

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING SEPTEMBER 21, 1995 CHICAGO, ILLINOIS

After calling the meeting to order, Chairman Manning welcomed members of the public and staff, and introduced and welcomed Patricia Szott, who has joined the Board's staff and will serve as secretary to Board Member, Emmett Dunham, and attorney assistant, Diane O'Neil. Thereafter, the Clerk was asked for a roll call and all Board Members answered present.

In R95-9, Amendments to 35 Ill. Adm. Code 810.103 (Solid Waste Disposal General Provision) Concerning On-Farm Disposal of Dead Animals, an Adopted Rule, Final Order, Opinion and Order was adopted by a vote of 7-0. (RCF)

In R96-1, Proposed Alternative Standards for New Utility Waste Landfills, 35 Ill. Adm. Code Part 816, a Proposed Rule, First Notice, Opinion and Order was adopted by a vote of 6-1. J. Theodore Meyer dissented. (JY)

On September 7, 1995, the Board adopted a Proposed Rule, First Notice, Opinion and Order pursuant to Section 28.5, in R96-2, 15% ROP Plan: Clean-Up Part I - Amendments to 35 Ill. Adm. Code 219.585(a) and 219.Appendix E. Board Member R.C. Flemal's move to reconsider and vacate, seconded by Member E. Dunham, carried by a vote of 7-0. A Proposed Rule, First Notice, Opinion and Order pursuant to Section 27, was then adopted in R96-2, 15% ROP Plan: Clean-Up Part I - Amendments to 35 Ill. Adm. Code 219.585(a) and 219.Appendix E, by a vote of 6-1. J. Theodore Meyer dissented. (RCF)

An Order granting the petitioner's motion to waive the 200 signature requirement and accepting the matter for hearing, was adopted in R96-3, Revision of the Waste Disposal Rules: Amendment to 35 Ill. Adm. Code 814.902, by a vote of 7-0. (CAM)

An Opinion and Order was adopted in #AS 91-8, Joint Petition of Reynolds Metals Company and the IEPA for an Adjusted Standard from 35 Ill. Adm. Code 218.980, by a vote of 7-0. (CAM)

An Order granting the Agency's motion for an extension of time until October 16, 1995, in which to file the Agency recommendation, was adopted in #AS 95-6, Petition of National Metalwares, Inc. for an Adjusted Standard from 35 Ill. Adm. Code 218.204(g), by a vote of 7-0. (JY)

An Order accepting the matter for hearing was adopted in #AS 96-2, Petition of Western Lion Limited for an Adjusted Standard from 35 Ill. Adm. Code 814, Subpart C, by a vote of 7-0. (RCF)

An Opinion and Order accepting the Stipulation and Proposal for Settlement in the amount of \$500.00, was adopted in #94-74, People of the State of Illinois v. Glen Fearneyhough, d/b/a Beardstown Lumber & Ready Mix, by a vote of 7-0. (McF)

An Opinion and Order was adopted in #94-202, People of the State of Illinois v. Summit Environmental Services, Inc., by a vote of 7-0. (McF)

An Opinion and order was adopted in #94-297, J.M. Sweeney Company v. IEPA, by a vote of 7-0. (GTG)

An Opinion and Order was adopted in #94-370, The Dow Chemical Company (Dow Joliet Site) v. IEPA, by a vote of 7-0. (McF)

Board Member J. Theodore Meyer presented a draft Opinion and Order in #95-137, Community Landfill Corporation v. IEPA. The draft Opinion and Order failed to carry by a vote of 2-5, with J. Theodore Meyer and E. Dunham for it, and R.C. Flemal, G. Tanner Girard, M. McFawn, C. Manning and J. Yi, against it. An alternative draft Opinion and Order by Board Member G. Tanner Girard, was then adopted by a vote of 6-1. J. Theodore Meyer dissented. (GTG)

An Opinion and Order was adopted in #95-152, City of Lockport v. IEPA, by a vote of 7-0. (JTM)

An Order accepting the joint stipulation of settlement, unless already paid, directing the Respondent to pay, within 30 days of the date of the entry of the order, a penalty in the amount of \$1,000.00, and closing the docket, was adopted in #AC 95-35, IEPA v. The Rock Island Bank, as Trustee of Land Trust No. 2113, by a vote of 7-0. (RCF)

Default Orders were adopted in these Administrative Citations by a vote of 7-0: ##96-7, IEPA v. Alice E. Guth; 96-8, County of Jackson v. Easton Automotive.

