

ILLINOIS POLLUTION CONTROL BOARD  
EXECUTIVE SESSION  
MINUTES  
January 9, 1997  
Chicago, Illinois

The Board members reconvened at 1:00 p.m. in executive session. The following members were in attendance:

Ronald Flemal  
Tanner Girard  
Kathleen Hennessey  
J. Theodore Meyer  
Marili McFawn  
Joseph Yi

Chairman Manning was absent (due to inclement weather conditions). Member Flemal agreed to conduct the meeting in the Chairman's absence.

The minutes of the November 7, 1996, Executive Session were approved 6-0.

Old Business

*Legal Writing Seminar*

Member McFawn discussed and the Board agreed to plan a one day legal writing seminar in early March or after Easter on an off-Board meeting week at a cost of \$3,000. Two instructors will present the one day seminar.

*Technology Utilization Plan*

Joe D'Alessandro reported that he received comments on the proposed plan which will be implemented in the near future, contingent on the Wide Area Network hookup.

*Wide Area Network*

Joe D'Alessandro reported that work is underway to set up a Wide Area Network connection between the Chicago and Springfield offices. High speed ISDN phone line hook-ups were also discussed for the DeKalb and Jerseyville offices. A line will be installed in the DeKalb office, but at present, the service is not available to the Jerseyville area.

## ILLINOIS POLLUTION CONTROL BOARD

### MINUTES OF REGULAR BOARD MEETING JANUARY 9, 1997 CHICAGO, ILLINOIS - 10:30 A.M.

After calling the meeting to order, Dr. Flemal welcomed the public and staff to the meeting and announced that Chairman Manning was delayed by the weather and would not be in attendance. Thereafter, the Clerk was asked for a roll call and all Board Members answered present.

Minutes of the December 19, 1996 Board Meeting were approved by a vote of 6-0.

In R96-3, Steel and Foundry Industry Waste Landfills: Amendments to 35 Ill. Adm. Code 817.309 (Facility Location for Landfills Accepting Potentially Usable Waste, an Adopted Rule, Final Order, Opinion and Order was adopted by a vote of 4-1. Board Member M. McFawn dissented, and Board Member K.M. Hennessey abstained. **(RCF)**

In R96-4, Listing of Federal Hazardous Air Pollutants, Great Lakes Commissions Toxic Compounds and Great Waters Program Toxic Air Compounds and Source Reporting for Illinois Toxic Air Contaminants: Amendments to 35 Ill. Adm. Code 232, a Proposed Rule, Request for Additional Comments, Interim Opinion and Order was adopted by a vote of 6-0. **(JY)**

In R97-7, Wastewater Pretreatment Update, USEPA Regulations (January 1, 1996 through June 30, 1996), a Proposal for Public Comment, Proposed Opinion and Order was adopted by a vote of 5-0. Board Member K.M. Hennessey abstained. **(JY)**

In R97-10, Regulation of Petroleum Leaking Underground Storage Tanks, 35 Ill. Adm. Code 732, a Proposed Rule, Second Notice, Opinion and Order was adopted by a vote of 6-0. **(GTG)(JTM)(JY)**

An Order granting the Petitioner's motion for extension of stay until March 17, 1997, and directing the parties to file status reports, either jointly or separately, no later than March 17, 1997, was adopted in #AS 94-5, Petition of Abbott Laboratories for an Adjusted Standard from 35 Ill. Adm. Code 218 Subpart RR, by a vote of 6-0. **(JTM)**

An Order granting the Petitioner's motion for extension of stay until March 17, 1997, and directing the parties to file status reports, either jointly or separately, no later than March 17, 1997, 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 6-0. **(JTM)**

An Order granting the petitioner's motions to file instant its reply to the Agency's response to its petition for an adjusted standard and to vacate the hearing order of November 7, 1996, 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 6-0. **(GTG)**

This Adjusted Standard was accepted for hearing: #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 Part 215 Subpart F.

