

ILLINOIS POLLUTION CONTROL BOARD

MEETING MINUTES



SEPTEMBER 9, 1999 CHICAGO OFFICE
CONFERENCE ROOM 9-040
10:30 A.M.

ANNOUNCEMENTS

Chairman Manning welcomed members of the public and staff to the meeting..

ROLL CALL

The Clerk of the Board called the roll. All Board Members were present.

APPROVAL OF MINUTES

Minutes of the August 19, 1999 meeting were approved by a vote of 6-0.

ADJUSTED STANDARDS

AS 00-2	<u>In the Matter of: Petition of Horsehead Resource Development Company, Inc. for an Adjusted Standard Under 35 Ill. Adm. Code 720.131(c)</u> - The Board accepted Horsehead's refiled petition for hearing, granted petitioner's motion to incorporate the record from docket AS 00-1 into docket AS 00-2, for attorneys John Moore and Paul Gutermann to appear <i>pro hac vice</i> , and for non-disclosure of confidential financial information.	6-0 Land, RCRA
AS 00-3	<u>In the Matter of: Petition of The Ensign-Bickford Company for an Adjusted Standard from 35 Ill. Adm. Code 237.103</u> - No action taken.	Air

ADMINISTRATIVE CITATIONS

- AC 00-1** County of Sangamon v. ESG Watts, Inc. - The Board found that this Sangamon County respondent violated Sections 21(o)(5), (o)(6), and (o)(9) of the Environmental Protection Act (415 ILCS 5/2121(o)(5), (o)(6), (o)(9) (1998)), and ordered respondent to pay a civil penalty of \$1,500. 6-0
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- AC 00-2** IEPA v. Hendricks Home Furnishings, Inc. - The Board found that this Macoupin County respondent violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (1998)), and ordered respondent to pay a civil penalty of \$500. 6-0
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- AC 00-3** County of Sangamon v. ESG Watts, Inc. - The Board accepted for hearing this administrative citation against a Sangamon County respondent.
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- AC 00-4** County of Sangamon v. ESG Watts, Inc. - The Board accepted for hearing this administrative citation against a Sangamon County respondent.
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- AC 00-5** County of Sangamon v. ESG Watts, Inc. - The Board accepted for hearing this administrative citation against a Sangamon County respondent.
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- AC 00-6** County of Sangamon v. ESG Watts, Inc. - The Board accepted for hearing this administrative citation against a Sangamon County respondent.
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- AC 00-7** County of Sangamon v. ESG Watts, Inc. - The Board accepted for hearing this administrative citation against a Sangamon County respondent.
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- AC 00-8** County of Sangamon v. ESG Watts, Inc. - The Board accepted for hearing this administrative citation against a Sangamon County respondent.
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AC 00-10 IEPA v. City of Aledo - The Board accepted an administrative citation against this Mercer County respondent. 6-0

AC 00-11 IEPA v. RCS, Inc. and Rickie Laird - The Board accepted an administrative citation against these Jersey County respondents and granted complainant's motion to amend the administrative citation. 6-0

AC 00-12 IEPA v. Lowell Madison - The Board accepted an administrative citation against this Iroquois County respondent.

AC 00-13 IEPA v. Leroy P. David - The Board accepted an administrative citation against this Peoria County respondent.

AC 00-14 Montgomery County v. Envotech-Illinois, Inc. - The Board accepted an administrative citation against this Montgomery County respondent.

AC 00-15 County of Sangamon v. ESG Watts, Inc. - The Board accepted an administrative citation against this Sangamon County respondent.

