

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING
SEPTEMBER 4, 1987 CHICAGO, ILLINOIS

All Board Members were present.

An Opinion and Order was adopted in #84-91, Medina Utilities, by a vote of 6-0. (JA)

An Opinion and Order was adopted in #87-52, Battery Builders, by a vote of 6-0. (JM)

An Opinion and Order was adopted in #87-63, Reynolds Metals, by a vote of 6-0. (JTM)

An Adopted Rule, Final Opinion and Order was adopted in R81-18, Prior Conduct Certification, by a vote of 6-0. B. Forcade concurred. (RF)

A Proposed Rule, Second Notice, Opinion and Order was adopted in R85-21(B), Flexographic Printing, by a vote of 6-0. (RF)

A Proposal for Public Comment, Proposed Opinion and Order, were adopted in R87-26, RCRA Update (January 1, 1987 through June 30, 1987), by a vote of 6-0. (JA)

A Final Order, Adopted Rule, Opinion and Order was adopted in R87-32, Correction to R86-1. (JA)

Orders were adopted in these Administrative Citations by a vote of 6-0: ##87-41, Bergbower Landfill; 87-77, Industrial Salvage, Inc.; 87-78, Chicago Heights.

Agency motion to dismiss in #AC86-16, Village of Rantoul, was granted by a vote of 6-0. (JD)

Joint motion to amend Administrative Citation and withdraw petition for review was granted and unless already paid, the Respondent was ordered to pay the \$1,000.00 penalty within 30 days in #AC87-26, Jerry Camfield, by a vote of 6-0. (JD)

Agency motion to amend the Administrative Citation in #AC87-52, Richard Krohn, was granted by a vote of 6-0. (JD)

Agency motion to dismiss in #AC87-53, Irene Brawner, was granted by a vote of 6-0. (JD)

An Order apprising Respondent that its motion for reconsideration of the Board's August 6, 1987 decision cannot be considered as filed or pending before the Board until adequate proof of service is provided was adopted in #83-132, Dunn Company, by a vote of 6-0. (BF)

Motion for modification of a May 28, 1987 Board Order was granted in #85-219, City of Watseka, by a vote of 6-0. (JD)

Complainant's motion to supplement the record and for leave to file its response to Respondent's response to its motion to supplement the record instanter was granted and the Hearing Officer was directed to schedule another hearing in #86-193, City of Freeport, by a vote of 4-2. Messrs. J. Dumelle and R. Flemal dissented. (JM)

Petitioner's motion for extension of time to file its amended petition was granted until September 21, 1987 in #87-39, Village of Roselle, by a vote of 6-0. (JA)

Petitioner's motion for extension of time was granted until September 30, 1987 in #87-98, Lustour Packaging, by a vote of 6-0. (BF)

Agency motion to dismiss in #87-109, John Phillips, failed to carry by a vote of 3-3 with B. Forcade, J. Theodore Meyer and R. Flemal for it and J. Dumelle, J. Anderson and J. Marlin against. The motion to dismiss was then granted by a vote of 4-2. J. Dumelle and J. Anderson dissented. (BF)

Due to letters of objections received, a hearing was authorized in #87-116, Industrial Services, by a vote of 6-0. (JA)

By a vote of 6-0 new case #87-132, John Daley et al. v. City of Chicago, was accepted and a hearing was authorized. The Board will rule on the motion for expedited hearing and other relief at a later date.

Motion to appear before the Board by the the 3M Company was denied in R82-14, RACT III, Volatile Organic Material, by a vote of 6-0. (BF)

Agency motion for Interlocutory Appeal of a Hearing Officer Order was denied in R86-10, Pharmaceutical Industry, by a vote of 6-0. (JD)

An amended Agency motion for reconsideration was granted and the July 16, 1987 Opinion and Order adopted in R86-44, Pretreatment Regulations, was vacated by a vote of 6-0. (JM)

These cases were discussed and held to September 17, 1987 for possible consideration: ##85-118, City of Rock Island; AC87-6, James Pressnall; 87-35, Village of Minooka; 87-51, A.R.F. Landfill.

These regulatory matters were discussed and held to September 17, 1987 for possible consideration: R85-14, Public Water Supplies Amendments; R85-29, Seasonal Disinfection; R77-4, Airport Noise.

In new cases these actions were taken by a vote of 6-0:
##87-106, Illinois Department of Transportation, Mr. and Mrs. Michael Levitas, **Chairman authorized to sign the permit document and to prepare an Order**; 87-112, Illinois Department of Transportation, Mr. G.T. Sherman, **Chairman authorized to sign the permit document and to prepare an Order**; 87-130, Illinois Department of Transportation, Joseph A. Rosin, **docket opened to allow the Board additional time to review the project**; 87-131, Amerock Corporation v. EPA, additional information requested, **Order by B. Forcade**; 87-133, McLean County Disposal Company, Inc. v. EPA, hearing authorized, **Order by B. Forcade**; R87-31, Proposed Amendments to Part 214, accepted for publication and hearing authorized; R87-33, Amerock Corporation Site-Specific, 200 signature requirement waived and hearing authorized.

