

## ILLINOIS POLLUTION CONTROL BOARD

### MINUTES OF REGULAR BOARD MEETING NOVEMBER 7, 1996 CHICAGO, ILLINOIS - 10:30 A.M.

After calling the meeting to order, Chairman Manning welcomed members of the public and staff to the meeting. Thereafter, the Clerk was asked for a roll call and all Board Members answered present.

Minutes of the October 17, 1996 Regular Board Meeting were approved by a vote of 7-0.

Minutes of the October 29, 1996 Special Board Meeting were approved by a vote of 6-0. Board Member J. Theodore Meyer abstained.

In R96-3, Illinois Cast Metals Association Proposed Amendments for Accepting Potentially Usable Steel or Foundry Industry Waste: Amendments to 35 Ill. Adm. Code Part 814.902 (Standards for Operation and Closure), a Proposed Rule, Second Notice, Opinion and Order was adopted by a vote of 5-1. Board Member M. McFawn dissented and Board Member K.M. Hennessey abstained. **(RCF)**

In R97-12, Tiered Approach to Corrective Action Objectives, a Proposed Rule, First Notice, Opinion and Order was adopted by a vote of 7-0. **(McF)(RCF)(JY)**

An Order granting the petitioner's motion to reopen the docket and for substitution of petitioner, was adopted in #AS 94-10, Petition of Envirite Corporation for a Revised Adjusted Standard from 35 Ill. Adm. Code 721 Subpart D, by a vote of 7-0. Board Members M. McFawn and J. Yi concurred. **(RCF)**

An Order denying the Agency's motion to Strike, accepting the petitioner's request that the Agency's request for an extension of time to respond to its amended petition be denied, as a motion to reconsider the Board's October 17, 1996 order which granted the Agency time to file a response to the petitioner's amended petition, and upon reconsideration, modifying the October 17, 1996 order to provide that the Agency may file an amended recommendation, not a response to an amended petition, at any time prior to the close of the hearing in the matter, and directing that the matter proceed to hearing consistent with the order, was adopted in #AS 97-2, Petition of Chemetco, Inc. for an Adjusted Standard from 35 Ill. Adm. Code 720.131(a) & (c), by a vote of 7-0. **(KMH)**

An Order granting the petitioner's motion for leave to file a reply to the Agency's response, and accepting the petition for hearing, was adopted in #AS 97-4, Petition of the Ensign-Bickford Company for an Adjusted Standard from 35 Ill. Adm. Code 703.183, by a vote of 7-0. **(GTG)**

An Order requesting additional information on or before December 27, 1996 or the matter may be subject to dismissal, was adopted in #AS 97-5, Petition of the Louis Berkman Company, d/b/a

The Swenson Spreader Company for an Adjusted standard from 35 Ill. Adm. Code 215, Subpart F, by a vote of 7-0. **(KMH)**

An Opinion and Order accepting the Stipulation and Settlement Agreement in the amount of \$23,000.00, was adopted in #94-260, People of the State of Illinois v. Components Corporation of America, by a vote of 7-0. **(CAM)**

An Opinion and Order was adopted in #96-191, White Cap, Inc. v. IEPA, by a vote of 7-0. Board Member M. McFawn concurred. **(JTM)**

An Opinion and Order was adopted in #96-254, Marathon Oil Company v. IEPA, by a vote of 5-1. Board Member M. McFawn dissented and Board Member K.M. Hennessey abstained. **(JY)**

An Opinion and Order accepting the Stipulation and Settlement Agreement in the amount of \$2,000.00, was adopted in #97-63, People of the State of Illinois v. Russell Cook, d/b/a Cook's Hauling and Contracting, by a vote of 7-0. **(CAM)**

An Order granting the Agency's motion to extend respondent's time to pay until September 20, 1997, was adopted in #AC 95-26, IEPA v. Orville Bartels, by a vote of 7-0. **(JTM)**

An Order granting the respondents' motions to dismiss its petitions for administrative review, and unless already paid, directing the respondents to pay within 30 days of the date of the order, a penalty in the amount of \$1,500.00, was adopted in ##AC 97-2, - 4, IEPA v. Joseph C. Smith and Laverne A. Smith, by a vote of 7-0. **(JTM)**

