

ILLINOIS POLLUTION CONTROL BOARD

**MINUTES OF BOARD MEETING
FEBRUARY 23, 1995 CHICAGO, ILLINOIS**

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

In R94-31, 15% ROP Plan Control Measures for VOM Emissions Part V, a Proposed Rule, Second Notice, Opinion and Order was adopted by a vote of 7-0. (MCF)

In R95-10, Emergency Rule Amending 7.2 psi Reid Vapor Pressure Requirement in the Metro-East Area, 35 Ill. Adm. Code 219.585(A), an Adopted Emergency Rule, Final Order, Opinion and Order was adopted by a vote of 6-1. Board Member J. Theodore Meyer dissented. (CAM)

An Opinion and Order accepting the Stipulation and Proposal for Settlement in the amount of \$2,000.00, was adopted in #93-160, People of the State of Illinois v. Naperville Asphalt, Inc., by a vote of 7-0. Board Member J. Theodore Meyer concurred. (MCF)

An Opinion and Order accepting the Stipulation and Proposal for Settlement in the amount of \$2,850.00, was adopted in #94-392, People of the State of Illinois v. Burkart Foam, Inc., by a vote of 7-0.

A provisional variance was granted in #95-59, Truckstops of America, Inc. v. IEPA, by a vote of 7-0. (CAM)

A provisional variance was granted in #95-60, H & E Gas Pantry v. IEPA, by a vote of 7-0. (CAM)

A provisional variance was granted in #95-61, Petro Plus, Inc. v. IEPA, by a vote of 7-0. (CAM)

Because petitions for review were received, these Administrative Citations will be set for hearing: ##95-6, IEPA v. A-Reliable Auto Parts & Wreckers, Inc., a/k/a Scrap Processors; 95-7, Sangamon County v. Hart of Illinois, Inc..

These Administrative Citations were accepted by the Board: ##95-15, People of the County of Will v. CDT Landfill; 95-16, IEPA v. John Sharp, d/b/a John's Auto Salvage; 95-17, Sangamon County v. The Illinois National Bank of Springfield, n/k/a First of America Trust Company, as Trustee under the provisions of a Trust Agreement dated January 19, 1990, and known as Trust Number 894-6418-002; and Ray Landers.

An Order granting the Petitioner's motion to withdraw, was adopted in #94-54, Central Illinois Public Service Company v. IEPA, by a vote of 7-0. (RCF)

An Order granting the Petitioner's motion to withdraw, was adopted in #94-57, Central Illinois Public Service Company v. IEPA, by a vote of 7-0. (ED)

An Order granting the motion for an extension of the stay until April 18, 1995, was adopted in #94-125, by a vote of 7-0. (ED)

An Order granting the Petitioner's motion for voluntary dismissal, was adopted in #94-230, Bargain Auto Rental, Inc./Budget Rental Car v. Office of the State Fire Marshal, by a vote of 7-0. (JY)

An Order granting the Agency's motion for an extension of time until February 28, 1995 to file the Agency's record, was adopted in #94-382, Gunite Corporation v. IEPA, by a vote of 7-0. (JY)

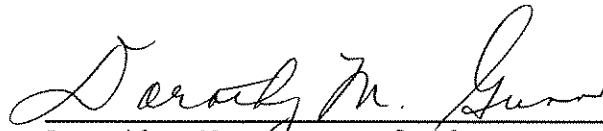
An Agency motion for an extension of time in which to file the Agency's record in #95-44, General Business Forms, Inc. v. IEPA, will be taken with the case-in-chief.

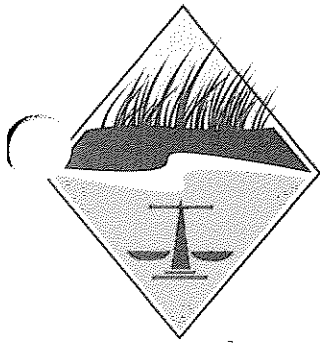
An Order consolidating and accepting the matters for hearing, was adopted in ##95-57, -58, Forrest Williams, d/b/a Williams Mobil v. IEPA, by a vote of 7-0.

An Order accepted the matter for hearing was adopted in #95-62, D & L Landfill, Inc. v. IEPA, by a vote of 7-0.

All other matters not disposed of as listed were ordered held.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Minutes were approved this 2nd day of March, 1995, by a vote of 5-0.


 Dorothy M. Gunn, Clerk
 Illinois Pollution Control Board



ILLINOIS POLLUTION CONTROL BOARD

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ILLINOIS POLLUTION CONTROL BOARD FINAL AGENDA FEBRUARY 23, 1995 CHICAGO, ILLINOIS CONFERENCE ROOM 11-512 11:00 A.M.

