

# ENVIRONMENTAL REGISTER

No. 426

April 24, 1991

## BOARD MAKES EcIS DETERMINATIONS IN R90-25 AND R90-26, AMENDMENTS TO THE LANDFILL REGULATIONS

On March 28, 1991, the Board determined that at this time no economic impact study (EcIS) would be required in connection with R90-26 (Steel and Foundry Industry Amendments). The Board made a similar determination for R90-25 (Utility Industry Amendments) on April 11, 1991. Both proceedings involve proposed amendments to the Board's landfill regulations that were adopted in R88-7 and are found at 35 Ill. Adm. Code 810-815.

## BOARD & STAFF ACTIVITIES

Board Member Jacob D. Dumelle attended the first conference of the Mother Earth Network in Franklin Park on April 7th. He also attended the Illinois Asphalt Pavement Association Conference on April 8th in Springfield. On April 10th he testified before the House Environment and Energy Committee on behalf of the Board in favor of Rep. Grace Mary Stern's H.B. 10 which concerned gasoline vapor recovery equipment at

filling stations, now required under the Clean Air Act Amendments.

Mr. Dumelle has accepted an advisory appointment to the Air Resources Task Force of the Northeastern Illinois Planning Commission. A talk by Mr. Dumelle titled "Environmental Problems Today: Public Health Problems Tomorrow" was reprinted in The Illinois Engineer of Feb-Mar 1991. Copies are available free upon request.

## FOR YOUR INFORMATION

The conference "Working Together to Manage Waste" will be held May 7th and 8th at the Bismarck Hotel. This conference is the twenty-second in a series of conferences on waste management. Further information on speakers, sponsors and accommodations can be found in the back of this issue. Also included in this issue is a conference registration form. Eileen Johnston, co-ordinator, can be contacted at (312) 814-3470 or (708) 251-4386.

## FINAL ACTIONS - APRIL 11, 1991 BOARD MEETING\*

- PCB 87-107 Lake County Public Works Dept. Wildwood Subdivision Water Supply System v. IEPA - The Board found petitioner in compliance with Condition 6 of its April 7, 1988 Order and denied petitioner's motion to amend internal variance deadlines as unnecessary concerning its Lake County facility. Board Members J.D. Dumelle and B. Forcade concurred.
- PCB 89-170 Centralia Environmental Services, Inc. v. IEPA - The Board denied petitioner's motion for stay of its October 25, 1990 Opinion and Order upholding the Agency's denial of Centralia Environmental Services' permits for its Marion County facility. Board Member J.D. Dumelle concurred.
- PCB 90-62 People of the State of Illinois v. Sure-Tan, Inc., an Illinois Corp. - The Board found respondent violated the Act and Board air pollution regulations, ordered respondent to pay a penalty of \$10,000 for deposit into the Environmental Protection Trust Fund and to cease and desist from further violations at its Cook County facility.
- PCB 90-95 ESG Watts, Inc. v. IEPA - The Board affirmed the Agency's denial of petitioner's NPDES permit application concerning its Rock Island County facility.
- PCB 90-144 ESG Watts, Inc. v. IEPA - The Board affirmed the Agency's denial of petitioner's RCRA Part B permit application concerning its Rock Island County facility.
- PCB 90-231 Frank Whitlock et al v. Montgomery Board of Supervisors et al. - The Board found the Montgomery Board of Supervisors lacked jurisdiction to hear the landfill siting application and vacated the decision of the County board granting site location approval for a Montgomery County facility. Board Members R. Flemal and J. Theodore Meyer

concurring.

- PCB 90-239 Madison County Conservation Alliance et al v. Madison County et al. - The Board found the County Board of Madison County lacked jurisdiction to hear the landfill siting application and vacated the decision of the County Board the granting site location approval for a Madison County regional pollution control facility. Board Member J. Theodore Meyer dissented.
- PCB 91-62 Sherwin Williams Co. V. IEPA - In the absence of an Agency Recommendation, the Board dismissed this docket. Board Members J.D. Dumelle and B. Forcade concurred.
- AC 90-21 County of McHenry v. McHenry County Sanitary Landfill and Recycling Center, Inc. - This matter was dismissed with prejudice on a joint motion.
- AC 90-38 (A & B) St. Clair County v. Harold Fults et al. - The Board granted respondent's motion to withdraw the petition for review, found respondent had violated Section 21(q)(1) of the Act at its St. Clair County facility and imposed a fine of \$500.
- AS 89-2 In The Matter Of: Elizabeth Street Foundry, Inc., an Illinois Corp. The Board denied petitioner's motion for rehearing and other relief and noted that the proper procedural path for the petitioner is to file a new petition for an adjusted standard.
- R90-11 RCRA Update. USEPA Regulations (4-1-90 through 6-30-90) - This rulemaking updates Illinois' RCRA hazardous waste regulations to correspond with federal amendments during the period of April 1 through June 30, 1990. Amends 35 Ill. Adm. Code 703, 720, 721, 722, 724, 725, 726 and 728.

