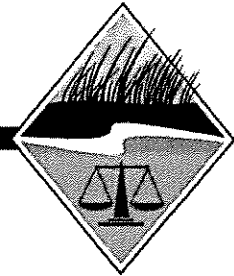


ILLINOIS POLLUTION CONTROL BOARD

MEETING MINUTES



APRIL 15, 1999 CHICAGO, ILLINOIS
CONFERENCE ROOM 9-040
10:30 A.M.

ANNOUNCEMENTS

Chairman Manning welcomed members of the public and staff to the meeting.

ROLL CALL

The Clerk of the Board called the roll. All Board Members were present.

APPROVAL OF MINUTES

Minutes of the March 18, 1999 meeting were approved by a vote of 7-0.

Minutes of the April 8, 1999 meeting were approved by a vote of 6-0. Chairman Manning abstained.

RULEMAKINGS

- | | | |
|---------------|--|-----------------|
| R98-29 | <u>In the Matter of: Nonhazardous Special Waste Hauling and the Uniform Program: Amendments to 35 Ill. Adm. Code 809 (Pursuant to P.A. 90-219)</u> - The Board adopted a second notice opinion and order in this proposed rulemaking to amend the Board's non-hazardous special waste hauling regulations. | 7-0
R, Land |
| R99-17 | <u>In the Matter of: Wastewater Pretreatment Update, USEPA Regulations (July 1, 1998 through December 31, 1998)</u> - The Board adopted a proposal for public comment, in this "identical-in-substance" rulemaking to amend the Board's wastewater pretreatment regulations. | 7-0
R, Water |
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ADJUSTED STANDARDS

AS 99-3	<u>In the Matter of: Petition of Big River Zinc Corporation for an Adjusted Standard from 35 Ill. Adm. Code 720.131(c)</u> - The Board granted an adjusted standard with conditions to this St. Clair County facility, under 35 Ill. Adm. Code Part 720.131(c). The Board determined that certain zinc oxide material recovered from electric arc furnace dust by a high metal recovery process is not a Resource Conservation Recovery Act solid or hazardous waste.	7-0 Land, RCRA
AS 99-5	<u>In the Matter of: Petition of Abbott Laboratories for an Adjusted Standard from 35 Ill. Adm. Code 302.208 and 304.105</u> - No action taken.	Water, NPDES
AS 99-6	<u>In the Matter of: Petition of American Water Company's Alton Public Water Supply Replacement Facility Discharge to the Mississippi River for an Adjusted Standard from 35 Ill. Adm. Code 304.124, 304.106, and 302.203</u> - The Board accepted for hearing this request for an adjusted standard involving a Madison County facility.	Water

ADMINISTRATIVE CITATIONS

AC 99-9	<u>IEPA v. Terry Patrick</u> - In response to a joint stipulation and settlement agreement in this administrative citation action involving a Piatt County facility, the Board found 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.	7-0
AC 99-31	<u>County of Will v. Leonard Kubinski</u> - No action taken.	
AC 99-34	<u>Montgomery County v. Envotech Illinois, Inc.</u> - The Board found that this Montgomery County respondent violated Section 21(o)(10) of the Environmental Protection Act (415 ILCS 5/21(o)(10)(1996)), and ordered respondent to pay a civil penalty of \$500.	7-0

ADMINISTRATIVE CITATIONS (CONTINUED)

AC 99-35 IEPA v. Laidlaw Waste Systems, Inc. and Carl Ball III - The Board granted complainant's motion to dismiss respondent Carl Ball III, but found that Laidlaw Waste Systems, Inc. (respondent) violated Sections 21(o)(1) and 21(o)(12) of the Environmental Protection Act (415 ILCS 5/21(o)(1), 21(o)(12) (1996)). Respondent was ordered to pay a civil penalty of \$1,000. 7-0

AC 99-36 County of Will v. Maureen Fee - The Board accepted an administrative citation against this Will County respondent.

