

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING  
DECEMBER 20, 1985 CHICAGO, ILLINOIS

A.M. SESSION

All Board Members were present.

Opinions and Orders were adopted in these cases by a vote of 7-0: ##85-94, National Marine; 85-104, Village of Aviston; 85-137, Fred Jurcak, Mrs. Anderson concurred.

An Opinion and Order were adopted in #85-105, Village of Glen Carbon, by a vote of 6-1, Mr. Meyer dissented.

A Proposed Rule, Second Second Notice Order was adopted in R82-1, Particulate Emissions, by a vote of 6-1, Mr. Forcade dissented.

A Proposed Rule, First Notice, Order consolidating Regulatory proceeding R84-43, Special Waste Manifests with R85-27, Special Waste Categorization Study, was adopted by a vote of 7-0.

A Proposed Rule, Publication for Public Comment, Opinion and Order were adopted in R85-2, Amoco Oil Delisting, by a vote of 7-0.

Motion to dismiss was granted in #78-233, Florence Farmer, by a vote of 7-0. Mr. Forcade will prepare an Order.

Motion to dismiss and motion for leave to file objection to motion to dismiss instanter was granted in ##84-95, -96, -97, -99, -100, -101, -102, -103, -104, Continental Grain, by a vote of 7-0. Mr. Dumelle will prepare an Order.

Motion to dismiss was denied in ##85-53, -54, -102, Continental Grain, by a vote of 7-0. Mr. Dumelle will prepare an Order.

Motion to continue hearing was granted in #85-138, North Shore Sanitary District, by a vote of 7-0. Mr. Forcade will prepare an Order.

Motion to dismiss was granted in #85-146, Beker, by a vote of 7-0. Mr. Meyer will prepare an Order.

Motion for leave to file Recommendation Instanter was granted in #85-154, Modine, by a vote of 7-0. Mr. Dumelle will prepare an Order.

Motion to amend Agency Record was granted in #85-170, Illinois Power, by a vote of 7-0. Mr. Dumelle will prepare an Order.

Motion to withdraw was granted in #85-178, Illinois Power, by a vote of 7-0. Mr. Dumelle will prepare an Order.

By a vote of 7-0, motion for reconsideration and to vacate was granted in #85-180, Meyer Steel Drum, and #85-144, Meyer Steel Drum, was consolidated with this proceeding. Mr. Dumelle will prepare an Order.

Due to objections received, a hearing was authorized in #85-190, Sours Grain, by a vote of 7-0. A hearing officer will be assigned after the amended petition is received in this proceeding.

Motion to supplement the record was denied in R85-21, Organic Materials. Dr. Flemal will prepare an Order.

These matters were discussed and held to January 9, 1986 for possible consideration: ##81-27, Cabot Corporation; 83-47, Fedders-USA; 83-237, Village of Wauconda; 84-120, -121, Atlas Service Company; 85-5, Fedders-USA; 85-33, Village of Hartford; 85-35, Warner Brake; 85-57, Kable Printing; 85-124, Concerned Neighbors.

These regulatory matters were discussed and held to January 9, 1986 for possible consideration: R84-30, East Peoria; R85-15, Decatur Sanitary District.

In new cases these actions were taken by a vote of 7-0: ##85-181, City of Mt. Olive v. EPA, additional information requested, Order by Mr. Dumelle; 85-182, City of Mendota v. EPA, additional information requested, Order by Mr. Dumelle; 85-183, City of Burlington v. EPA, additional information requested, Order by Mrs. Anderson; 85-184, World Color Press, Inc. v. EPA, hearing authorized and consolidated with 85-185 through 85-188 and 85-195 through 85-200, Order by Mr. Dumelle; 85-201, EPA v. Village of Morton, hearing mandatory; 85-202, Joint Petition of the MSD and EPA for exception to CSO Regulations, accepted and authorized for hearing; 85-203, City of Farmington v. EPA, additional information requested, Order by Mr. Dumelle; 85-204, Archer Daniels Midland Company v. EPA, provisional variance granted, Opinion and Order by Mr. Nega; 85-205, Taylorville Sanitary District v. EPA, provisional variance granted, Opinion and Order by Mr. Nega; 85-206, Village of Romeoville v. EPA, provisional variance granted, Opinion and Order by Mr. Nega; 85-207, City of Charleston v. EPA, provisional variance granted, Opinion and Order by Mr. Nega; R85-33, Joint Proposal of EPA and CBE for amendments to 35 Ill. Adm. Code 212.443, By-Product Coke Plants, accepted and authorized for hearing.

