

ENVIRONMENTAL REGISTER

No. 424

March 27, 1991

BOARD SENDS USED AND WASTE TIRE REGULATIONS (PART 848) TO SECOND NOTICE (R90-9)

On March 15, 1991, the Board, after substantive review, voted 7-0 to send the Illinois Environmental Protection Agency's proposal for regulating used and waste tires to Second Notice. The proposal sets forth provisions for the regulation of processing, transportation, disposal and storage of used and waste tires. Section 55.2 of the Act specifies that the Board adopt such proposal within one year of receipt of proposed regulations. The Board Order also opened Docket B in this matter for the purpose of repealing existing regulations (Part 849) and for "fine-tuning" the regulations. Second Notice begins the period of time within which the Joint Committee on Administrative Rules may comment on the proposed regulations. Copies of the Board's Second Notice Opinion and Order are available upon request from the Clerk of the Board. Questions concerning this proposal may be directed to Mark P. Miller at 217/333-5574.

BOARD SENDS AMENDMENTS TO LANDFILL REGULATIONS TO FIRST NOTICE, R90-25

On March 14, 1991, the Board sent to First Notice an amended proposal filed on March 13, 1991, by the Illinois Utility Group. The proposal amends the development, operating and reporting requirements for non-hazardous waste landfills that were developed in R88-7 and are found at 35 Ill. Adm. Code 810-815.

Copies of the Opinion and Proposal are available from the Clerk of the Board at 312/814-3620. A 45-day comment period will begin upon publication of the proposed rules in the Illinois Register. Those wishing to be placed on the notice list may contact Deborah Stonich at 312/814-6926.

BOARD MAKES EcIS DETERMINATION IN R90-23, PROPOSED SITE-SPECIFIC FOR GM DANVILLE FERROUS FOUNDRY

On March 14, 1991, the Board made a determination that at this time no economic impact study (EcIS) would be required in connection with this site-specific rulemaking. The proposed rule would involve only the General Motors facility in Danville, Vermillion County. The proceeding involves the facility's carbon monoxide emissions which are subject to Board regulations establishing a 200 parts per million limitation. (35 Ill. Adm. Code 216.381.) This matter has not

yet been set for hearing.

BOARD AND STAFF ACTIVITIES

Louann Burnett, a member of the Scientific/Technical Section, attended the Illinois Chapter of the American Fisheries Society (IAFS) on March 5 and 6 in Urbana. The meeting dealt with regulatory and legislative activities affecting aquatic resources, long-term monitoring programs and research on habitat degradation in Illinois rivers and streams. Ms. Burnett serves as a member of the IAFS' Contaminant Action Team which works to identify research and development, regulatory activities and education/public awareness of aquatic contaminants.

On March 20, Ms. Burnett attended the Midwest Pollution Control Biologists Meeting in Chicago.

Board Chairman John Marlin, Board Member Bill Forcade, Staff Attorney Margaret Fliss, and Dr. Harish Rao, chief of the Scientific/Technical Section, toured the General Motors foundry in Danville on March 7, 1991.

WATERWAYS CRUISE

The "Waterways Cruise and Environmental Workshop" will be held on April 27, 1991. Speakers from state and federal agencies, industry and others will discuss progress in pollution abatement and current environmental problems. The 72-mile cruise on Lake Michigan and Chicago waterways will afford views of the Chicago skyline, Water Reclamation District plants, steel mills and other industries. The cost is \$45 and for full-time students, \$35. Send checks to Eileen Johnston, 505 Maple Ave., Wilmette, Illinois 60091, 708/251-4386.

WORKING TOGETHER TO MANAGE WASTE

The twenty-second annual "Working Together to Manage Waste" conference will be held on May 7 and 8, 1991, at the Bismark Hotel in Chicago. Co-sponsors are

the Illinois Pollution Control Board, the Illinois Environmental Protection Agency, the Department of Energy and Natural Resources and some industries.

Speakers from state and federal agencies, industry, research, and other areas will attend. Topics to be covered include incineration systems, waste reduction and minimization, landfill capacity, new technologies for dealing with hazardous waste, new legislation, and regulations on RCRA, Superfund and underground storage tanks. For program and registration write to Eileen L. Johnston, 505 Maple Ave., Wilmette, IL 60091. 708/251-4386.

