

Environmental Register

NUMBER 544

OCTOBER 1999



A PUBLICATION OF THE ILLINOIS POLLUTION CONTROL BOARD

FEDERAL ACTIONS

United States Environmental Protection Agency Proposes Revisions to the Water Quality Planning and Management Regulations, National Pollutant Discharge Elimination System Program, and Federal Antidegradation Policy

On October 1, 1999, the United States Environmental Protection Agency (USEPA) issued proposed rules to revise, clarify, and strengthen the current regulatory requirements for identifying impaired waters and establishing total maximum daily loads (TMDLs) under the Clean Water Act; revisions to the Water Quality Planning and Management Regulations; and revisions to the National Pollutant Discharge Elimination System (NPDES) program and the federal antidegradation policy. 64 Fed. Reg. 46012, 46058, and 53304 (October 1, 1999). The USEPA states that these proposed revisions address issues of fundamental importance for cleaning up our nation's polluted waters. The USEPA believes that listing impaired and threatened waters and establishing TMDLs are fundamental tools for identifying remaining sources of water pollution and achieving water quality goals. Clean-up plans that are developed consistent with these regulatory proposals are designed to restore the health of thousands of miles of river and shoreline and make millions of lake acres safe for their designated uses. To allow for adequate analysis of the issues, the USEPA has extended the public comment period until December 22, 1999.

 FEDERAL ACTIONS CONTINUED ON PAGE TWO

STAFF UPDATE

Erin Conley has joined the Board as the new Rules Coordinator. Ms. Conley will be developing a centralized rules policy and coordinating the Board's rulemaking activities. She graduated in 1994 from Southern Illinois University in Carbondale with a B.A. in Plant Biology. She spent one year at the Joint Committee on Administrative Rules analyzing agency rules including those of the Board, IEPA, and DNS, and was also involved with environmental programs of DPH. Ms. Conley has three children Elaina (4), Ethan (2), and Dylan (2 months). She will work from the Board's Springfield office.

Gertrude Kelly has also joined the Board as Chairman Manning's Chicago attorney assistant. Ms. Kelly has practiced environmental and regulatory law in both government and private sector settings. She earned her undergraduate degree from the University of Illinois and her J.D. from Capital University. Ms. Kelly will work out of the Board's Chicago office.

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FEDERAL ACTIONS CONTINUED

Send written comments on the proposed revisions to the Water Quality Planning and Management Regulations to: Comment Clerk for the TMDL Program Rule, Water Docket (W-98-31), USEPA, 401 M Street, SW, Washington, DC 20460. Send written comments on the revisions to the NPDES program and federal antidegradation policy in support of the proposed revisions to the Water Quality Planning and Management Regulations to: Comment Clerk, Water Docket (W-99-04), USEPA, 401 M Street, SW, Washington, DC 20460

United States Environmental Protection Agency Adopts National Emission Standard for Radon Emissions from Phosphogypsum Stacks

On October 1, 1999, the United States Environmental Protection Agency (USEPA) adopted a minor clarifying amendment to the final regulations for the national emission standard for radon emissions from phosphogypsum stacks, found at 40 C.F.R. Part 61, Subpart R, which were originally adopted on February 3, 1999 (64 Fed. Reg. 5574 (February 3, 1999)). The rule adopted February 3, 1999, promulgated revisions to the National Emission Standard for Hazardous Air Pollutants (NESHAPs) that set limits on radon emissions from phosphogypsum stacks; and raised the limit on the quantity of phosphogypsum that may be used in indoor laboratory research and development from 700 to 7,000 pounds per experiment, eliminating current sampling requirements for phosphogypsum used in indoor research and development, and clarifying sampling procedures for phosphogypsum removed from stacks for other purposes. The correcting amendment clarifies a reference to subsection (b) in Section 61.205 of the NESHAPs (40 C.F.R. § 61.205(b)). This correcting amendment is directly applicable in Illinois, without further rulemaking in accordance with Section 9.1(b) of the Environmental Protection Act (415 ILCS 5/9.1(b) (1998)).

United States Environmental Protection Agency Proposes Amendments to the Final Water Quality Guidance for the Great Lakes System to Prohibit Mixing Zones for Bioaccumulative Chemicals of Concern

On October 4, 1999, the United States Environmental Protection Agency (USEPA) proposed amendments to the final water quality guidance for the Great Lakes system (Guidance) (40 C.F.R. Part 132) to prohibit mixing zones for bioaccumulative chemicals of concern (BCCs) in the Great Lakes System, subject to a limited exception for existing discharges. 64 Fed. Reg. 53632 (October 4, 1999). For existing discharges, the proposed regulations would prohibit mixing zones for BCCs starting ten years after the publication date of the final BCC mixing zone rules. Under the proposed rules, new discharges of BCCs would be subject to the mixing zone prohibition immediately upon commencing discharge.

