

ILLINOIS POLLUTION CONTROL BOARD

MEETING MINUTES



SEPTEMBER 17, 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, noted the attendance of former Board Member Bill Forcade and Former Attorney Assistant Patricia Sharkey.

ROLL CALL

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

APPROVAL OF MINUTES

Minutes of the September 3, 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 second-notice opinion and order in this proposed rulemaking to amend the financial assurance provisions of the Board's livestock waste regulations.	7-0 R, Land
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R98-14	<u>In the Matter of: Petition of PDV Midwest Refining, L.L.C. for a Site-Specific Rulemaking Amendments to 35 Ill. Adm. Code 304.213</u> - The Board adopted a second-notice opinion and order in this proposed rulemaking to amend the Board's water pollution control regulations.	6-0 Hennessey abstained R, Water
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ADJUSTED STANDARDS (CONTINUED)

R98-21	<u>In the Matter of: RCRA Update, USEPA Regulations (July 1, 1997,</u>	7-0
R99-2	<u>through December 31, 1997); In the Matter of: RCRA Update,</u>	R, Land
R99-7	<u>USEPA Regulations (January 1, 1998, through June 30, 1998); In</u> <u>the Matter of: UIC Update, USEPA Regulations (January 1, 1998,</u> <u>through June 30, 1998) - The Board adopted a proposal for public</u> <u>comments, in this "identical-in-substance" rulemaking to amend the</u> <u>Board's hazardous waste disposal regulations.</u>	
R98-24	<u>In the Matter of: Enhanced Vehicle Inspection and Maintenance</u> <u>(I/M) Regulations: Amendments to 35 Ill. Adm. Code 240 - The</u> <u>Board adopted an expedited correction opinion and order which</u> <u>corrects Table C entitled "Vehicle Exhaust Emissions Fast-Pass</u> <u>Standards," originally adopted in the Board's final opinion of July 8,</u> <u>1998. See In the Matter of: Enhanced Vehicle Inspection and</u> <u>Maintenance (I/M) Regulations: Amendments to 35 Ill. Adm. Code</u> <u>240 (July 8, 1998), R98-24.</u>	7-0 R, Air

ADJUSTED STANDARDS

AS 98-2	<u>In the Matter of: Petition of the City of Salem for an Adjusted</u> <u>Standard from 35 Ill. Adm. Code 814. Subpart D - The Board</u> <u>denied petitioner's motion for reconsideration of the July 8, 1998</u> <u>Board order.</u>	5-1 Flemal dissented Girard abstained Land
AS 99-1	<u>In the Matter of: Petition of City of Belleville for an Adjusted</u> <u>Standard from 35 Ill. Adm. Code 106.705 - The Board denied</u> <u>petitioner's motion to file an amended petition, and ordered an</u> <u>amended petition to be filed by October 1, 1998, or this matter</u> <u>would be subject to dismissal.</u>	6-0 Hennessey abstained Water
AS 99-2	<u>In the Matter of: Petition of Sun Chemical Corporation for an</u> <u>Adjusted Standard from 35 Ill. Adm. Code 218.626(b) - Awaiting</u> <u>certificate of publication. No action taken.</u>	Air

ADMINISTRATIVE CITATIONS (CONTINUED)

ADMINISTRATIVE CITATIONS

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| AC 99-5 | <u>IEPA v. Richard Corson</u> - The Board found that this Menard County respondent violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1)(1996)) and ordered respondent to pay a civil penalty of \$500. | 7-0 |
| <hr/> | | |
| AC 99-6 | <u>IEPA v. Lawrence County Disposal Centre, Inc., S&S Grading of Illinois, Inc., and Gary McLaren</u> - The Board granted complainant's motion to voluntarily dismiss respondent McLaren and found the remaining Lawrence County respondents had violated Sections 21(o)(1), 21(o)(5), and 21(o)(12) of the Environmental Protection Act (415 ILCS 5/21(o)(1), 21(o)(5), 21(o)(12) (1996)) and ordered respondents to pay a civil penalty of \$1,500. | 7-0 |
| <hr/> | | |
| AC 99-9 | <u>IEPA v. Terry Patrick</u> - The Board found that this Piatt 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 |
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| AC 99-10 | <u>People of the County of Will v. J.D. Roberts</u> - The Board accepted an administrative citation against this Will County respondent. | |
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| AC 99-11 | <u>IEPA v. Kenneth Dilenbeck</u> - The Board accepted an administrative citation against this Henry County respondent. | |
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| AC 99-12 | <u>IEPA v. Browning-Ferris Industries of Iowa, Inc.</u> - The Board accepted an administrative citation against this Rock Island County respondent. | |
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ADJUDICATORY CASES

