

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF PROCESS MEETING  
JUNE 22, 1995 CHICAGO, ILLINOIS

After calling the meeting to order, Chairman Manning asked the Clerk for a roll call and all Board Members answered present except G. Tanner Girard, who was absent due to a flight cancellation.

An Order accepting the joint amended petition for an adjusted standard reflecting the final federal rule, was adopted in #AS 91-8, Petition of Reynolds Metal Company for an Adjusted Standard from 35 Ill. Adm. Code 218.980, by a vote of 6-0. (CAM)

An Order accepting the joint status report in response to a March 16, 1995 Board Order, granting the parties' motion to stay until September 21, 1995, directing that an updated status report be filed on or before September 8, 1995, and directing that all status reports and requests for stay be directed to the assigned Hearing Officer, was adopted in #AS 92-1, Petition of Stiffel Company for an Adjusted Standard from 35 Ill. Adm. Code 218 Subpart F, by a vote of 6-0. (JY)

An Order granting the Agency's motion for leave to file an emergency motion for review of a hearing officer order, denying the motion to review and affirming the hearing officer's order denying the Agency's motion to exclude, granting the Petitioner's motion for leave to file a reply to the Agency's amended response and also accepting the reply, was adopted in #AS 94-20, Petition of the Galesburg Sanitary District, Galesburg, Illinois for an Adjusted Standard from 35 Ill. Adm. Code Part 304.105 Ammonia Nitrogen, by a vote of 6-0. (JY)

An Order granting the petitioner's motion to withdraw, was adopted in #AS 95-5, Petition of Illinois Department of Transportation, District 8 for an Adjusted Standard from 35 Ill. Adm. Code 304.124, by a vote of 6-0. (ED)

These Administrative Citations were accepted by the Board: ##95-45, People of the County of Will v. RWS Development Corporation; 95-46, People of the County of will v. William Mintz; 95-47, IEPA v. Allied Waste Industries, Inc.; 95-48, Sangamon County v. Town and Country Bank Trust #TA240.

ADDENDUM

This Administrative Citation was accepted by the Board: #95-49, People of the County of Will v. CDT Landfill.

**AGENDA**

An Order granting the petitioner's motion to withdraw and closing the docket, was adopted in #93-172, Inspiration Development Company v. IEPA, by a vote of 6-0. (RCF)

An Order granting respondent Bell Sports' unopposed motion for an extension of time until July 15, 1995, to file an answer, was adopted in #95-91, People of the State of Illinois v. Bell Sports, Inc., Waste Hauling Landfill, Inc. and Waste Hauling, Inc., by a vote of 6-0. (CAM)

No action was taken on an objection and request for hearing filed in #95-157, Riverside Laboratories, Inc. v. IEPA, since the case has already been accepted for hearing.

No action was taken on an objection and request for hearing filed in #95-161, S & C Electric Company v. IEPA, since the case has already been accepted for hearing.

An Order denying the Agency's motion to dismiss portions of the petitioner's petition for a hearing and requesting the petitioner to provide additional information, was adopted in #95-100, C & S Recycling, Inc. v. IEPA, by a vote of 6-0. (RCF)

An Order extending the 35-day appeal period for petitioning for a hearing, reserving the docket for any appeal which may be filed by the petitioner, noting that in the event the petitioner fails to file an appeal on or before September 18, 1995, the Board will dismiss the docket as unnecessary, and advising the petitioner that a \$75.00 filing fee will be required at such time the petitioner files its petition, was adopted in #95-172, Compost Enterprises, Inc. v IEPA, by a vote of 6-0. (CAM)

This case was held for a duplicitous/frivolous determination: #95-173, Chicago-Dubuque Foundry Corporation v. City of East Dubuque.

An Order accepting the matter for hearing, was adopted in #95-174, Sierra Club, Madison County Conservation Alliance, Jim Bensman v. City of Wood River, Wood River Partners, L.L.C., by a vote of 6-0. (RCF)

Mandatory hearings will be held in these cases: ##95-175, People of the State of Illinois v. Polymer Color, Inc.; 95-176, People of the State of Illinois v. Pro-Pak Industries, Inc..

A provisional variance was granted in #95-177, Acme Packaging Corporation v. IEPA, by a vote of 6-0. (CAM)

ADDENDUM

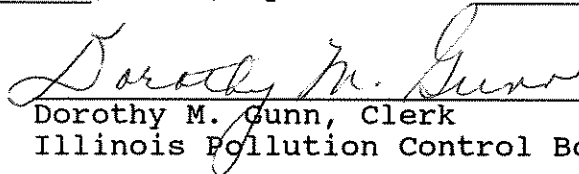
A provisional variance was granted in #95-178, Dreisilker v. IEPA, by a vote of 6-0. (CAM)

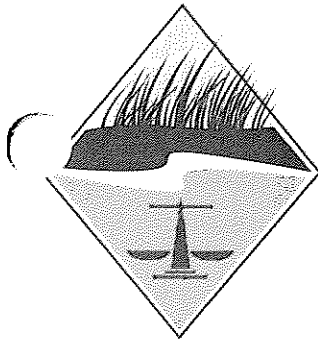
This case will be held for an Agency Recommendation: #95-179, Village of Elburn v. IEPA.

