

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING
NOVEMBER 21, 1985 CHICAGO, ILLINOIS

All Board Members were present.

An Order was adopted in #83-122, Jennison-Wright, by a vote of 7-0.

An Opinion and Order were adopted in #84-84, Mt. Vernon Water, by a vote of 7-0.

An Opinion and Order were adopted in #85-97, Concerned Citizens Group, by a vote of 7-0. Board Members J. Anderson and J. Marlin concurred.

A Final Rule, Peremptory Rulemaking, Order was adopted in R77-12(D), Disinfection, by a vote of 6-0. Board Member J. Theodore Meyer abstained.

An Order was adopted in R81-19, Citizens Utilities, by a vote of 6-0. Board Member R. Flemal abstained.

An Adopted Rule, Final Opinion and Order, were adopted in R84-22(C), Financial Assurance, by a vote of 7-0.

An Order was adopted in #79-145, Celotex, by a vote of 7-0. Mr. Forcade will prepare it.

An Order was adopted in ##81-138 and 82-34, Hereley Grain, by a vote of 7-0. Mr. Dumelle will prepare it.

An Order was adopted in #83-18, Modine Manufacturing, by a vote of 7-0. Mr. Forcade will prepare it.

An Order, rejecting the settlement agreement in #83-26, Marathon Petroleum, was adopted by a vote of 7-0. Mr. Forcade will prepare it.

An Order, rejecting the settlement agreement in #83-29, Marathon Petroleum, was adopted by a vote of 7-0. Mr. Forcade will prepare it.

An agreed motion to dismiss was granted in ##84-38, -39, Cabot, by a vote of 7-0. Mr. Dumelle will prepare an Order.

Motion for clarification was granted in #84-62, Amerock, by a vote of 7-0. Mr. Dumelle concurred. Dr. Marlin will prepare an Order.

Motion to voluntarily dismiss was granted in #85-67, IBP, by a vote of 7-0. Mr. Dumelle will prepare an Order.

By a vote of 7-0, motion for limine was referred to the hearing officer for disposition in #85-87, B.F. Goodrich. Mr. Forcade will prepare an Order.

Petition to modify was granted in #85-162, Commonwealth Edison (See PCB 85-194 Opinion and Order adopted this date).

By a vote of 7-0, Petitioner's request to withdraw was granted and the Clerk of the Board instructed to release the docket numbers previously reserved for filings in #85-172, World Color Press. Mr. Forcade will prepare an Order.

These matters were discussed and held to December 5, 1985 for possible consideration: ##82-82, Borden Chemical; 85-35, Warner Brake; 85-75, Demeter, Inc.; 85-94, National Marine; 85-105, Village of Glen Carbon.

These regulatory matters were discussed and held to December 5, 1985 for possible consideration: R82-1, Particulate Emissions; R85-2, Amoco Delisting; R85-23, UIC Update.

These actions were taken in amended petitions by a vote of 7-0: ##84-144, Meyer Steel Drum, hearing authorized, Order by Mr. Forcade; 85-147, City of Herrin, held for an Agency Recommendation.

In new cases these actions were taken by a vote of 7-0: ##85-158, Illinois Department of Transportation, Alex Stamatakis, action deferred pending notification from Illinois Department of Transportation concerning final determination, Order by Mrs. Anderson; 85-190, Sours Grain Company v. EPA, Agency motion to dismiss denied and additional information requested, Mr. Dumelle concurred, Order by Mrs. Anderson; 85-191, National Can Corporation v. EPA, hearing authorized, Order by Mr. Forcade; 85-192, McHenry County Landfill, Inc. v. County Board of McHenry County, Illinois, hearing authorized, Order by Mrs. Anderson; 85-193, Greater Peoria Sanitary District v. EPA, provisional variance granted, Opinion and Order by Mr. Nega; 85-194, Commonwealth Edison Company v. EPA, provisional variance granted, Opinion and Order by Mr. Nega; R85-27, IDENR Special Waste Categorization Study, docket opened, Order by Mrs. Anderson; R85-28, National Can Corporation, accepted for hearing and 200 signature requirement waived, Order by Mr. Dumelle.

Minutes for the following Board Meeting dates were approved by a vote of 7-0: October 10 and 24, 1985; November 7, 1985.

All other matters not disposed of as listed were ordered held to December 5, 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 5th day of December, 1985 by a vote of 7-0.

