

Environmental Register

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The Environmental Register is a Publication of the Illinois Pollution Control Board

Claire A. Manning, Chairman

Board Members:

Ronald C. Flemal, G. Tanner Girard, Thomas E. Johnson,
Samuel T. Lawton Jr., Nicholas J. Melas, Michael E. Tristano

Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601
(312) 814-3620
(312) 814-6032 TDD

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

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

Letter from the Chairman

Illinois' efforts to protect its surface water and groundwater resources have traditionally, and necessarily, focused on water *quality* protection. Those efforts to protect our waters from pollutants will continue, but there is more to be done. On April 22, 2002, Governor Ryan issued Executive Order Number 5 to bring about a coordinated, statewide planning system for water *quantity* protection.

The Governor observed that Illinois' citizens rely on surface water and groundwater for personal consumption and Illinois' industries use a significant amount of these waters: "The demand on Illinois' water resources may lead to conflicts among multiple users, may adversely affect the health of the State's citizens, and may adversely impact the environment and the economy of the State." The Governor accordingly concluded that planning is essential to protect and manage adequate supplies of Illinois' water resources "for the future generations of citizens, industry, and wildlife of the State."

To provide that planning, the Governor ordered the Interagency Coordinating Committee on Groundwater (created under the Illinois Groundwater Protection Act and composed of various State agency directors (415 ILCS 55/4)) to designate a subcommittee on water quantity planning. The subcommittee, to be chaired by the Director of the Department of Natural Resources or the Director's designee, will be responsible for developing an "integrated groundwater and surface-water resources agenda and assessment report." The agenda will prioritize planning to protect the quantities of Illinois' water resources. The report will analyze the "burdens on Illinois' finite water resources" and "quantify Illinois' water resources."

Using the subcommittee's agenda and report, the Interagency Coordinating Committee on Groundwater and the Groundwater Advisory Council (also created under the Illinois Groundwater Protection Act, but composed of persons representing environmental, industrial, local government, and other interests (415 ILCS 55/5)) must "establish a water-quantity planning procedure for the State by implementing the following programs":

- A "coordinated groundwater and surface-water resource program" with "accessible and usable" information for government agencies and the public to "support the State's water-resources quantity programs";
- A "statewide groundwater and surface-water resource program to serve as the basis for the formation of priority water-quantity planning areas"; and
- A "statewide program for the identification and recommendation of the appropriate organizational structure for priority water-quantity planning areas."

Before January 1 of each year, the Interagency Coordinating Committee on Groundwater must report to the Governor "on the progress of the assessments and programs mandated by this Executive Order."

The Board, in recently considering potential environmental impacts from simple cycle and combined cycle electrical power generating plants, found that Illinois has no regulatory framework for managing and preserving the quantity of our surface water and groundwater resources. I commend the Governor for his leadership in setting the stage for these sorely needed water quantity planning programs.

Sincerely,

A handwritten signature in black ink that reads "Claire A. Manning". The signature is written in a cursive, flowing style.

Claire A. Manning, Chairman

Inside This Issue:

FEDERAL UPDATE	P. 1
RULE UPDATE	P. 4
APPELLATE UPDATE	P. 5
BOARD ACTIONS	P. 6
NEW CASES	P. 15
BOARD CALENDAR	P. 17

Federal Update

United States Environmental Protection Agency Adopts the Approval and Promulgation of Implementation Plans for Illinois Under the Clean Air Act

On May 15, 2002, the United States Environmental Protection Agency (USEPA) adopted direct final rules, while simultaneously publishing an identical proposal, to approve revisions adopted by the Illinois Environmental Protection Agency (IEPA) to the Illinois emission reporting regulations found at 35 Ill. Adm. Code 254.

In this rule, USEPA approved revisions to Illinois rules for emission reporting. The IEPA requested these revisions on November 6, 2001. The revisions have two purposes. First, the revisions restructure previously approved regulations, eliminating a category with intermediate reporting requirements and thus requiring further reporting by a modest number of sources. Second, the revisions add requirements for reporting emissions of hazardous air pollutants by sources in the Chicago area volatile organic compound emissions trading program. This information on hazardous air pollutant emissions will help IEPA assess whether its emission trading program has adverse effects on the magnitude and distribution of hazardous air pollutant emissions (HAPs).

The emission reporting rule requires sources subject to the trading program to report ozone season emissions of HAPs meeting any of three criteria: (1) HAPs that are regulated by a national emission standard (typically a maximum achievable control technology standard), (2) HAPs emitted in sufficient quantity to make the source a major source, and (3) HAPs reported to the federal Toxic Release Inventory. Sources are exempt from reporting if they certify that information already reported to the Toxic Release Inventory suffices to indicate ozone season HAP emissions. All sources subject to the trading program, including sources meeting none of the three criteria for HAP reporting, must answer questions that address whether the trading program might have affected HAPs emissions. IEPA is then authorized to request further information on HAP emissions when needed.

Through its approval of the amendments, USEPA concluded that the revised regulations continue to satisfy emissions reporting requirements and provide for reporting of emissions information needed to assess the impact of the emissions trading program on the distribution and overall magnitude of hazardous air pollutant emissions.

This rule is effective on July 15, 2002, unless USEPA receives written adverse comments by June 14, 2002. If the effective date is delayed, timely notice will be published in the Federal Register.

Send comments to: J. Elmer Bortzer, Chief, Regulation Development Section, Air Programs Branch (AR-18J), United States Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604. Copies of the State's submittal are available for inspection at the following address: U.S. Environmental Protection Agency, Region 5, Air and Radiation Division (AR-18J), 77 West Jackson Boulevard, Chicago, Illinois 60604.

For further information contact: John Summerhays, Environmental Scientist, Regulation Development Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, Region 5, Chicago, Illinois 60604-3590, (312) 886-6067.

