

ILLINOIS POLLUTION CONTROL BOARD

May 4, 1995

ILLINOIS PETROLEUM MARKETERS )	
ASSOCIATION, )	
)	
Petitioner, )	
)	
v. )	PCB 95-3
)	(Variance - Air)
ILLINOIS ENVIRONMENTAL )	
PROTECTION AGENCY, )	
)	
Respondent. )	

STEVEN WERMCRANTZ APPEARED ON BEHALF OF THE PETITIONER.

BONNIE SAWYER, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, APPEARED ON BEHALF OF THE AGENCY.

OPINION AND ORDER OF THE BOARD (by C. A. Manning):

On January 6, 1995, the Illinois Petroleum Marketers Association (IPMA) filed a petition for variance from 35 Ill. Adm Code 218.586(d) seeking to extend the date for compliance with the requirements for Stage II gasoline vapor recovery from November 1, 1994 until March 31, 1995 for its 266 member facilities and affiliates. (Pet. at 3 and Exh# 1.) During the course of the hearing in this matter, the IPMA amended its petition and requested that variance relief apply to only 157 of the originally-requested facilities. (Tr. at 10.) All facilities seeking a variance are located in the Chicago ozone nonattainment area in Illinois. (Pet. at 1.)

A public hearing was held on March 17, 1995 before Board hearing officer, Deborah Frank in Chicago, Illinois. Members of the public were present and the Board received one public comment from the City of Chicago on April 13, 1995. The Agency filed its recommendation prior to the hearing on March 14, 1995 and each of the parties filed post-hearing briefs on April 7, 1995.

As is discussed below, the Board finds that the petitioner has satisfied its burden of demonstrating immediate compliance with Section 218.586(d) would result in an arbitrary or unreasonable hardship. Accordingly, we grant variance relief to 157 facilities named in Attachment A of this opinion. Attachment B lists those facilities for which variance relief is inappropriate or no longer requested by IPMA due to amendments made at hearing. With the exception of one facility which has a variance until February 21, 1995, the variances are granted retroactively to November 1, 1994 and are effective until March 31, 1995.

**BACKGROUND**

Section 218.586 requires that gas stations located in Chicago's ozone nonattainment area must install gasoline vehicle refueling vapor recovery systems. These systems, which are also known as "Stage II systems", were to have been installed and operational by November 1, 1993 at stations that dispense over 100,000 gallons per month (Section 218.586(c)) and November 1, 1994 for stations dispensing between 10,000 and 100,000 per month (Section 218.586(d)(3)).

IPMA, which is an association of over 450 members of independent businesses which operate as petroleum marketers in every county of the State of Illinois, originally requested in its petition for variance that the Board grant a five-month variance from the compliance date of November 1, 1994 for 266 stations. (Pet. at 1 and Keigher Test. at 9.) The IPMA's members and affiliates are either small marketers who own tank wagons and use common carriers for transporting petroleum products, or are marketers that transport and pick up products directly at the refineries. (*Id.*) 85% of the facilities requesting relief are service stations and all facilities generally employ between 8 to 10 people. (Keigher Test. at 9 and Pet. at 2.) According to the petition and testimony at hearing, each of the 158 facilities initiated efforts to install Stage II gasoline vapor recovery equipment in order to meet the November 1, 1994 installation deadline and all were unable to comply with the deadline. (Pet. at 4.)

Pursuant to the Board's statutory responsibility to grant variance relief whenever it finds that compliance with the regulations would impose an arbitrary or unreasonable hardship, the Board held a hearing on March 17, 1995 on IPMA's petition for variance. (415 ILCS 5/35(a).) At that hearing, both the IPMA and the Agency appeared. The IPMA offered four witnesses in support of the various stated hardship reasons offered by the IPMA for its members' noncompliance: Tim Keigher, Member Relations for the IPMA; Jeffrey W. Dzierzanowski, National Marketing Manager for Source North America; Mark Romiti, Estimator for ABD Tank & Pump Company; and Richard Buchanan, Executive Vice-President, J & L Oil Company. The IPMA also offered affidavits of the facilities owners and operators concerning the gallons dispensed and the hardship for each facility. (Pet. Exh. #1-161.) From the Agency, Terry Sweitzer, Manager of the Air Section, and Brooke Peterson, Legal Investigator of the Division of Legal Counsel and Regulatory Development Unit, offered written testimony supporting the Agency's recommendation.

As part of its statutory responsibilities in this matter, the Agency conducted an investigation of the facts as alleged in the petition, gave public notice of IPMA's variance petition

pursuant to Section 37(a) of the Environmental Protection Act (415 ILCS 5/37(a)), and notified the units of local government which may be affected by the requested variance. (Agency Rec. at 2.) The Agency also filed a recommendation in this matter on March 14, 1995, subsequently amending the recommendation at hearing and in its post-hearing brief.

