

**ILLINOIS POLLUTION CONTROL BOARD**

**MINUTES OF REGULAR BOARD MEETING  
JANUARY 11, 1995 CHICAGO, ILLINOIS**

After calling the meeting to order, Chairman Manning announced that Board Member Dr. G. Tanner Girard, would not be attending the meeting due to the weather, and that all of his substantive cases will be held until the February 16, 1995 Board meeting except for some motions that will be moved by Dr. Flemal. Thereafter, the Clerk was asked for a roll call and all other Board Members answered present.

An Opinion and Order was adopted in ##AC 94-31, - 47, Montgomery County, Illinois v. Envotech-Illinois, Inc., by a vote of 6-0.  
**(JTM)**

An Opinion and Order was adopted in #94-98, Beardstown Area Citizens For a Better Environment v. City of Beardstown and Southwest Energy Corporation, by a vote of 6-0. Chairman C.A. Manning concurred. **(JTM)**

An Opinion and Order accepting the Stipulation and Proposal for Settlement in the amount of \$1,000.00, was adopted in #94-220, People of the State of Illinois v. City of Gillespie, Macoupin County, John Crawford, d/b/a Knostman Crawford Associates, and H & H Mechanical and Electrical Contractors, Inc., by a vote of 6-0. **(JTM)**

An Opinion and Order was adopted in #94-222, Village of Hoffman Estates v. IEPA, by a vote of 6-0. **(CAM)**

An Order dismissing the proceedings, was adopted in #94-236, J.R. Meyers Company v. IEPA, by a vote of 6-0. **(ED)**

An Opinion and Order accepting the Stipulation and Proposal for Settlement in the amount of \$1,250.00, was adopted in #94-245, People of the State of Illinois v. Kleuter Brothers Concrete Products, Inc., by a vote of 6-0. J. Theodore Meyer concurred.  
**(CAM)**

An Opinion and Order was adopted in #94-259, Atkinson Landfill Company v. IEPA, by a vote of 6-0. **(RCF)**

An Opinion and Order was adopted in #94-263, Amoco Oil Company v. IEPA, by a vote of 6-0. **(CAM)**

An Opinion and Order accepting the Stipulation and Proposal for Settlement in the amount of \$2,000.00, was adopted in #94-376, People of the State of Illinois v. Acorn Wire and Iron Works, by a vote of 6-0.

An Opinion and Order accepting the Stipulation and Proposal for

Settlement in the amount of \$25,000.00, was adopted in #94-378, People of the State of Illinois v. Brand Asbestos Control Company, Inc., n/k/a Brand Services, by a vote of 6-0.

In R93-13, General Motors Site-Specific, an Adopted Rule, Final Order, Opinion and Order was adopted by a vote of 6-0. (ED)

An Order granting the joint motion for an extension of stay until June 15, 1995, and directing the parties to file status reports, either jointly or separately, no later than June 5, 1995, was adopted in #AS 94-5, Petition of Abbott Laboratories for and Adjusted Standard from 35 Ill. Adm. Code 218 Subpart RR, by a vote of 6-0. (JTM)

An Order granting the Agency's motion for an extension of time until January 20, 1995, to file its recommendation, granting the Petitioner's motion for waiver of hearing, and rescinding the December 1, 1994 Board Order to the extent that it ordered the matter to hearing, was adopted in #AS 94-16, Petition of City of Wood River for an Adjusted Standard from 35 Ill. Adm. Code 306.305(a) and (b), by a vote of 6-0. (ED)

An Order accepting the status report, and reminding the Petitioner of its continuing obligation to submit status reports every 90 days, was adopted in #89-177, CWM Chemical Services, Inc. v. IEPA and People of the State of Illinois, by a vote of 6-0. (JTM)

An Order directing the parties to file a status report within 30 days or the proceeding will be dismissed, was adopted in #89-178, Olin Corporation v. IEPA, by a vote of 6-0. (RCF)

An Order accepting the joint status report and directing the parties to file status reports, either jointly or separately, on or before June 2, 1995, was adopted in #90-215, Spraying Systems Company v. IEPA, by a vote of 6-0. (ED)

An Order accepting the status report, extending the current stay until June 15, 1995, and directing the parties to file an additional status report no later than June 5, 1995, was adopted in ##91-28, -92-2, Acme Steel Company v. IEPA, by a vote of 6-0. (JTM)

An Order granting the motion to file a joint status report in response to a July 21, 1994 Board Order instanter and the Petitioner's motion for stay, and directing the parties to file a status report with the Board and Hearing Officer no later than May 10, 1995 in the event that the matter has not already been resolved and dismissed, was adopted in #91-49, LTV Steel Company, Inc. v. IEPA, by a vote of 6-0. (RCF)

An Order granting the Petitioner's motion to dismiss was adopted in #91-87, Olin Corporation v. IEPA, by a vote of 6-0. (CAM)

An Order accepting the status report and directing all future

status reports to be filed at the discretion of the Hearing Officer, was adopted in #91-94, Safety-Kleen Corporation (Elgin Recycle Center) v. IEPA, by a vote of 6-0. (JY)

An Order granting a stay of the matter until July 1, 1995, directing that the next status report be filed on June 8, 1995, advising the Petitioner that if it does not wish to go to hearing, another motion for stay and a decision deadline waiver must be filed, and if a waiver is not received, the case will be set for hearing the Board's June 15, 1995 meeting, was adopted in #91-219, General Motors Corporation, Central Foundry Division v. IEPA, by a vote of 6-0. (CAM)

An Order granting the Petitioner's request to extend the stay until August 17, 1995, and directing the Petitioner to file another status report with the Clerk of the Board and the assigned Hearing Officer on or before August 11, 1995, discussing the progress of the matter, was adopted in #92-105, Weyerhaeuser Company v. IEPA, by a vote of 6-0. (JY)

An Order granting the Petitioner's motion to voluntarily dismiss, was adopted in #92-170, Talley Defense Systems, Inc. v. IEPA, by a vote of 6-0. (RCF)

