

ILLINOIS POLLUTION CONTROL BOARD

MEETING MINUTES



JANUARY 7, 1999 SPRINGFIELD, ILLINOIS
600 South Second Street - Suite 403
Hearing Room
11:30 A.M.

ANNOUNCEMENTS

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

ROLL CALL

The Administrative Assistant to the Chairman called the roll. All Board Members were present except for Board Member Melas.

APPROVAL OF MINUTES

Minutes of the December 17, 1998 meeting were approved by a vote of 5-0.

RULEMAKINGS

R99-19	<u>In the Matter of: Regulated Recharge Area Designation, Durand, Winnebago County</u> - The Board dismissed petitioner's request for a regulated recharge area in the areas south of Durand, Winnebago County, Illinois. The Board found that the request did not follow the procedures for establishing a regulated recharge area as set forth in Sections 17.2, 17.3, and 17.4 of the Act. 415 ILCS 5/17.2-4.	5-0 R, PWS
---------------	--	---------------

ADMINISTRATIVE CITATIONS

AC 99-15	<u>IEPA v. Donald Bauser</u> - The Board found that this Cass County respondent violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (1996)) and ordered respondent to pay a civil penalty of \$500.	5-0
-----------------	--	-----

ADMINISTRATIVE CITATIONS (CONTINUED)

AC 99-19 County of LaSalle v. Rachel Southcombe c/o William Southcombe, P.O.A. - The Board found that this LaSalle County respondent violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (1996)) and ordered respondent to pay a civil penalty of \$500. 5-0

AC 99-20 IEPA v. Lawrence County Disposal Centre, Inc., S & S Grading of Illinois, Inc. and Gary McLaren - The Board accepted for hearing this administrative citation involving a Lawrence County facility.

AC 99-24 County of Will v. Donna K. Kelly - The Board accepted an administrative citation against this Will County respondent.

AC 99-25 County of Lake v. North Shore Sanitary District - The Board accepted an administrative citation against this Lake County respondent.

AC 99-26 IEPA v. Woodford Plaza, Inc. - The Board accepted an administrative citation against this Macon County respondent.

AC 99-27 IEPA v. Ed Wright - The Board accepted an administrative citation against this Sangamon County respondent.

AC 99-28 IEPA v. A.J. Roofing Company, Inc. - The Board accepted an administrative citation against this Cook County respondent.

ADJUDICATORY CASES

Decisions

PCB 94-288 People of the State of Illinois v. John Nordigian - The Board granted relief from the hearing requirement of Section 31(c)(2) of the Environmental Protection Act (415 ILCS 5/31(c)(2) (1996)), accepted a stipulation and settlement agreement in this air enforcement action involving a Lake County facility, ordered respondent to pay a civil penalty of \$1,000, and to cease and desist from further violations.

5-0
A -E

Provisional Variances

PCB 99-96 Galesburg Sanitary District v. IEPA - Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted this Knox County facility a 45-day provisional variance, subject to conditions, from the limits for effluent discharges in excess of 22 million gallons per day as set forth in 35 Ill. Adm. Code 304.141(a) and 304.207(a).

5-0
Water

PCB 99-97 Wrico Packing v. IEPA - Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted this Cook County facility a 45-day provisional variance, subject to conditions, from the requirement to operate a capture system and control device at all times when the printing line is in operation found at 35 Ill. Adm. Code Part 218.401(c).

5-0
Air

PCB 99-99 Norfolk and Southern Railway Company v. IEPA - Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted a 12-day provisional variance to this Macon County facility from the 90-day limitation on the accumulation of hazardous wastes, as set forth in 35 Ill. Adm. Code 722.134(b).

5-0
RCRA

Motions and Other Matters

PCB 89-30 Olin Corporation n/k/a Olin Brass and Winchester, Inc. v. IEPA - The Board referred petitioner's motion to substitute parties to the hearing officer for disposition in this Resource Conservation and Recovery Act permit appeal involving a Madison County facility.