Because a petition for review was received by the Board, this Administrative Citation will be set for hearing: #96-10, County of Will v. CDT Landfill Corporation.

These Administrative Citations were accepted by the Board: ##96-12, IEPA v. RCS, Inc. and Michael Duvall; 96-13, IEPA v. Otho Tate.

ADDENDUM

These Administrative Citations were accepted by the Board: ##96-14, County of Will v. CDT Landfill; 96-15, County of Will v. CDT Landfill.

AGENDA

An Order granting the Agency's motion to file instanter its status report in response to an August 24, 1995 Board Order, accepting the status report, noting that the petitioner did not respond to the Board's August 24, 1995 Order directing the filing of a status report, and directing both parties to file a status report by November 1, 1995, was adopted in #93-73, J & M Plating, Inc. v. IEPA, by a vote of 7-0. J. Theodore Meyer concurred. (RCF)

An Order denying the complainants' motion for reconsideration of a July 7, 1995 Board Order, was adopted in #94-256, DoAll Company, DoAll Credit Corporation, and The Rams-Head Company v. Skokie Valley Asphalt Company, Inc. and Septran, Inc., by a vote of 6-1. Chairman C. Manning dissented. (McF)

An Order granting the Agency's motion to file the record instanter, was adopted in #95-100, C & S Recycling, Inc. v. IEPA, by a vote of 7-0. (RCF)

An Order granting the petitioners' motion to withdraw its emergency motion to for entry of default and sanctions, and granting the Agency's motion to file the record instanter, was adopted in #95-182, Carl and Edna Ball, d/b/a C & E Recycling and Resource Recovery v. IEPA, by a vote of 7-0. (GTG)

An Order granting the Petitioners' motion to withdraw its petition for variance, was adopted in #96-14, Carl and Edna Ball, d/b/a C & E Recycling and Resource Recovery v. IEPA, by a vote of 7-0. (GTG)

An Order granting the respondent, Hoopeston City Council's motion for an extension of time until November 1, 1995 to file the record, was adopted in #96-29, Larry Slates, Lonnie Seymour, James Klaber, Faye Mott and Hoopeston Community Memorial Hospital v. Illinois Landfills, Inc., and Hoopeston City Council, on behalf of the City of Hoopeston, by a vote of 7-0. (GTG)

An Agency motion to file the record instanter will be taken with the case-in-chief in #96-37, Denny's Phillips 66 v. IEPA.

An Order granting the Agency's motion for an extension of time until November 30, 1995, in which to file the Agency record, was adopted in #96-49, Archer Daniels Midland Company v. IEPA, by a vote of 7-0. (GTG)

An Order directing the Clerk of the Board to cause publication of the required newspaper notice of the parties request for relief from the hearing requirement, was adopted in #96-55, People of the State of Illinois v. Lafarge Corporation, by a vote of 7-0.

ADDENDUM

A provisional variance was granted in #96-66, Micro Switch - Plant 1 v. IEPA, by a vote of 7-0. (CAM)

An Order accepting the petitioner's amended petition filed under closed docket #PCB 95-108, Village of Lake in the Hills v. IEPA, as a new petition for variance under docket #PCB 96-67, Village of Lake in the Hills v. IEPA, directing the petitioner to submit the \$75.00 filing fee, advising the petitioner that submission of the filing fee will start the Board's decision timeclock in the matter, and that failure to submit the filing fee on or before November 6, 1995 will subject the petition to dismissal, was adopted in #95-108, - 96-67, Village of Lake in the Hills v. IEPA, by a vote of 7-0. (JTM)

An Opinion and Order was adopted in #94-377, Barbara L. Heiser (Heiser's Garage) v. Office of the State Fire Marshal, by a vote of 7-0. (McF)

AGENDA

An Order accepting the petitioner's status report in response to a June 15, 1995 Board Order, instructing the petitioner to inform the Board promptly of any changes in the current status of the proceedings, directing the petitioner to file an updated status report with the Board no later than November 6, 1995, was adopted in #92-102, Moline /Dutchway Dry Cleaners v. IEPA, by a vote of 7-0. (JTM)