An Order accepting the status report and directing the parties to file additional status reports, either jointly or separately, no later than June 5, 1995 which shall include detailed information on the progress of the case, including an anticipated schedule for further action in the case, was adopted in #92-176, Central Can Company v. IEPA, by a vote of 6-0. (JTM)

An Order accepting the status report and directing the Petitioner and the Agency to file status reports, or a joint status report, if preferred, no later than March 3, 1995, in the event the matter has not already been resolved and dismissed, was adopted in #93-137, Safety-Kleen Corporation (Caseyville Facility) v. IEPA, by a vote of 6-0. (ED)

An Order dismissing the proceedings, was adopted in #93-183, Edgewater Beach Apartments v. IEPA, by a vote of 6-0. (RCF)

An Order granting the motion to stay until June 15, 1995, and directing the parties to file status reports, either jointly or separately, no later than June 5, 1995, was adopted in #93-203, The Galesburg Sanitary District v. IEPA, by a vote of 6-0. (JTM)

An Order accepting the Petitioner's status report, and directing the Petitioner and the Agency to file status reports, or a joint status report, if preferred, no later than February 27, 1995, in the event the matter has not already been resolved and dismissed, was adopted in #93-228, Safety-Kleen Corporation (Elgin Service Center) v. IEPA, by a vote of 6-0. (RCF)

An Order directing the Clerk of the Board to cause publication of the required newspaper notice of the parties motion for relief from hearing requirement, was adopted in #94-123, People of the State of Illinois v. Archer Daniels Midland, by a vote of 6-0. (RCF)

An Order granting the motion for extension of the stay until February 17, 1995, and directing the parties to file status reports, or a joint status report, with the Board on or before February 21, 1995, was adopted in #94-125, People of the State of Illinois v. Beloit Corporation and All States Asbestos Professionals, by a vote of 6-0. (ED)

An Order granting the Agency's motion to file the Agency's Attorney Statement and Supplemental Testimony of William D. McMillan pursuant to 35 Ill. Adm. Code 102 Subpart J, was adopted in #94-229, Village of Creve Coeur v. IEPA, by a vote of 6-0. (RCF)

An Order denying the Complainants' motion to strike the Respondent's affirmative defenses and accepting the matter for hearing, was adopted in #94-240, IAUW, et al. v. Caterpillar, Inc.; IEPA, Party-in-interest, by a vote of 6-0. (CAM)

An Order denying the Complainant's motion for summary judgment and finding that the motions to strike affidavits and motions to strike the response of the Kane County Board to be moot, since the motions related only to the motion for summary judgment, was adopted in #94-244, Rodney B. Nelson v. Kane County Forest Preserve, Bradley Sauer, Chairman, Kane County Board, Warren Kammerer, Chairman, by a vote of 6-0. (ED)

An Order granting the Agency's motion to file the record instanter, was adopted in #94-277, Jerry Gleason Buick, Inc. v. IEPA, by a vote of 6-0. (RCF)

An Order accepting the joint stipulation of settlement and dismissal and closing the docket, was adopted in #94-280, Charles Gatwood v. IEPA, by a vote of 6-0. (RCF)

An Order granting the Agency's motion for an extension of time until January 20, 1995 to file its recommendation, was adopted in #94-287, Indian Refining Limited Partnership v. IEPA, by a vote of 6-0. (MCF)

An Order denying the motions to dismiss certain counts of the complaint and to strike certain counts of the complaint, filed by the Respondent Grayslake Gelatin Company, was adopted in #94-288, People of the State of Illinois v. Grayslake Gelatin Company; Blidco, Inc., ACME Construction Company Inc., and Diversified Abatement Contractors, Inc., by a vote of 6-0. (ED)

An Order granting the Petitioner's motion for reconsideration of an October 20, 1994 Board Order, and upon reconsideration, setting the

matter for hearing, was adopted in #94-289, Montgomery Ward & Company v. IEPA, by a vote of 6-0. (CAM)

An Order granting the Respondent's motion to modify the Board's December 1, 1994 Order, was adopted in #94-301, People of the State of Illinois v. Colfax Corporation, by a vote of 6-0. (CAM)

An Order granting the Agency's motion to file the Agency record instanter, was adopted in #94-305, Russ' Service & Towing/Rock Falls v. IEPA, by a vote of 6-0. (RCF)

An Order granting the Agency's Motion to file the Agency recommendation instanter, was adopted in #94-313, Major & Sandhu Petroleum, Inc. v. IEPA, by a vote of 6-0. (RCF)

An Order granting the Agency's motion to file the Agency recommendation instanter, was adopted in #94-314, Mukhtiar Singh v. IEPA, by a vote of 6-0. (RCF)

An Order granting the Agency's motion for an extension of time until January 12, 1995, to file the recommendation, was adopted in #94-328, W.R. Grace & Company-Connecticut v. IEPA, by a vote of 6-0. (MCF)

An Order granting the Respondent's motion to admit counsel pro hac vice, was adopted in #94-329, Billy and Marilyn Turner v. Golden Cat Corporation, by a vote of 6-0. (RCF)

An Order granting the Petitioner's motion for leave to file limited copies, was adopted in #94-332, Western Lion Limited v. IEPA, by a vote of 6-0. (JTM)

An Order granting the Agency's motion for an extension of time until January 31, 1995 in which to file the recommendation, was adopted in #94-370, The Dow Chemical Company (Dow Joliet Site) v. IEPA, by a vote of 6-0. (MCF)

An Order granting the Agency's motion to file the Agency record instanter, was adopted in #94-372, Monee/Monee Auto Body-Wes Kochel v. IEPA, by a vote of 6-0. (RCF)

An Order granting the Agency's motion to file the Agency record instanter, was adopted in #94-374, Eagle Ridge Inn & Resort (The Branigar Organization) v. IEPA, by a vote of 6-0. (JTM)

An Order granting the Petitioner's motion for voluntary dismissal, was adopted in #94-375, Beth-Anne Foundation v. Office of the State Fire Marshal, by a vote of 6-0. (CAM)

An Order granting the Petitioner's motion to further defer the proceedings and directing the Petitioner to file a status report on or before April 13, 1995, was adopted in R81-19, Citizens Utilities

