



ENVIRONMENTAL REGISTER



NUMBER 533 ♦ A PUBLICATION OF THE ILLINOIS POLLUTION CONTROL BOARD ♦ NOVEMBER 1998

RULEMAKING

UPDATES

Board Adopts Proposed Second-Notice Rules For Public Comment in In the Matter of: Proportionate Share Liability, R97-16

At a special Board meeting held November 12, 1998, the Board adopted for proposed second notice rules to determine proportionate share. The proposed rules implement Section 58.9 of the Environmental Protection Act (Act) (415 ILCS 5/58.9 (1996)) regarding proportionate share liability. This action was taken because the Board must complete this rulemaking by January 1, 1999. See Pub. Act 9-0484, eff. August 17, 1997 (amended 415 ILCS 5/58.9 (1996)). On September 3, 1998, the Board adopted the rules for first-notice publication in the *Illinois Register*. 22 Ill. Reg. 16425 (September 18, 1998).

(Rulemaking Updates
continued on page 3)

FEDERAL ACTIONS

United States Environmental Protection Agency Accepts Proposals for the National Brownfields Assessment Pilots

On October 30, 1998, the United States Environmental Protection Agency (USEPA) announced it will accept proposals for the national brownfields assessment pilots. 63 Fed. Reg. 58380 (October 30, 1998). The brownfields assessment pilots (each funded up to \$200,000 over two years) test cleanup and redevelopment planning models, direct special efforts toward removing regulatory barriers without sacrificing protectiveness, and facilitate coordinating environmental cleanup and redevelopment efforts at the federal, state, and local levels. The USEPA expects to select up to 100 additional national brownfields assessment pilots by May 1999. Applications will be accepted on a rolling submissions schedule. The deadlines for new applications for the 1999 assessment pilots are December 11, 1998, and March, 22, 1999. Applications postmarked after December 11, 1998, will be considered in the second round of the competition.

All proposals must be postmarked or sent to the USEPA via registered or tracked mail by the expiration dates cited above. Application booklets can be obtained by calling the Superfund Hotline: 800/424-9346. Copies of the booklet are available via the internet: <http://www.epa.gov/brownfields/>

(Federal Updates continued on page 2)

Inside This Issue

♦ Appellate Update	page 6
♦ Board Actions	page 9
♦ New Cases	page 17
♦ Calendar of Meetings	page 19

FEDERAL ACTIONS

(CONTINUED FROM PAGE 1)

United States Environmental Protection Agency Publishes Final Guidelines for the Drinking Water State Revolving Fund Program

On November 5, 1998, the United States Environmental Protection Agency (USEPA) published the final guidelines for the drinking water state revolving fund (DWSRF) program. 63 Fed. Reg. 59843 (November 5, 1998). The DWSRF program was established August 6, 1996, by the Safe Drinking Water Amendments (SDWA) of 1996 (42 U.S.C. § 300f *et seq.* (1996)). The SDWA authorizes \$9.6 billion for the DWSRF program and related programs under Section 1452 for the fiscal year 1999 through fiscal year 2003. For fiscal year 1997, the USEPA's budget included \$1.275 billion for these programs. The final guidelines are published for the benefit and interest of the general public. Copies of the final guidelines for implementation of the DWSRF program are available from the SDWA Hotline: 800/426-4791. The DWSRF Guidelines may also be obtained from the USEPA web site at: <http://www.epa.gov/OGWDW>

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Proposed Agreement Pursuant to Section 122(h)(1) of the Comprehensive Environmental Response, Compensation, and Liability Act for the Lake Salvage Superfund Site, Chicago, Cook County, Illinois

On November 12, 1998, the United States Environmental Protection Agency (USEPA) issued notification of a proposed administrative settlement agreement concerning the Lake Salvage Superfund site located at 2527-29 West Lake Street, Chicago, Cook County, Illinois. The USEPA proposes to enter into this agreement under the authority of Sections 107 and 122(h) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (42 U.S.C. §§ 107, 122(h)). The proposed agreement has been executed by Litton Systems, Inc.; MagneTek, Inc.; Philips Electronic North America Corporation; Alex Simkin; Edward Simkin; and Irwin Simkin (collectively, the settling parties). The settling parties will pay \$77,785.15 to the Hazardous Substances Superfund to resolve the USEPA's claims against them for response costs incurred by the USEPA at the site.

Comments regarding the proposed settlement agreement must be received by December 12, 1998, and should be addressed to: Docket Clerk, USEPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590, and should refer to: In the Matter of Lake Salvage Site, Chicago, Illinois.

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Proposed Amended Consent Decree Reached with City of Rockford, Winnebago County

On October 30, 1998, the United States reached a proposed amended consent decree with the City of Rockford, Winnebago County. 63 Fed. Reg. 64280 (November 19, 1998). The consent decree resolves certain claims filed by the United States in United States, et al. v. City of Rockford, Illinois, Civil No. 98 C 50026, and pending before the United States District Court for the Northern District of Illinois. The United States brought this action alleging violations under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended (42 U.S.C. § 6901 *et seq.* (1990)). The amended consent decree resolves certain claims of the United States and the State of Illinois against the City of Rockford, under Sections 106(a) and 107(a) of CERCLA (42 U.S.C. §§ 9606(a), 9607(a) (1990)) concerning the Southeast Rockford Groundwater Contamination site. Under the proposed amended consent decree, the City of Rockford reaffirms the terms and provisions of the original consent decree entered by the court on April 9, 1998. The proposed amended consent decree provides that the City of Rockford will pay the plaintiffs approximately \$14.7 million. The amended consent decree also resolves any claims the plaintiffs may have had against Covenant Beneficiaries. The proposed amended consent decree is effective December 19, 1998.