The USEPA promulgated a mixing zone provision similar to this proposed regulation as a part of the Guidance for the Great Lakes system required by Section 118(c)(2) of the Clean Water Act (33 U.S.C. § 1268(c)(2)). This provision was vacated by the United States Court of Appeals for the District of Columbia Circuit in American Iron & Steel Institute v. IEPA, 115 F.3d 979 (D.C. Cir. 1997).

Public comments should be filed with the USEPA by December 3, 1999: Mary Willis Jackson, Water Quality Branch (WT-15J), USEPA Region 5, 77 W. Jackson Blvd., Chicago, Illinois 60604.

If adopted by the USEPA, the Illinois Environmental Protection Agency will likely propose corresponding amendments to the Board's rules adopted in docket R97-25 (In the Matter of: Conforming Amendments for the Great Lakes Initiative: 35 Ill. Adm. Code Part 302.101; 302.105; 302.Subpart E; 303.443; and 304.222 (December 18, 1997)).

United States Environmental Protection Agency Issues Inadequacy Notice To Chicago, Illinois Regarding Ozone Attainment Demonstration for Mobile Source Emission Budgets

On October 20, 1999, the United States Environmental Protection Agency (USEPA) issued notice that attainment demonstration for the City of Chicago does not contain adequate mobile source emission budgets. 64 Fed. Reg. 56497 (October 20, 1999). On May 14, 1999, the District of Columbia Circuit Court in American Trucking Ass'n. v. USEPA, 175 F.3d 1027 (D.C. Cir. 1999) ruled that State Implementation Plans cannot be used for conformity determinations until the USEPA has affirmatively found them adequate. Since the April 30, 1998 submittal by the State of Illinois does not contain adequate budgets, the USEPA found that this attainment demonstration cannot be used for future conformity determinations.

United States Environmental Protection Agency Issues "Provision of Supplemental Information" and Request for Public Comment Regarding the Proposed Tier 2 Motor Vehicle Emissions Standards and Gasoline Sulfur Control Requirements for New Motor Vehicles

On October 27, 1999, the United States Environmental Protection Agency (USEPA) issued a "provision of supplemental information" and a request for public comment regarding the proposed tier 2 motor vehicle emissions standards and gasoline sulfur control requirements for new motor vehicles. 64 Fed. Reg. 57827 (October 27, 1999). The USEPA proposed a major program designed to significantly reduce the emissions of new passenger cars and light trucks, including pickup trucks, minivans, and sport utility vehicles (the "tier 2 program") (see 64 Fed. Reg. 26004 (May 13, 1999)). The proposed program combines requirements for cleaner vehicles and requirements for lower levels of sulfur in gasoline.

The provision of supplemental information was subsequently amended due to a May 14, 1999 ruling by the District of Columbia Circuit Court (American Trucking Ass'n v. USEPA, 175 F.3d 1027 (D.C. Cir. 1999)) regarding the recently promulgated national ambient air quality standards for ozone and particulate matter (PM). The amended provision also provided additional modeling information regarding the proposed one-hour ozone levels for areas where the one-hour ozone standard currently applies.

In light of the uncertain status of the eight-hour ozone standard resulting from the District of Columbia's ruling, the USEPA issued a notice on October 20, 1999, (see 64 Fed. Reg. 56497 (October 20, 1999)) proposing to rescind its earlier findings that the one-hour ozone standard is no longer applicable to certain areas that have attained the standard. The USEPA reported that this October 27, 1999 notice is to explain how the October 20, 1999 reinstatement proposal relates to the earlier proposal on vehicle and gasoline standards. This notice also provides additional one-hour ozone modeling and monitoring information for areas that would be affected by the proposed action.

Public comments must be sent by December 1, 1999, to:
USEPA, Air Docket (6102), Room M-1500, 401 M Street, S.W.,
Washington, D.C. 20460.

ENVIRONMENTAL REGISTER

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY DIVISION OF WATER POLLUTION CONTROL RESTRICTED STATUS LIST

In order to comply with 35 Illinois Administrative Code Section 306.401, Illinois Pollution Control Board Regulations, the Illinois EPA has prepared the following list of facilities which are on Restricted Status. Restricted Status is defined as the Agency determination that a sewer or lift station has reached hydraulic capacity or that a sewage treatment plant has reached design capacity, such that additional sewer connection permits may no longer be issued without causing a violation of the Act or Regulations. Please note that the list is continually being revised to reflect the current situation. Therefore, if you have any questions on the capability of a treatment facility or transport system, please contact this Agency for a final determination. This listing reflects the status as of September 30, 1999.

Facility names followed by an asterisk (*) indicates that construction is underway to ultimately alleviate problems which resulted in imposition of Restricted Status.