Environmental Register – May 2002

United States Environmental Protection Agency Adopts Direct Final Rules Under the Clean Water Act to Regulate Fill Material Deposited in Waters of the United States

On May 9, 2002, the United States Environmental Protection Agency (USEPA) and the United States Army Corps of Engineers (Corps) adopted direct final rules to reconcile both agencies' definitions of the terms "fill material" and to amend their definitions of "discharge of fill material." These rules are effective June 10, 2002.

The final rule completed the rulemaking process initiated by the April 20, 2000 proposal in which the Corps and USEPA jointly proposed to amend their respective regulations so that both agencies would have identical definitions of these key terms. The proposal was intended to clarify the Section 404 regulatory framework and generally to be consistent with existing regulatory practice.

In the final rule, "fill material" is defined in both the Corps' and USEPA's regulations as material placed in waters of the U.S. where the material has the effect of either replacing any portion of a water of the United States with dry land or changing the bottom elevation of any portion of a water. The examples of "fill material" identified in the rule include rock, sand, soil, clay, plastics, construction debris, wood chips, overburden from mining or other excavation activities, and materials used to create any structure or infrastructure in waters of the U.S.

This rule retains the effects-based approach of the April 2000 proposal and reflects the approach in USEPA's longstanding regulations. However, it includes an explicit exclusion from the definition of "fill material" for trash or garbage. The final rule also includes several clarifying changes to the term "discharge of fill material." Specifically, the term "infrastructure" has been added in several places following the term "structure" to further define the situations where the placement of fill material is considered a "discharge of fill material." In addition, the phrases "placement of fill material for construction or maintenance of any liner, berm, or other infrastructure associated with solid waste landfills" and "placement of overburden, slurry, or tailings or similar mining-related materials" have been added to the definition of "discharge of fill material" to provide further clarification of the types of activities regulated under section 404. In their explanation of the final rules, both agencies indicated that the final rule would not modify existing regulatory practice, but is intended to clarify terms.

For further information contact: Ms. Brenda Mallory, U.S. Environmental Protection Agency, EPA West, Office of Wetlands, Oceans and Watersheds (4502T), 1200 Pennsylvania Avenue, NW., Washington, DC 20460, phone: (202) 566-1368, e-mail address: mallory.brenda@epa.gov.

United States Environmental Protection Agency Proposes National Emission Standards Under the Clean Air Act for Hazardous Air Pollutants from Engine Test Cells/Stands

On May 14, 2002, the United States Environmental Protection Agency (USEPA) proposed national emission standards for hazardous air pollutants (NESHAPs) from engine test cells/stands. In its notice, USEPA stated that engine test cells/stands have been identified as major sources of hazardous air pollutants (HAP) such as toluene, benzene, mixed xylenes, and 1,3-butadiene. The proposed NESHAPs implement section 112(d) of the Clean Air Act (CAA) that requires all major sources of HAP to meet emission standards reflecting the application of the maximum achievable control technology (MACT).

An engine test cell/stand is any apparatus used for testing uninstalled stationary or uninstalled mobile engines. The proposed rule applies to any engine test cell/stand located at a major source of HAP emissions. However, the proposed regulations exempt existing engine test cells/stands that are located at major sources of HAP emissions from the emission limitation or the recordkeeping or reporting requirements. A major source of HAP emissions is a plant site that emits or has the potential to emit any single HAP at a rate of 10 tons (9.07 megagrams) or more per year or any combination of HAP at a rate of 25 tons (22.68 megagrams) or more per year.

The proposed rule covers four subcategories of engine test cells/stands located at major source facilities: (1) cells/stands used for testing internal combustion engines with rated power of 25 hp (19 kW) or more, (2) cells/stands used for testing internal combustion engines with rated power of less than 25 hp, (3) cells/stands used for testing combustion turbine engines, and (4) cells/stands used for testing rocket engines.

Environmental Register – May 2002

Submit comments on or before July 15, 2002 to: Air and Radiation Docket and Information Center (6102), Attention Docket Number A-98-29, U.S. EPA, 1200 Pennsylvania Avenue, NW, Washington, DC 20460.

For further information contact: Mr. Jaime Pagan, Combustion Group, Emission Standards Division (MD-13), U.S. EPA, Research Triangle Park, North Carolina 27711; telephone number (919) 541-5340; facsimile number (919) 541-0942; electronic mail (e-mail) address pagan.jaime@epa.gov

Pursuant to Section 9.1(b) of the Environmental Protection Act (Act) (415 ILCS 5/9.1(b) (2000)), once adopted by the USEPA, NESHAPs rules are applicable and enforceable under the Act without further action by the Board.

United States Environmental Protection Agency Proposes National Emission Standards Under the Clean Air Act for Hazardous Air Pollutants from Municipal Solid Waste Landfills

On May 23, 2002, the United States Environmental Protection Agency (USEPA) proposed supplemental amendments to its November 7, 2000 National Emission Standards for Hazardous Air Pollutants (NESHAPs) for municipal solid waste landfills (MSW).

On November 7, 2000, at 65 Fed. Reg. 66672, USEPA proposed NESHAP for MSW landfills and requested comments on bioreactors. Based on comments to the proposed rule and additional information and analyses, USEPA added a definition of bioreactors to the proposed rule and proposed timely control for bioreactors located at MSW landfills with a design capacity greater than or equal to 2.5 million megagrams and 2.5 million cubic meters.

Comments are requested only on information and proposed requirements for bioreactors presented in the supplementary action. Submit comments on or before June 24, 2002 to: Air and Radiation Docket and Information Center (6102), Attention Docket Number A-98-28, U.S. EPA, 1200 Pennsylvania Avenue, NW., Washington DC 20460.

Further information contact: Ms. Michele Laur at Waste and Chemical Processes Group, Emission Standards Division (C439-03), Office of Air Quality Planning and Standards, U.S. EPA, Research Triangle Park, NC 27711, telephone number (919) 541-5256, facsimile number (919) 541-0246, electronic mail address laur.michele@epa.gov.

