

# ENVIRONMENTAL REGISTER

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No. 400

March 7, 1990

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## BOARD PROCEEDS TO SECOND NOTICE IN CITY OF HAVANA SITE-SPECIFIC RULEMAKING (R88-25)

On February 22, 1990, the Board adopted a proposed rule for Second Notice granting the City of Havana site-specific relief from 35 Ill. Adm. Code 306.305(a) and 306.306(c) governing combined sewer overflow systems. For further information on this rulemaking, contact Karen Rosenwinkel (312) 814-3665.

## BOARD PROPOSES MODINE SITE SPECIFIC FOR SECOND NOTICE (R87-36)

On February 22, 1990, the Board proposed for Second Notice site specific relief for Modine Manufacturing Company for its facility in Ringwood, McHenry County. The proposed standards include site specific effluent standards for total suspended solids and biochemical oxygen demand ("BOD<sub>5</sub>"), and are proposed as Section 304.221. The Board included the relief regarding fluoride within the Board's effluent standards at Section 304.221 instead of including that relief in the water quality standards at Section 303.540 as proposed at First Notice. Due to this change, the Board withheld filing of the proposal with the Joint Committee on Administrative Rules for 15 days from the date of the Board Order to allow for comment on the placement of the fluoride exception within Section 304.221. The Second Notice Opinion and Order is available upon request of the Clerk of the Board. Questions may be directed to Michelle Tarallo at (815) 753-0947.

## BOARD AND STAFF ACTIVITIES

Board Member Jacob Dumelle attended the Annual Conference of the Chicago Association of Commerce and Industry on February 16, 1990. On February 24, 1990 he spoke on air and water pollution at the Environmental Forum in Oak Brook.

On February 17, 1990, Board Member Bill Forcade gave a speech on the practice of Environmental Law at the Public Interest segment of the Career Conference at Northwestern University School of Law in Chicago. The conference was attended by law school students, some from as far away as Michigan.

## FOR YOUR INFORMATION

The Chicago Section of the American Chemical Society will present a lecture by Dr. John Ahlen, President of the Arkansas Science & Technology Authority on Friday, March 23 at 8:00 p.m. at the Como Inn, 545 N. Milwaukee Avenue. The title of the lecture is "The Role of Science and Technology in Enhancing a State's Economic Development" and will explore the full range of scientific and technical issues associated with development, including environmental issues. Anyone wishing to attend a 7:00 p.m. dinner preceding the lecture should contact Mr. Ron Sykstus at the Chicago Section office for information and reservations (312-461-9595). It is not necessary to come for dinner in order to hear the lecture, which is open to the public.

The Lake Michigan States Section and the Central Illinois Chapter of the

Air and Waste Management Association are holding a joint meeting on April 30, 1990. The topic of the meeting will be The 1990 Clean Air Act Amendments: A Focus on Permitting, Air Toxics, and Motor Fuels. The meeting will be held at Starved Rock Lodge and Conference Center and includes a buffet luncheon. For more information and reservations, contact: Douglas Bischoff, 11621 W. Candletree Drive, Peoria, IL. 61614, (309) 692-5252 or, Eileen Rodden, 3500 Three First National Plaza, Chicago, IL. 60602, (312) 977-4361.

**FINAL ACTIONS - FEBRUARY 15, 1990 SPECIAL BOARD MEETING**

- PCB 89-116 Motor Oils Refining Co., Inc. v. IEPA - This matter was dismissed on petitioner's motion.
- PCB 89-176 Waste Management of Illinois, Inc. v. IEPA - This matter was dismissed on petitioner's motion.