Facilities followed by a double asterisk (**) are additions to the list.

<u>FACILITY NAME</u>	<u>RESPONSIBLE AUTHORITY</u>	<u>COUNTY</u>	<u>CAPACITY</u>
Bourbonnais (Belle Aire Subd.)	Village of Bourbonnais	Kankakee	0
Camelot Utilities - Wastewater Collection System	Camelot Utilities	Will	0
Camp Point (a portion mh 60-68)	Village of Camp Point	Adams	0
Clearview S.D.	Clearview S.D.	McLean	0
Clinton Wastewater Collection System	City of Clinton	DeWitt	0
East Alton STP	City of East Alton	Madison	0
Farmington	City of Farmington	Fulton	0
Hinckley STP	Village of Hinckley	DeKalb	0
Hurst & Blairville Collection System	City of Hurst	Williamson	0
Maple Lawn Homes STP	Maple Lawn Homes	Woodford	0
Port Byron STP	Village of Port Byron	Rock Island	0
Rosewood Heights S.D. - Ninth Street LS	Rosewood Heights S.D.	Madison	0
South Palos Twp. S.D.	South Palos Twp.	South Palos Twp.	0
Taylorville-Shawnee Ave. Pump Station	City of Taylorville	Christian	0
Utilities Unlimited	Utilities Unlimited	Will	0
Viriden (Sewer System - Partial)	Viriden S.D.	Macoupin	0
Washington (Devonshire Estates)	City of Washington	Tazewell	0
Washington (Rolling Meadows)	City of Washington	Tazewell	0
Wauconda - Lakeview LS & Larksdale LS	Village of Wauconda	Lakes	0

Deletions from previous Quarterly Report: Astoria-Washington/Adams Overflows; Athens STP

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
 DIVISION OF WATER POLLUTION CONTROL
 CRITICAL REVIEW LIST

In order to comply with 35 Illinois Administrative Code Section 306.401, Illinois Pollution Control Board Regulations, the Illinois Environmental Protection Agency has prepared the following list of facilities which are on Critical Review. Critical Review as defined as the Agency determination that a sewer or lift station is approaching hydraulic capacity or that a sewage treatment plant is approaching design capacity such that additional sewer connection permit applications will require close scrutiny to determine whether issuance would result in a violation of the Act or Regulations. Please note that these lists are continually being revised to reflect the current situation. Therefore, if you have any questions on the capability of a treatment facility or transport system, please contact the Agency for a final determination. This listing reflects the status as of September 30, 1999.

Facilities followed by a double asterisk (**) are additions to the list.

FACILITY NAME	RESPONSIBLE AUTHORITY	COUNTY	REMAINING CAPACITY	PE ADDED SINCE LAST LIST
Athens STP**	City of Athens	Menard	194	0
Beardstown S.D.	City of Beardstown	Cass	1,787	0
Benton- Southeast STP	City of Benton	Franklin	60	0
Bethalto (L.S. #1)	Village of Bethalto	Madison	87	0
Bonnie Brae Forest Manor SD STP	Bonnie Brae Forest Manor SD	Will	110	0
Carrier Mills	Village of Carrier Mills	Saline	836	0
Carrollton	City of Carrollton	Greene	140	0
Chester STP	City of Chester	Randolph	485	0
Citizens Utilities C. of Ill Derby Meadows Utility Co STP	Citizens Utilites C. of Ill	Will	0	0
Citizens Utilities C. of Ill River Grange	Citizens Utilites C. of Ill	Will	10	0
Creve Coeur	Village of Creve Coeur	Tazewell	2,312	4
Downers Grove S.D.	Downers Grove S.D.	DuPage	5,212	75
Earlville	City of Earlville	LaSalle	127	14
East Dundee STP	Village of E. Dundee	Kane	689	0
Elkville	Village of Elkville	Jackson	6	0
Ferson Creek Utilities	Utilities, Inc.	Will	70	0
Herscher	Village of Herscher	Kankakee	300	0
Hoopeston	City of Hoopeston	Vermilion	0	0
LCPWD-Deerfield Rd. Interceptor	County of Lake Public Works Department	Lake	***	0
LCPWD-Diamond- Sylvan STP	County of Lake Public Works Department	Lake	0	19
Lake Barrington Home Owners Assn. STP	LBHOA	Lake	80	0
Lindhurst S.D.	Village of Lindhurst	Lake	1,470	230
McHenry - South STP & Green Street LS	City of McHenry	McHenry	To Be Determined	0
Moline (North Slope)	City of Moline	Rock Island	1,151	0
Morris	City of Morris	Grundy	105 275	
Mundelein STP	Village of Mundelein	Lake	0	0
Paris STP	City of Paris	Edgar	1,866	0
Rock Island (Main)	City of Rock Island	Rock Island	4,871	0
Thompsonville STP	Village of Thompsonville	Franklin	0	96
Wauconda - Remaining Collection System	Village of Wauconda	Lake	***	21

