

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING  
JUNE 25, 1987 CHICAGO, ILLINOIS

All Board Members were present.

An Opinion and Order was adopted in #86-56, Trilla Steel Drum, by a vote of 6-0. (JD)

A Proposed Rule, Second Notice, Opinion and Order was adopted in R81-18, Landfill Chief Operator Past Qualification, by a vote of 6-0. (RF)

An Adopted Rule, Final Opinion and Order was adopted in R84-29, Mine Rule Amendments, by a vote of 6-0. (RF)

A Proposed Rule, Request for Additional Comments, Order was adopted in R85-14, Public Water Supplies Amendments, Restricted Status, by a vote of 5-1. J. Dumelle dissented and B. Forcade concurred. (JA)

A Proposed Rule, First Notice, Opinion and Order was adopted in R86-36, Heavy Duty Off-Highway Vehicles, by a vote of 5-1. J. Dumelle dissented and B. Forcade concurred. (RF)

A Resolution and Order in response to a JCAR objection was adopted in R87-3, -4, New Source Performance Standards, by a vote of 5-1. J. Theodore Meyer dissented. (JD)

Orders were adopted in these Administrative Citations by a vote of 6-0: #87-40, Browning-Ferris Industries; 87-43, Arthur A. Daniels; 87-44, Browning-Ferris Industries.

Agency motion for extension of time to respond to Respondent's motion to vacate a May 14, 1987 Board Order was granted until June 29 and Respondent was granted leave until July 13 to file its reply to the Agency's response in #AC 87-27, Fitz-Mar Landfill, by a vote of 6-0. (JA)

Agency motion for extension of time to respond to Respondent's motion to dismiss was granted until June 29 and Respondent was granted leave until July 13 to file its reply to the Agency's response in #AC 87-46, Fitz-Mar Landfill, by a vote of 6-0. (JA)

Petitioner's motion to withdraw petition was granted in #84-56, Taracorp, by a vote of 6-0. (BF)

Petitioner's motion to withdraw petition was granted in #84-58, Taracorp, by a vote of 6-0. (BF)  
Motion to dismiss was granted with prejudice and without cost to

either party in #85-7, Southern Illinois Landfills, by a vote of 6-0. (BF)

Agency motion for extension of time to file response to Petitioner's motion to modify an April 1, 1987 Board Order was granted until July 9 and the Clerk of the Board was directed to convey a copy of Petitioner's motion to the Agency in #86-2, City of LaSalle, by a vote of 6-0. (JD)

Agency motions to strike and to dismiss were denied and Petitioner's motions for modification of an April 16, 1987 Board Order in #86-22, -23, American Steel Container, were construed as new petitions for variance and will be docketed as PCB 87-90 and PCB 87-91. Petitioner was directed to file amended petitions which contain compliance plans and which incorporate and update the prior records in these matters within 45 days or petitions will be subject to dismissal. Hearings will be scheduled after receipt of complete and sufficient amended petitions. The vote was 6-0. (JA)

Respondent's motion for extension of time to respond to the Agency's response to its motion to dismiss in #86-160, Fitz-Mar Landfill, was granted until July 13, 1987 by a vote of 6-0. (JA)

Petitioner's request for extension of time in which to provide information required to be submitted to the Agency by a January 22, 1987 Board Order was granted until October 1, 1987 in #86-165, City of Ottawa, by a vote of 6-0. (JA)

An Order requesting additional information regarding the parties' intentions as to further proceedings before the Board in #86-198, City of Kewanee, was adopted by a vote of 6-0. (JD)

An Order requesting the attorneys for A.R.F. Landfill Corporation to inform the Board by July 10, 1987 its purpose in appearing and the authority of the Board to permit it to appear in #87-75, Waste Management, was adopted by a vote of 6-0. (JD)

These cases were discussed and held to July 16, 1987 for possible consideration: ##86-6, City of Wood River CSO; 86-92, G&W Electric Company; 87-34, A.R.F. Landfill; 87-36, Peter Valessares; 87-37, City of Oglesby.

These regulatory matters were discussed and held to July 16, 1987 for possible consideration: R82-14, RACT III; R85-26, WIPC Site-Specific; R85-29, Disinfection; R86-10, Pharmaceutical Industry VOC; R86-18, Generic Rule VOC; R86-37, Definition of VOM; R86-39, SOCFI VOC; R86-40, Air Oxidation SOCFI; R86-44, Pretreatment Rules.

