

**ILLINOIS POLLUTION CONTROL BOARD**

**MINUTES OF REGULAR BOARD MEETING  
SEPTEMBER 1, 1994 CHICAGO, ILLINOIS**

After calling the meeting to order, Chairman Manning asked the Clerk for a roll call, and all Board Members answered present.

An Opinion and Order was adopted in #AS 92-13, Alumax, Inc., by a vote of 6-0. (McF)

An Opinion and Order was adopted in #AS 93-8, AKZO Chemical, by a vote of 6-0. Board Member M. McFawn concurred. (GTG)

An Opinion and Order was adopted in #93-139, The Ensign-Bickford Company, by a vote of 6-0. (CAM)

An Opinion and Order was adopted in #93-257, J.M. Sweeney Company, by a vote of 6-0. (RCF)

In R90-26(B), Foundry & Steel Landfill Amendments, as Adopted Rule, Final Order, Opinion and Order was adopted by a vote of 5-0. Board Member E. Dunham abstained. (RCF)

In R93-13, General motors Corporation Site-Specific, a Proposed Rule, First Notice, Opinion and Order was adopted by a vote of 6-0. (ED)

Default Orders were adopted in these Administrative Citations by a vote of 6-0: ##94-43, EPA v. Raymond E. and Jane Bennington; 94-44, EPA v. John Svendsen; 94-45, EPA v. Gallatin National Company; 94-46, Vermilion County Health Department v. Abundant Life Pentecostal Church; 94-53, County of DuPage v. Waste Management of Illinois; 94-55, EPA v. Ron Fijal, d/b/a Rony's Gear Service, 94-57, EPA v. Joseph C. and Della I. Powell; 94-62, EPA v. Wesley Simpson.

An Order granting the Respondent's motion to consolidate for purposes of hearing and decision, was adopted in ##AC 94-31, -47, Envotech-Illinois, Inc., by a vote of 6-0. (JTM)

By a vote of 6-0, and in the interest of economy, the Board on its own motion consolidated ##AC 94-48, -49, -50, -51, -52, -58, -59, -60, and 61, Sangamon County v. ESG Watts, Inc., for the purposes of hearing only, but made no determination as to whether the cases would be consolidated for purposes of a final decision. (CAM)

An Order renewing the Stay of the proceedings until October 20, 1994, and directing the Petitioner to file a timely status report on or before October 14, 1994, was adopted in #AS 88-2, Stepan Company, by a vote of 6-0. (CAM)

An Order granting the joint motion for an extension of time until

October 31, 1994, for the Petitioner to file its amended petition, was adopted in #AS 94-2, Solar Corporation, by a vote of 6-0. (MCF)

An Order granting the joint motion for an extension of time until October 31, 1994, for the Petitioner to file its amended petition, was adopted in #AS 94-4, Chase Products, by a vote of 6-0. (MCF)

An Order determining that the Agency's motion to file its response instanter was moot, since the response was timely filed, was adopted in #AS 94-9, City of Springfield, Office of Public Utilities, by a vote of 6-0. (GTG)

An Order granting the Petitioner until September 8, 1994, to file its response to the Agency's motion for reconsideration, was adopted in #90-24, Rock-Ola Manufacturing, by a vote of 6-0. (GTG)

An Order granting the joint motion for continuance of the stay until November 3, 1994, advising the Petitioner that it may petition the Board for an extension of the stay providing that an appropriate waiver of the decision deadline is also filed, and directing the parties to file an updated status report on or before October 28, 1994, was adopted in ##90-164, -91-161, Riverside Laboratories, by a vote of 6-0. (CAM)

An Order granting the joint motion for continuance of the stay until November 3, 1994, advising the Petitioner that it may petition the Board for an extension of the stay providing that an appropriate waiver of the decision deadline is also filed, and directing the parties to file an updated status report on or before October 28, 1994, was adopted in #90-165, Riverside Laboratories, by a vote of 6-0. (CAM)

An Order accepting the status report, and directing the Petitioner to file an additional status report no later than January 5, 1995, was adopted in ##91-28, -92-2, Acme Steel Company, by a vote of 6-0. (JTM)

An Order directing the parties to file the next status report in the proceeding when and if the USEPA takes action on its pending FIP revision, and in case, no later than February 1, 1995, was adopted in #91-162, Minnesota Mining and Manufacturing Company, by a vote of 6-0. (MCF)

