

ENVIRONMENTAL REGISTER

Illinois Pollution Control Board News

No. 448

March 25, 1992

RULEMAKING UPDATE

BOARD PROPOSES SDWA UPDATE (R91-3)

On March 11, 1992, the Board proposed to update the Safe Drinking Water Act (SDWA) rules to include USEPA amendments which appeared in the Federal Register between July 1, 1990 and January 31, 1992.

The SDWA rules are mandated by Section 17.5 of the Act and are based on 40 CFR 141 and 143. They are located in the Board's rules in 35 Ill. Adm. Code 611 governing public water supplies.

Most of this Update concerns the USEPA "Phase II" rules from the January 30, 1991, Federal Register. This involves the adoption of "revised MCL's" for some eight inorganic contaminants, ten organic contaminants and fourteen pesticides and PCBs. Accompanying these revised MCLs is a major overhaul of the monitoring and reporting requirements.

Also included in this update is approval for additional uses of the "MMO-MUG" test for microbial contamination. One USEPA approval occurred on January 8, 1991. The Board has also proposed to include the additional approvals from the January 15, 1992, Federal Register.

The proposal will appear in the Illinois Register in the near future. To be added to the mailing list, contact Morton Dorothy at 217/333-5575.

BOARD DETERMINES NO ECIS IS NECESSARY IN STAGE II GASOLINE VAPOR RECOVERY RULES, R91-30

On March 11, 1992, the Board determined that an Economic Impact Study is not necessary for the Stage II gasoline vapor recovery rules proceeding. The proposed rules are intended to regulate the installation and operation of systems for gasoline vapor recovery of emissions from the fueling of motor vehicles. Pursuant to Section 182(b)(3) of the Clean Air Act, as amended in 1990 (CAAA), Illinois is to submit these regulations as a revision to its State implementation plan (SIP) by November 15, 1992. This proposal is directed at both Illinois non-attainment areas. These include the Chicago area counties of Cook, DuPage, Kane, Lake, McHenry, and Will, as well as Oswego township in Kendall County and Aux Sable and Goose Lake Townships in Grundy County; and the Metro-East area, consisting of Madison, Monroe, and St. Clair Counties.

The Board considered comments filed by the Illinois Environmental Protection Agency and the Department of Energy and Natural Resources (DENR) that cost information has already been included in the proposal, and that preparation of an EcIS would duplicate the efforts that DENR has already expended. The Board determined that no EcIS is necessary, stating that the

presentation of economic information at hearing and in comments in this proceeding should be sufficient for the Board's consideration of the economic impact of the proposed rule. The Board noted that it may change its determination pursuant to Section 27 of the Environmental Protection Act, if the proposal is substantially modified or if information in the record indicates that an economic impact study would be advisable.

Persons interested in the proposal should contact the hearing officer, Michelle C. Dresdow, at (815) 753-0947 for further information.

BOARD SENDS PROPOSAL IN RACT EXPANSION FOR THE CHICAGO AREA TO FIRST NOTICE, R91-28

On March 11, 1992, the Board sent the Illinois Environmental Protection Agency's proposal to first notice. The proposal is intended to expand the geographical applicability of reasonably available control technology (RACT) regulations to certain stationary sources of volatile organic material (VOM) in Goose Lake and Aux Sable Townships in Grundy County, Illinois, and to Oswego Township in Kendall County, Illinois. On July 25, 1991, the Board adopted revisions to the State implementation plan (SIP) to make it consistent with the existing Federal implementation plan (FIP) in docket R91-7. The revised SIP contains a complete set of RACT regulations applying to stationary VOM sources located in the six Chicago area counties of Cook, Lake, DuPage, Kane, McHenry, and Will. However, the RACT regulations do not include Aux Sable and Goose Lake Townships in Grundy County and Oswego Township in Kendall County. The Agency believes that because these townships have now been included within the Chicago area boundaries designated by USEPA as nonattainment for ozone, they also must be included in the SIP.

Pursuant to a provision of the Clean Air Act Amendments (CAAA)(42 USC §7511a(c) and a(b)(2)), Illinois is to submit regulations changing the applicability of parts 215 and 218 as a revision to its SIP by November 15, 1992.

The Board emphasized that in sending this proposal to first notice, it adopts no substantive position on the merits of the proposal. The Board believes that publishing the proposal at this time will maximize the opportunity for public comment on the proposal, and allow for greater opportunity for amendments to be adopted within the CAAA deadline.