A Default Order finding that the respondent violated Sections 21(p)(1) and 21(p)(3) of the Illinois Environmental Protection Act, and assessing a \$1,000.00 penalty, was adopted in #AC 97-6, County of Will v. First National Bank of Lockport Trust #72-22960, by a vote of 7-0. **(CAM)**

A Default Order finding that the respondent violated Sections 21(p)(1) and 21(p)(3) of the Illinois Environmental Protection Act, and assessing a \$1,000.00 penalty, was adopted in #AC 97-12, County of Will v. Bob Linkowski, by a vote of 7-0. **(CAM)**

A Default Order finding that the respondent violated Sections 21(p)(1) and 21(p)(3) of the Illinois Environmental Protection Act, and assessing a \$1,000.00 penalty, was adopted in #AC 97-16, County of Will v. David Stokes, by a vote of 7-0. **(CAM)**

A Default Order finding that the respondents violated Section 21(p)(1) of the Illinois Environmental Protection Act, and assessing a \$500.00 penalty, was adopted in #AC 97-18, IEPA v. Alice M. Hoffer and Margaret A. Gunther, by a vote of 7-0. **(CAM)**

An Order granting the Agency's motion to withdraw the administrative citation, was adopted in #AC 97-19, IEPA v. Kit Owens, d/b/a Metropolis Tire Store, by a vote of 7-0. **(CAM)**

A Default Order finding that the respondent violated Sections 21(p)(1) and 21(p)(3) of the Illinois Environmental Protection Act, and assessing a \$1,000.00 penalty, was adopted in #AC 97-20, IEPA v. William Decker, by a vote of 7-0. **(CAM)**

A Default Order finding that the respondent violated Sections 21(p)(1) and 21(p)(3) of the Illinois Environmental Protection Act, and assessing a \$1,000.00 penalty, was adopted in #AC 97-23, IEPA v. Village of Markham, by a vote of 7-0. **(CAM)**

An Order granting the Agency's motion to withdraw the administrative citation, was adopted in #AC 97-27, IEPA v. Willie Lightfoot, by a vote of 7-0. **(CAM)**

These Administrative Citations were accepted by the Board: ##97-31, County of Vermilion v. Emery Johnson; 97-32, County of Will v. Vito Caprio; 97-33, County of Macon v. David Scott; 97-34, IEPA v. Fountain Valley Mobile Home Park and Fred Rosenberger; 97-35, County of Will v. Ferdinand J. Ambrosini; 97-36, County of LaSalle v. Four Star Marina, Inc..

An Order granting the petitioner's motion to voluntarily dismiss and closing the docket, was adopted in #92-105, Weyerhaeuser Company v. IEPA, by a vote of 7-0. **(JY)**

Respondents' motion to strike and dismiss will be taken with the case-in-chief in #96-151, Keith Boyer v. Felecia Harris, a/k/a Felecia Dawkins and Chicagoland Mortgage Corporation.

An Order granting the petitioner's motion for stay until May 2, 1997, was adopted in #96-164, CGE Ford Heights, L.L.C. v. IEPA, by a vote of 7-0. **(CAM)**

An Order granting the petitioner's motion to withdraw its permit appeal and closing the docket, was adopted in #96-175, Caterpillar, Inc. v. IEPA, by a vote of 6-0. Board Member K.M. Hennessey abstained. **(McF)**

An Order noting that the respondent LandComp's motion to dismiss its appeal was moot since the Third District Appellate Court granted LandComp's motion to dismiss its petition for review on October 18, 1996, denying the National Solid Waste Management Association's motion for leave to file an amicus curiae brief, granting respondent LandComp's motion for leave to file a reply memorandum, was adopted in #96-243, Residents Against A Polluted Environment and The Edmund B. Thornton Foundation v. County of LaSalle and LandComp Corporation, by a vote of 7-0. **(McF)**

An Order granting the joint motion for stay until January 20, 1997, directing the parties to file all future status reports and motions for stay to the attention of the assigned hearing officer, Deborah Frank, and directing the parties to file with the Board a status report for consideration by the

hearing officer on or before January 20, 1997, was adopted in #97-23, The City of Lockport v. IEPA, by a vote of 6-0. Board Member K.M. Hennessey abstained. **(JY)**

