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Lake Michigan States Section Air & Waste Management Association Newsletter[®]

PEOPLE V. AGPRO, INC.: ENVIRONMENTAL ENFORCEMENT TOOL LOST, THEN FOUND

By: Matthew Dunn, Illinois Attorney General's Office

No enforcement concept of environmental law and policy is more basic than the notion that if a person makes a mess, it must clean up that mess.

For over 30 years, Section 42 of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/42(e), formerly 42(d), has been consistently interpreted by both Illinois EPA and Illinois courts to mean that, if a person violates the Act and causes air, water, or land pollution, the courts can order that person to clean up any resulting contamination. The ability of a Court to order clean up activities under Section 42 the Act has never before been successfully challenged. That is until January 27, 2004, when the Second District Court of Appeals issued its opinion in People v. AgPro, 345 Ill. App. 3d 1011, 803 N.E.2d 1007, 281 Ill. Dec. 386 (2nd Dist. 2004), appeal allowed, 209 Ill. 2d 600 (2004), holding that all a Court can order is for the person to stop the dumping or discharging that causes the contamination; it cannot order the person to clean up the contamination it has caused.

In AgPro, the Appellate Court ruling states that unless a violator is caught red-handed in the act of illegally dumping materials, the Court has no power to order that person to do anything except stop dumping more waste. The waste can stay there forever, it ruled, because the Court cannot order the polluters to clean up their mess.

The case before the Appellate Court dealt with an Ogle County agricultural pesticide and fertilizer business that routinely rinsed pesticide residues from its containers onto the ground at the site. The practices of this company, AgPro, Inc., contaminated the drinking water of its neighbors with pesticides.

The state filed a lawsuit in Ogle County Circuit Court against AgPro and its president, David Schulte, alleging they had caused pollution of the area's groundwater. We asked the Court to order the defendants to

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New Members

Marian Barnes

Envirologic Technology, Inc.

Richard Bartelt

ARCADIS G&M, Inc.

Mark Bohlin

Cook County Environmental

John Connolly

Resource Technology Corp.

Frances Hodge

Geo Syntec Consultants

John Iwanski

Trinity Consultants

Jennifer Jendras

US Postal Service

Ebrahim Khalili

Abbott Laboratories

Joanne Kiepora

Scientific Control Laboratories

David Miklos

Rohm and Haas

Philip Pickard

US Postal Service

Heidi Radke

V3 Consultants

Peter Rickert

Bretford

John Robbins

Hospira Inc.

Anthony Schroeder

Trinity Consultants

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AIR QUALITY MANAGEMENT CONFERENCE

The 2004 Air Quality Management Conference held on October 22, 2004 was an event not to be missed. There were over 100 attendees with six exhibitors and numerous excellent speakers.



Conference Chair, **James Harrington**, McGuire Woods LLP with luncheon speaker **Bharat Mathur**, US EPA Region 5



Morning panelists



Afternoon session

Thank you to the Air Conference Exhibitors for their support.



2003-2004 SEMINAR SCHEDULE

Below is the current conference schedule. If you are interested in assisting with any of the events please contact the conference chair or Programs Chair, Jeffrey Wentz at (312) 575-3946 or jwentz@mbakercorp.com.

In an effort to control costs, we are always interested in offers of meeting space at reduced or minimal costs. If you can provide meeting space for an event, please contact the conference chair.

Date	Title/Topic	Location	Event Chair/s
December 2, 2004	Holiday Reception	IIT Stuart Graduate School of Business	George Nassos (312) 906-6543
January 20, 2005	Community Issues, Citizen Suits, Toxic Torts, Fed. Permitted Releases	Seyfarth Shaw	Eric Boyd (312) 269-8903 Suresh Relwani (630) 393-9000
February 23, 2005 <i>(date & location are proposed)</i>	Environmental Mgmt.	IIT Stuart Graduate School of Business	Jim Powell (847) 545-7565
March 2, 2005	Waste Conference	Hyatt Regency Oak Brook	Michael Reese (847) 685-9227 Tom Tramm (847) 256-3414 Debra Jacobson (630) 472-5019
April 2005	Internet Information	IIT Stuart Graduate School of Business <i>Tentative</i>	Craig Simonsen (312) 269-6223 George Nassos (312) 906-6543 Paul Farber (312) 269-2261
May 6, 2005	Section Annual Luncheon	Greektown	Jeffrey Wentz (312) 575-3946
June 2005	1st Annual Golf Outing	<i>Location Needed</i>	Suresh Relwani (630) 393-9000
June 21-24 2005	98th Annual Conference & Exhibition	Minneapolis, MN	A&WMA (412) 232-3444



New Members (con't.)

