

ENVIRONMENTAL REGISTER

Illinois Pollution Control Board News

No. 484

July, 1994

ILLINOIS EPA ISSUES DRAFT DRINKING WATER ADVISORY FOR MTBE CONTAMINATION

The Illinois EPA Office of Chemical Safety has issued a draft Notice of Health Advisory pursuant to the Illinois groundwater quality regulations (35 Ill. Adm. Code 620) on June 9, 1994. The Office of Chemical Safety stated that it was issuing the draft advisory for public comment because routine monitoring of public water supplies conducted by the Agency's Division of Public Water Supplies detected at least two supplies in which the contaminant was present. The Agency stated that it would accept public comments on the draft for 30 days, until August 22, 1994, then amend the advisory if necessary before issuing it in final form.

The draft advisory appears in this issue. Please direct inquiries to the IEPA Office of Chemical Safety, at 217-785-0830.

PRIOR LANDOWNER AGREES TO PAY CORRECTIVE ACTION COSTS, PCB 92-80

On June 2, 1994, in a case previously reported in the Environmental Register, a prior landowner has agreed to pay \$117,500.00 to the current owner of a contaminated parcel as reimbursement for corrective action costs incurred by the current owner, in *Lake County Forest Preserve Dist. v. Ostro* (June 2, 1994), PCB 92-80. The Board accepted the parties' stipulation and settlement agreement, thus ending this citizens' enforcement action filed by the current owner against the prior owner for corrective action undertaken with regard to contamination found at the site.

In the interim decision of March 31, 1994, the Board confronted the issue of a person found to have violated the Act recompensing a landowner for response costs. (See issue 481, Apr., 1994.) The Board ordered a prior landowner who caused contamination of the property to investigate the extent of contamination, remediate any remaining contamination, and reimburse the present landowner for the costs it incurred in removing contaminated debris and soils from the land. The parties filed the stipulation and settlement agreement in response to the interim order.

RULEMAKING UPDATE

PM₁₀ CONTINGENCY MEASURE AMENDMENTS ADOPTED, R93-30

On June 23, 1994, the Board adopted amendments to the PM₁₀ regulations. The amendments establish contingency rules for additional reductions in PM₁₀ emissions in the areas of the state designated as moderate nonattainment by U.S. EPA, in the event U.S. EPA finds that the area has failed to achieve compliance by December 31, 1994. Those areas are McCook and Lake Calumet Townships in Cook County, Granite City in Madison County, and a portion of Oglesby Township in LaSalle County.

The Illinois EPA (Agency) filed the new Clean Air Act (CAA) rule-making proposal for amendments on December 30, 1993 pursuant to the "fast-track" rulemaking provisions of Section 28.5 of the Environmental Protection Act. On January 6, 1994, the Board proposed the amendments for First Notice publication in the *Illinois Register* without review of their merits, as required by the statute. (See issues 478, Jan., 1994 & 479, Feb., 1994.) Section 28.5 required the Board to proceed within set time-frames toward the adoption of the proposed amendments.

The Board held a public hearing on the Agency's proposal on February 22, 1994. Hearings originally scheduled for March 22 and April 5, 1994 were cancelled because the level of public interest and participation so warranted. The Board proposed the parent rules for Second Notice review by the Joint Committee on Administrative Rules on May 5, 1994. (See issue 483, June, 1994.) The amendments will become effective upon filing with the Secretary of State. Direct questions to Elizabeth S. Harvey, at 312-814-6921. Please refer to docket R93-30.

LANDSCAPE WASTE COMPOST FACILITIES RULES PROPOSED FOR FIRST NOTICE, R93-29

On June 30, 1994, the Board proposed rules that would regulate landscape waste management facilities in Illinois. The proposed would have the Board establish performance standards for landscape compost facilities and testing procedures and standards for end-product compost derived from landscape waste and offered for sale or use in Illinois. The Board formally accepted the proposal on January 20, 1994, which was filed December 30, 1993 by the Agency. (See issue 479, Feb., 1994.)

This proceeding is one of three mandated by the Act. Section 22.33 requires that the Agency proposed standards for composting landscape wastes on or before January 1, 1994, and that the Board adopt such standards by December 1, 1994. Sections 22.34 and 22.35 set forth similar mandates relating to composting organic waste and mixed municipal waste, and Section 22.35. The R93-29

proposal addresses only the Section 22.33 mandate. Direct questions to Kevin G. Desharnais, at 312-814-6929. (Please refer to docket R93-29.)

PART II 15% ROP PLAN FOR VOM EMISSIONS PROPOSED FOR FIRST NOTICE, R94-15

On June 2, 1994, the Board proposed a new Clean Air Act (CAA) rulemaking for First Notice publication in the *Illinois Register*. The proposed amendments are the second installment in a series of proposals that would amend the volatile organic material (VOM) emissions regulations to continue to incorporate a plan for a 15 percent reduction in 1990 VOM emissions levels in the Chicago and Metro-East St. Louis areas (15% ROP plan). The Part II proposal contemplates extending VOM emissions control measures to the loading of marine vessels and deletion of the exemption for barge loading from the regulations applicable to "Miscellaneous Fabricated Product Manufacturing Processes", "Miscellaneous Formulated Manufacturing Processes", "Miscellaneous Organic Chemical Manufacturing Processes", and "Other Emissions Units" source categories.

The Agency filed this CAA rulemaking proposal with the Board on May 26, 1994. The Agency represented in the filing that section 182(b)(1) of the federal Clean Air Act mandates these reductions in all nonattainment areas for ozone by 1996. The Chicago and Metro-East areas are rated by U.S. EPA as "severe" and "moderate" nonattainment, respectively. The Agency states that the state must reduce the VOM emissions by 159 tons per day (tpd) in the Chicago area and by 36 tpd in the Metro-East area. The Agency stated that this proposal would constitute Part II of a broader 15% ROP plan. This is the second 15% ROP plan filing, and the Agency contemplates filing proposals for additional parts of the overall ROP plan in the future, in order to achieve the federal reductions requirements. (See issues 482, May, 1994, and 483, June, 1994.)

This rulemaking was filed pursuant to the "fast-track" rulemaking provisions of Section 28.5 of the Environmental Protection Act. As previously reported for earlier-filed CAA proceedings, (see issues 461, Dec. 2, 1992; 462, Dec. 16, 1992; 465, Feb. 24, 1993; 467, Mar. 24, 1993; 468, Apr. 7, 1993; 478, Jan., 1994; 482, May, 1994 & 483, June, 1994), Section 28.5 requires the Board to proceed within set time-frames toward the adoption of the proposed amendments. The Board lacks any discretion under the statute to adjust these time-frames under any circumstances.

The statute requires the Board to schedule three hearing dates in this matter, each for a prescribed purpose. The first day of hearing is reserved for presentations by the Agency and questions of Agency witnesses. The second scheduled day of hearing, if it occurs, is reserved for presentations by affected entities and all other interested persons. The third scheduled day of hearing, if it occurs, is reserved for any Agency response and responses of other parties. The hearings will be continued from day to day, as necessary, until all business is completed. However, the second and third hearing dates are subject to cancellation if the level of public interest and participation so warrant. The Board has scheduled hearings to occur in the Department of Transportation Classroom, 1100 East Port Plaza Drive, Collinsville, as follows:

11:00 a.m., Tuesday, July 12, 1994

11:00 a.m., Tuesday, August 9, 1994

11:00 a.m., Tuesday, August 23, 1994

Direct questions to Marie E. Tipsord, at 312-814-4925 or 618-498-9803. Please refer to docket R94-15.

(Editor's Note: This is the second 15 % ROP plan proposal filed with the Board. An article on the first, the Part I proposal, docketed as R94-12, appears in issue 483, June, 1994. An article on the third, the Part III proposal, docketed as R94-16, appears below.)

PART III 15% ROP PLAN FOR VOM EMISSIONS FILED, PROPOSED FOR FIRST NOTICE, R94-16

On June 15, 1994, the Agency filed a new Clean Air Act (CAA) rulemaking proposal. On June 23, 1994, the Board proposed the amendments of new proposal for First Notice publication in the *Illinois Register*. The proposed amendments are the third installment in a series of proposals that would amend the volatile organic material (VOM) emissions regulations to continue to incorporate a plan for a 15 percent reduction in 1990 VOM emissions levels in the Chicago and Metro-East St. Louis areas (15% ROP plan).

The Statement of Reasons states that the Part III proposal contemplates making the standards of Parts 218 and 219, Subpart B, "Organic Emissions from Storage and Loading Operations", and Subpart V, "Total Resource Effectiveness" (TRE), more stringent. The proposed rules would add the federal Control Technology Guidelines (CTG) and Alternative Control Technology (ACT) recommended controls for volatile organic liquids (VOLs) and volatile petroleum liquids (VPLs). The Agency anticipates that the TRE amendments will reduce VOM emissions by 4.05 tons per day (tpd) in the metropolitan Chicago area by 1996 and by an additional 1.58 tpd by 1999. The VOL/VPL amendments are anticipated to reduce the VOM emissions by 2.18 tpd in the Chicago area. The Agency expects no reductions in the Metro-East area.

The Agency represented in filing the proposal that section 182(b)(1) of the federal Clean Air Act mandates these reductions in all nonattainment areas for ozone by 1996. The Chicago and Metro-East areas are rated by U.S. EPA as "severe" and "moderate" nonattainment, respectively. The Agency states that Illinois must reduce the VOM emissions by 250 tons per day (tpd) in the Chicago area and by 27 tpd in the Metro-East area. The Agency stated that this proposal would constitute Part III of a broader 15% ROP plan. This is the third 15% ROP plan filing, and the Agency contemplates filing proposals for additional parts of the overall ROP plan in the future, in order to achieve the federal reductions requirements. (See issues 482, May, 1994 & 483, June, 1994.)

This rulemaking was filed pursuant to the "fast-track" rulemaking provisions of Section 28.5 of the Environmental Protection Act. As previously reported for earlier-filed CAA proceedings, (see issues 461, Dec. 2, 1992; 462, Dec. 16, 1992; 465, Feb. 24, 1993; 467, Mar. 24, 1993; 468, Apr. 7, 1993; 478, Jan., 1994; 482, May, 1994 & 483, June, 1994), Section 28.5 requires the Board to proceed within set time-frames toward the adoption of the proposed amendments. The Board lacks any discretion under the statute to adjust these time-frames under any circumstances.

The statute requires the Board to schedule three hearing dates in this matter, each for a prescribed purpose. The first day of hearing is reserved for presentations by the Agency and questions of Agency witnesses. The second scheduled day of hearing, if it occurs, is reserved for presentations by affected entities and all other interested persons. The third scheduled day of hearing, if it occurs, is reserved for any Agency response and responses of other parties. The hearings will be continued from day to day, as necessary, until all business is completed. However, the second and third hearing dates are subject to cancellation if the level of public interest and participation so warrant. The Board has scheduled hearings to occur at Room 9-040 of the James R. Thompson Center, 100 West Randolph Street, Chicago, as follows:

10:30 a.m., Thursday, August 4, 1994

10:30 a.m., Friday, September 2, 1994

10:30 a.m., Friday, September 16, 1994

Direct questions to Diane F. O'Neill, at 312-814-6062. Please refer to docket R94-16.

(Editor's Note: This is the third 15 % ROP plan proposal filed with the Board. Articles on the first and second, the Part I and Part II proposals, docketed as R94-12 and R94-15, respectively, appear above and in issues 482, May, 1994, and 483, June, 1994.)

PROCEDURAL RULES FOR APPEALS FROM STATE FIRE MARSHALL DETERMINATIONS PROPOSED FOR FIRST NOTICE, R94-11

On June 30, 1994, the Board proposed procedural rules for appeals from determinations of the Office of the State Fire Marshall (OSFM). Under recent amendments to the Environmental Protection Act, in P.A. 88-496, effective September 13, 1993 (see *issue 475, Oct. 6, 1993*), the OSFM is charged with making two new determinations in the course of remedial action relating to leaking underground petroleum storage tanks. The OSFM now makes the eligibility and deductibility determinations formerly made by the Agency. The Board is charged with hearing the owner or operator's appeals of those OSFM determinations. Although the Board has always heard those appeals when the determinations were made by the Agency, these are the first appeals of OSFM determinations that the Board has ever heard.

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

The Board will schedule one public hearing and accept public comments until the statutory minimum period 45 days has expired after a Notice of Proposed Rules appears in the *Illinois Register*. Direct questions to the hearing officer, Deborah Frank, at 217-356-5275. Please refer to docket R94-11.

SITE-SPECIFIC EFFLUENT LIMITATIONS FOR AMEROCK CORP. ADOPTED, R87-33

On June 23, 1994, the Board adopted a site-specific rule that would apply to the Rockford facility of Amerock Corporation. The rule sets alternative chromium (total and hexavalent), copper, zinc, cyanide, and total suspended solids limitations on the petitioner's stormwater discharges to Kent Creek, in Winnebago County. It will lapse by its own terms after December 31, 2000.

Amerock filed a petition for a site-specific rule on August 24, 1987. The Board conducted a public hearing on the merits of the proposal on January 25, 1988. The Department of Energy and Natural Resources submitted an economic impact study (EIS) on November 19, 1990, and the Board held a public hearing on the EIS on July 18, 1991. The Board proposed a rule for First Notice publication in the *Illinois Register* on February 3, 1994. After the expiration of the statutory 45-day public comment period, the Board proposed the rule for Second Notice review by the Joint Committee on Administrative Rules on May 5, 1994. (See *issue 483, June, 1994*.) As soon as the Board received a Certificate of No Objection from JCAR, it adopted the site-specific regulation. Direct questions to Elizabeth S. Harvey, at 312-814-6921. Please refer to docket R87-33.