Pursuant to Section 9.1(b) of the Environmental Protection Act (Act) (415 ILCS 5/9.1(b) (2000)), once adopted by the USEPA, NESHAPs rules are applicable and enforceable under the Act without further action by the Board.

United States Environmental Protection Agency Proposes National Emission Standards Under the Clean Air Act for Hazardous Air Pollutants from Semiconductor Manufacturing

On May 8, 2002, the United States Environmental Protection Agency (USEPA) proposed national emission standards for hazardous air pollutants (NESHAPs) for semiconductor manufacturing operations.

USEPA stated that it had identified semiconductor manufacturing operations as major sources of emissions of hazardous air pollutants (HAPs) such as hydrochloric acid, hydrofluoric acid, glycol ethers, methanol, and xylene. These HAPs are associated with a variety of adverse health effects including irritation of the lung, skin, and mucus membranes, effects on the central nervous system, and damage to the skeleton system. The proposed NESHAPs would require all semiconductor manufacturing facilities that are major sources to meet emission standards reflecting the application of the maximum achievable control technology.

Submit comments on or before July 8, 2002 to: Air and Radiation Docket and Information Center (6102), Attention Docket Number A-97-15, U.S. EPA, 1200 Pennsylvania Avenue, NW., Washington, DC 20460.

For further information contact: Mr. John Schaefer, USEPA, Office of Air Quality Planning and Standards, Research Triangle Park, North Carolina 27711, telephone (919) 541-0296, e-mail: schaefer.john@epa.gov.

Environmental Register – May 2002

Pursuant to Section 9.1(b) of the Environmental Protection Act (Act) (415 ILCS 5/9.1(b) (2000)), once adopted by the USEPA, NESHAPs rules are applicable and enforceable under the Act without further action by the Board.

United States Environmental Protection Agency Proposes New Source Performance Standards Under the Clean Air Act for Municipal Solid Waste Landfills

On May 23, 2002, the United States Environmental Protection Agency (USEPA) proposed amendments to the new source performance standards for municipal solid waste (MSW) landfills.

The amendments are intended to clarify who is responsible for compliance activities conducted on-site; to clarify what constitutes treated landfill gas; to correct omission of an exemption for specific boilers and process heaters from the initial performance test; and to address compliance activities conducted by third parties with systems located off-site. USEPA stated that the proposed amendments would not change the current basic control requirements or the level of health protection it provides, but will improve implementation, compliance, and regulatory flexibility.

The current new source performance standards (NSPS) do not contain a specific definition for MSW landfill owners/operators. In the absence of a specific definition, relevant definitions in the NSPS and in the general provisions apply. This lack of a specific definition for MSW landfill owners/operators may have confused some with regard to who is responsible for compliance when collection and control or treatment of landfill gas is performed on-site.

Submit comments on or before July 22, 2002 to: Air and Radiation Docket and Information Center (6102), Attention Docket Number A-88-09, U.S. EPA, 1200 Pennsylvania Avenue, NW, Washington, DC 20460.

For further information contact: Ms. Michele Laur, Waste and Chemical Processes Group, Emission Standards Division (C439-03), U.S. EPA, Research Triangle Park, NC 27711, telephone number (919) 541-5256, facsimile number (919) 541-0246, e-mail address: laur.michele@epa.gov.

Pursuant to Section 9.1(b) of the Environmental Protection Act (Act) (415 ILCS 5/9.1(b) (2000)), once adopted by the USEPA, NESHAPs rules are applicable and enforceable under the Act without further action by the Board.

Rule Update

Board Accepts for Hearing a Site-Specific Air Rulemaking Proposal in *Petition Of Central Illinois Light Company (E.D. Edwards Generating Station) For a Site-Specific Air Regulation: 35 Ill. Adm. Code 214.561, R02-21*

On May 2, 2002, the Board accepted for hearing a proposal filed by the Central Illinois Light Company (E.D. Edwards Generating Station) (CILCO) to amend the Board's sulfur dioxide emissions limitations found at 35 Ill. Adm. Code 214.141.

CILCO operates the E.D. Edwards Generating Station (facility) located near Peoria in Peoria County. The facility consists of three coal-fired boilers. CILCO received a variance from 35 Ill. Adm. Code 214.141 in a Board order issued on April 15, 1999. See Central Illinois Light Company v. IEPA, PCB 99-80 (Apr. 15, 1999). The variance is effective through July 31, 2003. Boilers 1 and 3 are subject to a sulfur dioxide emission limit under a site-specific rule at 35 Ill. Adm. Code 214.561. Boiler 2 is subject to the sulfur dioxide emissions limit under 35 Ill. Adm. Code 214.141.

CILCO seeks to make permanent the relief it was granted in PCB 99-80 by amending 35 Ill. Adm. Code 214.561 with respect to the requirements for the operation of Boiler 2. CILCO requests that the Board repeal the text of 35 Ill. Adm. Code 214.561 and replace it verbatim with text from the variance order of April 15, 1999. CILCO asserts

Environmental Register – May 2002

that this language has already been reviewed, approved by the United States Environmental Protection Agency, and incorporated into the approved Illinois State Implementation Plan pursuant to the Clean Air Act. *See* 42.U.S.C. Section 7401, *et seq.*

This petition replaces CILCO's earlier-filed petition for adjusted standard seeking the same relief. This petition was dismissed as unnecessary. In the Matter of: Petition of Central Illinois Light Company (E.D. Edwards Generating Station) for an Adjusted Standard from 35 Ill. Adm. Code 214.141, AS 02-4 (May 5, 2002).

A hearing in this rulemaking will be scheduled shortly.