Decisions

PCB 97-117	<u>People of the State of Illinois v. United Scrap Metal, Inc.</u> - The Board granted relief from the hearing requirement of Section 31(c)(2) of the Environmental Protection Act, accepted a stipulation and settlement agreement in this land enforcement action involving a Cook County facility, ordered respondent to pay a civil penalty of \$13,000, and to cease and desist from further violations.	7-0 L-E
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PCB 99-26	<u>People of the State of Illinois v. United Distillers Manufacturing, Inc.</u> - The Board granted relief from the hearing requirement of Section 31(c)(2) of the Environmental Protection Act, accepted a stipulation and settlement agreement in this water enforcement action involving a Will County facility, ordered respondent to pay a civil penalty of \$13,000, and to cease and desist from further violations.	6-0 Hennessey abstained W-E
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Provisional Variances

PCB 99-43	<u>Jefferson Smurfit Corporation (Alton Mill) v. IEPA</u> - Upon receipt of an Agency recommendation, the Board granted this Madison County facility a 45-day provisional variance, subject to conditions, from 35 Ill. Adm. Code 302.212 as it applies to ammonia nitrogen and un-ionized ammonia, 35 Ill. Adm. Code 304.120(c) as it applies to the limits for biochemical oxygen demand and total suspended solids, and the requirements of 35 Ill. Adm. Code 309.102 which prohibits discharges not specifically allowed by National Pollutant Discharge Elimination System permit, Section 12(f) of the Environmental Protection Act (Act) (415 ILCS 5/12(f) (1996)), or the Board's regulations.	6-0 Hennessey abstained Water
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Motions and Other Matters

PCB 90-164	<u>Riverside Laboratories, Inc. v. IEPA</u> - The Board granted	7-0
PCB 91-161	petitioner's motion for withdrawal of these consolidated petitions	A-V
PCB 95-157	for an air variance involving a Kane County facility.	

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

PCB 95-163	<u>People of the State of Illinois v. Clark Refining & Marketing</u> - The Board granted respondent's motion for summary judgment in part and complainant's motion for summary judgment in part and sent the construction permit and operating permit issues to hearing to assess the matters for penalties in this air, water, Resource Conservation and Recovery Act enforcement involving a Madison County facility.	6-0 Hennessey abstained A,W & RCRA-E
PCB 96-217	<u>Jewel Food Stores, Inc. and American Stores Properties, Inc. v. IEPA</u> - The Board granted petitioner's motion for withdrawal of this underground storage tank appeal involving a Cook County facility.	7-0 UST-FRD
PCB 97-30	<u>People of the State of Illinois v. Shell Oil Company</u> - The Board granted respondent's motion to dismiss this air enforcement action involving a Madison County facility	7-0 A-E
PCB 97-50	<u>Lionel P. Trepanier, Wes Wager, Maureen Cole, Lorenz Joseph, Maxworks Garden Cooperative and Avi Pandya</u> - No action taken.	A-E, Citizens
PCB 97-103	<u>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 Milstream Service, Inc.</u> - No action taken.	L&W-E
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> - No action taken.	RCRA-E, Citizens
PCB 97-168	<u>People of the State of Illinois v. Old World Industries, Inc., and Specialty Sealant Tapes, Inc.</u> - The Board denied respondent's motion to dismiss and directed this matter to hearing.	7-0 L-E