#### NEW CASES - APRIL 11, 1991 BOARD MEETING

- PCB 91-3 Calvary Temple Church v. IEPA - Held until April 25, 1991.
- PCB 91-39 TransTechnology Corp. v. IEPA - Held until April 25, 1991.
- PCB 91-42 Franklin D.R. Vickers and Ruth J. Vickers v. Village of Millstadt - Held until April 25, 1991.
- PCB 91-48 Wonder View Improvement Assn. v. Northern Illinois Utilities, Inc. - Held until April 25, 1991.
- PCB 91-50 Karl Christ and Helen Christ v. Compost Enterprises, Inc. The Board found the complaint not duplicitous concerning noise and odor violations at respondent's McHenry County facility, denied respondent's motion to dismiss and granted complainants additional time to serve an amended complaint with the Board.
- PCB 91-51 Norma Jane Collins v. Robert's Foods, Inc. - Complainant alleges violations of the Act and Board noise regulations at respondent's Sangamon County facility. Accepted for hearing.
- PCB 91-57 Monsanto Co. v. IEPA - Petitioner seeks permit review for its St. Clair County facility. Accepted for hearing.
- PCB 91-58 City of St. Charles v. IEPA - Petitioner seeks variance from the Board's public water supply regulations concerning the maximum amount of radium and gross alpha particle activity in a public water supply for its Kane/DuPage County facility. Held for Agency Recommendation.
- PCB 91-59 Village of Westmont v. IEPA - Petitioner seeks variance from the Board's public water supply regulations concerning Standards for Issuance and Restricted Status relating to allowable radium concentrations in community water supplies for its DuPage County facility. Held for Agency Recommendation.
- PCB 91-60 People of the State of Illinois v. Thomas Steel Corp. an Illinois Corp. et al. Complainant alleges violations of the Act and Board air pollution regulations at respondent's Will County facility.
- PCB 91-61 Big River Zinc Corp. v. IEPA - Held until April 25, 1991.
- PCB 91-62 Sherwin Williams Co. v. IEPA - See Final Actions.
- PCB 91-63 Office Park of Hinsdale, Inc. v. IEPA - Petitioner seeks permit review for its DuPage County facility. Accepted for hearing.
- PCB 91-64 Charles and Senoria Brown et al v. IEPA - Petitioner seeks review of an Underground Storage Tank Reimbursement Determination for its St. Clair County facility. Accepted for hearing.

## CALENDAR

- May 3 10:00 a.m. L-S-R Land and Lakes Company, JMC Operations, Inc., and NBD Trust Company of Illinois as Trustee v. Village of Romeoville - PCB 91-7, Romeoville Village Hall, Village Board Room, 13 Montrose St., Romeoville.
- May 9 Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.**
- May 10 10:30 a.m. A-E People of the State of Illinois v. F.S. Madison Service Company - PCB 90-230, Edwardsville City Hall, Council Chambers, Second Floor, 400 N. Main St., Edwardsville.
- May 10 9:30 a.m. A-E People of the State of Illinois v. Amoco Petroleum Additives Company - PCB 91-20, Edwardsville City Hall, Council Chambers, Second Floor, 400 N. Main St., Edwardsville.
- May 13 10:00 a.m. PWS-V City of DeKalb v. EPA - PCB 91-34, Municipal Building, Council Chambers, Second Floor, 200 S. Fourth St., DeKalb.
- May 20 9:30 a.m. R Utility Industry Amendments to the Landfill Regulations (35 Ill. Adm. Code 810-815), R90 25, Northeastern Illinois Planning Commission, 400 W. Madison St., Chicago.
- May 23 10:00 a.m. A-E People of the State of Illinois v. A.B. Dick Company - PCB 90-218, State of Illinois Center, 100 W. Randolph St., Suite 11-500, Chicago.
- May 23 10:30 a.m. A-E People of the State of Illinois v. Richheimer, d/b/a Richheimer Coffee Company - PCB 91-40 State of Illinois Center, 100 W. Randolph St., Suite 11-500, Chicago.
- May 23 Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.**
- May 29 9:30 a.m. R Steel and Foundry Industry Amendments to the Landfill Regulations (35 Ill. Adm. Code 810 815), R90-26, Northeastern Illinois Planning Commission, 400 W. Madison St., Chicago.
- May 29 9:30 a.m. W-V Zeiler Coal Company v. EPA - PCB 91-12, Grand Jury Room, Randolph County Courthouse, One Taylor St., Chester.
- May 30 10:00 a.m. R Utility Industry Amendments and Steel Industry Amendments to the Landfill Regulations (35 Ill. Adm. Code 810-815), R90-25 and R90-26, IEPA - Sangamon Building Conference Room D, 1340 N. Ninth St., Springfield. (This hearing will be limited to any additional matters in either docket that were not dealt with at the prior hearings.)
- May 30 9:30 a.m. R In the Matter of: Groundwater Quality Standards (35 Ill. Adm. Code 620) - R89-14(B), Mayer, Brown & Platt, 190 S. LaSalle St., 39th Floor (Rooms 1, 2, & 3), Chicago.
- May 31 10:00 a.m. P-A Office Park of Hinsdale, Inc. v. EPA - PCB 91-63, Police-Fire Building, Second Floor, 121 Symonds Drive, Hinsdale.
- June 3 10:00 a.m. A-E People of the State of Illinois v. Bridgestone/Firestone, Inc. - PCB 90-202, Second Floor Conference Room, #1 Civic Center Plaza, Southeast Corner of Eldorado & Franklin, Decatur.
- June 6 Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.**
- June 20 Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.**
- June 28 10:00 a.m. P-A Natural Gas Pipeline Company of America v. EPA - PCB 87-150, City of Kankakee, Council Chambers, Second Floor, 385 East Oak Street, Kankakee.
- July 10 10:00 a.m. W-E Herman W. Prescott v. City of Sycamore - PCB 90-187, DeKalb County Courthouse, Room 206, 133 W. State St., Sycamore.
- July 11 10:00 a.m. W-E Herman W. Prescott v. City of Sycamore - PCB 90-187, DeKalb County Courthouse, Room 206, 133 W. State St., Sycamore.

