

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

NOTICE OF CHANGE IN ILLINOIS POLLUTION CONTROL BOARD MEETING SCHEDULE

GOVERNOR

Honorable Jim Edgar



CHAIRMAN

Claire A. Manning
Springfield

MEMBERS

Emmett E. Dunham II
Elmhurst

Ronald C. Flemal
DeKalb

G. Tanner Girard
Grafton

Manli McFawn
Palatine

J. Theodore Meyer
Chicago

Joseph C. Yi
Park Ridge



PUBLIC NOTICE IS HEREBY GIVEN that the Illinois
Pollution Control Board Meeting originally scheduled
for August 17, 1995 has been rescheduled to August
24, 1995. This meeting will be held in Conference
Room 9-040, and will begin at 10:30 a.m.

CLAIRE A. MANNING
Chairman

SPRINGFIELD OFFICE

600 South Second Street
Suite 402
Springfield, Illinois 62704
217-524-8500
Fax 217-524-8508

SATELLITE OFFICES

110 South State
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

Posted and circulated August 14, 1995



PRINTED ON RECYCLED PAPER

ILLINOIS POLLUTION CONTROL BOARD

**MINUTES OF REGULAR BOARD MEETING
AUGUST 24, 1995 CHICAGO, ILLINOIS**

After calling the meeting to order, Chairman Manning asked the Clerk for a role call and all Board Members answered present.

In R95-9, Amendments to 35 Ill. Adm. Code 810.103 (Solid Waste Disposal General Provision) Concerning On-Farm Disposal of Dead Animals, a Proposed Rule, Second Notice, Opinion and Order was adopted by a vote of 7-0. (RCF)

In R95-14, 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, a Proposed Rule, First Notice, Opinion and Order was adopted by a vote of 7-0. (RCF)

A joint motion to modify proposed adjusted standard language will be taken with the case-in-chief in AS 94-4, Petition of Chase Products Company and IEPA for an Adjusted Standard from 35 Ill. Adm. Code 218, Subpart DD.

An Opinion and Order was adopted in AS 94-15, Petition of Lone Star Industries, Inc. for an Adjusted Standard from 35 Ill. Adm. Code 811.320(d) (Establishment of Groundwater Background Concentrations), by a vote of 7-0. (JTM)

An Order denying the Agency's motion for reconsideration of a July 7, 1995 Board Order, was adopted in AS 94-20, Petition of the Galesburg Sanitary District, Galesburg, Illinois, for an Adjusted Standard from 35 Ill. Adm. Code Part 304.105 Ammonia Nitrogen, by a vote of 7-0. (JY)

An Opinion and Order was adopted in 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), by a vote of 7-0. (GTG)

An Order granting the Agency's motion to file its response instant, 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 7-0. (GTG)

The petitioner's petition in 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, was accepted by the Board.

An Opinion and Order was adopted in #95-89, Eugene W. Graham (Libertyville Citgo) v. IEPA, by a vote of 7-0. (JY)

An Opinion and Order was adopted in #95-147, American River Transportation Company v. IEPA, by a vote of 7-0. (GTG)

An Opinion and Order accepting the Stipulation and Proposal for Settlement in the amount of \$42,500.00, was adopted in #96-7, People of the State of Illinois v. Acme Wiley Corporation, by a vote of 7-0.

An Opinion and Order accepting the Stipulation and Proposal for Settlement in the amount of \$11,000.00, was adopted in #96-11, People of the State of Illinois v. Elmhurst-Chicago Stone Company, by a vote of 7-0.

A Final Opinion and Order assessing costs, was adopted in #AC 94-73, IEPA v. Stacy B. Hess, by a vote of 6-1. J. Yi dissented and J. Theodore Meyer concurred. (RCF)

A Final Opinion and Order Assessing Costs, was adopted in ##94-96, -97, IEPA v. M.K. O'Hara Construction, Inc., Kenneth O'Hara and Madalyn O'Hara, by a vote of 7-0. J. Theodore Meyer concurred. (RCF)

An Order granting the respondent's motion to withdraw its petition for review and unless already paid, directing the respondent to pay a penalty in the amount of \$1,000.00 within 30 days, was adopted in #AC 95-4, Montgomery County v. Envotech-Illinois, Inc., by a vote of 7-0. (ED)

Default Orders were adopted in these administrative citations by a vote of 7-0: ##95-50, County of Will v. CDT Landfill; 96-1, IEPA v. Ken Lomax and Ken Lomax Enterprises.