AC 99-37 IEPA v. C&L Tiling, Inc. - The Board granted complainant's motion to withdraw this administrative citation. 7-0

AC 99-38 IEPA v. Upper Rock Island County Landfill, Inc. - The Board accepted an administrative citation against this Rock Island County respondent.

AC 99-39 IEPA v. C&L Tiling, Inc. - The Board accepted an administrative citation against this Brown County respondent.

AC 99-40 IEPA v. BFI Waste Systems of North America, Inc. - The Board accepted an administrative citation against this Rock Island County respondent.

AC 99-41 IEPA v. BFI Waste Systems of North America, Inc. - The Board accepted an administrative citation against this Rock Island County respondent.

AC 99-42 IEPA v. Fred Hood and Anne Hood - The Board accepted an administrative citation against these Macoupin County respondents.

ADJUDICATORY CASES (CONTINUED)

ADJUDICATORY CASES

Decisions

- | | | |
|------------|--|------------|
| PCB 97-54 | <u>People of the State of Illinois v. Capital Engineering & Manufacturing Company</u> - 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 Cook County facility, ordered respondent to pay a civil penalty of \$15,000, and to cease and desist from further violations. | 7-0
A-E |
| PCB 97-203 | <u>People of the State of Illinois v. Spirco Environmental, Inc.</u> - The Board found that this respondent violated various sections of the Environmental Protection Act and Board regulations and ordered respondent to pay a civil penalty of \$9,000. Complainant was also ordered to submit an affidavit in support of its request for fees and costs by May 18, 1999. | 7-0
A-E |
| PCB 98-90 | <u>People of the State of Illinois v. Marathon Oil Company</u> - No action taken. | L&W-E |
| PCB 99-80 | <u>Central Illinois Light Company (E.D. Edwards Generating Station) v. IEPA</u> - The Board granted this Peoria County facility a three year variance, subject to conditions, from the sulfur dioxide emissions limitations found at 35 Ill. Adm. Code 214.141. | 7-0
A-V |
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ADJUDICATORY CASES (CONTINUED)

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 99-144	<u>United States Department of the Interior-Crab Orchard National Wildlife Refuge v. IEPA</u> - Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted this Williamson County facility a 45-day provisional variance, subject to conditions, from 35 Ill. Adm. Code 304.141(b) and 35 Ill. Adm. Code 309.102 which prohibit discharges not specifically allowed by National Pollutant Discharge Elimination System permit, and Section 12(f) of the Environmental Protection Act (415 ILCS 5/12(f) (1996)).	7-0 W-V
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Motions and Other Matters

PCB 94-213	<u>Wayne G. Busse and Wickersham & Associates, Inc. v. IEPA</u> - The Board granted petitioners' motion for voluntary dismissal of this underground storage tank appeal involving a Cook County facility.	7-0 UST-FRD
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PCB 94-277	<u>Jerry Gleason Buick, Inc. v. IEPA</u> - The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal involving a Cook County facility.	7-0 UST-FRD
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PCB 96-114	<u>Pete Georges Chevrolet, Inc. v. IEPA</u> - The Board granted petitioner's motion for voluntary dismissal of these underground storage tank appeals involving a Cook County facility.	7-0
PCB 96-115		UST-FRD
PCB 96-116		

PCB 96-117	<u>LaSalle National Trust, N.A., as Trustee under Trust Agreement dated January 10, 1966 and known as Trust No. 34565 v. Standard Bank and Trust Company, as Trustee under Trust Agreement dated July 17, 1995 and known as Trust No. 14929 and Capitol Bank and Trust, as Trustee under Trust Agreement dated March 12, 1993 and known as Trust No. 2421</u> - The Board granted the parties' joint motion for dismissal of this citizens' land enforcement action involving a Cook County facility.	7-0 L-E, Citizens
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ADJUDICATORY CASES (CONTINUED)

Motions and Other Matters (Continued)

