

## ILLINOIS POLLUTION CONTROL BOARD

### MINUTES OF REGULAR BOARD MEETING AUGUST 3, 1995 CHICAGO, ILLINOIS

After calling the meeting to order, Chairman Manning welcomed member of the public and staff, announced that the Board meeting originally scheduled for August 17, 1995, was changed and will be held August 24, 1995, welcomed former Board Member Joan Anderson to the meeting. Thereafter, the Clerk was asked for a roll call and all Board Members answered present except R.C. Flemal and M. McFawn, who were on vacation.

Minutes of the July 20, 1995 meeting were approved by a vote of 4-0. G. Tanner Girard abstained.

An Adopted Rule, Final Order, Opinion and Order was adopted in R95-13, RCRA Subtitle D Update, Delayed Effective Date of USEPA Financial Assurance Regulations (April 7, 1995), by a vote of 4-1. J. Theodore Meyer dissented. (GTG)

A Proposal for Public Comment, Supplemental Proposed Opinion and Order was adopted in R95-16, Exemptions from Definition of VOM (January 1, 1995 through June 30, 1995), by a vote of 5-0. (GTG)

An Order accepting the petition and granting the petitioner's motion to incorporate materials from its previous proceeding, AS 95-5, was adopted in #AS 95-8, Petition of the Illinois Department of Transportation, District 8 for an Adjusted Standard from 35 Ill. Adm. Code 304.124, by a vote of 5-0. (GTG)

Default Orders were adopted in these Administrative Citations by a vote of 5-0: #95-39, County of Vermilion v. Illinois Landfill, Inc.; 95-44, IEPA v. Allied Waste Industries of Illinois, Inc.; 95-45, County of Will v. RWS Development Corporation; 95-46, County of Will v. William Mintz; 95-47, IEPA v. Allied Waste Industries, Inc.; 95-48, Sangamon County v. Town and Country Bank Trust #TA240. J. Theodore Meyer concurred.

An Order granting the petitioner's motion to voluntarily dismiss, was adopted in #94-206, Comerica Bank-Illinois v. Office of the State Fire Marshal, by a vote of 5-0. (ED)

An Order granting the complainants' motion for an extension of time until August 4, 1995, to file a post-hearing reply brief, was adopted in #94-240, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America and UAW Local 974, and Citizens For a Better Environment v. Caterpillar, Inc., and IEPA, Party-in-Interest, by a vote of 5-0. (CAM)

An Order granting the petitioner's motion to dismiss, was adopted in #94-316, USA Waste of Illinois, Inc. v. IEPA, by a vote of 5-0. (MCF)

An Order granting the petitioner's motion to voluntarily dismiss, was adopted in #95-11, Comerica-Bank Illinois v. IEPA, by a vote of 5-0. (CAM)

An Order denying the respondents' motion to dismiss and directing that the matter proceed to hearing, was adopted in #95-91, People of the State of Illinois v. Bell Sports, Inc., Waste Hauling Landfill, Inc., and Waste Hauling, Inc., by a vote of 4-1. J. Theodore Meyer dissented. (CAM)

An Order granting the Agency's motion for an extension of time until September 15, 1995, in which to file the record, was adopted in #95-119, -125, West Suburban Recycling and Energy Center, L.P. v. IEPA, by a vote of 5-0. (RCF)

An Order granting the respondents' motion for extension to answer or otherwise plead until September 19, 1995, was adopted in #95-165, Richard Buri v. Batavia Concrete, Inc., by a vote of 5-0. (GTG)

An order granting the parties' motion for an extension of time until October 23, 1995, in which to file the respondent's answer, granting the parties request to extend the hearing time frame requirement from 90 days to 180 days, and directing the assigned hearing officer to schedule a hearing accordingly, was adopted in #95-176, People of the State of Illinois v. Pro-Pak Industries, Inc., by a vote of 5-0. (JTM)