**FINAL ACTIONS - FEBRUARY 22, 1990 BOARD MEETING**

- PCB 72-63 IEPA v. Truax-Traer Coal Co., a Division of  
PCB 72-153 Consolidation Coal Co. and IEPA v. Consolidation Coal Co. - The Board relinquished jurisdiction over the reclamation plans on these cases to the Abandoned Mined Lands Reclamation Council and ordered the dockets closed.
- PCB 88-149 Cablec Corporation v. IEPA - This matter was dismissed on petitioner's motion.
- PCB 89-202 Laclede Steel Co. v. IEPA - This matter was dismissed by the Board on its own motion upon petitioner's failure to file its amended petition.
- PCB 90-1 Central Illinois Public Service Co. (Newton Unit 2) v. IEPA - This matter was dismissed on petitioner's motion.
- PCB 90-25 City of Charleston v. IEPA - The Board accepted the Agency Recommendation and granted petitioner provisional variance, with conditions, from the Board's water pollution regulations to allow discharge from excess storm water lagoons at its Coles County facility.
- AC 89-198 IEPA v. General Iron Industries, Inc. - This matter was dismissed without prejudice on the Agency's motion.
- AC 89-266 IEPA v. Darco, Inc. - This matter was dismissed on the Agency's Motion to Vacate the Board's Default Order and Withdraw Complaint.
- AC 89-305 IEPA v. Edward L. and Janet S. Jones - The Board found respondents violated Section 21(q)(1) of the Act and imposed a fine of \$500.
- AC 90-1 IEPA v. Wayne Carter - The Board found respondent violated Section 21(q)(1) of the Act and imposed a fine of \$500.
- AC 90-2 IEPA v. Harris Equipment Corp. - The Board found respondent violated Section 21(q)(1) of the Act and imposed a fine of \$500.

- AC 90-3            IEPA v. Bud Ingledue - The Board found respondent violated Section 21(q)(1) of the Act and imposed a fine of \$500.
- AC 90-4            IEPA v. Bob Carnahan - The Board found respondent violated Section 21(q)(1) of the Act and imposed a fine of \$500.
- AC 90-5            IEPA v. Daniel Wiegel - The Board found respondent violated Sections 21(q)(1) and 21(q)(4) of the Act and imposed a fine of \$1,000.
- AC 90-6            IEPA v. Wilbur Clair - The Board found respondent violated Section 21(q)(1) of the Act and imposed a fine of \$500.
- AC 90-7            IEPA v. Roger Smith - The Board found respondent twice violated Section 21(q)(1) of the Act and imposed a fine of \$1,000.
- AC 90-9            IEPA v. John Donovan - The Board found respondent violated Section 21(q)(1) of the Act and imposed a fine of \$500.
- AC 90-10          IEPA v. Everett Allen d/b/a Allen Waste Management - The Board found respondent violated Sections 21(p)(5) and 21(p)(12) of the Act and imposed a fine of \$1,000.
- AC 90-11          IEPA v. Gordon Lee, individually and d/b/a Stephenson Service Co. and FS Service, Inc. - The Board found respondent violated Section 21(q)(1) of the Act and imposed a fine of \$500.
- AC 90-12          IEPA v. John Donovan - The Board found respondent violated Section 21(q)(1) of the Act and imposed a fine of \$500.
- AC 90-13          County of St. Clair v. Anthony Jones d/b/a Metroeast Roofing - The Board found respondent violated Section 21(q)(1) of the Act and imposed a fine of \$500.

**NEW CASES - FEBRUARY 22, 1990 BOARD MEETING**

- PCB 90-17          People of the State of Illinois v. U.S. Dept. of Navy - Complainant alleges violations of the Act and Board air pollution regulations at respondent's Lake County facility. Hearing mandatory.
- PCB 90-23          Village of Mundelein v. IEPA - Petitioner seeks variance from the Board's public water supplies regulations concerning Standards for Issuance and Restricted Status relating to radium content for its Lake County facility. Held for Agency Recommendation.
- PCB 90-24          Rock-Ola Manufacturing Corp. v. IEPA - Petitioner seeks review of certain Agency imposed conditions in the RCRA closure plan permit for its Cook County facility. Accepted for hearing.
- PCB 90-25          City of Charleston v. IEPA - See Final Actions.

