



ENVIRONMENTAL REGISTER

October 24, 2019 – Number 752

A PUBLICATION OF THE ILLINOIS POLLUTION CONTROL BOARD

pcb.illinois.gov

BOARD MEMBERS

- ❖ Barbara Flynn Currie, Chair
- ❖ Cynthia M. Santos
- ❖ Brenda K. Carter
- ❖ Anastasia Palivos

The **Illinois Pollution Control Board** is an independent five-member board that adopts environmental control regulations and decides enforcement actions and other environmental cases for the State of Illinois.

INSIDE THIS ISSUE

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CHAIR'S UPDATE

I am honored to write this letter as Chair of the Illinois Pollution Control Board. After appointing me to the Board in April 2019, Governor JB Pritzker designated me as its Chair in August 2019. Before my appointment to the Board, I'd spent many years as a member of the Illinois House of Representatives.

With my fellow Board Members and the Board's staff, I look forward to continuing this agency's tradition of protecting Illinois' environment through the adoption of reasoned decisions and standards that are grounded in the law, science, and public participation. That tradition, now nearly 50 years old, stems from the 1970 enactment of the Environmental Protection Act. In 2020, we will be commemorating a half century of the Act and the Board—for details, please stay tuned to this space and the Board's website (pcb.illinois.gov).

Before I highlight the Board's extensive rulemaking activities from the third quarter of calendar year 2019, let me first express our profound thanks to former Board Member Katie Papadimitriou for her outstanding contributions. Ms. Papadimitriou became a Board Member in January 2017 and served as Chair from May 2017 into August 2019. While Chair, her tireless leadership resulted in the Board's modernized website and expanded electronic filing, among numerous other accomplishments. We wish Ms. Papadimitriou all the very best.

During the third quarter, the Board proceeded to final adoption in six rulemakings. In two of them, the Board substantively amended its environmental regulations:

- Public Water Supplies: Proposed New 35 Ill. Adm. Code 604 and Amendments to 35 Ill. Adm. Code Parts 601, 602, 607, and 611, docket R18-17 (July 25, 2019)
- Amendments to 35 Ill. Adm. Code 225.233, Multi-Pollutant Standard (MPS), docket R18-20 (Aug. 22, 2019)

In a third rulemaking, the Board amended its procedural rules:

- Proposed Amendments to General Procedural Rules (35 Ill. Adm. Code 101), docket R19-19 (Aug. 22, 2019)

And, in the other three rulemakings, the Board adopted non-substantive amendments to streamline, update, and clarify its environmental regulations:

- Amendments to 35 Ill. Adm. Code Subtitle M: Biological Waste, docket R18-29 (Aug. 22, 2019)
- Amendments to 35 Ill. Adm. Code Subtitle D: Mine-Related Water Pollution, docket R18-24 (Sept. 19, 2019)



- Amendments to 35 Ill. Adm. Code Subtitle O: Right to Know, docket R18-30 (Sept. 19, 2019)

Finally, in a seventh rulemaking, the Board closed the docket, consistent with the recommendation of the rulemaking's proponent, the Illinois Environmental Protection Agency:

- Coal Combustion Waste (CCW) Ash Ponds and Surface Impoundments at Power Generating Facilities: Proposed New 35 Ill. Adm. Code 841, docket R14-10 (Sept. 19, 2019)

Summaries of all these proceedings appear in the Rulemaking Update of this *Environmental Register*.

Sincerely,



Barbara Flynn Currie
Chair



RULEMAKING UPDATE

Board Adopts Final Amendments to its Public Water Supplies Rules

On July 25, 2019, the Board adopted final amendments to its public water supplies rules. Less than two months earlier, on May 30, 2019, the Board submitted proposed amendments to the Joint Committee on Administrative Rules (JCAR) for second-notice review. At its meeting on July 16, 2019, JCAR issued its “Certification of No Objection,” subject to a limited number of agreed changes to the rules. The final amendments became effective on July 26, 2019.

This rulemaking was initiated when the Illinois Environmental Protection Agency (IEPA) proposed that the Board amend its public water supplies rules by adopting a new Part 604 entitled “Design, Operation and Maintenance Criteria.” IEPA’s Part 653 rules for designing, operating, and maintaining community water supplies were last updated in 1985. IEPA asserted that its proposal would clarify these rules by consolidating them into a single comprehensive Part of Board rules. Ultimately, the Board adopted a new Part 604, amended Parts 601, 602, and 611, and repealed Part 607. With this final Board action, IEPA plans to repeal Parts 651, 653, and 654 of its rules.

The Board’s rulemaking is captioned Public Water Supplies: Proposed New 35 Ill. Adm. Code 604 and Amendments to 35 Ill. Adm. Code Parts 601, 602, 607, and 611, docket R18-17. Here is a link to the Board’s [final opinion and order](#), which includes the adopted amendments. For more information, please contact Tim Fox (312-814-6085, tim.fox@illinois.gov).

Board Adopts Final Amendments to MPS Rule for Downstate Coal-Fired Power Plant Emissions

On August 22, 2019, the Board adopted final amendments to the Multi-Pollutant Standards (MPS). The Illinois Environmental Protection Agency (IEPA) initiated this rulemaking to provide operational flexibility by combining the two current MPS groups into one group and replacing the current rate-based emission standards for sulfur dioxide (SO₂) and nitrogen oxides (NO_x) with annual mass-based limits. The final amendments adopt those two measures but impose more stringent limits than IEPA had originally proposed.

Specifically, the final amendments set annual mass-based caps for SO₂ (34,500 tons per year) and NO_x (19,000 tons per year), as well as an 11,500-ton NO_x cap for the ozone season. The amendments also include an annual plant-specific cap of 19,680 tons of SO₂ for Joppa Power Station. These mass caps reduce allowable emissions from the current MPS rule by 31,854 tons for SO₂ annually, 13,841 tons for NO_x annually, and 2,266 tons for NO_x during the ozone season. The amendments also require further decreases in the mass caps when an electric generating unit (EGU) is transferred, permanently shut down, or temporarily shut down. Additionally, the amendments require the permanent reduction of at least 2,000 megawatts of coal-fired electric generation from one or more EGUs in the MPS group.



The Board determined, based upon the rulemaking record, that the amendments are protective of human health and the environment, including air quality around the MPS plants. The record demonstrated that the amendments would not interfere with the National Ambient Air Quality Standards (NAAQS). The United States Environmental Protection Agency established the NAAQS to protect public health—including the health of sensitive populations—with an adequate margin of safety. Moreover, in the unlikely event that emissions from EGUs lacking pollution controls approach levels threatening the NAAQS, the federal Clean Air Act would require IEPA action to control those emissions.

The Joint Committee on Administrative Rules, at its August 13, 2019 meeting, issued a “Certification of No Objection” to the second-notice amendments. The final amendments took effect on August 23, 2019.

The rulemaking is captioned Amendments to 35 Ill. Adm. Code 225.233, Multi-Pollutant Standard (MPS), docket R18-20. Here are links to the Board’s (1) [final opinion and order](#) and (2) [addendum](#) containing the adopted rule text. For more information, please contact Tim Fox (312-814-6085, tim.fox@illinois.gov).

Board Adopts Final Amendments to its General Procedural Rules

On August 22, 2019, the Board adopted final amendments to Part 101 of its procedural rules (35 Ill. Adm. Code 101). Part 101 contains the Board’s general rules of procedure, which apply to all types of Board proceedings. The adopted amendments cover four subjects. First, persons offering exhibits at adjudicatory or time-limited water quality standard (TLWQS) hearings must electronically file those exhibits after hearing with the Clerk’s Office. Second, under recent amendments to the Illinois Administrative Procedure Act (P.A. 100-880, eff. Jan. 1, 2019), the Board will e-mail serve its final adjudicatory orders on parties consenting to e-mail service, except for final enforcement orders. Third, the Board specifies Part 101’s applicability to TLWQS proceedings, which do not fall within either of the traditional types of Board proceedings—rulemakings and adjudicatory cases. Fourth, the Board clarifies, updates, and streamlines Part 101 consistent with the Board’s regulatory review initiative.

