

# ILLINOIS POLLUTION CONTROL BOARD

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## MEETING MINUTES



APRIL 16, 1998 CHICAGO, ILLINOIS  
CONFERENCE ROOM 9-040  
10:30 A.M.

### ANNOUNCEMENTS

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After calling the meeting to order, Chairman Manning welcomed members of the public and staff to the meeting.

### ROLL CALL

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The Clerk of the Board called the roll and all Board Members answered present.

### APPROVAL OF MINUTES

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Minutes of the April 2, 1998 meeting were approved by a vote of 6-0. Board Member McFawn abstained.

### RULEMAKINGS

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<b>R97-12(C)</b>	<u>In the Matter of: Tiered Approach to Corrective Action Objectives (TACO): Amendments to 35 Ill. Adm. Code 742.505 and 742.900</u> - Proposed Rule, Second Notice, Opinion and Order. The Board adopted a second notice opinion and order in this proposed rulemaking to amend the Board's regulations concerning standards for tiered approach to corrective action objectives (35 Ill. Adm. Code 742).	7-0 R, Land
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## ADJUSTED STANDARDS (CONTINUED)

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R97-21	<u>In the Matter of: RCRA Subtitle C Update, USEPA Regulations</u>	7-0
R98-3	<u>(July 1, 1996 through December 31, 1996); In the Matter of: UIC</u>	R, Land
R98-5	<u>Update, USEPA Regulations (January 1, 1997 through June 30, 1997) In the Matter of: RCRA Subtitle D Update, USEPA Regulations (January 1, 1997 through June 30, 1997) - The Board sets forth reasons for delay in proposing and adopting the amendments involved in this consolidated docket.</u>	
R98-10	<u>In the Matter of: Amendments to General Permitting Provisions to Require Perpetual Permits for Certain Sources: Amendments to 35 Ill. Adm. Code 201 - Proposed Rule, Second Notice, Opinion and Order. No action taken.</u>	R, Air
R98-13	<u>In the Matter of: Amendments to General Permitting Provisions to Require Perpetual Permits for Certain Sources: Amendments to 35 Ill. Adm. Code 201 - Proposed Rule, Second Notice, Opinion and Order. The Board adopted a second notice opinion and order in this proposed rulemaking to amend the Board's regulations concerning standards for universal waste management (35 Ill. Adm. Code 733, Standards for Universal Waste Management).</u>	7-0 R, Air
R98-15	<u>In the Matter of: Clean-up Amendments to 35 Ill. Adm. Code 215 (Emission Standards and Limitations for Stationary Sources Located Outside the Chicago and Metro East Ozone Non-Attainment Areas) - Proposed Rule, Second Notice, Opinion and Order. The Board adopted a second notice opinion and order in this proposed rulemaking to amend the Board's air pollution control regulations.</u>	7-0 R, Air
R98-17	<u>In the Matter of: Exemptions From the Definition of VOM, USEPA Amendments (July 1, 1997 through April 9, 1998) - Proposed Rule, Proposal for Public Comment, Opinion and Order. The Board adopted an opinion and order requesting public comments, in this proposed rulemaking to amend the Board's air pollution control regulations.</u>	7-0 R, Air

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## ADJUSTED STANDARDS (CONTINUED)

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**R98-23**      In the Matter of: Wastewater Pretreatment Update, USEPA Regulations (July 1, 1997 through December 31, 1997) - Proposed Rule, Proposal for Public Comment, Opinion and Order. The Board adopted an opinion and order requesting public comments, in this proposed rulemaking to amend the Board's water pollution control regulations.      6-0  
R, Water  
Hennessey  
abstained

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**R98-27**      In the Matter of: Review of Remediation Costs for Environmental Remediation Tax Credit (Amendments to 35 Ill. Adm. Code 740) - Proposed Rule, First Notice, Opinion and Order. The Board adopted a first notice opinion and order in this proposed rulemaking to amend the Board's waste disposal regulations.      7-0  
R, Land

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## ADJUSTED STANDARDS

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**AS 98-5**      In the Matter of: Petition of the Metropolitan Water Reclamation District of Greater Chicago for an Adjusted Standard from 35 Ill. Adm. Codes 811, 812, and 817 - No action taken.      Land

