

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING  
JULY 16, 1987 CHICAGO, ILLINOIS

A.M. SESSION

All Board Members were present. Chairman Dumelle called the meeting to order and wished Board Assistants Lee Cunningham and Mark Hester success in their new positions.

An Interim Order was adopted in #86-6, City of Wood River CSO, by a vote of 6-0. (JD)

An Opinion and Order was adopted in #86-38, Williams Pipeline, by a vote of 6-0. (JD)

An Opinion and Order was adopted in #86-92, G&W Electric Company, by a vote of 5-1. Mr. Meyer dissented. (JA)

An Opinion and Order was adopted in #86-225, City of Geneva, by a vote of 4-2. Messrs. Dumelle and Forcade dissented. (JA)

An Order was adopted in #87-29, John Ash, Sr., by a vote of 5-1. Mr. Meyer dissented. (RF)

An Opinion and Order was adopted in #87-34, A.R.F. Landfill, by a vote of 6-0. Messrs. Dumelle and Meyer concurred. (JM)

An Opinion and Order was adopted in #87-36, Peter Valessares, by a vote of 6-0. Mr. Meyer concurred. (BF)

An Opinion and Order was adopted in #87-37, City of Oglesby, by a vote of 6-0. (JD)

A Proposed Rule, First Notice, Opinion and Order was adopted in R82-14, RACT III, by a vote of 6-0. (BF)

An Order was adopted in R84-3, Landfill Operator Certification Training and Experience, by a vote of 6-0. (JA)

A Proposed Rule, Second Notice Order was adopted in R84-45, Cretex Pressure Pipe (formerly Gifford-Hill) Site-Specific, by a vote of 6-0. (JA)

A Proposed Rule, First Notice Opinion and Order was adopted in R86-37, Definition of VOM, by a vote of 6-0. (BF)

A Proposed Rule, First Notice, Proposed Opinion and Order was adopted in R86-39, SOCMV VOC, by a vote of 6-0. (JD)

A Proposed Rule, First Notice, Proposed Opinion and Order was

adopted in R86-40, Air Oxidation SOCOMI, by a vote of 6-0. (JD)

An Adopted Rule, Final Opinion and Order were adopted in R86-44, Pretreatment Rules, by a vote of 6-0. (JM)

A Final Opinion and Order were adopted in R86-46, RCRA Update (July 1, 1986 through September 30, 1986), by a vote of 6-0. (JA)

A Resolution and Order were adopted in R87-15, New Source Performance Standards, by a vote of 6-0. (JD)

A Resolution and Order were adopted in R87-17, New Source Performance Standards, by a vote of 6-0. (JD)

Orders were adopted in these Administrative Citations by a vote of 6-0: ##87-48, Industrial Salvage, Inc.; 87-49, Modern Business Disposal, Inc.; 87-50, Industrial Salvage, Inc.; 87-51, Elmhurst Chicago Stone Company.

Motion to dismiss petition for review was granted and unless already paid, the Respondent was ordered to pay the remaining \$500.00 penalty within 30 days in #AC87-17, Milo Lambert and Charles Fitzpatrick, by a vote of 6-0. (JD)

Agency motion to file an amended Administrative Citation was granted in #AC87-18, City of Sterling, by a vote of 6-0. (JD)

Motion to vacate a May 14, 1987 Board Order was denied and unless already paid, the Respondent was ordered to pay the \$500.00 penalty within 30 days in #AC87-27, Fitz-Mar Landfill, by a vote of 6-0. (JD)

Motion to 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 #AC87-42, City of Cairo, by a vote of 6-0. (JD)

Motion to dismiss was denied and unless already paid, the Repondent was ordered to pay the \$500.00 penalty within 30 days in #AC87-46, Fitz-Mar Landfill, by a vote of 6-0. (JD)

Agency motion to withdraw and dismiss was granted in #AC87-62, Nolan Hoskins, by a vote of 6-0. (JD)

Motion to dismiss was granted in #83-162, Rits Farm Service, by a vote of 6-0. (JD)

Petitioner's motion to extend time for response was granted until September 14, 1987 in ##84-45, -61, -68, Waste Management, by a vote of 6-0. (JA)

Petitioner's motion to dismiss was granted in #85-12, City of East Moline, by a vote of 6-0. (JD)

Motion to modify an April 1, 1987 Board Order was denied in #86-2, City of LaSalle, by a vote of 6-0. (JTM)

Motion to withdraw petition was granted in #86-119, USI Chemicals (formerly Enron Chemical Company), by a vote of 6-0. (BF)

