

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING
MARCH 14, 1986 CHICAGO, ILLINOIS

MORNING SESSION

All Board Members were present.

An Interim Order was adopted in #76-84, Santa Fe, by a vote of 7-0. (JD)

Motion to amend by Dr. Marlin in ##84-149, -152, -153, McHenry Consolidated School District, passed by a vote of 4-3 with J. Anderson, J. Dumelle and R. Flemal dissenting. An amended Opinion and Order were then adopted by a vote of 7-0 with J. Anderson concurring. (RF)

An Interim Order was adopted in #84-161, L&S Industries, by a vote of 7-0. (JD)

An Opinion and Order were adopted in #85-15, Bi-State Disposal, by a vote of 6-1. Mr. Meyer dissented. (WN)

An Opinion and Order were adopted in #85-35, Warner Brake, by a vote of 6-1. Mr. Meyer dissented. (BF)

An Opinion and Order were adopted in #85-107, Pfizer-Pigments, by a vote of 7-0. (RF)

An Opinion and Order were adopted in #85-134, Illinois Department of Transportation, Dept. of the Army, by a vote of 6-1. Mr. Dumelle dissented. (BF)

An Order was adopted in #85-181, City of Mt. Olive, by a vote of 7-0. (JD)

Motion to amend by J. Anderson in #85-192, McHenry County, passed by a vote of 5-2 with B. Forcade and J. Dumelle dissenting. An amended Opinion and Order were then adopted by a vote of 6-1 with J. Theodore Meyer dissenting and J. Anderson, J. Dumelle, and B. Forcade concurring. (JM)

An Interim Order was adopted in R82-1, Particulate Emissions, by a vote of 7-0. Mr. Forcade concurred. (JD)

A Proposed Rule, First Notice, Proposed Opinion and Order, were adopted in R84-13, Union Oil Company, by a vote of 4-3. Messrs. Forcade, Meyer and Nega dissented. (JM)

An Order was adopted in #79-145, Celotex, by a vote of 7-0.
(BF)

An Interim Order was adopted in #85-171, Electric Energy, by a vote of 7-0. (JM)

Motion to compel was denied as moot in #85-190, Sours Grain, by a vote of 7-0. (JD)

Motion to file record late was granted in #86-8, Heckett, by a vote of 7-0. (JD)

Motion to dismiss was denied and request for extension of time to submit additional information requested was granted in #86-10, Bravo-Ernst, by a vote of 7-0. (JA)

Motion to amend Agency record was granted in #86-12, Illinois Power, by a vote of 7-0. (JD)

An Order was adopted in #86-18, Hillview Farms, by a vote of 7-0. (JA)

Motion to withdraw petition was granted in R86-6, Woodstock Die, by a vote of 7-0. (BF)

AFTERNOON SESSION

An Opinion and Order were adopted in #83-60, Pierce Waste Oil, by a vote of 7-0. (WN)

An Interim Order was adopted in #85-210, City of Peoria CSO, by a vote of 7-0. (JD)

These matters were discussed and held to March 27, 1986 for possible consideration: #83-2, Chemetco, Inc.; 85-44, -70, -130, DuPage Publications; 85-119, Illinois Power; 85-145, Alton Packaging; 85-174, White County Board; 85-177, -220, -223, City of Columbia; 85-210, City of Peoria CSO; 85-226, City of Pekin CSO.

These regulatory matters were discussed and held to March 27, 1986 for possible consideration: R77-4, Airport Noise; R84-48, LTV Steel Site-Specific.