An Order granting the joint motion for an extension of the stay of the hearing until July 1, 1995, and directing the Petitioner, in the interim, to file a status report on or before December 8, 1994, was adopted in #91-219, General Motors Corporation, by a vote of 6-0. (CAM)

An Order accepting the status report, and directing the parties to

file an additional status report on or before December 8, 1994, was adopted in #92-99, A.B. Dick Company, by a vote of 6-0. (CAM)

An Order accepting the status report, granting a 120-day temporary stay of the proceeding to allow time for review by the Office of the State Fire Marshal, and directing the Petitioner to file an updated status report, or a settlement agreement, with the Board no later than January 5, 1995, was adopted in #92-102, Moline/Dutchway Dry Cleaners, by a vote of 6-0. (JTM)

An Order granting the Petitioner's motion to continue the stay until January 12, 1995, and directing the Petitioner to file another status report with the Clerk of the Board and the assigned Hearing Officer on or before January 6, 1995, discussing the progress of the proceeding, was adopted in #92-105, Weyerhaeuser Company, by a vote of 6-0. (CAM)

An Order instructing the Petitioner to promptly inform the Board of any changes in the current status of its proceedings in the circuit court, and directing the Petitioner to file an additional status report with the Board on or before March 3, 1995, was adopted in #92-108, The OK Trucking Company, by a vote of 6-0. (ED)

An Order directing the parties to file a status report on or before December 29, 1994, in the event the appeal has not been dismissed, was adopted in #92-175, Olin Corporation, by a vote of 6-0. (RCF)

An Order accepting the waiver of the statutory decision date, and directing the parties to file a status report with the Board to be received by the Board no later than December 8, 1994, was adopted in #92-209, A.B. Dick Company, by a vote of 6-0. (GTG)

An Order granting the Respondent's motion for summary judgment, was adopted in #93-15, Dorothy and Michael Furlan, by a vote of 6-0. (ED)

An Order accepting the waiver of the statutory decision date until december 31, 1995, and directing the parties to file a status report with the Board to be received by the Board no later than December 7, 1994, was adopted in #93-71, Indian Refining Company, by a vote of 6-0. (GTG)

An Order directing the Clerk of the Board to cause publication of the required newspaper notice of the parties agreed motion for relief from the hearing requirement, was adopted in #93-145, Monarch Asphalt Company, by a vote of 6-0. (CAM)

An Order granting the Petitioner's motion to dismiss, was adopted in #93-249, Glenbard Wastewater Authority, by a vote of 6-0. (ED)

The joint motion to extend the recommendation time of the variance file in #93-257, J.M. Sweeney Company, will be taken with the case-in-chief.

An Opinion and Order granting the Respondent's motion for summary judgment, was adopted in #94-18, City of Wheaton, by a vote of 6-0. (CAM)

An Order granting the Petitioner's motion to dismiss, was adopted in #94-47, Dart Container Corporation, by a vote of 6-0. (McF)

An Order granting the Petitioner's motion to withdraw and expressly incorporating by reference, the stipulation of settlement and dismissal filed by the parties with the Board on August 23, 1994, was adopted in #94-80, Gunite Corporation, by a vote of 6-0. (CAM)

An Order granting the Complainant's motion to voluntarily dismiss Counts I, II, VII, and VIII, dismissing William Lans Son's Company with prejudice, rendering Respondent, Winnebago Reclamation's motion to compel answers to interrogatories as moot, determining that each party will bear its own costs incurred in pursuit or defense of Counts I, II, VII, and VIII, and directing the Hearing Officer to conduct a prehearing conference for the purpose of reporting on the status of settlement discussions, was adopted in #94-84, Winnebago Reclamation Service, Inc., by a vote of 6-0. (JTM)

An Order granting the Petitioner's motion to voluntarily dismiss, was adopted in #94-106, Sheridan Towers Partnership, by a vote of 6-0. (McF)

An Order granting the Petitioner's motion to dismiss, was adopted in #94-171, Granite City Steel Division, by a vote of 6-0. (CAM)

An Order granting the Petitioner's motion to withdraw the petition and denying the Respondent's motion for leave to supplement the record on appeal as being moot, was adopted in #94-189, Unocal Corporation, by a vote of 6-0. (CAM)

An Order granting the Agency's motion for leave to file its answer and four copies instant, was adopted in #94-191, Arco Products Company, by a vote of 6-0. (RCF)

An Order granting the Agency's motion for leave to file its recommendation instant, was adopted in #94-194, Freeman United Coal Mining Company, by a vote of 6-0. (GTG)

