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# Environmental Register

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Claire A. Manning, Chairman

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## Letter From the Chairman

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Census 2000, the information cornerstone for the next century and the largest peace-time mobilization in U.S. history, is about to begin and you are needed to make it a success. In Executive Order Nineteen, Governor Ryan requested that each state agency alert their constituencies about the importance of the upcoming census and its impact on Illinois.



Billions of federal, state, and local dollars will be spent on thousands of projects across our nation and each state's census information will determine how these moneys will be spent. For example, allocation decisions about public transportation, traffic control, education, health care, job training, and business development are based on each state's profile. But government officials aren't the only ones who will use Census 2000 data. Senior citizen groups often draw on statistics from the census to support the construction of community centers. Nonprofit organizations use census numbers to estimate the potential pool of volunteers in their communities. Developers analyze census data before deciding where to locate new business ventures. Census statistics help determine where to build more roads, stoplights, hospitals, health clinics, and child-care centers.

The information gathered from Census 2000 will also impact Illinois' environment and our State's environmental initiatives. Census data will not only be used to study environmental issues like urban sprawl, but it will also be used to gain a better understanding of our State's changing population and how government agencies like the Board can better serve the people of Illinois.

Census 2000 is your chance to make sure that the new century in Illinois begins with an accurate and complete picture of our State. Your contacts, your knowledge, and your concern about Illinois' communities are the keys to an accurate census, and that is why Illinois needs you to start spreading the word about the importance of Census 2000. Set the record straight by dispelling the myths about confidentiality and the uses of the census. Reassure others that Census 2000 is confidential and that the information collected is protected by law. Emphasize why the information collected in the census is important to Illinois' communities.

The Census Bureau also needs your help in recruiting census takers in every neighborhood across Illinois and the nation. Spread the word about census jobs to your family, friends, and associates. The Census Bureau needs to hire a large number of workers who are conversant with the many languages spoken in our State and across the United States. There is a toll free number for census jobs. To apply or for more information please call 1-888-325-7733 or visit their website at (<http://www.census.gov/jobs2000/www/index.html>).

As always, thank you for your participation.

Yours,

A handwritten signature in cursive script that reads "Claire A. Manning". The signature is written in dark ink and is positioned above the printed name.

Claire Manning, Chairman  
Illinois Pollution Control Board

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## Federal Update

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### **United States Environmental Protection Agency Adopts Tier 2 Motor Vehicle Emissions Standards and Gasoline Sulfur Control Requirements**

On February 10, 2000, the United States Environmental Protection Agency (USEPA) adopted standards that finalize a major program implementing the Clean Air Act Amendments of 1990 (42 U.S.C. §§ 7401 *et seq.* (1996)) which is designed to significantly reduce the emissions from new passenger cars and light trucks, including pickup trucks, vans, minivans, and sport-utility vehicles. 65 Fed. Reg. 6698 (February 10, 2000). The program is a comprehensive regulatory initiative that treats vehicles and fuels as a system, combining requirements for much cleaner vehicles with requirements for much lower levels of sulfur in gasoline. The USEPA believes that these reductions will provide for cleaner air and greater public health protection, primarily by reducing ozone and particulate matter pollution.

Highlights of the program include the phased-in application of the same set of emission standards covering passenger cars, light trucks, and large SUVs starting in 2004. The program also introduces a new category of vehicles, "medium-duty passenger vehicles," bringing larger passenger vans and SUVs into the Tier 2 program. During the phase-in period, interim fleet emission average standards that match or are more stringent than current federal and California Low-Emission Vehicle Phase I standards will be applied.

The regulations apply the same standards to vehicles operated on any fuel. The program sets more stringent particulate matter and evaporative emission standards. For commercial gasoline, the USEPA reports that the program will significantly reduce average gasoline sulfur levels nationwide as early as 2000. Refiners will generally have to add refining equipment to remove sulfur in their refining processes. The reduction in sulfur levels will also contribute directly to cleaner air in addition to its beneficial effects on vehicle emission control systems. Importers of gasoline will be required to import and market only gasoline meeting the sulfur limits. The regulations also introduce an averaging, banking, and trading program to provide flexibility for refiners and ease implementation of the gasoline sulfur control program.

The USEPA expects a reduction in oxides of nitrogen emissions of at least 856,000 tons per year by 2007 and 1,236,000 tons per year by 2010, the time frame when many states will have to demonstrate compliance with air quality standards that will result from the implementation of these regulations. Emission reductions are expected to continue increasing for many years, reaching at least 2,220,000 tons per year in 2020. In addition, the program is designed to reduce the contribution of vehicles to other serious public health and environmental problems, including volatile organic compounds, particulate matter, regional visibility problems, toxic air pollutants, acid rain, and nitrogen loading of estuaries. The reductions, and their resulting environmental benefits, are expected to come at an average cost increase of less than \$100 per passenger car, an average cost increase of less than \$200 for light trucks, an average cost increase of about \$350 for medium-duty passenger vehicles, and an average increase of less than 2 cents per gallon of gasoline, or about \$120 over the life of an average vehicle.

