

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING
JULY 13, 1988 CHICAGO, ILLINOIS

All Board members were present.

An Opinion and Order was adopted in #85-224, Aurora Sanitary District CSO, by a vote of 7-0. (RF)

Agency motion to dismiss in #AC 87-66, John Flessner, was granted by a vote of 7-0. (JD)

Agency motion to amend the Administrative Citation in #AC 88-50, James Watts, was granted by a vote of 7-0. (JD)

An Order was adopted pursuant to an agreed motion to withdraw the motion to reconsider, certify or stay without prejudice and to stay proceedings pending finalization of a settlement agreement in #87-149, -199, 88-9, Quantum Corporation, by a vote of 7-0. (BF)

Motion for voluntary dismissal in #88-29, Monsanto Company, was granted by a vote of 7-0. (BF)

Petitioner's motion to dismiss in #88-57, Reilly Tar and Chemical, was granted by a vote of 7-0. (BF)

Motion for reconsideration in R82-1(B), Opacity, was denied by a vote of 7-0. (JD)

An Order was adopted pursuant to a motion for withdrawal and reconsideration and a motion to stay in R86-18, Generic RACT, by a vote of 7-0. (JM)

Motion for hearing to consider new USEPA modeling data in R86-30, Shell Oil, was denied by a vote of 7-0. (JTM)

An Agency motion to file Instantly its response to District comments was granted and a motion to file a June 14, 1988 letter from Charles H. Sutfin, USEPA as an Exhibit was denied and the letter was accepted as a public comment in R87-21, Greater Peoria Sanitary District, by a vote of 7-0. (RF)

These cases were discussed and held to August 4, 1988 for further discussion or possible decision: #86-193, City of Freeport; 87-7, Pearson Industries; 87-136, Roadmaster Corporation; 87-139, Browning-Ferris; 88-18, Village of Sauget; 88-39, Waste Management; 88-47, Reilly Tar and Chemical; 88-52, City of Ottawa CSO.

An Opinion and Order was adopted in #87-168, Jeffrey Pauline, by a vote of 7-0. (RF)

These regulatory matters were discussed and held to August 4, 1988 for further discussion or possible decision: R86-30, Shell Oil; R86-41, Winnetka Particulate.

In new cases these actions were taken by a vote of 7-0:
##88-106, America OTR v. EPA, additional information requested, **Order by J. Dumelle**; 88-107, City of Rockford v. Winnebago County Board, hearing authorized, **Order by B. Forcade**; 88-108, Ideal Roller Company v. EPA, parties ordered to brief by August 15 the issue of what legal standard should apply to Agency decisions on special waste pursuant to Section 22.9(d) and hearing authorized, **Order by B. Forcade**; 88-109, City of Pekin v. EPA, provisional variance granted, **Opinion and Order by J. Dumelle**.

These Administrative Citations were received by the Board:
##88-68, Randolph County; 88-69, Christian County Landfill, Inc..

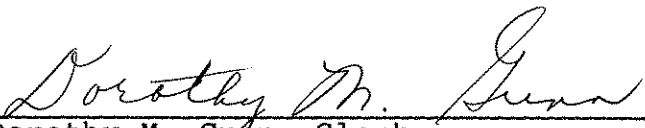
Minutes of the June 30, 1988 Board Meeting were approved by a vote of 7-0.

Joint motion to dismiss in #84-178, Chemetco, was granted by a vote of 7-0. (JD)

The 120-day decision time clock was restarted in amended petition #88-14, Minnesota Mining.

All matters not disposed of as listed were ordered held to August 4, 1988 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 August, 1988 by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD
FINAL AGENDA
JULY 13, 1988 CHICAGO, ILLINOIS
CONFERENCE ROOM 9-040
10:30 A. M.

