



# ENVIRONMENTAL REGISTER



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## RULEMAKING UPDATE

### **Board Adopts Rules in *In the Matter of: Proportionate Share Liability*: 35 Ill. Adm. Code 741, R97-16**

On December 17, 1998, the Board adopted rules implementing a proportionate share liability scheme in Illinois. The rules implement Section 58.9 of the Environmental Protection Act (Act). 415 ILCS 5/58.9 (1996); see Pub. Act 89-443, eff. July 1, 1996. the statutory deadline for adoption of rules and procedures implementing Section 58.9 is January 1, 1999. See Pub. Act 90-484, eff. August 17, 1997 (amended 415 ILCS 5/58.9 (1996)).

Part 741 contains procedures and conditions under which the Board will allocate proportionate share of the performance costs of a response resulting from the release or substantial threat of a release of regulated substances or pesticides on, in, under, or from a site. Part 741 applies to two types of proceedings. First, it applies to enforcement actions in which the State or a private party files a complaint with the Board which seeks to require another person to perform, or seeks to recover the costs of, a response.

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## FEDERAL ACTIONS

### **United States Environmental Protection Agency Adopts National Primary Drinking Water Regulations for Disinfectants and Disinfection Byproducts**

On December 16, 1998, the United States Environmental Protection Agency (USEPA) adopted National Primary Drinking Water Regulations (NPDWRs) for three disinfectants (chlorine, chloramines, and chlorine dioxide), two groups of organic disinfection byproducts (total trihalomethanes and haloacetic acids), and two inorganic disinfection byproducts (chlorite and bromate). 63 Fed. Reg. 69390 (December 16, 1998).

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Second, it applies to proceedings in which two or more persons voluntarily seek to allocate 100% of the performance or cost of a response between themselves. In either type of proceedings, however, Part 741 does not apply to (a) actions to recover costs incurred by the State prior to July 1, 1996; (b) sites on the National Priorities List; (c) sites where a federal court order or a United States Environmental Protection Agency order requires investigation or response; (d) the owner or operator of a site for which a permit has been issued or is required under federal or State solid or hazardous waste laws, or that is subject to closure or correction action requirements under federal or State solid or hazardous waste laws; or (e) the owner or operator of an underground storage tank system subject to federal or State underground storage tank laws.

The corresponding applicability provisions, as well as definitions and other general information and procedures, are set forth in Subpart A. Subpart A also provides for discovery before an action is filed for the limited purpose of obtaining information necessary to identify a person who may be potentially liable. A party seeking to engage in such discovery must file a petition with the Board. The petitioner must support the petition with an affidavit stating the basis for belief that there has been a release or substantial threat of a release, that the respondent may have discoverable information, and that the petition could not obtain the information by other reasonable means. A respondent may oppose a petition for pre-filing discovery. Pre-filing discovery may not be obtained against entities subject to the Freedom of Information Act (5 ILCS 140/1 *et seq.* (1996)) and cannot require the production of privileged information.

Subpart B sets forth the burden and standard of proof and parameters of final orders allocating proportionate shares where a complaint has been filed by any person under the Act or the Groundwater Protection Act (415 ILCS 55/1 *et seq.* (1996)) to require another person to perform a response or to recover costs of a response. To establish a respondent's proportionate share, the complainant must prove that the respondent proximately caused or contributed to a release. The complainant must also

provide evidence of the degree to which the response was the result of the respondent's proximate causation of or contribution to a release of a regulated substance or pesticide. At the conclusion of the action, the Board will enter a final order determining whether the respondent proximately caused or contributed to a release. If so, the Board will also determine the respondent's share of the response and order the respondent to perform or pay for its proportionate share of the response.

In the second type of proceeding, the rules contained in Subpart C govern. Two or more persons who agree to accept 100% of the liability to perform or pay a response may initiate a voluntary allocation proceeding before the Board by filing a joint petition. These voluntary allocation procedures are available only if the Illinois Environmental Protection Agency (IEPA) approves a Remedial Action Plan for the site or if there is a written agreement with the IEPA regarding the performance of a response at the site following issuance of a notice under Section 4(q) or Section 58.9 of the Act. At any time, parties may suspend a Subpart C proceeding for up to 120 days to engage in mediation. If the parties reach an agreement on the allocation of proportionate shares, the parties can either refile a motion to dismiss the allocation proceeding before the Board or file a stipulated settlement agreement with the Board. Absent an agreement, the Board will allocate liability among the petitioners based on the evidence presented at a hearing and enter an order directing the parties to perform the response or pay costs.

The Board held four hearings prior to adopting a first-notice opinion and order. On September 3, 1998, the Board proposed rules for first-notice publication in the *Illinois Register*. 22 Ill. Reg. 16425-16440 (September 18, 1998). Upon that two additional hearings in Springfield on October 19 and 20, 1998. Based on testimony at hearing and public comments received following the adoption of the first-notice opinion and order, the Board made revisions to the rules adopted at first notice and incorporated them into a proposed second-notice opinion and order. To receive public input on these changes before they were officially adopted for second notice, the Board, on November 12, 1998, adopted an order with proposed changes for second notice and solicited public comment on the changes by extending the first-notice public comment period to November 23, 1998.

On December 3, 1998, the Board adopted the rules for second-notice review by the Joint Committee on Administrative Rules (JCAR). At its December 15, 1998 meeting, JCAR voted an objection to Section 741.105(f)(2) through (5) of the proposed rules. These subsections exclude from the proportionate share rules sites involving cleanups or federal regulatory programs that Illinois implements. These limitations are based on the limitations contained in Section 58.1(a)(2) of the Act, which is the applicability section for Title XVII. In its December 17, 1998 opinion and order, the Board noted that it continues to believe its interpretation of Section 58.9(a)(1) is correct and is consistent with the General Assembly's intent and the language of the Act as a whole. Therefore, despite JCAR's objection, the Board adopted the rules on December 17, 1998, and directed the clerk to file them with the Secretary of State.

Questions regarding this rulemaking may be directed to Cynthia Ervin at 217/524-8509; e-mail address: cervin@pcb084rl.state.il.us



**Board Adopts for First Notice Proposed Rules in In the Matter of: Hospital/Medical/Infectious Waste Incinerators: Adoption of 35 Ill. Adm. Code 229, R99-10**

On December 3, 1998, the Board adopted for first-notice publication in the *Illinois Register* rules to establish requirements for the control of emissions from the incineration of hospital, medical and infectious waste. The Illinois Environmental Protection Agency (IEPA) filed the proposed addition of new Part 229 on November 30, 1998.

The adoption by the Board of this new part is authorized under Section 28.5 of the Environmental Protection Act (Act) (415 ILCS 5/28.5 (1996)). Section 28.5 provides for "fast-track" adoption of certain regulations necessary for compliance with the Clean Air Act Amendments of 1990 (CAAA) (42 U.S.C. §§ 7401-76719 (1990)).

Section 111(d) of the CAAA (42 U.S.C. § 7401 (1990)) requires that states submit a plan for the control of emissions from any source for which the United States Environmental Protection Agency

(USEPA) has promulgated a performance standard. The USEPA has promulgated new source performance standards (NSPS) and emissions guidelines (EG) to reduce emissions from hospital, medical, and infectious waste incinerators (HMIWIs). 40 C.F.R. §§ 60.50c-60.58c, 6030e-60.39e. The NSPSs apply to HMIWIs for which construction began after June 20, 1996, or for which a modification is begun after March 16, 1998. The EGs apply to existing HMIWIs, or rather, ones for which construction began on or before June 20, 1996. Unlike the NSPSs, the EGs do not establish standards for HMIWIs, but rather mandate states to adopt plans regulating existing HMIWIs and establish minimum elements required in these state plans.

Pursuant to Section 28.5 of the Act, the Board is required to proceed within set timeframes toward adoption of the regulations. The Board has not authority to adjust these timeframes under any circumstances. The Board anticipates scheduling hearings in this matter in the near future. Upon publication of the proposal in the *Illinois Register* a 45-day public comment period will commence. Public comments should be directed to the Clerk of the Board.

Questions regarding this rulemaking may be directed to Cathy Glenn at 312/814-6923; e-mail address: cglenn@pcb084rl.state.il.us



**Board Adopts Second-Notice Opinion and Order in In the Matter of: Hearings Pursuant to Specific Rules, Proposed New Subpart K, Involuntary Termination of Environmental Management System Agreements, 35 Ill. Adm. Code 106, Subpart K, R99-9**

On December 17, 1998, the Board adopted for second-notice review by the Joint Committee on Administrative Rules amendments to 35 Ill. Adm. Code 106, Involuntary Termination Procedures for Environmental Management Systems (EMSAs). Section 52.3 of the Environmental Protection Act (Act) (415 ILCS 5/52.3 (1996)) allows the Illinois Environmental Protection Agency (IEPA) to enter into EMSAs with persons regulated under the Act. An EMSA is an agreement between a person and the Agency that allows the person to implement innovative environmental measures in lieu of

complying with otherwise applicable environmental laws or regulations. The innovative measures should yield greater environmental benefits than would the otherwise applicable environmental laws or regulations.

Section 52.3 of the Act directed the IEPA to propose to the Board procedures and criteria for involuntary termination of EMSAs. On August 17, 1998, the IEPA filed a proposal for rulemaking and, on August 20, 1998, the Board adopted the proposal for first notice without commenting on the merits of the IEPA's proposal. A 45-day public comment period commenced upon publication of the first-notice proposal in the *Illinois Register* (see 22 Ill. Reg. 15926 (September 3, 1998)). The Board held two hearings in this matter: the first, in Chicago, on September 29, 1998; and the second, in Springfield, on October 6, 1998.

At second notice, the Board adopted a modified version of the IEPA's proposal. Notably, the Board found that the IEPA may summarily terminate an EMSA. However, the Board specified in the second-notice order (1) the criteria that the IEPA must satisfy to summarily terminate an EMSA and (2) that summary terminations are appealable to the Board in the manner provided for the review of permit decisions in Section 40 of the Act. The Board also proposed slight modifications to the amendments pertaining to time for filing responses, discovery requests, and burden of proof.

