



ENVIRONMENTAL REGISTER



No. 530 ♦ A Publication of the Illinois Pollution Control Board ♦ August 1998

RULEMAKING UPDATE

Board Accepts Proposal for Hearing in In the Matter of: Permitting Procedures for the Lake Michigan Basin, 35 Ill. Adm. Code 301 and 301.141, R99-8

On August 6, 1998, the Board accepted for hearing a proposal for rulemaking in In the Matter of: Permitting Procedures for the Lake Michigan Basin, 35 Ill. Adm. Code 301 and 301.141. On July 28, 1998, the Illinois Environmental Protection Agency (IEPA) filed a rulemaking proposal pursuant to Section 27 of the Environmental Protection Act (Act) (415 ILCS 5/27 (1996)) to amend the Board's water regulations. The IEPA stated that its proposed amendments were submitted to determine whether the IEPA's regulations adopted at 35 Ill. Adm. Code 352 are consistent with the Board's regulations and, if not, to determine which regulations should be amended. Hearings in this matter are currently scheduled for October 5, 1998, at 10:00 a.m. in room 9-040 of the James R. Thompson Center, 100 W. Randolph Street, Chicago and (Rulemaking Update Continued on page 2)

FEDERAL ACTIONS

United States Environmental Protection Agency Extends Approval of Illinois' Clean Air Act Operating Permit Program Until June 1, 2000

On July 27, 1998, the United States Environmental Protection Agency (USEPA) extended approval of Illinois' Clean Air Act operating permit program until June 1, 2000. 63 Fed. Reg. 40054 (July 27, 1998). The USEPA indicated that the extension will allow time to correct interim approval deficiencies to be combined with additional revisions anticipated to be promulgated in December 1999. This direct final rule is effective September 10, 1998. ♦

United States Environmental Protection Agency Reaches Settlement Agreement in United States v. Anamet, Inc., et al. Regarding Dunovan Oil Site in Oakwood, Vermilion County

On July 28, 1998, the United States Environmental Protection Agency reached a settlement with the defendants in United States v. Anamet, Inc. et al., Civil No. 98-2174, filed in the United States District Court for the Central District of Illinois. 63 Fed. Reg. 43723 (August 14, 1998). The complaint filed by the United States sought to recover costs incurred by the United States pursuant to the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) (42 U.S.C. § 9601 *et seq.* (1990)) at the Dunovan Oil Site in Oakwood, Vermilion County. The settlement requires Anamet, Inc., Citizens Gas and Coke Utility, Nacco Materials Handling Group, Inc., General Electric Co., General Motors Corp., Panhandle Eastern Pipeline Co., R.R. Donnelly & Sons, Trunkline Gas Co., UNR Industries, Walker Construction Co., Board of Trustees of the University of Illinois, Liquid Waste Removal, and (Federal Actions Continued on page 2)

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RULEMAKING UPDATE

(Continued from page 1)

December 8, 1998, at 10:00 a.m. in room 403 at 600 S. Second St., Springfield.

Please direct any questions regarding this rule-making to Marie Tipsord, 312/814-4925; e-mail address: mtipsord@pcb084r1.state.il.us ♦

Board Grants Petition for an Adjusted Standard in In the Matter of: Petition of Central Can Company for an Adjusted Standard from 35 Ill. Adm. Code Part 218, AS 94-18

On August 6, 1998, the Board granted the petition of Central Can Company, located in Chicago, Cook County, for an adjusted standard from 35 Ill. Adm. Code 218 so that it may apply cross-line averaging in calculating emissions of volatile organic materials from its coating line, on which it coats metal containers of various sizes and thicknesses. The Board found that Central Can Company met the four necessary criteria set forth in Section 28.1(a) of the Environmental Protection Act (415 ILCS 5/28.1(a) (1996)) for the grant of an adjusted standard. The adjusted standard, with conditions, is retroactively effective from July 1, 1991. ♦

FEDERAL ACTIONS

(Continued from page 1)

Gurney J. Busch, Inc., to reimburse the United States in the amount of \$175,000 in past costs incurred by the United States in connection with remediation of the Dunovan Oil Site. ♦

United States Environmental Protection Agency Proposes Amendments to the Requirements Applicable to Class V Underground Injection Control Wells

On July 29, 1998, the United States Environmental Protection Agency (USEPA) proposed amendments to the requirements for three kinds of

Class V underground injection control (UIC) wells: motor vehicle waste disposal wells; industrial waste disposal wells in source-water protection areas; and large-capacity cesspools. 63 Fed. Reg. 40585 (July 29, 1998). The USEPA anticipates that targeting the requirements to these three types of wells will achieve substantial protection of underground sources of drinking water. The USEPA is also proposing to consolidate Class V UIC well owners and operators to understand when and how the regulations apply to them.

