

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING  
JUNE 10, 1987 CHICAGO, ILLINOIS

All Board Members were present.

An Opinion and Order was adopted in #85-222, Sanitary District of Elgin CSO, by a vote of 4-2. Messrs. Forcade and Meyer dissented. (RF)

An Opinion and Order was adopted in #86-213, City of South Beloit, by a vote of 6-0. B. Forcade concurred. (JM)

An Opinion and Order was adopted in #87-16, City of Lockport, by a vote of 4-2. Messrs. Dumelle and Forcade dissented. (RF)

An Order dismissing the petition in R86-25, Village of Tilton, was adopted by a vote of 6-0. (JM)

An Adopted Rule, Final Order, Opinion and Order was adopted in R86-34, Municipal Incineration Definition, by a vote of 6-0. (RF)

An Order directing the Agency to file by June 19 its response to a motion to vacate Board Order in AC-87-27, Fitz-Mar Landfill, was adopted by a vote of 6-0. (JA)

Motion for reconsideration was denied in #83-163, Larry Bittle, by a vote of 6-0. J. Anderson concurred. (RF)

Motion for modification of Board Order was granted until July 1 in #84-124, Overnite Transportation, by a vote of 6-0. (BF)

An Order directing the Respondent to file by June 19 its response to the Agency's answer to motion to dismiss in #86-160, Fitz-Mar Landfill, was adopted by a vote of 6-0. (JA)

Motion for leave to file instanter and response to Agency's first amended Recommendation was granted and construed as a second amended petition thus restarting the 120 day decision time clock in #86-225, City of Geneva, by a vote of 6-0. (JA)

Motion to produce was denied in #87-36, Peter Valessares, by a vote of 6-0. (BF)

Motion for a 30 day extension of time was granted and construed as a request for a 30 day waiver of the decision date in #87-50, Pike County Sand and Gravel, by a vote of 6-0. (JD)

The Board determined that it lacked jurisdiction and dismissed

the petition for review and all other pending motions as moot in #87-55, Joliet Sand and Gravel, by a vote of 5-1. J. Anderson dissented. (BF)

These cases were discussed and held to June 25, 1987 for possible consideration: ##86-56, Trilla Steel Drum; 87-29, John Ash, Sr.; 87-34, A.R.F. Landfill; 87-36, Peter Valessares.

These regulatory matters were discussed and held to June 25, 1987 for possible consideration: R81-18, Landfill Chief Operator Past Qualification; R82-27, -36, -83-37, Procedural Rules, Part 105; R84-17(D), Chapter 7 and 9 Update, Parts 813 and 814; R84-29, Mine Rule Amendments; R86-34, Municipal Incineration Definition; R86-36, Heavy Duty Off-Highway Vehicles; R86-44, Pretreatment Rules; R86-46, RCRA Update (July 1, 1986 through September 30, 1986).

In amended petitions these actions were taken by a vote of 6-0: ##87-41, Ekco Glaco Corporation, hearing authorized, **Order by B. Forcade**; 87-48, additional information requested by the Agency and sent to the Board was construed as an amended petition and 120 day decision time clock restarted, **Order by B. Forcade**; 87-63, Reynolds Metals, held for an Agency Recommendation.

In new cases these actions were taken by a vote of 6-0: ##87-61, Illinois Department of Transportation, Gerhard Schulmeyer, **Chairman authorized to sign the permit document and to prepare an Order**; 87-68, LTV Steel Company v. EPA, Agency motion for extension to respond to May 28, 1987 Board Order granted until June 12, **Order by J. Dumelle**; 87-71, City of Dixon and EPA CSO Exception, accepted and hearing authorized; 87-73, Forms Corporation of America v. EPA, hearing authorized, **Order by B. Forcade**; 87-75, Waste Management of Illinois, Inc. v. Lake County Board, hearing authorized, **Order by B. Forcade**; 87-76, Gertrude Guerrettaz et al. v. Jasper County et al., hearing authorized, **Order by B. Forcade**; 87-77, Illinois Department of Transportation, Mr. & Mrs. Jack A. Fisher, **Chairman authorized to sign the permit document and to prepare an Order**; 87-78, Natural Gas Pipeline Company of America v. EPA, hearing authorized, J. Dumelle concurred, **Order by B. Forcade**; 87-79, City of Batavia v. EPA, additional information requested, **Order by B. Forcade**; 87-80, Village of of Tonica STP v. EPA, provisional variance granted, **Opinion and Order by J. Dumelle**; R87-14, New Source Performance Standards, **Resolution and Order by J. Dumelle**; R87-15, New Source Performance Standards, **Resolution and Order by J. Dumelle**; R87-16, NESHAPS, **Resolution and Order by J. Dumelle**; R87-17, New Source Performance Standards, **Resolution and Order by J. Dumelle**.

