

ILLINOIS POLLUTION CONTROL BOARD

October 4, 2018

VILLAGE OF HOMEWOOD, HOMEWOOD)	
ILLINOIS, VILLAGE OF ORLAND PARK,)	
ORLAND PARK ILLINOIS, VILLAGE OF)	
MIDLOTHIAN, MIDLOTHIAN ILLINOIS,)	
VILLAGE OF TINLEY PARK, TINLEY PARK)	
ILLINOIS, EXXONMOBIL OIL)	
CORPORATION, VILLAGE OF WILMETTE,)	
WILMETTE ILLINOIS, CITY OF COUNTRY)	
CLUB HILLS, COUNTRY CLUB HILLS)	
ILLINOIS, NORAMCO-CHICAGO, INC.,)	
FLINT HILLS RESOURCES JOLIET LLC,)	
CITY OF EVANSTON, EVANSTON ILLINOIS,)	
VILLAGE OF SKOKIE, SKOKIE ILLINOIS,	)	PCB 16-14 (Homewood)
ILLINOIS DEPARTMENT OF	)	PCB 16-15 (Orland Park)
TRANSPORTATION, METROPOLITAN	)	PCB 16-16 (Midlothian)
WATER RECLAMATION DISTRICT OF	)	PCB 16-17 (Tinley Park)
GREATER CHICAGO, VILLAGE OF	)	PCB 16-18 (ExxonMobil)
RICHTON PARK, RICHTON PARK ILLINOIS,	)	PCB 16-20 (Wilmette)
VILLAGE OF LINCOLNWOOD,	)	PCB 16-21 (Country Club Hills)
LINCOLNWOOD ILLINOIS, CITY OF OAK	)	PCB 16-22 (Noramco-Chicago)
FOREST, OAK FOREST ILLINOIS, VILLAGE	)	PCB 16-23 (Flint Hills Resources)
OF LYNWOOD, LYNWOOD ILLINOIS,	)	PCB 16-25 (Evanston)
CITGO HOLDINGS, INC., VILLAGE OF NEW	)	PCB 16-26 (Skokie)
LENOX, NEW LENOX ILLINOIS, CITY OF	)	PCB 16-27 (IDOT)
LOCKPORT, LOCKPORT ILLINOIS,	)	PCB 16-29 (MWRDGC)
CATERPILLAR, INC., CITY OF CREST HILL,	)	PCB 16-30 (Richton Park)
CREST HILL ILLINOIS, CITY OF JOLIET,	)	PCB 16-31 (Lincolnwood)
JOLIET ILLINOIS, MORTON SALT, INC.,	)	PCB 16-33 (Oak Forest)
CITY OF PALOS HEIGHTS, PALOS HEIGHTS	)	PCB 19-7 (Village of Lynwood)
ILLINOIS, VILLAGE OF ROMEOVILLE,	)	PCB 19-8 (Citgo Holdings)
ROMEOVILLE ILLINOIS, IMTT ILLINOIS	)	PCB 19-9 (New Lenox)
LLC, STEPAN CO., VILLAGE OF PARK	)	PCB 19-10 (Lockport)
FOREST, PARK FOREST ILLINOIS, OZINGA	)	PCB 19-11 (Caterpillar)
READY MIX CONCRETE, INC., OZINGA	)	PCB 19-12 (Crest Hill)
MATERIALS, INC., MIDWEST MARINE	)	PCB 19-13 (Joliet)
TERMINALS LLC, VILLAGE OF MOKENA,	)	PCB 19-14 (Morton Salt)
MOKENA ILLINOIS, VILLAGE OF OAK	)	PCB 19-15 (Palos Heights)
LAWN, OAK LAWN ILLINOIS, VILLAGE OF	)	PCB 19-16 (Romeoville)
DOTON, DOTON ILLINOIS, VILLAGE OF	)	PCB 19-17 (IMTT Illinois)
GLENWOOD, GLENWOOD ILLINOIS,	)	PCB 19-18 (Stepan)
VILLAGE OF MORTON GROVE, MORTON	)	PCB 19-19 (Park Forest)
GROVE ILLINOIS, VILLAGE OF LANSING,	)	PCB 19-20 (Ozinga Ready Mix)
LANSING ILLINOIS, VILLAGE OF	)	PCB 19-21 (Ozinga Materials)

