

**ILLINOIS POLLUTION CONTROL BOARD**

**MINUTES OF REGULAR BOARD MEETING  
JUNE 20, 1986 CHICAGO, ILLINOIS**

All Board Members were present.

Pursuant to notice given Chairman Dumelle called the meeting to order and congratulated Messrs. Forcade, Marlin and Nega on their reappointment to the Board.

An Opinion and Order were adopted in #83-18, Modine Manufacturing, by a vote of 7-0. Messrs. Dumelle and Forcade concurred. (RF)

An Opinion and Order were adopted in #84-174(B), Classic Finishing, by a vote of 7-0. Mr. Dumelle concurred. (JM)

An Opinion and Order were adopted in #85-9, Landfill Emergency Action, by a vote of 7-0. (JA)

An Opinion and Order were adopted in #85-106, Village of Oswego, by a vote of 5-2. Messrs. Dumelle and Forcade dissented. (RF)

An Opinion and Order were adopted in #85-126, Oasis Outdoor, by a vote of 7-0. (JD)

An Interim Opinion and Order were adopted in #85-224, Aurora Sanitary District, by a vote of 7-0. (BF)

An Opinion and Order were adopted in #86-52, City of Johnston City, by a vote of 7-0. (JD)

A Proposed Rule, First Notice, Opinion and Order were adopted in R84-42, Pathological Incinerator Emissions, by a vote of 7-0. (BF)

A Final Order, Adopted Rule, Opinion and Order were adopted in R85-23, UIC Update, by a vote of 7-0. (JA)

Motion to voluntarily dismiss the complaint without prejudice in #76-84, Santa Fe Park, was granted by a vote of 7-0. (JD)

Joint motion for expedited hearing and Board review of settlement agreement in #78-139, Vickery Manor, was granted by a vote of 7-0. (BF)

Joint petition for extension of time in #84-118, Richard C. McCormick, was granted by a vote of 7-0. (WN)

An Order was adopted in #85-35, Warner Electric Brake, by a vote of 7-0. (BF)

Motion for dismissal in #85-87, B.F. Goodrich, was granted by a vote of 7-0. (JD)

Motion to withdraw was granted and the February 6, 1986 Opinion and Order were vacated in #85-128, City of Flora, by a vote of 6-0. Dr. Flemal abstained. (JD)

Motion for expedited reconsideration was denied and Agency motion for extension of time was granted in #85-137, Fred E. Jurcak, by a vote of 7-0. (JD)

Motion for reconsideration was denied in #85-145, Alton Packaging, by a vote of 7-0. (JD)

An Order was adopted in #86-10, Bravo-Ernst, by a vote of 7-0. (BF)

Motion to disqualify was denied in #86-48, Wells Manufacturing, by a vote of 5-2. Messrs. Meyer and Nega dissented. (JD)

Motion for leave to file Instanter the Agency Recommendation in #86-53, Central Illinois Utility, was granted by a vote of 7-0. (JD)

Agency motion to file Instanter the Recommendation in #86-54, Village of Lemont, was granted by a vote of 7-0. (JTM)

An Order was adopted in #86-62, -63, Monsanto Company, by a vote of 7-0. (JA)

Motion to withdraw in #86-67, Reilly Tar & Chemical, was granted by a vote of 7-0. (JA)

Petition to intervene in #86-70, Hillview Farms, was granted by a vote of 7-0. (JD)

Motion to compel filing of Record was denied and motion for leave to file Instanter the Agency Record was granted in #86-76, Fritz Enterprises, by a vote of 7-0. (JTM)

These cases were discussed and held to July 11, 1986 for possible consideration: #85-182, City of Mendota; 85-221, Hansen-Sterling Drum; 86-34, Everett Allen; 86-45, Mobil Oil; 86-49, M.I.G. Investments; 86-54, Village of Lemont; 86-55, Acme Barrel Company.

These regulatory matters were discussed and held to July 11, 1986 for possible consideration: R84-29, Mine Rule Amendments; R86-1, RCRA Update (through January 31); R86-19, RCRA Update (through March 31).