After the USEPA rules become effective, the Board would anticipate receipt of a similar proposal from the Illinois Environmental Protection Agency for promulgation under the "fast-track" provisions of Section 28.5 of the Illinois Environmental Protection Act (415 ILCS 5/28.5 (1998)). The regulations become effective April 10, 2000. For further information contact: Carol Connell at 734/214-4349; e-mail: [connell.carol@epa.gov](mailto:connell.carol@epa.gov)

### **United States Environmental Protection Agency Proposes Deferral of Phase IV Standards for PCBs as an Underlying Hazardous Constituent in Soil**

On February 16, 2000, the United States Environmental Protection Agency (USEPA) proposed amendments to temporarily defer a portion of the rule applying Land Disposal Restrictions (LDR) under the Resource Conservation and Recovery Act (RCRA) to underlying hazardous constituents (UHC) in soils contaminated with certain characteristic hazardous wastes for metals. 65 Fed. Reg. 7809 (February 16, 2000). The USEPA promulgated the rule applying LDR under RCRA to UHC in contaminated soils on May 26, 1998.

The USEPA is proposing to temporarily defer the requirement that polychlorinated biphenyls (PCBs) be considered a

action because the regulation appears to be discouraging generators from cleaning up contaminated soils, which is contrary to what the USEPA intended when it promulgated alternative treatment standards for contaminated soils. In addition, the USEPA needs more time to restudy the issue of appropriate treatment standards for metal-contaminated soils which also contain PCBs as UHC.

For further information contact: Ernesto Brown at 703/308-8608; e-mail: brown.ernie@epa.gov

The pendency of the USEPA amendments may be addressed in the Board's currently pending identical-in-substance proposal for public comment, In the Matter of: RCRA Subtitle C Hazardous Waste Update, USEPA Amendments (July 1, 1999, through December 31, 1999), R00-13. If the USEPA takes action before the close of the record in R00-13, the Phase IV Standards may be included in the Board's rulemaking docket R00-13. For further information contact: Michael McCambridge at 312/814-6924; e-mail: mccambm@ipcb.state.il.us

### **United States Environmental Protection Agency Reopens Comment Period for the Proposed Rule for Standards for Pesticide Containers and Containment**

On February 24, 2000, the United States Environmental Protection Agency (USEPA) reopened the comment period on the proposed rule "Standards for Pesticide Containers and Containment" (59 Fed. Reg. 6712 (February 11, 1994)) for an additional 30 days until March 20, 2000. 65 Fed. Reg. 9234 (February 24, 2000). On October 21, 1999 (64 Fed. Reg. 56918), the USEPA reopened the comment period to obtain comment on four specific issues.

The October 21, 1999 notice solicited comments on potential changes that would reduce the scope of the container standards, add an exemption for certain antimicrobial pesticides, and adopt some of the Department of Transportation hazardous materials regulations. That notice also requested comments on the definition of small business, used to identify small pesticide formulators, agrochemical dealers and commercial pesticide applicators in the small entity impact analysis.

For further information contact: Nancy Fitz at 703/305-7385; e-mail: fitz.nancy@epa.gov

The Illinois pesticide program is established by the Illinois Pesticide Act (IPA) (415 ILCS 60/1 *et seq.* (1998)). The IPA is administered by the Department of Agriculture and is enforced by the Department of Public Health and the Illinois Environmental Protection Agency.

## **Rule Update**

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### **Board Dismisses Three Reserved Identical-In-Substance Rulemaking Dockets, R00-9, R00-12, and R00-14**

On February 17, 2000, the Board dismissed three reserved identical-in-substance rulemaking dockets in In the Matter of: Definition of VOM Update, USEPA Regulations (July 1, 1999, through December 31, 1999), R00-9; In the Matter of: RCRA Subtitle D Municipal Solid Waste Landfill Update, USEPA Amendments (July 1, 1999, through December 31, 1999), R00-12; and In the Matter of: UST Update, USEPA Amendments (July 1, 1999, through December 31, 1999), R00-14. The United States Environmental Protection Agency (USEPA) did not amend its regulations during the period from July 1, 1999, through December 31, 1999, in any way that would necessitate corresponding Board action to amend the Illinois regulations. Section 7.2 of the Environmental Protection Act (Act) (415 ILCS 5/7.2 (1998)) requires the Board to adopt regulations which are "identical in substance" to regulations adopted by the USEPA. The term "identical in substance" is defined at Section 7.2 of the Act (415 ILCS 5/7.2 (1998)).