PCB 96-164	<u>CGE Ford Heights, L.L.C. v. IEPA</u> - No action taken.	T-C- Appeal
PCB 96-208	<u>People of the State of Illinois v. Frank Merkendorfer and Phil Pinello</u> - Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this Resource Conservation Recovery Act enforcement action against a DuPage County facility, the Board ordered publication of the required newspaper notice. The Board also granted complainant's motion to voluntarily dismiss respondent Belden Tools, Inc.	7-0 RCRA-E
PCB 97-103	<u>People of the State of Illinois v. State Oil Company, William Anest, an individual f/d/b/a S&S Petroleum Products, Peter Anest, an individual f/d/b/a S&S Petroleum Products, Charles Abraham, an individual, Josephine Abraham, an individual, and Millstream Service, Inc.</u> - No action taken.	L&W-E
PCB 97-162	<u>Swearingin Services, Inc. v. IEPA</u> - The Board on its own motion,	7-0
PCB 97-163	consolidated PCB 97-204 with these five previously consolidated cases, which have similar facts, issues, and the same decision	UST-
PCB 97-164	deadline date.	Appeals
PCB 97-165		
PCB 97-166		
PCB 97-204		
PCB 98-82	<u>Resurrection Medical Center v. IEPA</u> - No action taken.	UST-FRD
PCB 98-84	<u>Scott and Shelly Behrmann v. Okawville Farmers Elevator-St. Libory</u> - No action taken.	N-E, Citizens
PCB 98-102	<u>Panhandle Eastern Pipe Line Company v. IEPA</u> - No action taken.	P-A, Air

ADJUDICATORY CASES (CONTINUED)

Motions and Other Matters (Continued)

PCB 98-112	<u>Ronald R. and Melody Kanaverskis v. M.A. Ghalayini and M.A. Ghalayini, Inc.</u> - The Board granted complainants' motion to dismiss this citizens' noise enforcement action involving a DuPage County facility.	7-0 N-E, Citizens
PCB 98-171	<u>People of the State of Illinois v. Victor Cory</u> - No action taken.	W-E
PCB 99-27	<u>People of the State of Illinois v. James and Carol Gilmer; James and Carol Gilmer v. CL Industries, Inc., Kraft Foods Corporation and AC HUMKO Corporation</u> - The Board granted third-party respondents' motion to dismiss the third-party complaint.	7-0 RCRA, W-E
PCB 99-40	<u>QST Environmental, Inc. v.</u> - No action taken.	T-S
PCB 99-66	<u>People of the State of Illinois v. Dale Bennett</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 Stark County facility, the Board ordered publication of the required newspaper notice.	7-0 W-E
PCB 99-103	<u>DynaChem, Inc. v. IEPA</u> - The Board granted petitioner's motion to file instanter and accepted for hearing this Resource Conservation Recovery Act permit appeal involving a Vermilion County facility.	7-0 P-A, RCRA
PCB 99-106	<u>Rapers Gas 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 Lake County facility.	7-0 UST-FRD
PCB 99-107	<u>Dewey's Service, Inc. v. IEPA</u> - No action taken.	UST-FRD

ADJUDICATORY CASES (CONTINUED)

Motions and Other Matters (Continued)

PCB 99-112	<u>People of the State of Illinois v. Bi-Petro and Timberlake Transportation and Transfer, Inc.</u> - The Board granted respondent's motion for extension of time.	7-0 W-E
PCB 99-118	<u>Becks Auto Sales 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 Fayette County facility.	7-0 UST-Appeal
PCB 99-125	<u>Terrence G. Graf, Joe and Marcella Graf v. Valiquet, Inc., Emerald Landscaping and CPK Landscaping</u> - The Board found that, pursuant to Section 103.124(a), the pollution allegations, were neither duplicitous nor frivolous. The complainants were ordered to file proof of service with the Clerk of the Board within 14 days of the date of this order.	4-3 N-E, Citizens Flemal, Girard, and Melas dissented
PCB 99-132	<u>Ted Harrison Oil 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 Cass County facility.	7-0 UST-FRD 90-Day Ext.
PCB 99-133	<u>Bulkoa, 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 Cook County facility.	7-0 UST-Appeal 90-Day Ext.
PCB 99-134	<u>People of the State of Illinois v. Peabody Coal Company</u> - The Board accepted for hearing this water enforcement action against a Gallatin County facility.	W-E
PCB 99-135	<u>Remote Services, 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 Vermilion County facility.	7-0 UST-FRD 90-Day Ext.