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Proposed Consent Decree Reached Pertaining to Yeoman Creek Landfill Superfund Site, Waukegan, Lake County

On November 20, 1998, the Department of Justice issued notice of a proposed consent decree in United States v. USX Corp., et al, Civil No. 98 C 6389, which was pending before the United States District Court for the Northern District of Illinois. 63 Fed. Reg. 64524 (November 20, 1998). The proposed

consent decree concerns the Yeoman Creek Landfill Superfund Site located in Waukegan, Lake County. The proposed consent decree resolves the United States' claims against all twenty-one defendants named in the action. The twenty-one settling defendants have agreed to pay a total penalty of \$1,585,990. Twenty of the settling defendants qualify as *de minimis* parties under the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. § 9622 (1990)). The proposed consent decree is effective December 20, 1998.



Department of Agriculture Issues Notice of Meetings Regarding the Unified National Strategy for Animal Feeding Operations

On November 17, 1998, the Department of Agriculture issued notice that, in conjunction with the United States Environmental Protection Agency, it would conduct 11 public listening sessions where interested individuals can ask questions and provide feedback on the draft Unified National Strategy for Animal Feeding Operations (national strategy). 63 Fed. Reg. 63823 (November 17, 1998). The national strategy is one of the key actions in the Clean Water Action Plan announced by President Clinton in February 1998. For a detailed review of the national strategy, please refer to 63 Fed. Reg. 50192 (September 21, 1998) or call Joseph DelVecchio, Natural Resources Conservation Service, 202/690-2632; e-mail: joe.delvecchio.usda.gov.

Four meetings were held in November: on November 16, 1998, in Tulsa, Oklahoma; on November 17, 1998, in Harrisburg, Pennsylvania; on November 23, 1998, in Ontario, California; and on November 30, 1998, in Madison, Wisconsin. Seven meetings were scheduled for December: on December 3, 1998, in Seattle, Washington; on December 4, 1998, in Des Moines, Iowa; on December 9, 1998, in Chattanooga, Tennessee; on December 10, 1998, in Indianapolis, Indiana; on December 10, 1998, in Fort Worth, Texas; on December 14, 1998, in Denver, Colorado; and on December 15, 1998, in Annapolis, Maryland.

To obtain further information about a specific meeting, please visit the World Wide Web at <http://cleanwater.gov>

RULEMAKING UPDATES

(CONTINUED FROM PAGE 1)

The proportionate share liability scheme, enacted by Public Act 89-431 (Pub. Act. 89-431, eff. December 15, 1995) and as modified by Public Act 89-443 (Pub. Act. 89-443, eff. July 1, 1996), replaced the concept of joint and several in environmental actions with proportionate share liability. The purpose of new Part 741 is to establish procedures for the determination of proportionate share for the performance or cost of removal or remedial action resulting from the release or substantial threat of a release of regulated substances or pesticides. See 415 ILCS 5/58.9(d) (1996).

Proposed Subpart A of Part 741 contains applicability provisions, definitions, and discovery prior to filing of a complaint for the purpose of identifying potentially liable parties, and the modification of an allocation determination based on newly discovered evidence. At first notice, the Board declined to accept that part of the Agency's proposal that excluded certain sites or persons from Part 741 based on limits contained in Section 58.1(a)(2) of Title XVII of the Act (415 ILCS 58.1(a)(2) (1996)). After further review of this matter and comment from the participants, the Board at proposed second notice, found that the limitations of Section 58.1(a)(2) do apply to Section 58.9, thereby limiting the applicability of Section 58.9.

Proposed Subpart B contains procedures for determining liability and proportionate share where a complaint has been filed with the Board by the Agency, the State of Illinois, or any person. The Board made several changes at proposed second notice. The current rules as proposed contain provisions dealing with the burden and standard of proof and final Board orders. The Board has included in Subpart B a provision stating that the burden is on the complainant to prove by a preponderance of the evidence the degree to which the respondent proximately caused or contributed to a release or substantial threat of a release and the degree to which performance or costs of a response resulted from the respondent's proximate cause or contribution to the release or substantial threat of a release.

Proposed Subpart C contains procedures for participants who have agreed to allocate the entire performance or costs of a response action among

themselves. The parties may elect to proceed to mediation or elect to proceed with the Board allocation proceeding. The Board has made changes at proposed second notice clarifying that participants can allocate among themselves 100% of the performance or costs of a response.

To date, the Board has held six hearings in this matter. Upon adoption of the proposed second notice, a public comment period commenced where interested parties could file comments with the Board. Those comments were due on November 23, 1998.

For further questions regarding this matter, please contact Cynthia Ervin at 217/524-8509; e-mail address: cervin@pcb084r1.state.il.us



Board Adopts Amendments 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), R97-29

On November 19, 1998, the Board adopted amendments to 35 Ill. Adm. Code 830.203(c), 831.107, and 831.109(b)(3) which set requirements for landscape waste compost facilities. This rulemaking arises out of a proposal filed on May 6, 1997, by two citizens, Dr. Renuka Desai and Susan Garrett (proponents). On June 17, 1998, the Board adopted a modified version of proponents' proposal for first-notice publication in the *Illinois Register*. 22 Ill. Reg. 11361 (July 3, 1998). On October 1, 1998, the Board adopted for second-notice review by the Joint Committee on Administrative Rules (JCAR). On November 17, 1998, JCAR voted no objection to the rules as proposed.

The Board's final order is similar to the first-notice order, but with some clarifying changes regarding the amendment's applicability. Generally, the rules require certain composting areas established after January 1, 1999, to be located at least one-eighth mile from health care facilities, pre-school and child care facilities and their associated recreational areas, and primary and secondary school facilities and their associated recreational areas. The rules also include corresponding changes to requirements for site location maps and other information in permit applications.

The Board held three public hearings on the original proposal: the first, in Chicago on September 8, 1997; the second, in Springfield, on October 7, 1997; and

the third, in Chicago, on August 7, 1998. The Board received numerous public comments before and during the first-notice public comment period.