P-A,
RCRA

ADJUDICATORY CASES (CONTINUED)
MOTIONS AND OTHER MATTERS (CONTINUED)

PCB 89-178	<u>Olin Corporation n/k/a Olin Brass and Winchester, Inc. v. IEPA</u> - The Board referred petitioner's motion to substitute parties to the hearing officer for disposition in this Resource Conservation and Recovery Act permit appeal involving a Madison County facility.	P-A, RCRA
PCB 93-3	<u>People of the State of Illinois v. Archer Daniel Midland Company</u> - Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this air enforcement action against a Peoria County facility, the Board ordered publication of the required newspaper notice.	5-0 A-E
PCB 94-373	<u>People of the State of Illinois v. Wayne Berger and Berger Waste Management, Inc.</u> - No action taken.	L-E
PCB 96-261	<u>People of the State of Illinois v. G.M. Demolition Corporation</u> - No action taken.	A-E
PCB 97-66	<u>People of the State of Illinois v. D'Angelo Enterprises, Inc.</u> - The Board denied respondent's cross-motion for summary judgment.	5-0 RCRA-E
PCB 97-168	<u>People of the State of Illinois v. Old World Industries, Inc. and Specialty Sealant Tapes, Inc.</u> - The Board denied respondent's motion for certificate of appeal and to stay the proceedings.	5-0 L-E
PCB 97-203	<u>People of the State of Illinois v. Spirco Environmental, Inc.</u> - The Board granted complainant's motion to correct complainant's reply brief filed December 17, 1998.	5-0 A-E
PCB 98-17	<u>People of the State of Illinois v. Scrap Tire Recycling Center, Inc., f/k/a Russell Foundry, Thomas Ratovic and Leon Benish</u> - No action taken.	L-E, Tires

ADJUDICATORY CASES (CONTINUED)
MOTIONS AND OTHER MATTERS (CONTINUED)

PCB 98-18	<u>James R. and Lucille J. Metz v. United States Postal Service and Bradley Real Estate</u> - No action taken.	N-E, Citizens
PCB 98-31	<u>Roy K. Johnson v. Archer Daniel Midland-Demeter Hoopeston Division</u> - The Board denied respondent's motion for summary judgment.	5-0 A&N-E, Citizens
PCB 98-54	<u>Edward Malina v. Jean Day</u> - No action taken.	UST-E
PCB 98-72	<u>St. Clair Properties Development, Inc. v. IEPA</u> - The Board granted petitioner's motion for voluntary dismissal of this permit appeal involving a St. Clair County facility.	5-0 P-A, Water
PCB 98-80	<u>People of the State of Illinois v. Craig Linton and Randy Rowe</u> - No action taken.	L-E, Tires
PCB 98-154	<u>People of the State of Illinois v. P & H Manufacturing Company</u> - The Board granted complainant's motion for leave to amend complaint.	5-0 RCRA-E
PCB 98-169	<u>Union Oil Company of California d/b/a Unocal v. Barge-Way Oil Company, Inc., Bargeway Systems, Inc., Joseph Kellogg, Nielsen's Bargeway, Gertrude Kellogg, Robert Nielsen, Robert F. Atkins, and Mobil Oil Company</u> - The Board granted in part and denied in part respondent Mobil Oil Company's motion to dismiss. The remaining issues in this citizen's underground storage tank enforcement action involving a DuPage County facility will be addressed at hearing.	4-1 Flemal dissented UST-E, Citizens

ADJUDICATORY CASES (CONTINUED)
MOTIONS AND OTHER MATTERS (CONTINUED)

