

## ILLINOIS POLLUTION CONTROL BOARD

### MINUTES OF REGULAR BOARD MEETING NOVEMBER 2, 1995 CHICAGO, ILLINOIS

After calling the meeting to order, Chairman Manning welcomed members of the public and staff to the meeting. Thereafter, the Clerk was asked for a roll call and all Board Members answered present.

Minutes of the October 19, 1995 Board Meeting were approved by a vote of 7-0.

In R90-1(C), Toxic Air Contaminant List, Reporting Requirements (35 Ill. Adm. Code Part 232), an Order dismissing the docket and incorporating the record into docket R96-4, Listing of Federal Hazardous Air Pollutants, Great Lakes Commission Toxic Compounds and Great Waters Program Toxic Compounds, and Source Reporting for Illinois Toxic Air Contaminants: Amendments to 35 Ill. Adm. Code 232, was adopted by a vote of 7-0. (JY)

In R90-1(D), Toxic Air Contaminant List, styrene (35 Ill. Adm. Code 232 Appendix A), an Order dismissing the docket and incorporating the record in docket R96-4, Listing of Federal Hazardous Air Pollutants, Great Lakes Commission Toxic Compounds and Great Waters Program Toxic Compounds, and Source Reporting for Illinois Toxic Air Contaminants: Amendments to 35 Ill. Adm. Code 232, was adopted by a vote of 7-0. (JY)

An Order granting the Agency's motion to waive certain filing requirements of 35 Ill. Adm. Code Part 102, granting the Agency's motion for expedited hearings given the applicable timing constraints of the Act, incorporating the records in dockets R90-1(C) and R90-1(D) into the docket rather than consolidating the three dockets, and accepting the matter for hearing, was adopted in R96-4, Listing of Federal Hazardous Air Pollutants, Great Lakes Commission Toxic Compounds and Great Waters program Toxic Compounds, and Source Reporting for Amendments to 35 Ill. Adm. Code 232, by a vote of 7-0. (JY)

An Order granting the petitioner's motion for relief from the filing requirements of 35 Ill. Adm. Code 106.708 and 101.106, and advising the parties that the Board will not rule on its August 17, 1995 motion for stay until the petition is complete, was adopted in #AS 96-3, Petition of Cabot Corporation for an Adjusted Standard from 35 Ill. Adm. Code Part 738, Subpart B, by a vote of 7-0. (RCF)

An Opinion and Order accepting the Stipulation and Proposal for Settlement in the amount of \$1,500.00, was adopted in #95-176, People of the State of Illinois v. Pro-Pak Industries, Inc., by a vote of 6-1. J. Theodore Meyer dissented.

An Opinion and Order was adopted in #96-6, Spectrulite Consortium, Inc. v. IEPA, by a vote of 7-0. M. McFawn concurred. (RCF)

An Interim Opinion and Order was adopted in #AC 95-6, IEPA v. A-Reliable Auto Parts and Wreckers, Inc., a/k/a Scrap Processors, by a vote of 7-0. (ED)

Because petitions for review were received, these Administrative Citations will be set for Hearing: ##96-14, County of Will v. CDT Landfill; 96-15, County of Will v. CDT Landfill.

A Default Order was adopted in #AC 96-17, IEPA v. Community Landfill Corporation, by a vote of 7-0.

Because a petition for review was received, this Administrative Citation will be set for hearing: #96-18, County of Will v. CDT Landfill.

An Order granting the Agency's motion to file the record instant, was adopted in #94-157, Community Trust Bank v. IEPA, by a vote of 7-0. (GTG)

An Order granting the petitioner's motion to withdraw, was adopted in #94-374, Eagle Ridge Inn and Resort (The Branigar Organization) v. IEPA, by a vote of 7-0. (JTM)

An Order granting the petitioner's motion for stay of the proceedings until December 18, 1995, was adopted in #95-40, Comerica Bank-Illinois v. IEPA, by a vote of 7-0. (RCF)

An Order granting the petitioner's motion to dismiss, was adopted in ##95-57, -58, Forrest Williams, d/b/a Williams Mobil v. IEPA, by a vote of 7-0. (McF)

An Order granting the petitioner's motion to dismiss the petition for hearing, was adopted in #95-88, Field Container Company, L.P. (Elk Grove Facility) v. IEPA, by a vote of 7-0. (McF)