Any questions regarding this rulemaking may be directed to Richard McGill at 312/814-6983; e-mail address: rmcgill@pcb084r1.state.il.us



Board Adopts Proposal for Public Comment in Identical-In-Substance Rulemaking in In the Matter of: SDWA Update, USEPA Regulations (January 1, 1998, through June 30, 1998), R99-6

On November 19, 1998, the Board adopted a proposal for public comment amendments to the Illinois regulations that are identical in substance to the National Primary Drinking Water regulations (NPDWRs) adopted by the United States Environmental Protection Agency (USEPA). Section 17.5 of the Environmental Protection Act (415 ILCS 5/17.5 (1996)) provides for quick adoption of regulations that are identical in substance to federal regulations that the USEPA adopts to implement sections of the Safe Drinking Water Act (SDWA).

The regulations implement Sections 1412(b), 1414(c), 1417(a), and 1445(a) of the SDWA (42 U.S.C. §§ 300g-1(b), 300g-3(c), 300g-6(a), 300j-4(a)). This consolidated docket includes federal SDWA amendments that the USEPA adopted from January 1, 1998, through June 30, 1998. See 63 Fed. Reg. 23361 (April 28, 1998); 63 Fed. Reg. 31932 (June 11, 1998). The USEPA undertook two actions during this period: a revision to the state primacy requirements that included an expansion of the definition of the term "public water system," and the removal of the prohibition against the use of point-of-use devices to achieve compliance with an NPDWR.

The proposed amendments are found at 35 Ill. Adm. Code 611.101, 611.290, and 611.126. The Board will receive public comments on this proposal for a period of 45 days following its publication in the *Illinois Register*. Comments should be addressed to the Clerk of the Board.

Please direct any questions regarding this rulemaking to Michael McCambridge at 312/814-6924; e-mail address: mmccambr@pcb084r1.state.il.us



Board Adopts Financial Responsibility Rules for Lagoon Closure in In the Matter of: Livestock Waste Regulations: 35 Ill. Adm. Code 506, R97-15(B)

On November 4, 1998, the Board adopted rules regarding financial responsibility for lagoon closure. The rules implement Section 17 of the Livestock Management Facilities Act (510 ILCS 77/17 (1998)), which requires that owners of new or modified livestock waste lagoons provide evidence of financial responsibility for lagoon closure.

The rules require lagoon owners to have financial assurance in place either by June 1, 1999, or before the lagoon is placed in service, whichever is later. This can be accomplished by posting a bond, guarantee, commercial or private insurance, letter of credit, or other "surety instrument" with a financial institution such as a bank. This can also be established by participating in a livestock waste lagoon closure fund managed by the Illinois Farm Development Authority. The rules also set forth criteria for each of the six surety instruments, as well as the procedures under which such instruments are drawn. The initial term of the surety instrument must be at least three years, and the term of coverage may never be less than two years. This requirement is to ensure that the lagoon can be closed within the statutory time period (see 501 ILCS 77/15(e) (1998)).

The rules also include conditions under which a lagoon is considered removed from service. Removal from service triggers the lagoon owner's obligation to submit a closure plan to the Department of Agriculture (Department). The rules provide that surety liability is triggered if an owner fails to follow an approved closure plan and does not cure noncompliance within 30 days of notice from the Department. Once surety liability is triggered, the Department sends a notice to the financial institution, which must then deposit the proceeds of the surety instrument in an account upon which the Department is authorized to draw for lagoon closure. The Department uses the proceeds to close the lagoon. Alternatively, the financial institution may assume liability for lagoon closure itself.

The Board held hearings in Chicago on October 14, 1997, and in Springfield on October 21, 1997. On May 21, 1998, the Board adopted a first-notice proposal for publication in the *Illinois Register*. 22 Ill. Reg. 10102 (June 12, 1998). On September 17, 1998, the Board proposed for second-notice review by the Joint Committee on Administrative Rules

(JCAR) amendments to 35 Ill. Adm. Code 506, Livestock Waste Regulations. On October 20, 1998, JCAR issued a certificate of no objection to the rules.

Any questions regarding this rulemaking may be directed to Charles King at 312/814-6926; e-mail address: cking@pcb084r1.state.il.us

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Board Adopts Proposal for Public Comment in Identical-In-Substance Rulemaking in In the Matter of: RCRA Subtitle D Update, USEPA Regulations (January 1, 1998, through June 30, 1998), R99-1

On November 5, 1998, the Board adopted a proposal for public comment in the identical-in-substance rulemaking in In the Matter of: RCRA Subtitle D Update, USEPA Regulations (January 1, 1998, through June 30, 1998), R99-1. Section 22.40(a) of the Environmental Protection Act (Act) (415 ILCS 22.40(a) (1996)) provides for quick adoption of regulations that are identical in substance to federal municipal solid waste landfill (MSWLF) regulations that the United States Environmental Protection Agency (USEPA) adopts to implement Sections 4004 and 4010 of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. §§ 6944 and 6949a (1996)).

The federal action (see 63 Fed. Reg. 17706 (April 10, 1998)) that underlies this proceeding requires amendment of the Illinois RCRA Subtitle D MSWLF regulations. In that federal action, the USEPA adopted amendments that allow private owners and operators of MSWLF facilities to use two additional mechanisms for establishing financial assurance for facility closure, post-closure care, and corrective action. The added mechanisms are a corporate financial test for self-assurance and a corporate guarantee by a guarantor that has a "substantial business relationship" with the owner or operator. To revise the Illinois regulations to incorporate the federal amendments found at 40 C.F.R. §§ 258.74(e) and (g), the Board proposed to add new Sections 811.719 and 811.720, respectively.

The Board also proposed amendments to Sections 811.707, 811.706, and 811.Appendix B to incorporate the two new financial mechanisms into Illinois' rules. Finally, the Board proposes several grammatical changes to the text of the amended rules.