PCB 98-172	<u>People of the State of Illinois v. City of Chester</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 Randolph County facility, the Board ordered publication of the required newspaper notice.	5-0 W-E
PCB 99-27	<u>People of the State of Illinois v. James and Carol Gilmer</u> - No action taken.	RCRA, W-E
PCB 99-41	<u>White Cap, Inc. v. IEPA</u> - No action taken.	A-V
PCB 99-56	<u>Illinois State Toll Highway Authority (Lake Forest Oasis - West) v. IEPA</u> - The Board accepted for hearing and, on its own motion, consolidated this underground storage tank appeal with twelve pending cases involving the same petitioner.	5-0 UST-Appeal
PCB 99-57	<u>XCTC Limited Partnership 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 Cook County facility.	5-0 UST-FRD
PCB 99-61	<u>Illinois State Toll Highway Authority (Schiller Park/O'Hare Oasis - East) 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 Cook County facility.	5-0 UST-Appeal
PCB 99-62	<u>Illinois State Toll Highway Authority (Des Plaines/Des Plaines Oasis) 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 Cook County facility.	5-0 UST-Appeal

ADJUDICATORY CASES (CONTINUED)
MOTIONS AND OTHER MATTERS (CONTINUED)

PCB 99-64	<u>Jean S. Dixon v. Joseph Behr & Sons, Inc.</u> - The Board accepted for hearing this citizen's noise enforcement action involving a Winnebago County facility.	5-0 N-E, Citizens
PCB 99-71	<u>Carl and Nina Brunson v. MCI WorldCom, Inc. and IXC Carrier, Inc.</u> - The Board accepted for hearing this citizens' noise enforcement action involving a Jasper County facility.	5-0 N-E, Citizens
PCB 99-79	<u>People of the State of Illinois v. Gary Claxton d/b/a Midwest Grinding and Recycling</u> -The Board accepted for hearing this air enforcement action against a Madison County facility.	A-E
PCB 99-80	<u>Central Illinois Light Company (Edwards Station) v. IEPA</u> - The Board accepted for hearing this petition for air variance involving a Peoria County facility.	5-0 A-V
PCB 99-81	<u>Equilon Enterprises v. IEPA</u> - The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a Cook County facility.	5-0 UST-FRD 90-Day Ext.
PCB 99-82	<u>Michael R. Pawlowski and Diane K. Pawlowski v. David Johansen and Troy Quinley, individually and d/b/a Benchwarmers Pub, Inc.</u> - The Board held for a later duplicitous/frivolous determination this citizens' noise enforcement action involving a Livingston County facility.	N-E, Citizens
PCB 99-83	<u>Illinois State Toll Highway Authority (Hinsdale Oasis-East) v. IEPA</u> - The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a Cook County facility.	5-0 UST-Appeal 90-Day Ext.

ADJUDICATORY CASES (CONTINUED)
MOTIONS AND OTHER MATTERS (CONTINUED)

PCB 99-84	<u>Yesley Service Company v. IEPA</u> - The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a Randolph County facility.	5-0 UST-Appeal 90-Day Ext.
PCB 99-85	<u>People of the State of Illinois v. Camboni's Incorporated d/b/a Wall's Mobile Home Park</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 DuPage County facility, the Board ordered publication of the required newspaper notice.	5-0 W-E
PCB 99-86	<u>McWane, Inc. v. IEPA</u> - The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a DuPage County facility.	5-0 UST-FRD 90-Day Ext.
PCB 99-87	<u>Jeff's Service 76 v. IEPA</u> - The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a Kane County facility.	5-0 UST-Appeal 90-Day Ext.
PCB 99-88	<u>Naperville Radiator Services v. IEPA</u> - The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a Dupage County facility.	5-0 UST-FRD 90-Day Ext.
PCB 99-89	<u>Belvidere/MDI Ltd. Partnership v. IEPA</u> - The Board accepted for hearing this underground storage tank appeal involving a Boone County facility.	5-0 UST-Appeal
PCB 99-90	<u>Belvidere/MDI Ltd. Partnership v. IEPA</u> - The Board found that this request for 90-day extension was mooted by MDI's proper filing of an appeal in docket PCB 99-89. The Board therefore closed docket PCB 99-90.	5-0 UST-Appeal

