



ENVIRONMENTAL REGISTER



No. 532 ♦ A Publication of the Illinois Pollution Control Board ♦ October 1998

RULEMAKING UPDATE

Board Adopts Second-Notice Opinion and Order in the Matter of: Amendments to Requirements for Landscape Waste Compost Facilities, 35 Ill. Adm. Code 830.203(c), 831.107, and 831.109(b)(3), R97-29

On October 1, 1998, the Board adopted for second-notice review by the Joint Committee on Administrative Rules amendments to 35 Ill. Adm. Code 830.203(c), 831.107, and 831.109(b)(3) which set requirements for landscape waste compost facilities. This rulemaking arises out of a proposal filed on May 6, 1997, by two citizens, Dr. Renuka Desai and Susan Garrett (proponents). On June 17, 1998, the Board adopted a modified version of proponents' proposal for first-notice publication in the *Illinois Register*. 22 Ill. Reg. 11361 (July 3, 1998).

The Board's second-notice order is similar to the first-notice order with some additional changes regarding the amendment's applicability. Generally, the second-notice order requires certain composting areas established after January 1, 1999, to be located at (Rulemaking Update Continued on page 2)

FEDERAL ACTIONS

Comments Sought Concerning Proposed Consent Decree Reached in United States v. Shell Oil Company, Shell Wood River Refining Company, Equilon Enterprises LLC, Wood River Refining Company, a Division of Equilon Enterprises LLC

On September 9, 1998, a proposed consent decree was reached in United States v. Shell Oil Company, Shell Wood River Refining Company, Equilon Enterprises LLC, Wood River Refining Company, a Division of Equilon Enterprise, LLC, Civil Action Number 98-652-GPM. 63 Fed. Reg. 52291 (September 30, 1998). The proposed consent decree, filed with the United States District Court for the Southern District of Illinois, resolves the United States' claims against Shell Oil Company, Shell Wood River Refining Company, Equilon Enterprises LLC, and Wood River Refining Company, a Division of Equilon Enterprises LLC (collectively, defendants) for violations which occurred at the Wood River Refinery in Roxana, Illinois, under the Clean Air Act (42 U.S.C. § 7401 *et seq.*) and the Emergency Response and Community Right to Know Act (42 U.S.C. § 9601 *et seq.*). The proposed consent decree would also resolve claims brought by the State of Illinois, which has intervened in this action.

Under the terms of the proposed consent decree, defendants will pay a civil penalty of \$1.5 million (\$500,000 of which will go to the State of Illinois) and certify compliance with the above-referenced environmental laws. Defendants will also perform six environmental projects as a part of the proposed settlement, including a project designed to reduce emissions of sulfur dioxide by 7,700 tons per year and nitrogen oxides by 940 tons per year and a project that will require defendants to arrange for the transfer of land along the Mississippi (Federal Update Continued on p. 3)

Inside This Issue

♦ Board Actions	p5
♦ New Cases	p10
♦ Calendar of Meetings	p11

RULEMAKING UPDATE

(Continued from page 1)

least 1/8 mile from health care facilities, pre-school and child care facilities and their associated recreational areas, and primary and secondary school facilities and their associated recreational areas. The second-notice order also includes corresponding changes to requirements for site location maps and other information in permit applications.

The Board held three public hearings on the original proposal: the first, in Chicago on September 8, 1997; the second, in Springfield, on October 7, 1997; and the third, in Chicago, on August 7, 1998. The Board received numerous public comments before and during the first-notice public comment period.

Any questions regarding this rulemaking may be directed to Richard McGill at 312/814-6983; e-mail address: rmcgill@pcb084r1.state.il.us ♦

Board Adopts Amendments in In the Matter of Review of Remediation Costs for Environmental Remediation Tax Credit (Amendments to 35 Ill. Adm. Code 740), R98-27

On October 15, 1998, the Board adopted amendments to 35 Ill. Adm. Code 740. Part 740 implements Public Act 90-123, which created an environmental remediation tax credit (tax credit). See Pub. Act 90-123 (1997), eff. July 21, 1997, amending Section 201(l) of the Illinois Income Tax Act (35 ILCS 5/101 *et seq.* (1996)) and Section 58.14 of the Environmental Protection Act (Act) (415 ILCS 5/1 *et seq.* (1996)).

