

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING  
DECEMBER 3, 1987 CHICAGO, ILLINOIS

All Board Members were present.

An Interim Order was adopted in #85-203, City of Farmington, by a vote of 7-0. (JD)

An Opinion and Order was adopted in #86-25, Bates Graphic Industries, by a vote of 6-1. J. Theodore Meyer dissented. (RF)

An Opinion and Order was adopted in #87-39, Village of Roselle, by a vote of 5-2. Messrs. J. Dumelle and B. Forcade dissented. (JA)

An Opinion and Order was adopted in #87-122, Wabash and Lawrence Counties, by a vote of 7-0. (JM)

An Opinion and Order was adopted in #87-137, City of Delavan, by a vote of 7-0. (JD)

An Opinion and Order was adopted in R82-14, RACT III (3M Company), by a vote of 7-0. (BF)

A Final Order, Adopted Rules, Opinion and Order were adopted in R86-44, Pretreatment Regulations, by a vote of 7-0. (JM)

A Final Order, Adopted Rules, Opinion and Order were adopted in R87-26, RCRA Update (January 1, 1987 through June 30, 1987), by a vote of 7-0. (JA)

A hearing was authorized in new case #87-168, Theresa Castellari, et al. v. Jeffrey Pauline, by a vote of 7-0.

Agency motion to withdraw was granted in #AC87-56, Gary Largent, by a vote of 7-0. (JD)

Motion to withdraw petition for modification was granted in #78-135, Village of Palos Park, by a vote of 7-0. (JD)

An Order requesting that Complainant comment or otherwise explain the use of the old proceedings as an enforcement vehicle as opposed to filing a new enforcement action in the circuit courts or before the Board was adopted in #83-5, City of Salem, by a vote of 7-0. (JD)

Petitioner's motion for leave to file its Brief was granted until December 8, 1987 in #86-218, City of East Moline, by a vote of 7-0. (JD)

Motion to dismiss was granted in #86-226, Village of Fox River Grove, by a vote of 7-0. (BF)

Motion for reconsideration was denied in #87-51, A.R.F. Landfill, by a vote of 6-1. J. Theodore Meyer dissented and J. Anderson concurred. (JD)

Motion to file Agency Recommendation Instanter was granted in #87-111, Howard Spurgeon, by a vote of 7-0. (JM)

An Order dismissing the proceedings without prejudice was adopted in #87-115, Fred Nielsen, by a vote of 7-0. (JD)

Motion to defer rulemaking was denied in R77-4, Airport Noise, by a vote of 6-0. J. Theodore Meyer abstained. (JM)

Motion for extension of time to respond to an Agency motion to consolidate was granted until December 11, 1987 in R87-34, City of Rock Island, by a vote of 7-0. (JA)

Motion for extension of time to respond to an Agency motion to consolidate was granted until December 11, 1987 in R87-35, City of East Moline, by a vote of 7-0. (JA)

These cases were discussed and held to December 17, 1987 for possible consideration: ##84-119, Pow Wow Club; 85-170, Illinois Power Company; 85-190, Sours Grain; 86-224, General Tire; 87-41, Ekco Glaco; 87-75, Waste Management; 87-89, Cargill; 87-133, McLean County Disposal.

These regulatory matters were discussed and held to December 17, 1987 for possible consideration: R84-43, Non-Hazardous Special Waste Manifests; R85-14, Public Water Supplies Amendments.

An Order was adopted in R86-10, Pharmaceutical Manufacturing Plants, by a vote of 7-0. (JD)

In amended petition #87-157, Frantz Manufacturing, the City of Sterling was joined as a party Respondent, by a vote of 6-1. R. Flemal dissented. (JA)

Due to an objection received a hearing was authorized in amended petition #87-161, Dept. of the Army, by a vote of 7-0. (BF)

In new cases these actions were taken by a vote of 7-0:  
##87-178, Illinois Department of Transportation, Shaku Chaabria, **Chairman authorized to sign the permit document and to prepare an Order**; 87-179, Tydee Dydee Service v. EPA, proceedings dismissed, **Order by J. Dumelle**; 87-180, Lawrence Brothers, Inc. v. EPA, additional information requested, **Order by J. Dumelle**; 87-181, Simkins Industries, Inc. v. EPA, hearing authorized, **Order by B. Forcade**; 87-182, M&D Flexographic Printers, Inc. v. EPA, hearing authorized, **Order by B. Forcade**; 87-183, Container Corporation of America v. EPA, additional information requested, **Order by J.**