An Opinion and Order accepting the Stipulation and Settlement Agreement in the amount of \$30,000.00, was adopted in #96-126, People of the State of Illinois v. Bennett Industries, Inc., by a vote of 6-0. **(KMH)**

An Opinion and Order accepting the Stipulation and Settlement Agreement in the amount of \$1,500.00, was adopted in #96-157, People of the State of Illinois v. City of Toluca, by a vote of 5-0. Board Member K.M. Hennessey abstained. **(JY)**

An Opinion and Order accepting the Stipulation and Settlement Agreement in the amount of \$8,000.00, was adopted in #96-235, People of the State of Illinois v. Medalist, Inc., by a vote of 6-0. **(McF)**

A Default Order finding that the Respondent violated Sections 21(p)(1) and 21(p)(4) of the Illinois Environmental Protection Act, and assessing a \$1,000.00 penalty, was adopted in #AC 97-39, IEPA v. Gale E. Wilhelms and Linda L. Wilhelms, by a vote of 6-0. **(RCF)**

On the Board's own motion, an Order dismissing the proceedings and closing the docket because service had not been perfected within the required 60 days after inspection, was adopted in #AC 97-40, County of Will v. Arthur Burchett, by a vote of 6-0. **(RCF)**

Because a petition for review was received, this administrative citation will be set for hearing: #97-41, County of Will v. Utilities Unlimited, Inc., and Charles Petreikis, Sr., d/b/a Utilities Unlimited, Inc..

These Administrative Citations were accepted by the Board: ##97-44, IEPA v. Tazewell Recycling and Disposal Facility; 97-45, County of Vermilion v. Elvis Ford; 97-46, County of LaSalle v. Ace Auto Salvage, Inc..

An Order granting the petitioner's motion to dismiss and closing the docket, was adopted in #95-50, Palos Kar Wash Professionals, Inc. v. IEPA, by a vote of 6-0. **(RCF)**

An Order directing the Clerk of the Board to cause publication of the required newspaper notice of an agreed motion to request relief from hearing requirement, was adopted in #96-130, People of the State of Illinois v. Parco Asbestos Removal Company, Inc., by a vote of 6-0. **(McF)**

An Order directing the Clerk of the Board to cause publication of the required newspaper notice of an agreed motion to request relief from hearing requirement, was adopted in #96-133, People of the State of Illinois v. Village of Tilton, by a vote of 5-0. Board Member K.M. Hennessey abstained. **(McF)**

The Petitioner's Joint motion to amend its proposed compliance plan will be handled with the case-in-chief in #96-193, W.R. Grace and Company-Connecticut v. IEPA.

An Order granting the Agency's motion to postpone filing the answer and record until February 3, 1997, was adopted in #96-222, Koppers Industries, Inc. v. IEPA, by a vote of 5-0. Board Member K.M. Hennessey abstained. **(JTM)**

An Order granting the petitioner's request that the Board enforce a portion of the Board's November 21, 1996 Order, denying the petitioner's request to supplement its response to the Agency's motion for summary judgment, and directing the Agency to supplement the record with the appropriate state regulations, 35 Ill. Adm. Code Parts 810.815, and the draft instructions included with the application forms, by filing these documents with the Clerk of the Board no later than January 17, 1997, was adopted in #96-250, White & Brewer Trucking, Inc. v. IEPA, by a vote of 6-0. **(KMH)**

The Agency's motion for an extension of time to file the Agency's record in #97-1, Lawrence Cadillac v. IEPA, was referred to the hearing officer for disposition.

An Order granting the parties joint motion for an extension of time until April 17, 1997, to file an answer or otherwise plead, was adopted in #97-55, People of the State of Illinois v. Precision Chrome, Inc., by a vote of 6-0. **(JY)**

An Order agreeing that the five defenses contained in the respondent's answer are not affirmative defenses, but determining that the respondent's answer does involve facts and defenses which the respondent is entitled to present at hearing, denying the complainant's motion to strike, and directing that the matter proceed to hearing, was adopted in #97-62, People of the State of Illinois v. Geon Corporation, by a vote of 6-0. **(JTM)**

The Agency's motion for extension of time to file the Agency's record in #97-67, Mid-American Waste Systems of Illinois, Inc., Illinois Development Corporation, and Allied Waste Industries (Midwest), Inc., d/b/a Groen Waste Services Transfer Station v. IEPA, was referred to the hearing officer for disposition.