Company Site-Specific Rules, by a vote of 5-0. R.C. Flemal abstained. (CAM)

An Order granting the motion to dismiss and closing the docket, was adopted in R94-18, Revisions of Treatability Testing Exclusion Limits Amendments to 35 Ill. Adm. Code Sections 721.104(f)(3), (4) and (5), by a vote of 6-0. (ED)

An Order granting the Illinois Environmental Regulatory Group's (IERG) motion for expedited consideration of certain federal amendments to the RCRA Subtitle D regulations to the extent that the Board will immediately begin to assemble the proposal, advising IERG that the Board intends to consider the proposal for publication of Notices of Proposed Amendments in the Illinois Register at the meeting of the Board presently scheduled for February 16, 1995, and requesting IERG to file a response to an additional issue by January 25, 1995, to facilitate the Board's action on the matter at its February 16, 1995 meeting, was adopted in R95-6, RCRA Subtitle C Update, USEPA Regulations (July 1, 1994 through December 31, 1994), by a vote of 6-0. (ED)

These cases were discussed and held to February 16, 1995 for further discussion or possible decision: ##94-207, Wilmer Brockman, Jr. and First Midwest Bank/Illinois, as Trustee Under Trust No. 757 v. IEPA; 94-299, P & S, Inc. v. IEPA; 94-314, Mukhtiar Singh v. IEPA; 94-320, Dorothy B. Kindy, d/b/a Rex's Service Station, Inc. v. IEPA.

These regulatory matters were discussed and held to February 16, 1995 for further discussion or possible decision: R94-23, SDWA Update, USEPA Regulations (January 1, 1994 through June 30, 1994), Proposed Rule, First notice, Opinion and Order; R95-6, RCRA Subtitle C Update, USEPA Regulations (July 1, 1994 through December 31, 1994), Proposed Rule, First Notice, Opinion and Order.

In Amended Petition #94-215, Stroh Oil Company v. Office of the State Fire Marshal, these actions were taken by a vote of 6-0: Petitioner's motions for leave to file instanter its amended petition and to file a reply to the Respondent's response to its motion for leave to file instanter its amended petition, were granted. (McF)

In these new cases, these actions were taken: ##94-256, DoAll Company, DoAll Credit Corporation, and The Rams-Head Company v. Mobil Oil Company, Inc., Skokie Valley Asphalt Company, Inc., and Septran, Inc., held to February 16, 1995 Board meeting.

In these new cases, these actions were taken by a vote of 6-0: ##94-371, City of Elgin v. IEPA, the Board denied the Agency's motion to dismiss the matter but granted the Agency's alternative request for an order directing the Petitioner to supplement its petition with specific information, Order by J. Yi; 94-382, Gunit

Corporation v. IEPA, accepted for hearing, **Order by J. Yi**; 94-386, Chase Products Company v. EPA, accepted for hearing, **Order**; 94-387, Mr. "C" Food & Liquor, Inc. v. Office of the State Fire Marshal, additional information requested to be filed on or before February 9, 1995, **Order by C.A. Manning**; 94-388, Amoco Oil Company (Elmhurst) v. IEPA, accepted for hearing, **Order**; 94-389, People of the State of Illinois v. Village of Port Byron, Clerk of the Board directed to cause publication of the required newspaper notice of the parties request for relief from hearing requirement, **Order**.

New case #94-390, Madison County Conservation Alliance v. Waste Management, Inc. (Chain-of-Rocks Canal on Chouteau Island), and IEPA, **was held to February 16, 1995 Board meeting**.

In these other new cases, these actions were taken by a vote of 6-0: ##94-391, America's Carwash-HP, Inc. v. IEPA, accepted for hearing, **Order**; 94-392, People of the State of Illinois v. Burkart Foam, Inc., Clerk of the Board directed to cause publication of the required newspaper notice of the parties request for relief from hearing requirement, **Order**; 94-393, Peoria School District #150 - Hines School v. IEPA, accepted for hearing, **Order**.

New case #95-1, Penny Snyder, George J. Moran, Robert D. Larson, George Arnold, Jim Bensman, Madison County Conservation Alliance, Piasa Palisades Group of the Sierra Club v. Waste Management of Illinois, Inc., **held for duplicitous/frivolous determination**.

In these new cases, these actions were taken: ##95-2, USA Waste Services, Inc. (Countryside Landfill) v. IEPA, held for Agency Recommendation; 95-3, Illinois Petroleum Marketers Association (Representing 266 Facilities located in the Chicago Ozone Nonattainment Area) v. IEPA, **held to January 26, 1995 Board Meeting**; 95-4, City of Paris, Illinois v. IEPA, held for Agency Recommendation; 95-5, People of the State of Illinois v. Midwest Grain Products of Illinois, Inc., Clerk of the Board directed to cause publication of the required newspaper notice of the parties request for relief from hearing requirement, **Order**; 95-6, Silver Glen Estates v. IEPA, additional information requested, **Order by C.A. Manning**; 95-7, Tahoe Mobil, Inc. v. IEPA, provisional variance granted, **Order by C.A. Manning**; 95-8, Truckstops of America, Inc. v. IEPA, provisional variance granted, **Order by C.A. Manning**; 95-9, Runnfeldt & Belmont v. IEPA, provisional variance granted, **Order by C.A. Manning**; 95-10, Scott Air Force Base v. IEPA, provisional variance granted, **Order by C.A. Manning**; 95-11, Comerica Bank-Illinois v. IEPA, accepted for hearing, **Order**; 95-12, A & A Kwik Mart #9 v. IEPA, provisional variance granted, **Order by C.A. Manning**; 95-13, Alamo Rent-A-Car, Inc. v. IEPA, provisional variance granted, **Order by C.A. Manning**; 95-14, Alden Quick Mart v. IEPA, provisional variance granted, **Order by C.A. Manning**; 95-15, Bartlett Union 76 #172 v. IEPA, provisional variance granted, **Order by C.A. Manning**; 95-16, Beach Park Union 76 #73 v. IEPA, provisional variance granted, **Order by C.A. Manning**; 95-17, Berkley