By a vote of 7-0, motion to dismiss was denied and hearing was authorized in amended petition #85-221, Hansen-Sterling Drum.
(BF)


In new cases these actions were taken by a vote of 7-0: #86-29, American Hoechst Corporation v. EPA, hearing authorized, **Order by Mr. Forcade**; 86-30, Village of Stillman Valley v. EPA, held for an Agency Recommendation; 86-31, Acme Barrel Company v. EPA, hearing authorized, **Order by Mr. Forcade**; 86-32, EPA v. City of Sycamore, hearing mandatory; 86-33, Illinois Department of

Transportation, Navy Pier Marina, Inc., Chairman authorized to sign permit document and prepare an Order; 86-34, Everett Allen, Inc. v. City of Mount Vernon, hearing authorized, Order by Mr. Forcade; 86-35, Lake County Public Works Department, Vernon Hills Water Supply System v. EPA, held for an Agency Recommendation; 86-36, City of Batavia v. EPA, held for an Agency Recommendation; 86-37, EPA v. Blake Water Corporation, hearing mandatory; 86-38, EPA v. Williams Pipe Line Company, hearing mandatory; 86-39, Commonwealth Edison Company v. EPA, provisional variance granted, Opinion and Order by Mr. Nega; 86-40, City of Charleston v. EPA, provisional variance granted, Opinion and Order by Mr. Nega; R86-12, Agency Proposal to amend 35 Ill. Adm. Code 211 and 215, accepted and hearing authorized.

Minutes of the Board meeting held February 26, 1986 were approved by a vote of 7-0.

All matters not disposed of as listed were ordered held for possible consideration on March 27, 1986.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above Minutes were adopted on the 2th day of March, 1986 by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD
FINAL AGENDA
MARCH 14, 1986 CHICAGO, ILLINOIS
CONFERENCE ROOM 9-031

DECISIONS:

76-84 Santa Fe, Interim Order (JD) _____
84-149) McHenry Consolidated School District (RF) _____
84-152)
84-153)
84-161 L&S Industries, Interim Order (JD) _____
85-15 Bi-State Disposal (WN) _____
* 85-35 Warner Brake (BF)(open waiver) _____
* 85-107 Pfizer-Pigments (RF)(due) _____
85-134 IDOT, Dept. of the Army (BF) _____
85-181 City of Mt. Olive, Board Order (JD) _____
* 85-192 McHenry County (JD)(due) _____
R82-1 Particulate Emissions, Order for additional hearing (JD)

R84-13 Union Oil Company, Proposed Rule, First Notice, Opinion
and Order (JM) _____

MOTIONS:

79-145 Celotex - Celotex response in opposition to
complainant's motion seeking interlocutory appeal from
the hearing officer's October 7, 1985 Order,
complainant's motion to overrule the hearing officer's
Order, and complainant's motion to deny sanctions (3/3),
motion for reconsideration (3/3), motion for
interlocutory appeal and appeal from hearing officer's
ruling (3/4), response in opposition to complainant's
motion for interlocutory appeal and appeal from hearing
officer's ruling (3/11)(BF) _____

*INDICATES VARIANCE OR PERMIT APPEAL

MOTIONS: (Cont'd)

- 85-171 Electric Energy - Petitioner's response to Agency Recommendation (2/19)(JM) _____
- 85-190 Sours Grain - Petitioner's motion to compel (2/28), motion for leave to file instanter a reply in opposition to the Agency's response to Petitioner's motion to compel (3/10), Agency response in opposition to Petitioner's motion to compel (3/11) _____
- 86-8 Heckett - Agency motion to file record late (3/4), Agency motion for expedited hearing date (3/4), response in opposition to motion for expedited hearing date (3/10) _____
- 86-10 Bravo-Ernst - motion to dismiss (2/19), request for extension of time to submit additional information requested (3/5) _____
- 86-12 Illinois Power - motion to amend Agency Record (3/4) _____
- 86-18 Hillview Farms - motion to dismiss petition for review (2/6), Petitioner's response to Intervenor's motion to dismiss (2/13), Petitioner's supplemental memorandum in opposition to Intervenor's motion to dismiss petition for review (2/19), Intervenor's reply memorandum in support of Intervenor's motion to dismiss petition for review (2/15), amendment to supplemental motion (2/26), Agency motion to file permit denial record in part and motion for extension of time (3/11), supplemental reply memorandum in support of Intervenor's motion to dismiss petition for review (3/12)(JA) _____
- 86-19 Interstate Pollution Control - motion for stay (2/3), Agency response in opposition to motion for stay (2/10), Agency motion to strike (2/10), Agency motion to dismiss (2/10), consolidated response to Agency motion to dismiss and objection to motion to stay, motion to consolidate and motion to strike (2/19), renewed motion to consolidate (3/11), supplemental memorandum in support of motion to dismiss (3/11), Petitioner's answer to supplemental memorandum in support of motion to dismiss (3/13)(JA) _____
- R86-6 Woodstock Die - motion to withdraw petition (3/11)(BF) _____

