

**ILLINOIS POLLUTION CONTROL BOARD**

**MINUTES OF PROCESS MEETING  
JUNE 29, 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 for Chairman Claire Manning and Messrs. R.C. Flemal and G. Tanner Girard who were absent.

An Order granting the petitioner's motion for stay, directing the petitioner to file a status report on or before September 27, 1995, which shall include a synopsis of the activity in the matter, and advising the petitioner that failure to file the status report in a timely manner will subject the petition to dismissal for want of prosecution, was adopted in #AS 94-6, Petition of Hydrosol, Inc. for an Adjusted Standard from 35 Ill. Adm. Code 218 Subpart DD, by a vote of 4-0. (JTM)

Because a petition for review was received, this Administrative Citation will be set for hearing: #95-35, IEPA v. The Rock Island Bank as Trustee of Land Trust No. 2113.

An Order granting the petitioner's motion for an expedited decision consistent with the Board's time and resources, was adopted in #95-108, Village of Lake in the Hills v. IEPA, by a vote of 4-0. (JTM)

An Order granting the Agency's motion to file the Record instant, was adopted in #95-112, John C. Justice, d/b/a Microcosm v. IEPA, by a vote of 4-0. (McF)

An Order granting the Agency's motion for an extension of time until October 1, 1995 to file the Agency's recommendation, staying the proceedings until September 1, 1995, and directing that all future status reports, requests for stay or for an extension of time to file the recommendation be filed with the assigned hearing officer, was adopted in #95-157, Riverside Laboratories v. IEPA, by a vote of 4-0. (ED)

An Order accepting the matter for hearing due to the filing of an objection by Richard J. Doyle, was adopted in #95-162, Illinois Landfill, Inc. v. IEPA, by a vote of 4-0. (JTM)

An Order directing the Clerk of the Board to cause publication of the required newspaper notice of the parties agreed motion to request relief from hearing requirement, was adopted in #95-181, People of the State of Illinois v. Kropp Forge, by a vote of 4-0.

An Order accepting the petitioner's status report in response to a January 11, 1995 Board order and directing that all future extensions of the stay and status reports be filed at the

discretion of the assigned hearing officer, was adopted in #91-219, General Motors Corporation, Powertrain Division v. IEPA, by a vote of 4-0. (McF)

An Order accepting the petitioner's status report in response to a February 9, 1995 Board Order, granting the petitioner's request for an extension of the stay until September 19, 1995, directing the parties to file updated status reports on or before September 19, 1995, and directing that all future status reports and requests for stay to be directed to the assigned hearing office in the matter, was adopted in #93-99, -94-333, LTV Steel Company v. IEPA, by a vote of 4-0. (ED)

An Order accepting the matter for hearing was adopted in #95-182, Carl and Edna Bell, d/b/a C & E Recycling and Resource Recovery v. IEPA, by a vote of 4-0.

A provisional variance was granted in #95-183, Commonwealth Edison Company (Fisk, Crawford, Will County and Joliet Generating Stations) v. IEPA, by a vote of 4-0. (McF)

A provisional variance was granted in #95-184, City of Georgetown v. IEPA, by a vote of 4-0. (McF)

#### ADDENDUM

A provisional variance was granted in #95-185, Indian Refining Limited Partnership v. IEPA, by a vote of 4-0. (McF)

A provisional variance was granted in #95-186, A.E. Staley Manufacturing v. IEPA, by a vote of 4-0. (McF)

An Order extending the 35-day appeal period for petitioning for a hearing, reserving the docket for any appeal which may be filed by the petitioner, noting that in the event the petitioner fails to file an appeal on or before September 25, 1995, the Board will dismiss the docket as unnecessary, and advising the petitioner that a \$75.00 filing fee will be required at such time the petitioner files its petition, was adopted in #95-187, Liquid Carbonic Industries Corporation v. IEPA, by a vote of 4-0. (McF)

