

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING  
JANUARY 24, 1985 CHICAGO, ILLINOIS

All Board Members were present save Mr. Nega who was ill.

Opinions and Orders were adopted in these cases by a vote of 4-1: ##83-240, Hansen-Sterling, Mr. Forcade dissented; 84-106, American Can, Mr. Forcade dissented; 84-108, National Can, Mr. Forcade dissented; 84-147, Anderson Clayton Foods, Mr. Meyer dissented and Mrs. Anderson concurred.

Opinions and Orders were adopted in these cases by a vote of 5-0: ##84-57, City of Keithsburg; 84-146, City of Tuscola, Mr. Dumelle concurred.

A Proposed Rule, First Notice, Proposed Opinion and Order was adopted in R82-2, Nuclear Air Emissions, by a vote of 5-0. Mr. Meyer concurred.

Motion to overrule certain rulings of hearing officer was denied in #79-145, Celotex, by a vote of 5-0. Mr. Dumelle will prepare an Order.

Motion for voluntary dismissal was granted in #84-98, Continental Grain, by a vote of 5-0. Mr. Dumelle will prepare an Order.

Motion to intervene was denied in #84-150, William H. Clarke, by a vote of 5-0. Mr. Dumelle will prepare an Order.

Motion for leave to file Agency Recommendation Instanter was granted in #84-157, American Can, by a vote of 5-0. Mr. Dumelle will prepare an Order.

Application for non-disclosure was granted in #84-170, Tecumseh, by a vote of 5-0. Mr. Dumelle will prepare an Order.

An Order was adopted in #84-174, Classic Finishing, by a vote of 5-0. Mrs. Anderson will prepare it.

These matters were discussed and held to February 7, 1985 for further consideration: ##81-190, People v. City of Chicago; 82-101, Browning-Ferris (remand); 83-28, EPA v. Top Chop; 84-66, Union Oil.

These regulatory matters were discussed and held until February 7, 1985 for further consideration: R81-18, Waste Site Chief Operator Prior Conduct Certification; R84-4, -19, Algicide Chemicals; R84-12, Trihalomethanes PWS Inquiry.

In new cases these actions were taken by a vote of 5-0: ##85-4,

John W. Eilrich v. James Smith, hearing authorized; Mrs. Anderson concurred; 85-5, Fedders-USA v. EPA, hearing mandatory; 85-6, Timberlake Estates Sanitary District v. EPA, held for an Agency Recommendation; 85-8, Signode Supply Corporation v. EPA, hearing mandatory; 85-10, City of Whitehall v. EPA, provisional variance granted, Opinion and Order by Mr. Dumelle.

A Resolution and Order was adopted in R84-47 and R85-1, New Source Performance Standards, by a vote of 5-0. Mr. Dumelle will prepare it.

All matters not disposed of as listed were ordered held to February 7, 1985 for possible consideration.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above Minutes were approved this 27<sup>th</sup> day of June, 1985 by a vote of 6-0

Dorothy M. Gunn  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD  
FINAL AGENDA  
JANUARY 24, 1985 CHICAGO, ILLINOIS

DECISIONS:

- \* 83-240 Hansen-Sterling Drum (JM)(open waiver)\_\_\_\_\_
- \* 84-57 City of Keithsburg (BF)(due)\_\_\_\_\_
- \* 84-106 American Can (JM)(due)\_\_\_\_\_
- \* 84-108 National Can (JM)(due)\_\_\_\_\_
- \* 84-146 City of Tuscola (JTM)(due)\_\_\_\_\_
- \* 84-147 Anderson Clayton Foods (BF)(due)\_\_\_\_\_
- R82-2 Nuclear Air Emissions, First Notice (JD)\_\_\_\_\_

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MOTIONS:

- 79-145 Celotex - motion to overrule (1/16)(BF)\_\_\_\_\_
- 84-98 Continental Grain - motion for voluntary dismissal (1/23)\_\_\_\_\_
- 84-150 William H. Clarke - petition to intervene (1/10), response (1/22), response (1/23)(JD)\_\_\_\_\_
- 84-157 American Can - motion for leave to file Agency Recommendation Instanter (1/21)\_\_\_\_\_
- 84-166 City of Farmington - motion for leave to file Agency Recommendation Instanter (1/21)\_\_\_\_\_
- 84-170 Tecumseh - application for non-disclosure (12/7)(JD)\_\_\_\_\_
- 84-174 Classic Finishing - Trade Secret determination (11/21)(JA)\_\_\_\_\_

DISCUSSIONS:

- 81-190 People v. City of Chicago (JM) \_\_\_\_\_
- 82-101 Browning-Ferris (remand)(JA) \_\_\_\_\_
- 83-28 EPA v. Top Chop (JD) \_\_\_\_\_
- \* 84-66 Union Oil (JM)(due 2/7) \_\_\_\_\_
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REGULATORY DISCUSSIONS:

- R81-18 Waste Site Chief Operator Prior Conduct Certification,  
Proposed Rule, Second Notice (JA) \_\_\_\_\_
- R84-4) Algicide Chemicals, First Notice (JM) \_\_\_\_\_  
R84-19)
- R84-12 Trihalomethane PWS Inquiry (JD) \_\_\_\_\_
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NEW CASES:

- 85-4 John W. Eilrich v. James Smith (11:00 a.m.) \_\_\_\_\_
- 85-5 Fedders-USA v. EPA \_\_\_\_\_
- 85-6 Timberlake Estates Sanitary District v. EPA and County of  
Du Page \_\_\_\_\_
- 85-7 Citizens Against Woodlawn Area Landfills v. Southern  
Illinois Landfill \_\_\_\_\_
- 85-8 Signode Supply Corp. v. EPA \_\_\_\_\_
- 85-9 Landfill Emergency Action Committee v. McHenry County  
Sanitary Landfill and Recycling Center, Inc. \_\_\_\_\_
- R85-1 New Source Performance Standards (JD) \_\_\_\_\_
- R85- Amoco Oil \_\_\_\_\_

PENDING CASES ASSIGNED:

78-139 Vickery Manor (JD)  
82-144 EPA v. City of Galena (WN)  
83-2 Chemetco (WN)  
83-23 EPA v. Arnold's Sewer (JTM)  
\* 83-58 Caterpillar (BF)(due 2/21)  
83-83 Joslyn Manufacturing (BF)  
83-226 Archer Daniels (JM)  
84-3] City of Galva (BF)  
84-4]  
\* 84-79 Russell Wake (JTM)  
\* 84-117 Precision Coatings (JD)(due 3/7)  
\* 84-151 Chicago Rotoprint (JD)(awaiting new date)  
\* 84-162 Hoesman (JD)(due 2/21)  
\* 84-166 City of Farmington (JM)(due 3/7)  
\* 84-175] Jefferson County (BF)(due 3/21/ or 4/18)  
84-176]