

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING
JANUARY 23, 1986 CHICAGO, ILLINOIS

All Board Members were present.

Opinions and Orders were adopted in these cases by a vote of 7-0: #85-23, A & R Transport, Inc., Mr. Meyer concurred; 85-83, Marathon Petroleum.

An Opinion and Order were adopted in #85-127, Rip's Fertilizer Service, by a vote of 6-1. Mr. Meyer dissented.

A Proposed Rule, Second Notice, Order was adopted in R84-4, -19, Algicides, by a vote of 7-0.

A Proposed Rule, First Notice, Opinion and Order were adopted in R85-15, Decatur Sanitary District, by a vote of 7-0. Mrs. Anderson and Mr. Meyer concurred.

A Proposal for Public Comment, Proposed Opinion and Order, were adopted in R85-25, Vehicle Emissions, by a vote of 6-1. Mr. Meyer dissented.

A Proposed Rule, First Notice, Order was adopted in R85-33, Coke Plant Pushing and Charging, by a vote of 7-0.

Upon a motion by Dr. Flemal to adopt RES 86-1, Protocols of Operation for the Scientific/Technical Section, these actions were taken: motion to amend paragraph 2 of Administrative Oversight section by adding "or urgent matters of public policy" at the end of sentence, passed by a vote of 7-0; motion to amend paragraph 3 of Administrative Oversight section by deleting "in executive session" at end of sentence, passed by a vote of 7-0; motion to amend paragraph 2 of Ex Parte Contacts and Restrictions section only by adding "regarding such communication" and "concerning such communication", passed by a vote of 6-1, with J. Dumelle dissenting; motion to amend paragraph 3 of Ex Parte Contacts and Restrictions section after "if an STS person" by deleting "acts as a proponent of a regulation, or intends" and substituting "is", passed by a vote of 7-0. Motion by Dr. Flemal to adopt RES 86-1 as amended was passed and the Resolution was adopted by a vote of 5-2 with J. Marlin and J.T. Meyer concurring and J. Dumelle and W. Nega dissenting.

An Order was adopted in #78-139, Vickery Manor, by a vote of 7-0. Mr. Forcade will prepare it.

An Order was adopted in #83-26, Marathon Oil Company, by a vote of 7-0. Mr. Forcade will prepare it.

An Order was adopted in #83-29, Marathon Oil Company, by a vote of 7-0. Mr. Forcade will prepare it.

Motion for reconsideration was denied in #84-93, S.C. Industries, by a vote of 7-0. Mr. Forcade will prepare an Order.

Motion for leave to file response to amended Recommendation Instanter in #85-50, City of Lockport, was granted by a vote of 7-0. Mr. Dumelle will prepare an Order.

Motion for leave to file Instanter a Recommendation was granted in #85-147, City of Herrin, by a vote of 7-0. Dr. Marlin will prepare an Order.

An Order was adopted in ##85-177, -223, -220, City of Columbia, by a vote of 7-0. Mrs. Anderson will prepare it.

This matter was discussed and held to February 6, 1986 for possible consideration: ##84-120, -121, Atlas Service Company.

These regulatory matters were discussed and held to February 6, 1986 for possible consideration: R77-4, Airport Noise; R84-28, Peoria Sulfur Limitations; R85-23, UIC Update.

By a vote of 7-0, these amended petitions were held for Agency Recommendations: ##85-174, White County Board; 85-179, Camsco Produce Company.

In new cases these actions were taken by a vote of 7-0: ##86-8, Heckett v. EPA, hearing authorized, Order by Mr. Forcade; 86-9, Trilla Steel Drum Corp. v. EPA, hearing authorized and additional information to be addressed at hearing, Order by Mr. Forcade; 86-10, Bravo-Ernst Developers v. EPA and County of DuPage, additional information requested, Order by Mr. Dumelle; 86-12, Illinois Power Company v. EPA, hearing mandatory; 86-13, C. Groot Automatic Disposal Company v. EPA, additional information requested, Order by Mrs. Anderson; 86-14, Greater Peoria Sanitary District v. EPA, provisional variance granted, Opinion and Order by Mr. Nega.

In new case #86-11, Illinois Department of Transportation, Sheridan Road Home Owners Association and the Wil-Shore Condominium Association, the Chairman was authorized to sign and prepare an Order by a vote of 6-1. Mr. Meyer dissented.

Minutes of the Board meeting held January 9, 1986 were approved by a vote of 7-0.

All matters not disposed of as listed were ordered held for possible consideration on February 6, 1986.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above Minutes were adopted on the 6th day of February, 1986 by a vote of 7-0.

