

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR MEETING FEBRUARY 1, 1996 CHICAGO, ILLINOIS

After calling the meeting to order, Chairman Manning welcomed members of the public and staff to the meeting. Thereafter, the Clerk was asked for a roll call, and all Board Members answered present.

Minutes of the January 18, 1996 Board Meeting were approved by a vote of 7-0.

In R95-14, Petition of Metropolitan Water Reclamation District of Greater Chicago for Site-Specific Water Quality Regulation: Amendments to 35 Ill. Adm. Code 302, 303 and 304, an Adopted Rule, Final Order, Opinion and Order was adopted by a vote of 7-0. **(RCF)**

In R96-2, 15% ROP Plan: Clean-up Part I - Amendments to 35 Ill. Adm. Code 219.585(a) and 219.Appendix E, and Adopted Rule, Final Order, Opinion and Order was adopted by a vote of 6-1. J. Theodore Meyer dissented. **(RCF)**

An Order granting the Petitioner's motion to supplement the record, denying the petitioner's motion to request decision, and directing the Agency to immediately file the required response to the petitioner's petition for an adjusted standard, was adopted in #AS 96-3, Petition of Cabot Corporation for an Adjusted Standard from 35 Ill. Adm. Code Part 738, Subpart B, by a vote of 7-0. **(RCF)**

An Opinion and Order was adopted in #93-179, IBP, Inc. v. IEPA, by a vote of 5-2. Chairman Claire A. Manning and Member Marili McFawn dissented, and Member Joseph Yi concurred. **(GTG)**

A Final Opinion and Order was adopted in #95-47, People of the State of Illinois v. W.O.W. Truck Lines, Inc., by a vote of 7-0. **(McF)**

An Opinion and Order was adopted in #96-113, Wynstone Property Owners' Association v. IEPA, by a vote of 7-0. **(RCF)**

An Interim Order was adopted in #AC 95-11, IEPA v. Gordon McCann and Larson Foundation, by a vote of 7-0. **(RCF)**

An Interim Opinion and Order was adopted in #AC 95-43, Montgomery County, Illinois v. Clifford Crispens, Jacqueline R. Crispens and Line Pilot Bungee, Inc., by a vote of 7-0. **(JTM)**

Default Orders were adopted in these Administrative Citations by a vote of 7-0: ##96-29, Will County v. James Mallette; 96-30, IEPA v. Richard Vaughn, d/b/a Richard's Tire Hauling.

These Administrative Citations were accepted by the Board: ##96-34, Montgomery County, Illinois v. Envotech-Illinois, Inc.; 96-35, County of LaSalle v. CSX Transportation, Inc..

An Order denying the complainant's motion for summary judgment as to Site One, granting partial summary judgment as to Site Two relating to the issue of liability only, and denying the respondent's cross-motion for summary judgment, and noting that the hearing shall proceed consistent with the order, was adopted in #93-191, People of the State of Illinois v. Lloyd Wiemann, d/b/a Wiemann Ice and Fuel, by a vote of 7-0. **(CAM)**

An Order granting the petitioner's motion to withdraw, was adopted in #94-393, Peoria School District #150 - Hines School v. IEPA, by a vote of 7-0. **(ED)**

An Order denying respondent Bell Sports' motion to reconsider a December 7, 1995 Board Order which denied Bell Sports' motion to dismiss the cross-claim of Waste Hauling Landfill, Inc. and Waste Hauling Inc., was adopted in #95-91, People of the State of Illinois v. Bell Sports, Inc., Waste Hauling Landfill, Inc., by a vote of 7-0. **(CAM)**

An Order granting the petitioner's motion to file response instanter, and denying the Agency's motion for summary judgment, was adopted in ##95-119, - 125, West Suburban Recycling and Energy Center, L.P. v. IEPA, by a vote of 7-0. **(RCF)**

An Order denying respondent Amoco Oil's emergency request for interlocutory review of the hearing officer's December 21, 1995 ruling, and granting respondent Amoco Oil's motion to strike respondent Oberweis' response to its request for admission of facts and genuineness of documents, was adopted in #95-122, Olive Streit and Lisa Streit v. Oberweis Dairy, Inc., Richard J. Fetzer and Johnnie W. Ward, d/b/a Serve-N-Save, and Richard J. Fetzer, individually, Amoco Oil Company and Mobil Oil Corporation, by a vote of 7-0. **(CAM)**