An Order granting the Agency's motion for an extension of time until October 23, 1995, to file the record, was adopted in #96-3, General Motors Corporation (GM Powertrain) v. IEPA, by a vote of 5-0. (CAM)

An Order directing the parties to file an additional status report with the Board and the hearing officer in 60 days, and directing that further status reports be filed at the hearing officer's discretion, was adopted in #89-178, Olin Corporation v. IEPA, by a vote of 4-1. J. Theodore Meyer dissented. (GTG)

An order accepting the status report in response to a June 8, 1995 Board Order, and directing the parties to file status reports, or a joint status report with the Board on or before October 2, 1995, was adopted in #90-215, Spraying Systems, Inc., by a vote of 5-0. (ED)

An Order accepting the petitioner's amended petitioner's amended petition in response to a June 22, 1995 Board Order, striking paragraph 8, section 1, of the petitioner's amended petition, and

accepting the matter for hearing, was adopted in #95-100, C & S Recycling, Inc. v. IEPA, by a vote of 5-0. (RCF)

An Order finding that the complaint is neither duplicitous or frivolous, and accepting the matter for hearing, was adopted in #95-173, Chicago-Dubuque Foundry Corporation v. City of East Dubuque, by a vote of 5-0. (GTG)

An Order extending the 35-day appeal period, reserving the docket for any appeal which may be filed by the petitioner, noting that in the event that the petitioner fails to file an appeal on or before October 4, 1995, the Board will dismiss the docket as unnecessary, and advising the petitioner that a \$75.00 filing fee will be required at such time as the petitioner files a petition, was adopted in #96-4, Stone Container Corporation v. IEPA, by a vote of 5-0. (CAM)

An order extending the 35-day appeal period, reserving the docket for any appeal which may be filed by the petitioner, noting that in the event that the petitioner fails to file an appeal on or before October 16, 1995, the Board will dismiss the docket as unnecessary, and advising the petitioner that a \$75.00 filing fee will be required at such time as the petitioner files a petition, was adopted in #96-8, Alloy Casting & Engineering Company v. IEPA, by a vote of 5-0. (CAM)

An Order accepting the matter for hearing, was adopted in #96-14, Carl and Edna Ball, d/b/a C & E Recycling and Resource Recovery v. IEPA, by a vote of 5-0.

An order extending the 35-day appeal period, reserving the docket for any appeal which may be filed by the petitioner, noting that in the event that the petitioner fails to file an appeal on or before October 22, 1995, the Board will dismiss the docket as unnecessary, and advising the petitioner that a \$75.00 filing fee will be required at such time as the petitioner files a petition, was adopted in #96-15, Southern Food Park, Inc. (Carterville/Han-Dee Mart #35) v. IEPA, by a vote of 5-0. (CAM)

An Order extending the 35-day appeal period, reserving the docket for any appeal which may be filed by the petitioner, noting that in the event that the petitioner fails to file an appeal on or before October 25, 1995, the Board will dismiss the docket as unnecessary, and advising the petitioner that a \$75.00 filing fee will be required at such time as the petitioner files a petition, was adopted in #96-16, Richard Kurtz (45-Day Report) v. IEPA, by a vote of 5-0. (CAM)

An Order extending the 35-day appeal period, reserving the docket for any appeal which may be filed by the petitioner, noting that in the event that the petitioner fails to file an appeal on or before October 25, 1995, the Board will dismiss the docket at

unnecessary, and advising the petitioner that a \$75.00 filing fee will be required at such time as the petitioner files a petition, was adopted in #96-17, Richard Kurtz (Site Classification) v. IEPA, by a vote of 5-0. (CAM)

An Order extending the 35-day appeal period, reserving the docket for any appeal which may be filed by the petitioner, noting that in the event that the petitioner fails to file an appeal on or before October 25, 1995, the Board will dismiss the docket as unnecessary, and advising the petitioner that a \$75.00 filing fee will be required at such time as the petitioner files a petition, was adopted in #96-18, Richard Kurtz (Low Priority Ground Water Monitoring Plan) v. IEPA, by a vote of 5-0. (CAM)

