

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING  
JULY 11, 1985 CHICAGO, ILLINOIS

All Board Members were present.

An Order was adopted in #83-61, Missouri Portland, by a vote of 4-3. Dr. Flemal and Messrs. Dumelle and Nega dissented.

An Opinion and Order was adopted in #83-172, City of Sycamore, by a vote of 4-3. Messrs. Forcade and Meyer concurred and Dr. Flemal and Messrs. Dumelle and Nega dissented.

An Opinion and Order was adopted in #84-182, Nash Brothers, by a vote of 7-0. Mr. Forcade concurred.

An Opinion and Order was adopted in #85-26, Stauffer Chemical, by a vote of 7-0. Mr. Dumelle concurred.

An Order was adopted in #85-30, Bruce and Katherine Jacobson, by a vote of 4-3. Dr. Flemal and Messrs. Dumelle and Nega dissented.

An Opinion and Order was adopted in #85-51, City of Aurora, by a vote of 7-0. Mr. Dumelle concurred.

Motion for release of Bond was granted in ##72-62, -262, Reliance Quarry, by a vote of 7-0. Mr. Dumelle will prepare an Order.

Joint motion for continuance of hearing was granted in #83-18, Modine, by a vote of 7-0. Mrs. Anderson will prepare an Order.

Motion for sanctions was denied and motion to amend complaint referred to hearing officer for disposition in #83-60, Pierce Waste Oil, by a vote of 7-0. Mrs. Anderson will prepare an Order.

Joint motion to cancel hearing was granted in #83-178, DeKalb-Pfizer, by a vote of 7-0. Mr. Dumelle will prepare an Order.

Motion to dismiss was granted in #84-87, Brown Chevrolet, by a vote of 7-0. Mr. Dumelle will prepare an Order.

Motion for leave to file Agency Recommendation Instanter was granted in #84-174, Classic Finishing, by a vote of 7-0. Mr. Dumelle will prepare an Order.

Motion to withdraw was granted in #85-3, City of Rock Island, by a vote of 7-0. Mrs. Anderson will prepare an Order.

Motion for leave to file answer out of time was granted in

#85-38, Heckett, by a vote of 7-0. Mr. Dumelle will prepare an Order.

Motion to dismiss was granted in #85-40, Village of Hanna City, by a vote of 7-0. Mrs. Anderson will prepare an Order.

An Order was adopted in R82-25, Dean Foods, by a vote of 7-0. Mr. Forcade will prepare it.

These matters were discussed and held until August 1, 1985 for further consideration: ##84-124, Citizens of Burbank; 85-60, M.I.G. Investments, Interim Order by Mrs. Anderson.

These regulatory matters were discussed and held until July 19, 1985 for further consideration: R77-4, Airport Noise; R84-46, CIPS.

In new cases these actions were taken by a vote of 7-0: ##85-89, Joseph A. Adams v. Powers Water Company, Interim Order by Mr. Dumelle; 85-93, City of Geneva v. EPA, held for an Agency Recommendation; 85-94, National Marine Service, Inc. v. EPA, Order by Mr. Forcade; 85-95, Citizens Utilities Company of Illinois v. EPA, held for an Agency Recommendation; 85-97, Concerned Citizens Group et al. v. County of Marion, et al., Order by Mrs. Anderson; 85-98, Commonwealth Edison Company v. EPA, hearing mandatory; 85-99, Citgo Petroleum Corporation v. EPA, Order by Mrs. Anderson; 85-100, Village of Minooka v. EPA, held for an Agency Recommendation; 85-101, EPA v. Capital Engineering and Manufacturing Company, hearing mandatory; 85-102, EPA v. Continental Grain Company, hearing mandatory; 85-103, City of Dixon v. EPA, provisional variance granted, Opinion and Order by Mr. Nega.

A Resolution and Order was adopted in R85-17, New Source Performance Standards, by a vote of 7-0. Mr. Meyer will prepare it.

A special Board meeting will be held at 11:00 a.m. on July 19, 1985. A notice will be posted.

All matters not disposed of as listed were ordered held until August 1, 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 5<sup>th</sup> day of September, 1985 by a vote of 7-0.

