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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD DEC - 9 1998

PEOPLE OF THE STATE OF ILLINOIS,  
  
Complainant,

v.

MIDWEST GRAIN PRODUCTS  
OF ILLINOIS, INC.,

Respondents.

STATE OF ILLINOIS  
Pollution Control Board

PCB NO. 97-179

**NOTICE OF FILING**

To: Mr. Charles Merrill  
Ms. Amy Wachs  
Ms. Tracy S. Menges  
Husch & Eppenberger  
100 N. Broadway, Suite 1300  
St. Louis, Missouri 63102

Amy Symons- Jackson, Esq.  
Hearing Officer  
Illinois Pollution Control Board  
600 South Second Street, Suite 402  
Springfield, Illinois 60601

PLEASE TAKE NOTICE that on this date I mailed for filing with the Clerk of the Pollution Control Board of the State of Illinois, JOINT STATUS REPORT, a copy of which is attached hereto and herewith served upon you.


Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

JAMES E. RYAN  
Attorney General of the  
State of Illinois

MATTHEW J. DUNN, Chief  
Environmental Enforcement/Asbestos  
Litigation Division

BY:

  
JANE E. MCBRIDE  
Assistant Attorney General  
Environmental Bureau

500 South Second Street  
Springfield, Illinois 62706  
217/782-9031

Dated: 12/2/98

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STATE OF ILLINOIS  
*Pollution Control Board*

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

|                                  |   |             |
|----------------------------------|---|-------------|
| PEOPLE OF THE STATE OF ILLINOIS, | ) |             |
|                                  | ) |             |
| Complainant,                     | ) | PCB 97-179  |
| v.                               | ) | Enforcement |
|                                  | ) |             |
| MIDWEST GRAIN PRODUCTS OF        | ) |             |
| ILLINOIS, INC.                   | ) |             |
| Respondent.                      | ) |             |

**JOINT STATUS REPORT**

The Complainant, People of the State of Illinois, by its attorney, James E. Ryan, the Attorney General of the State of Illinois, pursuant to Hearing Officer Order of June 11, 1998, and with consent of counsel for the Respondent, Midwest Grain Products of Illinois, Inc., hereby files the following status report.

1. The Complaint was filed in this case on April 7, 1997.
2. Midwest Grain continues to work with the Illinois EPA toward the issuance of a PSD permit.
3. Midwest Grain is currently waiting for written confirmation from the Illinois EPA on the method of calculation of increased emissions due to plant expansion to be used in dispersion modeling. It is acknowledged that Midwest Grain requested this written confirmation in a letter from August Mack Environmental, Inc. to the Illinois EPA dated June 12, 1998. Counsel for the Complainant will continue efforts to facilitate a response from her client.
4. It is the Complainant's belief that it is in the best interest of the parties that settlement negotiations be allowed to continue and that discovery and the hearing be postponed.

WHEREFORE, Complainant requests that discovery and the hearing be postponed in this matter.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

JAMES E. RYAN, Attorney General  
of the State of Illinois

MATTHEW J. DUNN, Chief  
Environmental Enforcement/Asbestos  
Litigation Division

BY:

  
JANE E. MCBRIDE  
Assistant Attorney General

500 S. Second Street  
Springfield, Illinois 62706  
(217) 782-9031

## CERTIFICATE OF SERVICE

I hereby certify that I did on the 7th day of December, 1998, send by Certified Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instruments entitled JOINT STATUS REPORT

To: Mr. Charles Merrill  
Ms. Amy Wachs  
Ms. Tracy S. Menges  
Husch & Eppenberger  
100 N. Broadway, Suite 1300  
St. Louis, Missouri 63102

and the original and ten copies by First Class Mail with postage thereon fully prepaid of the same foregoing instrument(s)

To: Dorothy Gunn, Clerk  
Illinois Pollution Control Board  
State of Illinois Center  
Suite 11-500  
100 West Randolph  
Chicago, Illinois 60601

A copy was also sent by First Class Mail with postage thereon fully prepaid

To: Amy L. Symon-Jackson, Esq.  
Hearing Officer  
Pollution Control Board  
600 South Second Street, Suite 402  
Springfield, Illinois 62704-2542

  
JANE E. MCBRIDE  
Assistant Attorney General

This filing is submitted on recycled paper.



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STATE OF ILLINOIS  
Pollution Control Board

**OFFICE OF THE ATTORNEY GENERAL**  
STATE OF ILLINOIS

**Jim Ryan**  
ATTORNEY GENERAL

December 7, 1998

The Honorable Dorothy Gunn  
Illinois Pollution Control Board  
State of Illinois Center  
100 West Randolph  
Chicago, IL 60601

Re: People v. Midwest Grain Products of Illinois, Inc.  
PCB No. 97-179

Dear Clerk Gunn:

Enclosed for filing please find the original and ten copies of a JOINT STATUS REPORT in the above-captioned matter. Please file the original and return a file-stamped copy of the documents to our office in the enclosed self-addressed stamped envelope.

Thank you for your cooperation and consideration.

Sincerely,

Jane E. McBride  
Environmental Bureau  
500 South Second Street  
Springfield, Illinois 62706

JEM:cc  
Enclosures