

# ENVIRONMENTAL REGISTER

*Illinois Pollution Control Board News*

**No. 456**

**September 2, 1992**

## **PCB LEGISLATIVE REPORT: LATE LEGISLATION ELIMINATES THE EcIS**

For years a fixture of Board rulemaking, the "EcIS" (Economic Impact Study) is no more. In one of the closing surprises of the recently-concluded legislative session, the General Assembly passed, and Governor Edgar speedily signed, an omnibus bill (Senate Bill 1783) containing a provision (Section 70) that effectively eliminates the EcIS as a factor in rulemaking. The new law, Public Act 87-860, was signed and effective July 1, 1992.

The demise of the EcIS began in 1987 with the release of the "Schneiderman Report", an analysis of the State's environmental regulatory system undertaken at the direction of Governor Thompson following criticisms leveled at the Illinois environmental regulatory system by the USEPA and others. That report identified the then-mandatory EcIS requirement as a major cause of delay in promulgating environmental regulations. Following release of the report, the Board and the Governor's Office began working with the General Assembly on fashioning statutory reforms to correct the problems. These efforts led to adoption of SB 1834 (PA 85-1048), which, *inter alia*, stripped away the mandatory EcIS requirement. Since PA 85-1048 took

effect, the Board has rarely (in fewer than 10% of the cases) opted to require an EcIS. Over the last few years, the Board and others advocated elimination of the remaining EcIS formalisms as not being cost-effective. The Board did not, however, specifically address SB 1783.

Readers are cautioned that the end of the EcIS does NOT mean that economic impact information is no longer important to environmental rulemaking. Rather, the law as amended continues to require the Board to consider the economic impact of proposed rules. With the EcIS gone, other interested persons must themselves provide the Board with the economic information at their disposal. The statute still provides that a proponent must provide information "to the extent reasonably practicable" on the economic impact of the rule as part of the regulatory proposal. For additional information on recent legislation contact Phil Van Ness (312) 814-3620.

*This is the first of a series of special reports describing Illinois legislative developments and their prospective impact on Board operations.*

### **1992 WATERWAYS CRUISE AND ENVIRONMENTAL WORKSHOP**

This year's Waterways Cruise and Environmental Workshop, sponsored by Eileen L. Johnston, is scheduled for Saturday, September 26, 1992. See inside for additional information and a form for making reservations.

### **INFORMATION SERVICES AVAILABLE FROM THE BOARD**

See the inside of the last page of this issue for details on informational items available from the Board. These items include a subscription service for Board opinions and orders and copies of the landfill regulations in electronic format.

### **RULEMAKING UPDATE**

#### **GROUNDWATER QUALITY STANDARDS PROPOSED FOR SECOND NOTICE, R89-14(C)**

On July 9, 1992, the Board proposed certain amendments for Second Notice that would complete the overall groundwater quality standards. The Board adopted the primary rulemaking in November, 1991, in R89-14(B). At that time, the Board severed the issue of how to deal with the connection between the groundwater quality standards, codified at 35 Ill. Adm. Code 620,

and the water pollution control standards of Subtitle C.

The proposed rule would distinguish between "underground water" (all water beneath the land surface) and "groundwater" (that occurring in the saturated zone in geologic materials where the hydrostatic pressure is equal to or greater than atmospheric pressure). It would render the general use and public and food processing water standards of Subtitle C inapplicable to underground waters except as specifically stated in the groundwater quality standards. The amended groundwater quality rules would state that these Subtitle C regulations apply on a limited basis to the groundwater beneath certain refuse

disposal areas and coal preparation plants under certain circumstances. For further information contact Michelle Dresdow at (815) 753-0947. (Refer to docket number R91-28.)

#### **GENERAL MOTORS SITE-SPECIFIC CARBON MONOXIDE RULE PROPOSED FOR SECOND NOTICE, R90-23**

On August 13, 1992, the Board proposed for Second Notice a site-specific rule for carbon monoxide emissions for General Motors' ferrous foundries in Vermillion County. The proposed rule would impose a CO limitation of 2,000 ppm on emissions. The present state-wide standard is 200 ppm. The proposed site-specific rule remained substantively unchanged from First Notice. For further information contact Diane O'Neill at (212) 814-6062. (Refer to docket number R91-28.)

#### **EXPANSION OF THE CHICAGO METROPOLITAN RACT AREA ADOPTED, R91-28**

On August 13, 1992, the Board adopted regulations that expand the geographical applicability of reasonably available control technology (RACT) regulations to certain stationary sources of volatile organic material (VOM). The geographical area was expanded to include Goose Lake and Aux Sable Townships in Grundy County, Illinois, and to Oswego Township in Kendall County, Illinois. On July 25, 1991, the Board adopted revisions to the State implementation plan (SIP) to make it consistent with the existing Federal implementation plan (FIP) (Board docket R91-8). The revised SIP contains a complete set of RACT regulations applying to stationary VOM sources located in the six Chicago area counties of Cook, Lake, DuPage, Kane, McHenry, and Will. However, the RACT regulations did not include Aux Sable and Goose Lake Townships in Grundy County and Oswego Township in Kendall County. Because these townships have now been included within the Chicago Metropolitan Statistical Area boundaries designated by USEPA as nonattainment for ozone, they also must be included in the SIP.

Pursuant to a provision of the Clean Air Act Amendments (CAAA) (42 USC §7511a(c) and a(b)(2)), Illinois is to submit regulations changing the applicability of parts 215 and 218 as a revision to its SIP by November 15, 1992. Completion of the R91-28 rulemaking fulfills the Board's role in the SIP revision process, and the Agency is now free to fulfill the federal requirement by submitting this to USEPA as part of a SIP revision package. For further information contact Michelle Dresdow at (815) 753-0947. (Refer to docket number R91-28.)

#### **STAGE II GASOLINE VAPOR RECOVERY RULES ADOPTED, R91-30**

On August 13, 1992, the Board adopted regulations requiring the installation and operation of Stage II systems for the recovery of gasoline vapor emissions released during the fueling of motor vehicles. These amendments are directed at both of Illinois' ozone non-attainment areas: the Chicago metropolitan area (Cook, DuPage, Kane, Lake, McHenry, and Will Counties, as well as Oswego township in Kendall County and Aux Sable and Goose Lake Townships in Grundy County, included in the R91-28 rulemaking also adopted on August 13) and the Metro-East area (Madison, Monroe, and St. Clair Counties). Every gasoline existing gasoline dispensing facility that dispenses an average of 10,000 gallons of gasoline per month or more must comply with the new rules at different times between May 1, 1993 and November 1, 1994, depending on when the facility was constructed and the volume of gasoline it dispenses. Facilities

that will claim an exemption from compliance on or before May 1, 1993 must file supporting records within 30 days of an Agency request. The rules impose certain other training, notice, permit, recordkeeping and reporting requirements.

