

ENVIRONMENTAL REGISTER

No. 428

May 22, 1991

BOARD SENDS PROPOSED AMENDMENTS TO 35 I.A.C. 501 TO SECOND NOTICE (MANAGEMENT OF LIVESTOCK WASTES, R90-7)

On May 9, 1991, the Board adopted by a 7-0 vote (Board Member Joan G. Anderson concurred) a Second Notice Opinion and Order in R90-7, Amendments to 35 Ill. Adm. Code 501 Agriculture-Related Pollution (Management of Livestock Wastes).

The proposed amendments would modify existing regulatory provisions dealing with the siting of new livestock management facilities, and livestock waste-handling facilities. New livestock management facilities and waste-handling facilities would be prohibited from locating within 1/2 mile of a populated area or within 1/4 mile of a non-farm residence, unless located within a designated Agricultural Area, or the facility undergoes expansion or complies with local zoning requirements, as specified in the proposed amendments. Changes made during First Notice include revision of the local zoning exemption.

The proposal would also allow for expanded use of vegetative filters for the treatment of livestock waste generated at small-to-medium-sized facilities.

The proposed amendments would further establish requirements for the field application of livestock wastes. Operators would be required to practice odor control methods so as not to cause air pollution. The proposal is designed to reduce the potential for odors which constitute air pollution with minimum disruption of farming practices. Some changes were also made to the language of this section of the proposed amendments as suggested by the Illinois Environmental Protection Agency.

Copies of the Opinion and Proposed Rules are available from the Clerk of the Board at (312) 814-3620. For Second Notice, the proposed amendments will be submitted to the Joint Committee on Administrative Rules of the State Legislature (JCAR). JCAR will have 45 days to review the amendments before the Board may adopt them as final. Questions concerning these proposed amendments may be directed to Michelle Dresdow at (815) 753-0947.

FORD MOTOR CO. GRANTED AN ADJUSTED STANDARD, AS 91-2

The Board granted to Ford Motor Company, for its Chicago Plant, an adjusted standard from the emission standards at 35 Ill. Adm. Code 215.204, relating to coating operations at automobile and light duty truck manufacturing plants in Cook County. The adjusted standard granted by the Board can be shown to be mathematically equivalent to the current standard and thus should not result in additional loading of volatile organic compounds to the atmosphere, according to Ford. The Chicago plant is 67 years old and employs 2,800 persons. This adjusted standard will alleviate the need for major changes at the plant which would have been necessary for Ford to meet the current standard.

Questions regarding this proceeding may be addressed to Marie Tipsord, Pollution Control Board, 100 West Randolph, Suite 11-500, Chicago, IL., 312-814-4925.

BOARD AND STAFF ACTIVITIES

Board Members and staff attended the May 7-8 conference on waste management in Chicago. It was the 22nd such conference organized by Eileen Johnston. A letter from Governor Jim Edgar lauding her efforts on behalf of the environment was read by Allen Grosboll, executive assistant to the Governor.

Chairman Marlin spoke on Pollution Prevention and Recycling at the Air & Waste Management Association's 1991 Environmental Conference. The Conference was held in Starved Rock State Park.

Mr. Dumelle spoke at Earth Day activities in Oak Park on April 20th.

Board Member Jacob Dumelle met with Fran Pia Ritter of Cologne, Germany on April 19th to explain the Illinois environmental system. The visit was arranged by the German Marshall Fund of the United States. Mr. Dumelle, a former chairman of the Lake Michigan States Section of the Air and Waste Management Association (1976-1977) was recognized by AWMA at their meeting on April 19th in Chicago.

FINAL ACTIONS - MAY 6, 1991 SPECIAL BOARD MEETING

PCB 91-73 Gerstad Builders v. IEPA - The Board accepted the Agency Recommendation and granted petitioner provisional variance, with conditions, from the Board's air pollution regulations for its McHenry County facility. Board Members B. Forcade and J. Theodore Meyer concurred. Board Member J.D. Dumelle dissented.