In amended petitions these actions were taken by a vote of 6-0: ##87-70, Bear Hybrid Corn Company, additional information requested, Order by B. Forcade; 87-79, City of Batavia, held for

an Agency Recommendation.

In new cases these actions were taken by a vote of 6-0: ##87-46, Illinois Department of Transportation, Chicago Park District, **Chairman authorized to sign the permit document and to prepare an Order**; 87-68, -86-43, LTV Steel Company v. EPA, motion to consolidate granted, **Order by J. Dumelle**; 87-81, Illinois Department of Transportation, Northwestern University, **docket opened to allow the Board additional time to review the project**; 87-82, Illinois Department of Transportation, Mrs. Lyman M. Drake, **docket opened to allow the Board additional time to review the project**; 87-83, Village of North Aurora v. EPA, additional information requested, **Order by B. Forcade**; 87-86, Illinois Department of Transportation, U.S. Army at Ft. Sheridan, **Chairman authorized to sign the permit document and to prepare an Order**; 87-87, Illinois Department of Transportation, Donald Schiller, **docket opened to allow the Board additional time to review the project**; 87-88, Admiral Corporation v. EPA, provisional variance granted, **Order by J. Dumelle**; R87-18, Midwest Grain Site-Specific, accepted for publication and 200 signature requirement waived; R87-19, New Source Performance Standards, **Resolution and Order by J. Dumelle**; R87-20, New Source Performance Standards, **Resolution and Order by J. Dumelle**.

In other new cases these actions were taken by a vote of 5-1: ##87-84, Jefferson Smurfit Corporation v. EPA, hearing authorized, J. Dumelle dissented, **Order by B. Forcade**; 87-85, Illinois Department of Transportation, Chicago Park District, **Chairman authorized to sign the permit document and to prepare an Order**, J. Theodore Meyer dissented, 87-89, Cargill, Inc. v. EPA, hearing authorized, J. Dumelle dissented, **Order by B. Forcade**.

Hearings were authorized in these Administrative Citations by a vote of 6-0: ##87-45, Glen Buelter and William De Jarnette; 87-47, Chicago Heights Refuse.

These Administrative Citations were received by the Board: ##87-52, Richard Krohn et al.; 87-53, Irene Brawner; 87-54, Roy Porter; 87-55, James L. Watts; 87-56, Gary Largent; 87-57, MIG Investments, Inc.; 87-58, Dale Wells; 87-59, Gerald and Rutherford Rhodes; 87-60, Mary Chasteen; 87-61, Waste Management of Illinois, Inc.; 87-62, Nolan E. Hoskins.

Minutes of the June 10 and June 22, 1987 Board Meetings were approved by a vote of 6-0.

All other matters not disposed of as listed were ordered held to July 16, 1987 for possible consideration.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Minutes were approved this 16<sup>th</sup> day of July, 1987 by a vote of 6-0.

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

ILLINOIS POLLUTION CONTROL BOARD  
FINAL AGENDA  
JUNE 25, 1987 CHICAGO, ILLINOIS  
CONFERENCE ROOM 9-031  
10:30 A.M.

ADDENDUM

NEW CASES:

87-89 Cargill, Inc. v. EPA \_\_\_\_\_  
\_\_\_\_\_

NEW AC FILINGS:

87-59 Gerald and Rutherford Rhodes \_\_\_\_\_

87-60 Mary Chasteen \_\_\_\_\_

87-61 Waste Management of Illinois, Inc. \_\_\_\_\_

87-62 Nolan E. Hoskins \_\_\_\_\_

ILLINOIS POLLUTION CONTROL BOARD  
FINAL AGENDA  
JUNE 25, 1987 CHICAGO, ILLINOIS  
CONFERENCE ROOM 9-031  
10:30 A.M.

DECISIONS:

- 86-56 Trilla Steel Drum (JD) \_\_\_\_\_
- \* 87-29 John Ash, Sr. (RF)(due 7/16) \_\_\_\_\_
- R81-18 Landfill Chief Operator Past Qualification, Second  
Notice, Opinion and Order (RF) \_\_\_\_\_
- R84-29 Mine Rule Amendments, Final Notice (RF) \_\_\_\_\_
- R85-14 Public Water Supplies Amendments, Restricted Status,  
Interim Order (JA) \_\_\_\_\_
- R86-36 Heavy Duty Off-Highway Vehicles, Proposed Rule, First  
Notice (RF) \_\_\_\_\_
- R86-46 RCRA Update (July 1, 1986 through September 30, 1986),  
Final Notice (JA) \_\_\_\_\_
- R87-3) New Source Performance Standards (Resolution in response  
R87-4) to JCAR Objection)(JD) \_\_\_\_\_