An Order construing the Agency's motion to dismiss as a request for the Board to enter a default order against the respondent, construing the respondent's statement "I am complying in writing regarding the violations that have been brought against me from the Agency" contained in the respondent's letter filed with the Board July 20, 1995, as a petition for review, denying the Agency's motion to dismiss, allowing the respondent to either pursue the matter at hearing or withdraw the petition for review, and advising the respondent that if he does not wish to proceed with the matter he may file a motion to dismiss, and if the motion to dismiss is not received by the Board by October 13, 1995, the matter will be set for hearing, was adopted in #AC 96-2, IEPA v. William E. Hanna, by a vote of 6-1. J. Theodore Meyer dissented. (JY)

A default Order was adopted in #96-4, County of Jackson v. Greg Burris, individually and d/b/a Burris Disposal Service, by a vote of 7-0.

These Administrative Citations were accepted by the Board:

##96-6, County of Will v. CDT Landfill; 96-7, IEPA v. Alice E. Guth; 96-8, County of Jackson v. Easton Automotive; 96-9, IEPA v. Charlie Fyffe; 96-10, County of Will v. CDT Landfill.

An Order directing the Clerk of the Board to cause publication of the required newspaper notice of the parties' agreed motion to request relief from the hearing requirement, was adopted in #94-74, People of the State of Illinois v. Glen Fearneyhough, d/b/a Beardstown Lumber & Ready Mix, by a vote of 7-0.

An Order denying the respondents' motion for stay due to lack of jurisdiction by the Board, and advising the respondents to feel free to raise their motion for stay in the appellate court, was adopted in #94-127, People of the State of Illinois v. James Lee Watts, individually and d/b/a Watts Trucking Service, Inc., and ESG Watts, Inc., by a vote of 7-0. (GTG)

An Order denying the complainant's motion to enforce settlement since there is no valid settlement to enforce, and directing the parties to proceed with the hearing, was adopted in #94-146, Dorothy L. Hoffman v. City of Columbia, by a vote of 7-0. (JY)

An Order granting the petitioner's motion for an extension of time until August 30, 1995 in which to file a brief concerning a hearing on the remaining issues, was adopted in #94-146, R.P. Lumber Company, Inc. v. Office of the State Fire Marshal, by a vote of 7-0. (RCF)

An Order granting the petitioner's motion for stay of the proceedings until October 20, 1995, was adopted in #95-10 Comerica Bank-Illinois v. IEPA, b

An Order granting the Agency's motion to file the record, was adopted in #95-116, K IEPA, by a vote of 7-0. (JTM)

An Order granting the Agency's motion to file the Agency record, was adopted in #95-116, K IEPA, by a vote of 7-0.

An Order denying the petitioner's motion for a 90-day extension of time to file the record, was adopted in #95-78, and advising the petitioner to assign both cases to the same hearing for administrative efficiency, was adopted in #95-78, Rubber Company v. IEPA, by a vote of 7-0.

An Order granting the Agency's motion for a 90-day extension of time to file the record, was adopted in ##96-19, -35, Flynn Ready-Mix Concrete (Site Classification Work Plan) v. IEPA, by a vote of 7-0. (CAM)

Board Member J. Theodore Meyer presented a draft Order in

*R.P. Lumber
should be
PCB 94-148;
not 94-146*

#91-28, - 92-2, Acme Steel Company v. IEPA, which failed to carry. An alternative draft Order by Chairman C. Manning, carried by a vote of 6-1, and the joint status report filed in response to a June 8, 1995 Board Order was accepted, the parties' request for stay was granted, the parties were directed to file an additional status report, either jointly or separately, no later than October 23, 1995, and thereafter, the hearing officer shall direct the filing of any future status reports. J. Theodore Meyer dissented. (CAM)

