

ILLINOIS POLLUTION CONTROL BOARD
FINAL AGENDA
JANUARY 22, 1987 CHICAGO, ILLINOIS
CONFERENCE ROOM 9-031

DECISIONS:

- 80-21 Interstate Pollution Control (JD) _____
- * 84-81 Nesco Steel Barrel (JTM)(due) _____
- 86-32 City of Sycamore (RF) _____
- 86-74 E.J. Brach & Sons (JD) _____
- 86-94 Raymond Larson (JM) _____
- * 86-140 Village of Villa Park (JTM)(due 2/19) _____
- 86-165 City of Ottawa (JA)(due) _____
- R77-4 Airport Noise, Resolution of the Board (JM)

- R82-27) Procedural Rules, Proposed Rules, First Notice (BF)
R82-36) (Site-Specific Regulation/Agency Proposal) _____
R83-37) _____
- R83-7 Stationary Noise, Adopted Rule, Final Opinion and Order
(JA) _____
- R85-15 Decatur Site-Specific, Adopted Rule, Final Opinion and
Order (JA) _____
- R85-28 National Can Site-Specific, Adopted Rule, Final Opinion
and Order (JTM) _____
- R86-34 Municipal Incinerator Definitions, Proposed Rule, First
Notice, Proposed Opinion and Order (RF) _____

AC DECISIONS:

- 86-9 Edward J. Deibel _____

INDICATES VARIANCE OR PERMIT APPEAL

AC DECISIONS: (Cont'd)

- 86-10 Watts Disposal Systems, Inc. _____
- 86-11 Fitz-Mar Landfill, Inc. _____
- 86-12 J & R Landfill, Inc. _____
- 86-13 Damon Simmons and D & D Disposal Service _____

MOTIONS:

- 84-45) Waste Management - Agency motion to modify (1/20)
84-61) _____
84-68) _____
- 85-131 Concerned Neighbors - Board Order (BF) _____
- 85-216 City of Clinton CSO - Agency motion to file Brief
Instanter (1/14)(JM) _____
- 86-139 IDOT, U.S. Army Corps - motion for reconsideration
(12/30), motion for reconsideration (1/14)(BF) _____
- 86-159 Joliet Sand & Gravel - Agency motion for dismissal with
prejudice (1/12), Petitioner's emergency motion to Board
to permit additional hearings after January 14, 1987
(1/15), Petitioner's opposition to motion for dismissal
with prejudice (1/20), Agency response to Petitioner's
emergency motion to permit additional hearings after
January 14, 1987 (JA) _____
- 86-193 City of Freeport - Agency motion for relief from
misjoinder (12/10) _____
- 86-206 Stuckey's Pecan Shoppe - request to dismiss (1/8)

- 86-210 Hillview Farms - Respondent's motion to Stay and motion
to dismiss (1/16) _____
- 86-224 General Tire - Objection (1/8), Objection (1/21)

- R86-36 Heavy Duty Off-Highway Vehicles - Agency motion to sever
EMD's proposed amendment to proposed rule (1/12),
response to Agency's motion to sever EMD's proposed
amendment to proposed rule (1/20)(RF) _____

DISCUSSIONS:

- 83-163 Larry Bittle (RF) _____
- 85-88 Richard Nauman (JD) _____
- 85-202 Metropolitan S.D. CSO (JD) _____
- 85-208 North Shore S.D. CSO (BF) _____
- 86-3 City of Oglesby CSO (JA) _____
- * 86-9 Trilla Steel Drum (JM)(due 2/5) _____
- * 86-48 Wells Manufacturing (RF)(due 2/19) _____
- * 86-143 Frantz Manufacturing (RF)(due 2/5) _____
- * 86-159 Joliet Sand & Gravel (JA)(due) _____

REGULATORY DISCUSSIONS:

- R84-16 Mobil Oil Site-Specific (JM) _____
- R85-20 New Source Review Rule (JD) _____

NEW CASES:

- 86-190 IDOT, Virginia S. Bederman (JD) _____
- 87-4 Duo-Fast Corp. Trade Secret Determination (BF) _____
- 87-5 Village of Montgomery v. EPA _____
- 87-6 IDOT, City of Lake Forest (JD) _____
- 87-7 Pearson Industries, Inc. v. EPA _____