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

PCB 97-173	<u>KWP Partnership v. Office of the State Fire Marshal</u> - The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal involving a Effingham County facility	7-0 UST-FRD
PCB 97-214	<u>People of the State of Illinois v. Village of Carpentersville</u> - No action taken.	W-E
PCB 97-234	<u>Antonio D.H. Nam v. Kikon Suh</u> - No action taken.	UST-E, Citizens
PCB 98-1	<u>City of Salem. v. IEPA</u> - The Board denied petitioner's motion for reconsideration of the July 8, 1998 Board order.	5-1 Flemal dissented Girard abstained L-V
PCB 98-18	<u>James R. and Lucille J. Metz v. United States Postal Service</u> - No action taken.	N-E, Citizens
PCB 98-160	<u>Devro-Teepak, Inc. (Permit Application No. 95120325) v. IEPA</u> -	7-0
PCB 98-161	The Board on its own motion consolidated these petitions for trade secret determination involving a Vermilion County facility.	T-S
PCB 98-169	<u>Union Oil Company of California d/b/a Unocal v. Barge-Way Oil Company, Inc., Bargeway Systems, Inc., Joseph Kellogg, Nielsen's Bargeway, Gertrude Kellogg, Robert Nielsen, Robert F. Atkins, and Mobil Oil Company</u> - No action taken.	UST-E, Citizens
PCB 99-6	<u>Colman Steinlauf v. IEPA</u> - Having previously granted a request for a 90-day extension, the Board dismissed the matter because no underground storage tank appeal was timely filed on behalf of this Cook County facility.	7-0 UST-Appeal 90-Day Ext.

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

PCB 99-9	<u>Meade Electric Company, Inc. v. IEPA</u> - Having previously granted a request for a 90-day extension, the Board dismissed the matter because no underground storage tank appeal was timely filed on behalf of this Will County facility.	7-0 UST-Appeal 90-Day Ext.
PCB 99-11	<u>Freightliner of Chicago, Inc. v. IEPA</u> - Having previously granted a request for a 90-day extension, the Board dismissed the matter because no underground storage tank appeal was timely filed on behalf of this DuPage County facility.	7-0 UST-Appeal 90-Day Ext.
PCB 99-13	<u>International Mill Service, 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 Madison County facility.	7-0 P-A 90-Day Ext.
PCB 99-14	<u>Bridgestone/Firestone, Inc. v. IEPA</u> - Having previously granted a request for a 90-day extension, the Board dismissed the matter because no underground storage tank appeal was timely filed on behalf of this Cook County facility.	7-0 UST-FRD 90-Day Ext.
PCB 99-30	<u>Lucille Wathen v. Daniel and Wendy Stryker</u> - The Board held for a later duplicitous/frivolous determination this citizen's noise enforcement action involving a Cook County facility.	N-E Citizens
PCB 99-36	<u>Nina Enterprises, Inc. v. IEPA</u> - No action taken.	P-A, Air
PCB 99-38	<u>Lawrence C. Sweda v. Outboard Marine Corporation and the City of Waukegan</u> - The Board granted respondent's motion to dismiss with respect to the alleged violation of Section 23 of the Environmental Protection Act (Act), 415 ILCS 5/23 (1996), denied the motions to dismiss with respect to the other claims alleged in the complaint, and accepted for hearing this citizen's noise enforcement action involving a Lake County facility.	7-0 N-E, Citizens

ADJUDICATORY CASES (CONTINUED)

MOTIONS AND OTHER MATTERS (CONTINUED)

PCB 99-40	<u>QST Environmental Inc. v. IEPA</u> - The Board entered an order setting a brief schedule.	7-0 T-S
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PCB 99-41	<u>White Cap, Inc. v. IEPA</u> - No action was taken in this request for an air variance involving a Cook County facility.	A-V
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PCB 99-42	<u>International Environmental Consultants, Inc. and Memorial Park District</u> - The Board accepted for hearing this underground storage tank appeal involving a Cook County facility.	7-0 UST-Appeal
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CASES PENDING DECISION

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> - Proposed Rule, Second Notice, Opinion and Order	Hennessey R, Land
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PCB 98-81	<u>Charter Hall Homeowner's Association and Jeff Cohen v. Overland Transportation System, Inc. and D.P. Cartage, Inc.</u>	Hennessey N-E, Citizens
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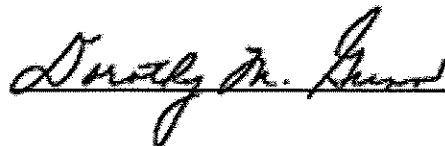
OTHER ITEMS

The Chairman's motion under Section 2(a)(4) of the Open Meetings Act for Closed Deliberative Sessions to be held on September 25, 1998, at 10:30 a.m., was granted by a vote of 7-0.