As a reminder, a hearing has been set by the hearing officer for:

TUESDAY MAY 12, 1992
11:00 a.m.
Oswego Law Enforcement Center
Community Room
3525 Route 34
(Across from Fox Bend Golf Course)
Oswego, IL

Those interested in further information on this proceeding should contact the Michelle C. Dresdow, Hearing Officer, at (815) 753-0947.

SECOND NOTICE IN R91-35

On March 11, 1992, the Board adopted for second notice the PM-10 statewide episode regulations. The proposal prescribes state-wide limits for emission of particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers (known as PM-10).

These rules are a portion of the State implementation plan for PM-10 and the Board has certified these rules as federally required. The annual PM-10 standard is set at a level of 50 micrograms per cubic meter, in the form of an annual arithmetic mean. In addition, the proposal adopts 600 micrograms of PM-10 per cubic meter as a 24-hour average, as the significant harm level. Questions concerning this rulemaking should be addressed to the hearing officer, Marie E. Tipsord, 100 W. Randolph, Suite 11-500, Chicago, IL 60601 (312) 814-4925.

BOARD CLOSES DOCKET IN R91-25

On March 11, 1992, the Board voted 7-0 to close the docket in R91-25, Amendments to Noise Regulations.

On November 25 and 26, 1991, the Board held inquiry hearings in this matter. After the close of the public comment period, the Agency informally informed the Board that due to the limited resources of the noise program, it is unable to present a proposal to the Board at this time. Because there is no proponent in this matter to carry it forward, the Board will close this docket. Any person presenting a noise proposal to the Board should consider incorporating all or part of the record from R91-25. The Board wishes to thank those who participated at the hearings and those who submitted comments.

BOARD AND STAFF ACTIVITIES

On March 3, 1992, Board Member Bill Forcade spoke to the members of a Chicago-Kent Law School course on Scientific Analysis of Environmental Problems. The topic was "Environmental Health Decisions in Illinois."

Board Member Forcade gave an update on the Board to the members of the Chicago Bar Association Environmental Law Committee on February 4, 1992.

FOR YOUR INFORMATION

The Board has adopted the following Fiscal Year 92/93 regular meeting schedule:

<u>1992</u>	<u>1993</u>
July 9, 30	January 7, 21
August 13	February 4, 25
September 3, 17	March 11, 25
October 1, 15, 29	April 8, 22
November 19	May 6, 20
December 3, 17	June 3, 17

FINAL ACTIONS - MARCH 11, 1992 BOARD MEETING

PCB 88-174 Allied-Signal, Inc. v. IEPA - This matter was dismissed on the petitioner's motion.

PCB 90-59 Michael L. Christianson v. The American Milling Co. - The Board ordered American Milling Co. to take specified abatement measures to reduce sound emissions at its Tazewell/Peoria County facility and closed the docket.

PCB 91-128 Oather Druen, Evelyn Druen and Amy Pirtle, v. James Leonard - The Board found the settlement agreement acceptable under 35 Ill. Adm. Code 103.180 for James Leonard's LaSalle County facility.

PCB 91-220 Waste Management of Illinois, Inc. v. IEPA - The Board granted the Petitioner's motion for voluntary dismissal with prejudice for Waste Management's Will County facility.

PCB 92-1 Russel L. Bacon v. IEPA - The Board granted the Agency motion to dismiss.

PCB 92-39 City of Princeton v. IEPA - The Board granted the City of Princeton's provisional variance with conditions from 304.104, 302.212 and 304.141(a) from the Board's water pollution regulations for the City of Princeton's Bureau County facility.

AC 92-1 County of Madison v. Beulah Henry - The Board found Beulah Henry violated Section 21(p)(5) of the Act and imposed a penalty of \$500 payable to the General Fund-Solid Waste Fine concerning the Madison County facility.

AC 92-2 IEPA v. Glenn Schriener - The Board found Glenn Schriener violated Sections 21(q)(1) and 21(q)(3) of the Act and imposed a penalty of \$1,000 payable to the Environmental Protection Trust Fund concerning the Mercer County facility.

AC 92-4 IEPA v. Litchfield-Hillsboro Sanitary

Landfill, Inc. - The Board granted the Agency motion to dismiss.