Auto Service v. IEPA, provisional variance granted, **Order by C.A. Manning**; 95-18, Car Care Center v. IEPA, provisional variance granted, **Order by C.A. Manning**; 95-19, Clark Oil Refining and Marketing v. IEPA, provisional variance granted, **Order by C.A. Manning**; 95-20, Denny's Standard Service v. IEPA, provisional variance granted, **Order by C.A. Manning**; 95-21, Elmhurst Shell v. IEPA, provisional variance granted, **Order by C.A. Manning**; 95-22, Federal Express v. IEPA, provisional variance granted, **Order by C.A. Manning**; 95-23, Gas Stop v. IEPA, provisional variance granted, **Order by C.A. Manning**; 95-24, Go For It v. IEPA, provisional variance granted, **Order by C.A. Manning**; 95-25, Go-Tane v. IEPA, provisional variance granted, **Order by C.A. Manning**; 95-26, Harvard Union 76 #197 v. IEPA, provisional variance granted, **Order by C.A. Manning**; 95-27, Hertz Rent-A-Car v. IEPA, provisional variance granted, **Order by C.A. Manning**; 95-28, Ingleside Union 76 #70 v. IEPA, provisional variance granted, **Order by C.A. Manning**; 95-29, Kean Oil Company v. IEPA, provisional variance granted, **Order by C.A. Manning**; 95-30, Marcley's v. IEPA, provisional variance granted, **Order by C.A. Manning**; 95-31, Michael Oil Company v. IEPA, provisional variance granted, **Order by C.A. Manning**; 95-32, North Chicago Union 76 v. IEPA, provisional variance granted, **Order by C.A. Manning**; 95-33, Oak Park and Madison 76 v. IEPA, provisional variance granted, **Order by C.A. Manning**; 95-34, S & S Enterprises v. IEPA, provisional variance granted, **Order by C.A. Manning**; 95-35, Shell Oil Company v. IEPA, provisional variance granted, **Order by C.A. Manning**; 95-36, Ted's Mini Mart v. IEPA, provisional variance granted, **Order by C.A. Manning**.

These new regulatory dockets were reserved: R95-1, In the Matter of: Revision of the Board's Procedural Rules Part 101 - (All relevant Board procedural rules, including variances); R95-2, Exemptions From the Definition of VOM Update, USEPA Regulations (July 1, 1994 through December 31, 1994); R95-3, SDWA Update, USEPA Regulations (July 1, 1994 through December 31, 1994); R95-4, UIC Update, USEPA Regulations (July 1, 1994 through December 31, 1994); R95-5, RCRA Subtitle D Update, USEPA Regulations (July 1, 1994 through December 31, 1994); R95-6, RCRA Subtitle C Update, USEPA Regulations (July 1, 1994 through December 31, 1994); R95-7, UST Update, USEPA Regulations (July 1, 1994 through December 31, 1994); R95-8, Wastewater Pretreatment Update, USEPA Regulations (July 1, 1994 through December 31, 1994).

Because Petitions for Review were filed, these Administrative Citations will be set for hearing: #94-96, -97, IEPA v. M.K. O'Hara Construction, Inc., Kenneth O'Hara and Madalyn O'Hara; 94-100, County of Macon v. Macon County Landfill Corporation.

These Administrative Citations were accepted by the Board: #94-100, County of Macon v. Macon County Landfill Corporation (**See also Petitions for Review above**); 95-1, People of the County of Will v. CDT Landfill; 95-2, People of the County of Will v. CDT Landfill; 95-3, IEPA v. Environmental Reclamation Company.



These Amended Adjusted Standards were accepted for hearing without a written Board Order: ##94-2, Petition of Solar Corporation for an Adjusted Standard from 35 Ill. Adm. Code 218 Subpart PP; 94-4, Petition of Chase Products Company for an Adjusted Standard from 35 Ill. Adm. Code 218 Subpart DD.

In new Adjusted Standards, these actions were taken by a vote of 6-0: ##94-17, Joint Petition of the City of Metropolis and the Illinois Environmental Protection Agency for an Adjusted Standard from Suspended Solids, BOD<sub>5</sub>, and Ammonia Nitrogen Regulations 35 Ill. Adm. Code Part 304, the proceedings were dismissed, and the Clerk of the Board was directed to close the docket, **Order by J. Yi**; 94-18, Petition of Central Can Company for an Adjusted Standard from 35 Ill. Adm. Code Part 218, additional information requested, **Order by J. Theodore Meyer**; 94-19, Petition of Hepworth U.S. Holdings, Inc. for an Adjusted Standard from 35 Ill. Adm. Code 620.410, held for Petitioner's Notice of Publication; 94-20, Petition of the Galesburg Sanitary District for an Adjusted Standard from 35 Ill. Adm. Code 304.105, held for Petitioner's Notice of Publication; 95-1, Petition of Tommy House Tire, held for Petitioner's Notice of Publication.

#### ADDENDUM

An Order granting the Respondent's motion to modify the Board's final order of December 14, 1994, was adopted in #94-135, People of the State of Illinois v. Reliable Sand and Gravel, Inc., by a vote of 6-0. **(CAM)**

An Order directing the Clerk of the Board to cause publication of the required newspaper notice of the parties third request for relief from hearing requirement, was adopted in #94-220, People of the State of Illinois v. City of Gillespie, Macoupin County; John Crawford, d/b/a Knostman Crawford Associates; and H & H Mechanical and Electrical Contractors, Inc., by a vote of 6-0. **(JTM)**

In new case #95-37, Indian Refining Limited Partnership v. IEPA, a provisional variance was granted by a vote of 6-0. **(CAM)**

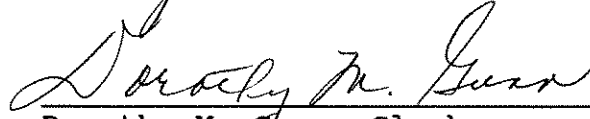
Minutes of the December 14, 1994 Board Meeting were approved by a vote of 6-0.

Minutes of the December 16, 1994 Special Board Meeting were approved by a vote of 4-0. Chairman Claire A. Manning and Board Member E. Dunham abstained.

