

## ILLINOIS POLLUTION CONTROL BOARD

### MINUTES OF REGULAR BOARD MEETING MAY 1, 1997 CHICAGO, ILLINOIS - 10:30 A.M.

After calling the meeting to order, Chairman Manning welcomed the 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 April 17, 1997 Board Meeting were approved by a vote of 7-0.

In R96-4, Listing of Federal Hazardous Air Pollutants, Great Lakes Commissions Toxic Compounds and Great Waters Program Toxic Compounds, and Source Reporting for Illinois Toxic Air Contaminants: Amendments to 35 Ill. Adm. Code 232, an Adopted Rule, Final Order, Opinion and Order was adopted by a vote of 7-0. **(JY)**

In R96-10, RCRA Subtitle C Update, USEPA Regulations (July 1, 1995 through December 31, 1995); R97-3, UIC Update, USEPA Regulations (July 1, 1996 through June 30, 1996); R97-5, RCRA Subtitle C Update, USEPA Regulations (January 1, 1996 through June 30, 1996, a Reasons for Delay Order, was adopted by a vote of 7-0. **(KMH)**

In R96-18, Amendments to 35 Ill. Adm. Code Subtitle F (Parts 601 through 620), an Adopted Rule, Final Order, Opinion and Order was adopted by a vote of 7-0. **(RCF)**

In R97-12(B), Tiered Approach to Corrective Action (T.A.C.O.) 35 Ill. Adm. Code 742.505 and 742.900, a Revised Opinion and Order was adopted by a vote of 7-0. **(McF)**

In R97-18, SDWA Update, USEPA Regulations (July 1, 1996 through December 31, 1996), a Dismissal Order was adopted by a vote of 7-0. **(GTG)**

In R97-19, UIC Update, USEPA Regulations (July 1, 1996 through December 31, 1996), a Dismissal Order was adopted by a vote of 7-0. **(KMH)**

In R97-22, UST Update, USEPA Regulations (July 1, 1996 through December 31, 1996), a Dismissal Order was adopted by a vote of 7-0. **(McF)**

In R97-23, Wastewater Pretreatment Update, USEPA Regulations (July 1, 1996 through December 31, 1996), a Proposal for Public Comment, Proposed Opinion and Order was adopted by a vote of 6-0. Board Member K.M. Hennessey abstained. **(JY)**

An Order granting the Agency's motion to strike the petitioner's general response in opposition to the Agency's response to the petition for adjusted standard, 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 Part 215 Subpart F, by a vote of 7-0. **(KMH)**

An Order granting the petitioner's motion for continuance of a temporary stay of proceedings until July 7, 1997, advising the petitioner that if an amended petition is not filed by July 7, 1997, the petition will be subject to dismissal, and noting that the Board will entertain the request for a public hearing when and if the petitioner files a sufficient amended petition and publishes the requisite notice, was adopted in #AS 97-6, Petition of Granite City Steel for an Adjusted Standard from 35 Ill. Adm. Code 302.212 and 302.213, Water Quality Standards Relating to Ammonia, by a vote of 6-0. Board Member K.M. Hennessey abstained. **(RCF)**

An Opinion and Order accepting the Stipulation and Settlement Agreement in the amount of \$8,000.00, was adopted in #96-262, People of the State of Illinois v. R. Frietsch and Company, Inc., by a vote of 7-0. **(KMH)**

An Order granting the complainant's motion to dismiss, was adopted in #AC 97-48, Will County v. American Fly Ash, by a vote of 7-0. **(CAM)**

An Order granting the complainant's motion to dismiss, was adopted in #AC 97-49, Will County v. American Fly Ash, by a vote of 7-0. **(CAM)**

An Order granting the complainant's motion to dismiss, was adopted in #AC 97-50, Will County v. American Fly Ash, by a vote of 7-0. **(CAM)**

An Order granting the complainant's motion to dismiss, was adopted in #AC 97-51, Will County v. American Fly Ash, by a vote of 7-0. **(CAM)**

An Order granting the complainant's motion to dismiss, was adopted in #AC 97-52, Will County v. American Fly Ash, by a vote of 7-0. **(CAM)**