For more information contact John Knittle at (217) 278-3111 or email at knittlej@ipcb.state.il.us

Appellate Update

Third District Appellate Court Affirms Board in Community Landfill Company and the City of Morris vs. Illinois Environmental Protection Agency, PCB 01-170

On May 15, 2002, the Third District Appellate Court affirmed the Board's decision in Community Landfill Company and City of Morris v. IEPA, PCB 01-170 December 6, 2001. In a published opinion written by Justice Breslin, with Justices Lytton and McDade concurring, the court agreed with the Board that the Illinois Environmental Protection Agency (IEPA) had properly denied a supplemental landfill permit.

In its decision, the court addressed several important subjects on permitting in addition to the primary issue of permit denial for not meeting the surety/financial assurance requirements. These other subjects include permit denial on the basis of a felony conviction; "Wells letter" notice and opportunity to respond to reasons for potential permit denial (see Wells Manufacturing Co. v. IEPA, 195 Ill. App.3d 593, 552 N.E.2d 1074 (1st Dist. 1990); enforcement through permitting; equitable estoppel; and standard of review.

The Board's December opinion affirmed the IEPA's decision denying a supplemental waste disposal permit to Community Landfill Company (operator) and the City of Morris (owner) for the Morris Community Landfill. The Board found that the IEPA properly denied the permit because the surety on the performance bonds proposed for the landfill was not on the U.S. Department of Treasury's approved list of sureties (Circular 570) at the time of the IEPA's decision. The Board's financial assurance regulations (35 Ill. Adm. Code 811.712(b)) require that sureties be on the federal approved list.

The court affirmed the Board's decision on this ground: the landfill's surety did not comply.

The Board found that the IEPA's second ground of the two grounds for permit denial was improper for procedural, not substantive, reasons. The IEPA's second ground was based on the felony conviction of the company president. The Board found that the IEPA served its "Wells letter" on the company so late that the company had insufficient time to respond to the felony conviction issue. Under the Wells decision, because the felony conviction basis for permit denial was outside of the permitting process, the company was entitled to an opportunity to respond to the issue before the IEPA denied the permit on that ground.

The court did reach the merits of the Board's decision on the felony conviction issue because "the Board agreed with the company that the IEPA had improperly considered the felony conviction." The court cited a recent decision for the proposition that it is improper to provide a forum in a reviewing court to a party who succeeded but simply did not agree with the reasoning of the lower court. Here, the company succeeded before the Board on the felony conviction ground, but the reason was procedurally based, not based on the substance of the IEPA's decision with which the company disagreed.

Though the court does not cite Wells, the court agreed with the Board that the IEPA did not have to provide the permit applicant with notice and an opportunity to respond (a "Wells letter") before denying the permit on the surety ground. The court held that "the company was well aware that financial assurance must be obtained from an

Environmental Register – May 2002

approved surety and that the permit application could be denied for failure to do so. Therefore, the fact that the surety was removed from the Circular 570 list was not a matter outside the permitting process . . . "

The court affirmed the Board's rulings on two arguments that are often raised. First, the court agreed with the Board that the permit denial was not an impermissible use of the permitting process as an enforcement tool. Rather, with the unapproved surety, any IEPA permit issuance would simply have violated the Board regulation. Consequently, Section 39(a) of the Act required permit denial.

Second, the court reiterated that a public entity cannot be equitably estopped unless, among other things, it is demonstrated that the public entity made a misrepresentation with knowledge that the misrepresentation was untrue: "the company failed to prove that the Agency knowingly represented that the bonds were compliant with the applicable regulations when it knew that they were not." Accordingly, the court agreed with the Board that the IEPA could not be estopped from rejecting the bonds.

The court has not yet ruled on a petition for rehearing filed by Community Landfill and the City of Morris on June 5, 2002.

Board Actions

May 2, 2002 Via Video Conference Between Springfield and Chicago, Illinois

Rulemakings

R02-21	<u>In the Matter of: Petition of Central Illinois Light Company for a Site Specific Air Rule: 35 Ill. Adm. Code 214.141</u> – The Board opened a new regulatory docket to amend the Board's air pollution control regulations. The Board accepted the proposal to amend air pollution control regulations for hearing and granted petitioner's motions to waive the 200-signature requirement and to incorporate the record in PCB 99-80 (see AS 02-4 below).	6-0 R, Land
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Adjusted Standards

AS 02-2	<u>In the Matter of: Petition of World Recycling, Inc. d/b/a Planet Earth Antifreeze for an Adjusted Standard from 35 Ill. Adm. Code 720.131(c)</u> – The Board granted this Winnebago County facility an adjusted standard from the definition of solid waste, pursuant to 35 Ill Adm. Code 720.131(c), subject to conditions.	7-0 Land
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Environmental Register – May 2002

AS 02-4 R02-21	<u>In the Matter of: Petition of Central Illinois Light Company for an Adjusted Standard from 35 Ill. Adm. Code 214.141</u> – The Board dismissed this Peoria County facility’s petition for an adjusted standard. The Board opened a new regulatory docket to amend the Board’s air pollution control regulations. The Board accepted the proposal to amend air pollution control regulations for hearing and granted petitioner’s motions to waive the 200 signature requirement and to incorporate the record in PCB 99-80.	7-0 Air
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Administrative Citations