#### **AGENCY'S RECOMMENDATION**

The Agency initially objected to the Board granting variances to many of the original 266 facilities for various reasons among which were the facilities' failure to provide information about gallons dispensed annually and hardship. (Rec. at 33-37.) Therefore, during the course of the hearing, the IPMA amended its original variance request to only cover those facilities whose requests the IPMA specifically supported at hearing with affidavits and testimony. (Keigher Test. at 10; Pet. Exh# 1-161.) Thus, with the exception of administrative corrections that the Board will make herein,<sup>1</sup> the Agency and the IPMA are in agreement with the final list of 158 facilities that the Agency recommends should receive variance relief from the Board. (Pet. Br. at 3.) The Agency recommendation supports variance relief for those facilities that are required to have been in compliance by November 1, 1994 pursuant to Section 218.586(d), that submitted affidavits verifying specific annual gallons dispensed information, and those facilities that the Agency believes demonstrated an unreasonable and arbitrary hardship.

Regarding standard variance conditions, the Agency recommended that the Board include termination dates and a condition governing the facilities' future communications with the Agency. (Agency Rec. at 11-12 and Res. Exh. #3.) At hearing, the Agency further amended its recommendation suggesting that instead of requiring all facilities to have Stage II vapor recovery equipment installed and operational by March 31, 1995 or the facilities would cease dispensing gasoline, for this large number of facilities, it would be more appropriate to require that "if Stage II gasoline vapor recovery equipment is not installed and operational by March 31, 1995, the facility will be subject to enforcement as of November 1, 1994." (March

---

<sup>1</sup>In the Petitioner's post-hearing brief, IPMA identifies three corrections that it requests the Board make in the final opinion and order: (1) Amend the name of Ashland Pick-Up to "Ashland Pick-Up/76 One Stop"; (2) Delete a duplicate site, "Northwest Auto Wash", thus granting only one variance for this site; and (3) grant "Bill's Service" in Antioch, Illinois a variance. The Board will make the clerical corrections as noted in (1) and (2). Additionally, because a notarized affidavit was provided at hearing for Bill's Service, its omission from the Agency's list for facilities warranting a variance appears to be an administrative error, the Board will add Bill's Service to the list of facilities receiving a variance.

17, 1995 Mot. to Amend Rec. at 1; see also Agency's Br. at 6.)

#### **CITY OF CHICAGO PUBLIC COMMENT**

The City of Chicago filed a public comment on April 13, 1995, stating that the City is particularly interested in seeing that all Stage II vapor recovery equipment is completely installed throughout Chicago prior to the start of the 1995 ozone season. The City agrees with many of the Agency's concerns regarding the claimed hardship of some of the original 266 facilities which after the hearing, are no longer requesting variance relief. (City of Chicago Comment at 5.) The City also supports the Agency's motion at hearing to revise the recommendation to provide for enforcement as of November 1, 1994, rather than requiring operation closure if Stage II vapor recovery equipment is not installed by March 31, 1995. (City of Chicago Comment at 6.)

#### **CLAIMED HARDSHIP**

In seeking this group variance, the IPMA cites several bases in support of its argument that the November 1, 1994 compliance date would cause an arbitrary and unreasonable hardship. The two primary reasons for many of the facilities' inability to comply with the November 1, 1994 compliance date is that either qualified operators were unavailable to install the equipment prior to the deadline or Stage II vapor recovery equipment was on "back-order" and therefore, also unavailable for installation. (Pet. at 4-5.) (See e.g. Keigher Test. at 11; Dzierzanowski Test. at 37-45 and Romiti Test. at 54-67.) IPMA believes that short of closure, there are no alternative methods that could have been implemented allowing compliance with the November 1, 1994 deadline. (Pet. at 5; ) The Agency investigated the availability of contractors and equipment and found this unavailability to be the case especially for the smaller, independent marketers such as the IPMA facilities requesting relief in this petition. (Rec. at 5.)

The IPMA cites several other factors, which the Agency agrees, constitute valid hardship warranting variance relief. These hardships are: difficulty in installing equipment in light of soil remediation efforts, permitting delays, construction, and difficulty in securing funding for smaller operations. (See e.g. Romiti Test. at 54-67; Sweitzer Test. at 113.)

Importantly, the Agency is satisfied that each of the facilities on its final list recommending variance relief have each demonstrated that one or more of the IPMA's stated hardship reasons exists at that site. The Agency is therefore in agreement with the IPMA that the facilities requesting variance relief would suffer an arbitrary and unreasonable hardship if

they were to have complied with the November 1, 1994 deadline.<sup>2</sup>

### ENVIRONMENTAL IMPACT

The Agency and the IPMA agree that the environmental impact of granting a variance to the 157 facilities is negligible because the emissions would have occurred prior to the onset of the ozone season. When uncontrolled VOC emissions occur during the cold-weather winter months, emissions of VOM have a lesser impact on the environment. (Rec. at 9; Sweitzer Test. at 114-116.) The ozone season began on April 1, 1995 in the Chicago nonattainment area and IPMA is seeking a variance with an effective date of November 1, 1994 until March 31, 1995. (See e.g. Mobil v. IEPA, slip op. at 6.)

### CONSISTENCY WITH FEDERAL LAW

There is no issue in this case concerning consistency with federal law. In its recommendation, the Agency notes that Stage II controls are a part of the Agency's 15% rate of progress plan and as long as the IPMA member operations came into compliance prior to the start of the ozone session, uncontrolled VOM emissions will not have notably hampered attainment with the National Ambient Air Quality Standard. (Rec. at 9.) (See also Mobil v. IEPA slip op. at 6 (granting Mobil a group variance would not impede the State's efforts at achieving 15% reduction in mass emissions of VOC as required by the federal Clean Air Act Amendments.))

