

**FY 2006/2007
Performance Partnership
Agreement**

January 2006



**Illinois EPA
and
U.S. EPA**

**FY 2006/2007 PERFORMANCE
PARTNERSHIP AGREEMENT
BETWEEN
ILLINOIS EPA AND REGION 5, USEPA**

We are pleased to execute our eleventh Performance Partnership Agreement and thereby to continue the journey envisioned in the National Environmental Performance Partnership System. This agreement sets forth our mutual agenda for continued environmental progress and our expectations for the state/federal relationship. We have assembled in one comprehensive document the joint priorities, goals, strategies and measures for most of the environmental programs that are carried out in Illinois. Illinois will also operate under a Performance Partnership Grant that provides federal funding for the programs described in this agreement.

The execution of this agreement demonstrates our continuing commitment to environmental improvement that is both cost-effective and responsive to public concerns. We believe that this agreement meets our obligation to find better ways of accomplishing our regulatory objectives. It also builds upon the lessons learned from previous partnership agreements.

Entered into on this _____.

For Illinois EPA:

For Region 5, USEPA:

Douglas P. Scott
Director

Thomas Skinner
Regional Administrator

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I. GENERAL PURPOSE AND CONTEXT

The purpose of this Federal Fiscal Year 2006/2007 (FY06/07) Performance Partnership Agreement ("the Agreement") is to set forth the mutual understandings reached regarding our state/federal relationship, the joint environmental priorities and, the desirable environmental outcomes, the performance expectations for the participating programs, and the oversight arrangements between the parties. The parties to this agreement are the Illinois Environmental Protection Agency (Illinois EPA) and Region 5 of the United States Environmental Protection Agency (Region 5).

A. State/Federal Environmental Partnership

This agreement is designed to be consistent with the "environmental partnership" as described in the National Environmental Performance Partnership System (NEPPS). The parties concur with the principles that are enumerated in the NEPPS and are proceeding in accordance with the framework shown therein.

B. Relationship of Agreement to Grants

Illinois EPA will operate under a Performance Partnership Grant (PPG) in FY06/07. The programs that are described under this agreement and the corresponding media office work plans are coordinated with the program elements used for the PPG. With this approach, we have taken a major step towards a more integrated approach to environmental management in Illinois.

Illinois EPA operates under a PPG to gain more flexibility in use of federal funds, to reduce the administrative burden of having numerous, specific categorical grants/work plans, and to continue some key resource investments in priority activities. To best achieve the administrative benefits of a PPG, fewer grant actions and awards are desirable. However, where an issue is identified in a single media program, Region 5 will move to award the remaining resources while seeking to resolve the issue. Both agencies commit to timely identification and appropriate level of engagement on all such issues.

The parties also recognize that some specific project grants will continue in effect and operate in concert with this Agreement. These special activities are best managed in this coordinated manner to ensure program integrity. The FY06/07 federal performance partnership grant to Illinois EPA includes the following programs for which this agreement serves as the program commitment:

1. Air pollution control program (CAA, Sec. 105)
2. TSCA compliance assurance
3. Hazardous waste management program
4. Underground injection control program
5. Water pollution control program (CWA, Sec., 106)
6. Public water system supervision program

Congress requires USEPA to negotiate a fair share objective with each state for procurement dollars covering supplies, construction, equipment and services. The current negotiated rates require, to the fullest extent possible, that at least 17 percent of federal funding for prime and subcontracts awarded in support of USEPA programs be made available to businesses or other organizations owned or controlled by socially and economically disadvantaged individuals, including women and historically black colleges and universities, based on an assessment of the availability of qualified minority business enterprises (MBE) and women-owned businesses (WBE) in the relevant market. Accordingly, for any grant or cooperative agreement awarded in support of this agreement, the parties agree to ensure that a fair share objective will be made available to MBEs and WBEs.

C. Joint Planning and Evaluation Process

The parties believe it is important to clearly articulate how all the components of the performance partnership are interrelated and sequenced. We will carry out the following joint planning and evaluation process, modified from last year to reflect our conversion to a two-year agreement covering FY 06-07.

<u>Actions</u>	<u>Annual Milestones</u>
1. Annual Environmental Conditions Report	July
2. Senior Management Planning Meeting	July
3. Agreement/Work plan Negotiations or Mid-Course Updates	August/September
4. Final Performance Partnership Agreement or Mid-Course Updates	October
5. State's Performance Report for PPG	November/December
6. Region's Evaluation of State's Annual Report and overall progress.	February

As noted above, certain elements of our joint planning and evaluation process will continue to occur every year (Annual Conditions Report, State’s Performance Report for PPG, and Region’s Evaluation of State Annual Report and overall progress). Other elements will be adjusted to address mid-course assessment and any necessary updates/modifications during the FY 06 cycle.

The Annual Performance Report for the PPG and the Annual Environmental Conditions Report are key components of the performance review. In addition, each media office has a documented post award management process, which they will continue to follow. These processes provide for periodic program meetings, conference calls, program and file reviews, as appropriate. Finally, the two Agencies’ have also developed a Reporting Requirement Inventory, which documents the various reporting requirements associated with grants and programs due to statute, regulations and/or other policies and agreements. Illinois EPA will continue to fulfill these reporting requirements as outlined in the Inventory, unless a specific item is raised and/or renegotiated. All relevant information is taken into account as part of the joint evaluation process.

Another critical element in this joint evaluation process is the Senior Management Planning meeting, and the corresponding mid-year check-in meeting. It is expected that national program guidance should be available well before these meetings, allowing for identification of any critical commitment concerns. In addition, one agenda item for these meetings will be a senior level discussion of performance highlights and areas of concern. These discussions will be documented via joint meeting notes.

A second agenda topic for the Senior Management Planning meeting will be joint priorities. Preparation for the meeting will include development of brief progress reports for existing joint priorities, with recommendations for renewal or not. To ensure new joint priorities get underway, the lead Region 5 Division Director and Bureau Chief for that joint priority will ensure that a check-in call occurs during the second quarter, with progress reported back to the senior managers and PPA leads for each Agency. On-going joint priorities will be addressed by the lead media programs as part of their normal interactions during the year.

JOINT ENVIRONMENTAL PRIORITIES

Region 5 and the Illinois EPA discussed FY05's joint priorities and came to an agreement that the joint priority definition/process will be more effective as a more focused list of joint priorities, which would include only those activities that are considered beyond the normal scope of work for the individual Bureau workplans. There is agreement to consider one of the FY05 joint priorities a success and close it out, and to discontinue four others and fold those activities into the respective work plans. Two joint priorities will remain, and both agencies agreed to discontinue the use of mutual interest areas.

The following joint environmental priorities are established for this Agreement:

1. Midwest Clean Diesel Initiative [continued]

Reducing emissions from diesel engines is one of the most important air quality challenges facing the country. Even with more stringent heavy-duty highway engine standards and non-road standards set to take effect over the next decade, over the next twenty years millions of existing diesel engines will continue to emit large amounts of nitrogen oxides and particulate matter. Both of these pollutants contribute to serious public health problems. These problems are manifested nationally by thousands of instances of premature mortality, hundreds of thousands of asthma attacks, millions of lost work days, and numerous other health impacts. In Illinois, there are roughly 690,000 diesel engines and 8.8 million people live in the nine counties that are not in attainment with national ozone and particulate matter standards.

USEPA, Region 5 is leading the Midwest Clean Diesel Initiative, a public-private partnership to reduce diesel emissions in the Midwest. USEPA, Region 5 will provide leadership in the Ports, Ag/Grain transport, Rail, and the Canada/Southeast Michigan Border Area. In addition, municipal and school bus fleets will continue to be addressed. By leveraging funding and resources from various partners, we can pursue coordinated on-road and off-road diesel retrofits, cleaner fuels, truck electrification parking, and anti-idling measures.

Objectives:

- Identify diesel projects in Illinois to target emission reduction efforts as part of the Midwest Clean Diesel Initiative.
- Identify available funding opportunities through federal and state agencies, foundations, and business community to implement prioritized projects.

Commitments:

Region 5 and Illinois EPA will develop a prioritized list of diesel emission reduction projects. (January 2006). The list of projects may include:

- Financial assistance for trucking companies to install idle reduction technologies.
- In concert with the Chicago Regional Environmental and Transportation Efficiency (CREATE) Project, implement comprehensive idle reduction program with the switch locomotives/rail yards in the Chicago non-attainment area.
- Illinois EPA will solicit the participation of public and private partners (e.g., Partners for Clean Air) in Illinois to support the Midwest Clean Diesel Initiative. (January 2006)

1. Region 5 and Illinois EPA will work with the Illinois Department of Transportation and the Illinois State Toll Highway Authority to require biodiesel/ULSD and best available diesel retrofits in future construction projects.(on-going)
2. Region 5 and Illinois EPA will continue to encourage diesel retrofits and the use of biodiesel and ULSD for school buses within their respective grant programs. (on-going)
3. Region 5 and Illinois EPA will convene a statewide partners workshop highlighting the successes and lessons learned from diesel projects in the State. (March/April 2006)
4. Region 5 and Illinois EPA will work with municipalities and school districts to implement anti-idling policies.
5. USEPA and Illinois EPA will encourage local governments and transit agencies to sponsor CMAQ applications for diesel retrofits idle reduction projects.
6. Illinois EPA will continue to identify opportunities to apply state SEP dollars to diesel projects.
7. Illinois EPA will continue to promote the availability and use of biodiesel.

2. Waukegan Harbor [continued]

Waukegan Harbor is one of 31 Areas of Concern (AOCs) in the United States. The AOC includes the harbor, industrial, commercial, municipal, and open and vacant lands. Of the 14 beneficial use impairments recognized by the International Joint Commission (IJC), six have been identified for the Waukegan Harbor AOC, including: (1) restrictions on fish and wildlife consumption; (2) beach closings; (3) degradation of phytoplankton and zooplankton populations; (4) loss of fish and wildlife habitat; (5) degradation of benthos; and (6) restrictions on dredging activities. A Stage 3 Remedial Action Plan (RAP) for the Waukegan Harbor AOC was completed and released in July of 1999. Environmental conditions in the AOC have improved due to remediation activities and dredging. Fish from Waukegan Harbor are monitored on a yearly basis to monitor progress.

During the past two years, numerous events have helped move Waukegan Harbor towards the formulation of a final remedy. Under the Great Lakes Strategy 2002, the U.S. Policy Committee identified a goal of delisting three AOCs by 2005, with a cumulative total of ten by 2010. Waukegan Harbor represents a clear opportunity for delisting, provided that sediment remediation in the harbor takes place in a timely manner. On April 22, 2003, U.S. EPA announced the designation of the Waukegan Cleanup and Revitalization project as an Environmental Justice Demonstration Project. Selection for this project officially designates Waukegan as an environmental justice community. An economic study conducted by the Northeast Midwest Institute, found that remediation of the AOC could provide significant economic benefits to the city of Waukegan and Lake County. In October 2003, the Great Lakes Governors announced priorities for the Great Lakes including a similar set of priorities found in the 2002 Great Lakes Strategy and the Lake Michigan Lakewide Management Plan (LaMP). On May 18, 2004, the President signed an Executive Order setting up a high level Federal Task Force to coordinate the agencies work in the Great Lakes basin.

Restoration of Beneficial Uses

1. Contaminated Sediments

Contaminated sediments are a major impediment to delisting Waukegan Harbor as a Great Lakes AOC and may directly impact the following beneficial use impairments: restrictions on

dredging, restrictions on fish and wildlife consumption, and degradation of benthos. However, there is an immediate opportunity for U.S. EPA, Illinois EPA, the U.S. Army Corps of Engineers, and local stakeholders to cooperate on a sediment remediation project in Waukegan Harbor. The Great Lakes Legacy Act and/or the Water Resources Development Act provide the potential opportunity to bring a significant amount of federal funds to assist in remediation of Waukegan Harbor. However, to make use of these funding sources in a timely manner (Great Lakes Legacy Act funding is authorized only through FY2008) will require tight coordination between the state, federal, and local agencies on technical, policy, permitting, and funding issues. Some of these issues include:

Schedule: In order to maintain a schedule that will allow for remedial implementation in FY2007 tight coordination between the agencies is required. An approximate schedule for additional work that is required is provided below. Any delays in making policy, technical, and/or permitting decisions, or the lack of funding, could lead to a missed opportunity for utilizing the federal funding sources and significant delays in the schedule.

Funding: Sediment remediation under the Great Lakes Legacy Act will require a non-federal cost share of 35 percent. The City of Waukegan has expressed some interest in providing a portion of this funding, but given the multi million-dollar price tag of sediment remediation additional funds may be required. Additional funding may be needed from GLNPO and the state to complete evaluation and design work at the site.

Policy/Permitting: Several policy and permitting decisions will be required at the state and local levels prior to remedy implementation. Any delays in making these decisions may substantially delay the process. The federal, state, and local agencies need close coordination in order to avoid delays.

Technical Review: Many documents will be produced prior to remedy implementation. These documents will require review by a number of state and federal agencies. Staff level personnel at the cooperating agencies have agreed to expedite technical reviews of work plans and reports. Management involvement may be necessary to ensure proper prioritization of workload.

2. Addressing Other Beneficial Use Impairments

There is a need to address the Beneficial Use Impairments (BUIs) that are not related to contaminated sediments, such as beach closings, loss of fish and wildlife habitat, degradation of phytoplankton and zooplankton populations. Clear targets and monitoring data are both necessary in order to get to the delisting stage. GLNPO is facilitating pilots and workshops to share their results on setting targets and moving through the delisting process. Watershed work planned for the Waukegan River will help define status and need for further action.

I. MEDIA PROGRAMS AND OUTPUTS

A. Bureau of Air

1. **Program Description** – The Bureau of Air (BOA or Bureau) is organized, functionally, around five priority program areas:

- a) **Ozone** and PM_{2.5} - On June 15, 2004, U.S. EPA designated the Chicago and Metro-East metropolitan areas as moderate non-attainment areas for the 8-hour ozone standard. The Clean Air Act established statutory deadlines for the state to prepare State Implementation Plan (SIP) revisions within 3 years of the designation (or by June 15, 2007). The SIP revision must contain sufficient control measures necessary to demonstrate attainment of the standard within 6 years of the designation (or by June 15, 2010). Other related regulatory efforts include promulgation of Phase II of the NO_x SIP Call, NO_x RACT, Reasonable Further Progress (RFP), and the Clean Air Interstate Rule (CAIR).

Similarly, on April 5, 2005, U.S. EPA designated the Chicago and Metro-East metropolitan areas as non-attainment areas for the PM_{2.5} standards. Attainment SIPs are due to U.S. EPA within 3 years of the designation (or by April 5, 2008), and the deadline for attaining the standards is 5 years after the designation (or by April 5, 2010). The CAIR is the most significant regulatory effort identified thus far for FY06. Other regulatory efforts will be initiated pending the completion of photochemical modeling and also the release of U.S. EPA's implementation guidance for PM_{2.5}.

Specifically, the BOA is undertaking the following activities with regard to ozone and PM_{2.5}:

- On April 21, 2004, U.S. EPA published Phase II of the NO_x SIP Call, requiring Illinois to establish rules setting the control levels for stationary internal combustion engines. The Illinois EPA has developed draft rules and has commenced the necessary outreach and rulemaking processes to meet this requirement.
- We are tracking U.S. EPA's actions regarding its 8-hour ozone and PM_{2.5} implementation policies. The ozone program includes all activities relative to ozone, from monitoring to rulemaking to participation in sub regional assessments of ozone to operation of the enhanced vehicle emissions testing program to voluntary measures through the Partners for Clean Air program and the Clean Air Counts campaigns. As the implementation policies are finalized, the Illinois EPA may need to adjust its planning efforts to address additional requirements.
- The Bureau has prepared and submitted the initial 2002 ozone and PM_{2.5} inventories for the Chicago and Metro-East non-attainment areas, and for all attainment areas as well. The 2002 base year inventories are the basis for future rate-of-progress plans and modeling analyses. Illinois EPA will finalize the base year inventories after U.S. EPA releases its final implementation guidance documents.
- Illinois EPA has initiated rulemaking efforts and stakeholder workgroups regarding BART, ERMS, CAIR, CAMR, VOC area sources, NO_x RACT, and SO₂ RACT. Illinois EPA recognizes that further regulations required pursuant to the NO_x SIP call are past due and has

given these efforts high priority. It is hoped that the NOx SIP call rules will be submitted in mid 2006.

- Illinois EPA recognizes that SIPs for NOx RACT and CAIR are due in 2006 and for the 8-hour ozone attainment demonstration, including RFP, in 2007. Also, the regional haze attainment demonstration, including BART, is due in 2007. Furthermore, the PM2.5 attainment demonstration, including RFP, is due in 2008. Note that efforts to meet the deadlines for submittals may be hindered by a lack of final federal guidance on implementation issues.
- The Partners for Clean Air (PFCA) - is a voluntary organization of businesses, local governments and other entities in the Chicago area that take certain actions on Air Pollution Action Days (days when meteorologists predict that air quality may reach unhealthy levels). Beginning in 2004, Air Pollution Action Days include ozone and particulate matter (PM). The program will be active year-round in educating and informing the public on ozone and PM. BOA forecasts Air Pollution Action Days based upon weather information and notifies the Partners, who along with their employees then take one or more actions to help reduce emissions of volatile organic material (VOM) and PM. Such actions include staggered work hours to reduce rush hour traffic, telecommuting, and suspension of landscaping activities that involve use of small engines such as lawnmowers.

In 2005, the number of Corporate Partners was over 350, from only 15 at the beginning of the program in 1995. Federal funds have been received from the Congestion Mitigation Air Quality program to support our continued efforts of public education and outreach.

Significant public education and outreach efforts include:

1. Paid radio advertisements throughout the summer featuring Breathe Easy Man.
2. Dedicated website that provides up to date information about air quality, cleantheair.org. This website receives approximately 300,000 hits each year.
3. Hiring an actor to portray Breathe Easy Man at approximately 20 festivals and events, and news shows throughout the Chicagoland area, carrying the clean air message especially to children.
4. Providing giveaways to promote clean air featuring Breathe Easy Man, including temporary tattoos, coloring books, stickers, window clings and other educational material.
5. Blast fax and e-mail services to notify the media, PFCA and interested citizens of Air Pollution Action Day declarations.

Illinois EPA's public education efforts have also increased public awareness of actions that individuals can take to reduce ozone formation on Air Pollution Action Days. The Illinois EPA will continue to co-sponsor the Green Pays on Green Days educational program with the PCFA organization in FY06-FY07 as resources allow.

b) Title V Program Implementation –

[**Note:** This program is not part of the Illinois EPA work plan for grant purposes, however, this program is a priority for both the Illinois EPA and U.S. EPA and a considerable amount of resources have been committed to administering this vital program.]

This element of the Clean Air program includes the significant permitting activities required by the Clean Air Act. The primary focus in FY05 was to continue to issue all initial or first generation CAAPP permits. Illinois EPA issued initial Title V permits to 21 of the 22 coal-fired power plants. Illinois EPA has now issued initial Title V permits to 99% of the Title V sources. Illinois EPA staff will continue to work on issuing the remaining permits.