Respondents' motion to reconsider a November 21, 1996 Board order and order directing the petitioners to pay costs of preparing the record in #97-68, Senator William Shaw, Ronnie Lewis, and Judith Evans v. Board of Trustees of the Village of Dolton, Illinois, Land and Lakes Company, and Mayor Donald Hart, will be taken with the case-in-chief.

An Order granting the petitioner's motion for expedited decision consistent with the Board's resources, was adopted in #97-78, DeKalb Sanitary District v. IEPA, by a vote of 5-0. Board member K.M. Hennessey abstained. **(JY)**

An Order dismissing the docket as unnecessary, was adopted in #97-82, General Motors Corporation v. IEPA, by a vote of 6-0. **(RCF)**

An Order dismissing the docket as unnecessary, was adopted in #97-83, Laidlaw Waste Systems, Inc. v. IEPA, by a vote of 6-0. **(RCF)**

An Order accepting the matter for hearing, was adopted in #97-88, Laidlaw Waste Systems, Inc. v. IEPA. **(CAM)**

An Order granting the respondent's motion for extension of time until January 24, 1997 to answer or otherwise respond to the complaint, was adopted in #97-94, Jerry Austman and Theresa Strahm v. Amoco Corporation, by a vote of 6-0. **(RCF)**

This case was held for an Agency Recommendation: #97-102, Bordens Chemicals and Plastics Operating Limited Partnership v. IEPA.

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 February 16, 1997, 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 #97-104, Continental Waste Industries of Illinois, Inc. v. IEPA, by a vote of 6-0. **(RCF)**

The Agency's motion for extension of time to file the Agency's record in #97-105, Tri-Star Marketing, Inc. v. IEPA, was referred to the hearing officer for disposition.

A mandatory hearing will be set in #97-110, People of the State of Illinois v. Meto-Grafics, Inc..

A mandatory hearing will be set in #97-111, People of the State of Illinois v. John Prior and Industrial Salvage, Inc..

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 February 13, 1997, 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 #97-112, OK Service Center v. IEPA, by a vote of 6-0. **(RCF)**

A mandatory hearing will be set in #97-113, People of the State of Illinois v. Homin Lee, d/b/a Meisel Plating.

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 February 24, 1997, 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 #97-114, Clow Company v. IEPA, by a vote of 6-0. **(RCF)**

A mandatory hearing will be set in #97-115, People of the State of Illinois v. Citizens Utilities Company of Illinois.

A mandatory hearing will be set in #97-116, People of the State of Illinois v. Dixon-Marquette Cement, Inc..

A mandatory hearing will be set in #97-117, People of the State of Illinois v. United Scrap Metal, Inc..

#### **ADDENDUM**

An Order accepting the matter for hearing, was adopted in #97-86, IMC AgriBusiness (formerly New Baden/Vigoro Industries) v. IEPA, by a vote of 6-0. (RCF)

A provisional variance was granted in #97-118, Rock River Water Reclamation District v. IEPA, by a vote of 5-0. Board Member K.M. Hennessey abstained. (RCF)

A mandatory hearing will be set in #97-119, People of the State of Illinois v. G&M Total, Inc., and George Papas, individually and as President of G&M Total, Inc..

This matter was discussed and held for further discussion or possible decision: #97-68, Senator William Shaw, Ronnie Lewis, and Judith Evans v. Board of Trustees of the Village of Dolton, Illinois, Land and Lakes Company, and Mayor Donald Hart.

#### **AGENDA**

This regulatory matter was discussed and held for further discussion or possible decision: R94-34, Landfills, Waste Treatment and Transfer Facilities Located Within 100-Year Floodplains.

These cases were discussed and held for further discussion or possible decision: ##96-68, Donnetta Gott, Lyndell Chaplain, Gary Wells, Earnest L. Ellison, and Maxine Ellison v. M'Orr Pork, Inc.; 96-193, W.R. Grace Company-Connecticut v. IEPA; 97-78, DeKalb Sanitary District v. IEPA.

#### **ADDENDUM**

The Chairman's motion for a Closed Deliberative Session, pursuant to P.A. 88-621, to take place on Thursday, January 30, 1997, 10:30 a.m., carried by a vote of 6-0.

All other matters not disposed of as listed were held.