An Order directing the parties to file status report or a joint status report on or before October 6, 1995, unless the case is otherwise resolved or dismissed, was adopted in #91-38, American Waste Processing, Ltd. v. IEPA, by a vote of 7-0. (ED)

An Order accepting the joint status report in response to a February 9, 1995 Board Order, and directing the parties to file another status report on or before February 1, 1996, was adopted in #91-162, Minnesota Mining and Manufacturing Company v. IEPA, by a vote of 7-0. (McF)

An Order granting the petitioner's request to extend the stay until March 8, 1996, and directing the petitioner to file another status report with the Clerk of the Board and the assigned hearing officer on or before February 23, 1996, discussing the progress in the matter, was adopted in #92-105, Weyerhaeuser Company v. IEPA, by a vote of 7-0. (JY)

An Order directing the parties to file status reports by September 1, 1995 communicating the parties actions since the November 28, 1994 filing pursuant to a November 16, 1994 Board Order, and advising the parties that if they are not effectively proceeding toward settlement, the Board will set the matter for hearing and its September 7, 1995 Board meeting, was adopted in #93-73, J & M Plating, Inc. v. IEPA, by a vote of 7-0. (JY)

An Order dismissing the docket as unnecessary since the petitioner failed to file an appeal on or before July 25, 1995, was adopted in #95-136, Burbank/Reavis High School District #220 v. IEPA, by a vote of 7-0. (CAM)

An Order accepting the petitioner's amended petition for hearing, was adopted in #95-155, General Business Forms, Inc. v. IEPA, by a vote of 7-0. (GTG)

An Order granting the petitioner's withdrawal of its request for a 90-day extension to petition for hearing, was adopted in #96-13, PCS Phosphate Company, Inc. v. IEPA, by a vote of 7-0. (CAM)

An Order accepting the matter for hearing was adopted in #96-29, Larry Slates, Lonnie Seymour, James Klaber, Faye Mott and

Hoopeston Community Memorial Hospital v. Illinois Landfills, Inc., and Hoopeston City Council on behalf of the City of Hoopeston, by a vote of 7-0.

An Order accepting the matter for hearing was adopted in #96-30, Fruit Belt Service Company v. IEPA, by a vote of 7-0.

An Order granting the Agency's motion to supplement the record with a copy of the permit, 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 #96-31, Central Illinois Public Service Company (Hutsonville Generating Station) v. IEPA, by a vote of 7-0. (CAM)

A mandatory hearing will be held in #96-32, People of the State of Illinois v. Harper-Wyman Company.

These cases were held for Agency Recommendations: ##96-33, City of Monmouth v. IEPA; 96-36, Town of Cortland v. IEPA.

An Order accepting the matter for hearing was adopted in #96-37, Denny's Phillips 66 v. IEPA, by a vote of 7-0.

A mandatory hearing will be held in #96-38, People of the State of Illinois v. City of Metropolis.

An Order accepting the matter for hearing was adopted in #96-39, Consolidated Distilled Products, Inc. (Union Liquor Company) v. Office of the State Fire Marshal, by a vote of 7-0.

An Order accepting the matter for hearing was adopted in #96-40, Interstate Pollution Control, Inc. v. IEPA, by a vote of 7-0.

An Order accepting the matter for hearing was adopted in #96-41, Village of LaGrange, City of Countryside, Christine Radogno, Laureen Dunne Silver, Michael Turlek, and Donald Younker v. McCook Cogeneration Station, L.L.C., and the Board of Trustees of the Village of McCook, by a vote of 7-0.

ADDENDUM

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 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 #96-42, Aviation Services Group v. IEPA, by a vote of 7-0. (CAM)

A provisional variance was granted in #96-43, A.E. Staley Manufacturing v. IEPA, by a vote of 7-0. (CAM)

A provisional variance was granted in #96-44, City of Greenfield v. IEPA, by a vote of 7-0. (CAM)

This matter was discussed and held to September 7, 1995 for further discussion or possible decision: R95-12, Clean Fuel Fleet Program: Proposed 35 Ill. Adm. Code Part 241, Adopted Rule, Final Order, Opinion and Order.

