

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING
July 19, 1984 Chicago, Illinois

All Board Members were present

Opinions and Orders were adopted in these cases by a vote of 6-0: #79-87, Sauget; 83-107, Quaker, Mr. Dumelle concurred; 84-30, Jefferson Electric, Mr. Forcade concurred; 84-53, Villa Grove, Mr. Dumelle concurred.

A Supplemental Opinion was adopted in 83-147, Village of Lombard by a vote of 5-1. Mr. Dumelle concurred and Mr. Forcade dissented.

A Proposed Rule, First Notice, Proposed Opinion and Order was adopted in R82-1, Particulate Emission Limitations Rule 203(g)(1) and 202(b) of Chapter 2, by a vote of 6-0.

A Final Opinion for the emergency rules in R83-28A, Definition of Liquid Hazardous Waste, and a Proposed Opinion for the First Notice proposal in R83-28B, Definition of Liquid Hazardous Waste (Temporary and Permanent Rules), was adopted by a vote of 6-0.

An Order was adopted in R83-28A, Definition of Liquid Hazardous Waste (Emergency Rules) by a vote of 6-0. The motion for clarification and reconsideration, the motion for stay and the motion to present oral argument filed by CBE, were denied.

An Interim Order was adopted in R83-37, Proposed Contingent Penalty Procedural Rule, by a vote of 6-0.

A Proposed Rule, First Notice, Order was adopted in R84-22, Financial Assurance for Closure and Post-Closure Care of Waste Disposal Sites, by a vote of 6-0.

Motion to postpone the hearing in # 82-144, EPA v. City of Galena, was granted by a vote of 6-0. Mr. Forcade will prepare an Order.

Due to an administrative oversight, the Board on its own motion, extended the Board Ordered hearing dates in its Order of June 29, 1984 in #83-9, City of Mt. Olive. The vote was 6-0. Mrs. Anderson will prepare an Order.

Motion for voluntary dismissal was granted in #84-20, Metropolitan Sanitary District, by a vote of 6-0. Mr. Dumelle will prepare an Order.

Motion for modification was denied in #84-26, OMC, by a vote of 6-0. Mrs. Anderson will prepare an Order.

Motion for interlocutory appeal was granted and the motion for stay was denied as moot in #84-44, U.S. Industrial Chemicals

Company. The vote was 6-0. Mr. Dumelle will prepare an Order

Motion to file a portion of the record instanter and motion for leave to file an addendum to the record was granted in #84-45, 84-61, 84-68 (consolidated), Waste Management, by a vote of 6-0. Mrs. Anderson will prepare an Order.

Motion for leave to file recommendation instanter was granted in #84-66, Union Oil Company of California, by a vote of 6-0. Mr. Dumelle will prepare an Order.

Motion to file Agency record instanter was granted in #84-67, Midwest Rubber Reclaiming Company, by a vote of 6-0. Mr. Dumelle will prepare an Order.

Motion to dismiss was denied in #84-81, Reliable-Nesco, Inc., by a vote of 6-0. Mrs. Anderson will prepare an Order.

A Supplemental Statement was adopted in #84-75, Illinois Power Company, by a vote of 6-0. Mr. Dumelle will prepare it.

These matters were discussed and held to August 2, 1984 for further discussion or possible decision: #82-154, City of Moline; 83-17, Russell Bliss; 83-114, American Steel Container; 83-115, American Steel Container; 83-173, Industrial Salvage; 83-174, Joliet Army; 84-6, City of Monmouth; 84-32, Springfield and Sangamon County; 84-37, Mobil Oil.

An Interim Order was adopted in #83-166, Mobil Chemical Company, by a vote of 6-0.

These regulatory matters were discussed: R81-25, Chlorinated Solvents, Proposed Rule, Second Notice; R82-14, RACT III, Opinion and Order; R83-26, Cornell Forge, Proposed Rule, First Notice; R83-29, Forgings and Stampings, Proposed Rule, First Notice; R83-30, Rockford Drop Forge, Proposed Rule, First Notice; R83-33, Moline Forge, Site Specific, Proposed Rule, First Notice; R83-34, Atlas Forgings, Proposed Rule, First Notice; R84-3, Waste Disposal Site Operator Certification (Training and Experience), Proposed Rule, First Notice; R84-5, Illinois Contingency Plan, Opinion.