ADJOURNMENT

Moved and seconded, by a vote of 7-0, Chairman Manning adjourned the meeting 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 1st day of October 1998 by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD

MEETING AGENDA



SEPTEMBER 17, 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

September 3, 1998

RULEMAKINGS

R97-15(B)	<u>In the Matter of: Livestock Waste Regulations, 35 Ill. Adm. Code 506</u> - Proposed Rule, Second Notice, Opinion and Order	McFawn R, Land
R98-14	<u>In the Matter of: Petition of PDV Midwest Refining, L.L.C. for a Site-Specific Rulemaking Amendments to 35 Ill. Adm. Code 304.213</u> - Proposed Rule, Second Notice, Opinion and Order	Yi R, Water

RULEMAKINGS (CONTINUED)

R98-21	<u>In the Matter of: RCRA Update, USEPA Regulations (July 1, 1997,</u>	Hennessey
R99-2	<u>through December 31, 1997); In the Matter of: RCRA Update,</u>	R, Land
R99-7	<u>USEPA Regulations (January 1, 1998, through June 30, 1998); In</u> <u>the Matter of: UIC Update, USEPA Regulations (January 1, 1998,</u> <u>through June 30, 1998) - Proposed Rule, Proposal for Public</u> Comment, Opinion and Order	

R98-24	<u>In the Matter of: Enhanced Vehicle Inspection and Maintenance</u> <u>(I/M) Regulations: Amendments to 35 Ill. Adm. Code 240 -</u> Expedited Correction Order	McFawn R, Air
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ADJUSTED STANDARDS

AS 98-2	<u>In the Matter of: Petition of City of Salem for an Adjusted</u> <u>Standard from 35 Ill. Adm. Code Part 814.Subpart D - Petitioner's</u> Motion to Reconsider (8/14)	McFawn Land
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AS 99-1	<u>In the Matter of: Petition of City of Belleville for an Adjusted</u> <u>Standard from 35 Ill. Adm. Code 106.705 - Petitioner's Motion to</u> Amend Petition (9/2)	Girard Water
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AS 99-2	<u>In the Matter of: Petition of Sun Chemical Corporation for an</u> <u>Adjusted Standard from 35 Ill. Adm. Code 218.626(b) - Hold for</u> Certificate of Publication	Flemal Air
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ADMINISTRATIVE CITATIONS

AC 99-5	<u>IEPA v. Richard Corson - Default Order</u>	Manning
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AC 99-6	<u>IEPA v. Lawrence County Disposal Centre, Inc., S&S Grading of</u> <u>Illinois, Inc., and Gary McLaren - Default Order (See Agency</u> Motion to Dismiss Respondent Gary McLaren filed 9/8)	Manning
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ADMINISTRATIVE CITATIONS (CONTINUED)

AC 99-9	<u>IEPA v. Terry Patrick</u> - Default Order	Manning
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AC 99-10	<u>People of the County of Will v. J.D. Roberts</u> - Accept Case - No Order	
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AC 99-11	<u>IEPA v. Kenneth Dilenbeck</u> - Accept Case - No Order	
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AC 99-12	<u>IEPA v. Browning-Ferris Industries of Iowa, Inc.</u> - Accept Case - No Order	
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ADJUDICATORY CASES

Decisions

PCB 97-117	<u>People of the State of Illinois v. United Scrap Metal, Inc.</u> - Stipulation	Flemal L-E
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PCB 99-26	<u>People of the State of Illinois v. United Distillers Manufacturing, Inc.</u> - Stipulation	Manning W-E
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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 90-164	<u>Riverside Laboratories, Inc. v. IEPA</u> - Petitioner's Motion to	Hennessey
PCB 91-161	Withdraw (9/1)	A-V
PCB 95-157		

ADJUDICATORY CASES (CONTINUED)

Motions and Other Matters (Continued)