GOVERNOR
Honorable Jim Edgar

CHAIRMAN
Claire A. Manning
Springfield

MEMBERS
Emmett E. Dunham II
Elmhurst

Ronald C. Fiemal
DeKalb

G. Tanner Girard
Grafton

Marli McFawn
Palatine

J. Theodore Meyer
Chicago

Joseph C. Yi
Park Ridge

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110 South State
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815-753-1904
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I. ADMINISTRATIVE MATTERS

Roll Call

II. REGULATORY ACTIONS

R94-31 15% ROP Plan Control Measures for VOM Emissions Part V - Proposed Rule, Second Notice, Opinion and Order (McF)

R95-6 RCRA Subtitle C Update, USEPA Regulations (July 1, 1994 through December 31, 1994) - Proposal for Public Comment, Proposed Opinion and Order (ED)

R95-10 Emergency Rule Amending 7.2 psi Reid Vapor Pressure Requirement in the Metro-East Area, 35 Ill. Adm. Code 219.585(a) - Adopted Emergency Rule, Final Order, Opinion and Order (CAM)

III. ADJUDICATORY ACTIONS

Stipulated Settlements in State Enforcement Cases

93-160 People of the State of Illinois v. Naperville Asphalt, Inc. (Stipulation)(McF)

Stipulated Settlements in State Enforcement Cases (Cont'd)

94-392 People of the State of Illinois v. Burkart Foam, Inc. (Stipulation)

Provisional Variances

95-59 Truckstops of America, Inc. v. IEPA (CAM)

95-60 H & E Gas Pantry v. IEPA (CAM)

95-61 Petro Plus, Inc. v. IEPA (CAM)

Other Motions

94-278 Reichhold Chemicals, Inc. v. IEPA - Agency Motion to Consolidate (2/6), Petitioner's Request for an Extension of Time to File Response to Agency Motion to Consolidate (2/10), Petitioner's Response to the Agency's Motion to Consolidate (2/14)(CAM)

IV. PROCESS ORDERS

AC 95-6 IEPA v. A-Reliable Auto Parts & Wreckers, Inc., a/k/a Scrap Processors (Accept for Hearing - No Order)

AC 95-7 Sangamon County v. Hart of Illinois, Inc. (Accept for Hearing - No Order)

AC 95-15 People of the County of Will v. CDT Landfill (Accept Case - No Order)

AC 95-16 IEPA v. John Sharp , d/b/a John's Auto Salvage (Accept Case - No Order)

PROCESS ORDERS (Cont'd)

AC 95-17 Sangamon County v. The Illinois National Bank of Springfield, n/k/a First of America Trust Company, as Trustee under the provisions of a Trust Agreement dated January 19, 1990, and known as Trust Number 894-6418-002; and Ray Landers (Accept Case - No Order)

94-54 Central Illinois Public Service Company v. IEPA - Petitioner's Motion to Withdraw (2/17)(RCF)

94-57 Central Illinois Public Service Company v. IEPA - Petitioner's Motion to Withdraw (2/17)(ED)

94-125 People of the State of Illinois v. Beloit Corporation and All Sttes Asbestos Professionals - Complainant's Joint Status Report in Response to January 11, 1995 Board Order and Motion for Extension of Stay (2/17)(ED)

94-230 Bargain Auto Rental, Inc./Budget Rental Car v. Office of the State Fire Marshal - Petitioner's Motion for Voluntary Dismissal (2/15)(JCY)

94-382 Gunite Corporation v. IEPA - Agency Motion for Extension of Time to Answer (2/21)(JCY)

95-44 General Business Forms, Inc. v. IEPA - Agency Motion for Extension of Time in which to File Agency Record (2/14)(McF)

95-56 Rodney B. Nelson, M.D. v. Kane County Board, Warren Kammerer, Chairman (Hold for Duplicitous/Frivolous Determination - No Order)

95-57) Forrest Williams, d/b/a Williams Mobil v. IEPA (Consolidate and Set for Hearing Order)
95-58)

PROCESS ORDERS (Cont'd)

95-62 D & L Landfill, Inc. v. IEPA (Accept for Hearing Order)

V. ADJOURNMENT

LIST OF NEW CASES FILED SINCE FEBRUARY 16, 1995 BOARD MEETING

- AC 95-15 People of the County of Will v. CDT Landfill
- AC 95-16 IEPA v. John Sharp, d/b/a John's Auto Salvage
- AC 95-17 Sangamon County v. The Illinois National Bank of Springfield, n/k/a First of America trust Company, as Trustee under the provisions of a Trust Agreement dated January 19, 1990, and known as Trust Number 894-6418-002; and Ray Landers
- 95-56 Rodney B. Nelson, M.D. v. Kane County Board, Warren Kammerer, Chairman
- 95-57 Forrest Williams, d/b/a Williams Mobil v. IEPA
- 95-58 Forrest Williams, d/b/a Williams Mobil v. IEPA
- 95-59 Truckstops of America, Inc. v. IEPA
- 95-60 H & E Gas Pantry v. IEPA
- 95-61 Petro Plus, Inc. v. IEPA
- 95-62 D & L Landfill, Inc. v. IEPA

REGULAR BOARD MEETING SCHEDULE

March 16	April 20
May 18	June 15