## Board Actions

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February 3, 2000  
Chicago, Illinois

### Administrative Standard

AS 00-7	<u>In the Matter of: Petition of Central Illinois Public Service Company for an Adjusted Standard from 35 Ill. Adm. Code 302.208</u> - The Board granted petitioner's motion to withdraw this request for an adjusted standard involving a Jackson County facility.	Vote 5-0
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### Administrative Citations

AC 00-3 AC 00-4 AC 00-5 AC 00-6 AC 00-7 AC 00-8 AC 00-15 AC 00-18 AC 00-21 AC 00-23 AC 00-24 AC 00-25 AC 00-26 AC 00-29 AC 00-30 AC 00-31 AC 00-37 AC 00-38 AC 00-39 AC 00-40 AC 00-41 AC 00-42 AC 00-43 AC 00-44 AC 00-45 AC 00-46 AC 00-47 AC 00-48 AC 00-49 AC 00-50 AC 00-51 AC 00-53 AC 00-54 AC 00-55	<u>County of Sangamon v. ESG Watts, Inc.</u> - The Board denied respondent's motion to dismiss or to strike, or in the alternative, to either direct decision or grant summary judgment. These matters will proceed to hearing.	Vote 5-0
AC 00-16	<u>IEPA v. Olen G. Parkhill, Jr.</u> - The Board granted both parties' motions to dismiss the petition for review, found that respondent had violated Sections 21(p)(1) and 21(p)(3) of the Illinois Environmental Protection Act (415 ILCS 5/21(p)(1), (3) (1998)), and ordered respondent to pay a civil penalty of \$1,000.	Vote 5-0
AC 00-56	<u>IEPA v. Tom Zang</u> - In response to a joint stipulation and settlement agreement in this administrative citation action involving a Cumberland County facility, the Board found respondent violated Section 21(p)(1) of the Environmental Protection Act (Act) (415 ILCS 5/21(p)(1) (1998)) and ordered respondent to pay a civil penalty of \$500. The Board also granted complainant's motion to dismiss the alleged violation of Section 21(p)(7)(I) of the Act (415 ILCS 5/21(p)(7)(I) (1998), as amended by Pub. Act 91-72, eff. July 9, 1999), prohibiting open dumping of general construction or demolition debris.	Vote 5-0
AC 00-57	<u>Tazewell County v. Waste Professionals, Inc.</u> - The Board granted complainant's motion for voluntary dismissal of this administrative citation action involving a Tazewell County facility.	Vote 5-0

AC 00-59	<u>Will County v. James and Joan Haggard</u> - The Board found that these Will County respondents violated Sections 21(p)(1) and 21(p)(3) of the Act (415 ILCS 5/21(p)(1), 21(p)(3) (1998)), and ordered respondents to pay a civil penalty of \$1,000.	Vote 5-0
AC 00-60	<u>IEPA v. Knox County, Illinois, Knox County Landfill #3, and Thomas D. Wagher</u> - The Board found that these Knox County respondents violated Section 21(o)(12) of the Act (415 ILCS 5/21(o)(12) (1998)), and ordered respondents to pay a civil penalty of \$500.	Vote 5-0
AC 00-61	<u>IEPA v. Don Myers</u> - The Board found that this Union County respondent violated Section 21(p)(1) of the Act (415 ILCS 5/21(p)(1) (1998)), and ordered respondent to pay a civil penalty of \$500.	Vote 5-0

## Adjudicatory Cases

- **Decisions**

PCB 97-217	<u>People of the State of Illinois v. Bigelow Group, Inc.</u> - The Board granted relief from the hearing requirement of Section 31©(2) of the Environmental Protection Act (415 ILCS 5/31©(2) (1998)), and accepted a stipulation and settlement agreement in this water enforcement action concerning a facility located in Lake County, Illinois, ordered the respondent to pay a civil penalty of \$20,500, and to cease and desist from further violations.	Vote 5-0
PCB 98-37	<u>People of the State of Illinois v. American Waste Processing, LTD</u> - The Board granted relief from the hearing requirement of Section 31©(2) of the Environmental Protection Act (415 ILCS 5/31©(2) (1998)), and accepted a stipulation and settlement agreement in this Resource Conservation and Recovery Act enforcement action concerning a facility located in Cook County, Illinois, ordered the respondent to pay a civil penalty of \$60,000, and to cease and desist from further violations.	Vote 5-0
PCB 00-105	<u>People of the State of Illinois v. Britt Industries, Inc.</u> - The Board granted relief from the hearing requirement of Section 31©(2) of the Environmental Protection Act (415 ILCS 5/31©(2) (1998)), and accepted a stipulation and settlement agreement in this air enforcement action concerning a facility located in Cook County, Illinois, ordered the respondent to pay a civil penalty of \$18,000, and to cease and desist from further violations.	Vote 5-0



