

ILLINOIS POLLUTION CONTROL BOARD

MEETING MINUTES



NOVEMBER 5, 1998 CHICAGO, ILLINOIS
CONFERENCE ROOM 9-040
10:30 A.M.

ANNOUNCEMENTS

After calling the meeting to order, Chairman Manning welcomed members of the public and staff to the meeting, and introduced new staff member Dawn Turley.

ROLL CALL

The Clerk of the Board called the roll and all Board Members answered present.

APPROVAL OF MINUTES

Minutes of the October 15, 1998 meeting were approved by a vote of 7-0.

RULEMAKINGS

R97-15(B)	<u>In the Matter of: Livestock Waste Regulations, 35 Ill. Adm. Code 506</u> - The Board adopted a final opinion and order in this rulemaking to amend the financial assurance provisions of the Board's livestock waste regulations.	7-0 R, Land
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R99-1	<u>In the Matter of: RCRA Subtitle D Update, USEPA Regulations (January 1, 1998, through June 30, 1998)</u> - The Board adopted a proposal for public comments in this "identical-in-substance" rulemaking to amend the Board's hazardous waste disposal regulations.	7-0 R, Land
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ADJUSTED STANDARDS

AS 99-1 In the Matter of: Petition of the City of Belleville for an Adjusted Standard from 35 Ill. Adm. Code 306.305 - No action taken. Water

AS 99-4 In the Matter of: Petition of Sun Chemical Corporation for an Adjusted Standard from 35 Ill. Adm. Code 218.626(b) - The Board acknowledged receipt of this petition for an adjusted standard from certain requirements on behalf of a Cook County facility and held it pending receipt of certificate of publication. Air

ADMINISTRATIVE CITATIONS

AC 99-6 IEPA v. Lawrence County Disposal Centre, Inc. and S&S Grading of Illinois, Inc. - The Board granted Lawrence County Disposal Centre, Inc.'s (County Disposal) motion to reconsider and vacated the September 17, 1998 Board order to the extent that it entered a default order against County Disposal. The Board dismissed County Disposal from this matter, and again issued a default order against S & S Grading of Illinois, Inc. 7-0

AC 99-8 IEPA v. William Burr and Shirley Burr - In response to a joint stipulation and settlement agreement in this administrative citation action involving a Marion County facility, the Board found respondents violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (1996)) and ordered respondents to pay a civil penalty of \$500. 7-0

AC 99-11 IEPA v. Kenneth Dilenbeck - The Board found that this Henry County respondent violated Sections 21(p)(1) and 21(p)(3) of the Environmental Protection Act (415 ILCS 5/21(p)(1), 21(p)(3) (1996)) and ordered respondent to pay a civil penalty of \$1,000. 7-0

AC 99-12 IEPA v. Browning-Ferris Industries of Iowa, Inc. - The Board found that this Rock Island County respondent violated Section 21(o)(5) of the Environmental Protection Act (415 ILCS 5/21(o)(5) (1996)) and ordered respondent to pay a civil penalty of \$500. 7-0

ADMINISTRATIVE CITATIONS (CONTINUED)

AC 99-15 IEPA v. Donald Bauser - The Board accepted an administrative citation against this Cass County respondent.

AC 99-16 IEPA v. Jack Smothers d/b/a American Iron & Metal Company - The Board accepted an administrative citation against this Williamson County respondent.

AC 99-17 IEPA v. Lawrence E. Smith Jr. and Marilyn J. Smith - The Board accepted an administrative citation against these Morgan County respondents.

AC 99-18 IEPA v. Lawrence Griffith - The Board accepted an administrative citation against this Macoupin County respondent.