Upon publication of the amendments in the *Illinois Register*, a 45-day public comment period will begin.

Public comments may be directed to the Clerk of the Board, Dorothy Gunn.

Any questions regarding this rulemaking may be directed to Michael McCambridge at 312/814-6924; e-mail address: mmccambr@pcb084r1.state.il.us



APPELLATE UPDATE

The Village of Fox River Grove v. The Illinois Pollution Control Board, et al., No. 97-156 (1998)

Second District Appellate Court Affirms Board's Permit Appeal Decision in The Village of Fox River Grove v. IEPA (December 18, 1997), PCB 97-156

On November 5, 1998, the Illinois Appellate Court, Second District, affirmed the Board's decision in this National Pollution Discharge Elimination System (NPDES) permit appeal. In its December 18, 1997 decision, the Board affirmed the Illinois Environmental Protection Agency's (IEPA) permit decision denying, in part, the Village of Fox River Grove's (Village) request to eliminate certain restrictions in its NPDES for its wastewater treatment facility (facility). The permit was issued to the Village by the IEPA.

The case involved the interpretation of 35 Ill. Adm. Code 304.120(c) regarding the establishment of effluent standards, which served as the IEPA's basis for imposition of more stringent bio-oxygen demand (BOD₅) and total suspended solids (TSS) limits based on the facility's untreated waste load. In its opinion affirming the IEPA's permit decision, the Board found that issuing a permit with effluent limitations higher than 20 mg/L of BOD₅ and 25 mg/L of suspended solids would violate the provisions of Section 304.120(b). The Board concluded that the IEPA properly imposed the limitations set forth in Section 304.120(b).

On appeal, the Village asserted that Section 304.120(b) does not require inclusion of stricter effluent limits be included in the 1997 NPDES permit than were contained in prior permits. The Village also argued that the term "untreated waste load" as used in Section 304.120(b) means the amount of wastewater a treatment facility is designed to handle, not the amount of water flow the plant is designed to

handle. The Village, therefore, contended that the Board erred in concluding that the hydraulic capacity of the facility instead of the organic loading should be used to determine the facility's untreated waste load.

The appellate court found that the Board correctly determined that the facility's hydraulic flow rather than its organic loading should be used to determine the population equivalents (PE) for purposes of determining the applicability of the stricter effluent limits set forth in Section 304.120(b). The court looked to Section 301.345 which provides that the impact on the facility is evaluated by the highest of the three specified parameters: the flow of sewage, the BOD₅, and the TSS. The highest parameter is the flow of sewage at 100 gallons per day. The court found that, as the facility in this case is designed to process 1.25 million gallons per day, the impact would be measured at 12,500 PE, which would require the facility to adhere to the stricter standard set forth in Section 304.120(b).

The Village also alleged that, in light of the fact that there have been no changes to the applicable regulations or in the way the facility operates, both the IEPA and the Board should be bound by the IEPA's prior interpretation of Section 304.120(b). While prior to 1997, the IEPA had incorrectly interpreted the language of Section 304.120(b), the court found that the IEPA and the Board were not bound by that prior interpretation. The court noted that requiring the Village to meet the stricter effluent standards is more in keeping with the goal of the Environmental Protection Act, rather than ignoring the requirements of Section 304.120(b) by refusing the correct the prior erroneous interpretation of that section.

The appellate court chose to publish some, but not all of this decision. The part affirming the Board's interpretation of its own rules will be published; the part concerning the Board's analysis of the effect of the IEPA's prior misinterpretation of Section 304.120(b) will not be published.



ESG Watts, Inc. v. Pollution Control Board, Nos. 3-98-0231 and 3-98-0385 (November 1998)

Third District Appellate Court Dismisses Two Appeals for Lack of Jurisdiction in People of the State of Illinois v. ESG Watts, Inc. (February 5, 1998), PCB 96-107 and People of the State of Illinois v. ESG Watts, Inc. (April 16, 1998), PCB 96-233

On November 11, 1998, the Illinois Appellate Court, Third District, granted the Board's motions to dismiss the above-captioned appeals for lack of jurisdiction. On February 5, 1998, and April 16, 1998, respectively, the Board issued a final opinion and order in People of the State of Illinois v. ESG Watts, Inc. (February 5, 1998), PCB 96-107 and People of the State of Illinois v. ESG Watts, Inc. (April 16, 1998), PCB 96-233. In these decisions, the Board found that ESG Watts, Inc. violated various sections of the Illinois Environmental Protection Act and Board regulations in its operation of both the Taylor Ridge landfill in Rock Island, County, and the Viola landfill in Mercer County.

On March 20, 1998, and May 13, 1998, ESG Watts, Inc. (Watts) filed petitions for review of the Board's decisions. The Board moved to dismiss the appeals for lack of jurisdiction because Watts failed to name the People of the State of Illinois as a respondent in the petitions for appeal. The court agreed that Sections 3-107 and 3-113 of the Administrative Review Law (735 ILCS 5/3-107(b), 113(b) (1996)) and Illinois Supreme Court Rule 335(a) require that the People of the State of Illinois be named as a respondent because they were a necessary party to the administrative review proceedings.

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West Suburban Recycling and Energy Center, L.P. v. IEPA, Nos. 1-96-3923 and 1-96-4399 (November 1998)

First District Appellate Court Affirms in Part and Reverses in Part the Board's Decision and Orders Issuance of Air and Land Permits in IEPA v. West Suburban Recycling and Energy Center, L.P., (October 17, 1996), PCB 95-119 and PCB 95-125 (Consolidated)

On November 16, 1998, the Illinois Appellate Court, First District, issued an opinion affirming in part and reversing in part the Board's decisions concerning air and land permits denied by the Illinois Environmental Protection Agency (IEPA). The permits requested by West Suburban Recycling and Energy Center, L.P.'s (WSREC) were necessary to implement its plan to build a waste incinerator in the Villages of Summit and McCook in Cook County. The effect of the court's order is to require the Agency to issue both an air and land permit to WSREC.