At its August 13, 2019 meeting, the Joint Committee on Administrative Rules issued a “Certification of No Objection” to the Board’s proposed second-notice amendments, subject to a handful of non-substantive changes which the Board included in the final rules. On August 22, 2019, the final amendments became effective.

This rulemaking is captioned Proposed Amendments to General Procedural Rules (35 Ill. Adm. Code 101), docket R19-19. Here are links to the Board’s (1) [final opinion and order](#) and (2) [addendum](#) containing the adopted rule text. For more information, please contact Marie Tipsord (312-814-4925, marie.tipsord@illinois.gov) or Richard McGill (312-814-6983, richard.mcgill@illinois.gov).



Board Adopts Final Amendments to its Potentially Infectious Medical Waste Rules

On August 22, 2019, the Board adopted final, non-substantive amendments to its potentially infectious medical waste (PIMW) rules (35 Ill. Adm. Code 1420, 1421, 1422). The PIMW rules address the treatment, packaging, labeling, storage, transportation, and disposal of PIMW, and apply to PIMW generators, transporters, and receiving facilities. These final amendments streamline, update, and clarify the PIMW rules.

At its August 13, 2019 meeting, the Joint Committee on Administrative Rules issued a “Certification of No Objection” to the Board’s proposed second-notice amendments, subject to a limited number of non-substantive changes which the Board included in the final rules. On August 30, 2019, the final amendments took effect.

This rulemaking is captioned Amendments to 35 Ill. Adm. Code Subtitle M: Biological Waste, docket R18-29. Here are links to the Board’s (1) [final opinion and order](#) and (2) [addendum](#) containing the adopted rule text. For more information, please contact Tim Fox (312-814-6085, tim.fox@illinois.gov).

Board Adopts Final Amendments to its Mine-Related Water Pollution Rules

On September 19, 2019, the Board adopted non-substantive amendments to its mine-related water pollution rules (35 Ill. Adm. Code 401-406). The Board’s rules on mining operations and mine-related activities establish a permit system that addresses both State and National Pollutant Discharge Elimination System permits. The rules also provide water quality and effluent standards for mining operations and mine-related activities. The adopted amendments streamline, update, and clarify these rules.

At its September 17, 2019 meeting, the Joint Committee on Administrative Rules issued a “Certification of No Objection” to the Board’s proposed second-notice amendments, subject to a handful of non-substantive changes which the Board included in the final rule. On September 25, 2019, the final amendments became effective.

This rulemaking is captioned Amendments to 35 Ill. Adm. Code Subtitle D: Mine-Related Water Pollution, docket R18-24. Here are links to the Board’s (1) [final opinion and order](#) and (2) the [addendum](#) containing the adopted amendments. For more information, please contact Tim Fox (312-814-6085, tim.fox@illinois.gov).

Board Adopts Final Amendments to its Right-to-Know Rules

On September 19, 2019, the Board adopted non-substantive amendments to its right-to-know rules (35 Ill. Adm. Code 1600). The Board’s right-to-know rules address soil, soil gas, and groundwater contamination threatening potable water supply wells and the response action required in handling these threats. The rules also provide guidelines for performing potable water supply well surveys and community relations activities. The adopted amendments streamline, update, and clarify these rules.



At its September 17, 2019 meeting, the Joint Committee on Administrative Rules issued a “Certification of No Objection” to the Board’s proposed second-notice amendments, subject to a small number of non-substantive changes which the Board included in the final rules. On September 25, 2019, the final amendments took effect.

This rulemaking is captioned Amendments to 35 Ill. Adm. Code Subtitle O: Right to Know, docket R18-30. Here are links to the Board’s (1) [final opinion and order](#) and (2) the [addendum](#) containing the adopted amendments. For more information, please contact Tim Fox (312-814-6085, tim.fox@illinois.gov).

Board Closes CCW Rulemaking Docket; Awaits CCR Proposal Under New Law

On September 19, 2019, the Board closed this rulemaking docket, captioned Coal Combustion Waste (CCW) Ash Ponds and Surface Impoundments at Power Generating Facilities: Proposed New 35 Ill. Adm. Code 841, docket R14-10. The Board had previously requested comment from participants concerning whether it should proceed with the current rulemaking record. After Governor Pritzker signed Senate Bill 9 into law as Public Act 101-171 (effective July 30, 2019), the Illinois Environmental Protection Agency (IEPA) recommended that the Board close docket R14-10.

Public Act 101-171 adds to the Environmental Protection Act a new Section 22.59 on “coal combustion residual” or “CCR,” as CCW is termed in federal regulations. Subsection (g) requires IEPA to propose rules within eight months after the Public Act’s effective date. Further, within one year after receiving IEPA’s proposal, the Board must adopt rules that address issues specified in the Public Act. The Board agreed with IEPA that, to develop a clearer record on these issues, IEPA’s proposal under Public Act 101-171 should have a new rulemaking docket. Here is a link to the Board’s [order](#).

For more information, please contact Tim Fox (312-814-6085, tim.fox@illinois.gov).



BOARD ACTIONS

July 25, 2019 Meeting

By videoconference: IPCB Offices in Chicago and Springfield

RULEMAKINGS

[R18-17](#) Public Water Supplies: Proposed New 35 Ill. Adm. Code 604 and Amendments to 35 Ill. Adm. Code Parts 601, 602, 607, and 611 – The Board adopted a final opinion and order amending the Board’s public water supplies regulations.

[R18-24](#) Amendments to 35 Ill. Adm. Code Subtitle D: Mine Related Water Pollution – The Board adopted a second-notice opinion and order proposing to amend the Board’s mine-related water pollution rules.

[R18-32](#) Amendments to General Use Water Quality Standards for Chloride – The Board granted proponent, Huff & Huff, Inc. an extension to May 1, 2020 for filing responses to the Board’s and participants’ questions. Huff & Huff, Inc. was directed to file status reports on October 1, 2019, December 3, 2019, and February 3, 2020.

[R19-19](#) Proposed Amendments to General Procedural Rules (35 Ill. Adm. Code 101) – The Board adopted a second-notice opinion and order to amend the Board’s procedural rules.

ADMINISTRATIVE CITATIONS

[AC 19-20](#) IEPA v. Bruce Bontz, Nannette Bontz, and D. Brooks Excavating, Inc. – The Board accepted respondents’ petition for review involving a Peoria County facility.

ADJUDICATORY CASES

[PCB 10-86](#) People of the State of Illinois v. Illinois Fuel Company, LLC and Cheyenne Resources, Inc. (Water, NPDES – Enforcement) – The Board granted the People’s unopposed motion for summary judgment on counts III and V of the amended complaint and therefore found that Illinois Fuel violated Sections 12(a) and 12(f) of the Environmental Protection Act at the #4 mine in Gallatin County as alleged by the People. In addition, the Board determined that a civil penalty of \$100,000 against Illinois Fuel is appropriate. The Board directed its hearing officer to proceed to hearing on count IV of the amended complaint and set filing deadlines on the issue of the People’s costs.