PCB 95-163	<u>People of the State of Illinois v. Clark Refining & Marketing</u> - Complainant's Motion for Partial Summary Judgment and Memorandum of Law in Support of Complainant's Motion for Partial Summary Judgment (12/16), Respondent's Motion for Leave to File Instant and Motion for Leave to File Memorandum of Law in Support of Motion for Summary Judgment in Excess of Page Limits, and Motion for Summary Judgment (12/24), Respondent's Response to Complainant's Motion for Partial Summary Judgment (1/20)	Flema A, W & RCRA-E
PCB 96-217	<u>Jewel Food Stores, Inc. and American Stores Properties, Inc. v. IEPA</u> - Petitioners' Motion to Withdraw (9/1)	McFawn UST-FRD
PCB 97-30	<u>People of the State of Illinois v. Shell Oil Company</u> - Respondent's Motion to Dismiss and Motion to File a Memorandum of Law in Support of its Motion to Dismiss (11/17/97), Complainant's Response to Respondent's Motion to Dismiss (12/23/97), Respondent's Reply to Complainant's Response to Respondent's Motion to Dismiss (1/23)	Flema A-E

ADJUDICATORY CASES (CONTINUED)

Motions and Other Matters (Continued)

PCB 97-50	<u>Lionel P. Trepanier, Wes Wager, Maureen Cole, Lorenz Joseph, Maxworks Garden Cooperative and Avi Pandya v. Speedway Wrecking Company and the Board of Trustees of the University of Illinois</u> - Respondents' Joint Motion for Summary Judgment and Respondents' Memorandum in Support of Joint Motion for Summary Judgment (6/22), Complainants' Motion To Strike Respondents' Affidavits and Motion for Summary Judgment (7/13), Respondents' Joint Memorandum in Opposition to Certain Complainants' Motion to Strike (7/20), Complainants' Response to Respondents' Motion for Summary Judgment (8/17), Complainants' Motion for Correction of Typographical Error in August 14, 1998 Affidavit of Trepanier Opposing Summary Judgment Motion (8/17), Respondents' Reply Memorandum in Support of Their Joint Motion for Summary Judgment (8/21), Respondents' Joint Memorandum in Opposition to Petitioners' Motion for Leave to File Instanter Petitioners' Response to Respondents' Reply Memorandum (9/9), Respondent Speedway Wrecking Company's Motion to Clarify Record (9/9)	Hennessey A-E, Citizens
PCB 97-103	<u>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 Milstream Service, Inc.</u> - Respondents' Motion for Summary Judgment, Statement of Facts, and Memorandum in Support of Motion for Summary Judgment (9/14)	Manning L&W-E
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> - 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

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, Inc.'s Motion to Dismiss Complaint and Memorandum of Law in Support of its Motion to Dismiss (6/22), Complainant's Response to Respondent Old World Industries, Inc.'s Motion to Dismiss (7/6), Old World Industries, Inc.'s Reply Brief in Support of Its Motion to Dismiss the Complaint (7/20)	Manning L-E
PCB 97-173	<u>KWP Partnership v. Office of the State Fire Marshal</u> - Petitioner's Motion for Voluntary Dismissal (8/28)	Hennessey UST-FRD
PCB 97-214	<u>People of the State of Illinois v. Village of Carpentersville</u> - Joint Motion to Amend August 20, 1998 Board Order (9/14)	McFawn W-E
PCB 97-234	<u>Antonio D.H. Nam v. Kikon Suh</u> - Complainant's Motion for Summary Judgment and Memorandum in Support of Complainant's Motion for Summary Judgment (7/16)	Manning UST-E, Citizens
PCB 98-1	<u>City of Salem v. IEPA</u> - Petitioner's Motion to Reconsider (8/14)	McFawn L-V
PCB 98-18	<u>James R. and Lucille J. Metz v. United States Postal Service</u> - Complainants' Motion for Leave to File Amended Formal Complaint and Amended Complaint (8/5), Respondent's Motion to Dismiss Amended Complaint (8/20), Complainants' Motion to File Instant Answer to Respondent's Motion to Dismiss Amended Complaint (9/2), Motion to File Instant Motion to Dismiss by Bradley Real Estate (9/3), Complainants' Answer to Bradley Real Estate's Motion to Dismiss (9/10)	Girard N-E, Citizens
PCB 98-160	<u>Devro-Teepak, Inc. (Permit Application No. 95120325) v. IEPA;</u>	Manning
PCB 98-161	<u>and Devro-Teepak, Inc. (Permit Application No. 95120326) v. IEPA</u> - Consolidation Order	T-S

ADJUDICATORY CASES (CONTINUED)