Please direct any questions regarding this rulemaking to Richard McGill at 312/814-6983; e-mail address: rmcgill@pcb084rl.state.il.us



**Board Adopts First-Notice Opinion and Order Bin In the Matter of: Non-Hazardous Special Waste Hauling and the Uniform Program 35 Ill. Adm. Code 809 (Pursuant to P.A. 90-219), R98-29**

On December 17, 1998, the Board adopted for first-notice publication in the *Illinois Register* proposed amendments to 35 Ill. Adm. Code 809 regarding nonhazardous special waste hauling. The Illinois Environmental Protection Agency (IEPA) proposed the amendments in response to Pub. Act 90-219 (Pub. Act 90-219, eff. July 25, 1997) which amends Sections 21, 22.2 and 44 of the

Environmental Protection Act (Act) (415 ILCS 5/21, 22.2, 44 (1996)) and implements the Uniform State Hazardous Materials Transportation, Registration and Permit Program (Uniform Program). The Uniform Program was adopted in response to federal amendments to the Hazardous Materials Transportation Uniform Safety Act of 1990 and the Hazardous Materials Transportation Authorization Act of 1994 (HMTAA).

The Uniform Program primarily affects Part 809 of the Board's rules, but there are also minor proposed changes to Part 808 in order to establish consistency with the revised Part 809. In the proposal, the IEPA bifurcated the regulations for transportation of hazardous and nonhazardous special waste so that the Illinois hazardous waste regulations under the Uniform Program would comply with the HMTAA.

With regard to changes in nonhazardous special waste permitting, a new Subpart is proposed at Part 809 for the Uniform Program, while the remainder of Part 809 is modified slightly to allow for the continued permitting of nonhazardous special waste transporters. The IEPA's proposal includes new language in Part 809 so that a nonhazardous waste special waste transporter is afforded due process if a permit is denied, and the IEPA has a procedure to follow if a permit application is incomplete. There are also two new proposed exemptions from nonhazardous special waste transport rules to avoid duplicate and potentially contradictory transporting requirements for transports of potentially infectious medical waste and used tires.

With regard to Uniform Program permitting, the proposed rules provide that transporters of hazardous waste in Illinois must have a Uniform Permit issued by the IEPA. Registration of transporters is a base state system; a transporter applies to its base state for its Uniform Permit and that base state reviews the Uniform Permit applications. The proposed rules provide that the Uniform Permit is valid for three years. The proposed rules also allow the IEPA to enter into agreements with federal agencies, repositories, and other participating states to issue reciprocal Uniform Permits that allow a transporter to operate in all participating states. As a result, an interstate transporter need only fill out one permit application, as opposed to filing out numerous permit applications under the old system. The transporter's base state is responsible for collecting the fees and

distributing percentages of those fees to other state participating in the program. The proposed rules establish an annual registration fee of \$20 for each vehicle owned by a company subject to the Uniform Program. The proposed rules also mandate that the IEPA conduct audits to ensure that transporters are accurately reporting their activity.

The Board also granted the IEPA's request to sever the docket by separating the rules on used oil transportation and used oil management facilities from the rules on nonhazardous special waste transportation. The Board assigned the proposed rules on used oil transportation and used oil management facilities docket number R99-18.

The Board held two hearings in this matter: the first in Springfield, on July 21, 1998; and the second in Chicago, on July 31, 1998. An additional hearing will be scheduled in the near future to discuss the Department of Commerce and Community Affairs' decision not to conduct an economic impact study pursuant to Public Act 90-489 (Pub. Act 49, eff. January 1, 1998). Upon publication of the proposed amendments in the *Illinois Register*, a 45-day public comment period will commence. Public comments should be direct to the Clerk of the Board.

Any questions regarding this rulemaking may be direct to Joel Sternstein at 312/814-3665; e-mail address: [jsternst@pcb084rl.state.il.us](mailto:jsternst@pcb084rl.state.il.us)



**Board Accepts for Hearing Rulemaking in In the Matter of: Amendments to Permitting for Used Oil Management and Used Oil Transport 35 Ill. Adm. Code 807 and 809, R99-18**

On December 17, 1998, the Board accepted for hearing proposed amendments to 35 Ill. Adm. Code 807 and 809 on permitting certain used oil management facilities and used oil transporters. The Illinois Environmental Protection Agency (IEPA) originally proposed that the amendments be incorporated into docket R98-29 (see Nonhazardous Special Waste Hauling and Uniform Program: 35 Ill. Adm. Code 809 (Pursuant to P.A. 90-219), R98-29, slip op. at 1, 3. Hearings in this matter will be scheduled in the near future.

Any questions regarding this rulemaking may be directed to Joel Sternstein at 312/814-3665; e-mail address: [jsternst@pcb084rl.state.il.us](mailto:jsternst@pcb084rl.state.il.us)



**Board Adopts Amendments in In the Matter of: Petition of PDV Midwest Refining, L.L.C. to 35 Ill. Adm. Code 304.213, R98-14**

On December 17, 1998, the Board adopted site-specific amendments to Section 304.213 of the Board's effluent regulations at the petition of PDV Midwest Refining, L.L.C. (PDV), located in Will County near Lemont, Illinois. This site-specific rulemaking was initiated by a petition filed by PDV on October 17, 1997. The amendments modify the Board's effluent regulations to provide site-specific ammonia nitrogen standards for PDV's discharge to the Chicago Sanitary and Ship Canal, which is tributary to the Illinois River. The amendments also grant PDV's request that the change in ownership from UNO-Ven to PDV be reflected. The amendments also include a sunset provision terminating the site-specific rule on December 31, 2008.

Two hearings were held in this matter on March 6, 1998, in Joliet, Illinois, and on March 30, 1998, in Springfield. The Springfield hearing was held to address the decision of the Illinois Department of Commerce of Commerce Affairs not to conduct an economic impact study in connection with this rulemaking. No one testified at this hearing and the Board has not received any comments regarding an economic impact study concerning this matter. On May 21, 1998, the Board adopted this amendment for first-notice publication in the *Illinois Register*. 22 Ill. Reg. 9657 (June 12, 1998). On September 17, 1998, the Board adopted for second-notice review by the Joint Committee on Administrative Rules (JCAR). At its October 20, 1998 meeting, JCAR voted no objection to the site-specific amendments.

Any questions regarding this rulemaking may be directed to Jonathan Knittle at 312/814-3473; e-mail address: [jknittle@pcb084rl.state.il.us](mailto:jknittle@pcb084rl.state.il.us)



**Board Adopts Proposal for Public Comment in Identical-in-Substance Rulemaking in In the**

**Matter of: Wastewater Pretreatment Update, USEPA Regulations (January 1, 1998 through June 30, 1998), R99-4**

On December 17, 1998, the Board adopted a proposal for public comment in an identical-in-substance rulemaking in Wastewater Pretreatment Update, USEPA Regulations (January 1, 1998 through June 30, 1998) (December 17, 1998), R99-4. Adopted pursuant to Sections 7.2 and 13.3 of the Environmental Protection Act (415 ILCS 5/7.2 and 13.3 (1996)), the proposed amendments establish effluent limitations guidelines and standards under the Federal Water Pollution Control Act (FWPCA) (see U.S.C. §§ 1317(b), (c), (d), 1342(b)(9) (1996)) for a portion of the pulp, paper, and paperboard industry. The amendments are intended to streamline the permit application process to more closely reflect the processes found in pulp, paper, and paperboard mills in the United States. The proposed rulemaking incorporates federal amendments that occurred during the period of January 1, 1998, through June 30, 1998 (see 63 Fed. Reg. 18503 (April 15, 1998)). In the proposal for public comment, the Board incorporated the federal amendments of April 15, 1998, both by use of the actual text or through incorporation by reference, with only minor deviation from the federal text.

Any questions regarding this rulemaking may be directed to Karen Kavanagh at 312/814-6062, e-mail address: [kkavanag@pcb084rl.state.il.us](mailto:kkavanag@pcb084rl.state.il.us)

**Board Adopts Amendments in Identical-in-Substance Consolidated Rulemaking Dockets, R98-21, R99-2, and R99-7**

On December 17, 1998, the Board adopted amendments in identical-in-substance consolidated rulemaking dockets, R98-21, R99-2, and R99-7. See RCRA Update, USEPA Regulations (July 1, 1997, through December 31, 1997), RCRA Update, USEPA Regulations (January 1, 1998, through June 30, 1998), UIC Update, USEPA Regulations (January 1, 1998, through June 30, 1998) (December 17, 1998), R98-21, R99-2, R99-7.

Pursuant to Sections 13(c) and 22.4(a) of the Environmental Protection Act (415 ILCS 5/13(c) & 22.4(a) (1996)), the Board adopted amendments to

Illinois regulations that are identical-in-substance to hazardous waste regulations adopted by the United States Environmental Protection Agency (USEPA) to implement Subtitle C of the federal Resource Conservation and Recovery Act (42 U.S.C. §§ 6921 *et seq.* (1996)). The Board further adopted amendments to the Illinois regulations that are identical-in-substance to underground injection control regulations adopted by the USEPA to implement provisions of the Safe Drinking Water Act (42 U.S.C. § 300h *et seq.* (1996)).

On September 17, 1998, the Board adopted the proposed amendments for publication in the *Illinois Register* (22 Ill. Reg. 18125 (October 9, 1998)). Two public comments were filed with the Board during the public comment period.

Please direct any questions regarding this rulemaking to Michael McCambridge at 312/814-6924; e-mail address: [mmccambr@pcb084rl.state.il.us](mailto:mmccambr@pcb084rl.state.il.us)



<b>FEDERAL ACTIONS</b> <b>CONTINUED FROM PAGE 1</b>
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The NPDWRs consist of maximum residual disinfectant levels (MRDLs), maximum contaminant levels (MCLs) or treatment techniques for these disinfectants and their byproducts. The NPDWRs also include monitoring, reporting, and public notification requirements for these compounds. The USEPA bases MRDLs and MCLs on the best available control technology.

The regulations are known as the Stage 1 Disinfection Byproducts Rule (DBPR). The USEPA anticipates the implementation of the State 1 DBPR will reduce the levels of disinfectants and disinfection byproducts in drinking water supplies.