Pursuant to Section 182(b)(3) of the Clean Air Act, as amended in 1990 (CAAA), Illinois is to submit these regulations as a revision to its state implementation plan (SIP) by November 15, 1992. Completion of the R91-30 rulemaking fulfills the Board's role in the SIP revision process, and the Agency is now free to fulfill the federal requirement by submitting this to USEPA as part of a SIP revision package. For further information contact Michelle Dresdow at (815) 753-0947. (Refer to docket number R91-28.)

#### **DEFINITIONS OF VOM AMENDED TO EXTEND EXEMPTIONS FOR NEGLIGIBLY-REACTIVE COMPOUNDS THROUGHOUT ILLINOIS, R91-24**

On July 30, 1992, the Board adopted identical-in-substance rules that will extend the exemptions from the definition of volatile organic material (VOM) previously adopted on September 12, 1991, in R91-10, so that they will apply throughout the entire state. In the time between when the Board proposed the R91-10 amendments and when it adopted them, the Board added two new Parts to its volatile organic emissions control regulations. Part 218 specifically regulates the Chicago metropolitan area and Part 219 regulated the Metropolitan East St. Louis area. Both parts are independent of Parts 211 and 215 and include their own definitions, which now regulate all other areas of the state.

R91-24 harmonizes the regulations for the entire state by amending Parts 218 and 219 so that they reference Part 211 for the definition of "volatile organic material". Also amended to harmonize with the legislative mandate that the Board adopt the federal exemptions of negligibly-reactive compounds by identical-in-substance rulemaking was Part 203. Part 203 includes a definition of "volatile organic compound", which is essentially synonymous with VOM for the purposes of permitting. The Part 203 definition now also references the Part 211 definition.

In the time since the Board adopted R91-10, USEPA has codified its former "Recommended Policy on the Control of Volatile Organic Compounds" into a definition in its regulations. The Board amended the Part 215 requirement for testing and monitoring for exempted compounds adopted in R91-10 so the language more closely follows the new federal definition. Further, Parts 218 and 219 now reference this testing and monitoring requirement. For additional information contact Michael J. McCambridge at (312) 814-6924. (Refer to docket number R91-24.)

**THREE IDENTICAL-IN-SUBSTANCE DOCKETS DISMISSED, R92-11, R92-14 & R92-15**

On August 13, 1992, the Board dismissed three dockets reserved for identical-in-substance rulemakings. The three dockets were reserved to accommodate USEPA revisions to its UST (R92-11), wastewater pretreatment (R92-14), and clean air-ozone definition of volatile organic compound (VOC or VOM) definition programs during the period from January 1 through June 30, 1992. USEPA did not amend its programs during this period in any ways not already covered by earlier Board rulemakings. For further information contact Morton Dorothy at (217) 333-5575 (for information on docket R92-11) Michael J. McCambridge at (312) 814-6924 (for information on dockets R92-14 or R92-15).

**CABOT CORP. UIC SITE-SPECIFIC RULEMAKING PETITION DISMISSED, R92-16**

On August 13, 1992, the Board dismissed a petition for site-specific rulemaking filed by Cabot Corp. The Cabot Cab-O-Sil Div. filed the petition on August 3, 1992 seeking a site-specific rule or, in the alternative, an adjusted standard. Cabot seeks a "no migration" exemption from the restrictions on underground injection of hazardous wastes at its Tuscola (Douglas County) facility. USEPA published notices of action on these wells in the Federal Register in 1990 and 1991. Initially believing these federal actions to be rulemakings, the Board initially docketed the Cabot petition as a rulemaking for identical-in-substance proceedings. Subsequent examination has revealed that the federal actions were not rules. Therefore, an adjusted standard, rather than an identical-in-substance rule, is the appropriate route for regulatory relief for Cabot Corp. The Board dismissed the rulemaking docket and docketed the petition as an adjusted standard under docket number AS 92-8. For further information contact Morton Dorothy at (217) 333-5575. (Refer to docket R92-16.)

**APPEAL UPDATE****FIRST DISTRICT REVERSES DENIAL OF MEDICAL WASTE INCINERATOR SITING APPROVAL IN HARVEY**

On March 19, 1992, the First District reversed the Board's decision in Industrial Fuels & Resources/Illinois, Inc. v. City of Harvey (Dec. 20, 1992), PCB 90-53, 117 PCB 79, a regional pollution control facility siting appeal case. The Board had affirmed the denial of siting approval by a vote of five to two. In Industrial Fuels & Resources/Illinois, Inc. v. PCB 227 Ill. App. 3d 533, 592 N.E.2d 148 (1st Dist. 1992), the court held that the Board erred when it affirmed the City of Harvey's denial of siting approval for the proposed waste solvent/fuel blending and medical waste incinerator facility.

The court said that the Board's conclusion that the evidence of future need was speculative was against the manifest weight of the evidence. The court stated that "there will always be some element of projection or estimation when anticipating the growing waste needs of an area." Also against the manifest weight of the evidence was the Board's concurrence in Harvey's conclusion as to public safety aspects of the proposed design for the facility. The court found no evidence in the record of flaws in the design that would threaten public health, safety, and welfare. Rather, the court found that Industrial Fuels had attempted to answer all cited informational deficiencies in this regard, and in so doing had "met its burden of establishing that it had minimized the danger of operational accidents." Finally, the court held that the Board erred when it upheld the City of Harvey's conclusions that

the emergency preparedness and response plan was deficient. It found that Industrial Fuel's emergency response plan properly designated persons responsible for emergency responses, set forth on-site notification systems, described evacuation and emergency assistance procedures, and described employee training for emergency response.

The court reversed the decisions of the Board and the City of Harvey and held that the site location "shall be considered approved under section 39(c) of the Act". It remanded the matter to the Board. On June 23, 1992, the Board issued an order citing the court's opinion and stating that Industrial Fuels can now submit permit applications to the Agency for the proposed Harvey facility.

**FIRST DISTRICT AFFIRMS BOARD DENIAL OF REVOCATION OF POLLUTION CONTROL FACILITY CERTIFICATION**

In Reed-Custer Community Unit School District No. 255-U v. PCB (1st Dist. July 27, 1992), No. 1-90-2803, the First District appellate court upheld the Board's denial of the petition to revoke pollution control facility certification in Reed-Custer Community Unit School District No. 255-U v. Commonwealth Edison Co. (Aug. 30, 1990), PCB 87-209, 114 PCB 743. The Reed-Custer School District sought to revoke the real estate tax pollution control facility certification obtained by Commonwealth Edison in 1986 for a 2,537 acre cooling pond at its Braidwood Nuclear Power Station. The Will County pond is within the District area. The District petitioned the Board as a third party, alleging misrepresentation by Commonwealth Edison in obtaining the certification. In support of its allegations the District argued that the pond was used to cool water for productive purposes, and it was not used for pollution control. Thus, the District argued that the assertions in the application for certification were not true. After a public hearing, the Board held that the District had failed to demonstrate misrepresentation and denied the petition.