Motioned and seconded, by a vote of 6-0, the meeting adjourned to an Executive Session in the Chairman's Office.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Minutes were approved this 23<sup>rd</sup> day of January, 1997, by a vote of 6-0.

Dorothy M. Gunn  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board





**CASES PENDING DECISION**

97-68            Senator William Shaw, Ronnie Lewis, and  
L-S-R, 3rd      Judith Evans v. Board of Trustees of the Village  
Party            of Dolton, Illinois, Land and Lakes Company  
                    and Mayor Donald Hart (due 2/6)

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Chairman's Motion for a Closed Deliberative  
Session, pursuant to P.A. 88-621, to take place  
on Thursday, January 30, 1997, 10:30 a.m.

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# 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. Flegal  
DeKalb

G. Tanner Girard  
Grafton

Kathleen M. Hennessey  
Chicago

Marili McFawn  
Inverness

J. Theodore Meyer  
Chicago

Joseph Yi  
Park Ridge



## SPRINGFIELD OFFICE

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217-524-8500  
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## SATELLITE OFFICES

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618-498-9802  
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148 North Third St.  
P.O. Box 505  
DeKalb, IL 60115  
815-753-1904  
Fax 815-753-1970



## WEB SITE

<http://www.state.il.us/pcb/>

TDD 312-814-6032



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## AGENDA

**JANUARY 9, 1997 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

December 19, 1996

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## REGULATIONS AND ADJUSTED STANDARDS

R96-3 R, Land	<u>Steel and Foundry Industry Waste Landfills: Amendments to 35 Ill. Adm. Code 817.309 (Facility Location for Landfills Accepting Potentially Usable Waste)</u> - Adopted Rule, Final Order, Opinion and Order	(RCF)
R96-4 R, Air	<u>Listing of Federal Hazardous Air Pollutants, Great Lakes Commissions Toxic Compounds and Great Waters Program Toxic Air Compounds and Source Reporting for Illinois Toxic Air Contaminants: Amendments to 35 Ill. Adm. Code 232</u> - Proposed Rule, Second Notice, Opinion and Order for Public Comment	(JY)
R97-7 R, Water	<u>Wastewater Pretreatment Update, USEPA Regulations (January 1, 1996 through June 30, 1996)</u> - Proposal for Public Comment, Proposed Opinion and Order	(JY)
R97-10 R, Land	<u>Regulation of Petroleum Leaking Underground Storage Tanks, 35 Ill. Adm. Code 732</u> - Proposed Rule, Second Notice, Opinion and Order	(GTG) (JTM) (JY)
AS 94-5 Air	<u>Petition of Abbott Laboratories for an Adjusted Standard from 35 Ill. Adm. Code 218 Subpart RR</u> - Petitioner's Status Report in Response to October 17, 1996 Board Order and Request for Extension of Stay (12/17)	(JTM)
AS 94-6 Air	<u>Petition of Hydrosol, Inc. for an Adjusted Standard from 35 Ill. Adm. Code 218 Subpart D</u> - Agency's Status Report in Response to October 17, 1996 Board Order and Request for Extension of Stay Instantly (12/23)	(JTM)
AS 97-4 Land, RCRA	<u>Petition of The Ensign-Bickford Company for an Adjusted Standard from 35 Ill. Adm. Code 703.183</u> - Petitioner's Motion to Vacate Hearing Order, Motion to File Instantly, and Reply to Agency Response (12/13)	(GTG)

## REGULATIONS AND ADJUSTED STANDARDS (Cont'd)

AS 97-5      Petition of the Louis Berkman Company, d/b/a The Swenson      (KMH)  
Air            Spreader Company for an Adjusted Standard from 35 Ill. Adm.  
                  Code Part 215 Subpart F - Petitioner's Second Amendment (in  
                  the Nature of a Substitute) to the Petition for an Adjusted  
                  Standard in Response to a November 7, 1996 Board Order  
                  (12/20)

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## DECISIONS

96-126      People of the State of Illinois v. Bennett Industries, Inc. -      (KMH)  
A-E            Stipulation

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96-157      People of the State of Illinois v. City of Toluca - Stipulation      (JY)  
W-E

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96-235      People of the State of Illinois v. Medalist, Inc. - Stipulation      (McF)  
A-E