An Order granting the joint motion for extension of time until December 24, 1995 to file the Agency's record, was adopted in ##95-119, -125, West Suburban Recycling and Energy Center, L.P. v. IEPA, by a vote of 7-0. (RCF)

An Order denying respondents Amoco Oil Company and Mobil Oil Corporation's motion for leave to file instant a joint reply to the complainants' response to its joint motion for reconsideration as moot, since the Board had denied Amoco and Mobil Oil Corporation's motion for reconsideration at its October 19, 1995 Board meeting, was adopted in #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, and Mobil Oil Corporation, by a vote of 7-0. (CAM)

An Order granting the Agency's motion for an extension of time until November 17, 1995 in which to file the recommendation, was adopted in #95-150, Marathon Oil Company v. IEPA, by a vote of 7-0. (JY)

An Order granting the complainant's unopposed motion for additional time until November 3, 1995 in which to file a response to the respondent's motion to dismiss, was adopted in #95-170, People of the State of Illinois v. Environmental Control and Abatement, Inc., by a vote of 7-0. (JY)

An Order granting the Agency's motion to file the record instant, was adopted in #96-5, Ebrey Standard Service v. IEPA, by a vote of 7-0. (JTM)

An Order granting the petitioner's motion to withdraw its petition for appeal, was adopted in #96-8, Alloy Casting & Engineering Company v. IEPA, by a vote of 7-0. (CAM)

An Order granting the respondent, Hoopeston City Council's motion for an extension of time until February 1, 1996 to file the record, 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, by a vote of 7-0. (GTG)

An Order granting the Agency's motion to file instant its motion for an extension of time until March 21, 1996 in which to file the record, was adopted in #96-62, Sequa Corporation Precoat Metals Division v. IEPA, by a vote of 7-0. (RCF)

An Order granting the complainants' motion to amend the complaint by adding Exhibit 6, was adopted in #96-68, Donnetta Gott, Lyndell Chaplain, Gary Wells, Earnest L. Ellison and Maxine Ellison v. M'Orr Pork, Inc., by a vote of 7-0. (ED)

An Order denying the respondent's motion to dismiss and directing that the matter proceed to hearing consistent with the Board's October 19, 1995 Order, was adopted in #96-79, -82, Those Opposed to Area Landfills (T.O.T.A.L.) v. City of Salem; and Concerned Adjoining Owners v. City of Salem, by a vote of 7-0. (JY)

#### ADDENDUM

An Order directing the Clerk of the Board to cause publication of the required newspaper notice of the parties motion for relief from the hearing requirement, was adopted in #96-24, People of the State of Illinois v. Terminal Railroad Association of St.

Louis, by a vote of 7-0. (GTG)

#### AGENDA

An Order granting the petitioner's motion to further defer review of the matter, and directing the parties to file status reports or a joint status report on or before December 15, 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 closing the docket as unnecessary, was adopted in #96-15, Southern Food Park, Inc. (Carterville/Han-Dee Mart #35) v. IEPA, by a vote of 7-0. (CAM)

An Order closing the docket as unnecessary, was adopted in #96-16, Richard Kurtz (45-Day Report) v. IEPA, by a vote of 7-0. (CAM)

An Order closing the docket as unnecessary, was adopted in #96-17, Richard Kurtz (Site Classification Plan) v. IEPA, by a vote of 7-0. (CAM)

An Order closing the docket as unnecessary, was adopted in #96-18, Richard Kurtz (Low Priority Ground Water Monitoring Plan) v. IEPA, by a vote of 7-0. (CAM)

An Order dismissing the dockets as unnecessary, was adopted in ##96-19, - 35, Flynn Ready-Mix Concrete (Site Classification Work Plan) v. IEPA and Flynn Ready-Mix Concrete (Site Classification Completeness Report) v. IEPA, by a vote of 7-0. (CAM)

An Order accepting the matter for hearing, was adopted in #96-28, Freightliner of Chicago, Inc. v. IEPA, by a vote of 7-0. (ED)

An Order accepting the matter for hearing, and noting that the Board will reserve ruling on the City of Geneva's petition to intervene until a Board meeting in the near future, was adopted in #96-85, The County of Kane, Illinois and Waste Management of Illinois, Inc. v. IEPA, by a vote of 7-0. (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 December 27, 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 #96-86, BFI Modern Landfill #1 & #2 v. IEPA, by a vote of 7-0. (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 December 19, 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 #96-87, Dwight - #17 v. IEPA, by a vote of 7-0. (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 December 11, 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 #96-88, Kean Oil Company v. IEPA, by a vote of 7-0. (CAM)

An Order accepting the matter for hearing, was adopted in #96-90, Graham C-Stores, Inc. v. IEPA, by a vote of 7-0.