ADJUDICATORY CASES

Decisions

PCB 97-53 People of the State of Illinois v. GBF Graphics, Inc. - The Board granted relief from the hearing requirement of Section 31(c)(2) of the Environmental Protection Act (415 ILCS 5/31(c)(2) (1998)), accepted a stipulation and settlement agreement in this air enforcement action involving a Cook County facility, ordered respondent to pay a civil penalty of \$37,000, and to cease and desist from further violations. 6-0
A-E

PCB 99-141	<u>Waste Management of Illinois, Inc. v. Will County Board</u> - The Board struck condition six of the Will County Board's March 4, 1999 decision to conditionally approve the application of Waste Management of Illinois, Inc. to site the Prairie View Recycling and Disposal Facility.	4-1 Flemlal dissented Girard abstained P-C-F-S-A
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PCB 99-194	<u>People of the State of Illinois v. Alabama Metal Industries Corporation</u> - The Board granted relief from the hearing requirement of Section 31(c)(2) of the Environmental Protection Act (415 ILCS 5/31(c)(2) (1998)), accepted a stipulation and settlement agreement in this air enforcement action involving a Cook County facility, ordered respondent to pay a civil penalty of \$50,000, and to cease and desist from further violations.	6-0 A-E
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PCB 00-15	<u>Village of Princeville v. IEPA</u> - The Board granted this Peoria County facility a one year variance, subject to conditions, from 35 Ill. Adm. Code 602.105(a) "Standards for Issuance" and 602.106(a) "Restricted Status" as they relate to the maximum contaminant level for gross alpha particle activity in drinking water as set forth in 35 Ill. Adm. Code 611.330(b).	6-0 PWS-V
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Provisional Variances

PCB 00-39	<u>Takasago International Corporation v. IEPA</u> - Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted this Will County facility a 45-day provisional variance, subject to conditions, from the total dissolved solids limits set in 35 Ill. Adm. Code 35 Ill. Adm. Code 302.208 and 304.105.	6-0 W-V
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PCB 00-40	<u>BP Amoco Oil Company v. IEPA</u> - Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted this DuPage County facility a 45-day provisional variance, subject to conditions, from the air pollution control requirements set forth in 35 Ill. Adm. Code 218.586.	6-0 A-V
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PCB 00-41 Arch Chemicals, Inc. v. IEPA - Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted a four-day provisional variance to this Winnebago County facility from the 90-day limitation on the accumulation of hazardous wastes, as set forth in 35 Ill. Adm. Code 722.134(b). 6-0
L-V

PCB 00-42 Diamond Plating Company, Inc. v. IEPA - Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted a thirty-day provisional variance to this Madison County facility from the 90-day limitation on the accumulation of hazardous wastes, as set forth in 35 Ill. Adm. Code 722.134(b). 6-0
L-V

Motions and Other Matters

PCB 91-202 Sherex Chemical Company, Inc. v. IEPA - The Board granted petitioner's motion for voluntary dismissal of this Resource Conservation Recovery Act permit appeal involving a Peoria County facility. 6-0
P-A, RCRA

PCB 93-191 People of the State of Illinois v. Lloyd Weimann d/b/a Weimann Ice and Fuel and Lloyd Weimann d/b/a Weimann Ice and Fuel v. Texaco Refining and Marketing, Inc., and Eugene & Cheryl Halbrooks - No action taken. UST-E

PCB 97-70 People of the State of Illinois v. Demolition and Development, Ltd., and Eugene Lopresti, individually, and as President of Demolition and Development, Ltd. - 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. 6-0
A-E

PCB 97-191 People of the State of Illinois v. Galva Foundry Company - The Board granted respondent's attorney's motion to withdraw as attorney of record. 6-0
RCRA-E

PCB 98-18 James R. and Lucille J. Metz v. United States Postal Service and Bradley Real Estate - No action taken. N-E,
Citizens