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## ADMINISTRATIVE CITATIONS

AC 97-22      County of Will v. Citiwaste, Inc. - Default Order      (JTM)

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AC 97-39      IEPA v. Gale E. Wilhelms and Linda L. Wilhelms - Default      (CAM)  
                  Order

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AC 97-40      County of Will v. Arthur Burchett - Dismissal Order      (CAM)

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AC 97-41      County of Will v. Utilities Unlimited, Inc., Charles Petreikis, Sr.,  
                  d/b/a Utilities Unlimited, Inc. - Accept for Hearing - No Order

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**ADMINISTRATIVE CITATIONS (Cont'd)**

AC 97-44     IEPA v. Tazewell Recycling and Disposal Facility - Accept Case  
                  - No Order

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AC 97-45     County of Vermilion v. Elvis Ford - Accept Case - No Order

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AC 97-46     County of LaSalle v. Ace Auto Salvage, Inc. - Accept Case - No  
                  Order

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**MOTIONS AND OTHER MATTERS**

95-50           Palos Kar Wash Professionals, Inc. v. IEPA - Petitioner's           (RCF)  
UST-Appeal     Motion to Dismiss (1/6)

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96-130           People of the State of Illinois v. Parco Asbestos Removal           (McF)  
A-E             Company, Inc. - Agreed Motion to Request Relief from the  
                  Hearing Requirement (12/30)

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96-133           People of the State of Illinois v. Village of Tilton - Motion to           (JY)  
W-E             Request Relief from Hearing Requirement (12/23)

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96-180           Environmental Site Developers, Inc. v. White & Brewer           (McF)  
W-E             Trucking, Inc. - Complainant's Motion to Consolidate, Motion  
Citizens       for Partial Summary Judgment and Memorandum in Support of  
                  Motion for Partial Summary Judgment (12/9)

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96-193           W.R. Grace and Company-Connecticut v. IEPA - Petitioner's           (JTM)  
A-V             Joint Motion to Amend Proposed Compliance Plan (12/18)

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96-222           Koppers Industries, Inc. v. IEPA - Agency's Motion to Postpone       (JTM)  
P-A,  
NPDES          Filing the Answer and Record (12/24)

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## MOTIONS AND OTHER MATTERS (Cont'd)

96-233      People of the State of Illinois v. ESG Watts, Inc. - (McF)  
L&GW-E      Complainant's Motion for Summary Judgment (12/16),  
Respondent's Motion for Extension of Time to File a Response  
to Complainant's Motion for Summary Judgment (12/19)

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96-250      White and Brewer Trucking, Inc. v. IEPA - Agency Motion for (KMH)  
P-A          Summary Judgment (9/3), Petitioner's Response to Agency's  
Motion for Summary Judgment, Petitioner's Second Motion to  
Supplement Record, and Motion for Leave to File Response in  
Excess of Page Limits (12/6)

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96-264      People of the State of Illinois v. American Waste Processing, (CAM)  
RCRA-E      Ltd. - Respondent's Motion to Dismiss Complaint for Failure to  
Comply with Jurisdictional Notice Requirement (11/25),  
Complainant's Response to Respondent's Motion to Dismiss  
Complaint for Failure to Comply with Jurisdictional Notice  
Requirement (12/6), Respondent's Reply to Complainant's  
Response to Respondent's Motion to Dismiss Complaint for  
Failure to Comply with Jurisdictional Notice Requirement  
(12/10), Complainant's Response to Respondent's Reply (12/20)

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97-1          Lawrence Cadillac v. IEPA - Agency's Motion for Extension of (McF)  
UST-Appeal      Time to File Agency Record (12/20)

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97-29          Citizens Opposed to Additional Landfills and Harvey Pitt, (JY)  
L-S-R, 3rd      individually and as a Member of Citizens Opposed to Additional  
Party          Landfills v. Greater Egypt Regional Environmental Complex,  
a/k/a Gere Properties, Inc., and the Perry County Board of  
Commissioners - Perry County Board of Commissioners'  
Motion for Clarification of December 5, 1996 Board Order (1/6)

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## MOTIONS AND OTHER MATTERS (Cont'd)