ADJUDICATORY CASES (CONTINUED)**MOTIONS AND OTHER MATTERS (CONTINUED)**

PCB 99-91	<u>Cloverhill Bakery v. IEPA</u> - The Board accepted for hearing this petition for an air permit appeal involving a Cook County facility.	5-0 P-A, Air
PCB 99-92	<u>People of the State of Illinois v. Hartz Construction Co., Inc.</u> - The Board accepted for hearing this land enforcement action against a Cook County facility.	L-E
PCB 99-93	<u>People of the State of Illinois v. South Palos Township Sanitary District</u> - The Board accepted for hearing this water enforcement action against a Cook County facility.	W-E
PCB 99-94	<u>People of the State of Illinois v. Graham C-Stores Company</u> - The Board accepted for hearing this air enforcement action against a Cook County facility.	A-E
PCB 99-95	<u>People of the State of Illinois v. Graham Enterprise Company</u> - The Board accepted for hearing this air enforcement action against a Cook County facility.	A-E


CASES PENDING DECISION

PCB 98-102	<u>Panhandle Eastern Pipe Line Company v. IEPA</u> (due 1/22)	Hennessey P-A, Air
PCB 98-156	<u>Richard and Wilma Salyer v. IEPA</u> - (due 2/3) See Petitioner's Motion to Strike Portions of Respondent's Post Hearing Brief (12/28), Respondent's Response to Petitioner's Motion to Strike Portions of Respondent's Post-Hearing Brief (12/28)	Manning UST-FRD

CASES PENDING DECISION**ADJOURNMENT**

Moved and seconded, by a vote of 5-0, Chairman Manning adjourned the meeting at 11:50 a.m.

I, Dorothy M. Gunn, Clerk, of the Illinois Pollution Control Board, hereby certify that the above minutes were approved this 21st day of January 1999 by a vote of 5-0.

A handwritten signature in cursive script that reads "Dorothy M. Gunn". The signature is written in black ink and is positioned above the printed name.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD

MEETING AGENDA



JANUARY 7, 1999
POLLUTION CONTROL BOARD SPRINGFIELD OFFICE
600 South Second Street - Suite 403
Hearing Room
11:30 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. Thank you for your interest.

ROLL CALL

APPROVAL OF MINUTES

December 17, 1998

RULEMAKINGS

R99-19	<u>In the Matter of: Regulated Recharge Area Designation, Durand, Winnebago County - Order</u>	Girard R, PWS
--------	--	------------------

ADJUSTED STANDARDS

ADMINISTRATIVE CITATIONS

AC 99-19	<u>County of LaSalle v. Rachel Southcombe c/o William Southcombe, P.O.A.</u> - Default Order	Manning
AC 99-20	<u>IEPA v. Lawrence County Disposal Centre, Inc., S&S Grading of Illinois, Inc. and Gary McLaren</u> - Accept for Hearing - No Order	
AC 99-24	<u>County of Will v. Donna K. Kelly</u> - Accept Case - No Order	
AC 99-25	<u>County of Lake v. North Shore Sanitary District</u> - Accept Case - No Order	
AC 99-26	<u>IEPA v. Woodford Plaza, Inc.</u> - Accept Case - No Order	
AC 99-27	<u>IEPA v. Ed Wright</u> - Accept Case - No Order	
AC 99-28	<u>IEPA v. A.J. Roofing Company, Inc.</u> - Accept Case - No Order	

ADJUDICATORY CASES

Decisions

PCB 94-288	<u>People of the State of Illinois v. John Nordigian</u> - Stipulation	Hennessey A-E
------------	--	------------------

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.

PCB 99-96	<u>Galesburg Sanitary District v. IEPA</u> - Provisional Variance	Manning W-V
PCB 99-97	<u>Wrico Packaging v. IEPA</u> - Provisional Variance	Manning W-V

ADJUDICATORY CASES (CONTINUED)

Provisional Variances (Continued)