PCB 98-47	<u>People of the State of Illinois v. State Oil Company</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 Lake County facility, the Board ordered publication of the required newspaper notice.	A-E
PCB 98-54	<u>Edward Malina v. Jean Day</u> - The Board granted the parties' joint motion for dismissal of this underground storage tank enforcement action involving a DuPage County facility.	6-0 UST-E, Citizens
PCB 98-154	<u>People of the State of Illinois v. P&H Manufacturing Company</u> - Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this Resource Conservation Recovery Act enforcement action against a Shelby County facility, the Board ordered publication of the required newspaper notice.	6-0 RCRA-E
PCB 99-23	<u>People of the State of Illinois v. Quad-County Ready Mix Corporation d/b/a Washington County Ready Mix</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 Washington County facility, the Board ordered publication of the required newspaper notice.	6-0 A-E
PCB 99-127	<u>Ted Harrison Oil Company v. IEPA</u> - The Board referred petitioner's motion to withdraw the motion supplement the record to the hearing officer for disposition.	UST-FRD
PCB 99-136	<u>Sierra Club, Midewin Tallgrass Prairie Alliance, Audubon Council of Illinois and Illinois Audubon Society v. Will County Board and Waste Management of Illinois, Inc.</u> - No action taken.	P-C-F-S-R
PCB 99-145	<u>Karen Jones and Anita Rice v. Heritage Tool and Die Mold Manufacturing, Inc.</u> - The Board vacated its order of July 22, 1999 with respect to Jodi and Tim Leeper, Cassandra and Cheryl Vaughn, Hobart Jones, and Peggy Eberhardt. These persons were reinstated as party complainants.	6-0 N-E, Citizens

PCB 99-187	<u>Gina Pattermann, and Lisa Collins and Deen Collins v. Boughton Trucking and Materials</u> - No action taken.	A&N-E Citizens
PCB 99-190	<u>Humane Manufacturing, L.L.C. v. IEPA</u> - The Board granted petitioner's motion for voluntary dismissal of this permit appeal involving a DeKalb County facility.	6-0 P-A, Air
PCB 99-191	<u>People of the State of Illinois v. Panhandle Eastern Pipe Line Company</u> - The Board denied complainant's motion to set the hearing date.	6-0 A-E
PCB 00-2	<u>Benet Academy v. IEPA</u> - Having previously granted a request for a 90-day extension, the Board dismissed this matter because no underground storage tank appeal was timely filed on behalf of this DuPage County facility.	6-0 UST- Appeal
PCB 00-3	<u>ISC Newco, Inc. v. IEPA</u> - The Board accepted for hearing this underground storage tank appeal on behalf of a Cook County facility.	6-0 UST-FRD
PCB 00-5	<u>Naperville Radiator Services v. IEPA</u> - The Board accepted for hearing this underground storage tank appeal on behalf of a DuPage County facility.	6-0 UST-FRD
PCB 00-6	<u>City of Princeton (Princeton Municipal Landfill) v. IEPA</u> - Having previously granted a request for a 90-day extension, the Board dismissed this matter because no permit appeal was timely filed on behalf of this Bureau County facility.	6-0 P-A, Land
PCB 00-23	<u>National Castings, Inc. v. IEPA</u> - The Board vacated its August 9, 1999 order and entered an order which denied petitioner's request for a 90-day extension of appeal period, but accepted petitioner's letter requesting an extension as a petition for review, ordering petitioner to file an amended petition or the action would be subject to dismissal.	5-1 Girard dissented UST-FRD

PCB 00-24	<u>The Ensign-Bickford Company v. IEPA.</u> - The Board referred respondent's motion to for extension of time to the hearing officer for disposition.	A-V, Open Burning
PCB 00-25	<u>KRKH, Inc. v. IEPA</u> - The Board reserved this docket until November 16, 1999.	5-0 Melas abstained WWS
PCB 00-31	<u>People of the State of Illinois v. Reilly Industries, Inc.</u> - The Board accepted for hearing this Resource Conservation Recovery Act enforcement action against a Madison County facility.	RCRA-E
PCB 00-32	<u>People of the State of Illinois v. Village of Maryville and Osborn Homes, Inc.</u> - The Board accepted for hearing this public water supply enforcement action against a Madison County facility.	PWS-E
PCB 00-33	<u>People of the State of Illinois v. Laidlaw Corporation</u> - The Board accepted for hearing this air enforcement action against a Massac County facility.	A-E
PCB 00-34	<u>Clayton Chemical Acquisition Limited Liability Company d/b/a Resource Recovery Group, L.L.C. v. IEPA</u> - The Board dismissed this St. Clair County facility's request for variance, finding the petition is insufficient under 35 Ill. Adm. Code 104.Subpart B.	6-0 L-V, RCRA
PCB 00-35	<u>Austin Walsh and Lisa Walsh v. Max Kolpas and Betty Kolpas</u> - The Board held for a later duplicitous/frivolous determination this citizens' noise enforcement action involving a Cook County facility.	N-E Citizens
PCB 00-36	<u>C & J Auto Parts, Inc. 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.	6-0 UST- Appeal 90-Day Ext.

