

ENVIRONMENTAL REGISTER

No. 402

March 30, 1990

BOARD ISSUES SUPPLEMENTAL OPINION IN 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 ("BOD₅"), and are proposed as Section 304.221. The Board had 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 303.430 as proposed at First Notice, and allowed for comment on this change.

On March 8, 1990 both Modine and the Agency filed comments which persuaded the Board that the form of the fluoride exemption as proposed at First Notice is preferable to the form proposed in the Board's February 22 Opinion and Order. Accordingly, on March 22, 1990, the Board adopted a Supplemental Opinion and Order containing the earlier form for Second Notice. The Second Notice Opinion and Order and Supplemental Opinion and Order are available upon request of the Clerk of the Board. Questions may be directed to Michelle Tarallo at 815/753-0947.

BOARD SCHEDULES HEARINGS IN R89-15

Hearings are scheduled in IDENR Evaluation of Underground Injection R89-15. The purpose of the hearings is to review the Department of Energy and Natural Resource's study of underground injection of hazardous

wastes to determine whether any Board regulations need to be modified or eliminated as a result of this study.

Hearings will be held on Thursday, May 17, 1990 at 10:30 a.m. at the Municipal Building, Council Chambers, 7th & Monroe Streets, Springfield Il. and on Tuesday, June 5, 1990 at the State of Illinois Center, 100 West Randolph Room 9-031, Chicago, Il. Please contact Karen Rosenwinkel (312) 814-3665 regarding deadlines for submitting pre-filed testimony and questions or for any further information.

BOARD DETERMINES NO EcIS IS NECESSARY IN R90-7, AMENDMENTS TO 35 Ill.Adm.Code 501, AGRICULTURE RELATED POLLUTION

On March 22, 1990, the Board determined that the preparation of an Economic Impact Study ("EcIS") is not necessary in the proceeding at this time. Both the Department of Energy and Natural Resources and the Agency recommend that the Board determine that no EcIS be prepared. In its Order, the Board notes that it expects sufficient economic information to be gathered at hearing. The Board further noted, however, that Section 27 of the Environmental Protection Act allows for the Board to change its determination that an EcIS not be prepared if the proposal has been substantially modified or if information in the record indicates that an EcIS would be advisable. For further information, interested persons may contact Michelle Tarallo at 815/753-0947.

BOARD AND STAFF ACTIVITIES

Chairman Marlin was on a panel discussing how Illinois Regulatory Agencies interact with industry and each other on March 1, 1990. He appeared with Bernard Killian, Illinois Environmental Protection Agency Director, Christine Zeman, Chief of Environmental Control for the Illinois Attorney General, and Ken Westlake of the United States Environmental Protection Agency. The conference was sponsored by the law firm of Ross and

Hardies and Warzyn Engineering.

On March 17, 1990 Dr. Marlin presented awards to retiring directors at the 70th Annual meeting of the Douglas County Farm Bureau.

FOR YOUR INFORMATION

"The Illinois Association of Water Pollution Control Operators" will hold its 55th Annual Conference April 16-19, 1990 at the Holiday Inn East Exhibition and Convention Center, Springfield, Illinois. The 3-1/2 day conference includes a 2-1/2 day technical program with emphasis on treatment plant operation, a first day activated sludge process control workshop, an equipment exhibition, a spouse's program and IAWPCO awards.

For further information, contact Jeremiah F. Reynolds, Secretary-Treasurer, IAWPCO, P.O. Box 230, north Aurora, Illinois 60542 of phone (708) 892-6429.

FINAL ACTIONS - MARCH 22, 1990 BOARD MEETING

- PCB 88-153 Fiat-Allis of North America, Inc. v. IEPA - This matter was dismissed on petitioner's motion.
- PCB 89-63 John N. Metropulos, Jr. et al v. IEPA et al. - All issues having been mooted, this matter was dismissed on the Board's motion and the docket closed.
- PCB 89-107 City of Geneva v. IEPA - The Board accepted the Agency Recommendation and granted petitioner variance extension, with conditions, from the Board's public water supply regulations concerning Standards for Issuance and Restricted Status relating to combined radium-226 and radium-228 for its Kane County facility. Board Members J. Dumelle and B. Forcade dissented.
- PCB 89-150 Sushi, Ltd., v. IEPA - This matter was dismissed with prejudice on the Agency's motion.
- PCB 89-192 IEPA v. Northrop Corp., a Delaware Corp. - The Board accepted the Stipulation and Settlement Agreement in which respondent agreed to pay a civil penalty of \$10,000 into the Environmental Protection Trust Fund for violations at its Cook County facility. Board Member J. Theodore Meyer dissented.
- PCB 90-38 Village of Mount Morris v. IEPA - The Board accepted the Agency Recommendation and granted petitioner provisional variance, with conditions, from the Board's water pollution regulations relating to 5-day biochemical oxygen demand and total suspended solids at its Grundy County facility.
- PCB 90-39 City of Polo v. IEPA - The Board accepted the Agency Recommendation and granted petitioner provisional variance, with conditions, from the Board's water pollution regulations relating to 5-day biochemical oxygen demand and total suspended solids at its Ogle County facility.