An Order accepting the petitioner's status report in response to a March 16, 1995 Board Order, instructing the petitioner to inform the Board promptly of any changes in the current status of the proceedings, and directing the petitioner to file an additional status report with the Board on or before December 21, 1995, was adopted in #92-108, The OK Trucking Company v. IEPA, by a vote of 7-0. (ED)

An Order lifting the stay in the matter, denying the respondents' motion to dismiss and vacate the Board's March 16, 1995 Order, and directing that the matter be scheduled for hearing, was adopted in #95-73, Dennis Manarchy, Mary-Beth Manarchy, Chris Mandoline, and Beverly Kagy-Mandoline v. The Gotham Nightclub and JJJ Associates, Inc., by a vote of 7-0. (CAM)

An Order dismissing the docket as unnecessary since no appeal has been filed, was adopted in #95-164, General Motors Corporation v. IEPA, by a vote of 7-0. (CAM)

An Order accepting the matter for hearing, was adopted in #95-166, Henri Studio, Inc. v. IEPA, by a vote of 7-0.

An Order dismissing the docket as unnecessary since no appeal has been filed, was adopted in #95-167, Palos Kar Wash Professionals, Inc. v. IEPA, by a vote of 7-0. (CAM)

An Order dismissing the docket as unnecessary since no appeal has been filed, was adopted in #95-169, Glen Ellyn Storage Corporation v. IEPA, by a vote of 7-0. (CAM)

An Order dismissing the docket as unnecessary since no appeal has been filed, was adopted in #95-172, Compost Enterprises, Inc. v. IEPA, by a vote of 7-0. (CAM)

An Order granting the petitioner's motion for voluntary withdrawal, was adopted in #96-34, Prairie Recreational Developments, Inc. (Land & Lakes Company/Wheeling) v. IEPA, by a vote of 7-0. (CAM)

An Order extending the 35-day appeal period, reserving the docket for any appeal which may be filed by the petitioner, noting that in the event that the petitioner fails to file an appeal on or before December 7, 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 as the petitioner files a petition, was adopted in #96-52, Kean Brothers, Inc. v. IEPA, by a vote of 7-0. (CAM)

An Order extending the 35-day appeal period, reserving the docket for any appeal which may be filed by the petitioner, noting that in the event that the petitioner fails to file an appeal on or before December 3, 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 as the petitioner files a petition, was adopted in #96-54, National Supermarkets v. IEPA, by a vote of 7-0. (CAM)

An Order extending the 35-day appeal period, reserving the docket for any appeal which may be filed by the petitioner, noting that in the event that the petitioner fails to file an appeal on or before December 12, 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 as the petitioner files a petition, was adopted in #96-57, Coles County Landfill v. IEPA, by a vote of 7-0. (CAM)

An Order extending the 35-day appeal period, reserving the docket for any appeal which may be filed by the petitioner, noting that in the event that the petitioner fails to file an appeal on or before December 14, 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 as the petitioner files a petition, was adopted in #96-58, Effingham Tire Center v. IEPA, by a vote of 7-0. (CAM)

An Order accepting the matter for hearing, was adopted in #96-60, Concerned Citizens of Williamson County and Rev. Paul Crain and Rose Rowell, as Members of the Concerned Citizens of Williamson County et al. v. Bill Kibler Development Corporation, a/k/a Kibler Development Corporation and the Williamson County Board of Commissioners, by a vote of 7-0.

A mandatory hearing will be held in #96-61, People of the State of Illinois, and Gary W. Pack, State's Attorney of McHenry County v. Paul J. May & Sons, Inc. and Paul J. May, individually and as President of Paul J. May & Sons, Inc..

An Order accepting the matter for hearing, was adopted in #96-62, Sequa Corporation, Precoat Metals Division v. IEPA, by a vote of 7-0.

An Order extending the 35-day appeal period, reserving the docket for any appeal which may be filed by the petitioner, noting that in the event that the petitioner fails to file an appeal on or before December 14, 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 as the petitioner files a petition, was adopted in #96-64, City of Auburn v. IEPA, by a vote of 7-0.
(CAM)


This case was held for an Agency Recommendation: #96-65, City of Altamont, Illinois v. IEPA.