- **Provisional Variances**

PCB 00-129	<u>Libbey-Owens-Ford Company v. IEPA</u> - Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted this LaSalle County facility a 45-day provisional variance, subject to conditions, from the effluent limits set forth in 35 Ill. Adm. Code 304.141(b).	Vote 5-0
PCB 00-130	<u>City of Granite City v. IEPA</u> - Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted this Madison County facility a 45-day provisional variance, subject to conditions, from the effluent limits set forth in 35 Ill. Adm. Code 304.121(a), 304.125(a), and 304.141(a) and National Pollutant Discharge Elimination System Permit Number IL0033481.	Vote 5-0
PCB 00-131	<u>Archer Daniels Midland Company and City of Decatur v. IEPA</u> - Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted this Macon County facility a 45-day provisional variance, subject to conditions, from the effluent discharge requirements set forth in 35 Ill. Adm. Code 304.141 and permit requirements set forth in 35 Ill. Adm. Code 309.102.	Vote 5-0

### Motions and Other Matters

PCB 92-168	<u>Edwards-Etherton Oil Company, Inc. v. IEPA</u> - The Board granted petitioner's motion to withdraw this underground storage tank appeal involving a Williamson County facility	Vote 5-0
PCB 96-111	<u>People of the State of Illinois v. John Chalmers, individually and d/b/a John Chalmers Hog Farm</u> - The Board granted respondent's motion to modify the Board order of January 6, 2000, extending the time for payment of the civil penalty until April 6, 2000.	Vote 5-0
PCB 96-141 PCB 99-44 PCB 99-186	<u>Butterick Company, Inc. v. IEPA</u> - The Board granted petitioner's attorney's motion to appear Pro Hac Vice.	Vote 5-0
PCB 96-240	<u>People of the State of Illinois v. Rogers O'Hare Motor Terminal Limited, and Carolina Freight Carriers Corporation</u> - Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this water and underground storage tank enforcement action against a Cook County facility, the Board ordered publication of the required newspaper notice.	Vote 5-0
PCB 96-261	<u>People of the State of Illinois v. G.M. Demolition Corporation</u> - Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this air enforcement action involving facilities located in Cook and Kankakee Counties, the Board ordered publication of the required newspaper notice.	Vote 5-0

PCB 98-59	<u>Morton College Board of Trustees of Illinois, Community College District No. 527 v. Town of Cicero; and Town of Cicero v. National Jockey Club</u> - The Board found that the third-party complaint was not duplicitous or frivolous, and accepted it for hearing in this citizens' Resource Conservation and Recovery Act enforcement action involving a Cook County facility	Vote 5-0
PCB 99-12	<u>Chemetco, Inc. v. IEPA</u> - The Board granted petitioner's motion for voluntary dismissal of this permit appeal involving a Madison County facility.	Vote 5-0
PCB 99-125	<u>Terrence G. Graf, Joe Graf, Marcella Graf, Louise Grothpietz, Marjorie Olszeoski, Leonard Olszeoski, Mike Czebokowski, and Lois Czebokowski v. Emerald Landscaping and CPK Landscaping</u> - The Board granted petitioners' motion to voluntarily dismiss this citizens' noise enforcement action involving a Cook County facility.	Vote 5-0
PCB 00-89	<u>Illinois State Toll Highway Authority v. IEPA</u> - The Board accepted for hearing this underground storage tank appeal on behalf of a Cook County facility, and on its own motion consolidated this matter with fourteen similar underground storage tank refund appeal cases brought by petitioner ( <u>Illinois State Toll Highway Authority v. IEPA</u> , PCB 98-88 et al., July 23, 1998 and January 7, 1999). Additionally, the Board consolidated PCB 00-51 and PCB 00-52, both similar underground storage tank refund appeal cases, with the previously consolidated cases.	Vote 4-0 Melas abstained.
PCB 00-119	<u>Wholesale Oil Company (Laflin) v. IEPA</u> - The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Cook County facility.	Vote 4-0 Melas abstained.
PCB 00-120	<u>Wholesale Oil Company (Belmont) v. IEPA</u> - The Board denied petitioner's request for a 90-Day Extension of appeal but accepted petitioner's letter requesting an extension of the 35-day time period as a petition for review, ordering petitioner to file an amended petition or the action would be subject to dismissal.	Vote 4-0 Melas abstained.
PCB 00-124	<u>Agrium U.S. Inc. v. IEPA</u> - The Board granted petitioner's attorney's motion to appear Pro Hac Vice and accepted for hearing this underground storage tank appeal involving a Marshall County facility.	Vote 5-0
PCB 00-125	<u>People of the State of Illinois v. Nina Enterprises, Inc.</u> - The Board accepted for hearing this air enforcement action against this Cook County facility.	Vote 5-0
PCB 00-126	<u>Westown Land Trust v. IEPA</u> - The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Jackson County facility.	Vote 5-0
PCB 00-127	<u>People of the State of Illinois v. Dayne Rogers, an individual, Black Gold International, and Crosby &amp; Associates, P.C.</u> - The Board accepted for hearing this cost recovery tire clean-up enforcement action against this Winnebago County facility.	Vote 5-0
PCB 00-128	<u>Apple Chevrolet v. IEPA</u> - The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Cook County facility.	Vote 5-0