NEW CASES - MAY 6, 1991 SPECIAL BOARD MEETING

PCB 91-61 Big River Zinc Corp. v. IEPA - Petitioner seeks variance from the Board's waste disposal regulations for its St. Clair County facility. The Board concluded that the petition was generally deficient and ruled that an amended petition satisfying the requirements of the RCRA variance must be filed within 45 days, or the petition would be subject to dismissal.

PCB 91-70 Commonwealth Edison Co. V. IEPA - Petitioner seeks permit review for its Lake County facility. Accepted for hearing.

FINAL ACTIONS - MAY 9, 1991 BOARD MEETING

PCB 89-169 John Zarlenga, et al v. Partnership Concepts, et al. - The Board found respondents in violation of the Act and Board noise pollution regulations and ordered further actions be taken concerning its DuPage County facility.

PCB 90-108 Joseph B. Stratton, et al v. Charles M. Rock and Little Caesar's Pizza - The Board found respondents in violation of the Act and Board noise pollution regulations, ordered actions to remedy the violations, and to cease and desist from violations effective upon attainment of compliance but not later than July 31, 1991 concerning its Tazewell County facility.

PCB 90-111 People of the State of Illinois v. Seegers Grain, Inc. - The Board accepted the Stipulation and Settlement Agreement in which respondent admitted to violations of the Act and Board air pollution regulations, agreed to pay a penalty of \$2,000 and to cease and desist from further violations at its Stephensen County facility. Board Members J.D. Dumelle and J. Theodore Meyer dissented.

PCB 90-173 Earl R. Bradd, as owner of the Bradd Sanitary Landfill v. IEPA - The Board reversed denial of reasons 2, 3, 4 and 5 and upheld reason 1, thereby affirming the Agency's denial of the Affidavit for Certification of Closure for petitioner's McLean County facility.

PCB 91-9 Sparkling Spring Mineral Water Co. v. IEPA - The Board affirmed the Agency's determination that petitioner's claim for reimbursement for corrective action costs associated with its 2,000 gallon diesel UST in Lake County is subject to a \$50,000 deductible.

PCB 91-74 City of Centralia v. IEPA - This matter was dismissed on petitioner's motion.

PCB 91-76 John Deere Technical Center v. IEPA - The Board accepted the Agency Recommendation and granted petitioner provisional variance from the Board's waste disposal regulations concerning 90-day on-site limitations for hazardous wastes at its Rock Island County facility. Board Members J.D. Dumelle and B. Forcade concurred.

PCB 91-77 Nutrasweet, Inc. v. IEPA - The Board accepted the Agency Recommendation and granted petitioner provisional variance from the Board's waste disposal limitations concerning 90-day on-site limitations for hazardous wastes at its Will County facility. Board Members J.D. Dumelle and B. Forcade concurred.

AC 90-79 IEPA v. Al Springman - The Board found respondent violated Ill. Rev. Stat. 1989, ch. 111 1/2, pars. 1021(q)(1) and (q)(4) and (q)(5), imposed a fine of \$1,500, closed Docket A and ordered the Board and Agency to file statements of hearing costs supported by affidavit with service upon respondent.

