

ILLINOIS POLLUTION CONTROL BOARD
EXECUTIVE SESSION
MINUTES
March 6, 1997
Chicago, Illinois

The Board members reconvened at 12 noon in executive session. The following members were in attendance:

Claire A. Manning
Ronald Flemal
Tanner Girard
Kathleen Hennessey
Marili McFawn
J. Theodore Meyer
Joseph Yi

The minutes of the February 6, 1997 Executive Session were approved 7-0.

Old Business

Zyindex Update - Wiley

Sandy Wiley reported that all Title 35 parts that have gone through the Quality Control Review have been indexed into Zyindex in the Chicago office. Updates will also be provided to the Springfield and satellite offices. A question was raised as to whether Zyindex could be linked to the Web. Joe D'Alessandro said it probably could, at a cost of approximately \$10,000.

Legal Writing Seminar

Member McFawn reported that the seminar will be conducted for Board Members and attorneys on May 8, 1997.

New Business

Personnel

Chairman Manning announced the promotion of Joe D'Alessandro to Manager of Administrative Services and introduced the new Human Resources Manager, Gale O'Neal. Joe stated that Ms. O'Neal will bring more professionalism to the personnel position.

Computer

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING MARCH 6, 1997 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 February 20, 1997 Board Meeting were approved by a vote of 7-0.

In R97-10, Regulation of Petroleum Leaking Underground Storage Tanks 35 Ill. Adm. Code 732, an Adopted Rule, Final order, Opinion and Order, was adopted by a vote of 7-0.
(GTG)(JTM)(JY)

In R97-12, Tiered Approach to Corrective Action Objectives (35 Ill. Adm. Code 742, an Agency motion to file instanter new language to Section 742.505(b)(3)(C), will be disposed of with the second notice opinion and order.

In R97-17, Exemptions From the Definition of VOM, USEPA Amendments (July 1, 1996 through December 31, 1996; HFC 43-10mee and HCFC 225ca and cb), a Proposed Rule, Proposal for Public Comment, Opinion and Order was adopted by a vote of 7-0. **(GTG)**

Dockets were reserved in these regulatory matters: R97-25, Great Lakes Water Quality Initiative; R97-26, Amendment to Agriculture Related Pollution Regulations at 35 Ill. Adm. Code Subtitle E.

An Order granting the petitioner's stay of the Board's January 23, 1997 order until May 5, 1997, advising the parties that the Board will reserve ruling on a request for hearing filed by Kathy Andria, President of the Madison County Conservation Alliance since the Board has found the petitioner's original petition to be deficient, noting that in the original petition for an adjusted standard, the petitioner did request a hearing, and granting Chester Babst II, Donald Bluedorn II and Gregory Timmons to appear on behalf of the petitioner pro hac vice, was adopted in #AS 97-6, Petition of Granite City Steel for an Adjusted Standard from 35 Ill. Adm. Code 302.212 and 302.213, Water Quality Standards Relating to Ammonia, by a vote of 6-0. Board Member K.M. Hennessey abstained. **(RCF)**

An Opinion and Order accepting the Stipulation and Settlement Agreement in the amount of \$30,000.00, was adopted in #95-107, People of the State of Illinois v. American Steel Container Company, Inc., by a vote of 7-0. **(McF)**

An Opinion and Order accepting the Stipulation and Settlement Agreement in the amount of \$3,500.00, was adopted in #97-128, People of the State of Illinois v. Belle-Aire Fragrances, Inc., by a vote of 7-0. **(CAM)**

An Order finding that the alleged violations of Section 21(o)(11) of the Illinois Environmental Protection Act (Act) for failure to submit reports in ##AC 94-29, - 48, - 49, - 50, - 51, - 52, - 58, - 59, - 60, - 61, - 81, and - 91, are barred by the doctrine of res judicata since they were previously adjudicated in People v. James Lee Watts, (May 4, 1995) PCB 94-127, finding that the alleged violations of Section 21(o)(9) of the Act for depositing refuse in an unpermitted portion of the landfill in ##AC 95-8, - 18, - 21, - 28, and - 29, were not previously litigated in People of the State of Illinois v. Watts Trucking Service, Inc. and ESG Watts, Inc., No. 91-CH-242 (Cir. Ct. of Sangamon County, February 2, 1994), and are therefore not barred by the doctrine of res judicata, directing that administrative citations ##AC 94-28, - 82, - 90, - 95, AC 95-8, - 18, - 21, - 28, and - 29, as well as the remaining counts of AC 94-29, - 48, - 49, - 50, - 51, - 52, - 58, - 59, - 60, - 61, - 81, and 91, to proceed to hearing, and directing the hearing officer to establish an appropriate hearing date, was adopted in ##AC 94-28, - 29, - 48, - 49, - 50, - 51, -52, - 58, - 59, - 60, - 61, - 81, - 82, - 90, - 91, - 95, 95-8, - 21, - 28, - 29, Sangamon County v. ESG Watts, Inc., by a vote of 7-0. **(McF)(GTG)**