If adopted by the USEPA, the Board will adopt these amendments in a routine identical-in-substance rulemaking in accordance with Sections 7.2 and 13.3 of the Environmental Protection Act (415 ILCS 5/7.2, 13.3 (1996)). ♦

United States Environmental Protection Agency Publishes Guidance Interpreting the Term "Constructed Conveyances"

On August 5, 1998, the United States Environmental Protection Agency (USEPA) published guidance interpreting "constructed conveyance," as set forth in the definition of "public water supply," as amended in the Safe Drinking Water Act (SDWA) Amendments of 1996 (42 U.S.C. § 300f (1996)). 63 Fed. Reg. 41939 (August 5, 1998). The 1996 amendments to the SDWA broadened the definition of "public water system" to include systems providing water for human consumption that deliver this water by "constructed conveyances," such as irrigation canals. ♦

Addition of Hazardous Waste Listings for Four Petroleum Refining Wastes

On August 6, 1998, the United States Environmental Protection Agency (USEPA) adopted four new hazardous waste listings for wastes generated by the petroleum refining industry. 63 Fed. Reg. 42109

(August 6, 1998). The USEPA also amended the rules to encourage recycling oil-bearing residuals and adopted land disposal restrictions for the four new wastes. This action is taken under the authority of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. § 6901 (1976)), which authorizes the USEPA to list wastes as hazardous. The effect of listing these four wastes is to subject them to stringent management and treatment standards under RCRA and to emergency notification requirements for releases of hazardous substances to the environment.

The Board anticipates adoption of these federal amendments through Illinois' Underground Injection Control rules pursuant to Section 7.2 and 22.4(a) of the Environmental Protection Act (415 ILCS 5/7.2, 22.4(a)(1996)). ♦

United States Environmental Protection Agency Proposes National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production

On August 4, 1998, the United States Environmental Protection Agency (USEPA) proposed national emission standards for hazardous air pollutants (NESHAPs) for ferroalloys production, which is an industry comprised of ferronickel production facilities and ferromanganese, silicomanganese, and ferrochromium production facilities. 63 Fed. Reg. 41508 (August 4, 1998). The USEPA has identified these facilities as major sources of hazardous air pollutant (HAP) emissions such as nickel and manganese. Nickel compounds such as nickel carbonyl and nickel subsulfate are some of the most toxic compounds of nickel. They can adversely effect the lungs and the kidneys. Symptoms such as headaches, vomiting, chest pains, dry coughing, and visual disturbances have been reported from short-term exposure in humans.

Human and animal studies reveal an increased risk of lung and nasal cancers from exposure to nickel refinery dusts and nickel subsulfate. Chronic exposure to nickel refinery dusts in humans also results in respiratory effects such as asthma due to primary irritation or an allergic response, and an increased risk of chronic respiratory tract infections. Manganese can also adversely effect human health, specifically the central nervous system. The proposed standard is intended to provide protection to

the public by requiring HAP emission sources at these facilities to meet emission standards that reflect the application of maximum achievable control technology.

Public comments must be submitted to USEPA by October 5, 1998. Please direct all public comments to: Air and Radiation Docket and Information Center (6102), Attention Docket A-92-59, Room M-1500, USEPA, 401 M Street, S.W., Washington, D.C. 20460.