These actions were taken in amended petitions by a vote of 7-0: ##86-71, Army Corps of Engineers and Alton Packaging, hearing authorized, **Order by Mr. Forcade**; 86-73, Village of Pawnee, held for an Agency Recommendation.


In new cases these actions were taken by a vote of 7-0: ##86-78, Illinois Department of Transportation, Chicago Park District, **Chairman authorized to prepare an Order and to sign the permit document**; 86-80, City of Ottawa, hearing authorized, **Order by Mr. Forcade**; 86-81, Illinois Department of Transportation, Robert Rasmus, **Chairman authorized to prepare an Order and to sign the permit document**; 86-82, Illinois Department of Transportation, Esper Petersen, **Chairman authorized to prepare an Order and to sign the permit document**; 86-83, Illinois Department of Transportation, Robert Knight and Charles Mack, **Chairman authorized to prepare an Order and to sign the permit document**; 86-84, Illinois Department of Transportation, Dr. and Mrs. John Kapoor, **Chairman authorized to prepare an Order and to sign the permit document**; 86-85, Illinois Department of Transportation, Mr. and Mrs. Daniel Good, **Chairman authorized to prepare an Order and to sign the permit document**; 86-86, Illinois Department of Transportation, Edward Donnell, **Chairman authorized to prepare an Order and to sign the permit document**; 86-87, Illinois Department of Transportation, Richard Christensen, **Chairman authorized to prepare an Order and to sign the permit document**; 86-88, National Starch and Chemical Corporation v. EPA, provisional variance granted, **Opinion and Order by Mr. Nega**; R86-22, New Source Performance Standards, **Resolution and Order by Mr. Meyer**, R86-25, Village of Tilton Site-Specific, additional information requested and 200 signature requirement waived, **Order by Mr. Forcade**.

Minutes of the June 5 and June 11, 1986 Board Meetings were approved by a vote of 7-0.

The Board then congratulated and extended its best wishes to Anne Jones, a legal assistant for the Sidley and Austin law firm, on her decision to attend law school.

All matters not disposed of as listed were ordered held to July 11, 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 11<sup>th</sup> day of July, 1986 by a vote of 6-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD  
FINAL AGENDA  
JUNE 20, 1986 CHICAGO, ILLINOIS  
POLLUTION CONTROL BOARD CONFERENCE ROOM

DECISIONS:

- \* 83-18 Modine Manufacturing (RF)(due 7/11)\_\_\_\_\_
- \* 84-174 Classic Finishing (JM)(open waiver)\_\_\_\_\_
- (B)
- 85-9 Landfill Emergency Action (JA)\_\_\_\_\_
- \* 85-106 Village of Oswego (RF)(due)\_\_\_\_\_
- \* 85-126 Oasis Outdoor (JD)(open waiver)\_\_\_\_\_
- 85-224 Aurora Sanitary District CSO (BF)\_\_\_\_\_
- \* 86-52 City of Johnston City (JD)(due 7/11)\_\_\_\_\_
- \* 86-65 Village of Willowbrook (WN)(due 7/11)\_\_\_\_\_
- R84-42 Pathological Incinerator Emissions (BF)\_\_\_\_\_
- R85-23 UIC Update, Final Order (JA)\_\_\_\_\_

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MOTIONS:

- 76-84 Santa Fe Park - motion to voluntarily dismiss the complaint without prejudice (JD)\_\_\_\_\_
  - 78-139 Vickery Manor - joint motion for expedited hearing and Board review of settlement agreement (6/13)(BF)
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\*INDICATES VARIANCE OR PERMIT APPEAL

MOTIONS: (Cont'd)