An order extending the 35-day appeal period, reserving the docket for any appeal which may be filed by the petitioner, noting that in the event that the petitioner fails to file an appeal on or before October 26, 1995, the Board will dismiss the docket as unnecessary, and advising the petitioner that a \$75.00 filing fee will be required at such time as the petitioner files a petition, was adopted in #96-19, Flynn Ready-Mix Concrete v. IEPA, by a vote of 5-0. (CAM)

A mandatory hearing will be held in this proceeding: #96-21, People of the State of Illinois v. Diamond Plating Company.

#### ADDENDUM

This case was held for an Agency Recommendation: #96-23, City of Byron v. IEPA.

A mandatory hearing will be held in this proceeding: #96-24, People of the State of Illinois v. Terminal Railroad Association of St. Louis.

A provisional variance was granted in #96-25, Commonwealth Edison Company, LaSalle County Generating Station v. IEPA, by a vote of 5-0. (CAM)

A provisional variance was granted in #96-26, Commonwealth Edison Company, Fisk, Crawford, Will County and Joliet Generating Stations v. IEPA, by a vote of 4-0. J. Theodore Meyer voted present. (CAM)

A provisional variance was granted in #96-27, City of White Hall v. IEPA, by a vote of 5-0. (CAM)

An Order extending the 35-day appeal period, reserving the docket for any appeal which may be filed by the petitioner, noting that in the event that the petitioner fails to file an appeal on or before November 2, 1995, the Board will dismiss the docket as unnecessary, and advising the petitioner that a \$75.00 filing fee

will be required at such time as the petitioner files a petition, was adopted in #96-28, Freightliner of Chicago, Inc., by a vote of 5-0. (CAM)

#### AGENDA

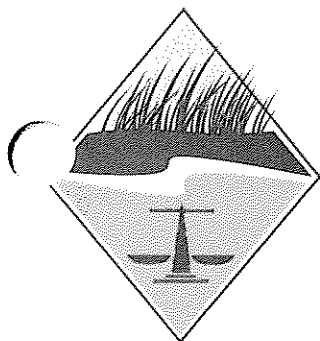
These cases were discussed and held: R94-1, Amendments to 35 111. Adm. code 302.202, 302.308, 302.212, 302.213, 302.407, 304.122 and 304.301 (Ammonia, Mercury & Lead); R95-9, Amendments to 35 111. Adm. code 810.103 (solid waste disposal general provision) concerning On-Farm Disposal of Dead Animals, Proposed Rule, Second Notice, Opinion and Order; R95-14(A), Petition of the Metropolitan Water Reclamation District of Greater Chicago for Site-Specific Water quality Regulations for Cyanide (Amendments to 35 111. Adm. code 302, 303, and 304), Proposed Rule, First Notice, Opinion and Order; R95-14(B), Amendments to the general use water quality standard for cyanide (35 111. Adm. code 302.208(d), Proposed Rule, First Notice, Opinion and Order; AS 95-4, Petition of the Metropolitan Water Reclamation District of Greater Chicago for an Adjusted Standard from 35 111. adm. codes 811, 812, and 817 (Sledge Application); AC 94-73, IEPA v. Stacy Hess, Final Opinion and Order Assessing Costs; AC 94-96, IEPA v. M.K. O'Hara Construction, Inc., Kenneth O'Hara and Madalyn O'Hara, Final Opinion and Order Assessing Costs; AC 94-97, IEPA v. M.K. O'Hara Construction, Inc., Kenneth O'Hara and Madalyn O'Hara, Final Opinion and Order Assessing Costs; 93-179, IBP, Inc. (Joslin Facility) v. IEPA; 95-89, Eugene W. Graham (Libertyville Ctgo) v. IEPA; 95-122, Olive Streit and Lisa Streit v. Oberweis Dairy, Inc., Richard J. Fetzer and Johnnie W. Ward, d/b/a Serve-N-Save, and Richard J. Fetzer, individually, Amoco Oil Company, Mobil Oil Corporation and IEPA; 95-137, Community Landfill Corporation v. IEPA.