An Order accepting the matter for hearing, requesting additional information, and noting that the filing of the amended petition will restart the Board's decision timeclock, was adopted in #96-91, SPILL, Madison County Conservation Alliance, Sierra Club, Nameoki Township Clerk Helen Hawkins, Kathy Andria, Shirley Crain, Glenda Fulkerson, John Gall, Thelma Orr, Ron Shaw and Pearl Stogsdill v. City of Madison and Metro-East, LLC, by a vote of 7-0.

A provisional variance was granted in #96-93, Olin Hunt Specialty Products v. IEPA, by a vote of 7-0. (CAM)

#### 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 December 27, 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 #96-89, Gilbert & Bennett Manufacturing Company (Blue Island Facility) v. IEPA, by a vote of 6-0. M. McFawn abstained. (CAM)

A provisional variance was granted in #96-94, Citgo Petroleum Corporation v. IEPA, by a vote of 7-0. (CAM)

An Order accepting the matter for hearing, was adopted in #96-95, AlliedSignal, Inc. v. IEPA, by a vote of 7-0.

#### AGENDA


These cases were discussed and held for further discussion or

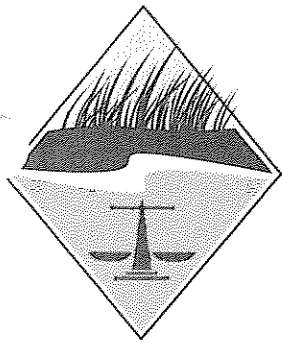
possible decision: ##AS 94-3, Petition of Outboard Marine Corporation (OMC Waukegan Facility) and the IEPA for an Adjusted Standard from 35 Ill. Adm. Code Part 218; AS 94-19, Petition of Hepworth U.S. Holdings, Inc. for an Adjusted Standard from 35 Ill. Adm. Code 620.410; 93-179, IBP, Inc. v. IEPA; 95-116, Kelley-Williamson Company v. IEPA; 96-56, Village of Plainfield v. IEPA.

All other matters not disposed of as listed were held.

Motion to adjourn to an Executive Session by R.C. Flemal, seconded by E. Dunham carried, and the meeting will reconvene in the Chairman's office at 1:00 p.m..

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Minutes were approved this 16<sup>th</sup> day of November, 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 NOVEMBER 2, 1995 CHICAGO, ILLINOIS CONFERENCE ROOM 9-040 10:30 A.M.

GOVERNOR  
Honorable Jim Edgar



CHAIRMAN  
Claire A. Manning  
Springfield

### ADDENDUM

### MOTIONS

MEMBERS  
Emmett E. Dunham II  
Elmhurst

95-100 C & S Recycling, Inc. v. IEPA - Petitioner's Motion to Stay Proceedings (11/1)(ED)

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Ronald C. Flemal  
DeKalb

G. Tanner Girard  
Grafton

96-24 People of the State of Illinois v. Terminal Railroad Association of St. Louis - Motion for Relief from Hearing Requirement (11/1)(GTG)

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Marili McFawn  
Palatine

J. Theodore Meyer  
Chicago

Joseph C. Yi  
Park Ridge

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

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

96-89 Gilbert & Bennett Manufacturing Company (Blue Island Facility) v. IEPA - Joint 90-Day Extension Request (CAM)

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96-94 Citgo Petroleum Corporation v. IEPA - Provisional Variance (CAM)

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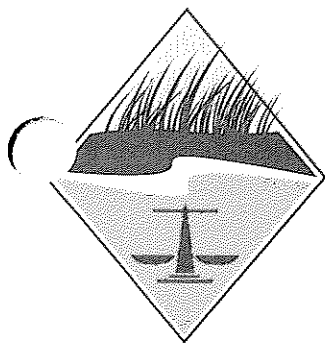
SATELLITE OFFICES  
110 South State  
Jerseyville, Illinois 62052  
618-498-9802  
Fax 618-498-5934

96-95 Allied Signal, Inc. v. IEPA - Accept for Hearing Order

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





# 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

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  
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Fax 815-753-1970



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## AGENDA NOVEMBER 2, 1995 CHICAGO, ILLINOIS CONFERENCE ROOM 9-040 10:30 A.M.