Motion to withdraw petition was granted in #86-120, USI Chemicals (formerly Enron Chemical Company), by a vote of 6-0. (BF)

Motion to dismiss was denied in #86-160, Fitz-Mar Landfill, by a vote of 6-0. (JD)

Motions to dismiss complaint were granted in #86-198, City of Kewanee, by a vote of 6-0. (JD)

Petition to appear was granted in #87-19, Tammsco, Inc., by a vote of 6-0. (JD)

Motion for leave to file Instanter the Agency Recommendation was granted in #87-38, Dept. of the Army, by a vote of 6-0. (JM)

Motion for leave to file Instanter the Agency Recommendation was granted in #87-48, Dept. of the Air Force, by a vote of 6-0. (RF)

Motion for extension of time was granted and the decision date assigned to #87-50, Pike County, was extended thirty (30) days by a vote of 6-0. (JD)

Petitioner's motion to dismiss was granted in #87-73, Forms Corporation, by a vote of 6-0. (BF)

An Order granting A.R.F. permission to appear and participate at hearing and referring Respondent Lake County Board's motion to strike Petitioner's proposed interrogatories to Lake County Board members to the hearing officer for disposition was adopted in #87-75, Waste Management, by a vote of 5-1. Mr. Meyer dissented. (RF)

An Order providing a copy of a motion to withdraw to the other parties and requesting any responses to be filed by July 30, 1987 was adopted in #87-76, Gertrude Guerrettaz et al., by a vote of 6-0. (BF)

A Proposal for Public Comment, Proposed Opinion and Order was adopted in response to a motion by Chemical Waste Management, Inc. to repropose Land Ban Regulations to include USEPA's June 4, 1987 "Technical Corrections" in R87-5, RCRA Update, by a vote of 6-0. (JA)

These cases were discussed and held to August 6, 1987 for possible consideration: ##83-49, Alton Packaging; 83-132, Dunn Company; 86-4, City of Morris CSO; 86-134, Nabisco Brands; 87-49, Gerald Clutts.

Since a signed copy of the Stipulation has not been received, an Order directing the Clerk of the Board to schedule an additional hearing in #86-50, Chicago Steel Container, was adopted by a vote of 6-0. (RF)

These regulatory matters were discussed and held to August 6, 1987 for possible consideration: R85-26, WIPCO Site-Specific; R86-18, Generic Rule VOC; R86-21, CIPS SO<sub>2</sub>. (Thereafter the meeting was recessed)

#### P.M. SESSION

The Board reconvened at 3:45 p.m.

Additional information was requested in amended petition #87-56, Mt. Vernon Association, by a vote of 6-0. (JD)

In new cases these actions were taken by a vote of 6-0: ##87-82, Illinois Department of Transportation, Mrs. Lyman Drake, Jr., **Chairman authorized to sign the permit document and to prepare an Order;** 87-94, Riverside Coatings, Inc. v. EPA, hearing authorized; 87-95, Illinois Department of Transportation, E.B. Smith and J. Simpson, **docket opened to allow the Board additional time to review the project;** 87-96, Illinois Department of Transportation, James Errant and Jeffery Grossman, **docket opened to allow the Board additional time to review the project;** 87-97, Illinois Department of Transportation, Brian Novak, **Chairman authorized to sign the permit document and to prepare an Order;** 87-98, Lustour Packaging Corporation v. EPA, additional information requested, **Order by B. Forcade;** 87-99, Illinois Department of Transportation, Mrs. Robert Drake, **Chairman authorized to sign the permit document and to prepare an Order;** 87-100, City of Macomb v. EPA, Provisional Variance granted, **Opinion and Order by J. Dumelle;** 87-101, O.H. Materials Corporation v. EPA, Provisional Variance granted, **Order by J. Dumelle;** R87-21, Greater Peoria Sanitary and Sewage Disposal Site-Specific, 200 signature requirement waived and hearing authorized.

These Administrative Citations were received by the Board: ##87-63, Patricia Coraissant; 87-64, Carl Parsons; 87-65, Airline Towing, Inc.; 87-66, John E. Flessner; 87-67, City of Rochelle; 87-68, Arthur A. Daniels; 87-69, Mascoutah/Blackmen; 87-70, Nashville/Municipal #2; 87-71, Princeton Municipal; 87-72, Glenn and Violet Groezinger; 87-73, Silver Brothers, Inc. and Daniel Silver.