An Order granting the respondents' motion to dismiss the following unnecessary parties from the matter: Pioneer Trust & Savings Bank (Banco Popular), Darryl Sandberg, Candice Sandberg and Sandra Sandberg, correcting the remaining respondents' names to Phyllis Harrington and Philip Sandberg, Jr., and directing that all future captions in the matter reflect the changes, and appear as: County of Will v. Phyllis Harrington and Philip Sandberg, Jr., noting that the respondents filed a petition for review, and directing that the matter proceed to hearing, was adopted in #AC 97-55, County of Will v. Pioneer Trust & Savings Bank, Trust #17020, Phyllis Sandberg, Philip Sandberg, Jr., Sandra Sandberg, Darryl Sandberg and Candice Sandberg, by a vote of 7-0. **(JTM)**

These Administrative Citations were accepted by the Board: ##97-59, Montgomery County v. Envotech Illinois, Inc.; 97-60, IEPA v. Stacy Hess; 97-61, IEPA v. William Decker.

An Order denying the respondents' motion for reconsideration of a March 20, 1997 interim order which approved a stipulation and proposal for settlement between the complainant and Bell Sports, Inc. only, noting that the original enforcement matter filed by the complainant against Waste Hauling Landfill, Inc., and Waste Hauling, Inc., shall proceed as scheduled, and that Bell

Sports shall no longer appear as a named respondent in any future pleadings or orders in the original enforcement case filed by the complainant, was adopted in #95-91, People of the State of Illinois v. Waste Hauling Landfill, Inc., and Waste Hauling, Inc., by a vote of 7-0. **(CAM)**

An Order granting the petitioner's motion for consolidation, was adopted in ##96-62, - 97-181, Sequa Corporation (Precoat Metals Division) v. IEPA, by a vote of 7-0. **(RCF)**

An Order directing the Clerk of the Board to cause publication of the required newspaper notice of a motion for relief from hearing requirement, was adopted in #96-136, People of the State of Illinois v. Steve Kulovsek d/b/a WSH Management Group, and d/b/a Kulovsek Excavating, by a vote of 7-0. **(JY)**

An Agency motion for extension of time to file the Agency record in #97-120, Ingleside Citgo Service, Inc., was referred to the assigned hearing officer for disposition.

An Order dismissing the docket as unnecessary, was adopted in #97-126, Land and Lakes/Willow Ranch v. IEPA, by a vote of 7-0. **(CAM)**

An Order granting the complainant's motion to strike respondent's first, second, fourth and fifth affirmative defenses, denying the complainant's motion as to the third affirmative defense, directing that the matter proceed to hearing, and noting that the respondent will have the opportunity to introduce matters regarding its third defense raised in its motion opposing complainant's motion to strike respondent's affirmative defenses at the hearing, was adopted in #97-133, People of the State of Illinois v. Douglas Furniture of California, Inc., by a vote of 7-0. **(JTM)**

An Order accepting the matter for hearing, was adopted in #97-140, North Shore Sanitary District v. IEPA, by a vote of 7-0. **(GTG)**

An Order accepting the matter for hearing, was adopted in #97-144, Laidlaw Waste Systems, Inc. v. IEPA, by a vote of 7-0. **(CAM)**

An Order granting the Agency's motion to dismiss the petition and closing the docket, was adopted in #97-146, Kean Oil Company v. IEPA, by a vote of 7-0. **(JY)**

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 June 22, 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 #97-176, Schuller International Corporation, a/k/a John Manville Sales Corporation, a/k/a Manville Corporation, 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 June 11, 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 #97-182, Ingleside Citgo v. IEPA, by a vote of 7-0. (CAM)

An Order granting the provisional variance, and issuing the order *nunc pro tunc*, was adopted in #97-184, Berlin Industries v. IEPA, by a vote of 7-0. (CAM)

An Order accepting the matter for hearing, was adopted in #97-189, Frederick Cooper Lamps, Inc. v. IEPA, by a vote of 7-0. (CAM)

#### ADDENDUM

An Order accepting the matter for hearing, was adopted in #97-150, McKay Contractors, Inc. v. IEPA, by a vote of 7-0. (CAM)

An Order granting the objectors' motion to withdraw objection, was adopted in #97-159, Central Illinois Public Service Company (Newton Station) v. IEPA, by a vote of 6-0. Board Member K.M. Hennessey abstained. (RCF)

A mandatory hearing will be held in #97-191, People of the State of Illinois v. Galva Foundry Company.

#### AGENDA

These regulatory matters were discussed and held for further discussion or possible decision: R97-15(A), Livestock Waste Regulations, 35 Ill. Adm. Code 506, Adopted Rule, Final order, Opinion and Order; AS 97-3, Petition of Shell Wood River Refining Company for an Adjusted Standard from 35 Ill. Adm. Cod 725.213 and 725.321.