ADJUDICATORY CASES

Decisions

PCB 97-92 People of the State of Illinois v. Victor G. Heuermann - The Board granted relief from the hearing requirement of Section 31(c)(2) of the Environmental Protection Act (415 ILCS 5/31(c)(2) (1996)), accepted a stipulation and settlement agreement in this water enforcement action involving a Peoria County facility, and ordered respondent to pay a civil penalty of \$30,000, and to cease and desist from further violations. 7-0
W-E

PCB 97-138 People of the State of Illinois v. LeRoy Cech, d/b/a L&K American Wrecking - The Board granted relief from the hearing requirement of Section 31(c)(2) of the Environmental Protection Act (415 ILCS 5/31(c)(2) (1996)), accepted a stipulation and settlement agreement in this air enforcement action involving a Cook County facility, and ordered respondent to pay a civil penalty of \$2,000, and to cease and desist from further violations. 7-0
A-E

ADJUDICATORY CASES (CONTINUED)
MOTIONS AND OTHER MATTERS (CONTINUED)

Provisional Variances

PCB 99-58 City of Du Quoin v. IEPA - Upon receipt of an Agency recommendation, the Board granted this Perry County facility a 45-day provisional variance, subject to conditions, from the limits for ammonia nitrogen, carbonaceous biochemical oxygen demand and total suspended solids set forth in 35 Ill. Adm. Code 302.212, 304.141(a) and 304.120. 7-0
Water

PCB 99-59 Mobil Oil Corporation v. IEPA - Upon receipt of an IEPA recommendation, the Board granted a 30-day provisional variance to this Will County facility from the 90-day limitation on the accumulation of hazardous wastes, as set forth in 35 Ill. Adm. Code 722.134(b). 7-0
RCRA

Motions and Other Matters

PCB 93-205 Safety-Kleen Corporation, Dolton Recycle Center v. IEPA - The Board granted petitioner's motion for withdrawal of this Resource Conservation and Recovery Act permit appeal involving a Cook County facility. 7-0
P-A, RCRA

PCB 95-38 General Electric Company v. IEPA - The Board granted petitioner's motion for withdrawal of this National Pollutant Discharge Elimination System permit appeal involving a Whiteside County facility. 7-0
P-A,
NPDES

PCB 96-62 Sequa Corporation, Precoat Metals Division v. IEPA - The Board granted petitioner's motion for withdrawal of these consolidated air permit appeals involving the same Madison County facility. 7-0
PCB 97-181 P-A, Air

PCB 97-103 People of the State of Illinois v. State Oil Company, William Anest, an individual f/d/b/a S&S Petroleum Products, Peter Anest, an individual f/d/b/a S&S Petroleum Products, Charles Abraham, an individual, Josephine Abraham, an individual, and Millstream Service, Inc. - No action taken. L&W-E

ADJUDICATORY CASES (CONTINUED)**MOTIONS AND OTHER MATTERS (CONTINUED)**

PCB 97-121	<u>Matteson WHP Partnership v. James W. Martin and Eva D. Martin, individually and d/b/a Martin's of Matteson</u> - The Board denied respondent's motion for summary judgment in this citizen's Resource Conservation and Recovery Act enforcement action involving a Cook County facility.	7-0 RCRA-E, Citizens
PCB 97-168	<u>People of the State of Illinois v. Old World Industries, Inc., and Specialty Sealant Tapes, Inc.</u> - No action taken.	L-E
PCB 97-203	<u>People of the State of Illinois v. Spirco Environmental, Inc.</u> - The Board granted complainant's motion for extension of time to file its brief.	7-0 A-E
PCB 98-31	<u>Roy K. Johnson v. Archer Daniel Midland-Demeter Hoopston Division</u> - No action taken.	A&N-E, Citizens
PCB 98-54	<u>Edward Malina v. Jean Day</u> - No action taken.	UST-E
PCB 98-57	<u>Edward J. and Janina E. Klich v. Wal-Mart Stores, Inc. (Facility #1003)</u> - The Board granted the parties' motion for withdrawal of this citizen's noise enforcement action involving a Kendall County facility.	7-0 N-E, Citizens
PCB 98-80	<u>People of the State of Illinois v. Craig Linton an individual, and Randy Rowe, an individual</u> - No action taken.	L-E, Tires
PCB 98-84	<u>Scott Behrmann and Shelly Behrmann v. Okawville Farmers Elevator-St. Libory</u> - No action taken.	N-E, Citizens
PCB 98-130	<u>Gilster-Mary Lee Corporation v. IEPA</u> - The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal involving a Randolph County facility.	7-0 UST-FRD