Deletions from previous Quarterly Report: Highland STP

***Contact IEPA - Permit Section

BOARD ACTIONS

OCTOBER 7, 1999

CHICAGO, ILLINOIS

ADMINISTRATIVE CITATIONS

AC 00-09 County of Will v. Steven F. Schmidt - The Board found that this Will County respondent violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (1998)), and ordered respondent to pay a civil penalty of \$500. **Vote 6-0**

AC 00-10 IEPA v. City of Aledo - The Board found that this Mercer County respondent violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (1998)), and ordered respondent to pay a civil penalty of \$500. **Vote 6-0**

AC 00-11 IEPA v. RCS, Inc. and Rickie Laird - The Board found that these Jersey County respondents violated Section 21(o)(5) of the Environmental Protection Act (415 ILCS 5/21(o)(5) (1998)), and ordered respondents to pay a civil penalty of \$500. **Vote 6-0**

AC 00-12 IEPA v. Lowell Madison - The Board found that this Iroquois 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) (1998)), and ordered respondent to pay a civil penalty of \$1,000. **Vote 6-0**

AC 00-13 IEPA v. Leroy P. David - The Board found that this Peoria County respondent violated Sections 21(p)(1) and 21(p)(4) of the Environmental Protection Act (415 ILCS 5/21(p)(1), 21(p)(4) (1998)), and ordered respondent to pay a civil penalty of \$1,000. **Vote 6-0**

AC 00-14 County of Montgomery v. Envotech - Illinois, Inc. - The Board found that this Montgomery County respondent violated Section 21(o)(5) of the Environmental Protection Act (415 ILCS 5/21(o)(5) (1998)), and ordered respondent to pay a civil penalty of \$500. **Vote 6-0**

ADJUDICATORY CASES

DECISIONS

PCB 98-47 People of the State of Illinois v. State Oil Company - The Board granted relief from the hearing requirement of Section 31(c)(2) of the Environmental Protection Act (415 ILCS 5/31(c)(2) (1998)), accepted a stipulation and settlement agreement in this air enforcement action concerning 23 gasoline dispensing facilities located in counties of: Lake, McHenry, Kendall, Cook, and DuPage, ordered respondent to pay a civil penalty of \$23,246, and to cease and desist from further violations. **Vote 6-0**

PCB 99-23 People of the State of Illinois v. Quad-County Ready Mix Corporation d/b/a Washington County Ready Mix - The Board granted relief from the hearing requirement of Section 31(c)(2) of the Environmental Protection Act (415 ILCS 5/31(c)(2) (1998)), accepted a stipulation and settlement agreement in this air enforcement action, concerning one facility located in Marion County and one facility located in Washington County, ordered respondent to pay a civil penalty of \$7,500, and to cease and desist from further violations. **Vote 6-0**

PROVISIONAL VARIANCE

PCB 00-64 Envirofil of Illinois, Incorporated v. IEPA - Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted this McDonough County facility a 45-day provisional variance, subject to conditions, from the effluent discharge limits set forth in 304.141(b). **Vote 6-0**

MOTIONS AND OTHER MATTERS

PCB 97-102 Borden Chemicals and Plastics Operating Limited Partnership v. IEPA - The Board granted petitioner's motion to amend the Board order of November 6, 1997. **Vote 6-0**

PCB 98-31 Roy K. Johnson v. ADM-Demeter, Hoopston Division - The Board granted complainant's motion for voluntary dismissal of this citizens' air and noise enforcement action involving a Vermilion County facility. **Vote 6-0**

PCB 98-140 Rock Valley Oil & Chemical v. Office of the State Fire Marshal - The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal involving a Peoria County facility. **Vote 6-0**

PCB 99-127 Ted Harrison Oil Company v. IEPA - The Board granted petitioner's motion to refile its petition to supplement the record instanter. **Vote 6-0**

PCB 99-189 People of the State of Illinois v. Aabott Asbestos, Inc. - The Board granted respondent's motion to appear *pro hac vice*. **Vote 6-0**

PCB 00-7 Glen Ellyn Storage Corporation v. IEPA - Having previously granted a request for a 90-day extension, the Board dismissed this matter because no underground storage tank appeal was timely filed on behalf of this DuPage County facility. **Vote 6-0**

PCB 00-16 Horace Dodge, Inc. v. IEPA - Having previously granted a request for a 90-day extension, the Board dismissed this matter because no underground storage tank appeal was timely filed on behalf of this Kane County facility. **Vote 6-0**