**February 17, 2000  
Springfield, Illinois**

**Rulemakings**

R00-9	<u>In the Matter of: Definition of VOM Update, USEPA Amendments (July 1, 1999 through December 31, 1999)</u> - The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its exemptions from the definition of volatile organic material regulations during the update period of July 1, 1999 through December 31, 1999.	Vote 6-0
R00-12	<u>In the Matter of: RCRA Subtitle D Municipal Solid Waste Landfill Update, USEPA Amendments (July 1, 1999 through December 31, 1999)</u> - The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its non-hazardous waste regulations during the update period of July 1, 1999 through December 31, 1999.	Vote 6-0
R00-14	<u>In the Matter of: UST Update, USEPA Amendments (July 1, 1999 through December 31, 1999)</u> - The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its underground storage tank regulations during the update period of July 1, 1999 through December 31, 1999.	Vote 6-0

## Adjusted Standards

AS 00-2	<u>In the Matter of: Petition of Horsehead Resource and Development Company, Inc. for an Adjusted Standard Under 35 Ill. Adm. Code 720.131©</u> - The Board granted this Cook County facility an adjusted standard from the definition of solid waste, pursuant to 35 Ill Adm. Code 720.131©, subject to conditions.	Vote 6-0
AS 00-8	<u>In the Matter of: Petition of Vonco Products, Inc. for an Adjusted Standard from 35 Ill. Adm. Code 218.401(a), (b), and © (the “Flexographic Printing Rule”)</u> - The Board granted petitioner’s motion for voluntary dismissal of this request for an adjusted standard involving a Lake County facility.	Vote 6-0
AS 00-9	<u>In the Matter of: Petition of Bema Film Systems, Inc. for an Adjusted Standard from 35 Ill. Adm. Code 218.401(a), (b), and © (the “Flexographic Printing Rule”)</u> - The Board granted petitioner’s motion for voluntary dismissal of this request for an adjusted standard involving a DuPage County facility.	Vote 6-0
AS 00-10	<u>In the Matter of: Petition of Formel Industries, Inc. for an Adjusted Standard from 35 Ill. Adm. Code 218.401(a), (b), and © (the “Flexographic Printing Rule”)</u> - The Board granted petitioner’s motion for voluntary dismissal of this request for an adjusted standard involving a Cook County facility.	Vote 6-0

## Administrative Citations

AC 00-20	<u>County of Will v. Dorothy V. Fisch</u> - The Board granted complainant’s motion for voluntary dismissal of this administrative citation action involving a Will County facility.	Vote 6-0
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AC 00-58	<u>Tazewell County v. Waste Professionals, Inc.</u> - The Board granted complainant's motion for voluntary dismissal of this administrative citation action involving a Tazewell County facility.	Vote 6-0
AC 00-63	<u>County of Vermilion v. Illinois Landfill, Inc.</u> - The Board found that this Vermilion County respondent violated Section 21(o)(12) of the Act (415 ILCS 5/21(o)(12) (1998)), and ordered respondent to pay a civil penalty of \$500.	Vote 6-0

## Adjudicatory Cases

- Decisions**

PCB 96-132	<u>People of the State of Illinois v. Burlington Northern Railroad Company, Beazer East, Inc., and Koppers Industries, Inc.</u> - The Board granted relief from the hearing requirement of Section 31©(2) of the Environmental Protection Act (415 ILCS 5/31©(2) (1998)), and accepted a stipulation and settlement agreement in this Resource Conservation and Recovery Act enforcement action concerning a facility located in Knox County, Illinois, ordered the respondent to pay a civil penalty of \$173,000, and to cease and desist from further violations.	Vote 6-0
PCB 99-98	<u>Kendall-Grundy FS, Inc. v. IEPA</u> - The Board certified that the petitioner's steel building is a "pollution control facility" under the Property Tax Code (35 ILCS 200/11-10 (1998)), and directed the Illinois Environmental Protection Agency to timely provide any additional documentation of the tax certification that the Department of Revenue may require.	Vote 6-0
PCB 99-111	<u>People of the State of Illinois v. Gerry Rich d/b/a Rich Pork Farm</u> - The Board granted relief from the hearing requirement of Section 31©(2) of the Environmental Protection Act (415 ILCS 5/31©(2) (1998)), accepted a stipulation and settlement agreement in this water enforcement action concerning a facility located in Tazewell County, Illinois, ordered the respondent to pay a civil penalty of \$5,000, and to cease and desist from further violations.	Vote 6-0
PCB 00-54	<u>The C.P. Hall Company v. IEPA</u> - The Board granted this Cook County facility a variance from the air pollution control regulations found at 35 Ill. Adm. Code 218.501(a) and 281.504(d)(1), (2), subject to conditions.	Vote 6-0