All other matters not disposed of were held.

There being no further business, the meeting was adjourned by Chairman Manning at 11:25 a.m..

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Minutes were approved this 7th day of September, 1995, by a vote of 5-0.

Dorothy M. Gunn  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board



# ILLINOIS POLLUTION CONTROL BOARD

James R. Thompson Center ♦ Suite 11-500 ♦ 100 West Randolph Street ♦ Chicago, Illinois 60601  
312-814-3620 ♦ Fax 312-814-3669

## REGULAR MEETING AGENDA AUGUST 3, 1995 CHICAGO, ILLINOIS CONFERENCE ROOM 9-040 10:30 A.M.

GOVERNOR  
Honorable Jim Edgar



CHAIRMAN  
Claire A. Manning  
Springfield

MEMBERS  
Emmett E. Dunham II  
Elmhurst

Ronald C. Fernald  
DeKalb

G. Tanner Girard  
Grafton

Marili McFawn  
Palatine

J. Theodore Meyer  
Chicago

Joseph C. Yi  
Park Ridge



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Jerseyville, Illinois 62052  
618-498-9802  
Fax 618-498-5934

148 North Third Street  
P.O. Box 505  
DeKalb, Illinois 60115  
815-753-1904  
Fax 815-753-1970

### ADDENDUM

#### MOTIONS

95-118 Jack Pease, d/b/a Glacier Lake Extraction v. IEPA -  
Petitioner's Reply in Support of Motion to Clarify (8/1)  
(CAM)

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#### CASES TO BE SET FOR HEARING AND OTHER CASE PROCESSING ORDERS OR MATTERS

91-162 Minnesota Mining and Manufacturing Company v. IEPA -  
Joint Status Report in Response to February 9, 1995 Board  
Order (8/1)(McF)

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96-15 Southern Food Park, Inc. v. IEPA - Agency Request for  
Ninety Day Extension of Appeal Period (8/1)(CAM)

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96-22 Lew and Patricia D'Souza v. Richard and Joanne  
Marraccini - Hold for Duplicitous/Frivolous Determination -  
No Order

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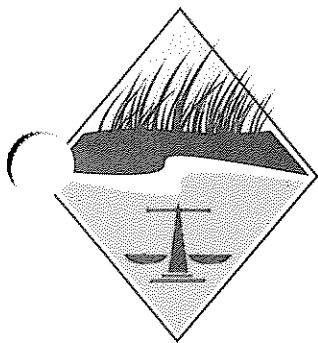
96-23 City of Byron v. IEPA - Hold for Agency Recommendation  
- No Order

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**CASES TO BE SET FOR HEARING AND OTHER CASE PROCESSING  
ORDERS OR MATTERS (Cont'd)**

- 96-24      People of the State of Illinois v. Terminal Railroad Association of St. Louis - Hearing Mandatory - No Order
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- 96-25      Commonwealth Edison Company, LaSalle County Generating Station v. IEPA - Provisional Variance (CAM)
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- 96-26      Commonwealth Edison Company, Fisk, Crawford, Will County and Joliet Generating Stations v. IEPA - Provisional Variance (CAM)
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- 96-27      City of White Hall v. IEPA - Provisional Variance (CAM)
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- 96-28      Freightliner of Chicago, Inc. v. IEPA - Joint Request for Ninety-Day Extension of Appeal Period (8/2)(CAM)
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## AGENDA AUGUST 3, 1995 CHICAGO, ILLINOIS CONFERENCE ROOM 9-040 10:30 A.M.

