

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING MAY 16, 1996 CHICAGO, ILLINOIS - 10:30 A.M.

After calling the meeting to order by teleconference, Chairman Manning welcomed members of the public and staff to the meeting. Thereafter, the Clerk was asked for a roll call and Chairman C. Manning and Board Member G. Tanner Girard answered present from the Springfield office, and Board members E. Dunham, R.C. Flemal, Marili McFawn, J. Theodore Meyer and J. Yi, answered present from the Chicago office.

Moved and seconded, with a vote of 6-0, the Minutes of the May 2, 1996 Board Meeting were approved. Board Member J. Theodore Meyer abstained.

In R94-1(A), Triennial Water Quality Review Amendments to 35 Ill. Adm. Code 302.208 and 302.407 (Lead and Mercury), an Adopted Rule, Final Order, Opinion and Order was adopted by a vote of 7-0. **(ED)(CAM)(RCF)**

In R96-5, Visible and Particulate Matter Emissions, an Adopted Rule, Final Order, Opinion and Order was adopted by a vote of 7-0. **(GTG)**

An Order determining that the petition meets the requirements of 35 Ill. Adm. Code 102.121 and 102.141, granting the Agency's motion for waiver of several requirements, and accepting the matter for hearing, was adopted in R96-17, Exemptions from State Permit Requirements, Amendments to 35 Ill. Adm. Code 201 and 211, by a vote of 7-0. **(GTG)**

An Opinion and Order was adopted in #AS 94-4, Petition of Chase Products Company and the IEPA for an Adjusted Standard from 35 Ill. Adm. Code 218 Subpart DD, by a vote of 7-0. **(McF)**

An Order granting the joint motion for stay of review until June 30, 1996, directing the parties to report the status of the matter to the Board, either jointly or separately, by June 15, 1996, and directing that such status report and any future status reports to be directed to the attention of the assigned hearing officer, was adopted in #AS 96-6, Petition of Amoco Oil Company for an Adjusted Standard from 35 Ill. Adm. Code 721.132, by a vote of 7-0. **(McF)**

An Opinion and Order was adopted in #94-27, Marathon Oil Company v. IEPA, by a vote of 6-1. Board Member J. Theodore Meyer dissented. **(RCF)**

An Opinion and Order accepting the Stipulation and Proposal for Settlement in the amount of \$23,666.41, was adopted in #95-106, People of the State of Illinois v. Claude F. Perry and Martha Perry, by a vote of 7-0. **(CAM)**

An Opinion and Order was adopted in #95-150, Marathon Oil Company v. IEPA, by a vote of 5-2. Board Member G. Tanner Girard dissented, and Board Member J. Theodore Meyer dissented in part and concurred in part. **(JY)**

An Opinion and Order accepting the Stipulation and Proposal for Settlement in the amount of \$10,000.00, was adopted in #96-211, People of the State of Illinois v. Classic Mold Company, Inc., and Larry Caldrone, by a vote of 7-0.

An Opinion and Order accepting the Stipulation and Proposal for Settlement in the amount of \$500.00, was adopted in #96-212, People of the State of Illinois v. Egyptian Community School District Unit #5, by a vote of 7-0.

A Default Order finding that the respondent violated Section 21(p)(1) of the Illinois Environmental Protection Act, and assessing a \$500.00 penalty, was adopted in #AC 96-41, IEPA v. Dwight W. Davis, d/b/a D & L Rubber Works, by a vote of 7-0.

A Default Order finding that the respondent violated Section 21(p)(1) of the Illinois Environmental Protection Act, and assessing a \$500.00 penalty, was adopted in #AC 96-42, IEPA v. John Sharp, d/b/a John's Auto Salvage, by a vote of 7-0.

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 96-43, IEPA v. Envirofil of Illinois, Inc., by a vote of 7-0.

This Administrative Citation was accepted by the Board: #96-47, IEPA v. Frank A. Olson.

