

## ILLINOIS POLLUTION CONTROL BOARD

### MINUTES OF REGULAR BOARD MEETING APRIL 6, 1995 CHICAGO, ILLINOIS

After calling the meeting to order, Chairman Manning welcomed every one to the meeting, introduced K.C. Doyle, who will serve as attorney assistant to Board Member J. Theodore Meyer, and announced that the Board would be reconvening at 1:30 p.m. to consider PCB 94-240 and PCB 92-164. Thereafter, the Clerk was asked for a roll call and all members answered present.

An Order granting the joint proponents' motion to set a briefing schedule and IERG's motion to file its response in support of the motion instantner, was adopted in R92-8, Proposed Amendments to 35 Ill. Adm. Code Subtitle C (Water Toxics & Bioaccumulation), by a vote of 7-0. (RCF)

Minutes of the March 9, 1995 Board Meeting were approved by a vote of 4-0. R.C. Flemal, G. Tanner Girard, and C.A. Manning abstained.

Minutes of the March 16, 1995 Board Meeting were approved by a vote of 7-0.

Minutes of the March 23, 1995 Board Meeting were approved by a vote of 4-0. Messrs. R.C. Flemal, G. Tanner Girard, and J. Theodore Meyer abstained.

An Order granting the petitioner's motion to bifurcate the issues, and directing the hearing officer to schedule one hearing in the matter for the limited purpose of developing a factual and legal record on the issue of whether its site, Joliet/Lincoln Quarry, is properly designated a surface impoundment or landfill, and if necessary a second hearing to be held for the purpose of determining the merits of the petitioner's site-specific rulemaking petition and all remaining issues, was adopted in R94-30, Petition of Commonwealth Edison Company for Site-Specific Regulation for Existing Landfills and Units: 35 Ill. Adm. Code 811.814, by a vote of 7-0. (McF)

In R95-12, Clean Fuel Fleet Program: Proposed 35 Ill. Adm. Code 241, a Proposed Rule, First Notice, Opinion and Order was adopted by a vote of 7-0. (JY)

An Opinion and Order was adopted in #AS 94-12, Petition of Waste Management of Illinois, Inc. for an Adjusted Standard from 35 Ill. Adm. Code Sections 807.665(b) and 811.714(b), by a vote of 6-1. J. Theodore Meyer dissented. (GTG)

An Opinion and Order was adopted in #AS 94-16, Petition of the City of Wood River for an Adjusted Standard from Treatment of Overflows and Bypass Regulations 35 Ill. Adm. Code 306.305(A) and (b), by a vote of 7-0. (ED)

An Opinion and Order was adopted in #95-6, Silver Glen Estates v. IEPA, by a vote of 7-0. (RCF)

An Opinion and Order assessing hearing costs incurred by the Board and the Agency was adopted in #AC 94-8, IEPA v. Atkinson Landfill Company, by a vote of 7-0. (GTG)

An Order granting the respondent's motion to withdraw its petition for review, and unless already paid, directing the respondent to pay a penalty in the amount of \$1,000.00 within 30 days of the date of the entry of the Order, was adopted in #AC 94-54, IEPA v. Envirite Corporation, by a vote of 7-0. (JTM)

A Default Order was adopted in #AC 95-13, IEPA v. Staunton Fuel & Material, Inc., by a vote of 7-0.

These Administrative Citations were accepted by the Board: #95-22, IEPA v. Clayton G. Pope and Karen N. Pope; 95-23, County of Vermilion, Illinois v. Brickyard Disposal & Recycling, Inc.; 95-24, County of Vermilion, Illinois v. Brickyard Disposal & Recycling, Inc.; 95-25, IEPA v. Fred Smith, Jr.; 95-26, IEPA v. Orville Bartels and Frank Blair.