### GOVERNOR

Honorable Jim Edgar



### CHAIRMAN

Claire A. Manning  
Springfield

### MEMBERS

Emmett E. Dunham II  
Elmhurst

Ronald C. Fernald  
DeKalb

G. Tanner Girard  
Grafton

Marili McFawn  
Palatine

J. Theodore Meyer  
Chicago

Joseph C. Yi  
Park Ridge



### SPRINGFIELD OFFICE

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Fax 217-524-8508

### SATELLITE OFFICES

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618-498-9802  
Fax 618-498-5934

148 North Third Street  
P.O. Box 505  
DeKalb, Illinois 60115  
815-753-1904  
Fax 815-753-1970

### 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. Dates of future meetings of the Board appear on the last page of this agenda. Thank you for your interest.*

### Roll Call

### Minutes

July 20, 1995

### REGULATIONS AND ADJUSTED STANDARDS

R95-13

RCRA Subtitle D Update, Delayed Effective Date of  
USEPA Financial Assurance Regulations (April 7, 1995) -  
Adopted Rule, Final Order, Opinion and Order (GTG)



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## REGULATIONS AND ADJUSTED STANDARDS (Cont'd)

R95-16      Exemptions from Definition of VOM (January 1, 1995 - June 30, 1995)  
Agency Request for Additional Revisions Letter (7/18)(GTG)

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AS 94-15      Petition of Lonestar Industries, Inc. for an Adjusted Standard from 35  
Ill. Adm. Code Section 811.320(d) (JTM)

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AS 94-20      Petition of the Galesburg Sanitary District, Galesburg, Illinois for an  
Adjusted Standard from 35 Ill. Adm. Code 304.105 (Ammonia  
Nitrogen) - Agency Motion for Reconsideration of July 7, 1995 Board  
Order (7/27)(JY)

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AS 95-8      Petition of Illinois Department of Transportation, District 8 for an  
Adjusted Standard from 35 Ill. Adm. Code 304.124 - (See Petitioner's  
Motion for Incorporation by Reference filed 6/16; Certificate of  
Publication filed 7/14) (GTG)

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AS 96-1      Petition of Illinois Power Company (Baldwin Power Plant) for an  
Adjusted Standard from 35 Ill. Adm. Code 302.208 and 35 Ill. Adm.  
Code 304.105 - Hold for Certificate of Publication - No Order

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AS 96-2      Petition of Western Lion Limited for an Adjusted Standard from 35 Ill.  
Adm. Code 814, Subpart C - Hold for Certificate of Publication - No  
Order

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## ADMINISTRATIVE CITATIONS

AC 95-39      County of Vermilion v. Illinois Landfill, Inc. - Default Order

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AC 95-44      IEPA v. Allied Waste Industries of Illinois, Inc. - Default Order

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## ADMINISTRATIVE CITATIONS (Cont'd)

AC 95-45     County of Will v. RWS Development Corporation - Default Order

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AC 95-46     County of Will v. William Mintz - Default Order

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AC 95-47     IEPA v. Allied Waste Industries, Inc. - Default Order

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AC 95-48     Sangamon County v. Town and Country Bank Trust #TA240 - Default Order

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AC 96-2       IEPA v. William Hanna - Accept for Hearing - No Order

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## MOTIONS

94-146       Dorothy L. Hoffman v. City of Columbia - Complainant's Motion to Enforce Settlement and Memorandum in Support of Motion to Enforce Settlement (5/18), Respondent's Response to Complainant's Motion to Enforce Settlement (5/31), Respondent's Memorandum in Denial of Motion to Enforce Settlement (6/30)(JY)

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94-206       Comerica Bank-Illinois v. Office of the State Fire Marshal - Petitioner's Motion to Voluntarily Dismiss Petition for Review (7/21)(ED)

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## MOTIONS (Cont'd)