An Order granting Will County's petition for leave to intervene and modifying the caption, denying the Forest Park District's petition

for leave to intervene but granting the District the right to file an amicus curiae brief, was adopted in #94-195, Land and Lakes Company et al., by a vote of 6-0. (JTM)

An Order granting the UAW's motion for leave to intervene and accepting the matter for hearing, was adopted in #94-198, Caterpillar, Inc., by a vote of 6-0. (RCF)

An Order granting the Agency's motion for an extension of time until March 31, 1995, to file its answer, subject to certain conditions, was adopted in #94-199, Citizens Utility Company, by a vote of 6-0. (ED)

An Order denying the Petitioners' motion to stay the decision and granting the Agency's motion to allow the filing of the Agency record instanter, was adopted in #94-207, Wilmer Brockman, Jr. and First Midwest Bank/Illinois, by a vote of 6-0. (GTG)

An Order granting a stay of the matter until January 3, 1995, and directing Burlington Environmental, Inc., to provide the Board with a status report by January 3, 1995, was adopted in R94-18, Revisions of Treatability Testing Exclusion Limits, by a vote of 6-0. (ED)

These cases were discussed and ordered held to September 15, 1994 for further discussion or possible decision: #91-202, Sherex Chemical Company; AC 93-42, Norman Clark; 93-58, L. Keller Oil Properties; AS 94-1, Illinois Wood Energy Partners; AC 94-16, Leroy Donley and Donley, Inc.; 94-155, Cabot Corporation; 94-165, Robert J. Sheehy & Sons; 94-200, Illinois Landfill; 94-212, Waste Management of Illinois.

These Regulatory matters were discussed and ordered held to September 15, 1994 for further discussion or possible decision: R93-29, Regulation of Landscape Waste Compost Facilities, 35 Ill. Adm. Code 830 - 832, Proposed Rule, Second Notice, Proposed Opinion and Order; R94-1, Amendments to 35 Ill. Adm. Code 302.202, 302.208, 302.212, 302.213, 302.407, 304.122, and 304.301 (Ammonia Nitrogen, Lead and Mercury), Proposed Rule, First Notice, Opinion and Order; R94-12, 15% ROP Plan Control Measures for VOM Emissions-Part I: Pressure/Vacuum Relief Valves and 7.2 RVP: Amendments to 35 Ill. Adm. Code Parts 201, 211, 218, and 291, Adopted Rule, Final Order, Opinion and Order; R94-15, 15% ROP Plan Control Measures for VOM Emissions-Part II: Marine Vessel Loading Amendments to 35 Ill. Adm. Code Parts 211, 218, and 219, Proposed Rule, Second Notice, Opinion and Order; R94-16, 15% ROP Plan Control Measures for VOM Emissions-Part III: Air Oxidation and Organic Emissions from Storage and Loading Operations: Amendments to 35 Ill. Adm. Code Parts 211, 218, and 219, Proposed Rule, Second Notice, Opinion and Order.

In new cases these actions were taken by a vote of 6-0: ##94-178, Herrin Security Bank v. Shell Oil Company, Respondent's motion to deny issuance of complaint was denied and the matter was directed to hearing, **Order by J. Theodore Meyer**; 94-203, Citizens Utilities Company of Illinois and Village of Plainfield v. EPA and Village of Bolingbrook, Petitioners' motion for stay was denied, and the Respondents' motions to dismiss for lack of subject matter jurisdiction were granted, **Order by G. Tanner Girard**; 94-204, May Lou Powell v. M. Ceisel and Laser Express Auto Bath, accepted for hearing, **Order by C.A. Manning**; 94-220, People of the State of Illinois v. City of Gillespie, Macoupin County, John Crawford, d/b/a Knostman Crawford Associates, and H & H Mechanical and Electrical Contractors, Inc., **hearing mandatory**; 94-221, People of the State of Illinois v. Harper Oil Company, **hearing mandatory**; 94-222, Village of Hoffman Estates v. EPA, additional information requested, **Order by C.A. Manning**; 94-223, J.I. Case Company v. EPA, accepted for hearing, **Order**; 94-224, Stickney-Forest View Public Library District v. Office of the State Fire Marshal, accepted for hearing, **Order**; 94-225, Amoco Oil Company v. EPA, accepted for hearing, **Order**; 94-226, Boutin Cleaners v. EPA, accepted for hearing, **Order**; 94-227, Western Lion Limited v. EPA, accepted for hearing, **Order**; 94-228, People of the State of Illinois v. ABC Rail Products Corporation, Clerk of the Board directed to cause publication of the parties agreed motion for relief from the hearing requirement, **Order**; 94-229, Village of Creve Coeur v. EPA, **ordered held until September 15, 1994 Board Meeting**; 94-230. Bargain Auto Rental, Inc./Budget Rent A Car v. Office of the State Fire Marshal, **ordered held until September 15, 1994 Board Meeting**; 94-231, National Steel Corporation, Granite City Division v. EPA, accepted for hearing, **Order**; 94-232, Browning-Ferris Industries of Illinois, Inc. v. EPA, accepted for hearing, **Order**; 94-233, Amoco Oil Company v. EPA, accepted for hearing, **Order**; 94-234, Amoco Oil Company v. EPA, accepted for hearing, **Order**; 94-235, Amoco Oil Company v. EPA, accepted for hearing, **Order**.

