

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF SPECIAL BOARD MEETING  
SEPTEMBER 20, 1985 CHICAGO, ILLINOIS

All Board Members were present.

Pursuant to notice given the meeting was called to order by Chairman Dumelle.

Opinions and Orders were adopted in these cases by a vote of 7-0: ##83-178, DeKalb-Pfizer; 84-62, Amerock; Mr. Dumelle concurred.

An Interim Order was adopted in #85-14, Electric Energy, by a vote of 7-0.

In ##85-56 and 85-61 through 85-66, McHenry County, Board Member J. Anderson moved an amendment seconded by J. Marlin. The amendment lost 2-4 with J. Anderson and J. Marlin for it; Messrs. R. Flemal, J. Dumelle, B. Forcade, and W. Nega against and J. Theodore Meyer abstaining. An Opinion and Order were then adopted on J. Dumelle's draft by a vote of 5-2; J. Marlin and J. Theodore Meyer dissented and J. Anderson concurred.

An Opinion and Order were adopted in #85-86, Olin Corporation, by a vote of 7-0.

An Opinion and Order were adopted in #85-93, City of Geneva, by a vote of 4-3. Messrs. R. Flemal, J. Dumelle and B. Forcade dissented.

An Opinion and Order were adopted in #85-100, Village of Minooka, by a vote of 4-3. Messrs. R. Flemal, J. Dumelle and B. Forcade dissented.

An Opinion and Order were adopted in R82-14(A&B), RACT III, First Notice (Coke Oven Correction), by a vote of 6-1. Mr. Meyer dissented.

Motion for reconsideration and to vacate dismissal was denied in ##83-49, -55, Alton Packaging, by a vote of 7-0. Mr. Dumelle will prepare an Order.

Motion for sanctions was granted in #84-118, Richard McCormick, by a vote of 7-0. Mr. Dumelle will prepare an Order.

Motion for reconsideration was granted in #84-181, City of Streator, by a vote of 7-0; Mr. Dumelle concurred. Dr. Flemal will prepare an Order.

Motion to dismiss was denied in #85-80, Village of Toledo, by a

vote of 7-0. Dr. Marlin will prepare an Order.

Motion for summary judgment was denied in #85-84, Illinois Power, by a vote of 7-0. Mr. Dumelle will prepare an Order.

Motion to require specification of errors was granted in #85-87, B.F. Goodrich, by a vote of 7-0. Mr. Dumelle will prepare an Order.

Request for extension of time was granted in #85-107, Pfizer Pigments, by a vote of 7-0. Mr. Dumelle will prepare an Order.

Motion to file Recommendation Instantner was granted in #85-114, Village of Hampshire, by a vote of 7-0. Dr. Flemal will prepare an Order.

Motion to require more definite statement was granted in #85-124, Browning Ferris, by a vote of 7-0. Mrs. Anderson will prepare an Order.

Due to objections received, a hearing was authorized in #85-125, Hanley Industries, by a vote of 7-0. Mr. Forcade will prepare an Order.

Due to objections received, a hearing was authorized in #85-128, City of Flora, by a vote of 7-0. Mr. Forcade will prepare an Order.

Motion to reopen the record was granted in R82-14(A&B), by a vote of 6-1; Mr. Meyer dissented. Mr. Forcade will prepare an Order.

Motion to stay was denied in R84-44, City of Pana, by a vote of 7-0. Dr. Marlin will prepare an Order.

These matters were discussed and held to October 10, 1985 for possible consideration: ##83-23, Arnold's Sewer and Septic Service; Village of Hartford CSO, Interim Order by B. Forcade.

These regulatory matters were discussed and held to October 10, 1985 for possible consideration: R84-22(D), Performance Bonds; R84-28, Sulfur Limitations.

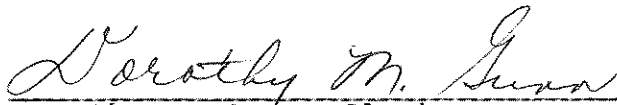
By a vote of 7-0, Amended petition #85-104, Village of Aviston, was held for an Agency Recommendation.