PCB 00-49 Chiquita Processed Foods f/k/a Owatonna Canning Company, L.L.C. v. IEPA - The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of a Peoria County facility. **Vote 6-0**

PCB 00-51 Illinois State Toll Highway Authority (Lake Forest Oasis - West) 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. **Vote 5-0 Melas Abstained**

PCB 00-52 Illinois State Toll Highway Authority (Belvidere Oasis on I-90 West 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 Boone County facility. **Vote 5-0 Melas Abstained**

PCB 00-53 The C.P. Hall Company (Reactor V-62 Condenser) v. IEPA - The Board accepted for hearing this petition for an air variance involving a Cook County facility. **Vote 6-0**

PCB 00-54 The C.P. Hall Company (Batch Operations) v. IEPA - The Board accepted for hearing this petition for an air variance involving a Cook County facility. **Vote 6-0**

PCB 00-55 Illico Independent Oil Company, Inc. v. IEPA - The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a Fulton County facility. **Vote 6-0**

PCB 00-56 The Burlington Northern and Santa Fe Railway Company (Cicero Yard UST) v. IEPA - The Board accepted for hearing this underground storage tank appeal on behalf of a Cook County facility. **Vote 5-1 Girard dissented**

PCB 00-58 Nicor Gas Troy Grove Station 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 LaSalle County facility. **Vote 6-0**

PCB 00-59 Standard Bank and Trust Company as Trustee and Derk Ball, Sr. v. IEPA - The Board accepted for hearing this underground storage tank appeal on behalf of a Cook County facility. **Vote 6-0**

PCB 00-60 Sullivan CUSD #300 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 Moultrie County facility. **Vote 6-0**

PCB 00-61 Ted's Citgo 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. **Vote 6-0**

PCB 00-62 Paul Smyth Auto Service 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. **Vote 6-0**

PCB 00-63 Paul Smyth Auto Service 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. **Vote 6-0**

BOARD ACTIONS

OCTOBER 21, 1999

CHICAGO, ILLINOIS

ADJUSTED STANDARDS

AS 94-20 In the Matter of: Petition of the Galesburg Sanitary District for an Adjusted Standard from 35 Ill. Adm. Code 304.105 - The Board granted petitioner's motion for voluntary dismissal of this request for an adjusted standard involving a Knox County facility. **Vote 6-0**

AS 00-4 In the Matter of: Petition of Takasago International Corporation (U.S.A.) for an Adjusted Standard from 35 Ill. Adm. Code 302.208 and 304.105 - The Board ordered petitioner to publish a new notice of request for an adjusted standard and certificate of publication to cure typographical errors in the original filings. **Vote 6-0**

AS 00-5 In the Matter of: Petition of The Ensign-Bickford Company for an Adjusted Standard from 35 Ill. Adm. Code 237.103 - The Board granted petitioner's motion to refile and to incorporate the record filed in AS 00-3, acknowledged receipt of this petition for an adjusted standard from certain volatile organic material limitations on behalf of a Union County facility, and held it pending receipt of a new certificate of publication evidencing correction of errors in the initial publication. **Vote 6-0**

Administrative Citations

AC 00-15 County of Sangamon v. ESG Watts, Inc. - The Board accepted for hearing this petition for review of an administrative citation against a Sangamon County respondent. **Vote 6-0**

AC 00-17 IEPA v. Bruce Isaacs - The Board found that this DeWitt County respondent violated Sections 21(p)(1) and 21(p)(4) of the Environmental Protection Act (415 ILCS 5/21(p)(1), 21(p)(4) (1998)), and ordered respondent to pay a civil penalty of \$1,000. **Vote 6-0**

AC 00-18 County of Sangamon v. ESG Watts, Inc. - The Board accepted for hearing this petition for review of an administrative citation against this Sangamon County respondent. **Vote 6-0**

AC 00-19 Will County v. Kevin B. Dixon - The Board found that this Will 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) (1998)), and ordered respondent to pay a civil penalty of \$1,000. **Vote 6-0**

AC 00-21 County of Sangamon v. ESG Watts, Inc. - The Board accepted for hearing this petition for review of an administrative citation against this Sangamon County respondent. **Vote 6-0**

AC 00-23 County of Sangamon v. ESG Watts, Inc. - The Board accepted for hearing this petition for review of an administrative citation against this Sangamon County respondent. **Vote 6-0**

AC 00-24 County of Sangamon v. ESG Watts, Inc. - The Board accepted for hearing this petition for review of an administrative citation against this Sangamon County respondent. **Vote 6-0**

AC 00-25 County of Sangamon v. ESG Watts, Inc. - The Board accepted for hearing this petition for review of an administrative citation against this Sangamon County respondent. **Vote 6-0**

AC 00-26 County of Sangamon v. ESG Watts, Inc. - The Board accepted for hearing this petition for review of an administrative citation against this Sangamon County respondent. **Vote 6-0**