Any NESHAPs standards adopted by USEPA are automatically applicable and enforceable under Section 9.1(b) of the Environmental Protection Act (415 ILCS 5/9.1(b) (1996)) without rulemaking by the Board. ♦

United States Environmental Protection Agency Adopts Final Rule Requiring Community Water Systems to Prepare Annual Consumer Confidence Reports

On August 19, 1998, the United States Environmental Protection Agency (USEPA) promulgated a final rule that requires community water systems to prepare and provide to their customers annual consumer confidence reports on the quality of the water delivered by the systems. 63 Fed. Reg. 44511 (August 19, 1998). The USEPA states that this action is mandated by the 1996 Safe Drinking Water Act Amendments (SDWA Amendments) (42 U.S.C. § 300f (1996)). The changes stem from the SDWA Amendments' public right-to-know provisions (see 42 U.S.C. § 300g-3 (1996)). These reports will provide valuable information to customers of community water systems and allow them to make personal health-based decisions regarding their drinking water consumption. The reports will also provide access through references and telephone numbers to source water assessments, health effects data, and additional information about the community water system. The effective date of this rule is September 18, 1998.

The Board will adopt these amendments in a routine identical-in-substance rulemaking pursuant to Sections 7.2 and 17.5 of the Environmental Protection Act (415 ILCS 5/7.2, 17.5 (1996)). ♦

**United States Environmental Protection Agency
Adopts Revisions to Safe Drinking Water Act
Regarding Variances and Exemptions**

On August 14, 1998, the United States Environmental Protection Agency (USEPA) promulgated revisions to existing regulations regarding the 1996 Safe Drinking Water Act Amendments (42 U.S.C. § 300f (1996)) variances and exemptions. 63 Fed. Reg. 43833 (August 14, 1998). The amendments establish new provisions by which a small public water system (system) may obtain a variance from complying with national primary drinking water regulations under certain specified conditions. First, a variance may now be granted on the condition that the system install the best technology, treatment technique, or other means, which the USEPA finds available. Second, before the USEPA will issue a variance, Congress also requires primacy States/Tribes to conduct an evaluation that satisfies the State/Tribe that alternative sources of water are not reasonably available to a system.

The amendments also specify a wider set of factors that need to be considered before an exemption may be granted, to consider whether the public water system is a "disadvantaged community," and whether management or restructuring changes can be made that will result in compliance or, if compliance cannot be achieved, would improve the quality of the drinking water.

The Board will adopt these amendments in a routine identical-in-substance rulemaking pursuant to Sections 7.2 and 17.5 of the Environmental Protection Act (415 ILCS 5/7.2, 17.5 (1996)). ♦

**United States Environmental Protection
Agency Issues Proposal for Public Comment
in Conjunction with National Primary
Drinking Water Regulations for Lead and Copper**

On August 18, 1998, the United States Environmental Protection Agency (USEPA) issued a proposal for public comment regarding minor revisions to the national primary drinking water regulations for lead and copper. 63 Fed. Reg. 44214 (August 18, 1998). On June 7, 1991, the USEPA promulgated national primary drinking water regulations for lead and copper. See 56 Fed. Reg. 26460 (June 7, 1991). The USEPA is proposing to modify the way in which compliance with optimal corrosion control requirements is determined for water systems subject to the regulation's water quality parameter monitoring requirements and would give systems greater flexibility and remove disincentives for water systems to implement good process control procedures. The USEPA states that the intended effect is to avoid putting systems that monitor water quality parameters more frequently than required under the lead and copper regulations at greater risk of noncompliance than those systems that only conduct the minimum required monitoring. The USEPA also states that this option would increase, and may decrease, the burden associated with compliance with the lead and copper rule. Send written comments (original and three copies) by September 17, 1998, to: Lead and Copper Rule Comment Clerk, Water Docket (MC-4101), USEPA, 401 M Street, SW, Washington, D.C. 20460. ♦

BOARD ACTIONS 8/6/98**RULEMAKINGS**

R99-8	<u>In the Matter of: Permitting Procedures for the Lake Michigan Basin, 35 Ill. Adm. Code 301 and 309.141</u> - The Board accepted for hearing this Illinois Environmental Protection Agency proposal to amend the Board's water regulations.	6-0 Hennessey abstained
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ADJUSTED STANDARDS