Minutes of this regular Board Meeting date were approved by a vote of 7-0: December 5, 1985.

P.M. SESSION

All Board Members were present save Mr. Nega who was absent.

A Final Order, Adopted Rule, was adopted in R85-22, RCRA Update, by a vote of 6-0.

An Order was adopted in #85-177, City of Columbia, by a vote of 6-0. Mrs. Anderson will prepare it.

A Proposed Rule, Second Notice Opinion and Order were adopted in R83-28(C), Liquid Hazardous Waste, by a vote of 6-0.

All matters not disposed of as listed were ordered held to January 9, 1986 for possible consideration.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above Minutes were approved this 9<sup>th</sup>, day of January, 1986 by a vote of 7-0.

ILLINOIS POLLUTION CONTROL BOARD  
FINAL AGENDA  
DECEMBER 20, 1985 CHICAGO, ILLINOIS  
CONFERENCE ROOM 9-031

**DECISIONS:**

- 84-77 Olin Corporation - Order rejecting Settlement Agreement  
(BF)
- 
- \* 85-94 National Marine (WN)(due)
- 
- \* 85-104 Village of Aviston (JM)(due)
- 
- \* 85-137 Fred Jurcak (JD)(due)
- 
- R82-1 Particulate Emissions, Proposed Rule, Second Second  
Notice Order (JD)
- 
- R83-28 Liquid Hazardous Waste (JM)  
(C)
- 
- R84-30 East Peoria, Proposed Rule, Second Notice, Opinion and  
Order (BF)
- 
- R84-43 Special Waste Manifests, Proposed Rule, First Notice,  
(Consolidation of Regulatory Proceedings)(JD)
- 
- R85-2 Amoco Oil Delisting, First Notice, Opinion and Order  
(BF)
- 
- R85-22 RCRA Update (JA)
- 

**MOTIONS:**

- 78-233 Florence Farmer - motion to dismiss (12/4), motion to  
voluntarily dismiss (12/13)(BF)
- 
- 84-44 U.S. Industrial - Petitioner's motion to dismiss (12/18)
- 
- 84-95 Continental Grain - Agency motion to dismiss (11/12),  
thru motion for leave to file objection to motion to dismiss  
84-104 Instanter (11/20)
- 

**\*INDICATES VARIANCE OR PERMIT APPEAL**

**MOTIONS: (Cont'd)**

- 85-31      Production Finishers - motion to dismiss (11/19)
- 
- 85-44)      DuPage Publications - Agency motion to supplement  
85-70)      hearing record (12/16)(JD)
- 
- 85-53]      Continental Grain - motion to dismiss (11/20), response  
85-54]      (12/6)
- 
- 85-102      Continental Grain - motion to dismiss (11/20), response  
            (12/6)
- 
- 85-137      Fred Jurcak - Agency motion to strike (12/13)
- 
- 85-138      North Shore S.D. - motion to continue hearing (12/16)
- 
- 85-146      Beker - Agency motion to dismiss (10/18), response  
            (12/19)(JTM)
- 
- 85-154      Modine - motion for leave to file Recommendation  
            Instanter (12/11)
- 
- 85-170      Illinois Power - motion to amend Agency Record (12/6)
- 
- 85-177      City of Columbia - Letter dated 12/13, motion to dismiss  
            (12/13), Petitioner's response to Board Order (12/17)  
            (JA)
- 
- 85-178      Illinois Power - Petitioner's motion to withdraw (12/12)
- 
- 85-180      Meyer Steel Drum - motion for reconsideration and to  
            vacate (12/18)
- 
- 85-190      Sours Grain - objection (12/5), objection (12/10)
- 
- R85-21      Organic Materials - motion to supplement the record  
            (11/22)(RF)
- 
- R85-25      Emission Standards - Agency petition to amend (12/12)  
            (JD)
- 