- PCB 16-19** Midwest Generation, LLC v. IEPA (Time-Limited WQS) – The Board found that the amended petition contains the required components for a time-limited water quality standard (TLWQS) petition and is therefore in “substantial compliance” as defined by the Board’s rules governing TLWQS proceedings. The Board directed IEPA to file its recommendation by September 9, 2019. The Board, on its own motion, consolidated this case with another TLWQS proceeding, INEOS Joliet, LLC v. IEPA, PCB 16-24.
- PCB 16-24** INEOS Joliet, LLC v. IEPA – (Time-Limited WQS) – The Board found that the amended petition contains the required components for a time-limited water quality standard (TLWQS) petition and is therefore in “substantial compliance” as defined by the Board’s rules governing TLWQS proceedings. The Board directed IEPA to file its recommendation by September 9, 2019. The Board, on its own motion, consolidated this case with another TLWQS proceeding, Midwest Generation, LLC v. IEPA, PCB 16-19.
- PCB 17-84** Illico Independent Oil Company v. IEPA (UST Appeal) – The Board denied petitioner’s motion to reconsider the Board’s December 20, 2018 order.
- PCB 18-75** Southern Illinois Power Cooperative v. IEPA (Thermal Demonstration) – The Board granted alternative thermal effluent limitations to petitioner.
- PCB 19-32** Ingredion Incorporated v. IEPA (Time-Limited WQS) – The Board found that this amended petition contains the required components for a time-limited water quality standard (TLWQS) petition and is therefore in “substantial compliance” as defined by the Board’s rules governing TLWQS proceedings. The Board directed IEPA to file its recommendation by September 9, 2019.
- PCB 19-73** People of the State of Illinois v. Dressler Truck Service, Inc. (Air – Enforcement) – The Board granted the People’s unopposed motion to deem facts admitted and for summary judgment against Dressler Truck. The Board therefore found that Dressler Truck violated specified sections of the Environmental Protection Act and the air pollution rules as alleged in the People’s complaint. The Board also assessed a \$15,000 civil penalty against Dressler Truck.
- PCB 19-90** People of the State of Illinois v. One Earth Energy, LLC (Water – Enforcement) – In this water enforcement action concerning a Ford County facility, the Board granted the parties’ request for relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (Act). The Board also accepted the parties’ stipulation and proposed settlement agreement, and therefore ordered respondent to pay a total civil penalty of \$25,000 and cease and desist from future violations of the Act and regulations that were the subject of the complaint.



PCB 19-98 Jeff & Sheila Koester v. IEPA (Water – Tax Certification) – Under the Property Tax Code, the Board partially granted and partially denied “pollution control facility” certification for Jeff & Sheila Koester’s specified facilities located in Jo Daviess County.

PCB 19-113 People of the State of Illinois v. Builders Sand & Cement Company, Inc. (Air – Enforcement) – In this air enforcement action concerning a Rock Island County facility, the Board granted the parties’ request for relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (Act). The Board also accepted the parties’ stipulation and proposed settlement agreement, and therefore ordered respondent to pay a total civil penalty of \$5,000 and cease and desist from future violations of the Act and regulations that were the subject of the complaint

PCB 20-1 People of the State of Illinois v. Pitchford Elevator Company (Land – Enforcement) – The Board accepted for hearing this enforcement action involving a site in Washington County.

PCB 20-2 Janssen Farm—Lanark v. IEPA (Water – Tax Certification) – The Board found and certified that specified facilities of Janssen Farm located in Stephenson County are pollution control facilities for preferential tax treatment under the Property Tax Code.

PCB 20-3 People of the State of Illinois v. Signcraft Screenprint, Inc. (Air – Enforcement) – The Board accepted for hearing this enforcement action involving a site in Jo Daviess County.

August 22, 2019 Meeting

By videoconference: IPCB Offices in Chicago and Springfield

RULEMAKINGS

R18-20 Amendments to 35 Ill. Adm. Code 225.233, Multi-Pollutant Standards (MPS) – The Board adopted a final opinion and order amending the Board’s air regulations.

R18-29 Amendments to 35 Ill. Adm. Code Subtitle M – The Board adopted a final opinion and order amending the Board’s potentially infectious medical waste (PIMW) rules.

R18-30 Amendments to 35 Ill. Adm. Code Subtitle O – The Board adopted a second-notice opinion and order proposing to amend the Board’s Right-to-Know regulations.



- [R19-19](#) Proposed Amendments to General Procedural Rules (35 Ill. Adm. Code 101) – The Board adopted a final opinion and order amending the Board’s procedural rules.
- [R20-1](#) UST Update, USEPA Regulations (January 1, 2019 through June 30, 2019) – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its underground storage tank (UST) regulations during the update period of January 1, 2019 through June 30, 2019.
- [R20-2](#) Wastewater Pretreatment Update, USEPA Regulations (January 1, 2019 through June 30, 2019) – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its wastewater pretreatment regulations during the update period of January 1, 2019 through June 30, 2019.
- [R20-4](#) Definition of VOM Update, USEPA Regulations (January 1, 2019 through June 30, 2019) – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its regulation defining “volatile organic material” (VOM) during the update period of January 1, 2019 through June 30, 2019.
- [R20-5](#) SDWA Update, USEPA Regulations (January 1, 2019 through June 30, 2019) – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its National Primary Drinking Water regulations (NPDWRs) under the Safe Drinking Water Act (SDWA) during the update period of January 1, 2019 through June 30, 2019.
- [R20-6](#) UIC Update, USEPA Regulations (January 1, 2019 through June 30, 2019) – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its underground injection control (UIC) regulations during the update period of January 1, 2019 through June 30, 2019.
- [R20-7](#) RCRA Subtitle D Update, USEPA Regulations (January 1, 2019 through June 30, 2019) – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its municipal solid waste landfill (MSWLF) regulations under the Resource Conservation and Recovery Act (RCRA) during the update period of January 1, 2019 through June 30, 2019.



ADMINISTRATIVE CITATIONS

- [AC 19-19](#) County of LaSalle v. Jake Cook and Sarah Cook – After respondents failed to petition for review, the Board found that respondents violated Sections 21(p)(1), (p)(3), and (p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(3), (p)(7) (2018)). Because there were three violations of Section 21(p), the Board ordered respondents to pay a civil penalty of \$4,500.
- [AC 19-21](#) IEPA v. PB Acquisition Co. Illinois LLC – After respondent failed to petition for review, the Board found that respondent violated Section 55(k)(1) of the Environmental Protection Act (415 ILCS 5/55(k)(1) (2018)). Because there was one violation of Section 55(k), the Board ordered respondent to pay a civil penalty of \$1,500.

ADJUDICATORY CASES

- [PCB 07-44](#) Indian Creek Development Company v. BNSF Railway Company, f/k/a The Burlington Northern and Santa Fe Railway Company and
- [PCB 14-81 \(Consol.\)](#) BNSF Railway Company, f/k/a The Burlington Northern and Santa Fe Railway Company v. Indian Creek Development Company and JB Industries, Inc. (Land, Water – Enforcement, Citizens) – The Board granted the parties’ stipulation to dismiss the consolidated citizen enforcement actions and closed the dockets.
- [PCB 17-45](#) People of the State of Illinois v. Magna Tax Service (Land – Enforcement) – The Board granted the People’s motion for leave and accepted the first amended complaint for hearing.
- [PCB 20-4](#) Pro Ag Hartney #3 v. IEPA (Water – Tax Certification) – The Board found and certified that specified facilities of Pro Ag Hartney #3 located in Henderson County are pollution control facilities for preferential tax treatment under the Property Tax Code.
- [PCB 20-5](#) Defenbaugh Livestock v. IEPA (Water – Tax Certification) – The Board found and certified that specified facilities of Defenbaugh Livestock located in Livingston County are pollution control facilities for preferential tax treatment under the Property Tax Code.
- [PCB 20-6](#) General Mills Operations, LLC v. IEPA (UST Appeal) – The Board granted this request for a 90-day extension to file an underground storage tank (UST) appeal on behalf of this DuPage County facility.
- [PCB 20-7](#) GBL Properties, Inc., v. IEPA (UST Appeal) – The Board accepted for hearing this underground storage tank (UST) appeal involving a site in St. Clair County.



[PCB 20-8](#) People of the State of Illinois v. William Mucci and Debra Mucci, d/b/a B&M Properties; John Kirby; and Polly Kirby (Land, Air – Enforcement) – The Board accepted for hearing this enforcement action involving a site in LaSalle County.