July 12 9:30 a.m.	A-C	<u>EPA v. Bernard Leitschuh</u> - AC 90-91, Montgomery County Courthouse, Courthouse Square, Hillsboro.
July 16 10:00 a.m.	A-S	<u>Petition of Granite City Steel for Adjusted Standard. 35 Ill. Adm. Code 302.102, 302.208, 302.210 and Subpart F. Procedures for Determining Water Quality Criteria</u> - AS 90-4, Mayor's Conference Room, City Hall, 2nd Floor, 200 Edison Ave., Granite City.
July 19 10:00 a.m.	A-C	<u>EPA v. Omer Thomas</u> - AC 89-215, Shelbyville City Hall, Council Chambers, 170 E. Main St., Shelbyville.
August 27 10:00 a.m.	A-V	<u>DMI, Inc. v. EPA</u> - PCB 90-227, Woodford County Courthouse, County Board Room, 115 N. Main St., Eureka.
September 16 10:00 a.m.	P-A	<u>Olin Corporation v. EPA</u> - PCB 89-178, Alton City Hall, 101 E. Third St., Alton.

\* Times and locations of hearings and meetings appearing in the Environmental Register are subject to cancellation or rescheduling without notice. Confirmation of that information may be obtained from the Clerk of the Board at 312/814-6931.

\*\* The Pollution Control Board meetings listed in the calendar (highlighted) are unlike the other hearings listed in that, while they are open to the public, public participation is generally not allowed, except upon the granting of a motion for oral argument.

CALENDAR CODE:

A-C	ADMINISTRATIVE CITATION	A-E	AIR ENFORCEMENT
A-S	ADJUSTED STANDARD	A-V	AIR VARIANCE
CSO	COMBINED SEWER OVERFLOW EXCEPTION	L-E	LAND ENFORCEMENT
L-S-R	LANDFILL SITING REVIEW	L-V	LAND VARIANCE
N-E	NOISE ENFORCEMENT	N-V	NOISE VARIANCE
P-A	PERMIT APPEAL	PWS-E	PUBLIC WATER SUPPLY ENFORCEMENT
PWS-V	PUBLIC WATER SUPPLY VARIANCE	R	REGULATORY PROCEEDING
SO <sub>2</sub>	SO <sub>2</sub> ALTERNATIVE STANDARDS	SWH-E	SPECIAL WASTE HAULING ENFORCEMENT
SWH-V	SPECIAL WASTE HAULING VARIANCE	T	THERMAL DEMONSTRATION RULE (35 ILL. ADM. CODE 302.211(F))
T-C	TAX CERTIFICATIONS	T-S	TRADE SECRETS
W-E	WATER ENFORCEMENT	W-V	WATER VARIANCE
WWS	WATER-WELL SETBACK EXCEPTION		
UST-FRD	UNDERGROUND STORAGE TANK FUND REIMBURSEMENT DETERMINATION		