ADJUDICATORY CASES

DECISIONS

PCB 97-70 People of the State of Illinois v. Demolition and Development, Ltd. and Eugene Lopresti, individually and as President of Demolition and Development, Ltd. - The Board granted relief from the hearing requirement of Section 31(c)(2) of the Environmental Protection Act (415 ILCS 5/31(c)(2) (1998)), accepted a stipulation and settlement agreement in this air enforcement concerning asbestos demolition and renovation activity performed at various sites in Cook County, ordered respondents to pay a civil penalty of \$20,000, and to cease and desist from further violations. **Vote 6-0**

PCB 98-154 People of the State of Illinois v. P&H Manufacturing Company - The Board granted relief from the hearing requirement of Section 31(c)(2) of the Environmental Protection Act (415 ILCS 5/31(c)(2) (1998)), accepted a stipulation and settlement agreement in this Resource Conservation Recovery Act enforcement action involving a Shelby County facility, ordered respondent to pay a civil penalty of \$20,000, and to make a donation of \$20,000 to the Midwest Environmental Enforcement Association to be used for environmental enforcement training and coordination in Illinois, and to cease and desist from further violations. **Vote 6-0**

PCB 99-112 People of the State of Illinois v. Bi-Petro and Timberlake Transportation and Transfer, Inc. - The Board granted relief from the hearing requirement of Section 31(c)(2) of the Environmental Protection Act (415 ILCS 5/31(c)(2) (1998)), accepted a stipulation and settlement agreement in this water enforcement involving a Christian County facility, ordered respondents to pay a civil penalty of \$25,000, and to cease and desist from further violations. **Vote 6-0**

PCB 99-160 People of the State of Illinois v. Renu Casual Furniture Renovators, Inc. - The Board granted relief from the hearing requirement of Section 31(c)(2) of the Environmental Protection Act (415 ILCS 5/31(c)(2) (1998)), accepted a stipulation and settlement agreement in this Resource Conservation Recovery Act enforcement involving a Cook County facility, ordered respondent to pay a civil penalty of \$4,000, and to cease and desist from further violations. **Vote 6-0**

PCB 00-46 People of the State of Illinois v. PPG Industries, Inc. - The Board granted relief from the hearing requirement of Section 31(c)(2) of the Environmental Protection Act (415 ILCS 5/31(c)(2) (1998)), accepted a stipulation and settlement agreement in this air enforcement action, concerning one facility located in Lake County and one facility located in Macon County, ordered respondent to pay a civil penalty of \$15,000, and to cease and desist from further violations. **Vote 6-0**

MOTIONS AND OTHER MATTERS

PCB 93-203 The Galesburg Sanitary District v. IEPA - The Board granted petitioner's motion for voluntary dismissal of this National Pollutant Discharge Elimination System permit appeal involving a Knox County facility. **Vote 6-0**

PCB 99-45 People of the State of Illinois v. Patrick M. Sullivan and Nick Scarlatis - Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this water enforcement action against a Cook County facility, the Board ordered publication of the required newspaper notice. **Vote 6-0**

PCB 99-82 Michael R. Pawlowski and Diane K. Pawlowski v. David Johansen and Troy Quinley individually and d/b/a Benchwarmers Pub, Inc. - The Board denied respondents' motion to dismiss this citizens' noise enforcement action. **Vote 6-0**

PCB 99-125 Terrence G. Graf, Marcella Graf, Joe Graf, Louise Grothpietz, Margarie Olszeoski, Leonard Olszeoski, Mike Czebokowski, Lois Czebokowski, and Lucy Catlow v. Emerald Landscaping and CPK Landscaping - The Board granted complainants' motion requesting dismissal of certain complainants from this citizens' noise enforcement action and dismissed one respondent for lack of prosecution. **Vote 6-0**

PCB 99-178 Stahly Cartage Company v. IEPA - The Board granted petitioner's motion for voluntary dismissal of this underground storage tank appeal involving a Madison County facility. **Vote 6-0**

PCB 99-180 Mullermist Irrigation Company v. Office of the State Fire Marshal - The Board granted respondent's motion for dismissal of this underground storage tank appeal involving a Cook County facility. **Vote 6-0**

PCB 00-17 Lonza, Inc. v. IEPA - Having previously granted a request for a 90-day extension, the Board dismissed this matter because no permit appeal was timely filed on behalf of this Peoria County facility. **Vote 6-0**

PCB 00-27 Chester Sewage Treatment Plant - Having previously granted a request for a 90-day extension, the Board dismissed this matter because no permit appeal was timely filed on behalf of this Randolph County facility. **Vote 6-0**

PCB 00-28 Beelman Truck Company v. IEPA - The Board accepted for hearing this underground storage tank appeal involving a Madison County facility. **Vote 5-1 Girard dissented**