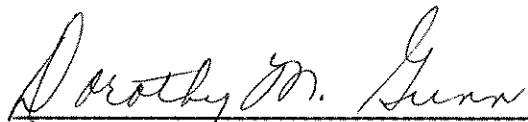
This Administrative Citation will be set for hearing: #87-79, Waste Management.

These new Administrative Citations were received by the Board: ##87-85, City of Wood River; 87-86, Belleville/Paule; 87-87, Carole DeSurf; 87-88, LeRoy Robinson; 87-89, David Howell; 87-90, Robert L. Stevenson.

Minutes of the August 20, 1987 Board Meeting were approved by a vote of 6-0.

All other matters not disposed of as listed were ordered held to September 17, 1987 for possible consideration.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Minutes were approved this 17th day of September, 1987 by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD
FINAL AGENDA
SEPTEMBER 4, 1987 CHICAGO, ILLINOIS
CONFERENCE ROOM 9-036
10:30 A. M.

DECISIONS:

- 84-91 Medina Utilities (JA) _____
- 86-6 City of Wood River CSO (JD) _____
- * 87-38 Dept. of the Army (JM)(due 9/4) _____
- 87-52 Battery Builders (JM) _____
- * 87-63 Reynolds Metals (JTM)(due 10/1) _____
- R81-18 Prior Conduct Certification, Proposed Rule, Final Order
(RF) _____
- R85-21 Flexographic Printing, Proposed Rule, Second Notice,
(B) Order (RF) _____
- R87-26 RCRA Update (January 1, 1987 through June 30, 1987),
Proposal For Public Comment, Opinion and Order (JA)

- R87-32 Correction to R86-1, Final Order (JA) _____

AC DECISIONS:

- 87-41 Bergbower Landfill _____
- 87-77 Industrial Salvage, Inc. _____
- 87-78 Chicago Heights _____

*INDICATES VARIANCE OR PERMIT APPEAL
**INDICATES ADMINISTRATIVE CITATION APPEAL

AC MOTIONS:

- 86-16 Village of Rantoul - Agency motion to dismiss (8/27)(JD)

- 87-26 Jerry Camfield - Joint motion to amend Administrative Citation and withdraw Petition for Review (8/27)(JD)

- 87-52 Richard Krohn - Agency motion to amend Administrative Citation (9/1)(JD)

- 87-53 Irene Brawner - Agency motion to dismiss (8/31)(JD)

MOTIONS:

- 83-132 Dunn Company - Respondent's motion to reconsider (8/20)(BF)

- 85-154 Modine - Agency motion for leave to file motion to dismiss Instanter and to suspend Briefing schedule and motion to dismiss (8/26), Agency motion to strike and to suspend Briefing schedule and Agency motion to substitute (9/3)(RF)

- 85-219 City of Watseka - Watseka motion for modification of May 28, 1987 Board Order (8/31)(JD)

- 86-193 City of Freeport - Complainant's motion to supplement record (8/14), response to motion to supplement record (9/1)(JD)

- 86-225 City of Geneva - Petitioner's motion for reconsideration (8/20), Agency's response to Petitioner's motion for reconsideration (9/3)(JA)

- 87-39 Village of Roselle - Petitioner's motion for extension of time (8/31)(JA)

- 87-50 Pike County Sand & Gravel - Respondent's motion for reconsideration (8/24/)(JA)

- 87-98 Lustour Packaging - motion for extension of time (8/27)(BF)

- 87-109 John M. Phillips - Agency motion to dismiss (8/11)

- 87-116 Industrial Services - Letters of Objections (8/20), (8-24)(JA)

MOTIONS: (Cont'd)

- R82-14 RACT III (Volatile Organic Material) - 3M motion to appear before the Board (8/20), Agency response to 3M motion (8/27)(BF) _____
- R86-10 Pharmaceutical Industry - Agency motion for Interlocutory Appeal of Order of Hearing Officer (8/12), Abbott's response to motion for interlocutory appeal (8/20)(JD) _____
- R86-44 Pretreatment Regulations - CACI motion to withhold filing of Rules (8/5), Agency amended response (8/19), Agency amended motion for reconsideration (8/18)(JM) _____

DISCUSSIONS:

- * 85-118 City of Rock Island (RF)(open waiver) _____
- ** 87-6 James Pressnall (JM) _____
- * 87-35 Village of Minooka (JA)(due 9/17) _____
- * 87-51 A. R. F. Landfill (JD)(due 9/17) _____

REGULATORY DISCUSSIONS:

- R85-14 Public Water Supplies Amendments, Proposed Rule, Second Notice (JA) _____
- R85-29 Seasonal Disinfection (RF) _____

