

ILLINOIS POLLUTION CONTROL BOARD
May 20, 1993

HEICO INC.,)
)
Petitioner,)
)
v.) PCB 90-196
) (Permit Appeal)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

ORDER OF THE BOARD (by C. A. Manning):

This matter is before the Board on a motion for leave to file a status report instanter filed on May 19, 1993, by Heico Inc. (Heico). The motion to file instanter is hereby granted.

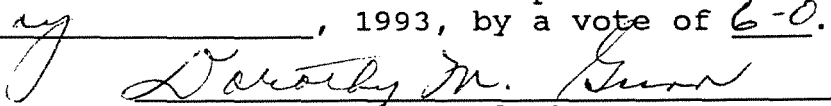
In its status report Heico states that this case involves an appeal from a decision by the Illinois Environmental Protection Agency (Agency) to deny certification to Heico for clean closure under the Resource Conservation and Recovery Act. Heico states that cadmium is the only remaining parameter of concern in this appeal. Heico also reports that soil samples submitted to the Agency show that two small areas of the excavated area exceed the cleanup objective of 0.01 mg/l for cadmium in leachate soil samples when analyzed using the EP Toxicity or TCLP methods. Additionally, Heico states that it has asked the Agency to reconsider its cleanup objective for cadmium and to change it to 0.05 mg/l in light of the groundwater regulations for cadmium and the fact that the Agency has set the cleanup objective of 0.05 mg/l for other industrial sites. The Agency refused.

Heico reports that it has collected additional soil samples and recieved a written report of the analysis of the soil. On March 17, 1993, the parties met to discuss this data and that the Agency asked Heico to submit more information such as well logs. Heico has submitted the information and is awaiting an Agency response. Finally, Heico states that both parties hope to settle this matter shortly.

The parties are hereby directed to file another status report with the Board on or before August 20, 1993, in the event this case has not been dismissed.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 20th day of May, 1993, by a vote of 6-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

0142-0503