

ENVIRONMENTAL REGISTER

No. 418

December 19, 1990

BOARD PROPOSES UST UPDATE (R90-12)

The Underground Storage Tank (UST) program regulates petroleum and hazardous substances in underground storage tanks. It is mandated by Section 22.4(d) of the Act. It is contained in 35 Ill. Adm. Code 731, which reflects USEPA regulations in 40 CFR 280.

On November 8, 1990, the Board proposed to update the UST rules to include USEPA regulations adopted during the period January 1 through June 30, 1990. The major action during this period was the extension of time for compliance with financial responsibility rules for owners and operators of 13 through 99 USTs.

On October 13, 1990, USEPA also extended the time for compliance by owners of fewer than 13 tanks and units of local government. This extension occurred outside the time frame of this update, and will be addressed in the next update.

R90-12 also will not address the effects of P.A. 86-1050, pending possible revisions to the legislation.

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

BOARD ADOPTS SDWA CORRECTIONS (R90-21)

The Safe Drinking Water Act (SDWA) program regulates public water supplies. It is mandated by Section 17.5 of the Act. The SDWA rules are contained in 35 Ill. Adm. Code 611, which reflects USEPA regulations in 40 CFR 141 and 143. The SDWA rules were adopted in R88-26 on August 9, 1990. The text appeared on October 5, 1990, at 14 Ill. Reg. 16517.

On November 29, 1990 the Board adopted corrections to the SDWA rules in R90-21. This involves changing the incorporations by reference and analytical methods to allow the use of the "MMO-MUG" or Colilert" methods for bacterial analysis, and to revise titles to conform with Agency documents belatedly received in R88-26.

The current SDWA update is pending in R90-13.

The text of R90-21 will appear in the Illinois Register in the near future. Questions should be addressed to Morton Dorothy at 217/333-5575

BOARD AND STAFF ACTIVITIES

On November 15, 1990, Board Member Bill Forcade and

Board Assistant Margaret Dolan Fliss gave a speech to the graduate students in Professor Martin Jaffe's course on environmental affairs at the University of Illinois at Chicago Circle Campus. The speech was an overview of environmental control of toxic chemicals.

FOR YOUR INFORMATION

The Lake Michigan States Section of the Air and Waste Management Association (LM-AWMA) will hold its annual "Waste in the Heartland" conference on February 27-March 1, 1991, at the Marriott Hotel, 540 North Michigan Avenue, in Chicago. Sessions on Siting, Remediation, RCRA, Superfund, Risk Assessment, Recycling, and Municipal Waste are included. Keynote speakers will include leaders from Industry, Politics, and EPA. Experts on waste issues will be available in an exhibit area, and an optional tour of an incinerator and waste disposal facility will be offered. Call Kathleen Conway at 312/814-3469 to receive a registration form.