AMENDMENTS TO GROUNDWATER QUALITY STANDARDS PROPOSED FOR SECOND NOTICE, R93-27

On June 2, 1994, the Board proposed amendments to the groundwater quality standards for Second Notice review by the Joint Committee on Administrative Rules. The proposed amendments would revise the Illinois groundwater quality standards of Part 620 to include additional contaminants. These contaminants are chemical species for which the U.S. EPA has adopted maximum contaminant levels for the purposes of the Safe Drinking Water Act regulations (found at 40 CFR 141 and 35 Ill. Adm. Code 611). The proposed amendments would add limitations for three metals and fourteen organic chemical contaminants to the lists of contaminants in Class I and Class II groundwaters.

The Illinois EPA (Agency) filed a petition on October 18, 1993 seeking the amendments. The Board held public hearings on February 8 and 23, 1994, in Springfield, and February 10, 1994, in Chicago. On March 17, 1994, the Board proposed amendments to the groundwater quality standards for First Notice publication in the *Illinois Register*. (See *issue 481, Apr., 1994*.) The Board will be free to adopt amendments based on the proposal when it has received a Certificate of No Objection from JCAR or 45 days after June 9, 1994, the date JCAR received the Second Notice package from the Board. Direct questions to Michelle C. Dresdow, at 815-753-0947. (Please refer to docket R93-27.)

AMENDMENTS PROPOSED TO MARATHON OIL COMPANY SITE-SPECIFIC RULE PROPOSED FOR SECOND NOTICE, R91-23

On June 23, 1994, the Board proposed site-specific amendments to the water pollution control regulations for Second Notice review by the Joint Committee on Administrative Rules. Those proposed amendments would change the existing site-specific limitations on Marathon Oil Company's discharges to an unnamed tributary to Sugar Creek (in the Wabash River basin). The effluent limitation for chlorides would increase from 700 mg/l to 1000 mg/l, and the stream water quality standard for chlorides would increase from 550 mg/l to 750 mg/l. The effluent limitation and the stream water quality standard for total dissolved solids would remain unchanged by the proposed amendments.

The Board proposed the amendments for First Notice publication in the *Illinois Register* on October 7, 1993. (See issue 476, Nov. 3, 1993.) The Board will be free to adopt amendments based on the present Second Notice proposed rules when it receives a Certificate of No Objection from JCAR or 45 days after JCAR received the Second Notice package from the Board. Direct questions to Michelle C. Dresdow, at 815-753-0947. Please refer to docket R91-23.

SECOND NOTICE PROPOSED FOR STEEL AND FOUNDRY LANDFILL AMENDMENTS, R90-26(B)

On June 23, 1994, the Board proposed certain amendments to the landfill regulations for Second Notice review by the Joint Committee on Administrative Rules (JCAR). The rulemaking, subdocket B of the R90-26 steel and foundry waste landfill amendments, would augment amendments proposed in the parent docket for First Notice on September 23 and December 2, 1993. The parent rulemaking, now docketed as R90-26(A), would establish a set of landfill regulations specific to certain wastes generated by the steel and foundry industries. (See issues 475, Oct. 6, 1993; 478, Jan. 1, 1994; 481, Apr., 1994 & 482, May, 1994.)

The proponents of the amendments are members of the industries that generate the wastes at issue.

The subdocket B proposed amendments added a new provision to the proposed rules relating to facility location. This new provision actually constitutes a sibling proceeding that will proceed independently for the purposes of *Illinois Register* publication and JCAR review. The Board opened subdocket B in response to requests by the Illinois Steel Group and the Illinois Cast Metal Association, the proponents of the steel and foundry waste landfill amendments. On March 31, 1994, the Board proposed the subdocket B amendments for First Notice publication in the *Illinois Register*.

After receiving an amended proposal for rulemaking on September 23, 1993, the Board proposed the parent subdocket A amendments for a second First Notice publication in the *Illinois Register* without substantive review. (Issue 475, Oct. 6, 1993.) The Board inserted terms in the text of the proposed amendments for later definition, believing that addition of the definitions would be necessary for understanding and implementing the proposed amendments, if adopted. On December 2, 1993, in response to indications by JCAR staff that it was possible that two related

segments of the regulations were incomplete, the Board proposed corrections to the second First Notice. (Issue 478, Jan., 1994.) On April 21, 1994, the Board proposed the parent amendments to the Illinois landfill regulations for Second Notice review by the Joint Committee on Administrative Rules (JCAR).

The Board will be free to adopt amendments based on the present Second Notice proposed rules when it receives a Certificate of No Objection from JCAR or 45 days after JCAR received the Second Notice package from the Board. Direct questions to Kathleen M. Crowley, at 312-814-6929. Please refer to docket R90-26.

BOARD ADOPTS HAZARDOUS WASTE AMENDMENTS, R94-7

On June 23, 1994, the Board adopted certain amendments to the Illinois RCRA Subtitle C hazardous waste regulations under docket number R94-7. The amendments would incorporate the changes made by U.S. EPA during the period of July 1 through December 31, 1993. (See issue 482, May, 1994.)

During the update period involved in R94-7, U.S. EPA basically amended certain methods relating to determination of emissions from boilers and industrial furnaces that burn hazardous waste as a fuel and to the determination of hazardous waste. U.S. EPA also stayed the health-based criteria that formerly applied to determine whether burning hazardous waste in a Bevill device (such as a kiln, smelter, or boiler) was exempted from hazardous waste regulation. U.S. EPA will apply the land disposal restriction limitations for F039 waste as the criteria for the exemption during the indefinite term of the stay. The Board's amendments incorporate all these federal revisions into the Illinois regulations. The Board also used the opportunity of R94-7 to make a number of corrective amendments to the hazardous waste rules. These include primarily changes in punctuation and grammar, but also a small number of corrections with a substantive impact.

The Board will file the amendments with the Secretary of State, and they will become effective, about 30 days after the June 23 adoption. Direct questions to Michael J. McCambridge, at 312-814-6924. Please refer to docket R94-7.

RCRA SUBTITLE D UPDATE DOCKET DISMISSED, R94-6

The Board dismissed the latest RCRA Subtitle D update docket on June 2, 1994. The docket included U.S. EPA amendments to the federal RCRA Subtitle D municipal solid waste landfill regulations that occurred in the period July 1 through December 31, 1993. During that period U.S. EPA amended its regulations on October 1 and 14, 1993 to revise certain compliance deadlines for smaller landfills and landfills deemed necessary by the state to accept flood-related wastes. Since the Board had already incorporated those provisions into the original Subtitle D landfill rules, in R93-10, it dismissed the update docket because no further amendments were necessary. (See issue 481, Jan., 1994; see also issue 482, May, 1994.) Direct questions to Marie E. Tipsord, at 312-814-4925 or 618-498-9803. Please refer to docket R94-6.

APPELLATE UPDATE

FIRST DISTRICT REVERSES PENALTY IMPOSED BY BOARD AS EXCESSIVE UNDER THE CIRCUMSTANCES

In an opinion dated June 20, 1994, the First District appellate court vacated a Board order assessing a \$9,000.00 penalty for violations of the Environmental Protection Act. The court held that the penalty was excessive under the circumstances, in *Park Crematory, Inc. v. PCB* (1st Dist. June 20, 1994), No. 1-92-2729.

In *People v. Park Crematory, Inc.* (July 9, 1992), No. PCB 91-193, among other violations, the Board found that the respondent had constructed and operated an air pollution source without a required permit. In 1982, the Agency inspected the respondent's facility and noted that respondent was operating one crematory without a permit. The respondent obtained an operating permit, which it renewed in 1983, 1985, and 1987. The respondent constructed and began operating a second crematory furnace in 1982. The Agency again inspected the respondent's facility in 1990 and noted the second furnace not indicated in the permit. The respondent filed a permit application and performed other steps indicated by the Agency to come into compliance before the Agency would issue a permit covering the second furnace. The Agency issued an operating permit for that unit late in 1990.

The Agency issued an administrative warning letter to the respondent in 1982, between the time of the first inspection and the issuance of the 1982 permit. It issued another warning letter in 1990, again in the time between the inspection and when the permit for the second permit issued. The Agency sent a letter early in 1991, informing it that the Agency had referred the matter to the Attorney General for enforcement. The Attorney General subsequently filed an enforcement action with the Board, seeking the maximum penalties allowed for the violations alleged. The respondent challenged the allegations, and it argued before the Board, *inter alia*, that even if it had violated the Act, no penalty was warranted. The respondent pointed out that no air pollution had resulted, that it had cooperated with the Agency during the course of the inspections, and that it promptly sought and achieved compliance when the Agency pointed out the violations.

After hearing, the Board held that among the violations that the respondent had committed, it had constructed an air pollution source without a construction permit and operated it for over eight years without an operating permit. The Agency recommended that the Board assess a \$15,000.00 penalty against the respondent, in light of the seriousness of the violations and in consideration of the facts of the case. The Board noted that the permitting requirements were essential to the state's ability to regulate air pollution sources. The Board felt that the Agency's ability to locate and limit the output of air emissions sources would be impossible without the issuance of permits. The Board imposed a penalty of \$9,000.00, which it stated amounted to \$1000.00 for each year the respondent operated the second crematory furnace without a permit. The Board held that that amount was necessary to aid in enforcement of the Act.

On appeal, the First District noted authority for the fact that a violation of the Act does not warrant a civil penalty unless the penalty assessed would aid in the enforcement of the Act. The

court noted that this authority has held that penalties were improper where it would not aid enforcement of the Act because compliance has already been achieved. The Court distinguished the case before it from *Standard Scrap Metal Co. v. PCB* (1st Dist. 1986), 142 Ill. App. 3d 655, 491 N.E.2d 1251, in which the First District upheld a \$30,000.00 penalty for operation without a permit for an extended period of time. It noted that in that case, the court concluded that the respondent had "demonstrated a blatant disregard for the requirements and procedures designed to protect the environment", the respondent had accrued economic benefits through non-compliance, and the respondent had not achieved compliance as of the time of the court's decision.

In contrast, the court felt that the crematory respondent had acted in good faith and had not operated outside the permitting requirements in such a way that the Agency was unaware of its existence. The court held that the Board's imposition of a substantial penalty against the respondent was excessive in light of the facts. It opined that such a penalty could, in fact, work to discourage others from seeking compliance, and that the People should never have filed the complaint with the Board. The court vacated the penalty.

(Editor's Note: The Board, through the Attorney General, is filing a petition for leave to appeal this decision with the Illinois Supreme Court.)

FOR YOUR INFORMATION

ADJUSTED STANDARDS AND COMBINED SEWER OVERFLOW DETERMINATIONS LISTS

Pursuant to Section 28.1(d)(3) of the Environmental Protection Act, the Board is publishing in this issue of the Environmental Register a list of all final determinations on adjusted standards made within fiscal year 1994 (July 1, 1993 through June 30, 1994). Accompanying that listing is a list of all final determinations on combined sewer overflow exceptions during the fiscal year. To receive a copy of any of these determinations, please write to the Clerk of the Board and specify the docket number of the case.

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 July 1, 1994.

AGENCY TO CONDUCT HEARINGS ON 1995 BUREAU OF WATER PROGRAM PLAN

The Agency has announced, in a notice dated June 20, 1994, that it will hold a public hearing on its Bureau of

Water program plan for Fiscal Year 1995. Among the topics that the Agency listed in its notice of hearing are the CWA § 606(c) revolving loan fund and the identification of

water quality limited waters under CWA § 303(d), the prioritization of those waterways, and the designation of maximum pollutant loads for them.

The Agency has scheduled the hearing for 10:00 a.m., Wednesday, August 10, 1994. The hearing will occur at the following location:

SRS Building
2101 South Veterans Parkway
Springfield, Illinois

The Agency stated that the record will close at midnight, September 9, 1994. Persons wishing to comment must do so no later than that date. They should address the comments to the Agency's headquarters offices as follows:

John D. Williams, Agency Hearing Officer

Illinois EPA
2200 Churchill Road
P.O. Box 19276
Springfield, Illinois 62794-9276
Telephone: 217-782-5544

The Agency stated that it has made certain information available to interested persons. It has retained a copy of its program plan open to public inspection at its Springfield headquarters and at all its regional headquarters. Copies are also open to review through the state library system. The Agency will make copies of its procedural rules for hearings available upon request to the hearing officer, and requests for special needs interpreters should be addressed to the hearing officer before Friday, July 23, 1994.

The Agency has listed contact persons based on area of interest:

Public Water Supplies Program: Charles Bell (217-785-0561)

Revolving Loan Fund: Ron Drainer (217-782-2027)

Water Quality Management Plan: Rick Mollahan (217-782-3362)

Water Pollution Control (general questions): Sandy Cunningham (217-782-1654)

Priority Watersheds: Joel Cross (217-782-3362)

Identification of Water Quality Limited Waters: Joel Cross (217-782-3362)

Written inquiries may be addressed to these persons at the above headquarters address.

Please direct all inquiries to the appropriate Agency personnel.

(Editor's Note: The Board would normally reproduce the text of the notice of hearing in this issue, but technical difficulties have prevented this. We regret any inconvenience this may have caused.)

FINAL ACTIONS - June 2, 1994 BOARD MEETING

- 92-80 Lake County Forest Preserve District v. Neil Ostro, Janet Ostro and Big Foot Enterprises - The Board accepted a settlement agreement in this citizen's land enforcement action, filed by the current owner against the prior owner of a Lake County facility, in which the prior owner agrees to pay the current owner \$117,500 as compensation for remediation costs. (See also feature on page 1.)

Ltd. - The Board accepted a stipulation and settlement agreement in this Emergency Planning and Community Right-to-Know Act (EPCRA) enforcement action against a Cook County facility, ordered the respondent to pay a civil penalty of \$15,000.00, and ordered it to cease and desist from further violation. Member J. Theodore Meyer concurred.
- 93-28 RTC Industries, Inc. v. IEPA - The Board granted summary judgment in favor of the petitioner and dismissed this underground storage tank reimbursement appeal involving a Cook County facility.

