

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR MEETING  
January 10, 1985 Chicago, Illinois

All Board Members were present save Mr. Nega who was ill.

Opinions and Orders were adopted in these cases by a vote of 5-0: #83-22, Standard Scrap, Mr. Meyer concurred; 84-74, City of Springfield; 84-110, David Baumann; 84-111, Republic Steel; 84-127, Chrysler, Mr. Forcade concurred; 84-154, Oakbrook Utility; 84-158, Village of Elk Grove.

A Final Opinion was adopted in R83-28B, Liquid Hazardous Waste, by a vote of 5-0. Mr. Forcade concurred.

A Proposed Rule, Second Notice Order was adopted in R83-36, Ford Motor Company, by a vote of 5-0.

A First Notice Order was adopted in R84-9, RCRA and UIC Update, by a vote of 5-0.

A Final Opinion was adopted in R84-10, RCRA Procedural Rules, by a vote of 5-0. Mr. Forcade concurred.

An Order to correct the formula in R84-22A and B, Financial Assurance for Waste Disposal Facilities, was adopted by a vote of 5-0.

Emergency request for continuance was granted in #79-145, Celotex, by a vote of 5-0. Mr. Forcade will prepare an Order.

Request for stay was denied in #81-151, Dean Foods, by a vote of 5-0. Mr. Forcade will prepare an Order.

Motion for clarification and motion for stay was denied in #83-4, City of East Moline, by a vote of 4-1; Mr. Dumelle dissented. Mrs. Anderson will prepare an Order.

Joint motion for reassignment to a single hearing officer was granted in #83-26, -29, Marathon Petroleum, by a vote of 5-0. Mrs. Anderson will prepare an Order.

Motion to dismiss was granted in #83-59, Caterpillar, by a vote of 5-0. Mrs. Anderson will prepare an Order.

In #83-172, City of Sycamore, Mrs. Anderson moved to grant the motion to dismiss, which failed to carry upon a vote of 3-2.

Motion for leave to file Recommendation Instanter was granted in #84-66, Union Oil, by a vote of 5-0. Dr. Marlin will prepare an Order.

Motion for extension of time was granted in #84-95 through #84-104, Continental Grain, by a vote of 5-0. Mr. Forcade will prepare an Order.

Motion to dismiss was denied in #84-155, Thomas E. Greenland, by a vote of 5-0. Mr. Dumelle will prepare an Order.

Motion for leave to file Recommendation Instanter was granted in #84-156, Dept. of the Navy, by a vote of 5-0. Mr. Dumelle will prepare an Order.

Motion for leave to file Record Instanter and motion for leave to supplement record was granted in #84-169, Chicago Magnet Wire, by a vote of 5-0. Mr. Dumelle will prepare an Order.

Motion to continue and motion to dismiss the appeal was denied in #84-175, -176, Board of Trustees of Casner Township, by a vote of 4-1; Mr. Meyer dissented and Dr. Marlin and Mrs. Anderson concurred. Mr. Dumelle will prepare an Order.

Since numerous objections were filed, a hearing was authorized in #84-181, City of Streator.

These cases were discussed and held until January 24, 1985 for further consideration: ##82-101, Browning-Ferris; 83-240, Hansen-Sterling Drum; 84-106, American Can; 84-108, National Can; 84-146, City of Tuscola.

These regulatory matters were discussed and held until January 24, 1985 for further consideration: R81-18, Waste Site Chief Operator Prior Conduct Certification; R84-12, Trihalomethane PWS Inquiry.

These actions were taken on Amended petitions by a vote of 5-0: ##84-171, City of Carlyle, held for an Agency Recommendation; 84-177, Village of Winslow, hearing authorized.

In new cases these actions were taken by a vote of 5-0: ## 84-182, Nash Brothers Company v. EPA, hearing authorized; 84-183, A.E. Staley Manufacturing Company v. EPA, hearing authorized; 84-184, City of Abingdon, additional information requested; Order by Mrs. Anderson; 85-1, Peabody Coal Company v. EPA, hearing mandatory; 85-2, City of West Chicago v. EPA, additional information requested; Order by Dr. Marlin; 85-3, City of Rock Island v. EPA, additional information requested, Order by Mr. Forcade.

A Resolution and Order was adopted in R84-47, New Source Performance Standards, by a vote of 5-0. Mr. Dumelle will prepare it.

In new regulatory matters these actions were taken by a vote of 5-0: R84-48, Republic Steel, Site Specific, authorized for hearing and publication and 200 signature requirement waived, Order by Mr. Dumelle; R84-49, American Brick Company, Site Specific, docket opened and 200 signature requirement waived, Order by Mr. Dumelle.

The Board decided to reschedule the regular meeting set for February 21 to February 20, 1985. A notice will be posted.

A special Board meeting will be held at 11:30 a.m. on January 18, 1985 in Springfield, Illinois to consider the matter of R83-19, Petition of the City of Lockport. A notice will be posted.

All matters not disposed of as listed were ordered held for possible consideration on January 24, 1985.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board do hereby certify that the above Minutes were approved this 7<sup>th</sup> day of February, 1985 by a vote of 5-0.

