

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING
AUGUST 28, 1986 CHICAGO, ILLINOIS

All Board Members were present save for Mr. Nega who was ill.

An Order was adopted in #86-76, Fritz Enterprises, by a vote of 4-2. Messrs. Forcade and Flemal dissented. (JTM)

A Proposed Rule, First Notice, Opinion and Order were adopted in R85-21(A), Volatile Organic Compounds, by a vote of 6-0. Mr. Dumelle concurred. (RF)

A Report of the Board was adopted in R86-8, A Plan for Protecting Illinois Groundwater, by a vote of 6-0. (RF)

A Resolution and Order were adopted in R86-33, NESHAPS, by a vote of 6-0. (JTM)

By a vote of 6-0 a petition for permanent variance filed on August 27, 1986 and docketed as a new variance petition was construed as a motion to modify the Board's April 3, 1986 Order in #78-135, Village of Palos Park. (JD)

Motions to strike and for sanctions were denied in #79-145, Celotex, by a vote of 6-0. (JA)

Motion to stay decision in #82-101, Browning-Ferris, was granted until September 22, 1986 by a vote of 6-0. (JD)

Motion to reinstate in #82-144, City of Galena, was granted by a vote of 6-0. (JD)

An Order requesting a status report in #84-125, Clairmont Trucking, was adopted by a vote of 6-0. (BF)

Motion to strike Petitioner's response to Agency's motion for reconsideration was denied in #85-44, -70, -130, DuPage Publications, by a vote of 6-0. (BF)

Application for stay of decision and/or modification of Order in #85-182, City of Mendota, was denied by a vote of 6-0. (RF)

Motion for reconsideration in #86-54, Village of Lemont, was denied by a vote of 6-0. (BF)

Agency motion for reconsideration in #86-64, Abbott Laboratories, was granted by a vote of 6-0. (JD)

Motion for leave to file the Recommendation Instanter in #86-73, Village of Pawnee, was granted by a vote of 6-0. (JD)

Motion for extension of time to file record of proceedings in

#86-109, Waste Management, was granted by a vote of 6-0. (JD)

Motions for conditional waiver; to rescind Board's Order for hearing; and motion for expedited Board meeting and for leave to file an Amended Petition were denied in #86-121, City of Joliet, by a vote of 4-2. Mrs. Anderson and Mr. Meyer dissented. (BF)

Motion to dismiss in #86-123, Military and Naval Department, was granted by a vote of 6-0. (JA)

Motion for leave to extend forced submission of prepared testimony in R82-14, RACT III, was granted by a vote of 6-0. (BF)

Motion for a protective order was granted and motions to compel and produce were denied in R86-10, Abbott Laboratories, by a vote of 6-0. (JD)

These cases were discussed and held to September 11, 1986 for possible consideration: ##85-50, City of Lockport; 85-202, Metropolitan Sanitary District CSO; 86-63, Central Illinois Utility; 86-59, City of Round Lake Beach; 86-80, City of Ottawa.

These regulatory matters were discussed and held to September 11, 1986 for possible consideration: R82-14, RACT III(A&B); R84-30, City of East Peoria; R84-42, Pathological Incinerators; R85-7, CILCO Site-Specific; R85-11, East St. Louis Site-Specific.

Hearings were authorized in amended petitions ##86-120, Enron Chemical and 86-121, City of Joliet, by a vote of 6-0. (BF)