PCB 00-65 Community Landfill Company and City of Morris v. IEPA - The Board granted respondent's motion to consolidate this appeal with PCB 00-66, granted the motion for relief from copy requirements, and accepted for hearing this Resource Conservation Recovery Act permit appeal involving a Grundy County facility. **Vote 6-0**

PCB 00-66 Community Landfill Company and City of Morris v. IEPA - The Board granted respondent's motion to consolidate this appeal with PCB 00-65, granted the motion for relief from copy requirements, and accepted for hearing this Resource Conservation Recovery Act permit appeal involving a Grundy County facility. **Vote 6-0**

PCB 00-67 People of the State of Illinois v. American Disposal Company and Consolidated Rail Corporation - The Board accepted for hearing this Resource Conservation Recovery Act enforcement action against a Cook County facility. **Vote 6-0**

PCB 00-68 Village of White City v. IEPA - The Board entered an order directing petitioner to file an amended petition within 30 days in this request for a public water supply variance on behalf of a Macoupin County facility. **Vote 6-0**

PCB 00-69 CAM, L.L.C. v. Office of the Illinois State Fire Marshal - The Board accepted for hearing this underground storage tank appeal involving a Madison County facility. **Vote 6-0**

PCB 00-70 E.G. Vogt Oil Company, Inc. v. IEPA - The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a St. Clair County facility. **Vote 6-0**

PCB 00-71 Robert Cheek 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 Pulaski County facility. **Vote 6-0**

NEW CASES

OCTOBER 7, 1999

00-49 Chiquita Processed Foods f/k/a Owatonna Canning Company, L.L.C. v. IEPA - The Board granted this request for a 90-day extension of time to file a permit appeal on behalf of a Peoria County facility.

00-50 People of the State of Illinois v. A.E. Staley Company - The Board accepted for hearing this water noise enforcement action against a Macon County facility.

00-51 Illinois State Toll Highway Authority (Lake Forest Oasis - West) 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.

00-52 Illinois State Toll Highway Authority (Belvidere Oasis on I-90 West 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 Boone County facility.

00-53 The C.P. Hall Company (Reactor V-62 Condenser) v. IEPA - The Board accepted for hearing this petition for an air variance involving a Cook County facility.

00-54 The C.P. Hall Company (Batch Operations) v. IEPA - The Board accepted for hearing this petition for an air variance involving a Cook County facility.

00-55 Illico Independent Oil Company, Inc. v. IEPA - The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a Fulton County facility.

00-56 The Burlington Northern and Santa Fe Railway Company (Cicero Yard UST) v. IEPA - The Board accepted for hearing this underground storage tank appeal on behalf of a Cook County facility.

00-57 People of the State of Illinois v. J&J Services, Inc. - The Board accepted for hearing this air enforcement action against a Jefferson County facility.

00-58 Nicor Gas Troy Grove Station 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 LaSalle County facility.

00-59 Standard Bank and Trust Company as Trustee and Derk Ball, Sr. v. IEPA - The Board accepted for hearing this underground storage tank appeal on behalf of a Cook County facility.

00-60 Sullivan CUSD #300 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 Moultrie County facility.

00-61 Ted's Citgo 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.

00-62 Paul Smyth Auto Service 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.

00-63 Paul Smyth Auto Service 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.

00-64 Envirofil of Illinois, Incorporated v. IEPA - Upon receipt of an Illinois Environmental Protection Agency recommendation, the Board granted this McDonough County facility a 45-day provisional variance, subject to conditions, from the effluent discharge limits set forth in 304.141(b).

AC 00-22 IEPA v. Olen G. Parkhill, Jr. - The Board accepted an administrative citation against this Champaign County respondent.

AC 00-23 County of Sangamon v. ESG Watts, Inc. - The Board accepted an administrative citation against this Sangamon County respondent.

AC 00-24 County of Sangamon v. ESG Watts, Inc. - The Board accepted an administrative citation against this Sangamon County respondent.

AC 00-25 County of Sangamon v. ESG Watts, Inc. - The Board accepted an administrative citation against this Sangamon County respondent.

AC 00-26 County of Sangamon v. ESG Watts, Inc. - The Board accepted an administrative citation against this Sangamon County respondent.

AC 00-27 IEPA v. John Simpson - The Board accepted an administrative citation against this Cumberland County respondent.

AS 00-5 In the Matter of Petition of The Ensign-Bickford Company for an Adjusted Standard from 35 Ill. Adm. Code 237.103 - The Board acknowledged receipt of this petition for an adjusted standard from certain volatile organic material limitations on behalf of a Union County facility and held it pending receipt of certificate of publication.