All other matters not disposed of as listed were held.

Motion to reconvene at 1:15 to a closed session for discussion of the Procedural Rules carried by a vote of 6-0.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Minutes were approved this 7<sup>th</sup> day of July, 1995, by a vote of 6-0.

  
\_\_\_\_\_  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board



# ILLINOIS POLLUTION CONTROL BOARD

James R. Thompson Center ♦ Suite 11-500 ♦ 100 West Randolph Street ♦ Chicago, Illinois 60601  
312-814-3620 ♦ Fax 312-814-3669

**PROCESS MEETING AGENDA  
JUNE 22, 1995 CHICAGO, ILLINOIS  
CONFERENCE ROOM 11-512  
11:00 A.M.**

**GOVERNOR**  
Honorable Jim Edgar



**CHAIRMAN**  
Claire A. Manning  
Springfield

**ADDENDUM**

**ADMINISTRATIVE CITATIONS**

**MEMBERS**  
Emmett E. Dunham II  
Elmhurst

AC 95-49 People of the County of Will v. CDT Landfill  
Accept Case - No Order

---

Ronald C. Fernald  
DeKalb

**MOTIONS**

G. Tanner Girard  
Grafton

AS 94-20 Petition of the Galesburg Sanitary District,  
Galesburg, Illinois for an Adjusted Standard  
from 35 Ill. Adm. Code 304.105 (Ammonia  
Nitrogen) - Agency's Motion for Leave to File  
Emergency Motion for Review of Hearing  
Officer's Order and Emergency Motion for  
Review of Hearing Officer's Order (6/22)(JY)

---

Marili McFawn  
Palatine

J. Theodore Meyer  
Chicago

Joseph C. Yi  
Park Ridge



**CASES TO BE SET FOR HEARING AND OTHER CASE PROCESSING  
ORDERS OR MATTERS**

**SPRINGFIELD OFFICE**  
600 South Second Street  
Suite 402  
Springfield, Illinois 62704  
217-524-8500  
Fax 217-524-8508

95-178 Dreisilker v. IEPA - Provisional Variance  
(CAM)

---

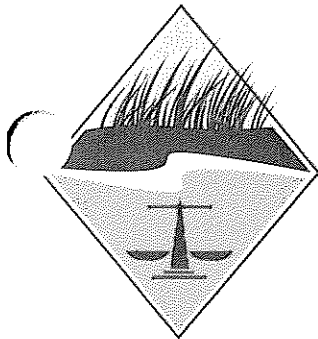
**SATELLITE OFFICES**  
110 South State  
Jerseyville, Illinois 62052  
618-498-9802  
Fax 618-498-5934

95-179 Village of Elburn v. IEPA - Hold for Agency  
Recommendation - No Order

---

148 North Third Street  
P.O. Box 505  
DeKalb, Illinois 60115  
815-753-1904  
Fax 815-753-1970





# ILLINOIS POLLUTION CONTROL BOARD

James R. Thompson Center ♦ Suite 11-500 ♦ 100 West Randolph Street ♦ Chicago, Illinois 60601  
312-814-3620 ♦ Fax 312-814-3669

## PROCESS MEETING AGENDA JUNE 22, 1995 CHICAGO, ILLINOIS CONFERENCE ROOM 11-512 11:00 A.M.

GOVERNOR  
Honorable Jim Edgar



CHAIRMAN  
Claire A. Manning  
Springfield

MEMBERS  
Emmett E. Dunham II  
Elmhurst

Ronald C. Fernald  
DeKalb

G. Tanner Girard  
Grafton

Marilyn McFawn  
Palatine

J. Theodore Meyer  
Chicago

Joseph C. Yi  
Park Ridge



SPRINGFIELD OFFICE  
600 South Second Street  
Suite 402  
Springfield, Illinois 62704  
217-524-8500  
Fax 217-524-8508

SATELLITE OFFICES  
110 South State  
Jerseyville, Illinois 62052  
618-498-9802  
Fax 618-498-5934

148 North Third Street  
P.O. Box 505  
DeKalb, Illinois 60115  
815-753-1904  
Fax 815-753-1970

### Announcements

*This meeting of the Board is called for the sole purpose of expeditiously dealing with "Process" items administratively pending before the Board, as well as any provisional variances recently filed by the IEPA. Substantive matters and motions currently before the Board will be dealt with at the next regularly scheduled Board meeting which is July 6, 1995 in Conference Room 9-040. The public is welcome to this process meeting, but only the members of the Board and any staff recognized by the Chairman are allowed to speak. Thank you for your interest.*

### Roll Call

### REGULATIONS AND ADJUSTED STANDARDS

AS 91-8      Petition of Reynolds Metals Company and the Illinois Environmental Protection Agency for an Adjusted Standard from 35 Ill. Adm. Code 218.980 - Joint Amended Petition for Adjusted Standard (6/13)(CAM)

AS 92-1      Petition of the Stiffel Company for an Adjusted Standard from 35 Ill. Adm. Code Part 218 Subpart F - Joint Status Report in Response to March 16, 1995 Board Order (6/9)(JY)