The appellate court held that the Board properly limited its review to the issue of misrepresentation by not reviewing the issue of whether the facility is a pollution control facility. The court held that the District could not "bootstrap" its argument to obtain review of the pollution control facility status of the pond. Once a facility is certified, subsequent review is limited to the grounds set forth in Section 21a-2 of the Revenue Act. Therefore, the statements in the application were to be reviewed by assessing whether Commonwealth Edison answered the questions asked and whether the answers given were accurate. The court's role is to review the Board's factual findings on the misrepresentation issue. The court held that the manifest weight of the evidence supported the Board's decision and affirmed.

**FOR YOUR INFORMATION****MOTIONS FOR RECONSIDERATION MAY BE NECESSARY TO PERFECT APPEAL**

On July 17, 1992, the Attorney General, on behalf of the Board and the IEPA, filed a motion to dismiss the petition for review in Strube v. Pollution Control Board (3-92-0468). The motion to dismiss is based on the Illinois Supreme Court's decision in Casteneda v. Illinois Human Rights Commission (1989), 132 Ill. 2d 304, 547 N.E.2d 437 where the court held that the failure to file a motion for reconsideration amounted to a failure to exhaust administrative remedies. The Board and the IEPA contend, based on Casteneda, that a motion for reconsideration must be filed with the Board in order to perfect an appeal to the appellate court. The motion to dismiss is still pending in the Third District Appellate Court. When the court issues a decision on the

motion, an item will appear in the *Environmental Register*.

**SUMMARY JUDGMENT DENIED AS TO WATER AND LAND POLLUTION COUNTS AND COUNTS ALLEGING UST RULES VIOLATIONS DISMISSED IN ENFORCEMENT ACTION AGAINST FORMER LANDOWNER FOR PAST UNDERGROUND GASOLINE STORAGE TANK LEAKS, PCB 92-33**

On July 30, 1992, the Board denied summary judgment, struck portions of two counts, and dismissed two counts of a complaint involving leaks of underground storage tanks discovered in 1970 and 1971. In Mandel v. Kulpaka (July 30, 1992), PCB 92-33, the present owner of a site filed a complaint against his predecessor-in-interest for leaks discovered by the predecessor in 1970 and 1971. The predecessor discovered gasoline leaks from one tank in 1970 and replaced that tank. He ceased using the site for gasoline storage and used it exclusively for another business since 1971, when he discovered leaks from a second tank. He sold the business and leased the site to the complainant in 1982 and sold the site to him in 1987. The complainant discovered that gasoline had leaked from the tanks when he attempted to remove them in 1991.

The complaint claimed that the predecessor-in-interest had caused water pollution (Count I), land pollution (Counts II and III), and violated certain notification and corrective action requirements of the Board's underground storage tank rules (Counts IV and V). The predecessor-in-interest sought summary judgment on or dismissal of each count of the complaint. The predecessor argued, *inter alia*, that the complaint was deficient on its face and that it constituted an attempt at private cost recovery--an action more appropriately heard in contract law and before a court of law.

The Board reviewed the complaint and the pleadings and granted relief in part and denied it in part. It held that summary judgment was inappropriate in this instance, due to the lack of supporting affidavits. The Board then held that a complaint is not inappropriate where it clearly sets forth facts that would constitute a violation of the Act and it requests relief within the Board's power to grant--notwithstanding the concurrent jurisdiction of a court. The

**FINAL ACTIONS - JULY 9, 1992 BOARD MEETING**

PCB 90-198 Commonwealth Edison Co. v. IEPA - The Board granted Commonwealth Edison's motion to withdraw its petition for review of the NPDES permit for its Lake County facility.

PCB 91-193 People of the State of Illinois v. Park Crematory, Inc. - The Board found Park Crematory's Cook County facility violated Sections 9(a) and 9(b) of the Act as well as Section 201.142 and 201.143 of the Board's air pollution control regulations. The Board imposed a penalty of \$9,000 payable to the Environmental Protection Trust Fund. Board Member J. Anderson abstained.

PCB 91-250 Pekin Energy Co. v. IEPA - The Board granted Pekin Energy Company's motion to withdraw its air permit appeal for its Tazewell County facility.

PCB 92-28 CSX Transportation v. IEPA - The Board granted CSX's motion to dismiss its appeal of the Agency's underground storage tank fund determination relating to its Cook County facility.

Board struck those portions of the water and land pollution counts (Counts I and II) that alleged violations of statements of legislative purpose. The Board held that the water and land pollution counts (Counts I through III) were sufficient because if the allegations were proven a finding of violation was possible. The Board noted that the UST rules involved in the complaint (Counts IV and V) became effective in 1989, two years after the predecessor-in-interest sold the property. The Board held that any application of these rules against the predecessor would constitute impermissible retroactive application, so the Board dismissed these counts.

**UPDATE TO ENVIRONMENTAL REGISTER MAILING LIST**

The Board is updating the mailing list for the Environmental Register. This is the second annual update of the mailing list for the mailings of the Register. The Board desires to minimize the impact of these mailings on our budget by assuring that only those who desire to receive regular free copies of the Register will appear on the list. If you would like to continue to receive it, please fill out the address label located on the next to last page of this issue and return it to the Board as soon as possible.

**CORRECTION**

Issue no. 455, July 8, 1992 listed no final Board combined sewer overflow determinations during fiscal year 1992 (July 1, 1991 through June 30, 1992). On February 5, 1987 in docket PCB 86-3 the Board granted the City of Oglesby a temporary exception that was to expire on March 1, 1990 unless the City did not file an amended petition prior to that date. The Board closed the docket on June 7, 1990 and the City moved for reconsideration. A Board supplemental order of November 29, 1990 granted the City an extension of its exception that was to expire February 3, 1991 unless the City filed an amended petition before that date. The City filed an amended petition on February 4, 1991, and the Board granted the City a permanent combined sewer overflow exception by its opinion and order of February 6, 1992 in R86-3.

PCB 92-42 Burwell Oil Service, Inc. v. IEPA - The Board found that Burwell Oil Service, Inc. had constructive knowledge of the release of petroleum at its Sangamon County facility and upheld the Agency's imposition of a \$50,000 deductible on Burwell's claim against the UST reimbursement fund. Board Members B. Forcade and R.C. Flemal dissented.