An Order granting the petitioner's motion to withdraw, was adopted in #95-154, Central Illinois public Service Company v. IEPA, by a vote of 7-0. **(GTG)**

An Order striking the Agency's response to the petitioner's response to its motion for expedited hearing and decision, denying the Agency's motion for an expedited decision by March 15, 1996, and directing the hearing officer to set the case for hearing within 14 days of the date of the entry of the order, schedule filing of briefs and to complete the record so that the Board may make a decision in the case by May 16, 1996, was adopted in #95-156, Harris Marcus Group, Inc. v. IEPA, by a vote of 6-1. Chairman Claire A. Manning dissented. **(GTG)**

An Order granting the petitioner's motion to withdraw the petition, was adopted in #96-40, Interstate Pollution Control, Inc. v. IEPA, by a vote of 7-0. **(GTG)**

An Order granting the petitioner's motion to withdraw its permit appeal, was adopted in #96-49, Archer Daniels Midland Company v. IEPA, by a vote of 7-0. **(GTG)**

An Order directing the Clerk of the Board to cause publication of the required newspaper notice of the parties motion to request relief from the hearing requirement, was adopted in #96-61, People of the State of Illinois v. Paul J. May and Sons, individually and as President of Paul J. May and Sons, Inc., by a vote of 7-0. **(McF)**

An Order granting the Agency's motion to file recommendation instanter, was adopted in #96-71, A.E. Staley Manufacturing Company v. IEPA, by a vote of 7-0. **(ED)**

An Order denying the complainant's motion for summary judgment, was adopted in #96-75, People of the State of Illinois v. Harvey Cash, d/b/a Cash Oil Company, by a vote of 7-0. **(GTG)**

An Opinion and Order granting the Agency's motion for summary judgment and affirming the Agency's final determination of September 15, 1995 denying the petitioners a significant modification permit, and in doing so, denying the petitioners motion for summary judgment and closing the docket, was adopted in #96-85, The County of Kane, Illinois and Waste Management of Illinois, Inc. v. IEPA, by a vote of 7-0. Board member M. McFawn concurred. **(CAM)**

An Order directing the Clerk of the Board to cause publication of the required newspaper notice of the parties motion for relief from the hearing requirement, was adopted in #96-122, People of the State of Illinois v. Eugene Gothaus, by a vote of 7-0. **(JTM)**

An Order granting the Agency's motion for waiver of filing requirements, was adopted in #96-125, Color Communications, Inc. v. IEPA, by a vote of 7-0. **(McF)**

An Order advising the parties that the Board will reserve ruling on the Agency's motion to dismiss the petition until after the 45-day period granted to the petitioner to rectify its deficient petition has fully run, was adopted in #96-140, Nunda Water Utility Company, Inc. v. IEPA, by a vote of 7-0. **(RCF)**

An Order granting the Agency's motion for an extension of time until February 26, 1996 to file the administrative record, was adopted in ##96-155, -156, West Suburban Recycling and Energy Center, L.P. v. IEPA, by a vote of 7-0. **(RCF)**

An Order accepting the petitioner's status report in response to an October 19, 1995 Board Order, directing the parties to file an updated report with the assigned hearing officer on or before April 22, 1996, and directing that all future status reports be directed to the assigned hearing officer, was adopted in #92-168, Edwards-Etherton Oil Company v. IEPA, by a vote of 7-0. **(JY)**

No action was taken on the petitioner's amendment to its petition for variance filed in #95-155, General Business Forms, Inc. v. IEPA.

An Order dismissing the proceedings due to the petitioner's failure to file an amended petition, was adopted in #96-39, Consolidated Distilled Products, Inc. v. Office of the State Fire Marshal, by a vote of 7-0. **(JY)**

An Order accepting the matter for hearing, was adopted in #96-99, The Belleville Development L.P. v. IEPA, by a vote of 7-0. **(JY)**

An Order dismissing the docket as unnecessary, was adopted in #96-109, Hickman, Williams & Company v. IEPA, by a vote of 7-0. **(CAM)**

An Order finding that the matter is neither duplicitous or frivolous, and accepting the matter for hearing, was adopted in #96-117, LaSalle National Trust, N.A., v. Standard Bank and Trust Company and Capitol Bank and Trust, by a vote of 7-0. **(GTG)**