- AC 91-8 County of Will v. Laraway Recycling and Disposal Facility - The Board found respondent violated Section (21)(p)(15) of the Act and imposed a fine of \$500.
- AC 91-9 IEPA v. W.W. Sanitation - The Board found respondent violated Section 21(p)(5) of the Act and imposed a fine of \$500.
- AC 91-10 IEPA v. Jersey Sanitation Corp. - The Board found respondent violated Sections 21(p)(2) and 21(p)(5) of the Act and imposed a fine of \$1,000.
- AC 91-11 IEPA v. Harold Lowry - The Board found respondent violated Section 21(q)(1) of the Act and imposed a fine of \$500.
- AC 91-12 Logan County Health Dept. v. Lincoln/Logan Landfill, Inc. - The Board found respondent violated Sections 21(p)(5) and 21(p)(11) of the Act and imposed a fine of \$1,000.
- AC 91-13 County of Jackson v. Everett Allen d/b/a Allen Waste Management - The Board found respondent violated Sections 21(p)(5), 21(p)(6) and 21(p)(2) of the Act and imposed a fine of \$1,500.
- AC 91-14 County of Madison v. Gary and Deborah Attebery - The Board found respondents violated Section 21(p)(5) of the Act and imposed a fine of \$500.
- AC 91-16 IEPA v. Olen G. Parkhill d/b/a Parkhill Construction - This matter was dismissed on the Agency's motion.

NEW CASES - MAY 9, 1991 BOARD MEETING.

- PCB 91-42 Franklin D.R. Vickers and Ruth J. Vickers v. Village of Millstadt - Complainants allege violations of the Act and Board noise regulations at respondent's St. Clair County facility. Accepted for hearing.
- PCB 91-48 Wonder View Improvement Association v. Northern Illinois Utilities, Inc. - Petitioner alleges violations of the Board's public water supplies regulations at respondent's McHenry County facility. Accepted for hearing.
- PCB 91-50 Karl Christ and Helen Christ v. Compost Enterprises, Inc. - Complainants allege violations of the Act and Board air pollution regulations at respondent's McHenry County facility. Accepted for hearing.
- PCB 91-71 Douglas Furniture of California, Inc. v. IEPA - Petitioner seeks review of denial of its application for an air pollution permit for its Cook County facility. Accepted for hearing.
- PCB 91-72 Clean Quality Resources, Inc. V. Marian County Board - Petitioner seeks review and objects to supplemental proceedings concerning its Marion County facility. Accepted for hearing.
- PCB 91-74 The City of Centralia v. IEPA - See Final Actions.
- PCB 91-75 Community Consolidated School District No. 15 v. IEPA - Petitioner seeks reimbursement from the Underground Storage Tank Fund for corrective action costs at its Cook County facility. Accepted for hearing.
- PCB 91-76 John Deere Technical Center v. IEPA (Provisional Variance) - See Final Actions.
- PCB 91-77 Nutrasweet, Inc. v. IEPA - See Final Actions.
- PCB 91-78 People of the State of Illinois v. Sure Plus Manufacturing Co. - Complainant alleges violations of the Act and Board air pollution regulations at respondent's Cook County facility. Accepted for hearing.

FINAL ACTIONS - MAY 14, 1991 SPECIAL BOARD MEETING

- AS 91-2 In The Matter Of: Petition of Ford Motor Co. For an Adjusted Standard from 35 Ill. Adm. Code 215.204 - The Board granted petitioner an adjusted standard, with conditions, from the Board's air pollution regulations concerning emission limitations applicable to the guide coating process at its Cook County facility.

NEW CASES - MAY 14, 1991 SPECIAL BOARD MEETING

- PCB 91-79 People of the State of Illinois v. Torvac, Inc. - Complainant alleges violations of the Act and Board air pollution regulations at respondent's Cook County facility. Accepted for hearing.