An Order denying the petitioner's motion for reconsideration and the Agency's motion to reconsider and for partial modification of the Board's April 29, 1996 final order, was adopted in ##94-243, - 306, - 307, - 308, - 309, - 95-133, - 134, ESG Watts, Inc. v. IEPA, by a vote of 5-2. Messrs. E. Dunham and G. Tanner Girard dissented. **(CAM)**

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 ##94-275, -311, People of the State of Illinois v. Boyd Brothers, Inc. and Boyd Brothers, Inc. v. Abandoned Mined Lands Reclamation Council, by a vote of 7-0. **(CAM)**

An Order granting the petitioner's voluntary motion to dismiss, was adopted in #96-86, BFI Modern Landfill #1 and #2 v. IEPA, by a vote of 7-0. **(McF)**

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 #96-129, People of the State of Illinois v. Siciliano, Inc., by a vote of 7-0. **(JTM)**

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 #96-142, People of the State of Illinois v. A.E. Staley Manufacturing Company, by a vote of 7-0. **(ED)**

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 hearing requirement, was adopted in #96-160, People of the State of Illinois v. Bobak Sausage Company, by a vote of 7-0. **(JTM)**

An Order granting the Agency's motion for an extension of time until 30 days prior to the date of a scheduled hearing in the matter to file the record, and directing the assigned hearing officer to establish the filing date of the record when scheduling the hearing, was adopted in #96-162, Oscar Mayer Foods Corporation/Kraft Foods, Inc. v. IEPA, by a vote of 7-0. **(JY)**

An Order granting the Agency's motion for an extension of time until 30 days prior to the date of a scheduled hearing in the matter to file the record, and directing the assigned hearing officer to establish the filing date of the record when scheduling the hearing, was adopted in #96-166, Oscar Mayer Foods Corporation/Kraft Foods, Inc. v. IEPA, by a vote of 7-0. **(JY)**

An Agency motion for an extension of time to file the Agency record in #96-171, Excel Sales, Inc., was referred to the hearing officer for disposition.

An Order accepting the petitioner's supplement to its petition for variance as an amended petition and noting that since the petitioner has filed an open waiver of the decision deadline in the matter, no recalculation of the decision deadline was necessary, was adopted in #96-184, J.M. Sweeney Company v. IEPA, by a vote of 7-0. **(JTM)**

An Order granting the Agency's motion for an extension of time until May 31, 1996 in which to file the Agency recommendation, was adopted in #96-191, White Cap, Inc. v. IEPA, by a vote of 7-0. **(JTM)**

An Order finding that a hearing would be advisable due to the filing of an objection and request for hearing filed by the City of Chicago Department of Environment, and accepting the matter for hearing, was adopted in #96-198, Land and Lakes Company v. IEPA, by a vote of 7-0. **(JY)**

An Order granting the Agency's motion for an extension of time until 30 days prior to the date of a scheduled hearing in the matter to file the record, and directing the assigned hearing officer to establish the filing date of the record when scheduling the hearing, was adopted in #96-225, Dalee Oil Company v. IEPA, by a vote of 7-0. **(GTG)**

An Order dismissing the docket as unnecessary, was adopted in #96-183, Recycler, Inc. v. IEPA, by a vote of 7-0. **(CAM)**

An Order dismissing the matter due to the Board's lack of jurisdiction to hear the complaint as filed alleging violations of the noise standards, was adopted in #96-186, Mr. & Mrs. Don

Williams, Mr. & Mrs. Thomas Morris & Mr. & Mrs. Peter Bizios v. Schaumburg Park District, by a vote of 7-0. Chairman C. Manning and Board Members M. McFawn and J. Theodore Meyer concurred. **(ED)**

An Order accepting the matter for hearing was adopted in #96-192, Laidlaw Waste Systems, Inc. v. IEPA, by a vote of 7-0. **(CAM)**

An Order dismissing the docket as unnecessary, was adopted in #96-197, Maggio Truck Center, Inc. v. IEPA, by a vote of 7-0. **(CAM)**

An Order accepting the matter for hearing was adopted in #96-226, Shell Oil Company (Orland Park Facility) 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 26, 1996, 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 #96-227, Raytheon Aircraft Services v. IEPA, by a vote of 7-0. **(CAM)**

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 20, 1996, 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 #96-228, Graham Oldsmobile v. IEPA, by a vote of 7-0. **(CAM)**

A mandatory hearing will be held in #96-229, People of the State of Illinois v. James Tull, individually and as President of CEPCO, Inc., and CEPCO, Inc., d/b/a Chief Paving & Excavating Company.