Joe Simon
Abbott Laboratories

Karin Torain
McGuireWoods

Joy Warborg
Rohm and Haas

Jayne Somers
University of Wisconsin - Madison

Alexis Troschinetz
Michigan Technological University

Judy Wingo-Stalinger
US Postal Service

Thomas Thornton
Abbott Laboratories

Aijun Wang
UIUC

PEOPLE V. AGPRO, INC.: ENVIRONMENTAL ENFORCEMENT TOOL LOST, THEN FOUND

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clean up the mess they had made, to reimburse the Illinois taxpayers for the time and money spent on investigations and to pay a fine.

In 2002, after trial, the Circuit Court held that we had proven our case and ruled that the defendants had, in fact, polluted the site and the drinking water of their neighbors. However, the Court further held that Illinois law does not give the Court any authority to order the defendants to further clean up their pollution. The Court reasoned that since the defendants had stopped dumping the pesticide residues onto the ground at the site, they were currently taking no action that the Court could “restrain.” Section 42(e) provides that the local State’s Attorney or Attorney General may “institute a civil action for an injunction to restrain violations of this Act” 415 ILCS 5/42(e). The Court was not persuaded by the State’s arguments that the defendants “allowed” the violation to continue for so long as the contaminants remained on the site and in the drinking water.

On appeal, the Appellate Court sided with AgPro on the legal authority issue.

In light of the devastating impacts this ruling would have on the Illinois environment, Attorney

General Madigan took immediate action on two fronts. First, she filed a petition asking the Illinois Supreme Court to review the Appellate decision. The Illinois Supreme Court accepted that appeal, and oral arguments were held on November 17, 2004.

Second, working with the Illinois EPA and a bi-partisan group of concerned legislators, the Attorney General’s Office drafted an amendment to the Environmental Protection Act to answer once and for all the question of the authority of the Attorney General to seek, and the Courts to order, that polluters be required to clean up their mess.

The legislation, HB 5823, passed the House 70-38, and the Senate, 56-0, and on July 28, 2004 was signed into law by Governor Blagojevich. HB5823, now Public Act 93-0831, provides that the local State’s Attorney and Attorney General may “institute a civil action for an injunction, prohibitory or mandatory, to restrain violations of the Act, . . . or to require such other actions as may be necessary to address violations of this Act” 415 ILCS 42(e), emphasis added.

This new law ensures that illegal dumpers can be ordered to clean up their mess, and that polluted

areas across the state can be returned to nature. It is important to find polluters, stop them from continuing their illegal practices and assess fines as penalties. But it is necessary that the State also be granted the right to seek the clean-up of the polluted sites by the polluters themselves, so that the crimes against our environment can be remedied and neighbors are not plagued by the damages for years to follow.

About the Author: Matthew Dunn is a twenty year veteran of the Illinois Attorney General’s Office, and serves as Chief of the Environmental Enforcement/Asbestos Litigation Division for Attorney General Lisa Madigan. The opinions expressed herein are the authors.



ANOTHER PERSPECTIVE

By: James Harrington, McGuireWoods LLP

A recent amendment to the Illinois Environmental Protection Act (“Act”) (Public Act 093-0831) amends Section 42(e) to expressly provide that the Attorney General and States attorney may seek a mandatory injunction “to require such other actions as may be necessary to address violations of this Act, any rule or regulation adopted under this Act, any permit or term or condition of a permit, or any Board order.” The Attorney General’s office maintains that this new provision only confirms its historical authority to obtain injunctions compelling violators to correct the effects of their violation as well as injunctions “restraining” violations. Indeed, the Attorney General’s Office routinely sought such orders in enforcement cases and they were often included as part of a consent decree agreed to by the parties.

However, the impetus for the decision was an appellate court case holding just the opposite. People ex rel. Ryan v. Agpro, Inc. held that the Attorney General could not obtain mandatory relief compelling someone to take corrective action unless it invoked another provision of the Act (Section 43(a)) which allowed such relief “in circumstances of substantial danger to the environment or to the public health of persons or to the welfare of

persons where such danger is to the livelihood of such persons....” Since the Attorney General had not alleged and proven such substantial danger, such relief was not granted.