Section 58.14 of the Act required the Board to adopt tax credit rules for second notice within six months after the Board received the Illinois Environmental Protection Agency's (IEPA) proposed rules, or by July 21, 1998. The tax credit allows taxpayers under the Administrative Procedures Act to credit against their Illinois tax liability a portion of the costs that taxpayers have spent to clean up certain contaminated properties (or "brownfields"). The tax credit is intended to spur the cleanup and redevelopment of brownfields. A taxpayer who wishes to

claim the tax credit must first submit to the IEPA an application for review of its cleanup (or "remediation") costs. The amendments also establish the procedures and standards under which the IEPA will consider these applications.

On July 8, 1998, the Board adopted the amendments for second-notice review by the Joint Committee on Administrative Rules (JCAR). JCAR considered the rules and suggested two changes to reflect additional legislative developments. JCAR issued a certificate of no objection at its August 18, 1998 meeting.

After the Board adopted the opinion and order for second-notice review by JCAR, Governor Jim Edgar signed two bills, SB 1291 (Pub. Act 90-717, eff. August 7, 1998) and SB 1705 (Pub. Act 90-792, eff. January 1, 1999), that necessitated additional substantive changes to the proposed rules. SB 1291 provides that costs deducted, or used for an environmental remediation credit, under the Internal Revenue Code are eligible for the Illinois tax credit. This legislative change required changes in the proposed rules at Sections 740.710 and 740.730. SB 1705 eliminated one of the geographical requirements for sites to receive more beneficial treatment under the tax credit program. This legislative change required modification to Section 740.720(c).

The Board held three public hearings in this matter: the first, in Chicago, on February 24, 1998; the second, in Springfield, on February 27, 1998; and the third, also in Springfield, on March 17, 1998. The March 17, 1998 hearing was solely for the purpose of receiving comment on the Department of Commerce and Community Affairs' decision not to perform an economic impact study on the IEPA's proposed rules pursuant to Pub. Act 90-489, effective January 1, 1998. On April 16, 1998, the Board adopted the proposal for first-notice publication in the *Illinois Register*, whereupon a 45-day public comment period commenced.

Any questions regarding this rulemaking may be directed to Richard McGill at 312/814-6983; e-mail address: rmcgill@pcb084r1.state.il.us ♦

FEDERAL ACTIONS

(Continued from page 1)

River (valued at \$500,000) to the State of Illinois for wetlands preservation and water quality protection purposes. The total costs of the environmental projects will exceed \$10 million.

Comments regarding the proposed consent decree must be received by October 30, 1998, and should be sent to: Assistant Attorney General for Environmental and Natural Resources Division, Department of Justice, Washington, D.C. 20530 and should reference the case name and civil action number. ♦

United States Environmental Protection Agency Promulgates National Emission Standards for Hazardous Air Pollutants for New and Existing Plants that Manufacture Flexible Polyurethane Foam

On October 7, 1998, the United States Environmental Protection Agency promulgated national emission standards for hazardous air pollutants (NESHAP) for new and existing plants that manufacture flexible polyurethane foam. 63 Fed. Reg. 53979 (October 7, 1998). These standards are estimated to reduce hazardous air pollutant emissions from all existing sources of flexible polyurethane foam manufacturing by over 12,500 Mg/year. This represents a 70% reduction from baseline emissions. Section 9.1(a) of the Environmental Protection Act (Act) (415 ILCS 5/9.1(a) (1996)) provides that NESHAPs are applicable and enforceable under the Act without further rulemaking action by the Board. These standards were effective October 7, 1998. ♦

United States Environmental Protection Agency Proposes Generic Maximum Achievable Control Technology Standards for Certain Small Source Categories Consisting of Five or Fewer Sources

On October 14, 1998, the United States Environmental Protection Agency (USEPA) proposed a generic maximum achievable control technology

(MACT) standard program to be utilized by the USEPA in establishing national emission standards for hazardous air pollutants (NESHAPs) under Section 112 of the Clean Air Act (42 U.S.C. § 7412)) for certain small source categories consisting of five or fewer sources. 63 Fed. Reg. 55177 (October 14, 1998). As a part of this generic MACT program, the USEPA is proposing an alternative methodology under which it will make its MACT determination for appropriate small categories by referring to previous MACT standards that have been promulgated for similar sources in other categories. The USEPA states that the basic purpose of the proposed generic MACT program is to use public and private sector resources efficiently and to promote regulatory consistency and predictability in MACT standard development.