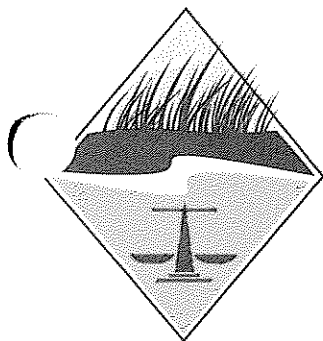
These cases were discussed and held for further discussion or decision: ##AS 91-13, Petition of the City of Rock Island for an Adjusted Standard from 35 Ill. Adm. Code 304; AS 94-19, Petition of Hepworth U.S. Holdings, Inc. for an Adjusted Standard from 35 Ill. Adm. Code 620.410; 95-174, Sierra Club, Madison County Conservation Alliance, Jim Bensman v. City of Wood River, Wood River Partners, L.L.C..

All other matters not disposed of as listed were held.

Motion to adjourn to an Executive Session by R.C. Flemal, seconded by G. Tanner Girard carried, and the meeting will resume in the Chairman's office at 1:00 p.m..

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Minutes were approved this 5th day of October, 1995, by a vote of 7-0.


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

REGULAR MEETING AGENDA SEPTEMBER 21, 1995 CHICAGO, ILLINOIS CONFERENCE ROOM 9-040 10:30 A.M.

GOVERNOR
Honorable Jim Edgar



ADDENDUM

CHAIRMAN
Claire A. Manning
Springfield

ADMINISTRATIVE CITATIONS

MEMBERS
Emmett E. Dunham II
Einhurst

AC 96-14 County of Will v. CDT Landfill - Accept Case - No Order

Ronald C. Flemal
DeKalb

AC 96-15 County of Will v. CDT Landfill - Accept Case - No Order

G. Tanner Girard
Grafton

Marli McFawn
Palatine

MOTIONS

J. Theodore Meyer
Chicago

95-163 People of the State of Illinois v. Clark Refining & Marketing, Inc. - Respondent's Response to Complainant's Motion to Reconsider and Vacate September 7, 1995 Board Order (9/19)(ED)

Joseph C. Yi
Park Ridge

SPRINGFIELD OFFICE
600 South Second Street
Suite 402
Springfield, Illinois 62704
217-524-8500
Fax 217-524-8508

95-182 Carl and Edna Ball, d/b/a C & E Recycling and Resource Recovery v. IEPA - Coles County's Response to Petitioners' Motion to Join the County as a Party (9/19)(GTG)

SATELLITE OFFICES
110 South State
Jerseyville, Illinois 62052
618-498-9802
Fax 618-498-5934

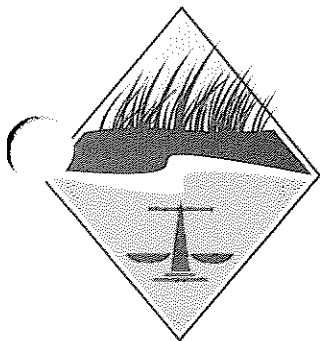
148 North Third Street
P.O. Box 505
DeKalb, Illinois 60115
815-753-1904
Fax 815-753-1970



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

96-66 Micro Switch - Plant 1 v. IEPA - Provisional Variance (CAM)

95-108 Village of Lake in the Hills v. IEPA - Board Order (JTM)
96-67



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GOVERNOR
Honorable Jim Edgar

CHAIRMAN
Claire A. Manning
Springfield

MEMBERS
Emmett E. Dunham II
Eimhurst

Ronald C. Flemal
DeKalb

G. Tanner Girard
Grafton

Marli McFawn
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AGENDA SEPTEMBER 21, 1995 CHICAGO, ILLINOIS CONFERENCE ROOM 9-040 10:30 A.M.

Announcements

The Pollution Control Board welcomes the public to this open meeting. During the meeting itself, only the Board members or staff that are recognized by the Chairman are allowed to speak. If you have any questions about anything that occurred at the meeting, please feel free, after the meeting, to direct your questions to any one of the many staff members in attendance.

Appearance of an item on the agenda does not guarantee that the Board will take action on that item, since the Board may decide to hold the item over for additional review and action at a later meeting. Dates of future meetings of the Board appear on the last page of this agenda. Thank you for your interest.