94-140 People of the State of Illinois v. Uniroyal Chemical Company, Inc. - The Board accepted a stipulation and settlement agreement in this air enforcement action against a Will County facility, ordered the respondent to pay a civil penalty of \$10,000.00, and ordered it to cease and desist from further violation. Member J. Theodore Meyer concurred.
- 93-111 Bocker Chevrolet Company v. IEPA - The Board granted a joint motion to dismiss this underground storage tank reimbursement appeal involving a Stephenson County facility.

94-141 People of the State of Illinois v. Parker Hannifin Corporation - The Board accepted a stipulation and settlement agreement in this air enforcement action against a Kane facility, ordered the respondent to pay a civil penalty of \$20,000.00, and ordered it to cease and desist from further violation.
- 93-122 Emro Marketing Company v. IEPA - The Board affirmed the Agency's denial of eligibility for reimbursement of corrective action costs in this underground storage tank reimbursement appeal involving a Lake County facility.

94-164 Precoat Metals v. IEPA - Upon receipt of an Agency recommendation, the Board granted the petitioner a 30-day provisional variance from the 90-day limitation on accumulation of hazardous wastes at this Cook County facility.
- 93-158 Wheaton Park District v. IEPA - The Board granted voluntary dismissal of this underground storage tank reimbursement appeal involving a DuPage County facility.

AC 93-49 County of Jackson v. Patrick Cheak - The Board denied complainant's motion to vacate its default order of November 18, 1993.
- 94-55 Myrtle Landwehrmeier v. IEPA - The Board affirmed the Agency's denial of excessive handling charges and reversed the Agency's denial of reimbursement of the costs for disposal of concrete in this underground storage tank reimbursement appeal involving a Madison County facility. Chairman C. A. Manning concurred.

AC 94-17 IEPA v. John Allsop - The Board entered a default order, finding that the Logan County facility violated Section 21(p)(1) of the Act and ordering it to pay a civil penalty of \$500.00.
- 94-112 People of the State of Illinois v. Teepak, Inc. - The Board accepted a stipulation and settlement agreement in this Emergency Planning and Community Right-to-Know Act (EPCRA) enforcement action against a Vermilion County facility, ordered the respondent to pay a civil penalty of \$4,500.00, and ordered it to cease and desist from further violation. Member J. Theodore Meyer concurred.

AC 94-23 Sangamon County v. Halverson Construction Company, Inc. - The Board entered a default order, finding that the Sangamon County facility violated Section 21(p)(3) of the Act and ordering it to pay a civil penalty of \$500.00.
- 94-114 People of the State of Illinois v. Olympic Oil

R94-6 In the Matter of: RCRA Subtitle D Amendments - See Rulemaking Update.

NEW CASES - June 2, 1994 BOARD MEETING

- 94-146 Dorothy L. Hoffman v. City of Columbia - The Board denied a motion to dismiss this citizen's noise enforcement action involving a Monroe County facility as duplicitous and frivolous and accepted this matter for hearing.
- 94-156 Stepan Company (Millsdale Facility) v. IEPA - The Board accepted this NPDES permit appeal involving a Will County facility for hearing.
- 94-157 Community Trust Bank (Wilson's Service Center) v. IEPA - The Board accepted this underground storage tank reimbursement appeal involving a Marion County facility for hearing.
- 94-158 Macon County Landfill v. IEPA - The Board held this land variance involving a Macon County facility for an Agency Recommendation.
- 94-159 Grimm's Diversified Services, Corp. v. IEPA - The Board accepted this underground storage tank reimbursement appeal involving a Tazewell County facility for hearing.
- 94-160 BTL Specialty Resins Corporation v. IEPA - The Board requested an amended petition in this RCRA permit appeal involving a Cook County facility.
- 94-161 Envirite Corporation, d/b/a County Environmental of Livingston v. IEPA - The Board held this land variance involving a Livingston County facility.
- 94-162 Chemical Waste Management, Inc. (Trade Waste Incineration) v. IEPA -The Board requested an amended petition in this RCRA permit appeal involving a St. Clair County facility.
- 94-163 Richard E. Gaunt, Sr. v. IEPA - The Board held this underground storage tank reimbursement appeal involving a Tazewell County facility.
- 94-164 Precoat Metals v. IEPA - See Final Actions.
- AS 94-9 In the Matter of: Petition of the City of Springfield, Illinois, Office of Public Utilities for an Adjusted Standard From 35 Ill. Adm. Code Section 302.208(e) - The Board held this petition for an adjusted standard from certain of the general use water quality standards for a Sangamon County facility.
- AS 94-10 In the Matter of: Petition of Envirite Corporation for a Revised Adjusted Standard From 35 Ill. Adm. Code 721, Subpart D - The Board accepted this petition for a revised adjusted standard for a Cook County hazardous waste treatment facility for hearing.
- R94-15 In the Matter of: 15% ROP Plan Control Measures-Part II: Marine Vessel Loading; Amendments to 35 Ill. Adm. Code Parts 211, 218, and 219 - See Rulemaking Update.

FINAL ACTIONS - June 6, 1994 SPECIAL BOARD MEETING

- 93-59 People of the State of Illinois v. Freedom Oil Company - The Board issued an order in this enforcement action against Champaign and Crawford County facilities that corrected the distributed opinion and order of May 5, 1994, which found that the respondent had violated certain underground storage tank corrective action provisions. The corrected order reflects the fact that the Board actually voted to impose a civil penalty of \$30,000.00, rather than the \$15,000.00 penalty that appeared in the incorrect version distributed to the parties and the public. Member J. Theodore Meyer concurred. (See issue 483, June, 1994.)

FINAL ACTIONS - June 23, 1994 BOARD MEETING

- 86-1 In the Matter of: Petition of the City of Peru for Exception to the Combined Sewer Overflow Regulations - The Board granted the LaSalle County petitioner a combined sewer overflow exception from 35 Ill. Adm. Code 306.305(a), as it relates to first flush storm flows, and from 35 Ill. Adm. Code 306.305(b), subject to conditions.

93-77	<u>Highland Park School District #108 v. IEPA</u> - The Board granted voluntary dismissal of this underground storage tank reimbursement appeal involving a Lake County facility.	AC 94-26	alty of \$500.00. <u>EPA v. Atkinson Landfill Company</u> - The Board entered a default order, finding that the Henry County respondent had violated Section 21(o)(5) and 21(o)(9) of the Act and ordering it to pay a civil penalty of \$1,000.00.
93-104	<u>Griffin Service v. IEPA</u> - The Board accepted a stipulation and settlement agreement, directed the parties to effectuate the agreement, and dismissed this underground storage tank reimbursement appeal involving a Jo Daviess County facility.	AC 94-30	<u>IEPA v. City of Freeport</u> - The Board granted voluntary withdrawal of this citation filed against a Stephenson County facility.
94-94	<u>People of the State of Illinois v. The Milnot Company</u> -The Board accepted a stipulation and settlement agreement in this Emergency Planning and Community Right-to-Know Act (EPCRA) enforcement action against a Montgomery County facility, ordered the respondent to pay a civil penalty of \$2,850.00, and ordered it to cease and desist from further violation. Member J. Theodore Meyer concurred.	AC 94-32	<u>Sangamon County v. Stephen Bileck, Jr. and Lisa Bileck</u> - The Board entered a default order, finding that the Sangamon County respondents had violated Section 21(p)(1) and 21(p)(3) of the Act and ordering them to pay a civil penalty of \$1,000.00.
94-96	<u>People of the State of Illinois v. MII, Inc.</u> - The Board accepted a stipulation and settlement agreement in this air enforcement action against a Logan County facility, ordered the respondent to pay a civil penalty of \$6,000.00, and ordered it to cease and desist from further violation. Member J. Theodore Meyer concurred.	AC 94-39	<u>County of Macon and the IEPA v. Macon County Landfill Corp.</u> - The Board opened this docket for the purpose of docketing the respondent's petition for review and closed it, since the administrative citation was not filed with the Board.
94-110	<u>Texor Petroleum Company, Inc. v. IEPA</u> - The Board granted voluntary dismissal of this petition for an air variance for Cook and DuPage County facilities.	AS 94-7	<u>In the Matter of: Petition of Rhone-Poulenc Basic Chemicals Company and Thorn Creek Basin Sanitary District for an Adjusted Standard From 35 Ill. Adm. Code 302.208 and 304.105</u> - The Board granted the Cook County petitioners an adjusted standard from certain of the water quality standards relating to total dissolved solids and sulfates, subject to conditions.
94-149	<u>People of the State of Illinois v. Celotex Corporation</u> - The Board accepted a stipulation and settlement agreement in this water enforcement action against a Adams County facility, ordered the respondent to pay a civil penalty of \$15,000.00, and ordered it to cease and desist from further violation. Member J. Theodore Meyer concurred.	R87-33	<u>In the Matter of: Amerock Corporation, Rockford Facility, Site-Specific Rulemaking Petition for Amendment to 35 Ill. Adm. Code Part 304, Subpart C</u> - See Rulemaking Update.
AC 94-25	<u>IEPA v. Frank Record</u> - The Board entered a default order, finding that the Fulton County respondent had violated Section 21(p)(1) of the Act and ordering him to pay a civil pen-	R93-30	<u>In the Matter of: Contingency Measures for PM10 Emissions: Amendments to 35 Ill. Adm. Code Parts 106 and 212</u> - See Rulemaking Update.
		R94-7	<u>In the Matter of: RCRA Update, USEPA Regulations (July 1, 1993 through December 31, 1993)</u> - See Rulemaking Update.

NEW CASES - June 23, 1994 BOARD MEETING

94-126	<u>Grayslake Feed Sales, Inc., Outdoor Power</u>	<u>Equipment v. IEPA</u> - The Board accepted an
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- amended petition in this underground storage tank reimbursement appeal involving a Lake County facility for hearing.
- 94-137 Robert Schwake Stone Co., Inc. v. IEPA - The Board accepted an amended petition in this underground storage tank reimbursement appeal involving a Cook County facility for hearing.
- 94-150 Angela M. White v. Terry & Billie Van Tine and Schneider Transport, Inc. - The Board denied the motions to dismiss this citizen's air and noise enforcement action involving a Piatt County facility as duplicitous and frivolous and accepted it for hearing. Member M. McFawn dissented.
- 94-162 Chemical Waste Management, Inc. v. IEPA - The Board accepted an amended petition in this RCRA permit appeal involving a St. Clair County facility for hearing. (Consolidated with PCB 94-169 and PCB 94-170.)
- 94-163 Richard E. Gaunt, Sr. v. IEPA - The Board held this underground storage tank reimbursement appeal involving a Tazewell County facility.
- 94-165 Sheehy & Sons Funeral Home v. IEPA - The Board held this underground storage tank reimbursement appeal involving a Cook County facility.
- 94-166 Safety-Kleen Corporation (Elgin Service Center) v. IEPA - The Board accepted this land permit appeal involving a Cook County facility for hearing.
- 94-167 Melrose Partners v. IEPA - The Board accepted this underground storage tank reimbursement appeal involving a Lake County facility for hearing.
- 94-168 Emro Marketing Company v. Office of the State Fire Marshal - The Board accepted this underground storage tank reimbursement appeal involving a Cook County facility for hearing.
- 94-169 Chemical Waste Management, Inc. (Trade Waste Incineration) v. IEPA - The Board accepted this RCRA permit appeal involving a St. Clair County facility for hearing. (Consolidated with PCB 94-162 and PCB 94-170.)
- 94-170 Chemical Waste Management, Inc. (Trade Waste Incineration) v. IEPA - The Board accepted this RCRA permit appeal involving a St. Clair County facility for hearing. (Consolidated with PCB 94-162 and PCB 94-169.)
- 94-171 Granite City Steel Division, National Steel Corporation v. IEPA - The Board accepted this underground storage tank reimbursement appeal involving a Madison County facility for hearing.
- 94-172 Safety-Kleen Corporation (Pekin Service Center) v. IEPA - The Board accepted this land permit appeal involving a Tazewell County facility for hearing.
- 94-173 People of the State of Illinois v. Health O Meter Products, Inc. - Upon receipt of proposed stipulation and settlement agreement and an agreed motion for relief from the hearing requirement in this air enforcement action against a Cook County facility, the Board ordered publication of the required newspaper notice.
- 94-174 People of the State of Illinois v. Feeney Oil Co., Inc. - The Board accepted this air enforcement action against a Woodford County facility for hearing.
- 94-175 Village of Sauget v. IEPA - The Board requested an amended petition in this NPDES permit appeal involving a St. Clair County facility.
- 94-176 ESG Watts, Inc. (Sangamon Valley Landfill) v. IEPA - The Board accepted this land permit appeal involving a Sangamon County facility for hearing.
- 94-177 Burlington Environmental, Inc. v. IEPA - The Board requested an amended petition in this RCRA land variance involving a Monroe County facility.
- 94-178 Herrin Security Bank v. Shell Oil Company - The Board held this citizen's land enforcement action for a frivolous and duplicitous determination.
- 94-179 Solvent Systems International v. Village of Hampshire - The Board accepted this regional pollution control facility siting appeal involving a proposed Kane County non-

hazardous transfer station for hearing.

AS 94-9 In the Matter of: Petition of the City of Springfield, Illinois, Office of Public Utilities for an Adjusted Standard From 35 Ill. Adm. Code Section 302.208(e) - The Board requested an amended petition for an adjusted standard from certain of the water quality standards for a Sangamon County facility.

AS 94-11 In the Matter of: Petition of Winnebago Reclamation Service, Inc. for an Adjusted Standard From 35 Ill. Adm. Code Part 811, Sections 811.710(c) and 811.713(c)(1) - The Board held this petition for an adjusted

standard from certain of the landfill financial responsibility requirements filed on behalf of a Winnebago County facility.

R94-16 In the Matter of: 15% ROP Plan Control Measures for VOM Emissions-Part III: Air Oxidation and organic Emissions From Storage and Loading Operations: Amendments to 35 Ill. Adm. Code Parts 211, 218, and 219 - See Rulemaking Update.

