

**ILLINOIS POLLUTION CONTROL BOARD**

**MINUTES OF REGULAR BOARD MEETING  
JUNE 30, 1988 CHICAGO, ILLINOIS**

All Board Members were present.

An Opinion and Order was adopted in #84-93, S.C. Industries, by a vote of 7-0. J. Anderson concurred. (BF)

An Order dismissing the petition in #85-209, Village of Carol Stream, was adopted by a vote of 7-0. (RF)

An Opinion and Order was adopted in #88-10, Pines Trailer Corporation, by a vote of 7-0. (JM)

An Opinion and Order was adopted in #88-42, Village of Channahon, by a vote of 5-2. Messrs. J. Dumelle and B. Forcade dissented. (JA)

An Opinion and Order was adopted in #88-43, Herman Beasley, by a vote of 7-0. J. Marlin concurred. (MN)

An Opinion and Order was adopted in #88-83, Village of Coal City, by a vote of 5-2. Messrs. J. Dumelle and B. Forcade dissented. (JM)

A Resolution and Order in response to a JCAR objection in R82-1(B), Opacity, was adopted in RES 88-2, Particulate Emission Limitations, Rule 203(g)(1) and 202(b) of Chapter 2, by a vote of 7-0. (JD)

An Adopted Rule, Final Order, Opinion and Order was adopted in R82-1(B), Opacity, by a vote of 7-0. B. Forcade concurred. (JD)

A Proposed Rule, First Notice, Opinion and Order was adopted in R84-20, City of Joliet Site-Specific, by a vote of 7-0. (JTM)

A Dismissal of Proposal, Opinion and Order was adopted in R85-14, PWS Restricted Status, by a vote of 7-0. (JA)

An Adopted Rule, Final Order, Opinion and Order was adopted in R85-29, Disinfection, by a vote of 7-0. J. Dumelle concurred. (RF)

An Adopted Rule, Final Order, Opinion and Order was adopted in R87-30, Envirite Corporation, by a vote of 7-0. (BF)

An Adopted Rule, Final Order, Opinion and Order were adopted in R88-2, UIC Update (July 1, 1987 through December 31, 1987), by a vote of 7-0. (JA)

An Adopted Rule, Final Order, Codification Correction, Opinion and Order was adopted in R88-10, Well Setback Acceptance Procedures, by a vote of 7-0. (JA)

Orders were adopted in these Administrative Citations by a vote of 7-0: ##88-44, City of Savanna; 88-45, James L. Watts; 88-46, CDT Landfill; 88-47, City of Marion; 88-49, James L. Watts; 88-50, James L. Watts; 88-55, Waste Limited; 88-56, Waste Limited.

Agency motion for leave to file Brief Instanter in #AC 87-100, Village of Rantoul, was granted by a vote of 7-0. (JA)

An Order granting Respondent's motion to stay penalty payment date and directing the County to file by July 8, 1988 its response to Respondent's motion to vacate a May 19, 1988 Board Order in #AC 88-31, Waste Management, was adopted by a vote of 7-0. (JA)

An Order staying Respondent's appeal and directing the County to file by July 8, 1988 its response to Respondent's motion to dismiss in #AC 88-54, Waste Management, was adopted by a vote of 7-0. (JA)

Petitioner's motion to dismiss in #83-134, Fred E. Jurcak, was granted by a vote of 7-0. (BF)

Respondent's motion for reconsideration or request for hearing in #84-124, Overnite Transportation, was denied by a vote of 5-2. J. Anderson and J. Theodore Meyer dissented. (BF)

Motion for leave to appear in ##86-57, -62, Village of Sauget, was granted by a vote of 7-0. (JD)

Motion for leave to appear in ##86-58, -63, Village of Sauget, was granted by a vote of 7-0. (JD)

Petitioner's motion to remand its permit in #87-59, CIPS, to the Agency was granted by a vote of 7-0. (JA)

An Order pursuant to an agreed motion to modify a February 4, 1988 Board Order in #87-54, King-Seeley, was adopted by a vote of 7-0. (JD)

Petitioner's motion for extension of time to file briefs in #88-17, Marley-Ingrid, was granted by a vote of 7-0. (BF)

An application to intervene in #88-36, Mervis Industries, was referred to the Hearing Officer for disposition.