An Order extending the time by an additional 10 working days or until June 7, 1996 to review the petitioner's petition for review of a determination by the Agency denying trade secret status for certain information, and requesting the Agency to file a response to the petitioner's petition for review on or before May 28, 1996, was adopted in #96-230, The Clorox Company v. IEPA, by a vote of 6-0. Board Member J. Theodore Meyer voted present. **(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 July 5, 1996, 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 #96-231, U.S. Department of Energy and University of Chicago (Argonne National Laboratory) v. IEPA, by a vote of 7-0. **(CAM)**

A provisional variance was granted in #96-232, Taracorp Industries, Inc. v. IEPA, by a vote of 7-0. **(CAM)**

ADDENDUM

A mandatory hearing will be held in #96-233, People of the State of Illinois v. ESG Watts, Inc..

A provisional variance was granted in #96-234, North Shore Sanitary District (Waukegan Sewage Treatment Plant) v. IEPA, by a vote of 7-0. (CAM)

These cases were discussed and held for further discussion or possible decision: ##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 (BOD5) and Ammonia Nitrogen; 95-73, Dennis Manarchy, Mary Beth Manarchy, Chris Mandoline, Beverly Kagy-Mandoline, Surrounding Neighbors v. The Gotham Nightclub, JJJ & Associates.

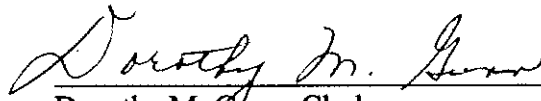
AGENDA

This case was discussed and held for further discussion or possible decision: #96-182, A.F. Moore & Associates v. IEPA.

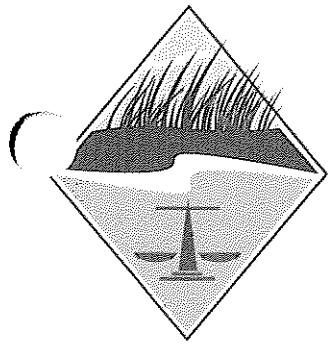
All other matters not disposed of as listed were held.

Moved and seconded, with a vote of 7-0, the meeting was adjourned at 11:42 a.m..

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Minutes were approved this 6th day of June, 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

**REGULAR MEETING AGENDA
MAY 16, 1996 CHICAGO, ILLINOIS
CONFERENCE ROOM 9-040
10:30 A.M.**

CHAIRMAN
Claire A. Manning
Springfield

ADDENDUM

MOTIONS

MEMBERS			
Emmett E. Dunham II Elmhurst	94-243)	<u>ESG Watts, Inc v. IEPA</u> - Agency Response to Petitioner's Motion for Reconsideration 5/14),	(CAM)
Ronald C. Flemal DeKalb	94-306)	Petitioner's Response to Respondent's Motion to Reconsider and for Partial Modification of	
G. Tanner Girard Grafton	94-307)	Final Order (5/14)	
Marili McFawn Inverness	94-308)		
J. Theodore Meyer Chicago	94-309)		
	95-133)		
	95-134)		
Joseph C. Yi Park Ridge	P-A, Land		

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

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

96-233	<u>People of the State of Illinois v. ESG Watts, Inc.</u>	
L&GW-E	- Hearing Mandatory - No Order	

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

96-234	<u>North Shore Sanitary District (Waukegan</u>	(CAM)
W-V	<u>Sewage Treatment Plant) v. IEPA</u> - Provisional Variance	

