

NEW CASES – MARCH 21, 2002 BOARD MEETING

02-120 People of the State of Illinois v. Entler Excavating Company, Inc. – The Board accepted for hearing this air enforcement action involving a Macon County facility.

02-121 Aux Sable Liquid Products v. IEPA – The Board opened a docket to address recommended denial of petitioner’s request for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)) for its facility located in Grundy County. Petitioner must file a petition to contest with the Clerk of the Board within 35 days after the respondent served the recommendation. If petitioner fails to timely file a petition, the Board may deny tax certification for the noise pollution abatement control facility based solely on respondent’s recommendation.

02-122 Aux Sable Liquid Products (Waste Heat Recovery Units) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Aux Sable Liquid Products located in Grundy County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-123 Aux Sable Liquid Products (Mercox Treating Process Unit) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Aux Sable Liquid Products located in Grundy County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-124 Aux Sable Liquid Products (Continuous Emissions Monitoring System) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Aux Sable Liquid Products located in Grundy County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-125 Aux Sable Liquid Products (Vapor Recovery Compressor) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Aux Sable Liquid Products located in Grundy County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-126 Aux Sable Liquid Products (Flare System) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Aux Sable Liquid Products located in Grundy County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-127 Aux Sable Liquid Products (Ethane Treaters) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Aux Sable Liquid Products located in Grundy County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-128 Aux Sable Liquid Products (Railcar Level System) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that

specified facilities of Aux Sable Liquid Products located in Grundy County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-129 Sports Aircraft, Inc. 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 DuPage County facility.

02-130 Strong Oil Company 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 Schuyler County facility.

02-131 BP Amoco Chemical Company (Trimelletic Anhydride Dust Collector MM-2703) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of BP Amoco Chemical Company located in Will County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-132 BP Amoco Chemical Company (Trimelletic Anhydride Barometric Condensers) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of BP Amoco Chemical Company located in Will County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-133 BP Amoco Chemical Company (Trimelletic Anhydride Vacuum Filter MM-2701) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of BP Amoco Chemical Company located in Will County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-134 BP Amoco Chemical Company (Trimelletic Anhydride Dust Collector MM-2702) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of BP Amoco Chemical Company located in Will County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-135 BP Amoco Chemical Company (Trimelletic Anhydride Dust Collector MM-2753) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of BP Amoco Chemical Company located in Will County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-136 Dynegy Midwest Generations, Inc. (Coal Dust Suppression and Low NO_x Burners) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Dynegy Midwest Generations, Inc. located in Madison County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-137 Dynegy Midwest Generations, Inc. (Electrostatic Precipitator) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Dynegy Midwest Generations, Inc. located in Madison County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax

Code (35 ILCS 200/11-10 (2000)).

02-138 Dynegy Midwest Generations, Inc. (Addition to Electrostatic Precipitator) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Dynegy Midwest Generations, Inc. located in Randolph County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-139 Dynegy Midwest Generations, Inc. (Bag Filter) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Dynegy Midwest Generations, Inc. located in Randolph County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-140 Dynegy Midwest Generations, Inc. (Overfire Air System) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Dynegy Midwest Generations, Inc. located in Randolph County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-141 Dynegy Midwest Generations, Inc. (Dry Fly Ash Dust Control System) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Dynegy Midwest Generations, Inc. located in Madison County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-142 Dynegy Midwest Generations, Inc. (Rotating Overfire Air System) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Dynegy Midwest Generations, Inc. located in Vermilion County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-143 Dynegy Midwest Generations, Inc. (Selective Catalytic Reduction System) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Dynegy Midwest Generations, Inc. located in Mason County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-144 Dynegy Midwest Generations, Inc. (Overfire Air System) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Dynegy Midwest Generations, Inc. located in Mason County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-145 Dynegy Midwest Generations, Inc. (Dust Control Equipment) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Dynegy Midwest Generations, Inc. located in Putnam County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-146 Dynegy Midwest Generations, Inc. (Conveyor System and Dust Suppression) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Dynegy Midwest Generations, Inc. located in Putnam County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-147 Dynegy Midwest Generations, Inc. (Bag Filter Units and Ash Transfer Equipment) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Dynegy Midwest Generations, Inc. located in Putnam County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-148 Duke Energy Lee, L.L.C. (Dry Low NO_x Combustion System) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Dynegy Midwest Generations, Inc. located in Lee County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-149 Duke Energy Lee, L.L.C. (Continuous Emissions Monitoring Systems) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Dynegy Midwest Generations, Inc. located in Lee County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-150 Kaufman Grain Company (Concrete Driveway) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Kaufman Grain Company located in Vermilion County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-151 Ameren Energy Generating Company (Overfire Air System, Unit 1) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Ameren Energy Generating Company located in Montgomery County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-152 Ameren Energy Generating Company (Overfire Air System, Unit 2) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Ameren Energy Generating Company located in Montgomery County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-153 Dynegy Midwest Generation, Inc. (Electrostatic Precipitators) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Dynegy Midwest Generations, Inc. located in Randolph County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-154 BP Products North America, Inc. (Vapor Recovery System) v. IEPA – Upon receipt of

the Illinois Environmental Protection Agency's recommendation, the Board found and certified that specified facilities of BP Products North America, Inc. located in Cook County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-155 EM Coatings (Regeneration Catalytic Oxidizer) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency's recommendation, the Board found and certified that specified facilities of EM Coatings located in DuPage County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-156 Chroma Corporation v. IEPA – The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of this McHenry County facility.

02-157 David L. Weber and Rachel B. Weber v. Cisco United Methodist Church – The Board held for a later duplicitous/frivolous determination this citizen's noise enforcement action involving a Piatt County facility.

AC 02-42 IEPA v. Herbert Board – The Board accepted an administrative citation against this Edgar County respondent.

AC 02-43 IEPA v. James Potter – The Board accepted an administrative citation against this Edgar County respondent.

AC 02-44 County of Jackson v. Robert L. Morgan d/b/a Morgan Builders – The Board accepted an administrative citation against this Jackson County respondent.

AC 02-45 IEPA v. Roeco Enterprises, Inc. – The Board accepted an administrative citation against this Champaign County respondent.