An Order granting the petitioner's motion for an extension of time until April 13, 1995 to file a brief in support of its motion for reconsideration, was adopted in #93-55, Clarendon Hills Bridal Center (Learsi and Company, Inc.) v. IEPA, by a vote of 7-0. (MCF)

A Order granting the Agency's motion for co-petitioner status, was adopted in #AS 94-3, Petition of Outboard Marine Corporation (Waukegan Facility) for an Adjusted Standard from 35 Ill. Adm. Code Part 218, by a vote of 7-0. (MCF)

An Order granting the Agency's motion for an extension of time until June 30, 1995 to file the Agency recommendation, was adopted in #AS 94-18, Petition of Central Can Company for an Adjusted Standard from 35 Ill. Adm. Code Part 218, by a vote of 7-0. (MCF)

The respondent's motion to strike in #94-215, Stroh Oil Company, will be taken with the case-in-chief.

An Order directing the Clerk of the Board to cause publication of the required newspaper notice of the parties' request for relief from hearing requirement, was adopted in #94-246, People of the State of Illinois v. Odum Concrete Products, Inc., by a vote of 7-0. (CAM)

An Order granting the complainants' motion for an extension of time until April 20, 1995 to respond to respondent Mobil Oil Company's motion to dismiss, was adopted in #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., by a vote of 7-0. (McF)

An Order granting the Agency's motion to file the record instanter, was adopted in #94-289, Montgomery Ward & Company, Inc. v. IEPA, by a vote of 7-0. (JY)

An Order granting the petitioner's motion to dismiss, was adopted in #94-387, Mr. "C" Food & Liquor, Inc. v. Office of the State Fire Marshal, by a vote of 7-0. (CAM)

An Order granting the Agency's motion to file the record instanter, was granted in #95-41, -74, Kalo Gasoline Company v. IEPA, by a vote of 7-0. (CAM)

An Order accepting the matter for hearing, was adopted in #95-51, Don Carson Steinheimer and Ray Darrow Steinheimer as Co-Executors of the Estate of Irene D. Steinheimer, deceased v. GTE North, Inc., by a vote of 7-0. (RCF)

An Order granting the Agency's motion for an extension of time until April 27, 1995, in which to file the recommendation, was adopted in #95-52, Safety-Kleen Corporation (Dolton Facility) v. IEPA, by a vote of 7-0. (JY)

An Order granting the Agency's motion to file the record instanter was adopted in #95-54, City of Metropolis v. IEPA, by a vote of 7-0. (JY)

Waste Management's motion to strike the Petitioner's amended petition will be taken with the case-in-chief in #95-77, Keith Tiberend v. Waste Management of Illinois, Inc. and the Village of Marissa.

The Board, on its own motion, reconsidered its March 16, 1995 Board Order, and upon reconsideration, modified the Order to continue the extension of the 35-day appeal period for a full 125 days, so that in the event the petitioner fails to file an appeal on or before June 15, 1995, the Board will dismiss the docket in #95-100, C & S Recycling, Inc. v. IEPA. The vote was 7-0. (CAM)

An Order accepting the joint status report in response to a December 14, 1994 Board Order, and directing the parties to file additional status reports, either jointly or separately, no later than June 30, 1995, which shall indicate an anticipated date of resolution, or the Board will set the matter for hearing, was adopted in #91-206, Clayton Chemical Company v. IEPA, by a vote of 7-0. (JTM)

An Order accepting the joint status report, granting the request for a new status date, directing the petitioner and the Agency to file a status report with the hearing officer by May 16, 1995 in

the event that the matter has not already been resolved and dismissed, and directing all future status reports to be filed at the direction of the hearing officer, was adopted in #93-45, St. Louis Auto Shredding v. IEPA, by a vote of 7-0. (RCF)

An Order extending the 35-day appeal period, reserving the docket for any appeal which may be filed by the petitioner, noting that in the event that the petitioner fails to file an appeal on or before June 15, 1995, the Board will dismiss the docket as unnecessary, and advising the petitioner that a \$75.00 filing fee will be required at such time as the petitioner files a petition, was adopted in #95-105, Saline County Landfill v. IEPA, by a vote of 7-0. (CAM)

New case #95-108, Village of Lake in the Hills v. IEPA, was held for an Agency recommendation.

An Order accepting the matter for hearing was adopted in #95-109, ESG Watts Inc. (Sangamon Valley Landfill) v. IEPA, by a vote of 7-0.