### CONCLUSION

In determining whether any variance is to be granted, the Act requires the Board to determine whether a petitioner has presented adequate proof that immediate compliance with the Board regulations at issue would impose an arbitrary and unreasonable hardship upon the petitioner. (415 ILCS 5/35 9(a)(1992).) Furthermore, the burden is on the petitioner to show that its claimed hardship outweighs the public interest in attaining compliance with regulations designed to protect the public. (Willowbrook Motel v IPCB (1985), 135 Ill. App. 3d 343, 481 N.E. 2d 1032.) Only with such a showing can the claimed hardship rise to the level of arbitrary or unreasonable hardship.

---

<sup>2</sup>In the original recommendation, the Agency listed several facilities that cited bases for relief which the Agency, without further information, could not agree warranted variance relief. These bases were, among other things, lack of money, involvement in lease negotiations, an 11-month backlog on contractor availability without indication of whether the contractor had yet been retained; and change of ownership in the future. (Rec. at 5-8.) The facilities stating these reasons remain on the Agency's revised denial list, which IPMA agrees do not warrant variance relief. (Pet. Br. at 3.)

Based on the record, the Agency's recommendation, and our review of the hardship which would have been imposed on IPMA's member facilities and affiliates, as balanced against the negligible adverse environmental impact, the Board finds that IPMA has presented adequate proof that immediate compliance with the 35 Ill. Adm. Code 218.586(d) would result in an arbitrary and unreasonable hardship. The requested variance for each IPMA facility and affiliate, accordingly, is granted, subject to conditions consistent with this opinion and order.

Regarding the Agency' request that the Board include the following condition, "if Stage II gasoline vapor recovery equipment is not installed and operational by March 31, 1995, the facility will be subject to enforcement as of November 1, 1994," the Board declines to add this language. We find that it is inappropriate to grant this variance and at the same time allow for enforcement. Rather, enforcement would be appropriate after the date upon which this variance expires, or March 31, 1995. Therefore, if the facilities and affiliates of IPMA receiving a variance under this opinion and order failed to have installed Stage II vapor recovery equipment by March 31, 1995, they are subject to enforcement as of April 1, 1995.

The variance relief is being granted retroactively from November 1, 1994 until March 31, 1995. The Board notes that it is well-established practice that the term of a variance begins on the date the Board renders its decision, unless unusual or extraordinary circumstances are shown. (See DMI, Inc. v. IEPA, PCB 90-227, 128 PCB 245-249, December 19, 1991.) In view of the facts of this case which include the problem of contractor and equipment shortages associated with installation of Stage II equipment and the Agency's recommendation of no significant environmental impact, the Board finds that the instant circumstances warrant granting variance relief retroactively.

This opinion constitutes the Boards' findings of fact and conclusions of law in this matter.

#### ORDER

- A. The 157 facilities and affiliates of the Illinois Petroleum Marketers Association listed in Attachment A are each granted a variance from 35 Ill. Adm. Code 218.586(d) as this subsection pertains to the requirements that Stage II gasoline vapor recovery equipment be installed by November 1, 1994, subject to certain conditions:
- B. For each of the IPMA facilities and affiliates listed in Attachment A, variance relief from the requirement of Section 218.586(d) shall cover a five-month period, commencing on November 1, 1994 and expiring on March 31, 1995 except that variance relief shall extend from November

1, 1994 to February 21, 1995 for A&A Automobile Service located at 1045 W. Washington Blvd. in Chicago.

- C. If Stage II gasoline vapor recovery equipment is not installed and operational by March 31, 1995, the facility will be subject to enforcement as of April 1, 1995.
- D. Each IPMA facility or affiliate listed on Attachment A shall immediately notify the Agency of the date of installation of Stage II vapor recovery equipment or within 14 days after installation, whichever is applicable. Notification shall include the address of the facility. Such notice to the Agency shall be sent to:

Mr. Terry Sweitzer  
 Illinois Environmental Protection Agency  
 Bureau of Air  
 P.O. Box 19276  
 2200 Churchill Road  
 Springfield, Illinois 62794-9276

IT IS ORDERED.

If each of the IPMA facilities or affiliates listed on Attachment A chooses to accept this variance subject to the above order, within 45 days of the grant of the variance, the facility's owner, operator or registered agent must execute and forward the attached certificate of acceptance and agreement to:

Bonnie R. Sawyer  
 Division of Legal Counsel  
 Illinois Environmental Protection Agency  
 P. O. Box 19276  
 2200 Churchill Road  
 Springfield, IL 62794-9276

Once executed and received, the certificate of acceptance and agreement shall bind the IPMA facility or affiliate listed on Attachment A to all terms and conditions of the granted variance. The 45-day period shall be held in abeyance during any period that this matter is appealed. Failure to execute and forward the certificate within 45-days renders this variance void. The form of the certificate is as follows:

#### CERTIFICATION

I (We), \_\_\_\_\_,  
 have read the Illinois Pollution Control Board's May 4, 1995 opinion and order, and I (we) am one of the listed facilities and/or affiliates of the IPMA listed on Attachment A. I (we) hereby accept and agree to be bound by all terms and conditions of the order.