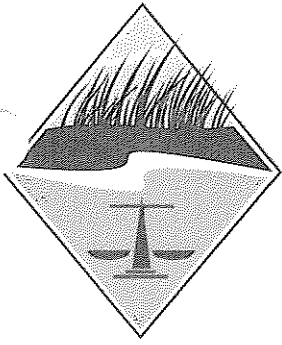
148 North Third Street
P.O. Box 505
DeKalb, Illinois 60115
815-753-1904
Fax 815-753-1970



CASES PENDING DECISION

AS 95-3 Joint Petition of the IEPA and the City of (JY)
W-NPDES Metropolis for an Adjusted Standard from 35 Ill.
 Adm. Code Part 304 for Suspended Solids, 5-
 Day Biological Oxygen Demand (BOD5) and
 Ammonia Nitrogen

95-73 Dennis Manarchy, Mary Beth Manarchy, Chris (CAM)
N-E- Mandoline, Beverly Kagy-Mandoline,
Citizens Surrounding Neighbors v. The Gotham
 Nightclub, JJJ & Associates, Inc.



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GOVERNOR
Honorable Jim Edgar



CHAIRMAN
Claire A. Manning
Springfield

MEMBERS
Emmett E. Dunham II
Elmhurst

Ronald C. Flemal
DeKalb

G. Tanner Girard
Grafton

Marili McFawn
Inverness

J. Theodore Meyer
Chicago

Joseph C. Yi
Park Ridge



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217-524-8500
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DeKalb, Illinois 60115
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AGENDA MAY 16, 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

May 2, 1996

REGULATIONS AND ADJUSTED STANDARDS

R92-8 Water	<u>Proposed Amendments to 35 Ill. Adm. Code Subtitle C (Water Toxics & Bioaccumulation)</u> - Illinois Chapter of the Sierra Club, Citizens For A Better Environment, Lake Michigan Federation, and McHenry County Defenders Motion for Reconsideration of the Board's Decision Regarding the Joint Proponents' Water Quality Standard Proposal (5/8)	(RCF)
R94-1(A) Water	<u>Triennial Water Quality Review Amendments to 35 Ill. Adm. Code 302.208 and 302.407 (Lead and Mercury)</u> - Adopted Rule, Final Order, Opinion and Order	(ED) (CAM) (RCF)
R96-5 Air	<u>Visible and Particulate Matter Emissions</u> - Adopted Rule, Final Order, Opinion and Order	(GTG)
R96-17 Air	<u>Exemptions from State Permit Requirements, Amendments to 35 Ill. Adm. Code 201 and 211 - (See Motion for Waiver of Requirements filed 5/10)</u>	(GTG)
AS 94-4 Air	<u>Petition of Chase Products Company and the IEPA for an Adjusted Standard from 35 Ill. Adm. Code 218 Subpart DD</u>	(McF)
AS 95-1 Land	<u>Petition of Tommy House Tire Company, Inc. for an Adjusted Standard from 35 Ill. Adm. Code 848.202(b)(1), (b)(2) and (b)(5)</u> - Petitioner's Motion for Reconsideration Of March 21, 1996 Board Order (4/25), Agency's Response to Petitioner's Motion for Reconsideration (5/7)	(McF)
AS 96-6 RCRA-Delisting	<u>Petition of Amoco Oil Company for an Adjusted Standard from 35 Ill. Adm. Code 721.132</u> - Joint Motion for Stay of Review (5/13)	(McF)

DECISIONS

94-27 A-V	<u>Marathon Oil Company v. IEPA</u> (due)	(RCF)
95-106 L-E	<u>People of the State of Illinois v. Claude F. Perry and Martha Perry - Stipulation</u>	(CAM)
95-150 A-V	<u>Marathon Oil Company v. IEPA</u> (due)	(JY)
96-211 A-E	<u>People of the State of Illinois v. Classic Mold Company, Inc., and Larry Caldron</u> - Stipulation	(CAM)
96-212 A-E	<u>People of the State of Illinois v. Egyptian Community School District Unit #5</u> - Stipulation	(CAM)

