

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING
FEBRUARY 7, 1985 CHICAGO, ILLINOIS

All Board Members were present save Mr. Nega who was ill.

An Opinion and Order was adopted in #84-79, Russell G. Wake by a vote of 5-0.

Motion for continuance, motion for stay and motion to require hearing officer to disclose exparte communications was denied and motion for Order permitting filing of deposition transcripts was granted in #79-145, Celotex, by a vote of 5-0. Mr. Forcade will prepare an Order.

Motion for stay was granted in #80-151, Archer Daniels, by a vote of 5-0. Mr. Dumelle will prepare an Order.

An Order was adopted in #83-58, Caterpillar, by a vote of 4-1; Mr. Forcade dissented. Mr. Dumelle will prepare it.

Motion for substitution of attorneys was granted in ##84-38 and 84-39, Cabot, by a vote of 5-0. Mr. Dumelle will prepare the Orders.

Motion to deny intervention lost by a 3-2 vote; Messrs. Forcade and Dumelle dissented; motion to deny judgment on the pleadings was adopted by a 4-0 vote; Mr. Meyer voted "present", in #84-150, William H. Clarke. Mrs. Anderson will prepare an Order.

An Order was adopted in #84-174, Classic Finishing, by a vote of 4-1, Mr. Meyer dissented. Mrs. Anderson will prepare it.

Motion for substitution of attorneys was granted in #84-174, Classic Finishing, by a vote of 5-0. Mrs. Anderson will prepare an Order.

Motion to dismiss was denied in #84-175, -176, Board of Trustees of Casner Township, by a vote of 5-0. Mr. Forcade will prepare an Order.

Motion for voluntary dismissal was granted in #84-180, Del Monte, by a vote of 5-0. Mr. Dumelle will prepare an Order.

An Order was adopted in R79-14, Amendments to Chapter 2: Air Pollution, by a vote of 5-0. Mr. Forcade will prepare it.

An Order was adopted in R83-23, City of Tuscola, by a vote of 5-0. Mr. Forcade will prepare it.

These matters were discussed and held to February 20, 1985 for

further consideration: ##81-190, City of Chicago; 82-101., Browning-Ferris; 83-28, Top Chop; 84-66, Union Oil; 84-117, Precision Coatings; 84-151, Chicago Rotoprint; 84-162, Hoesman; 84-166, City of Farmington.

These regulatory matters were discussed and held to February 20, 1985 for further consideration: R81-18, Waste Site Chief Operator Prior Conduct Certification; R83-25, Clifford-Jacobs Forge; R83-32, Vaughan and Bushnell Forge; R84-4, -19, Algicide Chemicals; R84-12, Trihalomethanes PWS Inquiry.

In new cases these actions were taken by a vote of 5-0: ##85-7, Citizens Against Woodlawn Area Landfills v. Southern Illinois Landfill, accepted and authorized for hearing; 85-9, Landfill Emergency Action Committee v. McHenry County Sanitary Landfill and Recycling Center, Inc., accepted and authorized for hearing; 85-11, City of Batavia v. EPA, additional information requested; Order by Mrs. Anderson; 85-12, City of East Moline v. EPA, hearing mandatory; 85-14, Electric Energy, Inc. v. EPA, hearing authorized; 85-15, EPA v. Bi-State Disposal, Inc., hearing mandatory; 85-16, Reynolds Metals Company v. EPA, hearing mandatory; 85-17, S & C Electric Company v. EPA, additional information requested; Order by Mr. Dumelle; 85-18, EPA v. Concentrate Corporation, Alba Marketing Corporation and Robert K. Arundale II, hearing mandatory; R85-2, Amoco Oil, docket opened and 200 signature requirement waived.

An Order was adopted in new case #85-13, George Hammons and Ruth Hammons v. Sangamon County Board and M. Buerkett, by a vote of 4-1; Mr. Meyer dissented. Mr. Dumelle will prepare it.

Minutes of these regular and special Board Meetings were approved by a vote of 5-0 for the following dates: December 6, 20, 27, 1984; January 10, 18, 1985.

All other matters not disposed of as listed were ordered held until February 20, 1985 for possible consideration.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board do hereby certify that the above Minutes were approved this 27th day of June, 1985 by a vote of 5-0.