An Order directing the Clerk of the Board to cause publication of the required newspaper notice of a motion to request relief from the hearing requirement, was adopted in #96-131, People of the State of Illinois v. Fenton Press Inc., by a vote of 7-0. **(JY)**

An Order granting the complainant's motion to amend the complaint, granting the complainant summary judgment as to Count I as initially filed, granting summary judgment for the complainant as to Counts II and III, ordering the respondent to deposit sufficient funds into the Viola Landfill trust fund so that the fund provides at least the \$249,067.00 as required by Permit 1994-285-SP, within 45 days of the entry of the order, ordering the respondent to submit to the Agency a revision of the current cost estimates for closure and post-closure of the Viola Landfill in compliance with 35 Ill. Adm. Code 807.603(b)(1) and 807.621(c) and (d), within 45 days of the entry of the order, and directing the parties to address the remaining allegations of the complaint, the issues relating to penalty, and awarding of costs and attorney's fees at the scheduled hearing, was adopted in #96-233, People of the State of Illinois v. ESG Watts, Inc., by a vote of 7-0. **(McF)**

An Order dismissing the case without prejudice against all party respondents for want of prosecution, advising the parties that the Board will not rule on the pending motions to dismiss and request for stay, as these motions are mooted by this action, and closing the docket, was adopted in #97-17, Irma L. Lopez, Jose Martinez, Joel R. Garay, and Jose Gonzalez v. Celotex Corporation, AlliedSignal, Inc., and the IEPA, by a vote of 6-0. Board Member K.M. Hennessey abstained. **(CAM)**

An Order granting the petitioner's motion for voluntary dismissal of its petition for review of its permit denial, was adopted in #97-67, Mid-American Waste Systems of Illinois, Inc., Illinois Development Corporation and Allied Waste Industries (Midwest), Inc., d/b/a Groen Waste Services Transfer Station v. IEPA, by a vote of 7-0. **(KMH)**

An Order granting the respondent Land and Lakes Company's motion for leave to remove certain oversized exhibits until March 17, 1997, was adopted in #97-68, Senator William Shaw, Ronnie Lewis, and Judith Evans v. Board of Trustees of the Village of Dolton, Illinois, Land of Lakes Company, and Mayor Donald Hart, by a vote of 7-0. **(JY)**

An Order granting the complainant's motion for an extension of time until March 18, 1997 to respond to respondent Amoco Oil Company's motion to dismiss, was adopted in #97-84, George Casanave v. Amoco Oil Company and Ray L. Pearson, by a vote of 7-0. **(CAM)**

An Order dismissing the proceedings and closing the docket as unnecessary, was adopted in #97-91, Land and Lakes (Willow Ranch) v. IEPA, by a vote of 7-0. **(CAM)**

An Order dismissing the proceedings and closing the docket as unnecessary, was adopted in #97-109, Covelli's A-1 Service 76 v. IEPA, by a vote of 7-0. **(CAM)**

An Order opening a new docket PCB 97-149 for the appeal of the Agency's rejection of the petitioner's corrective action completion report, directing the petitioner to remit a \$75.00 filing fee for docket number PCB 97-149, granting the petitioner's motion to amend the caption to indicate that the petitioner in this proceeding is McWane, Inc. rather than Clow Company, advising the parties that if they believe that these matters should be consolidated for purposes of hearing to file a motion to consolidate, and accepting the matters for hearing, was adopted in ##97-114, - 149, McWane, Inc. v. IEPA, by a vote of 7-0. **(GTG)**

The petitioner's amended petition in response to the Board's February 6, 1997 order in #97-131, Central Illinois Public Service Company (Coffeen Power Station) v. IEPA, was accepted and held for an Agency recommendation.