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**AS 98-6**      In the Matter of: Petition of Shell Wood River Refining Company for an Adjusted Standard from 35 Ill. Adm. Code 725.213 and 725.321 - No action taken.      Land,  
RCRA

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## ADMINISTRATIVE CITATIONS

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**AC 98-16**      County of Jackson v. James Qualls - The Board entered an order finding that this Jackson County respondent violated Sections 21(p)(1), (p)(2) and (p)(5) of the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(2), (p)(5) (1996)) and ordered the respondent to pay a civil penalty of \$1,500.      7-0

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**AC 98-17**      IEPA v. John Provenzano, d/b/a Blackstone Auto Salvage - The Board entered an order finding that this Livingston County respondent violated Sections 21(p)(1) and (p)(3) of the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(3) (1996)) and ordered the respondent to pay a civil penalty of \$1,000.      7-0

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## ADMINISTRATIVE CITATIONS (CONTINUED)

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AC 98-18     IEPA v. Michael Howell - The Board entered an order finding that this Williamson County respondent violated Sections 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (1996)) and ordered the respondent to pay a civil penalty of \$500.     7-0

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AC 98-25     IEPA v. Melvin C. Dyer - No action taken.

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## ADJUDICATORY CASES

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### Decisions.

PCB 96-68     Donetta Gott, Lyndell Chapin, Gary Wells, Earnest L. Ellison and Maxine Ellison v. M'Orr Pork, Inc. The Board entered an order in this citizens air enforcement action involving a Pike County facility, finding the respondent in violation of Section 9(a) of the Environmental Protection Act (415 ILCS 5/9(a) (1996)) and 35 Ill. Adm. Code 501.402(c)(3), ordered the payment of a civil penalty of \$2,500, and ordered the respondent to cease and desist from further violations.     6-0  
A-E,  
Citizens  
Flemal  
dissented

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PCB 96-207     People of the State of Illinois v. Piece Work Specialist, Inc. - The Board entered an order granting relief from the requirement of Section 31(c)(2) of the Act that proposed stipulation and settlement agreements be presented at hearing (415 ILCS 5/31(c)(2) (1996)), accepted a stipulation and settlement agreement in this RCRA enforcement action involving a Tazewell County facility, ordered respondent to pay a civil penalty of \$12,000, and to cease and desist from further violations.     7-0  
RCRA-E

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### Provisional Variances

*Since the Board must decide provisional variances within forty-eight hours of their filing, any provisional variances filed prior to this meeting will be included here.*

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**ADJUDICATORY CASES (CONTINUED)**

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Other Motions and Matters (Continued)

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<b>PCB 98-141</b>	<u>Commonwealth Edison Company (Zion Power Station) v. IEPA</u> - Upon receipt of an IEPA recommendation, the Board granted this Lake County facility a 45-day provisional variance, subject to conditions, from certain effluent discharge requirements of the water pollution control regulations, as set forth in 35 Ill. Adm. Code 304.141(b) and 309.102.	5-0 Water Hennessey abstained Meyer voted present
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Motions and Other Matters

<b>PCB 93-234</b>	<u>K &amp; H Disposal, Inc. v. IEPA</u> - The Board granted petitioner's motion for withdrawal of this permit appeal involving a Iroquois County facility.	7-0 P-A, Land
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<b>PCB 96-233</b>	<u>People of the State of Illinois v. ESG Watts, Inc.</u> - The Board entered an order granting \$14,760 in attorney fees to complainant, finding respondent in violation of its March 6, 1998 order, and assessing a penalty in the amount of \$3,587.	4-3 L&GW-E Flemal, Girard, and Manning dissented
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<b>PCB 96-261</b>	<u>People of the State of Illinois v. G. M. Demolition Corporation</u> - No action taken.	A-E
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<b>PCB 97-8</b>	<u>People of the State of Illinois v. Cyberamerica Corporation, f/k/a Canton Industrial Corporation.</u> - No action taken.	L-E
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<b>PCB 97-103</b>	<u>People of the State of Illinois v. State Oil Company, William Anest, f/d/b/a S&amp;S Petroleum Products, Peter Anest, f/d/b/a S&amp;S Petroleum Products, Charles Abraham, Josephine Abraham, and Milstream Service, Inc.</u> - No action taken.	L&W-E
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## ADJUDICATORY CASES (CONTINUED)