**Dumelle;** 87-184, Jefferson Smurfit Corporation (Schaumburg Plant) v. EPA, hearing authorized, **Order by J. Dumelle;** 87-185, Jefferson Smurfit Corporation (Bedford Park Plant) v. EPA, additional information requested, **Order by J. Dumelle;** 87-186, Turnberry Utilities, Inc. v. EPA, proceedings dismissed, **Order by J. Dumelle;** 87-187, Cellu-Craft Midwest, Inc. (Bellwood Facility) v. EPA, hearing authorized, **Order by B. Forcade;** 87-188, Cellu-Craft Midwest, Inc. (Palatine Facility) v. EPA, hearing authorized, **Order by B. Forcade;** 87-189, Printpack, Inc. v. EPA, hearing authorized, **Order by B. Forcade;** 87-190, Guardian Packaging Corporation v. EPA, hearing authorized, **Order by B. Forcade;** 87-192, Speedrack, Inc. v. EPA, provisional variance granted, **Order by J. Dumelle;** 87-193, McLaughlin Body Company v. EPA, provisional variance granted, **Order by J. Dumelle;** R87-39, RCRA Update (July 1, 1987 through December 31, 1987), docket opened to propose regulations updating the Illinois RCRA hazardous waste regulations to correspond with USEPA amendments during the period July 1 through December 31, 1987, **Order by J. Anderson.**

These new Administrative Citations were received by the Board: #87-112, Multi County Landfill, Inc.; 87-113, Andrew J. Kaufman; 87-114, Environmental Reclamation; 87-115, Pekin Metro Landfill; 87-116, Grimms Landfill.

Meetings of the November 19 and 25, 1987 Board Meetings were approved by a vote of 7-0.

All other matters not disposed of as listed were ordered held to December 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 17<sup>th</sup> day of December, 1987 by a vote of 6-0.

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

ILLINOIS POLLUTION CONTROL BOARD  
FINAL AGENDA  
DECEMBER 3, 1987 CHICAGO, ILLINOIS  
CONFERENCE ROOM 9-040  
10:30 A.M.

DECISIONS:

- 84-64 Rodger Diamond (BF) \_\_\_\_\_
- \* 85-203 City of Farmington, Interim Order (JD) \_\_\_\_\_
- 86-25 Bates Graphic Industries (RF) \_\_\_\_\_
- \* 87-39 Village of Roselle (JA)(due 1/7) \_\_\_\_\_
- \* 87-122 Wabash & Lawrence Counties (JM)(due) \_\_\_\_\_
- \* 87-137 City of Delavan (JD)(due 1/7) \_\_\_\_\_
- \*\* 87-6 James Pressnall (JM) \_\_\_\_\_
- R82-1 Opacity, Proposed Rule, First Notice, Opinion and Order  
(B) (JD) \_\_\_\_\_
- R82-14 RACT III, 3M Company (BF) \_\_\_\_\_
- R86-44 Pretreatment Regulations, Final Order, Adopted Rule (JM)  
\_\_\_\_\_
- R87-26 RCRA Update (January 1, 1987 through June 30, 1987),  
Final Order, Adopted Rules (JA) \_\_\_\_\_

AC MOTIONS:

- 87-56 Gary Largent - Agency motion to withdraw (11/20)  
\_\_\_\_\_

MOTIONS:

- 78-135 Village of Palos Park - motion to withdraw petition for  
Modification (11/25) \_\_\_\_\_

\*INDICATES VARIANCE OR PERMIT APPEAL

\*\*INDICATES ADMINISTRATIVE CITATION APPEAL

**MOTIONS: (Cont'd)**

- 83-5 City of Salem - motion for leave to file Supplemental Complaint (11/23)
- 86-218 City of East Moline - Agency motion to close the record and for decision (11/20)(JD)
- 86-226 Village of Fox River Grove - motion to dismiss (11/25) (BF)
- 87-51 A.R.F. Landfill - motion for reconsideration (11/5), response (11/20)(JD)
- 87-111 Howard Spurgeon - Agency motion to file Resommendation Instanter(12/2)(JM)
- 87-115 Fred Nielsen - request for extension of time (10/19)
- R77-4 Airport Noise - motion to defer Rulemaking (11/2), response (11/16)(JM)
- R87-34 Cities of Rock Island & East Moline - Agency motion to consolidate (11/12), motion for exension of time to respond (11/24)
- R87-35

**DISCUSSIONS:**

- 84-119 Pow Wow Club (JD)
- \* 85-170 Illinois Power Company (JM)(due 12/17)
- \* 85-190 Sours Grain (JD)(open waiver)
- \* 86-224 General Tire (BF)(due 12/17)
- \* 87-41 Ekco Glaco (BF)(due 12/17)
- \* 87-75 Waste Management (RF)(due 12/17)
- \* 87-89 Cargill, Inc. (JM)(due 12/17)
- \* 87-133 McLean County Disposal (JTM)(due 12/17)

**REGULATORY DISCUSSIONS:**

- R84-43 Non-Hazardous Special Waste Manifests, Possible dismissal Order for this docket (JD)

REGULATORY DISCUSSIONS: (Cont'd)

R85-14 Public Water Supplies Amendments (JA) \_\_\_\_\_  
 R86-10 PHARMACEUTICALS  
~~R86-9~~ Hazardous Waste Prohibition (Abbott's motion to extend  
 (B) Public Comment Period)(JD) \_\_\_\_\_

AMENDED PETITIONS:

87-157 Frantz Manufacturing (filed 12/1) \_\_\_\_\_  
 87-161 Dept. of the Army (filed 11/30)(See also Objection filed  
 (11/9))(BF) \_\_\_\_\_

NEW CASES:

87-168 Theresa Castellari, et al. v. Jeffrey Pauline (11:00  
 a.m. December 3, 1987) \_\_\_\_\_  
 87-178 IDOT, Shaku Chaabria (JD) \_\_\_\_\_  
 87-179 Tydee Dydee Service v. EPA \_\_\_\_\_  
 87-180 Lawrence Brothers, Inc. v. EPA \_\_\_\_\_  
 87-181 Simkins Industries, Inc. v. EPA \_\_\_\_\_  
 87-182 M&D Flexographic Printers, Inc. v. EPA (See also Trade  
 Secret Determination Letter) \_\_\_\_\_  
 87-183 Container Corporation of America v. EPA \_\_\_\_\_  
 87-184 Jefferson Smurfit Corporation (Schaumburg Plant) v. EPA  
 \_\_\_\_\_  
 87-185 Jefferson Smurfit Corporation (Bedford Park Plant) v.  
 EPA \_\_\_\_\_  
 87-186 Turnberry Utilities, Inc. v. EPA \_\_\_\_\_  
 87-187 Cellu-Craft Midwest, Inc. (Bellwood Facility) v. EPA  
 \_\_\_\_\_  
 87-188 Cellu-Craft Midwest, Inc. (Palatine Facility) v. EPA  
 \_\_\_\_\_  
 87-189 Printpack, Inc. v. EPA (BF) \_\_\_\_\_  
 87-190 Guardian Packaging Corp. v. EPA (BF) \_\_\_\_\_

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

- 87-191 Lefton Iron and Metal, Inc. and Lefton Land and  
Development Company, Inc. v. Moss American Corporation  
and Kerr-McGee Chemical Corporation (11:00 a.m. December  
17, 1987 Board Meeting)\_\_\_\_\_
- R87-39 RCRA Update (July 1, 1987 through December 31, 1987)(JA)  
\_\_\_\_\_
- 

**NEW AC CASES:**

- 87-112 Multi County Landfill, Inc. \_\_\_\_\_
- 87-113 Andrew J. Kaufman \_\_\_\_\_
- 87-114 Environmental Reclamation \_\_\_\_\_
- 87-115 Pekin Metro Landfill \_\_\_\_\_
- 87-116 Grimms Landfill \_\_\_\_\_
- 

**MINUTES:**

- November 19, 1987 \_\_\_\_\_
- November 25, 1987 \_\_\_\_\_

PENDING CASES ASSIGNED:

81-151 Dean Food (BF)  
\* 83-49 Alton Packaging (RF)(open waiver)  
\* 83-55 Alton Packaging (RF)(open waiver)  
84-83 Russell Perkinson (JM)  
84-93 S.C. Industries (BF)  
84-124 Overnite Trucking (BF)  
85-18 Concentrate Corporation (JD)  
85-19 Monsanto (BF)  
\* 85-95 Citizens Utilities (Remand)(JTM)(open waiver)  
85-136 Navem Patel (BF)  
85-137 Fred Jurcak (Remand)(JD)(open waiver)  
\* 85-154 Modine Manufacturing (RF)(open waiver)  
\* 85-166 Citizens Utilities (JTM)(open waiver)  
\* 85-179 Camsco Produce Company (JTM)(due 1/21)  
\* 85-203 City of Farmington (JD)(open waiver)  
\* 85-209 Village of Carol Stream (RF)(due 4/21)  
85-213 Village of Western Springs (BF)  
85-224 Aurora S.D. CSO (BF)  
86-4 City of Morris, CSO (JD)  
86-27 Modine Manufacturing (RF)  
\* 86-150 American Hoechst (JM)(open waiver)  
86-161 Elizabeth Street Foundry (JD)  
\* 86-174 IBP, Inc. (JM)(open waiver)  
\* 86-185 Citizens Utilities (JA)(due 2/4)  
\* 86-187 The New Jersey Zinc (JD)(open waiver)  
86-193 City of Freeport (JM)  
\* 86-218 City of East Moline (JD)(open waiver)  
\* 87-7 Pearson Industries (BF)(open waiver)  
87-10 Island Lake Water Company (JM)  
\* 87-15 Honeywell, Inc. (BF)(due 2/4)  
87-17 Citizens Utilities Company (BF)  
87-19 Tammsco, Inc. (JD)  
\*\* 87-25 County of Whiteside (MN)  
\* 87-50 Pike County Sand & Gravel (JA)(due 2/4)  
\* 87-56 Mt. Vernon Association (JA)(due 1/21)  
\* 87-69 Village of Romeoville (JTM)(due 2/4)  
87-71 City of Dixon CSO (JM)  
\* 87-76 Gertrude Guerrettaz (BF)(due 1/21)  
\* 87-107 Lake County Public Works (JTM)(due 3/10)  
\* 87-111 Howard Spurgeon (JM)(due 2/4)  
\* 87-114 Village of Willowbrook (JA)(due 2/4)  
\* 87-116 Industrial Services (JA)(due 1/21)  
\* 87-127 City of East Moline (BF)(due 1/21)  
\* 87-128 City of East Moline (JA)(due 1/21)