I understand that this variance only applies from November 1, 1994 to March 31, 1995 and that as of April 1, 1995, the facility listed below is required to have Stage II vapor recovery equipment installed and operational, and can be enforced against by the Illinois Environmental Protection Agency or a private citizen by the facility's failure to do so. I also understand that as a condition of accepting this variance, I will advise the Illinois Environmental Protection Agency as set forth in paragraph D of the May 4, 1995 order, of the date the facility installed the Stage II vapor recovery equipment, or within 14 days of when the installation occurs, whichever is applicable.

Facility \_\_\_\_\_

Authorized Agent \_\_\_\_\_


Title \_\_\_\_\_

Facility Address \_\_\_\_\_

Date \_\_\_\_\_

Section 41 of the Environmental Protection Act (415 ILCS 5/41 (1992) provides for the appeal of final Board orders within 35 days of the date of service of this order. The Rules of the Supreme Court of Illinois establish filing requirements. (See also 35 Ill. Adm. Code 101.246, Motions for Reconsideration.)

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above opinion and order was adopted on the 4<sup>th</sup> day of May, 1995, by a vote of 7-0.

  
 \_\_\_\_\_  
 Dorothy M. Gunn, Clerk  
 Illinois Pollution Control Board



**ATTACHMENT A**

The following is a list of IPMA facilities or affiliates which have been granted variance relief from 35 Ill. Adm. Code 218.586(d) pursuant to the May 4, 1995 opinion and order of the Illinois Pollution Control Board:

Cook	A & K Mini Mart 1350 E. Miner Rd. Des Plaines, IL 60016
Cook	A & A Automobile Service 1045 W. Washington Blvd. Chicago, IL 60607
DuPage	AAA Service 4944 Belmont Rd Downers Grove, IL 60515
Cook	AJ's Service Center 6000 W. 63rd St. Chicago, IL 60638
Cook	Arta, Inc. 1530 W. Lawrence Chicago, IL 60640
Cook	Ashland Pick Up/76 One Stop 8510 S. Ashland Chicago, IL 60620
Lake	Auntie's Pantry 54 E. Grand Ave Fox Lake, IL 60020
Cook	B & L Marathon Service 805 S. Mannheim Rd Westchester, IL 60154
Will	Bahlman's 66 548 Dixie Hwy Beecher, IL 60401
Lake	Bennetts Marathon 901 Sheridan Rd Winthrop Hrbor, IL 60096
Cook	Berkeley Citgo 5630 St. Charles Berkeley, IL 60163

Kane Big Z's Mobil  
72 Kimball St.  
Elgin, IL 60120

DuPage Bill's Union  
Rt. 83 & 75th St.  
Willowbrook, IL 60521

Lake Bill's Service  
Rt. 83 & Grass Lake Rd  
Antioch, IL 60002

Cook Broadview Gas Co  
2319 Roosevelt Rd  
Broadview, IL 60153

Cook Broadway Marathon  
1503 N. Broadway  
Melrose Park, IL 60160

Kane Burlington Oasis  
125 Plank Rd.  
Burlington, IL 60109

Cook C & N Bros., Ltd  
4759 S. Cicero  
Chicago, IL 60632

Cook C.P. Auto Center  
11101 S. Harlem  
Worth, IL 60482

Cook C.P. Auto Center  
8701 S. Harlem  
Hickory Hills, IL 60457

Cook Campbell's Service  
156 Lathrop Ave  
Forest Park, IL 60130

Cook Citgo of Chicago  
590 W. Lincoln Hwy  
Chicago Hghts, IL 60411

Cook	Daily Needs 5035 W. Division Chicago, IL 60651
Lake	Dave's Service 7 E. Main St. Lake Zurich, IL 60047
Cook	Dick's Glenwood Marathon 273 W. Main St. Glenwood, IL 60425
Cook	Don's 76 Service 7240 W. Devon Ave. Chicago, IL 60631
Cook	Express Car Wash 2111 W. Fullerton Chicago, IL 60647
Cook	Express Lane 4700 S. Michigan Chicago, IL 60615
Lake	Fairfield Citgo 1115 Fairfield Rd. Round Lake, IL 60073
Cook	Forest Glen Service 5066 N. Elston Ave. Chicago, IL 60630
DuPage	Frank Service Center 309 W. St. Charles Rd. Lombard, IL 60148
Cook	Full Line Printing 750 N. Wells Chicago, IL 60610
Will	Gas City 855 S. Center Rd. Frankfort, IL 60423