- 94-240      International Union, United Automobile, Aerospace and Agricultural Implement Workers of America and UAW Local 974 and Citizens For a Better Environment v. Caterpillar, Inc. and IEPA, Party in Interest - Complainants' Motion for Leave to File Amended Complaint (5/30), Respondent's Response in Opposition to Motion for Leave to File Amended Complaint (6/7), Respondent's Supplemental Response in Opposition to Motion for Leave to File Amended Complaint (6/14), Complainant United Auto Workers' Motion for Leave to Reply to Respondent's Response in Opposition to Motion for Leave to File Amended Complaint and to Reply to Respondent's Supplemental Response in Opposition to Motion for Leave to File Amended Complaint (6/14), Complainant United Auto Workers' Reply to Respondent's Response in Opposition to Motion for Leave to File Amended Complaint and to Respondent's Supplemental Response in Opposition to Motion for Leave to File Amended Complaint (7/3), Complainants' Motion for Leave to Amend Amended Complaint (7/6), Respondent's Motion to Strike Exhibit B of Complainants' Post-Hearing Brief (7/14), Respondent's Response in Opposition to Motion to Amend Amended Complaint (7/18)(CAM)
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- 94-316      USA Waste of Illinois, Inc. v. IEPA - Petitioner's Motion to Dismiss (7/26)(McF)
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- 94-377      Barbara L. Heiser (Heiser's Garage) v. Office of the State Fire Marshal Petitioner's Motion for Summary Judgment and Memorandum in Support of Petitioner's Motion for Summary Judgment (6/12), Respondent's Cross-Motion for Summary Judgment, Motion , Respondent's Response to Petitioner's Motion for Summary Judgment, Respondent's Motion to Strike the Affidavit of Barbara L. Heiser (6/26), Petitioner's Motion for Leave to File Petitioner's Response in Opposition to Respondent's Motion to Strike Petitioner's Affidavit Instanter (7/10), Petitioner's Motion for Leave to File Petitioner's Reply to Respondent's Response to Petitioner's Motion for Summary Judgment (7/18), Respondent's Motion for Leave to File its Reply to Petitioner's Response in Opposition to Respondent's Motion to Strike Petitioner's Affidavit Instanter (7/18)(McF)
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## MOTIONS (Cont'd)

- 95-11      Comerica Bank-Illinois v. IEPA - Petitioner's Motion to Voluntarily Dismiss Petition for Review (7/21)(CAM)
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- 95-91      People of the State of Illinois v. Bell Sports, Inc., Waste Hauling Landfill, Inc., and Waste Hauling, Inc. - Respondents Waste Hauling Landfill, Inc. and Waste Hauling, Inc.'s Motion to Dismiss (6/15), Complainant's Response to Respondents' Motion to Dismiss (6/23), Respondents' Motion for Leave and Respondents' Reply to the Complainant's Response to the Respondents' Motion to Dismiss (7/3), Respondent Bell Sports' Unopposed Motion for Extension of Time in Which to Answer (7/14)(CAM)
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- 95-118      Jack Pease, d/b/a Glacier Lake Extraction v. IEPA - Petitioner's Motion to Clarify Effective Date (7/21), Agency Response to Petitioner's Motion to Clarify Effective Date (7/27)(CAM)
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- 95-122      Olive Streit and Lisa Streit v. Oberweis Dairy, Inc., Richard J. Fetzer and Johnnie W. Ward, d/b/a Serve-N-Save and Richard J. Fetzer, individually, Amoco Oil Company, Mobil Oil Corporation and IEPA - Respondent Mobil Oil Corporation's Motion for Leave to Amend Motion to Dismiss (7/26)(CAM)
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- 95-125      West Suburban Recycling and Energy Center, L.P. v. IEPA - Agency Motion for Extension of Time in Which to File Agency Record (7/24), Petitioner's Response to Agency Motion for Extension of Time in Which to File Agency Record (7/31)(RCF)
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- 95-127      Meyer Steel Drum, Inc. v. IEPA - Agency Motion for Extension of Time to File Agency Record (7/26)(McF)
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- 95-163      People of the State of Illinois v. Clark Refining & Marketing, Inc. - Respondent's Motion to Strike and Dismiss Portions of the Complaint for Lack of Jurisdiction (7/28)(ED)
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## **MOTIONS (Cont'd)**

