

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING
JUNE 5, 1986 CHICAGO, ILLINOIS

All Board Members were present.

An Opinion and Order were adopted in #85-139, City of Metropolis CSO, by a vote of 6-1. Mr. Forcade dissented. (JTM).

An Opinion and Order were adopted in #85-217, City of Dixon, by a vote of 7-0. (JA)

An Opinion and Order were adopted in #85-226, City of Pekin CSO, by a vote of 6-1. Mr. Forcade dissented and Mr. Dumelle concurred. (JA)

An Order dismissing the proceedings in #86-13, C. Groot Automatic Disposal, was adopted by a vote of 7-0. (JD)

An Opinion and Order were adopted in #86-37, Blake Water Corporation, by a vote of 6-1. Mr. Meyer dissented and Dr. Marlin concurred. (WN)

Motion to amend by J. Anderson passed by a vote of 5-2 with J. Anderson, R. Flemal, J. Dumelle, J. Marlin and W. Nega for it and B. Forcade and J. Theodore Meyer against. An Order was then adopted in R84-30, East Peoria Site-Specific, by a vote of 6-1. J. Theodore Meyer dissented and B. Forcade concurred. (JA)

An Order was adopted in #78-139, Vickery Manor, by a vote of 7-0. (BF)

An Order was adopted in #80-21, Interstate Pollution, by a vote of 7-0. (BF)

Agency motion for leave to file a reply was granted in #83-18, Modine Manufacturing, by a vote of 7-0. (RF)

Motion to clarify was granted in #83-157, Lamplighter Realty, by a vote of 7-0. (JM)

Agency motion to dismiss was denied as moot in #84-81, Nesco Steel Barrel, by a vote of 7-0. (JA)

Stipulation for withdrawal of counsel was granted in #84-85, Village of Orangeville, by a vote of 7-0. (JA)

Motion for extension of time was granted in #84-124, Overnite Trucking, by a vote of 7-0. (BF)

Motion to rescind Board Order was denied in \$85-119, Illinois

Power, by a vote of 6-1. Mr. Meyer dissented. (JD)

Motion to withdraw was granted in #85-158, Illinois Department of Transportation, Alex Stamatakis, by a vote of 7-0. (JD)

Motion to withdraw was granted and the November 7, 1985 Board Order was vacated in #85-159, Illinois Department of Transportation, Wilmette Park District, by a vote of 7-0. (JD)

A Supplemental Opinion and Order were adopted in #85-174, White County Board, by a vote of 5-2. J. Dumelle and J. Theodore Meyer dissented. (RF)

An Order was adopted in ##86-57, -58, Village of Sauget, and ##86-62, -63, Monsanto Company, by a vote of 7-0. Mr. Dumelle concurred. (JA)

These cases were discussed and held to June 19, 1986 for possible consideration: ##84-174(B), Classic Finishing; 85-9, Landfill Emergency Action; 85-106, Village of Oswego; 85-224, Aurora Sanitary District CSO; 86-10, Bravo-Ernst; 86-52, City of Johnston City; 86-65, Village of Willowbrook.

These regulatory matters were discussed and held to June 19, 1986 for possible consideration: R81-18, Chief Operator Certification; R84-42, Pathological Incinerator Emissions; R85-23, UIC Update.

A hearing was authorized in amended petition #86-47, Fedders-USA, by a vote of 7-0. (BF)

In new cases these actions were taken by a vote of 7-0: ##86-67, Reilly Tar & Chemical Corporation v. EPA, additional information requested, **Order by Mrs. Anderson**; 86-73, Village of Pawnee v. EPA, additional information requested, **Order by Dr. Marlin**; 86-74, EPA v. E.J. Brach & Sons, hearing mandatory; 86-75, Lake County Public Works Department v. EPA, hearing authorized, **Order by Mr. Forcade**; 86-76, Fritz Enterprises, Inc. v. EPA, hearing authorized, **Order by Mr. Forcade**; 86-77, Commonwealth Edison Company v. EPA, hearing authorized, **Order by Mr. Forcade**; R86-20, New Source Performance Standards, **Resolution and Order by Mr. Meyer**; R86-21, Proposed Amendments to 35 Ill. Adm. Code 215, Volatile Organic Material Emission Standards, accepted for publication and hearing authorized.

These actions were taken in new case #86-68, Americans for a Clean Environment v. Mervis Industries et al., by a vote of 6-1: motions to dismiss filed by the Agency and the Attorney General were granted and a hearing was authorized. Mr. Meyer dissented. (JD)

Minutes of the May 22, 1986 Board Meeting were approved by a vote of 7-0.