Annual tour-day of area facilities will be on May 9.

FINAL ACTIONS - MARCH 14, 1991 BOARD MEETING

- PCB 89-205 Vito Zivoli v. Prospect Dive and Sport Shop, LTD. and Michael S. Rogers - The Board found respondent violated the Act and Board noise regulations at its Cook County facility and ordered respondent to cease and desist all future violations, except for under certain limited circumstances.
- PCB 90-86 Container Corporation of America v. IEPA - This matter was dismissed on petitioner's motion.
- PCB 90-177 A.K.A. Land, Inc. v. IEPA - The Board ordered that the \$100,000 deductible in the Underground Storage Tank State Fund as applied to petitioner at its St. Clair county facility be reversed. The matter was remanded to the Agency for its determination as to whether the \$50,000 or \$10,000 deductible applies. J. Dumelle, B. Forcade, and M. Nardulli dissented.
- PCB 91-1 Alton Community Unit School District #11 v. IEPA - The Board upon reconsideration upheld its February 7, 1991 order that the Agency correctly determined the deductible for petitioner's application for reimbursement from the Underground Storage Tank Fund for corrective action cost at its Jackson County facility and granting the Agency's motion for summary judgment. J. Dumelle abstained.
- PCB 91-43 Nutrasweet v. IEPA - The Board accepted the Agency Recommendation and granted petitioner provisional variance from the Board's waste disposal regulations relating to 90-day on-site limitations for hazardous waste at its Cook County facility.
- PCB 91-44 Texas Eastern Gas Pipeline v. IEPA - The Board accepted the Agency Recommendation and granted petitioner provisional variance from the Board's waste disposal regulations relating to 90-day on-site limitations for hazardous waste at its White County facility.
- PCB 91-45 Village of Bluffs v. IEPA - The Board accepted the Agency Recommendation and granted petitioner variance, with conditions, from the Board's water regulations concerning biochemical oxygen demand and total suspended solids at its Scott County facility.
- PCB 91-46 Natural Gas Pipeline Company v. IEPA - The Board accepted the Agency Recommendation and granted petitioner provisional variance from the Board's waste disposal regulations relating to 90-day on-site limitations for hazardous wastes at its Clinton County facility.
- PCB 91-47 Century Resources, Inc. v. IEPA - The Board accepted the Agency Recommendation and granted petitioner provisional variance from the Board's waste regulations relating to 90-day on-site limitations for hazardous wastes at its Cook County facility.
- AC 89-156 (B) IEPA v. John Gordon - The Board ordered respondent to pay \$1,288.20 for deposit into the General Revenue Fund as assessed hearing costs and closed the docket. J. Theodore Meyer dissented. J. Dumelle abstained.
- AC 90-76 IEPA v. Johnson Blackwell - The Board granted the Agency's motion and dismissed the matter.
- AC 90-95 IEPA v. Johnson Blackwell - The Board granted the Agency's motion, vacated its January 24, 1991 Order and issued a corrected Order.
- AC 91-1 County of Jackson v. Everett Allen d/b/a/ Allen Waste Management - The Board found respondent had violated Section 21(p)(11) of the Act at its Jackson County facility and imposed a penalty of \$500.

- AC 91-2 County of Jackson v. Everett Allen, d/b/a Allen Waste Management - The Board found respondent had violated Section 21(p)(11) of the Act at its Jackson County facility and imposed a penalty of \$500.
- AC 91-3 Logan County Health Department v. Lincoln/Logan Landfill, Inc. - The Board found respondent had violated Section 21(p)(5), 21(p)(11), 21(p)(12) of the Act at its Logan County facility and imposed a penalty of \$1,500.