These Administrative Citations will be set for hearing: ##87-52, Richard Krohn and Parkway Bank and Trust; 87-72, Glenn and Violet Groezinger.

Joint motion to amend the original Administrative Citation and withdraw Respondent's petition for review was granted in #AC87-41, Bergbower Landfill, by a vote of 6-0. (JD)

Minutes of the June 25 and July 2, 1987 Board Meetings were approved by a vote of 6-0.

Motion for an Opinion by B. Forcade was adopted in #87-29, John Ash, Sr., by a vote of 4-1. Dr. Flemal dissented and Mr. Meyer was absent for the vote. (BF)

All other matters not disposed of as listed were ordered held to August 6, 1987 for possible consideration.

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



Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD  
FINAL AGENDA  
JULY 16, 1987 CHICAGO, ILLINOIS  
CONFERENCE ROOM 9-040  
10:30 A.M.

DECISIONS:

- 86-6 City of Wood River CSO (JD)\_\_\_\_\_
- 86-38 Williams Pipeline (JD)\_\_\_\_\_
- 86-92 G&W Electric Company (JA)\_\_\_\_\_
- \* 86-225 City of Geneva (JA)(due 10/1)\_\_\_\_\_
- \* 87-29 John Ash, Sr. (RF)(due 7/16)\_\_\_\_\_
- \* 87-34 A.R.F. Landfill (JM)(due)\_\_\_\_\_
- \* 87-36 Peter Valessares (BF)(due)\_\_\_\_\_
- \* 87-37 City of Oglesby (JD)(due)\_\_\_\_\_
- R82-14 RACT III (BF)\_\_\_\_\_
- R82-27) Procedural Rules, Part 102, Site-Specific, Second Notice  
R82-36) Order (JTM)\_\_\_\_\_
- R83-37)
- R82-27) Procedural Rules, Part 105 (JTM)\_\_\_\_\_
- R82-36)
- R83-37)
- R84-3 Landfill Operator Training and Certification, Dismissal  
Order (JA)\_\_\_\_\_
- R84-45 Cretex Pressure Pipe (formerly Gifford-Hill) Site-  
Specific, Proposed Rule, Second Notice Order  
(JA)\_\_\_\_\_

\*INDICATES VARIANCE OR PERMIT APPEAL

\*\*INDICATES ADMINISTRATIVE CITATION APPEAL

**DECISIONS: (Cont'd)**

- R86-37 Definition of VOM, Proposed Rule, First Notice Opinion and Order (BF) \_\_\_\_\_
- R86-39 SOCFI VOC (JD) \_\_\_\_\_
- R86-40 Air Oxidation SOCFI (JD) \_\_\_\_\_
- R86-44 Pretreatment Rules, Adopted Rule, Final Opinion and Order (JM) \_\_\_\_\_
- R86-46 RCRA Update (July 1, 1986 through September 30, 1986), Final Opinion and Order (JA) \_\_\_\_\_
- R87-15 New Source Performance Standards, Resolution and Order (JD) \_\_\_\_\_
- R87-17 New Source Performance Standards, Resolution and Order (JD) \_\_\_\_\_

**AC DECISIONS:**

- 87-48 Industrial Salvage, Inc. \_\_\_\_\_
- 87-49 Modern Business Disposal, Inc. \_\_\_\_\_
- 87-50 Industrial Salvage, Inc. \_\_\_\_\_
- 87-51 Elmhurst Chicgo Stone Company \_\_\_\_\_

**AC MOTIONS:**

- 87-17 Milo Lambert & Charles Fitzpatrick - motion to dismiss petition for review (7/2), Agency motion to join Respondents' motion to dismiss petition for review (7/15) \_\_\_\_\_
- 87-18 City of Sterling - Agency motion to file amended Administrative Citation (7/2) \_\_\_\_\_
- 87-27 Fitz-Mar Landfill - motion to vacate Board Order of May 14, 1987 (5/26), Agency motion in opposition to Respondent's motion to vacate Board Order of May 14, 1987 (6/29), Respondent's reply to motion in opposition to Respondent's motion to vacate Board Order of May 14, 1987 (7/13) \_\_\_\_\_
- 87-42 City of Cairo - motion to withdraw petition for review (7/2), Agency response (7/13) \_\_\_\_\_

AC MOTIONS: (Cont'd)

- 87-46 Fitz-Mar Landfill - motion to dismiss (5/26), Agency motion in opposition to Respondent's motion to dismiss (6/29), Respondent's reply to motion in opposition to Respondent's motion to dismiss Administrative Citation (7/13) \_\_\_\_\_
- 87-62 Nolan Hoskins - Agency motion to withdraw and dismiss (7/6) \_\_\_\_\_
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MOTIONS:

- 83-162 Rits Farm Service - motion to dismiss (7/2) \_\_\_\_\_
- 84-45) Waste Management - Petitioner's motion to extend time  
84-61) for response (6/15)(JA) \_\_\_\_\_  
84-68)
- 85-12 City of East Moline - Petitioner's motion to dismiss without prejudice (6/29) \_\_\_\_\_
- 86-2 City of LaSalle - motion to modify April 1, 1987 Board Order (6/8), Agency response (7/9)(JTM) \_\_\_\_\_
- 86-21 Allied-Hastings - motion for relief from Final Order (7/10)(JA) \_\_\_\_\_
- 86-119 USI Chemicals (formerly Enron Chemical) - motion to withdraw petition (7/9)(BF) \_\_\_\_\_
- 86-120 USI Chemicals (formerly Enron Chemical) - motion to withdraw petition (7/9)(BF) \_\_\_\_\_
- 86-152 Chanute AFB - motion for modification of January 8, 1987 Board Order (7/10)(RF) \_\_\_\_\_
- 86-160 Fitz-Mar Landfill - motion to dismiss (5/26); response to motion to dismiss (6/10), Respondent's reply to answer to motion to dismiss (7/13) \_\_\_\_\_
- 86-198 City of Kewanee - motion to dismiss complaint (6/4), response (7/6), Complainant's motion to dismiss (7/9)(JD) \_\_\_\_\_
- 87-19 Tammsco, Inc. - petition to appear before Pollution Control Board (6/29) \_\_\_\_\_
- 87-38 Dept. of the Army - motion for leave to file Recommendation Instanter (7/10)(JM) \_\_\_\_\_



**MOTIONS: (Cont'd)**

- 87-40 Commonwealth Edison - motion to dismiss (6/29)(JM)  
\_\_\_\_\_
- 87-48 Dept. of the Air Force - motion for leave to file  
Recommendation Instanter (7/10)(RF)  
\_\_\_\_\_
- 87-50 Pike County - motion for extension of time (7/10)  
\_\_\_\_\_
- 87-51 A.R.F. Landfill - emergency motion for sanctions (6/15),  
response to emergency motion for sanctions  
(7/10)(JD)  
\_\_\_\_\_
- 87-73 Forms Corporation - Petitioner's motion to dismiss (7/9)  
(BF)  
\_\_\_\_\_
- 87-75 Waste Management - motion to appear (6/16)(RF),  
Respondent's motion to strike or in the alternative to  
deny Petitioner's motion for entry of orders for taking  
of depositions (6/30), Memorandum in support of A.R.F.'s  
appearance (7/10)(RF)  
\_\_\_\_\_
- 87-76 Gertrude Guerrettaz - motion to withdraw by John & Emma  
Yager (6/30)(BF)  
\_\_\_\_\_
- R87-5 RCRA Update - motion by Chemical Waste Management, Inc.  
to repropose Land Ban Regulations to include USEPA's  
June 4, 1987 "Technical Corrections" (7/13)(JA)  
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**DISCUSSIONS:**

- 83-49 Alton Packaging (RF)(open waiver)  
\_\_\_\_\_
- 83-132 Dunn Company (BF)  
\_\_\_\_\_
- 86-4 City of Morris CSO (JD)  
\_\_\_\_\_
- 86-50 Chicago Steel (RF)  
\_\_\_\_\_
- 86-134 Nabisco Brands (JM)  
\_\_\_\_\_
- \* 87-49 Gerald Clutts (JA)(due 8/6)  
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**REGULATORY DISCUSSIONS:**

- R85-26 WIPCO Site-Specific (RF)  
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**REGULATORY DISCUSSIONS: (Cont'd)**

R86-18 Generic Rule - VOC (JM)\_\_\_\_\_

R86-31 CIPS SO<sub>2</sub> (JM)\_\_\_\_\_**AMENDED PETITIONS:**

87-56 Mt. Vernon Assn. (filed 6/29)\_\_\_\_\_

**NEW CASES:**

87-82 IDOT, Mrs. Lyman Drake, Jr. (JD)\_\_\_\_\_

87-93 Commonwealth Edison Company (Joliet Generating Station)  
\_\_\_\_\_

87-94 Riverside Coatings, Inc. v. EPA\_\_\_\_\_

87-95 IDOT, E.B. Smith and J. Simpson\_\_\_\_\_

87-96 IDOT, James Errant and Jeffery Grossman\_\_\_\_\_

87-97 IDOT, Brian Novak (JD)\_\_\_\_\_

87-98 Lustour Packaging Corp. v. EPA (BF)\_\_\_\_\_

87-99 IDOT, Mrs. Robert Drake (JD)\_\_\_\_\_

R87-21 Greater Peoria Sanitary and Sewage Disposal Site-  
Specific\_\_\_\_\_**NEW AC FILINGS:**

