

ENVIRONMENTAL REGISTER

No. 425

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BOARD DETERMINES NO EClS NECESSARY IN RACT DEFICIENCY PROCEEDINGS (R91-7 AND R91-8)

On March 28, 1991, the Board determined that no economic impact study (EclS) should be prepared in either of the two RACT deficiency proceedings pending before the Board. The proposals contain regulations requiring the implementation of reasonably available control technology (RACT) for certain sources of volatile organic material. Docket R91-7 covers sources in the Chicago area, and R91-8 applies to sources in the Metro-East area. The Board found that the question of economic impact can be adequately explored in the hearing process and through written comments. The Board also noted that these proceedings are under tight

federal deadlines, pursuant to the 1990 Clean Air Act amendments. The two rulemakings will proceed to hearings on April 10 and April 15, 1991.

PUBLIC WATER SUPPLIES RESTRICTED STATUS AND CRITICAL REVIEW LISTS

The Illinois Environmental Protection Agency, Division of Public Water Supplies, Permit Section, is publishing copies of the Division's Restricted Status and Critical Review lists in this issue of the Environmental Register. The lists are being published here as part of the quarterly notification to the public. The lists have been slightly modified to reflect changes made since the previous publication.

FINAL ACTIONS - MARCH 28, 1991 BOARD MEETING*

- PCB 87-91 American Steel Container Co., Drum Shop v. IEPA - The Board accepted the Agency Recommendation of denial of variance from the Board's regulations limitation on volatile organic material (VOM) emissions for petitioner's Cook County facility. The Board dismissed the second amended petition for failure to comply with discovery, concluded that petitioner failed to present adequate proof that immediate compliance would result in arbitrary or unreasonable hardship, and that petitioner failed to demonstrate compliance with federal law. Board Member J.D. Dumelle concurred.
- PCB 90-221 Safety-Kleen, Corp. v. IEPA - This matter was dismissed on petitioner's motion.
- PCB 90-224 City of Prospect Heights (Rob Roy Water System) v. IEPA - The Board accepted the Agency Recommendation and granted petitioner variance, with conditions, from the Board's public water supply regulations concerning Standards for Issuance and Restricted Status relating to the combined radium-226 and radium-228 standard for its Cook County facility. Board Members J.D. Dumelle and B. Forcade dissented.
- PCB 90-229 North Suburban Public Utility Company v. IEPA - The Board accepted the Agency Recommendation and granted petitioner variance, with conditions, from the Board's public water supply regulations concerning Standards for Issuance and Restricted Status relating to the combined radium-226 and radium-228 standard for its Cook County facility. Board Members J.D. Dumelle, J. Theodore Meyer and Bill Forcade dissented.
- PCB 91-54 Ethyl Petroleum Additives, Inc., v. IEPA - The Board accepted the Agency Recommendation and granted petitioner provisional variance from the Board's 90-day limitation on the storage of hazardous wastes for its St. Clair County facility. Board Members J.D. Dumelle and B. Forcade concurred.
- PCB 91-55 Village of Itasca v. IEPA - The Board accepted the Agency Recommendation and granted petitioner provisional variance, with conditions, from the Board's water pollution regulations relating to effluent dilution and non-degradation to stream water quality requirements for its DuPage County facility. Board Members J.D. Dumelle and B. Forcade concurred.
- AC 90-59 (A & B) IEPA v. Southern Pacific Railroad - The Board found respondent violated Section 21(q)(1) of the Act, ordered

respondent to pay \$500 to the Illinois Environmental Protection Trust Fund, closed Docket A, opened Docket B and ordered the Agency and Board to file statements of hearing costs supported by affidavit with service upon respondent, for its Sangamon County facility. Board Member J.D. Dumelle dissented.

- AC 91-4 IEPA v. Matt Burroughs - The Board found respondent violated Section 21(q)(1) of the Act and imposed a fine of \$500.
- AC 91-5 Logan County Health Dept. v. Lincoln/Logan Landfill, Inc. - The Board found respondent violated Sections 21(p)(5), 21(P)(11) and 21(p)(12) of the Act and imposed a fine of \$ 1,500.