The USEPA also proposed general control requirements for certain types of emission points for hazardous air pollutants, which will then be referenced, as appropriate, in the generic MACT requirements for individual source categories. The proposed general control requirements would be applicable to storage vessels managing organic materials, process vents emitting organic vapors, and leaks from equipment components. In addition, the USEPA proposed requirements for closed vent systems, control devices, recovery devices, and routing to fuel gas systems.

Finally, the USEPA proposed specific MACT standards that have been developed within the generic MACT framework for four specific source categories that are included in the USEPA's list of categories for which NESHAPs air pollutants are required. This proposal includes standards for acetyl resins production, acryl and modacrylic fiber production, hydrogen fluoride production, and polycarbonate production.

Section 9.1(a) of the Environmental Protection Act (415 ILCS 5/9.1(a) (1996)) (Act) provides that NESHAPs, once adopted by the USEPA, are applicable and enforceable under the Act without further rulemaking action by the Board.

Comments must be received on or before January 12, 1999, and must be sent to: Air and Radiation Docket and Information Center (6102) (LE-131), Attention, Docket No. A-97-17, USEPA, 401 M Street, S.W., Washington, D.C. 20460. ♦

**United States Environmental Protection Agency
Reaches Proposed Administrative *De Minimis*
Settlement Regarding Lenz Oil Services, Inc.
Site located in Lemont, Du Page County, Illinois**

On October 28, 1998, the Department of Justice, on behalf of the United States Environmental Protection Agency (USEPA), reached a proposed administrative *de minimis* settlement with 618 parties regarding the Lenz Oil Services, Inc. site (site), located in Lemont, Du Page County, Illinois. The settlement was reached pursuant to Section 122(I)(1) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (42 U.S.C. § 9622(I)(1)) and Section 7003(d) of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. § 6973(d)). The settlement involves a USEPA claim under Section 107(a) of CERCLA (42 U.S.C. § 9607) and Section 7003 of RCRA (42 U.S.C. § 6973), and a State of Illinois claim under Section 22.2(a) of the Environmental Protection Act (415 ILCS 5/22.2(a) (1996)) against 618 parties who have executed binding certifications of their consent to the settlement.

The settlement requires the settling parties to pay a total of \$4,029,002.91 to the Hazardous Substances Superfund, Lenz Oil Services, Inc., Special Account. In addition, the settlement requires the settling parties to reimburse the State of Illinois a total of \$1,240,446.20 for costs incurred relating to past response actions relating to the site. Each settling party is required to pay an amount based upon the volume of waste that party contributed to the site; except as to twelve parties, who are paying a lesser amount which is based upon an analysis of their ability to pay the settlement.

Written comments regarding this proposed settlement should be sent to: Docket No. V-W-98-C-440, Stuart P. Hersh, Associate Regional Counsel, (C-14J), USEPA, Region V, 77 West Jackson

Boulevard, Chicago, Illinois 60604. Comments must be received by November 27, 1998. The proposed settlement, including the list of 618 settling parties, may be obtained by writing Mr. Hersh at the USEPA.