## Motions and Other Matters

PCB 95-126	<u>Excel Corporation v. IEPA</u> - The Board granted petitioner's motion for voluntary dismissal of this permit appeal involving a Cass County facility.	Vote 6-0
PCB 95-170	<u>People of the State of Illinois v. Environmental Control and Abatement, Inc.</u> - The Board granted both complainant's and respondent's motions for summary judgment in part and sent this air enforcement action to hearing to settle any unresolved issues still pending.	Vote 6-0
PCB 96-209	<u>People of the State of Illinois v. Macon County Landfill Corporation</u> - Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this land enforcement action involving a facility located in Macon County, the Board ordered publication of the required newspaper notice.	Vote 6-0
PCB 98-10	<u>The Village of Niles v. Mobil Oil Corporation</u> - The Board granted complainant's motion for voluntary dismissal of this underground storage tank enforcement action involving a Cook County facility.	Vote 6-0

PCB 00-38	<u>John Johnson Landscaping, Inc. v. IEPA</u> - The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal involving a Cook County facility.	Vote 6-0
PCB 00-57	<u>People of the State of Illinois v. J&amp;J Services, Inc.</u> - Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this air enforcement action involving a facility located in Jefferson County, the Board ordered publication of the required newspaper notice.	Vote 6-0
PCB 00-94	<u>Linneman Oil Company v. IEPA</u> - The Board accepted for hearing this underground storage tank appeal involving a Monroe County facility.	Vote 6-0
PCB 00-95	<u>Champion Gas &amp; Oil v. IEPA</u> - Having previously granted a request for a 90-day extension, the Board dismissed this matter because no underground storage tank appeal was timely filed on behalf of this Sangamon County facility.	Vote 6-0
PCB 00-96	<u>Duck's Tire Service v. IEPA</u> - Having previously granted a request for a 90-day extension, the Board dismissed this matter because no underground storage tank appeal was timely filed on behalf of this Fulton County facility.	Vote 6-0
PCB 00-97	<u>People of the State of Illinois v. Southern Mold, Inc.</u> - Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this air enforcement action involving a facility located in Williamson County, the Board ordered publication of the required newspaper notice.	Vote 6-0
PCB 00-114	<u>Three County Public Water District v. IEPA</u> - The Board accepted petitioner's amended petition and granted the motion for expedited decision consistent with the Board's resources and decision deadlines.	Vote 5-1 McFawn dissented
PCB 00-132	<u>People of the State of Illinois v. Illinois Industrial Plating</u> - The Board accepted for hearing this air enforcement action against this Peoria County facility.	Vote 6-0
PCB 00-134	<u>Schrock Cabinet Company v. IEPA</u> - The Board accepted for hearing this permit appeal involving a Douglas County facility.	Vote 6-0
PCB 00-135	<u>People of the State of Illinois v. Berge Plating Works, Inc.</u> - The Board accepted for hearing this air enforcement action against this Rock Island County facility.	Vote 6-0
PCB 00-136	<u>People of the State of Illinois v. Sullivan Marina and Campground L.L.C.</u> - The Board accepted for hearing this water enforcement action against this Moultrie County facility.	Vote 6-0

## New Cases

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### February 3, 2000 Board Meeting

**00-124** Agrium U.S. Inc. v. IEPA - The Board granted petitioner's attorney's motion to appear *Pro Hac Vice* and accepted for hearing this underground storage tank appeal involving a Marshall County facility.

**00-125** People of the State of Illinois v. Nina Enterprises, Inc. - The Board accepted for hearing this air enforcement action against this Cook County facility.

**00-126** Westown Land Trust v. IEPA - The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Jackson County facility.

**00-127** People of the State of Illinois v. Dayne Rogers, an individual, Black Gold International, and Crosby & Associates, P.C. - The Board accepted for hearing this cost recovery tire clean-up enforcement action against this Winnebago County facility.

**00-128** Apple Chevrolet v. IEPA - The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Cook County facility.

**00-129** Libbey-Owens-Ford v. IEPA - Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted this LaSalle County facility a 45-day provisional variance, subject to conditions, from the effluent limits set forth in 35 Ill. Adm. Code 304.141(b).