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AC DECISIONS:

- 87-40 Browning-Ferris Industries \_\_\_\_\_
- 87-43 Arthur A. Daniels \_\_\_\_\_
- 87-44 Browning-Ferris, Industries \_\_\_\_\_

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AC MOTIONS:

- 87-27 Fitz-Mar Landfill ~ motion to vacate Board Order of May  
14, 1987 (5/26); Complainant's motion for extension of  
time (6/18)(JA) \_\_\_\_\_

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\*INDICATES VARIANCE OR PERMIT APPEAL

\*\*INDICATES ADMINISTRATIVE CITATION APPEAL

AC MOTIONS: (Cont'd)

87-46 Fitz-Mar Landfill - motion to dismiss (5/26); Agency's motion for extension of time (6/18)(JA)\_\_\_\_\_

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MOTIONS:

84-45) Waste Management - Petitioner's motion to extend time  
84-61) for response (6/15)(JA)\_\_\_\_\_

84-56 Taracorp - Petitioner's motion to withdraw petition  
(6/19)(BF)\_\_\_\_\_

84-58 Taracorp - Petitioner's motion to withdraw petition  
(6/19)(BF)\_\_\_\_\_

85-7 Southern Illinois Landfills - motion to dismiss and stipulation for dismissal (6/16)\_\_\_\_\_

86-2 City of LaSalle - motion to modify April 1, 1987 Board Order (6/8), Agency motion for extension of time to file response to Petitioner's motion to modify April 1, 1987 Board Order (6/24)(JTM)\_\_\_\_\_

86-22) American Steel Container - motion for modification of  
86-23) April 16, 1987 Board Order (6/1); Agency response to motions for modification (6/8); Agency motion to strike motions for modification (6/8); Agency motion to dismiss motions for modification (6/8); Petitioner's response to motions to strike and dismiss (6/12)(JA)

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86-160 Fitz-Mar Landfill - motion to dismiss (5/26); response to motion to dismiss (6/10); Respondent's motion for extension of time (6/19)(JA)\_\_\_\_\_

86-165 City of Ottawa - motion for extension of time (6/5); Agency response (6/15)(JA)\_\_\_\_\_

86-198 City of Kewanee - motion to dismiss complaint (6/4)(JD)

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87-51 A.R.F. Landfill - emergency motion for sanctions  
(6/15)(JD)\_\_\_\_\_

87-75 Waste Management - motion to appear (6/16)(RF)

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MOTIONS: (Cont'd)

R86-18 Organic Emissions - Agency motion to close the merit record (5/27); IERG's motion to establish a separate docket (5/29); All-Steel's response to Agency motion to close the merit record (6/2); Agency motion to file Instantner, motion to strike All-Steel pleading for improper notice; motion to strike IERG pleadings for improper notice and Agency response to motion to establish a separate docket (6/23)(JM)

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DISCUSSIONS:

86-6 City of Wood River CSO (JD)\_\_\_\_\_

86-92 G&W Electric Company (JA)\_\_\_\_\_

\* 87-34 A.R.F. Landfill (JM)(7/16)\_\_\_\_\_

\* 87-36 Peter Valessares (BF)(due 7/16)\_\_\_\_\_

\* 87-37 City of Oglesby (JD)(due 7/16)\_\_\_\_\_

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REGULATORY DISCUSSIONS:

R82-14 RACT III (BF)\_\_\_\_\_

R82-27) Procedural Rules, Part 102, Site-Specific, Second Notice  
R82-36) Order (JTM)\_\_\_\_\_

R83-37)

R82-27) Procedural Rules, Part 105 (JTM)\_\_\_\_\_

R82-36)

R83-37)

R85-26 WIPC Site-Specific (RF)\_\_\_\_\_

R85-29 Disinfection (RF)\_\_\_\_\_

R86-10 Pharmaceutical Industry VOC (JD)\_\_\_\_\_

R86-18 Generic Rule - VOC (JM)\_\_\_\_\_

R86-37 Definition of VOM (BF)\_\_\_\_\_

R86-39 SOCFI VOC (JD)\_\_\_\_\_

R86-40 Air Oxidation SOCFI (JD)\_\_\_\_\_

**REGULATORY DISCUSSIONS: (Cont'd)**

R86-44 Pretreatment Rules, Adopted Rule, Final Opinion and  
Order (JM)\_\_\_\_\_

