

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING
MAY 9, 1986 CHICAGO, ILLINOIS

All Board Members were present.

An Opinion and Order were adopted in #83-166, Mobil Chemical, by a vote of 7-0. Mr. Dumelle concurred. (BF)

Motion to amend by B. Forcade and seconded by J. Anderson passed by a vote of 5-2 with B. Forcade, J. Marlin, J. Anderson, J. Theodore Meyer and W. Nega for it and J. Dumelle and R. Flemal against. An Opinion and Order were then adopted in ##85-44, -70, -130, DuPage Publications, by a vote of 5-2. Messrs. Dumelle and Flemal dissented. (BF)

An Opinion and Order were adopted in #85-171, Electric Energy, by a vote of 7-0. (JM)

An Interim Order was adopted in 85-14, Electric Energy, by a vote of 7-0. (JA)

An Opinion and Order were adopted in #85-183, Village of Burlington, by a vote of 5-2. Messrs. J. Dumelle and B. Forcade dissented. (RF)

An Opinion and Order were adopted in #85-212, Village of Morton CSO, by a vote of 7-0. Board Members J. Anderson, J. Dumelle, and B. Forcade concurred. (RF)

An Opinion and Order were adopted in #85-214, City of Rock Island CSO, by a vote of 7-0. Board Members J. Anderson and J. Dumelle concurred. (RF)

An Opinion and Order were adopted in #85-225, City of Cairo CSO, by a vote of 7-0. Board Members J. Anderson and J. Dumelle concurred. (JM)

An Opinion and Order were adopted in #86-24, City of Yorkville, by a vote of 5-2. Messrs. J. Dumelle and B. Forcade dissented. (JM)

An Opinion and Order were adopted in #86-35, Lake County Public Works, by a vote of 6-1. J. Dumelle dissented and B. Forcade concurred. (JA)

A Proposed Rule, Fourth Second Notice, Proposed Opinion and Order were adopted in R82-1(B), Opacity Rule, by a vote of 6-1. Mr. Forcade dissented. (JD)

An Order was adopted in #79-145, Celotex, by a vote of 6-1. Dr.

Flemal dissented. (JA)

Application for stay was granted in #80-151, Archer Daniels, by a vote of 4-3. Board Members J. Anderson, B. Forcade and J. Marlin dissented. (JTM)

Motion for leave to file Second Amended Petition was granted in #84-81, Nesco Steel Barrel, by a vote of 7-0. (BF)

Joint motion for a decision without hearing was denied in #85-50, City of Lockport, by a vote of 7-0. (JD)

Motion for voluntary dismissal was granted in #85-73, Duo-Fast, by a vote of 7-0. (JD)

Motion for reconsideration was granted in #85-119, Illinois Power, by a vote of 7-0. (BF)

Motion for sanctions was granted in #85-136, Navem Patel, by a vote of 7-0. (JA)

Motion for leave to file Instanter a reply to Agency's objection to Petitioner's motion to incorporate record was granted in #85-154, Modine, by a vote of 7-0. Dr. Marlin concurred. (BF)

Motion for leave to file Instanter the Agency Recommendation was granted in #85-203, City of Farmington, by a vote of 7-0. (BF)

Motion to bring limited issues before the Board was denied in #86-32, City of Sycamore, by a vote of 6-1. Mr. Meyer dissented. (JD)

Motion to file Instanter the Agency Recommendation was granted in #86-42, Village of Bensenville, by a vote of 7-0. (JTM)

Due to objections received, a hearing was authorized in #86-45, Mobil Oil, by a vote of 6-1. Mr. Meyer dissented. (JM)

Motion to file Instanter the Permit Record was granted in #86-49, M.I.G. Investments, by a vote of 7-0. (JD)

Motion to amend by J. Anderson passed by a vote of 5-2 with J. Anderson, J. Marlin, J. Theodore Meyer, R. Flemal and W. Nega for it and J. Dumelle and B. Forcade against. An Order, authorizing a hearing in #86-54, Village of Lemont, was adopted by a vote of 6-1. Mr. Forcade dissented. (JA)

These cases were discussed and held to May 22, 1986 for possible consideration: ##82-144, City of Galena; 83-18, Modine Manufacturing; 85-46, William J. Hauck; 86-30, Village of Stillman Valley; 86-36, City of Batavia; 86-42, Village of Bensenville.

An Opinion and Order were adopted in #85-210, City of Peoria CSO,

by a vote of 5-2. Messrs. Forcade and Meyer dissented and Board members J. Dumelle and J. Anderson concurred. (JM)

These regulatory matters were discussed and held to May 22, 1986 for possible consideration: R81-18, Chief Operator Certification; R82-7, Alton Site-Specific; R82-14, RACT III; R84-30, East Peoria Site-Specific.


In new cases these actions were taken by a vote of 7-0: ##86-64, Abbott Laboratories v. EPA, hearing authorized, Order by Mr. Forcade; 86-66, Good Hope Sanitary District v. EPA, provisional variance granted, Opinion and Order by Mr. Nega.

A hearing was authorized in new case #86-65, Village of Willowbrook, by a vote of 6-1. Mr. Forcade dissented. (JA)

Minutes of the April 24, 1986 Board meeting were approved by a vote of 7-0.