The Board will hold a Special Meeting on January 19, 1994. The Clerk will post a notice.

All matters not disposed of as listed were ordered held to February 16, 1995 for possible consideration.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Minutes were approved this 26<sup>th</sup> day of January, 1995, by a vote of 6-0.

  
\_\_\_\_\_  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD  
FINAL AGENDA  
JANUARY 11, 1995 CHICAGO, ILLINOIS  
CONFERENCE ROOM 9-040  
3:00 P.M.

ADDENDUM

MOTIONS:

94-135 Reliable Sand and Gravel - Respondent's Motion to  
Vacate or, in the Alternative, to  
Reconsider/Modify (1/9)(CAM)

---

94-220 City of Gillespie et al. - Third Motion for Relief  
From Hearing Requirement (1/11)(JTM)

---

NEW CASES:

95-37 Indian Refining Limited Partnership v. EPA  
(Provisional Variance)(CAM)

---

**ILLINOIS POLLUTION CONTROL BOARD  
FINAL AGENDA  
JANUARY 11, 1995 CHICAGO, ILLINOIS  
CONFERENCE ROOM 9-040  
3:00 P.M.**

**DECISIONS:**

- |       |                  |   |  |
|-------|------------------|---|--|
| *     | 93-55            | Clarendon Hills Bridal Center (McF) (open waiver)   |  |
| <hr/> |                  |   |  |
| AC    | 94-8             | EPA v. Atkinson Landfill Company (GTG)  |  |
| <hr/> |                  |   |  |
| AC    | 94-31)<br>94-47) | Montgomery County, Illinois v. Envotech-Illinois,<br>Inc. (JTM)   |  |
| <hr/> |                  |   |  |
| *     | 94-98            | Beardstown Area Citizens For a Better Environment<br>(JTM) (due)  |  |
| <hr/> |                  |   |  |
|       | 94-220           | People of the State of Illinois v. City of<br>Gillespie, Macoupin County, John Crawford, d/b/a<br>Knostman Crawford Associates, and H & H Mechanical<br>and Electrical Contractors, Inc. (JTM)<br>(Stipulation) |  |
| <hr/> |                  |   |  |
| *     | 94-222           | Village of Hoffman Estates (CAM) (due 1/12)   |  |
| <hr/> |                  |   |  |
| *     | 94-236           | J.R. Meyers Company (ED) (due)  |  |
| <hr/> |                  |   |  |
|       | 94-245           | People of the State of Illinois v. Kleuter Brothers<br>Concrete Products, Inc. (CAM) (Stipulation)  |  |
| <hr/> |                  |   |  |
| *     | 94-259           | Atkinson Landfill Company (RCF) (due)   |  |
| <hr/> |                  |   |  |
| *     | 94-262           | Concerned Citizens of Williamson County (GTG)<br>(due 2/16)   |  |
| <hr/> |                  |   |  |

**\* INDICATES VARIANCE OR PERMIT APPEAL**

**DECISIONS:** (Cont'd)

- \* 94-263 Amoco Oil Company (CAM) (due)  
\_\_\_\_\_
- \* 94-276 The City of Batavia (GTG) (due)  
\_\_\_\_\_
- 94-376 People of the State of Illinois v. Acorn Wire and  
Iron Works (Stipulation)  
\_\_\_\_\_
- 94-378 People of the State of Illinois v. Brand Asbestos  
Control Company, Inc., n/k/a Brand Services  
(Stipulation) \_\_\_\_\_
- R93-13 General Motors Site-Specific, Adopted Rule, Final  
Order, Opinion and Order (ED)  
\_\_\_\_\_
- R94-21 ROP Plan Control Measures for VOM Emissions,  
Proposed Rule, Second Notice, Opinion and Order  
(GTG) \_\_\_\_\_
- 

**MOTIONS:**

- AC 94-67 Kirk Dana - Respondent's Motion to Reconsider  
September 15, 1994 Default Order (11/9), Agency  
Answer to Respondent's Motion for Reconsideration  
(12/27) (CAM) \_\_\_\_\_
- AS 94-5 Abbott Laboratories - Joint Status Report in  
Response to November 3, 1994 Board Order and  
Request for Extension of Stay (1/5) (JTM)  
\_\_\_\_\_
- AS 94-16 City of Wood River - Agency Motion for Extension of  
Time to File Agency Recommendation and Agency  
Response to Petitioner's Motion to Waive Hearing  
(12/13), Petitioner's Petition to Waive Request for  
Hearing (12/16) (ED)  
\_\_\_\_\_
- 89-177 CWM Chemical Services - Petitioner's Status Report  
in Response to October 6, 1994 Board Order (12/28)  
(JTM) \_\_\_\_\_
- 89-178 Olin Corporation - Status Report Order (GTG)  
\_\_\_\_\_

**MOTIONS: (Cont'd)**

- 90-215     Spraying Systems - Joint Status Report in Response to December 14, 1994 Board Meeting (1/6) (ED)
- 
- 91-28)     Acme Steel Company - Joint Status Report in  
92-2)     Response to September 1, 1994 Board Order (1/5)  
           (JTM)
- 
- 91-49     LTV Steel Company - Motion to File Instanter and Joint Status Report in Response to July 21, 1994 Board Order (12/29) (RCF)
- 
- 91-87     Olin Corporation - Petitioner's Motion to Dismiss (12/28) (CAM)
- 
- 91-94     Safety-Kleen Corporation - Petitioner's Status Report in Response to November 3, 1994 Board Order (12/28) (CAM)
- 
- 91-219     General Motors Corporation - Petitioner's Third Status Report in Response to September 1, 1994 Board Order (12/27) (CAM)
- 
- 92-105     Weyerhaeuser Company - Petitioner's Status Report in Response to September 1, 1994 Board Order and Motion to Continue Stay (12/30) (JCY)
- 
- 92-170     Talley Defense Systems - Petitioner's Motion to Voluntarily Dismiss (12/19) (RCF)
- 
- 92-176     Central Can Company - Petitioner's Status Report in Response to October 6, 1994 Board Order (1/5) (JTM)
- 
- 93-3       Archer Daniels Midland - Complainant's Status Report in Response to October 20, 1994 Board Order (1/6) (CAM)
- 
- 93-137     Safety-Kleen Corporation - Petitioner's Status Report in Response to November 3, 1994 Board Order (12/29) (ED)
- 
- 93-183     Edgewater Beach Apartments - Dismissal Order (GTG)
-