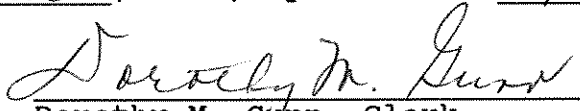
AGENDA

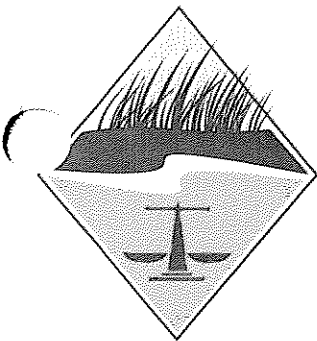
These cases were discussed and held to September 7, 1995 for further discussion or possible decision: ##AS 95-1, Petition of Tommy House Tire Company, Inc. for an Adjusted Standard from 35 Ill. Adm. Code 848.202(b)(1)(2) and (b)(5); 94-371, City of Elgin v. IEPA; 95-98, JLM Chemicals, Inc. (formerly BTL Specialty Resins Corporation) 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; 95-142, City of Yorkville v. IEPA; 95-152, City of Lockport v. IEPA.

All other matters not disposed of as listed were held.

There being no further business, Chairman Manning adjourned the meeting at 11:50 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 7-0.


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 24, 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. Flemal
DeKalb

G. Tanner Girard
Grafton

Marili McFawn
Palatine

J. Theodore Meyer
Chicago

Joseph C. Yi
Park Ridge



SPRINGFIELD OFFICE
600 South Second Street
Suite 402
Springfield, Illinois 62704
217-524-8500
Fax 217-524-8508

SATELLITE OFFICES
110 South State
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

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

96-42 Aviation Services Group v. IEPA - Joint Request for
Extension of Appeal Period - Order

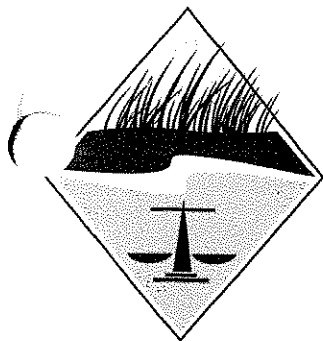
96-43 A.E. Staley Manufacturing v. IEPA - Provisional Variance
(CAM)

96-44 City of Greenfield v. IEPA - Provisional Variance (CAM)

CASES PENDING DECISION

R95-12 Clean Fuel Fleet Program: Proposed 35 Ill. Adm. Code
Part 241 Adoped Rule, Final Order, Opinion and Order
(JY)





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 24, 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. Fiemal
DeKalb

G. Tanner Girard
Grafton

Marilyn McFawn
Palatine

J. Theodore Meyer
Chicago

Joseph C. Yi
Park Ridge



SPRINGFIELD OFFICE
600 South Second Street
Suite 402
Springfield, Illinois 62704
217-524-8500
Fax 217-524-8508

SATELLITE OFFICES
110 South State
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

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

96-42 Aviation Services Group v. IEPA - Joint Request for
Extension of Appeal Period - Order

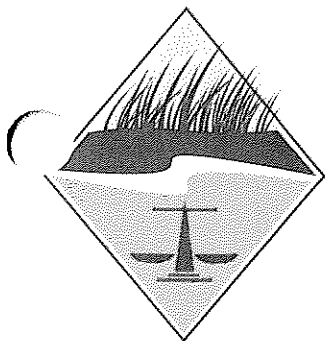
96-43 A.E. Staley Manufacturing v. IEPA - Provisional Variance
(CAM)

96-44 City of Greenfield v. IEPA - Provisional Variance (CAM)

CASES PENDING DECISION

R95-12 Clean Fuel Fleet Program: Proposed 35 Ill. Adm. Code
Part 241 Adoped Rule, Final Order, Opinion and Order
(JY)





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

AGENDA AUGUST 24, 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
Einhurst

Ronald C. Flemal
DeKalb

G. Tanner Girard
Grafton

Marili McFawn
Palatine

J. Theodore Meyer
Chicago

Joseph C. Yi
Park Ridge



SPRINGFIELD OFFICE
600 South Second Street
Suite 402
Springfield, Illinois 62704
217-524-8500
Fax 217-524-8508