AS 91-4 In the Matter of: Petition of Amoco Oil Co. for Adjusted Standard form 35 Ill. Adm. Code Sections 725.213(d)(1)(B) and 725.321(a) - The Board granted Amoco Oil an Adjusted Standard from 35 Ill. Adm. Code Sections 725.213(d)(1)(B) and 725.321(a) subject to conditions for its Madison County facility.

R 86-29 In the Matter of: Amendments to 35 Ill. Adm. Code 604.202 of Subtitle F: Public Water Supplies (Aluminum) - This matter was dismissed by the Board.

NEW CASES - MARCH 11, 1992 BOARD MEETING

PCB 92-37

requirement were filed. The Board directed the Clerk of the Board to cause publication of the required newspaper notice and reserved ruling on the parties' request until

after the expiration of 25 days of Illinois v. ARO Ready Mix, Inc., a/d

PCB 92-38 Stacey G. Howard v. Caterpillar, Inc. - Complainant alleged violations of Board's noise pollution regulations at respondent's Tazwell County facility. Held for duplicitous and frivolous determination.

PCB 92-39 City of Princeton v. IEPA - See Final Actions.

The Illinois Pollution Control Board is an independent seven member board which adopts the environmental control standards for the State of Illinois and rules on enforcement actions and other environmental disputes. The Board Members are:

John C. Marlin, Chairman
Urbana, Illinois

Joan G. Anderson
Western Springs, Illinois

G. Tanner Girard
Grafton, Illinois

Ronald C. Flemal
DeKalb, Illinois

J. Theodore Meyer
Chicago, Illinois

Bill S. Forcade
Chicago, Illinois

Michael L. Nardulli
Chicago, Illinois

The Environmental Register is a newsletter published by the Board after every Board meeting. The Register provides updates on rulemakings and other information, lists final actions, and contains the Board's hearing calendar. The Register is provided free of charge.

CALENDAR OF HEARINGS

All hearings held by the Board are open to the public. All Pollution Control Board Meetings (highlighted) are open to the public but public participation is generally not allowed. Times and locations are subject to cancellation and rescheduling without notice. Confirmation of hearing dates and times is available from the Clerk of the Board at (312) 814-6931.

March 26

Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.

March 26
9:30 a.m.

PCB 89-177
P-A

CWM Chemical Services, Inc. v. EPA and People of the State of Illinois - Loyola Law School, Room 124 or 229, Corboy Courtroom, 1 East Pearson, Chicago.

March 27
9:00 a.m.

PCB 89-177
P-A

CWM Chemical Services, Inc. v. EPA and People of the State of Illinois - Loyola Law School, Room 124 or 229, Corboy Courtroom, 1 East Pearson, Chicago.