These cases were discussed and held for further discussion or possible decision: ##97-129, Pinewood Mobile Home Park v. IEPA; 97-137, City of Joliet v. IEPA.

The Chairman's motion to reschedule the May 8, 1997 Closed Deliberative Session to May 6, 1997, carried by a vote of 7-0.

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

All other matters not disposed of as listed, were held.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Minutes were approved this 15<sup>th</sup> day of May, 1997, by a vote of 6-0.



Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board



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

97-159      Central Illinois Public Service Company      (RCF)  
W-V      (Newton Station) v. IEPA - Objectors' Motion  
to Withdraw Objection (4/29)

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97-174      Bernice Loschen v. Grist Mill Confections, Inc.      (JY)  
A-E,      Complainant's Motion to Withdraw Motion to  
Citizens      Stay Proceedings (4/30)

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97-176      Schuller International Corporation v. IEPA -      (CAM)  
UST-      Joint Request for 90-Day Extension of Appeal  
Appeal,      Period (4/29) - Order  
90-Day  
Ext.

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97-190      White Cap, Inc. v. IEPA - Joint Request for 90-      (CAM)  
Day Extension of Appeal Period (4/29) -  
Awaiting Agency letter

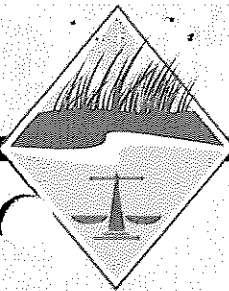
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97-191      People of the State of Illinois v. Galva Foundry  
RCRA-E      Company - Hearing Mandatory - No Order

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# ILLINOIS POLLUTION CONTROL BOARD

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



## GOVERNOR

Honorable Jim Edgar

## CHAIRMAN

Claire A. Manning  
Springfield

## MEMBERS

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DeKalb

G. Tanner Girard  
Grafton

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Chicago

Marilyn McFawn  
Inverness

J. Theodore Meyer  
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## AGENDA MAY 1, 1997 CHICAGO, ILLINOIS CONFERENCE ROOM 9-031 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

April 17, 1997

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## REGULATIONS AND ADJUSTED STANDARDS

R96-4 R, Air	<u>Listing of Federal Hazardous Air Pollutants, Great Lakes Commissions Toxic Compounds and Great Waters Program Toxic Compounds, and Source Reporting for Illinois Toxic Air Contaminants: Amendments to 35 Ill. Adm. Code 232 - Adopted Rule, Final Order, Opinion and Order</u>	(JY)
R96-10) R97-3) R97-5) R, Land	<u>RCRA Subtitle C Update, USEPA Regulations (July 1, 1995 through December 31, 1995); UIC Update, USEPA Regulations (July 1, 1996 through June 30, 1996); RCRA Subtitle C Update, USEPA Regulations (January 1, 1996 though June 30, 1996) - Reasons for Delay Order</u>	(KMH)
R96-18 R, PWS	<u>Amendments to 35 Ill. Adm. Code Subtitle F (Parts 601 through 620) - Adopted Rule, Final Order, Opinion and Order</u>	(RCF)
R97-12(B) R, Land	<u>Tiered Approach to Corrective Action (T.A.C.O.) 35 Ill. Adm. Code 742.505 and 742.900 - Revised Opinion and Order for Rulemaking Under this Docket and Vacating April 17, 1997 Opinion and Order</u>	(McF)
R97-18 R, PWS	<u>SDWA Update, USEPA Regulations (July 1, 1996 through December 31, 1996) - Dismissal Order</u>	(GTG)
R97-19 R, Land	<u>UIC Update, USEPA Regulations (July 1, 1996 through December 31, 1996) - Dismissal Order</u>	(KMH)
R97-22 R, Land	<u>UST Update, USEPA Regulations (July 1, 1996 through December 31, 1996) - Dismissal Order</u>	(McF)
R97-23 R, Water	<u>Wastewater Pretreatment Update, USEPA Regulations (July 1, 1996 through December 31, 1996) - Proposal for Public Comment, Proposed Opinion and Order</u>	(JY)

**REGULATIONS AND ADJUSTED STANDARDS (Cont'd)**

R97-28      Site-Specific Petition of Mobil Oil Corporation for Relief from  
R, Water      35 Ill. Adm. Code 304.122, Ammonia Nitrogen Effluent  
                    Standards - Petitioner's Motion to Waive Requirement to Submit  
                    200 Signatures and to Allow Less than Nine Copies of Exhibits  
                    (4/24)