ADJUDICATORY CASES (CONTINUED)

Motions and Other Matters (Continued)

PCB 99-136	<u>Sierra Club, Midewin Tallgrass Prairie Alliance, Audubon Council of Illinois, and Illinois Audubon Society v. Will County and Waste Management, Inc.</u> - The Board accepted for hearing and consolidated the following third-party appeals for hearing: PCB 99-136, PCB 99-139, and PCB 99-140. The Board also accepted PCB 99-141 for hearing. All four appeals involve the same Will County pollution control facility. The County was ordered to file its record on or before May 19, 1999.	6-0 P-C-F-S-R Girard abstained
PCB 99-137	<u>Seitz Corporation 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 Lake County facility.	7-0 UST-FRD 90-Day Ext.
PCB 99-138	<u>Hancock Service Company v. IEPA</u> - The Board accepted for hearing this tax certification appeal involving a Hancock County facility.	7-0 T-C- Appeal
PCB 99-139	<u>Land and Lakes Company v. Will County Board and Waste Management of Illinois, Inc.</u> - The Board accepted for hearing and consolidated the following third-party appeals for hearing: PCB 99-136, PCB 99-139, and PCB 99-140. The Board also accepted PCB 99-141 for hearing. All four appeals involve the same Will County pollution control facility. The County was ordered to file its record on or before May 19, 1999.	6-0 P-C-F-S-R Girard abstained
PCB 99-140	<u>Kathleen Konicki v. The County of Will and Waste Management of Illinois, Inc.</u> - The Board accepted for hearing and consolidated the following third-party appeals for hearing: PCB 99-136, PCB 99-139, and PCB 99-140. The Board also accepted PCB 99-141 for hearing. All four appeals involve the same Will County pollution control facility. The County was ordered to file its record on or before May 19, 1999.	6-0 P-C-F-S-R Girard abstained

ADJUDICATORY CASES (CONTINUED)

Motions and Other Matters (Continued)

PCB 99-141 Waste Management of Illinois, Inc. v. Will County Board - The Board accepted for hearing and consolidated the following third-party appeals for hearing: PCB 99-136, PCB 99-139, and PCB 99-140. The Board also accepted PCB 99-141 for hearing. All four appeals involve the same Will County pollution control facility. The County was ordered to file its record on or before May 19, 1999.

6-0
P-C-F-S-R
Girard
abstained

PCB 99-142 American National Bank and Trust Company of Chicago a/t/u Trust No. 10357705 v. Robert Dunham individually and d/b/a Dunham Cleaners - The Board held for a later duplicitous/frivolous determination this citizen's Resource Conservation Recovery Act enforcement action involving a Cook County facility.

RCRA-E
Citizens

PCB 99-143 People of the State of Illinois v. Heritage Environmental Services, LLC - Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this land and water enforcement action against a Cook County facility, the Board ordered publication of the required newspaper notice.

7-0
RCRA-E

CASES PENDING DECISION

PCB 94-373 People of the State of Illinois v. Wayne Berger and Berger Waste Management, Inc.

McFawn
L-E

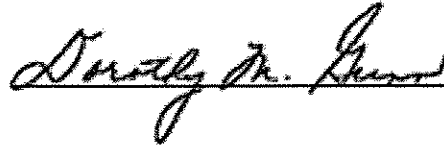
PCB 98-81 Charter Hall Homeowner's Association and Jeff Cohen v. Overland Transportation System, Inc. and D.P. Cartage, Inc.

Hennessey
N-E,
Citizens

ADJOURNMENT

Moved and seconded, by a vote of 7-0, Chairman Manning adjourned the meeting at 11:35 a.m.