NEW CASES - MARCH 14, 1991 BOARD MEETING

- PCB 90-3 Calvary Temple Church v. IEPA - The Board ordered petitioner to submit additional information relating to its appeal of an Agency determination on removal for construction and operation of a wastewater land treatment system.
- PCB 91-29 Commonwealth Edison Company v. EPA - Petitioner seeks variance from the Board's water regulations for its Will County facility. Accepted for Hearing.
- PCB 91-30 Susan A. Curtis and Marcy Diesing v. Material Service - Complainant alleges violations of the Act and Board noise pollution regulations at respondent's McHenry County facility. Hearing Mandatory.
- PCB 91-38 American Waste Processing, Ltd. v. IEPA - Petitioner seeks review of the Agency denial of its RCRA Part B permit application concerning its Cook County facility. Accepted for Hearing.
- PCB 91-40 People of the State of Illinois v. Richheimer, d/b/a Richheimer Coffee Company - Petitioner alleges respondent violated the Act and Board air pollution regulations at its Cook County facility. Hearing Mandatory.
- PCB 91-41 City of West Chicago v. IEPA - Petitioner seeks variance from the Board's public water supply regulations relating to Standards for Issuance, Restricted Status for combined radium 226 and 228 at its DuPage County facility. Held for Agency Recommendation.
- PCB 91-42 Franklin D.R. Vickers and Ruth J. Vickers v. Village of Millstadt - Complainant alleges violation of the Act and Board noise pollution regulations at its St Clair County facility. Held for duplicitous and frivolous determination.
- PCB 91-43 Nutrasweet v. IEPA - See Final Acts.
- PCB 91-44 Texas Eastern Gas Pipeline v. IEPA - See Final Acts.
- PCB 91-45 Village of Bluffs v. IEPA - See Final Acts.
- PCB 91-46 Natural Gas Pipeline Company v. IEPA - See Final Acts.
- PCB 91-47 Century Resources, Inc. v. EPA - See Final Acts.
- PCB 91-48 Wonder View Improvement Association v. Northern Illinois Utilities, Inc. - Complainant alleges respondent violated the Act and Board regulations pertaining to public water supplies at its McHenry County facility. Held for duplicitous and frivolous determination.
- PCB 91-49 LTV Steel Company, Inc. v. IEPA - Petitioner seeks review of its conditions imposed by its NPDES permit for its Cook County facility. Accepted for hearing.

CALENDAR

- April 8
10:00 a.m. A-S In the Matter of Petition of Ford Motor Company for Adjusted Standard from 35 Ill. Adm. Code 215.204(a)(1) - AS 91-2, Schiff, Hardin and Waite Conference Center, 7200 Sears Tower, 66th Floor, Chicago.
- April 10
9:30 a.m. RRACT Deficiencies in the Chicago Area: Amendments to 35 Ill. Adm. Code Part 215 and the Addition of Part 218 (consolidated for hearing with R91-7) - R91-7, State of Illinois Center, 100 W. Randolph St., Room 9-031, Chicago.
- April 10
9:30 a.m. RRACT Deficiencies in the Metro-East Area: Amendments to 35 Ill. Adm. Code Part 215 and the Addition of Part 219 (consolidated for hearing with R91-7) - R91-8, State of Illinois Center, 100 W. Randolph St., Room 9-031, Chicago.
- April 11 **Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040,**

Chicago.