AS 94-18	<u>In the Matter of: Petition of Central Can Company for an Adjusted Standard from 35 Ill. Adm. Code 218</u> - The Board granted an adjusted standard, with conditions, from 35 Ill. Adm. Code Part 218.204(j), 218.205, and 218.207, the volatile organic compound standards pertaining to the coating of cans and pails, to this Cook County facility.	7-0
AS 98-3	<u>In the Matter of: Petition of Sundstrand Corporation (Plant 1) for an Adjusted Standard from 35 Ill. Adm. Code 215.204(j)(3)</u> - The Board granted petitioner's motion for withdrawal of this request for an adjusted standard involving a Winnebago County facility.	7-0
AS 98-5	<u>In the Matter of: 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)</u> - The Board denied petitioner's motion for modification of the May 7, 1998 Board order.	6-0 Melas abstained
AS 99-1	<u>In the Matter of: Petition of the City of Belleville, Illinois, for an Adjusted Standard from 35 Ill. Adm. Code 306.305</u> - The Board ordered petitioner to file an amended petition by September 8, 1998, or this matter would be subject to dismissal.	6-0 Hennessey abstained

ADMINISTRATIVE CITATIONS

AC 97-13	<u>County of DuPage v. Saleem M. Choudhry</u> - The Board found that this DuPage County respondent violated Sections 21(p)(1) and 21(p)(4) of the Environmental Protection Act (415 ILCS 5/21(p)(1), 21(p)(4) (1996)) and ordered him to pay a civil penalty of \$1,000, reimburse the County for its hearing costs in the amount of \$1,379, and reimburse the Board for its hearing costs in the amount of \$1,270.	7-0
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ADMINISTRATIVE CITATIONS (CONT'D)

AC 98-29	<u>IEPA v. Steve Gill d/b/a A Better Estimate Tree Service</u> - In response to a joint stipulation and settlement agreement in this administrative citation action involving a Peoria County facility, the Board found respondent violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (1996)) and ordered him to pay a civil penalty of \$500.	7-0
AC 98-38	<u>IEPA v. Michael Hogan</u> - The Board found that this Livingston County respondent violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(3) (1996)) and ordered him to pay a civil penalty of \$500.	7-0
AC 98-39	<u>County of Jackson v. Greg Burris, individually and d/b/a Burris Disposal Service</u> - The Board found that this Jackson County respondent violated Section 21(p)(3) of the Environmental Protection Act and ordered him to pay a civil penalty of \$500.	7-0

ADJUDICATORY CASES

Decisions

PCB 98-85	<u>People of the State of Illinois v. The Central Illinois Conference of the United Methodist Church</u> - The Board granted relief from the hearing requirement of Section 31(c)(2) of the Environmental Protection Act, accepted a stipulation and settlement agreement in this Resource Conservation Recovery Act enforcement action involving a McLean County facility, ordered respondent to pay a civil penalty of \$15,000, to reimburse \$40,076 to the Illinois Environmental Protection Agency for costs it incurred at the site, and to cease and desist from further violations.	7-0
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Provisional Variances

PCB 99-22	<u>Village of Amboy v. IEPA</u> - Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted this Lee County facility a 45-day provisional variance, subject to conditions, from certain conditions and effluent discharge limits, as set forth in 35 Ill. Adm. Code 304.141(a), 35 Ill. Adm. Code 304.120(c), and National Pollutant Discharge Elimination System Permit No. IL0027472.	6-0 Hennessey abstained
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Motions and Other Matters