An Order accepting the matter for hearing was adopted in #95-110, ESG Watts, Inc. (Taylor Ridge/Andalusia Landfill) v. IEPA, by a vote of 7-0.

An Order accepting the matter for hearing was adopted in #95-111, Thomas Brown (Tom's Corner Facility) v. IEPA, by a vote of 7-0.

An Order accepting the matter for hearing was adopted in #95-112, John C. Justice, d/b/a Microcosm v. IEPA, by a vote of 7-0.

New case #95-113, White Glove of Morton Grove, Illinois v. Amoco Oil Company, was held for duplicitous/frivolous determination.

An Order directing the Clerk of the Board to cause publication of the required newspaper notice of the parties' request for relief from hearing requirement, was adopted in #95-114, People of the State of Illinois v. C.P. Inorganics, Inc., n/k/a Phibro-Tech, Inc., by a vote of 7-0.

An Order accepting the matter for hearing was adopted in #95-115, Illico Independent Oil Company v. IEPA, by a vote of 7-0.

An Order requesting additional information was adopted in #95-116, Kelley-Williamson Company v. IEPA, by a vote of 7-0.

An Order accepting the matter for hearing was adopted in #95-117, by a vote of 7-0.

An Order accepting the matter for hearing was adopted in #95-118, Jack Pease, d/b/a Glacier Lake Extraction v. IEPA, by a vote of 7-0.

An Order extending the 35-day appeal period, reserving docket ##95-119 and 95-125 for any appeals which may be filed by the petitioner, noting that in the event the petitioner fails to file an appeal in ##95-119 or 95-125 on or before July 2, 1995, the Board will dismiss the docket as unnecessary, and advising the petitioner that a \$75.00 filing fee will be required at such time the petitioner files each petition, was adopted in ##95-119, -125, West Suburban Recycling and Energy Center v. IEPA, by a vote of 7-0. (CAM)

A provisional variance was granted in #95-120, City of Crystal Lake v. IEPA, by a vote of 7-0. (CAM)

A provisional variance was granted in #95-121, Illinois Power Company (Baldwin Power Station) v. IEPA, by a vote of 7-0. (CAM)

A provisional variance was granted in #95-123, Argonne National Laboratory - East v. IEPA, by a vote of 7-0. (CAM)

A mandatory hearing will be held in this matter: #95-124, People of the State of Illinois v. Lebanon Chemical Corporation.

These cases were discussed and held for further discussion or possible decision at the April 20, 1995 Board meeting: R94-31, 15% ROP Plan Control Measures for VOM Emissions - Part V: Control of Volatile Organic Compound Emissions from Lithographic Printing: Amendments to 35 Ill. Adm. Code Parts 211, 218, and 219, Adopted Rule, Final Order, Opinion and Order; R94-32, 15% ROP Plan Control Measures for VOM Emissions - Part VI: Motor Vehicle Refinishing: Amendments to 35 Ill. Adm. Code 211, 218 and 219, Adopted Rule, Final Order, Opinion and Order; R95-2, Exemptions from the Definition of VOM, USEPA Recommended Policy Amendments (July 1 through December 31, 1994), Proposal for Public Comment, Proposed Opinion and Order; ##AC 94-5, IEPA v. James Bennett and Kerry J. Henson; AC 94-76, Sangamon County v. SLC of Springfield, Inc.; AS 93-4, Petition of Conversion Systems, Inc. for an Adjusted Standard from 35 Ill. Adm. Code, Part 811 (Liner); AS 93-5, Petition of Conversion Systems, Inc. for an Adjusted Standard from 35 Ill. Adm. Code Part 811 (Monofill); 93-172, Inspiration Development Company v. IEPA; 94-127, People of the State of Illinois v. James Lee Watts, Individually and d/b/a Watts Trucking Service, Inc. and ESG Watts, Inc.; 95-3, Illinois Petroleum Marketers Association (Representing 267 Facilities Located in the Chicago Ozone Nonattainment Area) v. IEPA; 95-42, The Village of North Aurora v. IEPA; 95-49, Glenbard Wastewater Authority v. IEPA.