PCB 00-37 National Maintenance & Repair, Inc. v. IEPA - The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of a Madison County facility. 6-0
P-A
90-Day Ext.

PCB 00-38 John Johnson Landscaping, Inc. v. IEPA - 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. 6-0
UST-
Appeal
90-Day Ext.

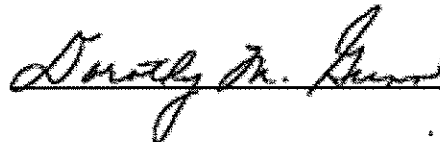
CASES PENDING DECISION

R00-5 In the Matter of: RCRA Subtitle C Update, USEPA Amendments (January 1, 1999 through June 30, 1999) - Proposed Rule, Proposal for Public Comment, Opinion and Order Kezelis
R, Land

ADJOURNMENT

Moved and seconded, by a vote of 6-0, Chairman Manning adjourned the meeting at 11:20 a.m.

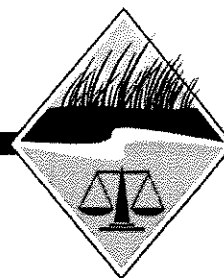
I, Dorothy M. Gunn, Clerk, of the Illinois Pollution Control Board, hereby certify that the above minutes were approved this 23rd day of September 1999 by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD

MEETING AGENDA



SEPTEMBER 9, 1999
CHICAGO OFFICE
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

August 19, 1999

RULEMAKINGS

ADJUSTED STANDARDS

AS 00-2	<u>In the Matter of: Petition of Horsehead Resource Development Company, Inc. for an Adjusted Standard Under 35 Ill. Adm. Code 720.131(c) - (See Petitioner's Motion to Incorporate Record from RCRA Adjusted Standard Proceeding AS 00-1 filed 8/6) - Petitioner's Certificate of Publication (8/11), Agency's Response (8/27)</u>	Melas Land, RCRA
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ADJUSTED STANDARDS (CONTINUED)

AS 00-03	<u>In the Matter of: Petition of The Ensign-Bickford Company for an Adjusted Standard from 35 Ill. Adm. Code 237.103 - (See Agency Motion for Extension of Time to File Response filed 9/3) - Awaiting Certificate of Publication</u>	Melas Air
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ADMINISTRATIVE CITATIONS

AC 00-1	<u>County of Sangamon v. ESG Watts, Inc.</u> - Default Order	Manning
AC 00-2	<u>IEPA v. Hendricks Home Furnishings, Inc.</u> - Default Order	Manning
AC 00-3	<u>County of Sangamon v. ESG Watts, Inc.</u> - Accept for Hearing - No Order	Manning
AC 00-4	<u>County of Sangamon v. ESG Watts, Inc.</u> - Accept for Hearing - No Order	Manning
AC 00-5	<u>County of Sangamon v. ESG Watts, Inc.</u> - Accept for Hearing - No Order	Manning
AC 00-6	<u>County of Sangamon v. ESG Watts, Inc.</u> - Accept for Hearing - No Order	Manning
AC 00-7	<u>County of Sangamon v. ESG Watts, Inc.</u> - Accept for Hearing - No Order	Manning
AC 00-8	<u>County of Sangamon v. ESG Watts, Inc.</u> - Accept for Hearing - No Order	Manning
AC 00-10	<u>IEPA v. City of Aledo</u> - Accept Case - No Order	Manning

ADMINISTRATIVE CITATIONS (CONTINUED)