An Order granting the Agency's motion for an extension of time until November 1, 1996 to file a cross-motion for summary judgment in response to the petitioner's motion for summary judgment, was adopted in ##97-35, - 36, Illinois Power Company (Units 1 and 2) v. IEPA, by a vote of 7-0. **(JY)**

An Order granting the respondent's motion for an extension of time until November 18, 1996 to file its answer, was adopted in #97-53, People of the State of Illinois v. General Business Forms, Inc., by a vote of 7-0. **(JY)**

#### **ADDENDUM**

An Order denying the complainants' emergency motion for reconsideration of the Board's October 3, 1996 denial of complainants' motion for reconsideration and amendment of order, and granting the respondent's motion to strike, was adopted in #94-240, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America and UAW Local 974, and Citizens For A Better Environment v. Caterpillar, Inc., and IEPA, Party-in-Interest, by a vote of 5-0. Board Members K.M. Hennessey and M. McFawn abstained. **(CAM)**

An Order granting the petitioner's motion to dismiss and closing the docket, was adopted in #96-123, Incobrasa Industries, Inc. v. IEPA, by a vote of 7-0. **(McF)**

An Order granting the complainants' motion to voluntarily dismiss and closing the docket, was adopted in #96-266, J. Clarke Baker & Company and Real Estate Fund, Inc. v. Brunswick Corporation, L & J Engineering, Inc., GPE Controls, Inc. and Vapor Corporation, by a vote of 7-0. **(McF)**

#### **AGENDA**

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 11, 1996, 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 #97-67, Mid-American Waste Systems of Illinois, Inc. (Groen Waste Service) 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 4, 1996, 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 #97-76, Regent Investment Corporation v. IEPA, by a vote of 7-0. **(CAM)**

These cases were held for Agency Recommendations: ##97-77, Village of Lake Zurich v. IEPA; 97-78, DeKalb Sanitary District v. IEPA.

A mandatory hearing will be held in #97-80, People of the State of Illinois v. Alliant Techsystems, Inc..

An Order accepting the matter for hearing, was adopted in #97-81, Quantum Chemical Corporation 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 24, 1996, 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 #97-82, General Motors Corporation 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 24, 1996, 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 #97-83, Laidlaw Waste Systems, Inc. v. IEPA, by a vote of 7-0. **(CAM)**

#### **ADDENDUM**

An Order accepting the matter for hearing, was adopted in #97-47, Daubs Landfill, Inc. v. IEPA, by a vote of 7-0. **(CAM)**

#### **AGENDA**

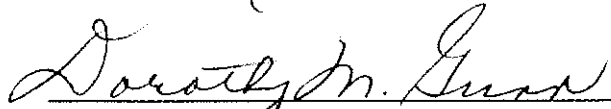
These regulatory matters were discussed and held for further discussion or possible decision: R94-1(B), Triennial Water Quality Review: Amendments to 35 Ill. Adm. Code 302.202, 302.212, 302.213, 304.122 and 304.301 (Ammonia Nitrogen), Proposed Rule, Second Notice, Opinion and Order; R96-18, Amendments to 35 Ill. Adm. Code Subtitle F (Parts 601 through 620), Proposed Rule, First Notice, Opinion and Order.

This case was discussed and held for further discussion or possible decision: #97-51, City of West Chicago v. IEPA.

All other matters not disposed of as listed were held.

Motioned and seconded, by a vote of 7-0, the meeting adjourned to an Executive Session to be held in the Chairman's office at 12:00 noon.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Minutes were approved this 21<sup>st</sup> day of November, 1996, by a vote of 7-0.



Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board

# ILLINOIS POLLUTION CONTROL BOARD

JRTC ♦ 100 W. Randolph ♦ Suite 11-500 ♦ Chicago, IL 60601 ♦ 312-814-3620 ♦ Fax 321-814-3669

## GOVERNOR

Honorable Jim Edgar



## CHAIRMAN

Claire A. Manning  
Springfield

## MEMBERS

Ronald C. Flemal  
DeKalb

G. Tanner Girard  
Grafton

Kathleen M. Hennessey  
Chicago

Marili McFawn  
Inverness

J. Theodore Meyer  
Chicago

Joseph Yi  
Park Ridge



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## WEB SITE

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TDD 312-814-6032



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## REGULAR BOARD MEETING AGENDA NOVEMBER 7, 1996 CHICAGO, ILLINOIS CONFERENCE ROOM 9-040 10:30 A.M.