- 95-165      Richard Buri v. Batavia Concrete, Inc. - Respondent's Motion for Extension of Time to Answer or Otherwise Plead (7/21)(GTG)
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- 95-176      People of the State of Illinois v. Pro-Pak Industries, Inc. - Complainant's Agreed Motion to Request Extension of Time to Set Hearing Date and to Answer the Complaint (7/14)(JTM)
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- 96-3        General Motors Corporation GM Powertrain (Danville Plant) - Agency Motion for Extension of Time to File Record (7/25)(McF)
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- 96-10       Vogue Tyre & Rubber Company v. Office of the State Fire Marshal - Petitioner's Motion to Consolidate with PCB 95-78 or in the Alternative Assign Appeal to same Hearing Officer (7/24)(GTG)
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## **CASES TO BE SET FOR HEARING AND OTHER CASE PROCESSING ORDERS OR MATTERS**

- 89-178      Olin Corporation v. IEPA - Joint Status Report in Response to January 26, 1995 Board Order (7/26)(GTG)
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- 90-215      Spraying Systems Company v. IEPA - Joint Status Report in Response to June 8, 1995 Board Order (7/26)(ED)
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- 95-100      C & S Recycling, Inc. v. IEPA - Amended Petition in Response to June 22, 1995 Board Order and Request for Hearing (7/28)(RCF)
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- 95-173      Chicago-Dubuque Foundry Corporation v. City of East Dubuque - Hold for Duplicitous/Frivolous Determination (GTG)
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**CASES TO BE SET FOR HEARING AND OTHER CASE PROCESSING  
ORDERS OR MATTERS (Cont'd)**

- 96-4      Stone Container Corporation (North Chicago Plant) v. IEPA - 90-Day Extension Request (See Agency's 90-Day Extension Agreement Filed 7/18)(CAM)
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- 96-8      Alloy Casting & Engineering Company v. IEPA - 90-Day Extension Request (See Agency's 90-Day Extension Agreement Filed 7/25)(CAM)
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- 96-13     PCS Phosphate Company, Inc. v. IEPA - 90-Day Extension Request (CAM)
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- 96-14     Carl and Edna Ball, d/b/a C & E Recycling and Resource Recovery v. IEPA - Accept for Hearing Order (GTG)
- 
- 96-15     Southern Food Park, Inc. v. IEPA - 90-Day Extension Request (CAM)
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- 96-16     Richard Kurtz v. IEPA - Joint Request for 90-Day Extension of Appeal Period (7/27)(CAM)
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- 96-17     Richard Kurtz v. IEPA - Joint Request for 90-Day Extension of Appeal Period (7/27)(CAM)
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- 96-18     Richard Kurtz v. IEPA - Joint Request for 90-Day Extension of Appeal Period (7/27)(CAM)
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- 96-19     Flynn Ready-Mix Concrete v. IEPA - Joint Request for 90-Day Extension of Appeal Period (7/27)(CAM)
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**CASES TO BE SET FOR HEARING AND OTHER CASE PROCESSING  
ORDERS OR MATTERS (Cont'd)**

96-20      Barbara M. Norman, Laddie Kartes, Edward Wesolowski, Jacqueline Wesolowski, Will Burgess, Dorothy Burgess, Frank Rubino, Donna Rubino, Toby Gruszecki, and Mike Gruszecki v. U.S. Postal Service - Hold for Duplicitous/Frivolous Determination - No Order

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96-21      People of the State of Illinois v. Diamond Plating Company - Mandatory Hearing - No Order

