

NEW CASES APRIL 19, 2007 BOARD MEETING

07-084 American Bottom Conservancy and Sierra Club v. City of Madison, Illinois and Waste Management of Illinois, Inc. – The Board accepted for hearing this third-party pollution control facility siting appeal involving a Madison County facility.

07-085 T-Town Drive Thru, Inc. v. IEPA – The Board accepted for hearing this underground storage tank appeal involving an Effingham County facility.

07-086 People of the State of Illinois v. The Ridges of Coal Valley – The Board accepted for hearing this water enforcement action involving a site located in Rock Island County.

07-087 Estate of Fred Johnson 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 Christian County facility.

07-088 Christian County Farmers Supply Company-Morrisonville (Property Identification Number 13-22-09-100-001) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Christian County Farmers Supply Company, located in Christian County, are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2004)).

07-089 Christian County Farmers Supply Company-Pana (Property Identification Number 11-25-15-101-001) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Christian County Farmers Supply Company, located in Christian County, are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2004)).

07-090 Christian County Farmers Supply Company-Tovey (Property Identification Number 15-12-08-100-002) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Christian County Farmers Supply Company, located in Christian County, are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2004)).

07-091 Dynegy Midwest Generation, Inc. – Wood River Power Station (Property Identification Number 19-1-08-19-00-000-006) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Dynegy Midwest Generation, Inc., located in Madison County, are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2004)).

07-092 Elite Pork, L.L.C-Esmond (Property Identification Number 19-01-200-003) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Elite Pork, L.L.C., located in Ogle County, are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2004)).

07-093 Equistar Chemicals, L.P. (Property Identification Number 03-20-200-014) v. IEPA – No action taken.

07-094 City of Joliet v. IEPA – The Board accepted for hearing this permit appeal involving a Will County facility.

07-095 People of the State of Illinois v. AET Environmental, Inc. and E.O.R. Energy, L.L.C. – The Board accepted for hearing this land enforcement action involving a site located in Sangamon County.

07-096 Kyle Nash v. Karen Sokolowski – The Board held for a later duplicative/frivolous determination this citizens' noise enforcement action involving a Cook County facility.

07-097 Kyle Nash v. Louis Jiminez – The Board held for a later duplicative/frivolous determination this citizens' noise enforcement action involving a Cook County facility.

07-098 Roy and Nathan Wiegand Roanoke (Property ID # 11-33-100-004) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency's recommendation, the Board found and certified that specified facilities of Roy and Nathan Wiegand Roanoke, located in Woodford County, are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2004)).

07-099 L.W. Paul Supply Co., Inc. v. IEPA – The Board accepted for hearing this underground storage tank appeal involving a Cook County facility.

07-100 Wayne and Susan Bergbower-Newton (Property Identification Number 90-08-16-300-009) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency's recommendation, the Board found and certified that specified facilities of Wayne and Susan Bergbower-Newton, located in Jasper County, are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2004)).

07-101 Midwest Generation, L.L.C. – Powerton Generating Station v. IEPA – No action taken.

07-102 City of O'Fallon v. IEPA – No action taken.

07-103 Christian County Farmers Supply Co. (Property Identification Number 07-19-36-100-001) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency's recommendation, the Board found and certified that specified facilities of Christian County Farmers Supply Co., located in Christian County, are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2004)).

AC 07-047 County of Ogle v. Rochelle Waste Disposal, LLC and Clyde A. Gelderloos, Chief Operator, and City of Rochelle – The Board accepted an administrative citation against these Ogle County respondents.

AC 07-048 IEPA v. Ben and Destiny Wyant - The Board granted complainant's motion for dismissal of this administrative citation and closed the docket.

AC 07-049 IEPA v. Herman F. and Karen Meyers – The Board accepted an administrative citation against these Massac County respondents.

AC 07-050 IEPA v. Doug Hensley and Eric & Charmin Joseph – The Board accepted an administrative citation against these Henderson County respondents.

AC 07-051 IEPA v. Gene Breeden – The Board accepted an administrative citation against this Iroquois County respondent.

AC 07-052 County of LaSalle v. Mike Johnson – The Board accepted an administrative citation against this LaSalle County respondent.

AC 07-053 IEPA v. Renee C. Lo – The Board accepted an administrative citation against this Champaign County respondent.

AS 07-005 In the Matter of: Petition of Cabot Corporation for an Adjusted Standard from 35 Ill. Adm. Code Part 738, Subpart B – No action taken.

R07-018 In the Matter of: Nitrous Oxide (NO_x) Emissions From Stationary Reciprocating Internal Combustion Engines and Turbines: Amendments to 35 Ill. Adm. Code Section 201.146, Parts 211 and 217 – The Board accepted for hearing the Illinois Environmental Protection Agency's (Agency) April 6, 2007 proposal filed under the Clean Air Act fast track procedures of Section 28.5 of the Environmental Protection Act (415 ILCS 5/28 (2004)). The Board adopted a first notice opinion and order to amend the Board's air pollution control regulations, specifically to satisfy Illinois' obligations under the United States Environmental Protection Agency's nitrogen oxides (NO_x) State Implementation Plan Call Phase II. The Board granted the Agency's motion for waiver of copy requirements and waived the requirement to file nine copies of the materials. No action was taken on the separate objections to use of the fast track procedure filed by the Pipeline Consortium and the Illinois Environmental Regulatory Group on April 16 and 17, 2007; responses are due by May 8, 2007.