Because a Petition for Review was filed, this Administrative Citation was accepted for hearing: #94-56, EPA v. Walter Griminger.

Administrative Citation Appeal #94-66, County of Macon and EPA v. Macon Landfill, Corporation was ordered held for a response to the motions filed.

These Administrative Citations were accepted by the Board: ##94-69, EPA v. Gallatin National Company; 94-70, County of Madison v. Leroy Beck; 94-71, EPA v. Atkinson Landfill Company; 94-72, EPA v. Carl J. Lingo and Mary E. Lingo; 94-73, EPA v. Stacy B. Hess; 94-74, County of Vermilion v. Brickyard Disposal & Recycling, Inc.; 94-75, County of DuPage v. Waste Management of Illinois, Inc.; 94-76, Sangamon County v. SLC of Springfield, Inc..

ADDENDUM

An Order granting the Petitioners' motions for an extension of time until September 30, 1994 to file an amended petition, and allowing the Agency until October 30, 1994, to file its Recommendation, was adopted in #AS 94-8, Acme Steel Company and LTV Steel Company, by a vote of 6-0. (ED)

Petitioners' motion for clarification and/or reconsideration filed in #94-195, Land and Lakes Company et al., was ordered held until September 15, 1994 for possible consideration.

The Village of Bolingbrook's objection to the Petitioners' joint motion to stay filed in #94-203, Citizens Utilities Company of Illinois and the Village of Plainfield, was handled under the New Cases Agenda.

This case was discussed and ordered held to September 15, 1994, for further discussion or possible decision: #94-1, Robert Fosnock, d/b/a Fos Auto and Truck Parts.

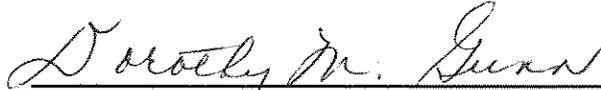
These regulatory matters were discussed and ordered held to September 15, 1994 for further discussion or possible decision: R94-2(A), Regulation of Petroleum Leaking Underground Storage Tanks, 35 Ill. Adm. Code 732, Adopted Rule, Final Order, Opinion and Order; R94-11, Procedural Rules for Appeals from Office of the State Fire Marshal Eligibility/Deductibility Determination, Proposed Rule, Second Notice, Opinion and Order.

In new cases these actions were taken by a vote of 6-0: 94-236, J.R. Meyers Company, Inc. v. EPA, additional information requested, **Order by E. Dunham**; 94-237, Marathon Oil Company v. EPA, accepted for hearing, **Order**; 94-238, Ragulo Gonzalez v. Office of the State Fire Marshal, accepted for hearing, **Order**; 94-239, Department of the Army, Rock Island District, Corps of Engineers, provisional variance granted, **Order by C.A. Manning**.

Minutes of the August 11, 1994 Board meeting were approved by a vote of 6-0.

All other matters not disposed of as listed were ordered held to September 15, 1994 for possible consideration.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Minutes were approved this 6<sup>th</sup> day of October, 1994, by a vote of 6-0.

  
 Dorothy M. Gunn, Clerk  
 Illinois Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD  
FINAL AGENDA  
SEPTEMBER 1, 1994 CHICAGO, ILLINOIS  
CONFERENCE ROOM 9-040  
10:30 A.M.