ADJUDICATORY CASES (CONTINUED)**MOTIONS AND OTHER MATTERS (CONTINUED)**

PCB 98-131	<u>Gilster-Mary Lee Corporation v. IEPA</u> - The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal involving a Randolph County facility.	7-0 UST-Appeal
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PCB 98-156	<u>Richard and Wilma Salyer v. IEPA</u> - No action taken.	UST-FRD
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PCB 98-168	<u>Good-Wood Finishing Company/Serlin Iron & Metal Company, Inc. v. IEPA</u> - The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal involving a Cook County facility.	7-0 UST-FRD
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PCB 99-8	<u>Maple Investments, L.C. v. IEPA</u> - The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal involving a Macon County facility.	7-0 UST-FRD
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PCB 99-19	<u>Anthony and Karen Roti, Paul Rosenstock, and Leslie Weber v. LTD Commodities</u> - The Board granted respondent's motion to dismiss in part and denied it in part. The Board dismissed the alleged violation of Section 23 of the Environmental Protection Act (Act) (415 ILCS 5/23 (1996)) from the complaint. The remaining issues of alleged violations of Section 24 of the Act and 35 Ill. Adm. Code 900.102, 901.102(a), 901.102(b), and 901.104 of the Board's noise regulations, will be addressed at hearing.	7-0 N-E, Citizens
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PCB 99-30	<u>Lucille Wathen v. Daniel & Wendy Stryker</u> - No action taken.	N-E, Citizens
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PCB 99-33	<u>Brickyard Disposal & Recycling, Inc. v. IEPA</u> - Having previously granted a request for a 90-day extension, the Board dismissed the matter because no permit appeal was timely filed on behalf of this Vermilion County facility.	7-0 P-A, Land 90-Day Ext.

ADJUDICATORY CASES (CONTINUED)
MOTIONS AND OTHER MATTERS (CONTINUED)

PCB 99-52	<u>Central Illinois Light Company v. IEPA</u> - The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of a Tazewell County facility.	7-0 P-A, Land 90-Day Ext.
PCB 99-53	<u>Deer Creek Mackinaw CUSD #701 v. IEPA</u> - The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of a Tazewell County facility.	7-0 UST-Appeal 90-Day Ext.
PCB 99-54	<u>Sullivan CUSD #300 v. IEPA</u> - The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of a Moultrie County facility.	7-0 UST-Appeal 90-Day Ext.
PCB 99-55	<u>People of the State of Illinois v. Symons Corporation</u> - Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this air enforcement action against a Cook County facility, the Board ordered publication of the required newspaper notice.	7-0 A-E
PCB 99-56	<u>Illinois State Toll Highway Authority v. IEPA (Lake Forest Oasis-West I-94, South Bound) v. IEPA</u> - The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a Lake County facility.	7-0 UST-Appeal 90-Day Ext.
PCB 99-57	<u>XCTC Limited Partnership v. IEPA</u> - The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a Cook County facility.	7-0 UST-Appeal 90-Day Ext.

CASES PENDING DECISION

R97-16	<u>In the Matter of: Proportionate Share Liability (35 Ill. Adm. Code 741)</u> - Proposed Rule, Second Notice, Opinion and Order	Manning McFawn Hennessey
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R97-29	<u>In the Matter of: Amendments to Requirements for Landscape Waste Compost Facilities, 35 Ill. Adm. Code 830.203(c), 831.107, and 831.109(b)(3) - Adopted Rule, Final Order, Opinion and Order</u>	Hennessey R, Land
R98-14	<u>In the Matter of: Petition of PDV Midwest Refining, L.L.C. for a Site-Specific Rulemaking Amendment to 35 Ill. Adm. Code 304.213 - Adopted Rule, Final Order, Opinion and Order</u>	Yi R, Water
R99-6	<u>SDWA Update, USEPA Regulations (January 1, 1998 through June 30, 1998) - Proposed Rule, Proposal for Public Comment, Opinion and Order</u>	Flemal R, PWS
PCB 98-160 PCB 98-161	<u>Devro-Teepak, Inc. (Permit Application No. 95120325) v. IEPA; and Devro-Teepak, Inc. (Permit Application No. 95120326) v. IEPA (due 11/19)</u>	Manning T-S
PCB 99-21	<u>Central Illinois Light Company (Duck Creek Station) v. IEPA (due 11/28)</u>	Flemal W-V, NPDES
PCB 99-41	<u>White Cap, Inc. v. IEPA (due 1/2/99)</u>	Yi A-V