Motions and Other Matters

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

PCB 89-39	<u>Olin Corporation n/k/a Olin Brass and Winchester, Inc. v. IEPA</u> - Petitioner's Motion to Substitute Parties (12/28)	Manning P-A, RCRA
PCB 89-178	<u>Olin Corporation n/k/a Olin Brass and Winchester, Inc. v. IEPA</u> - Petitioner's Motion to Substitute Parties (12/28)	Girard P-A RCRA
PCB 93-3	<u>People of the State of Illinois v. Archer Daniel Midland Company</u> - Agreed Motion for Relief from the Hearing Requirement (12/29)	Manning A-E
PCB 94-373	<u>People of the State of Illinois v. Wayne Berger and Berger Waste Management, Inc.</u> - Respondents' Motion for Sanctions (11/25), Complainant's Motion for Extension of Time to Answer (12/7), Complainant's Motion for Leave to File Complainant's Response to Respondents' Motion for Sanctions (12/15)	McFawn L-E
PCB 96-261	<u>People of the State of Illinois v. G.M. Demolition Corporation</u> - Complainant's Motion for Reconsideration of October 1, 1998 Opinion and Order (11/4), Respondent's Response to Complainant's Motion for Reconsideration (12/8), Complainant's Reply to Respondent's Response to Complainant's Motion for Reconsideration of October 1, 1998 Opinion and Order (12/31)	Melas A-E
PCB 97-66	<u>People of the State of Illinois v. D'Angelo Enterprises, Inc.</u> - Complainant's Response to Section V of Respondent's Cross- Motion for Summary Judgment Pursuant to the Board's November 19, 1998 Order (12/18)	Hennessey RCRA-E

ADJUDICATORY CASES (CONTINUED)

Motions and Other Matters (Continued)

PCB 97-168	<u>People of the State of Illinois v. Old World Industries, Inc. and Specialty Sealant Tapes, Inc.</u> - Respondent Old World Industries, Inc.'s Motion for Certificate of Appeal and to Stay the Pending Proceedings and Memorandum of Law in Support of its Motion for Certificate of Appeal and to Stay the Pending Proceedings (10/22). Complainant's Response to Respondent Old World Industries, Inc.'s Motion for Certificate of Appeal and to Stay Pending Proceedings (11/5)	Manning L-E
PCB 97-203	<u>People of the State of Illinois v. Spirco Environmental, Inc.</u> - Complainant's Motion to Revise Complainant's Reply Brief (12/18)	Melas A-E
PCB 98-17	<u>People of the State of Illinois v. Scrap Tire Recycling Center, Inc., f/k/a Russell Foundry, Thomas Ratovic and Leon Benish</u> - Complainant's Motion for Discovery Sanctions (12/22)	Manning L-E, Tires
PCB 98-18	<u>James R. and Lucille J. Metz v. United States Postal Service and Bradley Real Estate</u> - Respondent United States Postal Service's Motion for Reconsideration of October 15, 1998 Order and Memorandum in Support of Motion for Reconsideration (11/24)	Girard N-E, Citizens
PCB 98-31	<u>Roy K. Johnson v. Archer Daniel Midland-Demeter Hoopeston Division</u> - Respondent's Motion for Summary Judgment and Memorandum in Support of its Motion for Summary Judgment (9/18), Complainant's Memorandum in Opposition to Respondent's Motion for Summary Judgment (10/8), Respondent's Reply in Support of its Motion for Summary Judgment (10/21)	Hennessey A&N-E, Citizens

ADJUDICATORY CASES (CONTINUED)

Motions and Other Matters (Continued)

PCB 98-54	<u>Edward Malina v. Jean Day</u> - Complainant's Motion for Summary Judgment and Memorandum in Support of Motion for Summary Judgment (10/30), Respondent's Response to Complainant's Motion for Summary Judgment and Cross-Motion for Summary Judgment (12/7), Complainant's Reply to Respondent's Response to Complainant's Motion for Summary Judgment (12/17), Respondent's Motion for Leave to File Amended Answer and Amended Answer to Complaint (12/17)	Manning UST-E
PCB 98-72	<u>St. Clair Properties Development, Inc. v. IEPA</u> - Petitioner's Withdrawal of Appeal (12/28)	Manning P-A, Water
PCB 98-80	<u>People of the State of Illinois v. Craig Linton and Randy Rowe</u> - Complainant's Motion for Reconsideration of December 3, 1998 Board Order (1/4)	McFawn L-E, Tires
PCB 98-154	<u>People of the State of Illinois v. P&H Manufacturing Company</u> - Complainant's Motion for Leave to Amend Complaint and Amended Complaint (12/29)	McFawn RCRA-E