FINAL ACTIONS NOVEMBER 29, 1990 BOARD MEETING

- PCB 87-191 Lefton Iron and Metal Co. Inc., et al v. Moss-American Corp. et al. - The Board deferred this matter to the Circuit Court and closed the docket. Board Members J. C. Marlin and J. Anderson dissented.
- PCB 88-188 Shell Oil Co. v. IEPA - The Board granted petitioner variance, with conditions, from the Board's noise regulations for its Madison County facility.
- PCB 89-19 Daniel Lorden et al v. Sheridan South Condominium Assn., et al. - The Board denied complainant's motion for reconsideration of its September 27, 1990 Order which dismissed the matter with prejudice.
- PCB 89-88 Hydraulics, Inc., a Foreign Corp. d/b/a Brake Parts Co. v. IEPA - This matter was dismissed on petitioner's motion.
- PCB 89-184 The Grigoleit Co. v. IEPA - The Board found that denial reasons #1 and #3 were inappropriate, and remanded the matter for reconsideration of denial reason #2 to the Agency consistent with the Board's Opinion concerning petitioner's application for renewal of an air operating permit for its Macon County facility. Board Members J. Theodore Meyer and R. Flemal concurred, and Board Members J. Dumelle and B. Forcade dissented.
- PCB 90-13 People of the State of Illinois v. ABC Rail Corp., a Delaware Corp. - The Board granted petitioner's motion to amend its October 25, 1990 Opinion relating to wording of the imposed \$1,000 payment into the Illinois Environmental Trust Fund.
- PCB 90-44 Monsanto Co. v. IEPA - This matter was dismissed on petitioner's motion.
- PCB 90-91 People of the State of Illinois v. General Electric Co., a New York Corp. - The Board accepted the Stipulation and Settlement Agreement in which respondent admitted to past violations of the Act and Board air pollution regulations and agreed to pay a fine of \$6,000 into the Environmental Protection Trust Fund concerning its DeKalb County facility. Board Members J. Dumelle and J. Theodore Meyer dissented.
- PCB 90-137 Richard Worthen et al v. Village of Roxana et al. - The Board reversed the decision of the Roxana Board of Trustees which granted site approval for the expansion of a Madison County landfill.
- PCB 90-147 City of Monmouth v. IEPA - This matter was dismissed on the Board's motion.
- PCB 90-160 People of the State of Illinois v. John Boos & Co. - The Board accepted the Stipulation and Settlement Agreement in which respondent agreed to pay a civil penalty of \$10,000 into the Environmental Protection Trust Fund concerning its Effingham County facility. Board Members J. Dumelle and J. Theodore Meyer dissented.
- PCB 90-162 Village of Plainfield v. IEPA - The Board granted petitioner variance from the Board's public water supplies regulations, with conditions, concerning Standards for Issuance and Restricted Status relating to the standard for radium in drinking water for its Will County facility. Board Members B. Forcade and J. Dumelle dissented.
- PCB 90-223 Commonwealth Edison Co. v. IEPA - The Board accepted The Agency Recommendation and granted petitioner provisional variance, with conditions, from the Board's water pollution regulations relating to total suspended solids and effluent requirements for its Lake County facility. Board Member J. Dumelle dissented.
- AC-41 County of Madison, IL v. City of Alton, IL - This matter was dismissed without prejudice on complainant's motion.
- AC 90-74 County of St. Clair v. Laidlaw Waste Systems - This matter was dismissed on complainant's motion and the docket closed.

NEW CASES NOVEMBER 29, 1990 BOARD MEETING

- PCB 90-182 Ronald E. Tex and Susan D. Tex v. S. Scott Coggeshall et al. - Complainants allege violation of the Board's noise regulations at respondents' Adams County facility. Accepted for hearing.
- PCB 90-187 Herman W. Prescott v. City of Sycamore - Complainant alleges violations of the Act concerning public water supply regulations at respondent's DeKalb County facility. Held until December 20, 1990.
- PCB 90-201 David Dravis et al v. M & D AG et al. - Complainant alleges violations of the Act concerning noise pollution at respondent's Whiteside County facility. Accepted for hearing.
- PCB 90-214 Quantum Chemical Corp., USI Division v. IEPA - Petitioner seeks review of conditions imposed by the Agency in the RCRA closure plan permit for its Grundy County facility. Accepted for hearing.

- PCB 90-215 Spraying Systems Co. v. IEPA - Petitioner seeks review of conditions imposed by the Agency in the RCRA closure plan permit for its DuPage County facility. Accepted for hearing.
- PCB 90-216 Clean Quality Resources, Inc. v. IEPA - Petitioner seeks review of the decision of the Marion County Board denying site location suitability approval for a Marion County landfill. Accepted for hearing.
- PCB 90-217 People of the State of Illinois v. Raging Rivers Water Park, Inc. Complainant alleges violations of the Act and Board water pollution regulations at respondent's Jersey County facility. Hearing mandatory.
- PCB 90-218 People of the State of Illinois v. A.B. Dick Co., a Delaware Corp. - Complainant alleges violations of the Act and Board air pollution regulations at respondent's Cook County facility. Hearing mandatory.
- PCB 90-220 Acme Barrel Co. v. IEPA - Petitioner seeks review of operating permit denial for its Cook County facility. Accepted for hearing.
- PCB 90-221 Safety-Kleen Corp. (Mokena Facility) v. IEPA - Petitioner seeks review of permit denial to operate its RCRA hazardous waste unit in Cook County. Accepted for hearing.
- PCB 90-222 Safety-Kleen Corp. (Franklin Park Facility) v. IEPA - Petitioner seeks review of permit denial (Final Part B) to operate RCRA hazardous waste units in Cook County. Accepted for hearing.
- PCB 90-223 Commonwealth Edison Co. (Zion Power Station) v. IEPA - See Final Actions.