PCB 93-73	<u>J & M Plating, Inc. v. IEPA</u> - The Board granted petitioner's motion for withdrawal of this Resource Conservation Recovery Act permit appeal involving a Winnebago County facility.	7-0
PCB 95-143	<u>Gordon Krautsack v. Bhogilal Patel, Subhash Patel, Electronic Interconnect, Inc., and Electronic Interconnect Corporation</u> - The Board denied petitioner's motion for reconsideration of the July 8, 1998 Board order.	7-0
PCB 97-193	<u>People of the State of Illinois v. Community Landfill Company, Inc.</u> - The Board granted complainant's motion to strike respondent's first, third, and fourth affirmative defenses. The Board on its own motion struck respondent's second affirmative defense.	7-0
PCB 98-21	<u>Rohrman Midwest Motors, Inc. v. Office of the State Fire Marshal</u> - The Board granted respondent's motion for summary judgment in this underground storage tank appeal involving a Cook County facility.	7-0
PCB 98-80	<u>People of the State of Illinois v. Craig Linton and Randy Rowe</u> - The Board denied complainant's motion for summary judgment without prejudice.	7-0
PCB 98-118	<u>Jack Donelson Sales Company v. IEPA</u> - The Board granted petitioner's motion for withdrawal of this underground storage tank appeal involving a DuPage County facility.	7-0
PCB 98-140	<u>Rock Valley Oil & Chemical Co., Inc. v. Office of the State Fire Marshal</u> - The Board granted petitioner's motion to amend its petition for review.	7-0
PCB 98-159	<u>Massac County School Unit District #1 v. IEPA</u> - Having previously granted a request for a 90-day extension, the Board dismissed the matter because no underground storage tank appeal was timely filed on behalf of this Massac County facility.	7-0
PCB 98-173	<u>McHenry County Defenders, Inc. v. IEPA and the City of Woodstock</u> - The Board denied respondents' motion to dismiss, granted petitioner's motion to amend the petition, and accepted for hearing this permit appeal involving a McHenry County facility.	6-0 Hennessey abstained

Motions and Other Matters (Cont'd)

- PCB 99-18** BASF Corporation v. IEPA - The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of a Will County facility. 7-0.
- PCB 99-20** L. Keller Oil Properties, Inc. (Salem/Keller Oil, Co.) v. IEPA - The Board accepted for hearing this appeal of an underground storage tank decision involving a Marion County facility. 7-0

BOARD ACTIONS 8/20/98**RULEMAKINGS**

- R97-21** In the Matter of: RCRA Subtitle C (HW) Update, USEPA Regulations (July 1, 1996, through December 31, 1996) 7-0
- R98-3**
- R98-5** In the Matter of: UIC Update, USEPA Regulations (January 1, 1997, through June 30, 1997)
- In the Matter of: RCRA Subtitle C Update, USEPA Regulations (January 1, 1997, through June 30, 1997) - Adopted Rule, Final Order, Opinion and Order. The Board adopted identical-in-substance amendments to the hazardous waste and underground injection control regulations.
- R99-3** In the Matter of: UST Update, USEPA Regulations (January 1, 1998, through June 30, 1998) - The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its underground storage tank regulations during the update period of January 1, 1998, through June 30, 1998. 7-0
- R99-5** In the Matter of: Exemptions from Definitions of VOM, USEPA Amendments (January 1, 1998, through June 30, 1998) - The Board dismissed this reserved identical-in-substance docket because the single United States Environmental Protection Agency amendment to exemptions from the definition of volatile organic material regulations during the update period of January 1, 1998, through June 30, 1998, was added to the Board's rules in docket R98-17. 7-0

RULEMAKINGS (CONT'D)

R99-9	<u>In the Matter of: Hearings Pursuant to Specific Rules, Proposed New Subpart K, Involuntary Termination Procedures for EMSA's 35 Ill. Adm. Code 106, Subpart K</u> - The Board granted petitioner's motion for waiver of requirements and accepted for hearing this Illinois Environmental Protection Agency proposal to amend the Board's procedural rules.	7-0
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ADMINISTRATIVE CITATIONS

AC 98-40	<u>IEPA v. Don Myers</u> - The Board found that this Union County respondent violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (1996)) and ordered him to pay a civil penalty of \$500.	7-0
AC 98-42	<u>Tazewell County v. Ron Boerema, Waste Professionals, Inc.</u> - The Board found that this Tazewell County respondent violated Section 21(o)(2) of the Environmental Protection Act (415 ILCS 5/21(o)(2) (1996)) and ordered him to pay a civil penalty of \$500.	7-0
AC 99-1	<u>IEPA v. Bruce Palmer Jr.</u> - The Board found that this Henry County respondent violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (1996)) and ordered respondent to pay a civil penalty of \$500.	7-0
AC 99-2	<u>IEPA v John Timpe and Diane Timpe</u> - The Board found that these Macoupin County respondents violated Sections 21(p)(1) and 21(p)(3) of the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(3) (1996)) and ordered them to pay a civil penalty of \$1,000.	7-0