**United States Environmental Protection Agency
Adopts Final Rule to Ensure that Facilities
that Receive Household Hazardous Waste or
Conditionally Exempt Small Quantity Generator
Hazardous Waste are in Compliance with Revised
Criteria Promulgated Under the Resource
Conservation and Recovery Act**

On October 23, 1998, the United States Environmental Protection Agency (USEPA), pursuant to Sections 2002(a)(1) and 4005(c) of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. §§ 6912(a)(1), 6945(c)), adopted regulations requiring states to develop and implement a permit program or other system of prior approval to ensure that facilities that receive household hazardous waste or conditionally exempt small quantity generator hazardous waste are in compliance with the federal revised criteria promulgated under Section 4010(c) of RCRA (42 U.S.C. §6949a). Section 4005(c)(1)(C) further directs the USEPA to determine whether state permit programs are adequate to ensure compliance with the revised federal criteria. Section 2002(a)(1) of RCRA authorizes the USEPA to promulgate regulations necessary to carry out the functions of RCRA. The USEPA expects that the regulated entities include state governments requesting full or partial approvals of permit programs or other systems of prior approval, or revisions to existing fully or partially approved programs. These rules are effective November 23, 1998.

The Board anticipates that it will incorporate these amendments into Board regulations by way of an identical-in-substance rulemaking pursuant to Section 7.2 of the Environmental Protection Act (415 ILCS 5/7.2 (1996)). ◆

BOARD ACTIONS 10/1/98

RULEMAKINGS

R97-29 In the Matter of: Amendments to Requirements for Landscape Waste Compost Facilities, 35 Ill. Adm. Code 830.203(c), 831.107, and 831.109(b)(3) - The Board adopted a second-notice opinion and order in this proposed rulemaking to amend the location standards for compost facilities, to establish a setback requirement from schools, hospitals, and various other facilities. 7-0

ADJUSTED STANDARDS

AS 99-2 In the Matter of: Petition of Sun Chemical Corporation for an Adjusted Standard from 35 Ill. Adm. Code 218.626(b) - The Board entered an order directing petitioner to file proof it has published notice of the filing of the petition by October 8, 1998, or this petition would be subject to dismissal. 7-0

ADMINISTRATIVE CITATIONS

AC 98-37 IEPA v. James Harris - In response to a joint stipulation and settlement agreement in this administrative citation action involving a Knox County facility, the Board found this 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 99-7 IEPA v. David Swearingen - The Board found that this Moultrie County respondent violated Sections 21(p)(1) and 21(p)(3) of the Environmental Protection Act (415 ILCS 5/21(p)(1), 21(p)(3) (1996)) and ordered respondent to pay a civil penalty of \$1,000. 7-0

ADJUDICATORY CASES

Decisions

PCB 98-58 People of the State of Illinois v. Stephen Berger d/b/a Layer One - 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 and Recovery Act and land enforcement action involving a Winnebago County facility, and ordered respondent to pay a civil penalty of \$6,000, and to cease and desist from further violations. 7-0

PCB 98-81 Charter Hall Homeowner's Association and Jeff Cohen v. Overland Transportation System, Inc. and D.P. Cartage, Inc. - The Board found that these Cook County respondents violated Section 24 of the Environmental Protection Act and 35 Ill. Adm. Code 900.102(b). The issue of appropriate remedies, including civil penalties, will be addressed at hearing. 7-0

Decisions (Cont'd)

PCB 98-86 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 - The Board granted relief from the hearing requirement of Section 31©(2) of the Environmental Protection Act, accepted a stipulation and settlement agreement in this air enforcement action involving a Kane County facility, and ordered respondent to pay a civil penalty of \$10,000, and to cease and desist from further violations. 7-0

Provisional Variances

PCB 99-48 United States Department of the Interior-Crab Orchard National Wildlife Refuge v. IEPA - Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted this Williamson County facility a 45-day provisional variance, subject to conditions, from 35 Ill. Adm. Code 304.141(b) and 35 Ill. Adm. Code 309.102 which prohibit discharges not specifically allowed by National Pollutant Discharge Elimination System permit, as well as Section 12(f) of the Environmental Protection Act (415 ILCS 5/12(f) (1996)). 6-0
Hennessey
abstained

PCB 99-49 City of Hillsboro v. IEPA - Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted this Montgomery County facility a 45-day provisional variance, subject to conditions, from the five-day biochemical oxygen demand and total suspended solids limits set in 35 Ill. Adm. Code 304.141(a) and 35 Ill. Adm. Code 304.120 and imposed by National Pollutant Discharge Elimination System Permit No. IL0029203. 6-0
Hennessey
abstained

