - 1595050)	7	Low System
Pressure & 693 12/14/84		
Inadequate Source		
Whispering Hills Wtr Cmpny (McHenry Co. - 1115700)	2	Low System
Pressure 6,000 06/15/93		
Wonder Lake Wtr Cmpny (McHenry Co - 1115750)		Inadequate Storage
1,080 12/14/90		

Public Water Supplies Removed from Previous List
Princeton (Bureau Co. - 0110850)

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
DIVISION OF WATER POLLUTION CONTROL
RESTRICTED STATUS LIST

In order to comply with 35 Illinois Administrative Code Section 306.401 Illinois Pollution Control Board Regulations, the Illinois EPA has prepared the following list of facilities which are on Restricted Status. Restricted Status is defined as the Agency determination that a sewer or lift station has reached hydraulic capacity or that a sewage treatment plant has reached design capacity, such that additional sewer connection permits may no longer be issued without causing a violation of the Act or Regulations. Please note that the list is continually being revised to reflect the current situation. Therefore, if you have any questions on the capability of a treatment facility or transport system, please contact this Agency for a final determination. This listing reflects the status as of June 30, 1995.

Facility names followed by an asterisk (*) indicates that construction is underway to ultimately alleviate problems which resulted in imposition of Restricted Status. Facilities followed by a double asterisk (**) are additions to the list.

FACILITY NAME	REMAINING RESPONSIBLE AUTHORITY	COUNTY	CAPACITY
Athens STP ***	City of AthensMenard		0
Bourbonnais (Belle Aire Subd.)	Village of Bourbonnais	Kankakee	0
Camelot Utilities - Wastewater	Camelot Utilities	Will	0

Terminal L.S.)				
Clearview S.D.	Clearview S.D.	McLean	0	
East Alton STP	City of East Alton	Madison	0	
Farmington	City of Farmington	Fulton	0	
Highview Estates	Highview Water Co.	Tazewell	0	
Lake Zurich - Knollwood,	Village of Lake Zurich	Lake	0	
Minonski, Main Ls's				
Maple Lawn Homes STP	Maple Lawn Homes	Woodford	0	
Riverton (Sewer System-Partial)	Village of Riverton	Sangamon	0	
Rosewood Heights S.D. - Ninth	Rosewood Heights S.D.	Madison	0	
Street LS**				
Taylorville Shawnee Ave. Pump	City of Taylorville	Christian	0	
Station				
Utilities Unlimited	Utilities Unlimited	Will	0	
Virden (Sewer System-Partial)	Virden S.D.	Macoupin	0	
Washington (Devonshire Estates)	City of Washington	Tazewell	0	
Washington (Rolling Meadows)	City of Washington	Tazewell	0	
Watseka STP	City of Watseka	Iroquois	0	

Deletions from previous Quarterly Report: None

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
 DIVISION OF WATER POLLUTION CONTROL
 CRITICAL REVIEW LIST

In order to comply with 35 Illinois Administrative Code Section 306.401, Illinois Pollution Control Board Regulations, the Illinois Environmental Protection Agency has prepared the following list of facilities which are on Critical Review. Critical Review as defined as the Agency determination that a sewer or lift station is approaching hydraulic capacity or that a sewage treatment plant is approaching design capacity such that additional sewer connection permit applications will require close scrutiny to determine whether issuance would result in a violation of the Act or Regulations. Please note that these lists are continually being revised to reflect the current situation. Therefore, if you have any questions on the capability of a treatment facility or transport system, please contact the Agency for a final determination. This listing reflects the status as of June 30, 1995.