- AC 88-90 IEPA v. James Esarey - This matter was dismissed on the Agency's motion and the docket closed. Board Members J. Dumelle, J. Theodore Meyer and M. Nardulli dissented.
- AC 88-93 IEPA v. City of Herrin - The Board ordered respondent to pay \$1,333.46 as compensation for hearing costs incurred by the Agency and Board for deposit into the General Revenue Fund, and closed the docket.
DOCKET B
- AC 89-138 IEPA v. Dr. John Donovan - The Board ordered respondent to pay \$629.37 as compensation for hearing costs incurred by the Board for deposit into the General Revenue Fund, and closed the docket. Board Member J. Theodore Meyer dissented.
DOCKET B
- AC 89-200 IEPA v. George Jones, d/b/a George Jones Excavating, and City of Creal Springs - The Board granted the Agency's motion to enter a default order against the City of Creal Springs, found it violated Section 21(q)(3) of the Act and imposed a fine of \$500.
- AC 90-15 Jackson County v. Everett Allen d/b/a Allen Waste Management - The Board found respondent violated Section 21(p)(12) of the Act and imposed a fine of \$500.
- AC 90-17 County of Jackson v. Clarence Weatherford, d/b/a C.W. Trash Service - The Board found respondent violated Sections 21(q)(1), 21(q)(2), 21(q)(3) and 21(q)(4) of the Act and imposed a fine of \$2,000.

NEW CASES - MARCH 22, 1990 BOARD MEETING

- PCB 90-36 H & L Disposal Co., Inc., v. IEPA - Petitioner seeks review of the Agency's denial of its permit application to burn landscape waste at its Vermilion County facility. Accepted for hearing.
- PCB 90-37 IEPA v. Nesco Steel Barrel Co. Complainant alleges violations of the Act and Board air pollution regulations at respondent's Madison County facility. Hearing mandatory.
- PCB 90-38 Village of Mount Morris v. IEPA - See Final Actions.
- PCB 90-39 City of Polo v. IEPA - See Final Actions.
- PCB 90-40 Waste Management of Illinois, Inc., v. IEPA - Petitioner seeks review of certain Agency imposed conditions in the permit application for its Cook County facility. Accepted for hearing.

CALENDAR *

- April 6 9:30 a.m. N-E Tony F. Martin and Patricia R. Martin v. Oak Valley Wood Products - PCB 89-179, Richland County Courthouse, Jury Room, 3rd Floor, Olney.
- April 6 10:00 a.m. A-C EPA v. Robert A. Sanvi - AC 89-296, Council Chambers, City Hall, 304 West Main Street, Staunton.
- April 6 10:00 a.m. R Development, Operating and Reporting Requirements for Non-Hazardous Waste Landfills - R88-7, State of Illinois Center, 100 W. Randolph St., Room 9-031, Chicago.
- April 11 10:30 a.m. R Site-Specific Rule Change for Abbott Laboratories (Pharmaceuticals) - R88-14, State of Illinois Center, 100 W. Randolph St., Suite 11-500, Chicago.
- April 12** **Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.**

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

April 17 10:00 a.m. R Hazardous Waste Prohibitions - R86-9 (Docket B), Northeastern Planning Commission, 400 W. Madison St., Suite 200, Chicago.

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

April 19 10:00 a.m. N-E Vito Zivoli v. Prospect Dive and Sports Shop Ltd. and Michael S. Ropers - PCB 89-205, State of Illinois Center, 100 W. Randolph St., Suite 11-500, Chicago.

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

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

April 20 9:00 a.m. P-A Pekin Energy Company v. EPA - PCB 89-171, Tazewell County Board Room, 3rd Floor, 11 South 4th St., Mackenzie Building, Pekin.

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

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

April 25 10:00 a.m. P-A The City of Metropolis v. EPA - PCB 90-8, City Council Chambers, Metropolis City Hall, 106 West 5th St., Metropolis.

April 25 10:00 a.m. PWS-V City of Braidwood v. EPA - PCB 89-212, Braidwood City Hall, 141 W. Main Street, Braidwood.

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

April 26 10:00 a.m. P-A The City of Metropolis v. EPA - PCB 90-8, City Council Chambers, Metropolis City Hall, 106 West 5th St., Metropolis.