Cook Gas City  
11600 S. Michigan Ave.  
Chicago, IL 60628

Cook Gakhal Gas for Less  
649 N. Ashland  
Chicago, IL 60622

Cook Gakhal Gas for Less  
2801 N. Damen  
Chicago, IL 60618

Cook Gas & Go, Inc.  
1422 W. 55th  
LaGrange, IL 60525

Cook Grand Marathon Service  
11128 W. Grand Ave.  
Melrose Park, IL 60164

Cook Grocery Station  
7601 S. Jeffrey  
Chicago, IL 60649

Cook Grocery Station  
721 E 103rd St  
Chicago, IL 60628

Cook Grocery Station  
3202 W. Cermak  
Chicago, IL 60623

Cook Grocery Station  
7001 S. Stony Island  
Chicago, IL 60649

Cook Grocery Station  
9802 S Halsted  
Chicago, IL 60628

Cook H & S Enterprises  
16073 S. Park  
S. Holland, IL 60473

Lake H.N.S. Inc  
840 Rollins Rd  
Roundlake, IL 60073

Cook Harold's Service  
2500 S. Central  
Cicero, IL 60650

Cook Harwood Heights Gas Mart  
6630 W. Montrose  
Harwood Hghts, IL 60634

Cook Hickory Hills Service Center  
7700 W. 95th St.  
Hickory Hills, IL 60457

Cook Hillerich's Car Care  
5801 Dempster  
Morton Grove, IL 60053

Cook Ho-Mar Gas Co.  
4603 N. Pulaski  
Chicago, IL 60630

Lake Ingleside Citgo  
25970 W. Rte 134  
Ingleside, IL 60041

Cook J J Peppers  
6034 S Archer  
Summit, IL 60501

DuPage J & C Central  
420 S Main  
Wheaton, IL 60187

Cook J J Peppers  
3101 S Union  
Chicago, IL 60616

Cook J J Peppers  
9301 Cicero  
Oak Lawn, IL 60453

Lake J & P Service  
2500 Sheridan Rd  
Zion, IL 60099

DuPage J & C 76  
586 Crescent Blvd  
Glen Ellyn, IL 60137

Will J J Peppers  
102 W. Boughton Rd.  
Bolingbrook, IL 60440

Lake J & L Oil #20  
25112 Rt. 73  
Antioch, IL 60002

McHenry J & L Oil #24  
357 Terra Cotta  
Crystal Lake, IL 60014

Kane J & L Oil #33  
213 S. Main St.  
Elburn, IL 60119

Lake J & L Oil #18  
2 W. Belvidere Rd.  
Hainesville, IL 60030

Kane J & L Oil #16  
832 Illinois Ave.  
Aurora, IL 60505

McHenry J & L Oil #15  
810 W. Rand Rd  
McHenry, IL 60050

Cook J & L Oil #1  
2670 N. Lincoln  
Chicago, IL 60614

Lake J & L Oil #39  
33191 N. Highway 45  
Wildwood, IL 60030

Cook J & L Oil #12  
4638 N. Damen  
Chicago, IL 60625

Lake J & L Oil #102  
36016 N. Grandwood Dr.  
Gurnee, IL 60031

Lake J & L Oil #103  
210 E. Hawley St.  
Mundelein, IL 60060

Lake J & L Oil #44  
218 Waukegan Rd.  
Lake Bluff, IL 60044

Lake J & L Oil #99  
511 E. Grand Ave.  
Ingleside, IL 60041

Lake J & L Oil #43  
37025 N. Greenbay Rd.  
Waukegan, IL 60087

Lake J & L Oil #42  
39119 N. Lewis Ave.  
Beach Park, IL 60099

Will Jay's Oil Co.  
212 Larkin  
Joliet, IL 60436

Cook Jim Best Car Wash  
11701 S. Pulaski  
Alsip, IL 60658

DuPage Jimmy's Citgo  
260 N. Case  
Westmont, IL 60559

Cook John's Glencoe Union 76  
635 Vernon  
Glencoe, IL 60021

Will K & J Braidwood Shell Food Mart  
105 S. Front St  
Braidwood, IL 60408

DuPage K.M.S. Enterprises  
743 W. North Ave.  
Villa Park, IL 60181

Will K's Mini Mart  
1350 A Dixie Hwy  
Beecher, IL 60401

Cook Kean Bros #50  
5035 S. Western  
Chicago, IL 60609

Cook Kean Bros #45  
14454 S Halsted  
Harvey, IL 60426

Cook Kean Bros #99  
9955 S. Western  
Chicago, IL 60453

Cook Kean Bros #82  
8200 S. Kedzie  
Chicago, IL 60652

Cook Kean Bros Inc #11  
2632 W. 111th St  
Chicago, IL 60655

Cook Ken's Arlington 66  
1706 W. Northwest Hwy  
Arlington Hghts, IL 60004

Kane Kevin's Service Station  
201 S. Second St.  
St. Charles, IL 60174

Kane Konen's 66  
444 E. New Yor St.  
Aurora, IL 60505



Cook	Laila Petroleum 14144 S. Pulaski Crestwood, IL 60445
Cook	Lakeshore Managment Srv 2934 N. California Chicago, IL 60618
Cook	Lander's Marathon 8650 S. Morgan Chicago, IL 60620
Will	Larry's Service Station 555 E. Cass Joliet, IL 60432
Lake	Lew's Mini-Gas Mart 104 Washington Highwood, IL 60040
Cook	Lincoln wood 76 2949 Central Evanston, IL 60201
Cook	Lincoln's Citgo Service 14433 Lincoln Highway Dolton, IL 60419
DuPage	Lisle Oil Co. 4701 S. Main Lisle, IL 60532
Will	Lorenzo Rd Fuelstop 29849 E. Frontage Rd. S Wilmington, IL 60481
Cook	Maywood Citgo 202 W. Lake St Maywood, IL 60153
Will	Minuteman Gas Mart 204 E. Baltimore St. Wilmington, IL 60481