The USEPA also anticipates the rules will provide public health protection for an additional 20 million households that were not previously covered by drinking water rules for disinfection byproducts. In addition, for the first time, the rules will provide public health protection from exposure to haloacetic acids, chloride (a major chlorine dioxide byproduct) and bromate (a major ozone byproduct).

The Stage 1 DBPR applies to public water systems that are community water systems and nontransient noncommunity water systems that treat their water with a chemical disinfectant for either primary or residual treatment. In addition, certain requirements for chlorine dioxide apply to transient noncommunity water systems.

These regulations are effective February 16, 1999. For further information contact the Safe Drinking Water Hotline at 800/426-4791.

The Board anticipates adoption of these regulations through an identical-in-substance rulemaking pursuant to Sections 7.2 and 17.5 of the Environmental Protection Act (415 ILCS 7.2, 17.5 (1996)).



### **United States Environmental Protection Agency Adopts Interim Enhanced Surface Water Treatment Rules as Part of the National Primary Drinking Water Regulations**

On December 16, 1998, the United States Environmental Protection Agency (USEPA) adopted interim enhanced surface water treatment rules (IESWTR) as part of the National Primary Drinking Water Regulations. 63 Fed. Reg. 69478 (December 16, 1998). The IESWTR are intended to improve control of microbial pathogens, including the protozoan, cryptosporidium in drinking water, and address risk trade-offs with disinfection byproducts. Key provisions include: a Maximum Contaminant Level Goal of zero for cryptosporidium; 2-log cryptosporidium removal requirements for systems that filter; strengthened combined filter effluent turbidity performance standards and individual filter turbidity provisions; disinfection benchmark provisions to assure continued levels of microbial protection while facilities take the necessary steps to comply with new disinfection byproduct standards; inclusion of cryptosporidium in the definition of groundwater under the direction influence of surface water and in the watershed control requirements for unfiltered public water systems; requirements for covers on new finished water reservoirs; and sanitary surveys for all surface water systems regardless of size. The IESWTR builds upon the treatment technique requirements of the Surface Water Treatment Rule.

The USEPA anticipates the implementation of the IESWTR will significantly reduce the level of cryptosporidium in finished drinking water supplies through improvements in filtration. The USEPA estimates that the likelihood of endemic illness from cryptosporidium will decrease by 110,000 to 463,000 cases annually. The USEPA anticipates that the rule will also reduce the likelihood of occurrence of outbreaks of cryptosporidiosis by providing a larger margin of safety against such outbreaks for some systems. In addition, the filtration provisions of the rule are expected to increase the level of protection from exposure to other pathogens (*i.e.*, giardia or other waterborne bacterial or viral pathogens).

These regulations are effective February 16, 1999. For further information contact the Safe Drinking Water Hotline at 800/426-4791.

The Board anticipates adoption of these regulations through an identical-in-substance rulemaking pursuant to Sections 7.2 and 17.5 of the Environmental Protection Act (415 ILCS 7.2, 17.5 (1996)).



### **United States Environmental Protection Agency Proposes National Emission Standards for Hazardous Air Pollutants for Amino/Phenolic Resins**

On December 14, 1998, the United States Environmental Protection Agency (USEPA) proposed national emission standards for hazardous air pollutants (NESHAPs) for amino/phenolic resins. 63 Fed. Reg. 68831 (December 13, 1998). The USEPA anticipates that the proposed rule will reduce air emissions of hazardous air pollutants from existing and new sources that manufacture amino/phenolic resins. The proposed rule implements Section 112 of the Clean Air Act Amendments of 1990 (42 U.S.C. § 7401 *et seq.* (1990)) and is based on the USEPA's determination that amino/phenolic resin sources emit hazardous air pollutants (HAPs) identified on the USEPA's list of HAPs. The resins covered by the proposed rule use formaldehyde as a primary feedstock. The major HAP emitted by sources covered by the proposed rule include formaldehyde, methanol, phenol, xylene, and toluene. Beginning with the first year after sources are required to

comply with the proposed rule, the USEPA concludes that the proposed rule is estimated to reduce HAP emissions from existing sources by 356 megagrams per year (Mg/yr) from a baseline level of 644 Mg/yr. This will result in a 55% reduction from current emissions.



### **United States Environmental Protection Agency Proposes Administrative Agreement Regarding West Roosevelt Drum Superfund Site, Chicago, Cook County, Illinois**

On December 23, 1998, the United States Environmental Protection Agency (USEPA) executed a proposed administrative agreement under Section 122 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (42 U.S.C. § 9622 (1986)) for collection of a percentage of response and oversight costs at the West Roosevelt Superfund Site, located at 5728-32 West Roosevelt Road, Chicago, Cook County. The settling party agrees to pay \$17,000 out of total response and oversight costs of approximately \$23,120, and in return, the settling party will receive a covenant not to sue and contribution protection from the USEPA. The settling party previously performed a superfund removal under a section 106 CERCLA unilateral order at a cost of approximately \$50,000.

Copies of the proposed settlement are available at the following address for review: Derrick Kimbrough at 312/886-9789; USEPA, Region V, 77 W. Jackson Blvd. (P-19J), Chicago, Illinois 60604.



### **United States Environmental Protection Agency Proposes Amendments to National Emission Standards for Hazardous Air Pollutants for Pulp and Paper Production**

On December 28, 1998, the United States Environmental Protection Agency (USEPA) proposed amendments to certain regulatory text in the national emission standards for hazardous air pollutant pulp and paper regulations regarding the Voluntary Advanced Technology Incentives Program. 63 Fed. Reg. 71408 (December 28, 1998). On April 15, 1998, the USEPA, under the authority of the Clean Air Act Amendments (42 U.S.C. § 7401 *et seq.* (1990)), promulgated standards to reduce hazardous air pollutant (HAP) emissions from the pulp and

paper production source category (see 63 Fed. Reg. 18504 (April 15, 1998)). This rule is known as the pulp and paper national emissions standards for hazardous air pollutants and is the air component of the integrated air and water rules for the pulp and paper industry, commonly known as the Pulp and Paper Cluster Rules.

Section 9.1(a) of the Illinois Environmental Protection Act (Act) (415 ILCS 5/9.1(a) 1996)) provides that NESHAPs are applicable and enforceable under the Act without further rulemaking.



### **United States Environmental Protection Agency Adopts National Emission Standards for Hazardous Air Pollutants from Wood Furniture Manufacturing Operations**

On December 28, 1998, the United States Environmental Protection Agency (USEPA) adopted amendments to the national emission standards for hazardous air pollutants (NESHAP) from wood furniture manufacturing operations. 63 Fed. Reg. 71376 (December 28, 1998). The amendments are proposed pursuant to three agreements reached in settlement of the following petitions for review: Chemical Manufacturers Association v. EPA, No. 96-1031 (D.C. Cir.); Halogenated Solvents Industry Alliance, Inc. v. EPA, No. 96-1036 (D.C. Cir.); and Society of the Plastic Industry, Inc. v. Browner, No. 96-1038 (D.C. Cir.). This action also finalizes clarifying amendments, as well as technical amendments, to certain sections of the rule.

On December 7, 1995, the USEPA promulgated the wood furniture NESHAP. 60 Fed. Reg. 62930 (December 7, 1995). These standards established emissions limits, for among other things, coating and gluing of wood furniture and wood furniture components. Three different parties, the Chemical Manufacturers Association (CMA), the Halogenated Solvents Industry Alliance, Inc. (HSIA), and the Society of the Plastics Industry, Inc. (SPI) petitioned for judicial review of the final rule under Section 307(b) of the Clean Air Act Amendments (42 U.S.C. §7607 (1990)). On December 18, 1997, the USEPA executed settlement agreements with each of these petitioners.



The settlement agreement between the USEPA and the CMA requires the USEPA to conduct notice and comment rulemaking proposing that certain glycol ethers be removed from the list of volatile hazardous air pollutants of potential concern in table 6 of the wood furniture NESHAP. The settlement agreement between the USEPA and the HSIA requires the USEPA to: (1) conduct notice and comment rulemaking in accordance with Section 307(d) of the Clean Air Act Amendments (42 U.S.C. § 7607(d) (1990)) proposing that perchloroethylene and trichloroethylene be deleted from the list of pollutants prohibited from use in cleaning and wash-off solvents under Section 63.803(e) regulations (table 4 of the wood furniture NESHAP); and (2) give great weight to the recommendations of the Science Panel of the Joint Methylene Chloride Characterization Task Force regarding whether a reassessment of the cancer hazard for methylene chloride should be undertaken based on current scientific information. The settlement agreement also requires the USEPA to conduct an additional notice and comment rulemaking with respect to methylene chloride if methylene chloride is reassessed and certain findings are made as a result of that reassessment. Finally, the settlement agreement between the USEPA and the SPI requires that the USEPA propose technical amendments to the wood furniture NESHAP that would remove the subheadings of "Nonthreshold Pollutants," "High-Concern Pollutants," and "Unrankable Pollutants" in table 6, and remove footnote "a" to table 6 which relates to these hazard ranking classifications.

This action promulgates changes to the wood furniture NESHAP proposed to address the aforementioned settlement agreements. Entities potentially regulated by this action are owners or operators of facilities that are engaged, either in part or in whole, in wood furniture manufacturing operations and that are major sources as defined in 40 C.F.R. § 63.2.

Section 9.1(a) of the Illinois Environmental Protection Act (Act) (415 ILCS 5/9.1(a) 1996) provides that NESHAPs are applicable and enforceable under the Act without further rulemaking.



NOTICE OF ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S  
LISTING OF PARKER FEN, MCHENRY COUNTY,  
AS CLASS III: SPECIAL RESOURCE GROUNDWATER,  
FINAL LISTING



For the first time ever, the Illinois Environmental Protection Agency (IEPA), in accordance with 35 Ill. Adm. Code 620.230(b) requests final listing of Class III: Special Resource Groundwater. The first groundwater to receive the Class III designation is the groundwater that contributes to the Parker Fen Dedicated Nature Preserve (Parker Fen). Parker Fenn is located in the northeast part of Dorr township, in the unincorporated southeast quarter of McHenry County, Illinois.