- c) Air Toxics – As of May 2005, U.S. EPA had promulgated all but one of the remaining MACT standards, Phase II Hazardous Waste Combustors. Illinois continues to be an active participant in the implementation of MACT standards under Section 112 of the Clean Air Act. Furthermore, Illinois EPA has been involved in the Section 112(f) residual risk issues for those facilities subject to MACT. Illinois EPA participates in the Region 5/State Risk Assessment Workgroups that conducts quarterly conference calls.

On May 18, 2005, U.S. EPA finalized the Clean Air Mercury Rule (CAMR), which finalizes the federal approach to establishing MACT requirements for mercury for electric generating units. Illinois EPA has initiated the technical and regulatory efforts, including stakeholder outreach and the formation of a stakeholder workgroup, to meet its obligations to submit final rules by November 2006.

Illinois has participated in the development of the National Air Toxics Assessment (NATA) air toxics inventory updates to keep the NATA prospective application current.

Illinois established a national air toxics trend site at Northbrook on January 1, 2003, and air monitoring for selected air toxics continued throughout the calendar year. The associated data was reported to U.S. EPA's AIRS database. This monitoring will continue through calendar years 2006 and 2007.

- d) Compliance - Activities traditionally associated separately with field inspections and enforcement all comes under the larger umbrella of compliance. The Bureau will proceed to update and implement the compliance workplan between it and Region 5, addressing these activities, including any special projects, routine inspections, report reviews, emissions testing and monitoring reviews, and other compliance activities. The Bureau will also participate in specific state and federal initiatives, including implementation of MACT standards as they are promulgated.

The Enforcement Response Plan (ERP) and the Compliance Memorandum of Agreement were both signed by Region 5 during FY00 and are followed. Illinois continues the implementation of the High Priority Violation policy established in FY00. Effective communications are being maintained between Illinois EPA and Region 5 on an ongoing basis through meetings and regularly scheduled conference calls.

In FY05 the BOA implemented an interim approach to supplying compliance data to U.S. EPA. This interim approach has enabled BOA to provide U.S. EPA with timely data and we will continue to utilize this system into FY06 and FY07 until the Agency's ACES computer system can be relied upon to track and report this information.

Also in FY06 and FY07 we will continue the effort to initiate the use of a computer enterprise system (relational databases) called "ACES." This will, in the short term, redirect some traditional compliance efforts and resources, but should, in the long term, significantly

improve compliance and compliance tracking, and reporting capabilities. Initial implementation of the ACES system began in FY04.

- e) **Base Programs and National/Regional Priorities** - Although the four program areas listed above are very focused priorities, the base programs must continue to function so as to maintain the progress we have achieved thus far both in the area of ozone reductions and with regard to other pollutants, such as sulfur dioxide (SO₂) and particulate matter (PM₁₀). Such base programs include air monitoring, state permitting and data management, among others. Although many of the activities implementing Illinois EPA's pollution prevention and small business programs are carried out by Field Operations Section inspectors and Permit Section analysts, coordination of these programs within the Bureau of Air is included in Base Programs. At the same time, there are key national and regional initiatives that should be included in our priorities, such as deployment of speciation monitoring network to assess fine particulate matter (PM_{2.5}) and regional haze. These efforts will continue in FY06 and FY07.
2. **Program Linkage to Environmental Goal/Objectives** - Trends in air quality gauge the success of the air pollution control program. These trends are determined from a combination of air quality measurements and emission estimates. The planned program objectives and program activities of the air program contained in this agreement will contribute in a variety of ways to the improvements reflected in those trends. For example, the declining trend in air quality exceedances and the steadily improving air quality conditions measured through the Air Quality Index provide an indication of the quality of the pollution control regulations and the effectiveness of the compliance assurance program. Emission trends illustrate the direct relationship between the control program and reductions of the targeted pollutants in the atmosphere. A summary of our environmental goals, environmental objectives, and the measures that demonstrate progress towards these goals and objectives follows:

Environmental Goal	
Illinois should be free of air pollutants at levels that cause significant risk of cancer or respiratory or other health problems. The air should be cleaner (i.e., less), and the impact of airborne pollutants on the quality of water and on plant life should be reduced.	
<p><u>Environmental Objectives</u> <u>General Air Quality:</u></p> <ol style="list-style-type: none"> Maintenance of 90%¹ "good" or "moderate" air quality conditions in the areas of the state outside the Lake Michigan and Metro-East ozone non-attainment areas. Maintenance of 90% "good" or "moderate" air quality conditions in the 	<p><u>Environmental Indicators</u></p> <p>Air Quality Index levels outside the ozone non-attainment areas.</p> <p>Air Quality Index levels in the ozone non-attainment areas.</p>

¹The Air Quality Index, which replaced the Pollutant Standards Index, includes the 8-hour ozone and PM_{2.5} standards. It also includes six categories of air quality: good; moderate; unhealthy for sensitive groups; unhealthy; very unhealthy; and hazardous.

<p>two ozone non-attainment areas.</p> <ol style="list-style-type: none"> 1. Maintenance of attainment status for pollutants other than ozone and PM2.5, especially in urban areas. <p><u>Ozone and PM2.5:</u></p> <ol style="list-style-type: none"> 2. Attainment of the 8-hour ozone standard by 2010. 3. Attainment of the PM2.5 standards by 2010. 	<p>Trends in monitored levels of each criteria pollutant other than ozone.</p> <p>Trends in the relationship between the number of days in exceedance of the 8-hour ozone and PM2.5 standards in the non-attainment areas and the number of days conducive to the formation of ozone and PM2.5.</p>
<p><u>Program Objectives</u></p> <ol style="list-style-type: none"> 1. For the Chicago ozone non-attainment area, 2006 and 2007 total ozone season weekday VOM emissions will be at or below 750 tpd. 2. For the Metro-East ozone maintenance area, 2006 and 2007 total ozone season weekday NOx emissions will be at or below 1560 tpd. 3. Reductions in emissions of hazardous air pollutants. 4. Minimize the number of days of violation at high priority sources. 	<p><u>Program Outcome/Measures</u></p> <p>Seasonal VOM emissions in the Chicago area ozone non-attainment area by sector.</p> <p>Seasonal NOx emissions outside the Chicago ozone non-attainment area by sector.</p> <p>Trends in hazardous air pollutants emissions as reported through the National Toxics Inventory.</p> <p>Average number of days for significant violators to return to compliance or to enter into enforceable compliance plans or agreements.</p>

3. Performance Strategies - Performance strategies include the daily activities performed by the Bureau of Air that ensure that our environmental goal and program objectives and outcomes are being met. The performance strategies are described below as program activities. Attaining the 8-hour ozone and PM2.5 air quality standards in the Lake Michigan region is a priority with Illinois EPA. The program activities described below support our efforts to attain the 8-hour ozone and PM2.5 standards.

a) Ozone and PM2.5 – Portions of Illinois are not in attainment for the 8-hour ozone and PM2.5 standards (Chicago and Metro-East St. Louis). Therefore, attaining these standards is a priority for us, and it deserves attention separate from the other, more functional programs in the Bureau of Air.

- General - Illinois EPA will continue and expand upon our previous progress towards obtaining voluntary episodic emission reductions through the Partners for Clean Air, including measurement of program support, assessment of state implementation plan (SIP) credit potential, and continuation of our public education efforts. If sufficient funding can be obtained, we will sponsor a “Green Pays on Green Days” educational giveaway program

during the 2006 and 2007 ozone seasons. Additionally, we will participate in ozone forecasting and mapping projects.

- Ozone and PM2.5 Planning –U.S. EPA has completed its remand rulemaking establishing limitations on NOx emissions from internal combustion engines. In response, the Illinois EPA has commenced the rule development (Phase II) process to meet this requirement in a timely manner. Illinois EPA has submitted the annual statewide emission inventory of major sources including ozone precursors in NET format. Illinois EPA will also continue participation in the Clean Air Counts campaign between communities in northeastern Illinois and Region 5 in an effort to find creative means of obtaining reductions of VOM and NOx to further enhance air quality in the area. Illinois EPA will continue to track U.S. EPA’s development of planning guidance for implementing the 8-hour ozone and PM2.5 standards. Illinois EPA will continue to participate in multi-state efforts to develop ozone and PM2.5 modeling analyses to support future attainment demonstration submittals.

Illinois EPA has initiated rulemaking efforts and stakeholder workgroups regarding BART, ERMS, CAIR, CAMR, VOC area sources, NOx RACT, and SO2 RACT. Illinois EPA recognizes that further regulations required pursuant to the NOx SIP call are past due and has given these efforts high priority. It is hoped that NOx SIP call rules will be submitted in mid 2006.

Illinois EPA is working with the Midwest Governors Association, Lake Michigan Air Directors Consortium and Midwest Regional Planning Organization (LADCO) and other Midwestern states and organizations to review options and strategies that require further emission reductions (e.g., NOx, SO2, mercury) beyond those required by existing regulatory efforts.

- Mobile Source Programs - Illinois EPA continues to enhance existing programs and promote new initiatives for clean vehicles and fuels, and reducing emissions from conventional vehicles. These mobile source programs include the Illinois Clean School Bus Program, Illinois Alternate Fuels Rebate Program, Illinois Green Fleets Program, Illinois Green Fuels Program, Illinois Green Dealers Program, Tank Truck Certification Program, the Stage I and Stage II Vapor Recovery programs and our involvement with the Chicago Area Clean Cities coalition (in coordination with the City of Chicago) and the Partners for Clean Air coalition. In addition, the Illinois EPA has been promoting E-85 and biodiesel and working with fleets and individuals in using these fuels since there are many incentives and a significantly expanding infrastructure for these fuels throughout the State.

The Illinois Clean School Bus Program has up to 64 school districts participating to retrofit their school buses and use cleaner fuels. Over \$2.6 million has been distributed affecting over 2,500 school buses to be equipped with oxidation catalysts, particulate filters, and idling equipment, along with using biodiesel or ultra-low sulfur diesel fuels. As part of this program, many school districts were sent an idling CD produced by the Illinois EPA, along with posters and decals, to help remind bus drivers to turn off their buses while parked to eliminate unnecessary idling.

The Illinois Alternate Fuels Rebate Program has been amended to include 20 percent biodiesel fuel (B20) and hydrogen. Vehicles using B20 or greater blends can now receive a

rebate for the additional cost of using biodiesel. In preparation for advanced hydrogen vehicles, rebates can now be issued for the purchase of hydrogen-powered vehicles or for hydrogen fuel, not to exceed \$4,000 per vehicle. To date, 170 applicants have received more than \$2.3 million in rebates for acquiring clean, alternate fuels and alternate fuel vehicles. Illinois now has over an estimated 20,000 vehicles using E-85, biodiesel, natural gas, and propane, with over 150 infrastructure sites for these fuels.

The Illinois EPA has been promoting E-85 and biodiesel fuels, as well as the types of vehicles that can use E-85, to the general public. Illinois now has 60 retail stations selling E-85 located throughout the state. It is estimated that there will be at least 100 E-85 retail outlets by the end of this year. In addition, retail stations are selling biodiesel blends of 2, 5, 11, and 20 percent. There are an estimated 40 gas stations selling at least one blend of biodiesel, with some selling more than one blend (e.g., B2, B11).

The Partners for Clean Air (PFCA) program continues its successful media campaign in getting Chicago area residents to learn more about air pollution and how to help reduce it. Particulate matter is part of the program, along with ozone. The media has been doing many stories on particulates and ozone since 2005 has seen several instances of elevated levels for both pollutants. Part of the PFCA program is the Air Pollution Action Day notices when ozone or particulate matter levels approach or reach the orange level (unhealthy for sensitive groups) along with the Green Pays on Green Days campaign in getting residents to "Take the Clean Air Pledge." The grand prize for Green Pays on Green Days continues to be the Toyota Prius. The Partners website (www.cleantheair.org) has been receiving 100,000-125,000 hits per month. The media campaign is now incorporating television commercials on NBC5, in addition to radio spots on several Chicago area stations.

Chicago Area Clean Cities has been conducting seminars on E-85 and biodiesel fuels, along with promoting hybrids and idling reduction strategies. The E-85 and biodiesel seminar held in June 2005 had 200 attendees, with ads running on WGN and WBBM radio promoting the seminar. Additional seminars will be held in the coming year.

The Illinois EPA will be partnering with other state agencies in promoting the Illinois Green Dealers program. This program recognizes auto dealerships that help to promote E-85 vehicles and E-85 fuel stations in the area to customers. In addition, retail gas stations that sell E-85 and/or biodiesel fuel are recognized as "Illinois Green Fuels" stations.

The Illinois EPA also promotes anti-idling efforts for trucks and buses, especially school buses. The agency participates in conferences sponsored by the trucking industry and sends idling materials to school districts.

- Enhanced Vehicle Inspection/Maintenance (I/M) - Following legislation to allow on-board diagnostics (OBD) testing, the Illinois Pollution Control Board adopted rules, and pass/fail OBD testing was implemented in January 2004. In 2005, legislation was passed authorizing continuation of a more cost efficient OBD-centered I/M program to be implemented following expiration of the current testing contract in January 2007. The Agency is currently preparing the request for proposals (RFP) for the program.

- b) Title V Program Implementation - Illinois EPA will continue to improve its rate of issuance and the effectiveness of Clean Air Act Permit Program (CAAPP - Illinois' Title V program) renewal permits, and ensure that sources in the state are aware of their obligations to comply with their CAAPP permits. Illinois EPA will also continue to provide Region 5 with proposed permits for federal review after public notice and review of the draft permits. Illinois EPA will focus its attention on renewal permits and will continue to work to issue renewal permits with the timeframe specified in the Act. Improving our rate of issuance and effectiveness of CAAPP permit renewals is a necessary and important element of our air program that assists Illinois in meeting its environmental and program objectives of attaining the ozone standard and maintaining attainment of the other National Ambient Air Quality Standards. The Bureau of Air and Region 5 will jointly determine and address any required revisions to the Title V program and any permitting issues. We will process construction permit applications, including PSD and New Source Review evaluations, as appropriate. The Bureau will continue to update the RACT/BACT Clearinghouse.
- c) Air Toxics - The Bureau of Air's air toxics program has, in the past, reflected very active participation at the national level in the development of MACTs, at the state/regional level through our participation in the mercury initiative and the Great Lakes Regional Air Toxics Emissions Inventory project, and at the state level in the development of data relative to toxic pollutants other than HAPs that Illinois has identified as being of concern in this state. However, the Bureau has lost key staff in this area. Illinois EPA will continue these activities as staffing allows, with emphasis on the following:
- MACT Implementation – We will continue to participate in the implementation of MACT standards during FY06 and FY07.
 - Section 112 Implementation - Illinois EPA will continue implementation of Section 112 major HAPs requirements consistent with the Delegation Agreement between Illinois and Region 5. Moreover, Illinois EPA will work with Region 5 in implementation of Section 112(k) through the various community-based initiatives identified below, as part of the Urban Air Toxics Strategy.
 - Monitoring - Illinois EPA commits to continue its data collection and monitoring for photochemical assessment monitoring station (PAMS) the designated National Air Toxic Trends Sites (NATTS). Monitoring data will be quality assured and submitted to AIRS on the same schedule as the PAMS data is submitted. Illinois EPA will cooperate with Region 5 on the evaluation of the monitoring data results and interpretation of historical monitoring data.
 - Urban Toxics Strategy – As staffing allows, Illinois will work with Region 5 within the framework of the Integrated Urban Air Toxics Strategy, including evaluation of the impact of the strategy on Illinois source sectors, evaluation of federal/state roles, and determination of the significance of sectors not affected by MACT standards. Illinois EPA will identify high priority sectors after reviewing the most recent, updated toxics inventories and look for emission reduction opportunities in Illinois through pollution prevention and other voluntary reduction efforts. This includes stationary source measures as well as those for mobile sources such as a diesel retrofit program, lawnmower buy-back program, etc. Illinois will continue to work with the City of Chicago's Departments of Environment and Aviation to

provide technical assistance regarding ways to reduce toxic emissions from area and mobile sources through the use of lower emitting paints and coatings, and the use of clean alternative fuels.

Related to these efforts, Illinois EPA is host to an Illinois Environmental Policy Dialogue facilitated by the Delta Institute. Several meetings have been held and Illinois EPA hopes to be presented with, and follow-up on, potential activities to prevent and reduce toxic pollution.

- National Air Toxics Assessment (NATA) – As staffing allows, Illinois EPA commits to continue tracking the development of the NATA. As staffing allows, Illinois EPA and Region 5 will collaborate to interpret NATA results and examine where these results can be useful in local-scale assessments.
 - Great Lakes Project - Illinois will continue its work on air toxics inventory enhancement as part of the Great Lakes Commission's Great Lakes regional air toxics inventory project. Additionally, Illinois will continue to collaborate with Region 5 and the other Great Lakes states to develop a long-range regional plan to address air deposition.
 - Mercury Initiatives - Illinois will continue its work with other Region 5 states to identify the uses of mercury, and through Region 5's Bi-National Toxics Strategy Mercury Workgroup, to reduce releases of mercury in the Great Lakes Basin. As resources allow, Illinois EPA will deploy state-of-the-art mercury monitors to provide more specific information regarding mercury deposition. On May 18, 2005, U.S. EPA finalized the Clean Air Mercury Rule (CAMR), which finalizes the federal approach to establishing MACT requirements for mercury for electric generating units. Illinois EPA has initiated the technical and regulatory efforts, including stakeholder outreach, to meet its obligations to submit final rules in 2006. Illinois EPA is working with the Midwest Governors Association, Lake Michigan Air Directors Consortium and Midwest Regional Planning Organization (LADCO) and other Midwestern states and organizations to review options and strategies that require mercury emission reductions beyond those required by CAMR.
 - Inventory Update and Development - Illinois EPA will work to ensure that HAP emissions data is being reported as required through Illinois' Annual Emissions Report and that reported data is input into its computerized emissions inventory system. As required, Illinois EPA shall follow the Consolidated Emission Reporting Rule as stipulated in 40 CFR, Part 51.
- d) Compliance - All compliance matters, including field inspections and enforcement, are addressed under this category.

The Illinois EPA will develop and implement a compliance monitoring strategy for Title 5 and certain FESOP source inspections and compliance evaluations. The Illinois EPA will report associated data in a timely and accurate manner, consistent with Agency policies.

The Field Operations Section will execute the inspection plan established in conjunction with Region 5. The plan will utilize a comprehensive approach to planning all compliance activities, including a priority/resource-based analysis of inspections and other inspector related activities. This includes sources with Clean Air Act Permit Program permits and Federally Enforceable State Operating permits, agricultural facilities, refineries, steel

companies, chemical manufacturers, Emission Reduction Market System participants, other large emitters, asbestos demolition and renovation projects, complaint and enforcement follow-up investigations, and complicated emitters. As FY06 proceeds and continuing in FY07, we will use this method to refine our analysis and resource allocation to ensure the most effective inspection program possible based on available resources.

In addition to our inspection efforts, we have intergovernmental agreements with the City of Chicago Department of Environment and the Cook County Department of Environmental Control. The agreements outline specific inspection and other activities that they perform on our behalf. These activities are mostly related to dry cleaners, gas stations, asbestos removal activities and complaint investigations.