**MOTIONS: (Cont'd)**

- 93-203     The Galesburg Sanitary District - Joint Status Report in Response to December 1, 1994 Board Order and Motion for Extension of Stay (1/6) (JTM)
- 
- 93-228     Safety-Kleen Corporation - Petitioner's Status Report in Response to November 3, 1994 Board Order (12/30) (RCF)
- 
- 94-18      City of Wheaton - Petitioner's Motion to Reconsider and Vacate Order of December 1, 1994 (1/4) (CAM)
- 
- 94-85      Nichols Aluminum - Petitioner's Voluntary Withdrawal of Permit Appeal (12/30), Agency's Response to Petitioner's Motion for Voluntary Withdrawal of Permit Denial (1/10) (McF)
- 
- 94-123     Archer Daniels Midland - Motion For Relief From Hearing Requirement (12/30) (RCF)
- 
- 94-125     Beloit Corporation - Complainant's Motion for Extension of Stay (12/13) (ED)
- 
- 94-167     Melrose Partners - Petitioner's Voluntary Motion to Dismiss Petition for Review (1/9) (GTG)
- 
- 94-229     Village of Creve Coeur - Agency Motion to File Agency's Attorney Statement and Supplemental Testimony of William D. McMillan (12/16) (RCF)
- 
- 94-236     J.R. Meyers Company - Joint Stipulation of Settlement and Dismissal (12/7) (ED)
- 
- 94-240     IAUW et al. - Complainants' Motion to Strike the Respondent's Affirmative Defenses (12/13), Respondent's Response to Complainants' Motion to Strike and Reply to Affirmative Defenses (12/22) (CAM)
-

**MOTIONS: (Cont'd)**

- 94-244 Rodney B. Nelson - Complainant's Motion for Summary Judgment (11/4), Kane County Forest Preserve District's Motion to Strike Affidavit/Response to Motion for Summary Judgment (12/1), Complainant's Reply to Kane County Forest Preserve's Motion to Strike Affidavit (12/6), Kane County Board's Motion to Strike Complainant's Affidavit and Response to Complainant's Motion for Summary Judgment (12/19), Complainant's Motion to Strike Kane County Board's Response to Request for Admission of Genuineness of Documents, Kane County's Motion to Strike Affidavit, and Kane County's Response to Complainant's Motion for Summary Judgment (12/20), Kane County's Reply Instanter to Complainant's Motion to Strike (1/5) (ED)
- 
- 94-247 Rodney B. Nelson - Complainant's Motion for Summary Judgment (11/14) Kane County Forest Preserve District's Response to Complainant's Motion For Summary Judgment (12/1) (RCF)
- 
- 94-271 National Interchem Corporation - Respondent's Motion to Dismiss (11/10), Complainant's Response to Respondent's Motion to Dismiss (12/22), Respondent's Motion for Leave to File Reply (12/29) (GTG)
- 
- 94-277 Jerry Gleason Buick - Agency Motion to File Record Instanter (12/16) (RCF)
- 
- 94-280 Charles Gatwood - Joint Stipulation of Settlement and Dismissal (12/14) (GTG)
- 
- 94-287 Indian Refining Limited Partnership - Agency Motion to Extend Time to File Agency Recommendation (12/21) (McF)
-



**MOTIONS:** (Cont'd)

- 94-288 Grayslake Gelatin Company - Respondent Grayslake Gelatin Company's Motion to Dismiss Certain Counts of Complaint for Failure to State a Cause of Action (12/9), Motion to Strike Certain Counts of Complaint for More Definite Statement (12/9), Complainant's Response to Motion to Strike and Response to Motion to Dismiss (12/19) (ED)
- 
- 94-289 Montgomery Ward & Company - Petitioner's Motion for Reconsideration of October 20, 1994 Board Order (11/9), Agency Response to Petitioner's Motion for Reconsideration (11/23), Petitioner's Memorandum in Support of Motion for Reconsideration (12/2), Petitioner's Affidavit in Response to December 1, 1994 Board Order (12/19) (CAM)
- 
- 94-301 Colfax Corporation - Respondent's Motion to modify Final Order (12/22)
- 
- 94-305 Russ' Service & Towing - Agency Motion to File Record Instanter (12/13) (GTG)
- 
- 94-313 Major & Sandhu Petroleum - Agency Motion to File Agency Recommendation Instanter (12/20) (RCF)
- 
- 94-314 Mukhtiar Singh - Agency Motion to File Agency Recommendation Instanter (12/20) (GTG)
- 
- 94-328 W.R. Grace & Company-Connecticut - Agency Motion for Extension of Time in which to File Recommendation (12/19) (McF)
- 
- 94-329 Billy and Marilyn Turner - Respondent's Motion to Admit Counsel Pro Hac Vice (12/16) (GTG)
- 
- 94-332 Western Lion Limited - Petitioner's Motion for Leave to File Limited Copies (12/22) (JTM)
-

**MOTIONS: (Cont'd)**

- 94-370 The Dow Chemical Company - Agency Motion for Extension of Time in Which to File Recommendation (12/27) (McF) \_\_\_\_\_
- 94-372 Monee Auto Body - Agency Motion to File Record Instanter (1/3) (GTG) \_\_\_\_\_
- 94-374 Eagle Ridge Inn & Resort - Agency Motion to File Record Instanter (1/9) (JTM) \_\_\_\_\_
- 94-375 Beth-Anne Foundation - Petitioner's Motion for Voluntary Dismissal (12/20) (CAM) \_\_\_\_\_
- R81-19 Citizens Utilities Company of Illinois - Petitioner's Motion to Further Defer Proceedings and Status Report (1/6) (CAM) \_\_\_\_\_
- R94-18 Revisions of Treatability Testing Exclusion Limits - Motion for Voluntary Dismissal (12/23) (ED) \_\_\_\_\_
- R95-6 RCRA Subtitle C Update, USEPA Regulations (July 1, 1994 through December 31, 1994) - IERG Request for Expedited Adoption of Federal Land Disposal Regulations (1/9) (ED) \_\_\_\_\_