An Order dismissing the docket as unnecessary, was adopted in #96-121, AT&T Communications, Inc. v. IEPA, by a vote of 7-0. **(CAM)**

An Order accepting the matter for hearing due to objections filed January 25 and 26, 1996, was adopted in #96-147, People of the State of Illinois v. Illinois Cement Company, by a vote of 7-0. **(CAM)**

An Order accepting the matter for hearing, was adopted in #96-151, Keith F. Boyer v. Felicia Harris, by a vote of 7-0. **(McF)**

This case was held for an Agency Recommendation: #96-161, City of Geneva v. IEPA.

An Order requesting an amended petition, was adopted in ##96-162, -166, Oscar Mayer Foods Corporation/Kraft Foods, Inc. v. IEPA, by a vote of 7-0.

An Order accepting the matter for hearing and directing the Agency to file its record in the matter as provided at 35 Ill. Adm. Code 105.102(a)(4), was adopted in #96-164, CGE Ford Heights, L.L.C. v. IEPA, by a vote of 7-0.

An Order accepting the matter for hearing, was adopted in #96-165, Borg Warner Automotive Automatic Transmission System v. IEPA, by a vote of 7-0.

A provisional variance was granted in #96-167, Versar, Inc. v. IEPA, by a vote of 7-0. **(CAM)**

This case was discussed and held for further discussion or possible decision: #96-60, Concerned Citizens of Williamson County et al. v. Bill Kibler Development Corporation, a/k/a Kibler Development Corporation, and the Williamson County Board of Commissioners.

ADDENDUM

In R95-20, RCRA Update, USEPA Regulations (January 1, 1995 through June 30, 1995, July 7, 1995, September 29, 1995 and November 13, 1995), a Proposal for Public Comment, Proposed Opinion and Order was adopted by a vote of 7-0. **(ED)**

An Order directing the parties to file status reports, or a joint status report, on or before April 8, 1996, was adopted in #90-215, Spraying Systems Company v. IEPA, by a vote of 7-0. **(ED)**

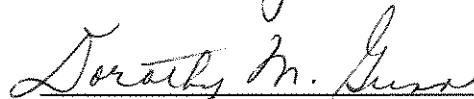
A provisional variance was granted in #96-168, Caterpillar, Inc. v. IEPA, by a vote of 7-0. **(CAM)**

A mandatory hearing will be set in #96-169, People of the State of Illinois v. Kerr-McGee Refining Corporation.

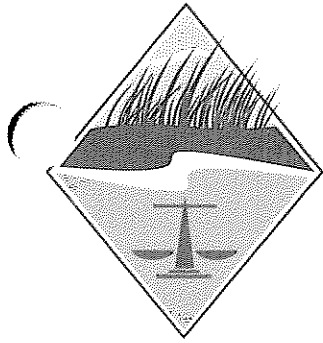
Motion to reconvene to an Executive Session in the Chairman's office at 1:30 p.m. carried.

All other matters not disposed of as listed were held.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Minutes were approved this 15th day of February, 1996, 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



CHAIRMAN
Claire A. Manning
Springfield

MEMBERS
Emmett E. Dunham II
Elmhurst

Ronald C. Flemal
DeKalb

G. Tanner Girard
Grafton

Marilyn McFawn
Inverness

J. Theodore Meyer
Chicago

Joseph C. Yi
Park Ridge



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815-753-1904
Fax 815-753-1970



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REGULAR MEETING AGENDA FEBRUARY 1, 1996 CHICAGO, ILLINOIS CONFERENCE ROOM 9-040

10:30 A.M.