NEW CASES - MARCH 28, 1991 BOARD MEETING

- PCB 91-39 TransTechnology Corp. v. IEPA - Petitioner seeks reversal of the Agency's decision to impose cleanup objectives for petitioner's Stark County facility. Held until 4/11/91.
- PCB 91-48 Wonder View Improvement Assn. v. Northern Illinois Utilities Inc. - Complainant alleges violation of the Board's public water supplies regulations at McHenry County facility. Held until 4/11/91.
- PCB 91-50 Karl Christ and Helen Christ v. Compost Enterprises - Complainants allege violation of the Act and Board air and noise pollution regulations at respondent's McHenry County facility. Held for duplicitous/frivolous determination.
- PCB 91-51 Norma Jane Collins v. Dean Roberts, Jr. d/b/a Robert's Food and Fish - Complainant alleges violation of the Act and Board noise regulations at respondent's Sangamon County facility. Held until 4/11/91.
- PCB 91-52 Atwood Industries, Inc. v. IEPA - Petitioner seeks review of certain conditions imposed by the Agency in the RCRA closure plan permit for its Jo Daviess County facility. Accepted for hearing.
- PCB 91-53 People of the State of Illinois v. Enamellers and Japanners, Inc., an Illinois Corp. - Complainant alleges violations of the Act and Board air pollution regulations at respondent's Cook County facility. Hearing mandatory.
- PCB 91-54 Ethyl Petroleum Additives, Inc. v. IEPA - See Final Actions.
- PCB 91-55 Village of Itasca v. IEPA - See Final Actions.
- PCB 91-56 Douglas Furniture of California, Inc. v. IEPA - Petitioner seeks permit review for its Cook County facility. Accepted for hearing.
- R91-10 Exemptions from the definition of VOM - Docket reserved.

CALENDAR

- April 17 11:00 R PM-10 Emission Limits for Portland Cement Manufacturing Plant and Associated Quarry Operations located South of the Illinois River in LaSalle County, Illinois - R91-6, State of Illinois Center, 100 W. Randolph St., Suite 9-031, Chicago.
- April 19 11:00 R PM-10 Emission Limits for Portland Cement Manufacturing Plant and Associated Quarry Operations located South of the Illinois River in LaSalle County, Illinois - R91-6, Illinois Valley Community College, 2578 East 350th Road, Building C, Room 316, Oglesby.
- April 23 10:00 a.m. A-S In the Matter of Petition of Ford Motor Company for an Adjusted Standard (35 Ill. Adm. Code 215.204(a)(1)), AS 91-2, Schiff, Hardin & Waite, Conference Center, 7200 Sears Tower, 66th Floor, Chicago.
- April 25** **Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.**
- May 3 10:00 a.m. L-S-R Land and Lakes Company, JMC Operations, Inc., and NBD Trust Company of Illinois as Trustee v. Village of Romeoville - PCB 91-7, Romeoville Village Hall, Village Board Room, 13 Montrose St., Romeoville.
- May 9** **Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.**