PCB 92-43 Safety-Kleen Corp. v. IEPA - The Board granted Safety-Kleen's motion to withdraw its air permit appeal for its Cook County facility.

PCB 92-49 Bernard Miller v. IEPA - The Board reversed the

Agency determination that \$2,741.05 in tank removal cost is not reimbursable and remanded this underground

storage tank reimbursement appeal for Bernard Miller's Jasper County facility to the Agency for disbursement of funds.

AC 92-39 County of Jackson v. Leslie Norman Fred, Sr., d/b/a Murphysboro/Norman Fred Trucking - The Board found respondent violated Section 21(p)(1) of the Act and imposed a fine of \$500.00 payable to the Jackson County Treasurer.

PCB 92-100 United States Postal Service v. IEPA - Upon receipt of an Agency recommendation, the Board granted a provisional variance that will allow the Postal Service to accumulate hazardous waste at its Cook County facility for an additional 30 days beyond the 90 days allowed by the RCRA regulations.

R89-14(C) In the Matter of: Groundwater Quality Standards: Amendments to 35 Ill. Adm. Code 303, 616 and 620 - See Rulemaking Update.

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### **NEW CASES - JULY 9, 1992 BOARD MEETING**

PCB 92-94 Marsco Manufacturing Co. v. IEPA - The Board accepted a petition for hearing seeking review of the air permit for a Cook County facility.

PCB 92-95 People of the State of Illinois v. Simplex, Inc. - Air enforcement action against a Sangamon County facility.

PCB 92-96 City of Trenton v. IEPA - (Water pollution control provisional variance) See Final Actions for June 26, 1992 (*Register* issue no. 455, July 8, 1992).

PCB 92-97 City of Marion v. IEPA - (Water pollution control provisional variance) See Final Actions for June 26, 1992 (*Register* issue no. 455, July 8, 1992).

PCB 92-98 Reichhold Chemicals, Inc. v. IEPA - The Board accepted a petition for hearing seeking review of Agency denial of reimbursement from Underground Storage Tank Fund for a Cook County facility. Board Member B. Forcade dissented.

PCB 92-99 A.B. Dick Company v. IEPA - The Board accepted a petition for hearing seeking review of Agency denial of reimbursement from Underground Storage Tank Fund for a Cook County facility. Board Member B. Forcade dissented.

PCB 92-100 United States Postal Service v. IEPA - See Final Actions.

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### **FINAL ACTIONS - JULY 30, 1992 BOARD MEETING**

PCB 89-169 John Zarlenga and Jean Zarlenga v. Partnership Concepts, Howard Edison, Bruce McClaren, Cove Development Company, Thomas O'Brien, Bloomingdale Partners, and Illinois Limited Partnership and Gary Laden - The Board granted respondents' motion to amend its February 27, 1992 Order, ordered respondent to furnish information of a proposed plan for compliance and ordered respondent to cease and desist from further violations of Section 24 of the Act and 35 Ill. Adm. Code 900.102 no later than one year from the date of this Order in this citizens' noise enforcement action involving the respondents' DuPage County facility.

PCB 90-201 David L. Dravis and Margo Dravis v. M & D AG, Jerry McGinn and Bert Davis - The Board accepted the Settlement Agreement in this citizens' noise enforcement case involving the M & D AG Whiteside County facility. No penalty to it is to be paid.

PCB 91-196 Safety-Kleen Corp. v. IEPA - The Board granted petitioners' motion for voluntary withdrawal of its RCRA permit appeal for its Cook County facility.

PCB 91-243 Smith Oil Company of Kankakee v. IEPA - The Board reversed the Agency's determination that Smith Oil is ineligible for reimbursement from the Underground Storage Tank Fund for its Will County facility.

PCB 92-36 City of Lake Forest v. IEPA - The Board granted reconsideration but affirmed its order of June 23, 1992 in this underground storage tank fund reimbursement appeal involving Lake Forest's Lake County facility. Board Member Joan Anderson dissented.

PCB 92-113 Indian Refining Limited Partnership v. IEPA - Upon receipt of an Agency recommendation, the Board granted a provisional variance that will allow Indian Refining to accumulate hazardous waste at its Lawrence County facility for an additional 30 days beyond the 90 days allowed by the RCRA regulations.

PCB 92-114 Waste Management of Illinois v. IEPA - Upon receipt of an Agency recommendation, the Board granted a provisional variance that will allow Waste Management to accumulate hazardous waste at its Cook County facility for an additional 30 days beyond the 90 days allowed by the RCRA regulations.

PCB 92-115 Century Resources, Inc. v. IEPA - Upon receipt of an Agency recommendation, the Board granted a provisional variance that will allow Century Resources to accumulate hazardous waste at its Cook County facility for an additional 30 days beyond the 90 days allowed by the RCRA regulations.

PCB 92-116 R.D.T. Industries v. IEPA - Upon receipt of an Agency recommendation, the Board granted a provisional

variance that will allow R.D.T. to accumulate hazardous waste at its Cook County facility for an additional 30 days beyond the 90 days allowed by the RCRA regulations.

AC 92-35 Sangamon County v. Capitol Bank and Trust Company of Springfield, n/k/a Magna Bank of Central Illinois, N.A., as Trustee under the provisions of the Trust Agreement dated the 1st day of August, 1979, known as trust number TLT-423; Fred E. Widger; and Kim Boggs - The Board accepted the Settlement Agreement and ordered a civil penalty of \$500 be paid to the Sangamon County Department of Public Health.

AC 92-40 County of Jackson v. David Futrell - The Board found respondent violated Section 21(p)(1) of the Act and imposed a penalty of \$500 payable to the Jackson County Treasurer.

AC 92-42 IEPA v. Robert D. Wright - The Board found respondent violated Section 21(p)(1) of the Act and imposed a penalty of \$500 payable to the Environmental Protection Trust Fund for its Saline County facility.

AC 92-43 Sangamon County v. Illinois National Bank of Springfield, n/k/a First of America Bank, Springfield as Trustee Under Trust No. 13-04439-00; Robert Goldsberry and Nancy Goldsberry - The Board found respondent violated Section 21(p)(1) of the Act and imposed a penalty of \$500 payable to the Sangamon County Public Health Department.

AC 92-44 IEPA v. H/L Disposal Company d/b/a Brickyard Disposal and Recycling, Inc. - The Board found respondent violated Section 21(o)(5) and 21(o)(9) of the Act and imposed a penalty of \$1,000 payable to the Environmental Protection Trust Fund for its Vermillion County facility.

AC 92-46 St. Clair County v. Larry Esterlen - The Board found respondent violated Section 21(p)(1) of the Act and imposed a penalty of \$500 payable to the Landfill Citation Fund for his St. Clair County facility.

