

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING  
FEBRUARY 5, 1987 CHICAGO, ILLINOIS

A.M. SESSION

All Board Members were present.

An Order ordering Respondent James Smith to respond in writing by March 9, 1987 to show cause why the Board should not find him in violation of the regulations cited by Complainant was adopted in #85-4, John Eilrich, by a vote of 6-0. (RF)

An Order affording parties until March 16, 1987 to submit a signed settlement agreement to the Board in #85-88, Richard Nauman, was adopted by a vote of 6-0. (JD)

An Opinion and Order were adopted in #85-202, Metropolitan Sanitary District CSO, by a vote of 6-0. (JD)

An Opinion and Order were adopted in #86-3, City of Oglesby CSO, by a vote of 5-1. Mr. Forcade dissented. (JA)

An Opinion and Order were adopted in #86-9, Trilla Steel Drum, by a vote of 5-1. Mr. Forcade dissented and Mr. Dumelle concurred. (JM)

An Order granting a motion for reconsideration and upon reconsideration vacating and replacing conditions (a)-(k) of the December 5, 1986 Order in #86-139, Illinois Department of Transportation, U.S. Army Corps, was adopted by a vote of 6-0. (JD)

An Opinion and Order were adopted in #86-143, Frantz Manufacturing, by a vote of 6-0. (RF)

An Opinion and order were adopted in #86-202, Bloomington and Normal Sanitary District, by a vote of 6-0. (RF)

A Proposed Rule, First Notice, Opinion and Order were adopted in R84-16, Mobil Oil Site-Specific, by a vote of 6-0. (JM)

An Order correcting the section number and ordering the Clerk to cause First Notice publication in the Illinois Register was adopted in R84-43, Non-Hazardous Special Waste Manifests, by a vote of 6-0. (JD)

Orders were adopted in these Administrative Citation cases by a vote of 6-0: #86-14, Lee Roy McCray; 86-15, City of Jacksonville; 86-17, Gordon T. Montgomery; 86-18, Robert and Dean Bishop; 86-19, City of Kewanee; 87-1, City of Peru. Petition to intervene was granted in #83-132, Dunn Company, by a

vote of 6-0. (JD)

Motion to extend time for response was granted until February 24, 1987 in ##84-45, -61, -68, Waste Management, Inc., by a vote of 6-0. (JA)

Motion for Stay was denied and Petitioner granted leave to refile its motion in #87-8, Hopkins Agriculture, by a vote of 6-0. (JD)

These cases were discussed and held to February 19, 1987 for possible consideration: ##83-163, Larry Bittle; 84-64, Roger Diamond; 85-69, Maplehurst Farms; 86-18, Hillview Farms; 86-21, Allied-Hastings; 86-48, Wells Manufacturing; 85-158, Village of Elizabethtown; 86-162, John Deere; 86-166, American Stair; 86-197, Wayne County Board.

These regulatory matters were discussed and held to February 19, 1987 for possible consideration: R85-20, New Source Review Rule; R86-44, Pretreatment Regulations; R86-46, RCRA Update.

Due to objections received, a hearing was authorized in amended petition #86-223, Morton Thiokol, by a vote of 6-0.

In new cases these actions were taken by a vote of 6-0: ##87-9, Village of Plainfield v. EPA, held for an Agency Recommendation; 87-10, M. Sanchez v. Island Lake Water Company, accepted and hearing authorized; 87-11, Illinois Department of Transportation, City of Chicago, Department of Public Works, **Chairman authorized to sign permit document and to prepare an Order**; 87-12, Emergency Technical Services Corporation v. EPA, held for an Agency Recommendation; 87-13, City of Rock Island v. EPA, additional information requested, **Order by Mr. Forcade**; 87-14, Arvey Corporation v. EPA, provisional variance granted, **Order by Mr. Dumelle**; R87-2, accepted for publication and hearing authorized.