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AS 94-20      Petition of the Galesburg Sanitary District for an Adjusted      (JY)  
Water      Standard from 35 Ill. Adm. Code 304.105 (Ammonia Nitrogen) -  
                    Petitioner's Motion to Amend Requested Relief (3/11),  
                    Agency's Motion to Strike Petitioner's Motion to Amend  
                    Requested Relief (3/19), Petitioner's Response to Agency's  
                    Motion to Strike and Motion to File Instanter (4/1)

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AS 95-1      Petition of Tommy House Tire Company, Inc. for an Adjusted      (McF)  
Land      Standard from 35 Ill. Adm. Code 848.202(b)(1), (b)(2) and  
                    (b)(5) - Petitioner's Motion to Reconsider and Amend Board  
                    Order dated June 6, 1996 (4/21), Agency's Response to  
                    Petitioner's Motion to Reconsider and Amend Board Order  
                    dated June 6, 1996 (4/24)

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AS 97-2      Petition of Chemetco Company, Inc. for an Adjusted Standard      (KMH)  
Land,  
RCRA      from 35 Ill. Adm. Code 720.131(a) and (c) - Petitioner's Motion  
                    for Leave to Supplement the Record (4/23)

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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 General Response in  
                    Opposition to Agency's February 26, 1997 Response to Petition  
                    (4/1), Agency's Motion to Strike Swenson Spreader's General  
                    Response in Opposition to the Agency's Response to the Petition  
                    for Adjusted Standard (4/9)

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**REGULATIONS AND ADJUSTED STANDARDS (Cont'd)**

AS 97-6 Water, NPDES	<u>Petition of Granite City Steel for an Adjusted Standard from 35 Ill. Adm. Code 302.212 and 302.213, Water Quality Standards Relating to Ammonia - Petitioner's Motion for Continuance of Temporary Stay of Proceedings (4/23)</u>	(RCF)
AS 97-8 Land	<u>Petition of Southern Illinois Regional Landfill, Inc. (SIRL) for an Adjusted Standard from 35 Ill. Adm. Code 811.309 - Hold for Certificate of Publication - No Order</u>	(McF)

**DECISIONS**

96-118 A-E	<u>People of the State of Illinois v. Dennis Fults, d/b/a St. Clair Construction and Paving</u>	(KMH)
96-262 A-E	<u>People of the State of Illinois v. R. Frietsch and Company, Inc. - Stipulation</u>	(KMH)

**ADMINISTRATIVE CITATIONS**

AC 97-13	<u>County of DuPage v. M. Saleem Choudry - Respondent's Motion for Reconsideration of March 20, 1997 Board Order (4/25)</u>	(JTM)
AC 97-17	<u>County of Will v. Mitch Pinnick - Order</u>	(KMH)
AC 97-48	<u>Will County v. American Fly Ash - Complainant's Motion to Dismiss (4/23)</u>	(CAM)
AC 97-49	<u>Will County v. American Fly Ash - Complainant's Motion to Dismiss (4/23)</u>	(CAM)

**ADMINISTRATIVE CITATIONS (Cont'd)**

AC 97-50     Will County v. American Fly Ash - Complainant's Motion to Dismiss (4/23)     (CAM)

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AC 97-51     Will County v. American Fly Ash - Complainant's Motion to Dismiss (4/23)     (CAM)

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AC 97-52     Will County v. American Fly Ash - Complainant's Motion to Dismiss (4/23)     (CAM)

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AC 97-55     County of Will v. Pioneer Trust & Savings Bank, Trust #17020, Phyllis Harrington a/k/a Phyllis Sandberg, Philip Sandberg, Jr. A/k/a Phillip Sandberg, Jr. - Respondents' Motion to Dismiss Unnecessary Parties (4/10), Complainant's Response to Respondents' Motion to Dismiss Unnecessary Parties (4/17), Respondents' Petition for Review (4/22)     (JTM)

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AC 97-59     Montgomery County v. Envotech Illinois, Inc. - Accept Case - No Order

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AC 97-60     IEPA v. Stacy Hess - Accept Case - No Order

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AC 97-61     IEPA v. William Decker - Accept Case - No Order

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**MOTIONS AND OTHER MATTERS**