## REGULATIONS AND ADJUSTED STANDARDS (Cont'd)

AS 94-20     Petition of the Galesburg Sanitary District, Galesburg, Illinois, for an Adjusted Standard from 35 Ill. Adm. Code 304.105 (Ammonia Nitrogen) - Petitioner's Motion for Leave to File Reply to Agency Amended Response and Response to Motion to Exclude (6/12), Agency's Motion to Dismiss Petitioner's Amended Petition (6/16)(JY)

---

AS 95-5     Petition of Illinois Department of Transportation, District 8 for an Adjusted Standard from 35 Ill. Adm. Code 304.124 - Petitioner's Motion to Withdraw (6/16)(GTG)

---

AS 95-8     Petition of Illinois Department of Transportation, District 8 for an Adjusted Standard from 35 Ill. Adm. Code 304.124 - Hold for Certificate of Publication - No Order

---

## ADMINISTRATIVE CITATIONS

AC 95-45     People of the County of Will v. RWS Development Corporation - Accept Case - No Order

---

AC 95-46     People of the County of Will v. William Mintz - Accept Case - No Order

---

AC 95-47     IEPA v. Allied Waste Industries, Inc. - Accept Case - No Order

---

AC 95-48     Sangamon County v. Town and Country Bank Trust #TA240 - Accept Case - No order

---

## MOTIONS

93-172     Inspiration Development Company v. IEPA - Petitioner's Petition to Withdraw Appeal (6/19)(RCF)

---

**MOTIONS (Cont'd)**

95-91 People of the State of Illinois v. Bell Sports, Inc., Waste Hauling Landfill, Inc. and Waste Hauling, Inc. - Respondent Bell Sports, Inc.'s Unopposed Motion for Extension of Time in Which to Answer (6/14), Respondents Waste Hauling Landfill, Inc. and Waste Hauling, Inc.'s Motion to Dismiss (6/15)(CAM)

---

95-157 Riverside Laboratories, Inc. v. IEPA - Objection and Request for Hearing filed by Craig Ward (6/20)(ED)

---

95-161 S & C Electric Company v. IEPA - Objection and Request for Hearing filed by Theresa C. Risolo (6/19)(JY)

---

**CASES TO BE SET FOR HEARING AND OTHER CASE PROCESSING ORDERS OR MATTERS**

95-100 C & S Recycling, Inc. v. IEPA - Additional Information Order (See also Respondent's Motion to Dismiss Portion of Petitioner's Petition for a Hearing and/or Variance filed 6/15)

---

95-172 Compost Enterprises, Inc. v. IEPA - 90-Day Extension Order (See also Joint Request for Ninety-Day Extension of Appeal filed 6/14)

---

95-173 Chicago-Dubuque Foundry Corporation v. City of East Dubuque - Hold for Duplicitous/Frivolous Determination

---

95-174 Sierra Club, Madison County Conservation Alliance, Jim Bensman v. City of Wood River, Wood River Partners, L.L.C. - Accept for Hearing Order

---

95-175 People of the State of Illinois v. Polymer Color, Inc. - Mandatory Hearing - No Order

---

**CASES TO BE SET FOR HEARING AND OTHER PROCESSING ORDERS  
OR MATTERS (Contd)**

95-176      People of the State of Illinois v. Pro-Pak Industries, Inc. - Mandatory  
Hearing - No Order

---

95-177      Acme Packaging Corporation v. IEPA - Provisional Variance (CAM)

---

**ADJOURNMENT**



**LIST OF NEW CASES FILED SINCE JUNE 15, 1995 BOARD MEETING**

- AS 95-8      Petition of the Illinois Department of Transportation, District 8 for an Adjusted Standard from 35 Ill. Adm. Code 304.124
  
- AC 95-45      People of the County of Will v. RWS Development Corporation
  
- AC 95-46      People of the County of Will v. William Mintz
  
- AC 95-47      IEPA v. Allied Waste Industries, Inc.
  
- AC 95-48      Sangamon County v. Town and Country Bank Trust #TA240
  
- 95-172        Compost Enterprises, Inc. v. IEPA
  
- 95-173        Chicago-Dubuque Foundry Corporation v. City of East Dubuque
  
- 95-174        Sierra Club, Madison County Conservation Alliance, Jim Bensman v. City of Wood River, Wood River Partners, L.L.C.
  
- 95-175        People of the State of Illinois v. Polymer Color, Inc.
  
- 95-176        People of the State of Illinois v. Pro-Pak Industries, Inc.
  
- 95-177        Acme Packaging Corporation v. IEPA

**REGULAR BOARD MEETING SCHEDULE**

- |                     |                    |
|---------------------|--------------------|
| <b>June 29 *</b>    | <b>October 5</b>   |
| <b>July 6</b>       | <b>October 19</b>  |
| <b>July 20</b>      | <b>November 2</b>  |
| <b>August 3</b>     | <b>November 16</b> |
| <b>August 17</b>    | <b>December 7</b>  |
| <b>September 7</b>  | <b>December 21</b> |
| <b>September 21</b> |                    |