These new Administrative Citation cases were received: ##87-4, John Halavonich; 87-5, Everett Allen; 87-6, James Pressnall; 87-7, Robert L. Stevenson; 87-8, Leslie Thorson; 87-9, Bergbower Landfill, Inc.; 87-10, City of Metropolis; 87-11, Loren Dowty; 87-12, Ralph Johnson.

Minutes of these Board Meeting dates were approved by a vote of 6-0: January 22 and 26, 1987.

#### P.M. SESSION

The Board met again at 1:45 p.m. All Board Members were present.

An Opinion and Order were adopted in #85-208, North Shore Sanitary District CSO, by a vote of 6-0. (BF)

An Opinion and Order were adopted in #86-159, Joliet Sand and Gravel, by an initial vote of 6-0. Mr. Meyer later moved for reconsideration which was granted. The vote was then recorded as 5-1 with Mr. Meyer dissenting. (JA)


A Final Opinion and Order were adopted in R86-28, RCRA Update (April 1, 1986 through June 30, 1986), by a vote of 6-0. (JA)

Additional information was requested in new case #87-15, Honeywell, Inc. v. EPA, by a vote of 6-0. (JD)

The session was adjourned at 2:30 p.m.

All other matters not disposed of as listed were ordered held to February 19, 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 19<sup>th</sup> day of February, 1987 by a vote of 6-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD  
FINAL AGENDA  
FEBRUARY 5, 1987 CHICAGO, ILLINOIS  
CONFERENCE ROOM 9-031

**DECISIONS:**

- 85-4 John Eilrich, Board Order (RF) \_\_\_\_\_
- 85-88 Richard Nauman, Order (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) \_\_\_\_\_
- 86-139 IDOT, U.S. Army Corps (JD) \_\_\_\_\_
- \* 86-143 Frantz Manufacturing (RF)(due) \_\_\_\_\_
- \* 86-159 Joliet Sand & Gravel (JA)(due) \_\_\_\_\_
- \* 86-202 Bloomington & Normal S.D. (RF)(due 3/5)  
\_\_\_\_\_
- R84-16 Mobil Oil Site-Specific (JM) \_\_\_\_\_
- R84-43 Non-Hazardous Special Waste Manifests, Order (JD)  
\_\_\_\_\_
- R86-28 RCRA Update (April 1, 1986 through June 30, 1986), Final  
Opinion and Order (JA) \_\_\_\_\_

**AC DECISIONS:**

- 86-14 Lee Roy McCray \_\_\_\_\_
- 86-15 City of Jacksonville \_\_\_\_\_
- 86-17 Gordon T. Montgomery \_\_\_\_\_

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**\*INDICATES VARIANCE OR PERMIT APPEAL**

AC DECISIONS: (Cont'd)

86-18      Robert & Dean Bishop\_\_\_\_\_

86-19      City of Kewanee\_\_\_\_\_

87-1        City of Peru\_\_\_\_\_

MOTIONS:

83-132     Dunn Company - petition to intervene (1/29)  
\_\_\_\_\_

84-45)     Waste Management - Agency motion to modify (1/2), motion  
84-61)     to extend time for response (1/28)(JA)\_\_\_\_\_  
84-68)

85-227     Van Leer Containers - motion to seek correction of  
January 8, 1987 Board Order (1/28)(JD)  
\_\_\_\_\_

86-44      Continental Grain - motion to dismiss (1/23)  
\_\_\_\_\_

86-68      Mervis Industries - motion to vacate and request for  
oral argument (1/21), response (2/2)\_\_\_\_\_

86-210     Hillview Farms - Respondent's motion to Stay and motion  
to dismiss (1/16)\_\_\_\_\_

87-7        Pearson Industries - motion for Stay (1/14)\_\_\_\_\_

87-8        Hopkins Agriculture - motion for stay (1/22), Agency  
objection to stay and memorandum in opposition to stay  
(2/3)\_\_\_\_\_