FINAL ACTIONS - June 30, 1994 SPECIAL MEETING

94-175 Village of Sauget v. IEPA - The Board granted voluntary withdrawal of this NPDES permit appeal involving a St. Clair County facility.

AC 93-30 Sangamon County v. The Illinois National Bank of Springfield, N/K/A First of America Trust Co. and Ray Landers - Having previously found that the Sangamon County respondents had violated 21(p)(1) and 21(p)(3) of the Act, the Board ordered them to pay a civil penalty of \$1,000.00 and hearing costs

in the amount of \$5.50, for expenses incurred by the county and \$47.50 for costs incurred by the Board. Member J. Theodore Meyer dissented.

AC 93-45 Montgomery County v. Rita Hefley - Having previously found that the Montgomery County respondent had violated 21(p)(1) of the Act, the Board ordered the respondent to pay a civil penalty of \$500.00 and hearing costs of \$141.00, expenses incurred by the Board. Member J. Theodore Meyer dissented.

NEW CASES - June 30, 1994 SPECIAL BOARD MEETING

94-163 Richard E. Gaunt, Sr. v. IEPA - The Board requested an amended petition in this underground storage tank reimbursement appeal involving a Tazewell County facility.

94-165 Sheehy & Sons Funeral Home v. IEPA - The Board requested an amended petition in this underground storage tank reimbursement appeal involving a Cook County facility.

94-180 People of the State of Illinois v. Great American Products, Inc. - Upon receipt of proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this air enforcement action against a Cook County facility, the Board ordered publication of the required newspaper notice.

94-181 People of the State of Illinois v. Asbestos Control and Environmental Services Corp. -

Upon receipt of proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this air enforcement action against a DuPage County facility, the Board ordered publication of the required newspaper notice.

94-182 People of the State of Illinois v. Phil Molleck - Upon receipt of proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this air and land enforcement action against a Peoria County facility, the Board ordered publication of the required newspaper notice.

94-183 People of the State of Illinois v. BFI Medical Waste Systems of Illinois, Inc. - Upon receipt of proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this land enforcement action against a Peoria

- County facility, the Board ordered publication of the required newspaper notice.
- 94-184 R. P. Lumber Company, Inc. v. Office of the State Fire Marshall - The Board accepted this underground storage tank reimbursement appeal involving a Madison County facility for hearing.
- 94-185 People of the State of Illinois v. Division Lead Limited Partnership - Upon receipt of proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this Emergency Planning and Community Right-to-Know Act (EPCRA) enforcement action against a Cook County facility, the Board ordered publication of the required newspaper notice.
- 94-186 People of the State of Illinois v. Coleman Cable Systems, Inc. - Upon receipt of proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this Emergency Planning and Community Right-to-Know Act (EPCRA) enforcement action against a Lake County facility, the Board ordered publication of the required newspaper notice.
- 94-187 People of the State of Illinois v. Hi Grade Alloy Corporation - Upon receipt of proposed stipulation and settlement agreement and an
- agreed motion to request relief from the hearing requirement in this Emergency Planning and Community Right-to-Know Act (EPCRA) enforcement action against a Cook County facility, the Board ordered publication of the required newspaper notice.
- 94-188 People of the State of Illinois v. Vienna Sausage Manufacturing Company - Upon receipt of proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this Emergency Planning and Community Right-to-Know Act (EPCRA) enforcement action against a Cook County facility, the Board ordered publication of the required newspaper notice.
- 94-189 Unocal Corporation v. Office of the State Fire Marshal - The Board accepted this underground storage tank reimbursement appeal involving a Cook County facility for hearing.

CALENDAR OF HEARINGS

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

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| July 12
12:00 p.m. | PCB 93-139
A-V, Open
Burning | <u>The Ensign-Bickford Company v. EPA</u> - Union County Courthouse, Commissioners' Conference Room, 311 West Market Street, Jonesboro. |
| July 12
11:00 a.m. | R 94-15
R, Air | <u>In the Matter of 15% ROP Plan Control Measures for VOM Emissions--Part II: Marine Vessel Loading: Amendments to 35 Ill. Adm. Code 211, 218 & 219</u> - Department of Transportation Classroom, 1100 East Port Plaza Drive, Collinsville. |
| July 14
10:00 a.m. | PCB 93-257
A-V | <u>J.M. Sweeney Company v. EPA</u> - James R. Thompson Center, Suite 11-500, 100 West Randolph Street, Chicago. |
| July 22
10:00 a.m. | PCB 94-147
UST-FRD | <u>Capital Asset Corporation and Industrial Investors Limited Partnership v. EPA</u> - Winnebago County Courthouse, County Boardroom, 400 West State Street, Rockford. |
| July 21
10:30 a.m. | | Pollution Control Board Meeting, James R. Thompson Center, 100 W. Randolph St., Conference Room 9-040, Chicago |

July 26 10:30 a.m.	R 94-14 R, Air	<u>In the Matter of: Categories of Insignificant Activities or Emission Levels at a CAAPP Source, Amendments to 35 Ill. Adm. Code 201 and 211</u> - James R. Thompson Center, Suite 9-040, 100 West Randolph Street, Chicago.
July 27 9:30 a.m.	PCB 94-145 UST-FRD	<u>PACE - Suburban Bus Division of the RTA v. EPA</u> - James R. Thompson Center, Room 11-500, 100 West Randolph Street, Chicago.
July 29 10:00 a.m.	PCB 94-152 UST-FRD	<u>Madison Avenue Venture v. EPA</u> - Administration Building, Meeting Room 2700A (Second Floor), 421 County Farm Road, Wheaton.
August 3 11:00 a.m.	PCB 92-164 W-E	<u>People of the State of Illinois v. Berniece Kershaw and Darwin Dale Kershaw d/b/a Kershaw Mobile Home Park</u> - Colona Council Chambers, 100 East 9th Avenue, Colona.
August 4 10:30 a.m.	R 94-16 R, Air	<u>In the Matter of 15% ROP Plan Control Measures for VOM Emissions--Part III: Air Oxidation and Organic Emissions from Storage and Loading Operations: Amendments to 35 Ill. Adm. Code 211, 218 & 219</u> - James R. Thompson Center, Room 9-040, 100 West Randolph Street, Chicago.
August 8 10:30 a.m.	R 94-14 R, Air	<u>In the Matter of: Categories of Insignificant Activities or Emission Levels at a CAAPP Source, Amendments to 35 Ill. Adm. Code 201 and 211</u> - James R. Thompson Center, Room 9-040, 100 West Randolph Street, Chicago.
August 9 11:00 a.m.	R 94-15 R, Air	<u>In the Matter of 15% ROP Plan Control Measures for VOM Emissions--Part II: Marine Vessel Loading: Amendments to 35 Ill. Adm. Code 211, 218 & 219</u> - Department of Transportation Classroom, 1100 East Port Plaza Drive, Collinsville.
August 11 10:30 a.m.		Pollution Control Board Meeting, James R. Thompson Center, 100 W. Randolph St., Conference Room 9-040, Chicago
August 18 10:00 a.m.	PCB 94-43 P-A, Open Burning	<u>American Tree Service, Inc. v. EPA</u> - Sangamon County Board Chambers, Room 201, 200 South Ninth Street, Springfield.
August 15 9:30 a.m.	PCB 94-80 UST-FRD	<u>Gunit Corporation v. EPA</u> - Winnebago County Courthouse, County Boardroom, 400 West State Street, Rockford.
August 23 9:30 a.m.	PCB 94-80 UST-FRD	<u>Gunit Corporation v. EPA</u> - Winnebago County Courthouse, County Boardroom, 400 West State Street, Rockford.
August 23 11:00 a.m.	R 94-15 R, Air	<u>In the Matter of 15% ROP Plan Control Measures for VOM Emissions--Part II: Marine Vessel Loading: Amendments to 35 Ill. Adm. Code 211, 218 & 219</u> - Department of Transportation Classroom, 1100 East Port Plaza Drive, Collinsville.
August 25 9:30 a.m.	AC 94-20 AC	<u>County of DuPage v. Waste Management of Illinois (Green Valley Landfill)</u> - DuPage County Administration Building, Room 2700-A, 421 North County Farm Road, Wheaton.
August 25 10:00 a.m.	PCB 94-25 WWS	<u>Shell Oil Company v. EPA</u> - DuPage County Courthouse, Court Room 2001, 505 North County Farm Road, Wheaton.
August 25 10:00 a.m.	PCB 94-26 P-A, Air	<u>Marathon Oil Company v. EPA</u> - Robinson Library, 606 North Jefferson, Robinson.
August 25 10:00 a.m.	PCB 94-27 A-V	<u>Marathon Oil Company v. EPA</u> - Robinson Library, 606 North Jefferson, Robinson.

August 26 10:00 a.m.	AS 94-10 HW Delist	<u>In the Matter of: Petition of Envirite Corporation for Revised Adjusted Standard from 35 Ill. Adm. Code 721.Subpart D - Harvey City Hall, Council Chambers, 15320 Broadway, Harvey.</u>
August 26 9:00 a.m.	PCB 94-25 WWSE	<u>Shell Oil Company v. EPA - DuPage County Courthouse, Court Room 2001, 505 North County Farm Road, Wheaton.</u>
August 26 1:00 p.m.	PCB 94-146 N-E, Citizens	<u>Dorothy L. Hoffman v. City of Columbia - Columbia City Hall, City Council Room, 208 South Rapp, Columbia.</u>
August 29 10:00 a.m.	PCB 93-248 L-E	<u>People of the State of Illinois v. John Prior and Industrial Salvage, Inc. - Centralia City Hall, Council Chambers, 222 South Poplar Street, Centralia.</u>
August 30 10:00 a.m.	PCB 93-248 L-E	<u>People of the State of Illinois v. John Prior and Industrial Salvage, Inc. - Centralia City Hall, Council Chambers, 222 South Poplar Street, Centralia.</u>
September 1 10:30 a.m.		Pollution Control Board Meeting, James R. Thompson Center, 100 W. Randolph St., Conference Room 9-040, Chicago
September 2 10:30 a.m.	R 94-16 R, Air	<u>In the Matter of 15% ROP Plan Control Measures for VOM Emissions--Part III: Air Oxidation and Organic Emissions from Storage and Loading Operations: Amendments to 35 Ill. Adm. Code 211, 218 & 219 - James R. Thompson Center, Room 9-040, 100 West Randolph Street, Chicago.</u>
Spetember 15 10:30 a.m.		Pollution Control Board Meeting, James R. Thompson Center, 100 W. Randolph St., Conference Room 9-040, Chicago
September 16 10:30 a.m.	R 94-16 R, Air	<u>In the Matter of 15% ROP Plan Control Measures for VOM Emissions--Part III: Air Oxidation and Organic Emissions from Storage and Loading Operations: Amendments to 35 Ill. Adm. Code 211, 218 & 219 - James R. Thompson Center, Room 9-040, 100 West Randolph Street, Chicago.</u>
October 6 10:30 a.m.		Pollution Control Board Meeting, James R. Thompson Center, 100 W. Randolph St., Conference Room 9-040, Chicago
October 20 10:30 a.m.		Pollution Control Board Meeting, James R. Thompson Center, 100 W. Randolph St., Conference Room 9-040, Chicago
November 3 10:30 a.m.		Pollution Control Board Meeting, James R. Thompson Center, 100 W. Randolph St., Conference Room 9-040, Chicago
December 1 10:30 a.m.		Pollution Control Board Meeting, James R. Thompson Center, 100 W. Randolph St., Conference Room 9-040, Chicago
December 15 10:30 a.m.		Pollution Control Board Meeting, James R. Thompson Center, 100 W. Randolph St., Conference Room 9-040, Chicago
January 12 10:30 a.m.		Pollution Control Board Meeting, James R. Thompson Center, 100 W. Randolph St., Conference Room 9-040, Chicago
February 16 10:30 a.m.		Pollution Control Board Meeting, James R. Thompson Center, 100 W. Randolph St., Conference Room 9-040, Chicago
March 16 10:30 a.m.		Pollution Control Board Meeting, James R. Thompson Center, 100 W. Randolph St., Conference Room 9-040, Chicago
April 20 10:30 a.m.		Pollution Control Board Meeting, James R. Thompson Center, 100 W. Randolph St., Conference Room 9-040, Chicago

May 18
10:30 a.m. Pollution Control Board Meeting, James R. Thompson Center, 100 W. Randolph St., Conference Room 9-040, Chicago

June 15
10:30 a.m. Pollution Control Board Meeting, James R. Thompson Center, 100 W. Randolph St., Conference Room 9-040, Chicago

Calendar Code

3d P	Third Party Action	A-CAdministrative Citation
A-E	Air Enforcement	A-SAdjusted Standard
A-V	Air Variance	CSOCombined Sewer Overflow Exception
GW	Groundwater	L-ELand Enforcement
L-S-R	Landfill Siting Review	L-VLand Variance
N-E	Noise Enforcement	N-VNoise Variance
P-A	Permit Appeal	PWS-EPublic Water Supply Enforcement
PWS-V	Public Water Supply Variance	RRegulatory Proceeding
S0 ₂	S0 ₂ Alternative Standards (35 ILL. ADM. CODE 302.211(f))	SWH-ESpecial Waste Hauling Enforcement
SWH-V	Special Waste Hauling Variance	TThermal Demonstration Rule
T-C	Tax Certifications	T-STrade Secrets
UST-E	Underground Storage Tank Enforcement	UST-FRDUnderground Storage Tank Fund Reimbursement Determination
W-E	Water Enforcement	W-VWater Variance
WWS	Water-Well Setback Exception	

Final Actions Taken by the Pollution Control Board
in Adjusted Standards Proceedings
during Fiscal Year 1994
(between July 1, 1993 and June 30, 1994)