I, Dorothy M. Gunn, Clerk, of the Illinois Pollution Control Board, hereby certify that the above minutes were approved this 6th day of May 1999 by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", is written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD

MEETING AGENDA



APRIL 15, 1999 CHICAGO, ILLINOIS
CONFERENCE ROOM 9-040
10:30 A.M.

ANNOUNCEMENTS

The Pollution Control Board welcomes the public to this open meeting. During the meeting itself, only the Board members or staff that are recognized by the Chairman are allowed to speak. If you have any questions about anything that occurred at the meeting, please feel free, after the meeting, to direct your questions to any one of the many staff members in attendance.

Appearance of an item on the agenda does not guarantee that the Board will take action on that item, since the Board may decide to hold the item over for additional review and action at a later meeting. Thank you for your interest.

ROLL CALL

APPROVAL OF MINUTES

March 18, 1999

April 8, 1999 (Special Board Meeting)

RULEMAKINGS

R98-29	<u>In the Matter of: Nonhazardous Special Waste Hauling and the Uniform Program: Amendments to 35 Ill. Adm. Code 809 (Pursuant to P.A. 90-219) - Proposed Rule, Second Notice, Opinion and Order</u>	Melas R, Land
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RULEMAKINGS (CONTINUED)

R99-17	<u>In the Matter of: Wastewater Pretreatment Update, USEPA Regulations (July 1, 1998 through December 31, 1998) - Proposed Rule, Proposal for Public Comment, Opinion and Order</u>	Melas R, Water
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ADJUSTED STANDARDS

AS 99-3	<u>In the Matter of: Petition of Big River Zinc Corporation for an Adjusted Standard from 35 Ill. Adm. Code 720.131(c)</u>	Hennessey Land, RCRA
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AS 99-5	<u>In the Matter of: Petition of Abbott Laboratories for an Adjusted Standard from 35 Ill. Adm. Code 302.208 and 304.105</u>	Melas Water
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AS 99-6	<u>In the Matter of: Petition of American Water Company's Alton Public Water Supply Replacement Facility Discharge to the Mississippi River for an Adjusted Standard from 35 Ill. Adm. Code 304.124, 304.106, and 302.203 - Petitioner's Certificate of Publication (4/12)</u>	Melas Water
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ADMINISTRATIVE CITATIONS

AC 99-9	<u>IEPA v. Terry Patrick - Joint Stipulation of Settlement and Dismissal of Respondent's Petition for Administrative Review (3/26)</u>	Melas
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AC 99-31	<u>County of Will v. Leonard Kubinski - Complainant's Motion to Amend Administrative Citation (2/25), Complainant's Motion to Amend Administrative Citation and Complainant's Motion to Dismiss (3/17)</u>	Manning
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AC 99-34	<u>Montgomery County v. Envotech, Illinois, Inc. - Default Order</u>	Manning
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ADMINISTRATIVE CITATIONS (CONTINUED)

AC 99-35 IEPA v. Laidlaw Waste Systems, Inc. and Carl Ball III - Default Order (See Complainant's Motion to Dismiss a Respondent filed 3/19) Manning

AC 99-36 County of Will v. Maureen Fee - Accept Case - No Order

AC 99-37 IEPA v. C&L Tiling, Inc. - Agency Motion to Withdraw (3/29) Manning

AC 99-38 IEPA v. Upper Rock Island County Landfill, Inc. - Accept Case - No Order

AC 99-39 IEPA v. C&L Tiling, Inc. - Accept Case - No Order

AC 99-40 IEPA v. BFI Waste Systems of North America, Inc. - Accept Case - No Order

AC 99-41 IEPA v. BFI Waste Systems of North America, Inc. - Accept Case - No Order

AC 99-42 IEPA v. Fred Hood and Anne Hood - Accept Case - No Order

ADJUDICATORY CASES

Decisions

PCB 97-54 People of the State of Illinois v. Capital Engineering & Manufacturing Company - Stipulation McFawn
A-E

PCB 97-203 People of the State of Illinois v. Spirco Environmental, Inc. Melas
A-E

ADJUDICATORY CASES (CONTINUED)

Decisions (Continued)

PCB 98-90	<u>People of the State of Illinois v. Marathon Oil Company - Stipulation</u>	Girard L&W-E
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PCB 99-80	<u>Central Illinois Light Company (E.D. Edwards Generating Station) v. IEPA (due 4/16)</u>	Hennessey A-V
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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.