An Order directing the Agency to file by July 11, 1988 its Recommendation in #88-47, Reilly Tar and Chemical, was adopted by a vote of 7-0. (JA)

Agency motion for extension of time was granted until July 11, 1988 in R86-18, Generic RACT, by a vote of 7-0. (JM)

Petitioner's motion to waive the 200 signature requirement was granted in R88-14, Abbott Laboratories, by a vote of 7-0.

These cases were discussed and held to July 13, 1988 for further discussion or possible decision: #85-224, Aurora Sanitary District CSO; 86-193, City of Freeport; 86-218, City of East Moline; 87-168, Jeffrey Pauline; 88-52, City of Ottawa CSO.

An Order, granting the Agency's motion for leave to file Instanter a Supplement to its Recommendation and granting Petitioner's motion to file Instanter its response to the Agency's motion for leave to file Instanter, was adopted in #88-18, Village of Sauget, by a vote of 7-0. (JM)

In amended petitions these actions were taken by a vote of 7-0: #88-37, Village of Lake Villa, hearing authorized, **Order by J. Anderson**; 88-67, City of Highland, held for an Agency Recommendation; 88-78, Abbott Laboratories, hearing authorized, **Order by B. Forcade**.

In new cases these actions were taken by a vote of 7-0: #88-103, Burkart Foam, Inc. v. EPA, hearing authorized, **Order by B. Forcade**; 88-104, Illinois Department of Transportation, Chicago Yacht Club, **Chairman authorized to sign the permit document and to prepare an Order**; 88-105, LTD Industries, Inc. v. EPA, Provisional Variance granted, **Order by J. Dumelle**; R88-15, Dept. of the Army Site-Specific, docket opened.

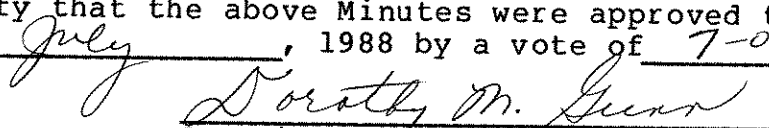
These Administrative Citations will be set for hearing: #88-51, Piolet Brothers; 88-52, Waste Management; 88-53, Waste Management.

These Administrative Citations were received by the Board: #88-60, Bergbower Landfill; 88-61, Lee Roy McCray; 88-62, City of Chicago; 88-63, Fulton County; 88-64, Whiteside County; 88-65, City of Herrin; 88-66, Nobel Risley; 88-67, City of Salem and Modern Business Disposal.

Minutes of the June 16, 1988 Board Meeting were approved by a vote of 7-0.

All matters not disposed of as listed were ordered held to July 13, 1988 for possible consideration.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Minutes were approved this 134 day of July, 1988 by a vote of 7-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD  
FINAL AGENDA  
JUNE 30, 1988 CHICAGO, ILLINOIS  
CONFERENCE ROOM 9-040  
10:30 A. M.

DECISIONS:

84-93 S. C. Industries (BF) \_\_\_\_\_

\* 85-209 Village of Carol Stream (RF)(due 12/15) \_\_\_\_\_

\* 88-10 Pines Trailer Corp. (JM)(due) \_\_\_\_\_

\* 88-42 Village of Channahon (JA)(due 8/18) \_\_\_\_\_

\* 88-43 Alexander County Board (MN)(due) \_\_\_\_\_

\* 88-83 Village of Coal City (JM)(due 8/18) \_\_\_\_\_

R82-1 Opacity, Resolution of the Board (JD) \_\_\_\_\_  
(B)

R82-1 Opacity, Adopted Rule, Final Opinion and Order (JD) \_\_\_\_\_  
(B)

R84-20 City of Joliet Site-Specific, Proposed Rule, First  
Notice (JTM) \_\_\_\_\_