Specifically, the court affirmed the Board's decision to remand the Agency's denial of a land permit to the IEPA with instructions to issue the land permit. The

court found that the Board's land permit decision was not against the manifest weight of the evidence. The court also found that the Board correctly refused to hear arguments from the IEPA regarding the alleged differences between the facility proposed in WSREC's application and that approved by the local city because the Environmental Protection Act (Act) bars the IEPA from asserting, or the Board from considering, arguments supporting a permit denial that were not stated in the IEPA denial letter. Finally, the court found that the Board did not improperly impose special conditions upon the IEPA's issuance of the land permit.

The court reversed the Board's decision affirming the IEPA's denial of the air permit and remanded the matter to the Board with instructions to order the IEPA to issue the air permit. The court found convincing WSREC's evidence that its proposed system is the best available control technology for NO_x, dioxin/furan, and mercury emissions. The court, therefore, concluded that this evidence outweighs the IEPA's assertions that another system may provide superior control technology. Because the emissions limits should not be set at levels which could be exceeded simply as a matter of variability in normal operations, the court found that the IEPA's decision to uphold denial point 1.b(2) in the air permit was against the manifest weight of the evidence.

Besides the substantive issues concerning the permit appeals, the court also considered one important jurisdictional issue. The court interpreted Section 40(a)(1) of the Act (415 ILCS 5/40(a)(1) (1996)) as allowing an extension of the initial 35-day appeal period for 90 days, rather than up to 90 days. The effect of this interpretation is that the maximum appeal period is 125 days (35-day initial appeal period plus 90-day extension period), not a total of 90 days (35-day initial period plus 55-day extension period).

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John P. Murphy and Paul Spicer, et al. v. Landfill, L.L.C., et al., No. 5-98-0443, (1998)

Fifth District Appellate Court Dismisses Appeal for Want of Prosecution in Board Case Environmentally Concerned Citizens Organization and Beth Finney v. Landfill, L.L.C., et al. (May 7, 1998), PCB 98-98.

On November 4, 1998, the Illinois Appellate Court, Fifth District, dismissed the appeal of John P.

Murphy and Paul Spicer, *et al.*, for want of prosecution. The appeal involved a May 7, 1998 Board decision approving the decision of the Saline County Board of Commissioners to grant the siting of a regional pollution control facility owned by Landfill, L.L.C. and West End Disposal Facility.

Appellants' brief was due on September 21, 1998; however appellants failed to file a brief. The court dismissed the appeal pursuant to Supreme Court Rule 343.

BOARD ACTIONS ♦ NOVEMBER 5, 1998

RULEMAKINGS

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

ADMINISTRATIVE CITATIONS

- AC 99-6** IEPA v. Lawrence County Disposal Centre, Inc. and S & S Grading of Illinois, Inc. - The Board granted Lawrence County Disposal Centre, Inc.'s (County Disposal) motion to reconsider and vacated the September 17, 1998 Board order to the extent that it entered a default order against County Disposal. The Board dismissed County Disposal from this matter, and again issued a default order against S & S Grading of Illinois, Inc. 7-0
- AC 99-8** IEPA v. William Burr and Shirley Burr - In response to a joint stipulation and settlement agreement in this administrative citation action involving a Marion County facility, the Board found respondents violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (1996)) and ordered respondents to pay a civil penalty of \$500. 7-0
- AC 99-11** IEPA v. Kenneth Dilenbeck - The Board found that this Henry County respondent violated Sections 21(p)(1) and 21(p)(3) of the Environmental Protection Act (415 ILCS 5/21(p)(1), 21(p)(3) (1996)) and ordered respondent to pay a civil penalty of \$1,000. 7-0
- AC 99-12** IEPA v. Browning-Ferris Industries of Iowa, Inc. - The Board found that this Rock Island County respondent violated Section 21(o)(5) of the Environmental Protection Act (415 ILCS 5/21(o)(5) (1996)) and ordered respondent to pay a civil penalty of \$500. 7-0

ADJUDICATORY CASES

DECISIONS

- PCB 97-92** People of the State of Illinois v. Victor G. Heuermann - The Board granted relief from the hearing requirement of Section 31(c)(2) of the Environmental Protection Act (415 ILCS 5/31(c)(2) (1996)), accepted a stipulation and settlement agreement in this water enforcement action involving a Peoria County facility, and ordered respondent to pay a civil penalty of \$30,000, and to cease and desist from further violations. 7-0
- PCB 97-138** People of the State of Illinois v. LeRoy Cech d/b/a L & K American Wrecking - The Board granted relief from the hearing requirement of Section 31(c)(2) of the Environmental Protection Act (415 ILCS 5/31(c)(2) (1996)), accepted a stipulation and settlement agreement in this air enforcement action involving a Cook County facility, and ordered respondent to pay a civil penalty of \$2,000, and to cease and desist from further violations. 7-0

PROVISIONAL VARIANCES

- PCB 99-58** City of Du Quoin v. IEPA - Upon receipt of an Agency recommendation, the Board granted this Perry County facility a 45-day provisional variance, subject to conditions, from the limits for ammonia nitrogen, carbonaceous biochemical oxygen demand and total suspended solids set forth in 35 Ill. Adm. Code 302.212, 304.141(a) and 304.120. 7-0
- PCB 99-59** Mobil Oil Corporation v. IEPA - Upon receipt of an IEPA recommendation, the Board granted a 30-day provisional variance to this Will County facility from the 90-day limitation on the accumulation of hazardous wastes, as set forth in 35 Ill. Adm. Code 722.134(b). 7-0

