

NEW CASES JANUARY 23, 2003 BOARD MEETING

03-098 Nielsen & Bainbridge, L.L.C. v. IEPA – The Board accepted for hearing this air permit appeal involving a Cook County facility. No action was taken on petitioner’s request for stay of CAAPP permit.

03-099 Sather Enterprises, Ltd. 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 Dewitt County facility.

03-100 People of the State of Illinois v. National Container Services Corporation – 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 involving a Cook County facility, the Board ordered publication of the required newspaper notice.

03-101 People of the State of Illinois v. Werner Co. – The Board accepted for hearing this air enforcement action involving a Cook County facility.

03-102 U.S. Department of Energy v. IEPA – The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of this DuPage County facility.

03-103 Eugene J. and Ruth A. Brummer-Dieterich v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Eugene J. and Ruth A. Brummer-Dieterich located in Effingham County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2002)).

03-104 Waste Management of Illinois, Inc. v. County Board of Kane County, Illinois – The Board accepted for hearing this pollution control facility siting appeal involving a Kane County facility.

03-105 Freedom Oil Company v. IEPA – The Board accepted for hearing this underground storage tank appeal involving an Edgar County facility.

03-106 Village of South Elgin v. Waste Management of Illinois, Inc. – The Board held for a later duplicative/frivolous determination this citizen’s land enforcement action involving a Kane County facility.

03-107 Willaredt Oil 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 Macon County facility.

AC 03-017 IEPA v. Village of Metamora – The Board accepted an administrative citation against this Woodford County respondent.

AC 03-018 IEPA v. Jerry Summers – The Board accepted an administrative citation against this Fayette County respondent.

AC 03-019 IEPA v. Harley Lafary d/b/a Lafary Construction, Harris Lafary and Larry Payne, Sr. – The Board accepted an administrative citation against these McDonough County respondents.

R03-019 In the Matter of: Proposed Amendments to Public Participation Rules in 35 Ill. Adm. Code Part 309 NPDES Permits and Permitting Procedures – The Board accepted for hearing the Environmental Law and Policy Center of the Midwest, Illinois Chapter of the Sierra Club, the Prairie Rivers Network, and 225 citizen petitioners’ January 13, 2003 proposal to amend the

Board's water pollution control regulations.