### AMENDED ADDENDUM

### REGULATIONS AND ADJUSTED STANDARDS

AS 97-5      Petition of the Louis Berkman Company, d/b/a      (KMH)  
Air            The Swenson Spreader Company for an  
Adjusted Standard from 35 Ill. Adm. Code Part  
215 Subpart F - Petitioner's Certificate of  
Publication (11/6)

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### MOTIONS

94-240      International Union, United Automobile,      (CAM)  
RCRA-E,      Aerospace and Agricultural Implement Workers  
Citizens      of America and UAW Local 974, and Citizens  
For A Better Environment v. Caterpillar, Inc.,  
and IEPA, Party-in-Interest - Complainants'  
Emergency Motion and Second Petition for  
Reconsideration and Amendment of Order  
(11/1), Respondent Caterpillar, Inc.'s Motion to  
Strike and Response to Complainants'  
Emergency Motion for Reconsideration and  
Amendment of Order (11/6)

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96-123      Incobrasa Industries, Inc. v. IEPA - Petitioner's      (McF)  
P-A, Air      Motion to Dismiss with Prejudice (11/4)

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**MOTIONS (Cont'd)**

96-238      Citizens United For A Responsible Environment      (GTG)  
L-S-R, 3rd      v. Browning-Ferris Industries of Illinois, Inc.  
Party      and Village Board of the Village of Davis  
                    Junction, Illinois - Respondent Village of Davis  
                    Junction's Response to Petitioner's Motion for  
                    Reconsideration (11/4)

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96-266      J. Clarke Baker & Company and Real Estate      (McF)  
L,SW,      Fund, Inc. v. Brunswick Corporation, L & J  
RCRA-E,      Engineering, Inc., GPE Controls, Inc., and  
Citizens      Vapor Corporation - Complainants' Motion to  
                    Voluntarily Dismiss (11/6)

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

97-47      Daubs Landfill, Inc. v. IEPA - Accept for      (CAM)  
P-A      Hearing Order

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97-50      Lionel Trepanier, Daniel Miller, Wes Wager,      (KMH)  
A-E,      Maureen Cole, Lorenz Joseph, Maxworks  
Citizens      Garden Cooperative, Avi Pandya v. The Board  
                    of Trustees of the University of Illinois at  
                    Chicago, Other Unknown Owners, and  
                    Speedway Wrecking Company - Complainants'  
                    Motion for Extension of Time (11/6)

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97-84      George Casanave v. Standard Oil Company,  
UST-E      Inc., and Ray L. Pearson

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## REGULAR BOARD MEETING AGENDA NOVEMBER 7, 1996 CHICAGO, ILLINOIS CONFERENCE ROOM 9-040 10:30 A.M.

### ADDENDUM

### MOTIONS

94-240      International Union, United Automobile,      (CAM)  
RCRA-E,      Aerospace and Agricultural Implement Workers  
Citizens      of America and UAW Local 974, and Citizens  
                 For A Better Environment v. Caterpillar, Inc.,  
                 and IEPA, Party-in-Interest - Complainants'  
                 Emergency Motion and Second Petition for  
                 Reconsideration and Amendment of Order  
                 (11/1), Respondent Caterpillar, Inc.'s Motion to  
                 Strike and Response to Complainants'  
                 Emergency Motion for Reconsideration and  
                 Amendment of Order (11/6)

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96-123      Incobrasa Industries, Inc. v. IEPA - Petitioner's      (McF)  
P-A, Air      Motion to Dismiss with Prejudice (11/4)

---

96-238      Citizens United For A Responsible Environment      (GTG)  
L-S-R, 3rd      v. Browning-Ferris Industries of Illinois, Inc.  
Party      and Village Board of the Village of Davis  
                 Junction, Illinois - Respondent Village of Davis  
                 Junction's Response to Petitioner's Motion for  
                 Reconsideration (11/4)