[PCB 20-9](#) People of the State of Illinois v. Chicago Tire, Inc. and Chicago Industrial Retreaders, Inc. (Air – Enforcement) – The Board accepted for hearing this enforcement action involving a site in Cook County.

September 19, 2019 Meeting

By videoconference: IPCB Offices in Chicago and Springfield

RULEMAKINGS

[R14-10](#) Coal Combustion Waste (CCW) Ash Ponds and Surface Impoundments at Power Generating Facilities: Proposed New 35 Ill. Adm. Code 841 – The Board dismissed this docket, consistent with the recommendation of the rulemaking proponent, IEPA.

[R18-24](#) Amendments to 35 Ill. Adm. Code Subtitle M – The Board adopted a final opinion and order amending the Board’s mine-related water pollution rules.

[R18-30](#) Amendments to 35 Ill. Adm. Code Subtitle O – The Board adopted a final opinion and order amending the Board’s Right-to-Know regulations.

ADJUDICATORY CASES

[PCB 10-86](#) People of the State of Illinois v. Illinois Fuel Company, LLC and Cheyenne Resources, Inc. (Water, NPDES – Enforcement) – The Board granted the People’s motion to dismiss count IV of the amended complaint and imposed a \$100,000 civil penalty on Illinois Fuel Company, LLC.

[PCB 16-14, et al. \(Consol.\)](#) Caterpillar Inc. v. IEPA (Time-Limited WQS) – The Board granted petitioner’s motion to withdraw its petition for a chloride time-limited water quality standard (TLWQS).

[PCB 19-32](#) Ingredion Incorporated v. IEPA (Time-Limited WQS) – The Board granted the parties’ joint motion to stay these proceedings until March 10, 2021.

[PCB 19-51](#) People of the State of Illinois v. SE Transport, Inc. (Land – Enforcement, RCRA) – Upon receiving a stipulation, proposed settlement, and agreed motion for relief from the hearing requirement in this enforcement action involving a facility located in Monroe County, the Board ordered publication of the required newspaper notice.



- PCB 19-110** PSM Shell, Inc. v. IEPA (UST Appeal) – Having previously granted a request for a 90-day extension, the Board dismissed the case because no underground storage tank (UST) appeal was filed on behalf of this McLean County facility.
- PCB 20-11** S&S Farms, LLC v. IEPA (Water – Tax Certification) – The Board found and certified that specified facilities of S&S Farms located in DeKalb County are pollution control facilities for preferential tax treatment under the Property Tax Code.
- PCB 20-12** Joshua S. Drake v. IEPA (Water – Tax Certification) – The Board found and certified that specified facilities of Joshua S. Drake located in Henry County are pollution control facilities for preferential tax treatment under the Property Tax Code.
- PCB 20-13** People of the State of Illinois v. Erickson Steel Company, Inc. (Air – Enforcement) – The Board accepted for hearing this enforcement action involving a site in Tazewell County.
- PCB 20-14** People of the State of Illinois v. Clifford-Jacobs Forging Company (Air – Enforcement) – Upon receiving a stipulation, proposed settlement, and agreed motion for relief from the hearing requirement in this enforcement action involving a facility located in Champaign County, the Board ordered publication of the required newspaper notice.
- PCB 20-15** Jeet Singh d/b/a Aman Food & Gas v. IEPA (UST Appeal) – The Board accepted for hearing this underground storage tank (UST) appeal involving a site in Rock Island County.
- PCB 20-16** People of the State of Illinois v. Ironhustler Excavating, Inc., River City Construction, LLC, and Venovich Construction Co. (Land – Enforcement) – The Board accepted for hearing this enforcement action involving a site in Tazewell County. The People and Venovich Construction Co. also filed a stipulation, proposed settlement, and agreed motion for relief from the hearing requirement, for which the Board ordered publication of the required newspaper notice.



ADJUSTED STANDARD & CSO EXCEPTION DETERMINATIONS

Section 28.1(d)(3) of the Environmental Protection Act (Act) (415 ILCS 5/28.1(d)(3) (2018)) requires the Board to publish—in the *Illinois Register* and *Environmental Register* at the end of each fiscal year—a listing of all determinations made under Section 28.1 of the Act. The notice below lists all “adjusted standard” determinations and “combined sewer overflow exception” determinations made by the Board during fiscal year 2019.

Final Actions Taken by the Pollution Control Board in Adjusted Standard Proceedings During Fiscal Year 2019 (July 1, 2018 through June 30, 2019)

<u>Docket/Docket Title</u>	<u>Final Determination</u>
<u>In the Matter of: Petition of Peoria Disposal Company for Modification of Delisting Adjusted Standard Order for Electric Arc Furnace Dust Stabilized Residue (AS 2008-010), AS 18-1 (Nov. 1, 2018)</u>	Peoria Disposal Company (petitioner) requested that the Board modify an adjusted standard (granted in 2009) by removing testing requirements and delisting levels for dioxins/furans. On November 1, 2018, the Board denied the adjusted standard.

Final Actions Taken by the Pollution Control Board in CSO Exception Proceedings During Fiscal Year 2019 (July 1, 2018 through June 30, 2019)

The Board took no action in combined sewer overflow (CSO) exception proceedings because none were filed with or pending before the Board during fiscal year 2019.

Case dockets are available on the Board’s website (pcb.illinois.gov). For assistance, please contact:

Don Brown, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

312-814-3461
don.brown@illinois.gov



CALENDAR

Thursday, November 7, 2019 11:00AM

Board Meeting

IPCB Office

1021 N Grand Ave E - Room 1244 N (First Floor)

Springfield, Illinois

- and -

IPCB Office

James R. Thompson Center

100 W Randolph - Room 11-512

Chicago, Illinois

Tuesday, November 19, 2019 9:00 AM

Hearing: Johns Manville v. Illinois Department of Transportation, PCB 14-3

James R. Thompson Center

100 W Randolph - Room 09-031

Chicago, Illinois

Wednesday, November 20, 2019 9:00 AM

Hearing: Johns Manville v. Illinois Department of Transportation, PCB 14-3

James R. Thompson Center

100 W Randolph - Room 02-025

Chicago, Illinois

Thursday, November 21, 2019 9:00 AM

Hearing: Johns Manville v. Illinois Department of Transportation, PCB 14-3

James R. Thompson Center

100 W Randolph - Room 09-031

Chicago, Illinois

Thursday, November 21, 2019 11:00AM

Board Meeting

IPCB Office

1021 N Grand Ave E - Room 1244 N (First Floor)

Springfield, Illinois

- and -

IPCB Office

James R. Thompson Center

100 W Randolph - Room 11-512

Chicago, Illinois



Friday, November 22, 2019 9:00 AM

Hearing: Johns Manville v. Illinois Department of Transportation, PCB 14-3

James R. Thompson Center
100 W Randolph - Room 09-031
Chicago, Illinois

Thursday, December 5, 2019 11:00AM

Board Meeting

IPCB Office
1021 N Grand Ave E - Room 1244 N (First Floor)
Springfield, Illinois

- and -

IPCB Office
James R. Thompson Center
100 W Randolph - Room 11-512
Chicago, Illinois

Wednesday, December 11, 2019 9:00 AM

Hearing: Metropolitan Water Reclamation District of Greater Chicago v. IEPA (Time-Limited Water Quality Standards for Dissolved Oxygen), PCB 16-28

IPCB Office
1021 N Grand Ave E - Room 1244 N (First Floor)
Springfield, Illinois

- and -

James R. Thompson Center
100 W Randolph - Room 02-025
Chicago, Illinois

Thursday, December 12, 2019 9:00 AM

Hearing: Metropolitan Water Reclamation District of Greater Chicago v. IEPA (Time-Limited Water Quality Standards for Dissolved Oxygen), PCB 16-28