A motion by E. Dunham, seconded by R.C. Flemal, to grant the Chairman's motion to hold a closed deliberative session pursuant to P.A. 88-621 following the April 13, 1995 Process meeting carried by a vote of 7-0.

The meeting was then recessed and will reconvene at 1:30 p.m..

1:30 P.M. SESSION

All Board Members were present.

An Interim Opinion and Order was adopted in ##AC 94-96, -97, IEPA v. M.K. O'Hara Construction, Inc., Kenneth O'Hara and Madalyn O'Hara, by a vote of 7-0. (RCF)

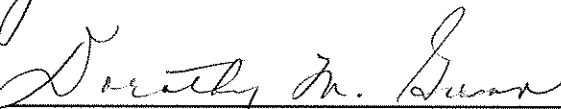
This matter was discussed and held to April 13, 1995 for further discussion or possible decision: #92-164, People of the State of Illinois v. Berniece Kershaw and Darwin Dale Kershaw, d/b/a Kershaw Mobile Home Park.

An Order granting Caterpillar's motion for full Board consideration, denying the complainants' motion for site inspection and denying the complainants' motion to strike, was adopted in #94-240, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America and UAW Local 974 and Citizens For A Better Environment v. Caterpillar, Inc., and IEPA, Party in Interest, by a vote of 7-0. (CAM)

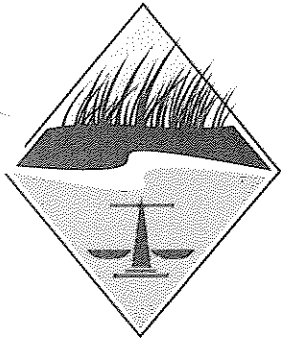
All other matters not disposed of as listed were held.

The meeting was recessed and will reconvene for an Executive Session in the Chairman's office at 1:45 p.m.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Minutes were approved this 4th day of May, 1995, by a vote of 7-0.



Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board



# ILLINOIS POLLUTION CONTROL BOARD

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

GOVERNOR  
Honorable Jim Edgar



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Claire A. Manning  
Springfield

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Elmhurst

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Palatine

J. Theodore Meyer  
Chicago

Joseph C. Yi  
Park Ridge



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

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

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



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## FINAL AGENDA APRIL 6, 1995 CHICAGO, ILLINOIS CMS CONFERENCE ROOM 2-025 10:30 A.M.

### Announcements

*The Pollution Control Board welcomes the public to this open meeting. During the meeting itself, only the Board members or staff that are recognized by the Chairman are allowed to speak. If you have any questions about anything that occurred at the meeting, please feel free, after the meeting, to direct your questions to any one of the many staff members in attendance.*

*Appearance of an item on the agenda does not guarantee that the Board will take action on that item, since the Board may decide to hold the item over for additional review and action at a later meeting. Dates of future meetings of the Board appear on the last page of this agenda. Thank you for your interest.*

### Roll Call

### Minutes

March 9, 1995

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March 16, 1995

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March 23, 1995

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## REGULATORY ACTIONS

R92-8      Sierra Club Water Quality Amendments - Request for Reasonable Time and Affidavit of Whitney Wagner Rosen for IERG (2/2), Response to Request for Time and Motion to File Instante Submitted by Joint Proponents (2/23), Motion to Conform Rule to Record and Law prior to First Notice by Illinois Fertilizer and Chemical Association Submitted by Mark Miller (2/24), Motion to Strike by IERG Submitted by Katherine Hodge (3/7), Motion to Strike by Chemical Industry Council of Illinois Submitted by Mark Homer (3/8), Statement in Support of Motion to Strike by Illinois Fertilizer and Chemical Association Submitted by Mark Miller (3/13), Motion to Strike by IEPA Submitted by Bruce L. Carlson (3/16), Motion to Set Briefing Schedule Submitted by Joint Proponents (3/17), IERG's Motion For Leave to File Instante Response to Motion to Set Briefing Schedule (4/4) (RCF)