ADDENDUM

REGULATIONS AND ADJUSTED STANDARDS

R95-20 RCRA UPDATE, USEPA REGULATIONS (ED)
(January 1, 1995 through June 30, 1995, July 7,
1995, September 29, 1995 and November 13,
1995) - Proposal for Public Comment, Proposed
Opinion and Order

MOTIONS

86-2 City of LaSalle Petition for CSO Exception - (GTG)
Petitioner's Motion for Reconsideration (1/23)

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

90-215 Spraying Systems Company v. IEPA - Joint (ED)
Status Report in Response to October 19, 1995
Board Order (1/26)

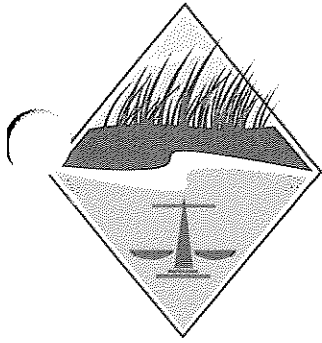
96-168 Caterpillar, Inc. v. IEPA - Provisional Variance (CAM)

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

96-169 People of the State of Illinois v. Kerr-McGee
Refining Corporation - Mandatory Hearing - No
Order

CASES PENDING DECISION

AS 96-3 Petition of the Cabot Corporation for an Adjusted (RCF)
Standard from 35 Ill. Adm. Code 738.Subpart B



ILLINOIS POLLUTION CONTROL BOARD

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AGENDA FEBRUARY 1, 1996 CHICAGO, ILLINOIS CONFERENCE ROOM 9-040 10:30 A.M.

GOVERNOR
Honorable Jim Edgar

CHAIRMAN
Claire A. Manning
Springfield

MEMBERS
Emmett E. Dunham II
Elmhurst

Ronald C. Fiemal
DeKalb

G. Tanner Girard
Grafton

Marili McFawn
Inverness

J. Theodore Meyer
Chicago

Joseph C. Yi
Park Ridge

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

January 18, 1996

REGULATIONS AND ADJUSTED STANDARDS

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

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815-753-1904
Fax 815-753-1970

R95-14 Petition of Metropolitan Water Reclamation District of Greater Chicago for Site-Specific Water Quality Regulation: Amendments to 35 Ill. Adm. Code 302, 303 and 304 - Adopted Rule, Final Order, Opinion and Order (RCF)

R96-2 15% ROP Plan: Clean-up Part I - Amendments to 35 Ill. Adm. Code 219.585(a) and 219 Appendix E - Adopted Rule, Final Order, Opinion and Order (RCF)



REGULATIONS AND ADJUSTED STANDARDS (Cont'd)

AS 95-1 Petition of Tommy House Tire Company, Inc. for an Adjusted Standard from 35 Ill. Adm. Code 848.202 - Petitioner's Motion for Leave to File Instantly (1/29) (McF)

AS 96-3 Cabot Corporation Petition for an Adjusted Standard From 35 Ill. Adm. Code Part 738, Subpart B - Petitioner's Motion for Leave to Supplement the Record and to Request a Decision(1/23) (RCF)

AS 96-6 Petition of Village of McCook and West Suburban Recycling and Energy Amoco Oil Company for an Adjusted Standard from 35 Ill. Adm. Code Subpart D - Petitioner's Certificate of Publication (1/18) (McF)

AS 96-7 Petition of the City of Belleville, Illinois for an Adjusted Standard From 35 Ill. Adm. Code 106.705 - Hold for Certificate of Publication

AS 96-8 Petition of Central Illinois Light Company (Duck Creek Station) for an Adjusted Standard from 35 Ill. Adm. Code 302.208 and 35 Ill. Adm. Code 304.105 - Hold for Certificate of Publication

DECISIONS

93-179 IBP, Inc. v. IEPA (open waiver) (GTG)

95-47 People of the State of Illinois v. W.O.W. Truck Lines, Inc. - Final Opinion and Order (McF)

96-113 Wynstone Property Owners' Association v. IEPA (due 3/21) (RCF)

ADMINISTRATIVE CITATIONS

AC 95-11 IEPA v. Gordon McCann and Larson Foundation - (RCF)
 Complainant's Motion for Default Judgment (1/22)

AC 95-43 Montgomery County, Illinois v. Clifford Crispens, Jacqueline R. (JTM)
 Crispens and Line Pilot Bungee, Inc. - Interim Opinion and Order

AC 96-29 Will County v. James Mallette - Default Order

AC 96-30 IEPA v. Richard Vaughn, d/b/a Richrd's Tire Hauling - Default
 Order

AC 96-34 Montgomery County, Illinois v. Envotech-Illinois, Inc. - Accept
 Case - No Order