Roll Call

Minutes

September 7, 1995

REGULATIONS AND ADJUSTED STANDARDS

R95-9

Amendments to 35 Ill. Adm. Code 810.103 (Solid Waste Disposal General Provision) Concerning On-Farm Disposal of Dead Animals - Adopted Rule, Final Order, Opinion and Order (RCF)

REGULATIONS AND ADJUSTED STANDARDS (Cont'd)

- R96-1 Proposed Standards for Conversion Systems' Poz-O-Tec Liners and Caps, and Poz-O-Tec Monofills, 35 Ill. Adm. Code Part 816 - Proposed Rule, First Notice, Opinion and Order (JY)
-
- R96-2 15% ROP Plan: Clean-Up Part I - Amendments to 35 Ill. Adm. Code 219.585(a) and 219.Appendix E - Proposed Rule, First Notice, Opinion and Order (RCF)
-
- R96-3 Revision of the Waste Disposal Rules: Amendment to 35 Ill. Adm. Code 814.902 - Petitioner's Motion to Waive 200-Signature Requirement (9/6)(CAM)
-
- AS 91-8 Joint Petition of Reynolds Metals Company and the IEPA for an Adjusted Standard from 35 Ill. Adm. Code 218.980 (CAM)
-
- AS 95-6 Petition of National Metalwares, Inc. for an Adjusted Standard from 35 Ill. Adm. Code 218.204(g) - Agency Motion for Extension of Time in Which to File Agency Recommendation (9/5)(JY)
-
- AS 96-2 Petition of Western Lion Limited for an Adjusted Standard from 35 Ill. Adm. Code 814, Subpart C - Set for Hearing Order (RCF)
-

DECISIONS

- 94-74 People of the State of Illinois v. Glen Fearneyhough, d/b/a Beardstown Lumber & Ready Mix - Stipulation (McF)
-
- 94-202 People of the State of Illinois v. Summit Environmental Services, Inc. (McF)
-

DECISIONS (Cont'd)

94-297	<u>J.M. Sweeney Company v. IEPA (GTG)(open waiver)</u>
94-370	<u>The Dow Chemical Company (Dow Joliet Site) v. IEPA (McF)(due)</u>
94-377	<u>Barbara L. Heiser (Heiser's Garage) v. Office of the State Fire Marshal (McF)</u>
95-137	<u>Community Landfill Corporation v. IEPA (JTM)(due)</u>
95-152	<u>City of Lockport v. IEPA (JTM)(due)</u>

ADMINISTRATIVE CITATIONS

AC 95-35	<u>IEPA v. the Rock Island Bank as Trustee of Land Trust No. 2113 - Joint Stipulation of Settlement and Dismissal of Petition for Review (9/13)(RCF)</u>
AC 95-50	<u>County of Will v. CDT Landfill Corporation - Motion to Reconsider August 24, 1995 Default Order (9/7)</u>
AC 96-7	<u>IEPA v. Alice E. Guth - Default Order</u>
AC 96-8	<u>County of Jackson v. Easton Automotive - Default Order</u>
AC 96-10	<u>County of Will v. CDT Landfill Corporation - Accept for Hearing - No Order</u>
AC 96-12	<u>IEPA v. RCS, Inc. and Michael Duvall - Accept Case - No Order</u>

ADMINISTRATIVE CITATIONS (Cont'd)

AC 96-13 IEPA v. Otho Tate - Accept Case - No Order

MOTIONS

93-73 J & M Plating, Inc. v. IEPA - Agency Motion to File Status Report
Instanter (9/7)(RCF)

94-238 Ragulo Gonzalez v. Office of the State Fire Marshal - Respondent's
Motion for Summary Judgment (8/16)(GTG)

94-256 DoAll Company, DoAll Credit Corporation, and The Rams-Head
Company v. Skokie Valley Asphalt Company, Inc. and Septran, Inc. -
Complainant DoAll Company's Motion for Reconsideration of July 7,
1995 Board Order and Memorandum in Support Thereof (8/10)(McF)

95-91 People of the State of Illinois v. Bell Sports, Inc., and Waste Hauling
Landfill, Inc. - Respondent Waste Hauling Landfill, Inc.'s Motion to
Dismiss Count V and Count VI of the Complaint (9/11), Respondent
Bell Sports' Motion to Dismiss the Counter-Claim of Respondents
Waste Hauling Landfill, Inc. and Waste Hauling, Inc. (9/18)(CAM)

95-100 C & S Recycling, Inc. v. IEPA - Agency Record and Agency Motion
to File Record Instanter (9/6), Agency Motion for Summary Judgment
(9/15)(RCF)