April 26 10:00 a.m. N-E John Zarlenga & Jean Zarlenga v. Partnership Concepts, Howard Edison, Bruce McClarien, Cove Development Company and Thomas O'Brien - PCB 89-169, Wood Dale Public Library, 520 N. Wood Dale Road, Wood Dale.

April 27 10:00 a.m. P-A The City of Metropolis v. EPA - PCB 90-8, City Council Chambers, Metropolis City Hall, 106 West 5th St., Metropolis.

April 27 9:30 a.m. P-A Pollution Control Industries of America v. EPA - PCB 90-35, State of Illinois Center, 100 W. Randolph St., Suite 11-500, Chicago.

May 1 11:00 a.m. R Hazardous Waste Prohibitions - R86-9 (Docket B), Stratton Building, D-1, Monroe and College Sts., Springfield.

May 1 10:00 a.m. A-C EPA v. G & M Wrecking Company - AC 89-304, State of Illinois Center, 100 W. Randolph St., Suite 11-500, Chicago.

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

May 3 9:30 a.m. A-C EPA v. Quantum Chemical Company - AC 89-275, Tuscola City Council Chambers, Tuscola Community Building, 122 W. North Central, Tuscola.

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

May 4 10:00 a.m. P-A National Steel Corporation, Granite City Division v. EPA - PCB 90-33, Law Office of Joseph Kelleher, 322 S. Buchanan St., Suite D, Edwardsville.

May 7 10:00 a.m. W-V Laclede Steel Company v. EPA - PCB 90-29, City Hall Conference Room, 101 East Third St., Alton.

May 9 9:00 a.m. A-C EPA v. Adolph Lo - AC 89-191, Champaign City Building, City Council Chambers, 102 N. Neil St., Champaign.

May 10 10:00 a.m. A-C EPA v. John Vander - AC 89-224, State of Illinois Building, South 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 15 11:00 a.m. A-E People of the State of Illinois v. The United States Department of the Navy - PCB 90-17, Lake County Administrative Building, 10th Floor, 18 North County Street, Waukegan.

May 16 10:00 a.m. A-C EPA v. City of Rutland - AC 89-242, Fire District Building, Rutland.

May 17 10:30 a.m. R IDENR Evaluation of Underground Injection - R89-15, Municipal Building Council Chambers, 7th and Monroe Street, Springfield.

May 18 1:00 p.m. W-E People of the State of Illinois v. PQ Corporation - PCB 90-14, County Board Room 242, 707 Etna Road, Ottawa.

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

June 5 10:00 a.m. R IDENR Evaluation of Underground Injection - R89-15, State of Illinois Center, 100 W. Randolph St., Room 9-031, Chicago.

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

June 11 10:00 a.m. A-E People of the State of Illinois v. Clybourn Metal Finishing Company, - PCB 89-157, Law Office of Joshua Sachs, 134 N. LaSalle St., Suite 2222, Chicago.

June 11 11:00 a.m. A-E People of the State of Illinois v. Gilbertson Clybourn, Inc. - PCB 89-158, Law Office of Joshua Sachs, 134 N. LaSalle St., Suite 2222, Chicago.

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

June 13 A-E People of the State of Illinois v. Crown Cork & Seal

9:30 a.m. Company, Inc. - PCB 89-201, State of Illinois Center, 100 W. Randolph St., Suite 11-500, Chicago.

June 19 A-E People of the State of Illinois v. Crown Cork & Seal Company, Inc. - PCB 89-159, Kankakee Detention Center, 400 E. Merchant, Kankakee.

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 Conference Room, City Hall, 2000 Edison, Granite City.

June 22 A-E EPA v. Blue Tee Corporation (Azcon Scrap Division) - PCB 90-7, Alton City Hall, 101 East Third Street, Alton.

June 25 A-V Olin Chemicals (Joliet Plant) v. EPA - PCB 89-72, Joliet City Hall, East Wing Conference Room, First Floor, 150 W. Jefferson St., Joliet.

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

July 13 A-E EPA v. Decor Gravure Corporation - PCB 89-155, State of Illinois Center, 100 W. Randolph St., Suite 11-500, Chicago.

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

July 27 A-C EPA v. Omer Thomas - AC 89-215, Court Room B, Shelby County Courthouse, Shelbyville.

August 2 **Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.**

August 16 **Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.**

August 30 **Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-404, 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 312/917-6931.

** 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.

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	SWH-E	SPECIAL WASTE HAULING ENFORCEMENT
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	SO ₂	SO ₂ ALTERNATIVE STANDARDS

CSO	(35 ILL. ADM. CODE 302.211 (F)	T-S	TRADE SECRETS
	COMBINED SEWER OVERFLOW	T-C	TAX CERTIFICATIONS
	EXCEPTION	A-S	ADJUSTED STANDARD