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R94-21      15% ROP Plan Control Measures for VOM Emissions-Part IV: Tightening Surface Coating Standards: Surface Coating of Automotive/Transportation and Business Machine Plastic Parts; Wood Furniture Coating; Reactor Processes and Distillation Operation Processes in SOCM; and Bakery Ovens; Amendments to 35 Ill. Adm. Code Parts 211, 218 and 219 - Adopted Rule, Final Order, Opinion and Order (GTG)

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R94-30      Commonwealth Edison Company Site-Specific Regulation 35 Ill. Adm. Code 811.814 - Petitioner's Motion to Bifurcate Issues and Petition to Designate the Joliet/Lincoln Quarry as a Surface Impoundment (3/22)(McF)

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R95-12      Clean Fuel Fleet Program: Amendments to 35 Ill. Adm. Code 241 - Agency Motion for Waiver of Requirements (3/30)(JY)

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## DECISIONS

AS 94-12     Petition of Waste Management of Illinois, Inc. for an Adjusted Standard from 35 Ill. Adm. Code Sections 807.665(b) and 811.714(b) (GTG)

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AS 94-16     Petition of City of Wood River for an Adjusted Standard from Treatment of Overflows and Bypass Regulations 35 Ill. Adm. Code 306.305(a) and (b) (ED)

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95-6         Silver Glen Estates v. IEPA (RCF)(due 6/1)

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## ADMINISTRATIVE CITATIONS

AC 94-8       IEPA v. Atkinson Landfill Company (GTG)

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AC 94-37     County of Ogle v. City of Rochelle and Rochelle Disposal Service, Inc. - Stipulated Settlement (3/22)(JY)

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AC 94-54     IEPA v. Envirite Corporation - Respondent's Withdrawal of Petition For Review (3/29)(JTM)

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AC 94-96)     IEPA v. M.K. O'Hara Construction, Inc., Kenneth O'Hara and  
AC 96-97)     Madalyn O'Hara (RCF)

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AC 95-13     IEPA v. Staunton Fuel & Material, Inc. - Default Order

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AC 95-22     IEPA v. Clayton G. Pope and Karen N. Pope - Accept Case - No Order

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## **ADMINISTRATIVE CITATIONS (Cont'd)**

AC 95-23     County of Vermilion, Illinois v. Brickyard Disposal & Recycling, Inc.  
Accept Case - No Order

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AC 95-24     County of Vermilion, Illinois v. Brickyard Disposal & Recycling, Inc.  
Accept Case - No Order

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AC 95-25     IEPA v. Fred Smith, Jr. - Accept Case - No Order

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AC 95-26     IEPA v. Orville Bartels and Frank Blair - Accept Case - No Order

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## **MOTIONS**

92-164     People of the State of Illinois v. Berniece Kershaw and Darwin Dale Kershaw, d/b/a Kershaw Mobile Home Park - Motion for Reconsideration (5/13), Joint Stipulation (8/29), Complainant's Brief (9/24), Respondents's Brief (10/31), Complainant's Reply Brief (11/15)(GTG)

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93-55     Clarendon Hills Bridal Center (Learsi & Company, Inc.) v. IEPA - Petitioner's Motion for Reconsideration of February 16, 1995 Opinion and Order (3/23)(McF)

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AS 94-3     Petition of Outboard Marine Corporation (Waukegan Facility) for an Adjusted Standard from 35 Ill. Adm. Code Part 218 - Agency Motion to Join Amended Petition for Adjusted Standard (3/16)(McF)

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AS 94-18     Petition of Central Can Company for an Adjusted Standard from 35 Ill. Adm. Code Part 218 - Agency Motion to Extend Time to File Agency Recommendation (3/31)(McF)