#### AGENDA

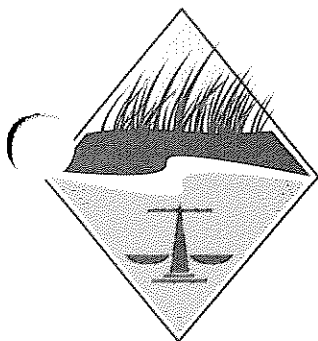
Board Member M. McFawn moved to reconsider #PCB 95-180, People of the State of Illinois v. Archer Daniels Midland Company, and upon reconsideration, an Order directing the Clerk of the Board to cause publication of the required newspaper notice of the parties agreed motion to request relief from hearing requirement, was adopted by a vote of 4-0.

All other matters not disposed of as listed were held.

There being no further business, the meeting was adjourned at 11:30 a.m..

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Minutes were approved this 7<sup>th</sup> day of July, 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

**PROCESS MEETING AGENDA  
JUNE 29, 1995 CHICAGO, ILLINOIS  
CONFERENCE ROOM 11-512  
11:00 A.M.**

CHAIRMAN  
Claire A. Manning  
Springfield

**ADDENDUM**

MEMBERS  
Emmett E. Dunham II  
Elmhurst

Ronald C. Flenal  
DeKalb

G. Tanner Girard  
Grafton

Marili McFawn  
Palatine

J. Theodore Meyer  
Chicago

Joseph C. Yi  
Park Ridge

**CASES TO BE SET FOR HEARING AND OTHER CASE PROCESSING  
ORDERS OR MATTERS**

95-185      Indian Refining Limited Partnership v. IEPA - Provisional  
Variance (CAM)

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95-186      A.E. Staley Manufacturing v. IEPA - Provisional Variance (CAM)

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95-187      Liquid Carbonic v. IEPA - 90-Day Extension Order (CAM)

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**SPRINGFIELD OFFICE**

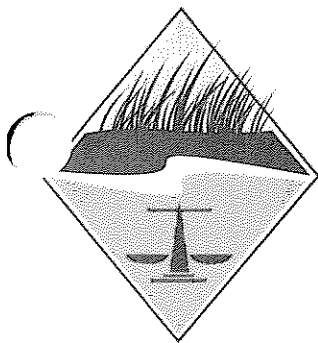
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## PROCESS MEETING AGENDA JUNE 29, 1995 CHICAGO, ILLINOIS CONFERENCE ROOM 11-512 11:00 A.M.

### Announcements

*This meeting of the Board is called for the sole purpose of expeditiously dealing with "Process" items administratively pending before the Board, as well as any provisional variances recently filed by the IEPA. Substantive matters and motions currently before the Board will be dealt with at the next regularly scheduled Board meeting which is July 6, 1995 in Conference Room 9-040. The public is welcome to this process meeting, but only the members of the Board and any staff recognized by the Chairman are allowed to speak. Thank you for your interest.*

### Roll Call

## REGULATIONS AND ADJUSTED STANDARDS

AS 94-6      Petition of Hydrosol, Inc. for an Adjusted Standard from 35 Ill. Adm. Code 218 Subpart DD - Petitioner's Request for Extension of Stay (6/20)(JTM)

AS 94-20      Petition of the Galesburg Sanitary District, Galesburg, Illinois, for an Adjusted Standard from 35 Ill. Adm. Code 304.105 (Ammonia Nitrogen) - Agency's Motion to Dismiss Petitioner's Amended Petition (6/16), Petitioner's Response to Motion to Dismiss (6/20)(JY)

## REGULATIONS AND ADJUSTED STANDARDS (Cont'd)

AS 95-8      Petition of Illinois Department of Transportation, District 8 for an Adjusted Standard from 35 Ill. Adm. Code 304.124 - (See also Petitioner's Motion for Incorporation by Reference filed 6/16) Hold for Certificate of Publication - No Order (GTG)

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## ADMINISTRATIVE CITATIONS

AC 95-35      IEPA v. The Rock Island Bank as Trustee of Land Trust No. 2113 - Accept for Hearing - No Order