SECOND ADDENDUM

MOTIONS:

AS 94-8 Acme Steel Company and LTV Steel - Petitioners'  
Motion to Amend Petition and to Extend Time to  
File Additional Information (8/31) (ED)

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94-195 Land and Lakes Company - Respondents' Motion for  
Leave to File Record Instanter (8/30),  
Petitioners' Motion for Clarification and/or  
Reconsideration (8/30) (See Motion filed under  
Motions) (JTM)

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94-203 Citizens Utilities Company - Village of  
Bolingbrook's Objection the Petitioner's Joint  
Motion to Stay (8/31) (See Motions under New  
Cases) (GTG)

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DISCUSSIONS:

94-1 Robert Fosnock, d/b/a Fos Auto & Truck Parts (CAM)

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REGULATORY DISCUSSIONS:

R94-2 Regulation of Petroleum Leaking Underground  
(A) Storage Tanks, 35 Ill. Adm. Code 732, Adopted  
Rule, Final Order, Opinion and Order  
(CAM) (JTM) (McF)

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R94-11 Procedural Rules for Appeals from Office of State  
Fire Marshal Eligibility/Deductibility  
Determination, Proposed Rule, Second Notice,  
Opinion and Order (CAM) (McF) (JTM)

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**NEW CASES:**

94-236 J.R. Meyers Company, Inc. v. EPA (ED)

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94-237 Marathon Oil Company v. EPA

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94-238 Ragulo Gonzalez v. Office of the State Fire  
Marshal

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94-239 Department of the Army v. EPA (Provisional  
Variance) (CAM)

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ILLINOIS POLLUTION CONTROL BOARD  
FINAL AGENDA  
SEPTEMBER 1, 1994 CHICAGO, ILLINOIS  
CONFERENCE ROOM 9-040  
10:30 A.M.

**DECISIONS:**

AS	92-13	Alumax, Inc. (McF)	_____
AS	93-8	AKZO Chemicals (GTG)	_____
*	93-139	The Ensign-Bickford Co. (CAM) (open waiver)	_____
*	93-257	J.M. Sweeney Company (RCF) (open waiver)	_____
R90-26 (B)		Foundry & Steel Landfill Amendments, Adopted Rule, Final Order, Opinion and Order (RCF)	_____
R93-13		General Motors Corporation Site-specific, Proposed Rule, First Notice, Opinion and Order (ED)	_____

**AC DEFAULT ORDERS:**

94-43	EPA v. Raymond E. & Jane Bennington	_____
94-44	EPA v. John Svendsen	_____
94-45	EPA v. Gallatin National Company	_____
94-46	Vermilion County Health Department v. Abundant Life Pentecostal Church	_____
94-53	County of DuPage v. Waste Management of Illinois	_____
94-55	EPA v. Ron Fijal, d/b/a Rony's Gear Service	_____

**\* INDICATES VARIANCE OR PERMIT APPEAL**

**AC DEFAULT ORDERS:** (Cont'd)

94-57 EPA v. Joseph C. Powell and Della I. Powell

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94-62 EPA v. Wesley Simpson

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**MOTIONS:**

AC 94-31 Envotech-Illinois - Respondent's Motion to Consolidate with AC 94-47 (8/12) (JTM)

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AC 94-48 Sangamon County v. ESG Watts - Board Order (CAM)

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AC 94-49 Sangamon County v. ESG Watts - Board Order (CAM)

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AC 94-50 Sangamon County v. ESG Watts - Board Order (CAM)

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AC 94-51 Sangamon County v. ESG Watts - Board Order (CAM)

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AC 94-52 Sangamon County v. ESG Watts - Board Order (CAM)

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AC 94-58 Sangamon County v. ESG Watts - Board Order (CAM)

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AC 94-59 Sangamon County v. ESG Watts - Board Order (CAM)

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AC 94-60 Sangamon County v. ESG Watts - Board Order (CAM)

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AC 94-61 Sangamon County v. ESG Watts - Board Order (CAM)

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AC 94-66 County of Macon v. Macon County Landfill - Complainant's Motion to Waive Recycled Paper Rule (8/29)

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AC 94-68 County of Macon v. Ruben Murrell - Complainant's Motion to Waive Recycled Paper Rule (8/29)

