

## ILLINOIS POLLUTION CONTROL BOARD

### MINUTES OF REGULAR BOARD MEETING NOVEMBER 21, 1996 CHICAGO, ILLINOIS - 10:30 A.M.

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 November 7, 1996 Board Meeting were approved by a vote of 7-0.

In R94-1(B), Triennial Water Quality Review: Amendments to 35 Ill. Adm. Code 302.202, 302.212, 302.213, 304.122 and 304.301, a Proposed Rule, Second Notice, Opinion and Order was adopted by a vote of 6-0. Board Member K.M. Hennessey abstained. **(CAM)(RCF)**

In R96-18, Amendments to 35 Ill. Adm. Code Subtitle F (Parts 601 through 620), a Proposed Rule, First Notice, Opinion and Order was adopted by a vote of 7-0. **(RCF)**

An Order granting the petitioner's motion to modify the Board's November 7, 1996 Order, was adopted in #AS 94-10, Petition of Envirite Corporation for an Adjusted Standard from 35 Ill. Adm. Code 721 Subpart D, by a vote of 7-0. **(RCF)**

No action was taken by the Board on the petitioner's "First Amendment to Petition for an Adjusted Standard" filed in #AS 97-5, Petition of the Louis Berkman Company, d/b/a The Swenson Spreader Company for an Adjusted Standard from 35 Ill. Adm. Code Part 215 Subpart F.

An Opinion and Order accepting the Stipulation and Settlement Agreement in the amount of \$13,000.00, and assessing a \$2,000.00 penalty for Attorney General's fees and costs in the matter, was adopted in #95-158, People of the State of Illinois v. City of Herrin, by a vote of 7-0. **(RCF)**

An Opinion and Order was adopted in #96-185, Douglas and Barbara Oltman v. Terry and Kelly Cowan, by a vote of 7-0. **(GTG)**

An Opinion and Order accepting the Stipulation and Settlement Agreement in the amount of \$25,000.000, was adopted in #96-244, People of the State of Illinois v. Langos Corporation, by a vote of 7-0. **(JTM)**

An Opinion and Order was adopted in #97-51, City of West Chicago v. IEPA, by a vote of 7-0. **(RCF)**

An Order accepting the joint stipulation of settlement and withdrawal of respondent's petition for review, finding that the respondent violated Section 21(o)(12) of the Environmental Protection

Act, and unless already paid, directing the respondent to pay a \$500.00 penalty within 30 days of the date of the entry of the order, was adopted in #AC 97-21, IEPA v. John Sexton Sand & Gravel Corporation, by a vote of 7-0. **(CAM)**

A Default Order finding that the respondent violated Section 21(o)(11) of the Illinois Environmental Protection Act, and assessing a \$500.00 penalty, was adopted in #AC 97-26, IEPA v. Browning-Ferris Industries of Iowa, Inc., by a vote of 7-0. **(CAM)**

A Default Order finding that the respondent violated Section 21(o)(5) of the Illinois Environmental Protection Act, and assessing a \$500.00 penalty, was adopted in #AC 97-28, County of Vermilion v. Illinois Landfills, Inc., by a vote of 7-0. **(CAM)**

A Default Order finding that the respondent violated Sections 21(p)(1) and 21(o)(4) of the Illinois Environmental Protection Act, and assessing a \$1,000.00 penalty, was adopted in #AC 97-29, County of Will v. Harry Horman, by a vote of 7-0. **(CAM)**

These Administrative Citations were accepted by the Board: ##97-37, County of Vermilion, Illinois v. Randall Richter; 97-38, IEPA v. Peter Gomez and Teri Wakeland; 97-39, IEPA v. Gale E. Wilhelms and Linda L. Wilhelms; 97-40, County of Will v. Arthur Burchett; 97-41, County of Will v. Utilities Unlimited, Inc., Charles Petrekis, Sr., d/b/a Utilities Unlimited, Inc..