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## AGENDA

NOVEMBER 7, 1996 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

October 17, 1996

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October 29, 1996 (Special Board Meeting)

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## REGULATIONS AND ADJUSTED STANDARDS

R96-3 R, Land	<u>Illinois Cast Metals Association Proposed Amendment for Accepting Potentially Usable Steel or Foundry Industry Waste: Amendments to 35 Ill. Adm. Code Part 814.902 (Standards for Operation and Closure - Proposed Rule, Second Notice, Opinion and Order</u>	(RCF)
R97-12 R, Land	<u>Tiered Approach to Corrective Action Objectives - Proposed Rule, First Notice, Opinion and Order</u>	(McF) RCF) (JY)
R97-13 R, Air	<u>Emissions Reduction Market System Adoption of 35 Ill. Adm. Code 205 and Amendments to 35 Ill. Adm. Code 106 - (See Agency Motion for Acceptance of Proposal and Motion for Incorporation by Reference filed 10/7) - Hold for further Review</u>	(JY) (McF) (KMH)
AS 94-10 RCRA, Delisting	<u>Petition of Envirote Corporation for Revised Adjusted Standard from 35 Ill. Adm. Code 721 Subpart D - Petitioner's Motion to Reopen Docket and for Substitution of Petitioner (10/15)</u>	(RCF)
AS 97-2 Land, RCRA	<u>Petition of Chemetco, Inc. for an Adjusted Standard from 35 Ill. Adm. Code 720.131(a) &amp; (c) - Agency's Motion to Strike (10/23)</u>	(KMH)
AS 97-4 Land, RCRA	<u>Petition of the Ensign-Bickford Company for an Adjusted Standard from 35 Ill. Adm. Code 703.183 - Petitioner's Certificate of Publication (9/30), Agency Motion for Extension of Time within Which to File Agency Recommendation (10/7), Petitioner's Motion for Leave to File Reply (10/30)</u>	(GTG)
AS 97-5 Air	<u>Petition of The Louis Berkman Company, d/b/a The Swenson Spreader Company for an Adjusted Standard from 35 Ill. Adm. Code Part 215 Subpart F - Hold for Petitioner's Certificate of Publication</u>	(KMH)

## DECISIONS

94-260 RCRA-E	<u>People of the State of Illinois v. Components Corporation of America</u> - Stipulation	(CAM)
96-185 N-E, Citizens	<u>Douglas and Barbara Oltman v. Terry and Kelly Cowan</u>	(GTG)
96-191 A-V	<u>White Cap, Inc. v. IEPA</u> (due 11/7)	(JTM)
96-254 A-V	<u>Marathon Oil Company v. IEPA</u> (due 11/7)	(JY)
97-63 A-E	<u>People of the State of Illinois v. Russell Cook, d/b/a Cook's Hauling and Contracting</u> - Stipulation	(CAM)

## ADMINISTRATIVE CITATIONS

AC 95-26	<u>IEPA v. Orville Bartels</u> - Agency Motion to Extend Respondent's Time to Pay (10/23)	(JTM)
AC 97-2 AC 97-4	<u>IEPA v. Joseph C. Smith and LaVerne A. Smith</u> - Motion to Dismiss Respondents' Petition for Administrative Review (10/10), Respondents' Motion to Dismiss Petition for Administrative Review (10/21)	(JTM)
AC 97-6	<u>County of Will v. First National Bank of Lockport Trust #72-22960</u> - Default Order	(CAM)
AC 97-12	<u>County of Will v. Bob Linkowski</u> - Default Order	(CAM)
AC 97-16	<u>County of Will v. David Stokes</u> - Default Order	(CAM)