CALENDAR

May 29 10:30 a.m.	R	<u>Steel and Foundry Industry Amendments to the Landfill Regulations (35 Ill. Adm. Code 810 815)</u> , R90-26, Northeastern Illinois Planning Commission, 400 W. Madison St., Chicago.
May 29 9:30 a.m.	W-V	<u>Zeiler Coal Company v. EPA</u> - PCB 91-12, Grand Jury Room, Randolph County Courthouse, One Taylor St., Chester.
May 30 9:30 a.m.	R	<u>In the Matter of: Groundwater Quality Standards (35 Ill. Adm. Code 620)</u> - R89-14(B), Mayer, Brown & Platt, 190 S. LaSalle St., 39th Floor (Rooms 1, 2, & 3), Chicago.
May 31 10:00 a.m.	P-A	<u>Office Park of Hinsdale, Inc. v. EPA</u> - PCB 91-63, Police-Fire Building, Second Floor, 121 Symonds Drive, Hinsdale.
May 31 9:30 a.m.	R	<u>Exemptions from the Definition of Volatile Organic Material (VOM) 35 Ill. Adm. Code 211.122</u> R91-10, IEPA - Sangamon Building, Conference Room D, 1340 N. Ninth St., Springfield.
June 3 10:00 a.m.	A-E	<u>People of the State of Illinois v. Bridgestone/Firestone, Inc.</u> - PCB 90-202, Second Floor Conference Room, #1 Civic Center Plaza, Southeast Corner of Eldorado & Franklin, Decatur.
June 6		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
June 7 10:00 a.m.	R	<u>Utility Industry Amendments and Steel Foundry Industry Amendments to the Landfill Regulations (35 Ill. Adm. Code 810-815)</u> - R 90-25 and R90-26, IEPA - Sangamon Building Conference Room D, 1340 N. Ninth Street, Springfield. (This hearing will be limited to any additional matters in either docket that were not dealt with at the May 20, 1991 and May 29, 1991 hearings.)
June 10 1:00 p.m.	A-EEPA	<u>v. Nesco Steel Board Company</u> - PCB 90-37, Granite City Township Building, 2060 Delmar Ave. Granite City.
June 18 10:00 a.m.	A-E	<u>People of the State of Illinois v. Allied-Hastings Barrel and Drum Service, Inc.</u> - PCB 90-60 State of Illinois Center, 100 W. Randolph St., Suite 11-500, Chicago.
June 18 9:30 a.m.	A-C	<u>EPA v. City of West Frankfort</u> - AC 89-72, City Council Chambers, West Frankfort City Hall, 201 E. Nolan St., West Frankfort.
June 18 9:30 a.m.	P-A	<u>American Fly Ash Company v. EPA</u> - PCB 91-65, Tazewell County Courthouse, County Board Room, Court Street, Pekin.
June 18 9:00 a.m.	A-E	<u>People of the State of Illinois v. Sure Plus Manufacturing Company</u> - PCB 91-78, State of Illinois Center, 100 W. Randolph St., Suite 11-500, Chicago.
June 18 9:30 a.m.	A-E	<u>People of the State of Illinois v. Torvac, Inc.</u> - PCB 91-79, State of Illinois Center, 100 W. Randolph St., Suite 11-500, Chicago.
June 19 10:00 a.m.	A-E	<u>People of the State of Illinois v. Rock Valley Oil & Chemical Company</u> - PCB 90-124, Rockford City Hall, City Council Chambers, Second Floor, 425 E. State St., Rockford.
June 20		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
June 21 9:30 a.m.	A-E	<u>EPA v. Trilla Steel Drum, Inc.</u> - PCB 86-56, Law Office of Joshua Sachs, 134 N. LaSalle St., Chicago.
June 21 9:30 a.m.	A-V	<u>General Motors Corporation v. EPA</u> - PCB 88-193, Vermilion County Courthouse, 7 North Vermilion St., Room 1A, First Floor, Danville.
June 21 10:00 a.m.	A-E	<u>People of the State of Illinois v. Colwell General, Inc.</u> - PCB 89-180, State of Illinois Center, 100 W. Randolph St., Suite 11-500, Chicago.
June 25 10:00 a.m.	P-A	<u>FIW, Inc. v. EPA</u> - PCB 90-141, Rockford Public Library, 215 N. Wyman, Room A, Lower Level, Rockford.
June 25 11:30 a.m.	A-V	<u>The Ensign Bickford Company v. EPA</u> - PCB 90-242, Chamber of Commerce Building, 125 W. Davie St., Anna.
June 26	N-E	<u>Carl Madoux, Alice Madoux, Glenn Moody and Margaret Moody v. B & M Steel Service</u>