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### Other Motions and Matters (Continued)

<b>PCB 97-116</b>	<u>People of the State of Illinois v. Dixon-Marquette Cement, Inc.</u> - Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this water enforcement action against a Lee County facility, the Board ordered publication of the required newspaper notice.	6-0 Water-E, Hennessey abstained
<b>PCB 97-120</b>	<u>Ingleside Citgo Service, Inc. v. IEPA</u> - The Board granted petitioner's motion for withdrawal of this underground storage tank appeal involving a Lake County facility.	7-0 UST-FRD
<b>PCB 97-121</b>	<u>Matteson WHP Partnership v. James W. Martin and Eva D. Martin, individually and d/b/a Martin's of Matteson</u> - No action taken.	RCRA-E, Citizens
<b>PCB 97-186</b>	<u>Elouisa Farrales v. Office of the State Fire Marshal</u> - No action taken.	UST-FRD
<b>PCB 97-195</b>	<u>W.R. Meadows, Inc. v. IEPA</u> - No action taken.	P-A, Air
<b>PCB 98-36</b>	<u>OK Service Center v. IEPA</u> - The Board granted petitioner's motion for withdrawal of this underground storage tank appeal involving a Cook County facility.	7-0 UST-Appeal
<b>PCB 98-101</b>	<u>Franklin C.U.S.D. #1 v. IEPA</u> - Having previously granted a request for a 90-day extension, the Board dismissed the matter because no underground storage tank appeal was timely filed on behalf of this Morgan County facility	7-0 UST-Appeal

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## ADJUDICATORY CASES (CONTINUED)

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### Other Motions and Matters (Continued)

<b>PCB 98-103</b>	<u>Stepan Company v. IEPA</u> - Having previously granted a request for a 90-day extension, the Board dismissed the matter because no permit appeal was timely filed on behalf of this Cook County facility.	7-0 P-A, 90-Day Ext
<b>PCB 98-104</b>	<u>Village of Addison v. City of Wood Dale</u> - The Board entered an order denying the complainant's motion to reconsider its March 5, 1998 order.	6-0 W-E, Citizens Hennessey abstained
<b>PCB 98-105</b>	<u>Richardson Electronics, LTD. v. IEPA</u> - Having previously granted a request for a 90-day extension, the Board dismissed the matter because no permit appeal was timely filed on behalf of this Kane County facility.	7-0 P-A, 90-Day Ext.
<b>PCB 98-114</b>	<u>David Mulvain, Individually, as a resident of the Village of Durand and the Durand Sanitary District, and as a Trustee of the Board of Trustees of the Village of Durand v. IEPA, Rockford Blacktop Construction, and the Village of Durand</u> - No action taken.	W-E, Citizens
<b>PCB 98-127</b>	<u>People of the State of Illinois v. Horsehead Resource Development Company, Inc.</u> - Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this water enforcement action against a Lee County facility, the Board ordered publication of the required newspaper notice.	RCRA-E
<b>PCB 98-128</b>	<u>SSCI Joint Venture and the Coca Cola Company v IEPA</u> - The Board accepted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a Cook County facility.	7-0 UST-FRD 90-Day Ext.

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**ADJUDICATORY CASES (CONTINUED)**

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**Other Motions and Matters (Continued)**

**PCB 98-129** People of the State of Illinois v. Heartland Pork Enterprises, Inc. - 6-0  
Upon receipt of a proposed stipulation and settlement agreement W-E  
and an agreed motion to request relief from the hearing Hennessey  
requirement in this water enforcement action against an Edgar abstained  
County facility, the Board ordered publication of the required  
newspaper notice.

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**PCB 98-130** Glister-Mary Lee Corporation v. IEPA - The Board accepted for 7-0  
hearing this appeal of an underground storage tank decision UST-FRD  
involving a Randolph County facility.

