

ILLINOIS POLLUTION CONTROL BOARD

**MINUTES OF BOARD MEETING
MARCH 9, 1995 CHICAGO, ILLINOIS**

After calling the meeting to order, Board Member J. Theodore Meyer asked the Clerk for a roll call and all Board Members answered present except Chairman Claire A. Manning and Board Members R.C. Flemal and G. Tanner Girard, who were absent.

An Order granting the Agency's motion to modify a December 16, 1994 Order, was adopted in #94-384, The Amoco Oil Company and The City of Wood River v. IEPA, by a vote of 4-0. (MCF)

A provisional variance was granted in #95-79, Phillips 66 v. IEPA, by a vote of 4-0. (MCF)

A provisional variance was granted in #95-80, Alden Quick Mart v. IEPA, by a vote of 4-0. (MCF)

A provisional variance was granted in #95-81, Leo's Union 76 v. IEPA, by a vote of 4-0. (MCF)

A provisional variance was granted in #95-82, Go For It v. IEPA, by a vote of 4-0. (MCF)

A provisional variance was granted in #95-83, Berkley Auto Service v. IEPA, by a vote of 4-0. (MCF)

A provisional variance was granted in #95-84, Denny's Standard Service v. IEPA, by a vote of 4-0. (MCF)

A provisional variance was granted in #95-85, Pettice Auto Electric v. IEPA, by a vote of 4-0. (MCF)

A provisional variance was granted in #95-86, Shell Oil Company v. IEPA, by a vote of 4-0. (MCF)

ADDENDUM

A provisional variance was granted in #95-87, The UNO-VEN Company v. IEPA, by a vote of 4-0. (MCF)

BACK TO REGULAR AGENDA

Because a petition for review was received, this Administrative Citation was accepted for hearing: #95-11, IEPA v. Gordon McCann and Larson Foundation.

These Administrative Citations were accepted by the Board:
##95-18, Sangamon County v. ESG Watts, Inc.; 95-19, People of the County of Will v. CDT Landfill.

An Order granting the Petitioner and the Agency joint petitioner status in the matter, and accepting the amended proposed language for adjusted standard, was adopted in #AS 94-2, Petition of the Solar Corporation for an adjusted standard from 35 Ill. Adm. Code 218 Subpart PP, by a vote of 4-0. (McF)

An amended petition filed in #AS 94-3, Petition of Outboard Marine Corporation for an Adjusted Standard from 35 Ill. Adm. Code 218.980, was accepted by the Board.

Amended petition #AS 94-18, Petition of Central Can Company for an Adjusted Standard from 35 Ill. Adm. Code Part 218, was accepted by the Board and authorized for hearing.

ADDENDUM

An Order requesting additional information was adopted in #AS 95-1, Petition of Tommy House Tire for an Adjusted Standard from 35 Ill. Adm. Code 848.202, by a vote of 4-0. (McF)

BACK TO REGULAR AGENDA

An Order accepting the Petitioner's status report in response to the Board's December 14, 1994 Board Order, and directing all future status reports to be filed at the discretion of the Hearing Officer, was adopted in #92-99, A.B. Dick Company v. IEPA, by a vote of 4-0. (McF)

An Order accepting the joint status report and directing the filing of a new joint status report on or before April 3, 1995, was adopted in #93-172, Inspiration Development Company v. IEPA, by a vote of 4-0. (JTM)

An Order requesting additional information was adopted in #94-279, Inspiration Development Company v. IEPA, by a vote of 4-0. (JTM)

An Order granting the Agency's motion for an extension of time until June 19, 1995 to file the Agency recommendation, was adopted in #94-287, Indian Refining Limited Partnership v. IEPA, by a vote of 4-0. (McF)

An Order accepting the matter for hearing was adopted in #94-371, City of Elgin v. IEPA, by a vote of 4-0. (JY)

An Order granting the Agency's motion to file the record instanter was adopted in ##95-43, -48, Kathe's Auto Service Center v. IEPA, by a vote of 4-0. (JY)

An Order requesting additional information was adopted in #95-63, union Oil Company of California, d/b/a Unocal Corporation v. IEPA, by a vote of 4-0. (JY)

An Order consolidating and accepting the matters for hearing was adopted in ##95-41, -74, Kalo Gasoline Company v. IEPA, by a vote of 4-0.