This Administrative Citation will be set for hearing: #87-41, Bergbower Landfill, Inc.

The Board on its own motion granted the Agency an extension of time until June 19 in which to file its response to a motion to

dismiss in Administrative Citation #87-46, Fitz-Mar Landfill, Inc., by a vote of 6-0. (JA)

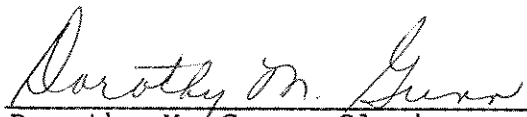
These Administrative Citations were received by the Board: #87-48, Industrial Salvage, Inc.; 87-49, Modern Business Disposal, Inc.; 87-50, Industrial Salvage, Inc.; 87-51, Elmhurst Chicago Stone Company.

Minutes of these Board Meeting dates were approved by a vote of 6-0: May 28, 1987; June 1, 1987 (Special Board Meeting); June 2, 1987 (Special Board Meeting).

An Order directing the Clerk of the Board to return miscellaneous documents received June 10 from the Clerk of Alexander County and ordering the Clerk of Alexander County to appear at June 16 hearing with a proper Certificate of Record and required copies of all documents which comprise the record in #87-49, Gerald Clutts, was adopted by a vote of 6-0. (JA)

All other matters not disposed of as listed were ordered held until June 25, 1987 for possible consideration.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Minutes were approved this 25<sup>th</sup> day of June, 1987 by a vote of 6-0.

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

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

DECISIONS:

- \* 83-49 Alton Packaging (RF)(open waiver)\_\_\_\_\_
- 85-222 S.D. of Elgin CSO (RF)\_\_\_\_\_
- \* 86-213 City of South Beloit (JM)(due 6/25)\_\_\_\_\_
- \* 87-16 City of Lockport (RF)(due)\_\_\_\_\_
- R86-25 Village of Tilton, Order (JM)\_\_\_\_\_
- R86-34 Municipal Incineration Definition, Final Notice (RF)  
\_\_\_\_\_

AC MOTIONS:

- 87-27 Fitz-Mar Landfill - motion to vacate Board Order of May  
14, 1987 (5/26)\_\_\_\_\_

MOTIONS:

- 83-163 Larry Bittle - motion for reconsideration (5/19),  
response (5/27)(RF)\_\_\_\_\_
- 84-124 Overnite Transportation - motion for modification of  
Board Order (5/22)(BF)\_\_\_\_\_
- 86-22) American Steel Container - motion for modification of  
86-23) April 16, 1987 Board Order (6/1), Agency response to  
motions for modification (6/8), Agency motion to strike  
motions for modification (6/8), Agency motion to dismiss  
motions for modification (6/8)(JA)\_\_\_\_\_

\*INDICATES VARIANCE OR PERMIT APPEAL

\*\*INDICATES ADMINISTRATIVE CITATION APPEAL

**MOTIONS: (Cont'd)**

- 86-160 Fitz-Mar Landfill - motion to dismiss (5/26)  
\_\_\_\_\_
- 86-165 City of Ottawa - motion for extension of time (6/5)(JA)  
\_\_\_\_\_
- 86-198 City of Kewanee - motion to dismiss complaint (6/4)  
\_\_\_\_\_
- 86-225 City of Geneva - motion for leave to file Instanter and  
response to Agency's first amended Recommendation  
(6/4)(JA)\_\_\_\_\_
- 87-36 Peter Valessares - motion to produce (6/5)(BF)  
\_\_\_\_\_
- 87-50 Pike County Sand & Gravel - motion for extension of time  
(6/1)\_\_\_\_\_
- 87-55 Joliet Sand & Gravel - emergency motion to Board to  
overrule Hearing Officer Order (6/1)\_\_\_\_\_
- R86-18 Organic Emissions - Agency motion to close the merit  
record (5/27), IERG's motion to establish a separate  
docket (5/29), All-Steel's response to Agency motion to  
close the merit record (6/2)(JM)\_\_\_\_\_