SATELLITE OFFICES
110 South State
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

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

REGULATIONS AND ADJUSTED STANDARDS

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)

R95-14 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)



REGULATIONS AND ADJUSTED STANDARDS (Cont'd)

- AS 92-8 Cabot Corporation Petition for an Adjusted Standard from 35 Ill. Adm. Code Part 738, Subpart B - Petitioner's Petition for Modification and Reissuance of Adjusted Standard, and Motion for Stay (8/17) (RCF)
-
- AS 94-2 Joint Petition of Solar Corporation and the IEPA for an Adjusted Standard from 35 Ill. Adm. Code 218, Subpart PP - Agency's Motion to Modify Final Board Order (8/14)(McF)
-
- AS 94-4 Petition of Chase Products Company and IEPA for an Adjusted Standard from 35 Ill. Adm. Code 218, Subpart DD - Joint Motion to Modify Proposed Adjusted Standard Language (8/2) (MCF)
-
- AS 94-15 Petition of Lonestar Industries, Inc. for an Adjusted Standard from 35 Ill. Adm. Code Section 811.320(d) (JTM)
-
- 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), Petitioner's Response to Agency Motion for Reconsideration (8/3)(JY)
-
- 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)
-
- AS 95-8 Petition of the Illinois Department of Transportation, District 8 for an Adjusted Standard from 35 Ill. Adm. Code 304.124 - Agency's Motion for Leave to File Response Instantly and Response(8/14)(GTG)
-
- 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 - (See Certificate of Publication filed 8/16) - (RCF)
-

REGULATIONS AND ADJUSTED STANDARDS (Cont'd)

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 - (RCF)

DECISIONS

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

95-147 American River Transportation Company v. IEPA (See Petitioner's Motion for Expedited Decision (8/7)(GTG)(due 9/7)

96-7 People of the State of Illinois v. Acme Wiley Corporation - Stipulation

96-11 People of the State of Illinois v. Elmhurst-Chicago Stone Company - Stipulation

ADMINISTRATIVE CITATIONS

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

AC 94-96 IEPA v. M.K. O'Hara Construction, Inc., Kenneth O'Hara and
AC 94-97 Madalyn O'Hara - Final Opinion and Order Assessing Costs (RCF)

AC 95-4 Montgomery County v. Envotech-Illinois, Inc. - Respondent's Withdrawal of Petition for Review (8/15) (ED)

AC 95-41 County of Will v. Carl Smits - Responent's Amended Petition for Review in Response to Board's July 20, 1995 Order (8/11) - Accept for Hearing - No Order

ADMINISTRATIVE CITATIONS (Cont'd)

AC 95-50	<u>County of Will v. CDT Landfill</u> - Default Order
AC 96-1	<u>IEPA v. Ken Lomax and Ken Lomax Enterprises</u> - Default Order
AC 96-2	<u>IEPA v. William Hanna</u> - Agency Motion to Dismiss Petition for Review (8/2); Respondent's Response to Agency's Motion to Dismiss Petition for Review (8/11)(JY)
AC 96-4	<u>County of Jackson v. Greg Burris, individually and d/b/a Burris Disposal Service</u> - Default Order
AC 96-6	<u>County of Will v. CDT Landfill</u> - Accept Case - No Order
AC 96-7	<u>IEPA v. Alice E. Guth</u> - Accept Case - No Order
AC 96-8	<u>County of Jackson v. Easton Automotive</u> - Accept Case - No Order
AC96-9	<u>IEPA v. Charlie Fyffe</u> - Accept Case - No Order
AC 96-10	<u>County of Will v. CDT Landfill</u> - Accept Case - No Order

MOTIONS

94-74	<u>People of the State of Illinois v. Glen Fearneyhough, d/b/a Beardstown Lumber & Ready Mix</u> - Agreed Motion to Request Relief from Hearing Requirement (8/17) (McF)
-------	--

MOTIONS (Cont'd)