ADMINISTRATIVE CITATIONS

AC 96-41	<u>IEPA v. Dwight W. Davis, d/b/a D & L Rubber Works</u> - Default Order
AC 96-42	<u>IEPA v. John Sharp, d/b/a John's Auto Salvage</u> - Default Order
AC 96-43	<u>IEPA v. Envirofil of Illinois, Inc.</u> - Default Order
AC 96-47	<u>IEPA v. Frank A. Olson</u> - Accept Case - No Order

MOTIONS

93-191 People of the State of Illinois v. Lloyd Wiemann, d/b/a Wiemann (CAM)
UST-E Ice and Fuel - Respondent's Motion for Leave to Join Additional
Parties (10/30), Texaco Refining and Marketing, Inc.'s Response
in Opposition to Respondent's Motion for Leave to Join
Additional Parties (4/15), Respondent's Motion for Leave to File
Instanter, Respondent's Motion for Leave to File Reply, and
Respondent's Reply to Texaco Refining and Marketing, Inc.'s
Response in Opposition to Respondent's Motion for Leave to
Join Additional Parties (5/8)

94-243) ESG Watts, Inc. v. IEPA - Petitioner's Motion for (CAM)
94-306) Reconsideration of March 21, 1996 Board Order (4/29),
94-307) Agency's Motion to Reconsider and for Partial Modification of
Final Order (4/29)
94-308)
94-309)
95-133)
95-134)

P-A

94-275) People of the State of Illinois v. Boyd Brothers, Inc. and Boyd (CAM)
94-311) Brothers, Inc. v. Abandoned Mined Lands Reclamation Council -
Motion for Relief from Hearing Requirement (5/13)
W-E

95-51 Don Carson Steinheimer and Ray Darrow Steinheimer as Co- (RCF)
UST-E Executors of the Estate of Irene D. Steinheimer, deceased v.
GTE North, Inc. - Complainants' Motion for Voluntary
Citizens Dismissal with Leave to Reinstate (5/13)

MOTIONS (Cont'd)

96-52 Raleigh Realty Corporation v. IEPA - Petitioner's Motion for (JTM)
UST-FRD Summary Judgment, and Motion to File a Reply Brief in the
 Event the Agency Files a Response to Petitioner's Motion for
 Summary Judgment (3/11), Agency's Response to Petitioner's
 Motion for Summary Judgment and Agency's Motion for
 Summary Judgment, Agency's Motion to File Agency's
 Response to Petitioner's Motion for Summary Judgment and
 Agency's Cross-Motion for Summary Judgment in Excess of
 Fifteen Pages (3/27), Petitioner's Motion to Strike the Agency's
 Response Brief and Cross-Motion for Summary Judgment,
 Motion to File a Reply Brief in Excess of 15 Pages in Length,
 and Petitioner's Reply Brief in Support of its Motion for
 Summary Judgment (4/3), Agency's Response to Petitioner's
 Motion to Strike the Agency's Response Brief and Cross-Motion
 for Summary Judgment, Agency's Objection to Petitioner's
 Motion to File its Reply Brief in Excess of Fifteen Pages and
 Agency's Motion to Strike the Petitioner's Reply Brief in
 Support of its Motion for Summary Judgment, Agency's Motion
 to Strike the Petitioner's Motion to Strike the Agency's
 Response and Cross-Motion for Summary Judgment and any
 Response filed by the Petitioner in Response to the Agency's
 Cross-Motion for Summary Judgment, Agency's Request to File
 Response to Petitioner's Reply Brief, Agency's Motion to File
 Agency's Response to Petitioner's Reply Brief in Support of its
 Motion for Summary Judgment in Excess of Fifteen Pages, and
 Agency's Response to the Petitioner's Reply Brief in Support of
 its Motion for Summary Judgment (4/12), Petitioner's Responses
 to Various Motions Sent by the Agency on April 12, 1996 (4/23)

MOTIONS (Cont'd)

96-86 BFI Modern Landfill #1 and #2 v. IEPA - Petitioner's Voluntary (McF)
P-A, Land Motion to Dismiss (5/13)