An Order granting the petitioner's motion to consolidate, was adopted in ##90-164, - 91-161, - 95-157, Riverside Laboratories, Inc. v. IEPA, by a vote of 7-0. **(JY)**

An Order granting the petitioner's motion to dismiss and closing the docket, but denying the petitioner's motion to dismiss without prejudice, was adopted in #90-165, Riverside Laboratories, Inc. v. IEPA, by a vote of 7-0. **(JY)**

An Order denying the Agency's motion for partial stay of order, was adopted in ##95-119, - 125, West Suburban Recycling and Energy Center, L.P. v. IEPA, by a vote of 6-0. Board Member K.M. Hennessey abstained. **(RCF)**

An Order directing the Clerk of the Board to cause publication of the required newspaper notice of the parties agreed motion to request relief from the hearing requirement, was adopted in #96-126, People of the State of Illinois v. Bennett Industries, Inc., by a vote of 7-0. **(KMH)**

An Order denying the petitioner's motion for reconsideration of a September 19, 1996 Board Order, was adopted in #96-238, Citizens United For A Responsible Environment v. Browning-Ferris Industries of Illinois, Inc., and Village Board of the Village of Davis Junction, Illinois, by a vote of 7-0. **(GTG)**

An Order granting the Agency's motion to file the record instant, granting in part petitioner's motion to supplement the record, denying the Agency's motion for expedited review of its motion for summary judgment, granting in part the petitioner's motion for extension of time until

December 23, 1996 to respond to the Agency's motion for summary judgment, and granting the petitioner's motions for leave to file its reply to the Agency's objection to its motion to supplement the record and for leave to file its reply in excess of 15 pages in order to prevent material prejudice, was adopted in #96-250, White & Brewer Trucking, Inc. v. IEPA, by a vote of 7-0. **(KMH)**

An Order granting the respondent's motion for an extension of time until December 9, 1996 to file its motion to dismiss, was adopted in #97-30, People of the State of Illinois v. Shell Oil Company, by a vote of 7-0. **(JTM)**

An Order granting the parties' request to file another status report within 30 to 60 days, granting the complainant's motion to defer ruling on respondents' motion to dismiss, directing the parties to file with the assigned hearing officer for consideration, another joint status report on or before January 24, 1997 or any other appropriate motion, was adopted in #97-38, People of the State of Illinois v. Amsted Industries, Inc., d/b/a Griffin Wheel Company, L.E. Swiderski, d/b/a Griffin Wheel Company, Hellman Trucking Company, Inc., and Horsehead Resource Development Company, Inc., by a vote of 7-0. **(JY)**

An Order granting the parties joint motion for an extension of time until January 17, 1997 for the respondent to file its answer, was adopted in # 97-53, People of the State of Illinois v. General Business Forms, Inc., by a vote of 7-0. **(JY)**

An Order granting the parties joint motion for an extension of time until January 9, 1997 for the respondent to file its answer, was adopted in #97-55, People of the State of Illinois v. Precision Chrome, Inc., by a vote of 7-0. **(JY)**

An Order directing the Village of Dolton to supplement the Village record by filing a copy of the ordinance which the petitioners' are appealing, granting the Agency's motion to dismiss itself as a party-respondent in the matter, granting the Village's motion to file one copy of the oversized exhibits, denying the Village's motion for costs associated with the preparation and filing of the record, and directing the assigned hearing officer to conduct hearings consistent with the order, was adopted in #97-68, Senator William Shaw, Ronnie Lewis, and Judith Evans v. IEPA, Board of Trustees of the Village of Dolton, Illinois, Land and Lakes, and Mayor Donald Hart, by a vote of 7-0. **(JY)**

An Order directing the Clerk of the Board to cause publication of the required newspaper notice of the parties agreed motion to request relief from the hearing requirement, was adopted in #97-85, People of the State of Illinois v. East Riverdale Gravel Company, by a vote of 6-0. Board Member K.M. Hennessey abstained. **(CAM)**

Petitioner's status report filed in response to a July 18, 1996 Board order in #91-202, Sherex Chemical Company, Inc. v. IEPA, was deferred to the hearing officer for handling.