93-124     Tolles Realty Company v. IEPA - Petitioner's Motion for Ruling on Petitioner's Motion for Summary Judgment (4/7)(see **Board Order of March 17, 1994**)     (KMH)  
UST-FRD

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## MOTIONS AND OTHER MATTERS (Cont'd)

95-91 RCRA-E	<u>People of the State of Illinois v. Bell Sports, Inc., Waste Hauling Landfill, Inc., and Waste Hauling, Inc. - Cross-Complainants' Motion for Reconsideration of March 20, 1997 Interim Order (4/14), Complainant's Response to Motion to Reconsider (4/15), Bell Sports, Inc. Opposition to Cross-Complainants' Motion for Reconsideration of March 20, 1997 Interim Order (4/21), Complainant's Motion to Allow Offer of Proof (4/28)</u>	(CAM)
96-62) 97-181) P-A, Air	<u>Sequa Corporation (Precoat Metals Division) v. IEPA - Petitioner's Motion for Consolidation (4/18)</u>	(RCF)
96-136 A-E	<u>People of the State of Illinois v. Steve Kulovsek d/b/a WSH Management Group, and d/b/a Kulovsek Excavating - Motion for Relief from Hearing Requirement (4/22)</u>	(JY)
96-180 W-E Citizens	<u>Environmental Site Developers, Inc. v. White &amp; Brewer Trucking, Inc. - Complainant's Motion to Consolidate, Motion for Partial Summary Judgment and Memorandum in Support of Motion for Partial Summary Judgment (12/9), Respondent's Motion for Leave to File Response in Excess of Page Limits, Response to Motion for Partial Summary Judgment, and Response in Opposition to Motion to Consolidate and Motion for Stay of Decision on Consolidation (1/14), Complainant's Response to Respondent's Motion for Stay of Decision on Consolidation and Motion for Leave to File a Reply Regarding Partial Summary Judgment (1/23), Complainant's Motion for Leave to File a Reply Regarding Consolidation (1/27), Motion to Amend Respondent's Response in Opposition to Motion to Consolidate and Motion for Stay of Decision on Consolidation and Response to Motion for Partial Summary Judgment (2/28), Respondent's Motion to Stay Proceedings, Memorandum of Law in Support of Motion to Stay Proceedings, and Motion for Leave to File Memorandum of Law in Support of Motion to Stay Proceedings in Excess of Page Limits (3/31), Complainant's Response and Motion for Leave to File Response in Excess of Page Limit (4/25)</u>	(McF)

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

96-194      The D.B. Hess Company, Inc. v. IEPA - Joint Motion to Clarify      (McF)  
A-V              March 20, 1997 Board Order (4/28)

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96-265      Edward M. Pearl v Bicoastal Corporation, Singer Corporation,      (JY)  
L,SW,              and Eaton Corporation - Respondent Eaton Corporation's Second  
RCRA-E              Motion to Dismiss Based on Changed Circumstances, Motion for  
                            Summary Judgment, and Request for Oral Argument (4/21),  
                            Complainant's Motion for Clarification of April 3, 1997 Board  
                            Order (4/28)

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97-38              People of the State of Illinois v. Amsted Industries, Inc. d/b/a      (JY)  
RCRA-E              Griffin Wheel Company, L.E. Swiderski d/b/a Griffin Wheel  
                            Company, Hellman Trucking Company, Inc., and Horsehead  
                            Resource Development Company, Inc. - Complainant's Motion  
                            for Voluntary Dismissal (4/24), Motion to Request Relief from  
                            Hearing Requirement (4/24)

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97-58              W.R. Meadows, Inc. v. IEPA - Petitioner's Motion to Reconsider      (McF)  
A-V                      February 6, 1997 Order (3/14), Agency's Objection to  
                            Petitioner's Motion to Reconsider (3/28), Petitioner's Motion to  
                            Strike Agency's Objection to Petitioner's Motion to Reconsider  
                            and Motion to Supplement the Motion to Reconsider (4/3),  
                            Petitioner's Motion to Withdraw Petitioner's Motion to Strike  
                            (4/7), Agency's Objection to Petitioner's Motion to Supplement  
                            (4/10)

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97-84              George Casanave v. Amoco Oil Company and Ray L. Pearson -      (CAM)  
UST-E                      Respondent Amoco Oil Company's Motion to Dismiss (1/21),  
                            Complainant's Response to Respondent Amoco Oil Company's  
                            Motion to Dismiss (3/18), Respondent Amoco Oil Company's  
                            Motion for Leave to File Instantly a Reply to Complainant's  
                            Response to its Motion to Dismiss (4/2)