87-63 Patricia Coraissant\_\_\_\_\_

87-64 Carl Parsons\_\_\_\_\_

87-65 Airline Towing, Inc.\_\_\_\_\_

87-66 John E. Flessner\_\_\_\_\_

87-67 City of Rochelle\_\_\_\_\_

87-68 Arthur A. Daniels\_\_\_\_\_

87-69 Mascoutah/Blackmen\_\_\_\_\_

NEW AC FILINGS: (Cont'd)

- 87-70      Nashville/Municipal #2 \_\_\_\_\_
  - 87-71      Princeton Municipal \_\_\_\_\_
  - 87-72      Glenn & Violet Groezinger \_\_\_\_\_
  - 87-73      Silver Brothers, Inc. & Daniel Silver \_\_\_\_\_
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MINUTES:

- June 25, 1987 \_\_\_\_\_
- July 2, 1987 (Special Board Meeting) \_\_\_\_\_

PENDING CASES ASSIGNED:

81-151 Dean Food (BF)  
 83-150 Archer Daniels Midland (JD)  
 \* 83-55 Alton Packaging (RF)(open waiver)  
 84-64 Rodger Diamond (JD)  
 84-93 S.C. Industries (BF)  
 84-124 Overnite Trucking (BF)  
 85-19 Monsanto (BF)  
 85-53 Continental Grain (JM)  
 85-54 Continental Grain (JM)  
 \* 85-95 Citizens Utilities (Remand)(JTM)(open waiver)  
 85-102 Continental Grain (JM)  
 85-136 Navem Patel (BF)  
 \* 85-154 Modine Manufacturing (RF)(open waiver)  
 \* 85-166 Citizens Utilities (JTM)(open waiver)  
 85-175 Continental Grain (JM)  
 85-176 Continental Grain (JM)  
 \* 85-179 Camsco Produce (JTM)(due 10/1)  
 \* 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)  
 86-27 Modine Manufacturing (RF)  
 86-51 Super Container Company (JA)  
 86-136 Par Steel Products (JD)  
 \* 86-150 American Hoechst (JM)(open waiver)  
 \* 86-174 IBP, Inc. (JM)(open waiver)  
 \* 86-185 Citizens Utilities (JA)(due 10/15)  
 86-193 City of Freeport (JD)  
 \* 86-222 Vickory Manor (JM)(due 9/17)  
 \* 87-15 Honeywell, Inc. (BF)(due 9/3)  
 \* 87-30 Chicago Central & Pacific R.R. (JA)(due 8/20)  
 \* 87-35 Village of Minooka (JA)(due 9/17)  
 \* 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 10/1)  
 \* 87-48 Department of the Air Force (RF)(due 9/17)  
 \* 87-51 A.R.F. Landfill (JD)(due 8/20)  
 \* 87-63 Reynolds Metals (JTM)(due 10/1)  
 \* 87-69 Village of Romeoville (JTM)(due 9/17)  
 87-71 City of Dixon CSO (JM)  
 \* 87-75 Waste Management (RF)(due 9/17)  
 \* 87-76 Gertrude Guerrettaz (BF)(due 9/17)  
 \* 87-79 City of Batavia (JA)(due 10/1)  
 \* 87-92 City of Rockford (JA)(due 10/15)

PENDING AC CASES ASSIGNED:

86-16 Village of Rantoul (JD)  
87-6 James Pressnall (JM)

ILLINOIS POLLUTION CONTROL BOARD  
FINAL AGENDA  
JULY 16, 1987 CHICAGO, ILLINOIS  
CONFERENCE ROOM 9-040  
10:30 A.M.

ADDENDUM

NEW CASES:

87-100 City of Macomb v. EPA (Provisional Variance)(JD)  
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AC APPEALS:

\*\* 87-52 Richard Krohn & Parkway Bank & Trust \_\_\_\_\_  
\*\* 87-72 Glenn & Violet Groezinger (See New AC Filings) \_\_\_\_\_