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**CASES PENDING DECISION**

R94-1      Amendments to 35 Ill. Adm. Code 302.202, 302.208, 302.212, 302.213, 302.407, 304.122 and 304.301 (Ammonia, Mercury & Lead) (ED)(CAM)(RCF)

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R95-9      Amendments to 35 Ill. Adm. Code 810.103 (Solid Waste Disposal General Provision) Concerning On-Farm Disposal of Dead Animals - Proposed Rule, Second Notice, Opinion and Order (RCF)

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R95-14(A)      Petition of the Metropolitan Water Reclamation District of Greater Chicago for Site-Specific Water Quality Regulations for Cyanide (Amendments to 35 Ill. Adm. Code 302, 303, and 304) - Proposed Rule, First Notice, Opinion and Order (RCF)

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R95-14(B)      Amendments to the General Use Water Quality Standard for Cyanide (35 Ill. Adm. Code 302.208(d)) - Proposed Rule, First Notice, Opinion and Order (RCF)

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AS 95-4      Petition of the Metropolitan Water Reclamation District of Greater Chicago for an Adjusted Standard from 35 Ill. Adm. Codes 811, 812, and 817 (Sludge Application) (GTG)

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## CASES PENDING DECISION (Cont'd)

AC 94-73     IEPA v. Stacy B. Hess - Final Opinion and Order Assessing Costs (RCF)

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AC 94-96     IEPA v. M.K. O'Hara Construction, Inc., Kenneth O'Hara and Madalyn O'Hara - Final Opinion and Order Assessing Costs (RCF)

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AC 94-97     IEPA v. M.K. O'Hara Construction, Inc., Kenneth O'Hara, and Madalyn O'Hara - Final Opinion and Order Assessing Costs (RCF)

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93-179        IBP, Inc. (Joslin Facility) v. IEPA (GTG)

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95-89        Eugene W. Graham (Libertyville Citgo) v. IEPA (JY)(due 8/24)

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95-122        Olive Streit and Lisa Streit v. Oberweis Dairy, Inc., Richard J. Fetzer and Johnnie W. Ward, d/b/a Serve-N-Save, And Richard J. Fetzer, individually, Amoco Oil Company, Mobil Oil Corporation and IEPA (CAM)

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95-137        Community Landfill Corporation v. IEPA (JTM)(due 9/21)

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## ADJOURNMENT



## **LIST OF NEW CASES FILED SINCE JULY 20, 1995 BOARD MEETING**

- AS 96-1      Petition of Illinois Power Company (Baldwin Power Plant) for an Adjusted Standard from 35 Ill. Adm. Code 302.208 and 35 Ill. Adm. Code 304.105
- AS 96-2      Petition of Western Lion Limited for an Adjusted Standard from 35 Ill. Adm. Code 814, Subpart C
- 96-13      PCS Phosphate Company, Inc. v. IEPA
- 96-14      Carl and Edna Ball, d/b/a C & E Recycling and Resource Recovery v. IEPA
- 96-15      Southern Food Park, Inc. v. IEPA
- 96-16      Richard Kurtz v. IEPA
- 96-17      Richard Kurtz v. IEPA
- 96-18      Richard Kurtz v. IEPA
- 96-19      Flynn Ready-Mix Concrete v. IEPA
- 96-20      Barbara M. Norman, Laddie Kartes, Edward Wesolowski, Jacqueline Wesolowski, Will Burgess, Dorothy Burgess, Frank Rubino, Donna Rubino, Toby Gruszecki and Mike Gruszecki v. U.S. Postal Service
- 96-21      People of the State of Illinois v. Diamond Plating Company

## **REGULAR BOARD MEETING SCHEDULE**

<b>August 24 *</b>	<b>November 2</b>
<b>September 7</b>	<b>November 16</b>
<b>September 21</b>	<b>December 7</b>
<b>October 5</b>	<b>December 21</b>
<b>October 19</b>	

**\* Denotes change in Board meeting date**