By a vote of 7-0 the Board approved a meeting schedule for FY 87

which will be announced in the Board's Environmental Register.

All other matters not disposed of as listed were ordered held until June 19, 1986 for possible consideration.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above Minutes were approved this 20th day of June, 1986 by a vote of 7-0.

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

AMENDED FINAL AGENDA

ILLINOIS POLLUTION CONTROL BOARD
FINAL AGENDA
JUNE 5, 1986 CHICAGO, ILLINOIS
CONFERENCE ROOM 9-031

DECISIONS:

- * 85-126 Oasis Outdoor (JD)(open waiver) _____
85-139 City of Metropolis CSO (JTM) _____
* 85-217 City of Dixon (JA)(due) _____
85-226 City of Pekin CSO (JA) _____
* 86-13 C. Groot Automatic Disposal, Board Order (JD) _____
86-37 Blake Water Corporation (WN) _____
R84-30 East Peoria Site-Specific (BF) _____
R86-9 Hazardous Waste Ban, Proposed Opinion and Order (JD) _____
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MOTIONS:

- 76-84 Santa Fe Park - motion to voluntarily dismiss the complaint without prejudice (JD) _____
78-139 Vickery Manor - Board Order (BF) _____
79-145 Celotex - Agency and Celotex responses to 4/24 sanctions Order (5/7), request for Special Board Meeting and motion for sanctions (5/13), Respondent's opposition to request for Special Board Meeting and motion for sanctions (5/14), Agency, Celotex, and Hearing Officer responses to 5/9 sanctions Order (5/28), Celotex motion to Board for further sanctions (5/27), Agency response to Respondent's motion to Board for further sanctions (6/2), Celotex reply to response to Celotex's motion to Board for further sanctions (6/3), Celotex response to Hearing Officer Recommendation 6/3, Celotex motion for leave to file reply instanter (6/3)(JA) _____
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*INDICATES VARIANCE OR PERMIT APPEAL

MOTIONS: (Cont'd)

- 80-21 Interstate Pollution - 2x4 Order (BF)_____
- 83-18 Modine Manufacturing - Agency motion to strike or, in the alternative, for leave to file a reply (5/28)(RF)_____
- 83-157 Lamplighter Realty - motion to clarify (5/7), Agency response to Petitioner's motion to clarify (5/22), Petitioner's response to Agency response to Petitioner's motion to clarify (6/2)(JM)_____
- 84-81 Nesco Steel Barrel - Agency motion to dismiss (5/23), response in opposition to motion to dismiss (5/30)(JA)_____
- 84-85 Village of Orangeville - Stipulation for withdrawal of Counsel (5/13)(JA)_____
- 84-124 Overnite Trucking - motion for extension of time (6/2)(BF)_____
- 85-119 Illinois Power - motion to rescind Board Order (5/14), Agency response to motion to rescind Board Order (5/22)_____
- 85-145 Alton Packaging - motion for reconsideration (5/29)(JD)_____
- 85-158 IDOT, Alex Stamatakis - motion to withdraw (5/27)(JD)_____
- 85-159 IDOT, Wilmette Park District - motion to withdraw (5/27)(JD)_____
- 85-174 White County Board - Agency motion for reconsideration (4/30)(RF)_____
- 86-49 M.I.G. Investments - Agency motion to dismiss and Memorandum in Support of Motion to Dismiss (5/19)_____
- 86-58 Village of Sauget - Petitioner's motion to modify April 24, 1986 Board Order (5/27)(BF)_____
- 86-62 Monsanto - Agency motion to dismiss (5/19)_____
- 86-63 Monsanto - Agency motion to dismiss (5/19)_____
- R82-1 Particulate Emissions - motion to return to First Notice and to schedule a regulatory hearing (5/27)(JD)
(B)

DISCUSSIONS:

- * 84-174 Classic Finishing (JM)(open waiver) _____
(B)
 - 85-9 Landfill Emergency Action (JA) _____
 - * 85-106 Village of Oswego (RF)(due 6/19) _____
 - 85-224 Aurora Sanitary District CSO (BF) _____
 - * 86-10 Bravo-Ernst (BF)(due 6/19) _____
 - * 86-52 City of Johnston City (JD)(due 7/29) _____
 - * 86-65 Village of Willowbrook (WN)(due 7/30) _____
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REGULATORY DISCUSSIONS:

- R81-18 Chief Operator Certification (JA) _____
 - R84-42 Pathological Incinerator Emissions (BF) _____
 - R85-23 UIC Update, Final Order (JA) _____
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AMENDED PETITIONS:

- 86-47 Fedders-USA (filed 5/27)(See Agency motion to renew
previous motions to dismiss and to strike 6/2))(BF)
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NEW CASES:

- 86-67 Reilly Tar & Chemical Corporation v. EPA _____
- 86-68 Americans for a Clean Environment v. Mervis Industries
et al. (11:00 a.m.)(See following motions to dismiss:
Illinois Attorney General (5/30); Mervis Industries
(6/4), H&L Disposal (6/4) _____
- 86-73 Village of Pawnee v. EPA _____
- 86-74 EPA v. E.J. Brach & Sons _____
- 86-75 Lake County Public Works Department v. EPA _____
- 86-76 Fritz Enterprises, Inc. v. EPA (BF) _____

NEW CASES: (Cont'd)

- 86-77 Commonwealth Edison Company v.EPA (BF)_____
- R86-20 New Source Performance Standards (JTM)_____
- R86-21 Proposed Amendments to 35 Ill. Adm. Code 215, Volatile
Organic Material Emission Standards_____

MINUTES:

MAY 22, 1986_____

APPROVAL OF FY 87 MEETING SCHEDULE:

1986

- July 11, 31
- August 14, 28
- September 11, 25
- October 9, 23
- November 6, 20
- December 4, 18

1987

- January 8, 22
- February 5, 19
- March 5, 19
- April 2, 16, 30
- May 14, 28
- June 11, 25

PENDING CASES ASSIGNED:

76-84 Santa Fe Park (JD)
78-139 Vickery Manor (BF)
81-144 Marathon (JD)
82-101 Browning-Ferris (JD)
82-144 City of Galena (JD)
* 83-18 Modine Manufacturing (RF)(due 7/30)
83-163 Larry Bittle (RF)
84-93 S.C. Industries (BF)
84-124 Overnite Trucking (BF)
84-125 Clairmont Trucking (BF)
84-161 L&S Industries (JD)
* 85-14 Electric Energy (JA)(due 9/1)
85-19 Monsanto (BF)
85-129 Richard Termaat (JA)
* 85-179 Camsco Produce (JTM)(due 9/1)
* 85-182 City of Mendota (RF)(due 7/21)
* 85-209 Village of Carol Stream (RF)(due 10/1)
85-219 City of Watseka CSO (JD)
* 85-221 Hansen-Sterling Drum (JTM)(due 7/30)
* 86-9 Trilla Steel Drum (JM)(due 8/14)
* 86-34 Everett Allen (BF)(due 7/11)
* 86-45 Mobil Oil (JM)(due 7/29)
* 86-53 Central Illinois Utility (JTM)(due 9/12)
* 86-54 Village of Lemont (JTM)(due 7/22)



STATE
OF
ILLINOIS

POLLUTION CONTROL BOARD

STATE OF ILLINOIS CENTER • 100 WEST RANDOLPH STREET • SUITE 11-500 • CHICAGO, ILLINOIS 60601 • 312-793-3620

JACOB D. DUMELLE, CHAIRMAN
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WESTERN SPRINGS, ILLINOIS

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URBANA, ILLINOIS

J. THEODORE MEYER
CHICAGO, ILLINOIS

WALTER J. NEGA
CHICAGO, ILLINOIS

June 6, 1986

PLEASE TAKE NOTICE THAT THE BOARD, AT ITS JUNE 5, 1986 MEETING
ADOPTED THE FOLLOWING REGULAR MEETING SCHEDULE.

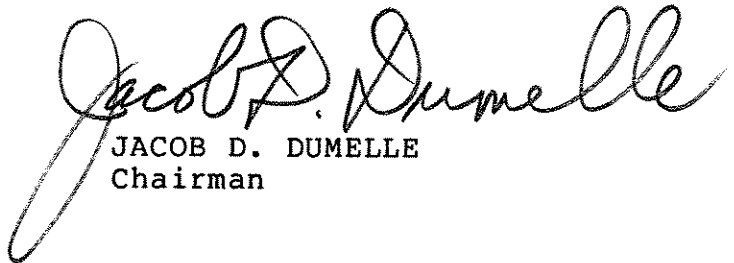
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ALL MEETINGS BEGIN AT 10:30 A.M.


JACOB D. DUMELLE
Chairman