

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING
JANUARY 8, 1987 CHICAGO, ILLINOIS

All Board Members were present.

An Interim Order was adopted in #84-124, Overnite Trucking, by a vote of 6-0. (BF)

An Opinion and Order were adopted in #85-52, Growmark, Inc., by a vote of 6-0. (JD)

An Opinion and Order were adopted in #85-227, Van Leer Containers, by a vote of 5-1. B. Forcade dissented and J. Marlin concurred. (JD)

An Opinion and Order were adopted in #86-125, City of Morris, by a vote of 4-2. J. Dumelle and B. Forcade dissented. (JM)

An Opinion and Order were adopted in #86-142, Village of Hanover Park, by a vote of 6-0. B. Forcade concurred. (JTM)

An Opinion and Order were adopted in #86-152, Chanute Air Force Base, by a vote of 5-1. B. Forcade dissented and J. Marlin concurred. (RF)

An Order dismissing the petition in #86-192, Lee R. Siegfried, was adopted by a vote of 6-0. (BF)

A Proposed Rule, Second Notice, Proposed Opinion and Order were adopted in R84-13, Union Oil Site-Specific, by a vote of 5-1. B. Forcade dissented. (JM)

Orders were adopted in these Administrative Citation cases by a vote of 6-0: #86-1, Everett Allen; 86-2, Macon County Landfill Corp.; 86-3, Joseph Thomas; 86-4, Upper Rock Island Landfill; 86-5, H&L Disposal; 86-6, Everett Allen; 86-8, Nobel Risley.

Motion to Board for permission to submit Brief was granted in #79-145, Celotex, by a vote of 6-0. (JD)

Joint motion to remand permit appeals to Agency for further consideration was granted in #84-132, -133, Modine Manufacturing, by a vote of 6-0. (JD)

An Order was adopted in #85-190, Sours Grain, by a vote of 5-0. J. Theodore Meyer voted present. (JA)

Agency motion to dismiss was granted in #86-7, Fritz Enterprises, by a vote o 5-1. J. Theodore Meyer dissented and J. Dumelle

concurrent. (BF)

Motion for reconsideration was denied in #86-12, Illinois Power, by a vote of 6-0. (RF)

Motion for modification of Board Order was granted in #86-73, Village of Pawnee, by a vote of 6-0. (JTM)

Motion for reconsideration was granted in #86-91, Ekco Glaco, by a vote of 6-0. B. Forcade concurred. (JM)

Emergency motion to Board to overrule certain aspects of the Hearing Officer's Second Order regarding discovery was denied in #86-159, Joliet Sand and Gravel, by a vote of 6-0. (JA)

Request for extension of time to file an amended petition was granted in #86-187, New Jersey Zinc, by a vote of 6-0. (JA)

Due to an objection, a hearing was authorized in #86-213, City of South Beloit. J. Dumelle concurred. (BF)

An Interim Order was adopted in R82-14, RACT III, by a vote of 6-0. (BF)

An Order was adopted in R85-21(A), VOC, by a vote of 6-0. (RF)

Agency motion to dismiss amended petition for site-specific rule change was denied in R86-25, Tilton, by a vote of 6-0. (JM)

These cases were discussed and held to January 22, 1987 for possible consideration: ##80-21, Interstate Pollution Control; 83-163, Larry Bittle; 84-81, Nesco Steel Barrel; 85-4, John Eilrich; 85-88, Richard Nauman; 85-222, Sanitary District of Elgin CSO; 86-1, City of Peru CSO; 86-2, City of LaSalle CSO; 86-3, City of Oglesby CSO; 86-32, City of Sycamore; 86-74, E.J. Brach & Sons; 86-94, Raymond Larson; 86-159, Joliet Sand & Gravel; 86-165, City of Ottawa.

These regulatory matters were discussed and held to January 22, 1987 for possible consideration: R77-4, Airport Noise; R83-7, Stationary Noise; R85-15, Decatur Site-Specific; R85-20, New Source Review Rule; R85-28, National Can Site-Specific; R86-28, RCRA Update (April 1, 1986 through June 30, 1986); R86-34, Municipal Incinerator Definitions; R86-46, RCRA Update (July 1, 1986 through September 30, 1986).