FUTURE REGULATORY DISCUSSIONS:

- R77-4 Airport Noise (JM)(9/17) _____

NEW CASES:

- 87-93 Commonwealth Edison Company (Joliet Generating Station) _____
- 87-106 IDOT, Mr. & Mrs. Michael Levitas (JD) _____
- 87-112 IDOT, Mr. G. T. Sherman (JD) _____

NEW CASES: (Cont'd)

87-130 IDOT, Joseph A. Rosin _____

87-131 Amerock Corporation v. EPA (BF) _____

87-132 John Daley, et al. v. City of Chicago (Also see motion
for expedited hearing and other relief) (11:00
a.m.) _____

87-133 McLean County Disposal Co., Inc. v. EPA (BF)

R87-30 Envirite Corporation Petition to amend RCRA Regulations

R87-31 Proposed Amendments to Part 214 _____

R87-32 Correction to R86-1 (see Decisions)(JA) _____

R87- Amerock Corp, Site-Specific _____

AC APPEALS:

** 87-53 Irene Brawner (See also motion to suppress and motion to
dismiss 7/20) _____

** 87-79 Waste Management (8/24) _____

NEW AC FILINGS:

87-85 City of Wood River _____

87-86 Belleville/Paule _____

87-87 Carol De Surf _____

87-88 LeRoy Robinson _____

87-89 David Howell _____

87-90 Robert L. Stevenson _____

MINUTES:

August 20, 1987 _____

PENDING CASES ASSIGNED:

81-151 Dean Food (BF)
* 83-49 Alton Packaging (RF)(open waiver)
* 83-55 Alton Packaging (RF)(open waiver)
84-64 Rodger Diamond (JD)
84-83 Russell Perkinson (JM)
84-93 S. C. Industries (BF)
84-124 Overnite Trucking (BF)
85-19 Monsanto (BF)
* 85-95 Citizens Utilities (Remand)(JTM)(open waiver)
85-136 Navem Patel (BF)
* 85-154 Modine Manufacturing (RF)(open waiver)
* 85-166 Citizens Utilities (JTM)(open waiver)
* 85-179 Camsco Produce (JTM)(due 11/19)
* 85-190 Sours Grain (JD)(open waiver)
* 85-209 Village of Carol Stream (RF)(due 4/21/88)
85-218 City of Belleville CSO (JD)
85-224 Aurora S. D. CSO (BF)
86-4 City of Morris, CSO (JD)
86-27 Modine Manufacturing (RF)
86-50 Chicago Steel (RF)
86-51 Super Container Company (JA)
86-136 Par Steel Products (JD)
* 86-150 American Hoechst (JM)(open waiver)
86-161 Elizabeth Street Foundry (JD)
86-167 The Steel Company (JA)
* 86-174 IBP, Inc. (JM)(open waiver)
* 86-185 Citizens Utilities (JA)(due 12/3)
* 86-187 The New Jersey Zinc (JD)(open waiver)
86-193 City of Freeport (JD)
* 86-205 Schrock/A Tappan Division (JM)
* 86-222 Vickory Manor (JM)(due 11/19)
* 86-224 General Tire (BF)(due 12/17)
* 87-7 Pearson Industries (BF)(open waiver)
* 87-15 Honeywell, Inc. (BF)(due 10/29)
* 87-39 Village of Roselle (JA)(due 10/29)
* 87-41 Ekco Glaco (JD)(due 10/29)
* 87-69 Village of Romeoville (JTM)(due 11/19)
87-71 City of Dixon CSO (JM)
* 87-75 Waste Management (RF)(due 11/19)
* 87-76 Gertrude Guerrettaz (BF)(due 1/21)
* 87-83 Village of North Aurora (JTM)(due 11/19)
* 87-92 City of Rockford (JA)(due 10/15)
* 87-114 Village of Willowbrook (JA)(due 11/19)
* 87-116 Industrial Services (JA)(due 12/3)
* 87-122 Wabash & Lawrence Counties (JM)(due 12/3)



ATE
OF
ILLINOIS

POLLUTION CONTROL BOARD

STATE OF ILLINOIS CENTER • 100 WEST RANDOLPH STREET • SUITE 11-500 • CHICAGO, ILLINOIS 60601 • 312-917-3620

JACOB D. DUMELLE, CHAIRMAN
OAK PARK, ILLINOIS

JOAN G. ANDERSON
WESTERN SPRINGS, ILLINOIS

RONALD C. FLEMAL
DEKALB, ILLINOIS

BILL S. FORCADE
CHICAGO, ILLINOIS

JOHN C. MARLIN
URBANA, ILLINOIS

J. THEODORE MEYER
CHICAGO, ILLINOIS

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 September 3, 1987 has been changed to September 4, 1987. This meeting will be held in Conference Room 9-036 and will begin at the regular time of 10:30 a.m.

JACOB D. DUMELLE
Chairman

Posted and circulated
August 21, 1987