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**PCB 98-131** Glister-Mary Lee Corporation v. IEPA - The Board accepted for 7-0  
hearing this appeal of an underground storage tank decision UST-  
involving a Randolph County facility. FRDW-E,  
Citizens

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**PCB 98-132** Illinois State Toll Highway Authority v. IEPA - The Board 7-0  
accepted this request for a 90-day extension of time to file an UST-FRD  
underground storage tank appeal on behalf of a Cook County 90-Day Ext.  
facility.

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**PCB 98-133** Illinois State Toll Highway Authority v. IEPA - The Board 7-0  
accepted this request for a 90-day extension of time to file an UST-FRD  
underground storage tank appeal on behalf of a Cook County 90-Day  
facility. Ext.6-0

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**PCB 98-134** Illinois State Toll Highway Authority v. IEPA - The Board 7-0  
accepted this request for a 90-day extension of time to file an UST-FRD  
underground storage tank appeal on behalf of a Cook County 90-Day  
facility. Ext.6-0

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## ADJUDICATORY CASES (CONTINUED)

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### Other Motions and Matters (Continued)

<b>PCB 98-135</b>	<u>Illinois State Toll Highway Authority v.IEPA</u> - The Board accepted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a Lake County facility.	7-0 UST-FRD 90-Day Ext.6-0
<b>PCB 98-136</b>	<u>Illinois State Toll Highway Authority v.IEPA</u> - The Board accepted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a Lake County facility.	7-0 UST-FRD 90-Day Ext.6-0
<b>PCB 98-137</b>	<u>Illinois State Toll Highway Authority v.IEPA</u> - The Board accepted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a Cook County facility.	7-0 UST-FRD 90-Day Ext.6-0
<b>PCB 98-138</b>	<u>Illinois State Toll Highway Authority v.IEPA</u> - The Board accepted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a Cook County facility.	7-0 UST-FRD 90-Day Ext.6-0
<b>PCB 98-139</b>	<u>Illinois State Toll Highway Authority v.IEPA</u> - The Board accepted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a Cook County facility.	7-0 UST-FRD 90-Day Ext.6-0
<b>PCB 98-140</b>	<u>Rock Valley Oil &amp; Chemical Company, Inc. v. Office of the State Fire Marshal</u> - The Board accepted for hearing this appeal of an underground storage tank decision involving a Winnebago County facility.	UST-FRD

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## CASES PENDING DECISION

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<b>R97-15(B)</b>	<u>In the Matter of: Livestock Waste Regulations, 35 Ill Adm. Code 506 - Proposed Rule, Second Notice, Opinion and Order</u>	McFawn R, Land
<b>R98-24</b>	<u>In the Matter of: Enhanced Vehicle Inspection and Maintenance Regulations: Amendments to 35 Ill. Adm. Code 240 - Proposed Rule, Second Notice, Opinion and Order</u>	McFawn R, Air
<b>AS 97-5</b>	<u>In the Matter of: 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 -</u>	Hennessey Air
<b>PCB 95-91</b>	<u>People of the State of Illinois v. Waste Hauling Landfill, Inc., and Waste Hauling, Inc.; and Waste Hauling Landfill, Inc. and Waste Hauling, Inc. v. Bell Sports, Inc.</u>	Manning RCRA-E
<b>PCB 98-98</b>	<u>Environmentally Concerned Citizens Organization (E.C.C.O.) and Beth Finney v. Landfill L.L.C. d/b/a and/or a/k/a West End Disposal Facility and The Saline County Board of Commissioners</u>	Girard L-S-R, 3 <sup>rd</sup> Party

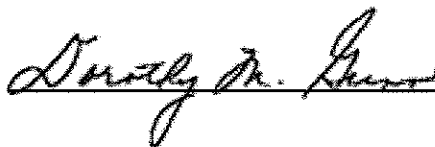
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## ADJOURNMENT

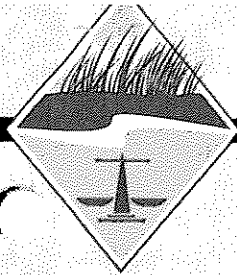
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Moved and seconded, by a vote of 7-0, Chairman Manning adjourned the meeting at 11:10 a.m.

