

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING
APRIL 18, 1985 CHICAGO, ILLINOIS

All Board Members were present save Dr. Flemal and Mr. Nega.

An Interim Order was adopted in #83-178, DeKalb-Pfizer, by a vote of 5-0. Mr. Dumelle concurred.

An Opinion was adopted in #84-172, City of East Peoria, by a vote of 4-1. Mr. Meyer dissented.

Orders were adopted in these matters by a vote of 5-0: R82-2, Radiological Air Emissions; R84-17(A&B), Permit Requirements and Operating Standards for Owners and Operators of Class I and Class II Landfills, and for Generators and Haulers of Special Waste; R84-22(B), Financial Assurance for Closure and Post Closure Care of Waste Disposal Sites.

An Order was adopted in R84-22(C&D), Financial Assurance for Closure and Post Closure Care of Waste Disposal Sites (Economic Impact of Temporary Regulations and Revision of Final Regulations), by a vote of 4-1. Mr. Forcade dissented.

Motion for reconsideration in ##81-138 and 82-34, Hereley Grain, lost by a 3-2 vote. Dr. Marlin and Mrs. Anderson dissented.

Motion to voluntarily dismiss one part of the pending variance petition in #82-82, Borden, was granted by a vote of 5-0. Mr. Dumelle will prepare an Order.

Motion for continuance was granted in #83-47, Fedders-USA, by a vote of 5-0. Mr. Dumelle will prepare an Order.

Orders were adopted in ##83-215 through 83-223, Commonwealth Edison, by a vote of 5-0. Mr. Forcade will prepare them.

Motion for stay was granted in #83-226, Archer Daniels, by a vote of 5-0. Dr. Marlin will prepare an Order.

Amended petition #85-24, City of Mt. Olive, was held for an Agency Recommendation.

In new cases these actions were taken by a vote of 5-0: ##85-39, Electric Energy, Inc. v. EPA, additional information requested; Order by Mr. Dumelle; 85-40, Village of Hanna City v. EPA, additional information requested, Order by Mrs. Anderson; 85-41, U.S. Industrial Chemicals Company v. EPA, hearing mandatory; 85-42, Village of Gardner v. EPA, additional information requested; Order by Mrs. Anderson; 85-43, Village of Carol Stream v. EPA, hearing mandatory; 85-44, -45, DuPage Publications

Company v. EPA, hearing mandatory; 85-47, City of Dixon v. EPA, additional information requested, Order by Mr. Dumelle; 85-48, City of O'Fallon v. EPA, provisional variance granted, Opinion and Order by Mr. Dumelle; 85-49, City of Keithsburg v. EPA; provisional variance granted, Opinion and Order by Mr. Dumelle.

All other matters not disposed of as listed were ordered held to May 2, 1985 for possible consideration.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above Minutes were approved this 27th day of June, 1985 by a vote of 6-0.

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

ILLINOIS POLLUTION CONTROL BOARD
FINAL AGENDA
APRIL 18, 1985 CHICAGO, ILLINOIS

DECISIONS:

- 83-178 DeKalb-Pfizer (JTM)_____
- 84-172 City of East Peoria, Opinion only (BF)_____
- R84-17 Permit Requirements and Operating Standards for Owners
(A&B) and Operators of Class I and Class II Landfills, and for
Generators and Haulers of Special Waste, (Order)(JA)

- R84-22 Financial Assurance for Closure and Post-Closure Care of
(B) Waste Disposal Sites, Order (JA)_____
- R84-22 Financial Assurance for Closure and Post-Closure Care of
(C&D) Waste Disposal Sites (Economic Impact of Temporary
Regulations and Revision of Final Regulations), Order
(JA)_____

MOTIONS:

- 81-138 Hereley Grain - motion for reconsideration (3/25)(BF)
82-34 _____
- 82-82 Borden - motion to voluntarily dismiss one part of
pending variance petition (4/3)_____
- 83-47 Fedders-USA - motion for continuance (4/10)_____
- 83-215 Commonwealth Edison - Circuit Court Remand (4/4)(BF)
thru _____
83-223
- 83-226 Archer-Daniels - motion for stay (4/8)(JM)_____
- 84-95 Continental Grain - motion to stay discovery and to
trhu appoint a single hearing officer to supervise discovery
84-104 (4/9), response (4/16)_____

*INDICATES VARIANCE OR PERMIT APPEAL

MOTIONS: (Cont'd)

- 84-96 Continental Grain - Agency motion to dismiss (3/22),
response (4/8), motion for leave to file reply (4/16)

- 84-104 Continental Grain - Agency motion to dismiss (3/22),
response (4/8), motion for leave to file reply (4/16)

- 84-117 Precision Coatings - response to motion for modification
of Order (4/5) _____
- 84-123 Village of Energy - motion for leave to file Agency
Recommendation Instanter (4/9)(JM) _____
- 84-150 William H. Clarke - motion for stay (4/10) _____
- 85-5 Fedders-USA - Agency response to motion to consolidate
(4/8) _____
- 85-13 George and Ruth Hammons - motion to voluntarily dismiss
appeal (4/11) _____
- 85-18 Concentrate Corp. - motion for change of hearing venue
(3/22), H.O. Order (4/10) _____
- 85-20 Village of Wataga - motion for leave to file Agency
Recommendation Instanter (4/4) _____
- 85-38 Heckett - motion to dismiss (4/12) _____
- R82-1 Illinois Power - motion to schedule additional hearing
(3/27) _____
- R84-30 City of East Peoria - motion for leave to file Agency
Recommendation Instanter (4/9) _____
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DISCUSSIONS:

- 84-167 Spadoni et al. (JM) _____
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REGULATORY DISCUSSIONS:

- R81-18 Waste Site Chief Operator Prior Conduct Certification,
Proposed Rule, Second Notice (JA) _____
- R84-9 RCRA Update (JA) _____

AMENDED PETITION:

85-24 City of Mt. Olive (filed 4/8)_____

NEW CASES:

85-39 Electric Energy, Inc. v. EPA_____

85-40 Village of Hanna City v. EPA (see motion to join
additional parties (4/12))(JA)_____

85-41 U.S. Industrial Chemicals Co. v. EPA_____

85-42 Village of Gardner v. EPA (see motion to join additional
parties (4/11))(JA)_____

85-43 Village of Carol Stream v. EPA_____

85-44 DuPage Publications Company v. EPA_____

85-45 DuPage Publications Company v. EPA_____

85-47 City of Dixon v. EPA_____

PENDING CASES ASSIGNED:

78-139 Vickery Manor (BF)
82-101 Browning-Ferris (JA)
83-28 Top Chop (BF)
83-61 Missouri Portland (JTM)
* 83-172 City of Sycamore (JTM)(due 6/27)
84-123 Village of Energy (JM)(due 5/16)
84-124] Citizens of Burbank (BF)
84-125]
84-155 Thomas Greenland (JM)
84-157 American Can (JTM)(due 5/30)
* 85-6 Timberlakes (BF)(due 6/27)
* 85-20 Village of Wataga (JTM)(due 6/27)
85-22 Village of Hanover Park (JTM)(due 5/16)