AC 00-11	<u>IEPA v. RCS, Inc. and Rickie Laird</u> - (See also Complainant's Motion to Amend Administrative Citation filed 8/27) - Order	Manning
AC 00-12	<u>IEPA v. Lowell Madison</u> - Accept Case - No Order	Manning
AC 00-13	<u>IEPA v. Leroy P. David</u> - Accept Case - No Order	Manning
AC 00-14	<u>Montgomery County v. Envotech-Illinois, Inc.</u> - Accept Case - No Order	Manning
AC 00-15	<u>County of Sangamon v. ESG Watts, Inc.</u> - Accept Case - No Order	Manning

ADJUDICATORY CASES

Decisions

PCB 97-53	<u>People of the State of Illinois v. GBF Graphics, Inc.</u> - Stipulation	Girard A-E
PCB 99-141	<u>Waste Management of Illinois, Inc. v. Will County Board</u> (due 9/9)	Manning P-C-F-S-A
PCB 99-194	<u>People of the State of Illinois v. Alabama Metal Industries Corporation</u> - Stipulation	McFawn A-E
PCB 00-15	<u>Village of Princeville v. IEPA</u> (due 11/23)	Flemal PWS-V

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.

ADJUDICATORY CASES (CONTINUED)

Provisional Variances (Continued)

PCB 00-39 Takasago International Corporation v. IEPA - Provisional Variance Manning
W-V

PCB 00-40 BP Amoco Oil Company v. IEPA - Provisional Variance Manning
A-V

PCB 00-41 Arch Chemicals, Inc. v. IEPA - Provisional Variance Manning
L-V

Motions and Other Matters

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

PCB 91-202 Sherex Chemical Company, Inc. v. IEPA - Petitioner's Notice of Kezelis
Withdrawal of Appeal (8/17) P-A, RCRA

ADJUDICATORY CASES (CONTINUED)

Motions and Other Matters (Continued)

PCB 93-191	<u>People of the State of Illinois v. Lloyd Wiemann d/b/a Wiemann Ice and Fuel; and Texaco Refining and Marketing, Inc. and Eugene and Cheryl Halbrooks</u> - Counter-Respondent Cheryl Halbrooks' Motion to Dismiss (7/12), Third-Party Respondent Texaco Refining and Marketing, Inc.'s Response to Motion to Dismiss (8/9), Third Party Respondent Texaco Refining and Marketing, Inc.'s Motion to Allow it to File a Reply in Support of its Motion to Compel Third-Party Respondent Cheryl Halbrooks to Respond to Outstanding Discovery Requests (8/9), Complainant's Motion for Leave to File Amended Complaint and Amended Complaint (8/10), Response of Lloyd Wiemann, d/b/a Wiemann Ice & Fuel to Cheryl Halbrooks' Motion to Dismiss (8/16), Cheryl Halbrooks' Reply to Third Party Respondent Texaco Refining and Marketing, Inc.'s Response to Third Party Respondent, Cheryl Halbrooks, Motion to Dismiss (8/25), Cheryl Halbrooks' Motion for Leave to File Instant Reply to Cross Complainant Lloyd Wiemann d/b/a Wiemann Ice and Fuel's Response to Halbrooks' Motion to Dismiss (8/25), Cheryl Halbrooks' Reply to Lloyd Wiemann d/b/a Wiemann Ice and Fuel's Response to Cheryl Halbrooks' Motion to Dismiss (8/25)	Manning UST-E Citizens
PCB 97-70	<u>People of the State of Illinois v. Demolition and Development, Ltd., and Eugene Lopresti, individually, and as President of Demolition and Development, Ltd.</u> - Motion for Relief from Hearing Requirement (9/3)	Melas A-E
PCB 97-191	<u>People of the State of Illinois v. Galva Foundry Company</u> - James R. Morrin's Motion to Withdraw as Attorney of Record (8/31)	Melas RCRA-E
PCB 98-18	<u>James R. and Lucille J. Metz v. United States Postal Service and Bradley Real Estate</u> - Respondent Bradley Real Estate's Motion for Summary Judgment (7/28), Respondent United States Postal Service's Motion for Summary Judgment (8/9)	Girard N-E, Citizens
PCB 98-47	<u>People of the State of Illinois v. State Oil Company</u> - Agreed Motion to Request Relief from Hearing Requirement (8/25)	Melas A-E