AC 96-35 County of LaSalle v. CSX Transportation, Inc. - Accept Case -
 No Order

MOTIONS

92-99 A.B. Dick Company v. IEPA - Petitioner's Motion for Summary (CAM)
 Judgment and Memorandum in Support of Motion for Summary
 Judgment (12/26), Petitioner's Emergency Motion to Defer
 Consideration of Pending Motion for Summary Judgment (1/17)

92-174) Alice Zeman, et al. v. Village of Summit and West Suburban (McF)
94-177) Recycling and Energy Center, Inc. - Respondent Village of
 Summit's Motion for Return of Original Record (1/22)

92-198) Citizens For A Better Environmental, Alice Zeman and Edward (JTM)
92-201) Novak v. Center, Inc. - Respondent Village of McCook's Motion
 for Return of Original Record (1/19)

MOTIONS (Cont'd)

93-191	<u>People of the State of Illinois v. Lloyd Weimann, d/b/a Weimann Ice and Fuel</u> - Complainant's Motion for Summary Judgment and Memorandum in Support of Motion for Summary Judgment (10/6), Respondent's Motion for Leave to Join Additional Parties (10/30), Respondent's Response to Complainant's Motion for Summary Judgment and Respondent's Cross-Motion for Summary Judgment and Memorandum in Support of Response to Complainant's Motion for Summary Judgment and Respondent's Cross-Motion for Summary Judgment (12/18), Complainant's Motion for Leave to File Instanter Response to Cross-Motion for Summary Judgment (1/9)	(CAM)
94-19)	<u>Michael Turlek, Lillian Smejkal and John Lathrop v. Village of Summitt and West Suburban Recycling and Energy Center, Inc.</u> - Village of Summit's Motion for Return of Original Record (1/12)	(McF)
94-21)		
94-22)		
94-393	<u>Peoria School District #150 - Hines School v. IEPA</u> - Petitioner's Notice of Withdrawal of Appeal (1/16)	(ED)
95-91	<u>People of the State of Illinois v. Bell Sports, Inc., Waste Hauling Landfill, Inc. and Waste Hauling, Inc.</u> - Bell Sports' Motion to Reconsider Denial of the Motion to Dismiss the Cross-Claim of Waste Hauling Landfill, Inc. and Waste Hauling, Inc. (1/11)	(CAM)
95-119)	<u>West Suburban Recycling and Energy Center, L.P. v. IEPA</u> - Agency's Motion for Summary Judgment (1/23), Agency's Request to Limit the Hearing Officer's January 12, 1996 Order and Request for a Protective Order (1/23), Petitioner's Motion for Leave to File Surreply to IEPA's Reply to Petitioner's Objection to the IEPA's Request to Limit the Hearing Officer's January 12, 1996 Order and Request for Protective Order (1/29), Application for Intervention (1/29)	(RCF)
95-125)		

MOTIONS (Cont'd)

95-122	<u>Olive Streit and Lisa Streit v. Oberweis Dairy, Inc., Richard J. Fetzer and Johnnie W. Ward, d/b/a Serve-N-Save, and Richard J. Fetzer, individually, Amoco Oil Company, Mobil Oil Corporation</u> - Respondent Amoco Oil Company's Emergency Motion for Interlocutory Review of Hearing Officer's Ruling on its Request to Respondent Oberweis for Admission of Facts (12/22), Respondent Oberweis Dairy's Motion to Deny Amoco Oil's Emergency Motion for Interlocutory Review of Hearing officer's Ruling and Response to Amoco Oil's Emergency Motion for Interlocutory Review of Hearing Officer's Ruling (12/29), Respondent Amoco Oil Company's Response to Motion to Deny Interlocutory Appeal (1/9), Respondent Amoco Oil Company's Motion for Leave to File Instanter Amoco's Reply to Oberweis' Response to Amoco's Emergency Motion for Interlocutory Review (1/9), Respondent Amoco Oil Company's Motion to Strike Oberweis' Response to Amoco's Request for Admission of Facts and Genuineness of Documents, and for Ruling Pursuant to Section 103.162(c) (1/11)	(CAM)
95-154	<u>Central Illinois Public Service Company v. IEPA</u> - Petitioner's Petition to Withdraw (1/22)	(GTG)
95-156	<u>Harris Marcus Group, Inc. v. IEPA</u> - Agency Motion for Expedited Hearing and Expedited Board Decision (1/10), Petitioner's Response in Opposition to the Agency's Motion or Expedited Hearing and Expedited Board Decision (1/19), Agency Response to the Petitioner's Response in Opposition to the Agency's Motion for Expedited Hearing and Expedited Board Decision (1/29)	(GTG)
95-162	<u>Illinois Landfill, Inc. v. IEPA</u> - Objectors' Withdrawal of Objection (12/18)	(GTG)
96-40	<u>Interstate Pollution Control, Inc. v. IEPA</u> - Petitioner's Motion to Withdraw Petition (1/29)	(GTG)
96-49	<u>Acher Daniels Midland Company v. IEPA</u> - Petitioner's Motion to Withdraw Permit Appeal (1/22)	(GTG)