McHenry Minuteman  
471 Virginia Ave.  
Crystal Lake, IL 50014

McHenry Minuteman  
131 Washington Ave.  
Woodstock, IL 60098

Lake Mundelein 76  
601 E. Fawley  
Mundelein, IL 60060

Lake Mundelein Citgo  
628 N Lake St  
Mundelein, IL 60060

Cook N.I.A. Inc. (Mini Mart)  
11458 S. Harlem  
Worth, IL 60482

Cook New Trier Service  
518 Winnetka Ave  
Winnetka, IL 60093

Kane Newman Oil Co.  
594 N. LaFox St.  
S. Elgin, IL

DuPage Nick & Ernie's Service  
6000 W. Oakton  
Morton Grove, IL 60053

Cook Niles 76  
7300 Waukegan Rd.  
Niles, IL 60714

Cook Northwest Auto Wash  
900 W. Euclid Ave.  
Arlington Hgths, IL 60005

Lake Olson Oil Co.  
115 Old Skokie Hwy.  
Park City, IL 60085

Cook            On the Go Phillips 66  
                 5548 W. 159th St.  
                 Oak Forest, IL 60452

Cook            P & S Auto Repair  
                 6002 W. Diversey  
                 Chicago, IL 60639

Cook            Park Service  
                 18075 Torrence Ave  
                 Lansing, IL 60438

Cook            Park Ridge Cleaners  
                 2400 W. Oakton  
                 Park Ridge, IL 60068

Cook            Patio Gas  
                 6262 N. Clark  
                 Chicago, IL 60660

Cook            Patio Gas USA  
                 2844 W. 47th St.  
                 Chicago, IL 60632

Cook            Petro Express  
                 9155 S. Stony Island  
                 Chicago, IL 60617

Cook            Phil & Sons  
                 4201 N. Lincoln  
                 Chicago, IL 60618

Kane            Pike Phillips 66  
                 999 W. Illinois  
                 Aurora, IL 60506

Cook            Pit Stop Enterprises  
                 1811 S. 17th st.  
                 Broadview, IL 60153

Cook            Pratt & Cicero Service  
                 6801 N. Cicero Ave.  
                 Lincolnwood, IL 60646

Kane	Price Rite Gas & Liquors 180 Kimball St. Elgin, IL 60120
Cook	Prospect Citgo 1500 N. River Rd. Mt. Prospect, IL 60056
Cook	Ramel Phillip's 66 Service 3501 S. Emerald Ave. Chicago, IL 60609
Cook	Refiner's Pride 7323 W. Randolph Forest Park, IL 60130
Kane	Rockway Mini Mart 48W230 Rt. 30 Big Rock, IL 60511
Cook	Rogers Park Citgo 7138 N. Sheridan Road Chicago, IL 60626
Cook	Roger W. Grant SuperServ 406 E. NW Hwy Arlington Hghts, IL 60004
DuPage	Roselle Citgo 1030 W Lake St Roselle, IL 60172
Lake	Round Lake Citgo 221 Rollins Rd. Round Lake, IL 60073
McHenry	S.S. Express Lane 10601 Main St. Richmond, IL 60071
Cook	Seymour Service 4000 W. Touhy Lincolnwood, IL 60446

Cook Sir Gas-A-Lot  
8545 W. Cermak Rd.  
N. Riverside, IL 60546

Lake Smyths Car Wash  
38 N Barrow Blvd  
Grayslake, IL 60030

Kane South Elgin Amoco Food Mart  
380 N. LaFox St  
S. Elgin, IL 60118

Kane Spee-D-mart  
990 S. State St.  
Hampshire, IL 60140

Cook Stanley Oil Co.  
4400 S. Western Ave.  
Chicago, IL 60609

Lake Stans Citgo  
400 E. Grand Ave  
Lake Villa, IL 60046

Cook Star Service Station  
2310 E. 79th St.  
Chicago, IL 60649

Cook Steve's 66  
800 S. Elmhurst Rd.  
Des Plaines, IL 60016

Cook Steve's Phillips 66  
800 S. Elmhurst Rd  
Des Plaines, IL 60016

McHenry Steve's Marathon  
3417 Thompson Rd.  
Wonder Lake, IL 60097

McHenry Thomas Mobil  
315 N. Madison St.  
Woodstock, IL 60098

Cook           Touhy & Dee Phillips 66  
                  2301 W. Touhy  
                  Park Ridge, IL 60068

Cook           Town & Country Service  
                  10007 S Michigan  
                  Chicago, IL 60628

Cook           Tulsa Power Service  
                  3968 S. Ashland  
                  Chicago, IL 60609

Cook           Tuxedo Junction #2  
                  4300 S. Union  
                  Chicago, IL 60609

Cook           Tuxedo Junction #1  
                  3738 S. Cicero Ave.  
                  Stickney, IL 60650

Cook           Tuxedo Junction #4  
                  2700 W. 52st St.  
                  Chicago, IL 60632

Cook           Union 76/Minuteman  
                  3419 Maple Ave.  
                  Brookfield, IL 60513

DuPage        Union 76/Minuteman  
                  16 W. Naperville Rd.  
                  Westmont, IL 60559

Cook           USA Gas  
                  3000 W. 63rd St.  
                  Chicago, IL 60632

Lake          Village Auto Service  
                  601 Sheridan Rd  
                  Lake Bluff, IL 60044

Will          Wee-Sip Liquors  
                  1099 S. Water St  
                  Wilmington, IL 60481