I, Dorothy M. Gunn, Clerk of the Illinois pollution Control Board, hereby certify that the above Minutes were approved this 7th day of May 1998 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 312-814-3669

## REGULAR BOARD MEETING AGENDA APRIL 16, 1998 CHICAGO, ILLINOIS CONFERENCE ROOM 9-040 10:30 A.M.

### ADDENDUM

#### REGULATIONS AND ADJUSTED STANDARDS

R97-21	<u>In the Matter of: RCRA Update, USEPA</u>	Hennessey
R98-3	<u>Regulations (July 1, 1996 through December 31, 1996); In the Matter of: UIC Update, USEPA</u>	R, Land
R98-5	<u>Regulations (January 1, 1997 through June 30, 1997); In the Matter of: RCRA Update, USEPA</u> <u>Regulations (January 1, 1997 through June 30, 1997) - Reasons for Delay Order</u>	

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R98-23	<u>In the Matter of: Wastewater Pretreatment Update, USEPA Regulations (July 1, 1997 through December 31, 1997) - Proposed Rule, Proposal for Public Comment</u>	Yi R, Water
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#### MOTIONS AND OTHER MATTERS

93-234	<u>K&amp;H Disposal, Inc. v. IEPA - Petitioner's Motion to Dismiss (4/6)</u>	Girard P-A, Land
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**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 C. Yi  
Park Ridge

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TDD 312-814-6032



# ILLINOIS POLLUTION CONTROL BOARD

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## MEETING AGENDA



APRIL 16, 1998 CHICAGO, ILLINOIS  
CONFERENCE ROOM 9-040  
10:30 A.M.

### ANNOUNCEMENTS

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*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. Thank you for your interest.*

### ROLL CALL

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### APPROVAL OF MINUTES

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April 2, 1998

### RULEMAKINGS

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<b>R97-12(C)</b>	<u>In the Matter of: Tiered Approach to Corrective Action Objectives (TACO): Amendments to 35 Ill. Adm. Code 742.505 and 742.900</u> Proposed Rule, Second Notice, Opinion and Order	McFawn Yi R, Land
<b>R98-10</b>	<u>In the Matter of: Amendments to Major Stationary Sources Construction and Modification Rules (New Source Review Rules) 35 Ill. Adm. Code 203 - Joint Motion of ERMS Coalition, IEPA, and IERG to Reconsider March 5, 1998 Board Opinion (4/9)</u>	Hennessey R, Air

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## RULEMAKINGS (CONTINUED)

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R98-13     In the Matter of: Amendments to General Permitting Provisions to Require Perpetual Permits for Certain Sources: Amendments to 35 Ill. Adm. Code 201 - Proposed Rule, Second Notice, Opinion and Order

McFawn  
R, Air

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R98-15     In the Matter of: Clean-up Amendments to 35 Ill. Adm. Code 215 (Emission Standards and Limitations for Stationary Sources Located Outside the Chicago and Metro East Ozone Non-Attainment Areas) - Proposed Rule, Second Notice, Opinion and Order

Flemal  
R, Air

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R98-17     In the Matter of: Exemptions From the Definition of VOM, USEPA Amendments (July 1, 1997 through April 9, 1998) - Proposed Rule, Proposal for Public Comment, Opinion and Order

Girard  
R, Air

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R98-27     In the Matter of: Review of Remediation Costs for Environmental Remediation Tax Credit (Amendments to 35 Ill. Adm. Code 740) - Proposed Rule, First Notice, Opinion and Order

Hennessey  
Manning  
McFawn  
R, Land

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## ADJUSTED STANDARDS

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AS 98-5     In the Matter of: Petition of the Metropolitan Water Reclamation District of Greater Chicago for an Adjusted Standard from 35 Ill. Adm. Codes 811, 812, and 817 - (See Petitioner's Motion for Expedited Consideration filed 3/13; Agency Motion to Dismiss filed 4/1; and Petitioner's Response to Agency Motion to Dismiss filed 4/8) - Petitioner's Separate Certificates of Publication (3/25)