AC APPEALS:

- ** 86-16 Village of Rantoul _____

NEW AC FILINGS:

- 87-1 City of Peru _____

NEW AC FILINGS: (Cont'd)

87-2 James G. Esarey _____

87-3 John and Herbert Jennings _____

MINUTES:

January 8, 1987 _____

January 12, 1987 (Special Board Meeting) _____

PENDING CASES ASSIGNED:

81-151 Dean Foods (BF)
82-101 Browning-Ferris (JD)
84-64 Center For Rehabilitation (RF)
84-93 S.C. Industries (BF)
84-124 Overnite Trucking (BF)
85-4 John Eilrich (RF)
85-19 Monsanto (BF)
85-69 Maplehurst Farms (JM)
85-131 Concerned Neighbors (BF)
* 85-138 North Shore Sanitary District (JA)(open waiver)
* 85-154 Modine Manufacturing (RF)(open waiver)
* 85-166 Citizens Utilities (JTM)(open waiver)
* 85-179 Camsco Produce (JTM)(due 4/30)
* 85-190 Sours Grain (JD)(open waiver)
* 85-209 Village of Carol Stream (RF)(due 6/25)
85-216 City of Clinton CSO (JM)
85-218 City of Belleville CSO (JD)
85-219 City of Watseka CSO (JD)
85-222 Sanitary District of Elgin CSO (JTM)
85-224 Aurora S.D. CSO (BF)
86-1 City of Peru CSO (JTM)
86-2 City of LaSalle CSO (JTM)
86-4 City of Morris CSO (JD)
86-6 City of Wood River CSO (JD)
* 86-18 Hillview Farms (JD)(open waiver)
* 86-21 Allied-Hastings (JA)(due 2/19)
86-50 Chicago Steel (JD)
86-56 Trilla Steel Drum (JD)
86-79 John Prior (JM)
* 86-147 Central Illinois Public Service (JD)(due 3/5)
* 86-150 American Hoechst (JM)(open waiver)
* 86-157 City of Elmhurst (JA)(due 3/19)
* 86-158 Village of Elizabethtown (JD)(due 4/2)
* 86-162 John Deere (JTM)(due 2/19)
86-166 American Stair (JD)
* 86-174 IBP, Inc. (JM)(due 4/2)
* 86-179 City of Ottawa (JA)(due 3/5)
* 86-185 Citizens Utilities (JA)(due 2/19)
* 86-197 Wayne County Board (BF)(due 3/5)
* 86-199 North Suburban Public Utility (RF)(due 3/19)
* 86-202 Bloomington & Normal S.D. (RF)(due 3/5)
* 86-207 Village of Lemont (JTM)(due 4/2)

M E M O R A N D U M

DATE: January 21, 1987
MEMO TO: Board Members and Assistants
FROM: Dorothy *Dmy*
SUBJECT: PCB 87-7, PEARSON INDUSTRIES, INC. v. EPA

Please be advised that a "Motion for Stay" filed on January 14, 1987 in the above-referenced matter was inadvertently omitted on the Final Agenda.

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING
JANUARY 22, 1987 CHICAGO, ILLINOIS

A.M. SESSION

All Board Members were present.

An Opinion and Order were adopted in #80-21, Interstate Pollution Control, by a vote of 5-1. Mr. Meyer dissented. (JD)

An Opinion and Order were adopted in #84-81, Nesco Steel Barrel, by a vote of 5-1. Mr. Forcade dissented. (JTM)

An Opinion and Order were adopted in #86-32, City of Sycamore, by a vote of 5-1. Mr. Meyer dissented. (RF)

An Opinion and Order were adopted in #86-74, E.J. Brach & Sons, by a vote of 5-1. Mr. Meyer dissented. (JD)

An Opinion and Order were adopted in #86-94, Raymond Larson, by a vote of 5-1. Mr. Meyer dissented. (JM)

An Opinion and Order were adopted in #86-140, Village of Villa Park, by a vote of 4-2. Messrs. Dumelle and Forcade dissented. (JTM)