**DISCUSSIONS:**

- 81-27      Cabot Corporation (JTM)
-

DISCUSSIONS: (Cont'd)

- \* 83-47 Fedders-USA (JD)(due 1/9) \_\_\_\_\_
- \* 83-237 Village of Wauconda (RF)(due 1/23) \_\_\_\_\_
- 84-120] Atlas Service Company (WN) \_\_\_\_\_  
84-121]
- \* 85-5 Fedders-USA BF)(due 1/9) \_\_\_\_\_
- 85-33 Village of Hartford (JD) \_\_\_\_\_
- \* 85-35 Warner Brake (BF)(open waiver) \_\_\_\_\_
- \* 85-57 Kable Printing (WN)(due 1/23) \_\_\_\_\_
- 85-105 Village of Glen Carbon (WN) \_\_\_\_\_
- \* 85-124 Concerned Neighbors (RF)(due 1/9) \_\_\_\_\_

REGULATORY DISCUSSIONS:

- R85-15 Decatur Sanitary District (RF) \_\_\_\_\_
- R85-23 UIC Update, Proposed Rule, First Notice (JA) \_\_\_\_\_

FUTURE REGULATORY DISCUSSIONS:

- R77-4 Airport Noise (JM)(January 9, 1986) \_\_\_\_\_
- R85-25 Vehicle Emissions (JD)(January 9, 1986) \_\_\_\_\_

NEW CASES:

- 85-181 City of Mt. Olive v. EPA \_\_\_\_\_
- 85-182 City of Mendota v. EPA \_\_\_\_\_
- 85-183 City of Burlington v. EPA \_\_\_\_\_
- 85-184 World Color Press, Inc. v. EPA (see Agency motion to  
consolidate 12/16) \_\_\_\_\_
- 85-185 World Color Press, Inc. v. EPA \_\_\_\_\_
- 85-186 World Color Press, Inc. v. EPA \_\_\_\_\_

**NEW CASES:** (Cont'd)

- 85-187 World Color Press, Inc. v. EPA \_\_\_\_\_
- 85-188 World Color Press, Inc. v. EPA \_\_\_\_\_
- 85-195 World Color Press, Inc. v. EPA \_\_\_\_\_
- 85-196 World Color Press, Inc. v. EPA \_\_\_\_\_
- 85-197 World Color Press, Inc. v. EPA \_\_\_\_\_
- 85-198 World Color Press, Inc. v. EPA \_\_\_\_\_
- 85-199 World Color Press, Inc. v. EPA \_\_\_\_\_
- 85-200 World Color Press, Inc. v. EPA \_\_\_\_\_
- 85-201 EPA v. Village of Morton \_\_\_\_\_
- 85-202 Joint Petition of the MSD and EPA for exception to CSO  
Regulations \_\_\_\_\_
- 85-203 City of Farmington v. EPA \_\_\_\_\_
- 85-204 Archer Daniels Midland Co. v. EPA  
(Provisional Variance) \_\_\_\_\_
- 85-205 Taylorville Sanitary District v. EPA  
(Provisional Variance) \_\_\_\_\_
- 85-206 Village of Romeoville v. EPA  
(Provisional Variance) \_\_\_\_\_
- 85-207 City of Charleston v. EPA  
(Provisional Variance) \_\_\_\_\_
- 

**MINUTES:**

December 5, 1985

PENDING CASES ASSIGNED:

78-139 Vicker Manor (BF)  
80-151 Archer Daniels (JTM)  
81-144 Marathon (JD)  
82-101 Browning-Ferris (JA)  
\* 83-26 Marathon Petroleum (BF)(open waiver)  
\* 83-29 Marathon Petroleum (BF)(open waiver)  
83-60 Pierce Waste Oil (JM)  
83-61 Missouri-Portland (JTM)  
83-122 Jennison-Wright (BF)  
\* 84-77 Olin Corporation (BF)(due 2/27)  
84-93 S.C. Industries (BF)  
84-125 Clairmont Trucking (BF)  
\* 84-134 Woodstock Die (JTM)(due 3/27)  
84-149) McHenry Consolidated School District (RF)  
84-152)  
84-153)  
\* 84-174 Classic Finishing (JM)(open waiver)  
85-9 Landfill Emergency Action (JA)  
\* 85-14 Electric Energy (JA)(due 3/27)  
85-19 Monsanto (BF)  
85-23 A&R Transport (WN)  
\* 85-44) DuPage Publications (JD)(due 3/27)  
85-70)  
85-130)  
\* 85-72 Carl H. Clark (WN)  
\* 85-83 Marathon Petroleum (JM)(due 1/23)  
\* 85-95 Citizens Utilities (JTM)(due 2/11)  
\* 85-106 Village of Oswego (RF)(due 6/19)  
\* 85-119 Illinois Power (JD)(due 3/27)  
\* 85-126 Oasis Outdoor (JD)(open waiver)  
85-127 Rip's Fertilizer Service (WN)  
\* 85-128 City of Flora (RF)(due 1/23)  
85-129 Richard Termaat (JA)  
85-132 General Fire Extinguisher (WN)  
85-135 Michael Delaney (WN)  
\* 85-141 Browning-Ferris (JM)(due 2/6)  
\* 85-147 City of Herrin (JM)(due 2/6)  
\* 85-171 Electric Energy (JM)(due 1/23)





STATE  
OF  
ILLINOIS

# POLLUTION CONTROL BOARD

STATE OF ILLINOIS CENTER • 100 WEST RANDOLPH STREET • SUITE 11-500 • CHICAGO, ILLINOIS 60601 • 312-793-3620

JACOB D. DUMELLE, CHAIRMAN  
OAK PARK, ILLINOIS

JOAN G. ANDERSON  
WESTERN SPRINGS, ILLINOIS

RONALD C. FLEMAL  
DEKALB, ILLINOIS

BILL S. FORCADE  
CHICAGO, ILLINOIS

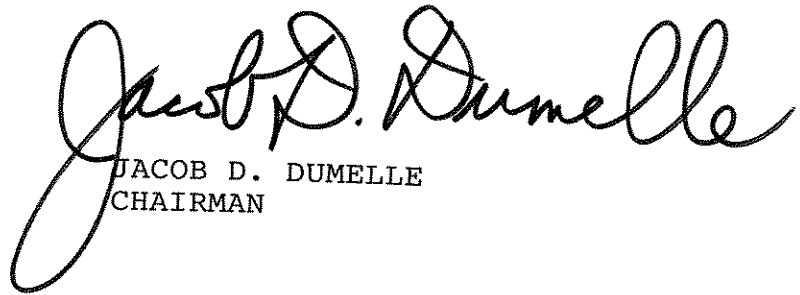
JOHN C. MARLIN  
URBANA, ILLINOIS

J. THEODORE MEYER  
CHICAGO, ILLINOIS

WALTER J. NEGA  
CHICAGO, ILLINOIS

## NOTICE OF CHANGE IN POLLUTION CONTROL BOARD MEETING SCHEDULE

PUBLIC NOTICE IS HEREBY GIVEN that the Illinois  
Pollution Control Board meeting originally scheduled for  
December 19, 1985 has been changed to December 20, 1985.  
This meeting will begin at 10:30 a.m. in Conference  
Room 9-031.