In new cases these actions were taken by a vote of 7-0: ##85-126, Oasis Outdoor Ltd. v. EPA, additional information requested, Order by Mr. Dumelle; 85-129, Richard W. Termaat v. Milton Anderson, City of Belvidere, County of Boone, and the Belvidere Municipal Landfill No. 2, case accepted and hearing authorized; 85-131, Concerned Neighbors for a Better Environment v. Watts Trucking Service, Inc., case accepted and hearing authorized; 85-134, Illinois Department of Transportation,

Chicago District Corps Engineers, hearing authorized, Order by Mr. Forcade; 85-138, North Shore Sanitary District v. EPA, hearing mandatory, Order by Mr. Forcade; 85-139, Joint Petition of the City of Metropolis and the EPA for exception to the CSO Regulations, additional information requested, Order by Mr. Dumelle; 85-140, Citizens Utilities Company v. EPA, hearing mandatory, Order by Mr. Forcade; 85-141, Browning Ferris Industries, Inc. v. EPA, hearing mandatory, Order by Mr. Forcade; 85-142, Illinois Department of Transportation, Neal Ball, Chairman authorized to sign and prepare an Order; 85-143, Department of the Army v. EPA, provisional variance granted, Opinion and Order by Mr. Nega.

All other matters not disposed of as listed were ordered held to October 10, 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 24<sup>th</sup> day of October, 1985 by a vote of 7-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD  
FINAL AGENDA  
SEPTEMBER 20, 1985 CHICAGO, ILLINOIS  
CONFERENCE ROOM 8-031

DECISIONS:

- 83-178 DeKalb-Pfizer Genetics (JTM)\_\_\_\_\_
- \* 84-62 Amerock (JM)(open waiver)\_\_\_\_\_
- 84-76 Rockford Speedway (WN)\_\_\_\_\_
- \* 85-14 Electric Energy, Interim Order (JA)(due 9/24)\_\_\_\_\_
- \* 85-56 McHenry County (JD)(due 9/24)\_\_\_\_\_
- \* 85-86 Olin Corporation (RF)(due 9/24)\_\_\_\_\_
- \* 85-93 City of Geneva (WN)(due 9/24)\_\_\_\_\_
- \* 85-100 Village of Minooka (WN)(due 9/24)\_\_\_\_\_
- R82-14 RACT III - First Notice (Coke Oven Correction - see  
(A&B) Agency motion)(BF)\_\_\_\_\_

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MOTIONS:

- 83-49] Alton - motion for reconsideration and to vacate  
83-55] dismissal (9/4), response (9/18)(JD)\_\_\_\_\_
- 84-118 Richard C. McCormick - motion for sanctions (9/6)  
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- \* 84-181 Streator - motion for reconsideration (8/20), response  
(9/9)(RF)\_\_\_\_\_
- 84-183 A.E. Staley - joint motion to approve settlement agree-  
ment and dismiss petition for review (9/4)\_\_\_\_\_
- 85-80 Village of Toledo - motion to dismiss (9/16)(JM)  
\_\_\_\_\_

**MOTIONS: (Cont'd)**

- 85-84 Illinois Power - motion for summary judgment (9/6)  
\_\_\_\_\_
- 85-85 Hawthorn Realty - motion to withdraw objections to  
petition (9/11), motion to withdraw (9/17) \_\_\_\_\_
- 85-87 B.F. Goodrich - motion to require specification of  
errors (9/9) \_\_\_\_\_
- 85-97 Industrial Salvage - motion to correct record and  
pleadings (9/12) \_\_\_\_\_
- 85-101 Capital Engineering - motion to strike affirmative  
defenses (9/13) \_\_\_\_\_
- 85-107 Pfizer Pigments - request for extension of time  
(9/13) \_\_\_\_\_
- 85-114 Village of Hampshire - motion to file Recommendation  
Instanter (9/12)(RF) \_\_\_\_\_
- 85-124 Browning Ferris - motion to require more definite state-  
ment (9/3) \_\_\_\_\_
- 85-125 Hanley Industries - objection (9/9), 2 objections (9/10)  
\_\_\_\_\_
- 85-128 City of Flora - objection (9/6), 2 objections (9/11),  
objection (9/12) \_\_\_\_\_
- 85-130 DuPage Publication - motion to consolidate (8/30)
- R82-1 Particulate Emissions - motion for extension of comment  
period (9/16), motion to extend comment period  
(9/18) \_\_\_\_\_
- R82-14 RACT III - motion to reopen the record (8/26), response  
(A&B) (9/18)(BF) \_\_\_\_\_
- R84-28 Sulfur Limitations - joint motion to amend proposal  
(9/10)(JD) \_\_\_\_\_
- R84-44 City of Pana - motion to stay (8/1), reponse (8/22)(JM)  
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**DISCUSSIONS:**