Benton-Southeast STP	City of Benton	Franklin	60	0		
Bethalto (L.S. #1)	Village of Bethalto	Madison	87	0		
Bolingbrook STP 2	Village of Bolingbrook	Will	630	0		
Braidwood STP	City of Braidwood	Will	540	0		
Carrier Mills	Village of Carrier Mills	Saline	836	0		
Carrollton	City of Carrollton	Greene	140	0		
Chester	City of Chester	Randolph	26	0		
Crest Hill - West STP	City of Crest Hill	Will	0	65		
Creve Coeur	Village of Creve Coeur	Tazewell	2,330	0		
Derby Meadows Utility Co. STP	Derby Meadows Utility Co.	Will	0	0		
Downers Grove Sanitary Dist.	Downers Grove S.D.	DuPage	8,322	139		
Earlville	City of Earlville	LaSalle	215	0		
East Dundee STP	Village of E. Dundee	Kane	983	0		
Elkville	Village of Elkville	Jackson	6	0		
Elmhurst	City of Elmhurst	DuPage	0	49		
Findlay	Village of Findlay	Shelby	60	0		
Hebron	Village of Hebron	McHenry	0	179		
Herrin	City of Herrin	Williamson	***	0		
Herscher	Village of Herscher	Kankakee	365	0		
Highland STP	City of Highland	Madison	583	247		
Hoopeston	City of Hoopeston'	Vermilion	0	0		
Kildeer-Bishop-Ridge STP	Village of Kildeer	Lake	40	0		
CLPWD-Deerfield Rd. Interceptor	County of Lake Public Works Department	Lake	***	0		
CLPWD-Diamond-Sylvan STP	County of Lake Public Works Department	Lake	248	0		
Lake in the Hills S.D.	Village of Lake in the Hills	McHenry	2,437	70		
Manhattan	Village of Manhattan	Will	0	168		
Milan	Village of Milan	Rock Island	1,122	0		
Moline (North Slope)	City of Moline	Rock Island	1,151	0		
Mundelein STP	Village of Mendelein	Lake	880	20		
O'Fallon	City of O'Fallon	St. Clair	0	398		
Orangeville	Village of Orangeville	Stephenson	0	0		
Pearl City	Village of Pearl City	Stephenson	0	35		
Peotone	Village of Peotone	Will	195	175		
Rock Island (Main)	City of Rock Island	Rock Island	5,001	0		
Round Lake-Rosewood Sewage	Village of Round Lake	Lake	97	0		

ILLINOIS POLLUTION CONTROL BOARD
HOME PAGE ON THE WORLD WIDE WEB (INTERNET)

The Illinois Pollution Control Board (IPCB) maintains a Home Page on the Internet (World Wide Web) which is located within the State of Illinois Home Page under the State Agencies option. The Page can be accessed through any of the commercial on-line services (America On-Line and Compuserve, for example). The address of the Illinois Home Page is:

<http://www.state.il.us/>

The IPCB Page will disseminate information about the Board and its activities. The following is a listing of information which is currently available or will be available in the near future:

..

Board Member Profiles

Biographical information of Board members.

..

Board Meeting Dates and Agendas

Listing of regularly scheduled Board meetings and tentative meeting agendas.

..

Information Services

Listing of IPCB contacts and a summary discussion of the Board's process.

..

Pending Rulemakings

Monthly update of rulemaking activity pending before the Board.

..

Procedural Rules

Full listing of the Board's procedural rules.

..

Legislation

Compilation of recently enacted legislation affecting the Board.

..

Newsletters

Identical to the hard copy version of the IPCB's Newsletter. Includes, among other

ENVIRONMENTAL REGISTER MAILING LIST

The Board is updating the mailing list for the Environmental Register. The Board desires to assure that the names of those who desire to receive regular free copies of the Register will appear on the mailing list. If you no longer wish to directly receive regular issues of the Register, please fill out the address label below, indicating your wish, and return it to the Board as soon as possible. If you do not presently receive the Register on a regular basis, please submit the indicated appropriate mailing information below, indicating that you want your name added to the list.

Please return the completed form to:

Victoria Agyeman
Illinois Pollution Control Board
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601

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It has become necessary, effective August 1, 1995 to raise the per page rates for IPCB documents to better reflect the actual costs of reproduction and distribution. Significant resources, both human and material, are expended to locate, photocopy and in the case of those wanting to pay later for copies received, the resources required to maintain a billing system. Your understanding will be appreciated.

The IPCB's revised rates/policy are as follows:

.. A single opinion and order will be furnished on request without cost, irrespective of length, with the dissenting and/or concurring opinion(s). Requests for multiple opinions and orders are 75 cents per page.

.. Hearing Transcripts are 75 cents per page.

.. All other documents are 75 cents per page.

.. The following State Agencies are, upon request, provided copies of opinions and orders and transcripts free of charge:

Illinois Attorney General's Office (AG)
Illinois Environmental Protection Agency (IEPA)
Illinois Department of Natural Resources (DNR)

.. Requests for copies will be honored in as timely a manner as possible. Requests for copies by mail will be honored. The Board reserves the right to add a postage charge to large bulk mailings.

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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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Page 36/ October, 1995 Environmental Register No. 497

Environmental Register No. 497 October, 1995/Page 35