FRANKFORT, FRANKFORT ILLINOIS,	)	PCB 19-22 (Midwest Marine)
VILLAGE OF WINNETKA, WINNETKA	)	PCB 19-23 (Mokena)
ILLINOIS, VILLAGE OF LA GRANGE, LA	)	PCB 19-24 (Oak Lawn)
GRANGE ILLINOIS, VILLAGE OF	)	PCB 19-25 (Doton)
CHANNAHON, CHANNAHON ILLINOIS,	)	PCB 19-26 (Glenwood)
COOK COUNTY DEPARTMENT OF	)	PCB 19-27 (Morton Grove)
TRANSPORTATION AND HIGHWAYS,	)	PCB 19-28 (Lansing)
VILLAGE OF NILES, NILES ILLINOIS,	)	PCB 19-29 (Frankfort)
SKYWAY CONCESSION COMPANY LLC,	)	PCB 19-30 (Winnetka)
VILLAGE OF ELWOOD, ELWOOD ILLINOIS,	)	PCB 19-31 (La Grange)
CITY OF CHICAGO, CHICAGO ILLINOIS,	)	PCB 19-33 (Channahon)
VILLAGE OF CRESTWOOD, CRESTWOOD	)	PCB 19-34 (CCDTH)
ILLINOIS and VILLAGE OF RIVERSIDE,	)	PCB 19-35 (Niles)
RIVERSIDE ILLINOIS	)	PCB 19-36 (Skyway)
	)	PCB 19-37 (Elwood)
Petitioners,	)	PCB 19-38 (Chicago)
	)	PCB 19-40 (Crestwood)
v.	)	PCB 19-48 (Riverside)
)	
ILLINOIS ENVIRONMENTAL PROTECTION	)	(Time-Limited Water Quality
AGENCY,	)	Standard)
	)	(Consolidated)
Respondent.)	

ORDER OF THE BOARD (by C.K. Zalewski):

On August 24, 2018, the Board consolidated new petitions for a chloride time-limited water quality standard (TLWQS) with Village of Homewood et al v. IEPA, PCB 16-14 (consol.) (Homewood). In that order the Board also found that two of the new petitions were not timely filed and ineligible for the stay of the chloride water quality standard. *Id.* at 5. The filing deadline to qualify for the stay was July 26, 2018. *Id.* at 4. The Village of Riverside (PCB 19-48) was one of the late-filed petitioners, filing its chloride TLWQS petition on August 13, 2018.

On September 19, 2018, the Village of Riverside petitioned the Board to extend the filing deadline for the chloride water quality standard stay (Pet.). *See* 35 Ill. Adm. Code 104.540, Board Note. The Village of Riverside claims that it had not retained counsel until after it had filed its petition, and therefore was unaware of the filing deadline and its implications as it prepared its chloride TLWQS petition for filing. Pet. at 3. The Village of Riverside states that it filed its petition upon completing its preparation. *Id.* The Board finds good cause and grants an extension of the filing deadline for Village of Riverside. *See* 35 Ill. Adm. Code 104.540, Board Note. The chloride water quality standard, therefore, is stayed as to the Village of Riverside. *See* 415 ILCS 5/38.5(h)(1) (enacted by P.A. 99-937, eff. Feb. 24, 2017); *see also* 35 Ill. Adm. Code 104.525(a)(3).

The Village of Riverside's petition for extension of the deadline also asserts Riverside's TLWQS petition satisfies the requirements of the Board's rules (35 Ill. Adm. Code 104.Subpart

E). Pet. at 3. In granting Riverside's request to extend the deadline for the stay, the Board is not agreeing with Riverside's assertion or deciding whether the joint petition or Riverside's individual petition is in substantial compliance with 35 Ill. Adm. Code 104.530. The Board's decision on that will come as soon as practicable. *See* 35 Ill. Adm. Code 104.545(a).

IT IS SO ORDERED.

Board member C. Santos abstained.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on October 4, 2018, by a vote of 4-0.

A handwritten signature in black ink that reads "Don A. Brown". The signature is written in a cursive, flowing style. The first letter of "Don" is a large, open circle. The "A" is written with a simple vertical stroke and a horizontal crossbar. "Brown" is written with a capital "B" followed by lowercase letters.

Don A. Brown, Clerk
Illinois Pollution Control Board