**00-130** City of Granite City v. IEPA - Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted this Madison County facility a 45-day provisional variance, subject to conditions, from the effluent limits set forth in 35 Ill. Adm. Code 304.121(a), 304.125(a), and 304.141(a) and National Pollutant Discharge Elimination System Permit Number IL0033481.

**00-131** Archer Daniels Midland Company and City of Decatur v. IEPA - Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted this Macon County facility a 45-day provisional variance, subject to conditions, from the effluent discharge requirements set forth in 35 Ill. Adm. Code 304.141 and permit requirements set forth in 35 Ill. Adm. Code 309.102.

**AC 00-64** County of Sangamon v. ESG Watts, Inc. - The Board accepted this administrative citation against this Sangamon County respondent.

**AC 00-65** County of Sangamon v. ESG Watts, Inc. - The Board accepted this administrative citation against this Sangamon County respondent.

**AC 00-66** County of Sangamon v. ESG Watts, Inc. - The Board accepted this administrative citation against this Sangamon County respondent.

**AC 00-67** IEPA v. Tony Brown - The Board accepted an administrative citation against this Champaign County respondent.

## February 17, 2000 Board Meeting

**00-132** People of the State of Illinois v. Illinois Industrial Plating - The Board accepted for hearing this air enforcement action against this Peoria County facility.

**00-133** John M. Giertych, Oak Ridge Property Owners v. Tyson Corporation - The Board held for a later duplicitous/frivolous determination this citizens' noise enforcement action involving a Kankakee County facility.

**00-134** Schrock Cabinet Company v. IEPA - The Board accepted for hearing this permit appeal involving a Douglas County facility.

**00-135** People of the State of Illinois v. Berge Plating Works, Inc. - The Board accepted for hearing this air enforcement action against this Rock Island County facility.

**00-136** People of the State of Illinois v. Sullivan Marina and Campground, L.L.C. - The Board accepted for hearing this water enforcement action against this Moultrie County facility.

**AC 00-68** Will County v. Oscar Smith - The Board accepted an administrative citation against this Will County respondent.

**AC 00-69** IEPA v. Raymond Pollock - The Board accepted an administrative citation against this Douglas County respondent.

**R00-17** In the Matter of: Amendments to 35 Ill. Adm. Code Part 617, Regulated Recharge Area for Pleasant Valley Public Water District- No action taken.

## Calendar

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<b>3/1/2000 10:00 am</b>	R00-16	In the Matter of: Vehicle Scrapage Activities Adoption of 35 Ill. Adm. Code 207	Illinois Pollution Control Board Hearing Room 403 600 S. Second Street Springfield, IL
<b>3/2/2000 10:30 am</b>		<b>Illinois Pollution Control Board Meeting</b>	<b>Illinois Pollution Control Board</b> 600 South Second Street

			<b>Hearing Room 403 Springfield, IL</b>
<b>3/14/2000 9:30 am</b>	PCB 97-234	Antonio D.H. Nam v. Kikon Suh	James R. Thompson Center 100 W. Randolph Street Room 11-512 Chicago, IL
<b>3/15/2000 9:30 am</b>	PCB 97-234	Antonio D.H. Nam v. Kikon Suh	James R. Thompson Center 100 W. Randolph Street Room 11-512 Chicago, IL
<b>3/16/2000 10:30 am</b>		<b>Illinois Pollution Control Board Meeting</b>	<b>James R. Thompson Center 100 W. Randolph Street Room 9-040 Chicago, IL</b>
<b>3/22/2000 9:30 am</b>	PCB 98-164	City of Rock Island v. IEPA	Rock Island County Building Third Floor Conference Room 1504 Third Avenue Rock Island, IL
<b>3/22/2000 9:30 am</b>	PCB 00-73	City of Rock Island v. IEPA	Rock Island County Building Third Floor Conference Room 1504 Third Avenue Rock Island, IL
<b>3/23/2000 9:30 am</b>	PCB 98-164	City of Rock Island v. IEPA	Rock Island County Building Third Floor Conference Room 1504 Third Avenue Rock Island, IL

<b>3/23/2000 9:30 am</b>	PCB 00-73	City of Rock Island v. IEPA	Rock Island County Building Third Floor Conference Room 1504 Third Avenue Rock Island, IL
<b>3/24/2000 10:00 am</b>	R00-16	In the Matter of: Vehicle Scrappage Activities Adoption of 35 Ill. Adm. Code 207	James R. Thompson Center 100 W. Randolph Street Room 9-040 Chicago, IL
<b>4/6/2000 10:30 am</b>		<b>Illinois Pollution Control Board Meeting</b>	<b>James R. Thompson Center 100 W. Randolph Street Room 9-040 Chicago, IL</b>
<b>4/20/2000 10:30 am</b>		<b>Illinois Pollution Control Board Meeting</b>	<b>James R. Thompson Center 100 W. Randolph Street Room 9-040 Chicago, IL</b>
<b>5/4/2000 10:30 am</b>		<b>Illinois Pollution Control Board Meeting</b>	<b>Illinois Pollution Control Board Hearing Room 403 600 S. Second Street Springfield, IL</b>
<b>5/9/2000 9:30 am</b>	PCB 99-69	Land and Lakes Company v. Randolph County Board of Commissioners	Randolph County Courthouse Third Floor Lounge 1 Taylor Street Chester, IL
<b>5/10/2000 9:30 am</b>	PCB 99-69	Land and Lakes Company v. Randolph County Board of Commissioners	Randolph County Courthouse Third Floor Lounge 1 Taylor Street Chester, IL
<b>5/16/2000</b>	PCB 99-127	Ted Harrison Oil Company v. IEPA	Illinois Pollution Control Board