All other matters not disposed of as listed were ordered held to May 22, 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 22nd day of May, 1986 by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD
FINAL AGENDA
MAY 9, 1986 CHICAGO, ILLINOIS
CONFERENCE ROOM 8-033

DECISIONS:

- 83-166 Mobil Chemical (BF) _____
- * 85-17 S&C Electric (JD)(due) _____
- 85-44) DuPage Publications (JD)(due) _____
85-70)
85-130)
- 85-139 City of Metropolis CSO (JD) _____
- * 85-171 Electric Energy (JM)(due 7/21) _____
- * 85-14 Electric Energy, Interim Order (JA) _____
- * 85-183 Village of Burlington (RF)(due) _____
- 85-212 Village of Morton CSO (RF) _____
- 85-214 City of Rock Island CSO (RF) _____
- 85-225 City of Cairo CSO (JM) _____
- * 86-24 City of Yorkville (JM)(due) _____
- * 86-35 Lake County Public Works (JA)(due 6/5) _____
- R77-12 Amendments to Chapter 3, Resolution and Order (JD)
(D) _____
- R82-1 Opacity Rule, Proposed Rule, Second Notice, (JD)
(B) _____
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MOTIONS:

- 79-145 Celotex - motion to Board for sanctions for
Complainant's failure to obey Hearing Officer Orders
(4/18), objection to Respondent's motion for sanctions
for Complainant's failure to obey the Hearing Officer
Orders (4/24), request for Special Board Meeting (4/28),
motion to stay (4/28), opposition to request for Special
Board Meeting (5/2)(JA) _____

***INDICATES VARIANCE OR PERMIT APPEAL**

MOTIONS: (Cont'd)

- 80-151 Archer Daniels - application for stay (5/2)_____
- 83-157 Lamplighter Realty - motion to clarify (5/7)_____
- 84-81 Nesco Steel Barrel - motion for leave to file Second Amended Petition (5/5), Agency response (5/8)_____
- 85-50 City of Lockport - joint motion for a decision without hearing (4/29)_____
- 85-73 Duo-Fast - motion for voluntary dismissal (5/2), withdrawal of petition (5/2)_____
- 85-119 Illinois Power - Agency motion for reconsideration (4/30), Petitioner's motion for reconsideration (4/30)_____
- 85-136 Navem Patel - motion for sanctions (4/21)_____
- 85-154 Modine - appeal of Hearing Officer's Order denying motion to selectively incorporate prior record (4/21), renewed objection to Petitioner's motion to incorporate record of previous variance hearing (4/24), motion for leave to file Instanter Reply to Agency's objection to Petitioner's motion to incorporate record (5/7)_____
- 85-174 White County Board - Agency motion for reconsideration (4/30)(RF)_____
- 85-203 City of Farmington - motion for leave to file Agency Recommendation Instanter (5/1)(BF)_____
- 85-210 City of Peoria - motion for leave to file Response Instanter (5/2)(JM)_____
- 86-32 City of Sycamore - motion to bring limited issues before the Board (4/16)_____
- 86-42 Village of Bensenville - Agency motion to file Recommendation Instanter (4/29)(JTM)_____
- 86-45 Mobil Oil - Objection (4/24), Objection 4/30)(JM)_____
- 86-48 Wells Manufacturing - motion for reconsideration (4/28)_____
- 86-49 M.I.G. Investments - motion to file Permit Record Instanter (5/5)_____

MOTIONS: (Cont'd)

86-54 Village of Lemont - more information Order, Objection
(5/5), 3 Objections (5/6)(BF)

DISCUSSIONS:

- 82-144 City of Galena (JD)
- * 83-18 Modine Manufacturing (RF)(due 5/22)
- 85-46 William J. Hauck (JD)
- 85-210 City of Peoria CSO (JM)(possible decision)
- * 86-30 Village of Stillman Valley (JM)(due 5/22)
- * 86-36 City of Batavia (JTM)(due 7/9)
- * 86-42 Village of Bensenville (JTM)(open waiver)
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REGULATORY DISCUSSIONS:

- R81-18 Chief Operator Certification (JA)
- R82-14 RACT III (BF)
- R84-30 East Peoria Site-Specific (BF)
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NEW CASES:

- 86-64 Abbott Laboratories v. EPA (BF)
- 86-65 Village of Willowbrook v. EPA (BF)
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MINUTES:

April 24, 1986 _____

PENDING CASES ASSIGNED:

76-84 Santa Fe Park (JD)
78-139 Vickery Manor (BF)
81-144 Marathon (JD)
82-101 Browning-Ferris (JA)
83-163 Larry Bittle (RF)
84-93 S.C. Industries (BF)
84-124 Overnite Trucking (BF)
84-125 Clairmont Trucking (BF)
84-161 L&S Industries (JD)
* 84-174 Classic Finishing (JM)(open waiver)
85-9 Landfill Emergency Action (JA)
* 85-14 Electric Energy (JA)(due 6/5)
85-19 Monsanto (BF)
* 85-106 Village of Oswego (RF)(due 6/19)
* 85-126 Oasis Outdoor (JD)(open waiver)
85-129 Richard Termaat (JA)
* 85-179 Camsco Produce (JTM)(due 6/19)
* 85-209 Village of Carol Stream (RF)(due 6/19)
85-210 City of Peoria CSO (JM)
* 85-217 City of Dixon (JA)(due 6/5)
85-219 City of Watseka CSO (JD)
85-224 Aurora Sanitary District CSO (BF)
85-226 City of Pekin CSO (JA)
* 86-9 Trilla Steel Drum (JM)(due 8/140)
* 86-10 Bravo-Ernst (BF)(due 6/19)
86-37 Blake Water Corporation (WN)
* 86-41 Village of Lake Zurich (JTM)(due 6/5)
* 86-45 Mobil Oil (JM)(due 7/29)
* 86-52 City of Johnston City (JD)(due 7/14)
* 86-53 Central Illinois Utility (JTM)(due 9/12)
* 86-54 Village of Lemont (BF)(due 7/22)