IPCB Office
1021 N Grand Ave E - Room 1244 N (First Floor)
Springfield, Illinois

- and -

IPCB Office
James R. Thompson Center
100 W Randolph - Room 11-512
Chicago, Illinois



Thursday, December 19, 2019 11:00AM

Board Meeting

IPCB Office

1021 N Grand Ave E - Room 1244 N (First Floor)

Springfield, Illinois

- and -

IPCB Office

James R. Thompson Center

100 W Randolph - Room 11-512

Chicago, Illinois

* The events listed above are subject to change, and more events may be added.
Here is a link to the [Board's current calendar](#)



RESTRICTED STATUS / CRITICAL REVIEW LISTS

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
 Division of Public Water Supplies
<http://www.epa.illinois.gov>



Illinois Environmental Protection Agency
 Division of Public Water Supplies
 Restricted Status List – Community Water Supplies

August 2019

SYSTEM NAME	SYSTEM ID	EPA REGION	NATURE OF PROBLEM	POPULATION SERVED	LISTING DATE
ABINGDON	IL0950050	5	TOTAL TRIHALOMETHANES MCL VIOLATION	3654	11/29/2018
ALEXANDER WATER DISTRICT	IL1370020	5	TOTAL TRIHALOMETHANES MCL VIOLATION	442	12/17/2018
ANDALUSIA (upper elevation area)	IL1610050	1	LOW SYSTEM PRESSURE	1050	10/1/2003
ANDOVER	IL0730100	1	NO BACKUP SOURCE	600	3/24/2016
AQUA ILLINOIS - CRYSTAL CLEAR WATER CO.	IL1115150	2	NO EMERGENCY POWER & NO PRESSURE TANK	855	9/16/1988
AQUA ILLINOIS - NUNDA	IL1115600	2	INADEQUATE PRESSURE TANK	570	4/1/2015
AVANTARA LONG GROVE	IL0971110	2	INADEQUATE PRESSURE TANK	200	12/1/2003
BAHL WATER CORP	IL0855200	1	NO ELEVATED OR GROUND STORAGE	700	12/15/1993
BARBERRY ACRES MHP	IL0915145	2	NO CHLORINE FEED SYSTEM; INADEQUATE PRESSURE TANK	61	10/31/2018
BEVERLY HILLSDALE ESTATES, LLC	IL1615530	1	INADEQUATE PRESSURE TANK	63	3/18/1983
BILL-MAR HEIGHTS MHP	IL2015345	1	INADEQUATE PRESSURE TANK	160	3/18/1983
BISHOP HILL	IL0730250	1	NO BACKUP SOURCE	137	11/14/2017
BONNIE	IL0810150	7	INADEQUATE ELEVATED STORAGE CAPACITY	527	7/20/2018
BUFFALO HOLLOW FARMS WATER ASSOCIATION	IL1430080	5	INADEQUATE PRESSURE TANK	45	6/16/2008
CAPRON MHP	IL0075105	1	INADEQUATE PRESSURE TANK	98	3/18/1983
CENTRAL MACOUPIN RURAL WATER DISTRICT	IL1170040	5	MINIMUM CHLORINE RESIDUAL VIOLATION	1825	8/29/2018
CENTURY PINES APARTMENTS	IL0150020	1	INADEQUATE PRESSURE TANK	50	12/14/1990
CHAIN-O-LAKES MHP	IL0975165	2	INADEQUATE PRESSURE TANK	81	12/15/1989
CHESTERFIELD	IL1170200	5	MINIMUM CHLORINE RESIDUAL VIOLATION	180	8/29/2018
CHRISMAN	IL0450100	4	ARSENIC MCL VIOLATION & NITRITE MCL VIOLATION	1,200	1/31/2018
CLARKS MHP	IL2015425	1	INADEQUATE PRESSURE TANK	80	12/16/1991
COAL CITY*	IL0630200	2	RADIUM MCL VIOLATION	5587	7/30/2019
COFFEEN*	IL1350150	5	HALOACETIC ACID MCL VIOLATION	685	7/16/2019
COLONIAL MEADOWS	IL1135100	6	ARSENIC MCL VIOLATION & MINIMUM CHLORINE RESIDUAL VIOLATION	190	9/19/2018



**Illinois Environmental Protection Agency
Division of Public Water Supplies
Restricted Status List – Community Water Supplies**

August 2019

SYSTEM NAME	SYSTEM ID	EPA REGION	NATURE OF PROBLEM	POPULATION SERVED	LISTING DATE
COOKSVILLE*	IL1130400	4	TOTAL TRIHALOMETHANES MCL VIOLATION	213	4/24/2019
COUNTRY VIEW ESTATES SUBDIVISION	IL1415220	1	MINIMUM CHLORINE RESIDUAL VIOLATION	120	12/12/2018
COYNE CENTER COOP	IL1615150	1	INADEQUATE PRESSURE TANK	150	12/15/1997
CRISWELL COURT MHP	IL1975105	2	INADEQUATE PRESSURE TANK	136	12/15/1989
DANFORTH*	IL0750350	4	TOTAL TRIHALOMETHANE MCL VIOLATION	550	8/9/2019
DAYSRING BIBLE COLLEGE	IL0977189	2	INADEQUATE PRESSURE TANK	60	6/15/1988
DES PLAINES MHP	IL0317775	2	INADEQUATE SOURCE CAPACITY & INADEQUATE PRESSURE TANK	580	3/16/1984
DONNELSON*	IL0054360	6	TOTAL TRIHALOMETHANES MCL VIOLATION AND HALOACETIC ACID MCL VIOLATION	210	7/25/2019
EAST END WATER ASSOCIATION	IL1610140	1	INADEQUATE PRESSURE TANK	40	3/15/2002
EAST MORELAND WATER ASSOCIATION	IL1975600	2	NO ELEVATED OR GROUND STORAGE	1055	9/9/2016
EDELSTEIN WATER COOPERATIVE	IL1435150	5	INADEQUATE GROUND STORAGE & NO EMERGENCY POWER	125	1/1/2015
EHLERS MHP	IL0195645	4	INADEQUATE PRESSURE TANK	112	12/17/1982
ELIZABETH (upper elevation area)	IL0850150	1	LOW SYSTEM PRESSURE	675	6/15/1999
EXETER - MERRITT WATER COOP	IL1710010	5	INADEQUATE STORAGE CAPACITY	765	10/1/2013
FAMILY MANUFACTURED HOME COMMUNITY, LLC	IL2015125	1	INADEQUATE PRESSURE TANK	240	12/17/1982
FAYETTE WATER COMPANY (area served by Gateway Water Co.)	IL0510010	6	TOTAL TRIHALOMETHANES MCL VIOLATION	5025	12/28/2018
FOUNTAIN VALLEY MHP	IL0195945	4	ARSENIC MCL VIOLATION	375	8/2/2016
FOUR STAR CAMPGROUND	IL0990060	1	INADEQUATE PRESSURE TANK	150	6/15/1999
GRAND RIDGE*	IL0990200	1	ARSENIC MCL VIOLATION	560	4/24/2019
GRANDVIEW MHP	IL1795365	5	INADEQUATE PRESSURE TANK	300	3/18/1983
GREAT OAKS AND BEACON HILLS APARTMENTS	IL2015488	1	NO ELEVATED OR GROUND STORAGE & A RADIUM MCL VIOLATION	1816	12/17/1982
GREEN MEADOWS ESTATES OF ROCKFORD LLC	IL2015495	1	INADEQUATE GROUND STORAGE & INADEQUATE PRESSURE TANK	970	6/15/2012
HARVEST ESTATES*	IL0915165	2	INADEQUATE PRESSURE TANK	54	4/18/2019
HAWTHORN ESTATES SUBDIVISION	IL0630030	2	INADEQUATE PRESSURE TANK	49	4/7/2017
HICKORY HILLS 2ND ADDITION	IL0730080	1	ARSENIC MCL VIOLATION	93	1/25/2019
HIGHLAND SUBDIVISION	IL0895530	2	INADEQUATE PRESSURE TANK	50	9/16/1983