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

ILLINOIS POLLUTION CONTROL BOARD  
FINAL AGENDA  
JULY 11, 1985 CHICAGO, ILLINOIS  
CONFERENCE ROOM 9-031

**DECISIONS:**

83-61 Missouri Portland (JTM)\_\_\_\_\_

\* 83-172 City of Sycamore (JTM)(due)\_\_\_\_\_

84-182 Nash Brothers (RF)\_\_\_\_\_

\* 85-26 Stauffer Chemical (RF)(due)\_\_\_\_\_

85-30 Bruce & Katherine Jacobson (JA)\_\_\_\_\_

\* 85-51 City of Aurora (JA)(due)\_\_\_\_\_

R82-2 Nuclear Air Emissions, Second Notice (JD)\_\_\_\_\_

**MOTIONS:**

72-62] Reliance Quarry - motion for release of Bond (7/5)  
72-262] \_\_\_\_\_

83-18 Modine - joint motion for continuance of hearing (7/2)  
\_\_\_\_\_

83-60 Pierce Waste Oil - motion for sanctions (6/24), Response  
(7/2), motion to amend complaint (7/2)\_\_\_\_\_

83-178 DeKalb-Pfizer - joint motion to cancel hearing (6/28)  
\_\_\_\_\_

84-87 Brown Chevrolet - motion to dismiss (6/28)\_\_\_\_\_

84-174 Classic Finishing - motion for leave to file Agency  
Recommendation Instanter (7/10)\_\_\_\_\_

85-3 City of Rock Island - motion to dismiss (6/28), motion  
to withdraw and response to motion to dismiss (7/3)  
\_\_\_\_\_

**\*INDICATES VARIANCE OR PERMIT APPEAL**

**MOTIONS: (Cont'd)**

- 85-38 Heckett - motion for leave to file answer out of time  
and answer to complaint (7/3)\_\_\_\_\_
- 85-40 Hanna City - motion to dismiss (7/10)\_\_\_\_\_
- R82-25 Dean Foods - Board Order (BF)\_\_\_\_\_

**DISCUSSIONS:**

- 84-124 Citizens of Burbank (BF)\_\_\_\_\_
- 84-160 Village of Addison (JD)\_\_\_\_\_
- \* 85-60 M.I.G. Investments (JA)(due 8/1)\_\_\_\_\_

**REGULATORY DISCUSSIONS:**

- R77-4 Airport Noise (JM)\_\_\_\_\_
- R84-46 CIPS (BF)\_\_\_\_\_

**FUTURE REGULATORY DISCUSSION:**

- R83-7 Stationary Noise (JA)(August 1, 1985)\_\_\_\_\_

**AMENDED PETITION:**

- 85-17 S & C Electric Company (filed 7/1)(Hearing authorized  
2/20)\_\_\_\_\_

**NEW CASES:**

- 85-89 Joseph A. Adams v. Powers Water Company (11:00 a.m.  
August 1, 1985)\_\_\_\_\_
- 85-93 City of Geneva v. EPA\_\_\_\_\_
- 85-94 National Marine Service, Inc. v. EPA\_\_\_\_\_
- 85-95 Citizens Utilities Company of Illinois v. EPA\_\_\_\_\_
- 85-96 Village of Gilberts v. Holiday Park Corp.\_\_\_\_\_

NEW CASES: (Cont'd)

85-97 Concerned Citizens Group, et al. v. County of Marion, et al. \_\_\_\_\_

85-98 Commonwealth Edison Company v. EPA \_\_\_\_\_

85-99 Citgo Petroleum Corporation v. EPA \_\_\_\_\_

85-100 Village of Minooka v. EPA \_\_\_\_\_

85-101 EPA v. Capital Engineering and Manufacturing Co. \_\_\_\_\_

85-102 EPA v. Continental Grain Co. \_\_\_\_\_

R85-17 New Source Performance Standards (JTM) \_\_\_\_\_

PENDING CASES ASSIGNED:

78-139 Vickery Manor (BF)  
81-144 Marathon Petroleum (JD)  
82-101 Browning-Ferris (JA)  
83-28 Top Chop (BF)  
84-11 Cornbelt (JM)  
\* 84-62 Amerock Corporation (JM)(open waiver)  
\* 84-134 Woodstock Die (JTM)(due 9/5)  
84-161 Village of Addison (JD)  
\* 84-179 Village of Romeoville (RF)(due 9/26)  
\* 84-181 City of Streator (RF)(open waiver)  
\* 85-14 Electric Energy (JA)(due 9/26)  
\* 85-20 Village of Wataga (JTM)(due 8/15)  
85-33 Village of Hartford and EPA Joint Petition for  
CSO Exception (JD)  
\* 85-36 City of Hoopston (RF)(due 8/15)  
\* 85-39 Electric Energy (RF)(due 8/15)  
\* 85-47 City of Dixon (RF)(due 9/5)  
\* 85-56 McHenry County (JD)(due 8/15)  
\* 85-86 Olin Corporation (RF)(due 9/5)