The Compliance and Enforcement Section of the Bureau of Air will facilitate the comprehensive and effective compliance and enforcement activities of the Bureau of Air. The Section will support any state, federal or joint state and federal initiatives. The Section will support routine compliance activities that yield information regarding a source's compliance status. Specifically, the Section will pursue noncompliance identified through inspections, permit reviews, records reviews, emissions testing and monitoring reviews, or any other activities. Emphasis will be placed on the following: NESHAP sources, major sources of VOM, NSR/PSD sources, Title V annual compliance certifications and emissions testing and monitoring issues. The Section will continue to participate in the development and implementation of the Agency Compliance Enforcement System (ACES). Additionally, the Section will ensure compliance with the ERMS, including trades. Illinois EPA will continue its annual performance review and report as provided in the ERMS rules.

Compliance Quarterly Report Upload compliance and enforcement information to meet U.S. EPA minimum data requirements according to the Information Collection Request (ICR).	40 CFR 51.324-327; Delegation Agreement	Within 60 days as required by ICR	Submit electronically to AFS.
Other Compliance Reporting Assertions of audit privilege <ul style="list-style-type: none"> ▪ Number of enforcement cases initiated ▪ Number of enforcement cases concluded ▪ Penalty amounts levied ▪ Value of SEPs in dollars and in tons of pollutants removed 	CMS	Annually	End-of-the-Year Grant Report Submitted electronically to AFS Submitted electronically to AFS
<ul style="list-style-type: none"> ▪ Report the date of all source tests conducted and the results of those tests. ▪ For stack tests at sources found in violation of emission limitations, the date the stack was completed, the results of the stack test, and the type of enforcement action taken 	CMS CMS	Within 60 days as required by ICR	Submitted electronically to AFS
<ul style="list-style-type: none"> ▪ Report the date received and reviewed of all Title V annual compliance certification reviews. ▪ Report all Full Compliance Evaluations (FCE) 		Within 60 days as required by ICR Within 60 days as required by ICR Biennially Annually Annually	Submitted electronically to AFS Electronic via e-mail
<ul style="list-style-type: none"> ▪ Submit a Compliance Monitoring Strategy (CMS) plan to U. S. EPA for discussion and approval.. ▪ Review results of compliance monitoring activities and update the CMS as necessary. ▪ Conduct full compliance evaluations at Title V sources and FESOP sources that are at or above 80% of major source thresholds as established in the CMS as agreed to in the inspection plan. 			

- e) Base Programs and National/Regional Priorities - The base programs are those areas of the air program that continue every day to ensure clean air in the state. This element of the air program includes, for example, air monitoring and analysis and speciation of fine PM. National/regional priorities are those specific areas of air pollution control that U.S. EPA or Region 5 has identified as deserving of particular attention.
- Air Monitoring - The Bureau of Air will compile a complete and valid air quality database sufficient to meet program needs and U.S. EPA's requirements. We will operate the air-monitoring network pursuant to U.S. EPA's guidelines. It is important that federal funding pursuant to Section 103 be continued and is timely. We will work with Region 5 to conduct audits on CEMs.

- State Permitting - The Bureau of Air will continue to process construction and “lifetime” operating permit applications for state (non-Title V/non-FESOP) sources and provide proposed construction permits to Region 5 as appropriate.
- PM2.5 – The Bureau has prepared and submitted the 2002 base year inventory for PM2.5 and its precursors. This inventory will be the basis for future rate-of-progress plans, and modeling analyses for PM2.5 and regional haze.
- PM10 Illinois EPA has submitted final maintenance plans for the Lake Calumet and Lyons Township PM10 non-attainment areas. USEPA has published a direct final rule to approve the maintenance plans and re-designate both areas to attainment. Assuming no adverse comments, the area will be re-designated to attainment and this process will be completed.
- Regional Haze/BART - The Bureau of Air has worked with the Lake Michigan Air Directors Consortium and Midwest Regional Planning Organization (LADCO) and other midwestern states to develop and actively participate in a process to address the requirements of the 1999 Regional Haze Rule. The Bureau of Air will continue to participate in conferences and workshops necessary to address regional haze. The Bureau of Air and LADCO have worked with U.S. EPA to develop modeling approaches to address the impacts of BART-eligible sources. We have compiled lists of potential BART sources in Illinois and are continuing to work to refine the lists. The Illinois EPA is working with LADCO’s contractors to begin the process of performing requisite “engineering analyses” required under BART. We have prepared and mailed surveys to over 200 potential BART sources to refine our information regarding start-up dates for affected units. We have reached out to affected parties and formed a stakeholder workgroup and will work with LADCO to begin the air quality modeling process.
- Vehicle Programs - The Bureau of Air has implemented its Clean Fuel Fleets Program and will continue its programs addressing vapor recovery (Stage I, Stage II, and Tank Truck Certification). Illinois EPA will also continue operation of this program established pursuant to the Illinois Alternative Fuels Act, which is to encourage the use of alternative fuels in the state, partially through encouraging establishment of a refueling infrastructure.
- Data Management - Data management is important to the Bureau of Air's ability to efficiently handle the vast amounts of data generated through permitting, inspections, inventory development, air quality planning, monitoring, and other programs. Data management is a program element that supports our efforts to attain the ozone standard and to maintain attainment with the other NAAQS. The Bureau of Air will submit ambient air quality data as required in 40 CFR Part 58.
 - ERMS Database Implementation - The Bureau of Air will continue to collect and maintain all relevant data, including HAP data, and thereby evaluate the performance of the program.
 - Annual Emissions Reporting - The Bureau of Air will continue to collect and maintain all relevant data, including HAP and ozone season data.
 - Agency Compliance and Enforcement System (ACES) – In cooperation with other parts of Illinois EPA, we hope to implement ACES as soon as possible.

- Community Relations - The Bureau of Air is committed to involving the public (citizens, community leaders, and company representatives) in various Bureau activities. The Bureau of Air, through the Office of Community Relations, disseminates information and promotes public involvement in various Bureau programs through a variety of outreach mechanisms, including public meetings and hearings, workshops and conferences, fact sheets and pamphlets, news releases, and responsiveness summaries. Community Relations is engaged in an ongoing process to maintain a dialogue with individuals and groups to ease public concern, raise public awareness, and increase public trust.
- Multimedia Programs - The Bureau of Air will continue its active participation in Illinois EPA's public education program, including actions to educate the public regarding measures individuals can take to help reduce pollution. The Bureau of Air principally through Permits and Field Operations Sections supports Illinois EPA's Pollution Prevention Program. Pollution prevention discussions will continue to be a routine part of inspections performed by Bureau of Air inspectors. Inspectors and permit analysts will assist small businesses in their awareness and understanding of existing and proposed MACT standards and air pollution regulations. As described above under Air Toxics, we will continue our participation in the Great Lakes Project under the leadership and funding of the Great Lakes Commission, particularly those SO₂ and NO_x sources subject to or participating in U.S. EPA's Acid Rain NO_x SIP Call trading program. [GU1]
- National/Regional Priorities - As resources allow, Illinois will continue to participate in Section 112(f) residual risk committees for targeted MACT standards. Section 112(f) is expected to be a component in the Urban Air Toxics Integrated Strategy development over the next five years. Also, as described above, we will participate with Region 5 in performing audits of CEMS. Region 5 will help the state in its participation on a national level in the development of policies addressing ozone and fine particulate, and improve the effectiveness of the Title V permits. The Bureau of Air will participate in the Chicago Compliance Initiative and the Clean Air Counts campaign. Illinois EPA is working with the Midwest Governors Association, Lake Michigan Air Directors Consortium and Midwest Regional Planning Organization (LADCO) and other Midwestern states and organizations to review options and strategies that require further emission reductions (e.g., NO_x, SO₂, mercury) beyond those required by existing regulatory efforts.

4. Clean Air Program Resources

Federal Resources	55 FTE
State Resources	<u>302</u> FTE
TOTAL	357 FTE

- 5. Federal Role** - The Region 5 Air and Radiation Division (ARD) commits to support the Bureau of Air in all efforts necessary to achieve Illinois EPA's mission of Clean Air. A priority will be playing a leadership role in the identification and resolution of program issues at the national level which impact state implementation. Region 5 will work with Illinois EPA to assess issues of concern and develop possible solutions. Region 5 will facilitate issue resolution through the Headquarters' process to ensure answers are timely and responsive to state concerns, while reflecting appropriate national consistency. Specifically with regard to SIPs, Region 5 will provide technical assistance, review, and testimony where requested, before and during state rulemaking. Completeness reviews will be completed within 60 days, but no later than six months from the date of submittal, and Region 5 will prepare Federal Register actions as expeditiously as possible, while striving to achieve statutory deadlines for rulemaking actions. Administratively, ARD will continue to provide Illinois EPA timely information regarding available resources and competitive grants throughout the year and will work with the state to expeditiously apply for and receive appropriate awards.

Region 5 will seek innovative ways to address broad regional priorities; including community based environmental protection, pollution prevention, and compliance assistance. Region 5 will assist Illinois EPA in implementation of the MACT program, provide technical support on mobile source issues and voluntary mobile source emission reduction programs, and HAP emission inventory development. Region 5 will provide timely notice of and information on funding opportunities for community-based air toxics projects, including assessments and mitigation efforts. Region 5 will work towards providing training opportunities related to air toxics in an effort to build air toxics program capacity in the state and region. Region 5 EPA will continue to educate the general public, about burn barrel hazards and waste reduction opportunities. Finally, Region 5's Air and Radiation Division is committed, as part of the Regional workplan, to conduct a screening analysis proceeded by a refined analysis and/or mitigation activity for at least one geographic area in each state (Community Air Toxics Regional Priority/Challenge). Region 5 envisioned that these projects would be conducted with full engagement of the States in order to help build the community component of State and Regional air toxics programs. Region 5 understands that IEPA is understaffed and is in the process of acquiring a toxicologist to work on air toxics program issues. Region 5 would like to work in cooperation with Illinois EPA on the Community Air Toxics Regional Priority/Challenge project in Illinois should Illinois EPA acquire new staff in the near future (by mid-2006). However, should Illinois EPA not be able to acquire staff or engage in the Community Air Toxics Regional Priority, Region 5 would proceed with the analyses and/or mitigation while keeping frequent and open communication with IEPA so that they are informed about the status of the effort and have an opportunity to provide feedback as appropriate.

Region 5 has been actively involved in the Clean Air Counts campaign in the Chicago area, with a diverse network of stakeholders to create new strategies for attaining Clean Air Act standards while achieving redevelopment goals. These strategies will influence municipal

and private actions such as Brownfield redevelopment, investments in transit, greening, and other infrastructure, pollution prevention, and land use decisions. Region 5 continues to be involved in various workgroups that were formed to concentrate on pieces of the campaign. These include clean air technology, aggregation, incentives and credits, development and energy. Out of these workgroups, we will identify activities to be implemented in both the short and long term that enable specific actions to occur that are necessary to combine cleaner air with redevelopment activities. These actions and activities may also qualify as reductions under the State Implementation Plan (SIP) or may improve the livability within a non-attainment area.

Regional activities in the state's broad program components include the following that ARD will undertake:

a) Ozone

- Provide technical assistance to Illinois in the implementation of the NO_x SIP Call, particularly the federal NO_x trading program.
- Provide Illinois with guidance on the status of the NO_x SIP Call development.
- Provide technical assistance and advice in development of upcoming reasonable further progress plans for the 8-hour ozone standard.
- Assist Illinois in the implementation of the new MOBILE6 mobile source emissions model and provide technical assistance to address any issues.
- Provide technical assistance in addressing issues and in resolving problems associated with demonstrating conformity of transportation and general programs, plans, and projects to the State Implementation Plan.
- Work with the state to continue implementing and improving upon the existing Ozone Mapping System.

b) Title V

- Facilitate timely resolution of permit issuance rate and effectiveness impediments identified with state.
- Promote timely resolution of national issues, and common sense solutions for addressing newly identified concerns in a manner, which promotes continued issuance of good quality Title V permits.
- Work with state and U.S. EPA, Headquarters to streamline Title V where national opportunities exist and where state-specific efforts are feasible. Provide technical assistance as requested by the state for issues such as applicability determinations.
- Review a broad range of draft permits consistent with the Permits Memorandum of Agreement and provide feedback at the staff level on permit content, organization, and structure during program start-up and on draft permits of concern where there is reason to believe that public scrutiny will be high, while minimizing review of those permits that include federally enforceable permit conditions to limit applicability of various regulatory thresholds, particularly where the state has issued similar permits previously.
- Provide all information relative to changes in Title V regulations and guidance in a timely manner.
- Provide general training opportunities as appropriate.
- Provide the state with specific concerns with regard to Title V approval, including enforcement and compliance provisions.

- Consult with Illinois EPA during the development of federal rules and policy to the extent feasible.
 - On a quarterly basis, Region 5 will submit the following information to Illinois EPA during Title V/NSR conference calls.
 - i) Any sources with CAAPP applications pending for which U.S. EPA has identified significant public interest or a concern over environmental justice;
 - ii) Any sources with CAAPP applications pending in which Region 5 has any special interest, with explanation; and
 - iii) Any source with an issued CAAPP permit for which a petition for review by U.S. EPA has been submitted, pursuant to Section 505(b)(2) of the Clean Air Act.
 - Work with Illinois EPA to update the existing document that forms the statement of basis to more closely reflect current requirements.
- c) Air Toxics
- Provide assistance in implementing MACT. In particular, provide assistance in any applicability determinations and control requirements of the NESHAPs.
 - Provide timely notification of funding opportunities for community-based air toxics projects.
 - Coordinate and advance the understanding of mercury impacts and seek reductions as appropriate.
 - Coordinate efforts to develop state toxics inventories.
 - Provide technical assistance on air toxics program issues or concerns.
- d) Compliance Assistance and Enforcement
- Region 5 FY05 initiatives include coal-fired utilities, refineries, MACT (secondary aluminum production, reinforced plastics composites), HON sources, chemical sector sources, minimills, federal facilities, Portland cement plants, ozone sources, a stack testing initiative in geographic priority area, and NSR/PAS/FESOP/Title V.
- e) Base Programs and National/Regional Priorities
- Air Monitoring:
- Conduct Quality Assurance (QA) system audits of Illinois EPA ambient air quality monitoring network and provide the service of QA performance audits when needed in coordination with Illinois EPA.
 - Continue to provide assistance and technical support for the Photochemical Assessment Monitoring Stations (PAMS) in coordination with Illinois EPA.
 - Work with the state to implement Lake Michigan PAMS data analysis plan.
 - Work with the state in reviewing and approving annual NAMS/SLAMS network plans.
 - Provide Illinois EPA the resources needed to support the national trend site for PM2.5 speciation.
 - Provide Illinois training in quality assurance and data reporting for PM2.5.
 - Support Illinois' efforts to secure Section 103 funding for PM2.5 monitoring. Assist Illinois EPA in conducting PM2.5 analyses.
 - Work with the state to implement the National and Regional Monitoring Strategies including NCore.
 - Work with the state to ensure data completeness in AQS.

- Encourage Illinois establish a training program for the new monitoring technologies, including, but not limited to, NCore level 2 trace gases and toxics. Region 5 may do this by requiring it in the 103 workplan for PM 2.5, and toxics and we may provide/identify funding in the grant for this purpose.

Permitting (other than Title V):

- Facilitate timely resolution of permit problems; including resolution of national issues and common sense solutions for addressing identified concerns.
- Provide technical assistance as requested by the state for issues such as applicability determinations.
- Review draft permits consistent with the Memorandum of Agreement, including FESOP, netting, all PSD permits and permits of concern where there is reason to believe that public scrutiny will be high.
- Provide all information relative to changes in construction permit program regulations and guidance in a timely manner.

Small Business:

- Promote regional communication and information exchange through quarterly conference calls and an annual conference.
- Address questions, complaints, and compliance efforts regarding the Stratospheric Ozone Protection programs throughout the state.
- Work with the state to develop a mechanism to assess how well small business MACT outreach is furthering compliance goals.
- Continue to host quarterly calls with state/local dry cleaner contacts.
- Continue to provide ongoing technical assistance to state/local dry cleaner contacts. Region 5 will continue to provide a conduit for state/local dry cleaner contacts having issues to be addressed by U.S. EPA and will continue to assure access for these contacts to federal documents, information and other resources that become available.

Public Outreach and Education

- Continue to support the Air Pollution Action Days and Partners for Clean Air programs through mailing of materials and other outreach activities.
- Continue participation as a partner in the “Partner for Clean Air” organization.
- Participate in community forums on urban sprawl and hold at least another community workshop in the East St. Louis area on urban sprawl.
- Pursue opportunities for public education and outreach using its Air Pollution Action Days brochures, particularly focusing on our geographic initiative minority communities, finding ways to effectively provide this information to parents of children that may be especially vulnerable.
- Expand and enhance ARD's Homepage to provide both general and state-specific information on environmental problems and conditions in a manner that is readily understandable.
- Region 5 will continue to collaborate with Illinois EPA and environmental providers in Illinois to build and expand state capacity in environmental education.
- Continue outreach on asthma and its relationship to air pollution in the Greater Chicago area.

- Provide outreach information and educate stakeholders by establishing meetings, seminars, and materials, particularly in the form of Q/A, regarding the 1999 National Air Toxics Assessment (NATA).
6. **Federal Oversight** - As part of the planned output for the air program, Illinois EPA will submit information to the U.S. EPA's data system in addition to providing a variety of summary reports and analyses. The oversight arrangements listed here anticipate that Region 5 will avail itself of such information as part of its oversight program. The remainder of this section discusses special arrangements, including on-site inspections for specific parts of the air program.
- a) **Title V**
- **FESOPs** - Federally enforceable permit programs (e.g., NSR, PSD, FESOP, Title V) will receive review sufficient to ensure programmatic integrity. Draft permits will be made electronically accessible to Region 5 with paper copies and supporting documents provided upon request. Region 5 will minimize the review given to CAAPP permit renewals that are substantially similar to previously issued permits that have been reviewed.
 - Region 5 will work with Illinois EPA to jointly develop a complete and accurate source inventory. U.S. EPA continues to develop source listings under regulatory development (i.e., Supplemental Enforcement Projects, etc.). This information should be available to Illinois to enhance source inventory data.
- b) **Base Programs and National/State Priorities**
- **Air Monitoring** – Region 5 will review results of National Performance System Audit program and perform limited on-site audits or inspections on a case-by-case basis pursuant to joint agreement on the needs specific to the state program. For source emissions monitoring, Region 5 will participate in witnessing selected stack tests in conjunction with the state.

B. Bureau of Land

1. Program Description

The Bureau of Land (BOL) implements the Clean Land Program. BOL's goals are to minimize generation of wastes, maximize proper management of waste generated, and maximize restoration of contaminated land. To achieve these goals, BOL has divided its resources into six broad environmental focus areas and 10 BOL programs.

Hazardous Waste Management

- *RCRA Subtitle C Program* regulates the generation, transportation, treatment, storage, and disposal of hazardous wastes to ensure hazardous wastes are managed in an environmentally sound manner.
- *Underground Injection Control Program* regulates the underground injection of liquid hazardous waste into deep wells to ensure underground sources of drinking water are protected from contamination. The program also prohibits the underground disposal of hazardous waste into or above underground sources of drinking water except where associated with USEPA or State approved cleanup provisions of the federal Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) or the Resource Conservation and Recovery Act (RCRA). (Note: This program also regulates the injection of liquid non-hazardous waste as a disposal method.)