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**MOTIONS: (Cont'd)**

- AS 88-2      Stepan Company - Petitioner's Status Report in  
Response to April 21, 1994 Board Order (8/15) (CAM)
- 
- AS 94-2      Solar Corporation - Agency Motion for Extension of  
Time (8/11) (McF)
- 
- AS 94-4      Chase Products - Agency Motion for Extension of  
Time (8/11) (McF)
- 
- AS 94-9      City of Springfield, Illinois - Agency Motion to  
File Instanter and the Agency's Response to  
Petition for Adjusted Standard (8/17) (GTG)
- 
- 90-24      Rock-Ola Manufacturing - Agency Motion for  
Reconsideration of May 19, 1994 Board Order (6/28),  
Respondent's Agreed Motion to Further Extend or  
Stay the Briefing Schedule (8/15) (GTG)
- 
- 90-164)      Riverside Laboratories - Joint Status Report in  
91-161)      Response to April 21, 1994 Board Order and Motion  
for Continuance of Stay (8/26) (CAM)
- 
- 90-165      Riverside Laboratories - Joint Status Report in  
Response to April 21, 1994 Board Order and Motion  
for Continuance of Stay (8/26) (CAM)
- 
- 91-28)      Acme Steel Company - Petitioner's Status Report in  
92-2)      Response to August 11, 1994 Board Order (8/26) (JTM)
- 
- 91-162      Minnesota Mining & Manufacturing - Joint Status  
Report in Response to February 3, 1994 Board Order  
(8/1) (McF)
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- 91-207      Olin Corporation and United States Department of  
Interior, Fish and Wildlife Service - Joint Status  
Report in Response to April 21, 1994 Board Order  
(8/29) (CAM)
- 
- 91-219      General Motors Corporation - Joint Motion for Stay  
of Hearing (8/16) (CAM)
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**MOTIONS (Cont'd)**

- 92-33      Erich J. Mandel - Complainant's Motion to Voluntarily Dismiss Without Prejudice (8/24) (CAM)
- 
- 92-99      A.B. Dick Company - Petitioner's Status Report in in Reponse to June 23, 1994 Board Order (8/25) (CAM)
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- 92-102     Moline/Dutchway Dry Cleaners - Petitioner's Status Report in Response to April 21, 1994 Board Order (8/23) (JTM)
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- 92-105     Weyerhaeuser Company - Petitioner's Status Report in Response to March 3, 1994 Board Order and Motion to Continue Stay (8/19) (CAM)
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- 92-108     The OK Trucking Company - Petitioner's Status Report in Response to February 17, 1994 Board Order (8/16) (ED)
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- 92-175     Olin Corporation - Joint Status Report in Response to May 19, 1994 Board Order (8/25) (RCF)
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- 92-209     A.B. Dick Company - Petitioner's Status Report in Response to June 23, 1994 Board Order (8/25) (GTG)
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- 93-15      Furlan et al. - Respondent's Motion for Summary Judgment (8/8) (ED)
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- 93-71      Indian Refining Company - Petitioner's Status Report in Response to June 23, 1994 Board Order (8/25) (GTG)
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- 93-79      Pace Suburban Bus Division - Petitioner's Motion for Summary Judgment and Memorandum in Support (7/29), Agency Motion for Summary Judgment (8/1), Petitioner's Response in Opposition to the Agency Motion for Summary Judgment (8/12), Agency Response to the Petitioner's Motion for Summary Judgment (8/16), Agency Reply to Petitioner's Response in Opposition to the Agency Motion for Summary Judgment (8/29) (GTG)
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- 93-128     National Coatings, Inc. - Petitioner's Motion to Reconsider July 21, 1994 Board Order (8/29) (GTG)
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**MOTIONS:** (Cont'd)

- 93-145 Monarch Asphalt Company - Agreed Motion for Relief from Hearing Requirement (8/12)(CAM)  
\_\_\_\_\_
- 93-249 Glenbard Wastewater Authority - Petitioner's Motion to Dismiss (8/11)(ED)  
\_\_\_\_\_
- 93-257 J.M. Sweeney Company - Joint Motion to Extend Recommendation Time of Variance (8/11)(RCF)  
\_\_\_\_\_
- 94-18 City of Wheaton - Respondent's Motion for Summary Judgment (6/22)(CAM)  
\_\_\_\_\_
- 94-47 Dart Container - Petitioner's Motion to Dismiss (8/19)(McF)  
\_\_\_\_\_
- 94-58 City of Geneva - Petitioner's Motion for Reconsideration or Clarification and Request for Oral Argument (8/25)(CAM)  
\_\_\_\_\_
- 94-80 Gunite Corporation - Petitioner's Motion for Dismissal (8/23)(CAM)  
\_\_\_\_\_
- 94-84 Winnebago Reclamation - Complainant's Motion for Voluntary Dismissal of Certain Counts (8/25)(JTM)  
\_\_\_\_\_
- 94-106 Sheridan Towers Partnership - Petitioner's Motion to Voluntarily Dismiss (8/16)(McF)  
\_\_\_\_\_
- 94-145 Pace Suburban Bus - Petitioner's Motion to Clarify the Record (8/11)(JTM)  
\_\_\_\_\_
- 94-150 Angela M. White - Respondents' Motion to Decide Proceeding on the Merits (8/29)(ED)  
\_\_\_\_\_
- 94-171 Granite City Steel Division - Petitioner's Motion to Dismiss (8/18)(CAM)  
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**MOTIONS: (Cont'd)**