While the Attorney General has pointed to legislative history when the Act was passed to support its contention that the Act always allowed mandatory injunctions; some of us recall that the language “to restrain” violations of the Act was deliberately chosen to preclude mandatory injunctions except in the case of “substantial danger.” At the time the Act was passed, many of those involved were familiar with the then Attorney General’s attempt to fashion complex regulatory programs through mandatory injunctions in the circuit courts and were not anxious to see the courts crafting injunctions which could specify in detail the particular steps allegedly necessary to correct the violation or its effects. This is the reason the Environmental Protection Act provided for injunctions “to restrain” violations and not to correct them. Since then, many lawyers routinely challenge requests for mandatory injunctions in the Courts although the cases invariably ended in consent decrees specifying the specific steps that would be taken to come into compliance.

The new express mandatory injunction powers may have significant impact on the balance of power in litigation. Contrary to what some have argued, it is not at all clear under Illinois law that the usual equitable rules for granting injunctions apply to injunctions such as these which are provided by statutes. In Ryan v. Agpro, discussed above, the Attorney General cited several cases to the effect that once a violation has been established to the satisfaction of the Court, the Court will have little or no discretion to deny an injunction. Such “statutory injunctions” normally do not require the same showing as injunctions between private parties. Whether a court will so interpret this statute will not be clear until a case or cases are decided.

In discussing the new statutory provision, the Attorney General’s representatives always refer to hazardous waste or dump sites but the statute is not so limited. It can equally apply to air or water violations. This means a Court at the request of the Attorney General could mandate the specific steps and technology to bring a facility into compliance with the Act, regulations and permit even if the defendant believes there is other more appropriate, more feasible, or more reasonable steps to be

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GOOD DEFENSES MAKE GOOD NEIGHBORS: MANAGING OFF-SITE RELEASE ISSUES

Thursday, January 20, 2005

Hosted by Seyfarth Shaw LLP, 55 E. Monroe, Suite 4500, Chicago, Illinois

Does complying with an environmental permit or voluntarily cleaning-up contaminated soil or water exempt you from potential liabilities? Not necessarily, especially when your activities result in off-site releases that may affect your neighbors. This program addresses liability and regulatory issues that arise from such off-site releases. Some recent high-profile examples will be showcased.

7:30 – 8:00 **Registration**

8:00 – 8:10 **Introduction by Eric E. Boyd, Seyfarth Shaw LLP**

8:10 – 9:25 **LITIGATION PERSPECTIVES**

Rosemary Krimbel, Assistant Corporation Counsel, City of Chicago. Ms. Krimbel will discuss the City's lead paint public nuisance initiative and highlight other recent actions by the City to control dust and other pollution in the City's neighborhoods.

Carolyn S. Hesse, Partner, Barnes & Thornburg. Ms. Hesse will discuss lessons she learned from her representation of numerous residents who have been living adjacent to the Barrie Park Remediation site in Oak Park, where an extensive manufactured gas plant remediation has taken place.

Andrew H. Perellis, Partner, Seyfarth Shaw LLP. Mr. Perellis, whose practice focuses on environmental and toxic tort litigation, will discuss traditional and developing theories used by neighbors against industrial sources of pollution, including potential liability for medical monitoring costs.

9:25 – 9:30 **Break**

9:30 – 10:45 **ODORS AND OTHER AIR EMISSION ISSUES**

Suresh Relwani, Principal of RK & Associates. Mr. Relwani will speak on the measurement and regulation of odors. Odors are increasingly the cause of complaints to environmental regulatory agencies, and many communities have become less tolerant to even occasional odors or other nuisance conditions that are perceived in their neighborhoods.

Claude Harmon, Citgo Lemont Refinery - Environmental Manager. Mr. Harmon will discuss an odor alert network system being used in the city of Lemont. This odor alert network system, one of the first of its kind in the State of Illinois, combines local resident noses with weather monitoring systems to try to find the source of the odor.

Don Sutton, IEPA (invited). Mr. Sutton will talk about public hearing issues in the permit context. He will discuss several examples where the community had concerns about a facility in terms of construction/operating permit issues, and will mention a few cases where community members were very actively involved in the permitting process.