An Order granting the respondents motion for an extension of time until March 17, 1997 to file a motion to dismiss the complaint on the grounds that the complaint is duplicitous and frivolous, was adopted in #97-134, Dayton Hudson Corporation v. Cardinal Industries, Inc., and Daniel E. Cardinal, Jr., by a vote of 7-0. **(CAM)**

An Order finding that the complaint is neither duplicitous or frivolous, and accepting the matter for hearing, was adopted in #97-136, Edmund and Mary Radkiewicz v. Chevron Products Company, 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 April 17, 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 #97-140, North Shore Sanitary District v. IEPA, by a vote of 7-0. **(CAM)**

An Order directing the Clerk of the Board to cause publication of the required newspaper notice of a motion to request relief from the hearing requirement, was adopted in #97-141, People of the State of Illinois v. Mark Meade Excavators, Inc., by a vote of 7-0. (CAM)

An Order opening a new docket #PCB 97-152 for the appeal of the Agency's decision regarding a second time, directing the petitioner to remit a \$75.00 filing fee for docket #PCB 97-152 no later than April 7, 1997, accepting the appeals for hearing, and consolidating the appeals for purposes of hearing, was adopted in ##97-142, - 152, Scott-Morgan CUSD #2 v. IEPA, by a vote of 7-0. (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 April 24, 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 #97-144, Laidlaw Waste Systems, Inc. v. IEPA, by a vote of 7-0. (CAM)

This case was held for an Agency Recommendation: #97-145, Pekin Energy Company v. IEPA.

An Order accepting the matter for hearing was adopted in #97-146, Kean Oil Company (Chicago Ridge Facility) v. IEPA, by a vote of 7-0. (CAM)

A mandatory hearing will be held in #97-147, People of the State of Illinois v. J.D. Plating Works, Inc..

ADDENDUM

An Order granting the petitioner's motion to withdraw its petition for review, was adopted in #97-47, Daubs Landfill, Inc. v. IEPA, by a vote of 7-0. (GTG)

AGENDA

These regulatory matters were discussed and held for further discussion or possible decision: R96-4, Listing of Federal Hazardous Air Pollutants, Great Lakes Commissions Toxic Compounds and Great Waters Program Toxic Compounds, and Source Reporting for Illinois Toxic Air Contaminants: Amendments to 35 Ill. Adm. Code 232, Proposed Rule, Second Notice, Opinion and Order; R96-18, Amendments to 35 Ill. Adm. Code Subtitle F (Parts 601 through 620), Proposed Rule, Second Notice, Opinion and Order; R97-14, Emergency Rulemaking: Livestock Waste Regulations 35 Ill. Adm. Code 505, Emergency Rule Extension, Final Order, Opinion and Order; R97-15, Livestock Waste Regulations, 35 Ill. Adm. Code 506, Proposed Rule, Second Notice, Opinion and Order; R97-26, Amendments to Agriculture Related Pollution Regulations at 35 Ill. Adm. Code Subtitle E.

These cases were discussed and held for further discussion or possible decision: ##95-91, People of the State of Illinois v. Bell Sports, Inc., and Waste Hauling Landfill, Inc. and Waste Hauling,

Inc.; 96-118, People of the State of Illinois v. Dennis Fults, d/b/a St. Clair Construction and Paving; 96-194, the D.B. Hess Company, Inc. v. IEPA; 97-81, Quantum Chemical Corporation v IEPA.

All other matters not disposed of as listed were held.

The Chairman's motion for a Closed Deliberative Session to be held on Monday, March 10, 1997 at 10:00 a.m., carried by a vote of 7-0.

All other matters not disposed of as listed were held.

Motioned and seconded, by a vote of 7-0, the meeting was adjourned to an Executive Session in the Chairman's office after lunch.

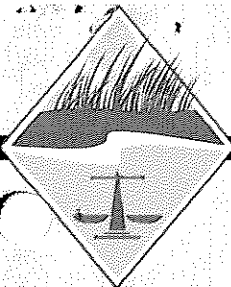
I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Minutes were approved this 20th day of March, 1997 by a vote of 7-0.



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 312-814-3669



GOVERNOR

Honorable Jim Edgar



CHAIRMAN

Claire A. Manning
Springfield

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DeKalb

G. Tanner Girard
Grafton

Kathleen M. Hennessey
Chicago

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J. Theodore Meyer
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Joseph C. Yi
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REGULAR BOARD MEETING AGENDA MARCH 6, 1997 CHICAGO, ILLINOIS CONFERENCE ROOM 9-040 10:30 A.M.