10:00 a.m.		<u>Center, Inc.</u> - PCB 90-148, Alton City Hall, 101 E. 3rd St., Alton.
June 27 9:30 a.m.	P-A	<u>D & B Refuse Service, Inc. v. EPA</u> - PCB 89-106, Moultrie County Courthouse, Grand Jury Room, Third Floor, Sullivan.
June 27 10:00 a.m.	N-E	<u>Carl Madoux, Alice Madoux, Glenn Moody and Margaret Moody v. Straders Logging and Lumber Mill</u> - PCB 90-149, Alton City Hall, 101 E. 3rd St., Alton.
June 27 9:30 a.m.	A-E	<u>People of the State of Illinois v. G & K Investments, Inc. Gary Cross and Kevin Leesman</u> PCB 90-140, Logan County Courthouse, 601 Broadway, Lincoln.
June 28 10:00 a.m.	P-A	<u>Natural Gas Pipeline Company of America v. EPA</u> - PCB 87-150, City of Kankakee, Council Chambers, Second Floor, 385 East Oak Street, Kankakee.
June 28 9:30 a.m.	L-E	<u>IEPA and People of the State of Illinois v. Fitz-Mar, Inc.</u> - PCB 86-160, Law Office of Joshua Sachs, 134 N. LaSalle St., Suite 2222, Chicago.
June 28 11:00 a.m.	P-A	<u>Laclede Steel v. EPA</u> - PCB 88-115, Madison County Courthouse, Board Room, 155 N. Main St., Edwardsville.
July 9 10:00 a.m.	A-E	<u>People of the State of Illinois v. Enamellers and Japanners, Inc.</u> - PCB 91-53, State of Illinois Center, 100 W. Randolph St., Suite 11-500, Chicago.
July 10 10:00 a.m.	W-E	<u>Herman W. Prescott v. City of Sycamore</u> - PCB 90-187, DeKalb County Courthouse, Room 206, 133 W. State St., Sycamore.
July 11		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
July 11 10:00 a.m.	W-E	<u>Herman W. Prescott v. City of Sycamore</u> - PCB 90-187, DeKalb County Courthouse, Room 206, 133 W. State St., Sycamore.
July 12 9:30 a.m.	A-C	<u>EPA v. Bernard Leitschuh</u> - AC 90-91, Montgomery County Courthouse, Courthouse Square, Hillsboro.
July 16 10:00 a.m.	A-S	<u>Petition of Granite City Steel for Adjusted Standard. 35 Ill. Adm. Code 302.102, 302.208, 302.210 and Subpart F. Procedures for Determining Water Quality Criteria</u> - AS 90-4, Mayor's Conference Room, City Hall, 2nd Floor, 200 Edison Ave., Granite City.
July 19 10:00 a.m.	A-C	<u>EPA v. Omer Thomas</u> - AC 89-215, Shelbyville City Hall, Council Chambers, 170 E. Main St., Shelbyville.
July 22 10:00 a.m.	W-V	<u>Commonwealth Edison Company v. EPA</u> - PCB 91-29, Will County Courthouse, 14 W. Jefferson St., Fourth Floor, Joliet.
July 23 10:00 a.m.	W-V	<u>Commonwealth Edison Company v. EPA</u> - PCB 91-29, Will County Courthouse, 14 W. Jefferson St., Fourth Floor, Joliet.
July 24 10:00 a.m.	W-V	<u>Commonwealth Edison Company v. EPA</u> - PCB 91-29, Will County Courthouse, 14 W. Jefferson St., Fourth Floor, Joliet.
July 25 10:00 a.m.	W-V	<u>Commonwealth Edison Company v. EPA</u> - PCB 91-29, Will County Courthouse, 14 W. Jefferson St., Fourth Floor, Joliet.
July 25		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
July 26 10:00 a.m.	W-V	<u>Commonwealth Edison Company v. EPA</u> - PCB 91-29, Will County Courthouse, 14 W. Jefferson St., Fourth Floor, Joliet.
August 8		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
August 12 9:30 a.m.	P-A	<u>CWM Chemical Services, Inc. v. IEPA and the People of the State of Illinois</u> - PCB 89-177, Loyola Law School, 1 East Pearson, Room 110, Chicago.