Girard  
Land

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AS 98-6     In the Matter of: Petition of Shell Wood River Refining Company for an Adjusted Standard from 35 Ill. Adm. Code 725.213 and 725.321 - (See Objection filed 4/6) - Awaiting Certificate of Publication

McFawn  
Land,  
RCRA

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## **ADMINISTRATIVE CITATIONS**

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AC 98-16     County of Jackson v. James Qualls - Default Order     Manning

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AC 98-17     IEPA v. John Provenzano, d/b/a Blackstone Auto Salvage - Default Order     Manning

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AC 98-18     IEPA v. Michael Howell - Default Order     Manning

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AC 98-25     IEPA v. Melvin C. Dyer - Accept Case - No Order

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## **ADJUDICATORY CASES**

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### Decisions

PCB 96-68     Donetta Gott, Lyndell Chaplin, Gary Wells, Earnest L. Ellison and Maxine Ellison v. M'Orr Pork, Inc.     Hennessey  
A-E,  
Citizens

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PCB 96-207     People of the State of Illinois v. Piece Work Specialist, Inc. - Stipulation     McFawn  
RCRA-E

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### Provisional Variances

*Since the Board must decide provisional variances within forty-eight hours of their filing, any provisional variances filed prior to this meeting will be included here.*

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### Motions and Other Matters

*Additional motions on the following cases filed prior to this meeting may be included here.*

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## ADJUDICATORY CASES (CONTINUED)

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### Motions and Other Matters (Continued)

**PCB 96-233** People of the State of Illinois v. ESG Watts, Inc. - Respondent's Cause as to Why it Should not Receive Sanction for Failure to Comply with March 6, 1997 Order in Response to February 5, 1998 Order (2/23), Complainant's Response to Respondent's Cause as to Why it Should not Receive Sanction for Failure to Comply with March 6, 1997 Order in Response to February 5, 1998 Order (3/6)

McFawn  
L&GW-E

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**PCB 96-261** People of the State of Illinois v. G.M. Demolition Corporation - Respondent's Motion for Partial Summary Judgment and Memorandum in Opposition to Complainant's Motion for Partial Summary Judgment (4/9), Complainant's Motion for Leave to File a Reply (4/10)

Meyer  
A-E

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**PCB 97-8** People of the State of Illinois v. Cyberamerica Corporation, f/k/a Canton Industrial Corporation - Complainant's Motion for Modification of February 5, 1998 Final Board Order

Manning  
L-E

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**PCB 97-103** People of the State of Illinois v. State Oil Company, William Anest, f/d/b/a S&S Petroleum Products, Peter Anest, f/d/b/a S&S Petroleum Products, Charles Abraham, Josephine Abraham, and Millstream Service, Inc. - Respondents' William and Peter Anest's Motion to Dismiss Cross-Complaint and Memorandum in Support of Motion to Dismiss Cross-Complaint (4/18/97), Cross-Complainants' Charles and Josephine Abraham and Millstream Service, Inc.'s Response to Respondents' Motion to Dismiss (6/20/97), Respondents' William and Peter Anest's Reply to Cross-Complainant's Response to its Motion to Dismiss Cross-Complaint (6/30/97)

Manning  
L&W-E

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**PCB 97-116** People of the State of Illinois v. Dixon-Marquette Cement, Inc. - Agreed Motion to Request Relief from the Hearing Requirement (4/13)

Meyer  
W-E

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## ADJUDICATORY CASES (CONTINUED)

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### Motions and Other Matters (Continued)