**ADMINISTRATIVE CITATIONS (Cont'd)**

AC 97-18	<u>IEPA v. Alice M. Hoffer and Margaret A. Gunthner</u> - Default Order	(CAM)
AC 97-19	<u>IEPA v. Kit Owens, d/b/a Metropolis Tire Store</u> - Agency Motion to Withdraw Administrative Citation (10/28)	(CAM)
AC 97-20	<u>IEPA v. William Decker</u> - Default Order	(CAM)
AC 97-21	<u>IEPA v. John Sexton Sand &amp; Gravel Corporation</u> - Joint Stipulation of Settlement and Withdrawal of Respondent's Petition for Administrative Review (10/25)	(CAM)
AC 97-22	<u>County of Will v. Citiwaste, Inc.</u> - Accept for Hearing - No Order	
AC 97-23	<u>IEPA v. Village of Markham</u> - Default Order	(CAM)
AC 97-24	<u>County of LaSalle v. Charlie Raikes, d/b/a Kickapoo Iron &amp; Metal</u> - Accept for Hearing - No Order	
AC 97-25	<u>County of Will v. CDT Landfill Corporation</u> - Accept for Hearing - No Order	
AC 97-27	<u>IEPA v. Willie Lightfoot</u> - Agency Motion to Withdraw Administrative Citation (11/1)	(CAM)
AC 97-31	<u>County of Vermilion v. Emery Johnson</u> - Accept Case - No Order	
AC 97-32	<u>County of Will v. Vito Caprio</u> - Accept Case - No Order	

## ADMINISTRATIVE CITATIONS (Cont'd)

AC 97-33     County of Macon v. David Scott - Accept Case - No Order

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AC 97-34     IEPA v. Fountain Valley Mobile Home Park and Fred  
Rosenberger - Accept Case - No Order

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AC 97-35     County of Will v. Ferdinand J. Ambrosini - Accept Case - No  
Order

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AC 97-36     County of LaSalle V. Four Star Marina, Inc. - Accept Case - No  
Order

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## MOTIONS

92-105       Weyerhaeuser Company v. IEPA - Petitioner's Notice of                     (JY)  
UST-FRD     Dismissal of Appeal (10/31)

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96-143       People of the State of Illinois v. Michel Grain Company, Inc.,                     (CAM)  
W-E         d/b/a Michel Fertilizer, and Caryle Michel - Respondents'  
Motion for Reconsideration and Clarification of August 1, 1996  
Order (9/3)

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96-151       Keith Boyer v. Felecia Harris, a/k/a Felecia Dawkins and                     (McF)  
L-E,  
Citizens     Chicagoland Mortgage Corporation - Respondents' Motion to  
Strike and Dismiss (9/18)

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96-164       CGE Ford Heights, L.L.C. v. IEPA - Petitioner's Motion for                     (CAM)  
T-C, Appeal   Stay (10/18), Agency's Reply to Petitioner's Motion for Stay  
(10/28)

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96-175       Caterpillar, Inc. v. IEPA - Petitioner's Motion to Withdraw                     (McF)  
P-A         Petition for Hearing (10/7)

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**MOTIONS (Cont'd)**

96-238            Citizens United For A Responsible Environment v. Browning-            (GTG)  
L-S-R, 3rd        Ferris Industries of Illinois, Inc., and Village Board of the  
Party                Village of Davis Junction, Illinois- Petitioner's Motion for  
Reconsideration of September 19, 1996 Board Order (10/23),  
Respondent Browning-Ferris Industries of Illinois, Inc.'s Motion  
for an Expedited Decision and Response to Petitioner's Motion  
for Reconsideration (11/1)

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96-243            Residents Against A Polluted Environment and The Edmund B.            (McF)  
L-S-R, 3rd        Thornton Foundation v. County of LaSalle and Landcomp  
Party                Corporation - Respondent LaSalle County's Motion to Dismiss  
Appeal and Motion for a Rule 308(a) Certification and for a Stay  
of the Board's September 19, 1996 Order (10/8), Respondent  
Landcomp Corporation's Motion to Dismiss Appeal (10/8),  
Motion for Leave to File a Brief as Amicus Curiae Instanter  
(10/15), Petitioners' Objection to Request for Rule 308(a)  
Certification (10/21), Respondent Landcomp's Motion to File  
Reply Memorandum (10/25)