- 94-189 Unocal Corporation - Respondent's Motion for Leave to Supplement Record on Appeal Instanter (8/18), Petitioner's Motion to Dismiss Without Prejudice (8/24) (CAM) \_\_\_\_\_
- 94-191 Arco Products Company - Agency Motion for Leave to File Answer Instanter (8/24) ((RCF) \_\_\_\_\_
- 94-194 Freeman United Coal Mining - Agency Motion for Leave to File Recommendation Instanter (8/24) (GTG) \_\_\_\_\_
- 94-195 Land and Lakes Company, et al. - Petition for Leave for Will County to Intervene (8/8), Petitioners' Response to Will County's Petition to Intervene (8/15), Forest Preserve District's Petition for Leave to Intervene (8/23), Petitioners' Response to Petition for Leave to Intervene by Forest Preserve District of Will County (8/29) (JTM) \_\_\_\_\_
- 94-198 Caterpillar, Inc. - International Union et al. Objection to Petition for Variance, Request for Hearing, and for Leave to Intervene (8/12), Objection to Variance by Steve Rone (8/18), Objection and Request for Hearing (8/24), Objection and Request for Hearing (8/25), Objection and Request for Hearing (8/29) (RCF) \_\_\_\_\_
- 94-199 Citizens Utilities Company - Agency Motion for Extension of Time to Answer (8/25) (ED) \_\_\_\_\_
- 94-207 Wilmer Brockman et al. - Petitioners' Motion to Stay Decision (8/11), Agency Motion to File Record Instanter (8/24) (GTG) \_\_\_\_\_
- R94-18 Revisions of Treatability Testing Exclusion Limits - Comments Upon Proposed Identical In-Substance Rulemaking (R94-17) (**Response to Board Order of July 21, 1994**) (ED) \_\_\_\_\_

**DISCUSSIONS:**

- \* 91-202 Sherex Chemical Company (ED) (due 9/15) \_\_\_\_\_

**DISCUSSIONS:** (Cont'd)

- AC 93-42 Norman Clark (McF) \_\_\_\_\_
- 93-58 L. Keller Oil Properties, Inc.(JTM) \_\_\_\_\_
- AS 94-1 Illinois Wood Energy Partners (CAM) \_\_\_\_\_
- AC 94-16 Leroy Donley (RCF) \_\_\_\_\_
- \* 94-155 Cabot Corporation (JTM) (due 9/15) \_\_\_\_\_
- \* 94-165 Robert J. Sheehy & Sons (CAM) \_\_\_\_\_
- \* 94-200 Illinois Landfill - (See Petitioner's Motion for Expedited Decision filed 8/26) (MCF) (due 11/3) \_\_\_\_\_
- \* 94-212 Waste Management of Illinois (CAM) (due 12/1) \_\_\_\_\_

**REGULATORY DISCUSSIONS:**

- R93-29 Regulation of Landscape Waste Compost Facilities, 35 Ill. Adm. Code 830-832, Proposed Rule, Second Notice, Proposed Opinion and order (McF) \_\_\_\_\_
- R94-1 Amendments to 35 Ill. Adm. Code 302.202, 302.208, 302.212, 302.213, 302.407, 304.122, and 304.301 (Ammonia Nitrogen, Lead and Mercury), Proposed Rule, First Notice, Opinion and Order (ED) (CAM) (RCF) \_\_\_\_\_
- R94-12 15% ROP Plan Control Measures for VOM Emissions- Part I: Pressure/Vacuum Relief Valves and 7.2 RVP: Amendments to 35 Ill. Adm. Code Parts 201, 211, 218, and 291, Adopted Rule, Final Order, Opinion and Order (RCF) \_\_\_\_\_
- R94-15 15% ROP Plan Control Measures for VOM Emissions - Part II: Marine Vessel Loading Amendments to 35 Ill. Adm. Code Parts 211, 218, and 219, Proposed Rule, Second Notice, Proposed Opinion and Order (GTG) \_\_\_\_\_