MOTIONS (Cont'd)

96-61	<u>People of the State of Illinois v. Paul J. May and Sons, individually and as President of Paul J. May and Sons, Inc.</u> - Motion to Request Relief from the Hearing Requirement (1/30)	(McM)
96-71	<u>A.E. Staley Manufacturing Company v. IEPA</u> - Agency Recommendation and Motion to File Instanter (1/25)	(ED)
96-75	<u>People of the State of Illinois v. Harvey Cash, d/b/a Cash Oil Company</u> - Complainant's Motion for Summary Judgment (1/2)	(GTG)
96-76	<u>People of the State of Illinois v. Chemetco, Inc.</u> - Respondent's Motion to Dismiss (10/20), Complainant's Response to Respondent's Motion to Dismiss (10/27), Respondent's Request for an Extension of Time to File an Answer if the Motion to Dismiss is Denied (11/7), Respondent's Request for Oral Argument (11/7), Respondent's Reply Memorandum in Support of Respondent's Motion to Dismiss (11/15), Complainant's Motion to Strike Respondent's Reply Memorandum (11/21), Respondent's Memorandum of Law in Support of Respondent's Motion to Dismiss (12/29), Complainant's Response to Respondent's Memorandum of Law (1/17), Respondent's Reply to Complainant's Response to Respondent's Memorandum of Law (1/24)	(CAM)
96-85	<u>The County of Kane, Illinois and Waste Management of Illinois, Inc v. IEPA</u> - Agency Record and Agency Motion to File Record Instanter (11/20), Petitioners' Motion for Summary Judgment and Memorandum of Law in Support of Petitioners' Motion for Summary Judgment (12/1), Agency Motion for Summary Judgment (12/4), Agency Response to Petitioners' Motion for Summary Judgment (12/8), The City of Geneva's Motion for Review of Hearing Officer's Ruling and Response to Motions for Summary Judgment (12/8), Petitioners' Response to Agency's Motion for Summary Judgment and Memorandum of Law in Support of Petitioners' Response to Agency's Motion for Summary Judgment (12/11), Petitioners' Response to City of Geneva's Motion for Review of Hearing Officer's Ruling (12/20), Petitioners' Motion for Leave Instanter to File Reply to City of Geneva's Amicus Curie Response and Petitioners' Reply to City of Geneva's Amicus Curie Response (12/20), City of Geneva's Motions and Responses Regarding Various Procedural Matters (12/21)	(CAM)

MOTIONS (Cont'd)

96-88 Kean Oil Company v. IEPA - Petitioner's Motion for Reconsideration (1/19) (CAM)

96-122 People of the State of Illinois v. Eugene Gothaus - Motion for Relief from Hearing Requirement (1/29) JTM

96-125 Color Communications, Inc. v. IEPA - Agency Motion for Waiver of Requirements (1/16) (McF)

96-140 Nunda Water Utility Company, Inc. v. IEPA - Agency Motion to Dismiss (1/11) (RCF)

96-155) West Suburban Recycling and Energy Center, L.P. v. IEPA - Agency Motions for Extension of Time to File the Administrative Record (1/23), Petitioner's Objection to Agency's Motion for Extension of Time to File the Administrative Record (1/25) (RCF)

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

92-168 Edwards-Etherton Oil Company, Inc. v. IEPA - Petitioner's Eighth Status Report in response to an October 19, 1995 Board Order (1/22) (JY)

95-155 General Business Forms, Inc. v. IEPA - Petitioner's Second Amendment to Petition for Variance (1/22) (GTG)

96-39 Consolidated Distilled Products, Inc. v. Office of the State Fire Marshal - Dismissal Order (JY)