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

ILLINOIS POLLUTION CONTROL BOARD  
FINAL AGENDA  
JANUARY 10, 1985 CHICAGO, ILLINOIS

DECISIONS:

83-22 EPA v. Standard Scrap (JA) \_\_\_\_\_  
83-28 EPA v. Top Chop (JD) \_\_\_\_\_  
84-74 City of Springfield (BF) \_\_\_\_\_  
84-110 EPA v. David Baumann (JD) \_\_\_\_\_  
\* 84-111 Republic Steel (BF)(due) \_\_\_\_\_  
\* 84-127 Chrysler Corporation (JD)(due) \_\_\_\_\_  
\* 84-147 Anderson Clayton Foods (BF)(due 1/24) \_\_\_\_\_  
\* 84-154 Oakbrook Utility (JD)(due) \_\_\_\_\_  
\* 84-158 Village of Elk Grove (BF)(due 2/7) \_\_\_\_\_  
R82-2 Nuclear Air Emissions (JD) \_\_\_\_\_  
R83-28 Liquid Hazardous Waste, Opinion (JM) \_\_\_\_\_  
(B)  
R83-36 Ford Motor Company, Proposed Rule, Second Notice (BF)  
\_\_\_\_\_  
R84-9 RCRA & UIC Update, First Notice (JA) \_\_\_\_\_  
R84-10 RCRA Procedural Rules, Final Opinion (JA) \_\_\_\_\_  
R84-22 Financial Assurance for Waste Disposal Facilities -  
(A&B) correction of formula (JA) \_\_\_\_\_

MOTIONS:

79-145 Celotex - emergency request for continuance (1/9)(BF)  
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81-151 Dean Foods - request for stay (12/13), response (1/8)(BF)  
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MOTIONS: (Cont'd)

- 83-4      City of East Moline - motion for clarification (12/3),  
motion for stay (12/10)(JA)\_\_\_\_\_
- 83-26      Marathon Petroleum - joint motion for reassignment (12/26)  
83-29 \_\_\_\_\_
- 83-59      Caterpillar - motion for dismissal (1/8)\_\_\_\_\_
- 83-172     City of Sycamore - supplemental motion to dismiss (12/20),  
response (1/3)\_\_\_\_\_
- 84-66      Union Oil - motion for leave to file Recommendation  
Instanter (1/7)\_\_\_\_\_
- 84-95      Continental Grain - motion for extension of time (12/19)  
thru \_\_\_\_\_  
84-104 \_\_\_\_\_
- 84-155     Thomas E. Greenland - motion to dismiss (12/14), motion  
for extension of time (12/20), response (1/4)\_\_\_\_\_
- 84-156     Dept. of the Navy - motion for leave to file Recommendation  
Instanter (1/7)\_\_\_\_\_
- 84-169     Chicago Magnet Wire - motion for leave to file record  
instanter (12/24), motion for leave to supplement Agency  
record (1/4)\_\_\_\_\_
- 84-175     Board of Trustees of Casner Township - motion to continue  
84-176 (12/21), response and request for clarification (12/24),  
objection (12/24), motion to dismiss the appeal (1/4)(JD)  
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- 84-181     City of Streator - objection (1/7), six objections (1/9)  
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DISCUSSIONS:

- 82-101     Browning-Ferris (remand)(JA)\_\_\_\_\_
- \* 83-240     Hansen-Sterling Drum (JM)(open waiver)\_\_\_\_\_
- \* 84-106     American Can (JM)(due 1/24)\_\_\_\_\_
- \* 84-108     National Can (JM)(due 1/24)\_\_\_\_\_

DISCUSSIONS: (Cont'd)

\* 84-146 City of Tuscola (JTM) (due 1/24) \_\_\_\_\_

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REGULATORY DISCUSSIONS:

R81-18 Waste Site Chief Operator Prior Conduct Certification,  
Proposed Rule, Second Notice (JA) \_\_\_\_\_

R84-12 Trihalomethane PWS Inquiry (JD) \_\_\_\_\_

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AMENDED PETITIONS:

84-171 City of Carlyle (filed 1/9) \_\_\_\_\_

84-177 Village of Winslow (filed 12/31) \_\_\_\_\_

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NEW CASES:

84-182 Nash Brothers Co. v. EPA (see citizen's request for hearing  
dated 1/9) \_\_\_\_\_

84-183 A.E. Staley Manufacturing Co. v. EPA \_\_\_\_\_

84-184 City of Abingdon v. EPA \_\_\_\_\_

85-1 Peabody Coal Company v. EPA \_\_\_\_\_

85-2 City of West Chicago v. EPA \_\_\_\_\_

R84-47 New Source Performance Standards (JD) \_\_\_\_\_

R84- Republic Steel \_\_\_\_\_

R84- American Brick Co. \_\_\_\_\_

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CHANGE IN MEETING DATE:

From February 21 to February 20 \_\_\_\_\_

Special Board meeting at 3:00 p.m. on January 17, 1984 to consider  
R83-19 Lockport (WN) \_\_\_\_\_

PENDING CASES ASSIGNED:

78-139 Vickery Manor (JD)  
81-190 City of Chicago (JM)  
82-144 EPA v. City of Galena (WN)  
83-2 Chemetco (WN)  
83-226 Archer Daniels (WN)  
84-3] City of Galva (WN)  
84-4]  
\* 84-57 City of Keithsburg (BF)(due 1/24)  
\* 84-66 Union Oil (JM)(due 2/7/85)  
\* 84-79 Russell Wake (WN)  
\* 84-117 Precision Coatings (JD)(due 3/7)  
\* 84-162 Hoesman (JD)(due 2/21)