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

97-93 A-E	<u>People of the State of Illinois v. Ashland, Inc.</u> - Complainant's Motion to Strike Respondent's Affirmative Defenses and Memorandum of Law in Support of Complainant's Motion to Strike Respondent's Affirmative Defenses (1/13), Respondent's Memorandum of Opposition to Complainant's Motion to Strike Respondent's Affirmative Defenses (1/30)	(GTG)
97-103 L&W-E	<u>People of the State of Illinois v. State Oil Company, William Anest, an individual, f/d/b/a S&amp;S Petroleum Products, Peter Anest, an individual, f/d/b/a S&amp;S Petroleum Products, Charles Abraham, an individual, Josephine Abraham, an individual, and Millstream Service, Inc.</u> - Respondents' William Anest and Peter Anest Motion to Dismiss (4/18)	(CAM)
97-120 UST-FRD	<u>Ingleside Citgo Service, Inc. v. IEPA</u> - Agency's Motion for Extension of Time to File Agency Record (4/18)	(GTG)
97-126 P-A, Land	<u>Land Lakes/Willow Ranch v. IEPA</u> - Dismissal Order	(CAM)
97-133 EPCRA-E	<u>People of the State of Illinois v. Douglas Furniture of California, Inc.</u> - Complainant's Motion to Strike Respondent's Affirmative Defenses (3/27), Respondent's Motion Opposing Complainant's Motion to Strike Respondent's Affirmative Defenses (4/28)	(JTM)
97-134 RCRA-E Citizens	<u>Dayton Hudson Corporation v. Cardinal Industries, Inc., and Daniel E. Cardinal, Jr.</u> - Respondents' Motion to Strike Complaint and Memorandum in Support (3/17), Complainant's Response to Respondents' Motion to Strike (4/7)	(CAM)
97-140 P-A, Land	<u>North Shore Sanitary District v. IEPA</u> - Accept for Hearing Order	(GTG)
97-144 P-A, Land	<u>Laidlaw Waste Systems, Inc. v. IEPA</u> - Accept for Hearing Order	(CAM)





## MOTIONS AND OTHER MATTERS (Cont'd)

97-187      Martin Oil Marketing, Ltd. V. IEPA - Accept for Hearing Order      (CAM)

UST-  
Appeal

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97-188      People of the State of Illinois v. Dan Loepker - Hearing  
W-E      Mandatory - No Order

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97-189      Frederick Cooper Lamps, Inc. v. IEPA - Accept for Hearing Order      (CAM)

P-A, Air

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## CASES PENDING DECISION

R97-15(A) Livestock Waste Regulations, 35 Ill. Adm. Code 506 - Adopted      (CAM)  
R, Land      Rule, Final Order, Opinion and Order

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AS 97-3      Petition of Shell Wood River Refining Company for an Adjusted      (JY)  
Land,      Standard from 35 Ill. Adm. Code 725.213 and 725.321  
RCRA

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97-129      Pinewood Mobile Home Park v. IEPA (due 5/30)      (McF)  
PWS-V

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97-137      City of Joliet v. IEPA (due 6/14)      (JTM)  
PWS-V

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Chairman's Motion to reschedule May 8, 1997 Closed  
Deliberative Session

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## ADJOURNMENT

**LIST OF NEW CASES FILED SINCE APRIL 17, 1997 BOARD MEETING**

R97-28	Site-Specific Petition of Mobil Oil Corporation for Relief from 35 Ill. Adm. Code 304.122, Ammonia Nitrogen Effluent Standards
AC 97-59	Montgomery County v. Envotech Illinois, Inc.
AC 97-60	IEPA v. Stacy Hess
AC 97-61	IEPA v. William Decker
97-182	Ingleside Citgo v. IEPA
97-183	Trust Number 5439, by its Trustee, The Amalgamated Trust and Savings Bank v. Shell Oil Company
97-184	Berlin Industries v. IEPA
97-185	Old Elm Country Club v. IEPA
97-186	Elouisa Farrales v. Office of the State Fire Marshal
97-187	Martin Oil Marketing, Ltd. V. IEPA
97-188	People of the State of Illinois v. Dan Loepker
97-189	Frederick Cooper Lamps, Inc. v. IEPA

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

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)	S0 <sub>2</sub>	S0 <sub>2</sub> 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		