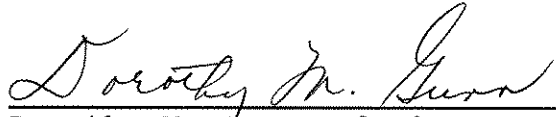
An Order consolidating and accepting the matters for hearing was adopted in ##95-75, -76, Medical Disposal Services, Inc. v. IEPA, by a vote of 4-0.

An Order accepting the matter for hearing and requesting additional information, was adopted in #95-77, Keith Tiberend v. Waste Management of Illinois, Inc., by a vote of 4-0.

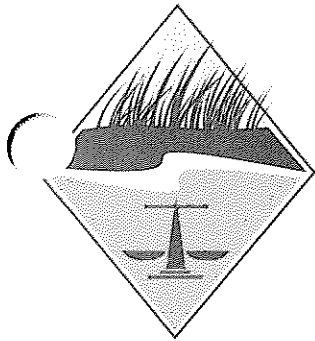
An Order accepting the matter for hearing was adopted in #95-78, Vogue Tyre & Rubber Company v. Office of the State Fire Marshal, by a vote of 4-0.

There being no further business, the meeting was adjourned at 11:35 a.m..

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Minutes were approved this 6th day of April, 1995, by a vote of 4-0.



 Dorothy M. Gunn, Clerk
 Illinois Pollution Control Board



ILLINOIS POLLUTION CONTROL BOARD

James R. Thompson Center ♦ Suite 11-500 ♦ 100 West Randolph Street ♦ Chicago, Illinois 60601
312-814-3620 ♦ Fax 312-814-3669

GOVERNOR
Honorable Jim Edgar



CHAIRMAN
Claire A. Manning
Springfield

MEMBERS
Emmett E. Dunham II
Elmhurst

Ronald C. Fiemal
DeKalb

G. Tanner Girard
Grafton

Marilyn McFawn
Palatine

J. Theodore Meyer
Chicago

Joseph C. Yi
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**ILLINOIS POLLUTION CONTROL BOARD
FINAL AGENDA
MARCH 9, 1995 CHICAGO, ILLINOIS
CONFERENCE ROOM 11-512
11:00 A.M.**

ADDENDUM

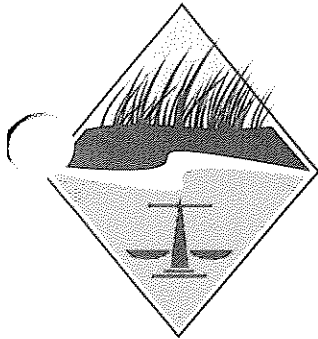
PROVISIONAL VARIANCE:

95-87 The UNO-VEN Company v. IEPA (McF)

PROCESS ORDER:

AS 95-1 Petition of Tommy House Tire for an
Adjusted Standard from 35 Ill. Adm.
Code 848.202 (More Information
Order) (McF)





ILLINOIS POLLUTION CONTROL BOARD

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312-814-3620 ♦ Fax 312-814-3669

ILLINOIS POLLUTION CONTROL BOARD FINAL AGENDA MARCH 9, 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. Flemal
DeKalb

G. Tanner Girard
Grafton

Marili McFawn
Palatine

J. Theodore Meyer
Chicago

Joseph C. Yi
Park Ridge

I. ADMINISTRATIVE MATTERS

Roll Call

Minutes

March 2, 1995

II. ADJUDICATORY ACTIONS

Provisional Variances

94-384 The Amoco Oil Company and The City of Wood River v. IEPA - Agency Motion to Modify December 16, 1994 Order (3/8)(McF)

95-79 Phillips 66 v. IEPA (McF)

95-80 Alden Quick Mart v. IEPA (McF)

95-81 Leo's Union 76 v. IEPA (McF)

95-82 Go For It v. IEPA (McF)

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Provisional Variances (Cont'd)

95-83 Berkley Auto Service v. IEPA (McF)

95-84 Denny's Standard Service v. IEPA (McF)

95-85 Pettice Auto Electric v. IEPA (McF)

95-86 Shell Oil Company v. IEPA (McF)

III. PROCESS ORDERS

AC 94-28) Sangamon County v. ESG Watts, Inc. - Notice of Withdrawal of
AC 94-29) Appearance (also for AC ##94-48, 49, 50, 51, 52, 58, 59, 60, 61, 81,
82, 90, 91, and 95 (3/2)(McF)