REVISED ADDENDUM

REGULATIONS AND ADJUSTED STANDARDS

R96-18 Amendments to 35 Ill. Adm. Code Subtitle F (RCF)
R, PWS (Parts 601 through 620) - Request for Hearing
(See P.C. #7 filed by Dori Burg on 3/5)

R97-27 Revision of the Waste Disposal Rules:
R, Land Amendment to 35 Ill. Adm. Code 817.101 -
(See Illinois Cast Metals Association's
Motion to Waive the 200 Signature
Requirement filed 3/4)

MOTIONS AND OTHER MATTERS

96-264 People of the State of Illinois v. American (CAM)
RCRA-E Waste Processing, Ltd. - Respondent's
Response in Opposition to Complainant's
Motion for Reconsideration and/or Clarification
(3/4)

97-47 Daubs Landfill, Inc. v. IEPA - Petitioner's (GTG)
P-A, Land Withdrawal of Petition for Review of Permit
Condition (3/4)

MOTIONS AND OTHER MATTERS (Cont'd)

97-78 DeKalb Sanitary District v. IEPA - (JY)
W-V, Respondent's Response to Petitioner's Motion
NPDES to Reconsider (3/5)

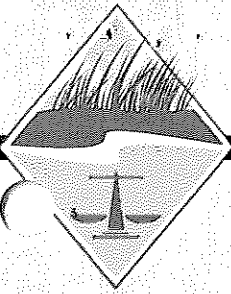
97-84 George Casanave v. Amoco Oil Company and (CAM)
UST-E, Ray L. Pearson - Complainant's Motion for
Citizens Extension of Time to Respond to Respondent's
Motion to Dismiss (3/4)

97-142 Scott-Morgan CUSD #2 v. IEPA - Accept for (KMH)
97-152 Hearing Order
UST-FRD

97-146 Kean Oil Company (Chicago Ridge Facility) v. (CAM)
UST-FRD IEPA - Accept for Hearing Order

ILLINOIS POLLUTION CONTROL BOARD

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GOVERNOR

Honorable Jim Edgar



CHAIRMAN

Claire A. Manning
Springfield

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DeKalb

G. Tanner Girard
Grafton

Kathleen M. Hennessey
Chicago

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Joseph C. Yi
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AGENDA

**MARCH 6, 1997 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

February 20, 1997

REGULATIONS AND ADJUSTED STANDARDS

R97-10 R, Land	<u>Regulation of Petroleum Leaking Underground Storage Tanks 35 Ill. Adm. Code 732</u> - Adopted Rule, Final Order, Opinion and Order	(GTG) (JTM) (JY)
R97-12 R, Land	<u>Tiered Approach to Corrective Action Objectives (35 Ill. Adm. Code 742)</u> - Agency's Motion to File Instant New Language to Section 742.505(b)(3)(C)	(McF) (RCF) (JY)
R97-17 R, Air	<u>Exemptions From the Definition of VOM, USEPA Amendments (July 1, 1996 through December 31, 1996; HFC 43-10mee and HCFC 225ca and cb)</u> , Proposal for Public Comment, Proposed Opinion and Order	(GTG)
R97-25 R, Water	<u>Great Lakes Water Quality Initiative Site-Specific Rulemaking - DOCKET RESERVED</u>	(GTG) (CAM) (JY)
R97-26 R, Land	<u>Amendments to Agriculture Related Pollution Regulations at 35 Ill. Adm. Code Subtitle E</u> - DOCKET RESERVED	
AS 97-6 Water, NPDES	<u>Petition of Granite City Steel for an Adjusted Standard from 35 Ill. Adm. Code 302.212 and 302.213, Water Quality Standards Relating to Ammonia</u> - (See Motion to Appear Pro Hac Vice filed 1/30; Petitioner's Certificate of Publication filed 2/10; Request for Public Hearing filed by Kathy Andria, President, Madison County Conservation Alliance filed 2/18; Petitioner's Motion for Temporary Stay of Proceedings filed 3/3) - Order	(RCF)

REGULATIONS AND ADJUSTED STANDARDS (Cont'd)