<u>Docket</u>	<u>Docket Name</u>	<u>Final Determination</u>
AS 90-2	In the Matter of: Petition of Shell Oil Company for Adjusted Standard from 35 Ill. Adm. Code 302.102, 302.208, and 302.Subpart F, Procedures for Determining Water Quality Criteria	The Board granted voluntary dismissal of the petition on August 5, 1993
AS 91-6	In the Matter of: Petition of Dart Container Corporation for an Adjusted Standard from Ill. Adm. Code 218.986(a)	The Board granted an adjusted standard from 35 Ill. Adm. Code 218.986 on August 5, 1992
AS 91-9	In the Matter of: Petition of City of East Moline and the IEPA for Adjusted Standard from 35 Ill. Adm. Code 304	The Board granted an adjusted standard from the 5-day biochemical oxygen demand, total suspended solids, iron, manganese, and copper effluent limitations of 35 Ill. Adm. Code 304.120 and 304.124 on May 19, 1994
AS 91-10	In the Matter of: Petition of Cabot Corporation for an Adjusted Standard from 35 Ill. Adm. Code 725.293	The Board granted voluntary dismissal of the petition on May 19, 1994

AS 91-12	In the Matter of: Petition of the Illinois-American Water Company for an Adjusted Standard from 35 Ill. Adm. Code 304.124 (Iron and TSS only) for the Water Company's Cairo Public Water Supply Facility	The Board granted voluntary dismissal of the petition on October 21, 1993
AS 92-7	In the Matter of: Petition of Illinois Power Company (Vermilion Power Station) for Adjusted Standard from 35 Ill. Adm. Code 302.208(e)	The Board denied an adjusted standard from the boron, sulfate and total dissolved general use water quality standards of 35 Ill. Adm. Code 302.208(e) on October 7, 1993
AS 92-8	In the Matter Of: Petition of Cabot Corporation for Adjusted Standard from 35 Ill. Adm. Code 738.Subpart B	The Board granted an adjusted standard from the land disposal restrictions 35 Ill. Adm. Code 738.Subpart B for underground injection of certain D002, F003, and F039 hazardous wastes on February 17, 1994
AS 92-10	In the Matter of: Petition of Southern Illinois Power Cooperative (Marion Power Station) for Adjusted Standard from 35 Ill. Adm. Code 302.208(e)	The Board granted an adjusted standard from the general use water quality standard for boron of 35 Ill. Adm. Code 302.208(e) on July 1, 1993
AS 92-14	In the Matter of: Petition of Quantum Chemical Corporation, USI Division, and the IEPA for Adjusted Standard from 35 Ill. Adm. Code 218.966 and 218.986	The Board granted an adjusted standard from the volatile organic emissions standards of 35 Ill. Adm. Code 218.966(a) and (b) and 218.986(a) through (c) on April 8, 1993
AS 93-2	In the Matter of: Petition of Borden Chemicals & Plastics Operating Limited Partnership for Adjusted Standard from 35 Ill. Adm. Code 302.208	The Board granted an adjusted standard from the general use water quality standards for sulfate of 35 Ill. Adm. Code 302.208(e) on November 18, 1993
AS 93-3	In the Matter of: Petition of Douglas Furniture of California and the IEPA for Adjusted Standard from 35 Ill. Adm. Code 218.204	The Board granted an adjusted standard from the volatile organic emissions standards of 35 Ill. Adm. Code 218.204(g) on November 4, 1993
AS 93-6	In the Matter of: Petition of City of Sycamore for Adjusted Standard from 35 Ill. Adm. Code 306.305(b) and 304.121	The Board dismissed this petition due to the petitioner's failure to timely amend on October 21, 1993
AS 93-7	In the Matter of: Petition of Keystone Steel and Wire Company for Adjusted Standard from 35 Ill. Adm. Code 721.132	The Board granted an adjusted standard from 35 Ill. Adm. Code 721.132 (hazardous waste delisting) on February 17, 1994
AS 93-9	In the Matter of: Petition of Rhone-Poulenc Basic Chemicals Company and Thorn Creek Basin Sanitary District for Adjusted Standard from 35 Ill. Adm. Code 302.201 and 304.105	The Board dismissed this petition due to a lack of jurisdiction on January 20, 1994
AS 94-7	In the Matter of: Petition of Rhone-Poulenc Basic Chemicals Company and Thorn Creek Basin Sanitary District for Adjusted Standard from 35 Ill. Adm. Code 302.201 and 304.105	The Board granted an adjusted standard from the prohibition of 35 Ill. Adm. Code 304.105 against violating water quality standards for total dissolved solid and sulfate on June 23, 1994

Final Actions Taken by the Pollution Control Board
in Combined Sewer Overflow Exception Proceedings
during Fiscal Year 1994
(between July 1, 1993 and June 30, 1994)

PCB 86-1	In the Matter of: Petition of City of Peru for Exception to the Combined Sewer Overflow Regulations	The Board granted an exception from the combined sewer overflow regulations of 35 Ill. Adm. Code 306.305(a) and (b) on June 23, 1994
PCB 88-52	City of Ottawa v. Illinois EPA	On August 5, 1993, the Board modified the completion dates in an exception from the combined sewer overflow regulations of 35 Ill. Adm. Code 306.305(a) and (b) originally granted on August 4, 1988 and modified on March 26, 1992

NOTICE OF HEALTH ADVISORY FOR METHYL TERTIARY-BUTYL ETHER (MTBE)

Prepared by
Office of Chemical Safety
Illinois EPA
June 9, 1994

REASON FOR ACTION

As a result of routine monitoring of public water supply systems, the gasoline additive Methyl Tertiary-Butyl Ether (MTBE) has been detected at least in two public water supplies. Therefore, the Illinois Environmental Protection Agency (Agency) is announcing its intention to issue a health advisory, pursuant to 35 Illinois Administrative Code Part 620 Subpart F: Health Advisories, for Methyl Tertiary-Butyl Ether. According to Section 620.605 of Subpart F, the Agency shall issue a health advisory for a chemical substance if all of the following conditions are met:

- 1) A community water supply well is sampled and a substance is detected and confirmed by resampling;
- 2) There is no standard under Section 620.410 for such chemical substance; and
- 3) The chemical substance is toxic or harmful to human health according to the procedures of Appendix A, B, or C.

The Agency has determined that all three conditions have been met, prompting the issuance of this draft proposal for a health advisory. By this issuance, the Agency is opening a 30-day public comment period, until August 22, 1994, regarding this health advisory draft. Upon closing the public comment period, the Agency will consider all comments received and amend the health advisory if warranted. The final health advisory will then be published in the Environmental Register (the Illinois Pollution Control Board News) with responses to comments received. An abbreviated version of the final health advisory will also be published in local newspapers which serve communities in whose public water supply systems MTBE has been detected.

PROPOSED GUIDANCE LEVELS

Section 620.605 of Subpart F prescribes the methods for developing health advisories for carcinogens and noncarcinogens. Since the Agency has determined that there is insufficient evidence of the carcinogenicity of MTBE at this time (discussed in the attachment to this notice), the method for developing a health advisory for noncarcinogens was used. Briefly, this method specifies that the USEPA's maximum contaminant level goal (MCLG) is the guidance level, if available, or the human threshold toxicant advisory concentration (HTTAC) must be determined using the procedures contained in Appendix A of Section 620. USEPA has not published an MCLG for MTBE, therefore the Agency used the Appendix A procedures to calculate the HTTAC.

Appendix A specifies in prescribed order the toxicological data to be used in developing the HTTAC, ranging from a verified Reference Dose developed by USEPA to a laboratory animal study of subchronic duration in which only a lowest observable adverse effect level (LOAEL) has been determined. This preferred order reflects increasing uncertainty in the toxicological database regarding a chemical's potential to cause adverse health effects in humans, and is manifested in increasingly large safety factors which are applied to the data to calculate the HTTAC (maximum 10,000-fold safety factor).

In the case of MTBE, the Agency has selected the only study available in which the test animals were exposed by the oral route of exposure as the basis for the HTTAC. Among other findings, this 90-day subchronic study reported increases in serum cholesterol and persistent diarrhea in all doses tested, including the lowest dose of 100 mg/kg/d. As a result of using this subchronic study in which only a LOAEL was determined, the language of Subpart F specifies the application of safety factors totalling to 10,000 to the animal data, resulting in the HTTAC guidance level of 0.07 mg/l, or 70 parts per billion (ppb). The details of the derivation of the HTTAC are presented in the attachment to this notice.

At this point it is necessary to discuss an aspect of the evolving science of risk assessment which has a bearing on this notice. The Agency has been informed verbally by USEPA personnel that in most cases USEPA no longer favors the calculation of acceptable exposure values for humans by using laboratory animal data divided by uncertainty factors totalling to

10,000. This preference will be included in a chapter in the book Essential Elements (in press; ILSI Press, 1994). Instead, USEPA now prefers to utilize uncertainty factors totalling to no more than 3,000. The Agency agrees with this approach in general, except in cases where the overall toxicity database for a chemical is very weak. In the case of MTBE, the database contains enough laboratory animal data to determine that there are not major toxicity gaps which would warrant the use of a 10,000-fold uncertainty factor. The Agency is therefore also using an overall uncertainty factor of 3,000 to calculate a guidance level for MTBE. Use of a 3,000-fold safety factor with the same laboratory animal data described above results in a HTTAC guidance level of 0.23 mg/l, or 230 ppb. The details of the derivation of this HTTAC are also presented in the attachment to this notice.

Since there is no provision in the language of Subpart F for the use of a 3,000-fold uncertainty factor in the derivation of the HTTAC, the Agency is proposing to utilize HTTACs derived by both a 3,000-fold and a 10,000-fold uncertainty factor in the health advisory for MTBE. It is proposed that the HTTAC derived using the 10,000-fold uncertainty factor (70 ppb) be a precautionary health advisory concentration and the HTTAC derived using the 3,000-fold uncertainty factor (230 ppb) be the final health advisory concentration. The precautionary health advisory would be a level in a public water supply below which no action would be necessary and above which caution should be exercised by the public water supply (such as increased sampling of the water and identification of the potential source(s)), while the final health advisory would be a level above which the public water supply should begin actions to decrease the concentration or utilize an alternate water supply. The Agency is requesting comment on the use of this approach when a total uncertainty factor of 10,000-fold is utilized to calculate a health advisory.

SUPPLEMENTARY INFORMATION

Section 620.605 also specifies that the health advisory must contain a general description of the characteristics of the chemical substance and its potential adverse health effects.

General Description of MTBE

MTBE (Chemical Abstracts Service Number 1634-04-4), also known as 2-methoxy-2-methylpropane, is a colorless liquid with a disagreeable taste and odor. Its taste in water can be recognized at approximately 0.7 mg/l (700 ppb) (Connecticut DEP), although recent research suggests that some people may be able to detect its presence in the range of 0.25 mg/l and possibly as low as 0.04 mg/l (API, 1993). It has a high solubility in water, approximately 48,000 mg/l (von Burg, 1992). Because of this high solubility, it has a high propensity to move through soil with infiltrating rainwater and snowmelt and to potentially reach groundwater.

Its main use is as an octane booster in unleaded gasoline; it also has minor uses as an intermediate in the production of other chemicals, especially isobutene, and as a treatment to dissolve gallstones. Its use has been increasing recently due to requirements under the Clean Air Act Amendments of 1990 for metropolitan areas which are not in compliance with carbon monoxide standards to increase the percentage of oxygenated fuel in gasolines, especially in the wintertime. As a result, it has been estimated that approximately 20% of the gasoline sold in the United States contains MTBE, at levels ranging from 2% to 15% in the gasolines (Costantini, 1993).

Potential Adverse Health Effects of MTBE

Relatively few reports of adverse effects of MTBE on humans exist, and testing for the full range of possible health effects in laboratory animals has not yet been completed. Summaries of the acute, reproductive and developmental, and chronic toxicity data for MTBE are presented.

Acute Toxicity - Other than a single report in the medical literature of acute kidney failure due to leakage of MTBE during gallstone treatment (Ponchon, 1988), there is no information regarding the effects of short-term, high level exposure to MTBE in humans. The data from laboratory animal studies indicate that this chemical is not very toxic during brief exposures, with lethal doses in the range of 3,000-4,000 ppm by oral exposure (about one pint for an adult human) and 24,000-40,000 ppm (in air) by inhalation exposure (this would be within the explosive range in air) (Reese and Kimbrough, 1993; von Burg, 1992; USEPA, 1993). The toxic effect in both exposure types was central nervous system depression. MTBE does not appear to cause skin irritation except in cases of previously damaged skin, and eye irritation and opacity of the cornea has been reported (von Burg, 1992).

Reproductive and Developmental Toxicity - The reproductive effects of MTBE have been reported in three studies, and

reproductive and developmental toxicity has been assessed in a fourth, using rats, mice, and/or rabbits. No significant effects were reported in two of the reproductive studies (Biles et al., 1987; Conaway et al., 1985), and the third reported effects on offspring (reduced body weight and reduced weight gain in rat pups, and slightly reduced pup survival) only at doses which were also toxic to the parents (Neeper-Bradley, 1991). Similarly, the reproductive and developmental study also reported offspring effects (reduced numbers of viable implantations and/or live births, reduced body weight, decreased ossification, and increased incidence of cleft palate in mouse pups) only at doses toxic to the adults (Tyl and Neeper-Bradley, 1989). This makes it difficult to say whether the effects on reproductive performance were truly an effect of MTBE on the offspring, or whether these effects resulted from the toxicity to the parents. Since the doses which showed these toxic effects were high (3,000-4,000 ppm), the potential for human reproductive effects at the much lower anticipated environmental exposure levels is extremely small.

Chronic Toxicity - There are no studies of the effects on humans exposed to MTBE for long periods, although anecdotal reports of increased complaints of headache, nausea, vomiting, eye irritation, and respiratory problems have surfaced recently in certain areas in conjunction with wintertime MTBE increases in gasoline. These complaints are the subject of on-going research.