**DISCUSSIONS:**

- \* 94-207 Wilmer Brockman, Jr. (GTG) (due 2/16) \_\_\_\_\_
- \* 94-299 P & S, Inc. (ED) (due 2/16) \_\_\_\_\_
- \* 94-314 Mukhtiar Singh (GTG) (due 2/16) \_\_\_\_\_
- \* 94-320 Dorothy B. Kindy (McF) (due 2/16) \_\_\_\_\_

**REGULATORY DISCUSSIONS**

- R94-23 SDWA Update, USEPA Regulations (January 1, 1994 through June 30, 1994), Proposed Rule, First Notice, Opinion and Order (RCF)\_\_\_\_\_
- R95-2 RCRA Update, USEPA Regulations (July 1, 1994 through December 31, 1994), Proposed Rule, First Notice, Opinion and Order\_\_\_\_\_
- 

**AMENDED PETITIONS:**

- 94-215 Stroh Oil Company (filed 12/21) (See Petitioner's Motion for Leave to File Instanter filed 12/21 and Respondent's Motion for Leave to File Response Instanter filed 12/29; Petitioner's Response filed 1/9) (McF)
- 

**NEW CASES:**

- 94-256 DoAll Company, DoAll Credit Corporation, and The Rams-Head Company v. Mobil Oil Company, Inc., Skokie Valley Asphalt Company, Inc., and Septran, Inc. (See Mobil Oil Company's Motion to Dismiss Complaint filed 10/11; Skokie Valley Asphalt's Motion to Dismiss and Memorandum in Support Thereof filed 11/16) (McF)
- 
- 94-371 City of Elgin v. EPA (See Agency's Motion to Dismiss or in the Alternative Motion for an Order Requiring Clarification and Additional Information filed 12/22) (JCY)
- 
- 94-382 Gunitite Corporation v. EPA (JCY)
- 
- 94-386 Chase Products Company v. EPA (McF)
- 
- 94-387 Mr. "C" Food & Liquor, Inc. v. Office of the State Fire Marshal (CAM)
-

**NEW CASES:** (Cont'd)

- 94-388 Amoco Oil Company (Elmhurst) v. EPA (CAM)  
\_\_\_\_\_
- 94-389 People of the State of Illinois v. Village of Port Byron (See Motion to Request Relief From Hearing Requirement filed 12/28)  
\_\_\_\_\_
- 94-390 Madison County Conservation Alliance v. Waste Management, Inc. (Chain-of-Rocks Canal on Chouteau Island), and EPA (JCY)  
\_\_\_\_\_
- 94-391 America's Carwash-HP, Inc. v. EPA (JCY)  
\_\_\_\_\_
- 94-392 People of the State of Illinois v. Burkart Foam, Inc. (See Motion to Request Relief From Hearing Requirement filed 12/30)  
\_\_\_\_\_
- 94-393 Peoria School District #150 - Hines School v. EPA (ED)  
\_\_\_\_\_
- 95-1 Penny Snyder, George J. Moran, Robert D. Larson, George Arnold, Jim Bensman, Madison County Conservation Alliance, Piasa Palisades Group of the Sierra Club v. Waste Management of Illinois, Inc. (JCY)  
\_\_\_\_\_
- 95-2 USA Waste Services, Inc. (Countryside Landfill) v. EPA (ED)  
\_\_\_\_\_
- 95-3 Illinois Petroleum Marketers Association (Representing 266 Facilities located in the Chicago Ozone Nonattainment Area) v. EPA (CAM)  
\_\_\_\_\_
- 95-4 City of Paris, Illinois v. EPA  
\_\_\_\_\_
- 95-5 People of the State of Illinois v. Midwest Grain Products of Illinois, Inc. (See Motion to Request Relief From Hearing Requirement filed 1/5)  
\_\_\_\_\_
- 95-6 Silver Glen Estates v. EPA  
\_\_\_\_\_

**NEW CASES: (Cont'd)**

- 95-7 Tahoe Mobil, Inc. v. EPA (Provisional Variance)  
(CAM) \_\_\_\_\_
- 95-8 Truckstops of America, Inc. v. EPA (Provisional  
Variance) (CAM) \_\_\_\_\_
- 95-9 Runnfeldt & Belmont v. EPA (Provisional Variance)  
(CAM) \_\_\_\_\_
- 95-10 Scott Air Force Base v. EPA (Provisional Variance)  
(CAM) \_\_\_\_\_
- 95-11 Comerica Bank-Illinois v. EPA  
\_\_\_\_\_
- 95-12 A & A Kwik Mart #9 v. EPA (Provisional Variance)  
(CAM) \_\_\_\_\_
- 95-13 Alamo Rent-A-Car, Inc. v. EPA (Provisional  
Variance) (CAM) \_\_\_\_\_
- 95-14 Alden Quick Mart v. EPA (Provisional Variance) (CAM)  
\_\_\_\_\_
- 95-15 Bartlett Union 76 #172 v. EPA (Provisional  
Variance) (CAM) \_\_\_\_\_
- 95-16 Beach Park Union 76 #73 v. EPA (Provisional  
Variance) (CAM) \_\_\_\_\_
- 95-17 Berkley Auto Service v. EPA (Provisional Variance)  
(CAM) \_\_\_\_\_
- 95-18 Car Care Center v. EPA (Provisional Variance) (CAM)  
\_\_\_\_\_
- 95-19 Clark Refining and Marketing v. EPA (Provisional  
Variance) (CAM) \_\_\_\_\_
- 95-20 Denny's Standard Service v. EPA (Provisional  
Variance) (CAM) \_\_\_\_\_
- 95-21 Elmhurst Shell v. EPA (Provisional Variance) (CAM)  
\_\_\_\_\_
- 95-22 Federal Express v. EPA (Provisional Variance) (CAM)  
\_\_\_\_\_