Motions and Other Matters

PCB 92-176 Central Can Company v. IEPA - The Board granted petitioner's motion for withdrawal of this permit appeal involving a Cook County facility. 7-0

PCB 96-261 People of the State of Illinois v. G.M. Demolition Corporation - The Board entered an order which granted complainant's motion for summary judgment in part and denied it in part. Respondent's motion for summary judgment was also granted in part and denied in part. The remaining issues, including civil penalties, will be addressed at hearing. 7-0

PCB 97-92 People of the State of Illinois v. Victor G. Heuermann - Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this water enforcement action against a Peoria County facility, the Board ordered publication of the required newspaper notice. 6-0
Hennessey
abstained

Motions and Other Matters (Cont'd)

PCB 97-138	<u>People of the State of Illinois v. Leroy Cech d/b/a L&K American Wrecking</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 Cook County facility, the Board ordered publication of the required newspaper notice.	7-0
PCB 97-214	<u>People of the State of Illinois v. Village of Carpentersville</u> - The Board granted the parties' joint motion to amend the August 20, 1998 Board order.	6-0 Hennessey abstained
PCB 98-147	<u>Jake Seabury v. IEPA</u> - The Board dismissed this matter involving a Cook County facility for failure to timely file an amended petition.	7-0
PCB 99-10	<u>Ted Pilson 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 Gallatin County facility.	7-0
PCB 99-18	<u>BASF Corporation 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 Will County facility.	7-0
PCB 99-30	<u>Lucille Wathen v. Daniel and Wendy Stryker</u> - The Board found that the noise pollution allegations in this matter were not duplicitous or frivolous, and accepted this citizen's noise enforcement action involving a Cook County facility for hearing.	7-0
PCB 99-41	<u>White Cap, Inc. v. IEPA</u> - The Board granted petitioner's request to incorporate into the instant petition the petition for variance, the transcript from hearing, and the opinion and order of the Board in PCB 98-24; the matter was held for receipt of an IEPA recommendation.	7-0
PCB 99-44	<u>Butterick Company, Inc. 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 99-46	<u>Illinois State Toll Highway Authority (Belvidere Oasis on I-90 West Bound) 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 Boone County facility.	6-0 Melas abstained

Motions and Other Matters (Cont'd)

PCB 99-47	<u>Illinois State Toll Highway Authority (Belvidere Oasis on I-90 East Bound) 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 Boone County facility.	6-0 Melas abstained
------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------

BOARD ACTIONS 10/15/98

RULEMAKINGS

R98-27	<u>In the Matter of: Review of Remediation Costs for Environmental Remediation Tax Credit: Amendments to 35 Ill. Adm. Code 740</u> - The Board adopted a final opinion and order in this rulemaking to amend the Board's site remediation program regulations.	7-0
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 reserved ruling on the Illinois Environmental Regulatory Group's motion to dismiss until after the December 8, 1998 hearing in this matter. The Illinois Attorney General's request for extension of time to respond to Illinois Environmental Regulatory Group's motion to dismiss was granted, the response is due on November 17, 1998.	6-0 Hennessey abstained

ADJUSTED STANDARDS

AS 99-1	<u>In the Matter of: Petition of the City of Belleville for an Adjusted Standard from 35 Ill. Adm. Code 306.305</u> - The Board granted petitioner's motion for extension of time to file an amended petition. The amended petition is due November 2, 1998.	6-0 Hennessey abstained
AS 99-2	<u>In the Matter of: Petition of Sun Chemical Corporation for an Adjusted Standard from 35 Ill. Adm. Code 218.626(b)</u> - The Board dismissed this matter involving a Cook County facility for failure to timely file a certificate of publication.	7-0
AS 99-3	<u>In the Matter of: Petition of Big River Zinc Corporation for an Adjusted Standard Under 35 Ill. Adm. Code 720.131(c)</u> - The Board accepted for hearing this request for an adjusted standard involving a St. Clair County facility.	7-0

ADMINISTRATIVE CITATIONS

AC 99-9	<u>IEPA v. Terry Patrick</u> - The Board vacated its order of September 17, 1998, and accepted this administrative citation involving a Piatt County respondent for hearing.	7-0
----------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----

