

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING
February 9, 1984 Chicago, Illinois

All Board Members were present.

Opinions and Orders were adopted in these cases by a vote of 7-0: ##83-103, Centralia; 83-120, ITT.

An Order was adopted in #83-106, American National Bank by a vote of 5-2. Mr. Nega and Mr. Meyer dissented.

A Proposed Rule, First Notice, Order, was adopted in R82-14, RACT III, by a vote of 7-0.

R83-28, Definition of Liquid Hazardous Waste, was ordered set for hearing.

A Resolution and Order was adopted in R84-2, New Source Performance Standards by a vote of 7-0.

Motion to reconsider in #80-175, Unity Venture, was denied by a vote of 7-0. Mrs. Anderson will prepare an Order.

In #81-18, Caterpillar, an objection to a Hearing Officer Order regarding interrogatories, was denied and the Hearing Officer ruling was affirmed. The vote was 6-1, Mr. Meyer dissented. Mr. Dumelle will prepare an Order.

Motion to dismiss in #81-170, OMC, was granted by a vote of 7-0. Mrs. Anderson will prepare an Order.

Motion for modification in #83-73, Searle, was granted by a vote of 6-0, Mr. Forcade abstained. Mr. Anderson will prepare an Order.

In #83-146, Sauget, the Board amended the original Order in response to a motion for reconsideration. The vote was 7-0, Mrs. Anderson will prepare an Order.

A motion for supplemental hearing in #83-147, Lombard, was granted with conditions by a vote of 7-0, Mr. Dumelle concurred. Mr. Forcade will prepare an Order.

In #83-150, Archer Daniels Midland, a motion for 90 day continuance of hearing was granted by a vote of 7-0. Mr. Dumelle will prepare an Order.

Motion to withdraw in #83-151, CIPS, was granted by a vote of 7-0. Mrs. Anderson will prepare an Order.

A second motion to dismiss in #83-163, Bittle et al., was granted in part and denied in part by a vote of 7-0. Mr. Dumelle and Mr. Anderson concurred. Mrs. Anderson will prepare an Order.

Motion for waiver of hearing in #83-175, National Can, was denied by a vote of 7-0. Mr. Forcade will prepare an Order.

Motion to withdraw in #83-176, Damson, was granted by a vote of 7-0. Mr. Dumelle will prepare an Order.

Motion to cancel hearing in #83-179, Georgia-Pacific was denied by a vote of 7-0. Mr. Dumelle will prepare an Order.

Motion to consolidate in ##84-3, -4, Galva, was granted by a vote of 7-0. Mr. Dumelle will prepare an Order.

An Order was adopted regarding a motion to reconsider in R80-16, Galesburg. The vote was 7-0, Mr. Dumelle will prepare an Order.

In amended petitions these actions were taken by a vote of 7-0: #83-152, Mendota, held for an Agency recommendation; 83-166, Mobil, additional information requested, Order by Mr. Forcade; 83-233, Thrall Car, hearing authorized; 83-241, Moore Graphics, hearing authorized and additional information requested, Order by Mr. Forcade; 84-10, Orchard Hill, hearing authorized.

These cases were discussed and held to February 22, 1984 for further discussion or possible decision: #79-210, Sours Grain; 81-132, Borden; 82-21, Galesburg; 82-55, Waste Management, remand; 83-157, Lamplighter, 83-167, Watts; 83-173, Industrial Salvage; 83-225, Beardstown.

These regulatory matters were discussed: R79-14, Air Quality Standards Amendments; R80-22(B), Winnetka; R81-25, Chlorinated Solvents; R82-1, Particulate Emission Limitations; R83-19, Lockport.

A Proposed Illinois Contingency Plan was docketed as R84-5 and authorized for hearing. Mrs. Anderson will prepare a draft for consideration at a later date.

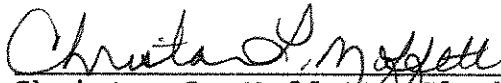
In new cases these actions were taken by a vote of 7-0: #84-7, Illinois Department of Transportation, Waukegan Port District, the Chairman was authorized to sign and prepare an Order; 84-12,

Minutes for these regular and special Board meetings were approved as corrected by a vote of 7-0: December 6, 15, 23, 28 and 29, 1983; January 12, 1984.

Oral argument was then heard in the matters of ##83-228, -229, -230, St. Charles et al. v. Kane County Board et al., an emergency motion requesting the reversal of various hearing officer rulings related to discovery. The Board issued an Order affirming in part and reversing in part the hearing officer's Orders. The vote was 7-0, Mr. Dumelle will prepare an Order.