MOTIONS AND OTHER MATTERS

- PCB 93-205** Safety-Kleen Corporation, Dolton Recycle Center v. IEPA - The Board granted petitioner's motion for withdrawal of this Resource Conservation and Recovery Act permit appeal involving a Cook County facility 7-0
- PCB 95-38** General Electric Company v. IEPA - The Board granted petitioner's motion for withdrawal of this National Pollutant Discharge Elimination System permit appeal involving a Whiteside County facility. 7-0

PCB 96-62 PCB 97-181	<u>Sequa Corporation, Precoat Metals Division v. IEPA</u> - The Board granted petitioner's motion for withdrawal of these consolidated air permit appeals involving the same Madison County facility.	7-0
PCB 97-121	<u>Matteson WHP Partnership v. James W. Martin and Eva D. Martin, individually and d/b/a Martin's of Matteson-</u> The Board denied respondent's motion for summary judgment in this citizen's Resource Conservation and Recovery Act enforcement action involving a Cook County facility.	7-0
PCB 97-203	<u>People of the State of Illinois v. Spirco Environmental, Inc.</u> - The Board granted complainant's motion for extension of time to file its brief.	7-0
PCB 98-57	<u>Edward J. and Janina E. Klich v. Wal-Mart Stores, Inc. (Facility #1003)</u> - The Board granted the parties' motion for withdrawal of this citizen's noise enforcement action involving a Kendall County facility.	7-0
PCB 98-130	<u>Gilster-Mary Lee Corporation v. IEPA</u> - The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal involving a Randolph County facility.	7-0
PCB 98-131	<u>Gilster-Mary Lee Corporation v. IEPA</u> - The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal involving a Randolph County facility.	7-0
PCB 98-168	<u>Good-Wood Finishing Company/Serlin Iron & Metal Company, Inc. v. IEPA</u> - The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal involving a Cook County facility.	7-0
PCB 99-8	<u>Maple Investments, L.C. v. IEPA</u> - The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal involving a Macon County facility.	7-0
PCB 99-19	<u>Anthony and Karen Roti, Paul Rosenstock, and Leslie Weber v. LTD Commodities</u> - The Board granted respondent's motion to dismiss in part and denied it in part. The Board dismissed the alleged violation of Section 23 of the Environmental Protection Act (Act) (415 ILCS 5/23 (1996)) from the complaint. The remaining issues of alleged violations of Section 24 of the Act and 35 Ill. Adm. Code 900.102, 901.102(a), 901.102(b), and 901.104 of the Board's noise regulations, will be addressed at hearing.	7-0

- PCB 99-33** Brickyard Disposal & Recycling, Inc. v. IEPA - Having previously granted a request for a 90-day extension, the Board dismissed the matter because no permit appeal was timely filed on behalf of this Vermilion County facility. 7-0
- PCB 99-52** Central Illinois Light Company v. IEPA - The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of a Tazewell County facility. 7-0
- PCB 99-53** Deer Creek Mackinaw Community Unit School District #701 v. IEPA - The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of a Tazewell County facility. 7-0
- PCB 99-54** Sullivan Community Unit School District #300 v. IEPA - The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of a Moultrie County facility. 7-0
- PCB 99-55** People of the State of Illinois v. Symons Corporation - Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this air enforcement action against a Cook County facility, the Board ordered publication of the required newspaper notice. 7-0
- PCB 99-56** Illinois State Toll Highway Authority v. IEPA (Lake Forest Oasis-West I-94, South Bound) 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 Lake County facility. 7-0
- PCB 99-57** XCTC Limited Partnership 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. 7-0

BOARD ACTIONS ♦ NOVEMBER 12, 1998

RULEMAKINGS

- R97-16** In the Matter of: Proportionate Share Liability (35 Ill. Adm. Code 741) - For the purpose of soliciting additional public comments, the Board adopted a proposed second notice opinion and order in this rulemaking to establish procedures for determining proportionate share liability in environmental actions. The Board will accept public comments on the proposed second notice through November 23, 1998. 6-1
Flemal
dissented
-

BOARD ACTIONS ♦ NOVEMBER 19, 1998

RULEMAKINGS

- R97-29** In the Matter of: Amendments to Requirements for Landscape Waste Compost Facilities, 35 Ill. Adm. Code 830.203, 831.107, and 831.109(b)(3) - The Board adopted a final opinion and order in this rulemaking to amend the location standards for compost facilities to establish a setback requirement from schools, hospitals, and various other facilities. 7-0
- R99-6** In the Matter of: SDWA Update, USEPA Regulations (January 1, 1998, through June 30, 1998) - The Board adopted a proposal for public comment in this "identical-in-substance" rulemaking to amend the Board's public water supply regulations. 7-0

ADJUSTED STANDARDS

- AS 98-4** In the Matter of: Petition of Sundstrand Corporation for an Adjusted Standard from 35 Ill. Adm. Code 215.204(j)(3) - The Board granted petitioner's motion for withdrawal of this petition for an adjusted standard involving a Winnebago County facility. 7-0

ADMINISTRATIVE CITATIONS

- AC 99-13** County of Jackson v. Douglas Adams - The Board found that this Jackson 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
- AC 99-14** County of Vermilion v. Illinois Landfills, Inc. - The Board found that this Vermilion County respondent violated Sections 21(o)(12) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (1996)) and ordered respondent to pay a civil penalty of \$500. 7-0

ADJUDICATORY CASES

DECISIONS

- PCB 99-41** White Cap, Inc. v. IEPA - The Board granted this Cook County facility a variance, subject to conditions, from the testing requirements found at 35 Ill. Adm. Code 218.105(b), 218.105(c), 218.207, and 218.211. 7-0