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

AMENDED AGENDA

ILLINOIS POLLUTION CONTROL BOARD
FINAL AGENDA
NOVEMBER 21, 1985 CHICAGO, ILLINOIS
CONFERENCE ROOM 9-031

DECISIONS:

- 83-122 Jennison-Wright (BF)_____
- 84-84 Mt. Vernon Water (BF)_____
- 84-85 Village of Orangeville (JTM)_____
- * 85-97 Concerned Citizens Group (RF)(due)_____
- R77-12 Disinfection, Peremptory Rule (JD)_____
- (D)
- R81-19 Citizens Utilities, Order (JTM)_____
- R84-22 Financial Assurance, Final Opinion and Order (JA)
- (C) _____

MOTIONS:

- 79-145 Celotex - motion for partial revision of Order (10/31),
motion to dismiss Philip Carey Company as a Party
Respondent (10/31), motion to rule on pending motion
for sanctions (11/15)(BF)_____
- 81-138] Hereley Grain - Agency motion to dismiss (10/28)
- 82-34] _____
- 83-18 Modine Manufacturing - Board Order (BF)_____
- 83-26 Marathon - Board motion denying settlement (BF)
- _____
- 83-29 Marathon Oil - Board motion denying settlement (BF)
- _____
- 84-38] Cabot - agreed motion to dismiss (11/7)_____
- 84-39] _____

*INDICATES VARIANCE OR PERMIT APPEAL

MOTIONS: (Cont'd)

84-62 Amerock - motion for clarification (10/28)(JM)

84-95 Continental Grain - Agency motion to dismiss (11/12)
 thru
 84-104 _____

85-31 Production Finishers - motion to dismiss (11/19)

85-67 IBP - motion to voluntarily dismiss (11/12) _____

85-87 B.F. Goodrich - motion to limine (11/13) _____

85-162 Commonwealth Edison - petition to modify (10/29)(WN)

85-172 World Color Press - request to withdraw (11/18)(BF)

R82-25 Dean Foods - Agency motion to strike (11/12)(BF)

DISCUSSIONS:

* 82-82 Borden Chemical (JM)(open waiver) _____

* 85-35 Warner Brake (BF)(open waiver) _____

* 85-75 Demeter, Inc. (RF)(open waiver) _____

* 85-94 National Marine (WN)(due 12/20) _____

85-105 Village of Glen Carbon (WN) _____

REGULATORY DISCUSSIONS:

R82-1 Particulate Emissions (JD) _____

R85-2 Amoco Delisting (BF) _____

R85-23 UIC Update, Proposed Rule, First Notice (JA)

AMENDED PETITION:

85-147 City of Herrin (filed 11/20) _____

NEW CASES:

85-158 Illinois Department of Transportation, Alex Stamatakis

85-190 Sours Grain Company v. EPA (see Agency motion to dismiss
11/15) _____

85-191 National Can Corporation v. EPA _____

85-192 McHenry County Landfill, Inc. v. County Board of
McHenry County, Illinois (JA) _____

R85-27 IDENR Special Waste Categorization Study (JA)

R85- National Can Corporation Site-Specific _____

R85- Bloomington and Normal Sanitary District _____

MINUTES:

October 10 & 24, 1985

November 7, 1985

PENDING CASES ASSIGNED:

78-139 Vickery Manor (BF)
81-27 Cabot (JTM)
81-144 Marathon (JD)
82-101 Browning-Ferris (JA)
* 83-26 Marathon Oil (BF)(open waiver)
* 83-29 Marathon Oil (BF)(open waiver)
* 83-47 Fedders-USA (JD)(due 1/9)
* 83-237 Village of Wauconda (RF)(due 1/23)
84-93 S.C. Industries (BF)
84-120] Atlas Service Company (WN)
84-121]
84-125 Clairmont Trucking (BF)
* 84-134 Woodstock Die (JTM)(due 3/27)
84-149] McHenry Consolidated School District (RF)
84-152]
84-153]
* 85-5 Fedders-USA (BF)(due 1/9)
85-9 Landfill Emergency Action (JA)
* 85-14 Electric Energy (JA)(due 3/27)
85-19 Monsanto (BF)
85-23 A&R Transport (WN)
85-33 Village of Hartford CSO (JD)
* 85-44] DuPage Publications (JD)(due 1/9)
85-45]
85-70]
85-130]
* 85-57 Kable Printing (WN)(due 1/23)
* 85-83 Marathon Petroleum (JM)(due 1/23)
* 85-95 Citizens Utilities (JTM)(due 2/11)
* 85-104 Village of Aviston (JM)(due 12/20)
* 85-106 Village of Oswego (RF)(due 6/19)
* 85-126 Oasis Outdoor (JD)(open waiver)
85-127 Rip's Fertilizer Service (WN)
* 85-128 City of Flora (RF)(due 12/20)
85-129 Richard Termaat (JA)
* 85-141 Browning-Ferris (JM)(due 1/9)
* 85-171 Electric Energy (JM)(due 1/23)