### 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

**October 19, 1995**

### REGULATIONS AND ADJUSTED STANDARDS

R90-1(C) Toxic Air Contaminant List, Reporting Requirements (35 Ill. Adm. Code Part 232) - Dismissal Order (JY)

R90-1(D) Toxic Air Contaminant List, Styrene (35 Ill. Adm. Code 232 Appendix A) - Dismissal Order (JY)



## REGULATIONS AND ADJUSTED STANDARDS (Cont'd)

R96-4      Listing of Federal Hazardous Air Pollutants, Great Lakes Commission Toxic Compounds and Great Waters Program Toxic Compounds, and Source Reporting for Illinois Toxic Air Contaminants: Amendments to 35 Ill. Adm. Code 232 - Motion for Waiver of Certain Requirements and Motion for Expedited Hearings and Consolidation of Dockets (10/13)(JY)

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AS 96-3      Petition of Cabot Corporation for an Adjusted Standard from 35 Ill. Adm. Code Part 738, Subpart B - Petitioner's Motion for Relief from Filing Requirements of 35 Ill. Adm. Code 106.708 and 101.106 (10/19)(RCF)

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## DECISIONS

95-176      People of the State of Illinois v. Pro-Pak Industries, Inc. - Stipulation

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96-6      Spectrulite Consortium, Inc. v. IEPA (RCF)(due)

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## ADMINISTRATIVE CITATIONS

AC 95-6      IEPA v. A-Reliable Auto Parts and Wreckers, Inc. a/k/a Scrap Processors - Interim Opinion and Order (ED)

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AC 96-12      IEPA v. RCS, Inc. and Michael Duvall - Respondents' Petition for Review and Dismissal of Administrative Citation (10/12), Copy of Complainant's Green Receipt Card showing Proof of Service on Respondent (10/20)(GTG)

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AC 96-14      County of Will v. CDT Landfill - Accept for Hearing - No Order

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AC 96-15      County of Will v. CDT Landfill - Accept for Hearing - No Order

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## ADMINISTRATIVE CITATIONS (Cont'd)

AC 96-17     IEPA v. Community Landfill Corporation - Default Order

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AC 96-18     County of Will v. CDT Landfill - Accept Case - No Order

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## MOTIONS

93-191     People of the State of Illinois v. Lloyd Weimann, d/b/a Weimann Ice and Fuel - Complainant's Motion for Summary Judgment and Memorandum in Support of Motion for Summary Judgment (10/6), Respondent's Motion for Leave to Join Additional Parties (10/30) (CAM)

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94-157     Community Trust Bank v. IEPA - Agency Motion to File Record Instanter (10/24)(GTG)

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94-374     Eagle Ridge Inn and Resort (The Branigar Organization) v. IEPA - Petitioner's Motion to Withdraw Petition for Review (10/19)(JTM)

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95-40     Comerica Bank-Illinois v. IEPA - Petitioner's Motion for Stay of Proceedings (10/19)(RCF)

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95-57)     Forrest Williams, d/b/a Williams Mobil v. IEPA - Petitioner's Motion  
95-58)     to Dismiss Consolidated LUST Appeals (10/17)(McF)

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95-88     Field Container Company, L.P. (Elk Grove Facility) v. IEPA -  
Petitioner's Motion to Dismiss Petition for Hearing to Review Permit Denial and Petition for Clarification (10/30)(McF)

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## MOTIONS (Cont'd)