96-102 Kathe's Auto Service Center v. IEPA - Agency's Motion for (JY)
UST-FRD Summary Judgment (4/5), Petitioner's Cross-Motion for
 Summary Judgment, Petitioner's Response Brief to the Agency's
 Motion for Summary Judgment, and Petitioner's Combined
 Motion to File its Cross-Motion for Summary Judgment and
 Response Brief in Excess of Fifteen Pages, Motion to Stay the
 Agency's Motion for Summary Judgment (4/15), Agency's
 Request for Additional Time to Respond to the Petitioner's
 Cross-Motion for Summary Judgment (4/24), Agency's
 Response to the Petitioner's Motion to Stay the Agency's
 Motion for Summary Judgment, Agency's Request for Leave to
 File a Reply to the Petitioner's Response Brief to the Agency's
 Motion for Summary Judgment, Agency's Objection to
 Petitioner's Motion to File its Cross-Motion for Summary
 Judgment and Response in Excess of Fifteen Pages (4/29),
 Petitioner's Response to Various Agency Motions (5/2),
 Agency's Motion, Agency's Motion to File Agency's Response
 to Petitioner's Cross-Motion for Summary Judgment in Excess of
 Fifteen Pages and Agency's Response to Petitioner's Cross-
 Motion for Summary Judgment (5/2), Petitioner's Motion to File
 its Reply Brief in Support of its Cross-Motion for Summary
 Judgment Instantly and Petitioner's Reply Brief in Support of its
 Cross-Motion for Summary Judgment (5/8)

96-129 People of the State of Illinois v. Siciliano, Inc. - Motion for Relief (JTM)
A-E from Hearing Requirement (5/8)

96-142 People of the State of Illinois v. A.E. Staley Manufacturing (ED)
A-E Company - Motion for Relief from Hearing Requirement (5/6)

MOTIONS (Cont'd)

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 Leave to File Instant Motion to Dismiss Complainant's Complaint and Memorandum in Support of Motion to Dismiss (2/6), Complainant's Objection to Respondents' Motion for Leave to File Instant Motion to Dismiss Complaint and Memorandum in Support of Motion to Dismiss (2/15), Respondents' Reply to Complainant's Objection to Respondents' Motion for Leave to File Instant Motion to Dismiss Complaint and Respondents' Motion for Leave to File Reply to Complainant's Objection to Respondents' Motion for Leave to File Instant Motion to Dismiss Complaint (2/27), Complainant's Motion to Strike Respondents' Motion for Leave to File Reply (3/7), Respondents' Motion to Strike Complainant's Amended Complaint (5/8)	(CAM)
96-160 A-E	<u>People of the State of Illinois v. Bobak Sausage Company</u> - Agreed Motion to Request Relief from Hearing Requirement (5/8)	(JTM)
96-162 UST-Appeal	<u>Oscar Mayer Foods Corporation/Kraft Foods, Inc. v. IEPA</u> - Agency Motion for Extension of Time to File Agency Record (5/13)	(JY)
96-166 UST-Appeal	<u>Oscar Mayer Foods Corporation/Kraft Foods, Inc. v. IEPA</u> - Agency Motion for Extension of Time to File Agency Record (5/13)	(JY)
96-171 UST-FRD	<u>Excel Sales, Inc. v. IEPA</u> - Agency Motion for Extension of Time to File Agency Record (5/13)	(ED)
96-184 A-V	<u>J.M. Sweeney Company v. IEPA</u> - Petitioner's Motion for Leave to File Instant Supplement to Petition For Variance and Modification of Prayer for Relief (5/10)	(JTM)

MOTIONS (Cont'd)

96-185 Douglas and Barbara Oltman v. Terry and Kelly Cowan - (GTG)
N-E Respondents' Motion to Reconsider March 21, 1996 Board
Order (5/6)

96-191 White Cap, Inc. v. IEPA - Agency Motion for Extension of Time (JTM)
A-V in Which to File Recommendation (5/6)

96-198 Land & Lakes Company v. IEPA - Objection (4/18), Petitioner's (JY)
L-V Motion to Strike Mr. Henderson's Objection and Request for
Hearing (4/26)