AC 92-47 IEPA v. Donald Sickles - The Board found respondent violated Section 21(p)(1) of the Act and imposed a penalty of \$500 payable to the Environmental Protection Trust Fund for his Warren County facility.

AC 92-49 Logan County Health Department v. Lincoln/Logan Landfill, Inc. - The Board found respondent violated Sections 21(o)(1), 21(o)(3), 21(o)(5), 21(o)(9), 21(o)(11) and 21(l)(12) of the Act and imposed a \$3,000 penalty payable to the Logan County Health Department.

R91-24 In the Matter of: Exemptions from the Definition of VOM - See Rulemaking Update.

**NEW CASES - JULY 30, 1992 BOARD MEETING**

PCB 92-80 Lake County Forest Preserve District v. Neil Ostro, Janet Ostro, and Bill Foot Enterprises - This land pollution control enforcement matter involving a Lake County site was accepted for hearing.

PCB 92-81 James Lynch v. IEPA - This underground storage tank reimbursement appeal involving a Macoupin County facility was accepted for hearing.

PCB 92-101 Shell Oil Company v. IEPA - This air permit appeal involving a Madison County facility was accepted for hearing.

PCB 92-102 Moline/Dutchway Dry Cleaners v. IEPA - This underground storage tank reimbursement appeal involving a Rock Island County facility was accepted for hearing.

PCB 92-103 City of Freeport v. IEPA - This underground storage tank reimbursement appeal involving a Stephenson County facility was accepted for hearing.

PCB 92-104 Roger Malkey, d/b/a Malkey's Mufflers v. IEPA - This underground storage tank reimbursement appeal involving a LaSalle County facility was accepted for hearing.

PCB 92-105 Weyerhaeuser Co. v. IEPA - This underground storage tank reimbursement appeal involving a Cook County facility was accepted for hearing.

PCB 92-106 American Fly Ash Company v. IEPA - This air permit appeal involving Tazewell, Will, and Lake County facilities was accepted for hearing.

PCB 92-107 Department of the Army, U.S. Army Engineer District, Rock Island v. IEPA - (Water pollution control variance petition involving a Rock Island County facility.)

PCB 92-108 The OK Trucking Company v. IEPA - This underground storage tank reimbursement appeal involving a Cook County facility was accepted for hearing.

PCB 92-109 Archer Daniels Midland Company v. IEPA - This air permit appeal involving a Macon County facility was accepted for hearing.

PCB 92-110 In the Matter of Trade Secret Claim by the Grigoleit Co. - (Trade secrets claim.)

PCB 92-111 Russell L. Bacon v. IEPA - This underground storage tank reimbursement appeal involving a McLean County facility was accepted for hearing.

PCB 92-112 James River Paper Company, Inc. v. IEPA - This air permit appeal involving a DuPage County facility was accepted for hearing.

PCB 92-113 Indian Refining Limited Partnership v. IEPA - See Final Actions.

PCB 92-114 Waste Management of Illinois v. IEPA - See Final Actions.

R92-9 R88-26 Safe Drinking Water Act Phase I Corrections Docket - Reserved Docket.

**FINAL ACTIONS - AUGUST 13, 1992 BOARD MEETING**

PCB 90-63 IEPA v. City of East Moline - The Board accepted the stipulation and settlement agreement executed by the parties in this water pollution control enforcement action relating to the City's Rock Island County wastewater treatment facility. The respondent neither admitted nor denied alleged violations but agreed to pay civil penalties of \$7,500 designated to the Environmental Protection Trust Fund.

PCB 90-161 IEPA v. Columbia Quarry Company - The Board accepted the stipulation and settlement agreement executed by the parties in this air pollution control enforcement action relating to the Quarry's St Clair and Monroe County facilities. The respondent neither admitted nor denied alleged violations but agreed to pay civil penalties of \$5,000 designated to the Environmental Protection Trust Fund.

PCB 91-153 Clyde R. Dace v. D. Kohlhasse and Fox River Grove Fire Protection District - The Board found that D. Kohlhasse and the Fox River Grove First Protection District did not violate Section 23 of the Environmental Protection Act and dismissed this their citizens' noise pollution complaint involving the respondent's McHenry County facility. Board Member J. Theodore Meyer concurred.

PCB 92-50 Lawrence Brothers, Inc. v. IEPA - The Board granted the petitioner's motion to dismiss its petition for an air variance for its Whiteside County facility.

PCB 92-53 Martin Oil Marketing #64 v. IEPA - In this underground storage tank reimbursement appeal, the Board affirmed the Agency's denial of reimbursement of \$27,043.50 for concrete replacement (because it is not a corrective action), \$150.00 for expenses incurred prior to notification of ESDA, \$16,139.56 in undocumented costs, \$51.74 for costs double billed, and \$19,519.84 for costs associated with the removal of unregistered tanks at Martin Oil's Cook County facility.

PCB 92-62 Galesburg Cottage Hospital v. IEPA - The Board reversed the Agency's determination that \$6,452.20 was not reimbursable and remanded to the Agency for the disbursement of funds for Galesburg's Knox County facility in this underground storage tank fund reimbursement appeal. Board Members Ronald Flegal and Bill Forcade concurred.

PCB 92-76 Meyer Steel Drum v. IEPA - The Board granted Meyer Steel Drum's motion to dismiss its air permit appeal for its Cook County facility.

PCB 92-89 Lawrence Brothers, Inc. v. IEPA - The Board granted Lawrence Brothers motion to dismiss its air permit appeal for its Whiteside County facility.

PCB 92-91 City of Aledo v. IEPA - The Board denied the variance with respect to gross alpha particle activity and granted a five year variance with conditions from the public water supply regulations for City of Aledo's Mercer County supply.

PCB 92-93 People of the State of Illinois v. International Supply - The Board accepted the Stipulation and Settlement Agreement in this air enforcement action involving the International Supply's Peoria County facility. International Supply admitted to past violations of the Act and Board air regulations, agreed to pay a civil penalty of \$1,000 to the Environmental Protection Trust Fund, and agreed to cease and

desist from further violations concerning. Board Member J. Theodore Meyer dissented.

PCB 92-115 Century Resources, Inc. v. IEPA - Upon receipt of an Agency recommendation, the Board granted a provisional variance that will allow Century Resources to accumulate hazardous waste at its Cook County facility for an additional 30 days beyond the 90 days allowed by the RCRA regulations.

PCB 92-116 R.D.T. Industries v. IEPA - Upon receipt of an Agency recommendation, the Board granted a provisional variance that will allow R.D.T Industries to accumulate hazardous waste at its Cook County facility for an additional 30 days beyond the 90 days allowed by the RCRA regulations.