- April 15
9:30 a.m. RRACT Deficiencies in the Chicago Area: Amendments to 35 Ill. Adm. Code Part 215 and the Addition of Part 218 (consolidated for hearing with R91-8) - R91-7, Second Floor Courtroom, City Hall, 2000 Edison, Granite City.
- April 15
9:30 a.m. RRACT Deficiencies in the Metro-East Area: Amendments to 35 Ill. Adm. Code Part 215 and the Addition of Part 219 (consolidated for hearing with R91-7) - R91-8, Second Floor Courtroom, City Hall, 2000 Edison, Granite City.
- April 17
11:00 RPM-10 Emission Limits for Portland Cement Manufacturing Plant and Associated Quarry Operations located South of the Illinois River in LaSalle County, Illinois - R91-6, State of Illinois Center, 100 W. Randolph St., Suite 9-031, Chicago.
- April 19
11:00 RPM-10 Emission Limits for Portland Cement Manufacturing Plant and Associated Quarry Operations located South of the Illinois River in LaSalle County, Illinois - R91-6, Illinois Valley Community College, 2578 East 350th Road, Building C, Room 316, Oglesby.
- April 25** **Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.**
- May 3
10:00 a.m. L-S-R Land and Lakes Company, IMC Operations, Inc., and NBD Trust Company of Illinois as Trustee v. Village of Romeoville - PCB 91-7, Romeoville Village Hall, Village Board Room, 13 Montrose St., Romeoville.
- May 9** **Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.**
- May 10
10:30 a.m. A-E People of the State of Illinois v. F.S. Madison Service Company - PCB 90-230, Edwardsville, City Hall Council Chambers, Second Floor, 400 N. Main St., Edwardsville.
- May 10
9:30 a.m. A-E People of the State of Illinois v. Amoco Petroleum Additives Company - PCB 91-20, Edwardsville City Hall, Council Chambers, Second Floor, 400 N. Main St., Edwardsville.
- May 23** **Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.**
- June 6** **Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.**
- June 20** **Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.**
- July 10 W-E Herman W. Prescott v. City of Sycamore - PCB 90-187, DeKalb County Courthouse, Room 10:00 a.m. 206, 133 W. State St., Sycamore.
- July 11 W-E Herman W. Prescott v. City of Scyamore - PCB 90-187, DeKalb County Courthouse, Room 10:00 a.m. 206, 133 W. State St., Sycamore.
- July 12
9:30 a.m. A-C EPA v. Bernard Leitschuh - AC 90-91, Montgomery County Courthouse, Courthouse Square, Hillsboro.
- July 16
10:00 a.m. A-S 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 - AS 90-4, Mayor's Conference Room, City Hall, 2nd Floor, 200 Edison Ave., Granite City.
- July 19
10:00 a.m. A-C EPA v. Omer Thomas - AC 89-215, Shelbyville City Hall, Council Chambers, 170 E. Main St., Shelbyville.
- August 27
10:00 a.m. A-V DML, Inc. v. EPA - PCB 90-227, Woodford County Courthouse, County Board Room, 115 N. Main St., Eureka.
- September 16
10:00 a.m. P-A Olin Corporation v. EPA - PCB 89-178, Alton City Hall, 101 E. Third St., Alton.

* 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		

ENVIRONMENTAL REGISTER

No. 424

March 27, 1991

Availability of Landfill Regulations Information Diskette

The Board regulations for the design and operation of nonhazardous waste landfills were filed and effective on September 18, 1990. Based on the interest shown by participants at the IEPA held workshops on December 6, 1990 and December 12, 1990 and calls received to date regarding these regulations, several documents have been compiled in a set of diskettes. The compilation includes the Board's Opinions and Orders in the R88-7 and the predecessor R84-17D dockets (approximately 850 pages) and the supporting background document and detailed responses to comments of the Scientific/ Technical Section (approximately 775 pages). In addition, the compilation contains executive summaries and an overview of the Board's functions and operations. The diskettes totalling over 1600 pages have been put together using Wordperfect 5.0 word processing software. The diskettes, available in either 5.25" or 3.5" size, can be purchased from the Illinois Pollution Control Board for \$100 per set. Please use the form below to speed your request. Diskettes will be sent by First Class mail.

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Requests with payments of \$100 for each set of diskettes ordered made payable to "Illinois Pollution Control Board" should be sent to:

Joe D'Alessandro, Fiscal Officer
Illinois Pollution Control Board
State of Illinois Center
Suite 11-500
100 West Randolph Street
Chicago, IL 60601

Send Order to:

Size of Diskette:

Name

_____ 5.25"

Address

_____ 3.5"

_____ Number of orders

REGISTER MAILING LIST UPDATE

ENVIRONMENTAL

The Board is updating its mailing list for the Environmental Register. If you would like to continue receiving it after July 1, 1991 please fill out the address label below and return it to the Board as soon as possible. Those who do not return the label will be removed from the mailing list after July 1. Please send to:

**Karyn Mistrik
Illinois Pollution Control Board
100 W. Randolph, Suite 11-500
Chicago, IL 60601**

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Environmental Register Mailing List

Name

Company Name

Address

City/State/Zip