10:45 – 12:00 **GROUNDWATER AND RELATED ISSUES**

Mike Reese, PG, Environmental Project Manager with Atwell-Hicks L.L.C. Mr. Reese will be discussing vapor intrusion, the migration of volatile contaminants into structures, including current guidance, the associated risks and liabilities and methods for mitigating exposures.

Greg Dunn, PG, Unit Manager for the Illinois EPA's Site Remediation Program. Mr. Dunn will be discussing the importance of accurate water well surveys in evaluating exposure pathways and the limitations of various sources of well information using examples from the Site Remediation Program.

Steve Matuszak, Manager of Environmental Affairs for Peoples Gas. Mr. Matuszak will discuss the role of community relations in addressing managing community and third-party concerns.

Cost to attend this exciting conference is: \$80 A&WMA Members and LMSS Local Associates / \$125 Non-members (includes \$45 one-year local associate membership) / \$60 for government employees / \$25 for students

Contact Robin Pelsis at 847-202-0418 or robin@awma.org to register for this conference.

WASTE CONFERENCE



WASTE MANAGEMENT CONFERENCE

March 2, 2005
Hyatt Regency Oak Brook
9:00 a.m. - 5 p.m.

What's new with waste in Illinois, Wisconsin, Michigan and Indiana? How have regulatory priorities changed? Can you get a bigger bang for your waste management buck?

Mark your calendar now for this full-spectrum conference on local waste management issues. The Lake Michigan States Section again brings together environmental professionals from industry, government, environmental services and the legal community to discuss important developments in the management and regulation of industrial waste.

State and Federal officials will be on hand to outline new and impending changes to the regulations and discuss evolving agency priorities. Local experts will provide timely updates on major issues and outline ways to reduce both waste management costs and the associated long-term liabilities. As usual, there will be plenty of opportunities for networking in the exhibition area, luncheon and reception. Opportunities for sponsorship are available.

Additional program information will be distributed in January. For information on exhibiting or sponsorship, contact Robin Pelsis at (847) 202-0418 or lm_awma@ameritech.net.

WASTE REGULATION PRIMER

March 1, 2005
Hyatt Regency Oak Brook
7:00 - 10:00 p.m.



RCRA CERCLA EPCRA PBT TRI UST LUST ERP PCB CSO

Acronyms got you down? This primer is perfect for environmental managers with expanding waste management responsibility, supervisors directing waste management professionals, and experienced professionals looking for a broader perspective on their field. The course will provide an overview of Federal and State regulations. The course instructor has extensive industrial experience and the handouts can serve the professional as a valuable reference for years to come.

Mark your calendar now for this important professional development activity. Professional Engineers can use this primer to meet professional development requirements for registration renewal. Additional program information will be provided in January.



HELP WANTED

V3 CONSULTANTS IS LOOKING FOR A FEW GOOD PEOPLE

V3 Consultants is a market-leading consulting, engineering, and environmental management firm focused on the delivery of value added solutions in the areas of land development, Brownfield redevelopment, natural resources and public infrastructure. We currently have an opening for an Environmental Project Manager in our Loop Chicago office. The position is within V3's growing Environmental Assessment and Redevelopment Group, focused on resolving environmental concerns related to development, property and natural resource management projects.

Position requires a minimum of 7+ years experience providing environmental consulting to private and public sector clients with an emphasis in the areas of site investigation, Brownfield redevelopment, and voluntary cleanup and remediation programs in the Midwest. We are looking for individuals that are team oriented, flexible, and responsive to client needs, have maturity and experience in real world environmental issues, and know how to manage diverse and complex environmental problems. It's a plus to be innovative and able to think ahead comprehensively. Preferred candidate will have B.S./M.S. in Environmental, Geology, or Engineering field, P.G. or P.E. in Illinois, and possess a broad regulatory background.

V3 offers an excellent benefit package that includes medical, dental and vision benefits, a bonus opportunity, 401K plan with match, and an ESOP. Please submit a cover letter and resume to Stephanie Anderson at V3 Consultants, Ltd., 7325 Janes Avenue, Woodridge, Illinois 60517, fax to (630) 724-9111, or email them to saanderson@v3co.com. V3 is an Equal Opportunity Employer.

