

ENVIRONMENTAL REGISTER

No. 427

May 8, 1991

BOARD ADOPTS RULES (R90-9) REGULATING USED AND WASTE TIRES

On April 25, 1991 the Board adopted (7-0) rules concerning the transportation, storage, processing and disposal of used and waste tires. The rules are designed to eliminate the human health and adverse environmental effects caused by unmanaged tire storage sites and processing practices, in particular the threat of mosquito infestation and tire fires. The rules require specified management practices for tire storage sites and also require financial assurance of the proper disposal of used and waste tires. Transporters are required to have a permit and are prohibited from delivering loads to unmanaged tire sites. The regulations become enforceable on January 1, 1992. A second docket (Docket B) will consider further refinements to the rule, the pesticide management plan, an exemption for retreaders and recyclers, and the repeal of existing Part 849.

Persons who wish to obtain copies of the rule may conduct the Clerk of the Board at 312/814-3620. The rule is expected to be published in the Illinois Register in June.

FOR YOUR INFORMATION

The conference "Working Together to Manage Waste" will be held May 7th and 8th at the Bismarck Hotel. This conference is the twenty-second in a series of conferences on waste management. Further information on speakers, sponsors and accommodations can be found in the back of this issue. Also included in this issue is a conference registration form. Eileen Johnston, co-ordinator, can be contacted at (312) 814-3470 or (708) 251-4386.

FINAL ACTIONS - APRIL 25, 1991 BOARD MEETING*

- PCB 89-87) IEPA v. Moline Corp.
PCB 89-44) Kathy Western and Jeffrey Western v. Moline Corp. -On the Agency's motion for stipulated penalties and the expiration of time to reply by the respondent, the Board ordered respondent to pay the stipulated penalty of \$21,800.00 into the Environmental Protection Trust Fund. Board Member J.D. Dumelle dissented.
- PCB 90-3 Calvary Temple Church v. IEPA - This matter was dismissed as being untimely filed. Board Member J. Anderson concurred.
- PCB 90-217 People of the State of Illinois v. Raging Rivers Water Park, a Missouri corp. - The Board accepted the Stipulation and Settlement Agreement in which respondent agreed to pay a civil penalty of \$11,500 for deposit into the Environmental Protection Trust Fund and agreed to cease and desist from alleged violations of the Act and Board water pollution regulations at its Jersey County facility.
- PCB 90-225 BF Goodrich Corp. v. IEPA - This matter was dismissed on petitioner's motion.
- PCB 91-4 Sexton Environmental Systems, Inc. v. IEPA - The Board struck Special Condition No. 29 which imposed hazardous waste fees in the experimental development permit issued for petitioner's Cook County facility. Board Members J. Dumelle, R. Flemal and B. Forcade dissented. Board Member J. T. Meyer concurred.
- PCB 91-39 Transtechology Corp. v. IEPA - This matter was dismissed for lack of jurisdiction.
- PCB 91-68 Industrial Hard Chrome v. IEPA - The Board accepted the Agency Recommendation and granted petitioner provisional variance from the Board's waste disposal regulations relating to 90-day on-site limitations for hazardous wastes at its Cook County facility. Board Members J.D. Dumelle and B. Forcade concurred.
- PCB 91-69 Sanitary District of Decatur v. IEPA - The Board accepted the Agency Recommendation and granted petitioner

provisional variance from the Board's water pollution regulations, with conditions, relating to fecal coliform and effluent disinfection requirements for its Macon County facility. Board Members J.D. Dumelle and B. Forcade concurred.

- AC 91-6 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.
- AC 91-7 County of Jackson v. Everett Allen, d/b/a Allen Waste Management - The Board found respondent violated Section 21(p)(11) of the Act and imposed a fine of \$500.
- R88-14 In The Matter Of: Amendments to 35 Ill. Adm. Code 211 and 215 (Pharmaceuticals) - This rulemaking sets forth state implementation plan (SIP) and volatile organic material (VOM) definition revisions.
- R90-9
A & B In The Matter Of: Used and Waste Tire Regulation (35 Ill. Adm. Code 848) - This rulemaking sets forth provisions for the storage, processing, disposal and transportation of used and waste tires in Illinois.