95-118 Jack Pease, d/b/a Glacier Lake Extraction v. IEPA - Petitioner's
Motion to Clarify Effective Date (7/21), Agency's Response to
Petitioner's Motion to Clarify Effective Date (7/27), Petitioner's Reply
in Support of Motion to Clarify (8/1), Agency's Motion for
Reconsideration (8/23), Petitioner's Response to Agency's Motion for
Reconsideration (8/30)(CAM)

MOTIONS (Cont'd)

- 95-155 General Business Forms, Inc. v. IEPA - Agency Motion for Extension of Time in Which to File Agency Record (9/13), Agency Motion for Expedited Hearing and Expedited Decision (9/14)(GTG)
-
- 95-156 Harris Marcus Group, Inc. v. IEPA - Agency Motion for Expedited Hearing and Expedited Board Decision (9/14)(GTG)
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- 95-163 People of the State of Illinois v. Clark Refining & Marketing, Inc. - Complainant's Motion to Reconsider and Vacate September 7, 1995 Board Order (9/13)(ED)
-
- 95-182 Carl and Edna Ball, d/b/a C & E Recycling and Resource Recovery v. IEPA - Petitioners' Emergency Motion for Entry of Default and Sanctions (8/31), Agency Administrative Record and Motion to File Record Instantly (9/8), Petitioners' Withdrawal of Emergency Motion for Entry of Default and Sanctions (9/7), Petitioners' Motion to Add the Coles County, Illinois Board as a Party to Permit Appeal (9/13)(GTG)
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- 96-14 Carl and Edna Ball, d/b/a C & E Recycling and Resource Recovery v. IEPA - Petitioners' Motion to Withdraw Petition for Variance (9/13)(GTG)
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- 96-29 Larry Slates, Lonnie Seymour, James Klaber, Faye Mott and Hoopeston Community Memorial Hospital v. Illinois Landfills, Inc., and Hoopeston City Council, on behalf of the City of Hoopeston - Respondent Hoopeston City Council's Motion for an Extension of time to Prepare the Record (9/14)(GTG)
-
- 96-37 Denny's Phillips 66 v. IEPA - Agency Motion to File Record Instantly (9/18)(McF)
-

MOTIONS (Cont'd)

96-46 The Galesburg Sanitary District v. IEPA - Agency Motion to Dismiss Petition for Variance and Motion for Extension of Time (9/7),
Petitioner's Response to Agency Motions (9/15)(JY)

96-49 Archer Daniels Midland Company v. IEPA - Agency Motion to Extend Time to File Agency Record (9/15)(GTG)

96-55 People of the State of Illinois v. Lafarge Corporation - Motion for Relief from Hearing Requirement (9/11)(CAM)

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

92-102 Moline/Dutchway Dry Cleaners v. IEPA - Petitioner's Status Report in Response to June 15, 1995 Board Order (9/18)(JTM)

92-108 The OK Trucking Company v. IEPA - Petitioner's Status Report in Response to March 16, 1995 Board Order (9/12)(ED)

95-73 Dennis Manarchy, Mary-Beth Manarchy, Chris Mandoline, and Beverly Kagy-Mandoline v. The Gotham Nightclub and JJJ Associates, Inc. - Respondent JJJ Associates' Status Report in Response to July 7, 1995 Board Order (9/1), Complainants' Status Report in Response to July 7, 1995 Board Order (9/1)(CAM)

95-164 General Motors Corporation v. IEPA - Dismissal Order (CAM)

95-166 Henri Studio, Inc. v. IEPA - Accept for Hearing Order (CAM)

95-167 Palos Kar Wash Professionals, Inc. v. IEPA - Dismissal Order (CAM)