AS 91-5 In the Matter of: Petition of Elizabeth Street Foundry, for an Adjusted Standard from 35 Ill. Adm. Code 212.321 - The Board granted Elizabeth Street Foundry an adjusted standard from the PM<sub>10</sub> air emissions regulations, with conditions, for its Cook County facility.

AC 91-31 IEPA v. Randall Loveless - The Board found Randall Loveless violated Sections 21(q)(1), 21(q)(3), 21(q)(4) and 21(q)(5) of the Act and ordered him to pay a penalty of \$2,000 to the Environmental Protection Trust Fund for the Macoupin County facility.

AC 92-52 Logan County Health Department v. Lincoln/Logan Landfill - The Board found Lincoln/Logan Landfill violated Sections 21(o)(1), 21(o)(5), 21(o)(9), 21(o)(11) and 21(o)(12) of the Act and ordered a penalty of \$2,500 be paid to the Logan County Health Department for the Logan County facility.

AC 92-58 IEPA v. Charles R. Dixon - The Board Granted the Agency's motion to withdraw because service was not completed within 60 days of the inspection of this McHenry County site.

R91-28 In the Matter of: Expansion of Applicability of Reasonably Available Control Technology for Ozone to Goose Lake and Aux Sable Townships in Grundy County, Illinois, and Oswego Township in Kendall County Illinois: Amendment to 35 Ill. Adm. Code Parts 215 and 218 - See Rulemaking Update.

R91-30 In the Matter of: Stage II Gasoline Vapor Recovery Rules: Amendments to 35 Ill. Adm. Code Parts 215, 218, and 219 - See Rulemaking Update.

R92-11 In the Matter of: UST Update USEPA Regulations (1/1/92 through 6/30/92) - See Rulemaking Update.

R92-14 In the Matter of: Pretreatment Update, USEPA Regulations (1/1/92) through 6/30/92) - See Rulemaking Update.

R92-15 In the Matter of: Exemptions from the Definition of VOM Updated, USEPA Regulations (1/1/92 through

6/30/92) - See Rulemaking Update.

R92-16 In the Matter of: Petition of Cabot Corporation to Update UIC Regulations or in the Alternative, for an Adjusted Standard from 35 Ill. Adm. Code 738.Subpart B - See Rulemaking Update.

### **NEW CASES - AUGUST 13, 1992 BOARD MEETING**

PCB 92-115 Century Resources, Inc. v. IEPA - See Final Actions.

PCB 92-116 R.D.T. Industries v. IEPA - See Final Actions.

R92-8 In the Matter of: Amendments to 35 Ill. Adm. Code Suptitle C (Water Toxics and Bioaccumulation) - The Board granted in part the motion for waiver of 35 Ill. Adm. Code 102.120. The Board waived the requirement to supply a petition signed by 200 persons.

R92-10 In the Matter of: RCRA Update USEPA Regulations (1/1/92 through 6/30/92) - Docket Reserved.

R92-11 In the Matter of: UST Update USEPA Regulations (1/1/92 through 6/30/92) - See Final Actions.

R92-14 In the Matter of: Pretreatment Update, USEPA Regulations (1/1/92) through 6/30/92) - See Final Actions.

R92-15 In the Matter of: Exemptions from the Definition of VOM Updated, USEPA Regulations (1/1/92 through 6/30/92) - See Final Actions.

R92-16 In the Matter of: Petition of Cabot Corporation to Update UIC Regulations or in the Alternative, for an Adjusted Standard from 35 Ill. Adm. Code 738.Subpart B - See Final Actions.

### **CALENDAR OF HEARINGS**

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

September 3 9:00 a.m.	PCB 91-50 N-E	<u>Karl Christ and Helen Christ v. Compost Enterprises, Inc.</u> - Marengo City Hall, 132 E. Prairie St., Marengo.
<b>September 3</b>		<b>Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.</b>
September 4 9:00 a.m.	PCB 91-50 N-E	<u>Karl Christ and Helen Christ v. Compost Enterprises, Inc.</u> - Marengo City Hall, 132 E. Prairie St., Marengo.
September 8 10:00 a.m.	AC 92-37 AC	<u>Sangamon County v. Gerald Bruce Miller</u> - County Complex, Courtroom 6C, 200 S. 9th St., Springfield.
September 8 1:00 p.m.	AC 92-48 AC	<u>Sangamon County v. Delmar Donley and Don Chem, Inc.</u> - County Complex, Courtroom 6C, 200 S. 9th St., Springfield.
September 9 10:00 a.m.	PCB 91-237 P-A	<u>Laidlaw Environmental Services of Illinois Inc. (Operating Permit) v. EPA</u> - Rockford Public Library, Room C., Lower Level, 215 N. Wyman St., Rockford.
September 9 10:00 a.m.	PCB 91-238 P-A	<u>Laidlaw Environmental Services of Illinois Inc. (Supplemental Permit) v. EPA</u> - Rockford Public Library, Room C., Lower Level, 215 N. Wyman St., Rockford.
September 10 10:00 a.m.	R91-23 R	<u>In the Matter of: Marathon Oil Company Petition for Site-Specific Rule Change, 35 Ill. Adm. Code 303.323</u> - Courthouse Commercial, Conference Room 280, 301 S. Cross St., Robinson.
September 14 10:00 a.m.	PCB 92-104 UST-FRD	<u>Roger Malkey, d/b/a Malkey's Mufflers v. EPA</u> - National Bank of Earlville, 137 S. Main St., Earlville.
September 15 10:00 a.m.	PCB 91-201 UST-FRD	<u>RKF Enterprises v. EPA</u> - Benton City Hall, Council Room, 500 W. Main St., Benton.
September 15 10:00 a.m.	PCB 92-108 UST-FRD	<u>The OK Trucking Company v. EPA</u> - State of Illinois Center, Suite 11-500, 100 W. Randolph St., Chicago.