OTHER ITEMS

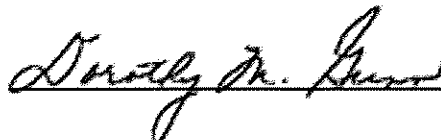
Chairman's Motion for Closed Deliberative Sessions, pursuant to Section 2(c)(4) of the Open Meetings Act (415 ILCS 120/2(c)(4)(1996), to take place at 10:30 a.m., on December 31, 1998, January 14, 28, 1999; February 11, 25, 1999; March 11, 25, 1999; April 8, 29, 1999; May 13, 27, 1999; June 10, 1999; July 1, July 15, July 29, 1999; August 12, 1999; September 2, 16, 30, 1999; October 14, 28, 1999; November 10, 1999; and December 9, 1999

The Chairman's motion for approval of dates for Closed Deliberative Sessions under Section 2(a)(4) of the Open Meetings Act, was granted by a vote of 7-0, also a Special Board meeting was scheduled for November 12, 1998 at 1:00 p. m.

ADJOURNMENT

Moved and seconded, by a vote of 7-0, Chairman Manning adjourned the meeting at 11:10 a.m.

I, Dorothy M. Gunn, Clerk, of the Illinois Pollution Control Board, hereby certify that the above minutes were approved this 19th day of November 1998 by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD

MEETING AGENDA



NOVEMBER 5, 1998 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. Thank you for your interest.

ROLL CALL

APPROVAL OF MINUTES

October 15, 1998

RULEMAKINGS

R97-15(B)	<u>In the Matter of: Livestock Waste Regulations, 35 Ill. Adm. Code 506 - Adopted Rule, Final Order, Opinion and Order</u>	McFawn R, Land
R99-1	<u>In the Matter of: RCRA Subtitle D Update, USEPA Regulations (January 1, 1998, through June 30, 1998) - Proposed Rule, Proposal for Public Comment, Opinion and Order</u>	Girard R, Land

ADJUSTED STANDARDS

AS 99-1 In the Matter of: Petition of the City of Belleville, Illinois for an Adjusted Standard from 35 Ill. Adm. Code 106.705 - Petitioner's Amended Petition in Response to October 15, 1998 Board Order (10/26) Girard
Water

AS 99-4 In the Matter of: Petition of Sun Chemical Corporation for an Adjusted Standard from 35 Ill. Adm. Code 218.626(b) - Hold for Certificate of Publication - No Order

ADMINISTRATIVE CITATIONS

AC 99-6 IEPA v. Lawrence County Disposal Centre, Inc. and S&S Grading of Illinois, Inc. - Special and Limited Appearance of Respondent Lawrence County Disposal Centre, Inc. Challenging Personal and Subject Matter Jurisdiction (10/22), Agency Response to Respondent Lawrence County Disposal Centre, Inc.'s Challenge to Personal and Subject Matter Jurisdiction (10/28) Manning

AC 99-8 IEPA v. William Burr and Shirley Burr - Joint Stipulation of Settlement and Dismissal of Respondents' Petition for Administrative Appeal (10/27) Girard

AC 99-11 IEPA v. Kenneth Dilenbeck - Default Order Manning

AC 99-12 IEPA v. Browning-Ferris Industries of Iowa, Inc. - Default Order Manning