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**MOTIONS (Cont'd)**

- 94-133      TNT Holland Motor Express, Inc. v. Office of the State Fire Marshal -  
Petitioner's Motion for Summary Judgment and Memorandum of Law  
in Support of its Motion for Summary Judgment (3/27)(JTM)
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- 94-215      Stroh Oil Company v. Office of the State Fire Marshal - Respondent's  
Motion to Strike (3/14)(McF)
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- 94-240      International Union, United Automobile, Aerospace and Agricultural  
Implement Works of America and UAW Local 974; and Citizens For A  
Better Environment v. Caterpillar, Inc. and IEPA, Party-in-Interest -  
Respondent's Motion for Full Board Consideration and Objection to  
Complainants' Motion for Inspection of Premises (3/31), Respondent's  
Objection to Complainants' Request for Inspection of Premises (4/3),  
Complainants' Response to Respondent's Motion for Full Board  
Consideration of Complainants' Motion for Inspection of Premises  
(4/5)(CAM)
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- 94-246      People of the State of Illinois v. Odum Concrete Products, Inc. -  
Motion for Relief from Hearing Requirement (3/24)(CAM)
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- 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. - Complainants' Motion for  
Extension of Time to Respond to Mobil Oil Company's Motion to  
Dismiss (3/17), Complainant DoAll Company's Memorandum in  
Opposition to Respondent Skokie Valley's Motion to Dismiss  
(3/20)(McF)
- 
- 94-289      Montgomery Ward & Company v. IEPA - Agency Record and Agency  
Motion to File Record Instantly (4/4)(JY)
- 
- 94-387      Mr. "C" Food & Liquor, Inc. v. Office of the State Fire Marshal -  
Petitioner's Motion to Dismiss (3/21)(CAM)
-

## MOTIONS (Cont'd)

95-1      Penny Snyder, George J. Moran, Robert D. Larson, George Arnold, Jim Bensman, Piasa Palisades Group of the Sierra Club v. Waste Management of Illinois, Inc. - Respondent's Motion to Dismiss Complaint and Brief in Support of Motion to Dismiss (1/18), Respondent's Motion to Dismiss Amended Formal Complaint and Brief in Support of Motion to Dismiss Amended Formal Complaint (2/10)(JY)

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95-41)      Kalo Gasoline Company v. IEPA - Agency Record and Agency  
95-74)      Motion to File Record Instantly (4/4)(CAM)

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95-43)      Kathe's Auto Service Center v. IEPA - Agency Motion for Summary  
95-48)      Judgment (3/23)(JY)

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95-51      Don Carson Steinheimer and Ray Darrow Steinheimer as Co-Executors of the Estate of Irene D. Steinheimer, deceased v. GTE North, Inc. Accept for Hearing Order (RCF)

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95-52      Safety-Kleen Corporation (Dolton Facility) v. IEPA - Agency Motion for Extension of Time in Which to File Agency Recommendation (3/31)(JY)

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95-54      City of Metropolis v. IEPA - Agency Motion to File Record Instantly (3/23)(JY)

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95-75)      Medical Disposal Services, Inc. v. IEPA - Petitioner's Motion for  
95-76)      Summary Judgment, Memorandum in Support of Motion for Summary Judgment and Statement of Uncontested Facts (3/31)(McF)

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95-77      Keith Tiberend v. Waste Management of Illinois, Inc. and the Village of Marissa - Waste Management's Motion to Strike Amended Petition (3/24)(RCF)

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

95-89      Eugene W. Graham (Libertyville Citgo) v. IEPA - Agency Motion to Dismiss (3/20), Petitioner's Response to the Agency's Motion to Dismiss (3/28), Agency Record and Motion to File Record Instantly (4/4)(JY)

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95-100      C & S Recycling, Inc. v. IEPA - Board Motion to Reconsider March 16, 1995 Order (CAM)

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

89-177      CWM Chemical Services, Inc. v. IEPA - Status Report in Response to January 11, 1995 Board Order (3/24)(JTM)

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91-206      Clayton Chemical Company v. IEPA - Joint Status Report in Response to December 14, 1994 Board Order (3/31)(JTM)

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93-45      St. Louis Auto Shredding v. IEPA - Petitioner's Status Report in Response to February 2, 1995 Board Order (3/31)(RCF)

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AS 95-3      Joint Petition of the IEPA and the City of Metropolis for an Adjusted Standard from 35 Ill. Adm. Code Part 304 for Suspended Solids, 5-Day Biological Oxygen Demand (BOD<sub>5</sub>) and Ammonia - Hold for Certificate of Publication (See also Motion to Incorporate Prior Proceedings and Motion for Waiver of Filing Requirements filed 3/23)(JY)