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**AMENDED PETITIONS:**

87-70 Bear Hybrid Corn Co. (filed 6/23)\_\_\_\_\_

87-79 City of Batavia (filed 6/19)\_\_\_\_\_

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**NEW CASES:**

87-46 IDOT, Chicago Park District (JD)\_\_\_\_\_

87-68 LTV Steel Company v. EPA (See motion to consolidate with  
PCB 86-43 (6/10))(JD)\_\_\_\_\_

87-81 IDOT, Northwestern University\_\_\_\_\_

87-82 IDOT, Mrs. Lyman M. Drake\_\_\_\_\_

87-83 Village of North Aurora v. EPA (BF)\_\_\_\_\_

87-84 Jefferson Smurfit Corp. v. EPA (BF)\_\_\_\_\_

87-85 IDOT, Chicago Park District (JD)\_\_\_\_\_

87-86 IDOT, U.S. Army at Ft. Sheridan (JD)\_\_\_\_\_

87-87 IDOT, Donald Schiller\_\_\_\_\_

87-88 Admiral Corporation v. EPA (Provisional Variance)(JD)  
\_\_\_\_\_

R87-18 Midwest Grain Site-Specific\_\_\_\_\_

R87-19 New Source Performance Standards, Resolution and Order  
(JD)\_\_\_\_\_

R87-20 New Source Performance Standards, Resolution and Order  
(JD)\_\_\_\_\_

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**AC APPEALS:**

\*\* 87-45 Glen Buelter & William De Jarnette\_\_\_\_\_

\*\* 87-47 Chicago Heights Refuse\_\_\_\_\_

**NEW AC FILINGS:**

87-52 Richard Krohn et al. \_\_\_\_\_  
87-53 Irene Brawner \_\_\_\_\_  
87-54 Roy Porter \_\_\_\_\_  
87-55 James L. Watts \_\_\_\_\_  
87-56 Gary Largent \_\_\_\_\_  
87-57 MIG Investments, Inc. \_\_\_\_\_  
87-58 Dale Wells \_\_\_\_\_

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**MINUTES:**

June 10, 1987 \_\_\_\_\_  
June 22, 1987 (Special Board Meeting) \_\_\_\_\_

PENDING CASES ASSIGNED:

81-151 Dean Food (BF)  
\* 83-49 Alton Packaging (RF)(open waiver)  
\* 83-55 Alton Packaging (RF)(open waiver)  
83-132 Dunn Company (BF)  
84-64 Rodger Diamond (JD)  
84-93 S.C. Industries (BF)  
84-124 Overnite Trucking (BF)  
85-19 Monsanto (BF)  
85-136 Navem Patel (BF)  
\* 85-154 Modine Manufacturing (RF)(open waiver)  
\* 85-166 Citizens Utilities (JTM)(open waiver)  
\* 85-179 Camsco Produce (JTM)(due 10/1)  
\* 85-190 Sours Grain (JD)(open waiver)  
\* 85-209 Village of Carol Stream (RF)(due 11/19)  
85-218 City of Belleville CSO (JD)  
85-224 Aurora S.D. CSO (BF)  
86-4 City of Morris CSO (JD)  
86-50 Chicago Steel (RF)  
86-134 Nabisco Brands (JM)  
\* 86-150 American Hoechst (JM)(open waiver)  
\* 86-174 IBP, Inc. (JM)(open waiver)  
\* 86-185 Citizens Utilities (JA)(due 10/15)  
\* 86-222 Vickory Manor (JM)(due 9/17)  
\* 86-225 City of Geneva (JA)(due 10/1)  
\* 87-15 Honeywell, Inc. (BF)(due 9/3)  
\* 87-35 Village of Minooka (JA)(due 9/17)  
\* 87-38 Dept. of the Army (JM)(due 9/3)  
\* 87-39 Village of Roselle (JA)(due 9/3)  
\* 87-40 Commonwealth Edison (JM)(due 10/1)  
\* 87-48 Department of the Air Force (RF)(due 9/17)  
\* 87-49 Gerald Clutts (JA)(due 8/6)  
\* 87-51 A.R.F. Landfill (JD)(due 8/20)  
\* 87-63 Reynolds Metals (JTM)(due 10/1)  
\* 87-69 Village of Romeoville (JTM)(due 9/17)  
87-71 City of Dixon CSO (JM)  
\* 87-75 Waste Management (RF)(due 9/17)  
\* 87-76 Gertrude Guerrettaz (BF)(due 9/17)

PENDING AC CASES ASSIGNED:

87-6          James Pressnall (JM)