- 83-23 Arnold's Sewer & Septic Service (WN) \_\_\_\_\_
- 85-33 Village of Hartford CSO (JD) \_\_\_\_\_

**REGULATORY DISCUSSIONS:**

R84-22 Performance Bonds, New Issues, Proposed Rule, First  
(D) Notice (JA)\_\_\_\_\_

R84-28 Sulfur Limitations, First Notice (JD)\_\_\_\_\_

**AMENDED PETITION:**

85-104 Village of Aviston (filed 9/9)\_\_\_\_\_

**NEW CASES:**

- \* 85-126 Oasis Outdoor Ltd. v. EPA\_\_\_\_\_
- 85-129 Richard W. Termaat v. Milton Anderson, City of  
Belvidere, County of Boone, and the Belvidere Municipal  
Landfill No. 2 (11:30 a.m., September 20, 1985  
\_\_\_\_\_
- 85-131 Concerned Neighbors for a Better Environment v. Watts  
Trucking Service, Inc. (11:45 a.m., September 20, 1985  
\_\_\_\_\_
- 85-134 Illinois Department of Transportation, Chicago District  
Corps Engineers\_\_\_\_\_
- 85-138 North Shore Sanitary District v. EPA\_\_\_\_\_
- 85-139 Joint Petition of the City of Metropolis and the EPA for  
exception to the CSO Regulations\_\_\_\_\_
- 85-140 Citizens Utilities Company v. EPA\_\_\_\_\_
- 85-141 Browning Ferris Industries, Inc. v. EPA\_\_\_\_\_
- 85-142 Illinois Department of Transportation, Neal Ball  
\_\_\_\_\_
- 85-143 Department of the Army v. EPA\_\_\_\_\_

PENDING CASES ASSIGNED:

78-139 Vickery Manor (BF)  
\* 82-82 Borden Chemical (JM)(open waiver)  
82-101 Browning-Ferris (JA)  
\* 83-47] Fedders-USA (BF)(due 12/5)  
85-5]  
83-122 Jennison-Wright (BF)  
83-215 Commonwealth Edison (JTM)  
thru  
83-223  
\* 83-237 Village of Wauconda (RF)(11/7)  
84-84 Mt. Vernon Water (BF)  
84-85 Village of Orangeville (JTM)  
84-93 S.C. Industries (BF)  
84-125 Clairmont Trucking (BF)  
\* 84-134 Woodstock Die (JTM)(due 3/27/86)  
\* 84-179 Romeoville (RF)(due 11/7)  
85-9 Landfill Emergency Action (JA)  
85-19 Monsanto (BF)  
\* 85-35 Warner Brake (BF)(open waiver)  
85-80 Maurine Bachert (JM)  
\* 85-95 Citizens Utilities (JA)(due 11/7)  
\* 85-106 Village of Oswego (RF)(due 6/19/86)  
\* 85-114 Village of Hampshire (RF)(due 11/7)  
\* 85-128 City of Flora (JM)(due 11/21)



STATE  
OF  
ILLINOIS

# POLLUTION CONTROL BOARD

STATE OF ILLINOIS CENTER • 100 WEST RANDOLPH STREET • SUITE 11-500 • CHICAGO, ILLINOIS 60601 • 312-793-3620

JACOB D. DUMELLE, CHAIRMAN  
OAK PARK, ILLINOIS

JOAN G. ANDERSON  
WESTERN SPRINGS, ILLINOIS

RONALD C. FLEMAL  
DEKALB, ILLINOIS

BILL S. FORCADE  
CHICAGO, ILLINOIS

JOHN C. MARLIN  
URBANA, ILLINOIS

J. THEODORE MEYER  
CHICAGO, ILLINOIS

WALTER J. NEGA  
CHICAGO, ILLINOIS

ILLINOIS POLLUTION CONTROL BOARD

## NOTICE OF SPECIAL BOARD MEETING

NOTICE IS HEREBY GIVEN THAT the Illinois Pollution Control Board will hold a Special Board Meeting on September 20, 1985 at 11:00 a.m. in Conference Room 8-031.

A handwritten signature in cursive script that reads "Jacob D. Dumelle".

JACOB D. DUMELLE  
CHAIRMAN