There is only one 90-day subchronic study in laboratory animals exposed by the oral route, which was the study finally selected to derive the HTTAC by the Agency after following the procedures of Appendix A. This study is evaluated in depth in the attachment to this notice. There are several animal subchronic and chronic studies using the inhalation route of exposure, primarily evaluating the neurotoxic effects of MTBE. In one study (Greenough et al., 1980) in which the maximum dose tested was 1,000 ppm for 6 hrs/day, 5 days/wk, for 13 weeks, no significant effects (other than anesthesia following dosing at high concentrations) were reported. In another study (Dodd and Kintigh, 1989), in which the maximum dose tested was 8,000 ppm (same dosing regimen), slight changes in blood chemistry, increased serum cortisone levels in both sexes, reduced weight gain, increased kidney, liver, and adrenal gland weights, and sporadic neurotoxic effects were seen at doses of 4,000 and/or 8,000 ppm. There is also a recently completed lifetime cancer bioassay in mice and rats (Burleigh-Flayer et al., unpublished; Chun et al., unpublished), the details of which are evaluated in the attachment to this notice.

FOR FURTHER INFORMATION, COMMENTS

Persons who wish to receive further information about this notice or who wish to provide comment on its contents are requested to contact:

Illinois Environmental Protection Agency
Office of Chemical Safety
P. O. Box 19276
2200 Churchill Road
Springfield, Illinois 62794-9276
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ATTACHMENT TO NOTICE OF HEALTH ADVISORY FOR
METHYL TERTIARY-BUTYL ETHER (MTBE)

OVERVIEW OF THE KEY STUDIES

In the only oral study (Robinson *et al.*, 1990), rats were given 0, 100, 300, 900, or 1,200 mg/kg (ppm) by gavage. Rats given 1,200 ppm exhibited profound anesthesia after dosing throughout the study, but recovered after the dose within two hours and suffered no aftereffects. Body weight decreased with increasing dose, with the difference between treated and control rats being statistically significant at 1,200 ppm. Other measurements showing statistical significance included: decreased blood urea nitrogen (BUN) and serum creatinine (measures of kidney function) at all doses; increased serum cholesterol at all doses; increased kidney weight at 300 ppm and above; increases in several other organ weights at 900 ppm and above; and changes in blood parameters at 1,200 ppm. Microscopic examinations revealed effects only at 1,200 ppm, where degenerative changes in the kidneys of the male rats were noted. Finally, loose stools and diarrhea were seen at all doses throughout the study.

Viewing the results of this study, it would appear that the kidney is the target organ of MTBE. However, these results must be interpreted carefully. The decreases in BUN and serum creatinine probably have no adverse effect on the animals (decreased kidney function is often signaled by increases in these parameters), and may even indicate an increase in kidney function. The increased kidney weights seen at 300 ppm and above are not in themselves an adverse effect, only an indication of a possible adverse effect at even higher doses or longer exposure times. Finally, the microscopic changes seen at 1,200 ppm in males are often seen in male rats (and only male rats) exposed to certain organic chemicals, due to overproduction of a unique protein in the male rat kidney. Thus, it is not clear at this time whether MTBE is toxic to the kidney.

It would appear that a no observed adverse effect level (NOAEL) has not been determined by this study, since increased serum cholesterol and diarrhea were observed at all doses. Thus, the 100 ppm dose would be considered to be the lowest observable adverse effect level (LOAEL) for MTBE. The procedure for calculating a health advisory for drinking water in the groundwater quality standards (35 Ill. Adm. Code 620, Subpart F) gives preference to oral studies which determine a NOAEL or LOAEL, and this study may be considered to develop the health advisory for MTBE.

A lifetime inhalation cancer bioassay has recently been completed with mice and rats, but the results have not been published (Burleigh-Flayer *et al.*; Chun *et al.*). The Agency has been given summaries of the studies submitted to USEPA by the USEPA contact for MTBE. These results are briefly summarized, but since the studies are still undergoing review it must be realized that this information is preliminary.

Both species were exposed to 0, 400, 3,000, or 8,000 ppm in air. As in the oral study above, the male rats experienced an increased incidence of kidney degeneration. This became the leading cause of death in male rats, and resulted in early termination of the 3,000 and 8,000 ppm male groups. The other main cause of death in male rats was leukemia, seen in both the control and 400 ppm group. (In fact, the incidence in the control group was higher, 33/50, than in the 400 ppm group, 22/50.) Non-cancer effects of MTBE included symptoms of central nervous system depression in both sexes of rats at 3,000 and 8,000 ppm, but not at 400 ppm, and an increased incidence of kidney degeneration in male rats at 400 ppm. The only tumors which were related to MTBE exposure were tumors in the kidneys of male rats in the 3,000 and 8,000 ppm groups. These tumor types are also thought to be related to the overproduction of the male rat protein, and the significance of these results for humans is questionable.

In the mouse study, symptoms of central nervous system depression similar to those seen in rats were observed at 3,000 and 8,000 ppm. Increases in liver and kidney weights were also seen at these doses, and an increase in the number of liver cells (noncancerous), an indication of toxic effects on the liver, was reported at 8,000 ppm. The only tumors found in excess of controls were liver tumors in females in the 8,000 ppm group. However, the significance of this finding for humans is also questionable, since this tumor type is common in the strain of mouse used in this study, and is known to occur in controls at a relatively high rate.

In reviewing the results of these studies, it is difficult to say whether MTBE presents a carcinogenic hazard to humans. However, the noncancer effects may be relevant for determining a health advisory level for MTBE. In this regard, the rat study has produced a LOAEL of 400 ppm based on kidney effects in male rats (this dose may be a NOAEL given the questionable significance of this effect for humans), while the mouse study has produced a NOAEL of 400 ppm. The mouse portion of this study may be considered to develop the health advisory for MTBE, once it has finished USEPA's review process.

DERIVATION OF THE HEALTH ADVISORY FOR MTBE

The first step in the derivation of a health advisory is to determine whether the chemical presents a carcinogenic hazard to humans. To date, there have been no investigations whether there is an increased incidence of cancer in humans associated with exposure to MTBE. As discussed above, there is some evidence that MTBE causes tumors in laboratory animals, but the types of tumors found in the rat and mouse cancer bioassays may not provide good evidence of a carcinogenic hazard to humans since these tumors may be species-specific responses with little or no relevance to humans. Furthermore, these studies are still undergoing review by USEPA and a final determination of the usability of the results for determining the carcinogenic hazard to humans has not been made. Therefore, the Agency has determined at this time that the derivation of the health advisory for MTBE will be based on the non-cancer effects of this chemical. This derivation may be changed in the future, depending on the USEPA's determinations, once the cancer bioassay data have been published and the weight-of-evidence for human carcinogenic potential has been determined.

In deriving a health advisory to protect against a health effect for which there is a threshold dose below which no damage occurs (i.e., noncarcinogenic effects), Section 620.605 specifies that USEPA's maximum contaminant level goal (MCLG), if available, is the health advisory concentration. USEPA has not published a MCLG for MTBE, therefore, the Agency must calculate the human threshold toxicant advisory concentration (HTTAC) as the health advisory concentration, using the procedures specified in Appendix A of Section 620.

Appendix A specifies in subsection (a) that the HTTAC is calculated as follows:

Where:

HTTAC = Human threshold toxicant advisory concentration in milligrams per liter (mg/l);

RSC = Relative source contribution, the relative contribution of the amount of the exposure to a chemical via drinking water when compared to the total exposure to that chemical from all sources. Valid chemical-specific data shall be used if available. If valid chemical-specific data are not available, a value of 20% (=0.20) must be used;

ADE = Acceptable daily exposure of substance in milligrams per day (mg/d) as determined pursuant to subsection (b); and

W = Per capita daily water consumption equal to 2 liters per day (L/d).

Subsection (b) of Appendix A specifies that the ADE be calculated using, in specified order: USEPA's Verified Oral Reference Dose (an estimate of a daily exposure to a chemical which is expected to be without adverse effect for humans, including sensitive subgroups, for a lifetime of exposure); a NOAEL which has been identified as a result of human exposures; a LOAEL which has been identified as a result of human exposures; a NOAEL which has been determined from studies with laboratory animals; and a LOAEL which has been determined from studies with laboratory animals.

There is no Verified Reference Dose currently available from USEPA. As mentioned above, there is a paucity of studies on the adverse effects in humans exposed to MTBE. Thus, the Agency has determined that a NOAEL or LOAEL based on human exposures is not available at this time. Therefore, the ADE must be calculated from laboratory animal data. Of the studies reviewed by the Agency, the 90-day rat subchronic study and the cancer bioassay (noncarcinogenic effects) are the most appropriate animal studies for calculation of the ADE. It is then necessary to determine which study is the most valid for purposes of calculating the ADE.

Subsection (c) of Appendix A specifies criteria for establishing the validity of data from animal studies, leading to determinations of high, medium, or low validity. High validity studies are those using the oral route of exposure and which meet specified criteria depending on the type of study, and are to be used preferentially if available. The rat 90-day subchronic study was conducted using the oral route, while the cancer bioassay was an inhalation study. Therefore, only the subchronic study could be a high validity study. However, the requirements for a high validity subchronic study include, among other

things, a study using two species and determining a well-defined NOAEL. The 90-day rat subchronic study used only one species and only determined a LOAEL, as discussed above. Having no high validity study, the Agency must determine which of the two studies is most appropriate for calculating the ADE.

Subsection (c) goes on to specify that in order for a subchronic study in which a LOAEL is determined to be deemed a medium validity study, the study must satisfy all other standards for a high validity study. This is not the case for the 90-day rat subchronic study, since there was only one species tested. Similarly, in order for a study other than an oral exposure study to be deemed a medium validity study, the study must satisfy all other standards for a high validity study and use appropriate correction factors for conversion to the oral route. However, the requirements for a high validity cancer bioassay include, among other things, at least 25% survival at 18 months in mice and 24 months in rats. This was not the case in the cancer bioassay, since the male rats in the 3,000 and 8,000 ppm groups were terminated early due to excessive mortality. Thus, both candidate studies are defined as low validity studies, and the 90-day rat subchronic study is selected because exposure was by the oral route.

The determination of the ADE from the subchronic study is made using the language of subsections (b)(5) and (b)(6). Subsection (b)(6) specifies that for substances for which a NOAEL is not available, one-tenth of the LOAEL is substituted for the NOAEL in subsection (b)(5). Subsection (b)(5) specifies that if studies of low validity must be used, the ADE must be calculated using 1/1000 of the NOAEL. The overall result of the procedures in these two subsections is that the ADE is 1/10,000 of the LOAEL, times the average weight of an adult human, 70 kg:

At this point, the calculation of the HTTAC would proceed according to the formula listed above. However, the Agency has been informed by USEPA personnel that in most cases USEPA now prefers to calculate acceptable exposure values for humans by using laboratory animal data divided by no more than a 3,000-fold uncertainty factor; a 10,000-fold uncertainty factor would be used only where the overall toxicity database is very weak for a chemical. The Agency agrees with this emerging USEPA approach. Since the MTBE database contains enough laboratory animal research to indicate that there are not major toxicity data gaps which would warrant the use of a 10,000-fold uncertainty factor, the Agency is also calculating the ADE using a 3,000-fold uncertainty factor:

Finally, the determination of the HTTAC is straight-forward, since there are no chemical-specific data available for the RSC term:

$$\frac{\text{_____}}{l} \quad l$$

Or:

$$\frac{\text{_____}}{l} \quad l$$

The final step in determining the health advisory is to compare the HTTAC value calculated from the Appendix A procedures to the chemical's Practical Quantitation Limit (PQL). In the case of MTBE, no USEPA SW-846 analytical method specifies a PQL for this chemical. However, the Agency's Division of Laboratories has determined that a detection limit of 0.005 mg/l is appropriate for water samples. Therefore, the HTTAC value is above the detection limit.

The Agency has decided to issue a two-part health advisory. The precautionary health advisory concentration for Methyl Tertiary-Butyl Ether (MTBE) is 0.07 mg/l or 70 parts per billion in drinking water. People can be exposed to this

concentration of MTBE in drinking water over a 70 year lifetime. Above this concentration, appropriate caution should be exercised by the Public Water Supply, such as increased frequency of sampling and identification of the MTBE source(s). The final health advisory concentration is 0.23 mg/l or 230 parts per billion in drinking water. Above this concentration, the Public Water Supply should begin actions to decrease the amount of MTBE in the system.

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Illinois Environmental Protection Agency

Division of Public Water Supplies

Restricted Status List -- Public Water Supplies

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

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

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

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

- * Indicates public water supplies which have been added to the list since the previous publication.
 ** Indicates actions are being taken by officials to bring the public water supply into compliance.