- 94-127 People of the State of Illinois v. James Lee Watts, individually and d/b/a Watts Trucking Service, Inc. and ESG Watts, Inc. - ESG Watts' Motion to Stay (8/15) (GTG)
-
- 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)
-
- 94-184 R.P. Lumber Company, Inc. v. Office of the State Fire Marshal - Petitioner's Motion for Extension of Time to File Brief Concerning Hearing on Remaining Issues (8/7)(RCF)
-
- 94-238 Ragulo Gonzalez v. Office of the State Fire Marshal- Respondent's Motion for Summary Judgment (8/16) (GTG)
-
- 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 - Party-in-Interest's Motion for Leave to File Addendum to Investigative Report; Addendum (8/16); Caterpillar, Inc.'s Motion for Leave to File Surreply Brief Instantly; Surreply Brief (8/18/) (CAM)
-
- 94-256 DoALL Company, DoALL Credit Corporation, and The Rams-Head Company v. Skokie Valley Asphalt Company, Inc. and Septran, Inc. - Complainant DoALL's Motion for Reconsideration of the Board's order of July 7, 1995 and Memorandum in Support Thereof (8/10)(McF)
-

MOTIONS (Cont'd)

- 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)
-
- 95-40 Comerica Bank-Illinois v. IEPA - Petitioner's Motion for Stay of Proceedings (8/4)(RCF)
-
- 95-116 Kelley Williamson Company v. IEPA - Agency's Motion to Supplement Agency Record and Second Supplemental Record (8/11)(JTM)
-
- 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), Petitioner's Reply in Support of Motion to Clarify (8/1)(CAM)
-
- 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)
-
- 95-127 Meyer Steel Drum, Inc. v. IEPA - Agency Motion for Extension of Time to File Agency Record (7/26)(McF)
-

MOTIONS (Cont'd)

- 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)
-
- 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), Agency Response to Petitioner's Motion to Consolidate (8/4)(GTG)
-
- 96-19 Flynn Ready-Mix Concrete (Site Classification Work Plan) v. IEPA - Agency's Motion to Supplement Joint Request for 90-Day Extension of Appeal Period (8/7)(CAM)
-

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

- 91-28 Acme Steel Company v. IEPA - Joint Status Report in Response to
92-2 June 8, 1995 Board Order (8/7)(JTM)
-
- 91-38 American Waste Processing, Ltd. v. IEPA - Petitioner's Status Report in Response to May 25, 1995 Board Order (8/7)(ED)
-
- 91-162 Minnesota Mining and Manufacturing Company v. IEPA - Joint Status Report in Response to February 9, 1995 Board Order (8/1)(McF)
-
- 92-105 Weyerhaeuser Co. v. IEPA - Petitioner's Status Report and Motion to Continue Stay in Response to January 11, 1995 Board Order (8/15)(JY)
-
- 93-73 J & M Plating, Inc. v. IEPA - Board Order (RCF)
-

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

- 95-136 Burbank/Reavis High School District #220 v. IEPA - Dismissal Order (CAM)
-
- 95-155 General Business Forms, Inc. - Petitioner's Amended Petition (8/11)(GTG)
-
- 96-13 PCS Phosphate Company, Inc. v. IEPA - 90-Day Extension Request (See Petitioner's Withdrawal of Request for Extension to Petition Hearing (8/4)) - Order (CAM)
-
- 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 (GTG)
-
- 96-22 Lew and Patricia D'Souza v. Richard and Joanne Marraccini - Hold for Duplicitous/Frivolous Determination (See Respondents' motion to dismiss as frivolous(8/10))(JY)
-
- 96-29 Larry Slates, Lonnie Seymour, James Klaber, Faye Mott and Hoopeston Community Memorial Hospital v. Illinois Landfills, Inc., and Hoopeston City Council on behalf of the City of Hoopeston - Accept for Hearing Order
-
- 96-30 Fruit Belt Service Company v. IEPA - Accept for Hearing Order
-
- 96-31 Central Illinois Public Service Company (Hutsonville Generating Station) v. IEPA - Joint Request for Extension of Appeal Period (See Agency Motion to Supplement the Record with Permit (8/7)) - Order (CAM)
-