Under the authority of 35 Ill. Adm. Code 620.230, Class III: Special Resource Groundwater can be established for: demonstrably unique (*e.g.*, irreplaceable sources of groundwater) and suitable for application of a water quality standard more stringent than the otherwise applicable water quality standard specified; for groundwater that is vital for a particularly sensitive ecological system; or groundwater contributing to a dedicated nature preserve that has been listed by the IEPA. The IEPA is required to review a written request to designate these areas, and upon confirmation for the technical adequacy, publish the listing of the dedicated nature preserve in the *Environmental Register* for a 45-day public comment period. Within 60 days after the close of the comment period, the IEPA is required to publish a final listing in the *Environmental Register*.

On December 12, 1997, Julene Perbohner, Esq. submitted a petition on behalf of Ms. Jewel Hahn to designate Parker Fen as Class III: Special Resource Groundwater. This was the first petition of this type received by the IEPA since adoption of the groundwater quality standards regulations adopted by the Board in 1991. The Groundwater Section in the Bureau of Water at the IEPA completed review required according to the criteria specified at subsection 620.230(b)(1), and found the petition to be technically adequate. The proposed listing appeared in the Board's September 1998 *Environmental Register* (vol. 531), stating that the IEPA would accept comments through November 30, 1998. No public comments were received. Accordingly, on January 8, 1999, Stephen C. Ewart, Esq., submitted this request for final listing.

Questions regarding the listing process and requests for hard copies of the listing petition should be directed to:

Richard P. Cobb, P.G.  
Manager, Groundwater Section  
Bureau of Water  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
217/785-4787  
epa3188@epa.state.il.us

# BOARD ACTIONS ♦ DECEMBER 3, 1998

## RULEMAKINGS

- |               |  |                            |
|---------------|--|----------------------------|
| <b>R97-16</b> | <u>In the Matter of: Proportionate Share Liability (35 Ill. Adm. Code 741)</u> - The Board adopted a second-notice opinion and order in this proposed rulemaking to establish procedures for determining proportionate share liability in environmental actions.   | 5-1<br>FLEMAL<br>DISSENTED |
| <b>R99-8</b>  | <u>In the Matter of: Permitting Procedures for the Lake Michigan Basin 35 Ill. Adm. Code 301 and 309.141</u> - The Board granted the Illinois Environmental Protection Agency's motion for extension of time to file a response and the Illinois Environmental Regulatory Group's motion for leave to file a reply.                            | 6-0                        |
| <b>R99-10</b> | <u>In the Matter of: Hospital/Medical/Infectious Waste Incinerators: Adoption of 35 Ill. Adm. Code 229</u> - The Board accepted the Illinois Environmental Protection Agency's proposal to amend the Board's air pollution control regulations, granted motion to waive the filing requirements, and adopted a first-notice opinion and order. | 6-0                        |

## ADMINISTRATIVE CITATIONS

- |                 |  |     |
|-----------------|--|-----|
| <b>AC 99-10</b> | <u>County of Will v. Douglas Adams</u> - The Board found that this Will County respondent violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (1996)) and ordered respondent to pay a civil penalty of \$500. | 6-0 |
|-----------------|--|-----|

## ADJUDICATORY CASES

### ♦ DECISIONS

- |                   |   |     |
|-------------------|---|-----|
| <b>PCB 98-160</b> | <u>Devro-Teepak, Inc. (Permit Application No. 95120325) v. IEPA; and Devro-Teepak, Inc. (Permit Application No. 95120326) v. IEPA</u> - The Board affirmed in part and reversed in part the Illinois Environmental Protection Agency's denial of petitioner's request for trade secret protection in two Clean Air Act Permit Program permit applications on behalf of a Vermilion County facility. | 6-0 |
|-------------------|---|-----|

**PCB 99-55**     People of the State of Illinois v. Symons Corporation - The Board granted relief from the hearing requirement of Section 31(c)(2) of the Environmental Protection Act (415 ILCS 5/31(c)(2) (1996)), accepted a stipulation and settlement agreement in this air enforcement action involving a Cook County facility, ordered respondent to pay a civil penalty of \$17,500, and to cease and desist from further violations. 6-0

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◆ **MOTIONS AND OTHER MATTERS**

**PCB 94-288**     People of the State of Illinois v. Diversified Abatement Contractors, Inc., an Illinois corporation, and John Nordigian, individually and as president of Diversified Abatement Contractors, Inc. - 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 Lake County facility, the Board ordered publication of the required newspaper notice. 6-0

**PCB 96-261**     People of the State of Illinois v. G.M. Demolition Corporation - The Board granted respondent's motion for additional time to file a response in this air enforcement action involving a facility located in Cook and Kankakee Counties. 6-0

**PCB 97-94**     Jerry Austman and Theresa Strahm v. Amoco Oil Company - The Board granted the parties' joint motion to dismiss this citizen's underground storage tank enforcement action involving an Livingston County facility. 6-0

**PCB 97-115**     People of the State of Illinois v. Citizens Utilities Company of Illinois, an Illinois corporation and successor by merger to Metro Utility Company - Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this water enforcement action against a Kane County facility, the Board ordered publication of the required newspaper notice. 6-0

**PCB 98-2**     ESG Watts, Inc. (Sangamon Valley Landfill) v. Sangamon County, Illinois - The Board denied petitioner's motion to set aside certain hearing officer orders in this landfill siting appeal involving a Sangamon County facility. 6-0

**PCB 98-80**     People of the State of Illinois v. Craig Linton and Randy Rowe - The Board denied complainant's motion for summary judgment in this land enforcement action involving a LaSalle County facility. 6-0

<b>PCB 98-81</b>	<u>Charter Hall Homeowner's Association and Jeff Cohen v. Overland Transportation Systems, Inc. and D.P. Cartage, Inc.</u> - The Board denied respondents' motion for reconsideration and clarification and complainants' motion for leave to file an amended complaint in this citizens' noise enforcement action involving a Cook County facility.	6-0
<b>PCB 98-114</b>	<u>David Mulvain v. Village of Durand</u> - The Board denied respondent's motion for summary judgment in this citizen's water enforcement action involving a Winnebago County facility.	6-0
<b>PCB 98-173</b>	<u>McHenry County Defenders, Inc. v. IEPA and The City of Woodstock</u> - The Board granted petitioner's motion for voluntary dismissal of this National Pollutant Discharge Elimination System permit appeal involving a McHenry County facility.	6-0
<b>PCB 99-46</b>	<u>Illinois State Toll Highway Authority, Belvidere Oasis on I-90 West Bound (North) v. IEPA</u> - Having previously granted a request for a 90-day extension, the Board dismissed the matter because no underground storage tank appeal was timely filed on behalf of this Boone County facility.	5-0 MELAS ABSTAINED
<b>PCB 99-47</b>	<u>Illinois State Toll Highway Authority, Belvidere Oasis on I-90 East Bound (South) v. IEPA</u> - Having previously granted a request for a 90-day extension, the Board dismissed the matter because no underground storage tank appeal was timely filed on behalf of this Boone County facility.	5-0 MELAS ABSTAINED
<b>PCB 99-60</b>	<u>The Pillsbury Company v. IEPA</u> - The Board granted petitioner's motion for voluntary dismissal of this request for trade secret determination involving a Kane County facility.	6-0
<b>PCB 99-67</b>	<u>City of Elgin v. IEPA</u> - The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a Cook County facility.	6-0
<b>PCB 99-68</b>	<u>Huntsman Chemical Corporation v. IEPA</u> - The Board granted this request for a 90-day extension of time to file an air permit appeal on behalf of a LaSalle County facility.	6-0

- PCB 99-69**     Land and Lakes Company v. Randolph County Board of Commissioners - The Board accepted for hearing this pollution control facility siting appeal involving a Randolph County facility.

6-0
- PCB 99-70**     Will County Sheriff's Department v. IEPA - The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a Will County facility.

6-0

B O A R D   A C T I O N S     ◆     D E C E M B E R   1 7 ,   1 9 9 8

**RULEMAKINGS**

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- R97-16**     In the Matter of: Proportionate Share Liability (35 Ill. Adm. Code 741) - The Board adopted a final opinion and order in this rulemaking to **establish procedures for determining proportionate share liability in environmental actions.**

6-0
- R98-14**     In the Matter of: Petition of PDV Midwest Refining, L.L.C. for a Site-Specific Rulemaking Amendment to 35 Ill. Adm. Code 304.213 - The Board adopted a final opinion and order in this rulemaking to amend the Board's water pollution control regulations.

6-0
- R98-21**  
**R99-2**  
**R99-7**     In the Matter of: RCRA Update, USEPA Regulations (July 1, 1997, through December 31, 1997); RCRA Update, USEPA Regulations (January 1, 1998, through June 30, 1998); UIC Update, USEPA Regulations (January 1, 1998, through June 30, 1998) - The Board adopted a final opinion and order, in this "identical-in-substance" rulemaking to amend the Board's hazardous waste disposal regulations.

6-0
- R98-29**     In the Matter of: Non-Hazardous Special Waste Hauling and the Uniform Program 35 Ill. Adm. Code 809 (Pursuant to P.A. 90-219) - The Board adopted a first notice opinion and order in this rulemaking to amend the Board's non-hazardous special waste hauling regulations. The Board also granted the Illinois Environmental Protection Agency's motion to sever and established a docket R99-18, to handle the issues of used oil transportation and used oil management facilities.