RDS:sp/0046g/2

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

NAME OF PUBLIC WATER SUPPLY/COUNTY/FACILITY NO.	RGN	NATURE OF PROBLEM	POP. SERVED	LISTING DATE
Arenzville (Cass Co. - 0170050)	5	Nitrate	400	03/20/81
Ashley (Washington Co. - 1890100)	6	Trihalomethane	825	06/15/92
Bellwood (Cook Co. - 0310150)	2	Radium	20,000	12/14/90
* Benld (Macoupin Co. - 1170050)	8	Trihalomethane	2,174	06/16/94
Biggsville (Henderson Co. - 0710050)	5	Radium & Radiological	400	03/17/86
Bond Co. - Royal Lake Wtr Dstrct (0055100)	6	Trihalomethane	228	06/15/92
Bradford (Stark Co. - 1750050)	1	Radium	920	03/17/86
Brownstown (Fayette Co. - 0510100)	6	Trihalomethane	820	06/15/92
Buckingham (Kankakee Co. - 0910250)	2	Inadequate Pres. Tank	330	03/17/89
Buda (Bureau Co. - 0110100)	1	Radium	700	06/15/93
Bureau Co. - Bailey Sbdv (0115100)	1	Inadequate Pres. Tank	43	01/13/82
Byron (Ogle Co. - 1410100)	1	Radium	2,500	06/15/93
Campus (Livingston Co. - 1050050)	4	Inadequate Pres. Tank	230	03/20/81
** Carroll Co. - Carroll Hts Utl Cmpny (0155200)	1	Inadequate Pres. Tank	80	03/20/81
Carroll Co. - Century Pines Apts (0150020)	1	Inadequate Pres. Tank	50	12/14/90
Cedar Point Wtr Cmpny (LaSalle Co. - 0995040)	1	Radium	800	03/17/86
Champaign Co. - D&R Apts (0190030)	4	Inadequate Pres Tank	26	09/16/93
Chandlerville (Cass Co. - 0170200)	5	Nitrate	7,800	03/17/86
Coalton (Montgomery Co. - 1350100)	5	Low System Pressure	325	03/20/81
Coffeen (Montgomery Co. - 1350150)	5	Trihalomethane	800	03/17/92
Concord (Morgan Co. - 1370100)	5	Nitrate	240	03/17/86
Cook Co. - Mission Brook Sndst (0315920)	2	Radium	3,200	03/14/91
Cook Co. - Orland Hills Sbdv (0317000)	2	Inadequate Pres. Tank	154	08/31/81
Cook Co. - Plum Creek Condos (0317080)	2	Radium	570	03/17/86
Coulterville (Randolph Co. - 1570150)	6	Trihalomethane	1,100	06/15/92
Creal Springs (Williamson Co. - 1990300)	7	Inadequate Treatment Plant & Source	1,020	09/15/89
Crystal Clear Wtr Cmpny (McHenry Co. - 1115150)	2	Inadequate Pres. Tank	900	09/16/88
Dallas City (Hancock Co. - 0674300)	5	Trihalomethane	1,500	06/15/92
DeKalb Co. - Buck Lake Ests Sbdv (0375100)	1	Inadequate Pres. Tank	200	09/14/84
DeKalb Co. - DeKalb Univ Dvl Corp (0375148)	1	Inadequate Pres. Tank	950	12/16/92
DeWitt Co. - DeWitt Cnty Nursing Home (0395129)	4	Inadequate Pres. Tank	80	06/17/83
Diamond (Grundy Co. - 0630250)	2	Radium & Radiological	1,170	08/21/81
* Dorchester (Macoupin Co. - 1170250)	5	Trihalomethane	531	06/16/94
Dover (Bureau Co. - 0110350)	1	Inadequate Pres. Tank	200	05/25/81
* DuBois (Washington Co. - 1890150)	6	Trihalomethane	216	06/16/94
DuPage Co. - Belmont- Highwood PWD (0435180)	2	Trichloroethylene	498	09/16/93
DuPage Co. - Clarendon Wtr Cmpny (0435300)	2	Inadequate Pres. Tank	1,953	03/20/81
DuPage Co. - Ctzn Lombard Heights Dvn (0435700)	2	Inadequate Pres. Tank	980	12/17/82
DuPage Co. - Liberty Park Homeowners Assn (0435600)	2	Inadequate Pres. Tank	1,092	09/17/92
DuPage Co. - Maple Hill Imprv Assn (0435800)	2	Inadequate Pres. Tank	234	08/31/81
DuPage Co. - Metro Util.-Liberty Ridge (0435650)	2	Inadequate Pres. Tank	2,510	03/15/94
DuPage Co. - Northwest Peterson Wlfnd (0435866)	2	Inadequate Pres. Tank	30	12/15/89
DuPage Co. - Northwest Belmont Imprv Assn (0435900)	2	Inadequate Pres. Tank	115	09/29/81
DuPage Co. - Pleasant Hill Cmnty Assn (0435980)	2	Inadequate Pres. Tank	180	03/17/89
DuPage Co. - Polo Drive & Saddle Rd Sbdv (0437000)	2	Inadequate Pres. Tank	95	12/17/82
DuPage Co. - St Charles Cmsn Wlfnd 3 (0437040)	2	Inadequate Pres. Tank	30	12/15/89

DuPage Co. - South Burdette Wtr (0437320)	2	Inadequate Pres. Tank	30	06/16/89
DuPage Co. - York Center Coop (0437550)	2	Inadequate Pres. Tank	240	06/15/88
* Eagerville (Macoupin Co. - 1170300)	5	Trihalomethane	187	06/16/94
Elmwood (Peoria Co. - 1430300)	5	Radiological & Radium	2,117	03/17/86
Fairview (Fulton Co. - 0570450)	5	Radiological, Radium & Inadequate Pressure Tank	20	03/20/81
Goreville (Johnson Co. - 0870200)	7	Inadequate Treatment Plant & Source	978	09/15/89
Greene Co. - Mt. Gilead Shcrhm (0615129)	6	Inadequate Pres. Tank	28	09/16/83
* Greenfield (Greene Co. - 0610150)	6	Trihalomethane	1,300	06/16/94
Greenville - (Bond Co. - 0050050)	6	Trihalomethane	6,610	03/15/94
Grundy Co. - Heatherfield Sbdv (0635150)	2	Inadequate Pres. Tank	91	09/17/82
Grundy Co. - Lisbon North Inc (0631000)	2	Inadequate Pres. Tank	30	09/14/90
Grundy Co. - Ridgecrest North Sbdv (0635250)	2	Inadequate Pres Tank	85	09/16/93
Henry (Marshall Co. - 1230050)	1	Nitrate	2,740	06/15/90
Henry Co. - Country Ests Sbdv (0735050)	1	Nitrate	250	06/15/90
Henry Co. - Hazelwood 1st Addn Well 2 (0735446)	1	Inadequate Pres. Tank	32	09/17/82
Henry Co. - Hazelwood 2nd Addn Well 2 (0735666)	1	Inadequate Pres. Tank	32	09/17/82
Henry Co. - Hazelwood 2nd Addn Well 3 (0735686)	1	Inadequate Pres. Tank	32	09/17/82
Henry Co. - Hazelwood West Sbdv (0735250)	1	Inadequate Pres. Tank	89	03/19/84
Henry Co. - Lake Lynwood Wtr Sys (0735330)	1	Inadequate Pres. Tank	98	08/31/81
Henry Co. - Ophiem PWS (0735150)	1	Inadequate Pres. Tank	150	06/18/82
Henry Co. - Oco Mutual Wtr Supply Cpy Inc (0735200)	1	Inadequate Pres. Tank	115	12/15/89
Henry Co. - Pine Ridge Utl Inc (0735400)	1	Inadequate Pres. Tank	46	09/29/81
Hurst - (Williamson Co. 1990450)	7	Trihalomethane	873	03/15/93
Iroquois Co. - A Merkle -C Kniprath Home (0755389)	4	Inadequate Pres. Tank	98	03/16/90
Iroquois Co. - Spring Creek Campground II Inc. (0750030) 12/16/91	4	Inadequate Pres. Tank	--	--
Island Lake Wtr Cmpny (Lake Co. - 0975080)	2	Iron	2,250	06/15/90
JoDaviess Co. - Bahl Wtr/Pioneer Acres (0855200)	1	Inad. Pres. Storage	700	12/15/93
Kane Co. - Broadview Academy (0895149)	2	Radium	304	09/19/86
Kane Co. - Highland Sbdv (0895530)	2	Inadequate Pres. Tank	50	09/16/83
Kane Co. - Melrose Rental Apts (0895228)	2	Inadequate Pres. Tank	38	03/15/94
Kane Co. - Moecherville Sbdv (0895300)	2	Inadequate Pres. Tank	1,120	03/20/81
Kane Co. - Park View Wtr Corp (0895500)	2	Inadequate Pres. Tank	150	12/17/82
Kane Co. - Pleasant Village (0895228)	2	Inadequate Pres. Tank	N/A	06/18/82
Kane Co. - Silver Glen Ests (0890040)	2	Radium	10	06/15/93
Kane Co. - St Charles Skyline Swr-Wtr Cpy (0895030)	2	Inadequate Pres. Tank	1,300	09/19/86
Kane Co. - Wermes Sbdv (0895750)	2	Inadequate Pres. Tank	150	12/16/88
Kangley (LaSalle Co. - 0990250)	1	Radium	200	03/17/86
Kankakee Co. - Good Shepherd Manor (0915189)	2	Inadequate Pres. Tank	140	03/17/89
Kankakee Co. - Olivet Nazarene College (0915279)	2	Inadequate Pres. Tank	1,450	03/15/94
Kankakee Co. - Skyview Sbdv (0915526)	2	Inadequate Pres. Tank	65	09/14/84
Kendall Co. - Bonnie Lane Wtr (0930010)	2	Inadequate Pres. Tank	49	09/16/93
Kendall Co. - Farm Colony (0935140)	2	Radium	25	03/17/86
Kendall Co. - Fox Lawn Utl Cmpny (0935150)	2	Radium	240	03/17/86
Kendall Co. - Metro Utl Valley Dvn (0935100)	2	Inadequate Pres. Tank	2,200	03/16/90
Kingston Mines (Peoria Co. - 1430450)	5	Radium	350	03/17/86
Kinmundy (Marion Co. - 1210300)	6	Atrazine	1,923	12/15/93
Kinsman (Grundy Co. - 0630450)	2	Radium	150	03/17/86
Kirkwood (Warren Co. - 1870050)	5	Radium & Radiological	1,008	07/23/93
Ladd (Bureau Co. - 0110450)	1	Radium	1,350	10/04/85
Lake Co. - Acorn Acres Sbdv (0975020)	2	Inadequate Pres. Tank	250	12/16/83
Lake Co. - Blan Mar Hills Homeowners Assn (0970090)	2	Radium	18	12/16/91
Lake Co. - Bluff Lake Lodges, Inc (0970240)	2	Inad. Pres. Storage	25,200	12/15/93
Lake Co. - Briarcrest Sbdv Hmowmrs Assn (0971060)	2	Radium & Gross Alpha	120	12/16/92
Lake Co. - D L Well Owners Assn (0975380)	2	Inadequate Pres. Tank	125	03/18/83
Lake Co. - Echo Lake Block IV Water Assn (0970130)	2	Inadequate Pres. Tank	50	06/15/88
Lake Co. - Echo Lake Wtr Sys Block 7 (0975820)	2	Inadequate Pres. Tank	48	09/16/83
Lake Co. - Elm Oak Mutual Wtr Sys (0975736)	2	Inadequate Pres. Tank & Radium	45	06/13/86
Lake Co. - Forest Lake Addn (0975500)	2	Inadequate Pres. Tank	180	12/16/83
Lake Co. - Glenkirk Campus North (0977189)	2	Inadequate Pres. Tank	64	06/15/88
Lake Co. - Glenkirk Campus South (0977199)	2	Inadequate Pres. Tank	36	06/15/88
Lake Co. - Glenstone Sbdv (0970160)	2	Radium	168	09/17/92
Lake Co. - Highland Lake Sbdv (0975750)	2	Inadequate Pres. Tank	294	03/20/81
Lake Co. - Lakewood Wtr Sys (0975400)	2	Inadequate Pres. Tank	49	12/16/83
Lake Co. - Maple Hill Nursing Ctr (0971090)	2	Inadequate Pres. Tank	204	06/15/93
Lake Co. - Sturm Sbdv (0977010)	2	Inadequate Pres. Tank	63	03/16/84
Lake Co. - Summit Homeowners Assn (0975280)	2	Inadequate Pres. Tank	48	03/16/84
Lake Co. - Sylvan Lake 1st Sbdv (0977100)	2	Inadequate Pres. Tank	210	06/14/91
Lake Co. - Towner Sbdv (0977250)	2	Inadequate Pre s. Tank	238	01/14/82
Lake Co. - Wadsworth Oaks Sbdv (0977320)	2	Radium	80	09/19/86
Lake Co. - West Shoreland Sbdv (0977050)	2	Inadequate Pres. Tank	220	06/14/91
LaSalle Co. - Four Lakes Sbdv (0995110)	1	Radium	35	09/19/86
LaSalle Co. - Il Prairie Est Sbdv (0995300)	1	Radium	45	06/15/88
LaSalle Co. - Lynnwood Water Corp (0995336)	1	Inadequate Pres. Tank	114	03/18/83
LaSalle Co. - Woodsmoke Ranch Assn (0990030)	1	Inadeq. Pres. Tank & Radium	350	06/15/90
Little York (Warren Co. - 1870100)	5	Radium	356	12/16/91
Livingston Co. - Salem Childrens Hm (1055229)	4	Inadequate Pres. Tank	66	03/18/83
Logan Co. - Bartmann Health Care Center (1075169)	5	Inadequate Pres. Tank	93	12/16/83
London Mills - (Fulton County - 0574620)	5	Inadequate Pres. Tank	670	12/14/84
Lostant (LaSalle Co. - 0990450)	1	Radium & Radiological	550	03/17/86
* Macoupin Co. - RR 1 - Il Wtr Assn (1175260)	5	Trihalomethane	81	06/15/92
* Macoupin Co. - Spring Creek Water Assn (1175450)	5	Trihalomethane	60	06/16/94