ADJUDICATORY CASESDecisions

PCB 97-214	<u>People of the State of Illinois v. Village of Carpentersville</u> - The Board granted relief from the hearing requirement of Section 31(c)(2) of the Environmental Protection Act, accepted a stipulation and settlement agreement in this water enforcement action involving a Kane County facility, ordered respondent to pay a civil penalty of \$17,000, and ordered respondent to cease and desist from further violations.	6-0 Hennessey abstained
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Decisions (Cont'd)

PCB 99-5 People of the State of Illinois v. Griffin Wheel Company - The Board granted relief from the hearing requirement of Section 31© of the Environmental Protection Act, accepted a stipulation and settlement agreement in this RCRA enforcement action involving a Cook County facility, ordered respondent to pay a civil penalty of \$7,500, and ordered respondent to cease and desist from further violations. 7-0

Provisional Variances

PCB 99-32 Equilon Enterprises, LLC, Argo Terminal v. IEPA - Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted this Cook County facility a 45-day provisional variance, subject to conditions, from certain conditions and effluent discharge limits, as set forth in National Pollutant Discharge Elimination System Permit No. ILR001072. 6-0
Hennessey
abstained

PCB 99-34 City of Rockfalls v. IEPA - Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted this Whiteside County facility a 45-day provisional variance, subject to conditions, from certain conditions and effluent discharge limits, as set forth in 35 Ill. Adm. Code 304.141(a), 35 Ill. Adm. Code 304.120©, and National Pollutant Discharge Elimination System Permit No. IL0026514. 6-0
Hennessey
abstained

PCB 99-35 Henkel Corporation v. IEPA - Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted this Kankakee County facility a 45-day provisional variance, subject to certain conditions as set forth in special permit conditions 4 and 5 of Air Operating Permit Number 72-10-0302. 7-0

Motions and Other Matters

PCB 96-180 Environmental Site Developers, Inc., Complainant/Counter-Respondent v. White & Brewer Trucking, Inc., Respondent/Counter-Complainant - The Board granted the parties a 90-day stay in this matter. 6-0
Hennessey
abstained

Motions and Other Matters (Cont'd)

PCB 98-86	<u>People of the State of Illinois v. Harris Bank Barrington, as Trustee for Trust No. 11-5062, Kurt Kresmery individually as beneficiary of Trust No. 11-5062, and Kenneth Kresmery</u> - Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this air enforcement action against a Kane County facility, the Board ordered publication of the required newspaper notice.	7-0
PCB 98-109	<u>Bloomington/Brandt Truck Line, Inc. v. IEPA</u> - The Board granted petitioner's motion for withdrawal of this underground storage tank appeal involving a McLean County facility.	7-0
PCB 98-114	<u>David Mulvain v. Village of Durand, Rockford Blacktop Construction Company, Inc., and the IEPA</u> - The Board denied petitioner's motion for reconsideration of the May 21, 1998 Board order.	6-0 Hennessey abstained
PCB 98-165	<u>Safety Partners, Ltd. v. IEPA</u> - Having previously granted a request for a 90-day extension, the Board dismissed the matter because no underground storage tank appeal was timely filed on behalf of this Madison County facility.	7-0
PCB 98-168	<u>Good-Wood Finishing Company v. IEPA</u> - The Board accepted for hearing this appeal of an underground storage tank decision involving a Cook County facility.	7-0
PCB 99-24	<u>Burlington Northern and Santa Fe Railway Company v. IEPA</u> - The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a Cook County facility.	7-0
PCB 99-25	<u>St. Anthony Bank v. IEPA</u> - The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a Cook County facility.	7-0
PCB 99-26	<u>People of the State of Illinois v. United Distillers Manufacturing, Inc.</u> - Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this air enforcement action against a Will County facility, the Board ordered publication of the required newspaper notice.	6-0 Hennessey abstained

Motions and Other Matters (Cont'd)

PCB 99-28	<u>Clayton Chemical Acquisition Limited Liability Company d/b/a Resource Recovery Group, L.L.C. v. IEPA</u> - The Board accepted for hearing and consolidated with PCB 98-113 this RCRA permit appeal involving a St. Clair County facility.	7-0
PCB 99-29	<u>Harris Marcus Group, Inc. v. IEPA</u> - The Board accepted for hearing this air permit appeal involving a Cook County facility.	7-0
PCB 99-31	<u>Cass County Service Company v. IEPA</u> - The Board accepted for hearing this tax certification appeal involving a Cass County facility	7-0

NEW CASES 8/6/98

99-18 BASF Corporation v. IEPA - The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of a Will County facility.