6-0

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|---------------|--|-----|
| <b>R99-4</b>  | <u>In the Matter of: Wastewater Pretreatment Update, USEPA Regulations (January 1, 1998, through June 30, 1998)</u> - The Board adopted a proposal for public comments, in this “identical-in-substance” rulemaking to amend the Board’s wastewater pretreatment regulations.  | 6-0 |
| <b>R99-8</b>  | <u>In the Matter of: Permitting Procedures for the Lake Michigan Basin 35 Ill. Adm. Code 301 and 309.141</u> - The Board denied the Illinois Environmental Regulatory Group’s motion to dismiss.   | 6-0 |
| <b>R99-9</b>  | <u>In the Matter of: Hearings Pursuant to Specific Rules, Proposed New Subpart K, Involuntary Termination of Environmental Management System Agreements, 35 Ill. Adm. Code 106, Subpart K</u> - The Board adopted a second-notice opinion and order in this proposed rulemaking to establish procedures for the involuntary termination of Environmental Management System Agreements. | 6-0 |
| <b>R99-18</b> | <u>In the Matter of: Amendments to Permitting for Used Oil Management and Used Oil Transport: 35 Ill. Adm. Code 807 and 809</u> - The Board granted the Illinois Environmental Protection Agency’s motion to sever in R98-29 and opened this docket R99-18 to handle the issues of used oil transportation and used oil management facilities.   | 6-0 |

**ADJUSTED STANDARDS**

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|----------------|---|-----|
| <b>AS 90-5</b> | <u>In the Matter of: Petition of R. Lavin &amp; Sons, Inc. for an Adjusted Standard from 35 Ill. Adm. Code 302.102, 302.208, 302.210, and Subpart F, Procedures for Determining Water Quality Criteria</u> - The Board granted petitioner’s motion for withdrawal of this petition for an adjusted standard involving a Lake County facility. | 6-0 |
| <b>AS 92-1</b> | <u>In the Matter of: Petition of the Stiffel Company for an Adjusted Standard from 35 Ill. Adm. Code Part 218 Subpart F</u> - The Board granted petitioner’s motion for withdrawal of this petition for an adjusted standard involving a Cook County facility.  | 6-0 |
| <b>AS 99-5</b> | <u>In the Matter of: Petition of Abbott Laboratories for an Adjusted Standard from 35 Ill. Adm. Code 302.208 and 304.105</u> - The Board ordered petitioner to file an amended petition January 15, 1999, or this matter would be subject to dismissal.   | 6-0 |

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**ADMINISTRATIVE CITATIONS**

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- AC 99-15**      IEPA v. Donald Bauser - The Board found that this Cass County respondent violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (1996)) and ordered respondent to pay a civil penalty of \$500.      6-0
- AC 99-16**      IEPA v. Jack Smothers d/b/a American Iron & Metal Company - The Board found that this Williamson County respondent violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (1996)) and ordered respondent to pay a civil penalty of \$500.      6-0
- AC 99-17**      IEPA v. Lawrence E. Smith, Jr. and Marilynn J. Smith - The Board found that these Morgan County respondents violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (1996)) and ordered respondents to pay a civil penalty of \$500.      6-0
- AC 99-18**      IEPA v. Lawrence Griffith - The Board found that this Macoupin County respondent violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (1996)) and ordered respondent to pay a civil penalty of \$500.      6-0

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**ADJUDICATORY CASES**

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♦ **DECISIONS**

- PCB 98-61**      People of the State of Illinois v. James Patton, an individual d/b/a A&J Manufacturing - The Board granted relief from the hearing requirement of Section 31(c)(2) of the Environmental Protection Act (415 ILCS 5/31(c)(2) (1996)), accepted a stipulation and settlement agreement in this Resource Conservation and Recovery Act enforcement action involving a Cook County facility, and ordered respondent to pay a civil penalty of \$8,500 and to cease and desist from further violations.      6-0
- PCB 98-83**      People of the State of Illinois v. Donald Swinson d/b/a Rock View Stone Company - The Board granted relief from the hearing requirement of Section 31(c)(2) of the Environmental Protection Act (415 ILCS 5/31(c)(2) (1996)), accepted a stipulation and settlement agreement in this air enforcement action concerning asbestos demolition and renovation activity performed at various sites located in Rockford, Winnebago County, Illinois, and ordered respondent to pay a civil penalty of \$10,000 and to cease and desist from further violations.      6-0



- PCB 98-89**      People of the State of Illinois v. Fischer Crane Company - The Board granted relief from the hearing requirement of Section 31(c)(2) of the Environmental Protection Act (415 ILCS 5/31(c)(2) (1996)), accepted a stipulation and settlement agreement in this Resource Conservation and Recovery Act enforcement action involving a Will County facility, and ordered respondent to pay a civil penalty of \$3,000 and to cease and desist from further violations. 6-0
- PCB 99-21**      Central Illinois Light Company (Duck Creek Station) v. IEPA - The Board granted this Fulton County facility a variance, subject to conditions, from the Board's June 20, 1996 order in AS 96-8 which granted CILCO an adjusted water quality standard for boron. 6-0

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◆ **MOTIONS AND OTHER MATTERS**

- PCB 90-31**      R. Lavin & Sons, Inc. v. IEPA - The Board granted petitioner's motion for voluntary dismissal of this petition for variance involving a Lake County facility. 6-0
- PCB 91-139**      R. Lavin & Sons, Inc. v. IEPA - The Board granted petitioner's motion for voluntary dismissal of this National Pollutant Discharge Elimination System permit appeal involving a Lake County facility. 6-0
- PCB 94-288**      People of the State of Illinois v. Diversified Abatement Contractors, Inc., an Illinois corporation, and John Nordigian, individually and as president of Diversified Abatement Contractors, Inc. - The Board granted complainant's motion to dismiss respondent Diversified Abatement Contractors. 6-0
- PCB 94-391**      America's Carwash-HP, Inc. v. IEPA - The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal involving a Lake County facility. 6-0
- PCB 96-48**      Shell Oil Company (Orland Park Facility) v. IEPA - The Board granted the parties' joint motion for voluntary dismissal of this underground storage tank appeal involving a Cook County facility. 6-0
- PCB 96-84**      Forest Preserve District of DuPage County, Illinois v. Mineral and Land Resources Corporation, Southwind Financial, Ltd. f/k/a Abbott Contractors, Inc., Bluff City Materials, Inc. as Assignee of Abbott Contractors, Inc. - The Board granted complainant's motion for voluntary dismissal in this citizen's land and water enforcement action involving a DuPage County facility. 6-0

<b>PCB 96-180</b>	<u>Environmental Site Developers, Inc., Complainant/Counter-Respondent v. White &amp; Brewer Trucking, Inc., Respondent/Counter-Complainant</u> - The Board denied complainant/counter-respondent's motion for extension of briefing schedule as moot.	6-0
<b>PCB 96-261</b>	<u>People of the State of Illinois v. G.M. Demolition Corporation</u> - The Board granted complainant's motion for additional time to file a reply in this air enforcement action involving a facility located in Cook and Kankakee Counties.	6-0
<b>PCB 98-120</b>	<u>Autotime/Bob Macas, Inc. v. IEPA</u> - The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal involving a Cook County facility.	6-0
<b>PCB 99-38</b>	<u>Lawrence C. Sweda v. Outboard Marine Corporation and the City of Waukegan</u> The Board granted respondent Outboard Marine Corporation's motion to correct the September 17, 1998 order.	6-0
<b>PCB 99-50</b>	<u>Steven Tucker v. IEPA</u> - Having previously granted a request for a 90-day extension, the Board dismissed the matter because no underground storage tank appeal was timely filed on behalf of this Cook County facility.	6-0
<b>PCB 99-52</b>	<u>Central Illinois Light Company v. IEPA</u> - The Board accepted for hearing this land permit siting appeal involving a Tazewell County facility.	6-0
<b>PCB 99-53</b>	<u>Deer Creek Mackinaw Community Unit School District #701 v. IEPA</u> - Having previously granted a request for a 90-day extension, the Board dismissed the matter because no underground storage tank appeal was timely filed on behalf of this Tazewell County facility.	6-0
<b>PCB 99-54</b>	<u>Sullivan Community Unit School District #300 v. IEPA</u> - Having previously granted a request for a 90-day extension, the Board dismissed the matter because no underground storage tank appeal was timely filed on behalf of this Moultrie County facility.	6-0
<b>PCB 99-69</b>	<u>Land and Lakes Company v. Randolph County Board of Commissioners</u> - The Board granted respondent's motion for extension of time to file the county record.	6-0

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<b>PCB 99-73</b>	<u>People of the State of Illinois v. J.L. Clark, Inc.</u> - Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this water enforcement action against a DuPage County facility, the Board ordered publication of the required newspaper notice.	6-0
<b>PCB 99-74</b>	<u>General Mills Operations, Inc. v. IEPA</u> - The Board accepted this trade secret appeal involving a Kane County facility.	6-0
<b>PCB 99-75</b>	<u>General Electric Company v. IEPA</u> - The Board granted this request for a 90-day extension of time to file an air permit appeal on behalf of a LaSalle County facility.	6-0
<b>PCB 99-76</b>	<u>Northrup Oil Company v. IEPA</u> - The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a Peoria County facility.	6-0
<b>PCB 99-77</b>	<u>Howard Warsaw v. IEPA</u> - The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a Tazewell County facility.	6-0
<b>PCB 99-78</b>	<u>Kiehl Engineering Company, Inc. v. IEPA</u> - The Board accepted this petition for air variance involving a DuPage County facility for hearing.	6-0

**N E W C A S E S****DECEMBER 3, 1998**

**99-67** City of Elgin v. IEPA - The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a Cook County facility.

**99-68** Huntsman Chemical Corporation v. IEPA - The Board granted this request for a 90-day extension of time to file an air permit appeal on behalf of a Cook County facility.

**99-69** Land and Lakes Company v. Randolph County Board of Commissioners - The Board accepted for hearing this pollution control facility siting appeal involving a Randolph County facility.

**99-70** Will County Sheriff's Department v. IEPA - The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a Will County facility.

**99-71** Carl and Nina Brunson v. MCI WorldCom, Inc. and IXC Carrier, Inc. - The Board held for a later duplicitous/frivolous determination this citizens' noise enforcement action involving a Winnebago County facility.

**R99-10** In the Matter of: Hospital/Medical/Infectious Waste Incinerators: Adoption of 35 Ill. Adm. Code 229 - The Board accepted the Illinois Environmental Protection Agency's proposal to amend the Board's air pollution control regulations, granted motion to waive various requirements, and adopted a first-notice opinion and order.

**N E W C A S E S****DECEMBER 17, 1998**

**99-52** Central Illinois Light Company v. IEPA - The Board accepted for hearing this air permit siting appeal involving a Tazewell County facility.

**99-72** People of the State of Illinois v. Lake of Egypt Water District, Willis Dale Shadowens, and Gary R. Rhodes - The Board accepted for hearing this public water supply enforcement action against a Williamson County facility.

**99-73** People of the State of Illinois v. J.L. Clark, Inc. - Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this water enforcement action against a DuPage County facility, the Board ordered publication of the required newspaper notice.