OCTOBER 21, 1999

00-65 Community Landfill Company and City of Morris v. IEPA - The Board granted respondent's motion to consolidate this appeal with PCB 00-66, granted the motion for relief from copy requirements, and accepted for hearing this Resource Conservation Recovery Act permit appeal involving a Grundy County facility.

00-66 Community Landfill Company and City of Morris v. IEPA - The Board granted respondent's motion to consolidate this appeal with PCB 00-65, granted the motion for relief from copy requirements, and accepted for hearing this Resource Conservation Recovery Act permit appeal involving a Grundy County facility.

00-67 People of the State of Illinois v. American Disposal Company and Consolidated Rail Corporation - The Board accepted for hearing this Resource Conservation Recovery Act enforcement action against a Cook County facility.

00-68 Village of White City v. IEPA - The Board entered an order directing petitioner to file an amended petition within 30 days in this request for a public water supply variance on behalf of a Macoupin County facility.

00-69 CAM, L.L.C. v. Office of the Illinois State Fire Marshal - The Board accepted for hearing this underground storage tank appeal involving a Madison County facility.

00-70 E.G. Vogt Oil Company, Inc. v. IEPA - The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of a St. Clair County facility.

00-71 Robert Cheek 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 Pulaski County facility.

AC 00-28 County of Sangamon v. William Maulding and Carolyn Maulding - The Board accepted an administrative citation against these Sangamon County respondents.

AC 00-29 County of Sangamon v. ESG Watts, Inc. - The Board accepted an administrative citation against this Sangamon County respondent.

AC 00-30 County of Sangamon v. ESG Watts, Inc. - The Board accepted an administrative citation against this Sangamon County respondent.

AC 00-31 County of Sangamon v. ESG Watts, Inc. - The Board accepted an administrative citation against this Sangamon County respondent.

AS 00-6 In the Matter of: Ford Motor Company (Chicago Assembly Plant) for an Adjusted Standard from 35 Ill. Adm. Code 218.986 - The Board acknowledged receipt of this petition for an adjusted standard from certain volatile organic material requirements on behalf of a Cook County facility and held it pending receipt of certificate of publication.

CALENDAR OF MEETINGS AND HEARINGS

November

18 ❖ 10:30 am
Pollution Control Board Meeting
Chicago, IL

30 ❖ 9:30 am - AS 99-6

Petition of Illinois-American Water Company's Alton Public Water Supply Replacement Facility Discharge to the Mississippi River for Adjusted Standard From 35 Ill. Adm. Code 304.124, 304.106, and 302.203

Alton City Hall, Room 104
101 East Third Street
Alton, IL

December

1 ❖ 9:30 am - AS 99-6

In the Matter of: Petition of Illinois-American Water Company's Alton Public Water Supply Replacement Facility Discharge to the Mississippi River for Adjusted Standard From 35 Ill. Adm. Code 304.124, 304.106, and 302.203

Alton City Hall, Room 104
101 East Third Street
Alton, IL

2 ❖ 10:30 am
Pollution Control Board Meeting
Chicago, IL

15 ❖ 9:30 am - PCB 98-164

City of Rock Island v. IEPA

Rock Island County Building,
3rd Fl. Conference Room
1504 Third Avenue
Rock Island, IL

16 ❖ 10:30 am
Pollution Control Board Meeting
Chicago, IL

January

11 ❖ 9:30 am - PCB 99-69

Land and Lakes Company v.
Randolph County Board of
Commissioners
Randolph County Courthouse

1 Taylor Street
Chester, IL

12 ❖ 9:30 am - PCB 99-69

Land and Lakes Company v.
Randolph County Board of
Commissioners
Randolph County Courthouse

1 Taylor Street
Chester, IL

26 ❖ 9:30 am - PCB 98-18

James R. and Lucille J. Metz v.
United States Postal Service and
Bradley Real Estate

Illinois Pollution Control Board
600 S. Second Street
Hearing Room 403
Springfield, IL

Regular Board Meeting Schedule for Calendar Year 2000

January	6
January	20
February	3
February	17
March	2
March	16
April	6
April	20
May	4
May	18
June	8
June	22
July	13
July	27
August	10
August	24
September	7
September	21
October	5
October	19
November	2
November	16
December	7
December	21

All Chicago Board Meetings will be held at the James R. Thompson Center, 100 W. Randolph Street, Suite 9-040, unless otherwise noted. All Springfield Board Meetings will be held at 600 S. Second Street, Hearing Room 403, unless otherwise noted.

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.

George H. Ryan, Governor

Illinois Pollution Control Board Members:

Claire A. Manning, Chairman
Springfield

Ronald C. Flemal
DeKalb

G. Tanner Girard
Jacksonville

Elena Z. Kezelis
Springfield

Marili McFawn
Inverness

Nicholas J. Melas
Chicago

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