**CALENDAR \***

- March 7    P-A    The Grigoleit Company v. EPA - PCB 89-184, Decatur Public Library, 247 East North St., Decatur.
- March 8**                    **Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.**
- March 8    W-E    EPA v. UNR-ROHN, Inc. and Robert Penn as President of UNR-ROHN, Inc - PCB 89-187, County Board Room, Peoria County Courthouse, 324 Main Street, Peoria.

March 13 P-A Sushi, Ltd. v. EPA - PCB 89-150, Canton City Hall, Room 207, 10:00 a.m. 210 East Chestnut St., Canton.

March 13 R Site-Specific Rule Change for Abbott Laboratory (Pharmaceuticals) - R88-14, State of Illinois Center, 100 W. 10:30 a.m. Randolph St., Room 11-512, Chicago.

March 13 PWS Metro Utility Company v. EPA - PCB 89-210 Central Square, 10:00 a.m. Second Floor Board Room, 222 East 9th Street, Lockport.

March 14 A-V Olin Chemicals (Joliet Plant) v. EPA - PCB 89-72, Joliet City 9:30 a.m. Hall, East Wing Conference Room, First Floor, 150 West Jefferson Street, Joliet.

March 14 PWS-V Metro Utility Company v. EPA - PCB 89-210, Central Square, 10:00 a.m. Second Floor Board Room, 222 East 9th Street, Lockport.

March 14 P-A The City of Metropolis v. EPA - PCB 90-8, City Council 10:00 a.m. Chambers, Metropolis City Hall, 106 West 5th Street, Metropolis.

March 15 P-A The City of Metropolis v. EPA - PCB 90-8, City Council Chambers, 10:00 a.m. Metropolis City Hall, 106 West 5th Street, Metropolis.

March 19 N-E Robert J. Kvatsak and Alice Joan Kvatsak v. St. Michaels Lutheran 10:00 a.m. Church - PCB 89-182, State of Illinois Center, 100 West Randolph, Suite 11-500, Chicago.

March 20 P-A Fiat-Allis of North America, Inc. v. EPA - PCB 88-153, Municipal 10:00 a.m. Building, Room 207, 7th and Monroe Streets, Springfield.

March 21 N-E John Zarlenga and Jean Zarlenga v. Partnership Concepts, et al. 10:00 a.m. - PCB 89-169, Bloomingdale Village Hall, 201 South Bloomingdale Road, Bloomingdale.

**March 22 Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.**

March 22 A-C EPA v. Jack Wright - AC 89-227, Council Chambers, South Beloit 10:00 a.m. City Hall, 519 Blackhawk Blvd., South Beloit.

March 23 A-C EPA v. Roger Miller - PCB 89-145, Mahomet Area Community 1:15 p.m. Building, 510 East Main, Mahomet.

March 23 W-V John N. Metropolis, Jr., Martha G. Metropolis v. EPA and Village 10:00 a.m. of Lake Zurich - PCB 89-63, Lake Zurich City Hall, Board Hearing Room, 70 East Main Street, Lake Zurich.

March 23 A-C EPA v. Land & Lakes Company (Land & Lakes 1 and 2) - AC 89-292, 10:00 a.m. State of Illinois Center, 100 W. Randolph St., Suite 11-500, Chicago.

March 23 A-C EPA v. Land & Lakes Company (Land & Lakes Dolton) - AC 89-293, 11:00 a.m. State of Illinois Center, 100 W. Randolph St., Suite 11-500, Chicago.

March 27 A-E EPA v. Colwell General, Inc. - PCB 89-180, State of Illinois 10:00 a.m. Center, 100 West Randolph Street, Suite 11-500, Chicago.

March 28 P-A Modine Manufacturing Company v. EPA - PCB 86-124, McHenry Public 10:15 a.m. Library, 1011 North Green St., McHenry.

March 28 A-E People of the State of Illinois v. Crown Cork & Seal Co., Inc. 9:30 a.m. - PCB 89-159, Kankakee Detention Center, 400 East Merchant, Kankakee.