AC 02-43	<u>IEPA v. James Potter</u> – The Board accepted for hearing this petition for review of an administrative citation against this Edgar County respondent.	7-0
AC 02-44	<u>County of Jackson v. Robert L. Morgan</u> – The Board found that this Jackson County respondent violated Section 21(p)(3) of the Act (415 ILCS 5/21(p)(3) (2000)), and ordered respondent to pay a civil penalty of \$1,500.	7-0
AC 02-45	<u>IEPA v. Roeco Enterprises, Inc.</u> – The Board accepted for hearing this petition for review of an administrative citation against this Champaign County respondent.	7-0
AC 02-46	<u>Sangamon County v. Kevin Biggs</u> – In response to a joint stipulation and settlement agreement in this administrative citation action involving a Sangamon County facility, the Board found respondent violated Section 21(p)(1) of the Environmental Protection Act (Act) (415 ILCS 5/21(p)(1) (2000)) and ordered respondent to pay a civil penalty of \$1,500. The Board also granted the parties’ joint motion to dismiss the alleged violation of Section 21(p)(7) of the Act. 415 ILCS 5/21(p)(7) (2000).	7-0
AC 02-47	<u>IEPA v. James H. Hendricks, Joseph L. Hendricks, Jeffrey Hendricks, and Hendricks Home Furnishing, Inc.</u> – The Board found that these Macoupin County respondents violated Section 21(p)(1) of the Act (415 ILCS 5/21(p)(1) (2000)), and ordered respondents to pay a civil penalty of \$1,500.	7-0
AC 02-48	<u>IEPA v. Tony Luttrell</u> – The Board found that this Clay County respondent violated Sections 21(p)(1) and (p)(7) of the Act (415 ILCS 5/21(p)(1), (p)(7) (2000)), and ordered respondent to pay a civil penalty of \$3,000.	6-1 Girard dissented

Environmental Register – May 2002

Decisions

- PCB 01-144 People of the State of Illinois v. City of Pana, Housing Authority of Christian County, PrairieLand Construction, Inc. and Rich Williams d/b/a C.R. Williams & Associates Architects – In this public water supply enforcement action concerning a Christian County facility, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (2000)), accepted a final stipulation and settlement agreement for the City of Pana (Pana), the Housing Authority of Christian County (HACC), PrairieLand Construction, Inc. (PrairieLand) only. HACC was ordered to pay a civil penalty of \$4,000. Pana was ordered to fund a \$7,500 Supplemental Environmental Project and to pay a civil penalty of \$2,140. PrairieLand was ordered to pay a civil penalty of \$5,000. HACC, Pana, and PrairieLand were ordered to cease and desist from further violations. This matter shall proceed to hearing as to the remaining respondent, Rich Williams d/b/a C.R. Williams & Associates Architects. 7-0
PWS-E
- PCB 02-161 People of the State of Illinois v. Home Depot U.S.A., Inc. – In this water enforcement action concerning a Lake County facility, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c)(1) (2000)), accepted a final stipulation and settlement agreement, ordered this respondent to pay a total civil penalty of \$50,000 and a payment of \$30,000 to the Lake County Health Department and Community Health Center, and to cease and desist from further violations. 7-0
W-E

Motions and Other Matters

- PCB 98-55 Donald McCarrell and Ann McCarrell v. Air Distribution Associates, Inc. – The Board denied complainants motion for summary judgment and directed this citizens' cost recovery action involving a DuPage County facility to hearing. 7-0
Citizens
L-E
- PCB 00-67 People of the State of Illinois v. American Disposal Company – The Board granted complainant's motion to voluntarily dismiss the remaining respondent from this Resource Conservation and Recovery Act enforcement action involving a Cook County facility, closing this docket. 7-0
RCRA-E
- PCB 00-181 MDI Limited Partnership #42 v. Regional Board of Trustees for Boone and Winnebago Counties and the Board of Education of Belvidere District 100 – The Board granted the motion to strike complainant's affidavit and denied the motions for summary judgment, directing this citizen's cost recovery action to hearing. 7-0
Citizens
UST-E
- PCB 01-72 Stepan Company v. IEPA – The Board granted petitioner's motion for voluntary dismissal of this permit appeal involving a Will County facility. 7-0
P-A, Air

Environmental Register – May 2002

PCB 02-84	<u>People of the State of Illinois v. Bill Palmer d/b/a Commercial Group, Frank Glosky, d/b/a Glosky Realty, and R.A.S. Development, Inc.</u> – 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 involving a Kendall County facility, the Board ordered publication of the required newspaper notice.	7-0 W-E
PCB 02-97	<u>Midwest Illinois Auto/Truck Plaza, Inc. v. IEPA</u> – Having previously granted a request for a 90-day extension, the Board dismissed this matter because no underground storage tank appeal was filed on behalf of this Bond County facility.	7-0 UST Fund
PCB 02-100	<u>Principia College v. IEPA</u> – Having previously granted a request for a 90-day extension, the Board dismissed this matter because no permit appeal was filed on behalf of this Jersey County facility.	7-0 P-A
PCB 02-157	<u>David L. Weber and Rachel B. Weber v. Cisco United Methodist Church</u> – In this citizens’ noise enforcement action involving a Piatt County facility, the Board struck as frivolous the alleged violation of Section 901.104 of the Board’s noise regulation (35 Ill. Adm. Code 900.104). The Board found that the remaining alleged violation of the Board’s regulations is neither duplicitous nor frivolous, and accepted it for hearing.	7-0 Citizens N-E
PCB 02-173	<u>City of Waukegan , Waukegan City Council, and Richard H. Hyde, Mayor of the City of Waukegan et al. v. IEPA and North Shore Sanitary District</u> – The Board dismissed this third-party permit appeal involving a Lake County facility for lack of jurisdiction.	7-0 P-A, Land, Air 3rd-Party
PCB 02-174	<u>Alfred Uffelmann, Inc. v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Alfred Uffelmann, Inc. located in Randolph County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).	7-0 T-C
PCB 02-175	<u>David Billington v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of David Billington located in Wayne County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).	7-0 T-C
PCB 02-176	<u>Engelman Farms v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Engelman Farms located in Perry County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).	7-0 T-C

Environmental Register – May 2002

PCB 02-177	<u>People of the State of Illinois v. John Prior d/b/a Prior Oil Company and James Mezo d/b/a Mezo Oil Company</u> – The Board accepted for hearing this Resource Conservation and Recovery Act and water enforcement action involving a Washington County facility.	7-0 RCRA, W-E
PCB 02-178	<u>Davis H. and Dennis K. Biddle v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Davis H. and Dennis K. Biddle located in Mercer County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).	7-0 T-C
PCB 02-179	<u>Davis H. and Dennis K. Biddle v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Davis H. and Dennis K. Biddle located in Mercer County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).	7-0 T-C
PCB 02-180	<u>Loren and Micah Anderson Partnership v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Loren and Micah Anderson located in Henry County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).	7-0 T-C
PCB 02-181	<u>William and Linda Michl Farms v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of William and Linda Michl located in Jasper County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).	7-0 T-C
PCB 02-182	<u>UAP Richter Company (McDonough County) v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of UAP Richter Company located in McDonough County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).	7-0 T-C
PCB 02-183	<u>Shearon, 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 this McHenry County facility.	7-0 UST Appeal 90-Day Ext.

