

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING
MAY 2, 1985 CHICAGO, ILLINOIS

All Board Members were present save Mr. Nega.

An Interim Order was adopted in #84-3, -4, City of Galva, by a vote of 5-0.

An Interim Order was adopted in #84-161, Village of Addison, by a vote of 5-0.

An Order was adopted in #84-167, Spadoni et al., by a vote of 4-1. Mr. Dumelle dissented.

A Proposed Rule, Peremptory Rulemaking Order was adopted in R77-12(D), Amendments to Chapter 3: Water Pollution (Effluent Disinfection), by a vote of 5-0.

An Adopted Rule, Final Opinion and Order was adopted in R83-25, Clifford Jacobs Forging Company, by a vote of 5-0.

An Adopted Rule, Final Opinion and Order was adopted in R83-31, C.S. Norcross & Sons Company, by a vote of 5-0.

An Adopted Rule, Final Opinion and Order was adopted in R83-32, Vaughan and Bushnell Manufacturing, by a vote of 5-0.

Motion to overrule hearing officer or in the alternative, to allow an interlocutory appeal was denied in #79-145, Celotex, by a vote of 5-0. Mr. Forcade will prepare an Order.

Motion for stay was granted in #84-150, William H. Clarke, by a vote of 5-0. Mrs. Anderson will prepare an Order.

Motion to withdraw was granted in #84-169, Chicago Magnet Wire, by a vote of 4-1; Mr. Meyer dissented. Mr. Dumelle will prepare an Order.

Motion for voluntary dismissal was granted in #84-170, Tecumseh Management Company, by a vote of 5-0. Mr. Dumelle will prepare an Order.

Petition for stay was granted in #84-175, -176, Board of Trustees of Casner Township, by a vote of 5-0. Mrs. Anderson will prepare an Order.

Motion for leave to file Agency Recommendation Instantly was granted in #84-182, Nash Brothers Company, by a vote of 5-0. Mr. Dumelle will prepare an Order.

Motion for leave to file Recommendation Instanter was granted in #85-6, Timberlakes Estates Sanitary District, by a vote of 5-0. Mr. Forcade will prepare an Order.

Motion to file a response to the Agency Recommendation Instanter was granted in #85-26, Stauffer Chemical, by a vote of 5-0. Mrs. Anderson will prepare an Order.

Motion for leave to file Recommendation Instanter was granted in #85-29, Glaco Corporation, by a vote of 5-0. Mr. Dumelle will prepare an Order.

Motion to dismiss for inadequacy or in the alternative to compel a specification of alleged error was denied in #84-35, Warner Electric Brake and Clutch, by a vote of 5-0. Mr. Forcade will prepare an Order.

Motion to dismiss was granted in #85-37, E-M Company, by a vote of 5-0. Mr. Dumelle will prepare an Order.

These matters were discussed and held to May 16, 1985 for further consideration: ##84-123, Village of Energy; 84-157, American Can.

These regulatory matters were discussed and held to May 16, 1985 for further consideration: R81-18, Waste Site Chief Operator Prior Conduct Certification, Proposed Rule, Second Notice; R82-7, Proposal to Amend Chapter 3: Water Regulations by City of Alton, First Notice; R84-9, RCRA Update.

In new cases these actions were taken by a vote of 5-0: ##85-46, William J. Hauck v. City of Wood Dale, accepted and authorized for hearing; 85-50, City of Lockport v. EPA, additional information requested; Order by Mrs. Anderson; 85-51, City of Aurora v. EPA, additional information requested; Order by Mrs. Anderson; 85-52, EPA v. F.S. Services, Inc., hearing mandatory; 85-53, EPA v. Continental Grain (Hennepin), hearing mandatory; 85-54, EPA v. Continental Grain (Morris), hearing mandatory; 85-55, Illinois-American Water Company v. EPA, additional information requested; Order by Mrs. Anderson; 85-57, Kable Printing Company v. EPA, additional information requested; Order by Mrs. Anderson; 85-58, EPA v. City of West Frankfort, hearing mandatory; R85-9, NESHAPs, Hazardous Air Pollutants, Resolution and Order by Mr. Meyer; R85-11, East St. Louis Water Treatment Plant Petition for Site Specific Exception to Effluent Standards, accepted and authorized for hearing.

An Order was adopted in new case #85-56, McHenry County Landfill, Inc. v. EPA, by a vote of 4-1; Mr. Meyer dissented. Mrs. Anderson will prepare it.