March 28 R Site-Specific Rule Change for Abbott Laboratories

10:30 a.m.            (Pharmaceuticals) R88-14, Lake County Courthouse, Tenth Floor Assembly Room, 18 North County Road, Waukegan.

March 28    A-S        The Nutra Sweet Company and Consumers Illinois Water Company  
10:00 a.m.            Petition for an Adjusted Standard, 35 Ill. Adm. Code 304.105  
and 302.208 - AS 89-3, University Park Village Hall, Village  
Board Room, 698 Burnham, University Park.

March 29    P-A        Highland Supply Corporation v. EPA - PCB 89-118, City Council  
10:00 a.m.            Chambers, Highland City Hall, 1115 Broadway, Highland.

March 29    R            Groundwater Quality Standards (35 Ill. Adm. Code 620) - R 89-14  
9:30 a.m.            State of Illinois Center, 100 West Randolph St., Room 9-040,  
Chicago.

March 29    A-E        People of the State of Illinois v. ABC Rail Corporation -  
1:00 p.m.            PCB 90-13, State of Illinois Center, 100 West Randolph St., Suite  
11-500, Chicago.

March 29    A-C        EPA v. James Gilmer - AC 89-289, County Board Room, Douglas  
9:00 a.m.            County Courthouse, 401 South Center Street, Tuscola.

March 30    A-C        EPA v. Ronald Griffith - AC 89-230, Courtroom, Main Floor,  
10:00 a.m.            Shelby County Courthouse, Shelbyville.

March 30    N-E        Phyllis A. Daidone, et al. v. Lexington Square - PCB 89-168  
10:00 a.m.            Lexington Square, Hyde Park Room, 555 West Foxworth, Lombard.

March 30    R            Groundwater Quality Standards (35 Ill. Adm. Code 620) - R 89-14  
9:30 a.m.            State of Illinois Center, 100 West Randolph St., Room 9-040,  
Chicago.

March 30    A-V        Wrico Packaging, a Division of Wm. Wrigley Jr. Company v. EPA -  
9:00 a.m.            PCB 89-124, LaGrange Park Village Hall, 447 North Catherine  
Avenue, LaGrange Park.

April 2      P-A        Douglas Furniture v. EPA - PCB 90-22, State of Illinois Center  
9:30 a.m.            100 West Randolph St., Suite 11-500, Chicago. (If necessary will  
continue on April 6, 1990, same time and place).

April 5      A-E        People of the State of Illinois v. Crown Cork and Seal Company  
9:30 a.m.            Inc. - PCB 89-201, State of Illinois Center, 100 West Randolph  
Street, Suite 11-500, Chicago.

April 6      N-E        Tony F. Martin and Patricia R. Martin v. Oak Valley Wood Products  
9:30 a.m.            - PCB 89-179, Richland County Courthouse, Jury Room, 3rd Floor,  
Olney.

April 6      A-C        EPA v. Robert A. Sanvi - AC 89-296, Council Chambers, City Hall,  
10:00 a.m.            304 West Main Street, Staunton.

**April 12            Pollution Control Board Meeting, State of Illinois Center, 100 W.**  
**Randolph St., Conference Room 9-040, Chicago.**

April 17    A-E        People of the State of Illinois v. Wisconsin Can Company -  
10:00 a.m.            PCB 90-15, State of Illinois Center, 100 West Randolph St.,  
Suite 11-500, Chicago.

April 18    P-A        D & B Refuse Service, Inc. v. EPA - PCB 89-106, Moultrie  
9:30 a.m.            County Courthouse, Grand Jury Room, Third Floor, Sullivan.

April 18    A-C        EPA v. City of Rutland - AC 89-242, Fire District Building,  
10:00 a.m.            Rutland.

April 19    N-E        Vito Zivoli v. Prospect Dive and Sports Shop Ltd. and Michael S.  
10:00 a.m.            Ropers - PCB 89-205, State of Illinois Center, 100 W. Randolph

St., Suite 11-500, Chicago.