AC 99-15 IEPA v. Donald Bauser - Accept Case - No Order

AC 99-16 IEPA v. Jack Smothers d/b/a American Iron & Metal Company - Accept Case - No Order

AC 99-17 IEPA v. Lawrence E. Smith Jr. and Marilyn J. Smith - Accept Case - No Order

ADMINISTRATIVE CITATIONS (CONTINUED)

AC 99-18 IEPA v. Lawrence Griffith - Accept Case - No Order

ADJUDICATORY CASES

Decisions

PCB 97-92 People of the State of Illinois v. Victor G. Heuermann - Stipulation Manning
W-E

PCB 97-138 People of the State of Illinois v. LeRoy Cech, d/b/a L&K American
Wrecking - Stipulation Melas
A-E

Provisional Variances

Since the Board must decide provisional variances within forty-eight hours of their filing, any provisional variances filed prior to this meeting will be included here.

Motions and Other Matters

Additional motions on the following cases filed prior to this meeting may be included here

PCB 93-205 Safety-Kleen Corporation, Dolton Recycle Center v. IEPA - Girard
Petitioner's Motion to Voluntarily Withdraw Appeal (10/20) P-A, RCRA

PCB 95-38 General Electric Company v. IEPA - Petitioner's Motion to McFawn
Voluntarily Dismiss Permit Appeal (10/27) P-A,
NPDES

PCB 96-62 Sequa Corporation, Precoat Metals Division v. IEPA - Petitioner's Flegal
PCB 97-181 Motion to Dismiss (10/20) P-A, Air

ADJUDICATORY CASES (CONTINUED)

Motions and Other Matters (Continued)

- PCB 97-103** People of the State of Illinois v. State Oil Company, William Anest, an individual f/d/b/a S&S Petroleum Products, Peter Anest, an individual f/d/b/a S&S Petroleum Products, Charles Abraham, an individual, Josephine Abraham, an individual, and Millstream Service, Inc. - Respondents William and Peter Anest's Motion to Dismiss Cross-Complaint filed by Respondents Charles Abraham, Josephine Abraham, and Millstream Service, Inc. (4/18), Respondents Charles Abraham, Josephine Abraham, and Millstream Service, Inc.'s Response to Motion to Dismiss Cross-Claim filed by William and Peter Anest (6/20), Respondents William and Peter Anest's Reply to the Response to Motion to Dismiss Cross-Claim filed by Respondents Charles Abraham, Josephine Abraham, and Millstream Service, Inc. (6/30), Respondents William Anest, Peter Anest, and State Oil Company's Motion for Summary Judgment (9/14), Complainant's Response to Respondents William Anest, Peter Anest and State Oil Company's Motion for Summary Judgment and Complainant's Motion to Strike Paragraph 6 of Richard Barnes' Affidavit (9/30), Respondents William Anest, Peter Anest, and State Oil Company's Motion to Strike Paragraphs 5, 6, and 7 of the Affidavit of Jay E. Hamilton and Motion for Leave to File Reply and Reply to Complainant's Response to its Motion for Summary Judgment (10/8), Complainant's Response to Respondents William Anest, Peter Anest, and State Oil Company's Motion to Strike Paragraphs 5, 6, 7 and 8 of the Affidavit of Jay E. Hamilton (10/22)
- Manning
L&W-E
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- PCB 97-121** Matteson WHP Partnership v. James W. Martin and Eva D. Martin, individually and d/b/a Martin's of Matteson - Complainant's Motion for Summary Judgment (7/2), Respondents' Response to Complainant's Motion for Summary Judgment (8/20), Complainant's Reply in Support of Motion for Summary Judgment (9/2)
- McFawn
RCRA-E,
Citizens
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ADJUDICATORY CASES (CONTINUED)

Motions and Other Matters (Continued)