Non-hazardous Solid Waste Management

- *Underground Injection Control Program* regulates non-hazardous industrial waste injection wells, septic systems, storm water drainage wells, and other wells that inject fluids below the land surface. (Note: This program also regulates the underground injection of liquid hazardous waste into deep wells.)

Federal Cleanups

- *National Priorities List Program* investigates and cleans up Superfund² sites (i.e., the most serious hazardous waste sites in Illinois, as well as the nation).
- *Federal Facility Program* provides oversight to federal agencies implementing CERCLA at federal properties pursuant to Executive Order 12580 and provides assurance to local communities that federal facility sites have been cleaned up satisfactorily.
- *The Office of Site Evaluation* collects and evaluates environmental information on uncontrolled hazardous waste sites posing an unacceptable risk to human health and the environment. The information is gathered to screen sites for no further action determinations, to advance sites in the Superfund investigation process, or for Brownfields redevelopment.

State Cleanups

- *Response Action Program* administers cleanups at sites where State or responsible party resources are necessary to cleanup hazardous substances.

² Superfund generally refers to the federal program administered by the United States Environmental Protection Agency under the authority of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (CERCLA or Superfund) and the implementing regulations of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR 300.

- *Site Remediation Program* provides participants (remediation applicants) with the opportunity to voluntarily clean up contaminated sites with Illinois EPA oversight.

Leaking Underground Storage Tank Cleanups

- *Leaking Underground Storage Tank Program* directs the cleanup of properties where petroleum or hazardous substances have leaked from state and federally regulated underground storage tanks and the Illinois Emergency Management Agency has been notified. The Bureau of Land also administers the State Underground Storage Tank (UST) Fund to assist tank owners and operators pay for cleanups and to meet their federal financial assurance requirements. A portion of the LUST Program staffing is paid from the federal LUST Trust Fund.

Other Environmental Areas

- *Office of Brownfields Assistance* promotes the cleanup and redevelopment of abandoned or underutilized commercial and industrial properties.

2. Environmental Goals/Objectives

BOL utilized the Specific, Measurable, Achievable, Realistic, and Timely (SMART) framework to illustrate the multi-level relationship between program and environmental objectives, and Bureau-specific goals as follows.

Environmental Goals Safe Waste Management and Restored Land	
<u>Program Objectives</u>	<u>Program Outcomes</u>
1. By 2008, reduce the annual amount of hazardous waste managed at commercial treatment/disposal facilities by 10%.	<ul style="list-style-type: none"> Tons of hazardous waste managed at commercial treatment/disposal facilities annually
2. By 2008, 90% of RCRA-regulated and inspected sites will be in full compliance within 180 days of the inspection date.	<ul style="list-style-type: none"> Significant Non-Compliers (SNC) rate within compliance monitoring program Success rate of Compliance Assistance Program (% of generators in compliance at the beginning of compliance assistance surveys; % of generators in compliance at the end of compliance assistance surveys; and % of generators in compliance within 90 days after compliance assistance surveys) Average number of days for SNC to return to compliance or to enter enforceable compliance plans or agreements Percent of SNC at which new or recurrent violations are discovered (by re-inspection or compliance order monitoring) within two years of receiving a final order in an enforcement action Percent of hazardous waste managed at Treatment, Storage, and Disposal facilities with approved controls in place Description of environmental benefits that are achieved due to resolution of enforcement cases that involve P2, SEPs, etc., when information is readily available.
3. By 2008, ensure proper closure and post-closure of all inactive hazardous waste landfills.	<ul style="list-style-type: none"> Percentage of GPRA Baseline Post-Closure Universe landfills facilities brought under control
4. By 2008, ensure permit re-issuance of RCRA Part B operating permits.	<ul style="list-style-type: none"> Percentage of 2006 GPRA Baseline Renewal Universe for operating Part B permits to be reissued
5. By 2008, cleanup 2,328 sites (about 88,105 acres) comprised of: 2,200 voluntary cleanup sites (13,300 acres); 77 identified abandoned landfills and other sites (1,572 acres); 42 National Priorities List sites (6,000 acres); 9 Federal facility sites (67,223 acres); and 16,100 state and federally regulated Leaking Underground Storage Tank (LUST) sites (16,100 acres)	<ul style="list-style-type: none"> Acres remediated annually at site remediation programs based on the issuance of NFR Letters and 4(y) Letters Acres remediated annually at abandoned landfills through the State Response Program based on constructions completed Acres remediated annually at National Priorities List sites based on constructions completed Acres remediated annually at Federal facilities based on the issuance of NFR letters, 4(y) letters and Findings of Suitability for Transfer Acres remediated annually at LUST sites based on the issuance of No Further Remediation (NFR) Letters

3. Performance Strategies

Performance strategies are plans to optimally employ resources and effectively direct BOL's efforts to achieve the five environmental objectives identified above. BOL's strategies for FY06 and FY07 are: (1) reduce the quantity and hazardous nature of waste generated (particularly those wastes containing Waste Minimization Priority (WMP) constituents; (2) manage pollution and waste; (3) clean up releases of wastes and hazardous substances; and (4) provide incentives for cleanup and redevelopment of underutilized industrial and commercial properties. Each of these strategies affects at least one of the six environmental focus areas. The effectiveness of BOL in implementing the strategies will be measured through the accomplishment of the program objectives (listed above) by the different BOL programs. Following is a description of program activities for the six environmental focus areas for FY06 and FY07.

Hazardous Waste Management

A. Assist companies in identifying and applying cleaner technologies and practices. BOL and the Illinois EPA's Office of Pollution Prevention (OPP) assist generators in identifying in-plant practices that may reduce the volume and toxicity of wastes (particularly those containing Waste Minimization Priority constituents). BOL prepares Pollution Prevention Feedback Summary forms summarizing pollution prevention topics discussed with the generators. Completed forms are submitted to the Illinois EPA's Office of Pollution Prevention for follow-up assistance.

For FY06 and FY07, BOL will support pollution prevention activities through continuing education of their staff, conducting inspections at RCRA generators, and by promoting pollution prevention opportunities during surveys/inspections.

B. Integrate pollution prevention into BOL's compliance and enforcement programs. For FY06 and FY07, enforcement cases will be evaluated to incorporate supplemental environment projects³ that include pollution prevention measures (particularly in the area of Waste Minimization Priorities).

C. Permit facilities that treat, store, and dispose of hazardous waste. Region 5 and BOL require owners and operators of hazardous waste management facilities to obtain and comply with permits prescribing technical standards for design, safe operation, and closure of their facilities. BOL has adopted the following permitting action plans in cooperation with Region 5.

- BOL will ensure the safety and reliability of hazardous waste combustion by implementing the *Combustion Initiative's* permitting strategy: (1) establish higher priority for combustion facilities resulting in the greatest environmental benefit or the greatest reduction in overall risk to the public; (2) ensure employment of sound science in technical decision-making; and (3) include public involvement in permitting decisions. For FY06 and FY07, BOL will continue to work with Region 5 to take final action on a draft permit for Trade Waste

³ Supplemental environmental project is an environmentally beneficial project a violator agrees to undertake in settlement of an enforcement action, but which the violator is not otherwise legally required to perform.

Incineration, Inc. (Sauget, Illinois).⁴ Illinois EPA will also draft the Part B permit for the Akzo Chemical facility in Morris, Illinois.

D. Ensure compliance by inspecting and monitoring individuals and waste management facilities that generate, transport, treat, store or dispose of hazardous waste and take enforcement measures when necessary. To implement this strategy, BOL has adopted the following activities:

Below are the Illinois EPA's RCRA compliance monitoring and enforcement commitments for FY06 and projections for FY07. The projections for FY07 will be reviewed, modified (if necessary), and finalized as commitments by September 1, 2006 after reviewing the updated FY07 TSDF and LQG universes and funding level.

- Compliance Evaluation Inspections (CEI) - BOL will conduct inspections to verify compliance status with RCRA requirements. BOL pursues compliance through the use of inspections, Violation Notices/Non-compliance Advisories, and enforcement actions, where appropriate.

BOL has identified thirty-three (33) active TSDs in the RCRA INFO operating universe in Illinois. For FY06 and FY07 BOL has committed to conducting 39 inspections at 34 TSD's. An inspection is a: CEI, CSE, CME, OAM, CVI, or an FRR. Since Section 3007 requires TSDs in the operating universe to be thoroughly inspected no less often than every two years, a CEI at 19 of these active TSD's will be conducted in FY06 to satisfy the requirement. In addition, BOL will conduct 4 CEIs at 4 federal TSDs. BOL will inspect or conduct Non-financial Record Reviews (NRRs) at 321 Large Quantity Generators (LQG), of which 107 will be CEIs, and 17 Small Quantity Generators (SQG) in FY06 and FY07 regulated under RCRA. There are several criteria for selecting 338 generators for an inspection or NRR. Generators targeted for an inspection or NRR were determined using the following criteria:

- 1) Filed a 2003 or 2004 Hazardous Waste Annual Report as a large quantity generator (LQG) and has never been subject to a CEI or compliance assistance survey (CAS). CEIs will be conducted at 48 LQGs that meet this criterion.
- 2) Filed a 2003 or 2004 Hazardous Waste Annual Report as a large quantity generator (LQG) and has not been subject to a CEI or compliance assistance survey (CAS) in the past five years. CEIs will be conducted at 21 LQG that meet this criterion.
- 3) Listed in RCRAInfo with a LQG generator status as of May 2005. A CEI or a non-financial record review (NRR) will be conducted at 252 LQGs that meet this criterion. Initially a NRR will be conducted. If it can be determined the generator is not an LQG based on the NRR, RCRAInfo will be updated to reflect the new generator status. If the generator status cannot be determined by the NRR then a CEI will be conducted.
- 4) Subjected to a compliance assistance survey in FY02 in which violations were discovered, but have since returned to compliance. CEIs will be conducted at 17 SQGs that meet this criterion.

⁴Illinois' only commercial hazardous waste incinerator.

All violations discovered by BOL will be addressed in accordance with the USEPA's *Hazardous Waste Civil Enforcement Response Policy* (dated December 2003; effective February 15, 2004).

BOL will also conduct "other" inspections as required including sampling inspections, citizen complaint investigations, follow-up inspections, case development inspections, non-financial record reviews, etc. As necessary, BOL will conduct observation/training inspections with new Region 5 inspectors for the purpose of providing training and education.

- 5) BOL's field staff will continue its participation in Illinois' aggressive criminal/enforcement program by providing technical assistance in gathering media samples and other environmental data/evidence for case development by law enforcement agencies.

BOL is a member of the Illinois Environmental Crimes Investigators Network, a partnership between the Illinois Attorney General, Illinois EPA, Illinois State Police, Illinois Department of Natural Resources, the Illinois State's Attorney's Association, and local law enforcement. For FY06 and FY07, BOL will continue to be an active member of the Network through its civil and criminal environmental investigations, response to Network Environmental Crime Hotline referrals from the Illinois Attorney General's Office, and contribution to the Network newsletter.

BOL also represents the Illinois EPA as a member of the Midwest Environmental Enforcement Association (MEEA), an alliance of regulatory, law enforcement, and prosecutorial agencies from Illinois, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Ontario, and Wisconsin. MEEA provides local, state, and Federal enforcement agencies with training and professional networking opportunities for the exchange of enforcement-related information. For FY06 and FY07, David Jansen (BOL Springfield Regional Manager) continues to serve on the MEEA board as Illinois' Executive Committee member.

- BOL will verify the safety and reliability of hazardous waste combustion in conjunction with the *Combustion Initiative*. For FY06 and FY07, BOL and its contractor will monitor Onyx Environmental Services (Sauget, Illinois) by emissions testing activities. In addition, BOL will conduct two Compliance Evaluation Inspections at this facility.
- E. Review and approve closure plans for units where waste management facilities once stored, treated or disposed of hazardous waste. Many facilities that previously stored, treated or disposed of hazardous waste have elected not to obtain a RCRA permit for these activities. These facilities must complete closure of all the units where they conducted hazardous waste management activities. Closure must be carried out in accordance with plans approved by BOL.
- By FY06 BOL will ensure that 91% (or 51 of 56) of the Government Performance & Results Act Baseline Post-Closure Universe⁵ will have "approved controls in place." Approved controls in place mean: (a) a post-closure permit has been issued for the unit, or an existing

⁵Government Performance & Results Act Baseline Post-Closure Universe are those facilities undergoing closure of all of its hazardous waste management land-based units (e.g., landfills, waste piles, surface impoundments) as of October 1, 1997.

permit at the facility has been modified so that the unit in question is subject to the post-closure permitting standards; (b) the unit has achieved clean closure, as verified by BOL; (c) the unit has properly closed with waste in place, as verified by BOL, (d) a post-closure plan or similar enforceable document (such as a consent order) covers appropriate post-closure obligations, including 40 CFR Part 264 Subparts F and G, groundwater monitoring and cap maintenance requirements; (e) the unit is situated among solid waste management units, and closure and post-closure obligations at the unit are covered by a corrective action order or a similar enforceable document (including 40 CFR Part 264 Subparts F and G groundwater monitoring and cap maintenance requirements, as applicable); (f) the unit has been accepted by one of the State or Federal cleanup programs for remediation; or (g) the application of other controls approved by BOL (as determined on a case-by-case basis).

For FY06, BOL will issue one additional clean closure certification approval, increasing the percentage of the facilities on the Government Performance & Results Act Baseline Post-Closure Universe with controls in place to 93% (or 52 of 56). For 2007, BOL will increase the percentage of facilities on the Government Performance and Results Act Baseline Post-Closure Universe with controls in place to 95% (or 53 of 56).

- F. Review and reissue RCRA Part B operating permits in response to renewal applications. RCRA Part B operating permits are issued for a period of up to 10 years in Illinois. As a result, many of the permits previously issued have expired, or will expire over the next three years. So that these permits can be renewed in a timely manor, with all necessary updates, both the USEPA and the Illinois EPA have placed a high priority on the permit renewal process.

The 2006 Government Performance Results Act Baseline has established 22 permits in the permit renewal universe for Illinois. This list includes all RCRA Part B operating permits that have expired or will expire through FY08. BOL will ensure 36 percent (8 of 22) of those permits on the 2006 Government Performance Results Act Baseline Permit Renewal Universe will be reissued, clean closed, or have a post-closure permit issued by FY08.

At the end of FY05, 14 percent (3 of 22) of the 2006 Government Performance Results Act Permit Renewal Universe were reissued, clean closed, or have a post-closure permit issued. Prior to the end of FY06, BOL will provide USEPA with a summary of RCRA permit activities being scheduled for FY07.

- G. Require investigation and cleanup of releases at hazardous waste management facilities. Facilities, which obtained a RCRA permit, must clean up those areas where they previously managed solid waste. In addition, facilities, which had RCRA interim status at one time, can be required to clean up any releases of hazardous waste, which occurred at the facility. These clean-up efforts are typically referred to as RCRA corrective action.

USEPA has identified 68 facilities in Illinois where it is a high priority to implement and eventually complete RCRA corrective action. This universe of sites is typically referred to as the "GPRA Baseline for RCRA Corrective Action" and previously contained only 56 facilities. USEPA and Illinois EPA have established the following goals, which are to be achieved within this group of facilities by the end of Federal Fiscal Year 2008: Human exposures should be controlled at 95% of the facilities.

1. Migration of contaminated groundwater should be under control at 80% of the facilities;
2. Final remedies for the entire facility should be selected at 30% of the facilities;
3. Final remedies for the entire facility should be constructed at 20% of the facilities.

BOL will complete the following tasks during FY06 as the first phase in achieving these goals.

1. Illinois EPA will work with USEPA to identify the lead agency for each of the facilities in the universe and exchange as much information as possible about each facility (much of this is already done);
2. Illinois EPA will attempt to make the following determinations regarding new facilities added to the universe: (1) human exposures are under control at four of the new facilities; and (2) migration of contaminated groundwater is under control at four of the new facilities (may or may not be the same facilities).
3. Illinois EPA believes it is close to already achieving the goals for final remedy selection and final remedy construction. During FY06, Illinois EPA will review the status of all the facilities in the universe and update RCRAInfo accordingly. In addition, it will be the goal to have two final remedies selected during FY06 and one final remedy constructed in FY06. In addition, steps will be taken in FY06 to ensure that remedies can be selected and constructed in FY07 and FY08.

Illinois EPA will continue working towards the above goals in FY07 and will work with USEPA during FY06 to develop FY07 goals by the end of FY06.

In addition to working on the GPRA Corrective Action Universe, Illinois EPA is also responsible for overseeing corrective action at all facilities that received a RCRA permit from Illinois EPA after 1990, some of which are not in this universe (including those facilities being issued a renewal permit). Thus, Illinois EPA will also continue working on corrective action at these facilities as well.

- H. RCRA Rulemaking and Authorization. Illinois will continue to adopt RCRA rules promulgated by USEPA in a timely manner. The Illinois Pollution Control Board is responsible for rulemaking. Illinois EPA will continue to review proposed rulemakings issued by the IPCB and provide comments on all proposed rules as necessary.

Illinois EPA will continue to submit Authorization Revision Applications (ARA) in accordance with the federal schedule established by USEPA. Final action on ARAs has been held up over the past 10 years due to several statutory issues identified by USEPA. However, with the resolution of the audit privilege law issue, Illinois EPA and USEPA Region 5 will move forward with final action on ARA 8 once a decision is made on which rules may be authorized. In addition, Illinois EPA will continue to work with USEPA and the state legislature toward resolution of the Proportionate Share Liability statute, which is the last remaining statutory issue affecting the authorization process.

- I. Participate in Geographic Initiatives. A geographic initiative represents an area deemed by USEPA to have sensitive environmental problems requiring extra attention. In addition, several of the geographic initiatives may include areas with environmental justice concerns.

Great Lakes Basin Initiative covers counties in all six Region 5 states (Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin). In Illinois, the eastern most sections of Cook County and Lake County are within this geographic area. This Initiative brings together federal, state, tribal, local, and industry partners in an integrated approach to protect, maintain, and restore the chemical, biological, and physical integrity of the Great Lakes.

- J. Illinois EPA is seeking the full amount of the Clean Sweeps (PBT) supplemental funding for FY06 if available.

Non-hazardous Solid Waste Management

K. Underground Injection Control Program. The main objective of the UIC program is to prevent contamination of underground sources of drinking water. The work of the UIC program supports the USEPA national goal of "Clean and Safe Water" and USEPA Region 5, Water Division Goal of "All people in Region 5 served by public water supplies have water that is consistently safe to drink." The specific goal of the UIC program is to protect underground sources of drinking water from contamination by underground disposal of hazardous and non-hazardous waste through injection wells. To this end, Illinois EPA will meet or exceed national performance activity measures as established for the UIC program.