An Order dismissing Controls Corporation of America Profit Sharing and Retirement Trust as a respondent, determining that the matter was neither duplicitous nor frivolous and accepting the matter for hearing, was adopted in #96-265, Edward M. Pearl v. Bicoastal Corporation, Singer Corporation, Controls Corporation of America Employee Profit Sharing and Retirement Trust, and Eaton Corporation, by a vote of 7-0. **(JY)**

An Order granting the respondent the University of Illinois at Chicago's motion to file its motion to dismiss instant and leave to file a reply, accepting the complainants' amendments to its response to the University's motion to dismiss, denying the complainants' motion for an extension of time to respond to the mootness issue raised in the University's filing, dismissing the University as a respondent, striking a portion of the relief sought because the relief sought is not available as a remedy, and determining that the complaint is neither duplicitous or frivolous and accepting the matter for hearing against the remaining respondent, Speedway Wrecking Company, was adopted in #97-50, Lionel P. Trepanier, Daniel miller, Wes Wagner, Maureen Cole, Lorenz Joseph, Maxworks Garden Cooperative and Avi Pandya v. The Board of Trustees of the University of Illinois at Chicago, Other Unknown Owners and Speedway Wrecking Company, by a vote of 6-1. Chairman C.A. Manning dissented. **(KMH)**

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 January 7, 1997, 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 #97-86, IMC AgriBusiness v. IEPA, by a vote of 7-0. **(CAM)**

An Order accepting the matter for hearing, was adopted in #97-87, Commonwealth Edison Company v. IEPA, by a vote of 6-0. Board Member K.M. Hennessey abstained. **(GTG)**

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 January 2, 1997, 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 #97-88, Laidlaw Waste Systems, Inc. v. IEPA, by a vote of 7-0. **(CAM)**

A mandatory hearing will be held in #97-89, People of the State of Illinois v. API Industries, Inc..

#### **ADDENDUM**

This administrative citation was accepted by the Board: #97-42, IEPA v. Sharon Tondina.

An Order denying the petitioners' motion for extension of dates on remand, was adopted in #96-243, Residents Against A Polluted Environment and The Edmund B. Thornton Foundation v. County of LaSalle and LandComp Corporation, by a vote of 7-0. **(McF)**

An Order granting the petitioner's motion for clarification of the Board's November 7, 1996 opinion and order, vacating the order portion of the November 7, 1996 opinion and order, adopting this order to reflect the correct numbering of the conditions, was adopted in #96-254, Marathon Oil Company v. IEPA, by a vote of 5-0. Board Members K.M. Hennessey and M. McFawn abstained. (JY)

An Order granting the respondent Standard Oil Company's motion for an extension of time until January 21, 1997 to file its answer to the complaint, was adopted in #97-84, George Casanave v. Standard Oil Company, Inc., and Ray L. Pearson, by a vote of 7-0. (CAM)

A provisional variance was granted in #97-90, Taracorp Industries, Inc. v. IEPA, by a vote of 7-0. (CAM)

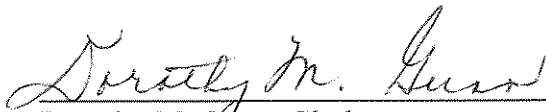
#### AGENDA

These cases were discussed and held for further discussion or possible decision: ##95-156, Harris Marcus Group, Inc. v. IEPA; 97-29, Citizens Opposed to Additional Landfills and Harvey C. Pitt individually and as a Member of Citizens Opposed to Additional Landfills v. Greater Egypt Regional Environmental Complex, a/k/a Gere Properties, Inc. and the Petty County Board of Commissions.

All other matters not disposed of as listed were held.

Motioned and seconded, by a vote of 7-0, the meeting was adjourned at 11:20 a.m..

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Minutes were approved this 5<sup>th</sup> day of December, 1996, by a vote of 7-0.

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

# ILLINOIS POLLUTION CONTROL BOARD

JRTC ♦ 100 W. Randolph ♦ Suite 11-500 ♦ Chicago, IL 60601 ♦ 312-814-3620 ♦ Fax 321-814-3669

## GOVERNOR

Honorable Jim Edgar



## CHAIRMAN

Claire A. Manning  
Springfield

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G. Tanner Girard  
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## REGULAR BOARD MEETING AGENDA NOVEMBER 21, 1996 CHICAGO, ILLINOIS CONFERENCE ROOM 9-040 10:30 A.M.