99-19 Anthony and Karen Roti, Paul Rosenstock, and Leslie Weber v. LTD Commodities - The Board held for duplicitous/frivolous determination, this citizens' air enforcement action involving a Lake County facility.

99-20 L. Keller Oil Properties, Inc. (Salem/Keller Oil, Co.) v. IEPA - The Board accepted for hearing this appeal of an underground storage tank decision involving a Marion County facility.

99-21 Central Illinois Light Company (Duck Creek Station) v. IEPA - The Board held for an Illinois Environmental Protection Agency recommendation this petition for water variance involving a Fulton County facility.

99-22 Village of Amboy v. IEPA - Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted this Lee County facility a 45-day provisional variance, subject to conditions, from certain conditions and effluent discharge limits, as set forth in 35 Ill. Adm. Code 304.141(a), 35 Ill. Adm. Code 304.120(c), and National Pollutant Discharge Elimination System Permit No. IL0027472.

AC 99-2 IEPA v. John Timpe and Diane Timpe - The Board accepted an administrative citation against these Macoupin County respondents.

AC 99-3 IEPA v. City of Sesser - The Board accepted an administrative citation against this Franklin County respondent.

AC 99-4 IEPA v. City of Paris and Ingrum's Waste Disposal - The Board accepted an administrative citation against these Edgar County respondents.

AC 99-5 IEPA v. Richard Corson - The Board accepted an administrative citation against this Menard County respondent.

R99-8 In the Matter of: Permitting Procedures for the Lake Michigan Basin, 35 Ill. Adm. Code 301 and 309.141 - The Board accepted for hearing this Illinois Environmental Protection Agency proposal to amend the Board's water regulations.

NEW CASES 8/20/98

99-23 People of the State of Illinois v. Quad-County Ready Mix Corporation d/b/a Washington County Ready Mix - The Board accepted for hearing this air enforcement action against a Washington County facility.

99-24 Burlington Northern and Santa Fe Railway Company v. IEPA - The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a Cook County facility.

99-25 St. Anthony Bank v. IEPA - The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a Cook County facility.

99-26 People of the State of Illinois v. United Distillers Manufacturing, Inc. - Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this air enforcement action against a Will County facility, the Board ordered publication of the required newspaper notice.

99-27 People of the State of Illinois v. James and Carol Gilmer - The Board accepted for hearing this Resource Conservation Recovery Act and water enforcement action against a Douglas County facility.

99-28 Clayton Chemical Acquisition Limited Liability Company d/b/a Resource Recovery Group, L.L.C. v. IEPA - The Board accepted for hearing and consolidated with PCB 98-113 this Resource Conservation Recovery Act permit appeal involving a St. Clair County facility.

99-29 Harris Marcus Group, Inc. v. IEPA - The Board accepted for hearing this air permit appeal involving a Cook County facility.

99-30 Lucille Wathen v. Daniel and Wendy Stryker - The Board held for duplicitous/frivolous determination, this citizen's air enforcement action involving a Cook County facility.

99-31 Cass County Service Company v. IEPA - The Board accepted for hearing this tax certification appeal involving a Cass County facility.

AC 99-6 IEPA v. Lawrence County Disposal Centre, Inc., S & S Grading of Illinois, Inc., and Gary McLaren - The Board accepted an administrative citation against these Lawrence County respondents.

AC 99-7 IEPA v. David Swearingen - The Board accepted an administrative citation against this Moultrie County respondent.

R99-9 In the Matter of: Hearings Pursuant to Specific Rules, Proposed New Subpart K, Involuntary Termination Procedures for EMSA's 35 Ill. Adm. Code 106, Subpart K - The Board granted petitioner's motion for waiver of requirements and accepted for hearing this Illinois Environmental Protection Agency proposal to amend the Board's procedural rules.