An Opinion and Order were adopted in #86-165, City of Ottawa, by a vote of 6-0. (JA)

An Order was adopted in R77-4, Airport Noise, by a vote of 6-0. (JA)

An Adopted Rule, Final Opinion and Order were adopted in R86-7, Stationary Noise, by a vote of 4-2. Messrs. Dumelle and Forcade dissented. (JA)

An Adopted Rule, Final Opinion and Order were adopted in R85-15, Decatur Site-Specific, by a vote of 6-0. Mr. Dumelle concurred. (JA)

An Adopted Rule, Final Opinion and Order were adopted in R85-28, National Can Site-Specific, by a vote of 6-0. (JTM)

A Proposed Rule, First Notice, Proposed Opinion and Order were adopted in R86-34, Municipal Incinerator Definitions, by a vote of 6-0. (RF)

Orders were adopted in these Administrative Citation cases by a vote of 6-0: ##86-9, Edward J. Deibel; 86-10, Watts Disposal Systems, Inc.; 86-11, Fitz-Mar Landfill, Inc.; 86-12, J&R

Landfill, Inc.; 86-13, Damon Simmons and D&D Disposal Service.

An Order allowing Complainant until February 6, 1987 to show cause why the proceedings should not be dismissed for want of prosecution and allowing Respondent until February 16, 1987 to file a response in #85-131, Watts Trucking, was adopted by a vote of 6-0. (BF)

Agency motion to file Brief Instanter was granted in #86-216, City of Clinton CSO, by a vote of 6-0. (JM)

Agency motion for relief from misjoinder was granted in #86-193, City of Freeport, by a vote of 6-0. (BF)

A request to dismiss was granted in #86-206, Stuckeys Pecan Shoppe, by a vote of 6-0. (JD)

Due to objections received, a hearing was authorized in #86-224, General Tire, by a vote of 6-0.

Agency motion to sever EMD's proposed amendment to proposed rule was denied in R86-36, Heavy Duty Off-Highway Vehicles, by a vote of 6-0. (RF)

These cases were discussed and held to February 5, 1987 for possible consideration: ##83-163, Larry Bittle; 85-88, Richard Nauman; 85-202, Metropolitan Sanitary District CSO; 85-208, North Shore Sanitary District CSO; 86-9, Trilla Steel Drum; 86-48, Wells Manufacturing; 86-143, Frantz Manufacturing.

These regulatory matters were discussed and held to February 5, 1987 for possible consideration: R84-16, Mobil Oil Site-Specific; R85-20, New Source Review Rule.

In new cases these actions were taken by a vote of 6-0: #86-190, Illinois Department of Transportation, Virginia S. Bederman, **Chairman authorized to sign permit document and to prepare an Order**; 87-5, Village of Montgomery v. EPA, held for an Agency Recommendation; 87-6, Illinois Department of Transportation, City of Lake Forest, **Chairman authorized to sign permit document and to prepare an Order**; 87-7, Pearson Industries, Inc. v. EPA, hearing mandatory; 87-8, Hopkins Agriculture Chemical Company v. EPA, hearing mandatory.

A hearing was authorized in this Administrative Citation case by a vote of 6-0: #86-16, Village of Rantoul.

These new Administrative Citation cases were received: ##87-1, City of Peru; 87-2, James G. Easery; 87-3, John and Herbert Jennings.

Minutes of these Board Meeting dates were approved by a vote of

6-0: January 8 and 12, 1987. (Thereafter the meeting was adjourned until 2:00 p.m.)

P.M. SESSION


All Board Members were present.

Petitioner's motion to Board to permit additional hearings after January 14, 1987 was denied in #86-159, Joliet Sand and Gravel, by a vote of 5-1. Mr. Meyer dissented. (JA)

The Board will hold a Special Board Meeting January 26, 1987 to consider these matters: ##86-3, City of Oglesby CSO; 86-139, IDOT, U.S. Army Corps; 86-159, Joliet Sand and Gravel; 87-4, Duo-Fast Corporation Trade Secret Determination; R77-4, Airport Noise; R82-27, -36, 83-37, Procedural Rules. A Notice will be posted.

All other matters not disposed of as listed were ordered held to February 5, 1987 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 February, 1987 by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board