A second amended petition was requested in #84-57, City of Keithsburg, by a vote of 6-0. Mrs. Anderson will prepare an Order.

In new cases these actions were taken by a vote of 6-0: #84-86, Department of the Army v. EPA, additional information was requested, Order by Mr. Forcade; 84-89 and 84-90, Illinois Power Company v. EPA, hearing authorized and consolidated for hearing, Order by Mr. Dumelle; 84-91, EPA v. Medina Utilities, Corporation, hearing

mandatory; 84-92, EPA v. Richard Krohn and Parkway Bank and Trust, hearing mandatory; 84-93, People v. J. William Carlson; hearing mandatory.

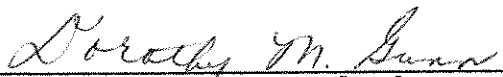
New case #84-80, Duane Timothy Eaker and Connie Eaker v. County of Kankakee was dismissed by a vote of 5-1. Mrs. Anderson dissented. Mr. Dumelle will prepare an Order.

In new regulatory matters these actions were taken by a vote of 6-0: R84-25, NSPS, Resolution and Order by Mr. Dumelle; R84-26, NSPS, Resolution and Order by Mr. Dumelle; R84-27, NSPS, Resolution and Order by Mr. Dumelle; R84-28, Proposed Amendments to Sulfur Dioxide Emission Standards, accepted and authorized for hearing and publication; R84-29, Proposed Amendments of Mine Rules, accepted and authorized for hearing and publication and 200 signature requirement waived; R84-30, City of East Peoria, accepted and authorized for hearing and publication; R84-, Joliet CSO, dropped at Petitioner's request.

By a vote of 6-0 the following cases were Ordered to hearing: ##79-145, EPA v. Celotex; 80-156, Republic Steel v. EPA; 81-138, Hereley Grain v. EPA; 82-34, Hereley Grain v. EPA; 83-18, Modine v. EPA. Mr. Forcade will prepare the Orders.

All matters not disposed of as listed were Ordered held to August 2, 1984 for possible consideration.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above Minutes were approved this 6th day of September, 1984 by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

REVISED FINAL AGENDA

ILLINOIS POLLUTION CONTROL BOARD
AGENDA
JULY 19, 1984 CHICAGO, ILLINOIS

DECISIONS:

- * 79-87 Sauget (BF) _____
- 83-4 East Moline (WN) _____
- * 83-107 Quaker (JM) (due) _____
- * 83-147 Village of Lombard (JA) _____
- * 84-30 Jefferson Electric (WN) (due) _____
- * 84-53 Villa Grove (BF) (due) _____
- R82-1 Particulate Emissions (JD) _____
- R83-28 Liquid Hazardous Waste Definition, Opinion (see motions
(A) filed 7/6 and 7/17) (JM) _____
- R83-37 Contingent Penalty Procedural Rule, Interim Order (JA) _____
- R84-7 Permit & Inspection Fees (JA) _____
- R84-22 Performance Bonds for Waste Disposal Facilities, Proposed
Rule, First Notice (JA) _____
- 84-41 Interlake (JD) _____

MOTIONS:

- 82-111 Modine - motion for clarification & reconsideration (7/3),
response (7/12) _____
- 83-9 Mt. Olive - Order re remand (JA) _____
- 84-5 Midwest Solvents - motion to extend variance (6/29) _____
- 84-20 MSD - motion to dismiss (7/11) _____
- 84-26 OMC - motion for modification of Order (6/21), Opposition
(7/17) (JA) _____
- 84-43 Granite City - motion for continuance (7/9) _____
- ~~84-81~~ Reliance-NESCO case - motion to dismiss (7/12) _____
- 82-144 City of Galena - motion to postpone hearing (7/17) (BF) _____