### ADDENDUM

#### ADMINISTRATIVE CITATIONS

AC 97-42 IEPA v. Sharon Tondina - Accept Case - No Order

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#### MOTIONS

96-243 Residents Against A Polluted Environment and The Edmund B. Thornton Foundation v. County of LaSalle and LandComp Corporation - (McF)  
L-S-R, 3rd Party Petitioners' Motion for Extension of Dates on Remand (11/18), LandComp's Objection to Petitioners' Motion for Extension of Hearing Date on Remand (11/19)

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96-254 Marathon Oil Company v. IEPA - Petitioner's (JY)  
A-V Motion for Clarification of November 7, 1996 Opinion and Order (11/19)

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

97-84      George Casanave v. Standard Oil Company, Inc.      (CAM)  
UST-E      and Ray L. Pearson - Respondent Standard Oil  
Company's Motion for Extension of Time to  
Answer (11/19)

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97-90      Taracorp Industries, Inc. v. IEPA - Provisional      (CAM)  
L-V,      Variance  
RCRA

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# ILLINOIS POLLUTION CONTROL BOARD

JRTC ♦ 100 W. Randolph ♦ Suite 11-500 ♦ Chicago, IL 60601 ♦ 312-814-3620 ♦ Fax 321-814-3669

## GOVERNOR

Honorable Jim Edgar

## CHAIRMAN

Claire A. Manning  
Springfield

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DeKalb

G. Tanner Girard  
Grafton

Kathleen M. Hennessey  
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Marili McFawn  
Inverness

J. Theodore Meyer  
Chicago

Joseph Yi  
Park Ridge

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## AGENDA

NOVEMBER 21, 1996 CHICAGO, ILLINOIS  
CONFERENCE ROOM 9-040

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

November 7, 1996

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## REGULATIONS AND ADJUSTED STANDARDS

R94-1(B) R, Water	<u>Triennial Water Quality Review: Amendments to 35 Ill. Adm. Code 302.202, 302.212, 302.213, 304.122 and 304.301 (Ammonia Nitrogen)</u>	(CAM) (RCF)
R96-18 R, PWS	<u>Amendments to 35 Ill. Adm. Code Subtitle F (Parts 601 through 620) - Proposed Rule, First Notice, Opinion and Order</u>	(RCF)
R97-13 R, Air	<u>Emissions Reduction Market System Adoption of 35 Ill. Adm. Code 205 and Amendments to 35 Ill. Adm. Code 106 - (See Agency Motion for Acceptance of Proposal and Motion for Incorporation by Reference filed 10/7) - Hold for further Review</u>	(JY) (McF) (KMH)
AS 94-10 RCRA- Delisting	<u>Petition of Envirite Corporation for an Adjusted Standard from 35 Ill. Adm. Code 721 Subpart D - Petitioner's Motion to Modify November 7, 1996 Board Order (11/18)</u>	(RCF)
AS 97-5 Air	<u>Petition of the Louis Berkman Company, d/b/a The Swenson Spreader Company for an Adjusted Standard from 35 Ill. Adm. Code Part 215 Subpart F - Petitioner's First Amendment to Petition for an Adjusted Standard (11/7)</u>	(KMH)

## DECISIONS

95-158 L-E	<u>People of the State of Illinois v. City of Herrin - Stipulation</u>	(RCF)
96-185 N-E, Citizens	<u>Douglas and Barbara Oltman v. Terry and Kelly Cowan</u>	(GTG)
96-244 A-E	<u>People of the State of Illinois v. Langos Corporation - Stipulation</u>	(JTM)

**DECISIONS (Cont'd)**

97-51      City of West Chicago v. IEPA (due 1/7/97)      (RCF)  
PWS-V

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**ADMINISTRATIVE CITATIONS**

AC 97-21      IEPA v. John Sexton Sand & Gravel Corporation - Joint      (CAM)  
Stipulation of Settlement and Withdrawal of Respondent's  
Petition for Administrative Review (10/25)