PCB 97-168	<u>People of the State of Illinois v. Old World Industries, Inc., and Specialty Sealant Tapes, Inc.</u> - Respondent Old World Industries' Motion for Certificate of Appeal and to Stay the Pending Proceedings and Memorandum of law in Support of its Motion for Certificate of Appeal and to Stay the Pending Proceedings (10/22)	Manning L-E
PCB 97-203	<u>People of the State of Illinois v. Spirco Environmental, Inc.</u> - Complainant's Motion to Conform Pleadings to Proof and Request for Extension of Time to File Brief (10/27)	Melas A-E
PCB 98-31	<u>Roy K. Johnson v. Archer Daniel Midland-Demeter Hoopston Division</u> - Respondent's Memorandum in Support of its Motion for Summary Judgment and Motion for Summary Judgment (9/18), Complainant's Memorandum in Opposition to Respondent's Motion for Summary Judgment (10/8), Respondent's Reply in Support of its Motion for Summary Judgment (10/21)	Hennessey A&N-E, Citizens
PCB 98-54	<u>Edward Malina v. Jean Day</u> - Complainant's Motion for Summary Judgment and Memorandum in Support of Summary Judgment (10/30)	Yi UST-E
PCB 98-57	<u>Edward J. and Janina E. Klich v. Wal-Mart Stores, Inc. (Facility #1003)</u> - Stipulation and Notice of Dismissal (10/27)	Yi N-E, Citizens
PCB 98-80	<u>People of the State of Illinois v. Craig Linton an individual, and Randy Rowe, an individual</u> - Complainant's Motion for Summary Judgment (9/29)	McFawn L-E, Tires
PCB 98-84	<u>Scott Behrmann and Shelly Behrmann v. Okawville Farmers Elevator-St. Libory</u> - Respondent's Motion to Strike/Dismiss Complainants' Third Amended Complaint (9/28), Complainants' Response to Respondent's Motion to Strike/Dismiss Third Amended Complaint (10/6)	Yi N-E, Citizens

ADJUDICATORY CASES (CONTINUED)

Motions and Other Matters (Continued)

PCB 98-130	<u>Gilster-Mary Lee Corporation v. IEPA</u> - Petitioner's Motion for Voluntary Dismissal (10/14)	Flemal UST-FRD
PCB 98-131	<u>Gilster-Mary Lee Corporation v. IEPA</u> - Petitioner's Motion for Voluntary Dismissal (10/14)	Flemal UST Appeal
PCB 98-156	<u>Richard and Wilma Salyer v. IEPA</u> - Agency Motion for Summary Judgment (10/26), Petitioners' Response to Agency Motion for Summary Judgment (10/29)	Yi UST-FRD
PCB 98-168	<u>Good-Wood Finishing Company/Serlin Iron & Metal Company, Inc. v. IEPA</u> - Petitioner's Motion for Voluntary Dismissal of Petition for Hearing (10/23)	Yi UST-FRD
PCB 99-8	<u>Maple Investments, L.C. v. IEPA</u> - Petitioner's Motion to Dismiss (10/28)	Yi UST-FRD
PCB 99-19	<u>Anthony and Karen Roti, Paul Rosenstock, and Leslie Weber v. LTD Commodities</u> - Respondent's Motion to Dismiss Portions of Complaint or for Partial Summary Judgment (10/1), Complainants' Objection to Respondent's Motion to Dismiss Portions of Complaint and Complainants' Objection to Partial Summary Judgment (10/19)	Melas A-E
PCB 99-30	<u>Lucille Wathen v. Daniel & Wendy Stryker</u> - Complainant's Motion to Amend Caption (10/15)	Melas N-E, Citizens
PCB 99-33	<u>Brickyard Disposal & Recycling, Inc. v. IEPA</u> - Dismissal Order	Manning P-A, 90-Day Ext.