**99-74** General Mills Operations, Inc. v. IEPA - The Board accepted this trade secret appeal involving a Kane County facility.

**99-75** General Electric Company v. IEPA - The Board granted this request for a 90-day extension of time to file an air permit appeal on behalf of a LaSalle County facility.

**99-76** Northrup Oil Company v. IEPA - The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a Peoria County facility.

**99-77** Howard Warsaw v. IEPA - The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a Tazewell County facility.

**99-78** Kiehl Engineering Company, Inc. v. IEPA - The Board accepted this petition for an air variance involving a DuPage County facility for hearing.

**AC 99-20** IEPA v. Lawrence County Disposal Centre, Inc., S&S Grading of Illinois, Inc., and Gary McLaren - The Board accepted an administrative citation against these Lawrence County respondents.

**AC 99-21** IEPA v. Charles Trammell d/b/a Trammell Trucking - The Board accepted an administrative citation against this Cook County respondent.

**AC 99-22** IEPA v. William Cagle - The Board accepted an administrative citation against this Macoupin County respondent.

**AC 99-23** IEPA v. Ed Kuresten d/b/a Greenland Tree & Lawn - The Board accepted an administrative citation against this Cook County respondent.

**R99-11** In the Matter of: Exemptions from Definitions of VOM, USEPA Amendments (July 1, 1998 through, December 31, 1998) - The Board reserved this docket for a routine identical-in-substance update. The update includes any federal amendments which occurred during the period of July 1, 1998 through December 31, 1998.

**R99-12** In the Matter of: SDWA Update, USEPA Regulations (July 1, 1998, through December 31, 1998) - The Board reserved this docket for a routine identical-in-substance update. The update includes any federal amendments which occurred during the period of July 1, 1998 through December 31, 1998.

**R99-13** In the Matter of: UIC Update, USEPA Regulations (July 1, 1998, through December 31, 1998) - The Board reserved this docket for a routine identical-in-substance update. The update includes any federal amendments which occurred during the period of July 1, 1998 through December 31, 1998.

**R99-14** In the Matter of: RCRA Subtitle D Update, USEPA Regulations (July 1, 1998, through December 31, 1998) - The Board reserved this docket for a routine identical-in-substance update. The update includes any federal amendments which occurred during the period of July 1, 1998 through December 31, 1998.

**R99-15** In the Matter of: RCRA Subtitle C Update, USEPA Regulations (July 1, 1998, through December 31, 1998) - The Board reserved this docket for a routine identical-in-substance update. The update includes any federal amendments which occurred during the period of July 1, 1998 through December 31, 1998.

**R99-16** In the Matter of: UST Update, USEPA Regulations (July 1, 1998, through December 31, 1998) - The Board reserved this docket for a routine identical-in-substance update. The update includes any federal amendments which occurred during the period of July 1, 1998 through December 31, 1998.

**R99-17** In the Matter of: Wastewater Pretreatment Update, USEPA Regulations (July 1, 1998, through December 31, 1998) - The Board reserved this docket for a routine identical-in-substance update. The update includes any federal amendments which occurred during the period of July 1, 1998 through December 31, 1998.

**R99-18** In the Matter of: Amendments to Permitting for Used Oil Management and Used Oil Transport: 35 Ill. Adm. Code 807 and 809 - The Board granted the Illinois Environmental Protection Agency's motion to sever the issues of used oil transportation and used oil management facilities from docket R98-29, and established this docket to handle them.

**R99-19** In the Matter of: Regulated Recharge Area Designation, Durand, Winnebago County - No action taken.

# CALENDAR OF MEETINGS

1/7/99 10:30 am		Illinois Pollution Control Board Meeting	600 S. Second Street Hearing Room 403 Conference Room Springfield, IL
1/21/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
1/21/99 1:00 pm	R99-10	Hospital/Medical/Infectious Waste Incinerators: Adoption of 35 Ill. Adm. Code 229	James R. Thompson Center 100 W. Randolph Street Suite 9-031 Chicago, IL
1/26/99 10:00 am	PCB 98-171	People of the State of Illinois v. Victor Cory	Illinois Pollution Control Board 600 S. Second Street Hearing Room 403 Springfield, IL
2/3/99 3:00 pm	R99-10	Hospital/Medical/Infectious Waste Incinerators: Adoption of 35 Ill. Adm. Code 229	Illinois Pollution Control Board 600 S. Second Street Hearing Room 403 Springfield, IL
2/4/99 11:30 am		Illinois Pollution Control Board Meeting	600 S. Second Street Hearing Room 403 Conference Room Springfield, IL
2/11/99 1:00 pm	R99-10	Hospital/Medical/Infectious Waste Incinerators: Adoption of 35 Ill. Adm. Code 229	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
2/18/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
3/4/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
3/18/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
4/1/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
4/7/99	PCB 99-38	Lawrence C Sweda v. Outboard Marine	Lake County Courthouse

9:30 am		Corporation and the City of Waukegan	Room 301 18 North County Street Waukegan, IL
4/8/99 9:30 am	PCB 99-38	Lawrence C Sweda v. Outboard Marine Corporation and the City of Waukegan	Lake County Courthouse Room 301 18 North County Street Waukegan, IL
4/15/99 10:30 am		<b>Illinois Pollution Control Board Meeting</b>	<b>James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL</b>
5/6/99 11:30 am		<b>Illinois Pollution Control Board Meeting</b>	<b>600 S. Second Street Hearing Room 403 Springfield, IL</b>
5/20/99 10:30 am		<b>Illinois Pollution Control Board Meeting</b>	<b>James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL</b>
6/3/99 10:30 am		<b>Illinois Pollution Control Board Meeting</b>	<b>James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL</b>
6/17/99 10:30 am		<b>Illinois Pollution Control Board Meeting</b>	<b>James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL</b>
7/8/99 10:30 am		<b>Illinois Pollution Control Board Meeting</b>	<b>James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL</b>
7/22/99 10:30 am		<b>Illinois Pollution Control Board Meeting</b>	<b>James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL</b>
8/5/99 11:30 am		<b>Illinois Pollution Control Board Meeting</b>	<b>600 S. Second Street Hearing Room 403 Springfield, IL</b>
8/19/99 10:30 am		<b>Illinois Pollution Control Board Meeting</b>	<b>James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL</b>
9/9/99 10:30 am		<b>Illinois Pollution Control Board Meeting</b>	<b>James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL</b>
9/23/99 10:30 am		<b>Illinois Pollution Control Board Meeting</b>	<b>James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL</b>
10/7/99 10:30 am		<b>Illinois Pollution Control Board Meeting</b>	<b>James R. Thompson Center 100 W. Randolph Street</b>

			Suite 2-025 Chicago, IL
10/21/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
11/4/99 11:30 am		Illinois Pollution Control Board Meeting	600 S. Second Street Hearing Room 403 Springfield, IL
11/18/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
12/2/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
12/16/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL



## Illinois Environmental Protection Agency

## Division of Public Water Supplies

## Restricted Status List -- Public Water Supplies

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

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

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

This list is continually being revised as new information becomes available, and therefore, specific inquiries as to the status of any public water supply should be directed to the Division of Public Water Supplies for final determination. This list reflects the status as of January 1, 1999.

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

<u>NAME OF PUBLIC WATER SUPPLY/COUNTY/FACILITY #</u>	<u>EPA RGN</u>	<u>NATURE OF PROBLEM</u>	<u>POP SERVED</u>	<u>LISTING DATE</u>
Acorn Acres Sbdv (Lake Co - 0975020)	2	Inadequate Pres Tank	250	12/16/83
Alden Long Grove Nursing Center(Lake Co - 0971090)	2	Inadequate Pres Tank	204	06/15/93
Ashley (Washington Co - 1890100)	6	Trihalomethane	825	06/15/92
Bahl Wtr Corp (Jo Daviess Co - 0855200)	1	Inadequate Pres Storage	700	12/15/93
Bartmann Health Care Center (Logan Co-1075169)	5	Inadequate Pres Tank	93	12/16/83
Belmont-Highwood PWD (DuPage Co - 0435180)	2	Trichloroethylene	498	09/16/93
Benld (Macoupin Co - 1170050)	5	Trihalomethane	1,634	09/16/96
Biggsville (Henderson Co - 0710050)	5	Adjusted Gross Alpha	350	03/15/98
Blue & Gold Hmownrs Assn (Winnebago Co - 2015250)	1	Inad Pres Tank & Source of Supply	170	06/17/83
Blue Mound (Macon Co - 1150100)	4	Nitrate	1,165	03/15/97
Bonnie Lane Water Supply (Kendall Co - 0930010)	2	Inadequate Pres Tank	49	09/16/93
Bradford (Stark Co - 1750050)	1	Gross Alpha	650	06/15/98
Bradley Hts Sbdv (Winnebago Co - 2015050)	1	Inadequate Pres Tank	192	09/13/85
Bryant (Fulton Co - 0570200)	5	Gross Alpha	310	03/15/98
Buck Lake Ests Sbdv (DeKalb Co - 0375100)	1	Inadequate Pres Tank	200	09/14/84
Buckingham (Kankakee Co - 0910250)	2	Inadequate Pres Tank	330	03/17/89
Byron Woods Sbdv (Rock Island Co - 1610070)	1	Arsenic	150	03/15/98

Division of Public Water Supplies  
 Restricted Status List -- Public Water Supplies  
 January, 1999