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AC 97-26      IEPA v. Browning-Ferris Industries of Iowa, Inc. - Default Order      (CAM)

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AC 97-28      County of Vermilion v. Illinois Landfills, Inc. - Default Order      (CAM)

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AC 97-29      County of Will v. Harry Horman - Default Order      (CAM)

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AC 97-37      County of Vermilion, Illinois v. Randall Richter - Accept Case -  
No Order

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AC 97-38      IEPA v. Peter Gomez and Teri Wakeland - Accept Case - No  
Order

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AC 97-39      IEPA v. Gale E. Wilhelms and Linda L. Wilhelms - Accept Case -  
- No Order

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AC 97-40      County of Will v. Arthur Burchett - Accept Case - No Order

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AC 97-41      County of Will v. Utilities Unlimited, Inc., Charles Petrekis, Sr.,  
d/b/a Utilities Unlimited, Inc. - Accept Case - No Order

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## MOTIONS

90-164) 91-161)	<u>Riverside Laboratories, Inc. v. IEPA</u> - Petitioner's Motion for Consolidation (11/18)	(JY)
90-165 P-A, Air	<u>Riverside Laboratories, Inc. v. IEPA</u> - Petitioner's Motion to Dismiss (11/15)	(JY)
95-119) 95-125) P-A, Land	<u>West Suburban Recycling and Energy Center, L.P. v. IEPA</u> - Agency's Motion for Partial Stay of Order (11/15)	(RCF)
96-126 A-E	<u>People of the State of Illinois v. Bennett Industries, Inc.</u> - Agreed Motion to Request Relief from the Hearing Requirement (11/14)	(KMH)
96-143 W-E	<u>People of the State of Illinois v. Michel Grain Company, Inc., d/b/a Michel Fertilizer, and Caryle Michel</u> - Respondents' Motion for Reconsideration and Clarification of August 1, 1996 Order (9/3)	(CAM)
96-238 L-S-R, 3rd Party	<u>Citizens United For A Responsible Environment v. Browning-Ferris Industries of Illinois, Inc., and Village Board of the Village of Davis Junction, Illinois</u> - Petitioner's Motion for Reconsideration of September 19, 1996 Board Order (10/23), Respondent Browning-Ferris Industries of Illinois, Inc.'s Motion for an Expedited Decision and Response to Petitioner's Motion for Reconsideration (11/1), The Village of Davis Junctions' Response to Petitioner's Motion for Reconsideration (11/4)	(GTG)

## MOTIONS (Cont'd)

96-250 P-A	<u>White &amp; Brewer Trucking, Inc. v. IEPA</u> - Agency Motion for Summary Judgment (9/3), Petitioner's Motion for Extension of Time and Motion to Supplement Record (9/5), Petitioner's Motion for Leave to File Reply to Response to Motion for Extension of Time and Response to Motion for Extension of Time (9/16), Agency Objection to Petitioner's Motion to Supplement the Record (9/17), Petitioner's Motion for Leave to File Reply to Objection to Petitioner's Motion to Supplement the Record, Motion for Leave to File Reply in Excess of Page Limits, Reply to Objection to Petitioner's Motion to Supplement the Record (9/30), Agency Motion to Strike and Objection to Petitioner's Motion to File Reply (10/10), Petitioner's Response to Agency Motion to Strike and Objection to Petitioner's Motion for Leave to File Reply (10/15)	(KMH)
97-30 A-E	<u>People of the State of Illinois v. Shell Oil Company</u> - Respondent's Motion for Extension of Time to File Motion to Dismiss (11/12)	(JTM)
97-35) 97-36) P-A, Air	<u>Illinois Power Company (Units 1 &amp; 2) - Baldwin Power Station) v. IEPA</u> - Petitioner's Motion for Summary Judgment (10/7), Agency's Motion to Extend Time to File its Cross-Motion for Summary Judgment in Response to Petitioner's Motion for Summary Judgment and to File Motion Instanter (11/15)	(JY)
97-38 RCRA-E	<u>People of the State of Illinois v. Amsted Industries, Inc., d/b/a Griffin Wheel Company, L.E. Swiderski, d/b/a Griffin Wheel Company, Hellman Trucking Company, Inc., and Horsehead Resource Development Company, Inc.</u> - Status Report in Response to October 17, 1996 Board Order and Motion to Defer Ruling on Motions to Dismiss (11/8)	(JY)
97-53 A-E	<u>People of the State of Illinois v. General Business Forms, Inc.</u> - Joint Motion for Extension of Time to File Answer (11/15)	(JY)