Environmental Register – May 2002

PCB 02-184	<u>UAP Richter Company (McDonough County) v. IEPA</u> – The Board opened a docket to address recommended denial of petitioner’s request for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)) for its facility located in McDonough County. Petitioner must file a petition to contest with the Clerk of the Board within 35 days after the respondent served the recommendation. If petitioner fails to timely file a petition, the Board may deny tax certification for the noise pollution abatement control facility based solely on respondent’s recommendation.	7-0 T-C
PCB 02-185	<u>People of the State of Illinois v. Ferrara Pan Candy Company, Inc.</u> – The Board accepted for hearing this air enforcement action involving a Cook County facility.	7-0 A-E
PCB 02-186	<u>People of the State of Illinois v. Van Melle U.S.A., Inc.</u> – The Board accepted for hearing this air enforcement action involving a Lake County facility.	7-0 A-E
PCB 02-187	<u>UOP L.L.C. v. IEPA</u> – The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of this Cook County facility.	7-0 P-A, Air
PCB 02-188	<u>Smithfield Properties IV, L.L.C. 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 this Cook County facility.	7-0 UST Appeal 90-Day Ext.
PCB 02-189	<u>Wareco Service, 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 this Knox County facility.	7-0 UST Fund 90-Day Ext.
PCB 02-190	<u>Mark IV Realty, 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 this Cook County facility.	6-0 Melas abstained UST Appeal 90-Day Ext.

May 16, 2002
Via Video Conference Between
Springfield and Chicago, Illinois

Administrative Citations

AC 01-44	<u>IEPA v. Charles Haley d/b/a Haley Brothers Construction</u> – In response to a joint stipulation and settlement agreement in this administrative citation action involving an Iroquois County facility, the Board found respondent violated Section 21(p)(3) of the Environmental Protection Act (Act) (415 ILCS 5/21(p)(3) (2000)) and ordered respondent to pay a civil penalty of \$1,500. The Board also granted the parties’ joint motion to dismiss the alleged violation of Section 21(p)(1) of the Act. 415 ILCS 5/21(p)(1) (2000).	7-0
AC 02-35	<u>IEPA v. E. Lewis Look</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 (Act) (415 ILCS 5/21(p)(1) (2000)) and ordered respondent to pay a civil penalty of \$1,500. The Board also granted the parties’ joint motion to dismiss the alleged violation of Section 21(p)(7) of the Act. 415 ILCS 5/21(p)(7) (2000).	7-0
AC 02-49	<u>Ogle County v. Loren and Mary Hart d/b/a Rolling Meadows Mobile Home Park and Jeff Hart</u> – In response to a joint stipulation and settlement agreement in this administrative citation action involving an Ogle County facility, the Board found respondent violated Section 21(p)(3) of the Environmental Protection Act (Act) (415 ILCS 5/21(p)(3) (2000)) and ordered respondent to pay a civil penalty of \$1,500. The Board also granted the parties’ joint motion to dismiss the alleged violation of Sections 21(p)(1) and (p)(7) of the Act. 415 ILCS 5/21(p)(1), (p)(7) (2000).	7-0
AC 02-50	<u>IEPA v. Gordon Romine d/b/a Romine Disposal</u> – The Board found that this Fulton County respondent violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (2000)), and ordered respondent to pay a civil penalty of \$1,500.	7-0
AC 02-51	<u>IEPA v. Gerald Goines</u> – The Board accepted for hearing this petition for review of an administrative citation against this Johnson County respondent.	7-0
AC 02-53	<u>IEPA v. Edward E. Tucker and Gibson Materials, Company</u> – The Board found that these Ford County respondents violated Sections 21(p)(1), (p)(3), (p)(4), and (p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(3), (p)(4), (p)(7) (2000)), and ordered respondents to pay a civil penalty of \$6,000.	6-1 Girard dissented

Environmental Register – May 2002

Decisions

PCB 00-33	<u>People of the State of Illinois v. Laidlaw Corporation</u> – In this air enforcement action concerning a Massac County facility, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c)(1) (2000)), accepted a final stipulation and settlement agreement, ordered the respondent to pay a total civil penalty of \$50,000, and to cease and desist from further violations.	7-0 A-E
PCB 02-108	<u>Saline County Landfill, Inc. v. IEPA; County of Saline, Intervenor</u> – The Board affirmed the Illinois Environmental Protection Agency’s January 4, 2002 decision to deny Saline County Landfill, Inc.’s application for a development permit to expand the Saline County Landfill, due to lack of proof of local siting approval.	7-0 P-A, Land

Provisional Variances

PCB 02-200	<u>Precoat Metals v. IEPA</u> – Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted a 30-day provisional variance to this Madison County facility from the 90-day limitation on the accumulation of hazardous wastes, as set forth in 35 Ill. Adm. Code 722.134(b).	7-0 RCRA L-V
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Motions and Other Matters