All matters not disposed of as listed were ordered held to May 16, 1985 for possible consideration.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do certify that the above Minutes were approved this 27th day of June, 1985 by a vote of 6-0

Dorothy M. Gunn
Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD
FINAL AGENDA
MAY 2, 1985 CHICAGO, ILLINOIS

DECISIONS:

84-3 Galva, Interim Order (JA) _____
84-4 _____
84-161 Village of Addison, Interim Order (JA) _____
84-167 Spadoni et al. (JM) _____
R77-12(D) Disinfection (JD) _____
R82-1 Particulate Emission Limitations (JD) _____
R83-25 Clifford-Jacobs Forging (JM) _____
R83-31 C.S. Norcross & Sons (JM) _____
R83-32 Vaughan & Bushnell Mfg. (JM) _____

MOTIONS:

79-145 The Celotex Corporation - motion to Board to overrule hearing officer or, in the alternative, to allow an interlocutory appeal (4/23) _____
84-150 William H. Clarke - motion for stay (4/10) _____
84-170 Tecumseh Management Company - motion for voluntary dismissal (4/23) _____
84-175 Board of Trustees of Casner Township, Jefferson
84-176 County, Illinois, et al. - petition for stay pursuant to Supreme Court rule 335(g) (4/18); petition for stay pursuant to Supreme Court rule 335(g) (4/29) _____
84-182 Nash Brothers Company - motion for leave to file agency recommendation instanter and agency variance recommendation (4/23) _____

*INDICATES VARIANCE OR PERMIT APPEAL

MOTIONS: (Cont'd)

- 85-6 Timberlakes Estates Sanitary District - motion for leave to file recommendation instanter and recommendation (4/30) _____
- 85-26 Stauffer Chemical Company - motion of petitioner to file response to recommendation instanter (4/19) _____
- 85-29 Glaco Corp. - motion for leave to file agency recommendation instanter (4/30) _____
- 85-35 Warner Electric Brake & Cluth Company - motion to dismiss for inadequacy or in the alternative to compel a specification of alleged error (4/18) _____
- 85-37 E-M Company, Inc. - agreed motion to dismiss (4/25) _____
- 85-38 Heckett - motion to dismiss (4/12); motion to dismiss (4/26) _____
- 85-44 DuPage Publications Co. - petitioner's motion to consolidate (4/24) _____
- R82-1 Illinois Power - motion to schedule additional hearing (3/27) _____

DISCUSSIONS:

- *84-123 Village of Energy (JM) (due 5/16) _____
- *84-157 American Can (JTM) (due 5/30) _____

REGULATORY DISCUSSIONS:

- R81-18 Waste Site Chief Operator Prior Conduct Certification, Proposed Rule, Second Notice (JA) _____
- R82-7 Proposal to Amend Chapter 3: Water Regulations by City of Alton, First Notice (JM) _____
- R84-9 RCRA Update (JA) _____

AMENDED PETITION:

83-18 Modine Manufacturing Company (filed 4/23) _____

NEW CASES:

85-46 Hauck v. Wood Dale (11 a.m.) _____

85-50 City of Lockport v. EPA _____

85-51 City of Aurora v. EPA _____

85-52 EPA v. FS Services, Inc. _____

85-53 EPA v. Continental Grain (Hennepin) _____

85-54 EPA v. Continental Grain (Morris) _____

85-55 Illinois-American Water Company v. EPA _____

85-56 McHenry County Landfill, Inc. v. County Board of
McHenry County _____

*85-57 Kable Printing Company v. EPA _____

R85-9 NESHAPS _____

R85-10 NSPS _____

R Petition for Site Specific Exception to Effluent
Standards for the East St. Louis Water Treatment
Plant _____

APPROVAL OF FY 86 MEETING SCHEDULE:

<u>1985</u>	<u>1986</u>
July 11	January 9
August 1	January 23
August 15	February 6
August 29	February 27
September 12	March 13
September 26	March 27
October 10	April 10
October 24	April 24
November 7	May 8
November 21	May 22
December 5	June 5
December 19	June 19

PENDING CASES ASSIGNED:

78-139 Vickery Manor (BF)
82-101 Browning-Ferris (JA)
83-28 Top Chop (BF)
83-61 Missouri Portland (JTM)
*83-172 City of Sycamore (JTM) (due 6/27)
84-3 EPA v. City of Galva (~~JA~~)(JA)
84-124 Citizens of Burbank (BF)
84-155 Thomas Greenland (JM)
*85-6 Timberlakes (BF) (due 6/27)
*85-20 Village of Wataga (JTM) (due 6/27)
*85-22 Village of Hanover Park (JTM) (due 6/27)
*85-24 City of Mt. Olive v. EPA (JTM) (due 6/27)