- 95-91      People of the State of Illinois v. Bell Sports, Inc., and Waste Hauling Landfill, Inc. - Respondent Waste Hauling Landfill, Inc.'s Motion to Dismiss Count V and Count VI of the Complaint (9/11), Respondent Bell Sports' Motion to Dismiss the Counter-Claim of Respondents Waste Hauling Landfill, Inc. and Waste Hauling, Inc. (9/18), Complainant's Motion to File Instantaner Complainant's Response to the Respondents' Motion to Dismiss (9/26), Respondents' Waste Hauling Landfill, Inc. and Waste Hauling, Inc.'s Response to Motion to Dismiss Counterclaim (9/27), Respondent Bell Sports, Inc.'s Motion for Extension of Time in Which to Answer the Counterclaim of Waste Hauling Landfill, Inc. and Waste Hauling, Inc. (10/2)(CAM)
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- 95-100      C & S Recycling, Inc. v. IEPA - Agency Motion for Summary Judgment (9/15)(ED)
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- 95-119)      West Suburban Recycling and Energy Center, L.P. v. IEPA - Joint  
95-125)      Motion for Extension of Time in Which to File Agency Record (10/19)  
(RCF)
- 
- 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 and Mobil Oil Corporation - Respondents Amoco Oil Company and Mobil Oil Corporation's Joint Motion for Leave to File Instantaner Joint Reply to Complainants' Response to Joint Motion for Reconsideration (10/25)(CAM)
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- 95-137      Community Landfill Corporation v. IEPA - Petitioner's Motion for Reconsideration of September 21, 1995 Opinion and Order (10/19)(GTG)
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- 95-150      Marathon Oil Company v. IEPA - Agency Motion for Extension of Time in Which to File Recommendation (10/20)(JY)
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## MOTIONS (Cont'd)

- 95-163      People of the State of Illinois v. Clark Refining & Marketing, Inc. -  
Complainant's Motion to Reconsider and Vacate September 7, 1995  
Board Order (9/13), Respondent's Response to Complainant's Motion  
to Reconsider and Vacate September 7, 1995 Board Order (9/19),  
Complainant's Response to Respondent's Motion to Dismiss  
(10/13)(ED)
- 
- 95-170      People of the State of Illinois v. Environmental Control and Abatement,  
Inc. - Respondent's Motion to Enter Appearance and Respondent's  
Motion to Dismiss (10/17), Complainant's Unopposed Motion for  
Additional Time in Which to Respond to Respondent's Motion to  
Dismiss (10/27)(JY)
- 
- 96-5      Ebrey Standard Service v. IEPA - Agency Motion to File Record  
Instantly (9/26)(JTM)
- 
- 96-8      Alloy Casting & Engineering Company v. IEPA - Petitioner's Motion  
to Withdraw Petition for Appeal (10/18)(CAM)
- 
- 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 -  
Motion for Extension of Time to Prepare Record (10/30)(GTG)
- 
- 96-47      Joseph Bogacz v. Commonwealth Edison - Respondent's Motion to  
Dismiss and Memorandum in Support of Motion to Dismiss (9/20)  
(RCF)
- 
- 96-62      Sequa Corporation Precoat Metals Division v. IEPA - Agency Motion  
for Extension of Time to File the Agency Record and Motion to File  
Motion for Extension of Time Instantly (10/18)(RCF)
-

## **MOTIONS (Cont'd)**

96-68      Donetta Gott, Lyndell Chaplin, Gary Wells, Earnest L. Ellison and Maxine Ellison v. M'Orr Pork, Inc. - Complainants' Motion to Amend Formal Complaint (10/20)(ED)

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96-76      People of the State of Illinois v. Chemetco, Inc. - Respondent's Motion to Dismiss (10/20), Complainant's Response to Respondent's Motion to Dismiss (10/27)(CAM)

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96-79)      Those Opposed to Area Landfills (T.O.T.A.L.) v. City of Salem; and  
96-82)      Concerned Adjoining Owners v. City of Salem - Respondent's Motion to Dismiss (10/19), Petitioners' Response to Respondent's Motion to Dismiss (10/23), Response of Concerned Adjoining Owners to Respondent's Motion to Dismiss (10/27)(JY)

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

91-38      American Waste Processing, Ltd. v. IEPA - Petitioner's Status Report in Response to August 24, 1995 Board Order (10/23)(ED)

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96-15      Southern Food Park, Inc., (Carterville/Han-Dee Mart #35) v. IEPA - Dismissal Order (CAM)

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96-16      Richard Kurtz (45-Day Report) v. IEPA - Dismissal Order (CAM)

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96-17      Richard Kurtz (Site Classification Plan) v. IEPA - Dismissal Order (CAM)

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96-18      Richard Kurtz (Low Priority Ground Water Monitoring Plan) v. IEPA - Dismissal Order (CAM)