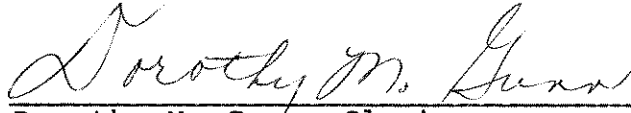
In new cases these actions were taken by a vote of 6-0: ##86-124, Modine Manufacturing Company v. EPA, hearing authorized, **Order by Mr. Forcade**; 86-126, Illinois Department of Transportation, Jean Wright, **Chairman authorized to sign permit document and to prepare an Order**; 86-127, Illinois Department of Transportation, Elizabeth Isham, **Chairman authorized to sign permit document and to prepare an Order**; 86-129, Illinois Department of Transportation, City of Highland Park, **Chairman authorized to sign permit document and to prepare an Order**; 86-130, Illinois Department of Transportation, A. Watson Armour III, **Chairman authorized to sign permit document and to prepare an Order**; 86-131, Illinois Department of Transportation, City of Lake Forest, **Chairman authorized to sign permit document and to prepare an Order**; 86-132, Illinois Department of Transportation, North Shore Sanitary District, **Chairman authorized to sign permit document and to prepare an Order**; 86-133, Illinois Department of Transportation, Mark Metzner, **Chairman authorized to sign permit document and to prepare an Order**; 86-135, City of Pekin v. EPA, Provisional Variance granted, **Opinion and Order by Mr. Dumelle**; R84-17(C), Waste Management Proposal, 200 signature requirement waived; proposal will proceed as subdocket C; records in Docket A and B were incorporated into that of Docket C and the three dockets consolidated, **Order by Mrs. Anderson**.

In other new cases these actions were taken by a vote of 5-1: #86-125, City of Morris v. EPA, additional information requested, J. Anderson dissented, **Order by Mr. Forcade**; 86-128, Illinois Department of Transportation, Congregation B'nai Torah, additional information requested, Dr. Flemal dissented, **Order by Mr. Forcade**.

Minutes of the August 14, 1986 Board meeting were approved by a vote of 6-0.

All other matters not disposed of as listed were ordered held to September 11, 1986 for possible consideration.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above Minutes were approved on this 11th day of September, 1986 by a vote of 6-0.



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

ILLINOIS POLLUTION CONTROL BOARD
FINAL AGENDA
AUGUST 28, 1986 CHICAGO, ILLINOIS
CONFERENCE ROOM 9-031

DECISIONS:

- * 86-76 Fritz Enterprises (JTM)(due)_____
- R84-48 LTV Steel Site-Specific, Proposed Rule, Second Notice,
Opinion and Order (JTM)_____
- R85-21 VOC, Proposed Rule, First Notice, Opinion and Order
(Docket A)(RF)_____
- R85-28 National Can Site-Specific, Proposed Rule, First Notice,
Opinion and Order (JTM)_____
- R86-8 Report on Groundwater Protection Plan (RF)_____
- R86-33 NESHAPS Correction, Resolution and Order (JTM)_____
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MOTIONS:

- 79-145 Celotex - Celotex motion for additional sanctions
(8/13), objection to Celotex's motion for additional
sanctions (8/18), Celotex motion for leave to file reply
instanter and Celotex reply to objection to Celotex's
motion for additional sanctions (8/20), Celotex
objection to complainant's filing with Board "The
Champaign Quality Assurance Program Documents" (8/20),
Celotex motion to Board to overrule certain aspects of
Hearing Officer order regarding implementation of
sanctions (8/20)(JA)_____
- 82-101 Browning-Ferris - motion to stay decision (8/7)(JD)

- 82-144 City of Galena - motion to reinstate (8/20)(JD)_____
- 84-125 Clairmont Trucking - Board Order-status report (BF)

- 85-44 DuPage Publications - motion to strike DuPage's 8/13
85-70 Response to Agency's motion for reconsideration (8-21)
85-130 (BF)_____
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***INDICATES VARIANCE OR PERMIT APPEAL**

MOTIONS: (Cont'd)