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AS 95-4      Petition of the Metropolitan Water Reclamation District of Greater Chicago for an Adjusted Standard from 35 Ill. Adm. Codes 811, 812, and 817 (Sludge Application) - Hold for Certificate of Publication

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

- 95-42      The City of North Aurora v. IEPA - Petitioner's Amended Petition for Extension of Variance (3/29)(McF)
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- 95-105      Saline County Landfill v. IEPA - 90 Day Extension Order (CAM)
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- 95-108      Village of Lake in the Hills v. IEPA - Hold for Agency Recommendation - No Order (JTM)
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- 95-109      ESG Watts, Inc. (Sangamon Valley Landfill) v. IEPA - Accept for Hearing Order (JY)
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- 95-110      ESG Watts, Inc. (Taylor Ridge/Andalusia Landfill) v. IEPA - Accept for Hearing Order (JY)
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- 95-111      Thomas Brown (Tom's Corner Facility) v. IEPA - Accept for Hearing Order (JY)
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- 95-112      John C. Justice, d/b/a Microcosm v. IEPA - Accept for Hearing Order (CAM)
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- 95-113      White Glove of Morton Grove, Illinois v. Amoco Oil Company - Hold for Duplicitous/Frivolous Determination (CAM)
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- 95-114      People of the State of Illinois v. C.P. Inorganics, Inc., n/k/a Phibro-Tech, Inc. - Agreed Motion to Request Relief From the Hearing Requirement (3/29)
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- 95-115      Illico Independent Oil Company v. IEPA - Accept for Hearing Order
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**CASES TO BE SET FOR HEARING AND OTHER CASE PROCESSING  
ORDERS OR MATTERS (Cont'd)**

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| 95-116 | <u>Kelley-Williamson Company v. IEPA</u> - More Information Order  |
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| 95-117 | <u>Kean Brothers, Inc. v. IEPA</u> - Accept for Hearing Order  |
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| 95-118 | <u>Jack Pease, d/b/a Glacier Lake Extraction v. IEPA</u> - Accept for<br>Hearing Order   |
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| 95-119 | <u>West Suburban Recycling and Energy Center v. IEPA</u> - 90 Day<br>Extension Order (CAM)   |
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| 95-120 | <u>City of Crystal Lake v. IEPA</u> - Provisional Variance (CAM)   |
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| 95-121 | <u>Illinois Power Company (Baldwin Power Station) v. IEPA</u> - Provisional<br>Variance (CAM)  |
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| 95-122 | <u>Olive Streit and Lisa Streit v. Oberweis Dairy, Inc., Richard J. Fetzer<br/>and Johnie Ward, d/b/a Serve-N-Save, and Richard J. Fetzer,<br/>individually, Amoco Oil Company, Mobil Oil Corporation, and IEPA</u> -<br>Hold for Duplicitous/Frivolous Determination - No Order |
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| 95-123 | <u>Argonne National Laboratory - East v. IEPA</u> - Provisional Variance<br>(CAM)  |
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| 95-124 | <u>People of the State of Illinois v. Lebanon Chemical Corporation</u> -<br>Hearing Mandatory - No Order   |
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**DISCUSSION OF ITEMS TENTATIVELY SCHEDULED TO BE MOVED AT  
APRIL 20, 1995 BOARD MEETING**