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96-250            White & Brewer Trucking, Inc. v. IEPA - Agency Motion for            (KMH)  
P-A                 Summary Judgment (9/3), Petitioner's Motion for Extension of  
Time and Motion to Supplement Record (9/5), Petitioner's  
Motion for Leave to File Reply to Response to Motion for  
Extension of Time and Response to Motion for Extension of  
Time (9/16), Agency Objection to Petitioner's Motion to  
Supplement the Record (9/17), Petitioner's Motion for Leave to  
File Reply to Objection to Petitioner's Motion to Supplement the  
Record, Motion for Leave to File Reply in Excess of Page  
Limits, Reply to Objection to Petitioner's Motion to Supplement  
the Record (9/30), Agency Motion to Strike and Objection to  
Petitioner's Motion to File Reply (10/10), Petitioner's Response  
to Agency Motion to Strike and Objection to Petitioner's Motion  
for Leave to File Reply (10/15)

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97-23             City of Lockport v. IEPA - Joint Status Report and Joint Motion            (JY)  
P-A,                for Stay (10/22)  
NPDES

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**MOTIONS (Cont'd)**

97-35) Illinois Power Company (Units 1 & 2) - Baldwin Power Station (JY)  
97-36) v. IEPA - Petitioner's Motion for Summary Judgment (10/7),  
P-A, Air Agency's Motion to Extend Time to File Agency's Response  
(10/24)

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97-53 People of the State of Illinois v. General Business Forms, Inc. - (JY)  
A-E Respondent's Motion for Extension of Time to File Answer  
(10/18)

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97-68 Senator William Shaw, Ronnie Lewis, and Judith Evans v. (JY)  
L-S-R, 3rd IEPA, Board of Trustees of the Village of Dolton, Illinois, Land  
Party and Lakes Company, and Mayor Ronald Hart - Agency Motion  
to Dismiss (10/28)

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

96-265 Edward M. Pearl v. Bicoastal Corporation, Singer Corporation, (JY)  
L, SW, Controls Corporation of America Employee Profit Sharing and  
RCRA-E Retirement Trust, and Eaton Corporation - Hold for  
Citizens Duplicitous/Frivolous Determination

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96-266 J. Clarke Baker & Company and Real Estate Fund, Inc. v. (McF)  
L, SW, Brunswick Corporation, L & J Engineering, Inc., GPE Controls,  
RCRA-E Inc. and Vapor Corporation - (See Complainants' Motion for  
Citizens Additional Extension of Time filed 10/28) - Hold for  
Duplicitous/Frivolous Determination

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

97-50 A-E, Citizens	<u>Lionel P. Trepanier, Daniel Miller, Wes Wager, Maureen Cole, Lorenz Joseph, Maxworks Garden Cooperative, Avi Pandya v. The Board of Trustees of the University of Illinois at Chicago, Other Unknown Owners, and Speedway Wrecking Company - (See Respondent Speedway Wrecking Company's Answer/Motion to Dismiss as Frivolous filed 9/18; Respondent Board of Trustees of the University of Illinois' Motion for Leave to File and Motion to Dismiss filed 9/25; Complainants' Response to Board of Trustees Motion to Dismiss filed 10/8; Motion for Amendment of Complainants; Response to the University of Illinois' Motion to Dismiss and Amendment to Complainants' Response to the Board of Trustees Motion to Dismiss filed 10/11; Respondent Board of Trustees of the University of Illinois' Motion for Leave to File Reply to Complainants' Response and Amended Complaint filed 10/23)</u>	(KMH)
97-67 P-A, 90-Day Extension	<u>Mid-American Waste Systems of Illinois Inc. (Groen Waste Service) v. IEPA - Petitioner's Request for Extension of Time to Appeal (10/7), Joint Request for 90-Day Extension of Appeal Period (10/17)</u>	(CAM)
97-76 P-A, 90-Day Extension	<u>Regent Investment Corporation v. IEPA - Joint Request for 90-Day Extension of Appeal Period (10/17)</u>	(CAM)
97-77 PWS-V	<u>Village of Lake Zurich v. IEPA - Hold for Agency Recommendation - No Order</u>	
97-78 W-V	<u>DeKalb Sanitary District v. IEPA - Hold for Agency Recommendation - No Order</u>	
97-79 A-E, Citizens	<u>Jane Graham and Kathy Creech v. City of Paris, et al. - Hold for Duplicitous/Frivolous Determination - No Order</u>	

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

97-80            People of the State of Illinois v. Alliant Techsystems, Inc. -  
RCRA-E            Hearing Mandatory - No Order

97-81            Quantum Chemical Corporation - Accept for Hearing Order            (CAM)  
P-A

97-82            General Motors Corporation v. IEPA - Joint Request for 90-Day            (CAM)  
UST-            Extension of Appeal Period (11/1) - Order  
Appeal, 90-  
Day Ext.