## MOTIONS (Cont'd)

97-55            People of the State of Illinois v. Precision Chrome, Inc. - Second            (JY)  
RCRA-E        Joint Motion for Extension of Time to Answer or Otherwise  
Plead (11/15)

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97-68            Senator William Shaw, Ronnie Lewis, and Judith Evans v.            (JY)  
L-S-R, 3rd     IEPA, Board of Trustees of the Village of Dolton, Illinois, Land  
Party           and Lakes Company, and Mayor Ronald Hart - Agency Motion  
to Dismiss (10/28), Respondents Board of Trustees of the  
Village of Dolton, Illinois and Mayor Donald Hart's Motion for  
Leave to File One Copy of Oversized Exhibits and Motion for  
Order Directing the Petitioners to Pay Costs of Preparing the  
Record (11/7), Respondent Land and Lakes' Motion to Enforce  
October 17, 1996 Order and to Strike Petition for Review  
(11/13), Respondents Board of Trustees of the Village of Dolton  
and Mayor Donald Hart's Motion to Enforce Board Order and  
Order Directing Petitioners to Pay Costs of Preparing Record  
(11/15)

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97-85            People of the State of Illinois v. East Riverdale Gravel Company            (CAM)  
W-E, Mine     - Agreed Motion to Request Relief from the Hearing  
Requirement (11/8)

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

91-202           Sherex Chemical Company, Inc. v. IEPA - Petitioner's Status            (JY)  
P-A             Report in Response to July 18, 1996 Board Order (11/15)

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96-265           Edward M. Pearl v. Bicoastal Corporation, Singer Corporation,            (JY)  
L, SW,         Controls Corporation of America Employee Profit Sharing and  
RCRA-E         Retirement Trust, and Eaton Corporation - Hold for  
Citizens        Duplicitous/Frivolous Determination

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

97-50 A-E, Citizens	<u>Lionel P. Trepanier, Daniel Miller, Wes Wager, Maureen Cole, Lorenz Joseph, Maxworks Garden Cooperative, Avi Pandya v. The Board of Trustees of the University of Illinois at Chicago, Other Unknown Owners, and Speedway Wrecking Company - (See Respondent Speedway Wrecking Company's Answer/Motion to Dismiss as Frivolous filed 9/18; Respondent Board of Trustees of the University of Illinois' Motion for Leave to File and Motion to Dismiss filed 9/25; Complainants' Response to Board of Trustees Motion to Dismiss filed 10/8; Motion for Amendment of Complainants; Response to the University of Illinois' Motion to Dismiss and Amendment to Complainants' Response to the Board of Trustees Motion to Dismiss filed 10/11; Respondent Board of Trustees of the University of Illinois' Motion for Leave to File Reply to Complainants' Response and Amended Complaint filed 10/23; Complainants' Motion for Extension of Time filed 11/6 )</u>	(KMH)
97-58 A-V	<u>W.R. Meadows, Inc. v. IEPA - Petitioner's First Amended Petition for Variance in Response to October 17, 1996 Board Order (11/18)</u>	(McF)
97-79 A-E, Citizens	<u>Jane Graham and Kathy Creech v. City of Paris, et al. - Hold for Duplicitous/Frivolous Determination (See Respondent City of Paris' Motion to Dismiss Complaint filed 11/13)</u>	(JTM)
97-84 UST-E	<u>George Casanave v. Standard Oil Company, Inc., and Ray L. Pearson - Hold for Duplicitous/Frivolous Determination</u>	(CAM)
97-86 UST- Appeal, 90- Day Ext.	<u>IMC AgriBusiness (formerly New Baden/Vigoro Industries) v. IEPA - Petitioner's Request for 90-Day Extension of Time to Appeal (11/12), Joint Request for 90-Day Extension of Appeal Period (11/18)</u>	(CAM)