Dorothy M. Gunn
Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

SECOND AMENDED FINAL AGENDA

ILLINOIS POLLUTION CONTROL BOARD
FINAL AGENDA
FEBRUARY 7, 1985 CHICAGO, ILLINOIS

DECISIONS:

83-2 Chemetco (JA) _____
84-79 Russell G. Wake (JTM) _____
R83-11 Illinois Power, Final Opinion and Order (BF) _____

MOTIONS:

79-145 Celotex - motion for continuance (1/29), motion for stay (1/30), motion to require hearing officer to disclose ex parte communications (1/31), motion for order permitting filing of deposition transcripts (2/5) (BF) _____
80-151 Archer Daniels - motion for stay (1/25) _____
83-58 Caterpillar - joint motion for remand (1/14) (due 2/20) (BF) _____
84-38 Cabot - motion for substitution of attorneys (1/23)
84-39 _____
84-150 William H. Clarke - renewed petition for intervention (1/28), response (2/1), motion for judgment on the pleadings (2/5) (JA) _____
84-174 Classic Finishing - Trade Secret determination (11/21), motion for substitution of attorneys (1/25) (JA) _____
84-175] Board of Trustees of Casner County - motion to dismiss (2/4)
84-176] _____
84-180 Del Monte - voluntary motion to dismiss (2/5) _____
85-9 Landfill Emergency Action Committee - motion to dismiss (2/4) _____
R79-14 Amendments to Chapter 2: Air Pollution - Board Order (BF) _____
R83-23 City of Tuscola - Board Order (JM) _____

*INDICATES VARIANCE OR PERMIT APPEAL

DISCUSSIONS:

- 81-190 People v. City of Chicago (JM) _____
- 82-101 Browning-Ferris (remand) (JA) _____
- 83-28 Top Chop (JD) _____
- * 84-66 Union Oil (JM) (due 3/19) _____
- * 84-117 Precision Coatings (JD) (due 3/7) _____
- * 84-151 Chicago Rotoprint (JD) (due 2/20) _____
- * 84-162 Hoesman (JD) (due 2/20) _____
- * 84-166 City of Farmington (JM) (due 3/7) _____

REGULATORY DISCUSSIONS:

- R81-18 Waste Site Chief Operator Prior Conduct Certification,
Proposed Rule, Second Notice (JA) _____
- R83-25 Clifford-Jacobs Forge, Proposed Rule, Second Notice (JM)

- R83-31 C.S. Norcross Forge, Proposed Rule, Second Notice (JM)

- R83-32 Vaughan & Bushnell Forge, Proposed Rule, Second Notice (JM)

- R84-4] Algicide Chemicals, First Notice (JM) _____
R84-19]
- R84-12 Trihalomethane PWS Inquiry (JD) _____

NEW CASES:

- 85-7 Citizens Against Woodlawn Area Landfills v. Southern
Illinois Landfill (11:00 a.m.) _____
- 85-9 Landfill Emergency Action Committee v. McHenry County
Sanitary Landfill & Recycling Center, Inc. (11:00 a.m.)

- 85-11 City of Batavia v. EPA _____

NEW CASES: (Cont'd)

- 85-12 City of East Moline v. EPA _____
- 85-13 George Hammons and Ruth Hammons v. Sangamon County Board and
M. Buerkett _____
- 85-14 Electric Energy, Inc. v. EPA _____
- 85-15 EPA v. Bi-State Disposal, Inc. _____
- 85-16 Reynolds Metals Company v. EPA _____
- 85-17 S & C Electric Company v. EPA _____
- 85-18 EPA v. Concentrate Corporation, Alba Marketing Corporation
and Robert K. Arundale II _____
- R85- Amoco Oil _____
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MINUTES:

December 6, 20, 27, 1984

January 10, 18, 1985

PENDING CASES ASSIGNED:

78-139 Vickery Manor (JD)
82-144 EPA v. City of Galena (JA)
83-23 EPA v. Arnold's Sewer (JTM)
83-83 Joslyn Manufacturing (BF)
83-226 Archer Daniels (JM)
84-3] City of Galva (BF)
84-4]
* 84-175] Jefferson County (BF) (due 3/21 or 4/18)
84-176]