PCB 99-144	<u>United States Department of the Interior-Crab Orchard National Wildlife Refuge v. IEPA</u>	Manning W-V
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Motions and Other Matters

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

PCB 94-213	<u>Wayne G. Busse and Wickersham & Associates, Inc. v. IEPA - Petitioner's Motion to Dismiss Appeal (3/26)</u>	Flemal UST-FRD
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PCB 94-277	<u>Jerry Gleason Buick, Inc. v. IEPA - Petitioner's Motion to Dismiss Appeal (3/26)</u>	Flemal UST-FRD
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PCB 96-114	<u>Pete Georges Chevrolet, Inc. v. IEPA - Petitioner's Motion to Dismiss Appeal (3/26)</u>	Hennessey
PCB 96-115		UST-FRD

PCB 96-116		
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ADJUDICATORY CASES (CONTINUED)

Motions and Other Matters (Continued)

PCB 96-117	<u>LaSalle National Trust, N.A., as Trustee under Trust Agreement dated January 10, 1966 and known as Trust No. 34565 v. Standard Bank and Trust Company, as Trustee under Trust Agreement dated July 17, 1995 and known as Trust No. 14929 and Capitol Bank and Trust, as Trustee under Trust Agreement dated March 12, 1993 and known as Trust No. 2421 - Stipulation of Dismissal (4/8)</u>	Girard L-E, Citizens
PCB 96-164	<u>CGE Ford Heights, L.L.C. v. IEPA - Agency Motion to Dismiss (3/18)</u>	Manning T-C- Appeal
PCB 96-208	<u>People of the State of Illinois v. Frank Merkendorfer and Phil Pinello - Agreed Motion to Request Relief from Hearing Requirement and Complainant's Motion to Voluntarily Dismiss Respondent Belden Tools, Inc. Without Prejudice (3/18)</u>	Hennessey RCRA-E
PCB 97-103	<u>People of the State of Illinois v. State Oil Company, William Anest, an individual f/d/b/a S&S Petroleum Products, Peter Anest, an individual f/d/b/a S&S Petroleum Products, Charles Abraham, an individual, Josephine Abraham, an individual, and Millstream Service, Inc. - Third Party Respondents William Anest and Peter Anest's Motion to Dismiss and Memorandum in Support of Motion to Dismiss (4/8)</u>	Manning L&W-E
PCB 97-162	<u>Swearingin Services, Inc. v. IEPA - Board Order</u>	Flemal
PCB 97-162		UST- Appeals
PCB 97-163		
PCB 97-164		
PCB 97-165		
PCB 97-166		
PCB 97-204		
PCB 98-82	<u>Resurrection Medical Center v. IEPA - Petitioner's Motion to Dismiss (4/6)</u>	Kezelis UST-FRD

ADJUDICATORY CASES (CONTINUED)

Motions and Other Matters (Continued)