MOTIONS AND OTHER MATTERS

- PCB 96-180** Environmental Site Developers, Inc. v. White & Brewer Trucking, Inc. - The Board granted the parties' joint motion to extend stay of proceedings until February 16, 1999. 7-0
- PCB 97-66** People of the State of Illinois v. D'Angelo Enterprises, Inc. - The Board granted in part and denied in part both complainant's and respondent's motions for summary judgment. The remaining issues in this Resource Conservation and Recovery Act enforcement action involving a Cook County facility will be addressed at hearing. 7-0

- PCB 97-103** People of the State of Illinois v. State Oil Company, William Anest, an individual f/d/b/a S & S Petroleum Products, Peter Anest, an individual f/d/b/a S & S Petroleum Products, Charles Abraham, an individual, Josephine Abraham, an individual, and Millstream Service, Inc. - The Board granted respondents Anests' motion to dismiss respondents Abrahams' cross-claim. The Board denied respondents Anests' motion for summary judgment and, in doing so, granted both complainant's and the Anests' motions to strike. The remaining issues in this land and water enforcement action involving a McHenry County facility will be addressed at hearing. 7-0
- PCB 97-104** Continental Waste Industries of Illinois, Inc. v. IEPA - The Board granted petitioner's motion for voluntary dismissal of this land permit appeal involving a Jefferson County facility. 7-0
- PCB 98-61** People of the State of Illinois v. James Patton, an individual d/b/a A & J Manufacturing - Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this Resource Conservation and Recovery Act enforcement action against a Cook County facility, the Board ordered publication of the required newspaper notice. 7-0
- PCB 98-84** Scott Behrmann and Shelly Behrmann v. Okawville Farmers Elevator-St. Libory - The Board struck complainants' request for attorney fees and expert witness fees, and denied the remaining issues presented in respondents' motion to dismiss. The remaining issues in this citizens' noise enforcement action involving a St. Clair County facility will be addressed at hearing. 7-0
- PCB 98-89** People of the State of Illinois v. Fischer Crane Company - Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this Resource Conservation and Recovery Act enforcement action against a Will County facility, the Board ordered publication of the required newspaper notice. 7-0
- PCB 98-151** John Boos & Company v. IEPA - The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal involving an Effingham County facility. 7-0
- PCB 98-156** Richard and Wilma Salyer v. IEPA - Board granted in part and denied in part respondents' motion for summary judgment. The remaining issues in this underground storage tank appeal involving a DuPage County facility will be addressed at hearing. 7-0

PCB 99-30	<u>Lucille Wathen v. Daniel & Wendy Stryker</u> - The Board granted complainant's motion to amend caption in this citizen's noise enforcement action involving a Cook County facility.	7-0
PCB 99-44	<u>Butterick Company, Inc. v. IEPA</u> - The Board granted petitioner's motion to consolidate this action with PCB 96-141 and accepted this underground storage tank appeal involving a Cook County facility for hearing.	7-0
PCB 99-48	<u>United States Department of the Interior-Crab Orchard National Wildlife Refuge v. IEPA</u> - The Board granted the Illinois Environmental Protection Agency's motion to correct the October 1, 1998 Board order.	7-0
PCB 99-60	<u>The Pillsbury Company v. IEPA</u> - The Board granted petitioner's motion for counsel to appear before the Board <i>pro hac vice</i> and accepted this trade secret appeal involving a Kane County facility.	7-0
PCB 99-61	<u>Illinois State Toll Highway Authority (Schiller Park/O'Hare Oasis - East) 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
PCB 99-62	<u>Illinois State Toll Highway Authority (Des Plaines/Des Plaines Oasis) 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 Melas abstained
PCB 99-63	<u>Estate of Sam Kugler 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 Mercer County facility.	7-0

NEW CASES

NOVEMBER 5, 1998

99-52 Central Illinois Light Company v. IEPA - The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of a Tazewell County facility.

99-53 Deer Creek Mackinaw Community Unit School District #701 v. IEPA - The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of a Tazewell County facility.

99-54 Sullivan Community Unit School District #300 v. IEPA - The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of a Moultrie County facility.

99-55 People of the State of Illinois v. Symons Corporation - 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.

99-56 Illinois State Toll Highway Authority v. IEPA (Lake Forest Oasis-West I-94, South Bound) 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 Lake County facility.

99-57 XCTC Limited Partnership 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.

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

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

99-63 Estate of Sam Kugler v. IEPA - The Board granted this request for a 90-day extension of time to

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

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

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

NEW CASES

NOVEMBER 19, 1998

99-44 Butterick Company, Inc. v. IEPA - The Board granted petitioner's motion to consolidate this action with PCB 96-141 and accepted this underground storage tank appeal involving a Cook County facility for hearing.

99-60 The Pillsbury Company v. IEPA - The Board granted petitioner's motion for counsel to appear before the Board *pro hac vice* and accepted this trade secret appeal involving a Kane County facility.

99-61 Illinois State Toll Highway Authority (Schiller Park/O'Hare Oasis - East) 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.

99-62 Illinois State Toll Highway Authority (Des Plaines/Des Plaines Oasis) 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.

file an underground storage tank appeal on behalf of a Mercer County facility.

99-64 Jean S. Dixon v. Joseph Behr & Sons, Inc. - The Board held for a later duplicitous/frivolous determination this citizen's noise enforcement action involving a Winnebago County facility.

99-65 People of the State of Illinois v. Cheetah Cartage, Inc. - The Board accepted for hearing this land enforcement action against a Kane County facility.

99-66 People of the State of Illinois v. Dale Bennett - The Board accepted for hearing this water enforcement action against a Stark County facility.

AC 99-19 County of LaSalle v. Rachel Southcombe - The Board accepted an administrative citation against this LaSalle County respondent.

AS 99-5 In the Matter of: Petition of Abbott Laboratories for an Adjusted Standard from 35 Ill. Adm. Code 302.208 and 304.105 - The Board acknowledged receipt of this petition for an adjusted standard on behalf of a Lake County facility and held it pending receipt of certificate of publication.