R85-14 PWS Restricted Status, Dismissal of Proposal, Opinion  
and Order (JA) \_\_\_\_\_

R85-29 Disinfection, Adopted Rule, Final Order (RF)  
\_\_\_\_\_

R87-30 Envirite Corporation, Adopted Rule, Final Order, Opinion  
and Order (BF) \_\_\_\_\_

R88-2 UIC Update (July 1, 1987 through December 31, 1987),  
Final Order, Adopted Rule, Opinion and Order (JA)  
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\* INDICATES VARIANCE OR PERMIT APPEAL  
\*\* INDICATES ADMINISTRATIVE CITATION APPEAL

DECISIONS: (Cont'd)

R88-10 Well Setback Acceptance Procedures, Adopted Rule,  
Codification Correction (JA)

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AC DECISIONS:

88-44 City of Savanna

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88-45 James L. Watts

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88-46 CDT Landfill

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88-47 City of Marion

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88-49 James L. Watts

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88-50 James L. Watts

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88-55 Waste Limited

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88-56 Waste Limited

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AC MOTIONS:

87-100 Village of Rantoul - Agency motion for leave to file  
Brief Instanter (6/23)(JA)

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88-23 J & R Landfill - motion to consolidate (6/27)  
88-34

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88-24 Bi-State Disposal - motion to consolidate (6/27)  
88-33

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88-31 Waste Management - motion to vacate Board Order for  
Improper Service and lack of jurisdiction and motion to  
stay penalty (6/17)(JA)

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88-54 Waste Management - motion to dismiss for improper  
service and lack of jurisdiction and provisional  
petition for review and request for stay (6/16)(JA)

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MOTIONS:

83-134 Fred E. Jurcak - Petitioner's motion to dismiss (6/23)  
(BF)

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MOTIONS: (Cont'd)

- 84-124 Overnite Transportation - Respondent's motion for reconsideration or request for hearing (5/26), Respondent's supplemental information to motion for reconsideration or request for hearing (6/13), Response (6/29)(BF) \_\_\_\_\_
- 86-57) Village of Sauget - motion for leave to appear (6/29)  
86-62) \_\_\_\_\_
- 86-58) Village of Sauget - motion for leave to appear (6/29)  
86-63) \_\_\_\_\_
- 86-185 Citizens Utilities - motion for rehearing and modification of May 19, 1988 Supplemental Order (6/22)(JA) \_\_\_\_\_
- 87-59 CIPS - Petitioner's motion to remand permit (6/28) \_\_\_\_\_
- 87-154 King-Seeley - agreed motion to modify February 4, 1988 Board Order (6/22)(JD) \_\_\_\_\_
- 88-17 Marley-Ingrid - motion for extension of time to file briefs (6/21)(BF) \_\_\_\_\_
- 88-36 Mervis Industries - application to intervene (6/29) \_\_\_\_\_
- 88-47 Reilly Tar & Chemical - Board Order (JA) \_\_\_\_\_
- 886-18 Generic RACT - motion for withdrawal and reconsideration by Viskase Corporation (6/13), Allsteel, Inc. response to Viskase motion for withdrawal and reconsideration (6/27), Stepan Company's response to Viskase motion for withdrawal and reconsideration (6/27), Agency motion for extension of time (6/29)(JM) \_\_\_\_\_
- 887-6 Phosphorus Effluent Standards - Agency motion to exclude exhibits (6/27)(JA) \_\_\_\_\_
- 887-21 Greater Peoria S.D. - Agency motion to file Instanter Response to District Comments (6/9), Agency motion to file letter dated June 14, 1988 from Charles H. Sutfin, USEPA (6/22)(RF) \_\_\_\_\_
- 888-14 Abbott Laboratories - motion to waive signature requirement and response to May 5, 1988 Board Order (6/20)(JD) \_\_\_\_\_

DISCUSSIONS:

- 85-224 Aurora Sanitary District CSO (RF) \_\_\_\_\_
- 86-193 City of Freeport (JM) \_\_\_\_\_
- \* 86-218 City of E. Moline (JD)(open waiver) \_\_\_\_\_
- 87-168 Jeffrey Pauline (RF) \_\_\_\_\_
- \* 88-18 Village of Sauget (See also motion for leave to file supplement to Recommendation Instanter (6/13) and Petitioner's motion for leave to file Instanter its response in objection to Agency motion for leave to file supplement to Recommendation (6/27)(JM)(due 8/4)
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- 88-52 City of Ottawa CSO (RF) \_\_\_\_\_

AMENDED PETITIONS:

- 88-37 Village of Lake Villa (filed 6/20)(currently awaiting a hearing date; see also May 19, 1988 Board Order)(JA)
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- 88-67 City of Highland (filed 6/16)(Currently awaiting Agency Recommendation)(JM) \_\_\_\_\_
- 88-78 Abbott Laboratories (filed 6/20)(BF) \_\_\_\_\_

NEW CASES:

- 88-103 Burkart Foam, Inc. v. EPA (BF) \_\_\_\_\_
- 88-104 IDOT, Chicago Yacht Club (JD) \_\_\_\_\_

AC APPEALS:

- 88-51 Piolet Brothers \_\_\_\_\_
- 88-52 Waste Management \_\_\_\_\_
- 88-53 Waste Management \_\_\_\_\_

NEW AC CASES:

- 88-60 Bergbower Landfill, Inc. \_\_\_\_\_
- 88-61 Lee Roy McCray \_\_\_\_\_
- 88-62 City of Chicago \_\_\_\_\_
- 88-63 Fulton County \_\_\_\_\_
- 88-64 Whiteside County \_\_\_\_\_
- 88-65 City of Herrin \_\_\_\_\_
- 88-66 Nobel Risley \_\_\_\_\_
- 88-67 City of Salem & Modern Business Disposl \_\_\_\_\_

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MINUTES:

June 16, 1988 \_\_\_\_\_



PENDING CASES ASSIGNED:

81-151 Dean Food (BF)  
\* 83-55 Alton Packaging (RF)(open waiver)  
84-83 Russell Perkinson (MN)  
85-19 Monsanto (BF)  
\* 85-95 Citizens Utilities (Remand)(JTM)(open waiver)  
85-137 Fred Jurcak (Remand)(JD)  
\* 85-140 Citizens Utilities (JTM)(open waiver)  
\* 85-166 Citizens Utilities (JTM)(open waiver)  
\* 85-203 City of Farmington (JD)(open waiver)  
85-213 Village of Western Springs CSO (BF)  
\* 86-150 American Hoechst (JD)(open waiver)  
86-161 Elizabeth Street Foundry (JD)  
\* 87-7 Pearson Industries (MN)(open waiver)  
\*\* 87-47 Chicago Heights Refuse (MN)  
\* 87-50 Pike County Sand & Gravel (JTM)(due 9/8)  
87-71 City of Dixon CSO (RF)  
\*\* 87-100 Village of Rantoul (JA)  
\* 87-124 Modine Manufacturing (RF)(open waiver)  
\* 87-125 Modine Manufacturing (RF)(open waiver)  
\* 87-127 City of East Moline (BF)(due 12/1)  
\* 87-131 Amerock Corporation (JM)(open waiver)  
\* 87-136 Roadmaster Corporation (MN)(due 8/4)  
87-139 Browning-Ferris Industries (JD)  
88-16 Hinsdale Golf Club (BF)  
\* 88-17 Marley-Ingrid (BF)(due 10/6)  
\* 88-22 Deere & Company (JA)(due 9/22)  
\* 88-37 Village of Lake Villa (JA)(due 10/6)  
\* 88-39 Waste Management (JA)(due 8/4)  
\* 88-47 Reilly Tar & Chemical (JA)(due 8/4)  
88-52 City of Ottawa CSO (RF)  
88-54 Edwin & Mary Susan Kozoyed (JD)  
\* 88-67 City of Highland (JM)(due 10/6)  
\* 88-69 Scott Air Force Base (JD)(due 9/8)