DuPage West Chicago Citgo  
250 S. Neltner  
West Chicago, IL 60185

Lake WonderLake Citgo  
7515 Hancock Dr.  
WonderLake, IL 60097

**ATTACHMENT B**

The following is a list of facilities or affiliates of the IPMA which are not receiving variance relief from the Illinois Pollution Control Board:

Lake	#1 Stop Mini Mart 1015 10th Street North Chicago, IL
Cook	A & J Gas, Inc. 4257 W. 26th Street Chicago, IL
Cook	Accutech, Inc. 444 W. 26th St. Chicago, IL 60616
Cook	Alex's Marathon 8702 S. Roberts Rd. Hickory Hills, IL 60457
Lake	Antioch Citgo 830 Main St Antioch, IL 60002
Cook	Arlington Pine & Central 66 301 E. Central Rd. Arlington, Heights, IL 60005
Kane	Aurora 66 12 Hill Ave. Aurora, IL 60505
Cook	Avar Corp/Sunshine Wash & Gas 11950 S. Cicero Alsip, IL 60658
DuPage	Avenue 66 Service 99 Park Ave. Clarendon Hls, IL 60514



Lake	Beach Park Marathon 39039 N. Lewis Ave. Beach Park, IL 60099
Cook	Belmont & River Auto 9000 W. Belmont Ave. Franklin Park, IL 60131
Cook	Bensenville Tire & Auto 647 S. York Rd. Bensenville, IL 60106
Cook	Bob's Auto Repair 12301 S. Western Ave. Blue Island, IL 60406
Will	Braidwood Casey's 280 E. Main St. Braidwood, IL 60408
Cook	Buffalo Grove Car Care 55 W. Dundee Rd. Buffalo Grove, IL 60089
Cook	Caravan Petroleum 11000 S. Cicero Ave. Oaklawn, IL 60453
Cook	Central Reese Mobil 2829 Central St. Evanston, IL 60201
Cook	Central & Wolf Marathon 720 E. Central Rd. Des Plaines, IL 60016
Will	Channahon Casey's 206 E. Eames Channahon, IL 60410
DuPage	Charley's Auto Service 145 W. St. Charles Rd. Villa Park, IL 60181

Cook            Citgo Gas & Mart  
                 1301 W. Irving Park  
                 Bensenville, IL 60106

McHenry       Convenient 76  
                 2126 W. Algonquin  
                 Lake/Hills, IL 60102

DuPage        Convenient Food Mart  
                 501 W. 87th St.  
                 Naperville, IL 60565

Cook           CP Auto Center  
                 11101 S. Harlem  
                 Worth, IL 60482

Cook           Denglo II  
                 815 W. Rand Rd.  
                 Arlington Hgts, IL 60004

Cook           Dimitri's Auto Service  
                 3601 W. 95th St.  
                 Evergreen Park, IL 60642

Cook           Dollar Rent-A-Car  
                 O'Hare Airport  
                 P.O. Box 66181  
                 Chicago, IL 60666

Cook           Flash Gas Station  
                 1000 Lake St.  
                 Melrose Park, IL 60160

Will           Fox's Marathon  
                 1190 Kennedy Rd.  
                 Braidwood, IL 60408

Cook           Frank's Service III, Inc.  
                 3142 W. North Ave.  
                 Chicago, IL 60647