DISCUSSIONS:

- 80-151 Archer Daniels (JTM) _____

DISCUSSIONS: (Cont'd)

- 83-2 Chemetco, Inc. (WN) _____
- 83-60 Pierce Waste Oil (WN) _____
- * 85-44) DuPage Publications (JD)(due 3/27) _____
85-70)
85-130)
- * 85-119 Illinois Power (JD)(due 3/27) _____
- * 85-145 Alton Packaging (JD)(due 3/27) _____
- * 85-174 White County Board (RF)(due 4/10) _____
- * 85-177) City of Columbia (JA)(due 3/27) _____
85-220)
85-223)
- 85-210 City of Peoria CSO (JM) _____
- 85-226 City of Pekin CSO (JA) _____
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REGULATORY DISCUSSIONS:

- R77-4 Airport Noise (JM) _____
- R84-48 LTV Steel Site-Specific (JTM) _____
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AMENDED PETITIONS:

- 85-221 Hansen-Sterling Drum Co. (filed 3/5)(includes response
to motion to dismiss filed by the Agency on 2/26)
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NEW CASES:

- 86-29 American Hoechst Corporation v. EPA (BF) _____
- 86-30 Village of Stillman Valley v. EPA _____
- 86-31 Acme Barrel Company v. EPA _____
- 86-32 EPA v. City of Sycamore _____
- 86-33 IDOT, Navy Pier Marina, Inc. _____

NEW CASES: (Cont'd)

- 86-34 Everett Allen, Inc. v. City of Mount Vernon

- 86-35 Lake County Public Works Department, Vernon Hills Water
Supply System v. EPA _____
- 86-36 City of Batavia v. EPA _____
- 86-37 EPA v. Blake Water Corporation _____
- 86-38 EPA v. Williams Pipe Line Company _____
- R86-12 Agency Proposal to amend 35 Ill. Adm. Code 211 and 215,
Organic Material Emission Standards and Limitations, for
Polystyrene Plants _____
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MINUTES:

February 26, 1986 _____

PENDING CASES ASSIGNED:

76-84 Santa Fe (JD)
78-139 Vickery Manor (BF)
81-144 Marathon (JD)
82-101 Browning-Ferris (JA)
* 83-18 Modine Manufacturing (RF)(due 5/22)
* 83-26 Marathon Oil (BF)(open waiver)
* 83-29 Marathon Oil (BF)(open waiver)
84-93 S.C. Industries (BF)
84-124 Overnite Trucking (BF)
84-125 Clairmont Trucking (BF)
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)
* 85-17 S&C Electric (JD)(due)
85-19 Monsanto (BF)
85-46 William J. Hauck (JD)
* 85-95 Citizens Utilities (JTM)(due 4/10)
* 85-106 Village of Oswego (RF)(due 6/19)
* 85-126 Oasis Outdoor (JD)(open waiver)
85-129 Richard Termaat (JA)
85-139 City of Metropolis, CSO (JD)
* 85-141 Browning-Ferris (JM)(due 4/24)
* 85-171 Electric Energy (JA)(due 4/24)
* 85-179 Camsco Produce (JTM)(due 5/8)
* 85-183 Village of Burlington (RF)(due 5/8)
* 85-209 Village of Carol Stream (RF)(due 6/19)
* 85-217 City of Dixon (JA)(due 4/24)
* 86-9 Trilla Steel Drum (JM)(due 6/5)
* 86-24 City of Yorkville (JM)(due 5/8)