ADJUDICATORY CASES (CONTINUED)

Motions and Other Matters (Continued)

PCB 99-52	<u>Central Illinois Light Company v. IEPA</u> - Joint Request for 90-Day Extension of Appeal Period (10/13) - Order	Manning P-A 90-Day Ext.
PCB 99-53	<u>Deer Creek Mackinaw CUSD #701 v. IEPA</u> - Joint Request for 90-Day Extension of Appeal Period (10/13) - Order	Manning UST-FRD 90-Day Ext.
PCB 99-54	<u>Sullivan CUSD #300 v. IEPA</u> - Joint Request for 90-Day Extension of Appeal Period (10/13) - Order	Manning UST-FRD 90-Day Ext.
PCB 99-55	<u>People of the State of Illinois v. Symons Corporation</u> - Agreed Motion for Relief from the Hearing Requirement (10/13)	Manning A-E
PCB 99-56	<u>Illinois State Toll Highway Authority v. IEPA (Lake Forest Oasis-West I-94, South Bound) v. IEPA</u> - Joint Request for 90-Day Extension of Appeal Period (10/26) - Order	Manning UST-FRD 90-Day Ext.
PCB 99-57	<u>XCTC Limited Partnership v. IEPA</u> - Joint Request for 90-Day Extension of Appeal Period (10/29) - Order	Manning UST-FRD 90-Day Ext.

CASES PENDING DECISION

R97-16	<u>In the Matter of: Proportionate Share Liability (35 Ill. Adm. Code 741)</u> - Proposed Rule, Second Notice, Opinion and Order	Manning McFawn Hennessey
R97-29	<u>In the Matter of: Amendments to Requirements for Landscape Waste Compost Facilities, 35 Ill. Adm. Code 830.203(c), 831.107, and 831.109(b)(3)</u> - Adopted Rule, Final Order, Opinion and Order	Hennessey R, Land

R98-14	<u>In the Matter of: Petition of PDV Midwest Refining, L.L.C. for a Site-Specific Rulemaking Amendment to 35 Ill. Adm. Code 304.213 - Adopted Rule, Final Order, Opinion and Order</u>	Yi R, Water
R99-6	<u>SDWA Update, USEPA Regulations (January 1, 1998 through June 30, 1998) - Proposed Rule, Proposal for Public Comment, Opinion and Order</u>	Flemal R, PWS
PCB 98-160 PCB 98-161	<u>Devro-Teepak, Inc. (Permit Application No. 95120325) v. IEPA; and Devro-Teepak, Inc. (Permit Application No. 95120326) v. IEPA (due 11/19)</u>	Manning T-S
PCB 99-21	<u>Central Illinois Light Company (Duck Creek Station) v. IEPA (due 11/28)</u>	Flemal W-V, NPDES
PCB 99-41	<u>White Cap, Inc. v. IEPA (due 1/2/99)</u>	Yi A-V

OTHER ITEMS

Chairman's Motion for Closed Deliberative Sessions, pursuant to Section 2(c)(4) of the Open Meetings Act (415 ILCS 120/2(c)(4)(1996), to take place at 10:30 a.m., on December 31, 1998, January 14, 28, 1999; February 11, 25, 1999; March 11, 25, 1999; April 8, 29, 1999; May 13, 27, 1999; June 10, 1999; July 1, 15, 29, 1999; August 12, 1999; September 2, 16, 30, 1999; October 14, 28, 1999; November 10, 1999; and December 9, 1999

ADJOURNMENT

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		

ILLINOIS POLLUTION CONTROL BOARD

NEW CASE LISTING



NEW CASES FILED SINCE OCTOBER 15, 1998 BOARD MEETING

AS 99-4	In the Matter of: Petition of Sun Chemical Corporation for an Adjusted Standard from 35 Ill. Adm. Code 218.626(b)
AC 99-15	IEPA v. Donald Bauser
AC 99-16	IEPA v. Jack Smothers d/b/a American Iron & Metal Company
AC 99-17	IEPA v. Lawrence E. Smith Jr. and Marilyn J. Smith
AC 99-18	IEPA v. Lawrence Griffith
PCB 99-52	Central Illinois Light Company v. IEPA
PCB 99-53	Deer Creek Mackinaw CUSD #701
PCB 99-54	Sullivan CUSD #300
PCB 99-55	People of the State of Illinois v. Symons Corporation
PCB 99-56	Illinois State Toll Highway Authority (Lake Forest Oasis-West I-94, South Bound) v. IEPA
PCB 99-57	XCTC Limited Partnership v. IEPA