JACOB D. DUMELLE  
CHAIRMAN

Posted and Circulated  
12/13/85

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING  
DECEMBER 5, 1985 CHICAGO, ILLINOIS

All Board Members were present.

Opinions and Orders were adopted in these cases by a vote of 7-0: #82-82, Borden Chemical, Mr. Dumelle concurred; 84-85, Village of Orangeville; 85-75, Demeter, Inc.

Motion to stay hearing was granted in #78-233, Florence Farmer, by a vote of 7-0. Mr. Forcade will prepare an Order.

Motion to reconsider sanctions was denied and motion for expedited hearing referred to hearing officer in #84-118, Richard McCormick, by a vote of 7-0. Mr. Forcade will prepare an Order.

An Order was adopted in #84-124, Overnite Trucking, by a vote of 6-1; Mr. Meyer dissented. Mr. Forcade will prepare it.

Motion to file Instanter a post hearing brief was granted in #84-149, -52, -53, McHenry Consolidated School District, by a vote of 7-0. Dr. Flemal will prepare an Order.

Motion for leave to file amended Agency Recommendation Instanter was granted in #84-174, Classic Finishing, by a vote of 7-0. Mr. Forcade will prepare an Order.

Motion to withdraw was granted in #85-16, Reynolds Metals, by a vote of 7-0. Mr. Forcade will prepare an Order.

Motion for leave to file Instanter and amend briefing schedule and motion to dismiss #84-45 was granted in #84-44, -45, DuPage Publications, by a vote of 6-1; Mr. J. Theodore Meyer dissented. Mr. Dumelle will prepare an Order.

Voluntary motion to withdraw was granted in #85-111, Ecko Products, by a vote of 7-0. Mr. Forcade will prepare an Order.

By a vote of 7-0 the motion in limine in #85-155, Interstate Pollution, was referred to the hearing officer for disposition. Mr. Forcade will prepare an Order.

An Order was adopted in #85-192, McHenry County, by a vote of 6-1; Mr. J. Theodore Meyer dissented. Mr. Dumelle will prepare it.

These matters were discussed and held to December 20, 1985 for possible consideration: #85-35, Warner Brake; 85-94, National Marine; 85-104, Village of Aviston; 85-105, Village of Glen Carbon.

These regulatory matters were discussed and held to December 20, 1985 for possible consideration: R84-43, Special Waste Manifests; R85-23, UIC Update.


In new cases these actions were taken by a vote of 7-0: #85-173, EPA v. Majestic Wood Carving Company, hearing mandatory; 85-174, White County Board v. EPA, additional information requested, Order by Mr. Dumelle; 85-175, EPA v. Continental Grain Company, hearing mandatory; 85-176, EPA v. Continental Grain Company, hearing mandatory; 85-177, City of Columbia et al. v. County of St. Clair and Browning-Ferris Industries, additional information requested, Order by Mrs. Anderson; 85-178, Illinois Power Company v. EPA, additional information requested, Order by Mr. Dumelle; 85-179, Camsco Produce Company v. EPA, additional information requested, Order by Mr. Dumelle; 85-180, Meyer Steel Drum, Inc. v. EPA, motion to consolidate denied and additional information requested, Order by Mr. Dumelle; R85-29, Proposed Amendments to Subtitle C: Water Pollution, docket opened and motion for emergency rule denied, Order by Mr. Dumelle.

Resolutions and Orders were adopted in these regulatory matters by a vote of 7-0: R85-30, National Emission Standards for Hazardous Air Pollutants; R85-31, New Source Performance Standards; R85-32, New Source Performance Standards. Mr. J. Theodore Meyer will prepare them.

Minutes of this regular Board Meeting date were approved by a vote of 7-0: November 21, 1985.

All other matters not disposed of as listed were ordered held to December 20, 1985 for possible consideration.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board do hereby certify that the above Minutes were approved this 20<sup>th</sup> day of December, 1985 by a vote of 7-0.

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