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

ILLINOIS POLLUTION CONTROL BOARD
FINAL AGENDA
JANUARY 23, 1986 CHICAGO, ILLINOIS
CONFERENCE ROOM 9-031

DECISIONS:

- 85-23 A&R Transport, Inc. (WN)_____
- * 85-83 Marathon Petroleum (JM)(due)_____
- 85-127 Rip's Fertilizer Service (WN)_____
- * 85-128 City of Flora (JD)(due)_____
- R84-4) Algicides, Proposed Rule, Second Notice, Order (JM)
R84-19) _____
- R85-15 Decatur Sanitary District, Proposed Rule, First Notice,
Opinion and Order (RF)_____
- R85-25 Vehicle Emissions (JD)_____
- R85-33 Coke Oven Quenching, Proposed Rule, First Notice (JTM)

- RES Resolution of the Board - Scientific Technical Section
86-1 (RF)_____

MOTIONS:

- 78-139 Vickery Manor - Board Order (BF)_____
- 83-26 Marathon Oil - Agency motion to dismiss (1/7), motion
for leave to file instanter and response in opposition
to motion to dismiss (1/21)(BF)_____
- 83-29 Marathon Oil - Agency motion to dismiss (1/7), motion
for leave to file instanter and response in opposition
to motion to dismiss (1/21)(BF)_____
- 84-85 Village of Orangeville - motion for rehearing (1/8),
motion to stay (1/8), response (1/15)_____

*INDICATES VARIANCE OR PERMIT APPEAL

MOTIONS: (Cont'd)

84-93 S.C. Industries - motion for reconsideration (1/17)(BF)

85-50 City of Lockport - motion for leave to file response to
amended Recommendation Instanter (1/15)_____

85-147 City of Herrin - motion for leave to file Instanter
and Recommendation (1/14)(JM)_____

85-177) City of Columbia - Board Order (JA)_____
85-223)
85-220)

85-190 Sours Grain - motion for leave to file response
instanter (1/9), Agency motion to dismiss (1/16)

R82-1 Particulate Emissions - Agency motion to reconsider
Second Notice Order (1/3), Agency motion to further
reconsider Second Notice Order (1/21)(JD)

DISCUSSION(S):

84-120] Atlas Service Company (WN)_____
84-121]

REGULATORY DISCUSSIONS:

R77-4 Airport Noise (JM)_____

R84-28 Peoria Sulfur Limitations (JD)_____

R85-23 UIC Update (JA)_____

AMENDED PETITION(S):

85-174 White County Board (filed 1/21)_____

85-179 Camsco Produce Company, Inc. (filed 1/17)_____

NEW CASES:

86-8 Heckett v. EPA (BF)_____

NEW CASE: (Cont'd)

86-9 Trilla Steel Drum Corporation v. EPA _____

86-10 Bravo-Ernst Developers v. EPA and the County of DuPage

86-11 IDOT, 1500 Sheridan Road Home Owners Association and the
Wil-Shore Condominium Association _____

86-12 Illinois Power Company v. EPA _____

86-13 C. Groot Automatic Disposal Co. v. EPA _____

R86- Woodstock Die Cast, Inc. (BF) _____

R86- American Nickeloid (BF) _____

MINUTES:

January 9, 1986 _____

PENDING CASES ASSIGNED:

78-139 Vickery Manor (BF)
80-151 Archer Daniels (JTM)
81-144 Marathon (JD)
82-101 Browning-Ferris (JA)
* 83-26 Marathon Petroleum (BF)(open waiver)
* 83-29 Marathon Petroleum (BF)(open waiver)
83-60 Pierce Waste Oil (JM)
83-61 Missouri-Portland (JTM)
83-122 Jennison-Wright (BF)
* 84-77 Olin Corporation (BF)(due 4/24)
84-93 S.C. Industries (BF)
84-125 Clairmont Trucking (BF)
* 84-134 Woodstock Die (JTM)(due 3/27)
84-149 McHenry Consolidated School District (RF)
84-152)
84-153)
84-161 L&S Industries (JD)
* 84-174 Classic Finishing (JM)(open waiver)
85-9 Landfill Emergency Action (JA)
* 85-14 Electric Energy (JA)(due 3/27)
85-19 Monsanto (BF)
* 85-44 DuPage Publications (JD)(due 3/27)
85-70)
85-130)
85-72 Carl H. Clark (WN)
* 85-95 Citizens Utilities (JTM)(due 4/10)
* 85-106 Village of Oswego (RF)(due 6/19)
* 85-119 Illinois Power (JD)(due 3/27)
* 85-126 Oasis Outdoor (JD)(open waiver)
85-129 Richard Termaat (JA)
85-132 General Fire Extinguisher (WN)
85-134 IDOT, Dept. of the Army (BF)
85-135 Michael Delaney (WN)
85-139 City of Metropolis CSO (JD)
* 85-141 Browning-Ferris (JM)(due)
* 85-145 Alton Packaging (JD)(due)
* 85-147 City of Herrin (JM)(due 3/13)
* 85-171 Electric Energy (JM)(due 2/27)
* 85-209 Village of Carol Stream (RF)(due 3/13)