**Illinois Environmental Protection Agency
Division of Public Water Supplies
Restricted Status List – Community Water Supplies**

August 2019

SYSTEM NAME	SYSTEM ID	EPA REGION	NATURE OF PROBLEM	POPULATION SERVED	LISTING DATE
HILLCREST	IL1410250	1	INADEQUATE SOURCE CAPACITY	1400	2/13/2018
HILLSDALE PROPERTIES	IL1615728	1	INADEQUATE PRESSURE TANK	58	1/14/1982
HILLVIEW SUBDIVISION	IL1975800	2	INADEQUATE PRESSURE TANK	100	3/15/1985
HOLLY HOCK HILL MHP	IL0975245	2	INADEQUATE PRESSURE TANK	52	12/16/1983
HONEYCUTT HILL MHP LLC	IL1955225	1	INADEQUATE PRESSURE TANK	75	9/17/1982
INGALLS PARK SUBDIVISION	IL1975880	2	NO ELEVATED OR GROUND STORAGE	744	9/16/1983
LIBERTY PARK HOMEOWNERS ASSOCIATION	IL0435600	2	INADEQUATE GROUND STORAGE CAPACITY	837	9/17/1992
LIMA	IL0010400	5	INADEQUATE SOURCE CAPACITY & NITRATE MCL VIOLATION	163	5/4/2016
LINDENWOOD WATER ASSOCIATION	IL1415300	1	INADEQUATE PRESSURE TANK	50	1/13/1982
LINWAY ESTATES MHP	IL0315935	2	NO ELEVATED OR GROUND STORAGE	450	2/28/2017
LISBON NORTH, INC.	IL0631000	2	INADEQUATE PRESSURE TANK	30	9/14/1990
LYNNWOOD WATER CORPORATION	IL0995336	1	INADEQUATE PRESSURE TANK	110	3/18/1983
MALTA	IL0370350	1	NO AUTO-START GENERATOR & INADEQUATE HIGH SERVICE PUMP CAPACITY	1175	6/15/2012
MANCUSO VILLAGE PARK MHP	IL2015545	1	INADEQUATE PRESSURE TANK	500	6/18/1982
MANTENO MHP	IL0915385	2	INADEQUATE PRESSURE TANK	144	12/14/1990
MAPLE ACRES MHP*	IL0115135	1	ARSENIC MCL VIOLATION	250	5/22/2019
MCNABB*	IL1550150	1	ARSENIC MCL VIOLATION	310	4/24/2019
MITCHELLSVILLE PWD	IL1655200	7	LOW SYSTEM PRESSURE	1989	10/1/2012
MORNINGSIDE MOBILE ESTATES MHP	IL1075145	5	NITRATE MCL VIOLATION	75	8/11/2016
MOULTRIE COUNTY RURAL WATER DISTRICT (area supplied by Mattoon)	IL1395150	4	TOTAL TRIHALOMETHANES MCL VIOLATION	2500	12/28/2018
NEPONSET*	IL0110700	1	MINIMUM CHLORINE RESIDUAL VIOLATION	374	4/17/2019
OAK RIDGE SD	IL2035300	1	INADEQUATE PRESSURE TANK	240	3/20/1981
OSCO MUTUAL WATER SUPPLY COMPANY, INC.	IL0735200	1	INADEQUATE PUMP CAPACITY	115	12/15/1989
OTTAWA ESTATES MHP	IL0995225	1	INADEQUATE PRESSURE TANK	115	3/18/1983
PARADISE MANOR MHP	IL1617665	1	INADEQUATE PRESSURE TANK	193	2/19/1982
PARK MEADOWLAND WEST MHP	IL0075235	1	INADEQUATE PRESSURE TANK	100	3/18/1982
PAULS MHP	IL0975485	2	INADEQUATE PRESSURE TANK	38	12/16/1983
PINCKNEYVILLE	IL1450150	7	TOTAL TRIHALOMETHANES MCL VIOLATION	6362	10/18/2018
PORTS SULLIVAN LAKE OWNERS ASSOCIATION	IL0971160	2	INADEQUATE PRESSURE TANK	293	6/15/1999
PRAIRIE ROAD PUMP ASSOCIATION	IL2015100	1	INADEQUATE PRESSURE TANK	150	1/1/2006



**Illinois Environmental Protection Agency
Division of Public Water Supplies
Restricted Status List – Community Water Supplies**

August 2019

SYSTEM NAME	SYSTEM ID	EPA REGION	NATURE OF PROBLEM	POPULATION SERVED	LISTING DATE
RAINBOW LANE MHP	IL2015645	1	INADEQUATE PRESSURE TANK & NITRATE MCL VIOLATION	85	6/17/1983
ROCKLAND MHP	IL0975585	2	INADEQUATE PRESSURE TANK	165	12/16/1983
ROLLING GREEN ESTATES MHP	IL1415245	1	INADEQUATE PRESSURE TANK	191	6/14/1985
ROYAL OAKS MHP	IL1115145	2	INADEQUATE PRESSURE TANK	114	6/17/1983
SCALES MOUND	IL0850400	1	LOW SYSTEM PRESSURE (at elev. above 990 ft. MSL)	401	9/15/1997
SHANGRI-LA MHP	IL1415285	1	INADEQUATE PRESSURE TANK	444	9/16/1983
SHANNON	IL0150300	1	RADIUM & GROSS ALPHA MCL VIOLATIONS	758	8/4/2016
SHAWNITA TRC WATER ASSOCIATION	IL1977690	2	INADEQUATE PRESSURE TANK	135	9/17/1992
SILVIS HEIGHTS WATER CORP	IL1615750	1	NO EMERGENCY GENERATOR	1600	12/1/2003
SIX OAKS MHP	IL2015685	1	INADEQUATE PRESSURE TANK	48	6/18/1982
STEPHENSON MOBILE ESTATES	IL1775235	1	INADEQUATE PRESSURE TANK AND INADEQUATE CHLORINE RESIDUAL	223	6/17/1983
STEWARD	IL1030450	1	ARSENIC MCL VIOLATION	256	4/25/2018
SUBURBAN APARTMENTS (DE KALB UNIV DVL)	IL0375148	1	INADEQUATE PRESSURE TANK	1050	12/16/1992
SUMNER	IL1010300	7	LOW SYSTEM PRESSURE (areas served by undersized water mains)	1108	12/13/1985
SUNNY HILLS ESTATES SUBDIVISION	IL0735300	1	INADEQUATE PRESSURE TANK	525	6/15/2000
SUNNYLAND SUBDIVISION	IL1977730	2	INADEQUATE SOURCE CAPACITY & INADEQUATE PRESSURE TANK	300	6/12/2018
SWEDONA WATER ASSOCIATION	IL1315200	1	INADEQUATE PRESSURE TANK	157	6/15/1990
SYLVAN LAKE 1ST SUBDIVISION	IL0977100	2	INADEQUATE PRESSURE TANK	210	6/14/1991
TIMBER RIDGE MOBILE ESTATES	IL1775255	1	INADEQUATE PRESSURE TANK & RADIUM MCL VIOLATION	150	6/17/1996
TOWNERS SUBDIVISION	IL0977250	2	INADEQUATE PRESSURE TANK	204	1/14/1982
TRIANGLE MHP	IL0195925	4	ARSENIC MCL VIOLATION	90	6/15/2012
UTL INC - LAKE HOLIDAY	IL0995200	1	INADEQUATE TREATMENT CAPACITY	6479	4/1/2015
UTL INC - LAKE WILDWOOD UTILITIES CORP	IL1235200	1	INADEQUATE GROUND STORAGE & HIGH SERVICE PUMP CAPACITY	950	10/22/2015
UTL INC - WALK-UP WOODS WATER COMPANY	IL1115800	2	NO ELEVATED OR GROUND STORAGE	781	12/17/1982
VALLEY VIEW SUBDIVISION (WOODFORD COUNTY)	IL2030010	1	INADEQUATE PRESSURE TANK	100	6/15/2012



