

# ILLINOIS POLLUTION CONTROL BOARD

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## MEETING MINUTES



**MARCH 2, 2000 SPRINGFIELD OFFICE**  
**600 South Second Street - Suite 403**  
**Hearing Room**  
**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 Administrative Assistant to the Chairman called the roll. All Board Members were present.

### **APPROVAL OF MINUTES**

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Minutes of the February 17, 2000 meeting were approved by a vote of 6-0.

### **RULEMAKINGS**

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| <b>R00-13</b> | <u>In the Matter of: RCRA Subtitle C Hazardous Waste Update, USEPA Amendments (July 1, 1999 through December 31, 1999) -</u><br>The Board adopted a proposal for public comment in this “identical-in-substance” rulemaking to amend the Board’s hazardous waste regulations.                  | 6-0<br>R, Land |
| <b>R00-17</b> | <u>In the Matter of: Amendments to 35 Ill. Adm. Code Part 617, Regulated Recharge Area for Pleasant Valley Water District -</u> The Board accepted for hearing the Illinois Environmental Protection Agency’s February 14, 2000 proposal to amend the Board’s public water supply regulations. | 6-0<br>R, PWS  |
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## ADJUSTED STANDARDS

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**AS 96-10**     In the Matter of Petition of Commonwealth Edison Company for an Adjusted Standard from 35 Ill. Adm. Code 302.211(d) and (e) - No action taken.     Water

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## ADMINISTRATIVE CITATIONS

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**AC 00-3**     County of Sangamon v. ESG Watts, Inc. - The Board accepted for hearing the three most recently-filed petitions against ESG Watts, Inc., those filed in AC 00-64, 65, and 66 for hearing, and consolidated them with the 34 earlier-filed petitions for review previously accepted by the Board for hearing.     6-0

**et al.**  
**(Cons.)**

**AC 00-64**

**AC 00-65**

**AC 00-66**

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**AC 00-33**     County of Sangamon v. American Tree Service, Roy F. Throop - No action taken.

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**AC 00-62**     Wayne County Health Department v. John Heern - The Board found that this Wayne County respondent violated Section 21(p)(1) of the Act (415 ILCS 5/21(p)(1) (1998)), and ordered respondent to pay a civil penalty of \$500.     6-0

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**AC 00-69**     IEPA v. Raymond Pollock - The Board accepted for hearing this petition for review of an administrative citation against this Douglas County respondent.     6-0

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**AC 00-70**     IEPA v. American Disposal Services of Illinois, Inc. and Dave Bryant - The Board accepted an administrative citation against these Livingston County respondents.

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## ADJUDICATORY CASES

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### Decisions

<b>PCB 96-261</b>	<u>People of the State of Illinois v. G.M. Demolition Corporation</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) (1998)), accepted a stipulation and settlement agreement in this air enforcement action concerning asbestos demolition and renovation activity performed at various sites in Cook and Kankakee Counties, ordered the respondent to pay a civil penalty of \$8,000, and to cease and desist from further violations.	6-0 A-E
<b>PCB 98-114</b>	<u>David Mulvain v. Village of Durand</u> - The Board found that respondent violated Sections 12(a) and (f) of the Act (415 ILCS 5/21(a), 21(f) (1998)) and 35 Ill. Adm. Code 306.303 and 306.304, found that a civil penalty was not necessary, and directed respondent to cease and desist from further violations.	6-0 W-E, Citizens
<b>PCB 00-25</b>	<u>KRKH, Inc. v. IEPA, Studio 21 Limited, Joe and Theresa Sclafini, and Midwest Bank and Trust As Trustee Under Trust No. 74-11-1383</u> - The Board granted this DuPage County facility an exception to the prohibition of siting a new potential source within the setback zone of a potable water supply well, pursuant to Section 14.2(c) of the Environmental Protection Act (415 ILCS 5/14.2(c) (1998)), subject to conditions.	5-0 Melas abstained WWS
<b>PCB 00-68</b>	<u>Village of White City v. IEPA</u> - The Board granted this Macoupin County facility a variance from the public water supply regulations found at 35 Ill. Adm. Code 602.105(a) and 602.106(a), subject to conditions.	6-0 PWS-V
<b>PCB 00-114</b>	<u>Three County Public Water District v. IEPA</u> - The Board granted this Madison County facility a variance from the public water supply regulations found at 35 Ill. Adm. Code 602.105(a) and 602.106(a), subject to conditions.	6-0 PWS-V

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## Motions and Other Matters