NEW CASES - APRIL 25, 1991 BOARD MEETING

- PCB 91-2 Olin Corp. v. IEPA - Petitioner seeks variance from the Board's air pollution regulations concerning its Williamson County facility. Accepted for hearing.
- PCB 90-3 Calvary Temple Church v. IEPA - See Final Actions.
- PCB 91-11 Burlington Northern Railroad Co. v. IEPA - Petitioner seeks review of certain conditions imposed by the Agency in the RCRA closure plan permit for its Knox County facility. Accepted for hearing.
- PCB 91-39 Transtechology Corp. v. IEPA - See Final Actions.
- PCB 91-42 Franklin D.R. Vickers and Ruth J. Vickers v. Village of Millstadt - Complainants allege violation of the Act and Board noise regulations at respondent's St. Clair County facility. Held until May 9, 1991.
- PCB 91-48 Wonder View Improvement Association v. Northern Illinois Utilities, Inc. - Petitioner alleges violations of the Board's public water supplies regulations at respondent's McHenry County facility. The Board granted complainant's motion to file its response instanter and ordered respondent to file its answer and/or affirmative defense by May 6, 1991.
- PCB 91-50 Karl Christ and Helen Christ v. Compost Enterprises, Inc. - Complainants allege violations of the Act and Board air pollution regulations at respondent's Kane/Cook County facility. Held until May 9, 1991.
- PCB 91-61 Big River Zinc Corp. v. IEPA - Petitioner seeks variance from the Board's waste disposal regulations at its St. Clair County facility. Held for Special Board Meeting.
- PCB 91-65 American Fly Ash Co. v. IEPA - Petitioner seeks permit review for its Tazewell County facility. Accepted for hearing.
- PCB 91-66 Village of Bensenville v. IEPA - Petitioner seeks variance extension from the Board's public water supplies regulations concerning Standards for Issuance and Restricted Status relating to radium-226 and radium-228 levels for its DuPage County facility. Held for Agency Recommendation.
- PCB 91-67 Manville Sales Corp. Permit No. 1990-FO-1600-1 v. IEPA - Petitioner seeks permit review for its Will County facility. Accepted for hearing.
- PCB 91-68 Industrial Hard Chrome v. IEPA - See Final Actions.
- PCB 91-69 Sanitary District of Decatur v. IEPA - See Final Actions.

CALENDAR

- May 17
10:00 a.m. A-CSt. Clair County v. Louis Mund - AC 90-64, County Board Conference Room, 5th Floor, St. Clair County Courthouse, 10 Public Square, Belleville.
- May 17
10:30 a.m. A-CSt. Clair County v. Arthur Fields d/b/a Arthur Fields Company - AC 90-65, County Board Conference Room, 5th Floor, St. Clair County Courthouse, 10 Public Square, Belleville.
- May 17
11:00 a.m. A-CSt. Clair County v. Sandra Petroff d/b/a Petroff Trucking Company - AC 90-66, County Board Conference Room, 5th Floor, St. Clair County Courthouse, 10 Public Square, Belleville.