ADJUDICATORY CASES

Decisions

PCB 98-170 People of the State of Illinois v. Village of St. Libory - The Board granted relief from the hearing requirement of Section 31(c)(2) of the Environmental Protection Act (415 ILCS 5/31(c)(2) (1996)), accepted a stipulation and settlement agreement in this public water supply enforcement action involving a St. Clair County facility, and ordered respondent to pay a civil penalty of \$6,000, and to cease and desist from further violations. 7-0

Motions and Other Matters

PCB 97-50 Lionel P. Trepanier, Wes Wager, Maureen Cole, Lorenz Joseph, Maxworks Garden Cooperative and Avi Pandya v. Speedway Wrecking Company and the Board of Trustees of the University of Illinois - The Board entered an order which granted respondents' motion for summary judgment in part and denied it in part. The remaining issues will be addressed at hearing. 7-0

PCB 97-234 Antonio D.H. Nam v. Kikon Suh - The Board denied complainant's motion for summary judgment. 7-0

PCB 98-18 James R. and Lucille J. Metz v. United States Postal Service and Bradley Real Estate - The Board denied respondents' motion to dismiss and accepted complainants' amended complaint in this citizens' noise enforcement action against a Sangamon County facility. 7-0

PCB 98-156 Dick's Phillips Service v. IEPA - The Board granted petitioner's motion to amend caption. 7-0

PCB 99-24 Burlington Northern and Santa Fe Railway Company v. IEPA - 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 Cook County facility. 7-0

PCB 99-25 St. Anthony Bank v. IEPA - 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 Cook County facility. 7-0

PCB 99-50 Steven Tucker 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. 7-0

NEW CASES 10/1/98

99-44 Butterick Company, Inc. 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.

99-45 People of the State of Illinois v. Patrick M. Sullivan, an individual, and Nick Scarlatis, an individual - The Board accepted for hearing this water enforcement action against a Cook County facility.

99-46 Illinois State Toll Highway Authority (Belvidere Oasis on I-90 West Bound) 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 Boone County facility.

99-47 Illinois State Toll Highway Authority (Belvidere Oasis on I-90 East Bound) 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 Boone County facility.

99-48 United States Department of the Interior-Crab Orchard National Wildlife Refuge v. IEPA - Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted this Williamson County facility a 45-day provisional variance, subject to conditions, from 35 Ill. Adm. Code 304.141(b) and 35 Ill. Adm. Code 309.102 which prohibit discharges not specifically allowed by National Pollutant Discharge Elimination System permit, as well as Section 12(f) of the Environmental Protection Act (415 ILCS 5/12(f) (1996)).

99-49 City of Hillsboro v. IEPA - Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted this Montgomery County facility a 45-day provisional variance, subject to conditions, from the five-day biochemical oxygen demand and total suspended solids limits set in 35 Ill. Adm. Code 304.141(a) and 35 Ill. Adm. Code 304.120 and imposed by National Pollutant Discharge Elimination System Permit No. IL0029203.

AC 99-13 County of Jackson v. Douglas Adams - The Board accepted an administrative citation against this Jackson County respondent.

AS 99-3 In the Matter of: Petition of Big River Zinc Corporation for an Adjusted Standard Under 35 Ill. Adm. Code 720.131(c) - The Board acknowledged receipt of this petition for a adjusted standard from certain requirements on behalf of a St. Clair County facility and held it pending receipt of certificate publication.

NEW CASES 10/15/98

99-50 Steven Tucker 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.

99-51 People of the State of Illinois v. Archer Daniels Midland Company - The Board accepted for hearing this air enforcement action against a Macon County facility.

AC 99-14 County of Vermilion v. Douglas Adams - The Board accepted an administrative citation against this Vermilion County respondent.