ENVIRONMENTAL SITE ASSESSMENT PROFESSIONAL

Weaver Boos is seeking an environmental professional to perform and manage Phase I Environmental Site Assessments (ESA) for our Chicago office. Desired candidate must have 2-4 years of Phase I ESA experience, and have had responsible charge for completing all aspects of such projects. Excellent writing and organizational skills a must. Technical personnel management, Phase II ESA, regulatory compliance, and client development experience desired. Limited travel may be necessary. Salary commensurate with experience and qualifications. Mail or email resume and a sample Phase I ESA report to: Weaver Boos Consultants, 70 W. Madison Avenue, Suite 4250, Chicago, IL 60602 or opportunities@weaverboos.com (please reference "ESA Professional" in subject field). No calls please. EOE.

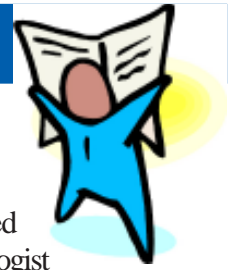
MANAGING CONSULTANT

Incumbent must have knowledge and experience in: air quality regulations, preparing permit applications, standard exemptions and emission fee calculations, preparing emissions inventories and recommending control technology equipment and processes, evaluating clients' potential for risk, and conducting air dispersion modeling analysis. Provide project leadership through clear direction planning, communicating priorities, and technical support. Conduct performance reviews and establish/monitor goals for direct reports. Perform QA/QC on all major work products accomplished by assigned project team members in accordance with ISO 9001 procedures. Support business development of the firm by maintaining relationships with existing clients seeking to establish business relationships with new clients.

Requirements: Bachelor's degree (B. S.) in Chemical, Mechanical, Environmental/Civil Engineering, and/or related Atmospheric/Environmental Science from four-year college or university; and at least four years related experience.

Resumes should be sent to Jamie Brennan at jbbrennan@trinityconsultants.com

MEMBER NEWS



ARI Environmental, Inc. is currently expanding their air pollution laboratory for complex VOC analysis for samples from stacks, process vents, flares, cooling tower water. Exciting additions to ARI's growing staff are **Mr. Ray Silva** and **Ms. Mala Ginsberg**. Mr. Silva is a project supervisor for the Fugitive Leak Detection and Repair Division. Ray's expertise includes eleven years of successfully managing the LDAR programs at several facilities across the USA.

Mala Ginsberg, the current Vice-Chair of the A&WMA - Gulf Coast Chapter, joins the staff as the regional sales and marketing manager for both the Fugitive Leak Detection and Repair and Source Testing divisions. Ms. Ginsberg has nine years of environmental experience in the petrochemical industry, including designing, implementing and managing LDAR programs.

ARI efficiently serves their industrial clients from regional offices in Chicago and Houston. For more information on any of ARI's services, please contact Don Chapman at 800-851-1674 ext 106 - dchapman@arienv.com or Mala Ginsberg at 800-544-5241 ext 110 - mginsberg@arienv.com.

Baker Environmental, Inc., is pleased to announce that **Mr. Damion Purfey** has joined its Crown Point, Indiana Regional Office as an environmental associate. Mr. Purfey is has a BS in Environmental Science

from Wright State University, an MS in Environmental Studies from Ohio University, and recently received his MBA in Executive Management from Ashland University. Initially, Mr. Purfey will be working on projects in Solid and Hazardous waste management; Health and Safety compliance; and Sampling of air, water and soil.

Karen Boyce-Lindgren, has joined **Boelter-Yates, Inc.** as Senior Environmental Consultant for environmental health and safety services. Boyce-Lindgren is a Certified Industrial Hygienist, State of Illinois Licensed Industrial Hygienist and Certified Safety Professional with over 20 years of experience. She is an expert in federal, state and local regulations affecting environmental health and safety including the requirements of the Occupational Safety and Health Administration ((OSHA) and the National Institute for Occupational Safety and Health (NIOSH). She has a master's degree in Public Health from the University of Illinois at Chicago. She was previously employed as a Senior Industrial Hygienist for Clayton Group Services.

Stanley J. Popelar, has joined **Boelter-Yates, Inc.** as Senior Project Manager for environmental services. Popelar is a Professional Geologist in Illinois and a Registered Geologist in California with over 19 years experience in remedial investigations, feasibility studies,

remedial actions and site closures. He previously worked as Principal Geologist for MACTEC Engineering and Consulting. He has a master's degree in Geology from California State University, Northridge.