PCB 92-102	<u>Moline/Dutchway Cleaners v. IEPA</u> – The Board granted petitioner’s motion for voluntary dismissal of this underground storage tank appeal involving a Rock Island County facility.	7-0 UST Fund
PCB 97-103	<u>People of the State of Illinois v. State Oil Company, William Anest f/d/b/a S&S Petroleum Products, Peter Anest f/d/b/a S&S Petroleum Products, Charles Abraham, Josephine Abraham, and Millstream Service, Inc.; Charles Abraham, Josephine Abraham, and Millstream Services, Inc., Cross-Complainants v. William Anest and Peter Anest, Cross-Respondents</u> – The Board denied the motions for certification of issues for interlocutory appeal and to stay the proceedings. The Board directed this matter to hearing as expeditiously as practicable.	7-0 L&W-E
PCB 00-110	<u>People of the State of Illinois v. Joe Decicco Demolition, Inc.</u> – The Board rescinded its interim order of April 18, 2002, denied complainant’s November 19, 2001 motion for summary judgment in its entirety, and directed this matter to hearing.	7-0 A-E
PCB 00-160	<u>ESG Watts, Inc. (Sangamon Valley Landfill) v. IEPA</u> – On receipt of the May 2, 2002 mandate from the Fourth District Appellate Court, the Board ordered this matter to proceed to hearing. (The Appellate Court reversed the Board’s August 24, 2000 decision in this proceeding finding that the Board had jurisdiction, and remanded the appeal for further proceedings.)	7-0 P-A, Land
PCB 02-48	<u>Economy Mechanical Industries, Inc. v. IEPA</u> – The Board granted petitioner’s motion for voluntary dismissal of this underground storage tank appeal involving a Cook County facility.	7-0 UST Fund

Environmental Register – May 2002

PCB 02-92	<u>Wareco Service, Inc. v. IEPA</u> – The Board granted petitioner’s motion for voluntary dismissal of this underground storage tank appeal involving a Knox County facility.	7-0 UST Fund
PCB 02-105	<u>Southern Illinois University, Edwardsville v. IEPA</u> – The Board accepted for hearing this permit appeal involving a Madison County facility.	7-0 P-A, NPDES
PCB 02-107	<u>Midway Oil Company v. IEPA</u> – Having previously granted a request for a 90-day extension, the Board dismissed this matter because no underground storage tank appeal was filed on behalf of this Rock Island County facility.	7-0 UST Appeal
PCB 02-164	<u>Barbara and Ronald Stuart v. Franklin Fisher</u> – In this citizens’ noise enforcement action involving a Will County facility, the Board denied in part and granted in part the motion to dismiss, and struck as frivolous the alleged violations of Section 23 of the Environmental Protection Act (Act) (415 ILCS 5/23 (2000)) and of the Humane Care for Animals Act (510 ILCS 70/3.01, 3.02, and 3.03 (2000)). The Board found that the remaining alleged violation of the Board’s regulations is neither duplicitous nor frivolous, and accepted it for hearing.	7-0 Citizens N-E
PCB 02-191	<u>Dairy King Farms, Inc. v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Dairy King Farms, Inc. located in Montgomery County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).	7-0 T-C
PCB 02-192	<u>Probst Pork, Inc. v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Probst Pork, Inc. located in Jasper County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).	7-0 Manning T-C
PCB 02-193	<u>Illinois Valley Paving 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 this Scott County facility.	7-0 UST Appeal 90- Day Ext.
PCB 02-194	<u>Cooperative Gas & Oil Company v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Cooperative Gas & Oil Co. located in Whiteside County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).	7-0 T-C
PCB 02-195	<u>R. Dean Lower v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of R. Dean Lower located in Carroll County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).	7-0 T-C

Environmental Register – May 2002

PCB 02-196	<u>Smoot Oil 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 this Union County facility.	7-0 UST Fund 90-Day Ext.
PCB 02-197	<u>Nicor Gas v. IEPA</u> – The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of this Livingston and McLean County facility.	7-0 P-A, Air 90-Day Ext.
PCB 02-198	<u>People of the State of Illinois v. Olin Corporation</u> – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this Resource Conservation and Recovery Act enforcement action involving a Madison County facility, the Board ordered publication of the required newspaper notice.	7-0 RCRA-E
PCB 02-199	<u>People of the State of Illinois v. Great Lakes Terminal & Transport Corporation</u> – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this Resource Conservation and Recovery Act enforcement action involving a Cook County facility, the Board ordered publication of the required newspaper notice.	7-0 RCRA-E

New Cases

May 2, 2002 Board Meeting

02-174 Alfred Uffelmann, Inc. v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Alfred Uffelmann, Inc. located in Randolph County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-175 David Billington v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of David Billington located in Wayne County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-176 People of the State of Illinois v. John Prior d/b/a Prior Oil Company and James Mezo d/b/a Mezo Oil Company – The Board accepted for hearing this Resource Conservation and Recovery Act and water enforcement action involving a Washington County facility.

02-177 People of the State of Illinois v. John Prior d/b/a Prior Oil Company and James Mezo d/b/a Mezo Oil Company – The Board accepted for hearing this Resource Conservation and Recovery Act and water enforcement action involving a Washington County facility.

02-178 Davis H. and Dennis K. Biddle v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Davis H. and Dennis K. Biddle located in Mercer County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-179 Davis H. and Dennis K. Biddle v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Davis H. and Dennis K. Biddle located in Mercer County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

Environmental Register – May 2002

02-180 Loren and Micah Anderson Partnership v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Loren and Micah Anderson located in Henry County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-181 William and Linda Michl Farms v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of William and Linda Michl located in Jasper County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-182 UAP Richter Company (McDonough County) v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of UAP Richter Company located in McDonough County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-183 Shearon, 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 this McHenry County facility.

02-184 UAP Richter Company (McDonough County) v. IEPA – The Board opened a docket to address recommended denial of petitioner’s request for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)) for its facility located in McDonough County. Petitioner must file a petition to contest with the Clerk of the Board within 35 days after the respondent served the recommendation. If petitioner fails to timely file a petition, the Board may deny tax certification for the noise pollution abatement control facility based solely on respondent’s recommendation.