**Illinois Environmental Protection Agency
 Division of Public Water Supplies
 Restricted Status List – Community Water Supplies**

August 2019

SYSTEM NAME	SYSTEM ID	EPA REGION	NATURE OF PROBLEM	POPULATION SERVED	LISTING DATE
VIETZEN MHP	IL0437245	2	INADEQUATE PRESSURE TANK	150	6/17/1983
WILDLIFE MHP	IL0995425	1	INADEQUATE PRESSURE TANK	73	9/17/1982
WILLOWAY TERRACE MHP	IL0317595	2	NO ELEVATED OR GROUND STORAGE & INADEQUATE SOURCE CAPACITY	900	6/15/1984
WOODLAND*	IL0751000	4	NITRITE MCL VIOLATION	319	5/1/2019



**Illinois Environmental Protection Agency
Division of Public Water Supplies
Critical Review List – Community Water Supplies**

August 2019

SYSTEM NAME	SYSTEM ID	EPA REGION	NATURE OF PROBLEM	POPULATION SERVED	LISTING DATE
CANTON	IL0570250	5	INADEQUATE TREATMENT CAPACITY	13932	3/15/2007
CARBON HILL	IL0630100	2	INADEQUATE TREATMENT CAPACITY	392	12/14/2016
CHATHAM	IL1670300	5	INADEQUATE TREATMENT CAPACITY	14,820	8/31/2017
COAL CITY	IL0630200	2	INADEQUATE TREATMENT CAPACITY	5587	12/14/2016
E J WATER - SANGCHRIS SERVICE AREA	IL1670230	5	INADEQUATE TREATMENT CAPACITY	416	8/31/2017
HILLCREST	IL1410250	1	INADEQUATE STORAGE CAPACITY	1400	11/2/2017
LASALLE	IL0990300	1	INADEQUATE SOURCE CAPACITY & TREATMENT CAPACITY	9700	11/1/2004
MACOMB	IL1090350	5	INADEQUATE CLARIFIER CAPACITY	11309	12/14/2016
MASON CITY	IL1250350	5	INADEQUATE STORAGE CAPACITY	2558	1/1/2006
MOUND PWD	IL1635050	6	INADEQUATE PLANT CAPACITY	2200	6/17/1996
QUINCY	IL0010650	5	INADEQUATE CLARIFIER CAPACITY	45000	8/3/2016
SOUTH SANGAMON WATER COMMISSION	IL1670080	5	INADEQUATE TREATMENT CAPACITY	104	8/31/2017
TISKILWA	IL0111050	1	INADEQUATE STORAGE CAPACITY	830	9/20/2017
WHITE HALL	IL0610400	6	INADEQUATE STORAGE CAPACITY	2900	10/1/2012
WITT	IL1350850	5	INADEQUATE TREATMENT CAPACITY	991	3/17/2008



**Illinois Environmental Protection Agency
Division of Public Water Supplies
Restricted Status and Critical Review Lists – Community Water Supplies**

August 2019

WATER SYSTEMS REMOVED FROM PREVIOUS LIST

CARBON CLIFF
FOX LAWN HOMEOWNERS ASSOCIATION
GREENFIELD
WOODHAVEN

***WATER SYSTEMS ADDED**

COAL CITY
COFFEEN
COOKSVILLE
DANFORTH
DONNELSON
GRAND RIDGE
HARVEST ESTATES
MAPLE ACRES MHP
MCNABB
NEPONSET
WOODLAND



Restricted Status/Critical Review

The Environmental Protection Act prohibits the Agency from issuing a construction permit that will cause or extend a violation. A construction permit to expand the distribution system cannot be granted when a water supply has a maximum contaminant level or treatment technique violation, an inadequate source of raw water supply, inadequate treatment plant capacity, finished water storage or distribution system pressure. A Restricted Status List is published quarterly in the Illinois Pollution Control Board Environmental Register to notify those persons considering expansion of a water supply distribution system of that status before large sums of money have been spent on items such as land acquisition, financing and engineering fees. A companion Critical Review List is published concurrently with the Restricted Status List and has the water supplies that are approaching a point where the supply could be placed on Restricted Status. A permit application from a supply on Critical Review will be examined carefully to ensure that the proposed construction will not cause a violation. Restricted Status and Critical Review are presented as a combined list with the status of the water supply denoted as either RS (Restricted Status) or CR (Critical Review). The current list reflects the status as of January 2, 2018. An asterisk, *, beside the water supply indicates public water supplies that have been added to the Restricted Status/Critical Review list since the previous publication.

Restricted Status List

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.

Critical Review List

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 that 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.



CLASS III GROUNDWATER PROPOSED LISTING NOTICE



EXHIBIT 1

Bluff Spring Fen Nature Preserve Class III Designation Proposal



Bluff Spring Fen Nature Preserve Class III Special Resource Groundwater Listing Notice

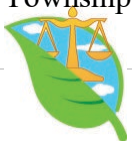
The Illinois Environmental Protection Agency (Illinois EPA) requests a relisting of Bluff Spring Fen, a dedicated nature preserve (DNP), with the revised groundwater contribution area (GCA) that contributes groundwater to the DNP, as a Class III: Special Resource Groundwater. Bluff Spring Fen was originally listed as a Class III Special Resource Groundwater in May of 2010. Under the authority of 35 Ill. Adm. Code 620.230, Class III: Special Resource Groundwater can be established for groundwater contributing to a DNP that has been listed by the Illinois EPA. The Illinois EPA is required to review a written request to list DNPs, and upon confirmation of the technical adequacy, publish the proposed listings of the DNP(s) in the Environmental Register for a 45-day public comment period. Within 60 days after the close of the comment period, the Illinois EPA is required to publish a final listing in the Environmental Register.

The Groundwater Section of the Bureau of Water at the Illinois EPA has completed its review in accordance with the criteria specified in subsection 620.230(b)(1)(A)-(E), and finds the petition to be technically adequate as described herein. Therefore, the Illinois EPA is publishing the listing for Bluff Spring Fen for a 45-day public comment period in the Environmental Register. Questions regarding Class III Groundwater and copies of the proposed listing exhibits can be obtained by mail, telephone or e-mail at the following:

Lynn E. Dunaway P.G.
Groundwater Section
Division of Public Water Supplies
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276
(217) 782-1020
lynn.dunaway@illinois.gov

A) A general description of the site and the surrounding land use.

Bluff Spring Fen is located in the City of Elgin, in northwestern Cook County. Bluff Spring Fen DNP is a 94.3 acre tract, jointly owned by the Metropolitan Water Reclamation District of Greater Chicago and the City of Elgin. The DNP is situated partly on the north and predominantly on the south side of Poplar Creek, located in portions of Sections 19 and 30, of Township 41 North, Range 9 East of the Third Principal Meridian, Cook County. The groundwater contribution area (GCA) includes parts of Sections 19, 20, 21, 28, 29 30, Township 41 North, Range 9 East, Third Principal Meridian, Cook County and part of Section 24, Township 41 North, Range 8 East, Third Principal Meridian, Kane County. The total GCA, for



which Class III is proposed, which includes the nature preserve and GCA outside the nature preserve, is 2.37 square miles (1,515 acres) composed of a generally wedge-shaped area, predominantly east of the DNP, with northeasterly and southeasterly components. Land use in the proposed Class III Area is composed of approximately 0.3 percent agricultural land, 17.3 percent forest and grassland, 3.2 percent wetland, 6.7 percent open water, 60.8 percent residential/urbanized land and approximately 11.7 percent barren/disturbed land.