April 19 P-A National Coatings, Inc. v. EPA - PCB 89-181, Knox County  
11:00 a.m. Courthouse, Second Floor, Bailiff's Office, Galesburg.

April 20 P-A Olney Sanitary Systems and Andrew Ochs v. EPA - PCB 89-175  
10:00 a.m. City Council Room, City Hall, 300 South Whittle, Olney.

April 23 A-E People of the State of Illinois v. DuPage Plating Co., Inc. -  
10:30 a.m. PCB 90-19, 188 Industrial Drive, Room 438, Elmhurst.

April 25 A-S In the Matter of: Safety-Kleen Corporation Petition for Adjusted  
10:00 a.m. Standard, 35 Ill. Adm. Code 720.131 (c) - AS 89-5, State of  
Illinois Center, 100 W. Randolph St., Suite 11-500, Chicago.

**April 26** **Pollution Control Board Meeting, State of Illinois Center, 100 W.**  
**Randolph St., Conference Room 9-040, Chicago.**

May 3 A-E EPA v. Ekco Glaco Corporation - PCB 89-200, State of Illinois  
9:30 a.m. Center, 100 West Randolph St., Suite 11-500, Chicago. (Will  
continue on May 4, 1990 if necessary.)

May 4 A-E EPA v. Ekco Glaco Corporation - PCB 89-200, State of Illinois  
9:30 a.m. Center, 100 West Randolph St., Suite 11-500, Chicago. (If  
necessary.)

May 10 A-C EPA v. John Vander - AC 89-224, State of Illinois Building, South  
10:00 a.m. Conference Room, 2309 West Main, Marion.

**May 10** **Pollution Control Board Meeting, State of Illinois Center, 100 W.**  
**Randolph St., Conference Room 9-040, Chicago.**

**May 24** **Pollution Control Board Meeting, State of Illinois Center, 100 W.**  
**Randolph St., Conference Room 9-040, Chicago.**

**June 7** **Pollution Control Board Meeting, State of Illinois Center, 100 W.**  
**Randolph St., Conference Room 9-040, Chicago.**

June 12 A-E People of the State of Illinois v. Hysan Corporation - PCB 90-12  
9:30 a.m. State of Illinois Center, 100 West Randolph St., Suite 11-500,  
Chicago.

**June 21** **Pollution Control Board Meeting, State of Illinois Center, 100 W.**  
**Randolph St., Conference Room 9-040, Chicago.**

June 22 P-A The Jennison-Wright Corporation v. EPA - PCB 89-189, Mayor's  
10:00 a.m. Conference Room, City Hall, 2000 Edison, Granite City.

June 22 A-E EPA v. Blue Tee Corporation (Azcon Scrap Division) - PCB 90-7,  
10:00 a.m. Alton City Hall, 101 East Third Street, 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 312/917-6931.

\*\* 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.

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CALENDAR CODE:

A-E	AIR ENFORCEMENT	N-E	NOISE ENFORCEMENT
A-V	AIR VARIANCE	N-V	NOISE VARIANCE
A-C	ADMINISTRATIVE CITATION	SWH-V	SPECIAL WASTE HAULING VARIANCE
W-E	WATER ENFORCEMENT ENFORCEMENT	SWH-E	SPECIAL WASTE HAULING
W-V	WATER VARIANCE	PWS-E	PUBLIC WATER SUPPLY ENFORCEMENT
L-E	LAND ENFORCEMENT	PWS-V	PUBLIC WATER SUPPLY VARIANCE
L-V	LAND VARIANCE	P-A	PERMIT APPEAL
R	REGULATORY PROCEEDING	L-S-R	LANDFILL SITING REVIEW
T	THERMAL DEMONSTRATION RULE (35 ILL. ADM. CODE 302.211 (F))	SO <sub>2</sub>	SO <sub>2</sub> ALTERNATIVE STANDARDS
CSO	COMBINED SEWER OVERFLOW EXCEPTION	T-C	TAX CERTIFICATIONS
		A-S	ADJUSTED STANDARD