ADJUDICATORY CASES (CONTINUED)

Motions and Other Matters (Continued)

PCB 98-169 Union Oil Company of California d/b/a Unocal v. Barge-Way Oil Company, Inc., Bargeway Systems, Inc., Joseph Kellogg, Nielsen's Bargeway, Gertrude Kellogg, Robert Nielsen, Robert F. Atkins, and Mobil Oil Company - Respondent Mobil Oil Company's Motion to Dismiss Complaint (7/6), Respondent Gertrude Kellogg's Motion to Dismiss Complaint (7/16), Complainant's Motion for Extension of Time within Which to Respond to Motion to Dismiss (7/16), Respondent Bargeway Oil Company, Inc.'s Motion to Join the Motion to Dismiss Complaint of Mobil Oil Company Instante (7/21), Respondent Robert Nielsen's Motion to Dismiss and Join Mobil Oil Company's Motion to Dismiss Instante (7/30), Motion of Respondents Bargeway Systems and Robert Atkins to Join Instante Respondent Mobil Oil Company's Motion to Dismiss Complaint (8/4), Respondent Robert Nielsen's Motion to Strike Address of Nielsen's Bargeway (8/17), Opposition of Complainant Union Oil Company of California to Respondents' Motion to Dismiss Complaint (8/18)

Manning
UST-E,
Citizens

PCB 98-172 People of the State of Illinois v. City of Chester - Agreed Motion to Request Relief From Hearing Requirement (12/16)

McFawn
W-E

PCB 99-27 People of the State of Illinois v. James and Carol Gilmer - Respondents' Motion to Dismiss Count I of the Complaint (11/9), Kraft Foods' Motion for Leave to File Instante and Motion to Dismiss for Lack of Personal Jurisdiction (12/4), Respondents' Motion for Leave to File Amended Third-Party Complaint (12/7), Complainant's Motion for Leave to File Complainant's Response to the Respondents' Motion to Dismiss Count 1 of Complainant's Complaint Instante and Complainant's Response to the Respondents' Motion to Dismiss Count 1 of Complainant's Complaint (12/15), Respondents' Reply to Third-Party Respondent's Motion to Dismiss for Lack of Personal Jurisdiction (12/18)

Girard
RCRA, W-E

PCB 99-41 White Cap, Inc. v. IEPA - Petitioner's Motion for Reconsideration of November 19, 1998 Board Order (12/22)

Manning
A-V

ADJUDICATORY CASES (CONTINUED)

Motions and Other Matters (Continued)

PCB 99-56	<u>Illinois State Toll Highway Authority (Lake Forest Oasis - West) v. IEPA - Accept for Hearing Order</u>	Flemal UST-Appeal
PCB 99-57	<u>XCTC Limited Partnership v. IEPA - Dismissal Order</u>	Manning UST-FRD 90-Day Ext.
PCB 99-61	<u>Illinois State Toll Highway Authority (Schiller Park/O'Hare Oasis - East) v. IEPA - Dismissal Order</u>	Manning UST-Appeal 90-Day Ext.
PCB 99-62	<u>Illinois State Toll Highway Authority (Des Plaines/Des Plaines Oasis) v. IEPA - Dismissal Order</u>	Manning UST-Appeal 90-Day Ext.
PCB 99-64	<u>Jean S. Dixon v. Joseph Behr & Sons, Inc. - Duplicitous/Frivolous Determination</u>	McFawn N-E, Citizens
PCB 99-71	<u>Carl and Nina Brunson v. MCI WorldCom, Inc. and IXC Carrier, Inc. - Duplicitous/Frivolous Determination</u>	McFawn N-E, Citizens
PCB 99-79	<u>People of the State of Illinois v. Gary Claxton d/b/a Midwest Grinding and Recycling - Hearing Mandatory - No Order</u>	McFawn A-E
PCB 99-80	<u>Central Illinois Light Company (Edwards Station) v. IEPA - Accept for Hearing Order</u>	Hennessey A-V
PCB 99-81	<u>Equilon Enterprises v. IEPA - Joint Request for 90-Day Extension of Appeal Period (12/17) - Order</u>	Manning UST-FRD 90-Day Ext.