*INDICATES VARIANCE OR PERMIT APPEAL

MOTIONS: (Cont'd)

- 84-44 Industrial Chemicals - motion for Interlocutory Appeal (6/22)

- 84-45
84-61 Waste Management - motion for leave to file record instanter
84-68 (7/3), motion to file record addendum (7/13) (JA) _____
- 84-66 Union Oil - motion for leave to file Recommendation
Instanter (7/12) _____
- 84-67 Midwest Rubber - motion for leave to file Agency Record
Instanter (7/5) _____
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DISCUSSIONS:

- 82-154 City of Moline (JM) _____
- 83-17 Russell Bliss (BF) _____
- * 83-114 American Steel Container (JTM) (due 8/2) _____
- * 83-115 American Steel Container (JTM) (due 8/2) _____
- * 83-166 Mobil Chemical (BF) _____
- 83-173 Industrial Salvage (BF) (due 8/2) _____
- 83-174 Joliet Army (BF) (due 8/2) _____
- * 84-6 City of Monmouth (JM) (due 8/2) _____
- * 84-32 Springfield & Sangamon County (JM) (due 8/2) _____
- * 84-37 Mobil Oil (JM) (due 8/2) _____
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REGULATORY DISCUSSIONS:

- R81-25 Chlorinated Solvents, Proposed Rule, Second Notice (JA)

- R82-14 RACT III, Agricultural Products, Opinion & Order (JTM) _____

REGULATORY DISCUSSIONS: (Cont'd)

- R83-29 Forgings & Stampings, Proposed Rule, First Notice (BF) _____
- R83-30 Rockford Drop Forge, Proposed Rule, First Notice (BF) _____
- R83-33 Moline Forge, Site Specific, Proposed Rule, First Notice (JM) _____
- R83-34 Atlas Forgings, Proposed Rule, First Notice (BF) _____
- R84-3 Waste Disposal Site Operator Certification (Training and Experience), Proposed Rule, First Notice (JA) _____
- R84-5 Illinois Contingency Plan, Opinion (JA) _____
- R83-26 Cornell Forge, Proposed Rule, First Notice (BF) _____

AMENDED PETITION:

- 84-57 City of Keithsburg (filed 7/3) _____

NEW CASES:

- 84-80 Duane Timothy Eaker & Connie Eaker v. County of Kankakee (11:00 a.m.) (motion to dismiss 7/18) _____
- 84-86 Department of the Army v. EPA _____
- 84-87 Brown Chevrolet Company, Inc. v. Garman Trucking (Hold for 8/2 meeting, 11:00 a.m.) _____
- 84-89 Illinois Power Company v. EPA _____
- 84-90 Illinois Power Company v. EPA _____
- 84-91 EPA v. Medina Utilities, Corp. _____
- 84-92 EPA v. Richard Krohn & Parkway Bank & Trust _____
- R84-25 New Source Performance Standards (JD) _____
- R84-26 New Source Performance Standards (JD) _____
- R84-27 New Source Performance Standards (JD) _____

84-93 *People v. J. William Carlson*

NEW CASES: (Cont'd)

R84-28 Proposed Amendments to Sulfur Dioxide Emission Standards

R84- Joliet CSO Petition (5/29) (see letter to withdraw 7/9)

R84- Proposed Amendments of Mine Rules (5/31)

R84- City of East Peoria (7/16)

BACKLOG CASES

PENDING CASES ASSIGNED:

78-139 Vickery Manor (JD)
81-18 Caterpillar (WN)
81-151 Dean Foods (BF)
81-155 Citizens v. Bledsoe (JM)
* 82-21 Galesburg Sanitary District (JD)
83-22 Standard Scrap (JTM)
83-28 Top Chop (WN)
* 83-56 Alco Gravure (JM) (Open)
83-227 Russell Bliss (WN)
84-3] City of Galva (WN)
84-4]
* 84-17 City of Wyoming (JM) (due 8/23)
* 84-33 Commonwealth Edison (JTM) (due 10/25)
84-51 Southern California Chemical (JD) (due 9/6)