CALENDAR OF MEETINGS

Date & Time	Docket Number	Case Name	Location of Hearing
9/3/98 10:30am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 West Randolph Street Suite 9-040 Chicago, IL
9/17/98 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 West Randolph Street Suite 9-040 Chicago, IL
9/17/98 10:00 am	AC 98-37	IEPA v. James Harris (Knoxville/Harris Property) IEPA Docket No. 256-98-AC	Knox County Courthouse 200 South Cherry Street Galesburg, IL
9/22/98 9:30 am	PCB 98-160	Devro-Teepak Inc. (Permit Application No. 95120325) v. IEPA	Vermilion County Courthouse Annex County Board Room 6 North Vermilion Danville, IL
9/22/98 9:30 am	PCB 98-160	Devro-Teepak Inc. (Permit Application No. 95120326) v. IEPA	Vermilion County Courthouse Annex County Board Room 6 North Vermilion Danville, IL
9/29/98 10:00 am	PCB 97-203	People of the State of Illinois v. Sirco Environmental, Inc.	Pollution Control Board Suite 402 600 South Second Street Springfield, IL
9/29/98 10:00 am	R99-9	In the Matter of: Hearings Pursuant to Specific Rules, Proposed New Subpart K, Involuntary Termination Procedures for EMSA's 35 Ill. Adm. Code 106, Subpart K	James R. Thompson Center Pollution Control Board 100 West Randolph Suite 11-500 Chicago, IL

10/1/98 10:30am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 West Randolph Street Suite 9-040 Chicago, IL
10/5/98 10:00 am	R99-8	In the Matter of: Permitting Procedures for the Lake Michigan Basin: 35 Ill. Adm. Code 301 and 309.141	James R. Thompson Center 100 West Randolph Street Suite 9-040 Chicago, IL
10/6/98 1:30 pm	R99-9	In the Matter of: Hearings Pursuant to Specific Rules, Proposed New Subpart K, Involuntary Termination Procedures for EMSA's 35 Ill. Adm. Code 106, Subpart K	Pollution Control Board Suite 402 600 South Second Street Springfield, IL
10/15/98 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 West Randolph Street Suite 9-040 Chicago, IL
10/19/98 10:00 am	R97-16	In the Matter of: Proportionate Share Liability	Pollution Control Board Suite 402, Room 403 600 South Second Street Springfield, IL
10/20/98 10:00 am	R97-16	In the Matter of: Proportionate Share Liability	Pollution Control Board Suite 402, Room 403 600 South Second Street Springfield, IL
11/5/98 10:30am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 West Randolph Street Suite 9-040 Chicago, IL
11/19/98 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 West Randolph Street Suite 9-040 Chicago, IL
12/3/98 10:30am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 West Randolph Street Suite 9-040 Chicago, IL
12/8/98 10:00 am	R99-8	In the Matter of: Permitting Procedures for the Lake Michigan Basin: 35 Ill. Adm. Code 301 and 309.141	Pollution Control Board Suite 402, Room 403 600 South Second Street Springfield, IL
12/17/98 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 West Randolph Street Suite 9-040 Chicago, IL

ILLINOIS POLLUTION CONTROL BOARD MEETING DATES

The following are regularly scheduled meetings of the Illinois Pollution Control Board.

REGULAR BOARD MEETING SCHEDULE FOR CALENDAR YEAR 1998*

September 3	November 5
September 17	November 19
October 1	December 3
October 15	December 17

All Chicago Board Meetings will be held at 10:30 a.m. in Conference Room 9-040.

The Illinois Pollution Control Board (IPCB) is an independent seven member board which adopts the environmental control standards for the State of Illinois and rules on enforcement actions and other environmental disputes. The Board Members are:

Claire A. Manning, Chairman Springfield		
Ronald C. Flemal DeKalb	G. Tanner Girard Grafton	Kathleen M. Hennessey Western Springs
Marili McFawn Inverness	Nicholas J. Melas Chicago	Joseph Yi Park Ridge

The *Environmental Register* is a newsletter published by the IPCB monthly, and contains updates on rulemakings, descriptions of final decisions, the Board's hearing calendar, and other environmental law information of interest to the People of the State of Illinois.

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