CALENDAR OF MEETINGS

Date & Time	Docket Number	Case Name	Location of Hearing
12/3/98 10:30am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 West Randolph Street Suite 9-040 Chicago, IL
12/7/98 9:30 am	AC 98-4	County of Sangamon v. ESG Watts, Inc. (Springfield Township/Sangamon County Landfill) Sangamon County Docket No. SCDPH 97-AC-1	Illinois Police Training Board, 3rd Floor Conference Room 600 South Second Street Springfield, IL
12/7/98 9:30 am	PCB 98-2	ESG Watts, Inc. (Sanamon Valley Landfill) v. Sangamon County, Illinois	Illinois Police Training Board, 3rd Floor Conference Room 600 South Second Street Springfield, IL
12/8/98 9:30 am	AC 98-4	County of Sangamon v. ESG Watts, Inc. (Springfield Township/Sangamon County Landfill) Sangamon County Docket No. SCDPH 97-AC-1	Illinois Police Training Board, 3rd Floor Conference Room 600 South Second Street Springfield, IL
12/8/98 9:30 am	PCB 98-2	ESG Watts, Inc. (Sanamon Valley Landfill) v. Sangamon County, Illinois	Illinois Police Training Board, 3rd Floor Conference Room 600 South Second Street Springfield, IL
12/8/98 10:00 am	PCB 98-81	Charter Hall Homeowner's Association and Jeff Cohen v. Overland Transportation System, Inc. and D.P. Cartage, Inc.	James R. Thompson Center, 100 West Randolph Street, Room 8-031 Chicago, IL
12/8/98 10:00 am	R99-8	In the Matter of: Permitting Procedures for the Lake Michigan Basin: 35 Ill. Adm. Code 301 and 309.141	Pollution Control Board Suite 402, Room 403 600 South Second Street Springfield, IL
12/9/98 9:30 am	AC 98-4	County of Sangamon v. ESG Watts, Inc. (Springfield Township/Sangamon County Landfill) Sangamon County Docket No. SCDPH 97-AC-1	Illinois Police Training Board, 3rd Floor Conference Room 600 South Second Street Springfield, IL
12/9/98 9:30 am	PCB 98-2	ESG Watts, Inc. (Sanamon Valley Landfill) v. Sangamon County, Illinois	Illinois Police Training Board, 3rd Floor Conference Room 600 South Second Street Springfield, IL
12/9/98 10:00 am	PCB 98-81	Charter Hall Homeowner's Association and Jeff Cohen v. Overland Transportation System, Inc. and D.P. Cartage, Inc.	James R. Thompson Center, 100 West Randolph Street, Room 8-033 Chicago, IL
12/17/98 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 West Randolph Street Suite 9-040 Chicago, IL

12/17/98 1:00 pm	AS 99-3	Petition of Big River Zinc Corporation for Adjusted Standard Under 35 Ill. Adm. Code 720.131(c)	St. Clair County Building 10 Public Square, Room 407 Belleville, IL
1/7/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
1/21/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
1/21/99 1:00 pm	R 99-10	Hospital/Medical/Infectious Waste Incinerators: Adoption of 35 Ill. Adm. Code 229	James R. Thompson Center 100 W. Randolph Street Suite 9-031 Chicago, IL
2/3/99 3:00 pm	R99-10	Hospital/Medical/Infectious Waste Incinerators: Adoption of 35 Ill. Adm. Code 229	Illinois Pollution Control Board 600 S. Second Street Suite 402 Springfield, IL
2/4/99 11:30 am		Illinois Pollution Control Board Meeting	600 S. Second Street Suite 402 Springfield, IL
2/11/99 1:00 pm	R99-10	Hospital/Medical/Infectious Waste Incinerators: Adoption of 35 Ill. Adm. Code 229	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
2/18/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
3/4/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
3/18/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
4/1/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
4/15/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL

5/6/99 11:30 am		Illinois Pollution Control Board Meeting	600 S. Second Street Suite 402 Springfield, IL
5/20/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
6/3/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
6/17/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
7/8/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
7/22/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
8/5/99 11:30 am		Illinois Pollution Control Board Meeting	600 S. Second Street Suite 402 Springfield, IL
8/19/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
9/9/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
9/23/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
10/7/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 2-025 Chicago, IL
10/21/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL

11/4/99 11:30 am		Illinois Pollution Control Board Meeting	600 S. Second Street Suite 402 Springfield, IL
11/18/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
12/2/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL
12/16/99 10:30 am		Illinois Pollution Control Board Meeting	James R. Thompson Center 100 W. Randolph Street Suite 9-040 Chicago, IL

ILLINOIS POLLUTION CONTROL BOARD MEETING DATES

The following are regularly scheduled meetings of the Illinois Pollution Control Board.

REGULAR BOARD MEETING SCHEDULE FOR CALENDAR YEAR 1998/1999*

January 07	March 04	May 06*	July 08
January 21	March 18	May 20	July 22
February 04*	April 01	June 03	August 05*
February 18	April 15	June 17	August 19

All Chicago Board Meetings will be held at 10:30 am in Conference Room 9-040 except for those noted.

***All Springfield Board Meetings will be held in Suite 402.**

The Illinois Pollution Control Board (IPCB) is an independent seven member board which adopts the environmental control standards for the State of Illinois and rules on enforcement actions and other environmental disputes. The Board Members are:

Claire A. Manning, Chairman
Springfield

Ronald C. Flemal
DeKalb

G. Tanner Girard
Grafton

Kathleen M. Hennessey
Western Springs

Marili McFawn
Inverness

Nicholas J. Melas
Chicago

Joseph Yi
Park Ridge

The *Environmental Register* is a newsletter published by the IPCB monthly, and contains updates on rulemakings, descriptions of final decisions, the Board's hearing calendar, and other environmental law information of interest to the People of the State of Illinois.

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