September 15 10:30 a.m.	PCB 92-23 P-A	<u>The Grigoleit Company v. EPA</u> - Macon County Courthouse, Room 504, 253 E. Wood St., Decatur.
September 16 10:00 a.m.	PCB 91-31 P-A	<u>Rockford Products Corporation v. EPA</u> - Rockford Public Library, Room A, Lower Level, 215 N. Wyman, Rockford.
September 16 10:00 a.m.	PCB 92-23 P-A	<u>The Grigoleit Company v. EPA</u> - Macon County Courthouse, Room 504, 253 E. Wood St., Decatur.
September 16 11:00 a.m.	PCB 91-16 P-A	<u>Nicor National, Inc. v. EPA</u> - Edwardsville City Hall, Room 203, 400 N. Main St., Edwardsville.
<b>September 17</b>		<b>Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.</b>
September 17 9:00 a.m.	PCB 92-75 UST-FRD	<u>Estate of Larry Junkin, by Patricia Junkin, Executrix v. EPA</u> - City of Champaign Building, Room EC-4, 102 N. Neil St., Champaign.
September 18 9:30 a.m.	AS 92-5 AS	<u>In the Matter of: Petition of D &amp; L Landfill, Inc. and D &amp; L Disposal, Inc. for Adjusted Standard from 35 Ill. Adm. Code Section 814.104(a), 914.401 and 814.501</u> - Bond County Courthouse, Main Courtroom, 200 W. College, Greenville.
September 21 9:00 a.m.	PCB 92-111 UST-FRD	<u>Russell L. Bacon v. IEPA</u> - Law & Justine Center, Dining Room, 104 W. Front St., Bloomington.
September 21 10:00 a.m.	PCB 91-53 A-E	<u>People of the State of Illinois v. Enamellers and Japanners, Inc.</u> - State of Illinois Center, Suite 11-500, 100 W. Randolph St., Chicago.
September 22 10:00 a.m.	PCB 91-262 UST-FRD	<u>The Pumper, Inc. v. EPA</u> - Hinsdale Public Library, Lower Level Conference Room, 20 E. Maple St., Hinsdale.
September 23 10:00 a.m.	AS 91-11 AS	<u>In the Matter of the Illinois-American Water Company for an Adjusted Standard from 35 Ill. Adm. Code 304.124 (Iron and TSS only) for the Water Company's East St. Louis Public Water Supply Facility</u> - Belleville City Hall, Council Chambers, 10 S. Illinois St., Belleville.
September 23 10:00 a.m.	PCB 92-98 UST-FRD	<u>Reichhold Chemicals, Inc. v. EPA</u> - State of Illinois Center, Suite 11-500, 100 W. Randolph St., Chicago.
September 24 10:00 a.m.	PCB 91-157 L-E	<u>People of the State of Illinois v. The Grigoleit Company</u> - Decatur Civic Center, Human Resources Conference Room, Second Floor, 1 Civic Center Plaza, Decatur.
September 24 10:00 a.m.	PCB 92-105 UST-FRD	<u>Weyerhaeuser Co., v. EPA</u> - State of Illinois Center, Suite 11-500, 100 W. Randolph St., Chicago.
September 25 10:00 a.m.	PCB 91-157 L-E	<u>People of the State of Illinois v. The Grigoleit Company</u> - Decatur Civic Center, Human Resources Conference Room, Second Floor, 1 Civic Center Plaza, Decatur.
September 28 10:00 a.m.	PCB 92-103 UST-FRD	<u>City of Freeport v. EPA</u> - Freeport City Hall, Council Chambers, 230 W. Stephenson St., Freeport.
September 30 10:00 a.m.	AS 91-12 AS	<u>In the Matter of: Petition of the Illinois American Water Company for an Adjusted Standard from 35 Ill. Adm. Code 304.124 (Iron and TSS only) for the Water Company's Cairo Public Water Supply Facility</u> - Alexander County Courthouse, Small Courtroom, 2000 Washington St., Cairo.
September 30 10:00 a.m.	PCB 90-244 P-A	<u>General Electric Company v. EPA</u> - Whiteside County Courthouse, 200 E. Knox, Room 117, Morrison.
September 30 10:00 a.m.	PCB 92-81 UST-FRD	<u>James Lynch v. EPA</u> - Macoupin County Courthouse, County Board Room, Carlinville.
<b>October 1</b>		<b>Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.</b>
October 1 10:00 a.m.	PCB 90-224 P-A	<u>General Electric Company v. EPA</u> - Whiteside County Courthouse, 200 E. Knox, Room 117, Morrison.

October 1 1:00 p.m.	AC 92-41 AC	<u>EPA v. Lakewood Homes &amp; Development Co., Inc.</u> - Law Offices of James T.J. Keating, Suite 1220, 542 S. Dearborn St., Chicago.
October 2 10:00 a.m.	AC 92-39 AC	<u>County of Jackson v. Leslie Norman Fred, Sr., d/b/a Murphysboro/Norman Fred Trucking</u> - Jackson County Courthouse Board Room, First Floor, Murphysboro.
October 8 10:00 a.m.	AC 91-32 AC	<u>County of Ogle v. Rochelle Disposal Services, Inc.</u> - Ogle County Courthouse, State's Attorney's Conference Room, 4th and Washington Streets, Oregon.
October 13 9:30 a.m.	PCB 91-56 P-A	<u>Douglas Furniture of California, Inc. v. EPA</u> - State of Illinois Center, Suite 11-500, 100 W. Randolph St., Chicago.
October 14 10:00 a.m.	AS 92-4 Air	<u>In the Matter of: Joint Petition of Detroit Diesel Corporation, Navistar International Transportation Corporations, Cummins Engine Company and the Engine Manufacturers Association for Adjusted Standards from 35 Ill. Adm. Code 240.141</u> - State of Illinois Center, Suite 11-500, 100 W. Randolph St., Chicago.
October 19 10:00 a.m.	PCB 91-134 P-A	<u>Safety-Kleen Corporation (Elgin Recycle Center) v. EPA</u> - State of Illinois Center, Suite 11-500, 100 W. Randolph St., Chicago.
<b>October 15</b>		<b>Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.</b>
October 20 9:30 a.m.	PCB 91-235 A-V	<u>Marsco MFG. Co. v. EPA</u> - State of Illinois Center, Suite 11-500, 100 W. Randolph St., Chicago.
October 21 10:30 a.m.	PCB 90-197 P-A	<u>The Celotex Corporation v. EPA</u> - Quincy City Hall, Council Chambers, Room 119, 730 Main St., Quincy.
October 22 9:00 a.m.	PCB 91-197 P-A	<u>Cabot Corporation (Tuscola Facility) v. EPA</u> - Douglas County Courthouse, First Floor, 401 S. Center St., Tuscola.
October 27 9:30 a.m.	PCB 91-154 L-E	<u>Carrell and Mary Bates v. Edward E. Brake; Ella F. Brake; Eugene Gale Heiser, in his individual capacity and d/b/a Heiser Oil &amp; Gas Company and Heiser Oil &amp; Gas Co., an Illinois Corporation; and Amoco Oil Company</u> - Fisher Village Hall, Council Chambers, 104 W. Front St., Fisher.
October 27 10:00 a.m.	PCB 92-99 UST-FRD	<u>A.B. Dick Company v. EPA</u> - State of Illinois Center, Suite 11-500, 100 W. Randolph St., Chicago.
October 28 9:30 a.m.	PCB 91-154 L-E	<u>Carrell and Mary Bates v. Edward E. Brake; Ella F. Brake; Eugene Gale Heiser, in his individual capacity and d/b/a Heiser Oil &amp; Gas Company and Heiser Oil &amp; Gas Co., an Illinois Corporation; and Amoco Oil Company</u> - Fisher Village Hall, Council Chambers, 104 W. Front St., Fisher.
<b>October 29</b>		<b>Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.</b>
November 12 10:00 a.m.	AC 92-26 AC	<u>County of Ogle v. City of Rochelle and Rochelle Disposal Service, Inc. (Rochelle Municipal #2 Landfill)</u> - Ogle County Courthouse, 4th and Washington Streets, Oregon.
November 12 10:00 a.m.	AC 92-80 AC	<u>Lake County Forest Preserve District v. Neil Ostro; Janet Ostro; and Big Foot Enterprises</u> - County Building, Room 1002, 18 N. County Rd., Waukegan.
<b>November 19</b>		<b>Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.</b>
<b>December 3</b>		<b>Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.</b>
<b>December 17</b>		<b>Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.</b>