March 27 9:00 a.m.	PCB 91-195 A-E	<u>Scott A. Thomas and Karen A. Thomas v. Carry Companies of Illinois, Inc.</u> - Macon County Courthouse, County Board Room, 253 E. Wood St., Decatur.
March 30 9:30 a.m.	R91-30 R	<u>In the Matter of: Amendments to 35 Ill. Adm. Code Subtitle B: Air Pollution, Reasonably Available Control Technology - Stage II Vapor Recovery for Chicago and St. Louis Area</u> - State of Illinois Center, Room 9-031, 100 W. Randolph St., Chicago.
March 31 9:30 a.m.	PCB 89-177 P-A	<u>CWM Chemical Services, Inc. v. EPA and People of the State of Illinois</u> - Loyola Law School, Room 124 or 229, Corboy Courtroom, 1 East Pearson, Chicago.
April 1 9:00 a.m.	PCB 89-177 P-A	<u>CWM Chemical Services, Inc. v. EPA and People of the State of Illinois</u> - Loyola Law School, Room 124 or 229, Corboy Courtroom, 1 East Pearson, Chicago.
April 1 10:30 a.m.	PCB 90-197 P-A	<u>The Celotex Corporation (Tuscola Facility) v. EPA</u> - Adams County Building, Small Jury Room, 521 Vermont St., Quincy.
April 2 9:00 a.m.	PCB 91-197 P-A	<u>Cabot Corporation v. EPA</u> - Douglas County Courthouse, First Floor, 401 S. Center St. (Northwest Corner), Tuscola.
April 2 9:30 a.m.	R91-30 R	<u>In the Matter of: Amendments to 35 Ill. Adm. Code Subtitle B: Air Pollution, Reasonably Available Control Technology - Stage II Vapor Recovery for Chicago and St. Louis Area</u> - Illinois Department of Transportation Classroom, 1100 Eastport Plaza, Collinsville.
April 2 10:00 a.m.	PCB 91-256 L-S-R	<u>Gallatin National Company v. The Fulton County Board and the County of Fulton</u> - Fulton County Farm Bureau, Route 97 and 100, Lewistown.
April 3 9:30 a.m.	PCB 91-194 W/CSO-E	<u>Residents of Cedarville v. Village of Cedarville</u> - Stephenson County Courthouse, County Board Room, First Floor, 15 Galena Ave., Freeport.
April 3 10:00 a.m.	AC 89-275 A-C	<u>EPA v. Quantum Chemical Corporation</u> - Tuscola Community Building, Council Chambers, 122 W. North Central, Tuscola.
April 6 9:30 a.m.	PCB 89-177 P-A	<u>CWM Chemical Services, Inc. v. EPA and People of the State of Illinois</u> - Loyola Law School, Room 124 or 229, Corboy Courtroom, 1 East Pearson, Chicago.
April 7 9:00 a.m.	PCB 89-177 P-A	<u>CWM Chemical Services, Inc. v. EPA and People of the State of Illinois</u> - Loyola Law School, Room 124 or 229, Corboy Courtroom, 1 East Pearson, Chicago.
April 8 10:00 a.m.	PCB 91-237 P-A	<u>Laidlaw Environmental Services of Illinois, Inc. v. EPA</u> - Rockford Public Library, Room A, Lower Level, 215 N. Wyman St., Rockford.
April 8 10:00 a.m.	PCB 91-238 P-A	<u>Laidlaw Environmental Services of Illinois, Inc. v. EPA</u> - Rockford Public Library, Room A, Lower Level, 215 N. Wyman St., Rockford.
April 9		<u>Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.</u>
April 15 10:00 a.m.	PCB 91-184 P-A	<u>The C.P. Hall Company v. EPA</u> - State of Illinois Center, Suite 11-500, 100 W. Randolph St., Chicago.
April 15 10:00 a.m.	R91-23 R	<u>In the Matter of: Marathon Oil Company Petition for Site-Specific Rule Change, 35 Ill. Adm. Code 303.323</u> - Courthouse Commecium, Conference Room 280, 301 S. Cross St., Robinson.
April 16 10:00 a.m.	PCB 91-57 P-A	<u>Monsanto Company v. EPA</u> - Sauget Village Hall, 2897 Falling Springs Road, Sauget.
April 16 10:00 a.m.	PCB 92-30 UST-FRD	<u>Dynamic Hydra-Blasting, Inc. v. EPA</u> - Alton City Hall, 101 E. 3rd St., Alton.
April 16 10:30 a.m.	PCB 91-234 P-A	<u>Safety-Kleen Corp. (Pekin Facility) v. EPA</u> - Pekin City Council Chambers, 400 Margaret St., Pekin.
April 21	PCB 92-28	<u>CSX Transportation, Inc. v. EPA</u> - State of Illinois Center, Suite 11-500, 100 W.