In new cases these actions were taken by a vote of 6-0: ##86-218, City of East Moline v. EPA, hearing authorized; 86-219, Illinois Department of Transportation, Wilmette Park District, **Chairman authorized to sign permit document and to prepare an Order**; 86-222, Vickory Manor Service Corporation v. EPA, hearing authorized; 86-223, Morton Thiokol, Inc. v. EPA, additional information requested, **Order by J. Dumelle**; 86-224, General Tire, Inc. v. EPA, additional information requested, **Order by B.**

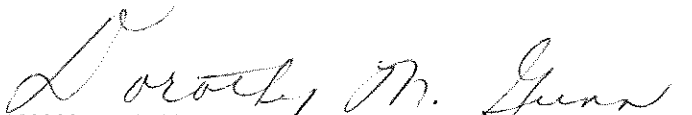
Forcade; 86-225, City of Geneva v. EPA, additional information requested, **Order by J. Dumelle;** 86-226, Village of Fox River Grove v. EPA, hearing authorized; 87-1, Chicago Transit Authority v. EPA, provisional variance granted, **Order of the Board by J. Dumelle;** 87-2, Rochelle Municipal Utilities v. EPA, provisional variance granted, **Opinion and Order by J. Dumelle;** 87-3, Celotex-Quincy Plant v. EPA, provisional variance granted, **Opinion and Order by J. Dumelle;** R87-1, John Deere Site-Specific, accepted for publication and 200-signature requirement waived.

A hearing was authorized in this Administrative Citation case by a vote of 6-0: #86-7, Village of Atkinson.

These new Administrative Citation cases were received: ##86-17, Gordon T. Montgomery Trucking; 86-18, Robert L. Bishop and Dean L. Bishop; 86-19, City of Kewanee.

Minutes of these Board Meeting dates were approved by a vote of 6-0: December 18 and December 23, 1986.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above Minutes were approved this 22nd day of January, 1987 by a vote of 6-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD
FINAL AGENDA
JANUARY 8, 1987 CHICAGO, ILLINOIS
CONFERENCE ROOM 9-031

DECISIONS:

- 84-124 Overnite Trucking, Interim Order (BF) _____
- 85-52 Growmark, Inc. (JD) _____
- * 85-227 Van Leer Containers (JD)(due) _____
- * 86-125 City of Morris (JM)(due) _____
- * 86-140 Village of Villa Park (JTM)(due 2/19) _____
- * 86-142 Village of Hanover Park (JTM)(due 3/5) _____
- * 86-152 Chanute Air Force Base (RF)(due 2/5) _____
- * 86-192 Lee R. Siegfried (BF)(due 3/5) _____
- R82-27) Procedural Rules, Proposed Rules, First Notice (BF)
R82-36) (Site-Specific Regulation/Agency Proposal) _____
R83-37) _____
- R84-13 Union Oil, Proposed Rule, Second Notice, Proposed
Opinion and Order (JM) _____

AC DECISIONS:

- 86-1 Everett Allen _____
- 86-2 Macon County Landfill Corp. _____
- 86-3 Joseph Thomas _____
- 86-4 Upper Rock Island Landfill _____
- 86-5 H&L Disposal _____
- 86-6 Everett Allen _____

*INDICATES VARIANCE OR PERMIT APPEAL

AC DECISIONS: (Cont'd)86-8 Nobel Risley

MOTIONS:79-145 Celotex - motion to Board for permission to submit Brief (1/6)

84-132 Modine Manufacturing - joint motion to remand to Agency for further consideration (12/19)

84-133 Modine Manufacturing - joint motion to remand to Agency for further consideration (12/19)

86-7 Fritz Enterprises - Agency motion to dismiss (12/29)

86-12 Illinois Power - motion for reconsideration (12/10), Agency response to motion to reconsider (12/22)(RF)

86-73 Village of Pawnee - motion for modification of Board Order (12/31)(JTM)

86-91 Ekco Glaco - motion for reconsideration (12/19)(JM)

86-139 IDOT, U.S. Army Corps - motion for reconsideration (12/30)(BF)

86-159 Joliet Sand & Gravel - Agency motion for costs (12/30), Petitioner's opposition to Agency motion for costs (1/5), emergency motion to Board to overrule certain aspects of Hearing Officer second Order regarding discovery (1/6), Agency's supplement to motion for costs (1/7)(JA)

86-187 New Jersey Zinc - request for extension of time (12/24), Agency response (1/2)(JA)

86-193 City of Freeport - Agency motion for relief from misjoinder (12/10)

86-213 City of South Beloit - Objection (1/5)

R82-14 RACT III - request for confidentiality by the Duo-Fast Corporation (12/12), motion for additional hearing by the 3M Company (12/22)(BF)

R85-21 VOC - Agency Second Notice motion (12/17)(RF)

MOTIONS: (Cont'd)

R86-25 Tilton Site-Specific - Agency motion to dismiss amended petition for site specific rule change (12/17)(JM)

DISCUSSIONS:

80-21 Interstate Pollution Control (JD) _____

83-163 Larry Bittle (RF) _____

* 84-81 Nesco Steel Barrel (JTM)(due 1/22) _____

85-4 John Eilrich (RF) _____

85-88 Richard Nauman (JD) _____

85-222 Sanitary District of Elgin CSO (JTM) _____

86-1 City of Peru CSO (JTM) _____

86-2 City of LaSalle CSO (JTM) _____

86-3 City of Oglesby CSO (JA) _____

86-32 City of Sycamore (RF) _____

86-74 E.J. Brach & Sons (JD) _____

86-94 Raymond Larson (JM) _____

* 86-159 Joliet Sand & Gravel (JA)(due 1/22) _____

* 86-165 City of Ottawa (JA)(due 1/22) _____

REGULATORY DISCUSSIONS:

R77-4 Airport Noise (JM) _____

R83-7 Stationary Noise (JA) _____

R85-15 Decatur Site-Specific (JA) _____

R85-20 New Source Review Rule (JD) _____

R85-28 National Can Site-Specific (JTM) _____

R86-28 RCRA Update (April 1, 1986 through June 30, 1986)(JA)

REGULATORY DISCUSSIONS: (Cont'd)

- R86-34 Municipal Incinerator Definitions (RF) _____
- R86-46 RCRA Update (July 1, 1986 through September 30,
1986)(JA) _____
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NEW CASES:

- 86-218 City of East Moline v. EPA _____
- 86-219 IDOT, Wilmette Park District (JD) _____
- 86-222 Vickory Manor Service Corporation v. EPA _____
- 86-223 Morton Thiokol, Inc. v. EPA _____
- 86-224 General Tire, Inc. v. EPA _____
- 86-225 City of Geneva v. EPA _____
- 86-226 Village of Fox River Grove v. EPA _____
- 87-1 Chicago Transit Authority v. EPA (Provisional Variance)
(JD) _____
- 87-2 Rochelle Municipal Utilities v. EPA (Provisional
Variance)(JD) _____
- 87-3 Celotex-Quincy Plant v. EPA (Provisional Variance)(JD)

- R87- John Deere Site-Specific _____
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AC APPEALS:

- 86-7 Village of Atkinson _____
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NEW AC FILINGS:

- 86-17 Gordon T. Montgomery Trucking _____
- 86-18 Robert L. Bishop and Dean L. Bishop _____
- 86-19 City of Kewanee _____

MINUTES:

December 18, 1986 _____

December 23, 1986 _____

PENDING CASES ASSIGNED:

81-151 Dean Foods (BF)
82-101 Browning-Ferris (JD)
84-64 Center For Rehabilitation (RF)
84-93 S.C. Industries (BF)
85-19 Monsanto (BF)
85-69 Maplehurst Farms (JM)
85-131 Concerned Neighbors (BF)
* 85-138 North Shore Sanitary District (JA)(open waiver)
* 85-154 Modine Manufacturing (RF)(open waiver)
* 85-166 Citizens Utilities (JTM)(open waiver)
* 85-179 Camsco Produce (JTM)(due 4/30)
* 85-190 Sours Grain (JD)(open waiver)
85-202 Metropolitan S.D. CSO (JD)
85-208 North Shore S.D. CSO (BF)
* 85-209 Village of Carol Stream (RF)(due 6/25)
85-216 City of Clinton CSO (JM)
85-218 City of Belleville CSO (JD)
85-219 City of Watseka CSO (JD)
85-224 Aurora S.D. CSO (BF)
86-6 City of Wood River CSO (JD)
* 86-9 Trilla Steel Drum (JM)(due 2/5)
* 86-18 Hillview Farms (JD)(open waiver)
* 86-21 Allied-Hastings (JA)(due 2/19)
* 86-48 Wells Manufacturing (RF)(due 2/19)
86-50 Chicago Steel (JD)
86-56 Trilla Steel Drum (JD)
86-79 John Prior (JM)
* 86-143 Frantz Manufacturing (RF)(due 2/5)
* 86-147 Central Illinois Public Service (JD)(due 3/5)
* 86-150 American Hoechst (JM)(open waiver)
* 86-157 City of Elmhurst (JA)(due 3/19)
* 86-158 Village of Elizabethtown (JD)(due 4/2)
* 86-174 IBP, Inc. (JM)(due 2/5)
* 86-179 City of Ottawa (JA)(due 3/5)
* 86-185 Citizens Utilities (JA)(due 2/19)
* 86-197 Wayne County Board (BF)(due 3/5)
* 86-199 North Suburban Public Utility (RF)(due 3/19)
* 86-202 Bloomington & Normal S.D. (RF)(due 3/5)
* 86-207 Village of Lemont (JTM)(due 4/2)