AS 97-7 Petition of Southern Illinois Regional Landfill, Inc. (SIRL) for (McF)
Land an Adjusted Standard from 35 Ill. Adm. Code 811.309 - Hold for
 Certificate of Publication - No Order

DECISIONS

95-107 People of the State of Illinois v. American Steel Container (McF)
A-E Company, Inc. - Stipulation

97-128 People of the State of Illinois v. Belle-Aire Fragrances, Inc. - (CAM)
EPCRA-E Stipulation

ADMINISTRATIVE CITATIONS

AC 94-28) Sangamon County v. ESG Watts, Inc. - Respondent's Motion for Summary Judgment (1/10), Complainant's Response to Respondent's Motion for Summary Judgment (2/4), (McF)
AC 94-29) Respondent's Motion to File Reply to Complainant's Response to Respondent's Motion for Summary Judgment and Respondent's Reply to Complainant's Response to Respondent's Motion for Summary Judgment (2/5)
AC 94-48)
AC 94-49)
AC 94-50)
AC 94-51)
AC 94-52)
AC 94-58)
AC 94-59)
AC 94-60)
AC 94-61)
AC 94-81)
AC 94-82)
AC 94-90)
AC 94-91)
AC 94-95)
AC 95-8)
AC 95-18)
AC 95-21)
AC 95-28)
AC 95-29)

MOTIONS AND OTHER MATTERS

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 - Complainants' Motion for Voluntary Dismissal of Certain Parties (2/26) (CAM)
UST-E,
Citizens

MOTIONS AND OTHER MATTERS (Cont'd)

96-131 A-E	<u>People of the State of Illinois v. Fenton Press, Inc.</u> - Motion to Request Relief from the Hearing Requirement (2/7)	(JY)
96-180 W-E Citizens	<u>Environmental Site Developers, Inc. v. White & Brewer Trucking, Inc.</u> - Complainant's Motion to Consolidate, Motion for Partial Summary Judgment and Memorandum in Support of Motion for Partial Summary Judgment (12/9), Respondent's Motion for Leave to File Response in Excess of Page Limits, Response to Motion for Partial Summary Judgment, and Response in Opposition to Motion to Consolidate and Motion for Stay of Decision on Consolidation (1/14), Complainant's Response to Respondent's Motion for Stay of Decision on Consolidation and Motion for Leave to File a Reply Regarding Partial Summary Judgment (1/23), Complainant's Motion for Leave to File a Reply Regarding Consolidation (1/27), Motion to Amend Respondent's Response in Opposition to Motion to Consolidate and Motion for Stay of Decision on Consolidation and Response to Motion for Partial Summary Judgment (2/28)	(McF)
96-233 L&GW-E	<u>People of the State of Illinois v. ESG Watts, Inc.</u> - Complainant's Motion for Summary Judgment (12/16), Respondent's Motion for Extension of Time to File a Response to Complainant's Motion for Summary Judgment (12/19)	(McF)
96-250 P-A, Land	<u>White & Brewer Trucking, Inc. v. IEPA</u> - Agency Motion for Summary Judgment (9/3), Petitioner's Response to Agency's Motion for Summary Judgment (12/6), Petitioner's Motion to Supplement Response to Motion for Summary Judgment (2/6)	(KMH)
96-264 RCRA-E	<u>People of the State of Illinois v. American Waste Processing, Ltd.</u> - Complainant's Motion to Reconsider and/or Clarification of January 23, 1997 Opinion and Order (2/26)	(CAM)

MOTIONS AND OTHER MATTERS (Cont'd)