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

- 96-18      Richard Kurtz (Low Priority Ground Water Monitoring Plan) v. IEPA - Dismissal Order (CAM)
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- 96-19)      Flynn Ready-Mix Concrete (Site Classification Work Plan) v. IEPA,  
96-35)      and Flynn Ready Mix Concrete (Site Classification Completeness Report) v. IEPA - Dismissal Order (CAM)
- 
- 96-28      Freightliner of Chicago, Inc. v. IEPA - Accept for Hearing Order (ED)
- 
- 96-69      Thomas Corning and Kimberly Corning v. Thurela's, Pam and Arthur Hegji as Owners - Duplicitous/Frivolous Determination (See Respondents' Motion to Dismiss filed 10/25)(JY)
- 
- 96-84      Forest Preserve District of DuPage County, Illinois v. Mineral and Land Resources Corporation, Southwind Financial, Ltd. (formerly known as Abbott Contractors, Inc.), Bluff City Materials, Inc. as Assignee of Abbott Contractors, Inc. - Duplicitous/Frivolous Determination (McF)
- 
- 96-85      The County of Kane, Illinois and Waste Management of Illinois, Inc. v. IEPA - Accept for Hearing Order (See Petition for Intervention filed 10/25)(CAM)
- 
- 96-86      BFI Modern Landfill #1 and #2 v. IEPA - Joint 90-Day Extension Request (CAM)
- 
- 96-87      Dwight - #17 v. IEPA - Joint 90-Day Extension Request (CAM)
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- 96-88      Kean Oil Company v. IEPA - Joint 90-Day Extension Request (CAM)
-

96-90	<u>Graham C-Stores, Inc. v. IEPA</u> - Accept for Hearing Order
96-91	<u>SPILL, Madison County Conservation Alliance, Sierra Club, Nameoki Township Clerk Helen Hawkins, Kathy Andria, Shirley Crain, Glenda Fulkerson, John Gall, Thelma Orr, Ron Shaw and Pearl Stogsdill v. City of Madison and Metro-East, LLC</u> - Accept for Hearing Order
96-92	<u>Amoco Oil Company v. IEPA</u> - 90-Day Extension Request (CAM)
96-93	<u>Olin Hunt Specialty Products v. IEPA</u> - Provisional Variance (CAM)

#### **CASES PENDING DECISION**

AS 94-3	<u>Petition of Outboard Marine Corporation (OMC Waukegan Facility) and the IEPA for an Adjusted Standard from 35 Ill. Adm. Code Part 218 (McF)</u>
AS 94-19	<u>Petition of Hepworth Holdings, Inc. for an Adjusted Standard from 35 Ill. Adm. Code 620.410 (McF)</u>
93-179	<u>IBP, Inc. v. IEPA</u> (GTG)(open waiver)
95-116	<u>Kelley-Williamson Company v. IEPA</u> (JTM)(due 11/16)
96-56	<u>Village of Plainfield v. IEPA</u> (ED)(due 12/21)

#### **ADJOURNMENT**

## **LIST OF NEW CASES FILED SINCE OCTOBER 19, 1995 BOARD MEETING**

- AC 96-18      County of Will v. CDT Landfill
- 96-84          Forest Preserve District of DuPage County, Illinois v. Mineral and land Resources Corporation, Southwind Financial, Ltd. (formerly known as Abbott Contractors, Inc.), Bluff City Materials, Inc. as Assignee of Abbott Contractors, Inc.
- 96-85          The County of Kane, Illinois and Waste Management of Illinois, Inc. v. IEPA
- 96-86          BFI Modern Landfill #1 and #2
- 96-87          Dwight - #17 v. IEPA
- 96-88          Kean Oil Company v. IEPA
- 96-89          Gilbert & Bennett Manufacturing Company v. IEPA
- 96-90          Graham C-Stores, Inc. v. IEPA
- 96-91          SPILL, Madison County Conservation Alliance, Sierra Club, Nameoki Township Clerk Helen Hawkins, Kathy Andria, Shirley Crain, Glenda Fulkerson, John Gall, Thelma Orr, Ron Shaw and Pearl Stogsdill v. City of Madison and Metro-East, LLC
- 96-92          Amoco Oil Company v. IEPA
- 96-93          Olin Hunt Specialty Products v. IEPA

## **REGULAR BOARD MEETING SCHEDULE**

**November 16**

**December 7**

**December 21**