ADJUDICATORY CASES (CONTINUED)

Motions and Other Matters (Continued)

PCB 98-54	<u>Edward Malina v. Jean Day</u> - Joint Stipulation, Motion and Order to Dismiss (8/10), Joint Motion to Dismiss (8/20)	Kezelis UST-E, Citizens
PCB 98-154	<u>People of the State of Illinois v. P&H Manufacturing Company</u> - Motion for Relief from Hearing Requirement (9/7)	McFawn RCRA-E
PCB 99-23	<u>People of the State of Illinois v. Quad-County Ready Mix Corporation d/b/a Washington County Ready Mix</u> - Motion for Relief from Hearing Requirement (9/3)	Melas A-E
PCB 99-127	<u>Ted Harrison Oil Company v. IEPA</u> - Petitioner's Request to Supplement Record (7/19), Petitioner's Motion for Leave to Withdraw and to Refile Petition to Supplement the Record Instantly (9/7)	Girard UST-FRD
PCB 99-136	<u>Sierra Club, Midewin Tallgrass Prairie Alliance, Audubon Council of Illinois and Illinois Audubon Society v. Will County Board and Waste Management of Illinois, Inc.</u> - Petitioners' Motion for Reconsideration (8/19), Response of Will County Board in Opposition to Sierra Club's Motion for Reconsideration (8/30), Response of Waste Management of Illinois, Inc. to Petitioners' Motion for Reconsideration (9/1)	Flemal P-C-F-S-R
PCB 99-145	<u>Karen Jones and Anita Rice v. Heritage Tool and Die Mold Manufacturing, Inc.</u> - Individual Complaints signed by Complainants Anita Rice, Tim Leeper, Peggy A. Eberhardt, Cheryl Vaughn, Hobert Jones, Cassandra Vaughn, and Jodi Leeper in Response to June 3, 1999 Board Order (6/25)	McFawn N-E, Citizens

ADJUDICATORY CASES (CONTINUED)

Motions and Other Matters (Continued)

PCB 99-187	<u>Gina Pattermann, Lisa Collins, and Deen Collins v. Boughton Trucking and Materials</u> - (See Respondent's Motion to Dismiss Complaint as Frivolous and Memorandum of Law in Support of Motion to Dismiss filed 8/3; and Complainants' Amended Complaint in Response to July 22, 1999 Board Order filed 8/13) Duplicitous/Frivolous Determination Order	Melas A&N-E Citizens
PCB 99-190	<u>Humane Manufacturing, L.L.C. v. IEPA</u> - Petitioner's Motion to Withdraw Appeal (8/17)	Manning P-A, Air
PCB 99-191	<u>People of the State of Illinois v. Panhandle Eastern Pipe Line Company</u> - Complainant's Motion to Set Hearing Date (8/23), Respondent's Response to Complainant's Motion to Set Hearing Date (8/27)	McFawn A-E
PCB 00-2	<u>Benet Academy v. IEPA</u> - Dismissal Order	Manning UST- Appeal
PCB 00-3	<u>ISC Newco, Inc. v. IEPA</u> - Accept for Hearing Order	Manning UST-FRD
PCB 00-5	<u>Naperville Radiator Services v. IEPA</u> - Accept for Hearing Order	Manning UST-FRD
PCB 00-6	<u>City of Princeton (Princeton Municipal Landfill) v. IEPA</u> - Dismissal Order	Manning P-A, Land
PCB 00-23	<u>National Castings, Inc. v. IEPA</u> - Petitioner's Request for 90-Day Extension of Appeal Period (See Agency's Response filed 8/23) - Order	Flemal UST-FRD

ADJUDICATORY CASES (CONTINUED)

Motions and Other Matters (Continued)