ADJUDICATORY CASES (CONTINUED)

Motions and Other Matters (Continued)

PCB 99-82	<u>Michael R. Pawlowski and Diane K. Pawlowski v. David Johansen and Troy Quinley, individually and d/b/a Benchwarmers Pub. Inc. - Duplicitous/Frivolous Determination (See Respondents' Motion Requesting that the Board Deny Case for Hearing filed 12/29)</u>	Girard N-E, Citizens
PCB 99-83	<u>Illinois State Toll Highway Authority (Hinsdale Oasis-East) v. IEPA - Joint Request for 90-Day Extension of Appeal Period (12/17) - Order</u>	Manning UST-Appeal 90-Day Ext.
PCB 99-84	<u>Yesley Service Company v. IEPA - Joint Request for 90-Day Extension of Appeal Period (12/22) - Order</u>	Manning UST-Appeal 90-Day Ext.
PCB 99-85	<u>People of the State of Illinois Camboni's Incorporated d/b/a Wall's Mobile Home Park - Agreed Motion for Relief from the Hearing Requirement (12/23)</u>	Manning W-E
PCB 99-86	<u>McWane, Inc. v. IEPA - Joint Request for 90-Day Extension of Appeal Period (12/28) - Order</u>	Manning UST-FRD 90-Day Ext.
PCB 99-87	<u>Jeff's Service 76 v. IEPA - Joint Request for 90-Day Extension of Appeal Period (12/28) - Order</u>	Manning UST-Appeal 90-Day Ext.
PCB 99-88	<u>Naperville Radiator Services v. IEPA - Joint Request for 90-Day Extension of Appeal Period (12/28) - Order</u>	Manning UST-FRD 90-Day Ext.
PCB 99-89	<u>MDI Ltd. Partnership v. IEPA - Accept for Hearing Order (See also PCB 99-90)</u>	Manning UST-Appeal

ADJUDICATORY CASES (CONTINUED)

Motions and Other Matters (Continued)

PCB 99-90	<u>MDI Ltd. Partnership v. IEPA</u> - Petitioner's Request for Extension of 90-Day Appeal Period (12/28), Joint Request for Extension of 90-Day Appeal Period (1/4) - Order (See also PCB 99-89)	Manning UST-Appeal
PCB 99-91	<u>Cloverhill Bakery v. IEPA</u> - Accept for Hearing Order	Manning P-A, Air
PCB 99-92	<u>People of the State of Illinois v. Hartz Construction Co., Inc.</u> - Hearing Mandatory - No Order	L-E
PCB 99-93	<u>People of the State of Illinois v. South Palos Township Sanitary District</u> - Hearing Mandatory - No Order	W-E
PCB 99-94	<u>People of the State of Illinois v. Graham C-Stores Company</u> - Hearing Mandatory - No Order	A-E
PCB 99-95	<u>People of the State of Illinois v. Graham Enterprise Company</u> - Hearing Mandatory - No Order	A-E

CASES PENDING DECISION

PCB 98-102	<u>Panhandle Eastern Pipe Line Company v. IEPA</u> (due 1/22)	Hennessey P-A, Air
PCB 98-156	<u>Richard and Wilma Salyer v. IEPA</u> - (due 2/3) (See Petitioner's Motion to Strike Portions of Respondent's Post Hearing Brief filed 12/28, and Respondent's Response to Petitioner's Motion to Strike Portions of Respondent's Post-Hearing Brief filed 12/28)	Manning UST-FRD