96-99 The Belleville Development, L.P. v. IEPA - Petitioner's Amendment to Permit Appeal (1/19) (JY)

96-109 Hickman, Williams & Company of Kentucky v. IEPA - Dismissal Order (CAM)

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

96-117	<u>LaSalle National Trust, N.A., as Trustee under Trust No. 34565 v. Standard Bank and Trust Company, as Trustee under Trust No. 14929, and Capitol Bank and Trust, as Trustee under Trust No. 2421</u> - Duplicitous/Frivolous Determination (See Respondent Capitol Bank and Trust' Motion to Dismiss filed 12/28; Complainant's Response to Respondent Capitol Bank and Trust's Motion to Dismiss filed 1/8; Respondent Capitol Bank and Trust Company's Motion for Leave to File Reply in Support of Motion to Dismiss and Reply filed 1/16); Complainant's Motion for Leave to Respond to Respondent Capitol Bank and Trust's Reply to Complainant's Response to Respondent Capitol Bank and Trust's Motion to Dismiss and Complainant's Response to the Reply of Respondent Capitol Bank and Trust to the Complainant's Response to Respondent Capitol Bank and Trust's Motion to Dismiss filed (1/25)	(GTG)
96-121	<u>AT & T Communications, Inc. v. IEPA</u> - Dismissal Order	(CAM)
96-147	<u>People of the State of Illinois v. Illinois Cement Company</u> - Set for Hearing Order (See Objections filed January 25 and January 26, 1996)	(CAM)
96-151	<u>Keith F. Boyer v. Felicia Harris</u> - Duplicitous/Frivolous Determination	(McF)
96-154	<u>Village of Oswego v. IEPA</u> - (See 3 Objections filed January 29, 1996)	(McF)
96-160	<u>People of the State of Illinois v. Bobak Sausage Company</u> - Hearing Mandatory - No Order	(JTM)
96-162	<u>Oscar Mayer Foods Corporation/Kraft Foods, Inc. v. IEPA</u> - Additional Information Requested	
96-163	<u>Land and Lakes/Wheeling v. IEPA</u> - Accept for Hearing Order	

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

96-164	<u>CGE Ford Heights, L.L.C. v. IEPA</u> - Board Order	
96-165	<u>Borg Warner Automotive Automatic Transmission System Corporation v IEPA</u> - Accept for Hearing Order	
96-166	<u>Oscar Mayer Foods Corporation/Kraft Foods, Inc. v. IEPA</u> - Additional Information Requested	
96-167	<u>Versar, Inc. v. IEPA</u> - Provisional Variance	CAM

CASES PENDING DECISION

96-60	<u>Concerned Citizens of Williamson, et al. v. Bill Kibler Development Corp., a/k/a Kibler Development Corp., and the Williamson Board of Commissioners (2/15)</u>	(GTG)
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ADJOURNMENT

LIST OF NEW CASES FILED SINCE JANUARY 18, 1996 BOARD MEETING

- AS 96-7 Petition of the City of Belleville, Illinois for an Adjusted Standard from 35 Ill. Adm. Code 106.705
- AS 96-8 Petition of Central Illinois Light Company (Duck Creek Station) for an Adjusted Standard from 35 Ill. Adm. Code 302.208 and 35 Ill. Adm. Code 304.105
- AC 96-34 Montgomery County, Illinois v. Envotech-Illinois, Inc.
- AC 96-35 County of LaSalle v. CSX Transportation, Inc.
- 96-160 People of the State of Illinois v. Bobak Sausage Company
- 96-161 City of Geneva v. IEPA
- 96-162 Oscar Mayer Foods Corporation/Kraft Foods, Inc. v. IEPA
- 96-163 Land and Lakes/Wheeling v. IEPA
- 96-164 CGE Ford Heights, L.L.C. v. IEPA
- 96-165 Borg Warner Automotive Automatic Transmission System Corporation v. IEPA
- 96-166 Oscar Mayer Foods Corporation/Kraft Foods, Inc. v. IEPA
- 96-167 Versar, Inc. v. IEPA

REGULAR BOARD MEETING SCHEDULE FOR THE REMAINDER OF FY 96

February 15

March 7

March 21

April 4

April 18

May 2

May 16

June 6

June 20

NOTE: All Board Meetings will be held in Conference Room 9-040