PCB 98-84	<u>Scott and Shelly Behrmann v. Okawville Farmers Elevator-St. Libory</u> - Parties' Proposed Consent Order (3/29)	Kezelis N-E, Citizens
PCB 98-102	<u>Panhandle Eastern Pipe Line Company v. IEPA</u> - Petitioner's Motion for Reconsideration of January 21, 1999 Board Order (2/25), Agency Response to Petitioner's Motion for Reconsideration (3/12)	Hennessey P-A, Air
PCB 98-112	<u>Ronald R. and Melody Kanaverskis v. M.A. Ghalayini and M.A. Ghalayini, Inc.</u> - Complainants' Motion to Dismiss Without Prejudice (3/12)	Kezelis N-E, Citizens
PCB 98-171	<u>People of the State of Illinois v. Victor Cory</u> - Complainant's Motion to Strike Respondent's April 3, 1999 Reply Brief (4/12)	Manning W-E
PCB 99-27	<u>People of the State of Illinois v. James and Carol Gilmer; James and Carol Gilmer v. CL Industries, Inc., Kraft Foods Corporation and AC HUMKO Corporation</u> - Third Party Respondents Kraft Foods, Inc. and AC HUMKO Corporation's Motion to Dismiss the Third Party Complaint of Carol and James Gilmer (2/26)	Girard RCRA, W-E
PCB 99-40	<u>QST Environmental, Inc. v. IEPA</u> - Petitioner's Motion for Summary Judgment (3/16), Agency Motion for Summary Judgment (3/16), Agency Response to Petitioner's Motion for Summary Judgment (3/29), Petitioner's Reply to Agency Motion for Summary Judgment (3/29)	Girard T-S
PCB 99-66	<u>People of the State of Illinois v. Dale Bennett</u> - Motion for Relief from Hearing Requirement (4/12)	Hennessey W-E

ADJUDICATORY CASES (CONTINUED)

Motions and Other Matters (Continued)

PCB 99-103	<u>DynaChem, Inc. v. IEPA</u> - Accept for Hearing Order (See Petitioner's Motion to File Instanter filed 3/31)	Manning P-A, RCRA
PCB 99-106	<u>Rapers Gas v. IEPA</u> - Dismissal Order	Manning UST-FRD
PCB 99-107	<u>Dewey's Service, Inc. v. IEPA</u> - Petitioner's Motion for Reconsideration of February 4, 1999 Board Order (3/17)	Manning UST-FRD
PCB 99-112	<u>People of the State of Illinois v. Bi-Petro and Timberlake Transportation and Transfer, Inc.</u> - Respondent Bi-Petro's Motion for Extension of Time (4/12)	Melas W-E
PCB 99-118	<u>Becks Auto Sales v. IEPA</u> - Dismissal Order	Manning UST-Appeal
PCB 99-125	<u>Terrence G. Graf, Joe and Marcella Graf v. Valiquet, Inc., Emerald Landscaping and CPK Landscaping</u> - Awaiting Duplicitous/Frivolous Determination	Kezelis N-E, Citizens
PCB 99-132	<u>Ted Harrison Oil Company v. IEPA</u> - Joint Request for 90-Day Extension of Appeal Period (3/17) - Order	Manning UST-FRD 90-Day Ext.
PCB 99-133	<u>Bulkoa, Inc. v. IEPA</u> - Joint Request for 90-Day Extension of Appeal Period (3/17) - Order	Manning UST-Appeal 90-Day Ext.
PCB 99-134	<u>People of the State of Illinois v. Peabody Coal Company</u> - Hearing Mandatory - No Order (See Request for Leave to Appear Pro Hac Vice filed 3/29)	W-E

ADJUDICATORY CASES (CONTINUED)

Motions and Other Matters (Continued)