- 1. Class I: Illinois EPA will continue to implement a UIC program for regulating Class I injection well activity in Illinois.
 - a. Illinois EPA will address 100% of Class I waste disposal injection wells that are identified to be in significant violation (SDW-12).
 - b. Illinois EPA will report the percent of Class I waste disposal wells that maintain mechanical integrity (SDW-14).
- 2. Class V (Illinois UIC Program Mutual Benefits Project): During FY06, USEPA and Illinois EPA will continue to implement and measure activities to address high priority Class V wells in Illinois Source Water Protection Areas (SWPAs). Illinois EPA will continue to work with the USEPA as specified in the Mutual Environmental Interests Section of the EnPPA to implement the Illinois UIC Program Mutual Benefits Project. The main focus of the project will be on Class V Motor Vehicle Waste Disposal Wells (MVWDWs) and will include collecting inventory and closure or permitting of the wells identified. The project will continue to allow USEPA to work with Illinois EPA, in an effort to use limited resources in the most productive manner and to identify the responsibilities for addressing wells subject to the new regulations. The project will also support Illinois EPA in achieving the National UIC Program Activity Measures for FY06 as they pertain to Class V wells. The sunset of the Illinois UIC Program Mutual Benefits Project is sometime in 2007. After this time, Illinois EPA, utilizing tools developed during the project, will maintain full responsibility for the Illinois UIC Class V program implementation, as resources allow.
 - c. By September 30, 2006, 25% of the 31 ground water based SWPAs that have known TCE contamination in Illinois will have been surveyed for Class V MVWDWs. Contacting facility owners/operators by written correspondence, phone, or actual inspection can make determination of whether these wells exist. Illinois EPA will target their SWPAs that have known TCE contamination to conduct door-to door Class V MVWDW surveys and collect inventory information on those wells as resources allow. USEPA will also target such areas for survey. Illinois EPA and USEPA will coordinate efforts to avoid duplication. Illinois EPA will report to USEPA each year the cumulative

- percentage of counties and ground water based SWPAs with completed surveys in place.
- d. Illinois EPA will work with USEPA to achieve a 20% increase in the number of high priority Class V (MVWDWs) inspections conducted in Illinois. This percentage is based on a FY05 baseline of 80 inspections.
 - e. By September 30, 2006, at least 50% of all Class V waste disposal injection wells that are identified to be in violation will be addressed as resources allow (SDW-12).
 - f. By September 30, 2006, USEPA, with assistance from Illinois EPA, will close or permit 50% of all identified Class V MVWDWs. This percentage is based on a FY05 baseline of 193 such wells. (SDW-13).
 - g. By September 30, 2007, all identified Class V MVWDWs will be closed or permitted as resources allow. This measure is based on a FY05 baseline of 193 such wells. (SDW-13).
 - h. By September 20, 2006, all high priority Class V wells (MVWDWs) identified in groundwater-based community water system SWPAs will be closed or permitted. This measure is based on a FY05 baseline of 90 such wells as resources allow (SDW-15).
1. Sunset of Illinois UIC Program Mutual Benefits Project: Illinois EPA and USEPA Region 5 have agreed to extend the time frame for this project to sometime in FY07.
 - a. By November 15, 2005, Illinois EPA and USEPA will update the Illinois Mutual Benefits Project strategy that serves as a blueprint for increasing UIC Class V program capacity in Illinois. Along with the updated strategy, a revised tactical work plan will be completed that will include Federal and State responsibilities and contain agreed upon deliverables and milestone dates.
 - b. By March 2006, Illinois EPA will inform USEPA of the future direction of the Illinois Class V UIC program.
 - c. By mid-March, Illinois EPA and USEPA will begin negotiations to develop a mutually agreed upon transition plan for the Illinois Class V UIC program.
 - d. Illinois EPA and USEPA will work in cooperation to sunset the Illinois UIC Program Mutual Benefits Project sometime in 2007. At which time, Illinois EPA will maintain full responsibility for managing a program for reducing contamination releases from Class V wells to ground water, as resources allow.
 - e. Beginning October 1, 2006, Illinois EPA will implement a Class V injection well program for Illinois, including; well inventory, well closure and permit those Class V wells deemed appropriate for permitting, as resources allow.
 4. Environmental Results Program: Illinois EPA, with support from USEPA, Headquarters and Region 5, will move forward on their commitment to develop and implement an Environmental Results Program Project for the UIC Sector in Illinois as resources allow. This activity was initiated as part of the Illinois UIC Program Mutual Benefits Project.
 5. State Reporting: To meet the requirements for reporting on National Program Activity Measures and on standard national UIC program activities, Illinois EPA will report on those FY06 PPA reporting measures and national UIC program activity measures as they relate to all Class I waste disposal injection wells and any Class V injection wells that Illinois EPA personally handles.
 - a. *Finalize the information by February 15* (45 days after the end of the calendar year as allowed in the Federal regulations). USEPA will provide to Illinois EPA the information

- needed to update their Class V inventory.
- b. Illinois EPA will submit the 7520 UIC State Reporting Forms and through mid-year and end-of-year narrative reports to be submitted twice a year by April 15, 2006 and October 15, 2006.
- c. Illinois EPA will provide narrative in the self-assessment that details progress with implementing a UIC program in Illinois.

Federal Cleanups

- L. Address immediate dangers first, and then move through the progressive steps necessary to evaluate whether a site remains a serious threat to public health or the environment.

Superfund provides resources for removal and remedial actions at uncontrolled or abandoned hazardous waste sites. Various parties, including citizens, State agencies, and USEPA, discover such sites. Once discovered, sites are entered into USEPA's computerized inventory of potential hazardous substance release sites (i.e., Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS)). BOL then evaluates the potential for a release of hazardous substances from the site by investigating site conditions. The data collected is used in an assessment and scoring system called the Hazard Ranking System to evaluate the dangers posed by the site. Sites that score above 28.5 on this System are eligible for listing on the federal National Priorities List (NPL).

BOL's Office of Site Evaluation priorities are to: (a) identify potential hazardous waste sites; (b) determine the need for time critical removal action; (c) evaluate the backlog of sites on USEPA's computerized inventory of potential hazardous substance release sites; and (d) propose listing of appropriate sites on the NPL.

For FY06 BOL will address these priorities through the following activities:

Activity	Planned for FY2006
Pre-CERCLIS Screening Action	8
Immediate Removal Coordination	12
Combined Site Assessment	2
Expanded Site Inspection	5
Hazardous Ranking System	1
Preliminary Assessment	4
TOTAL	32

- M. By 2010 complete construction on 85% (or 42) of the 50 Superfund sites. Superfund sites are sites listed in CERCLIS that are either: (1) Proposed to the National Priorities List (NPL); (2) Listed final on the NPL or; (3) Are addressed through a consent decree in a manner that is consistent with the Comprehensive Environmental Response Compensation and Liability Act of 1980 as amended (CERCLA or Superfund). These sites represent the most serious uncontrolled hazardous substance sites in Illinois. Each Superfund site presents unique remediation challenges and BOL employs a systematic approach to develop a cost-effective cleanup acceptable to the State and local community. This approach is composed of a five-phase remedial response process⁶ consisting of: (1) Investigation of the extent of site

⁶Sections 300.430 - 300.435 of the NCP

contamination (remedial investigation); (2) Study of the range of possible cleanup remedies (feasibility study); (3) Selection of the remedy (Record of Decision (ROD)); (4) Design of the remedy (remedial design); and (5) Implementation of the remedy (construction completion). In Illinois, there are 50 proposed and listed final NPL (Superfund) sites.

The benchmark set for 2006 is to issue one Record of Decision and complete construction at two superfund sites:

Records of Decisions Planned for FY2006	
Site Name (City or County)	IEPA Inventory ID Number
Eagle Zinc	135807001

Superfund Construction Completions Planned for 2006		
Site Name (City or County)	Acres	IEPA Inventory ID Number
Evergreen Manor NPL Site	5	2010400015
Interstate Pollution Control NPL Site	3	2010300018

Goals for 2007 will be negotiated by September 30, 2006

- N. By 2010, achieve last remedy in place at seven active or closing federal facilities and complete the transfer of property at six of these federal facilities. Federal facilities are properties owned or leased by the federal government. In Illinois, these facilities were primarily military installations and plants that manufactured explosives, ammunition and military equipment. Federal facilities may be contaminated with hazardous waste, unexploded ordnance, radioactive waste, fuels and other toxic constituents.

Under federal law⁷, federal facilities must be investigated and cleaned up to the same standards as private facilities that are conducting cleanup under CERCLA. Due to their size and complexity, compliance with environmental laws and regulations may present unique management issues for these facilities. Currently, Illinois EPA, USEPA, the U.S. Department of Defense (DoD) and the U.S. Department of Interior are conducting cleanup activities at 23 federal facilities.

Base Realignment and Closure (BRAC) sites remain the focus of BOL, USEPA, DoD and other federal agencies because these sites are scheduled for closure and their reuse offers an opportunity for economic recovery of communities associated with those bases. In addition to the bases already selected for closure, additional cleanups may be conducted as a result of realignments recommended during the 2005 round of BRAC closures. Upon successful completion of the cleanup, a Finding of Suitability for Transfer (FOST) is issued by the Department of Defense and other federal agencies, with input from USEPA and Illinois EPA. The FOST validates that site closeout requirements have been met and identifies any institutional controls (i.e., restrictions on land use).

⁷ Section 120 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, and Executive Order 12580.

At Fort Sheridan, BOL will assist the U.S. Army in completing all planned remedial actions for the property that will be retained by the federal government (the DoD Operable Unit) during calendar years 2005, 2006 and 2007.

At the former Joliet Army Ammunition Plant, BOL will assist the U.S. Army in completing remedial actions at 1,030 acres during calendar years 2005 and 2006.

At Savanna Army Depot Activity, BOL will assist the U.S. Army in completing remedial actions and property transfer for 822.46 acres during FY06 and assisting with the early (pre-cleanup) transfer of 2,006 acres in FY06.

In addition to BRAC sites, BOL conducts environmental restoration activities at sites formerly used, leased, or otherwise operated by DoD or any of its components. These Formerly Used Defense Sites (FUDS) were closed and the property transferred to private, federal, state or local government ownership. BOL's list of FUDS requiring further response actions currently contains 105 sites.

Remediation of Federal Facility Property

Site Name (Total Acres)	IEPA Inventory Number	Acres Evaluated with No Further Action	Acres Left to be Evaluated or Remediated	Acres Realigned	Total Acres Transferred / (FFY 2005 Acres)	Acres Remaining to be Transferred
Chanute Air Force Base (2,125)	0198700001	1,373	791	0	1,334/(663)	791
Crab Orchard National Wildlife Refuge (26,125)	1998620014	7,575	18,550 ⁸	0 ⁹	0/(0)	0
Fort Dearborn (16)	0312765079	16	0	0	0/(0)	16
Fort Sheridan (712)	0970555001	345.7	0	400 (U.S. Army Reserve and U.S. Navy)	312 to Lake County Forest Preserve District, City of Highwood, City of Highland Park/(0)	0 ¹⁰

⁸ The following operable unit acreages remain to be evaluated or remediated: Additional and Uncharacterized Sites Operable Unit (31 sites, 18,427 acres); Polychlorinated Biphenyl OU (TCE groundwater, 73 acres); and Miscellaneous OU (Sites 14 and 36, 50 acres).

⁹ Congress transferred all of this property to the Department of the Interior in 1947.

¹⁰ Cleanup of the BRAC sites on the Surplus Operable Unit were completed in 2001 and that property was then transferred. Cleanup of the Department of Defense Operable Unit is currently ongoing. However, that property is not slated for transfer.

Joliet Army Ammunition Plant (23,542)	1970450027	19,171	1,726 (1,380 of USDA lands; 346 JADA lands)	18,702 (17,720 to USDA; 982 to VA)	3,108.86: 455 to Will County; 2,653.86 to JADA/(0)	1,726 (1,380 of USDA lands; 346 of JADA lands)
Libertyville Training Site (167.03)	0978110003	151.61	0	0	167.03 to City of Vernon Hills/(0)	0
Naval Air Station Glenview (1,122.30)	0311025007	800 +/-	0	93 (now considered part of Great Lakes Naval Training Center)	1,029.03 to Village of Glenview/(0)	0
O'Hare Air Reserve Station (352)	0316760003	321.58	0	0	290/(0)	0
Savanna Army Depot Activity (13,062)	0158100002	11,665.31	1,396.69	3,790.98	1,364.81/(1,001.64)	1,835.19 to transfer 5,893.32 acres to be realigned

Goals for 2007 will be negotiated by September 30, 2006

O. By 2006, conduct 63 brownfield assessments using BOL staff. Redevelopment assessments are evaluations of contaminants at abandoned or derelict industrial properties with a potential for redevelopment and productive use. These assessments are funded by USEPA.

Since FY1995, BOL has completed 58 redevelopment assessments. For FY06, BOL will conduct six redevelopment assessments.

State Cleanups

P. By 2008 13,300 acres will be cleaned up, at 2,200 sites through the voluntary cleanup program. The Site Remediation Program is one of the oldest state voluntary cleanup programs in the nation. Remediation Applicants may elect to cleanup all contamination at the site or specific chemicals. The Remediation Applicant using a risk-based approach, which allows the use of engineered barriers and institutional controls, develops remediation objectives. Successful completion of all program requirements results in a No Further Remediation Letter¹¹ for the site.

In FY06 and FY07, the voluntary Site Remediation Program will continue to assist

¹¹35 Ill. Adm. Code 740

Remediation Applicants in various stages of the cleanup process. BOL has targeted dry cleaning facilities and manufactured gas plants because these industries initiated sector-specific strategies (e.g., financial incentives, marketing programs, etc.) to deal with environmental cleanup issues.

Leaking Underground Storage Tank (“LUST”) Cleanups

Q. The LUST Program goal is to issue 800 No Further Remediation Letters in FY06 and 750 No Further Remediation Letters in FY07. The State of Illinois protects human health and the environment by administering a comprehensive underground storage tank program under a cooperative agreement negotiated with USEPA, Region 5. The terms of the agreement require the Illinois Office of the State Fire Marshal to enforce preventative measures and the Illinois EPA to oversee the remediation of releases from state and federally regulated underground storage tanks.

Through July 2005 there were approximately 23,600 confirmed releases reported.

In FY06 and FY07, Illinois EPA will implement the following action plans to improve the cleanup of state and federally regulated leaking underground storage tanks:

- Illinois EPA will pursue regulatory amendments to the Illinois Pollution Control Board and implement such amendments if adopted to streamline the program and reduce remediation costs.
- Illinois EPA will take appropriate formal (i.e., referrals to the Attorney General’s or State’s Attorney’s Offices) and informal enforcement actions, as needed, to ensure that cleanups are proceeding to protect human health and the environment.
- Illinois EPA will help owners and operator understand and comply with the regulatory requirements by expanding program information on our web site and through participation at seminars/conferences.

Other Environmental Areas

R. Provide financial incentives and technical support to initiate and advance self-sustaining efforts by local governments and private parties to cleanup Brownfield sites and establish state, community and federal partnerships to promote Brownfields redevelopment. Below are the financial incentives and technical support objectives for brownfields redevelopment in Illinois.

- For FY06 and FY07, provide Brownfield grants to 20 communities to investigate, assess and remediate contamination. The Illinois Municipal Brownfield Redevelopment Grant Program (MBRGP) offers grants worth a maximum of \$240,000 each to municipalities to investigate and remediate Brownfield properties. Brownfield Redevelopment Grants may be used to perform environmental site assessments to determine whether a Brownfield property is contaminated, and if so, to what extent. These grants may also be used to develop cleanup objectives, prepare cleanup plans, and implement cleanup activities. Grant recipients are required to share in any grant award through a 70/30 match and to spend the grant within three years. The Office of Brownfields Assistance seeks out MBRGP grant recipients, evaluates grant applications, monitors grant activities, and reviews reimbursement requests to ensure eligibility and reasonableness of costs.

- Brownfields representatives from the Office of Brownfields Assistance assist communities with extremely complex issues of Brownfields cleanup and redevelopment. The Office also guides communities through both the grant application and implementation processes and meets with community officials before they file a formal grant application to help determine cleanup potential and maximize grant dollars. After grants are awarded, the Brownfield representatives continue to assist grantee by providing continuous assistance with clean-up and clean-up issues.

The Illinois EPA issued 114 grants as of September 1, 2005. Brownfields representatives are assisting more than a dozen additional communities with project development and preparation of grant application for submittal.

- By the end of 2006, over \$3.0 million total from USEPA BCRLF Cooperative Agreement funds. Cooperative Agreement funds will be loaned to eligible municipalities under an Intergovernmental Agreement (IGA). If additional funds become available from USEPA by Cooperative Agreements additional loans will be awarded.

The maximum amount loan under an IGA for a specific project is \$425,000. The maximum award amount to a municipality is a \$1 million loan to pay for remediation costs performed under a Remedial Action Plan approved by the Site Remediation Program.

As of September 1, 2005, the Office of Brownfields Assistance made five loans with three separate communities for a total of \$1,843,750. The Office is working with four additional municipalities (Bellvidere, Sterling, Rockford, and Freeport) for five new loans estimated to total \$1.4 million.

- By 2006 the Office of Site Evaluation will have completed 55 Targeted Site Assessments on a number of Brownfield properties located throughout the State. Working in close coordination with local mayors and city managers, personnel of the Office of Site Evaluation will first identify viable candidate sites, and then conduct (free of charge to the municipality) an environmental investigation of the property to determine if the site contains contaminants that may act as a deterrent to local redevelopment efforts.

By 2006, participate in four leveraged Brownfields grant projects with Region 5. The Office of Brownfield Assistance and Region 5 developed a joint state/federal grant initiative wherein USEPA assessment, cleanup and RLP Grant funds are used to meet state grant match requirements so Illinois EPA Brownfields Redevelopment Grant funds could be provided to Illinois municipalities.

Program Resources

The environmental focus areas identify projected resources for BOL:

Program	Federally-Funded Work Years	State-Funded Work Years	Total Work Years
Hazardous Waste Management	52	56	108
Leaking Underground Storage Tanks	22	45	77
Federal Cleanups	22	5	27
Other Environmental Areas (Brownfields)	8	4	12
TOTAL	104	110	214

Federal Role

Hazardous Waste Management

- *RCRA Subtitle C Program*
 - o Provide compliance assistance to regulated entities subject to new federal regulations.
 - o Provide compliance assistance to qualifying small businesses in priority sectors (i.e., industrial organic chemicals and metal services).
 - o Provide assistance to Illinois EPA, if requested by Illinois EPA's BOL and/or Illinois' Small Business Program for Illinois EPA delivery of compliance assistance in accordance with USEPA's "Policy on Compliance Incentives for Small Business," issued May 20, 1996, effective June 10, 1996, for RCRA authority regulations.
 - o Discuss with, and/or explain to Illinois EPA: (a) new or revised federal RCRA rules, (b) new or revised Strategic Plans affecting HW, (c) USEPA's Hazardous Waste Civil Enforcement Response Policy, (d) USEPA's RCRA Civil Penalty Policy, (e) USEPA's computerized programs to determine financial status of RCRA-regulated entities, (f) USEPA's sector, waste, or rule-specific enforcement strategies, (g) RCRAInfo and other U.S. data management developments.
 - o Provide assistance to Illinois EPA in conducting financial analyses of violators' claim of inability to pay for injunctive relief and/or monetary penalties in formal enforcement actions brought by the State of Illinois.
 - o Inspect installations handling hazardous waste: Criteria for USEPA's selection of installations include (a) statutory mandate (i.e., installations managing hazardous waste in a manner for which RCRA requires a permit, which are owned and/or operated by State and/or local governments; and treatment, storage, and disposal facilities receiving CERCLA waste from off-site locations), (b) requests from Illinois EPA, (c) Federal facilities, (d) installations subject to open Federal enforcement judicial and/or administrative decrees/orders, (e) treatment, storage, and disposal facilities subject to RCRA permit conditions issued, administered, and enforced by USEPA, and (f) installations that have never been inspected in the past.
 - o Issue enforcement responses to RCRA violations detected by USEPA, or referred to Region 5 by Illinois EPA, in accordance with USEPA's Hazardous Waste Civil

Enforcement Response Policy, USEPA's RCRA Civil Penalty Policy, and relevant USEPA enforcement strategies.