**NEW CASES: (Cont'd)**

- 95-23 Gas Stop v. EPA (Provisional Variance) (CAM)  
\_\_\_\_\_
- 95-24 Go For It v. EPA (Provisional Variance) (CAM)  
\_\_\_\_\_
- 95-25 Go-Tane v. EPA (Provisional Variance) (CAM)  
\_\_\_\_\_
- 95-26 Harvard Union 76 #197 v. EPA (Provisional Variance)  
(CAM) \_\_\_\_\_
- 95-27 Hertz Rent-A-Car v. EPA (Provisional Variance) (CAM)  
\_\_\_\_\_
- 95-28 Ingleside Union 76 #70 v. EPA (Provisional  
Variance) (CAM) \_\_\_\_\_
- 95-29 Kean Oil Company v. EPA (Provisional Variance) (CAM)  
\_\_\_\_\_
- 95-30 Marcley's v. EPA (Provisional Variance) (CAM)  
\_\_\_\_\_
- 95-31 Michael Oil Company v. EPA (Provisional Variance)  
(CAM) \_\_\_\_\_
- 95-32 North Chicago Union 76 v. EPA (Provisional  
Variance) (CAM) \_\_\_\_\_
- 95-33 Oak Park and Madison 76 v. EPA (Provisional  
Variance) (CAM) \_\_\_\_\_
- 95-34 S & S Enterprises v. EPA (Provisional Variance)  
(CAM) \_\_\_\_\_
- 95-35 Shell Oil Company v. EPA (Provisional Variance)  
(CAM) \_\_\_\_\_
- 95-36 Ted's Mini Mart v. EPA (Provisional Variance) (CAM)  
\_\_\_\_\_
- R95-1 In the Matter of: Revision of the Board's  
Procedural Rules Part 101 - (All relevant Board  
procedural rules, including variances) **DOCKET  
RESERVED**

**NEW CASES:** (Cont'd)

- R95-2 Exemptions From the Definition of VOM Update, USEPA Regulations (July 1, 1994 through December 31, 1994)  
**DOCKET RESERVED**
- R95-3 SDWA Update, USEPA Regulations (July 1, 1994 through December 31, 1994) **DOCKET RESERVED**
- R95-4 UIC Update, USEPA Regulations (July 1, 1994 through December 31, 1994) **DOCKET RESERVED**
- R95-5 RCRA Subtitle D Update, USEPA Regulations (July 1, 1994 through December 31, 1994) **DOCKET RESERVED**
- R95-6 RCRA Subtitle C Update, USEPA Regulations (July 1, 1994 through December 31, 1994) **DOCKET RESERVED**
- 
- R95-7 UST Update, USEPA Regulations (July 1, 1994 through December 31, 1994) **DOCKET RESERVED**
- R95-8 Wastewater Pretreatment Update, USEPA Regulations (July 1, 1994 through December 31, 1994) **DOCKET RESERVED**
- 

**AC APPEALS:**

- 94-96) EPA v. M.K. O'Hara Construction, Inc., Kenneth  
94-97) O'Hara and Madalyn O'Hara (RCF)
- 
- 94-100 County of Macon v. Macon County Landfill  
Corporation (JCY)
- 

**NEW AC CASES:**

- 94-100 **SEE AC APPEALS LISTED ABOVE**
- 95-1 People of the County of Will v. CDT Landfill
- 
- 95-2 People of the County of Will v. CDT Landfill
-

**NEW AC CASES:** (Cont'd)

95-3 EPA v. Environmental Reclamation Company\_\_\_\_\_

---

**AMENDED ADJUSTED STANDARDS:**

94-2 Solar Corporation (McF) (Petitioner requests Exhibits 4, 5 and 6 be provided Trade Secret protection and are locked in Clerk of the Board's Trade Secret Cabinet) (McF)\_\_\_\_\_

94-4 Chase Products Company (McF)\_\_\_\_\_

---

**NEW ADJUSTED STANDARDS:**

94-17 Joint Petition of the City of Metropolis and the Illinois Environmental Protection Agency (JCY)

---

94-18 Petition of Central Can Company (See Petitioner's Notice of Publication filed 12/28) (JTM)

---

94-19 Petition of Hepworth U.S. Holdings, Inc. (McF)

---

94-20 Petition of The Galesburg Sanitary District (JCY)

---

95-1 Petition of Tommy House Tire

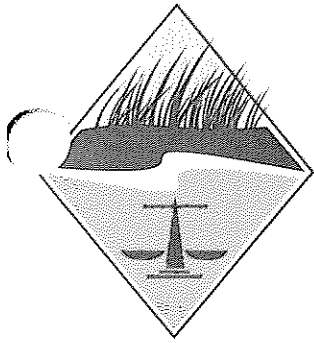
---

**MINUTES:**

December 14, 1994\_\_\_\_\_

December 16, 1994 (Special Board Meeting)\_\_\_\_\_





# ILLINOIS POLLUTION CONTROL BOARD

James R. Thompson Center ♦ Suite 11-500 ♦ 100 West Randolph Street ♦ Chicago, Illinois 60601  
312-814-3620 ♦ Fax 312-814-3669

## GOVERNOR

Honorable Jim Edgar



## CHAIRMAN

Claire A. Manning  
Springfield

### **NOTICE OF CHANGE IN ILLINOIS POLLUTION CONTROL BOARD MEETING SCHEDULE**

## MEMBERS

Emmett E. Dunham II  
Elmhurst

Ronald C. Flegal  
DeKalb

G. Tanner Girard  
Grafton

Marilyn McFawn  
Palatine

J. Theodore Meyer  
Chicago

Joseph C. Yi  
Park Ridge



**PUBLIC NOTICE IS HEREBY GIVEN that the Illinois  
Pollution Control Board meeting originally scheduled  
for January 12, 1995 has been rescheduled to January  
11, 1995. This meeting will be held in Conference  
Room 9-040, and will begin at 3:00 p.m.**

**CLAIRE A. MANNING**  
Chairman

## SPRINGFIELD OFFICE

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

## SATELLITE OFFICES

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

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

**Posted and circulated January 9, 1995**