<u>NAME OF PUBLIC WATER SUPPLY/COUNTY/FACILITY #</u>	<u>EPA RGN</u>	<u>NATURE OF PROBLEM</u>	<u>POP SERVED</u>	<u>LISTING DATE</u>
Campus (Livingston Co - 1050050)	4	Inadequate Pres Tank	230	03/20/81
Carroll Hts Utl Cmpny (Carroll Co - 0155200)	1	Inadequate Pres Tank	80	03/20/81
Century Pines Apts (Carroll Co - 0150020)	1	Inadequate Pres Tank	50	12/14/90
* Chester (Randolph Co - 1570100)	6	Total Trihalomethane	5,300	12/15/98
Claremont Hls Sbdv (McHenry Co - 1115080)	2	Inadequate Pres Tank	330	03/15/96
Clearview Sbdv (Will Co - 1975360)	2	Inadequate Pres Tank	420	01/13/82
Coffeen (Montgomery Co - 1350150)	5	Trihalomethane	800	03/17/92
Community Srvc Corp (McHenry Co - 1115350)	2	Inadequate Pres Tank	750	09/16/83
Coulterville (Randolph Co - 1570150)	6	Trihalomethane	1,100	09/16/96
Coyne Cntr Coop (Rock Island Co - 1615150)	1	Inadequate Pres Tank	150	12/15/97
Cropsey Cmnty Wtr (McLean Co - 1135150)	4	Inadequate Pres Tank	60	03/20/81
Crystal Clear Wtr Cmpny (McHenry Co - 1115150)	2	Inadequate Pres Tank	900	09/16/88
Crystal Hts Assn (McHenry Co - 1115100)	2	Inadequate Pres Tank	93	06/17/96
Ctzns Liberty Ridge Dvn (DuPage Co - 0435650)	2	Iandequate Pres Tank	2,510	03/15/94
D and R Apts (Champaign Co - 0190030)	4	Inadequate Pres Tank	26	09/16/93
Deering Oaks Sbdv (McHenry Co - 1115200)	2	Inadequate Pres Tank	60	12/17/82
DeKalb Univ Dvl Corp (DeKalb Co - 0375148)	1	Inadequate Pres Tank	950	12/16/92
DeWitt Cnty NH (DeWitt Co - 0395129)	4	Inadequate Pres Tank	80	06/17/83
DL Well Owners Assn (Lake Co - 0975380)	2	Inadequate Pres Tank	125	03/18/83
Dorchester (Macoupin Co - 1170250)	5	Trihalomethane	480	09/16/96
Dover (Bureau Co - 0110350)	1	Inadequate Pres Tank	200	05/25/81
Eagerville (Macoupin Co - 1170300)	5	Trihalomethane	187	09/16/96
East Moreland Wtr Assn (Will Co - 1975600)	2	Inadequate Pres Tank	753	03/20/81
East Moreland Wtr Corp (Will Co - 1975640)	2	Inadequate Pres Tank	135	03/15/96
Echo Lake Wtr Sys Block 7 (Lake Co - 0975820)	2	Inadequate Pres Tank	48	09/16/83
Edelstein (Peoria Co - 1435150)	5	Adjusted Gross Alpha	125	03/15/98
Ellis Grove (Randolph Co - 1570200)	6	Trihalomethane	720	12/16/96
Elm Oak Mutual Wtr Syst (Lake Co - 0975736)	2	Inad Pres Tank	45	06/13/86
Emmett Utl Inc (McDonough Co - 1095200)	5	Inadequate Pres Tank	39	12/17/82

Illinois Environmental Protection Agency  
 Division of Public Water Supplies

Restricted Status List -- Public Water Supplies  
January, 1999

<u>NAME OF PUBLIC WATER SUPPLY/COUNTY/FACILITY #</u>	<u>EPA RGN</u>	<u>NATURE OF PROBLEM</u>	<u>POP SERVED</u>	<u>LISTING DATE</u>
Evergreen Vlg Sbdv (Rock Island Co - 1615310	1	Inadequate Pres Tank	250	03/20/81
Fahnstock Court Sbdv (Peoria Co - 1435200)	5	Inadequate Pres Tank	30	05/25/81
Fair Acres Sbdv (Will Co - 1975680)	2	Inadequate Pres Tank	185	10/19/81
Forest Lake Addn (Lake Co - 0975500)	2	Inadequate Pres Tank	180	12/16/83
Frwr-Skyline Cpy (Kane Co - 0895030)	2	Inadequate Pres Tank	1,300	09/19/86
Garden Street Imprv Assn (Will Co - 1975376)	2	Inadequate Pres Tank	62	09/15/89
Glasford (Peoria Co - 1430350)	5	Adjusted Gross Alpha	1,115	12/15/97
Glenkirk Campus North (Lake Co - 0977189)	2	Inadequate Pres Tank	64	06/15/88
Glenkirk Campus South (Lake Co - 0977199)	2	Inadequate Pres Tank	36	06/15/88
Good Shepherd Mnr (Kankakee Co - 0915189)	2	Inadequate Pres Tank	140	03/17/89
Great Oaks&Beacon Hls Apts(Winnebago Co-2015488)	1	Inadequate Pres Tank	943	12/17/82
* Greenwood Outback (LaSalle Co - 0990080)	1	Inad Hydropneumatic Storage		12/15/98
Hawthorn Woods (Lake Co - 0970450)	2	Inadequate Pres Tank	800	03/15/95
Heatherfield Sbdv (Grundy Co - 0635150)	2	Inadequate Pres Tank	91	09/17/82
Highland Lake Sbdv (Lake Co - 0975750)	2	Inadequate Pres Tank	294	03/20/81
Highland Sbdv (Kane Co - 0895530)	2	Inadequate Pres Tank	50	09/16/83
Hillview Sbdv (Will Co - 1975800)	2	Inadequate Pres Tank	99	03/15/85
Hull (Pike Co - 1490350)	5	Tetrachloroethylene	529	03/15/97
Huntley Cmnty Sbdv (Will Co - 1975840)	2	Inadequate Pres Tank	48	03/16/84
Hutsonville (Crawford Co - 0330100)	4	Nitrate	650	03/15/98
Ingalls Pk Sbdv (Will Co - 1975880)	2	Inadequate Pres Tank	690	09/16/83
Island Lake Wtr Cmpny (Lake Co - 0975080)	2	Iron	2,250	06/15/90
Joy (Mercer County - 1310100)	1	Inadequate Source	495	09/16/96
Kaho PWD (Macoupin Co - 1170030)	5	Trihalomethane	847	03/15/98
Knoxville (Knox Co - 0950300)	5	Adjusted Gross Alpha	3,243	03/15/98
Lake Lynwood Wtr Sys (Henry Co - 0735330)	1	Inadequate Pres Tank	98	08/31/81
Lakeview Sbdv (Whiteside Co - 1955150)	1	Inadequate Pres Tank	146	03/20/81
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

January, 1999

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Legend Lakes Wtr Assn (Winnebago Co - 2015300)	1	Inadequate Pres Tank	225	03/14/91
Lemon Street Wl Cmpny Inc (Rock Island Co-1615550)	1	Inadequate Pres Tank	470	03/20/81
Liberty Park Homeowners Assn (DuPage Co - 0435600)	2	Inadequate Pres Tank	1,092	09/17/92
Lindenwood Wtr Assn (Ogle Co - 1415300)	1	Inadequate Pres Tank	50	01/13/82
Lisbon North Inc (Grundy Co - 0631000)	2	Inadequate Pres Tank	30	09/14/90
Little Swan Lake Sndst (Warren Co - 1875050)	5	Inad Hydropneumatic Storage	250	03/15/98
London Mills (Fulton Co - 0574620)	5	Inadequate Pres Tank	670	12/14/84
Long Creek Twsp PWS (Macon Co - 1155150)	4	Inadequate Treat Plant	5,000	09/15/98
Lynn Cntr (Henry Co - 0735100)	1	Inadequate Pres Tank	147	03/15/95
Lynnwood Water Corp (LaSalle Co - 0995336)	1	Inadequate Pres Tank	114	03/18/83
M C L W Sys Inc (Mercer Co - 1315150)	1	Inadequate Source	100	03/20/81
Maple Hill Imprv Assn (DuPage Co - 0435800)	2	Inad Pres Tank & Trichloroethylene	234	08/31/81
Maple Leaf Ests Wtr Corp (Monroe Co - 1335100)	6	Inadequate Pres Tank	39	03/20/81
Mapleton (Peoria Co - 1430500)	5	Adjusted Gross Alpha	350	03/15/98
Mayfair Sbdv (Tazewell Co - 1795750)	5	Inadequate Pres Tank	150	03/16/90
McHenry Shores (McHenry Co - 1115020)	2	Iron	1,460	06/13/97
Mound PWD (St Clair Co - 1635050)	6	Inadequate Plant Capacity	1,800	06/17/96
Mount Clare (Macoupin Co - 1170650)	5	Trihalomethane	297	09/16/96
Mount Gilead Shlcrhm (Greene Co - 0615129)	6	Inadequate Pres Tank	28	09/16/83
* Mount Olive (Macoupin Co - 1170700)	5	Total Trihalomethane	2,150	12/15/98
Northwest Belmont Imprv Assn (DuPage Co - 0435900)	2	Inadequate Pres Tank	115	09/29/81
Oak Ridge Sndst (Woodford Co - 2035300)	1	Inadequate Pres Tank	240	03/20/81
Oakview Avenue Wtrwks Inc (Will Co - 1977210)	2	Inadequate Pres Tank	350	03/20/81
Olivet Nazarene College (Kankakee Co - 0915279)	2	Inadequate Pres Tank	1,450	03/15/94
Opheim PWS (Henry Co - 0735150)	1	Inadequate Pres Tank	150	06/18/82
Osco Mutual Wtr Supply Cpy Inc (Henry Co-0735200)	1	Inadequate Pres Tank	115	12/15/89
Park Road Wtr Assn (Will Co - 1977330)	2	Inadequate Pres Tank	60	12/17/82
Park View Wtr Corp (Kane Co - 0895500)	2	Inadequate Pres Tank	150	12/17/82
Patoka (Marion Co - 1210400)	6	Inadequate Plant Capacity	731	03/15/97