- o Conduct inspections at state and local TSDFs and coordinate any enforcement efforts with BOL.
- o Work with BOL to inspect all federal TSDFs and coordinate any enforcement efforts with BOL.
- o Work with BOL to identify and integrate the various RCRA facility universes. These universes include: GPRA baseline for CA high priority under the National Corrective Action Prioritization System (subject to corrective action), land disposal, treatment/storage. In addition, the Region will work with BOL in re-evaluating select facilities as requested by either party.
- o Implement a plan for imposing corrective action at GPRA baseline facilities, which do not or will not have RCRA permits.
- o Work with BOL to develop an agreement for addressing the renewal of the corrective action portion of expired RCRA permits. Region 5 addressed the corrective action portion of all RCRA permits issued prior to 1990. However, Region 5 and BOL will share future workloads under the agreement.
- o Assist BOL with an expedited review and approval of ARAs submitted.
- o Work with BOL and other Region 5 states to explore ways to expedite and improve the authorization process.
 - Provide technical assistance and training (as needed) for the review of RCRA requirements.
 - Provide RCRAInfo support and training as needed and requested by BOL. In addition, Region 5 will continue to maintain the Handler Identification module of RCRAInfo.
 - Work with the Superfund Division to ensure the completion and submittal of all Hazardous Waste Management Annual Reports and all Non-hazardous Waste Shipped Out-of-State Annual Reports.

Federal Cleanups

National Priorities List Program

- Provide guidance, policy decisions, and program updates in a timely manner that may impact the State's program.
- Provide Core, Site Assessment, and other cooperative agreements yearly funding for effective implementation of the State's programs.
- Support State activities through participation in meetings, community involvement, co-hosting conferences, seminars, and information sessions, as appropriate.
- Provide technical expertise wherever possible.
- Pursue new approaches to allow new technologies to be used in Superfund.
- Review and provide assistance on State work as requested or required.
- Provide lab analytical services if possible when requested by the State.
- Develop comfort letters and/or prospective purchaser agreements.
- Respond to requests to assist with transfer of federal properties for re-use or redevelopment.
- Complete and submit all Hazardous Waste Management Annual Reports and all Non-hazardous Waste Shipped Out-of-State Annual Reports.

- Inform BOL of any additional grant opportunities (e.g., Brownfield grants) that become available through Region 5.

Leaking Underground Storage Tank

- Provide forums to exchange ideas and information.
- Assist in locating and/or providing specific training needs identified by the LUST Program.
- Provide projection on LUST funding, procedure and policy changes, and other information that will affect the Illinois EPA's administration of the LUST Program.
- Inform Illinois EPA of any additional grant opportunities (e.g. brownfield grants) that become available through Region 5.

Oversight Arrangement

This agreement was developed under the National Environmental Performance Partnership System (NEPPS) guidance dated May 17, 1995. The oversight arrangements and BOL/ Region 5 relationship will follow the provisions of the NEPPS for the programs identified below.

RCRA Subtitle C Partnership Arrangement

Considering BOL's past performance and the cooperative working relationship with Region 5, BOL will assume an independent self-management role in RCRA implementation and look to Region 5 for support and assistance in more specialized areas. To ensure an efficient and effective program, BOL will conduct the file audits and program self-assessments/self-evaluations in order to demonstrate the program's success and areas of concern. In particular, BOL will:

- a) Meet once in November 2005 to discuss the *State's Performance Report for the Performance Partnership Grant*;
- b) Conduct an annual mid-year program meeting in May 2006 to discuss the *State's Self-Assessment*;
- (c) Conduct at least quarterly program component (e.g., permit/corrective action, enforcement, RCRA Info) conference calls,
- (d) Conduct joint inspections; and
- (e) Investigate and respond to inquiries from Region 5 concerning facilities that do not appear to have been timely and/or appropriately addressed under Illinois' enforcement program. This will include at least one annual meeting between Region 5 and Illinois EPA to discuss the file audit results. Final file audit procedures will be developed and documented during FY06.

Superfund Partnership Arrangement

Region 5 and BOL support each other's activities throughout the Superfund process, including reviews of work plans, investigations, community relation plans, risk assessments, remedial designs, etc. In order to streamline our efforts and reduce duplication of effort, the Superfund Memorandum of Agreement identifies the oversight roles of Region 5 and BOL. These roles are outlined in the table below.

Document for Review	Federal Role	State Role
Community Relations Plan	A (limited)	RC
Health & Safety Plan	RC	AUD
Quality Assurance Project Plan	A (limited)	AUD
Sampling Plan	RC	RC
Field Remedial Investigation Activities	AUD	AUD
Draft Remedial Investigation Report	RC	CNC
Final Remedial Investigation Report	AUD	AUD
Feasibility Study Work Plan	AUD	AUD
Applicable or Relevant and Appropriate Regulations Review	RC	RC
Draft Feasibility Study	RC	RC
Final Feasibility Study	AUD	AUD
Proposed Plan	A	RC
Record of Decision	A	CNC
Responsiveness Summary	RC	AUD
Final Design (Fund Lead)	RC	RC
Final Design (Enforcement Lead)	AUD	AUD
Remedial Action Change Orders (Fund Lead)	RC (Subject to Block Grant initiatives)	RC
Preliminary and Final Inspections	P	P
Preliminary and Final Closeout Reports (Fund Lead)	A	A
Preliminary and Final Closeout Reports (Enforcement Lead)	CNC	CNC
Five-Year Reviews (Fund Lead)	RC	RC
Five-Year Reviews (Enforcement Lead)	AUD	AUD

Where:

A	Approve	Each agency fully approves each document before the document can be considered final.
AUD	Audit	Prior approval or a response to the document is not required; however, the support agency may do a review after the fact to determine conformance with established procedures. If there is a deficiency identified and the parties concur, then steps shall be taken to correct the deficiency. Non-concurrence on deficiencies should be elevated to the appropriate management levels.
RC	Review and Comment	The support agency will review and comment on the designated document. The lead agency does not need to receive an approval from the support agency to produce a final document.
CNC	Concur or non-concur	The support agency may either concur or non-concur on the document. Non-concurrence will require that the issues relevant to the document be elevated to the appropriate management level for potential resolution of the dispute.
P	Participate	The support agency will be given adequate notice and supporting documentation to attend meetings.

LUST Oversight Arrangement

- Conduct semi-annual meetings (at mid-year and end-of-year) with Region 5 to discuss the current status of the LUST Program, changes in legislation, regulations, policies and procedures.
- Provide quarterly financial status reports.

Reporting/Outputs

- STARS Report will be submitted to USEPA on April 15 and October 15.
- FSRs will be provided quarterly.
- Illinois EPA will provide USEPA with an annual progress report.

C. Bureau of Water

Strategic Plan Priority: Clean and Safe Water

Illinois EPA Strategic Plan Initiative: Implement programs to sustain designated uses of streams, lakes and groundwater.

Illinois EPA Performance metrics: Percentage of assessed stream miles with good water quality; Percentage of assessed lake acres with good water quality; Percentage of assessed groundwater with good water quality; Percentage of compliant major dischargers.

Objective: Assess surface waters.

- 305(b)/303(d) Integrated Reporting – Illinois EPA, with assistance from Region 5, will finalize the transition to Integrated Reporting (IR) and provide a draft report to Region 5 by December 1, 2005 and a final Report to Region 5 by April 1, 2006. This will include the report, assessment database files, methodology, and geo-locational information for assessment units. (See also commitment under Impaired Waters) (*PAM # WQ-8 and WQ-9*)
- Five-Year Monitoring Strategy – The Agency will update their existing “2002-2006” Monitoring Strategy by developing Illinois EPA’s “Water Monitoring Strategy 2007-2012” document by September 30, 2006 based on U.S. EPA guidance and with assistance from Region 5. The current monitoring strategy will continue to be implemented. Some specific implementation activities are identified below. (*PAM WQ #7*)
- Place-holder - Depending on the final decision reached between U.S. EPA (HQs) and OMB, information for use of the 106 funding targeting specifically for monitoring activities will need to be included as part of the Work Plan. Before identifying how the funds will be used by IEPA, two major issues need to be resolved: 1) What, if any, restrictions are associated with the funding; and 2) how much funding will IEPA receive.
- Development of Biological Methods and Assessment Criteria - Illinois EPA will continue to work toward the development and implementation of biocriteria into the state’s water quality standards. (*PAM#WQ-3*)
- Continuous Monitoring – As resources allow, and (potentially (*based on place-holder*)) using increased Section 106 future funding targeted towards monitoring activities, the Agency will continue to build the infrastructure and abilities to routinely incorporate continuous monitoring data into water resource assessment and standards development programming.
- River Assessment Initiatives – The Agency will continue to participate in an advisory capacity for the variety of river assessment projects currently underway, including the Large River biological assessment/evaluation tool development work being conducted by USEPA, Ohio River Valley Sanitation Commission (ORSANCO) and other partners, and the National Wadable Streams and Lake Assessment survey work being conducted by the Midwest Biodiversity Institute, Region 5, and other partners. The intended results of these projects (e.g., methods, assessment processes) will be considered and included as appropriate in the development of the new water quality monitoring strategy discussed above.
 - Eco-region Development in Illinois – On August 30, EPA Region 5, and EPA ORD and Agency staff met for the purpose of initiating an effort to map Level IV eco-regions in Illinois. This effort is designed to provide, on a state and national scale, a more

meaningful geographical framework to meet the needs of federal, state, local and private ecosystem resource management organizations. The Agency will participate in an advisory and coordination capacity throughout the process. A follow-up meeting has already been scheduled for December 2005.

- SWiMS 2006 and 2007 - The Agency will participate in planning and conducting the 2006 and 2007 Surface Water Monitoring and Standards (SWiMS) meetings in Chicago.
 - Wetland Assessment Protocol Development – Pursuant to the schedule outlined in our 104(b)(3) grant, the Agency will partner with other state and federal agencies and academic and research entities to form a Technical Work Group that will work together to develop a comprehensive wetland monitoring and assessment protocol, including a Quality Assurance Project Plan (QAPP) and a designated Wetland Use(s). The Wetland Monitoring and Assessment Protocol will be completed in 2007 and incorporated into the monitoring strategy during 2008.
- Municipal Wastewater Treatment Nutrient Removal Pilot Studies – Three monitoring studies are underway to document downstream effects of sewage treatment plant phosphorus removal to a discharge limit of 1.0 mg/L or below. Pre-implementation monitoring was initiated in Summer 2004 at Fiddle Creek (Wauconda), Manhattan Creek (Manhattan), and Salt Creek (Metropolitan Water Reclamation District). Phosphorus removal technologies are to be employed in 2005 or 2006. Monitoring will continue for approximately one year after phosphorus removal is on-line.
- Implementation of a New VLMP “Tiered Approach” – The Illinois Volunteer Lake Monitoring Program (VLMP) is currently laying the groundwork to start implementing a new “Tiered Approach” for volunteer-collected data and data use beginning in Spring 2006. This will be a three-tiered system that strives to fairly balance and assess the input of the volunteer effort with the output of data. In general, as the tiers become more complex, more effort and time is required of the volunteer in exchange for more data. The higher the tier, the more weighted the data becomes and the purposes for which it is used (e.g., Tier 3 data is planned to be used for impaired waters listing).
- Investigation in to Establishing an “Illinois Water Monitoring Council” – Beginning in the summer of 2004, Agency staff spent considerable time and effort in exploring the efficacy of establishing an “Illinois Water Monitoring Council (IWMC).” While considerable interest has been shown towards its future development (presented for discussion at the Illinois Water 2004 Conference, Champaign, IL, 10/12/04), limited time and resources have been allocated towards its development. As time allows, Agency staff will try to follow-up on the issue. A presentation regarding the Council was made at the USGS Cooperators meeting in August 2005. Their 2006 meeting will have on their agenda a more full discussion of the issue. Likewise, during “Illinois Water 2006,” its potential establishment will most likely be again discussed.
- STORET – The Agency will complete the transfer of data from STORET Version 1 to STORET Version 2 within the first half of FFY06. Illinois data (including data previously removed from STORET due to locational issues) will be sent to the National Warehouse by September 30, 2006 and September 30, 2007.

- Phytoplankton Database Analysis –. Subsequently, in August 2005, the Agency entered into an agreement with Eastern Illinois University to develop a lake/reservoir classification system, and in conjunction with the developed phytoplankton database, to develop a Lake and Reservoir Phytoplankton Index of Biotic Integrity for future use in Agency monitoring and assessment protocols. This project is scheduled for completion in June 2007.
- Protecting Surface Water that is a Source of Drinking Water – Illinois EPA is assisting US EPA in the development of datasets and maps of all the drinking water intakes and the related WQS. Illinois EPA is participating on a workgroup and verifying the data that US EPA HQ is compiling. (*PAMs SDW#16 and 17*)

Objective: Protect and maintain existing high quality waters.

Permit activities

- Continue working on backlog reduction as committed to in the strategy and subsequent PER action plan. (See Major Permits Backlog List) Annually, Illinois EPA will update the lists for majors and minors that were reissued, terminated or expired in the previous calendar year. Both an updated majors list and a minors permit list will be sent to USEPA by December 31 of each year.
- By September 30, 2006, IEPA will issue 19 permits that will have been expired more than 10 years.
 - Achieve the following permit re-issuance targets
 - 1) 85% of minor permits will be current by December 31, 2006.
 - 2) 90% of minor permits will be current by December 31, 2007
 - 3) 90% of major permits continue to be current. (*PAM#59*)
 - Develop new priority permit lists for FFY2006 and submit it to USEPA by September 30, 2005. Issue 95% of the identified priority permits by the end of FFY2006. (*PAM# 61*) At the end of FFY2006, work with USEPA to evaluate the success in achieving the target, and to develop a new list for FY2007.
 - Implement the wet weather initiatives consistent with, and within the context of, the backlog strategy. Combined Sewer Overflow (CSO) permits currently expired or expiring through 2006 are high priority permits and IEPA will provide draft major permits to Region 5 for review and will issue the permits during 2006.
 - Should USEPA's WET Guidance become available during the course of this work plan, USEPA and IEPA will work to develop a specific plan of action to address the WET-related concerns identified in the PER analysis.
 - The national goal to institute CSO Long Term Control Plans (LTCP) with enforceable schedules contained in permits will be achieved within the context of Illinois' backlog reduction strategy. As noted in the attached list, 16 permits to be renewed will include LTCP language.

CSO Permits to Include LTCP in 2006 and 2007

A. NPDES Number	B. Name	C. NPDES Exp. Date
D. IL0033472	E. E. St. Louis *	02/28/02
F. IL0024996	G. Oglesby STP	11/30/07
H. IL0027964	I. Alton	07/31/05
J. IL0020818	K. Fox Metro WRD	08/31/06
L. IL0021113	M. Morris STP	07/31/06
N. IL0023388	O. Havana STP	02/28/06
P. IL0028657	Q. Fox River WRD South	09/30/06
R. IL0029424	S. LaSalle WWTP	12/31/06
T. IL0029831	U. Mattoon WWTP	10/31/05
V. IL0029874	W. Metropolis	01/31/07
X. IL0031216	Y. Spring Valley	01/31/06
Z. IL0031356	AA. Taylorville SD	07/31/06
BB. IL0031852	CC. Wood River STP	01/31/07
DD. IL0037800	EE. Peoria CSOs (city)	01/31/06
FF. IL0048518	GG. Aurora CSOs (city)	04/30/06
HH. IL0070505	II. Elgin CSOs (city)	09/30/06

*Application received on 8/12/05 – action pending in Attorney General’s office. Reviewing application for completeness.

- Illinois will issue expired or expiring CSO permits to include requirements to implement LTCPs. (PAM# 36)
- Stormwater – Maintain database for all Municipal Separate Storm Sewer Systems (MS4s), industrial activity and construction site activity applications submitted. (PAM #62) Continue to monitor and update the web site and make this information available to Region 5 as needed.
 - Finalize sludge regulations to conform to 503 regulations. Develop and provide Region 5 with a draft proposal of the regulations by March 2006.
 - Implement new 316 regulations for power plant permits.
 - o Illinois EPA will request USEPA’s assistance.

Issue a final general permit for on-site decentralized system by March 31, 2006. The final issuance date may be extended by mutual agreement should the IEPA receive significant public comment on the draft permit.

Permit Backlog List

Note: Facilities listed below are by oldest date first.