- 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), Celotex motion to Board for further sanctions (5/27) Agency, Celotex, and Hearing Officer responses to 5/9 sanctions Order (5/28), 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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- 84-57 City of Keithsburg - request for modifications of January 24, 1985 Board Order (6/19)
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- 84-118 Richard C. McCormick - joint petition for extension of time (6/4)(WN)
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- 85-35 Warner Electric Brake - Board Order (BF)
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- 85-44) DuPage Publications - Agency motion for reconsideration  
85-70) (6/16)(JD)  
85-130)
- 
- 85-87 B.F. Goodrich - motion for dismissal (6/12)
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- 85-128 City of Flora - motion to withdraw (6/13)(JD)
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- 85-137 Fred E. Jurcak - motion for expedited reconsideration (6/6), Agency motion for extension of time (6/17), objection to Agency motion for extension of time (6/17)(JD)
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- 85-145 Alton Packaging - motion for reconsideration (5/29), Agency response to motion for reconsideration (6/9)(JD)
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- 86-10 Bravo-Ernst - Board Order (BF)
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- 86-47 Fedders-USA - Agency motion to renew previous motions to dismiss and to strike (6/2), Agency Memorandum in support of motion to dismiss (6/11), Petitioner's motion for leave to file response instanter to Agency's motion to renew previous motions to dismiss and to strike (6/12)
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- 86-48 Wells Manufacturing - motion to disqualify and motion to strike discovery (6/16)
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MOTIONS: (Cont'd)

- 86-49 M.I.G. Investments - Agency motion to dismiss and Memorandum in support of motion to dismiss (5/19), Petitioner's Memorandum in support of Permit Appeal and in opposition to Agency's motion to dismiss (6/10)(RF)\_\_\_\_\_
- 86-53 Central Illinois Utility - motion for leave to file Agency Recommendation Instanter (6/12)\_\_\_\_\_
- 86-54 Village of Lemont - Agency motion to file Recommendation Instanter (6/6)(JTM)\_\_\_\_\_
- 86-62 Monsanto - Agency motion to dismiss (5/19)(JA)\_\_\_\_\_
- 86-63 Monsanto - Agency motion to dismiss (5/19)(JA)\_\_\_\_\_
- 86-67 Reilly Tar & Chemical - motion to withdraw (6/6)\_\_\_\_\_
- 86-68 Americans for Clean Environment - motion to dismiss by Mervis Industries (6/4), motion to dismiss by H&L Disposal (6/4), motion to dismiss by Vermilion County (6/5), Supplemental motion to dismiss and Memorandum in support of supplemental motion to dismiss by Mervis Industries (6/13), Supplemental motion to dismiss by H&L Disposal Company (6/13), supplemental motion to dismiss by Vermilion County Board and Vermilion County Health Department (6/13)\_\_\_\_\_
- 86-70 Hillview Farms - petition to intervene (6/9)\_\_\_\_\_
- 86-76 Fritz Enterprises - motion to compel filing of Record (6/12), motion for leave to file Agency Record Instanter (6/18)(JTM)\_\_\_\_\_
- R82-1 Particulate Emissions - motion to return to First Notice and to schedule a regulatory hearing (5/27)(JD)\_\_\_\_\_
- R82-14 RACT III - Agency request for Interrogatories and request for Production of Documents (Allied Tube)(6/18), Agency request for Interrogatories and request for Production of Documents (3M Company)(6/18), Agency request to extend time period to submit pre-prepared testimony (6/18)(BF)\_\_\_\_\_

**DISCUSSIONS:**

- \* 85-182 City of Mendota (RF)(due 7/11)\_\_\_\_\_
- \* 85-221 Hansen Sterling Drum (JTM)(due 7/11)\_\_\_\_\_
- \* 86-34 Everett Allen (BF)(due 7/11)\_\_\_\_\_
- \* 86-45 Mobil Oil (JM)(due 7/11)\_\_\_\_\_
- \* 86-49 M.I.G. Investments (JD)(due 7/11)\_\_\_\_\_
- \* 86-54 Village of Lemont (JTM)(due 7/31)\_\_\_\_\_
- 86-55 Acme Barrel Company (WN)\_\_\_\_\_

**REGULATORY DISCUSSIONS:**

- R84-29 Mine Rule Amendments (RF)\_\_\_\_\_
- R86-1 RCRA Update (through January 31), Final Adoption (JA)  
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- R86-19 RCRA Update (through March 31), Public Notice (JA)  
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**AMENDED PETITIONS:**