Thomas Lackey has been named vice president of **Environmental Waste Services'** transportation department. Mr. Lackey has been in the industry for over seventeen years, twelve of which have been at Environmental Waste Services.

Dave Kolaz, Chief of the Bureau of Air for the **Illinois Environmental Protection Agency**, is leaving State service at the end of the year. While he has not formulated any specific plans as yet other than to spend more time with his four grandsons, he intends to stay active and involved in the environmental protection field. He can be reached at 800 North Allen Drive, Athens, IL 62613. Phone (217) 636-8748 or cell (217) 971-3357. E-mail kolaz@gcctv.com

Mark Misiorowski is proud to announce that **Jocelyn Cornbleet** has joined the **Misiorowski Law Group**, effective November 8, 2004. She is a 2004 graduate of the University of Iowa College of Law."



MEMBER NEWS

RMT's John Angelo Elected to Auditing Roundtable Board

On August 31, RMT's *John Angelo* was elected to the Board of Directors for the Auditing Roundtable. Mr. Angelo is a Senior Client Service Manager in RMT's Chicago office. His 24 years of experience encompass occupational safety and health auditing projects in numerous manufacturing and service industries, and is a Certified Industrial Hygienist (CIH), Certified Hazardous Materials Manager (CHMM) and Certified Health and Safety Auditor through the Board of Environmental Auditor Certifications (BEAC).

Mr. Angelo has been a Roundtable member since 1987, and has been serving as 1st Vice Chair of the Legislation and Regulation Interest Group. He will begin his two-year term on the Board starting at the Auditing Roundtable fall meeting held September 8-10 in Philadelphia. The leadership position entails promoting the Auditing Roundtable within the health, safety and environmental (HS&E) auditing community, advancing recognition of HS&E auditors in regulatory affairs, and coordinating the Roundtable's technical affairs with other industry groups.

The Auditing Roundtable, established in 1984, is an international trade association of HS&E auditors specializing in regulatory compliance and management systems auditing.

For further information regarding the Auditing Roundtable, please visit www.auditing-roundtable.org.

RMT, Inc. Brookfield Office Expands The Milwaukee area office of RMT, Inc. has expanded its existing space from 7,000 to 12,500 square feet. This expansion will allow the office to increase its current staffing level of 24 to as many as 40. RMT has plans to add as many as six additional staff at this location in the next few months, expanding its resources to provide air pollution control, industrial ventilation design, environmental and health and safety management, remediation and corrective action, and construction management services for local and national clients. Additional information about RMT is available on-line at www.rmtinc.com.

STS Consultants has relocated to our new office in Marquette! *Patrick W. Doyle*, Senior Project Manager can be reached at 906.226.4978 or doylep@stsconsultants.com

Mike Stricklin joins URS's Chicago Metro Air Quality Management practice Joe Griffiths, leader of URS's Chicago Metro Air Quality Management practice, is pleased to announce the addition of *Mike Stricklin*, as a Senior Project Manager in the firm's Air Quality practice in the Chicago business unit. Mike's experience

and expertise enhance and strengthen URS's existing services to clients in the region, particularly in the refinery and manufacturing sector. "We are pleased to add an individual of Mike's caliber to the URS team," says Mr. Griffiths. Prior to joining URS, Mike spent 15 years in positions of increasing responsibility with Versar and ENSR in the Chicago area, where he gained substantial expertise in air quality permitting, engineering and analysis. He has a B.S. in Mechanical Engineering from the University of MO at Rolla. Mike can be reached at: 847.228.0707 or mike_stricklin@urscorp.com

Wingra Engineering, S.C. in Madison, Wisconsin is pleased to announce that *Daniel Johnston, P.E.*, has joined the Wingra consulting team. Dan is former head of the Wisconsin Department of Natural Resources air quality construction permit program. Wingra specializes in air quality compliance, permitting, and modeling. The firm recently obtained local and state PSD air quality permits for a new 650 ton per day float glass plant in Washington State. This project posed a unique air quality protection challenge since it was located near seven Class I air quality areas, including Mt. Rainier and Olympic National Parks. Call Steven Klafka, P.E., DEE, at (608) 255-5030 for more information or visit www.wingraengineering.com.