**CASES TO BE SET FOR HEARING AND OTHER CASE PROCESSING
ORDERS OR MATTERS (Cont'd)**

- 95-169 Glen Ellyn Storage Corporation v. IEPA - Dismissal Order (CAM)
-
- 95-172 Compost Enterprises, Inc. v. IEPA - Dismissal Order (CAM)
-
- 96-34 Prairie Recreational Developments, Inc. (Land & Lakes Company/Wheeling) v. IEPA - Joint Request for Extension of Appeal Period (8/7)(See **Prairie Recreational Developments, Inc.'s** letter dated 8/9; **Land & Lakes Objection to Joint Request** dated 8/21; **Prairie Recreational Developments' Response to Objection** dated 8/23; **Land & Lakes Reply to Prairie Recreational Development's Response to its Objections to the Joint Request** (8/24), **Land and Lakes' Renewal of its Request to Deny Joint Request for Extension of Appeal Period** (9/7), **Petitioner's Voluntary Withdrawal of Request for 90-Day Extension of Appeal Period** (9/18)(CAM)
-
- 96-47 Joseph Bogacz v. Commonwealth Edison - Hold for Duplicitous/Frivolous Determination - No Order (RCF)
-
- 96-52 Kean Brothers, Inc. v. IEPA - 90-Day Extension Request (CAM)
-
- 96-53 David and Susi Shelton v. Steven and Nancy Crown - Hold for Duplicitous/Frivolous Determination - No Order (GTG)
-
- 96-54 National Supermarkets v. IEPA - 90-Day Extension Request (CAM)
-
- 96-56 Village of Plainfield - Hold for Agency Recommendation - No Order (ED)
-
- 96-57 Coles County Landfill v. IEPA - 90-Day Extension Request (CAM)
-

**CASES TO BE SET FOR HEARING AND OTHER CASE PROCESSING
ORDERS OR MATTERS (Cont'd)**

- 96-58 Effingham Tire Center v. IEPA - 90-Day Extension Request (CAM)
-
- 96-59 Earle Aronson (Don's Gas For Less) v. Office of the State Fire Marshal - Accept for Hearing Order
-
- 96-60 Concerned Citizens of Williamson County and Rev. Paul Crain and Rose Rowell, as Members of the Concerned Citizens of Williamson County et al. v. Bill Kibler Development Corporation, a/k/a Kibler Development Corporation and the Williamson County Board of Commissioners - Accept for Hearing Order
-
- 96-61 People of the State of Illinois , and Gary W. Pack, State's attorney of McHenry County v. Paul J. May & Sons, Inc. and Paul J. May, individually and as President of Paul J. May & Sons, Inc. - Mandatory Hearing - No Order
-
- 96-62 Sequa Corporation, Precoat Metals Division v. IEPA - Accept for Hearing Order
-
- 96-63 People of the State of Illinois Ex Rel Jack O'Malley, State's Attorney of Cook County v. Scholle Chemical Corporation, Inc.
-
- 96-64 City of Auburn v. IEPA - 90-Day Extension Request (CAM)
-
- 96-65 City of Altamont, Illinois v. IEPA - Hold for Agency Recommendation - No Order
-

CASES PENDING DECISION

AS 91-13 Petition of the City of Rock Island for an Adjusted Standard from 35 Ill. Adm. Code 304 (RCF)

AS 94-19 Petition of Hepworth U.S. Holdings, Inc. for an Adjusted Standard from 35 Ill. Adm. Code 620.410 (McF)

95-174 Sierra Club, Madison County Conservation Alliance, Jim Bensman v. City of Wood River, Wood River Partners, L.L.C. (RCF)(due 10/5)

ADJOURNMENT

LIST OF NEW CASES FILED SINCE SEPTEMBER 7, 1995 BOARD MEETING

AC 96-12 IEPA v. RCS, Inc. and Michael Duvall

AC 96-13 IEPA v. Otho Tate

96-52 Kean Brothers, Inc. v. IEPA

96-53 David and Susi Shelton v. Steven and Nancy Crown

96-54 National Supermarkets v. IEPA

96-55 People of the State of Illinois v. Lafarge Corporation

96-56 Village of Plainfield v. IEPA

96-57 Coles County Landfill v. IEPA

96-58 Effingham Tire Center v. IEPA

96-59 Earle Aronson (Don's Gas For Less) v. Office of the State Fire Marshal

96-60 Concerned Citizens of Williamson County and Rev. Paul Crain and Rose Rowell, as members of the Concerned Citizens of Williamson County, et al. v. Bill Kibler Development Corporation, a/k/a Kibler Development Corporation, and the Williamson County Board of Commissioners

96-61 People of the State of Illinois and Gary W. Pack, State's Attorney of McHenry County v. Paul J. May & Sons, Inc., and Paul J. May, individually and as President of Paul J. May and Sons, Inc.

96-62 Sequa Corporation, Precoat Metals Division v. IEPA

96-63 People of the State of Illinois Ex Rel Jack O'Malley, State's Attorney of Cook County v. Scholle Chemical Corporation, Inc.

96-64 City of Auburn v. IEPA

96-65 City of Altamont, Illinois v. IEPA

REGULAR BOARD MEETING SCHEDULE

October 5 November 16

October 19 December 7

November 2 December 21