- 86-71 Army Corps of Engineers and Alton Packaging (filed  
6/16)(See Objection filed 6/9)\_\_\_\_\_
- 86-73 Village of Pawnee (filed 6/19)\_\_\_\_\_

**NEW CASES:**

- 86-78 IDOT, Chicago Park District (JD)\_\_\_\_\_
- 86-79 Theresa Castellari, Dee Ann Mayer and Shirley Watson v.  
John Prior\_\_\_\_\_
- 86-80 City of Ottawa v. EPA\_\_\_\_\_
- 86-81 IDOT, Robert Rasmus (JD)\_\_\_\_\_
- 86-82 IDOT, Esper Petersen (JD)\_\_\_\_\_
- 86-83 IDOT, Robert Knight and Charles Mack (JD)\_\_\_\_\_

**NEW CASES: (Cont'd)**

- 86-84 IDOT, Dr. and Mrs. John Kapoor (JD)\_\_\_\_\_
  - 86-85 IDOT, Mr. and Mrs. Daniel Good (JD)\_\_\_\_\_
  - 86-86 IDOT, Edward Donnell (JD)\_\_\_\_\_
  - 86-87 IDOT, Richard Christensen (JD)\_\_\_\_\_
  - 86-88 National Starch and Chemical Corporation v. EPA  
(Provisional Variance)(WN)\_\_\_\_\_
  - R86-22 New Source Performance Standards (JTM)\_\_\_\_\_
  - R86- Village of Tilton, Site-Specific\_\_\_\_\_
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**MINUTES:**

- June 5, 1986\_\_\_\_\_
- June 11, 1986\_\_\_\_\_



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)  
83-163 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 8/28)  
85-19 Monsanto (BF)  
85-129 Richard Termaat (JA)  
\* 85-179 Camsco Produce (JTM)(due 8/28)  
\* 85-209 Village of Carol Stream (RF)(due 9/25)  
85-219 City of Watseka CSO (JD)  
85-222 S.D. of Elgin CSO (JTM)  
86-1 City of Peru CSO (JTM)  
86-6 City of Wood River CSO (JD)  
\* 86-9 Trilla Steel Drum (JM)(due 8/14)  
\* 86-10 Bravo-Ernst (BF)(due 8/14)  
\* 86-53 Central Illinois Utility (JTM)(due 9/11)  
\* 86-75 Lake County Public Works (WN)(due 8/14)  
\* 86-76 Fritz Enterprises (JTM)(due 8/14)



STATE  
OF  
ILLINOIS

# POLLUTION CONTROL BOARD

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

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OAK PARK, ILLINOIS

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WESTERN SPRINGS, ILLINOIS

RONALD C. FLEMAL  
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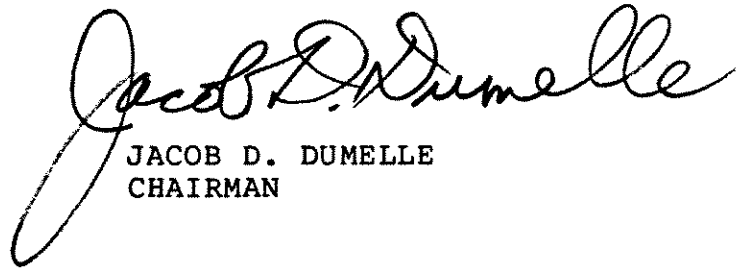
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CHICAGO, ILLINOIS

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## NOTICE OF CHANGE IN ILLINOIS POLLUTION CONTROL BOARD MEETING SCHEDULE

PUBLIC NOTICE IS HEREBY GIVEN that the Illinois Pollution Control Board meeting originally scheduled for June 19, 1986 has been changed to June 20, 1986. This meeting will be held in the Board's Conference Room, 100 W. Randolph Street, Suite 11-500, and will begin at 10:30 a.m.



JACOB D. DUMELLE  
CHAIRMAN

Posted and Circulated  
6/17/86