All other matters not disposed of as listed were ordered held to February 22, 1984 for possible consideration.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board do hereby certify that the above Minutes were approved this 21st day of March, 1984 by a vote of 6-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board

**** THIS MEETING AND ALL OTHER REGULAR ****
BOARD MEETINGS WILL BEGIN AT 10:30 A.M.

ILLINOIS POLLUTION CONTROL BOARD
FINAL AGENDA
FEBRUARY 9, 1984 CHICAGO, ILLINOIS

DECISIONS:

- * 83-103 Centralia (BF) (due) _____
- * 83-106 American National Bank (JTM) (due) _____
- * 83-120 IIT (JD) (due) _____
- R82-14 RACT III (JTM) Proposed Rule, 1st Notice _____
- R83-28 Definition of Liquid Hazardous Waste (DA) _____
- R84-2 NSPS (JD) _____

MOTIONS:

- 80-175 Unity Ventures - motion to reconsider (1/19) objection
(2/2) (JA) _____
- 81-18 Caterpillar - memorandum (12/12) memorandum (12/30) (JD)

- 81-170 Outboard Marine - motion to dismiss (2/7) _____
- 83-73 G.D. Searle - motion for modification (2/2) (DA) _____
- 83-105 Ford Motor - motion to dismiss (12/23) response (1/3)
R83-36 (JD) _____
- 83-146 Sauget - motion for reconsideration (1/19) (JA) _____
- 83-147 Lombard - motion for supplemental hearing (2/6) (BF) _____
- 83-150 ADM - stipulation (1/17) _____
- 83-151 CIPS - motion to withdraw (1/27) _____
- 83-163 Larry Bittle - second motion to dismiss (1/23) motion
to strike (1/24) response (2/3) (JA) _____
- 83-175 National Can - waiver of hearing (1/24) _____
- 83-176 Damson - motion for leave to withdraw (2/3) _____
- 83-179 Georgia-Pacific - motion to cancel hearing (1/30) _____

MOTIONS (cont.):

84-3 Galva - motion for consolidation (1/23) _____
84-4 Galva - motion for consolidation (1/23) _____
R80-16 Galesburg - motion to reconsider (12/29) objection (1/12)
 response (1/25) (JD) _____

AMENDED PETITIONS:

83-152 Mendota (filed 1/27) _____
83-166 Mobil Chemical (filed 2/3) _____
83-233 Thrall Car (filed 1/25) _____
83-241 Moore American Graphics (filed 2/1) _____
84-10 Orchard Hill (filed 2/1) _____

DISCUSSIONS:

79-210 Sours Grain (JD) (due 2/22) _____
81-132 Borden (WN) _____
82-21 Galesburg (JD) (due 2/22) _____
82-55 Waste Management - remand, motion for order (1/11) (JA) _____
83-157 Lamplighter (JM) (due 2/22) _____
83-167 Watts Trucking (DA) (due 2/22) _____
83-173 Industrial Salvage (BF) (due 2/22) _____
83-225 Beardstown (WN) (due 2/22) _____

REGULATORY DISCUSSIONS:

R79-14 AQS Amendments (JTM) _____
R80-22 (B) Winnetka (JD) _____
R81-25 Chlorinated Solvents (DA) Proposed Rule, First Notice _____
R82-1 Particulate Emission Limitations (JD) _____
R83-19 Lockport (WN) Proposed Rule, First Notice (Opinion only) _____

REGULATORY DISCUSSIONS (cont.):

R84- Illinois Contingency Plan (JA) (see New Cases) _____

FUTURE REGULATORY DISCUSSIONS:

R84-1 Permit and Inspection Fees (DA) (due 3/1)

NEW CASES:

84-7 Illinois Dept. of Transportation, Waukegan Port Dist. (JD)

84-12 DuPage Publication Company v. EPA _____

84-13 Illinois Dept. of Transportation, Outboard Marine Corp. _____

84-14 Illinois Dept. of Transportation, Commonwealth Edison Co. _____

84-15 Continental Grain v. EPA (provisional) _____

R84- Illinois Contingency Plan (JA) _____

MINUTES:

December 6, 15, 23, 28, & 29, 1983
January 12, 1984

**** PLEASE NOTE THAT THE BOARD MEETING ORIGINALLY SCHEDULED FOR FEBRUARY 23, 1984 HAS BEEN CHANGED TO WEDNESDAY, FEBRUARY 22, 1984 at 10:30 A.M.

PENDING CASES ASSIGNED:

78-139	Vickery Manor (JD)
80-49	E. St. Louis School District (BF)
81-11	Lake County Grading (WN)
* 82-111	Modine (JM) (due 4/19)
83-4	East Moline (WN)
83-40	Oakbrook Utility (WN)
83-100	CILCO (BF)
83-104	Cupp (BF)
* 83-111	Johnson and Johnson (DA) (due 3/22)
83-126	DuPage County (JTM)
* 83-147	Lombard (BF) (3/15)