May 10 10:30 a.m.	A-E	<u>People of the State of Illinois v. F.S. Madison Service Company</u> - PCB 90-230, Edwardsville City Hall, Council Chambers, Second Floor, 400 N. Main St., Edwardsville.
May 10 9:30 a.m.	A-E	<u>People of the State of Illinois v. Amoco Petroleum Additives Company</u> - PCB 91-20, Edwardsville City Hall, Council Chambers, Second Floor, 400 N. Main St., Edwardsville.
May 13 10:00 a.m.	PWS-V	<u>City of DeKalb v. EPA</u> - PCB 91-34, Municipal Building, Council Chambers, Second Floor, 200 S. Fourth St., DeKalb.
May 20 9:30 a.m.	R	<u>Utility Industry Amendments to the Landfill Regulations (35 Ill. Adm. Code 810-815)</u> , R90 25, Northeastern Illinois Planning Commission, 400 W. Madison St., Chicago.
May 23		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
May 29 9:30 a.m.	R	<u>Steel and Foundry Industry Amendments to the Landfill Regulations (35 Ill. Adm. Code 810 815)</u> , R90-26, Northeastern Illinois Planning Commission, 400 W. Madison St., Chicago.
May 29 9:30 a.m.	W-V	<u>Zeiler Coal Company v. EPA</u> - PCB 91-12, Grand Jury Room, Randolph County Courthouse, One Taylor St., Chester.
May 30 10:00 a.m.	R	<u>Utility Industry Amendments and Steel Industry Amendments to the Landfill Regulations (35 Ill. Adm. Code 810-815)</u> , R90-25 and R90-26, IEPA - Sangamon Building Conference Room D, 1340 N. Ninth St., Springfield
June 6		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
June 20		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
July 10 10:00 a.m.	W-E	<u>Herman W. Prescott v. City of Sycamore</u> - PCB 90-187, DeKalb County Courthouse, Room 206, 133 W. State St., Sycamore.
July 11 10:00 a.m.	W-E	<u>Herman W. Prescott v. City of Sycamore</u> - PCB 90-187, DeKalb County Courthouse, Room 206, 133 W. State St., Sycamore.
July 12 9:30 a.m.	A-C	<u>EPA v. Bernard Leitschuh</u> - AC 90-91, Montgomery County Courthouse, Courthouse Square, Hillsboro.
July 16 10:00 a.m.	A-S	<u>Petition of Granite City Steel for Adjusted Standard. 35 Ill. Adm. Code 302.102, 302.208, 302.210 and Subpart F. Procedures for Determining Water Quality Criteria</u> - AS 90-4, Mayor's Conference Room, City Hall, 2nd Floor, 200 Edison Ave., Granite City.
July 19 10:00 a.m.	A-C	<u>EPA v. Omer Thomas</u> - AC 89-215, Shelbyville City Hall, Council Chambers, 170 E. Main St., Shelbyville.
August 27 10:00 a.m.	A-V	<u>DML, Inc. v. EPA</u> - PCB 90-227, Woodford County Courthouse, County Board Room, 115 N. Main St., Eureka.
September 16 10:00 a.m.	P-A	<u>Olin Corporation v. EPA</u> - PCB 89-178, Alton City Hall, 101 E. Third St., Alton.

* Times and locations of hearings and meetings appearing in the Environmental Register are subject to cancellation or rescheduling without notice. Confirmation of that information may be obtained from the Clerk of the Board at 312/814-6931.

** The Pollution Control Board meetings listed in the calendar (highlighted) are unlike the other hearings listed in that, while they are open to the public, public participation is generally not allowed, except upon the granting of a motion for oral argument.

CALENDAR CODE:

A-C	ADMINISTRATIVE CITATION	A-E	AIR ENFORCEMENT
A-S	ADJUSTED STANDARD	A-V	AIR VARIANCE
CSO	COMBINED SEWER OVERFLOW EXCEPTION	L-E	LAND ENFORCEMENT

L-S-R	LANDFILL SITING REVIEW	L-V	LAND VARIANCE
N-E	NOISE ENFORCEMENT	N-V	NOISE VARIANCE
P-A	PERMIT APPEAL	PWS-E	PUBLIC WATER SUPPLY ENFORCEMENT
PWS-V	PUBLIC WATER SUPPLY VARIANCE	R	REGULATORY PROCEEDING
SO ₂	SO ₂ ALTERNATIVE STANDARDS	SWH-E	SPECIAL WASTE HAULING ENFORCEMENT
SWH-V	SPECIAL WASTE HAULING VARIANCE	T	THERMAL DEMONSTRATION RULE (35 ILL. ADM. CODE 302.211(F))
T-C	TAX CERTIFICATIONS	T-S	TRADE SECRETS
W-E	WATER ENFORCEMENT	W-V	WATER VARIANCE
WWS	WATER-WELL SETBACK EXCEPTION		
UST-FRD	UNDERGROUND STORAGE TANK FUND REIMBURSEMENT DETERMINATION		