- R94-32      15% ROP Plan Control Measures for VOM Emissions - Part VI: Motor Vehicle Refinishing: Amendments to 35 Ill. Adm. Code 211, 218 and 219 - Adopted Rule, Final Order, Opinion and Order (RCF)
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- R95-2      Exemptions from the Definition of VOM, USEPA Recommended Policy Amendments (July 1 through December 31, 1994) - Proposal for Public Comment, Proposed Opinion and Order (GTG)
- 
- AC 94-5      IEPA v. James Bennett and Kerry J. Henson - Interim Opinion and Order (RCF)
- 
- AC 94-76      Sangamon County v. SLC of Springfield, Inc. (JY)
- 
- AS 93-4      Petition of Conversion Systems, Inc. for an Adjusted Standard from 35 Ill. Adm. Code, Part 811 (Liner) (McF)
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- AS 93-5      Petition of Conversion Systems, Inc. for an Adjusted Standard from 35 Ill. Adm. Code Part 811 (Monofill) (McF)
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- 93-172      Inspiration Development Company v. IEPA (RCF)(due 7/20)
- 
- 94-127      People of the State of Illinois v. James Lee Watts, Individually and d/b/a Watts Trucking Service, Inc. and ESG Watts, Inc. (GTG)
- 
- 95-3      Illinois Petroleum Marketers Association (Representing 267 Facilities Located in the Chicago Ozone Nonattainment Area) v. IEPA (CAM)(due 4/20)
- 
- 95-42      The City of North Aurora v. IEPA (McF)(due 7/20)
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**DISCUSSION OF ITEMS TENTATIVELY SCHEDULED TO BE MOVED AT  
APRIL 20, 1995 BOARD MEETING (Cont'd)**

95-49            Glenbard Wastewater Authority v. IEPA (ED)(due 5/18)

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Chairman's Motion to Hold Closed Deliberative Session Pursuant to  
P.A. 88-621 Following April 13, 1995 Process Meeting

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**ADJOURNMENT**

## **LIST OF NEW CASES FILED SINCE MARCH 23, 1995 BOARD MEETING**

R95-12      Clean Fuel Fleet Program: Amendments to 35 Ill. Adm. Code 241

AC 95-22      IEPA v. Clayton G. Pope and Karen N. Pope

AC 95-23      County of Vermilion, Illinois v. Brickyard Disposal & Recycling, Inc.

AC 95-24      County of Vermilion, Illinois v. Brickyard Disposal & Recycling, Inc.

AC 95-25      IEPA v. Fred Smith, Jr.

AC 95-26      IEPA v. Orville Bartels and Frank Blair

AS 95-3      Joint Petition of the IEPA and the City of Metropolis for an Adjusted Standard from 35 Ill. Adm. Code Part 304

AS 95-4      Petition of the Metropolitan Water Reclamation District of Greater Chicago for an Adjusted Standard from 35 Ill. Adm. Codes 811, 812, and 817 (Sludge Application)

95-108      Village of Lake in the Hills v. IEPA

95-109      ESG Watts, Inc. (Sangamon Valley Landfill) v. IEPA

95-110      ESG Watts, Inc. (Taylor Ridge/Andalusia Landfill) v. IEPA

95-111      Thomas Brown (Tom's Corner Facility) v. IEPA

95-112      John C. Justice, d/b/a Microcosm v. IEPA

95-113      White Glove of Morton Grove, Illinois v. Amoco Oil Company

95-114      People of the State of Illinois v. C.P. Inorganics, Inc., n/k/a Phibro-Tech, Inc.

95-115      Illico Independent Oil Company v. IEPA

95-116      Kelley-Williamson Company v. IEPA

95-117      Kean Brothers, Inc. v. IEPA

95-118      Jack Pease, d/b/a Glacier Lake Extraction v. IEPA

95-119      West Suburban Recycling and Energy Center v. IEPA

**LIST OF NEW CASES FILED SINCE MARCH 23, 1995 BOARD MEETING (Cont'd)**

- 95-120      City of Crystal Lake v. IEPA
- 95-121      Illinois Power Company (Baldwin Power Station) v. IEPA
- 95-122      Olive Streit and Lisa Streit v. Oberweis Dairy, Inc., Richard J. Fetzer and Johnie W. Ward, d/b/a Serve-N-Save, and Richard J. Fetzer, individually, Amoco Oil Company, Mobil Oil Corporation, and IEPA
- 95-123      Argonne National Laboratory - East v. IEPA
- 95-124      People of the State of Illinois v. Lebanon Chemical Corporation

**REGULAR BOARD MEETING SCHEDULE**

**April 6\*      May 18**

**April 20      June 1\***

**May 4\*      June 15**

**Additionally, the Board will hold a process meeting at 10:30 a.m. on April 13, 1995, in the Board's Conference Room #512.**

**\*Denotes additional meetings**