PCB 00-24	<u>The Ensign Bickford Company v. IEPA</u> - Agency Motion for Extension of Time to File Recommendation (9/3)	Melas A-V
PCB 00-25	<u>KRKH, Inc. v. IEPA</u> - (Also see Request at p. 7 for waiver of Section 14.2(b) 120-day waiting period for consent) - Order	Flemaal WWS
PCB 00-31	<u>People of the State of Illinois v. Reilly Industries, Inc.</u> - Hearing Mandatory - No Order	McFawn RCRA-E
PCB 00-32	<u>People of the State of Illinois v. Village of Maryville and Osborn Homes, Inc.</u> - Hearing Mandatory - No Order	Melas PWS-E
PCB 00-33	<u>People of the State of Illinois v. Laidlaw Corporation</u> - Hearing Mandatory - No Order	Kezelis A-E
PCB 00-34	<u>Clayton Chemical Acquisition Limited Liability Company d/b/a Resource Recovery Group, L.L.C. v. IEPA</u> - (See Agency Motion to Dismiss filed 9/1 and Agency Motion for Expedited Decision and for Extension of Time to File Agency Recommendation filed 9/3) - Order	McFawn L-V, RCRA
PCB 00-35	<u>Austin Walsh and Lisa Walsh v. Max Kolpas and Betty Kolpas</u> - Awaiting Duplicitous/Frivolous Determination	Kezelis N-E Citizens
PCB 00-36	<u>C & J Auto Parts, Inc. v. IEPA</u> - Joint Request for 90-Day Extension of Appeal Period (8/31) - Order	Manning UST- Appeal 90-Day Ext.

ADJUDICATORY CASES (CONTINUED)

Motions and Other Matters (Continued)

PCB 00-37 National Maintenance & Repair, Inc. v. IEPA - Petitioner's Request for 90-Day Extension of Appeal Period (9/1), Joint Request for 90-Day Extension of Appeal Period (9/1) - Order Manning
P-A
90-Day Ext.

PCB 00-38 John Johnson Landscaping, Inc. v. IEPA - Joint Request for 90-Day Extension of Appeal Period (9/2) - Order Manning
UST-
Appeal
90-Day Ext.

CASES PENDING DECISION

R00-5	<u>In the Matter of: RCRA Subtitle C Update, USEPA Amendments (January 1, 1999 through June 30, 1999) - Proposed Rule, Proposal for Public Comment, Opinion and Order</u>	Kezelis R, Land
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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	P-C-F-S-R	Pollution Control Facility 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 AUGUST 19, 1999 BOARD MEETING

AC 00-10	IEPA v. City of Aledo
AC 00-11	IEPA v. RCS, Inc. and Rickie Laird
AC 00-12	IEPA v. Lowell Madison
AC 00-13	IEPA v. Leroy P. David
AC 00-14	Montgomery County v. Envotech-Illinois, Inc.
AC 00-15	County of Sangamon v. ESG Watts, Inc.
PCB 00-31	People of the State of Illinois v. Reilly Industries, Inc.
PCB 00-32	People of the State of Illinois v. Village of Maryville and Osborn Homes, Inc.
PCB 00-33	People of the State of Illinois v. Laidlaw Corporation
PCB 00-34	Clayton Chemical Acquisition Limited Liability Company d/b/a Resource Recovery Group, L.L.C. v. IEPA
PCB 00-35	Austin Walsh and Lisa Walsh v. Max Kolpas and Betty Kolpas
PCB 00-36	C & J Auto Parts, Inc. v. IEPA
PCB 00-37	National Maintenance & Repair, Inc. v. IEPA
PCB 00-38	John Johnson Landscaping, Inc. v. IEPA
PCB 00-39	Takasago International Corporation v. IEPA
PCB 00-40	BP Amoco Oil Company v. IEPA
PCB 00-41	Arch Chemicals, Inc. v. IEPA

REGULAR BOARD MEETING SCHEDULE FOR CALENDAR YEAR 1999

September 9
September 23

November 4 *
November 18

October 7 **
October 21

December 2
December 16

* These Board Meetings will be in the Board's Springfield Office
600 S. Second Street, Suite 403, Hearing Room

** This Board Meeting will be in Conference Room 2-025. All other
Board Meetings in Chicago will be in Conference Room 9-040