97-83            Laidlaw Waste Systems, Inc. v. IEPA - Joint Request for 90-Day            (CAM)  
P-A, 90-Day      Extension of Appeal Period (11/1) - Order  
Extension

**CASES PENDING DECISION**

R94-1(B)        Triennial Water Quality Review: Amendments to 35 Ill. Adm.            (CAM)  
R, Water        Code 302.202, 302.212, 302.213, 304.122 and 304.301            (RCF)  
(Ammonia Nitrogen)

R96-18        Amendments to 35 Ill. Adm. Code Subtitle F (Parts 601 through            (RCF)  
R, PWS        620) - Proposed Rule, First Notice, Opinion and Order

97-51            City of West Chicago v. IEPA (due 1/7/97)            (RCF)  
PWS-V

**ADJOURNMENT**

**LIST OF NEW CASES FILED SINCE OCTOBER 17, 1996 BOARD MEETING**

AC 97-31	County of Vermilion, Illinois v. Emery Johnson
AC 97-32	County of Will v. Vito Caprio
AC 97-33	County of Macon v. David Scott
AC 97-34	IEPA v. Fountain Valley Mobile Home Park and Fred Rosenberger
AC 97-35	County of Will v. Ferdinand J. Ambrosini
AC 97-36	County of LaSalle v. Four Star Marina, Inc.
97-76	Regent Investment Corporation v. IEPA
97-77	Village of Lake Zurich v. IEPA
97-78	DeKalb Sanitary District v. IEPA
97-79	Jane Graham and Kathy Creech v. City of Paris et al.
97-80	People of the State of Illinois v. Alliant Techsystems, Inc.
97-81	Quantum Chemical Corporation v. IEPA
97-82	General Motors Corporation v. IEPA
97-83	Laidlaw Waste Systems, Inc. v. IEPA

**REGULAR BOARD MEETING SCHEDULE FOR THE REMAINDER OF 1996**

November 21

December 5

December 19

**NOTE: All Board Meetings will be held in Conference Room 9-040 unless otherwise noted**

**REGULAR BOARD MEETING SCHEDULE FOR CALENDAR YEAR 1997**

January 9	July 10
January 23	July 24
February 6	August 7
February 20	August 21
March 6	September 4
March 20	September 18
April 3	October 2
April 17	October 16 *
May 1 *	November 6
May 15	November 20
June 5	December 4
June 19	December 18

**NOTE: All Board Meetings will be held in Conference Room 9-040. Those noted with an asterisk will be held in Conference Room 9-031.**

**CASE TYPE CODES:**

3d P	Third Party Action	A-C	Administrative Citation
A-E	Air Enforcement	A-S	Adjusted Standard
A-V	Air Variance	CSO	Combined Sewer Overflow Exception
GW	Groundwater	HW Delist RCRA	Hazardous Waste Delisting
L-E	Land Enforcement	L-S-R	Landfill Siting Review
L-V	Land Variance	MW	Medical Waste (Biological Materials)
N-E	Noise Enforcement	N-V	Noise Variance
P-A	Permit Appeal	PWS-E	Public Water Supply Enforcement
PWS-V	Public Water Supply Variance	R	Regulatory Proceeding
RCRA	Resource Conservation and Recovery Act proceeding (hazardous waste only)	S0 <sub>2</sub>	S0 <sub>2</sub> Alternative Standards (35 IL ADM. CODE 302.211(f))
SWH-E	Special Waste Hauling Enforcement	SWH-V	Special Waste Hauling Variance
T	Thermal Demonstration Rule	T-C	Tax Certifications
T-S	Trade Secrets	UST-Appeal	Underground Storage Tank Corrective Action Appeal
UST-E	Underground Storage Tank Enforcement	UST-FRD	Underground Storage Tank Fuel Reimbursement Determination
W-E	Water Enforcement	W-V	Water Variance
WWS	Water-Well Setback Exception		