B) A topographic map or other map of suitable scale denoting the location of the dedicated nature preserve.

See Exhibit 1, Attachment 1.

C) A general description of the existing groundwater quality at and surrounding the dedicated nature preserve.

The presence of the high quality graminoid fen community indicates that the groundwater system retains important geochemical characteristics that support the community. Samples collected in the fen area reported pH ranging from 6.6 to 8.6 standard units, which is circumneutral, to mildly alkaline. Mildly alkaline water that is enriched in calcium and magnesium is typical of calcareous fens. Groundwater samples collected from the DNP contained concentrations of chloride from 10 to 129 milligrams per liter. Elevated concentrations chloride can damage sensitive fen plants and favor generalist species that are more tolerant of chloride and less dependent on a calcium rich water.

D) A general geologic profile of the dedicated nature preserve, based on most reasonably available information, including but not limited to geologic maps and subsurface groundwater flow directions.

The geology of Bluff Spring Fen and its groundwater contribution area can generally be described as 70 to 100 feet of unconsolidated glacial sediment overlaying Silurian age dolomite. The upper 20 feet of the glacial material is composed primarily of highly permeable sand and gravel of the Henry Formation, with some areas of peat. The Henry Formation sand and gravel is the primary conduit through which groundwater flows from the contribution area into the fen. Below the Henry Formation, there is typically 65 feet of clayey and sandy glacial till. Below the till is the dolomite, though in some areas, the dolomite may be in contact with the Henry Formation. Because of the relatively low permeability of the till, the dolomite is not believed to contribute groundwater to the fen. The fen occurs primarily on the southern slope of Poplar Creek, where the creek valley intersects the Henry Formation. Groundwater flow into the DNP occurs primarily from the northeast, east and southeast.



E) A description of the interrelationship between groundwater and the nature of the site.

Though the high quality graminoid fen is the major wetland feature, sedge meadow, mesic prairie, calcareous seep and marsh are also present. The near surface sand and gravel also support dry gravel prairie and oak/hickory savanna. All of these environments depend on the specialized hydrogeologic conditions for their continued survival. The DNP is home to eight endangered and four threatened plant species. In addition to the geochemical conditions that support the specialized wetland plants, the influx of cool groundwater creates microclimates which allow certain species, typically found further north, to survive within Bluff Spring Fen.

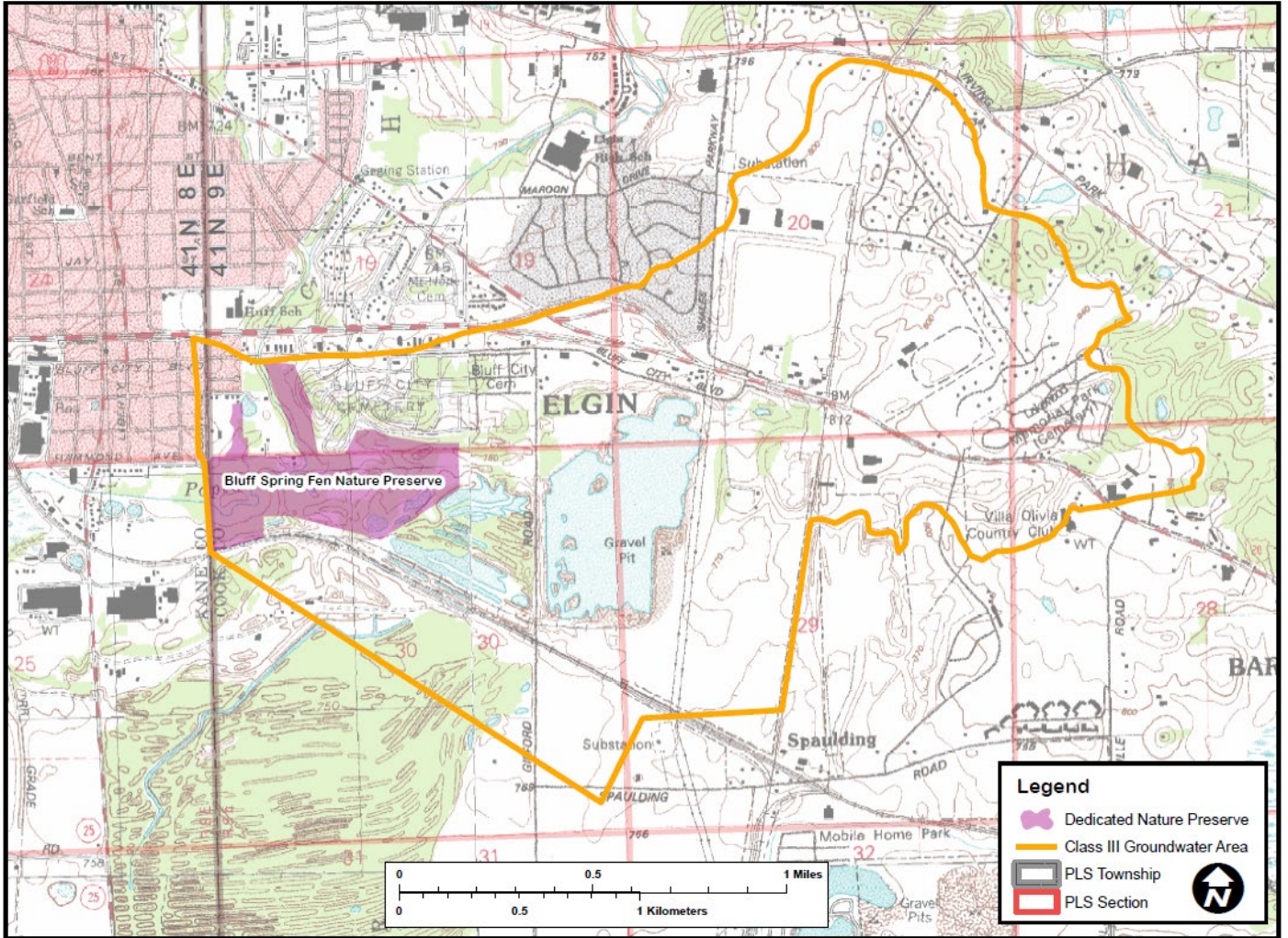


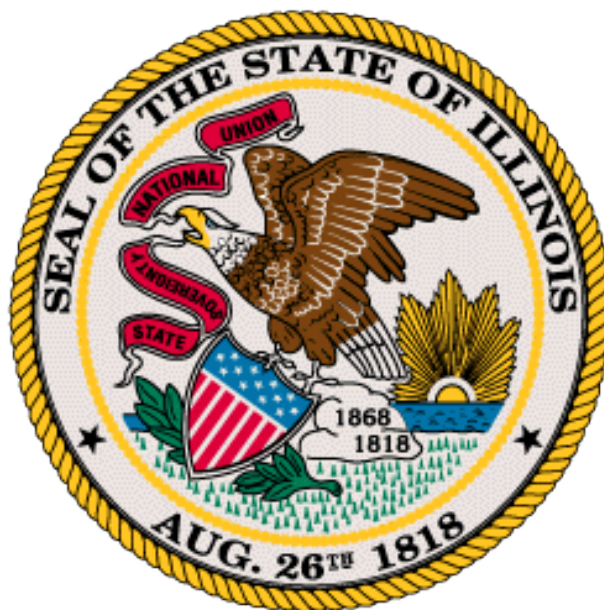
EXHIBIT 1

ATTACHMENT 1



BLUFF SPRING FEN CLASS III GROUNDWATER AREA





**A PUBLICATION OF
THE ILLINOIS POLLUTION CONTROL BOARD**

OCTOBER 2019

Issues of the *Environmental Register* dating back to 1990 are available electronically at
pcb.illinois.gov