OTHER ITEMS

ADJOURNMENT

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 ₂	S0 ₂ 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 DECEMBER 17, 1998 BOARD MEETING

AC 99-24	County of Will v. Donna K. Kelly
AC 99-25	County of Lake v. North Shore Sanitary District
AC 99-26	IEPA v. Woodford Plaza, Inc.
AC 99-27	IEPA v. Ed Wright
AC 99-28	IEPA v. A.J. Roofing Company, Inc.
PCB 99-79	People of the State of Illinois v. Gary Claxton d/b/a Midwest Grinding and Recycling
PCB 99-80	Central Illinois Light Company (Edwards Station) v. IEPA
PCB 99-81	Equilon Enterprises v. IEPA
PCB 99-82	Michael R. Pawlowski and Diane K. Pawlowski v. David Johansen and Troy Quinley, individually and d/b/a Benchwarmers Pub, Inc.
PCB 99-83	Illinois State Toll Highway Authority (Hinsdale Oasis-East) v. IEPA
PCB 99-84	Yesley Service Company v. IEPA
PCB 99-85	People of the State of Illinois Camboni's Incorporated d/b/a Wall's Mobile Home Park
PCB 99-86	McWane, Inc. v. IEPA
PCB 99-87	Jeff's Service 76 v. IEPA
PCB 99-88	Naperville Radiator Services v. IEPA
PCB 99-89	MDI Ltd. Partnership v. IEPA
PCB 99-90	MDI Ltd. Partnership v. IEPA
PCB 99-91	Cloverhill Bakery v. IEPA
PCB 99-92	People of the State of Illinois v. Hartz Construction Co., Inc.
PCB 99-93	People of the State of Illinois v. South Palos Township Sanitary District

PCB 99-94	People of the State of Illinois v. Graham C-Stores Company
PCB 99-95	People of the State of Illinois v. Graham Enterprise Company
PCB 99-96	Galesburg Sanitary District v. IEPA
PCB 99-97	Wrico Packaging v. IEPA

REGULAR BOARD MEETING SCHEDULE FOR CALENDAR YEAR 1999

January 7 *
January 21

July 8
July 22

February 4 *
February 18

August 5 *
August 19

March 4
March 18

September 9
September 23

April 1
April 15

October 7 **
October 21

May 6 *
May 20

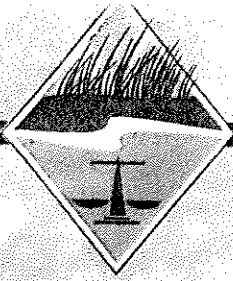
November 4 *
November 18

June 3
June 17

December 2
December 16

* **These Board Meetings will be in the Board's Springfield Office
600 S. Second Street, Suite 403, Hearing Room**

** **This Board Meeting will be in Conference Room 2-025. All other
Board Meetings in Chicago will be in Conference Room 9-040**



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

Ronald C. Flegal
DeKalb

G. Tanner Girard
Grafton

Kathleen M. Hennessey
Western Springs

Marili McFawn
Inverness

Nicholas J. Melas
Chicago

Joseph C. Yi
Park Ridge



SPRINGFIELD OFFICE

600 South Second Street
Suite 402
Springfield, IL 62704
217-524-8500
Fax 217-524-8508

SATELLITE OFFICES

110 South State
Jerseyville, IL 62052
618-498-9802
Fax 618-498-5934

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/>



PRINTED ON RECYCLED PAPER

NOTICE OF LOCATION AND TIME CHANGE ILLINOIS POLLUTION CONTROL BOARD MEETING

PUBLIC NOTICE is hereby given that the location and time of the Illinois Pollution Control Board meeting on January 7, 1999, is changed to the Pollution Control Board's Springfield office, 600 South Second Street, Suite 402, Conference Room, Springfield, Illinois

The meeting time is changed from 10:30 a.m. to 11:30 a.m.


CLAIRE A. MANNING
CHAIRMAN

Posted: January 5, 1999