<b>PCB 95-109</b>	<u>ESG Watts, Inc. v. IEPA</u> - No action taken.	P-A, Land
<b>PCB 95-110</b>	<u>ESG Watts, Inc. v. IEPA</u> - No action taken.	P-A, Land
<b>PCB 96-209</b>	<u>People of the State of Illinois v. Macon County Landfill Corporation</u> - Upon receipt of three separate citizens' request for hearing, the Board denied the request for relief from the hearing requirement of Section 31(c)(2) of the Environmental Protection Act (415 ILCS 5/31(c)(2) (1998)), and ordered this land enforcement action to proceed to hearing.	6-0 L-E
<b>PCB 97-50</b>	<u>Lionel Trepanier, Wes Wager, Maureen Minnick, Lorenz Joseph, Maxworks Garden Cooperative and Avi Pandya v. Speedway Wrecking Company and the Board of Trustees of the University of Illinois</u> - The Board denied complainants' motions to vacate the Board's January 6, 2000 order and for a rehearing.	6-0 A-E, Citizens
<b>PCB 97-75</b>	<u>People of the State of Illinois v. John Jankowski</u> - The Board granted complainant's motion for voluntary dismissal of this land enforcement action involving a Lake County facility.	6-0 L-E
<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 Miltream Service, Inc.</u> - No action taken.	L&W-E
<b>PCB 98-59</b>	<u>Morton College Board of Trustees of Illinois Community College District No. 527 v. Town of Cicero</u> - The Board granted complainant's motion to voluntarily dismiss its complaint and directed the third-party complainant to show why the third-party complaint should not be dismissed as moot by March 9, 2000.	6-0 RCRA-E, Citizens
<b>PCB 98-149</b>	<u>North Shore Sanitary District v. IEPA</u> - The Board granted petitioner's motion for voluntary dismissal of this permit appeal involving a Lake County facility.	6-0 P-A, Land

<b>PCB 99-69</b>	<u>Land and Lakes Company v. Randolph County Board of Commissioners</u> - No action taken.	Girard P-C-F-S-R
<b>PCB 99-152</b>	<u>People of the State of Illinois v. Eagle-Picher Industries</u> - The Board granted complainant's first amended motion to correct misnomer and to amend the complaint and to file a first amended complaint.	6-0 A-E
<b>PCB 00-73</b>	<u>City of Rock Island v. IEPA</u> - No action taken.	P-A, NPDES
<b>PCB 00-92</b>	<u>Colony of Longmeadow HOA v. Dominick's (Mundelein Facility)</u> - The Board granted the motion for leave to file an amended formal complaint adding respondents and accepted the amended complaint filed in response to the Board's January 6, 2000 order.	6-0 N-E, Citizens
<b>PCB 00-127</b>	<u>People of the State of Illinois v. Dayne Rogers, an individual, Black Gold International, and Crosby &amp; Associates, P.C.</u> - No action taken.	L-E, Tires
<b>PCB 00-133</b>	<u>John M. Giertych, Oak Ridge Property Owners v. Tyson Corporation</u> - The Board held for a later duplicitous/frivolous determination this citizen noise enforcement action involving a Kankakee County facility.	N-E, Citizens
<b>PCB 00-137</b>	<u>Berwyn Auto Service 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 this Cook County facility.	6-0 UST-FRD 90-Day Ext.
<b>PCB 00-138</b>	<u>Granite City Sheet Metal 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 this Madison County facility.	6-0 UST-FRD 90-Day Ext.

**PCB 00-139** L. Wolf Company v. IEPA - The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Madison County facility.

6-0  
UST-FRD  
90-Day Ext.

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**PCB 00-140** Gladys L. Knox and David A. Knox v. Turris Coal Company and AEI Resources, Inc. - The Board held for a later duplicitous/frivolous determination this citizen noise enforcement action involving a Sangamon County facility.

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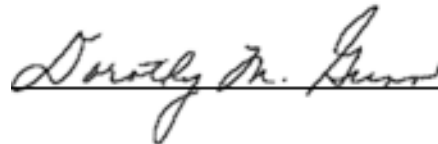
N-E,  
Citizens

### ADJOURNMENT

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Moved and seconded, by a vote of 6-0, Chairman Manning adjourned the meeting at 11:00 a.m. to an Executive Session.

I, Dorothy M. Gunn, Clerk, of the Illinois Pollution Control Board, hereby certify that the above minutes were approved this 16th day of March 2000 by a vote of 5-0.



Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board