96-225 Dalee Oil Company v. IEPA - Agency Motion for Extension of (GTG)
UST-FRD Time to File Agency Record (5/13)

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

96-179 Gilbert & Lenda Marshall v. Danny Ligenfelter, individually and (ED)
A & N-E as President of Central Illinois Dirt Riders Association - (See
Complainants' Brief in Response to March 7, 1996 Board
Order filed 5/3; Respondent's Motion to Dismiss and
Respondent's Brief in Response to March 7, 1996 Board
Order filed 5/3) - Order

96-183 Recycler, Inc. v. IEPA - Dismissal Order (CAM)
P-A, Water

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

96-186 N-E	<u>Mr. & Mrs. Don Williams, Mr. & Mrs. Thomas Morris, and Mr. & Mrs. Peter Bizios v. Schaumburg Park District</u> - (See Complainants' Brief in Response to March 21, 1996 Board Order filed 4/18; Respondent's Motion to Extend Time to Answer and to Delay the Setting of a Hearing filed 4/25; Respondent's Brief in Response to March 21, 1996 Board Order filed 5/2; Complainants' Motion for Leave to File Response to Brief of the Respondent filed 5/10) - Order	(ED)
96-192 P-A, Land	<u>Laidlaw Waste Systems, Inc. v. IEPA</u> - Accept For Hearing Order	(CAM)
96-197 UST-Appeal	<u>Maggio Truck Center, Inc. v. IEPA</u> - Dismissal Order	(CAM)
96-206 N-E	<u>Anne Shepard, James Verhein and Jerold Leckman v. Northbrook Sports Club</u> - (See Respondent's Motion to Dismiss as Frivolous filed 4/9) - Hold for Duplicitous/Frivolous Determination	(CAM)
96-226 UST-Appeal	<u>Shell Oil Company (Orland Park Facility) v. IEPA</u> - Accept for Hearing Order	(RCF)
96-227 UST-FRD	<u>Raytheon Aircraft Services v. IEPA</u> - 90-Day Extension Request - Order	(CAM)
96-228 UST-FRD	<u>Graham Oldsmobile v. IEPA</u> - 90-Day Extension Request - Order	(CAM)

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

96-229 People of the State of Illinois v. James Tull, individually and as (JTM)
A-E President of CEPCO, Inc., and CEPCO, Inc., d/b/a Chief Paving
 & Excavating Company - Hearing Mandatory - No Order

96-230 The Clorox Company v. IEPA - (Note: Trade Secret
T-S Determination from Board due by May 23, 1996)

96-231 U.S. Department of Energy and The University of Chicago (CAM)
UST-Appeal (Argonne National Laboratory) - Joint Request for 90-Day
 Extension of Appeal Period (5/10) - Order

96-232 Taracorp Industries, Inc. v. IEPA - Provisional Variance (CAM)
L-V, RCRA

CASES PENDING DECISION

96-182 A.F. Moore & Associates v. IEPA (due 6/6) (MCF)
UST-Appeal

ADJOURNMENT

LIST OF NEW CASES FILED SINCE MAY 2, 1996 BOARD MEETING

AC 96-47	IEPA v. Frank A. Olson
96-226	Shell Oil Company (Orland Park Facility) v. IEPA
96-227	Raytheon Aircraft Services v. IEPA
96-228	Graham Oldsmobile v. IEPA
96-229	People of the State of Illinois v. James Tull, individually and as President of CEPCO, Inc., and CEPCO, Inc., d/b/a Chief Paving & Excavating Company
96-230	The Clorox Company v. IEPA
96-231	U.S. Department of Energy and The University of Chicago v. IEPA
96-232	Taracorp Industries, Inc. v. IEPA

REGULAR BOARD MEETING SCHEDULE FOR THE REMAINDER OF FY 96

June 6
June 20

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

REGULAR BOARD MEETING SCHEDULE FOR THE FIRST HALF OF FY97

July 18

August 1
August 15

September 5
September 19

October 3
October 17

November 7
November 21

December 5
December 19

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

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)	S0 ₂	S0 ₂ Alternative Standards (35 ILL. 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		