Major Permits Backlog List

Facility Name	NPDES	Expiration	County	Public Notice	Issuance Date
Bomgardier-Waukegan	IL0002267	06/01/92	Lake	*	
Goodrich, B.F. - Henry	IL0001392	12/01/95	Marshall	*	
Formosa Plastics - Illiopolis	IL0001350	10/24/96	Sangamon	*	

Facility Name	NPDES	Expiration	County	Public Notice	Issuance Date
Citgo Petroleum Corporation	IL0001589	06/01/98	Cook	06/05	
Exelon Generation - Braidwood	IL0048321	09/01/00	Will	12/04	
Midwest Generation, LLC - Joliet	IL0002216	03/31/01	Will	06/05	
R. Lavin and Sons, Inc.- Chicago	IL0002755	03/31/02	Lake	12/04	
BP Amoco Chemical - Joliet	IL0001643	05/31/02	Will	07/13/03	
Equistar Chemicals, LP	IL0002917	02/28/03	Grundy	12/01/05	
U.S. Steel – Granite City	IL0000329	04/30/03	Madison	12/19/04	
Exxon Mobil Oil – Joliet Refinery	IL0002861	05/31/03	Will	11/30/04	
Ameren CIPS – Grand Tower	IL0000124	07/31/03	Jackson	07/28/05	
Ameren Energy - Meredosia	IL0000116	04/30/03	Morgan	09/05	
Midwest Collins	IL004814				
Exelon LaSalle	IL0048151				
Southern IL Power – Marion	IL0004316				
Catepillar – Joliet	IL0001732				
Ameren Energy Resources – Edwards	IL0001970	02/28/05	Peoria	10/05	
Maytag Corporation – SW	IL0004715	02/28/05	Williamson		
Rantoul STW East	IL0022128	04/30/05	Champaign	02/28/05	
Amergen Energy Co. LLC-Clinton	IL0036919	04/30/05	De Witt		
BASF Corporation – Joliet PLT	IL0001619	04/30/05	Will		
Kincaid Generation, LLC	IL0002241	04/30/05	Christian		
Midwest Generation, LLC – Crawford	IL0002186	04/30/05	Cook		
Midwest Generation, LLC – Fisk	IL0002178	04/30/05	Cook		
BPB Manufacturing Ind.- Quincy	IL0003247	05/31/05	Adams		
Center Point Properties	IL0001341	05/31/05	Cook		
Exelon Generation – Quad Cities	IL0005037	05/31/05	Rock Island		
Midwest Generation, LLC – Will Co.	IL0002208	05/31/05	Will		
Lake in the Hills S.D.	IL0021733	06/30/05	McHenry	09/01/05	
Alton STW	IL0027464	07/31/05	Madison	05/31/05	
Centralia STW Main	IL0027979	08/31/05	Marion	08/15/05	
West Frankfort STW	IL0031704	09/30/05	Franklin	07/31/05	
Naperville-Springbrook	IL0034061	09/30/05	DuPage	07/31/05	
Charleston STW	IL0021644	10/31/05	Coles	08/31/05	

Facility Name	NPDES	Expiration	County	Public Notice	Issuance Date
Lake County DPW-Des Plaines	IL0022055	10/31/05	Lake	08/31/05	
Lake County DPW-New Century	IL0022071	10/31/05	Lake	08/31/05	
Benton STW Northwest	IL0022365	10/31/05	Franklin	08/31/05	
Clinton S.D.	IL0023612	10/31/05	DeWitt	08/31/05	
Mokena STW	IL0024201	10/31/05	Will	08/31/05	
Collinsville STW	IL0028215	10/31/05	Madison	08/31/05	
Herrin STW	IL0029165	10/31/05	Williamson	08/31/05	
Mattoon STW	IL0029831	10/31/05	Coles	08/31/05	
Urbana-Champaign S.D. Northeast	IL0031500	10/31/05	Champaign	08/31/05	
Urbana-Champaign S.D. Southwest	IL0031526	10/31/05	Champaign	08/31/05	
DuPage County DPW-WDRDG Grnvlly	IL0031844	10/31/05	DuPage	08/31/05	
Wauconda STW	IL0020109	11/30/05	Lake	08/31/05	
Cary STW	IL0020516	11/30/05	McHenry	08/31/05	
DeKalb S.D. Main	IL0023027	11/30/05	DeKalb	08/31/05	
Glendale Heights STW	IL0028967	11/30/05	DuPage	08/31/05	
Flora STW	IL0020273	12/31/05	Clay	10/31/05	
West Chicago STW	IL0023469	12/31/05	DuPage	10/31/05	
Chester STW New	IL0072931	12/31/05	Randolph	10/31/05	
Honeywell – Metropolis Works	IL0004421	01/31/06		11/30/2005	
Crystal Lake STW 2, City of	IL0028282	01/31/06		11/30/2005	
Spring Valley STW, City of	IL0031216	01/31/06		11/30/2005	
Troy STW. City of	IL0031488	02/28/06		12/31/2005	
Glenbard Wastewater Authority - Main	IL0021547	03/31/06		01/31/2006	
Sandwich STW, City of	IL0030970	03/31/06		01/31/2006	
Rock Falls STW City of	IL0026514	04/30/06		02/28/2006	
Fox River WRD West	IL0035891	04/30/06		02/28/2006	
Bensenville STW South 1, Village of	IL0021849	05/31/06		03/31/2006	
Saint Charles STW East, City of	IL0022705	05/31/06		03/31/2006	
Galena STW South, City of	IL0075191	05/31/06		03/31/2006	
Exelon Generation-Zion	IL0002763	06/30/06		04/30/2006	
Olin Corp – East Alton	IL0000230	07/31/06		05/31/2006	
Keystone Steel & Wire - Peoria	IL0002526	07/31/06		05/31/2006	
Morris, STW, City of	IL0021113	07/31/06		05/31/2006	
Pana STW City, of	IL0022314	07/31/06		05/31/2006	
Batavia, STW, City of	IL0022543	07/31/06		05/31/2006	
Hinsdale SD McElwain STW	IL0022586	07/31/06		05/31/2006	

Facility Name	NPDES	Expiration	County	Expiration PN Date	Issuance Date
Mendota STW, City of	IL0023221	07/31/06		05/31/2006	
Highland WRF, City of	IL0029173	07/31/06		05/31/2006	
Hillsboro STW, City of	IL0029203	07/31/06		05/31/2006	
Roselle STW Devlin, Village of	IL0030813	07/31/06		05/31/2006	
Taylorville SD	IL0031356	07/31/06		05/31/2006	
Woodstock STW North, City of	IL0031861	07/31/06		05/31/2006	
Bolingbrook STW 1, Village of	IL0032689	07/31/06		05/31/2006	
Addison STW North 3, Village of	IL0033812	07/31/06		05/31/2006	
Godfrey STW Main, Village of	IL0036421	07/31/06		05/31/2006	
Sterling STW Elkhorn, City of	IL0060569	07/31/06		05/31/2006	
Elburn STW, Village of	IL0062260	07/31/06		05/31/2006	
Rohm and Haas-Ringwood	IL0001716	08/31/06		06/30/2006	
Geneva STW, City of	IL0020087	08/31/06		06/30/2006	
Fox Metro WRD	IL0020818	08/31/06		06/30/2006	
Highland WRF, City of	IL0029173	07/31/06		05/31/2006	
McHenry STW Central, City of	IL0021067	08/31/06		06/30/2006	
Belleville STW Area 1, City of	IL0021873	08/31/06		06/30/2006	
Springfield SD Sugar CK	IL0021971	08/31/06		06/30/2006	
Baxter Healthcare – Round Lake	IL0024074	08/31/06		06/30/2006	
Jerseyville STW, City of	IL0024465	08/31/06		06/30/2006	
Beardstown SD	IL0025135	08/31/06		06/30/2006	
North Shore SD Clavey Road	IL0030171	08/31/06		06/30/2006	
North Shore SD Waukegan	IL0030244	08/31/06		06/30/2006	
Granite City STW City of	IL0033481	08/31/06		06/30/2006	
Hanover Park STW 1, Village of	IL0034479	08/31/06		06/30/2006	
Reichhold Inc. – Morris Pt.	IL0034622	08/31/06		06/30/2006	
North Shore SD Gurnee	IL0035092	08/31/06		06/30/2006	
Plainfield STW North, Village of	IL0074373	08/31/06		06/30/2006	
Fox River WRD South Main	IL0028657	09/30/06		07/31/2006	
Lincoln STW, City of	IL0029564	09/30/06		07/31/2006	
Antioch STW, Village of	IL0020354	10/31/06		08/31/2006	
Algonquin STW, Village of	IL0023329	11/30/06		09/30/2006	
Fox River WRD North	IL0028665	11/30/06		09/30/2006	

Facility Name	NPDES	Expiration	County	Expiration PN Date	Issuance Date
Alton Steel Co. - Alton	IL0000612	12/31/06		10/31/2006	
General Electric Co. - Ottawa	IL0001929	12/31/06		10/31/2006	
Bloomington WRF Reeves, Village of	IL0021130	12/31/06		10/31/2006	
Barrington STW, Village of	IL0021598	12/31/06		10/21/2006	
Murphysboro STW, City of	IL0023248	12/31/06		10/31/2006	
Springfield CWLP, City of	IL0024767	12/31/06		10/31/2006	
Addison STW AJ LaRocca, Village of	IL0027367	12/31/06		10/31/2006	
LaSalle STW, City of	IL0029424	12/31/06		10/31/2006	

*These permits are impossible to determine the Public Notice for reasons listed:

Bombardier-Waukegan – Bankrupt; B.F. Goodrich – Un-issued due to appeal of permit; Formosa Plastics – Explosion and fire at plant – presently closed – officials deciding if this facility will be operable.

- The Agency will issue the general permit for sand and gravel operations by December 31, 2005. The Agency will review NPDES applications for coverage under the general permit for sand and gravel operations, with the goal of issuing coverage with either a general permit or individual permit by December 31, 2006. There are approximately 184 facilities in this group.
- The Agency will identify approximately 15 major NPDES permits, which Region 5 would review prior to public notice. The list of permits will include one or more of the issues of wet weather, TMDLs, critical industrial sectors, CSO linked to water quality impairment, toxicity, expired more than 2 years, and dischargers more than 10 MGD.
 - IEPA will provide list of permits issued, which were expired more than 10 years.

CAFO

- The Agency will review those Concentrated Animal Feeding Operations (CAFO) permit applications for facilities that discharge or propose to discharge. The Agency will act upon applications (Notices of Intent) received within 180 days of having determined that the application is complete, and will provide a report at mid-year and at end-of-year of the total number of applications in-house, as well as the number of those complete applications which have been in-house more than 180 days and have not been acted upon.
- Individual CAFO permits will be issued when additional permit conditions are needed or when the conditions of the general permit would not be met, thereby requiring different permit conditions.
- The applicants will be required to submit best management practices plans for nutrient management, stormwater control and spill control as part of the permit application.
- A notice will be posted on the Illinois EPA website when review of the application and plans is complete and the Illinois EPA has determined that the CAFO can be covered under the general permit.

- The Agency will monitor and review draft CAFO regulations or guidance issued by USEPA in response to the recent 2nd Circuit Court decision and provide comments as appropriate. (*PAM #60*)
- The Illinois EPA will continue to work with Region 5 and the State Technical Committee to ensure that the committee appropriately addresses AFO and impaired waters issues. The Illinois EPA will be represented at these meetings by the Bureau of Water staff and/or the Agency's agricultural and rural affairs advisor.

Inspection Activities

Major Dischargers

- An engineer or specialist will schedule inspections with a target of at least 40 percent of major facilities receiving a compliance inspection each year, and an additional 30 percent receiving a reconnaissance inspection. All major facilities will receive a minimum of one complete Compliance Evaluation Inspection (CEI) during every five-year permit cycle. All majors will be visited approximately six times per year at a minimum by a reconnaissance/sampling technician, subject to staff vacancies. Major facilities with compliance problems will be scheduled for more frequent oversight inspections, and majors with good compliance histories will receive oversight through a combination of professional staff and technician reconnaissance inspections.
- Illinois EPA will provide Region 5 with a list of planned major discharger inspections by January 15, 2006. [Note: Illinois EPA will not enter planned inspections in PCS due to resource limitations.]

Minor Dischargers

- Illinois EPA will target a minimum of one inspection at minor wastewater treatment facilities during each five-year permit cycle.
- Inspections of quarries, sand and gravel operations, and non-contact cooling water dischargers will be on an as-needed basis, when a complaint has been received or there is information indicating a potential violation. Illinois EPA will attempt to inspect each one at least once during a five-year permit cycle.

Pretreatment Inspections

- Pretreatment audits and compliance inspections will not be scheduled unless information becomes available indicating that a Publicly Owned Treatment Work (POTW) is not properly implementing the program.
- Input on possible inspections to be conducted by Region 5 will be provided on request.
- Illinois EPA will provide Region 5 with a list of planned Industrial User (IU) inspections by January 15, 2006.

Technician Reconnaissance Inspections

- Illinois EPA will attempt to maintain the level of approximately 8,500 site visits annually to keep abreast of overall plant condition, equipment malfunction, poor effluent quality, or bypassing, although a current staff vacancy could prevent maintaining coverage in one region.

Stormwater

- Illinois EPA will continue to conduct inspections of NPDES permitted stormwater facilities, including both scheduled inspections and response to citizen complaints.
- Stormwater inspections will use resources that were devoted to major discharger and pretreatment inspections in past years.
- Illinois EPA will assist Region 5 on request in obtaining copies of Stormwater Pollution Prevention Plans from permittees for their review.
- Illinois EPA finalized agreements in FY 2004 and 2005 with Soil and Water Conservation Districts in nine counties supporting the Districts' inspections of stormwater sites.
 - Follow-up inspection and compliance activities coordinated with the Districts is a priority in these counties (DeWitt, Kane, DuPage, Kendall, Macon, Madison, McHenry, Peoria, St. Clair, and Winnebago Counties).
 - One area of emphasis for stormwater inspections is the rapidly developing American Bottoms and surrounding locations in the Collinsville Region.
- As resources allow, each region will prioritize an area or areas within the region, and implement a program to address stormwater permit compliance in the identified area(s).
 - Selection of the areas should take into account the amount of construction and development activity occurring and the sensitivity of receiving waters.
 - In addition to site-by-site inspections, consideration should also be given to contacts with consultants and developers in the area, municipal offices responsible for permitting or subdivision approval, and other entities to help "get the word out" regarding stormwater requirements.

Wet Weather Discharges

- Illinois EPA will schedule other CSO inspections on a case-by-case basis in response to complaints, unusual water quality conditions, or follow-up on noncompliance with permit requirements.
- IEPA will implement notification to water supply and beach managers as soon as possible but no later than September 30, 2006 for SSOs that could potentially affect their facilities. Also, IEPA will participate in discussions with USEPA regarding additional SSO response actions. IEPA will finalize the SSO strategy and begin implementation of the notification to water supply and beach managers by September 30, 2006.

Livestock Waste

- Inspection plan will reflect citizen complaints, existing enforcement actions and facilities with a history of problems.
- Targeted surveys will be continued with a goal of identifying and inspecting facilities larger than 1000 animal units or subject to NPDES requirements.
- Illinois EPA will attempt to meet USEPA's goal of inspecting 20 percent of identified large CAFOs each year.
- As resources allow, inspections of facilities in watersheds of PWS reservoirs and areas with large numbers of facilities.

- USEPA expects to increase its CAFO inspection presence in Illinois in FY2006. IEPA will be invited to participate in all such inspections.

Compliance Assistance

- Illinois EPA will conduct a minimum of 4 Operation and Maintenance Evaluation Projects and 6 Compliance Maintenance Evaluation Projects during the reporting year. We will also include the development of training aids for field use by a wider group of field personnel. Also, work is underway and will continue on planning and arrangements for the 2006 National Operator Training Conference in Chicago, June 4-7, 2006.

Industrial Users Tributary to Non-delegated POTWs

- Inspections will be continued with a goal of completing inspections at 20 percent of facilities during FFY2006.

Compliance Assurance

- Monitor compliance of NPDES permittees with permit requirements.
- Take appropriate compliance and enforcement actions in accordance with the Illinois EPA's Enforcement Management System and Section 31 of the Illinois Environmental Protection Act for violations of NPDES, Stormwater, SSO/CSO, CAFO and other violations of environmental regulations. Where an action is taken against a CAFO requiring a permit, that action will, among other things, compel application for a permit.
- Monitor compliance with Compliance Commitment Agreements (CCAs) and enforcement orders and take appropriate follow-up actions.
- Maintain major compliance rate at ≥ 95 percent.
- Maintain required data elements in the Permit Compliance System (PCS) or ICIS-NPDES, as applicable.
- Maintain Discharge Monitoring Report (DMR) entry rates for major dischargers at ≥ 97 percent.
- Prepare, and timely report to USEPA, Quarterly Non-Compliance Reports (QNCRs) for major facilities.
- Review and update "Watch Lists" on a quarterly basis.
- The Illinois EPA will prepare for the conversion from PCS to Integrated Compliance Information System (ICIS)-NPDES by performing data quality checks and making necessary upgrades to the Illinois EPA's electronic Discharge Monitoring Report (eDMR) System. A plan for populating ICIS-NPDES with any new WENDB data elements identified in the revised PCS policy statement will be developed consistent with the deadlines in that Policy Statement.
- All routine inspections completed by June 30 of each fiscal year, must be reported in PCS or ICIS-NPDES by September 30 of that year. USEPA has proposed that beginning in FY2007, the federal fiscal year, rather than the inspection year, will be the timeframe used for reporting inspections. If this proposal becomes final, it is likely that a shorter time period will be allowed for entering inspections into ICIS/PCS in FFY2007.

- When violations are identified during routine inspections, this information will be entered into PCS or ICIS-NPDES, as applicable.
- CSO notifications from municipalities will be entered into PCS or ICIS-NPDES. SSO notifications will be tracked and followed-up on pursuant to the Illinois EPA's SSO strategy.
- Illinois EPA will report in the End of Year report the number of POTWs that are beneficially reusing all or part of their bio-solids.
- The Illinois EPA will expand the use of electronic reporting to include additional facilities as well as additional types of reports received from wastewater facilities.
- The wastewater operator certification program will be enhanced to include a continuing education requirement for renewing certificates to ensure certified operators receive training on a continuing basis.
- Illinois EPA will provide timely feedback on the, nature of and results of response to, complaints forwarded to Illinois EPA by USEPA.
- Compile and submit 2005 calendar year annual non-compliance reports for NPDES non-majors by June 30, 2006 and June 30, 2007 respectively.
- IEPA will review annual reports submitted by POTWs with approved pretreatment programs, enter WENDB data elements into PCS and take necessary follow-up on deficiencies identified or inform Region 5. Region 5 is working on an annual report format to promote more consistent reporting across the Region. USEPA will work with the state to incorporate format changes for the 2007 reporting year.

Wetlands Activities

- Illinois EPA will provide to Region 5 the number of 401 certifications issued and denied during FFY06 and FFY07 by November 1, 2006 and November 1, 2007.
- Illinois EPA will review applications for 401 Certification for compliance with water quality standards, assessment of alternatives, and designated uses.

State Revolving Fund Loan Program

- Illinois EPA will continue to manage the low interest loan program for both wastewater and drinking water facilities.
- Illinois EPA has implemented a leveraged program in anticipation of an increased demand for both wastewater and drinking water loan assistance. (*PAM#70*) Appropriation levels for FY2006 and FY2007 could be used to support a \$100M bond sale for the Clean Water SRF and a \$50M bond sale for the Drinking Water SRF.
- Illinois EPA will also evaluate the possible use of SRF funds for nonpoint projects in a pilot loan project. In addition, the Bureau will initiate negotiations with the Region on the delegation of the administration of the State and Tribal Assistance Grant (STAG) grant program.

Objective: Eliminate use impairments in Illinois waters with identified problems.

Total Maximum Daily Load (TMDL) development

- Continue 3rd Round of watershed-based TMDLs. During the monthly Water Directors' call, Illinois EPA will provide information on the watersheds scheduled and the dates the request for proposal (RFP) and final contract approvals are made.
- Initiate Lake Bloomington TMDL. Proceed according to the schedule provided to Region 5 in the grant application for this TMDL.
- Provide Region 5 with a specific listing of TMDLs to be delivered in final form in FY 2005 by December 15, 2005.
- Report to Region 5 TMDLs to be delivered in each FFY, by January 15 of the previous year. Deliver a schedule to Region 5 by September 15 of each year, of final TMDLs to be submitted for approval by Region 5 in each subsequent FFY.
- Report to Region 5 on status of TMDLs initiated. Deliver final TMDLs to Region 5 for approval in accordance with the agreed upon schedule for each FFY. Final TMDLs submitted to the Region for approval between October 1, 2005 and September 1, 2006, must address at least 60 impairments. The number of final TMDLs to be delivered for October 1, 2006 to September 1, 2007 shall be identified by July 1, 2006. (*PAM #52*)
- Provide draft TMDLs to Region 5 60 days prior to public notice, or alternate timeframe as agreed upon, for review and comment.
- Eliminate duplication in reporting on TMDL program to Region 5.
- The Accountability Pilot is a mechanism to ensure that watershed management actions are given equal weight with TMDL development commitments as negotiated between Illinois EPA and Region 5. Illinois EPA has submitted approximately 13 projects in three watersheds for the database. We will revise and update the database as more projects become available. At least 3 additional projects, which meet the Pilot criteria, will be submitted to Region 5 during FFY06.
- By December 31, 2005, Illinois EPA will develop, with input from Region 5, a final strategy describing how Illinois EPA will achieve the goal of addressing all listed waters within 15 years of listing, by either a final TMDL or an implemented action plan that is expected to achieve water quality standards within a reasonable time. This strategy will include the approach to addressing impairments due to nutrients.