R86-29     Aluminum Standard - Agency motion to dismiss proposal  
(1/30)\_\_\_\_\_

DISCUSSIONS:

83-163     Larry Bittle (RF)\_\_\_\_\_

85-69      Maplehurst Farms (JM)\_\_\_\_\_

\* 86-18     Hillview Farms (JD)(open waiver)\_\_\_\_\_

\* 86-21     Allied-Hastings (JA)(due 2/19)\_\_\_\_\_

\* 86-48     Wells Manufacturing (RF)(due 2/19)\_\_\_\_\_

**DISCUSSIONS: (Cont'd)**

- \* 86-158 Village of Elizabethtown (JD)(due 4/2)\_\_\_\_\_
  - \* 86-162 John Deere (JTM)(due 2/19)\_\_\_\_\_
  - 86-166 American Stair (JD)\_\_\_\_\_
  - \* 86-197 Wayne County Board (BF)(due 3/5)\_\_\_\_\_
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**REGULATORY DISCUSSIONS:**

- R85-20 New Source Review Rule (JD)\_\_\_\_\_
  - R86-44 Pretreatment Regulations, Proposal for Public Comment,  
Proposed Opinion and Order (JM)\_\_\_\_\_
  - R86-46 RCRA Update (July 1, 1986 through September 30, 1986),  
Proposal for Public Comment (JA)\_\_\_\_\_
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**AMENDED PETITIONS:**

- 86-223 Morton Thiokol (filed 2/3)(also see objection filed  
1/22)\_\_\_\_\_
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**NEW CASES:**

- 87-9 Village of Plainfield v. EPA\_\_\_\_\_
- 87-10 M. Sanchez v. Island Lake Water Company (11:00 a.m.)  
\_\_\_\_\_
- 87-11 IDOT, City of Chicago, Department of Public Works (JD)  
\_\_\_\_\_
- 87-12 Emergency Technical Services Corp. v. EPA\_\_\_\_\_
- 87-13 City of Rock Island v. EPA (BF)\_\_\_\_\_
- 87-14 Arvey Corporation v. EPA (Provisional Variance)(JD)  
\_\_\_\_\_
- 87-15 Honeywell, Inc. v. EPA\_\_\_\_\_
- R87-2 Marathon Petroleum Company Site-Specific  
\_\_\_\_\_

**NEW AC FILINGS:**

- 87-4        John Halavonich \_\_\_\_\_
  - 87-5        Everett Allen \_\_\_\_\_
  - 87-6        James Pressnall \_\_\_\_\_
  - 87-7        Robert L. Stevenson \_\_\_\_\_
  - 87-8        Leslie Thorson \_\_\_\_\_
  - 87-9        Bergbower Landfill, Inc. \_\_\_\_\_
  - 87-10       City of Metropolis \_\_\_\_\_
  - 87-11       Loren Dowty \_\_\_\_\_
  - 87-12       Ralph Johnson \_\_\_\_\_
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**MINUTES:**

- January 22, 1987 \_\_\_\_\_
- January 26, 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)  
85-131 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)  
86-50 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)  
\* 86-154 Illinois Power Company (JD)(due 4/2)  
\* 86-157 City of Elmhurst (JA)(due 3/19)  
\* 86-174 IBP, Inc. (JM)(due 4/2)  
\* 86-179 City of Ottawa (JA)(due 3/5)  
\* 86-185 Citizens Utilities (JA)(due 4/30)  
\* 86-197 Wayne County Board (BF)(due 3/5)  
\* 86-199 North Suburban Public Utility (RF)(due 3/19)  
\* 86-205 Schrock (BF)(due 3/19)  
\* 86-207 Village of Lemont (JTM)(due 4/2)  
\* 86-222 Vickory Manor (JM)(due 4/16)  
\* 87-5 Village of Montgomery (JM)(due 4/30)