August 13 9:30 a.m.	P-A	<u>CWM Chemical Services, Inc. v. IEPA and the People of the State of Illinois</u> - PCB 89-177, Loyola Law School, 1 East Pearson, Room 110, Chicago.
August 14 9:30 a.m.	P-A	<u>CWM Chemical Services, Inc. v. IEPA and the People of the State of Illinois</u> - PCB 89-177, Loyola Law School, 1 East Pearson, Room 110, Chicago.
August 22		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
August 23 9:30 a.m.	P-A	<u>General Electric Company (Mattoon Lamp Plant) v. EPA</u> - PCB 90-65, Coles County Courthouse, County Board Room, Third Floor, Charleston.
August 27 10:00 a.m.	A-V	<u>DMI, Inc. v. EPA</u> - PCB 90-227, Woodford County Courthouse, County Board Room, 115 N. Main St., Eureka.
August 28 9:30 a.m.	SWH-E	<u>EPA v. Fred Johnson, Johnson & Briggs Tank Truck Service, a/k/a Johnson & Briggs Tank Truck & Heater Service</u> - PCB 90-89, Edwards County Courthouse, Albion.
August 29 9:30 a.m.	SWH-E	<u>EPA v. Fred Johnson, Johnson & Briggs Tank Truck Service, a/k/a Johnson & Briggs Tank Truck & Heater Service</u> - PCB 90-89, Edwards County Courthouse, Albion.
September 12		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
September 16 10:00 a.m.	P-A	<u>Olin Corporation v. EPA</u> - PCB 89-178, Alton City Hall, 101 E. Third St., Alton.
September 26		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
October 10		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
October 24		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
November 7		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
November 21		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
December 5		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
December 19		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.

* Times and locations of hearings and meetings appearing in the Environmental Register are subject to cancellation or rescheduling without notice. Confirmation of that information may be obtained from the Clerk of the Board at 312/814-6931.

** The Pollution Control Board meetings listed in the calendar (highlighted) are unlike the other hearings listed in that, while they are open to the public, public participation is generally not allowed, except upon the granting of a motion for oral argument.

CALENDAR CODE:

A-C	ADMINISTRATIVE CITATION	A-E	AIR ENFORCEMENT
A-S	ADJUSTED STANDARD	A-V	AIR VARIANCE
CSO	COMBINED SEWER OVERFLOW EXCEPTION	L-E	LAND ENFORCEMENT
L-S-R	LANDFILL SITING REVIEW	L-V	LAND VARIANCE
N-E	NOISE ENFORCEMENT	N-V	NOISE VARIANCE

P-A	PERMIT APPEAL	PWS-E	PUBLIC WATER SUPPLY ENFORCEMENT
PWS-V	PUBLIC WATER SUPPLY VARIANCE	R	REGULATORY PROCEEDING
SO ₂	SO ₂ ALTERNATIVE STANDARDS	SWH-E	SPECIAL WASTE HAULING ENFORCEMENT
SWH-V	SPECIAL WASTE HAULING VARIANCE	T	THERMAL DEMONSTRATION RULE (35 ILL. ADM. CODE 302.211(F))
T-C	TAX CERTIFICATIONS	T-S	TRADE SECRETS
W-E	WATER ENFORCEMENT	W-V	WATER VARIANCE
WWS	WATER-WELL SETBACK EXCEPTION		
UST-FRD	UNDERGROUND STORAGE TANK FUND REIMBURSEMENT DETERMINATION		