<b>PCB 97-120</b>	<u>Ingleside Citgo Service, Inc. v. IEPA</u> - Petitioner's Motion for Voluntary Dismissal (4/1)	Girard UST-FRD
<b>PCB 97-121</b>	<u>Matteson WHP Partnership v. James W. Martin and Eva D. Martin, individually and d/b/a Martin's of Matteson</u> - Complainant's Withdrawal of Motion for Summary Judgment (3/17)	McFawn RCRA-E, Citizens
<b>PCB 97-186</b>	<u>Elouisa Farrales v. Office of the State Fire Marshal</u> - Respondent's Motion for Summary Judgment and Memorandum of Law in Support of its Motion for Summary Judgment (4/9)	Hennessey UST-FRD
<b>PCB 97-195</b>	<u>W.R. Meadows, Inc. v. IEPA</u> - Petitioner's Motion for Summary Judgment (2/23), Agency Response in Opposition to Petitioner's Motion for Summary Judgment and Motion for Waiver of Requirements (3/9), Petitioner's Reply to Agency's Response in Opposition to Petitioner's Motion for Summary Judgment (3/16), Agency Motion to Strike, Reply, and Motion for Leave to File Reply Instanter (3/24), Petitioner's Response in Opposition to the Agency's Motion for Leave to File Brief in Excess of 15-Page Limit Nunc Pro Tunc and Petitioner's Response in Opposition to Agency's Motion for Leave to File Reply Instanter (3/26)	Flemal P-A, Air
<b>PCB 98-36</b>	<u>OK Service Center v. IEPA</u> - Petitioner's Motion to Voluntarily Dismiss Appeal (4/1)	Flemal UST-Appeal
<b>PCB 98-101</b>	<u>Franklin C.U.S.D. #1 v. IEPA</u> - Dismissal Order	Manning UST-FRD 90-Day Ext.
<b>PCB 98-103</b>	<u>Stepan Company v. IEPA</u> - Dismissal Order	Manning P-A, 90-Day Ext.



## ADJUDICATORY CASES (CONTINUED)

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### Motions and Other Matters (Continued)

<b>PCB 98-104</b>	<u>Village of Addison v. City of Wood Dale</u> - Complainant's Motion for Reconsideration and Clarification of March 5, 1998 Decision (3/23)	Girard W-E, Citizens
<b>PCB 98-105</b>	<u>Richardson Electronics, Ltd. v. IEPA</u> - Dismissal Order	Manning P-A, 90-Day Ext.
<b>PCB 98-114</b>	<u>David Mulvain, Individually, as a Resident of the Village of Durand and the Durand Sanitary District, and as a Trustee of the Board of Trustees of the Village of Durand v. IEPA, Rockford Blacktop Construction, and the Village of Durand</u> - (See Respondent Rockford Blacktop Construction Company's Motion to Dismiss filed 3/24; Agency Motion to Dismiss filed 3/31; Complainant's Answer to Respondent Rockford Blacktop Construction Company's Motion to Dismiss filed 4/2; and Complainant's Answer to Agency's Motion to Dismiss filed 4/10) - Awaiting Duplicitous/Frivolous Determination	Girard W-E, Citizens
<b>PCB 98-127</b>	<u>People of the State of Illinois v. Horsehead Resource Development Company, Inc.</u> - Motion to Request Relief from Hearing Requirement (4/2)	Manning RCRA-E
<b>PCB 98-128</b>	<u>SSCI Joint Venture and the Coca Cola Company v IEPA</u> - Joint Request for 90-Day Extension of Appeal Period (4/2)	Manning UST-FRD 90-Day Ext.
<b>PCB 98-129</b>	<u>People of the State of Illinois v. Heartland Pork Enterprises, Inc.</u> - Motion for Relief from Hearing Requirement (4/6)	Manning W-E
<b>PCB 98-130</b>	<u>Gilster-Mary Lee Corporation v. IEPA</u> - Accept for Hearing Order	Manning UST-FRD

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**ADJUDICATORY CASES (CONTINUED)**

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***Motions and Other Matters (Continued)***