02-185 People of the State of Illinois v. Ferrara Pan Candy Company, Inc. – The Board accepted for hearing this air enforcement action involving a Cook County facility.

02-186 People of the State of Illinois v. Van Melle U.S.A., Inc. – The Board accepted for hearing this air enforcement action involving a Lake County facility.

02-187 UOP L.L.C. v. IEPA – The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of this Cook County facility.

02-188 Smithfield Properties IV, L.L.C. v. IEPA – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Cook County facility.

02-189 Wareco Service, 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 this Knox County facility.

02-190 Mark IV Realty, 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 this Cook County facility.

R02-21 In the Matter of: Petition of Central Illinois Light Company for a Site Specific Air Rule: 35 Ill. Adm. Code 214.141 – The Board opened a new regulatory docket to amend the Board’s air pollution control regulations. The Board accepted the proposal to amend air pollution control regulations for hearing and granted petitioner’s motions to waive the 200-signature requirement and to incorporate the record in PCB 99-80 (see AS 02-4).

May 16, 2002 Board Meeting

02-191 Dairy King Farms, Inc. v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Dairy King Farms, Inc. located in Montgomery County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-192 Probst Pork, Inc. v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Probst Pork, Inc. located in Jasper County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

Environmental Register – May 2002

02-193 Illinois Valley Paving 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 this Scott County facility.

02-194 Cooperative Gas & Oil Company v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Cooperative Gas & Oil Co. located in Whiteside County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-195 R. Dean Lower v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of R. Dean Lower located in Carroll County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2000)).

02-196 Smoot Oil 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 this Union County facility.

02-197 Nicor Gas v. IEPA – The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of this Livingston and McLean County facility.

02-198 People of the State of Illinois v. Olin Corporation – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this Resource Conservation and Recovery Act enforcement action involving a Madison County facility, the Board ordered publication of the required newspaper notice.

02-199 People of the State of Illinois v. Great Lakes Terminal & Transport Corporation – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this Resource Conservation and Recovery Act enforcement action involving a Cook County facility, the Board ordered publication of the required newspaper notice.

02-200 Precoat Metals v. IEPA – Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted a 30-day provisional variance to this Madison County facility from the 90-day limitation on the accumulation of hazardous wastes, as set forth in 35 Ill. Adm. Code 722.134(b).

AC 02-54 IEPA v. Rayetta Thompson – The Board accepted an administrative citation against this Union County respondent.

Calendar

6/6/2002 11:00 am		Illinois Pollution Control Board Meeting	Illinois Pollution Control Board Conference Room 403 600 South Second Street Springfield
6/11/2002 10:00 am	PCB 00-140	Gladys L. Knox and David A. Knox v. Turriss Coal Company and AEI Resources, Inc.	Illinois Pollution Control Board Hearing Room 403 600 South Second Street Springfield
6/12/2002 9:00 am	PCB 00-140	Gladys L. Knox and David A. Knox v. Turriss Coal Company and AEI Resources, Inc.	Illinois Pollution Control Board Hearing Room 403 600 South Second Street Springfield
6/20/2002 11:00 am		Illinois Pollution Control Board Meeting	James R. Thompson Center Conference Room 11-512 100 West Randolph Street Chicago
6/26/2001 10:00 am	AC 02-7	IEPA v. Terry and Litisha Springer (Elsah Twp./Springer) IEPA Docket No. 390-01- AC	Jersey County Courthouse Courtroom B 201 West Pearl Street Jerseyville

Environmental Register – May 2002

6/26/2002 10:00 am	R02-20	Proposed Horween Leather Company Site-Specific Air Rule, 35 Ill. Adm. Code 211.6170	James R. Thompson Center Conference Room 9-040 100 West Randolph Street Chicago
7/8/2002 10:00 am	AS 01-10	Petition of Prairie Material Sales, Inc. for Adjusted Standard from 35 Ill. Adm. Code Parts 811 and 814	Lee County Courthouse County Board Room 112 East Second Street Dixon
7/9/2002 10:00	AC 02-4	IEPA v. Mound City (IEPA no. 288-01-AC)	Pulaski County Courthouse County Board Room Second and High Street Mound City
7/11/2002 11:00 am		Illinois Pollution Control board Meeting	Illinois Pollution Control Board James R. Thompson Center Conference Room 11-512 100 West Randolph Street Chicago
7/12/2002 10:00 am	PCB 01-135	People of the State of Illinois v. Patrick Robert Land Trust	Tazewell County Courthouse Courtroom 306 342 Court Street Pekin
7/15/2002 10:00 am	PCB 02-205	Home Oil Company v. IEPA	Illinois Pollution Control Board Hearing Room 403 600 South Second Street Springfield
7/15/2002 10:00 am	PCB 02-206	Home Oil Company v. IEPA	Illinois Pollution Control Board Hearing Room 403 600 South Second Street Springfield
7/16/2002 10:00 am	PCB 02-207	Wallace Pharmaceuticals v. IEPA	Macon County Courthouse Courtroom 5C 253 East Wood Street Decatur
7/23/2002 10:00 am	AC 02-32	IEPA v. Colorado Real Estate & Investment Co. (Kingspark Mobile Estates) IEPA Docket No. 561-01-AC	Peoria County Courthouse Board Room 403 324 Main Street Peoria

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Environmental Register Comment Card

The Illinois Pollution Control Board is an independent seven-member board that adopts environmental control standards, rules on enforcement actions, and other environmental disputes for the State of Illinois.

The Environmental Register is published monthly by the Board, and contains updates on rulemakings, descriptions of final decisions, the Board's hearing calendar, and other environmental law information.

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Illinois Pollution Control Board
Environmental Register Coordinator
600 South Second Street, Suite 402
Springfield, Illinois 62704