

ILLINOIS POLLUTION CONTROL BOARD
February 25, 1988

IN THE MATTER OF:)
)
PETITION OF CRETEX PRESSURE)
PIPE, INC. (FORMERLY)
GIFFORD-HILL AMERICAN LOCK) R84-45
JOINT, INC.) FOR SITE)
SPECIFIC RELIEF FROM 35 ILL.)
ADM. CODE 807.305)

PROPOSED RULE. SECOND FIRST NOTICE.

PROPOSED OPINION AND ORDER OF THE BOARD (by J. Anderson):

This matter is before the Board on the petition of Gifford-Hall American Lock Joint, Inc. (GHA) for site specific relief from the daily, intermediate, and final cover requirements of 35 Ill. Adm. Code 807.305 (a,b,c) for its disposal of concrete wastes at its South Beloit, Winnebago County, reinforced concrete pipe manufacturing facility. The Board previously adopted and authorized first notice publication of this rule, and first notice publication in the Illinois Register appeared on March 13, 1987 at 11 Ill. Reg. 4215. On April 30, 1987, the Board adopted a Proposed Opinion and Order directing the Clerk to submit the proposed rule to the Joint Committee on Administrative Rules (JCAR), pursuant to second notice requirements of the Administrative Procedure Act (APA) (Ill. Rev. Stat. 1985, ch. 127, par. 1001 et seq.).

Prior to the mailing of the second notice submittal to JCAR, the Board was notified that GHA Lock Joint, Inc. had sold the South Beloit plant to the Cretex Companies, Inc., and that the facility had been renamed Cretex Pressure Pipe, Inc. (Cretex). The Board then vacated its April 30, 1987 Opinion and Order. Cretex subsequently filed an affidavit executed by its president, which stated that Cretex adopted and reaffirmed the record created by GHA. On July 16, 1987, the Board granted relief to Cretex on the basis of the hearing record and the Cretex affidavit, and authorized the second notice submittal of the rule.

Since first notice publication occurred on March 13, 1987, there is not sufficient time for this rule to proceed to final adoption within the one-year period required by Section 5.01(d) of the APA. Therefore, the Board today sends the proposed rule to second first notice so that the rule may ultimately be adopted. The facts, history, and reasons behind the rule remain as set forth in the Board's July 16, 1987 Opinion and Order, and will not be reiterated here.

ORDER

The Board hereby proposes the following rule for first notice:

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE G: WASTE DISPOSAL
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER i: SOLID WASTE AND SPECIAL WASTE HAULING

PART 807
SOLID WASTE

SUBPART G: SITE SPECIFIC RULES
AND EXCEPTIONS NOT OF GENERAL
APPLICABILITY

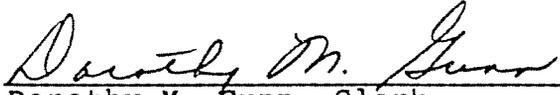
Section 807.700 Cretex Pressure Pipe, Inc.
Concrete Waste Disposal Site

- a) The cover requirements of 35 Ill. Adm. Code 807.305(a), (b) and (c) shall not apply to the on-site disposal of concrete waste resulting from the manufacturing operations of Cretex Pressure Pipe, Inc. (Cretex) at its South Beloit, Winnebago County, plant.
- b) Disposal activities shall meet the following requirements:
- 1) Cretex shall limit waste disposal to the types of waste disposed of pursuant to variance granted in PCB 83-125: concrete waste, cull pipe, and metal reinforcing rods embedded in concrete. Cretex shall take all reasonable measures to minimize disposal of such metals as waste through use of recycling.
 - 2) Cretex shall limit the exposed, active surface of its disposal site to a one acre area, and the height of the fill in the active area to that of adjacent improved terrain.
 - 3) Once a week, Cretex shall cover the exposed, active surface of its disposal site with a compacted layer of at least 6 inches of earthen material.
 - 4) Within 60 days of cessation of disposal activities, in any one acre area, Cretex shall provide any final, sloping faces of its disposal site with at least two feet of final cover consisting of compacted earthen material capable of supporting vegetative cover.

- 5) Within 60 days of cessation of disposal activities, Cretex shall provide any flat reclaimed area of its disposal site which is to be used for the storage of pipe inventory and equipment, or which is to be occupied by buildings, with at least six inches of final cover consisting of silty sand or similar material. However, within 60 days of cessation of such uses, Cretex shall provide at least an additional 18 inches of final cover material as specified in subsection (b)(4) above.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Proposed Opinion and Order was adopted on the 25th day of February, 1988, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board