Motions and Other Matters (Continued)

PCB 98-169	<u>Union Oil Company of California d/b/a Unocal v. Barge-Way Oil Company, Inc., Bargeway Systems, Inc., Joseph Kellogg, Nielsen's Bargeway, Gertrude Kellogg, Robert Nielsen, Robert F. Atkins, and Mobil Oil Company - (See Respondent Mobil Oil Company's Motion to Dismiss Complaint filed 7/6; Respondent Gertrude Kellogg's Motion to Dismiss filed 7/16; and Complainant's Motion for Extension of Time Within Which to Respond to Motion to Dismiss filed 7/16; Respondent Barge-Way Oil Company, Inc.'s Motion to Join the Motion to Dismiss Complaint of Mobil Oil Corporation Instante filed 7/21; Respondent Robert Nielsen's Motion to Dismiss and Join Mobil Oil Company's Motion to Dismiss Instante filed 7/30; and Motion of Respondents Bargeway Systems and Robert F. Atkins to Join Instante Respondent Mobil Oil Company's Motion to Dismiss Complaint filed 8/4, Respondent Robert Nielsen's Motion to Strike Address of Nielsen's Bargeway filed 8/17, Opposition of Complainant Union Oil Company of California to Respondents' Motion to Dismiss Complaint filed 8/18)</u>	Manning UST-E, Citizens
PCB 99-6	<u>Colman Steinlauf v. IEPA - Dismissal Order</u>	Manning UST-Appeal 90-Day Ext.
PCB 99-9	<u>Meade Electric Company, Inc. v. IEPA - Dismissal Order</u>	Manning UST-Appeal 90-Day Ext.
PCB 99-11	<u>Freightliner of Chicago, Inc. v. IEPA - Dismissal Order</u>	Manning UST-Appeal 90-Day Ext.
PCB 99-13	<u>International Mill Service, Inc. v. IEPA - Dismissal Order</u>	Manning P-A 90-Day Ext.

ADJUDICATORY CASES (CONTINUED)

Motions and Other Matters (Continued)

PCB 99-14	<u>Bridgestone/Firestone, Inc. v. IEPA</u> - Dismissal Order	Manning UST-FRD 90-Day Ext.
PCB 99-30	<u>Lucille Wathen v. Daniel and Wendy Stryker</u> - Duplicitous/Frivolous Determination	Melas N-E Citizens
PCB 99-36	<u>Nina Enterprises, Inc. v. IEPA</u> - Agency Motion to File Administrative Record of Permit Application Instanter (9/14)	Melas P-A, Air
PCB 99-38	<u>Lawrence C. Sweda v. Outboard Marine Corporation and the City of Waukegan</u> - Duplicitous/Frivolous Determination (See Respondent Outboard Marine Corporation's Motion to Dismiss and Memorandum in Support Thereof filed 8/28; and Respondent City of Waukegan's Motion to Dismiss filed 8/31)	McFawn N-E, Citizens
PCB 99-40	<u>QST Environmental Inc. v. IEPA</u> - Board Order	Girard T-S
PCB 99-41	<u>White Cap, Inc. v. IEPA</u> - (See Petitioner's Request to Incorporate Prior Record included in the Petition at Page 1)	Yi A-V
PCB 99-42	<u>International Environmental Consultants, Inc. and Memorial Park District</u> - Accept for Hearing Order	UST-Appeal

CASES PENDING DECISION

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> - Proposed Rule, Second Notice, Opinion and Order	Hennessey R, Land
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CASES PENDING DECISION (CONTINUED)

PCB 98-81	<u>Charter Hall Homeowner's Association and Jeff Cohen v. Overland Transportation System, Inc. and D.P. Cartage, Inc.</u>	Hennessey N-E, Citizens
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OTHER ITEMS

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 SEPTEMBER 3, 1998 BOARD MEETING

AC 99-10	People of the County of Will
AC 99-11	IEPA v. Kenneth Dilenbeck
ac 99-12	IEPA v. Browning-Ferris Industries of Iowa, Inc.
PCB 99-40	QST Environmental Inc. v. IEPA
PCB 99-41	White Cap, Inc. v. IEPA
PCB 99-42	International Environmental Consultants, Inc. and Memorial Park District v. IEPA