FINAL ACTIONS DECEMBER 4, 1990 SPECIAL BOARD MEETING

- PCB 89-124 Wrico Packaging, a Division of Wm. Wrigley, Jr. Co. v IEPA - This matter was dismissed on petitioner's motion.

NEW CASES DECEMBER 4, 1990 SPECIAL BOARD MEETING

- PCB 90-219 GSF Energy, Inc. a Subsidiary of Air Products & Chemical, Inc., et al v. IEPA - Petitioner seeks review of the Agency's denial of a special waste stream permit application concerning its Cook County facility. Accepted for hearing.

CALENDAR *

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| December 14
10:00 a.m. | A-C | <u>EPA v. Al Springman</u> - AC 90-79, Jersey County Courthouse, Courtroom B, Jerseyville. |
| December 17
9:30 a.m. | W-E | <u>EPA v. Hopper Paper Division, Georgia Pacific Corporation and Taylorville Sanitary District</u>
PCB 90-184, City Council Chambers, 115 N. Main St., Taylorville. |
| December 17
9:30 a.m. | P-A | <u>American Steel & Wire Corporation v. EPA</u> - PCB 90-188, Will County Courthouse, 14 W. Jefferson St., Courtroom 403, Joliet. |
| December 18
10:00 a.m. | A-E | <u>People of the State of Illinois v. Sure-Tan, Inc.</u> - PCB 90-62, State of Illinois Center, 100 W. Randolph St., Suite 11-500, Chicago. |
| December 18
10:00 a.m. | A-S | <u>Petition of the Quantum Chemical Croproation, USI Division, for an Adjusted Standard, 35 Ill. Adm. Code 720.130</u> - AS 90-7, Grundy County Courthouse, Room 16, 111 East Washington St., Morris. |
| December 18
9:30 a.m. | P-A | <u>City of Charleston v. EPA</u> - PCB 90-190, City Council Chamber Room, 520 Jackson St., Charleston. |
| December 20 | | Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago. |
| December 20
10:00 a.m. | N-E | <u>Carl Madoux, Alice Madoux, Glenn Moody & Margaret Moody v. B & M Steel Service Center, Inc.</u> - PCB 90-148, Alton City Hall, 101 East 3rd Street, Alton. |
| December 20
10:00 a.m. | N-E | <u>Kathy Western & Jeffery Western v. Moline Corporation & EPA v. Moline Corporation</u> - PCB 89-44 & 89-87 (Consolidated), St. Charles Municipal Building, 2 East Main Street, St. Charles. |
| December 21
9:30 a.m. | A-E | <u>EPA v. Columbia Quarry Company</u> - PCB 90-161, County Conference Room, St. Clair County Building, 5th Floor, 10 Public Square, Belleville. |