Illinois Environmental Protection Agency  
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<u>NAME OF PUBLIC WATER SUPPLY/COUNTY/FACILITY #</u>	<u>EPA RGN</u>	<u>NATURE OF PROBLEM</u>	<u>POP SERVED</u>	<u>LISTING DATE</u>
Polo Dr & Saddle Rd Sbdv (DuPage Co - 0437000)	2	Inadequate Pres Tank	95	12/17/82
Prairie Ridge Assn (McHenry Co - 1115730)	2	Inadequate Pres Tank	140	03/16/90
Prairie View Wtr Assn (Tazewell Co - 1795900)	5	Inadequate Pres Tank	55	03/20/81
Princeville (Peoria Co - 1430750)	5	Adjusted Gross Alpha	1,815	12/15/97
Ridgecrest North Sbdv (Grundy Co - 0635250)	2	Inadequate Pres Tank	85	09/16/93
Ridgewood Ledges Wtr Assoc(Rock Island Co-1615670)	1	Inadequate Pres Tank	475	03/20/81
Ridgewood Sbdv (Will Co - 1977650)	2	Inadequate Pres Tank	315	06/18/82
Save Site (St Clair Co - 1635289)	6	Trihalomethane	375	06/15/92
Sawyererville (Macoupin Co - 1170850)	5	Trihalomethane	570	09/15/98
Sbdv Wtr Trust No 1 (Kane Co - 0895300)	2	Inadequate Pres Tank	1,120	03/20/81
Scribner Street Sbdv (Will Co - 1977660)	2	Inadequate Pres Tank	50	03/18/83
Shawnta Trc Wtr Assn (Will Co - 1977690)	2	Inadequate Pres Tank	125	09/17/92
Shipman (Macoupin Co - 1170950)	5	Trihalomethane	675	12/16/96
Silvis Heights Wtr Corp (Rock Island Co - 1615750)	1	Inadequate Pres Tank	1,680	03/20/82
Skyview Estates (Kankakee Co - 0915526)	2	Inadequate Pres Tank	65	09/14/84
Sorento (Bond Co - 0050300)	6	Trihalomethane	750	09/16/96
Spring Creek Wtr Assn (Macoupin Co - 1175450)	5	Trihalomethane	60	09/16/96
St Charles Cmsn Wlfnd 3 (DuPage Co - 0437040)	2	Inadequate Pres Tank	30	12/15/89
Staunton Res Rd Wtr (Macoupin Co - 1175250)	5	Trihalomethane	70	12/16/96
Sturm Sbdv (Lake Co - 0977010)	2	Inadequate Pres Tank	63	03/16/84
Suburban Heights Sbdv (Rock Island Co - 1615800)	1	Inadequate Pres Tank	114	12/16/83
Summit Homeowners Assn (Lake Co - 0975280)	2	Inadequate Pres Tank	48	03/16/84
Sunnyland Sbdv (Will Co - 1977730)	2	Inadequate Pres Tank	350	09/16/83
Swedona Wtr Assn (Mercer Co - 1315200)	1	Inadequate Pres Tank	100	06/15/90
Sylvan Lake 1st Sbdv (Lake Co - 0977100)	2	Inadequate Pres Tank	210	06/14/91
Taylor Springs (Montgomery Co - 1350650)	5	Trihalomethane	650	09/15/98
Towners Sbdv (Lake Co - 0977250)	2	Inadequate Pres Tank	238	01/14/82
Trivoli PWD (Peoria Co - 1435510)	5	Inadequate Pres Tank	350	06/17/83
Turkey Hollow Well Corp (Rock Island Co - 1615686)	1	Inadequate Pres Tank	32	06/18/82

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<u>NAME OF PUBLIC WATER SUPPLY/COUNTY/FACILITY #</u>	<u>EPA RGN</u>	<u>NATURE OF PROBLEM</u>	<u>POP SERVED</u>	<u>LISTING DATE</u>
Utl Inc Lake Holiday (LaSalle Co - 0995200)	1	Inad Source & Treat Plt	4,908	09/15/98
Utl Inc Northern Hls Utl Co(Stephenson Co-1775050)	1	Inadequate Pres Tank	290	03/15/96
Utl Inc Walk-Up Woods Wtr Co(McHenry Co - 1115800)	2	Inadequate Pres Tank	763	12/17/82
Wermes Sbdv (Kane Co - 0895750)	2	Inadequate Pres Tank	150	12/16/88
West Shoreland Sbdv (Lake Co - 0977050)	2	Inadequate Pres Tank	220	06/14/91
Westfield (Clark Co - 0230200)	4	Inadequate Water Source	700	06/15/93
White City (Macoupin Co - 1171150)	5	Trihalomethane	280	12/16/96
Wienen Estates (Jo Daviess Co - 0850030)	1	Inadequate Pres Tank	70	12/15/97
Wonder Lake Wtr Cmpny (McHenry Co - 1115750)	2	Inadequate Pres Tank	1,161	06/16/94
Woodland Hts Ests Sbdv (Peoria Co - 1435760)	5	Inadequate Pres Tank	245	03/20/81
Woodsmoke Ranch Assn (LaSalle Co - 0990030)	1	Inad Pres Tank	350	06/15/90
Yates City (Knox Co - 0950700)	5	Adjusted Gross Alpha	850	03/15/98
York Cntr Coop (DuPage Co - 0437550)	2	Inadequate Pres Tank	240	06/15/88
2nd Street Wtr Assn (Lake Co - 0971140)	2	Indaquate Pres Tank	33	12/15/95

PUBLIC WATER SUPPLIES REMOVED FROM PREVIOUS LIST

None

Illinois Environmental Protection Agency

Division of Public Water Supplies

Critical Review List -- Public Water Supplies

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

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

This list is continually being revised as new information becomes available, and therefore, specific inquiries as to the status of any public water supply should be directed to the Division of Public Water Supplies for final determination. This list reflects the status as of January 1, 1999.

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

<u>NAME OF PUBLIC WATER SUPPLY/COUNTY/FACILITY #</u>	<u>EPA RGN</u>	<u>NATURE OF PROBLEM</u>	<u>POP SERVED</u>	<u>LISTING DATE</u>
Bayles Lake Lot Owners Assn (Iroquois Co - 0755110)	4	Inad Hydropneumatic Storage	442	03/15/98
Bluford (Jefferson Co - 0810100)	7	Low System Pressure	465	03/20/81
Browning (Schuyler Co - 1690050)	5	Inadequate Source	495	03/15/98
Ctzns Chickasaw Hills Div (Will Co - 1975320)	2	Low System Pressure	7,700	09/17/92
Clayton Camp Point Wtr Cmsn (Adams Co - 0015200)	5	Inad Pumping Capacity	1,200	09/15/98
Clinton (DeWitt Co - 0390050)	4	Inad Plant Capacity	7,437	06/14/91
Columbia (Monroe Co - 1330050)	6	Inad Pumping Capacity	5,893	03/15/98
DePue (Bureau Co - 0110300)	1	Inad Treatment Plant	1,930	12/15/93
Dieterich (Effingham Co - 0490150)	4	Inadequate Source	568	03/15/94
Evansville (Randolph Co - 1570250)	6	Low System Pressure	1,838	05/25/81
Georgetown (Vermilion Co - 1830350)	4	Inadequate Water Plant	3,678	06/15/93
Hardin (Calhoun Co - 0130200)	6	Low System Pressure	1,175	11/25/81
Highland Hills Sndst (DuPage Co - 0435560)	2	Inadequate Pres Tank	1,100	09/17/92
Homer (Champaign Co - 0190300)	4	Inadequate Source	1,300	03/15/94
Kincaid (Christian Co - 0210250)	5	Plant Capacity	2,640	06/14/85
Lee (Lee Co - 1034600)	1	Inad Hydropneumatic Storage	350	03/15/98
McHenry Shores Wtr Cmpny (McHenry Co - 1115020)	2	Low System Pressure	1,170	09/17/92
Mechanicsburg Buffalo Wtr (Sangamon Co - 1675150)	5	Inadequate Source	1,030	03/15/98
Pearl (Pike Co - 1490650)	5	Inadequate Pres Tank	322	09/17/82
Pheasant Knolls Sbdv (Lake Co - 0970290)	2	Inad Hydropneumatic Storage	130	09/15/98
Scales Mound (Jo Daviess Co - 0850400)	1	Low System Pressure	400	09/15/97

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 January, 1999

<u>NAME OF PUBLIC WATER SUPPLY/COUNTY/FACILITY #</u>	<u>EPA RGN</u>	<u>NATURE OF PROBLEM</u>	<u>POP SERVED</u>	<u>LISTING DATE</u>
South Highway PWD (Jackson Co - 0775400)	7	Low System Pressure	8,189	06/15/92
Stockton (Jo Daviess Co - 0850450)	1	Low System Pressure	1,900	06/15/84
Sumner (Lawrence Co - 1010300)	7	Low System Pressure	1,553	12/13/85
Tower Ridge Sbdv (Rock Island Co - 1615780)	1	Inadequate Pres Tank	70	03/15/94
Utl Inc Lake Marian Wtr Corp (Kane Co - 0895200) Inad Pres Storage	2	Low Sys Pres &	800	09/14/84
Walnut Hill (Marion Co - 1210600)	6	Low System Pressure	1,200	06/14/85
West Liberty-Dundas Wtr Dst (Richland Co-1595050) & Inadequate Source	7	Low System Pressure	693	12/14/84
Wonder Lake Wtr Cmpny (McHenry Co - 1115750)	2	Inadequate Storage	1,080	12/14/90

PUBLIC WATER SUPPLIES REMOVED FROM PREVIOUS LIST

Baylis (Pike Co - 1490100)



# ILLINOIS POLLUTION CONTROL BOARD MEETING DATES

The following are regularly scheduled meetings of the Illinois Pollution Control Board.

## REGULAR BOARD MEETING SCHEDULE FOR CALENDAR YEAR 1998/1999\*

January 07	March 04	May 06*	July 08
January 21	March 18	May 20	July 22
February 04*	April 01	June 03	August 05*
February 18	April 15	June 17	August 19

**All Chicago Board Meetings will be held at 10:30 am in Conference Room 9-040 except for those noted.**

**\*All Springfield Board Meetings will be held in Hearing Room 403.**

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

Claire A. Manning, Chairman Springfield		
Ronald C. Flegal DeKalb	G. Tanner Girard Grafton	Kathleen M. Hennessey Western Springs
Marili McFawn Inverness	Nicholas J. Melas Chicago	Joseph Yi Park Ridge

The *Environmental Register* is a newsletter published by the IPCB monthly, and contains updates on rulemakings, descriptions of final decisions, the Board's hearing calendar, and other environmental law information of interest to the People of the State of Illinois.

Illinois Pollution Control Board  
James R. Thompson Center  
100 W. Randolph, Suite 11-500  
Chicago, Illinois 60601  
(312) 814-3620

Illinois Pollution Control Board  
600 South Second Street  
Suite 402  
Springfield, Illinois 62704  
(217) 524-8500

**Web Site: <http://www.ipcb.state.il.us/>**