**Calendar Codes**

A-C	Administrative Citation	A-E	Air Enforcement
A-S	Adjusted Standard	A-V	Air Variance

CSO	Combined Sewer Overflow Exception	L-E	Land Enforcement
L-S-R	Landfill Siting Review	L-V	Land Variance
N-E	Noise Enforcement	N-V	Noise Variance
P-A	Permit Appeal	PWS-E	Public Water Supply Enforcement
PWS-V	Public Water Supply Variance	R	Regulatory Proceeding
SO <sub>2</sub>	SO <sub>2</sub> Alternative Standards	SWH-E	Special Waste Hauling Enforcement
SWH-V	Special Waste Hauling Variance	T	Thermal Demonstration Rule (35 ILL. ADM. CODE 302.211(F))
T-C	Tax Certifications	T-S	Trade Secrets
W-E	Water Enforcement	W-V	Water Variance
WWS	Water-Well Setback Exception	UST-E	Underground Storage Tank Enforcement
UST-FRD	Underground Storage Tank Fund Reimbursement Determination		

**WATERWAYS CRUISE AND ENVIRONMENTAL WORKSHOP**

EILEEN JOHNSTON is organizing another waterways cruise and floating seminar for Saturday, September 26, 1991. The floating seminar is planned to discuss areas of environmental concern and the progress made in solving problems since the first Earth Day in 1970. Participants will view pictures of what the areas looked like twenty years ago. Speakers from state and federal agencies and industries will discuss the environmental progress made, pollution abatement and current problems.

The cruise is on the Wendella and is 72 miles long. Participants will view the ever changing and exciting shoreline and skyline of Chicago and northern Indiana, and the waterways of the Calumet Sag Channel, Calumet River and I & M Shipping Canal. The cruise also passes steel mills, new water reclamation facilities, barges, landfills and the canyon of city skyscrapers.

Eileen's cruise serves to demonstrate the environmental challenges facing our country due to the dramatic impact of man on the environment. Some of the questions addressed during the floating seminar include: What progress has been made? Can we eat fish from the lake? How are environmental regulations proposed and enforced?

Participants meet at 8:45 a.m. at the foot of the Wrigley Building, and we return before 4 p.m. Parking facilities are located west of the building, allow time to locate a space. Use public transportation if possible. Be prompt, don't miss the boat!! Bring your lunch. Soft drinks are sold on board. Warm clothes and head gear are in order. The cost is \$45, \$35 for full time students. Send checks to:

**Eileen Johnston, 505 Maple Avenue, Wilmette, IL 60091; (312) 814-3470**

Please make reservation before September 20, 1991. Space is limited, so the sooner the better!

\*\*\*\*\*

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School, Firm, Group \_\_\_\_\_

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**ENVIRONMENTAL REGISTER NEWSLETTER FOR THE LATEST DEVELOPMENTS**

The Environmental Register is a newsletter published by the Board after every Board meeting. The Register provides updates on rulemakings, lists the final actions taken at the Board meeting, contains the Board's hearing calendar and provides other useful information on environmental issues.

**To order a free subscription to the Environmental Register, please complete the following form and forward it as follows:**

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\_\_\_ **Yes**, I wish to continue receiving regular free copies of the Environmental Register after July 1, 1992.

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**ENVIRONMENTAL INFORMATION SERVICES  
AVAILABLE FROM THE BOARD**

The Board has the following information available:

**SUBSCRIPTION SERVICE OF BOARD OPINIONS AND ORDERS.** The subscription service comprises all the Opinions and Orders issued by the Pollution Control Board in a fiscal year (July 1 through June 30). The Board meets approximately twice monthly in order to issue Opinions and Orders.. Usually no later than the 15th day of each month, a volume is issued containing the Opinions and Orders of the Board from the preceding month.

**HARD COPIES OF BOARD OPINIONS AND ORDERS FOR FISCAL YEAR 1992** (July 1, 1991 through June 30, 1992) **ARE AVAILABLE FOR IMMEDIATE DELIVERY.** The cost is \$350.00 per set.

Two formats will be offered starting July 1 of this year (FY93): a hard paper copy for \$350.00 per year and an electronic version for \$275.00 per year. The electronic version will consist of Opinions and Orders in the WordPerfect 5.1 (DOS) format on either 3.5" or 5.25" inch diskettes. The electronic format will allow for word searches and other useful tools provided by the WordPerfect software.

When ordering, please specify the choice of either the hard copy or electronic version. If ordering the electronic version, please specify 3.5" or 5.25" diskettes.

**LANDFILL REGULATIONS.** This consists of the Board's landfill regulations and other supporting background documentation. This is offered only in an electronic version which consists of WordPerfect 5.1 (DOS) on either 3.5" or 5.25" inch diskettes. The electronic format will allow for word searches and other useful tools provided by the WordPerfect software. The cost is \$100.00.

When ordering, please specify the choice of either the 3.5" or 5.25" diskettes.

All checks should be made payable to the Pollution Control Board. Direct all orders to Joe D'Alessandro, Fiscal Officer, Pollution Control Board, 100 West Randolph Room 11-500, Chicago, Illinois 60601.

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

John C. Marlin, Chairman  
Urbana, Illinois

Joan G. Anderson  
Western Springs, Illinois

Ronald C. Flemal  
DeKalb, Illinois

Bill S. Forcade  
Chicago, Illinois

G. Tanner Girard  
Grafton, Illinois

J. Theodore Meyer  
Chicago, Illinois

Michael L. Nardulli  
Chicago, Illinois

The Environmental Register is a newsletter published by the Board after every Board meeting. The Register provides updates on rulemakings and other information, lists final actions, and contains the Board's hearing calendar. The Register is provided free of charge.

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