303(d) List Development - Both agencies will continue to work with local watershed interests in high priority watersheds, as identified in the most recently approved Section 303(d) List. Among other actions, this will include participation by both agencies in the Illinois River Coordinating Council. The goal of this is initiation of at least one locally led watershed effort focused on eliminating the impairments identified in the 303(d) list for this waterbody. IEPA will submit a draft 2006-303(d) list to USEPA by December 1, 2005. The final 2006 list will be submitted to USEPA by April 1, 2006.

Objective: Address non-continuous but recurring pollutant discharges Reduce.

Non-point Source Pollution

- Implement the Evaluation Framework in 2006 for the Section 319 program.
- Continue Watershed-based planning on impaired waters and, more specifically, for impaired waters identified as a priority for Farm Bill funding.
- Identify a pilot Nonpoint Source (NPS) Revolving Loan Program. This program will offer low cost loans for 319 NPS Pilot project for high cost structural Best Management Practices.
- Implement watershed-based planning that combines nonpoint source pollution planning and Stormwater MS4 planning in the Waukegan River Watershed.
- Finalize and upload all data relevant to the National Nonpoint Source Monitoring program (Lake Pittsfield and Waukegan River) to STORET.
- Work with the Office of Research and Development on Stressor Identification Project. Includes supplying data and other relevant information to aid in the development of this project.

Objective: Reduce nutrient loadings by promoting nutrient management practices.

- Illinois EPA will continue participation in the Regional effort to develop nutrient criteria guidance through its membership in the Regional Technical Assistance Group.
- Illinois EPA will implement the elements of the nutrient plan for FY2006. (PAM#WQ-2)
- Illinois EPA will continue to hold meetings of the Illinois Nutrient Standards Workgroup in FY2006.
- Illinois EPA will continue to support adoption of an interim phosphorus permitting strategy pending completion of numeric nutrient water quality standards.
- A United States Geological Survey (USGS) employee was assigned to Illinois EPA in 2004 for two years to work on nutrient standards as Illinois' nutrient standards coordinator. Contract will be extended for two years beginning in FFY06.
 - Coordinator will work with Science Committee of the Nutrient Standards Workgroup as well as with researchers working on nutrient problems under Illinois Council for Food and Agricultural Research grants.
 - Will also help in the analysis of data currently being collected by Illinois EPA's Monitoring Unit and organize meetings of the Science Committee.

Objective: Work toward science-based standards (nutrients, bacteria, dissolved oxygen, sulfate) and more accurate use classifications.

- Sulfates/TDS
 - Continue to participate in sulfate technical committee meetings.
 - Develop proposed revisions to Illinois' water quality standards for sulfates and TDS based on the work of the sulfate technical committee.
 - Submit a rulemaking package to the Illinois Pollution Control Board revising General Use sulfate and total dissolved solids water quality standards.

- Continue to develop water quality standards for nutrients specific to the needs and conditions in Illinois in accordance with its approved plan.
- Illinois EPA expects final Board action on the current radium rulemaking proceedings.
- The Lower Des Plaines use attainability analysis has progressed to the standards revision stage. These proposed standards revisions will include *E.coli* bacteria standards.
- Illinois EPA will continue development of, human health criteria, based on US EPA Human Health methodology.
- Illinois EPA commits to work with USEPA on the review and possible reorganization of use designations for the waters of the state.
- Illinois EPA commits to notifying U.S. Fish and Wildlife Service (USFWS) of draft and final changes to water quality standards, including adjusted standards.
 - Illinois EPA will work with USEPA to ensure that future adjusted standards adopted by the Illinois Pollution Control Board conform to federal requirements for either variances from water quality standards or site-specific water quality criteria.
 - Site-specific criteria:
 - o Based on a determination that a less stringent criterion is adequate to protect uses shall be recalculated using a scientifically defensible method (e.g., one of EPA's approved methods (resident species, water effects ratio, resident species+ water effects ratio) or other reasonable and appropriate method); and
 - o Documentation shall include information on the basis for the recalculation including how it was determined that species could be deleted from the toxicity data set in the case of resident species-based site-specific criteria.
 - Variances:
 - o Shall indicate which of the factors in the Federal regulations at 40 CFR 131.10(g) is the basis of the proposed variance.
- Illinois EPA will work with USEPA to review implementation of Illinois' anti-degradation policy for mine related permits.
- Illinois EPA and Region 5 will continue to cooperatively review Illinois regulations and operating practices related to designation of waters for recreational use; the procedures utilized to make those determinations and application of related bacterial standards. The intent of the review is to identify any issues potentially in conflict with current federal regulations and policies as well as mechanisms to remedy any conflicts that may be identified.

Illinois EPA Strategic Plan Initiative: Ensure that public water supply systems provide water that is consistently safe to drink.

Illinois EPA Performance Metric: Percentage of population served by community water supplies providing compliant drinking water.

Refer to Annual Resource Deployment Plan, **Appendix A.**

(A submittal will be issued for the 2007 Annual Resource Deployment Plan by September 2006.)

Illinois EPA Strategic Plan Initiative: Protect and restore Lake Michigan and other key waterbodies.

Lake Michigan - Maintain the percentage of Lake Michigan open shoreline miles in Good condition.

Upper Mississippi River - Upper Mississippi River Basin Association Water Quality Task Force
The primary focus of this task force, encompassing WI, MN, IA, MO, and IL and USEPA Regions 5 and 7, is to work on issues directly related to the states' Clean Water Act responsibilities on the Mississippi River as a shared interstate waterbody, including 305(b) assessments, listings of impaired waters, and total maximum daily loads (TMDLs). Illinois EPA and Region 5 will continue to work with the Task Force over the next two years on routine Task Force activities, special projects including their Fish Consumption and Sediment Impairment workgroups, and by supporting investigations into the potential benefits and of having UMRBA serve as a Section 106 Interstate Organization devoted to water quality work.

Illinois River - The Illinois River will continue to be a priority for the Section 319 program, with additional watershed-based planning needs to occur in the watershed. Illinois EPA is investigating the possibility of piloting a NEMO (NPS Education for Municipal Officials) program in the Peoria Tri-County area. In addition to the NEMO program, the NPS program will be implementing a restoration project on Springdale Creek. This project will improve water quality and have an extensive outreach/education component. On the urban side, the NPS program along with Association of Illinois Soil and Water Conservation District is targeting an urban restoration grant program to Illinois urban centers. Of the 27 counties identified, 18 are within the Illinois River Watershed.

Fox River Water Quality Study - The Fox River Study Group will achieve a long-term goal of identifying and achieving appropriate water quality standards, point and nonpoint pollutant source controls and other resource management practices to maintain the full integrity of the Fox River.

- Illinois EPA will continue to participate in work by the Fox River Study Group to develop and employ a comprehensive computer model of the watershed. When completed, the model will be used to assess methods to correct existing water quality issues throughout the watershed, as well as identifying and preventing potential new problems.
- Illinois EPA will also continue to work with USEPA Region 5 and the Fox River Study Group to direct funding from Congressional appropriations or other state or federal sources for the project.

Chicago Area Waterways System (CAWS) Use Attainability Analysis – Progress of the UAA to date suggests a level of recreational activity within the majority, if not all, the reaches of the waterways that warrants human health protection through public education, a bacterial standard and bacteria source control. The data also suggests much of the waterway is challenged by low dissolved oxygen. Issues that remain from FY2005 include: the review and incorporation of the economic and engineering analyses being conducted by MWRDGC; and a discussion and resolution of the need to collect any other data to provide balance to data submitted by MWRDGC and Midwest Generation and other stakeholders. MWRDGC has committed to conducting an engineering analysis to explore management options to address these issues. The options include: disinfection of the MWRDGC treatment plant effluents; oxygenating the

waterways; augmenting the flow in portions of the waterways; installing end-of-pipe treatment of combined sewer overflows. Illinois EPA will review MWRDGC's management options and, where appropriate, incorporate them into the UAA. USEPA will assist Illinois EPA in reviewing MWRDGC and Midwest Generation reports. USEPA has initiated a scope of work through a contract to accomplish a third party engineering and cost analysis regarding disinfection. Management options will be incorporated into the UAA upon receipt, review, state and federal coordination and approval.

Illinois Strategic Plan Initiative: Move from facility planning to watershed protection.

- It is the intent of the Bureau to structure ourselves to become more watershed- based, including how we issue permits, how we monitor water quality and how we prioritize NPS projects. Illinois EPA will work with Region 5 to update the Continuing Planning Process as appropriate.
- As part of the water quality monitoring strategy development process, Illinois EPA will work with Region 5 to analyze alternative approaches for monitoring at the watershed scale. As appropriate, pilot an alternative monitoring design at approximately the 11 digit HUC scale, multiple program objectives.
- Watershed-based planning will become a priority. Planning will encompass the Section 319 NPS program, the TMDL program and all aspects of local water quality issues. Illinois EPA will foster local watershed management planning that meets USEPA nine minimum elements in impaired watersheds throughout the State. During the development of the 2007-2012 Water Quality Monitoring Strategy, consider and include as appropriate, monitoring approaches for assisting the NPS program.
- Continuation of 205(j) water quality management planning activities, Areawide Planning Commissions: for these activities to be achieved Illinois EPA will need to provide the Northeastern Illinois Planning Commission, Southwestern Illinois Regional Planning and Development Commission and the Greater Egypt Regional Planning and Development Commission sufficient funds to address facility planning, NPS related work on municipal ordinances and watershed-based planning.
- The Illinois EPA will initiate watershed planning in the Rock River basin (Green River and Kishwaukee River) to pilot a comprehensive watershed approach to all aspects of the water program (i.e., planning, monitoring, permitting, financial assistance). Illinois EPA will use the watershed characterization for the entire area and begin with local stakeholders, (fully underway by August 2006) in FFY2006 should funding become available.
- The Illinois EPA will work with Region 5 to coordinate the implementation of agricultural and environmental programs relative to impaired waters with the joint goal of initiating at least one joint funded project, which is focused on returning the waterbody to full compliance with water quality standards.

IV. Multimedia Programs Planning and Outputs

A. Toxic Chemical Management Program

- Illinois EPA will conduct 32 inspections each year over the next two years. Illinois reserves the right to negotiate to do fewer inspections if we become involved with oversight responsibilities of an enforcement sight at USEPA's request. The reduction in inspections should oversight responsibilities occur, has been previously discussed and agreed upon with USEPA. Illinois EPA certified TSCA/PCB inspectors will perform the inspections. Illinois EPA inspectors will attend training/refresher training as deemed necessary by USEPA.
- IEPA will have additional inspectors trained and credentialed.
- Illinois EPA will utilize its Organic Chemistry Lab in Springfield for securing and analysis of samples taken during compliance inspections. The Illinois EPA lab in Springfield has been evaluated and approved for PCB analysis by Region 5 USEPA. IEPA will work with USEPA to determine whether collected samples should be kept and transported in a refrigerated environment.
- The manager of the Office of Emergency Response and the manager of the Engineering and Assessment Unit will assure that the report format and contents are consistent with USEPA standards, and that all suspected violations are properly documented before reports are submitted to Region 5 for case review and development. The latest revision of the FIFRA TSCA Tracing System (FFTS) data entry form will be used for all PCB inspections. The properly completed form will be faxed or mailed to Region 5 within seven days after the inspection is completed. Inspection reports will be submitted to Region 5 in a timely manner.
- Illinois agrees to oversee any PCB cleanup that requires federal assistance, which may include verification sampling. A review process as specified in the Quality Assurance Project Plan (QAPP) will assure sample analysis quality. Region 5 and Illinois EPA are currently working on a revised QAPP. Illinois will finalize the TSCA/PCB QAPP update within 60 days of the final comments from USEPA.

B. Pollution Prevention

In FFY 06/07, the Office of Pollution Prevention will undertake the following projects and activities:

Educational Outreach

- Sponsor or support at least six workshops in different areas of the state to promote P2 concepts and techniques to facilities.
- Work with state executive agencies to expand the procurement of environmentally preferable products, including hybrid electric vehicles, green cleaning supplies, integrated pest management and green building design.

Technical Assistance

- Provide on-site technical assistance to over 160 facilities to help them identify and implement P2 projects.
- Recruit, train and place 30-40 student interns at selected facilities to work on P2 projects during the summer.
- Partner with the Illinois Waste Management and Research Center and others to conduct outreach to K-12 schools, including on-site assistance, workshops and grants for P2 projects.
- Pilot a program to provide technical assistance to local government facilities.

Regulatory Integration

- In consultation with BOL, develop an Internet site that provides case studies and resources for project officers and consultants that promotes the use of P2 practices during site remediation activities.

Voluntary Initiatives

- Provide technical assistance to facilities participating in the Metal Finishing Strategic Goals Program, Tri-County *Green Matters* Program, Department of Defense/Illinois Environmental Partnership and Hospitals for a Healthy Environment.
- Continue to work with private and public sector groups to create environmental recognition programs for businesses and institutions in the Metro East St. Louis area as well as K-12 school facilities in the state.
- Recruit at least one facility into the National Partnership for Environmental Priorities as part of the Resource Conservation Challenge in FY 2006.

Measurement

- Expand the use of performance measures to help quantify the benefits of P2 technical assistance and educational outreach efforts.

Program Resources

- Support eight work years with federal and state funds.

C. Quality Management Plan

The Illinois EPA has carefully reviewed and revised our Quality Management Plan (QMP) and submitted to Region 5 for approval. To accomplish this task in an efficient and effective manner, the Agency assessed the results and recommendations of the Management System Review (MSR) that was conducted by Region 5 quality review committee in the fall of 2003. The appropriate findings were incorporated into the revised QMP.

The Agency will continue to work with U.S. EPA to provide quality assurance training as outlined in the QMP.

The Bureau's will review and revise Standard Operating Procedures (SOPs) as necessary, as documented in the Bureau's QMP.

Appendix A

Code	Type	Outcomes / Activity Measures						
2.1.1	T	Water Safe to Drink: Percentage of the population served by community water systems that receive drinking water that meets all applicable						
Strategic Targets								
2.1.1 (pg. 8 NPG)	T	% population served by CWS to meet all health-based standards	95% (10,474,000/ 11,605,511)					
A (pg. 8 NPG)	T	% population served by CWSs meeting standards with which systems need to comply as of 2001	95% (10,474,000/ 11,605,511)					
B	T	% population served by CWSs meeting standards with which	80% (9,285,000/ 11,605,511)					
F (pg. 8 NPG)	T	Percent of source water areas both surface and ground water for CWSs that will achieve minimized risk to public health ("minimized risk" is achieved by the substantial implementation, as determined by the State of source water protection actions in a source water protection strategy).	43% (768/ 1785)					
Program Activities								
SDW-3	T	Number of States that will be in compliance with requirement to conduct sanitary surveys at community water systems once every three years, as documented by file audits of a random selection of a random selection of water systems.	0 (IL will do SS for purchased SW systems every 5 years.)					
SDW-5	T	Fund utilization rate [cumulative dollar amount of loan agreements divided by cumulative funds available for projects] for the Drinking Water State Revolving Fund.	87%					
SDW-6	I	Number of Drinking Water State Revolving Fund projects that have initiated operations. (cumulative)						
SDW-9	T	Percent of community water systems for which source water protection strategies are in place and are being implemented (cumulative).	86% (1535/ 1785)					
SDW-11	I	Identify at the State level the most prevalent and/ or threatening categories of existing/ potential sources of contamination for surface and ground water for community						
SDW-17	T	Percent of surface waters that are used as a drinking water source by a community water system that have, wherever attainable, water quality standards with public water supply as a designated use or water quality standards that provide an equal level of public health protection.	HQ reported measure; to be implemented in FY 2007 based on completion of M no report in FY 06.					

Appendix B

- 1.** The Air Quality Index, which replaced the Pollutant Standards Index, includes the 8-hour ozone and PM_{2.5} standards. It also includes six categories of air quality: good; moderate; unhealthy for sensitive groups; unhealthy; very unhealthy; and hazardous.
- 2.** Superfund generally refers to the federal program administered by the United States Environmental Protection Agency under the authority of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (CERCLA or Superfund) and the implementing regulations of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR 300.
- 3.** Supplemental environmental project is an environmentally beneficial project a violator agrees to undertake in settlement of an enforcement action, but which the violator is not otherwise legally required to perform.
- 4.** Illinois' only commercial hazardous waste incinerator.
- 5.** Government Performance & Results Act Baseline Post-Closure Universe are those facilities undergoing closure of all of its hazardous waste management land-based units (e.g., landfills, waste piles, surface impoundments) as of October 1, 1997.
- 6.** Sections 300.430 - 300.435 of the NCP
- 7.** Section 120 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, and Executive Order 12580.
- 8.** The following operable unit acreages remain to be evaluated or remediated: Additional and Uncharacterized Sites Operable Unit (31 sites, 18,427 acres); Polychlorinated Biphenyl OU (TCE groundwater, 73 acres); and Miscellaneous OU (Sites 14 and 36, 50 acres).
- 9.** Congress transferred all of this property to the Department of the Interior in 1947.
- 10.** Cleanup of the BRAC sites on the Surplus Operable Unit were completed in 2001 and that property was then transferred. Cleanup of the Department of Defense Operable Unit is currently ongoing. However, that property is not slated for transfer.
- 11.** 35 Ill. Adm. Code 740

Dispute Resolution Process

Illinois EPA and Region 5 will use an agreed upon dispute resolution process to handle the conflicts that may arise as we implement our environmental programs and will treat the resolution process as an opportunity to improve our joint efforts and not as an indication of failure.

A. Informal Dispute Resolution Guiding Principles

Illinois EPA and Region 5 will ensure that program operations:

- Recognize conflict as a normal part of the State/Federal relationship.
- Approach disagreement as a mutual problem requiring efforts from both agencies to resolve disputes.
- Approach the discussion as an opportunity to improve the product through joint efforts.
- Aim for resolution at the staff level, while keeping management briefed. Seriously consider all issues raised but address them in a prioritized format to assure that sufficient time is allocated to the most significant issues.
- Promptly disclose underlying assumptions, frames of reference and other driving forces.
- Clearly differentiate positions and check understanding of content and process with all appropriate or affected parties to assure acceptance by all stakeholders.
- Document discussions to minimize future misunderstandings.
- Pay attention to time frames and/or deadlines and escalate quickly when necessary.

B. Formal Conflict Resolution

There are formalized programmatic conflict resolution procedures that need to be invoked if the informal route has failed to resolve all issues. 40 CFR 31.70 outlines the formal grant dispute procedures. There is also an NPDES conflict resolution procedure. The Superfund Program sponsors an Alternate Dispute Resolution Contract that provides neutral third parties to facilitate conflict resolution for projects accepted into the program. These are all time-consuming and should be reserved for the most contentious of issues. For less contentious matters, we will use the following procedures:

1. Define dispute - any disagreement over an issue that prevents a matter from going forward.
2. Resolution process - a process whereby the parties move from disagreement to agreement over an issue.
3. Principle - all disputes should be resolved at the front line or staff level.
4. Time frame - generally, disputes should be resolved as quickly as possible but within two weeks of their arising at the staff level. If unresolved at the end of two weeks, the issue should be raised to the next level of each organization.
5. Escalation - when there is no resolution and the two weeks have passed, there should be comparable escalation in each organization, accompanied by a statement of the issue and a one-page issue paper. A conference call between the parties should be held as soon as possible. Disputes that need to be raised to a higher level should again be raised in comparable fashion in each organization.