- May 17
11:30 a.m. A-C St. Clair County v. Timothy E. Dorton d/b/a MaClair Asphalt - AC 90-67, County Board Conference Room, 5th Floor, St. Clair County Courthouse, 10 Public Square, Belleville.
- May 20
9:30 a.m. R Utility Industry Amendments to the Landfill Regulations (35 Ill. Adm. Code 810-815), R90-25, Northeastern Illinois Planning Commission, 400 W. Madison St., Chicago.
- May 21
10:00 a.m. A-E People of the State of Illinois v. A.B. Dick Company - PCB 90-218, State of Illinois Center, 100 W. Randolph St., Suite 11-500, Chicago.
- May 21
10:30 a.m. A-E People of the State of Illinois v. Richeimer, d/b/a Richeimer Coffee Company - PCB 91-40, State of Illinois Center, 100 W. Randolph St., Suite 11-500, 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 Steel and Foundry Industry Amendments to the Landfill Regulations (35 Ill. Adm. Code 810-815), R90-26, Northeastern Illinois Planning Commission, 400 W. Madison St., Chicago.
- May 29
9:30 a.m. W-V Zeiler Coal Company v. EPA - PCB 91-12, Grand Jury Room, Randolph County Courthouse, One Taylor St., Chester.
- May 30
9:30 a.m. R In the Matter of: Groundwater Quality Standards (35 Ill. Adm. Code 620) - R89-14(B), Mayer, Brown & Platt, 190 S. LaSalle St., 39th Floor (Rooms 1, 2, & 3), Chicago.
- May 31
10:00 a.m. P-A Office Park of Hinsdale, Inc. v. EPA - PCB 91-63, Police-Fire Building, Second Floor, 121 Symonds Drive, Hinsdale.
- May 31
9:30 a.m. R Exemptions from the Definition of Volatile Organic Material (VOM) 35 Ill. Adm. Code 211.122 R91-10, IEPA - Sangamon Building, Conference Room D, 1340 N. Ninth St., Springfield.
- May 31
10:00 a.m. R Utility Industry Amendments and Steel Foundry Industry Amendments to the Landfill Regulations (35 Ill. Adm. Code 810-815) - R 90-25 and R90-26, IEPA - Sangamon Building Conference Room D, 1340 N. Ninth Street, Springfield. (This hearing will be limited to any additional matters in either docket that were not dealt with at the May 20, 1991 and May 29, 1991 hearings.)
- June 3
10:00 a.m. A-E People of the State of Illinois v. Bridgestone/Firestone, Inc. - PCB 90-202, Second Floor Conference Room, #1 Civic Center Plaza, Southeast Corner of Eldorado & Franklin, Decatur.
- June 6**
Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
- June 10
1:00 p.m. A-E EPA v. Nesco Steel Board Company - PCB 90-37, Granite City Township Building, 2060 Delmar Ave. Granite City.
- June 18
10:00 a.m. A-E People of the State of Illinois v. Allied-Hastings Barrel and Drum Service, Inc. - PCB 90-60 State of Illinois Center, 100 W. Randolph St., Suite 11-500, Chicago.
- June 18
9:30 a.m. A-C EPA v. City of West Frankfort - AC 89-72, City Council Chambers, West Frankfort City Hall, 201 E. Nolan St., West Frankfort.
- June 20**
Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
- June 21
9:30 a.m. A-E EPA v. Trilla Steel Drum, Inc. - PCB 86-56, Law Office of Joshua Sachs, 134 N. LaSalle St., Chicago.
- June 21
9:30 a.m. A-V General Motors Corporation v. EPA - PCB 88-193, Vermillion County Courthouse, 7 North Vermillion St., Room 1A, First Floor, Danville.
- June 21
10:00 a.m. A-E People of the State of Illinois v. Colwell General, Inc. - PCB 89-180, State of Illinois Center, 100 W. Randolph St., Suite 11-500, Chicago.
- June 25
10:00 a.m. P-A FIW, Inc. v. EPA - PCB 90-141, Rockford Public Library, 215 N. Wyman, Room A, Lower Level, Rockford.

June 27 9:30 a.m.	P-A	<u>D & B Refuse Service, Inc. v. EPA</u> - PCB 89-106, Moltrie County Courthouse, Grand Jury Room, Third Floor, Sullivan.
June 28 10:00 a.m.	P-A	<u>Natural Gas Pipeline Company of America v. EPA</u> - PCB 87-150, City of Kankakee, Council Chambers, Second Floor, 385 East Oak Street, Kankakee.
June 28 9:30 a.m.	L-E	<u>IEPA and People of the State of Illinois v. Fitz-Mar, Inc.</u> - PCB 86-160, Law Office of Joshua Sachs, 134 N. LaSalle St., Suite 2222, Chicago.
June 28 11:00 a.m.	P-A	<u>Laclede Steel v. EPA</u> - PCB 88-115, Madison County Courthouse, Board Room, 155 N. Main St., Edwardsville.
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		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
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.
July 25		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
August 8		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
August 22		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
August 27 10:00 a.m.	A-V	<u>DMI, Inc. v. EPA</u> - PCB 90-227, Woodford County Courthouse, County Board Room, 115 N. Main St., Eureka.
September 12		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
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.
September 26		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
October 10		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
October 24		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
November 7		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
November 21		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.

- December 5 **Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.**
- December 19 **Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.**

* 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		