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

- 96-32 People of the State of Illinois v. Harper-Wyman Company - Mandatory
Hearing - No Order
-
- 96-33 City of Monmouth v. IEPA - Hold for Agency Recommendation
-
- 96-34 Prairie Recreational Developments, Inc. (Land & Lakes
Company/Wheeling) v. IEPA - Joint Request for Extension of Appeal
Period (See Prairie Recreational Developments, Inc.'s letter dated
8/9/95; Land & Lakes objection to Joint Request (8/21)) - Order
(CAM)
-
- 96-35 Flynn Ready-Mix Concrete (Site Classification Completion Report) v.
IEPA - (See Motion to Supplement in PCB 96-19, Joint Request for
90-Day Extension) - Order
-
- 96-36 Town of Cortland v. IEPA - Hold for Agency Recommendation
-
- 96-37 Denny's Phillips's 66 v. IEPA - Accept for Hearing Order
-
- 96-38 People of the State of Illinois v. City of Metropolis - Mandatory
Hearing - No Order
-
- 96-39 Consolidated Distilled Products, Inc. (Union Liquor Company) v.
Office of the State Fire Marshal - Accept for Hearing Order
-

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

96-40 Interstate Pollution Control, Inc. v. IEPA - Accept for Hearing Order

96-41 Village of LaGrange, City of Countryside, Christine Radogno, Laureen Dunne Silver, Michael Turlek, and Donald Younker v. McCook Cogeneration Station, L.L.C., and the Board of Trustees of the Village of McCook - Accept for Hearing Order

CASES PENDING DECISION

AS 95-1 Petition of Tommy House Tire Company, Inc. for an Adjusted Standard from 35 Ill. Adm. Code 848.202(b)(1)(2) and (b)(5) (McF)

94-371 City of Elgin v. IEPA (JY)

95-98 JLM Chemicals, Inc. (formerly BTL Specialty Resins Corporation) v. IEPA (ED)(due 9/7)

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)

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

95-142 City of Yorkville v. IEPA (JTM)(due 9/7)

95-152 City of Lockport v. IEPA (JTM)(due 9/21)

ADJOURNMENT

LIST OF NEW CASES FILED SINCE AUGUST 3, 1995 BOARD MEETING

- AC 96-6 County of Will v. CDT Landfill
- AC 96-7 IEPA v. Alice E. Guth
- AC 96-8 County of Jackson v. Easton Automotive
- AC 96-9 IEPA v. Charlie Fyffe
- AC 96-10 County of Will v. CDT Landfill
- 96-29 Larry Slates, Lonnie Seymour, James Klaber, Faye Mott and Hoopeston
Community Memorial Hospital v. Illinois landfills, Inc., and Hoopeston City
Council on behalf of the City of Hoopeston
- 96-30 Fruit Belt Service Company v. IEPA
- 96-31 Central Illinois Public Service Company (Hutsonville Generating Station) v.
IEPA
- 96-32 People of the State of Illinois v. Harper-Wyman Company
- 96-33 City of Monmouth v. IEPA
- 96-34 Prairie Recreational Developments, Inc. (Land & Lakes Company/Wheeling)
v. IEPA
- 96-35 Flynn Ready-Mix Concrete (Site Classification Completion Report) v. IEPA
- 96-36 Town of Cortland v. IEPA
- 96-37 Denny's Phillips's 66 v. IEPA
- 96-38 People of the State of Illinois v. City of Metropolis
- 96-39 Consolidated Distilled Products, Inc. (Union Liquor Company) v. Office of the
State Fire Marshal
- 96-40 Interstate Pollution Control, Inc. v. IEPA
- 96-41 Village of LaGrange, City of Countryside, Christine Radogno, Laureen Dunne
Silver, Michael Turlek, and Donald Younker v. McCook Cogeneration
Station, L.L.C., and the Board of Trustees of the Village of McCook

REGULAR BOARD MEETING SCHEDULE (1995)

September 7

November 2

September 21

November 16

October 5

December 7

October 19

December 21