96-265 L, SW, & RCRA-E	<u>Edward M. Pearl v. Eaton Corporation</u> - Respondent's Motion to Dismiss or in the Alternative to Stay the Proceedings (2/7), Respondent Eaton Corporation's Supplemental Exhibit to its Motion to Dismiss or in the Alternative to Stay the Proceedings (2/13), Complainant's Response to Respondent's Motion to Dismiss or in the Alternative to Stay (2/14)	(JY)
97-17 RCRA-E, Citizens	<u>Irma L. Lopez, Jose Martinez, Joel R. Garay and Jose Gonzalez v. Celotex Corporation, Allied-Signal, Inc., and IEPA</u> - Respondent Allied Signal's Status Report in Response to December 19, 1996 Board Order and Renewed Request to Dismiss With Prejudice (see page 2 of pleading)(1/21)	(CAM)
97-67 P-A, Land	<u>Mid-American Waste Systems of Illinois, Inc., Illinois Development Corporation, and Allied Waste Industries (Midwest), Inc., d/b/a Groen Waste Services Transfer Station v. IEPA</u> - Petitioners' Motion for Voluntary Dismissal of Petition for Review of Permit Denial (2/21)	(KMH)
97-68 L-S-R, 3 rd Party	<u>Senator William Shaw, Ronnie Lewis, and Judith Evans v. IEPA, Board of Trustees of the Village of Dolton, Illinois, Land of Lakes Company, and Mayor Donald Hart</u> - Motion to Reconsider Decision of January 23, 1997 (2/28), Respondent Land and Lakes Company's Motion for Leave to Remove Certain Oversized Exhibits (3/3)	(JY)
97-78 W-V, NPDES	<u>DeKalb Sanitary District v. IEPA</u> - Petitioner's Motion to Reconsider January 23, 1997 Board Order (2/24)	(JY)
97-84 UST-E	<u>George Casanave v. Amoco Oil Company and Ray L. Pearson</u> - Respondent Amoco Oil Company's Motion to Dismiss (1/21)	(CAM)
97-91 P-A, 90-Day Ext.	<u>Land and Lakes/Willow Ranch v. IEPA</u> - Dismissal Order	(CAM)

MOTIONS AND OTHER MATTERS (Cont'd)

97-93 A-E	<u>People of the State of Illinois v. Ashland, Inc.</u> - Complainant's Motion to Strike Respondent's Affirmative Defenses and Memorandum of Law in Support of Complainant's Motion to Strike Respondent's Affirmative Defenses (1/13), Respondent's Memorandum of Opposition to Complainant's Motion to Strike Respondent's Affirmative Defenses (1/30)	(GTG)
97-99 WWS	<u>Shell Oil Company v. IEPA</u> - Agency's Motion to Dismiss the Petitioner's Petition (12/27), Agency's Motion for Reconsideration (1/6), Petitioner's Response to Agency's Motion to Reconsider and to Dismiss Petition (1/14)	(JY)
97-104 P-A, Land	<u>Continental Waste Industries of Illinois, Inc. v. IEPA</u> - Agency's Motion for Extension of Time to File Agency Record (2/24)	(KMH)
97-109 90-Day Ext.	<u>Covelli's A-1 Service 76 v. IEPA</u> - Dismissal Order	(CAM)
97-114 UST-Appeal	<u>McWane, Inc. (Corrective Action Plan) v. IEPA</u> - Accept for Hearing Order (See Petitioner's Motion to Amend Caption filed 2/24)	(GTG)
97-131 W-V, NPDES	<u>Central Illinois Public Service Company (Coffeen Power Station) v. IEPA</u> - Petitioner's Amended Petition in Response to February 6, 1997 Board Order (2/24)	(RCF)
97-134 RCRA-E Citizens	<u>Dayton Hudson Corporation v. Cardinal Industries, Inc., and Daniel E. Cardinal, Jr.</u> - Respondent's Motion for an Extension of Time to File Duplicitous and Frivolous Motion (2/24)	(CAM)
97-136 UST-E, Citizens	<u>Edmund and Mary Radkiewicz v. Chevron Products Company</u> - Awaiting Duplicitous/Frivolous Determination	(RCF)

MOTIONS AND OTHER MATTERS (Cont'd)

97-140 P-A, 90-Day Ext.	<u>North Shore Sanitary District v. IEPA</u> - Petitioner's Request for 90-Day Extension of Appeal Period (2/20), Joint Request for 90-Day Extension of Appeal Period (2/25) - Order	(CAM)
97-141 A-E	<u>People of the State of Illinois v. Mark Meade Excavators, Inc.</u> - Motion to Request Relief from the Hearing Requirement (2/21) - Order	(CAM)
97-142 UST-Appeal	<u>Scott-Morgan CUSD #2 v. IEPA</u> - Accept for Hearing Order	(KMH)
97-143 W-E	<u>Jeffrey J. Webb v. City of Anna, Illinois</u> - Hold for Duplicitous/Frivolous Determination - No Order	(RCF)
97-144 P-A, 90-Day Ext.	<u>Laidlaw Waste Systems, Inc. v. IEPA</u> - Joint Request for 90-Day Extension of Appeal Period (2/25) - Order	(CAM)
97-145 W-V, NPDES	<u>Pekin Energy Company v. IEPA</u> - Hold for Agency Recommendation - No Order	
97-146 UST-FRD, 90-Day Ext.	<u>Kean Oil Company (Chicago Ridge Facility) v. IEPA</u> - Petitioner's Request for 90-Day Extension of Appeal Period (2/27) - Hold for Agency Notification - No Order	
97-147 RCRA-E, Water	<u>People of the State of Illinois v. J.D. Plating Works, Inc.</u> - Hearing Mandatory - No Order	
97-148 UST-E, Citizens	<u>Marilyn J. Richey v. Texaco Refining and Marketing, Inc.</u> - Hold for Duplicitous/Frivolous Determination - No Order	
97-149 UST-Appeal	<u>McWane, Inc. (Corrective Action Completion Report) v. IEPA</u> - Board Order	(GTG)