December 21 10:00 a.m.	N-E A-E	<u>Carl Madoux, Alice Madoux, Glenn Moody & Margaret Moody v. Straders Logging and Lumber Mill</u> - PCB 90-149, Alton City Hall, 101 East 3rd Street, Alton.
December 27 10:00 a.m.	P-A	<u>Olin Corporation v. EPA</u> - PCB 89-178, In a Room in the City Hall, 101 E. 3rd Street, Alton.
January 2 10:00 a.m.	W-V	<u>Department of the Army v. EPA</u> - PCB 90-199, Council Chambers, Alton City Hall, 101 East Third St., Alton.
January 2 11:00 a.m.	P-A	<u>GSF Energy, Inc., a subsidiary of Air Products & Chemicals, Inc. and Waste Management of Illinois, Inc. v. EPA</u> - PCB 90-219, State of Illinois Center, 100 W. Randolph St., Suite 11-500, Chicago.
January 3 10:00 a.m.	A-E	<u>EPA v. Nesco Steel Barrel Company</u> - PCB 90-37, Granite City Township Building, 2060 Delmar Ave., Granite City.
January 4 10:00 a.m.	P-A	<u>Watts Disposal Systems, Inc. v. EPA</u> - PCB 90-174, City Council Chambers, Rock Island City Hall, Third Floor, 1528 Third Avenue, Rock Island.
January 4 9:30 a.m.	A-C	<u>EPA v. Johnson Blackwell</u> - AC 90-72, Carlyle City Hall, Second Floor, 850 Franklin, Carlyle.
January 7 10:00 a.m.	P-A	<u>The Celotex Corporation v. EPA</u> - PCB 90-197, Adams County Building, Small Jury Room, 521 Vermont St., Quincy.
January 8 9:00 a.m.	P-A	<u>Douglas Furniture v. EPA</u> - PCB 90-22, State of Illinois Center, 100 W. Randolph St., Suite 11-500, Chicago.
January 8 10:00 a.m.	A-C	<u>EPA v. James Gilmer & EPA v. Archer-Daniels - Midland</u> - AC 89-289 & AC 89-290 (consolidated), Douglas County Courthouse, County Board Room, 401 South Center St., Tuscola.
January 10		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
January 11 10:00 a.m.	A-E	<u>People of the State of Illinois v. Bridgestone/Firestone, Inc.</u> - PCB 90-202, Second Floor Conference Room, #1 Civic Center Plaza, Southeast Corner, Eldorado & Franklin, Decatur.
January 24		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
January 24 10:00 a.m.	A-E	<u>People of the State of Illinois v. Robert A. Propheter, d/b/a Bob Propheter Construction Company</u> - PCB 90-18, County Board Room, 707 Etna Road, Ottawa.
January 29 10:00 a.m.	A-C	<u>County of McHenry v. McHenry County Sanitary Landfill & Recycling Center, Inc.</u> - AC 90-21, McHenry County Courthouse, County Board Room, Room 203, 2200 N. Seminary Ave., Woodstock.
February 1 10:00 a.m.	P-A	<u>Earl R. Bradd as owner of The Bradd Sanitary Landfill v. EPA</u> - PCB 90-173, Bloomington City Hall, City Council Chambers, 109 East Olive St., Bloomington.
February 7		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
February 13 11:00 a.m.	P-A	<u>Laclede Steel v. EPA</u> - PCB 88-115, Edwardsville County Courthouse, 155 N. Main St., Edwardsville.
February 20 10:00 a.m.	P-A	<u>Envotech-Illinois Inc., v. EPA</u> - PCB 90-138, Montgomery County Courthouse, Hillsboro.
February 28		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
February 28 10:00 a.m.	A-S	<u>Petition of Granite City Steel for Adjusted Standard from 35 Ill. Adm. Code 302.102, 302.208 and 302.210 and Subpart F, Procedures for Determining Water Quality Criteria</u> - AS 90-4, Mayor's Conference Room, 2nd Floor, City Hall, 200 Edison Ave., Granite City.

March 7 9:00 a.m.	P-A	<u>Caterpillar, Inc. v. EPA</u> - PCB 90-195, Peoria County Courthouse, County Board Room, 324 Main St. Peoria.
March 13 9:30 a.m.	P-A	<u>Stephan Company v. EPA</u> - PCB 90-42, Will County Courthouse, 14 W. Jefferson St., Joliet.
March 14		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
March 28		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
April 11		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
April 25		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
May 9		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
May 23		Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.
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.

* 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 ₂	SO 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-FRD	UNDERGROUND STORAGE TANK FUND REIMBURSEMENT DETERMINATION		