9:30 a.m.	UST- FRD	Randolph St., Chicago.
April 21 10:00 a.m.	PCB 92-22 UST-FRD	<u>Warren's Service v. EPA</u> - Mercer County Courthouse, County Board Room, Aledo.
April 21 10:00 a.m.	PCB 92-25 L-S-R	<u>Land and Lakes Company, JMC Operation, Inc. and NBD Trust Company of Illinois as Trustee under Trust No. 2624EG v. Village of Romeoville</u> - Romeoville Village Hall, Board Room, 13 Montrose St., Romeoville.
April 23		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
April 24 10:00 a.m.	PCB 91-134 P-A	<u>Safety-Kleen Corporation (Elgin Recycle Center) v. EPA</u> - State of Illinois Center, Suite 11-500, 100 W. Randolph St., Chicago.
April 29 9:00 a.m.	PCB 92-10 UST-FRD	<u>Kelly Williamson Company v. EPA</u> - Ogle County Courthouse, 4th & Washington Sts., State's Attorney's Conference Room, Oregon.
April 29 10:00 a.m.	PCB 90-201 N-E	<u>David L. Dravis and Margo Dravis v. M & D AG, Jerry McGinn, and Bert Davis</u> - Whiteside County Courthouse, 200 E. Knox St., Morrison.
April 29 1:00 p.m.	AC 91-45 AC	<u>County of Ogle v. Rochelle Disposal Services, Inc., Operator and City of Rochelle</u> -Ogle County Courthouse, 4th & Washington Sts., State's Attorney's Conference Room, Oregon.
April 30 9:30 a.m.	PCB 90-42 P-A	<u>Stepan Company v. EPA</u> - Will County Courthouse, 14 W. Jefferson St., Room 439, Joliet.
April 30 9:30 a.m.	PCB 91-154 L-E	<u>Carrell and Mary Bates v. Edward E. Brake; Ella F. Brake; Eugene Gale Heiser, in his individual capacity and d/b/a Heiser Oil & Gas Company, an Illinois Corporation</u> - Fisher Village Hall, Council Chambers, 104 W. Front St., Fisher.
May 1 10:00 a.m.	AS 91-5 AS	<u>In the Matter of Elizabeth Street Foundry, Inc., an Illinois Corporation, Petition for Adjusted Standard, 35 Ill. Adm. Code 212.321</u> - State of Illinois Center, Suite 11-500, 100 W. Randolph St., Chicago.
May 7		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
May 7 9:30 a.m.	PCB 91-202 P-A	<u>Sherex Chemical Co., Inc. v. EPA</u> - Peoria County Courthouse, Board of Supervisors, Jefferson & Main Street, Peoria.
May 12 11:00 a.m.	R 91-28 R	<u>In the Matter of: Amendments to 35 Ill. Adm. Code Subtitle B: Air Pollution, Reasonably Available Control Technology - Geographical Expansion for the Chicago Consolidated Metropolitan Statistical Area</u> - Oswego Law Enforcement Center, Community Room, 3525 Route 34, Oswego.
May 15 10:00 a.m.	PCB 91-83 UST-FRD	<u>Village of Lincolnwood v. EPA</u> - State of Illinois Center, Suite 11-500, 100 W. Randolph St., Chicago.
May 19 10:00 a.m.	AS 91-11 AS	<u>In the Matter of: Illinois American Water Company for an Adjusted Standard from 35 Ill. Adm. Code 304.124 (Iron and TSS only) for the Water Company's East St. Louis Public Water Supply Facility</u> - Alton City Hall, Council Chambers, Room 104, 101 E. Third St., Alton.
May 21		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
May 27 10:00 a.m.	AS 91-12 AS	<u>In the Matter of: Illinois American Water Company for an Adjusted Standard from 35 Ill. Adm. Code 304.124 (Iron and TSS only) for the Water Company's Cairo Public Water Supply Facility</u> - Alexander County Courthouse, Small Courtroom, 2000 Washington St., Cairo.
June 4		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
June 24	PCB 91-259	<u>City of Rockford v. IEPA</u> - Rockford State of Illinois Building, 200 Wyman, Third

10:00 a.m. UST-FRD Conference Room, Rockford.

June 25**Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.**

June 25 PCB 91-259 City of Rockford v. IEPA - Rockford State of Illinois Building, 200 Wyman, Third
10:00 a.m. UST-FRD Conference Room, Rockford.

June 29 PCB 91-250 Pekin Energy Company v. EPA - Pekin City Hall, Counsel Chambers, 400
9:00 a.m. P-A Margaret St., Pekin.

July 21 AS 90-4 In the Matter of: Granite City Division of National Steel for Adjusted Standards
10:00 a.m. AS from 35 Ill. Adm. Code 302.102, 302.208, 302.210 and Subpart F, Procedures for
Determining Water Quality Criteria - City Hall, Mayor's Conference Room,
Second Floor, 200 Edison Ave., Granite City.

September 15 PCB 91-201 RKF Enterprises v. EPA - Benton City Hall, Council Room, 500 W. Main St.,
10:00 a.m. UST-FRD Benton.

September 24 PCB 91-157 People of the State of Illinois v. The Grigoleit Company - Decatur Civic Center,
10:00 a.m. L-E Human Resources Conference Room, Second Floor, 1 Civic Center Plaza,
Decatur.

September 25 PCB 91-157 People of the State of Illinois v. The Grigoleit Company - Decatur Civic Center,
10:00 a.m. L-E Human Resources Conference Roo, Second Floor, 1 Civic Center Plaza, Decatur.

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
S0 ₂	S0 ₂ 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-E	Underground Storage Tank Enforcement
UST-FRD	Underground Storage Tank Fund Reimbursement Determination		

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Illinois Pollution Control Board
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Address Correction Requested.

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