**REGULATORY DISCUSSIONS: (Cont'd)**

R94-16 15% ROP Plan Control Measures for VOM Emissions - Part III: Air Oxidation and Organic Emissions from Storage and Loading Operations: Amendments to 35 Ill. Adm. Code Parts 211, 218, and 219, Proposed Rule, Second Notice, Opinion and Order (ED)

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**NEW CASES:**

94-178 Herrin Security Bank v. Shell Oil Company (See Respondent's Motion to Deny Issuance of Complaint filed 7/7, Complainant's Response in Opposition to Respondent's Motion to Deny Issuance of Complaint filed 7/20, Respondent's Reply to Complainant's Response to Respondent's Motion to Deny Issuance of Complaint filed 7/28) (JTM)

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94-203 Citizens Utilities Company of Illinois v. EPA and Village of Bolingbrook (See Agency Motion to Dismiss for Lack of Subject Matter Jurisdiction filed 8/16, Motion of the Village of Bolingbrook to Dismiss for Lack of Subject Matter Jurisdiction filed 8/17, Agency Motion to Dismiss filed 8/18, Petitioner's Joint Motion to Stay filed 8/22, Petitioner's Joint Objection to Agency's and Bolingbrooks's Motions to Dismiss filed 8/22), Agency Objection to Petitioner's Joint Motion to Stay (8/29) (GTG)

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94-204 Mary Lou Powell v. M. Ceisel and Laser Express Auto Bath (CAM)

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94-220 People of the State of Illinois v. City of Gillespie, Macoupin County; John Crawford, d/b/a Knostman Crawford Associates; and H & H Mechanical and Electrical Contractors, Inc. (JTM)

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94-221 People of the State of Illinois v. Harper Oil Company (CAM)

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94-222 Village of Hoffman Estates v. EPA (CAM)

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**NEW CASES: (Cont'd)**

- 94-223 J. I. Case Company v. EPA (See Agency Motion to Dismiss filed 8/25/94) (McF)
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- 94-224 Stickney-Forest View Public Library District v. Office of the State Fire Marshal (See Amended Petition filed 8/23/94) (JTM)
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- 94-225 Amoco Oil Company v. EPA
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- 94-226 Boutin Cleaners v. EPA
- 
- 94-227 Western Lion Limited v. EPA
- 
- 94-228 People of the State of Illinois v. ABC Rail Products Corporation (See Agreed Motion for Relief from Hearing Requirement filed 8/22)
- 
- 94-229 Village of Creve Coeur v. EPA
- 
- 94-230 Bargain Auto Rental, Inc./Budget Rent a Car v. Office of the State Fire Marshal
- 
- 94-231 National Steel Corporation, Granite City Division v. EPA
- 
- 94-232 Browning-Ferris Industries of Illinois, Inc. v. IEPA
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- 94-233 Amoco Oil Company v. IEPA
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- 94-234 Amoco Oil Company v. IEPA
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- 94-235 Amoco Oil Company v. IEPA
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**AC APPEALS:**

- 94-56 EPA v. Walter Griminger (JTM)\_\_\_\_\_
- 94-66 County of Macon and IEPA v. Macon County Landfill, Corp. (See affirmative defenses including motions to strike and dismiss; Complainant's Motion to Waive Recycled Paper Rule (8/29))\_\_\_\_\_
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**NEW AC CASES:**

- 94-69 EPA v. Gallatin National Company\_\_\_\_\_
- 94-70 County of Madison v. Leroy Beck\_\_\_\_\_
- 94-71 EPA v. Atkinson Landfill Company\_\_\_\_\_
- 94-72 EPA v. Carl J. Lingo and Mary E. Lingo\_\_\_\_\_
- 94-73 EPA v. Stacy B. Hess\_\_\_\_\_
- 94-74 County of Vermilion v. Brickyard Disposal & Recycling, Inc.\_\_\_\_\_
- 94-75 County of DuPage v. Waste Management of Illinois, Inc.\_\_\_\_\_
- 94-76 Sangamon County v. SLC of Springfield, Inc.\_\_\_\_\_
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**MINUTES:**

August 11, 1994\_\_\_\_\_