<b>PCB 98-131</b>	<u>Gilster-Mary Lee Corporation v. IEPA</u> - Accept for Hearing Order	Manning UST-Appeal
<b>PCB 98-132</b>	<u>Illinois State Toll Highway Authority v. IEPA</u> - Joint Request for 90-Day Extension of Appeal Period (4/6)	Manning UST-Appeal 90-Day Ext.
<b>PCB 98-133</b>	<u>Illinois State Toll Highway Authority v. IEPA</u> - Joint Request for 90-Day Extension of Appeal Period (4/6)	Manning UST-Appeal 90-Day Ext.
<b>PCB 98-134</b>	<u>Illinois State Toll Highway Authority v. IEPA</u> - Joint Request for 90-Day Extension of Appeal Period (4/6)	Manning UST-Appeal 90-Day Ext.
<b>PCB 98-135</b>	<u>Illinois State Toll Highway Authority v. IEPA</u> - Joint Request for 90-Day Extension of Appeal Period (4/6)	Manning UST-Appeal 90-Day Ext.
<b>PCB 98-136</b>	<u>Illinois State Toll Highway Authority v. IEPA</u> - Joint Request for 90-Day Extension of Appeal Period (4/6)	Manning UST-Appeal 90-Day Ext.
<b>PCB 98-137</b>	<u>Illinois State Toll Highway Authority v. IEPA</u> - Joint Request for 90-Day Extension of Appeal Period (4/6)	Manning UST-Appeal 90-Day Ext.
<b>PCB 98-138</b>	<u>Illinois State Toll Highway Authority v. IEPA</u> - Joint Request for 90-Day Extension of Appeal Period (4/6)	Manning UST-Appeal 90-Day Ext.
<b>PCB 98-139</b>	<u>Illinois State Toll Highway Authority v. IEPA</u> - Joint Request for 90-Day Extension of Appeal Period (4/6)	Manning UST-Appeal 90-Day Ext.

## ADJUDICATORY CASES (CONTINUED)

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### *Motions and Other Matters (Continued)*

PCB 98-140 Rock Valley Oil & Chemical Company, Inc. v. Office of the State Fire Marshal - Accept for Hearing Order Manning  
UST-Appeal

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## CASES PENDING DECISION

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R98-23 In the Matter of: Wastewater Pretreatment Update, USEPA Regulations (July 1, 1997 through December 31, 1997) - Proposed Rule, Proposal for Public Comment, Opinion and Order Yi  
R, Water

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R98-24 In the Matter of: Enhanced Vehicle Inspection and Maintenance Regulations: Amendments to 35 Ill. Adm. Code 240 - Proposed Rule, Second Notice, Opinion and Order McFawn  
R, Air

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AS 97-5 In the Matter of: 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 Hennessey  
Air

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PCB 95-91 People of the State of Illinois v. Waste Hauling Landfill, Inc., and Waste Hauling, Inc.; and Waste Hauling Landfill, Inc. and Waste Hauling, Inc. as Cross-claimants v. Bell Sports, Inc. Manning  
RCRA-E

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PCB 98-98 Environmentally Concerned Citizens Organization (ECCO) and Beth Finney v. Landfill L.L.C., d/b/a West End Disposal Facility and The Saline County Board of Commissioners (due 5/16) Girard  
L-S-R, 3<sup>rd</sup>  
Party

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## OTHER ITEMS

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## ADJOURNMENT

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### 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		

# ILLINOIS POLLUTION CONTROL BOARD

## NEW CASE LISTING



### NEW CASES FILED SINCE APRIL 2, 1998 BOARD MEETING

AC 98-25	IEPA v. Melvin C. Dyer
PCB 98-127	People of the State of Illinois v. Horsehead Resource Development Company, Inc.
PCB 98-128	SSCI Joint Venture and The Coca Cola Company v. IEPA
PCB 98-129	People of the State of Illinois v. Heartland Pork Enterprises, Inc.
PCB 98-130	Gilster-Mary Lee Corporation v. IEPA
PCB 98-131	Gilster-Mary Lee Corporation v. IEPA
PCB 98-132	Illinois State Toll Highway Authority v. IEPA
PCB 98-133	Illinois State Toll Highway Authority v. IEPA
PCB 98-134	Illinois State Toll Highway Authority v. IEPA
PCB 98-135	Illinois State Toll Highway Authority v. IEPA
PCB 98-136	Illinois State Toll Highway Authority v. IEPA
PCB 98-137	Illinois State Toll Highway Authority v. IEPA
PCB 98-138	Illinois State Toll Highway Authority v. IEPA
PCB 98-139	Illinois State Toll Highway Authority v. IEPA
PCB 98-140	Rock Valley Oil & Chemical Company, Inc. v. Office of the State Fire Marshal