**DISCUSSIONS:**

- 86-56 Trilla Steel Drum (JD)\_\_\_\_\_
- \* 87-29 John Ash, Sr. (RF)(due 6/25)\_\_\_\_\_
- \* 87-34 A.R.F. Landfill (JM)(due 6/25)\_\_\_\_\_
- \* 87-36 Peter Valessares (BF)(due 6/25)\_\_\_\_\_

**REGULATORY DISCUSSIONS:**

- R81-18 Landfill Chief Operator Past Qualification, Second  
Notice Opinion and Order (RF)\_\_\_\_\_
- R82-27) Procedural Rules, Part 105 (JTM)\_\_\_\_\_
- R82-36)
- R83-37)
- R84-17 Chapter 7 and 9 Update, Parts 813 and 814 (JA)  
(D)\_\_\_\_\_

**REGULATORY DISCUSSIONS: (Cont'd)**

- R84-29 Mine Rule Amendments, Final Notice (RF)\_\_\_\_\_
- R86-34 Municipal Incineration Definition, Final Notice (RF)  
\_\_\_\_\_
- R86-36 Heavy Duty Off-Highway Vehicles, Proposed Rule, First  
Notice (RF)\_\_\_\_\_
- R86-44 Pretreatment Rules (JM)\_\_\_\_\_
- R86-46 RCRA Update (July 1, 1986 through September 30, 1986),  
Final Notice (JA)\_\_\_\_\_
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**AMENDED PETITIONS:**

- 87-41 Ekco Glaco Corp. (filed 6/1)\_\_\_\_\_
- 87-48 Dept. of the Air Force (filed 6/1)(Awaiting Agency  
Recommendation)\_\_\_\_\_
- 87-63 Reynolds Metals (filed 6/4)(Awaiting Agency  
Recommendation)\_\_\_\_\_
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**NEW CASES:**

- 87-68 LTV Steel Company v. EPA (See Agency motion for  
extension of time to respond to May 28, 1987 Board Order  
(6/8))\_\_\_\_\_
- 87-71 City of Dixon and EPA CSO Exception\_\_\_\_\_
- 87-73 Forms Corporation of America v. EPA\_\_\_\_\_
- 87-75 Waste Management of Illinois, Inc. v. Lake County Board  
\_\_\_\_\_
- 87-76 Gertrude Guerrettaz et al. v. Jasper County et al.  
\_\_\_\_\_
- 87-77 IDOT, Mr. & Mrs. Jack A. Fisher (JD)\_\_\_\_\_
- 87-78 Natural Gas Pipeline Company of America v. EPA  
\_\_\_\_\_
- 87-79 City of Batavia v. EPA\_\_\_\_\_
- R87-14 New Source Performance Standards, Resolution and Order  
(JD)\_\_\_\_\_

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

R87-15 New Source Performance Standards, Resolution and Order  
(JD) \_\_\_\_\_

R87-16 NESHAPS, Resolution and Order (JD) \_\_\_\_\_

R87-17 New Source Performance Standards, Resolution and Order  
(JD) \_\_\_\_\_

**AC APPEALS:**

\*\* 87-41 Bergbower Landfill, Inc. \_\_\_\_\_

**NEW AC FILINGS:**

87-46 Fitz-Mar Landfill, Inc. (See motion to dismiss filed  
5/26) \_\_\_\_\_

87-48 Industrial Salvage, Inc. \_\_\_\_\_

87-49 Modern Business Disposal, Inc. \_\_\_\_\_

87-50 Industrial Salvage, Inc. \_\_\_\_\_

87-51 Elmhurst Chicago Stone Company \_\_\_\_\_

**MINUTES:**

May 28, 1987 \_\_\_\_\_

June 1, 1987 (Special Board Meeting) \_\_\_\_\_

June 2, 1987 (Special Board Meeting) \_\_\_\_\_

PENDING CASES ASSIGNED:

81-151 Dean Food (BF)  
\* 83-55 Alton Packaging (RF)(open waiver)  
83-132 Dunn Company (BF)  
84-64 Rodger Diamond (JD)  
84-93 S.C. Industries (BF)  
84-124 Overnite Trucking (BF)  
85-19 Monsanto (BF)  
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 7/16)  
\* 85-190 Sours Grain (JD)(open waiver)  
\* 85-209 Village of Carol Stream (RF)(due 11/19)  
85-218 City of Belleville CSO (JD)  
85-222 S.D. of Elgin CSO (RF)  
85-224 Aurora S.D. CSO (BF)  
86-4 City of Morris CSO (JD)  
86-6 City of Wood River CSO (JD)  
86-50 Chicago Steel (RF)  
86-92 G&W Electric Company (JA)  
86-134 Nabisco Brands (JM)  
\* 86-150 American Hoechst (JM)(open waiver)  
\* 86-174 IBP, Inc. (JM)(open waiver)  
\* 86-185 Citizens Utilities (JA)(due 9/3)  
\* 86-222 Vickory Manor (JM)(due 9/17)  
\* 86-225 City of Geneva (JA)(due 9/3)  
\* 87-15 Honeywell, Inc. (BF)(due 9/3)  
\* 87-35 Village of Minooka (JA)(due 9/17)  
\* 87-37 City of Oglesby (JD)(due 7/16)  
\* 87-38 Dept. of the Army (JM)(due 9/3)  
\* 87-39 Village of Roselle (JA)(due 9/3)  
\* 87-40 Commonwealth Edison (JM)(due 7/16)  
\* 87-48 Department of the Air Force (RF)(due 9/17)  
\* 87-49 Gerald Clutts (JA)(due 8/6)  
\* 87-51 A.R.F. Landfill (JD)(due 8/20)  
\* 87-63 Reynolds Metals (JTM)(due 9/3)  
\* 87-69 Village of Romeoville (JTM)(due 9/17)  
\* 87-75 Waste Management (RF)(due 9/17)  
\* 87-76 Gertrude Guerrettaz (BF)(due 9/17)



PENDING AC CASES ASSIGNED:

87-6          James Pressnall (JM)

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JUNE 10, 1987 CHICAGO, ILLINOIS  
CONFERENCE ROOM 9-040  
10:30 A.M.

ADDENDA

MOTIONS:

- 86-2      City of LaSalle - motion to modify April 1, 1987 Board  
Order (6/8)(JTM)\_\_\_\_\_
- 87-55      Joliet Sand & Gravel - Memorandum in support of  
Respondent's motion to dismiss petition for appeal  
(6/4), Petitioner's response to memorandum in support of  
Respondent's motion to dismiss petition for appeal  
(6/9)\_\_\_\_\_



STATE  
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

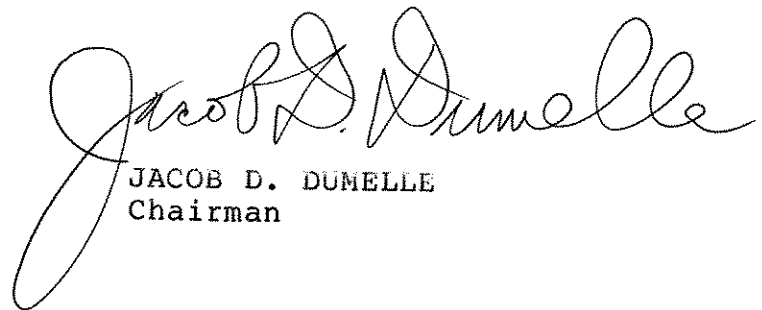
JOHN C. MARLIN  
URBANA, ILLINOIS

J. THEODORE MEYER  
CHICAGO, ILLINOIS

WALTER J. NEGA  
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 June 11, 1987 has been changed to June 10, 1987. This meeting will begin at the regular time of 10:30 a.m.



JACOB D. DUMELLE  
Chairman

Posted and circulated  
June 2, 1987