MOTIONS AND OTHER MATTERS (Cont'd)

97-150 McKay Contractors, Inc. v. IEPA - Petitioner's Request for 90-
UST-Appeal Day Extension of Appeal Period (3/3) - Hold for Agency
 Notification - No Order
90-Day, Ext.

97-151 Fox Waterway Agency v. IEPA - Hold for Further Review
W-V,
NPDES

CASES PENDING DECISION

R96-4 Listing of Federal Hazardous Air Pollutants, Great Lakes (JY)
R, Air Commissions Toxic Compounds and Great Waters Program
 Toxic Compounds, and Source Reporting for Illinois Toxic Air
 Contaminants: Amendments to 35 Ill. Adm. Code 232 -
 Proposed Rule, Second Notice, Opinion and Order

R96-18 Amendments to 35 Ill. Adm. Code Subtitle F (Parts 601 through (RCF)
R, PWS 620) - Proposed Rule, Second Notice, Opinion and Order

R97-14 Emergency Rulemaking: Livestock Waste Regulations 35 Ill. (GTG)
R, Land Adm. Code 505 - Emergency Rule Extension, Final Order,
 Opinion and Order

R97-15 Livestock Waste Regulations, 35 Ill. Adm. Code 506 - Proposed (RCF)
R, Land Rule, Second Notice, Opinion and Order

R97-26 Amendments to Agriculture Related Pollution Regulations at 35 (RCF)
R, Land Ill. Adm. Code Subtitle E

95-91 People of the State of Illinois v. Bell Sports, Inc. and Waste (CAM)
RCRA-E Hauling Landfill, Inc., and Waste Hauling Inc. - Stipulation

CASES PENDING DECISION (Cont'd)

96-118 People of the State of Illinois v. Dennis Fults, d/b/a St. Clair (KMH)
A-E Construction and Paving

96-194 The D.B. Hess Company, Inc. v. IEPA (due 3/21) (McF)
A-V

97-81 Quantum Chemical Corporation v. IEPA (due 3/31) (RCF)
P-A, Air

ADJOURNMENT

LIST OF NEW CASES FILED SINCE FEBRUARY 20, 1997 BOARD MEETING

R97-25	Great Lakes Water Quality Initiative Site-Specific Rulemaking
R97-26	Amendments to Agriculture Related Pollution Regulations at 35 Ill. Adm. Code Subtitle E
97-140	North Shore Sanitary District v. IEPA
97-141	People of the State of Illinois v. Mark Meade Excavators, Inc.
97-142	Scott-Morgan CUSD #2 v. IEPA
97-143	Jeffrey J. Webb v. City of Anna, Illinois
97-144	Laidlaw Waste Systems, Inc. v. IEPA
97-145	Pekin Energy Company v. IEPA
97-146	Kean Oil Company (Chicago Ridge Facility) v. IEPA
97-147	People of the State of Illinois v. J.D. Plating Works, Inc.
97-148	Marilyn J. Richey v. Texaco Refining and Marketing, Inc.
97-149	McWane, Inc.(Corrective Action Completion Report) v. IEPA
97-150	McKay Contractors, Inc. v. IEPA
97-151	Fox Waterway Agency v. IEPA

REGULAR BOARD MEETING SCHEDULE FOR CALENDAR YEAR 1997

March 20

April 3
April 17

May 1 *
May 15

June 5
June 19

July 10
July 24

August 7
August 21

September 4
September 18

October 2
October 16 *

November 6
November 20

December 4
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)	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		