VOLUNTEER FOR AWMA TEACHER TRAINING!

The Purpose of A&WMA is to enhance environmental knowledge and provide quality information on which to base environmental decisions. An important part of this effort is the AWMA teacher training program. The program provides teachers with a basic understanding of environmental issues and the materials to take back to the classroom to use in their lessons. The LM-AWMA teacher training program is part of AWMA Public Education and Outreach. The goal is to improve the environmental literacy of teachers and students.

Teacher training is done by AWMA members who volunteer to conduct training workshops. During these workshops, teachers receive an introduction to environmental topics and materials they can take back and use in the classroom. The material – an ERG (Environmental Resource Guide) is the focus of the workshop. The ERG has been prepared by AWMA and contains scripted lessons on science and environmental topics for the teachers to use in the classroom. The ERG's are currently available in two topics – Air Quality and Nonpoint Source Pollution. Each topic has four volumes relating to grades K-2, 3-5, 6-8, and 9-12.

This program relies on AWMA member volunteers to work. We need your help. What does it take to become a presenter? An enthusiasm for environmental education! A Presenters Manual is provided to each volunteer trainer that gives step-by-step instructions on putting on a workshop. Workshop can be tailored to the group of teachers and typically last 1 to 2 hours.

Since training materials are provided free of charge to workshop participants, funding this program is also an important issue. We rely on outside funding to keep these materials free to teachers. If your company might be willing to help fund this program so we can provide an ERG free of charge to each teacher that completes a workshop please contact me.

Interested in becoming a trainer or donating? Please contact Mark Roach at 847-654-4599.

Congratulations



Congratulations to Dale Kalina (left), R. R. Donnelley & Sons, Co. Dale, shown here with Perry Fisher is the 2004 recipient of the Perry Fisher Award. Dale received this award in recognition of his outstanding dedication and service to the Lake Michigan States Section

ANOTHER PERSPECTIVE

Continued from page 5

taken to achieve the same result. Perhaps the Court could order the substitution of materials rather than controls to achieve compliance or order different controls than the defendant wishes to use. While it could be hoped that neither the Attorney General nor the Court would wish to engage in such conduct, there will be nothing in the law other than a usually technically unsophisticated judge's discretion to stop them.

It will be interesting to see how the amendment plays out in the courts and how the Attorney General and local States Attorneys use their new power.¹

¹*This is not intended to be a law review article. Citations will be supplied on request.*



Lake Michigan States Section
Air & Waste Management Association
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Abbott Laboratories

Vice-Chair: **Jeffrey Wentz**
Baker Environmental

Secretary: **James Harrington**
McGuireWoods LLP

Treasurer: **Michael Reese**
Atwell-Hicks

Membership: **William Seith**
Total Environmental
Solutions, P.C.

National Rep: **Edith Ardiente**
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International Truck &
Engine Company

Outgoing Chair: **Diana Jagiella**
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Burns & McDonnell

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Stuart Graduate School of Business

James Powell
URS Corp.

Mark Roach
Clean Air Engineering

Suresh Relwani
RK & Associates

Peter Scheff
University of Illinois @ Chicago
School of Public Health

Carol Schweiger
DUR-O-WAL

2004 Illinois Governor's Pollution Prevention Awards Presented by the Waste Management and Research Center

On October 21, 2004, WMRC presented the Governor's Awards to 15 companies and organizations in Illinois that have demonstrated a commitment to environmental excellence through the practice of pollution prevention. The 18th annual Governor's Pollution Prevention Awards were presented in Glen Ellyn during a luncheon hosted by the Waste Management and Research Center (WMRC), a division of the Illinois Department of Natural Resources.

LARGE INDUSTRY CATEGORY

Behr Process Corporation
The Crown Cork & Seal USA, Inc.
GM Electro-Motive
Cadbury Adams

EDUCATIONAL INSTITUTION

Community Unit School District #3
(Cuba) Cuba School

SERVICE ORGANIZATION

Fermi National Accelerator
Laboratory

CONTINUOUS IMPROVEMENT

AWARD

International Truck & Engine Corp.
Commonwealth Edison
Nalco Company
Sherwin Williams-Minwax
Caterpillar's Technology and
Solutions Division
Abbott Laboratories
Caterpillar Cast Metals Organization
Maytag Herrin Laundry Products,
GE Healthcare Bio-sciences