AC 95-11 IEPA v. Gordon McCann and Larson Foundation (Accept for Hearing -
No Order)

AC 95-18 Sangamon County v. ESG Watts, Inc. (Accept Case - No Order)

AC 95-19 People of the County of Will v. CDT Landfill (Accept Case - No
Order)

AS 94-2 Petition of Solar Corporation for an Adjusted Standard from 35 Ill.
Adm. Code 218 Subpart PP - Petitioner's Motion to Modify Proposed
Adjusted Standard Language (2/17), Agency Motion for Extension of
Time (2/22), Motion for Co-Petitioner Status (2/28)(McF)

PROCESS ORDERS (Cont'd)

- AS 94-3 Petition of Outboard Marine Corporation for an Adjusted Standard from 35 Ill. Adm. Code 218.980 (Accept Amended Petition - No Order)(McF)
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- AS 94-18 Petition of Central Can Company for an Adjusted Standard from 35 Ill. Adm. Code Part 218 (Accept Amended Petition - No Order)(McF)
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- AS 95-2 Joint Petition of the Illinois Environmental Protection Agency and the City of Metropolis for an Adjusted Standard from Suspended Solids, BOD, and Ammonia Nitrogen Regulations 35 Ill. Adm. Code Part 304 - Petitioner's Certification of Publication (2/24)(JY)
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- 92-99 A.B. Dick Company - Petitioner's Status Report in Response to December 14, 1994 Board Order (2/27)(CAM)
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- 93-137 Safety-Kleen Corporation v. IEPA - Petitioner's Status Report in Response to January 11, 1995 Board Order (3/1)(ED)
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- 93-172 Inspiration Development Company v. IEPA - Joint Status Report in Response to Hearing Officer Order (3/1)(RCF)
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- 93-228 Safety-Kleen Corporation v. IEPA - Petitioner's Status Report in Response to January 11, 1995 Board Order (3/2)(RCF)
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- 94-279 Inspiration Development Company v. IEPA (Request for Additional Information Order)(RCF)
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- 94-287 Indian Refining Limited Partnership v. IEPA - Agency Motion to Extend Time to File Agency Recommendation (2/22)(McF)
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PROCESS ORDERS (Cont'd)

94-371 City of Elgin v. IEPA - Petitioner's Supplemental Petition in Response to January 11, 1995 Board Order (3/3)(JY)

95-43) Kathe's Auto Service Center - Agency Record and Agency Motion to
95-48) File Record Instanter (3/1)(JY)

95-63 Union Oil Company of California d/b/a Unocal Corporation v. IEPA
(More Information Order)(JY)

95-41) Kalo Gasoline Company v. IEPA (Consolidation and Accept for
95-74) Hearing Order)

95-75) Medical Disposal Services, Inc. v. IEPA (Consolidation and Accept
95-76) for Hearing Order)

95-77 Keith Tiberend v. Waste Management of Illinois, Inc. and Village of
Marissa (Accept for Hearing - More Information Order)

95-78 Vogue Tyre & Rubber Company v. Office of the State Fire Marshal
(Accept for Hearing Order)

IV. ADJOURNMENT

LIST OF NEW CASES FILED SINCE MARCH 2, 1995 BOARD MEETING

- AC 95-18 Sangamon County v. ESG Watts, Inc.
- AC 95-19 People of the County of Will v. CDT Landfill
- 95-74 Kalo Gasoline Company v. IEPA
- 95-75 Medical Disposal Services, Inc. v. IEPA
- 95-76 Medical Disposal Services, Inc. v. IEPA
- 95-77 Keith Tiberend v. Waste Management of Illinois, Inc. and Village of Marissa
- 95-78 Vogue Tyre & Rubber Company v. Office of the State Fire Marshal
- 95-79 Phillips 66 v. IEPA
- 95-80 Alden Quick Mart v. IEPA
- 95-81 Leo's Union 76 v. IEPA
- 95-82 Go For It v. IEPA
- 95-83 Berkley Auto Service v. IEPA
- 95-84 Denny's Standard Service v. IEPA
- 95-85 Pettice Auto Electric v. IEPA
- 95-86 Shell Oil Company v. IEPA

REGULAR BOARD MEETING SCHEDULE

March 16

April 20

May 18

June 15