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## MOTIONS

95-91      People of the State of Illinois v. Bell Sports, Inc., Waste Hauling Landfill, Inc. and Waste Hauling, Inc. - Respondents Waste Hauling Landfill, Inc. and Waste Hauling, Inc.'s Motion to Dismiss (6/15), Complainant's Response to Respondents' Motion to Dismiss (6/23) (CAM)

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95-108      Village of Lake in the Hills v. IEPA - Petitioner's Motion for Expedited Decision (6/22)(JTM)

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95-112      John C. Justice, d/b/a Microcosm v. IEPA - Agency Motion to File Administrative Record Instantly (6/27)(CAM)

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95-156      Harris Marcus Group, Inc. v. IEPA - Agency Objection to Waiver of Decision Deadline (6/20)(GTG)

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95-157      Riverside Laboratories v. IEPA - Agency Motion for Extension of Time to File Agency Recommendation (6/26)(ED)

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## **MOTIONS (Cont'd)**

- 95-158      People of the State of Illinois v. City of Herrin - Respondent's Motion for Leave to File Pleadings (6/21), Complainant's Objection to Respondent's Motion for Leave to File Pleadings and Complainant's Response to Respondent's Motion Attacking Jurisdiction (6/27)(RCF)
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- 95-162      Illinois Landfill, Inc. v. IEPA - Objection and Request for Hearing filed by Richard J. Doyle (6/23)(GTG)
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- 95-180      People of the State of Illinois v. Archer Daniels Midland Company - Agreed Motion to Request Relief from Hearing Requirement (6/22)
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- 95-181      People of the State of Illinois v. Kropp Forge - Agreed Motion to Request Relief from Hearing Requirement (6/23)
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## **CASES TO BE SET FOR HEARING AND OTHER CASE PROCESSING ORDERS OR MATTERS**

- 91-219      General Motors Corporation, Powertrain Division v. IEPA - Petitioner's Status Report in Response to January 11, 1995 Board Order (6/7)(CAM)
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- 93-99)  
94-333)      LTV Steel Company v. IEPA - Petitioner's Status Report in Response to February 9, 1995 Board Order and Request for Extension of Stay (6/19)(ED)
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- 95-51      Don Carson Steinheimer and Ray Darrow Steinheimer as Co-Executors of the Estate of Irene D. Steinheimer, deceased v. GTE North, Inc. - Proceed to Hearing Order (RCF)
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- 95-173      Chicago-Dubuque Foundry Corporation v. City of East Dubuque - Hold for Duplicitous\Frivolous Determination (GTG)
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**CASES TO BE SET FOR HEARING AND OTHER CASE PROCESSING  
ORDERS OR MATTERS (Cont'd)**

95-182      Carl and Edna Bell, d/b/a C & E Recycling and Resource Recovery v.  
IEPA - Accept for Hearing Order

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95-183      Commonwealth Edison Company, Fisk Crawford, Will County and  
Joliet Generating Stations v. IEPA - Provisional Variance (CAM)

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95-184      City of Georgetown v. IEPA - Provisional Variance (CAM)

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**ADJOURNMENT**



### **LIST OF NEW CASES FILED SINCE JUNE 22, 1995 BOARD MEETING**

95-180	People of the State of Illinois v. Archer Daniels Midland Company
95-181	People of the State of Illinois . Kropp Forge
95-182	Carl and Edna Bell, d/b/a C & E Recycling and Resource Recovery v. IEPA
95-183	Commonwealth Edison Company, Fisk, Crawford, Will County and Joliet Generating Stations v. IEPA
95-184	City of Georgetown v. IEPA

### **REGULAR BOARD MEETING SCHEDULE**

<b>July 7</b>	<b>October 5</b>
<b>July 20</b>	<b>October 19</b>
<b>August 3</b>	<b>November 2</b>
<b>August 17</b>	<b>November 16</b>
<b>September 7</b>	<b>December 7</b>
<b>September 21</b>	<b>December 21</b>