97-35)	<u>Illinois Power Company (Units 1 &amp; 2) - Baldwin Power Station)</u>	(JY)
97-36)	<u>v. IEPA - Petitioner's Motion for Summary Judgment (10/7),</u>	
P-A, Air	<u>Petitioner's Motion for Leave to File Amended Motion for</u> <u>Summary Judgment (12/11), Agency's Cross-Motion for</u> <u>Summary Judgment (12/12), Petitioner's Response to Agency's</u> <u>Cross-Motion for Summary Judgment (12/13), Petitioner's</u> <u>Motion for Leave to File Reply to Agency's Response to</u> <u>Petitioner's Memorandum of Law in Support of Amended</u> <u>Motion for Summary Judgment (12/16), Agency's Response to</u> <u>Petitioner's Memorandum of Law in Support of Amended</u> <u>Motion for Summary Judgment (12/16), Agency's Response to</u> <u>Petitioner's Motion for Leave to Reply to Agency's Response to</u> <u>Petitioner's Memorandum of Law in Support of Amended</u> <u>Motion for Summary Judgment (12/19)</u>	
97-50	<u>Lionel P. Trepanier, Daniel Miller, Wes Wager, Maureen Cole,</u>	(KMH)
A-E, Citizens	<u>Lorenz Joseph, Maxworks Garden Cooperative, Avi Pandya v.</u> <u>Speedway Wrecking Company - Complainants' Motion to Add a</u> <u>Party (12/31)</u>	
97-55	<u>People of the State of Illinois v. Precision Chrome, Inc. - Third</u>	(JY)
RCRA-E	<u>Joint Motion for Extension of Time to Answer or Otherwise</u> <u>Plead (1/6)</u>	
97-58	<u>W.R. Meadows, Inc. v. IEPA - Petitioner's Supplemental</u>	(McF)
A-V	<u>Information in Response to December 5, 1996 Board Order</u> <u>(12/20), Agency's Motion to Dismiss (12/27)</u>	
97-62	<u>People of the State of Illinois v. Geon Corporation -</u>	(JTM)
A-E	<u>Complainant's Motion to Strike Affirmative Defenses of</u> <u>Respondent (11/26), Respondent's Memorandum in Opposition</u> <u>to Complainant's Motion to Strike Respondent's Affirmative</u> <u>Defenses (12/13)</u>	

**MOTIONS AND OTHER MATTERS (Cont'd)**

97-67 P-A, Land	<u>Mid-American Waste Systems of Illinois, Inc., Illinois Development Corporation, and Allied Waste Industries (Midwest), Inc., d/b/a Groen Waste Services Transfer Station - Agency's Motion for Extension of Time to File Agency Record (12/20)</u>	
97-68 L-S-R, 3rd Party	<u>Senator William Shaw, Ronnie Lewis, and Judith Evans v. Board of Trustees of the Village of Dolton, Illinois, Land and Lakes Company, and Mayor Donald Hart - Respondents' Motion to Reconsider November 21, 1996 Board Order and Order Directing Petitioners to Pay Costs of Preparing Record (12/26)</u>	(JY)
97-78 W-V, NPDES	<u>DeKalb Sanitary District v. IEPA - Petitioner's Motion for Expedited Decision (12/23)</u>	(JY)
97-82 UST-Appeal 90-Day Ext.	<u>General Motors Corporation v. IEPA - Dismissal Order</u>	(CAM)
97-83 P-A, 90-Day Ext.	<u>Laidlaw Waste Systems, Inc. v. IEPA - Dismissal Order</u>	(CAM)
97-84 UST-E	<u>George Casanave v. Standard Oil Company, Inc., and Ray L. Pearson - Duplicitous/Frivolous Determination</u>	(CAM)
97-88 P-A, Land	<u>Laidlaw Waste Systems, Inc. v. IEPA - Accept for Hearing - Order</u>	(CAM)
97-94 UST-E, Citizens	<u>Jerry Austman and Theresa Strahm v. Amoco Corporation - (See Respondent's Motion for Extension of Time to Answer or Otherwise Respond to the Complaint filed 12/17) - Hold for Duplicitous/Frivolous Determination</u>	(CAM)