* Madison Co. - Forest Home Map le Park PWD (1195100)	6	Trihalomethane	2,000	06/15/94
Mapleton (Peoria Co. - 1430500)	5	Radium	235	03/17/86
Marshall Co. - Hopewell Wtr Wks (1235150)	5	Radium & Radiological	350	03/17/86
McDonough Co. - Emmett Utl Inc (1095200)	5	Inadequate Pres. Tank	39	12/17/82
McHenry Co. - C & A Wtr Corp (1115270)	2	Inadequate Pres. Tank	33	06/18/82
McHenry Co. - Community Srvc Corp (1115350)	2	Inadequate Pres. Tank	750	09/16/83
McHenry Co. - Deering Oaks Sbdv (1115200)	2	Inadequate Pres. Tank	60	12/17/82
McHenry Co. - Prairie Ridge Assn (1115730)	2	Inadequate Pres. Tank	140	03/16/90
McHenry Co. - Walk-Up-Woods Wtr Cmpny (1115800)	2	Inadequate Pres. Tank	763	12/17/82
* McHenry Co. - Wonder Lake Water Company (1115750)	2	Inadequate Pres. Tank	1,161	06/16/94
McLean Co. - Cropsey Cmnty Wtr (1135150)	4	Inadequate Pres. Tank	60	03/20/81
McLean Co. - Hunters Knoll Sbdv (1130030)	4	1,2-Dichloropropane	25	12/15/93
Media (Henderson Co. - 0710250)	5	Nitrate	150	03/17/86
Mercer Co. - M C L W Sys Inc (1315150)	1	Inadequate Source	100	03/20/81
Mercer Co. - Swedona Wtr Assn (1315200)	1	Inadequate Pres. Tank	100	06/15/90
Monmouth (Warren Co. - 1870150)	5	Radium	9,500	12/15/93
Monroe Co. - Maple Leaf Ests Wtr Corp (1335100)	6	Inadequate Pres. Tank	39	03/20/81
Mount Clare (Macoupin Co. - 1170650)	5	Trihalomethane	858	03/17/92
Naplate (LaSalle Co. - 0990600)	1	Radium	581	03/17/86
Neponset (Bureau Co. - 0110700)	1	Radium	640	09/14/90
New Boston (Mercer Co. - 1310250)	1	Nitrate	750	12/14/84
Nilwood (Macoupin Co. - 1170750)	5	Atrazine	1,063	12/15/93
Odell (Livingston Co. - 1050550)	4	Radium	1,100	03/17/86
Ogle Co. - Lindenwood Wtr Assn (1415300)	1	Inadequate Pres. Tank	50	01/13/82
* Panama (Bond Co. - 0054720)	6	Trihalomethane	380	06/16/94
Patoka (Marion Co. - 1210400)	6	Trihalomethane	820	12/16/92
Peoria Co. - Brookview Sbdv (1435100)	5	Nitrate	300	09/16/93
Peoria Co. - Edelstein Wtr Coop (1435150)	5	Radium & Radiological	115	06/13/86
Peoria Co. - Fahnstock Court Sbdv (1435200)	5	Inadequate Pres. Tank	30	05/25/81
Peoria Co. - Galena Knolls Sbdv (1435300)	5	Nitrate	180	06/15/88
Peoria Co. - Trivoli PWD (1435510)	5	Inadequate Pres. Tank	350	06/17/83
Peoria Co. - Woodland Hts Ests Sbdv (1435760)	5	Inadequate Pres. Tank	245	03/20/81
Prairie City (McDonough Co. - 1090400)	5	Radiological & Radium	620	03/17/86
Ransom (LaSalle Co. - 0990900)	1	Radium	450	03/17/86
Raritan (Henderson Co. - 0710350)	5	Radium & Radiological	177	03/17/86
Reddick (Kankakee Co. - 0914780)	2	Radium	208	09/16/93
Richview (Washington Co. - 1890500)	6	Inadequate Pres. Tank	592	09/19/86
Rockdale (Will Co. - 1970850)	2	Radium	1,500	03/17/86
Rock Island Co. - Byron Hls Sbdv Well 6 (1617266)	1	Inadequate Pres. Tank	32	12/17/82
Rock Island Co. - Country Club Mnr Well 1 (1617286)	1	Inadequate Pres. Tank	32	01/14/82
Rock Island Co. - Croppers 2nd & 3rd Addn (1615200)	1	Inadequate Pres. Tank	29	12/16/83
Rock Island Co. - Eberts 2nd Addn (1615280)	1	Inadequate Pressure Tank	35	09/15/89
Rock Island Co. - Evergreen Vlg Sbdv (1615310)	1	Inadequate Pres. Tank	250	03/20/81
Rock Island Co. - Larson Court Rentals (1615728)	1	Inadequate Pres. Tank	48	01/14/82
Rock Island Co. - Lemon Street Well Cmpny (1615550)	1	Inadequate Pres. Tank	470	03/20/81
Rock Island Co. - Park Hill Ests Well 1 (1617806)	1	Inadequate Pres. Tank	32	06/18/82
Rock Island Co. - Rock Island Arsn (1615387)	1	Trihalomethane	9,000	06/15/92
Rock Island Co. - Silvis Heights Wtr Corp (1615750)	1	Inadequate Pres. Tank	1,680	03/20/82
Rock Island Co. - Suburban Heights Sbdv (1615800)	1	Inadequate Pres. Tank	114	12/16/83
Rock Island Co. - Tindalls Addn Wtr Sys (1617956)	1	Inadequate Pres. Tank	32	06/18/82
Rock Island Co. - Tindalls 3rd & 6th Addns (1617376)	1	Inadequate Pres. Tank	28	06/18/82
Rock Island Co. - Turkey Hollow Well Corp (1615686)	1	Inadequate Pres. Tank	32	06/18/82
Rock Island Co. - WSCO Dvl-Ridgewood (1615670)	1	Inadequate Pres. Tank	475	03/20/81
Roseville (Warren Co. - 1870200)	5	Nitrate	1,254	03/17/89
Rosiclare (Hardin Co. - 0690150)	7	Trihalomethane	1,791	09/17/92
* Schram City (Montgomery Co. - 1350600)	5	Trihalomethane	690	06/16/94
Shannon (Carroll Co. - 0150300)	1	Nitrate	887	03/15/94
* Shipman (Macoupin Co. - 1170950)	5	Trihalomethane	695	06/16/94
* Sims (Wayne Co. - 1910400)	7	Atrazine	71	06/16/94
Smithboro (Bond Co. - 0050250)	6	Total Trihalomethane	201	12/15/93
Sorento (Bond Co. - 0050300)	6	Atrazine	710	06/15/92
South Pekin (Tazewell Co. - 1790650)	5	Nitrate	1,400	06/15/93
South Wilmington (Grundy Co. - 0630650)	2	Radium	750	03/15/93
Spring Valley (Bureau Co. - 0111000)	1	Radium	5,850	09/17/92
St. Clair Co. - Save Site (1635289)	6	Trihalomethane	375	06/15/92
St. Elmo (Fayette Co. - 0510250)	6	Total Trihalomethane	3,053	12/15/93
St. Peter (Fayette Co. - 0510300)	6	Trihalomethane	807	06/15/92
Standard (Putnam Co. -1550300)	1	Radium	280	09/16/91
Steeleville (Randolph Co. - 1570650)	6	Radium	2,305	03/17/86
Stephenson Co. - Park Crest Wtr Cmpny (1775100)	1	Inadequate Pres. Tank	1,200	09/14/84
Table Grove (Fulton Co. - 0570900)	5	Radium & Radiological	500	03/20/81
Taylor Springs (Montgomery Co. - 1350650)	5	Trihalomethane	671	03/17/92
Tazewell Co. - Beverly Mnr Cntrl Imp Assn (1795120)	5	Inadequate Pres. Tank	525	03/17/89
Tazewell Co. - Beverly Mnr-Grant (1795100)	5	Inadequate Pres. Tank	610	03/20/81
Tazewell Co. - Breezeway Sbdv (1795150)	5	Inadequate Pres. Tank	175	09/17/82
Tazewell Co. - Hickory Hls Sbdv Assn 1 (1795386)	5	Inadequate Pres. Tank	31	06/14/85
Tazewell Co. - Hickory Hls Sbdv Assn 2 (1795396)	5	Inadequate Pres. Tank	30	06/14/85
Tazewell Co. - Mayfair Sbdv (1795750)	5	Inadequate Pres. Tank	150	03/16/90
Tazewell Co. - Oakhaven Sbdv (1795760)	5	Inadequate Pres. Tank	35	05/25/81
Tazewell Co. - Prairie View Wtr Assn (1795900)	5	Inadequate Pres. Tank	55	03/20/81
Union Co. - Lick Creek PWD (1815100)	7	Inadequate Treatment	816	09/15/89
		Plant & Source		
Vermilion Co. - North Fork Well Assn (1835186)	4	Inadequate Pres. Tank	66	06/17/83
Viola (Mercer Co. - 1310450)	1	Radium	1,144	09/17/92
Virden (Macoupin Co. - 1171100)	5	Atrazine & TTHM	3,675	12/15/93

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

Public Water Supplies Removed from Previous List

Alexander Co. - McClure-East Cape PWD (0035050)
Auburn (Sangamon Co. - 1670050)
Bush (Williamson Co. - 1990050)
Divernon (Sangamon Co. - 1670450)
Fulton Co. - Dunfermline -St David Wtr Cmsn (0575150)
Gillespie (Macoupin Co. - 1170400)
Girard (Macoupin Co. - 1170450)
Henry Co. - Daytons Valley View Well 1 (0735186)
Henry Co. - Hazelwood 2nd Addn Well 1 (0735646)
Hettick (Macoupin Co. - 0435866)
Johnson Co. - Burnside PWD (0875050)
Lake Co. - Pekara Sbdv (0975900)
Macoupin Co. - ADGPTV (1175200)
Macoupin Co. - Palmyra-Modesto Wtr Assn (1175150)
Macoupin Co. - Scottville Rural Wtr (1170010)
Macoupin Co. - Staunton Res Rd Wtr Coop (1175250)
Modesto (Macoupin Co. - 1170600)
Palmyra (Macoupin Co. - 1170800)
Pawnee (Sangamon Co. - 1670850)
Rock Island Co. - Fairacres Assn (1615350)
Rock Island Co. - Park Hill Ests Well 2 (1617686)
Staunton (Macoupin Co. - 1171050)
Thayer (Sangamon Co. - 1671250)
Wayne City - (Wayne Co. - 1910450)
Whiteside Co. - Shady Nook (1950020)

DES:sp/0046g/5 -22

Illinois Environmental Protection Agency

Division of Pu blic 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 July 1, 1994.

- * Indicates public water supplies which have been added to the list since the previous publication.
- ** Indicates actions are being taken by officials to bring the public water supply into compliance.

RDS:sp/0046g/4

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

NAME OF PUBLIC WATER SUPPLY/COUNTY/FACILITY NO.	RGN	NATURE OF PROBLEM	POP. LISTING	
			SERVED	DATE
Baylis (Pike Co. - 1490100)	5	Source Capacity	300	09/13/85
Bluford (Jefferson Co. - 0810100)	7	Low System Pressure	465	03/20/81
Camargo (Douglas Co. - 0410100)	4	Inadequate Treatment Plant	400	12/16/91
Carlyle (Clinton Co. - 0270300)	6	Inadequate Treatment Plant	400	12/15/93
Caseyville (St. Clair Co. - 1630250)	6	Low System Pressure	12,338	09/14/84
Clinton (DeWitt Co. - 0390050)	4	Inadequate Plant Capacity	7,437	06/14/91
Davis (Stephenson Co. - 1770150)	1	Low System Pressure	600	09/17/92
DePue (Bureau Co. - 0110300)	1	Inadequate Treatment Plant	1,930	12/15/93
Dieterich (Effingham Co. - 0490150)	1	Inadequate Source	568	03/15/94
DuPage Co. - Highland Hls Sndst (0435560)	2	Inadequate Pressure Tank	1,100	09/17/92
Edwardsville (Madison Co. - 1190250)	6	Inad. Treatment Plant	30,581	12/15/93
Evansville (Randolph Co. - 1570250)	6	Plant Capacity	1,838	05/25/81
Georgetown (Vermilion Co. - 1830350)	4	Inadequate Wtr Plant	3,678	06/15/93
Hardin (Calhoun Co. - 0130200)	6	Low System Pressure	1,175	11/25/81
Homer (Champaign Co. - 0190300)	4	Inadequate Source	1,300	03/15/94
Jackson Co. - South Highway PWD (0775400)	7	Low System Pressure	8,189	06/15/92
Kane Co. - Lake Marian Wtr Corp (0895200)	2	Low System Pressure & Inadequate Pres. Storage	800	09/14/84
Kincaid (Christian Co. - 0210250)	5	Plant Capacity	2,640	06/14/85
Lewistown (Fulton Co. - 0570600)	5	Inadequate Source	2,700	06/15/88
McHenry Co. - McHenry Shores Wtr Cmpny (1115020)	2	Low System Pressure	1,170	09/17/92
McHenry Co. - Whispering Hills Wtr Cmpny (1115700)	2	Low System Pressure	6,000	06/15/93
McHenry Co - Wonder Lake Wtr Cmpny (1115750)	2	Inadequate Storage	1,080	12/14/90
Millstadt (St. Clair Co. - 1630850)	6	Low System Pressure	2,750	12/16/91
North Utica (LaSalle Co. - 0990650)	1	Low System Pressure	3,943	03/18/84
Patoka (Marion Co. - 1210400)	6	Inadequate Treatment Plant	820	12/15/93
Pearl (Pike Co. 1490650)	5	Inadequate Pres. Tank	322	09/17/82
Pecatonica (Winnebago Co. - 2010250)	1	Low System Pres.	1,830	06/15/90
Ramsey (Fayette Co. - 0510200)	6	Source Capacity & Low System Pres.	1,350	09/13/85
Richland Co. - West Liberty Dundas Wtr Dist (1595050)	7	Low System Pres. & Inadequate Source	693	12/14/84
Rock Island Co. - Tower Ridge Sbdv (1615780)	1	Inadequate Pres. Tank	70	03/15/94
Stockton (Jo Daviess Co. - 0850450)	1	Low System Pressure	1,900	06/15/84
Sumner (Lawrence Co. - 1010300)	7	Low System Pressure	1,553	12/13/85
Taylor Springs (Montgomery Co. - 1350650)	5	Low System Pressure	650	02/20/81
Walnut Hill (Marion Co. - 1210600)	6	Low System Pressure	1,200	06/14/85
Will Co. - Metro Utl Chickasaw Dvn (1975320)	2	Low System Pressure	7,700	09/17/92

Public Water Supplies Removed from Previous List
 None

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

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Vacant

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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