PCB 99-135	<u>Remote Services, Inc. v. IEPA</u> - Joint Request for 90-Day Extension of Appeal Period (3/26) - Order	Manning UST-FRD 90-Day Ext.
PCB 99-136	<u>Sierra Club, Midewin Tallgrass Prairie Alliance, Audubon Council of Illinois, and Illinois Audubon Society v. Will County and Waste Management, Inc.</u> - Accept for Hearing Order	Manning P-C-F-S-R
PCB 99-137	<u>Seitz Corporation v. IEPA</u> - Joint Request for Extension of 90-Day Appeal Period (4/7) - Order	Manning UST-FRD 90-Day Ext.
PCB 99-138	<u>Hancock Service Company v. IEPA</u> - Accept for Hearing Order	Manning T-C- Appeal
PCB 99-139	<u>Land and Lakes Company v. Will County Board and Waste Management of Illinois, Inc.</u> - Accept for Hearing Order	Manning P-C-F-S-R
PCB 99-140	<u>Kathleen Konicki v. The County of Will and Waste Management of Illinois, Inc.</u> - Accept for Hearing Order	Manning P-C-F-S-R
PCB 99-141	<u>Waste Management of Illinois, Inc. v. Will County Board</u> - Accept for Hearing Order	Manning P-C-F-S-R
PCB 99-142	<u>American National Bank and Trust Company of Chicago a/t/u Trust No. 10357705 v. Robert Dunham individually and d/b/a Dunham Cleaners</u> - Hold for Duplicitous/Frivolous Determination - No Order	RCRA-E Citizens
PCB 99-143	<u>People of the State of Illinois v. Heritage Environmental Services, LLC</u> - Agreed Motion for Relief from Hearing Requirement (4/9) - Order	Manning RCRA-E

CASES PENDING DECISION

PCB 94-373	<u>People of the State of Illinois v. Wayne Berger and Berger Waste Management, Inc.</u>	McFawn L-E
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PCB 98-81	<u>Charter Hall Homeowner's Association and Jeff Cohen v. Overland Transportation System, Inc. and D.P. Cartage, Inc.</u>	Hennessey N-E, Citizens
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OTHER ITEMS

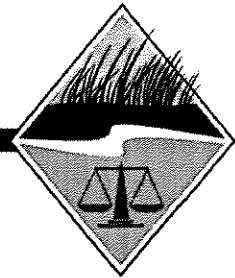
ADJOURNMENT

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 MARCH 18, 1999 BOARD MEETING

AS 99-6	In the Matter of: Petition of American Water Company's Alton Public Water Supply Replacement Facility Discharge to the Mississippi River for an Adjusted Standard from 35 Ill. Adm. Code 304.124, 304.106, and 302.203
AC 99-36	County of Will v. Maureen Fee
AC 99-37	IEPA v. C&L Tiling, Inc.
AC 99-38	IEPA v. Upper Rock Island County Landfill, Inc.
AC 99-39	IEPA v. C&L Tiling, Inc.
AC 99-40	IEPA v. BFI Waste Systems of North America, Inc.
AC 99-41	IEPA v. BFI Waste Systems of North America, Inc.
AC 99-42	IEPA v. Fred Hood and Anne Hood
PCB 99-132	Ted Harrison Oil Company v. IEPA
PCB 99-133	Bulkoa, Inc. v. IEPA
PCB 99-134	People of the State of Illinois v. Peabody Coal Company
PCB 99-135	Remote Services, Inc. v. IEPA
PCB 99-136	Sierra Club, Midewin Tallgrass Prairie Alliance, Audubon Council of Illinois, and Illinois Audubon Society v. Will County and Waste Management, Inc.
PCB 99-137	Seitz Corporation v. IEPA
PCB 99-138	Hancock Service Company v. IEPA
PCB 99-139	Land and Lakes Company v. Will County Board and Waste Management of Illinois, Inc.
PCB 99-140	Kathleen Konicki v. The County of Will and Waste Management of Illinois, Inc.
PCB 99-141	Waste Management of Illinois, Inc. v. Will County Board
PCB 99-142	American National Bank and Trust Company of Chicago, a/t/u Trust No.

	10357705 v. Robert Dunham, individually and d/b/a Dunham Cleaners
PCB 99-143	People of the State of Illinois v. Heritage Environmental Services, LLC
PCB 99-144	United States Department of the Interior-Crab Orchard National Wildlife Refuge v. IEPA

REGULAR BOARD MEETING SCHEDULE FOR CALENDAR YEAR 1999

January 7 *	July 8
January 21	July 22
February 4 *	August 5 *
February 18	August 19
March 4	September 9
March 18	September 23
April 15	October 7 **
	October 21
May 6*	November 4 *
May 20	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