CALENDAR OF MEETINGS

Date & Time	Docket Number	Case Name	Location of Hearing
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 10:00 am	AS 98-6	In the Matter of: Petition of Shell Wood River Refining Company for an Adjusted Standard from 35 Ill. Adm. Code 725.213 and 725.321	Madison County Administration Building Board Room 203, 157 N. Main Street Edwardsville, 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
11/24/98 10:00 am	PCB 98-156	Wood Dale City Hall, City Council Chambers	404 North Wood Dale Road Wood Dale, IL
12/3/98 10:30am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 West Randolph Street Suite 9-040 Chicago, IL
12/7/98 9:30 am	AC 98-4	County of Sangamon v. ESG Watts, Inc. (Springfield Township/Sangamon County Landfill) Sangamon County Docket No. SCDPH 97-AC-1	Illinois Police Training Board, 3rd Floor Conference Room 600 South Second Street Springfield, IL
12/7/98 9:30 am	PCB 98-2	ESG Watts, Inc. (Sanamon Valley Landfill) v. Sangamon County, Illinois	Illinois Police Training Board, 3rd Floor Conference Room 600 South Second Street Springfield, IL
12/8/98 9:30 am	AC 98-4	County of Sangamon v. ESG Watts, Inc. (Springfield Township/Sangamon County Landfill) Sangamon County Docket No. SCDPH 97-AC-1	Illinois Police Training Board, 3rd Floor Conference Room 600 South Second Street Springfield, IL
12/8/98 9:30 am	PCB 98-2	ESG Watts, Inc. (Sanamon Valley Landfill) v. Sangamon County, Illinois	Illinois Police Training Board, 3rd Floor Conference Room 600 South Second Street Springfield, IL
12/8/98 10:00 am	PCB 98-81	Charter Hall Homeowner's Association and Jeff Cohen v. Overland Transportation System, Inc. and D.P. Cartage, Inc.	James R. Thompson Center, 100 West Randolph Street, Room 8-031 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
12/9/98 9:30 am	AC 98-4	County of Sangamon v. ESG Watts, Inc. (Springfield Township/Sangamon County Landfill) Sangamon County Docket No. SCDPH 97-AC-1	Illinois Police Training Board, 3rd Floor Conference Room 600 South Second Street Springfield, IL

12/9/98 9:30 am	PCB 98-2	ESG Watts, Inc. (Sanamon Valley Landfill) v. Sangamon County, Illinois	Illinois Police Training Board, 3rd Floor Conference Room 600 South Second Street Springfield, IL
12/9/98 10:00 am	PCB 98-81	Charter Hall Homeowner's Association and Jeff Cohen v. Overland Transportation System, Inc. and D.P. Cartage, Inc.	James R. Thompson Center, 100 West Randolph Street, Room 8-033 Chicago, 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
12/17/98 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 West Randolph Street Suite 9-040 Chicago, IL
1/7/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
1/21/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
2/4/99 11:30 am		Illinois Pollution Control Board Meeting	600 S. Second Street Suite 402 Springfield, IL
2/18/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
3/4/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
3/18/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
4/1/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
4/15/98 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
5/6/99 11:30 am		Illinois Pollution Control Board Meeting	600 S. Second Street Suite 402 Springfield, IL
5/20/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
6/3/99		Illinois Pollution Control Board Meeting	James R. Thompson Center

10:30 am			100 W. Randolph Street Suite 9-040 Chicago, IL
6/17/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
7/8/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
7/22/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
8/5/99 11:30 am		Illinois Pollution Control Board Meeting	600 S. Second Street Suite 402 Springfield, IL
8/19/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
9/9/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
9/23/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
10/7/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 2-025 Chicago, IL
10/21/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
11/4/99 11:30 am		Illinois Pollution Control Board Meeting	600 S. Second Street Suite 402 Springfield, IL
11/18/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL

12/2/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
12/16/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. 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 1998/1999*

November 5	January 7	March 4	May 6*
November 19	January 21	March 18	May 20
December 3	February 4*	April 1	June 3
December 17	February 18	April 15	June 17

All Chicago Board Meetings will be held at 10:30 am in Conference Room 9-040 except for those noted.

***All Springfield Board Meetings will be held in Suite 402.**

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.

Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601
(312)814-3620

Illinois Pollution Control Board
600 South Second Street
Suite 402
Springfield, Illinois 62704
(217)524-8500

Web Site: <http://www.ipcb.state.il.us/>