- 85-182 City of Mendota - application for stay of decision and/or modification or Order (8/13)(RF) _____
- 86-54 Village of Lemont - motion for reconsideration (8/12), responses to motion for reconsideration (8/20 & 8-21), amended motion for reconsideration (8-20) (JTM) _____
- 86-57) Village of Sauget - motion for reconsideration (8/15)
86-62) (JA) _____
- 86-58) Village of Sauget - motion for reconsideration (8/15)
86-63) (JA) _____
- 86-64 Abbott Laboratories - Agency motion for reconsideration (8/14)(JD) _____
- 86-73 Village of Pawnee - motion for leave to file Recommendation Instanter (8/19) _____
- 86-108 Joliet Sand & Gravel - motion to dismiss (8/8) _____
- 86-109 Waste Management - motion to dismiss petition for cross appeal (8/15), motion for extension of time to file record of proceedings (8/21) _____
- 86-119 Enron Chemical - motion to dismiss (8/26) _____
- 86-121 City of Joliet - motion for conditional waiver (8/19), motion to recind Board's Order for hearing (8/19/), motion for expedited Board meeting (8/19), motion for leave to file Amended Petition (8/19) _____
- 86-123 Military and Naval Dept. - motion to dismiss (8/21), response to Board Order of 8/14 (8/21)(JA) _____
- R82-14 RACT III - motion for leave to extend forced submission of prepared testimony (8/25)(BF) _____
- R86-10 Abbott Laboratories - Petitioner's motion for a Protective Order (4/10), Agency's response to motion for a Protective Order (4/22), Petitioner's motion for leave to file replies to Agency's response to motion for Protective Order (4/24), Petitioner's reply Memorandum in support of its motion for Protective Order and in opposition to the Agency's motion to compel discovery (8/4)(JD) _____
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DISCUSSIONS:

- * 85-50 City of Lockport (RF)(due 9/11)_____
- 85-202 Metropolitan S.D. CSO (JD)_____
- * 86-53 Central Illinois Utility (JTM)(due 9/11)_____
- * 86-59 City of Round Lake Beach (RF)(due 9/25)_____
- * 86-80 City of Ottawa (JTM)(due 9/11)_____
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REGULATORY DISCUSSIONS:

- R82-14 RACT III (BF)_____
- Coke Ovens (Section 215.500) Withdraw First Notice _____
- Petroleum Dry Cleaners, First Notice _____
- Heatset Web Offset Agency Proposed amendment to
definition of VOM _____
- R84-30 City of East Peoria (BF)_____
- R84-42 Pathological Incinerators, Second Notice (BF)_____
- R85-7 CILCO Site-Specific (RF)_____
- R85-11 East St. Louis Site-Specific (RF)_____
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FUTURE REGULATORY DISCUSSIONS:

- R85-20 New Source Review Rule (JD)(9/11)
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AMENDED PETITIONS:

- 86-120 Enron Chemical (filed 8/19) citizens objections (8/25 &
8/26)_____
- 86-121 City of Joliet (filed 8/19)(see motions)_____
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NEW CASES:

- * 86-124 Modine Manufacturing Company v. EPA _____
 - * 86-125 City of Morris v. EPA _____
 - 86-126 IDOT, Jean Wright (JD) _____
 - 86-127 IDOT, Elizabeth Isham (JD) _____
 - 86-128 IDOT, Congregation B'nai Torah (JD) _____
 - 86-129 IDOT, City of Highland Park (JD) _____
 - 86-130 IDOT, A. Watson Armour III (JD) _____
 - 86-131 IDOT, City of Lake Forest (JD) _____
 - 86-132 IDOT, North Shore Sanitary Dist. (JD) _____
 - 86-133 IDOT, Mark Metzner (JD) _____
 - * 86-134 Village of Palos Park v. EPA _____
 - R84-17 Waste Management Proposal (8/15) (JA) _____
(Doc. C)
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MINUTES:

AUGUST 14, 1986 _____

PENDING CASES ASSIGNED:

81-144 Marathon (JD)
81-151 Dean Foods (BF)
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)
* 85-14 Electric Energy (JA)(open waiver)
85-19 Monsanto (BF)
* 85-84 Illinois Power Company (JD)(due 11/6)
85-129 Richard Termaat (JA)
85-173 Majestic Wood (JD)
* 85-179 Camsco Produce (JTM)(due 9/25)
85-208 North Shore S.D. CSO (BF)
* 85-209 Village of Carol Stream (RF)(due 10/23)
85-219 City of Watseka CSO (JD)
85-222 S.D. of Elgin CSO (JTM)
85-224 Aurora S.D. CSO (BF)
86-1 City of Peru CSO (JTM)
86-2 City of LaSalle CSO (JTM)
86-3 City of Oglesby CSO (JA)
86-6 City of Wood River CSO (JD)
* 86-9 Trilla Steel Drum (JM)(due 9/25)
* 86-73 Village of Pawnee (JTM)(due 10/9)
* 86-97 Village of Oak Brook (JM)(due 9/25)