**MOTIONS AND OTHER MATTERS (Cont'd)**

97-99            Shell Oil Company v. IEPA - Agency's Motion to Dismiss the            (JY)  
WWS            Petitioner's Petition (12/27), Agency's Motion for  
                         Reconsideration (1/6)

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97-100           Farmers State Bank, Pittsfield, Illinois v. Phillips Petroleum  
L & W-E        Company - Duplicitous/Frivolous Determination (See  
                         **Respondent's Answer and Affirmative Defenses filed 1/3**)

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97-102           Bordens Chemicals and Plastics Operating Limited Partnership            (CAM)  
W-V,            v. IEPA  
NPDES

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97-104           Continental Waste Industries of Illinois, Inc. v. IEPA -            (CAM)  
P-A, 90-Day     Petitioner's Request for 90-Day Extension of Appeal Period  
Ext.            (12/13), Joint Request for 90-Day Extension of Appeal Period  
                         (12/23)

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97-105           Tri-Star Marketing, Inc. v. IEPA - Agency's Motion for  
UST-FRD        Extension of Time to File Agency Record (12/23)

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97-110           People of the State of Illinois v. Meto-Grafics, Inc. - Hearing  
RCRA-E        Mandatory - No Order

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97-111           People of the State of Illinois v. John Prior and Industrial  
                         Salvage, Inc. - Hearing Mandatory - No Order

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97-112           OK Service Center v. IEPA - Joint Request for 90-Day  
UST-Appeal     Extension of Appeal Period (12/23)  
90-Day Ext.

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97-113           People of the State of Illinois v. Homin Lee, d/b/a Meisel Plating  
RCRA-E        Hearing Mandatory - No Order

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## MOTIONS AND OTHER MATTERS (Cont'd)

97-114      Clow Company v. IEPA - Joint Request for 90-Day Extension of      (CAM)  
UST-      Appeal Period (12/31) - Order  
Appeal, 90-  
Day Ext.

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97-115      People of the State of Illinois v. Citizens Utilities Company of  
W-E      Illinois - Hearing Mandatory - No Order

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97-116      People of the State of Illinois v. Dixon-Marquette Cement, Inc. -  
W-E      Hearing Mandatory - No Order

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97-117      People of the State of Illinois v. United Scrap Metal, Inc. -  
Hearing Mandatory - No Order

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## CASES PENDING DECISION

R94-34      Landfills, Waste Treatment and Transfer Facilities Located      (CAM)  
R, Land      Within 100-year Floodplains - Order      GTG)  
           (McF)

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96-68      Donnetta Gott, Lyndell Chaplain, Gary Wells, Earnest L. Ellison      (KMH)  
A-E      and Maxine Ellison v. M'Orr Pork, Inc.

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96-193      W.R. Grace Company-Connecticut v. IEPA (open waiver)      (JTM)  
A-V

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97-78      DeKalb Sanitary District v. IEPA (due 2/27)      (JY)  
W-V,  
NPDES

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## ADJOURNMENT

**LIST OF NEW CASES FILED SINCE DECEMBER 19, 1996 BOARD MEETING**

AC 97-44	IEPA v. Tazewell Recycling and Disposal Facility
AC 97-45	County of Vermilion v. Elvis Ford
AC 97-46	County of LaSalle v. Ace Auto Salvage, Inc.
97-110	People of the State of Illinois v. Meto-Grafics, Inc.
97-111	People of the State of Illinois v. John Prior and Industrial Salvage, Inc.
97-112	OK Service Center v. IEPA
97-113	People of the State of Illinois v. Homin Lee, d/b/a Meisel Plating
97-114	Clow Company v. IEPA
97-115	People of the State of Illinois v. Citizens Utilities Company of Illinois
97-116	People of the State of Illinois v. Dixon-Marquette Cement, Inc.
97-117	People of the State of Illinois v. United Scrap Metal, Inc.

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

January 23

February 6  
February 20

March 6

April 3  
April 17

May 1 \*  
May 15

June 5  
June 19

July 10  
July 24

August 7  
August 21

September 4  
September 18

October 2  
October 16 \*

November 6  
November 20

December 4  
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)	S02	S02 Alternative Standards (35 ILL. 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 Fund Reimbursement Determination
W-E	Water Enforcement	W-V	Water Variance
WWS	Water-Well Setback Exception		