Cook Frank's Place  
2338 N. Sacramento  
Chicago, IL 60647

Cook Fred's Winnetka Union 76  
574 Greenberg Rd.  
Winnetka, IL 60093

Cook G & S Service  
1025 Green Bay Rd  
Evanston, IL 60201

Cook Gas Mart  
15900 S. LaGrange Rd.  
Orland Park, IL 60662

Cook Gas Mart  
13800 S. Halsted St.  
Riverdale, IL 60445

Kane Gas Up, Inc.  
1745 E. Main St.  
St. Charles, IL 60174

Cook Gas Mart  
2700 W. 147th St.  
Posen, IL 60465

Cook Gas City  
7750 W. Grand  
Elmwood Park, IL 60635

Cook General Cab  
3145 N. Western  
Chicago, IL 60618

Cook Hills Service  
8701 S. Kean  
Hickory Hills, IL 60457

I/90 Fuel Mobil  
19N 681 U.S. 20  
Kane Village of Hampshire, IL 60140

Jakubik's Uptown Service  
1200 Meadow Rd.  
Cook Northbrook, IL 60062

John's Mobil Service  
344 N. Independence  
Will Romeoville, IL 60441

K & M Mini Mart  
4701 S. Pulaski  
Cook Chicago, IL 60632

K & M Marathon  
3349 W. Montrose  
Cook Chicago, IL 60618

Kean Bros #79  
6455 W. 79th St.  
Cook Burbank, IL 60459

Kean Bros #55  
5458 W. 55th St.  
Cook Chicago, IL 60638

Kean Bros #12  
5025 W. 111th St.  
Cook Alsip, IL 60653

Kean Bros #85  
8458 S. Cicero  
Cook Burbank, IL 60459

Kean Bros #95  
6600 W. 95th St.  
Cook Oak Lawn, IL 60459

Kean Bros #83  
8301 S. Harlem  
Cook Bridgeview, IL 60455

Kean Bros #69  
5347 W. 150th St.  
Cook Oak Forest, IL 60452

Kedzie Power King  
5301 S. Kedzie Ave.  
Cook Chicago, IL 60632

Cook Ken's Arlington 66  
1902 E. Northwest Hwy  
Arlington Heights, IL 60004

Cook Kenilworth 76  
1255 Green Bay Rd.  
Wilmette, IL 60091

Kane L & S Partnership  
180 Lake Marian Rd.  
Carpentersville, IL

Cook L.S. Service Station  
2800 W. Lexington St  
Chicago, IL 60612

McHenry Lake in the Hills Marathon  
1075 W. Algonquin  
Algonquin, IL 60102

Cook Lang's 76  
8301 S. Cottage Grove Ave.  
Chicago, IL 60637

Kane Larkin Marathon  
1126 Larkin Ave.  
Elgin, IL 60123

Kane Larkin Amoco  
1219 Larkin Ave.  
Elgin, IL 60123

Lake Larry's 24 Hour Service Station  
2720 Washington St.  
Waukegan, IL 60085

Cook Lincoln Garage  
3740 N. Lincoln Ave.  
Chicago, IL 60613

Cook M & A Mini Mart & Gas  
5860 W. 87th St.  
Burbank, IL 60459

Lake Main Street Marathon  
28 W. Main St.  
Lake Zurich, IL 60047

Will Manhattan Minuteman  
Rt. 52  
Manhattan, IL 60442

Cook           Masson Power King  
                   1500 W. 47th St.  
                   Chicago, IL 60609

Cook           Matt's Marathon  
                   201 E. 14th St.  
                   Chicago Hghts, IL 60411

Cook           Maxtra  
                   3501 S. Central  
                   Cicero, IL 60650

Grundy         Minooka Casey's  
                   208 E. Mondamin  
                   Minooka, IL 60447

Cook           Minuteman  
                   2013 W. Sibley Blvd.  
                   Calumet City, IL 60411

DuPage        Mister Kwik's Marathon  
                   669 N. Washington  
                   Naperville, IL 60563

Cook           Nancy's Gas & Food Mart  
                   8050 W. Ogden Ave.  
                   Lyon, IL 60534

Cook           National Car Rental  
                   O'Hare International Airport  
                   Chicago, IL 60666

Cook           National Car Rental System  
                   4655 W. 59th St., Midway Airport  
                   Chicago, IL 60638

Cook           Northfield Auto Clinic  
                   1756 Willow Rd.  
                   Northfield, IL 60093

Cook           Ogden Citgo  
                   8856 W. Ogden  
                   Brookfield, IL 60513

Cook           P & G Auto, Inc.  
                   7560 W. Addison  
                   Chicago, IL 60634

Cook           Palatine Express Car Wash  
                   101 W. Northwest Hwy  
                   Palatine, IL 60067

Cook Palos Citgo  
12301 S. 80th Ave.  
Palos Park, IL

Cook Park Citgo  
3600 Sauk Trail  
Richton Park, IL 60471

Kane Pars Gas, Inc.  
640 Villa Rd.  
Elgin, IL

Cook Patton's Service  
16700 Oak Park Ave.  
Tinley Park, IL 60477

Cook Paul's Auto Service  
6308 N. Central  
Chicago, IL 60646

Cook Pete & Greg's Mobil  
12659 S. Ashland Ave.  
Calumet Park, IL 60643

Cook Power King Service Station  
130 W. 75th St.  
Chicago, IL 60619

Cook Quik Mart  
5011 W. 26th St.  
Cicero, IL 60650

Cook Raffco I Unocal  
10301 Kedzie Ave.  
Chicago, IL 60655

Cook Roger 76  
11458 S. Harlem Ave.  
Worth, IL 60482

Cook Scarsdale Auto  
445 S. Arlington Heights Rd.  
Arlington Hghts, IL 60005

Cook Shawnee Service  
332 Linden Ave.  
Wilmette, IL 60091

Cook Skokie Citgo  
5343 Touhy Ave.  
Skokie, IL 60077

Kane                   Starks Corner  
                           Rt. 20,47 & 72  
                           Hampshire, IL

Cook                   Stockyards Truck Stop  
                           4512 S. Halsted  
                           Chicago, IL 60609

Cook                   The Gas Stop Co.  
                           505 W. 67th St.  
                           Chicago, IL 60637

Cook                   Tony's Gas Stop  
                           17400 S. Wolf Rd.  
                           Orland Park, IL 60462

Cook                   Town & Country  
                           4957 S. Central  
                           Stickney, IL 60638

Will                   Tuxedo Junction #5  
                           1230 N. Cedar Rd.  
                           New Lenox, IL 60451

Cook                   V-M Power King  
                           6343 w. 26th St.  
                           Berwyn, IL

Cook                   Vermiglio's Marathon Auto Service  
                           405 W. Golf Rd.  
                           Schaumburg, IL 60195

Lake                   Walt & Dan's 66  
                           675 N. Lewis Ave.  
                           Waukegan, IL 60087

Will                   Wes's 76  
                           2000 Dixie Hwy  
                           Crete, IL 60417

Cook                   Williams Service Center  
                           10 W. Streamwood  
                           Streamwood, IL 60107

Cook                   Wilmette Auto Service  
                           1837 Wilmette Ave.  
                           Wilmette, IL 60091

Will                   Wilmington Manhattan  
                           E. Baltimore  
                           Wilmington, IL