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

97-87 P-A, NPDES	<u>Commonwealth Edison Company v. IEPA</u> - Accept for Hearing Order	(GTG)
97-88 P-A, 90-Day Ext.	<u>Laidlaw Waste Systems v. IEPA</u> - Joint Request for 90-Day Extension of Appeal Period (11/12)	(CAM)
97-89 A-E	<u>People of the State of Illinois v. API Industries, Inc.</u> - Hearing Mandatory - No Order	

**CASES PENDING DECISION**

95-156 A-V	<u>Harris Marcus Group, Inc. v. IEPA</u> (due 12/12)	(KMH)
97-29 L-S-R, 3rd Party	<u>Citizens Opposed to Additional Landfills and Harvey C. Pitt individually and as a Member of Citizens Opposed to Additional Landfills v. Greater Egypt Regional Environmental Complex, a/k/a Gere Properties, Inc., and the Perry County Board of Commissions</u> (due 12/7)	(JY)

**ADJOURNMENT**

**LIST OF NEW CASES FILED SINCE NOVEMBER 7, 1996 BOARD MEETING**

AC 97-37	County of Vermilion, Illinois
AC 97-38	IEPA v. Peter Gomez and Teri Wakeland
AC 97-39	IEPA v. Gale E. Wilhelms and Linda L. Wilhelms
AC 97-40	County of Will v. Arthur Burchett
AC 97-41	County of Will v. Utilities Unlimited, Inc., Charles Petrekis, Sr., d/b/a Utilities Unlimited, Inc.
97-85	People of the State of Illinois v. East Riverdale Gravel Company
97-86	IMC AgriBusiness (formerly New Baden/Vigoro Industries) v. IEPA
97-87	Commonwealth Edison Company v. IEPA
97-88	Laidlaw Waste Systems v. IEPA
97-89	People of the State of Illinois v. API Industries, Inc.



**REGULAR BOARD MEETING SCHEDULE FOR THE REMAINDER OF 1996**

December 5

December 19

**NOTE: All Board Meetings will be held in Conference Room 9-040 unless otherwise noted**

**REGULAR BOARD MEETING SCHEDULE FOR CALENDAR YEAR 1997**

January 9	July 10
January 23	July 24
February 6	August 7
February 20	August 21
March 6	September 4
March 20	September 18
April 3	October 2
April 17	October 16 *
May 1 *	November 6
May 15	November 20
June 5	December 4
June 19	December 18

**NOTE: All Board Meetings will be held in Conference Room 9-040. Those noted with an asterisk will be held in Conference Room 9-031.**

**CASE TYPE CODES:**

3d P	Third Party Action	A-C	Administrative Citation
A-E	Air Enforcement	A-S	Adjusted Standard
A-V	Air Variance	CSO	Combined Sewer Overflow Exception
GW	Groundwater	HW Delist RCRA	Hazardous Waste Delisting
L-E	Land Enforcement	L-S-R	Landfill Siting Review
L-V	Land Variance	MW	Medical Waste (Biological Materials)
N-E	Noise Enforcement	N-V	Noise Variance
P-A	Permit Appeal	PWS-E	Public Water Supply Enforcement
PWS-V	Public Water Supply Variance	R	Regulatory Proceeding
RCRA	Resource Conservation and Recovery Act proceeding (hazardous waste only)	S02	S02 Alternative Standards (35 IL. ADM. CODE 302.211(f))
SWH-E	Special Waste Hauling Enforcement	SWH-V	Special Waste Hauling Variance
T	Thermal Demonstration Rule	T-C	Tax Certifications
T-S	Trade Secrets	UST-Appeal	Underground Storage Tank Corrective Action Appeal
UST-E	Underground Storage Tank Enforcement	UST-FRD	Underground Storage Tank Fund Reimbursement Determination
W-E	Water Enforcement	W-V	Water Variance
WWS	Water-Well Setback Exception		