DECISIONS:

- 85-224 Aurora Sanitary District CSD (RF) _____
87-168 Jeffrey Pauline (RF) _____

AC MOTIONS:

- 87-66 John Flessner - Agency motion to dismiss (7/11) _____
88-31 Waste Management - motion to vacate Board Order for
improper service and lack of jurisdiction (6/17) _____
88-50 James Watts - Agency motion to amend Administrative
Citation (7/11) _____
88-54 Waste Management - motion to dismiss for improper
service and lack of jurisdiction and provisional
petition for review (6/16) _____

MOTIONS:

- 86-58) Village of Sauget - motion for reconsideration (7/7) _____
86-63) _____

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

MOTIONS: (Cont'd)

- 86-185 Citizens Utilities - motion for rehearing and modification of May 19, 1988 Supplemental Order (6/22)(JA) _____
- 86-197 Daubs Landfill - motion to vacate June 2, 1988 Board Order (7/7)(JTM) _____
- 87-149) Quantum Corporation - agreed motion to withdraw motion
87-199) to reconsider, certify or stay without prejudice and
88-9) to stay proceedings pending finalization of settle-
ment agreement (7/5)(BF) _____
- 88-24 Daubs Landfill - motion for rehearing (7/7)(JTM) _____
- 88-29 Monsanto Company - motion for voluntary dismissal (7/1)
(BF) _____
- 88-57 Reilly Tar & Chemical - Petitioner's motion to dismiss
petition (7/5)(BF) _____
- R82-1 Opacity - motion for reconsideration (6/29), Agency
(B) motion in opposition to reconsideration of the Opacity
Regulations (7/8)(JD) _____
- R86-18 Generic RACT - motion for withdrawal and reconsideration
by Viskase Corporation (6/13), Allsteel, Inc.'s response
to Viskase motion (6/27), Stepan Company's response to
Viskase motion (6/27), Agency motion to stay decision on
Viskase request for withdrawal and reconsideration
(7/12)(JM) _____
- R86-30 Shell Oil - motion for hearing to consider new USEPA
Modeling Data (7/8)(JTM) _____
- R87-6 Phosphorus Effluent Standards - Agency motion to exclude
exhibits (6/27)(JA) _____
- R87-21 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) _____
- R87-37 Public Water Supplies - Proposed amendments to Agency
proposal by the Chicago Association of Commerce and
Industry et al. (5/5), Agency response to proposed
amendments (6/15), motion for leave to file Instanter
and reply to Agency's response to proposed amendments
(6/27)(BF) _____

DISCUSSIONS:

- 86-193 City of Freeport (JM) _____
- * 87-7 Pearson Industries (MN)(open waiver) _____
- * 87-136 Roadmaster Corporation (MN)(due 9/22) _____
- 87-139 Browning-Ferris (JD) _____
- * 88-18 Village of Sauget (JM)(due 8/4) _____
- * 88-39 Waste Management (JA)(due 8/4) _____
- * 88-47 Reilly Tar & Chemical (JA)(due 8/4) _____
- 88-52 City of Ottawa CSO (RF) _____

REGULATORY DISCUSSIONS:

- R86-30 Shell Oil, Proposed Rule, Second Notice, Proposed
Opinion and Order (JTM) _____
- R86-41 Winnetka Particulate, Opinion and Order (JTM)

NEW CASES:

- 88-106 America OTR v. EPA _____
- 88-107 City of Rockford v. Winnebago County Board (BF)

- 88-108 Ideal Roller Company v. EPA _____
- 88-109 City of Pekin v. EPA (Provisional Variance)(JD)

- R88-15 Dept. of the Army Site-Specific (See also motion for
waiver of signatures and motion to delay
hearing/decision on petition) _____

NEW AC CASES:

- 88-68 Randolph County _____
- 88-69 Christian County Landfill, Inc. _____

MINUTES:

June 30, 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 (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)
* 86-218 City of East Moline (JD)(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)
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)
88-54 Edwin & Mary Susan Kozoyed (JD)
* 88-67 City of Highland (JM)(due 10/6)
* 88-69 Scott Air Force Base (JD)(due 9/8)
* 88-107 City of Rockford (BF)(due 11/3)