9:30 am			Hearing Room 403 600 S. Second Street Springfield, IL
5/17/2000 9:30 am	PCB 99-127	Ted Harrison Oil Company v. IEPA	Illinois Pollution Control Board Hearing Room 403 600 S. Second Street Springfield, IL
5/18/2000		<b>Illinois Pollution Control Board Meeting</b>	<b>James R. Thompson Center 100 W. Randolph Street Room 2-025 Chicago, IL</b>
5/23/2000 9:30 am	PCB 99-19	Anthony and Karen Roti, Paul Rosenstock, and Leslie Weber v. LTD Commodities	Libertyville Village Hall 118 West Cook Avenue Libertyville, IL
5/24/2000 9:30 am	PCB 99-19	Anthony and Karen Roti, Paul Rosenstock, and Leslie Weber v. LTD Commodities	Libertyville Village Hall 118 West Cook Avenue Libertyville, IL
5/25/2000 9:30 am	PCB 99-19	Anthony and Karen Roti, Paul Rosenstock, and Leslie Weber v. LTD Commodities	Libertyville Village Hall 118 West Cook Avenue Libertyville, IL
5/31/2000 1:00 pm	PCB 99-27	People of the State of Illinois v. James & Carol Gilmer	Villa Grove City Hall City Council Room 612 Front Street Villa Grove, IL
6/1/2000 9:30 am	PCB 99-27	People of the State of Illinois v. James & Carol Gilmer	Villa Grove City Hall City Council Room 612 Front Street Villa Grove, IL
6/6/2000 9:30 am	PCB 99-72	People of the State of Illinois v. Lake of Egypt Water District, Willis Dale Shadowens and Gary R. Rhodes	State Office Building Main Conference Room 2309 West Main Street Marion, IL
6/7/2000 9:30 am	PCB 99-72	People of the State of Illinois v. Lake of Egypt Water District, Willis Dale Shadowens and Gary R. Rhodes	State Office Building Main Conference Room 2309 West Main Street Marion, IL
6/8/2000 9:30 am	PCB 99-72	People of the State of Illinois v. Lake of Egypt Water District, Willis Dale Shadowens and Gary R. Rhodes	State Office Building Main Conference Room 2309 West Main Street Marion, IL
6/8/2000 10:30 am		<b>Illinois Pollution Control Board Meeting</b>	<b>James R. Thompson Center 100 W. Randolph Street Room 9-040 Chicago, IL</b>
6/9/2000 9:30 am	PCB 99-72	People of the State of Illinois v. Lake of Egypt Water District, Willis Dale Shadowens and Gary R. Rhodes	State Office Building Main Conference Room 2309 West Main Street Marion, IL
6/22/2000 10:30 am		<b>Illinois Pollution Control Board Meeting</b>	<b>James R. Thompson Center 100 W. Randolph Street Room 9-040 Chicago, IL</b>
6/29/2000 9:30 am	PCB 93-191	People of the State of Illinois v. Estate of Lloyd Wiemann and Cheryl Halbrooks; Estate of Lloyd Wiemann Cross- complainant v. Cheryl Halbrooks, Cross- respondent	St. Clair County Building Courtroom 410 10 Public Square Belleville, IL
6/30/2000 9:30 am	PCB 93-191	People of the State of Illinois v. Estate of Lloyd Wiemann and Cheryl Halbrooks; Estate of Lloyd Wiemann Cross- complainant v. Cheryl Halbrooks. Cross-	St. Clair County Building Courtroom 410 10 Public Square Belleville, IL



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The Environmental Register is published monthly by the Board, and contains updates on rulemakings, descriptions of final decisions, the Board's hearing calendar, and other environmental law information.

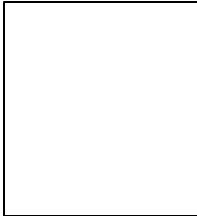
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Illinois Pollution Control Board  
Environmental Register Coordinator  
600 South Second Street, Suite 402  
Springfield, Illinois 62704