

ILLINOIS POLLUTION CONTROL BOARD  
May 19, 1988

IN THE MATTER OF: )  
)  
PETITION OF CRETEX PRESSURE )  
PIPE, INC. (FORMERLY )  
GIFFORD-HILL AMERICAN LOCK ) R84-45  
JOINT, INC.) FOR SITE )  
SPECIFIC RELIEF FROM 35 ILL. )  
ADM. CODE 807.305 )

PROPOSED RULE. SECOND NOTICE.

PROPOSED OPINION AND ORDER OF THE BOARD (by J. Anderson):

This matter is before the Board on the petition of Gifford-Hall American Lock Joint, Inc. (GHA) for site specific relief from the daily, intermediate, and final cover requirements of 35 Ill. Adm. Code 807.305 (a,b,c) for its disposal of concrete wastes at its South Beloit, Winnebago County, reinforced concrete pipe manufacturing facility. The Board previously adopted and authorized first notice publication of this rule, and first notice publication in the Illinois Register appeared on March 13, 1987 at 11 Ill. Reg. 4215. On April 30, 1987, the Board adopted a Proposed Opinion and Order directing the Clerk to submit the proposed rule to the Joint Committee on Administrative Rules (JCAR), pursuant to second notice requirements of the Administrative Procedure Act (APA) (Ill. Rev. Stat. 1985, ch. 127, par. 1001 et seq.).

Prior to the mailing of the second notice submittal to JCAR, the Board was notified that GHA Lock Joint, Inc. had sold the South Beloit plant to the Cretex Companies, Inc., and that the facility had been renamed Cretex Pressure Pipe, Inc. (Cretex). The Board then vacated its April 30, 1987 Opinion and Order. Cretex subsequently filed an affidavit executed by its president, which stated that Cretex adopted and reaffirmed the record created by GHA. On July 16, 1987, the Board granted relief to Cretex on the basis of the hearing record and the Cretex affidavit, and authorized the second notice submittal of the rule.

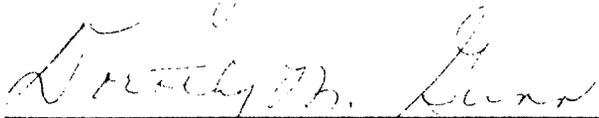
By its Order of February 25, 1988, the Board noted that adoption of a second first notice order was necessary, since first notice publication occurred on March 13, 1987, and was not sufficient time for this rule to proceed to final adoption within the one-year period required by Section 5.01(d) of the APA.



- 3) Once a week, Cretex shall cover the exposed, active surface of its disposal site with a compacted layer of at least 6 inches of earthen material.
- 4) Within 60 days of cessation of disposal activities, in any one acre area, Cretex shall provide any final, sloping faces of its disposal site with at least two feet of final cover consisting of compacted earthen material capable of supporting vegetative cover.
- 5) Within 60 days of cessation of disposal activities, Cretex shall provide any flat reclaimed area of its disposal site which is to be used for the storage of pipe inventory and equipment, or which is to be occupied by buildings, with at least six inches of final cover consisting of silty sand or similar material. However, within 60 days of cessation of such uses, Cretex shall provide at least an additional 18 inches of final cover material as specified in subsection (b)(4) above.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Proposed Opinion and Order was adopted on the 19th day of May, 1988, by a vote of 7-0.



Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board