

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING
OCTOBER 10, 1985 CHICAGO, ILLINOIS

All Board Members were present.

An Opinion and Order were adopted in #83-23, Arnold's Sewer and Septic Service, by a vote of 7-0.

An Order was adopted in #83-61, Missouri Portland Cement Company, by a vote of 6-1. Dr. Flemal dissented.

An Opinion and Order were adopted in #84-76, Rockford Speedway, Inc., by a vote of 7-0.

An Interim Order was adopted in #85-9, Landfill Emergency Action Committee, by a vote of 7-0.

An Interim Order was adopted in #85-83, Marathon Petroleum Company, by a vote of 7-0.

An Opinion and Order were adopted in #85-85, Hawthorn Realty Group, by a vote of 5-1. Mr. Dumelle dissented and Mr. Forcade abstained.

An Order dismissing the proceedings in #85-125, Hanley Industries, was adopted by a vote of 7-0.

A Proposed Rule, First Notice, Order was adopted in R83-28(C), Definition of Liquid Hazardous Waste, by a vote of 7-0.

A Proposed Rule, First Notice, Order was adopted in R84-22(D), Performance Bonds, by a vote of 7-0.

A Proposed Rule, First Notice, Order was adopted in R84-28, Sulfur Limitations, by a vote of 7-0.

A Final Opinion and Order were adopted in R85-22, RCRA Update II, by a vote of 7-0.

Motion for stay was granted in #85-14, Electric Energy, by a vote of 7-0. Mrs. Anderson will prepare an Order.

Motion for reconsideration was granted in #85-57, Kable Printing, by a vote of 7-0. Mrs. Anderson will prepare an Order.

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

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

Motion to withdraw was granted in #85-89, Joseph A. Adams, by a vote of 7-0. Mr. Dumelle will prepare an Order.

Motion to correct records and pleadings was denied in #85-97, Industrial Salvage, by a vote of 4-3. Board Members J. Theodore Meyer, J. Marlin, and J. Anderson dissented. Dr. Flemal will prepare an Order.

Motion to strike affirmative defenses was granted in part in #85-101, Capital Engineering, by a vote of 6-1; Mr. Dumelle dissented. Mrs. Anderson will prepare an Order.

Motion to extend time was granted in R84-16, Mobil Oil, by a vote of 7-0. Dr. Marlin will prepare an Order.

These matters were discussed and held to October 24, 1985 for possible consideration: ##83-215 through 83-223, Commonwealth Edison, 85-114, Village of Hampshire.

These regulatory matters were discussed and held to October 24, 1985 for possible consideration: R82-2, Radiological Air Emissions, R83-7, G.M. Stationary Noise Amendments, R84-45, Gifford-Hill.

In new cases these actions were taken by a vote of 7-0: #85-144, Meyer Steel Drum, Inc. v. EPA, additional information requested, Order by Mr. Dumelle; 85-145, Alton Packaging Corporation v. EPA, hearing mandatory, Order by Mr. Forcade; 85-146, Beker Industries v. EPA, hearing mandatory, Order by Mr. Forcade; 85-147, City of Herrin v. EPA, additional information requested, Order by Mr. Dumelle; 85-148, Illinois Department of Transportation, John Wolens, Chairman authorized to sign and prepare an Order; 85-149, Illinois Department of Transportation, Watson Armour, III, Chairman authorized to sign and prepare an Order; 85-150, Illinois Department of Transportation, Ronald Alghini, Chairman authorized to sign and prepare an Order; 85-152, City of Albion v. EPA, provisional variance granted, Opinion and Order by Mr. Nega; 85-153, Village of Morton v. EPA, provisional variance granted, Opinion and Order by Mr. Nega; R85-21, Agency Proposal to Amend 35 Ill. Code, Parts 211 and 215, accepted and hearing authorized.

A Resolution and Order were adopted in R85-24, New Source Performance Standards, by a vote of 7-0. Mr. Meyer will prepare it.

All matters not disposed of as listed were ordered held to October 24, 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 31st day of November, 1985 by a vote of 7-0.

Dorothy M. Gunn

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD
FINAL AGENDA
OCTOBER 10, 1985 CHICAGO, ILLINOIS
CONFERENCE ROOM 9-031

DECISIONS:

- 83-23 Arnold's Sewer & Septic Service (WN) _____
- 83-61 Missouri Portland (JTM) _____
- 84-76 Rockford Speedway (WN) _____
- 85-9 Landfill Emergency Action Committee, Interim Order (JA)

- * 85-83 Marathon Petroleum, Interim Order (JA) _____
- * 85-85 Hawthorn Realty Group (JM)(due) _____
- 85-125 Hanley Industries, Dismissal Order (JA) _____
- R83-28 Liquid Hazardous Waste, Proposed Rule, First Notice (JM)
(C) _____
- R84-22 Performance Bonds, New Issues, Proposed Rule, First
(D) Notice (JA) _____
- R84-28 Sulfur Limitations, First Notice (JD) _____
- R85-22 RCRA Update II, Board Proposal to Adopt USEPA Regs.
Passed through June, 1985 (JA) _____

MOTIONS:

- 79-145 Celotex - motion to overrule the hearing officer's
ruling regarding plaintiff's Exhibit Y (10/7),
emergency motion to overrule the hearing officer's
procedure for order of enforcement of the hearing
(10/8) _____
- 84-183 A. E. Staley - joint motion to approve settlement
agreement and dismiss petition for review (9/4),
Memorandum in support (9/13)(JA) _____

*INDICATES VARIANCE OR PERMIT APPEAL

MOTIONS: (Cont'd)

- 85-14 Electric Energy - motion for stay (10/1)(JA)_____
- 85-57 Kable Printing - motion for reconsideration instanter
(9/25)(JA)_____
- 85-84 Illinois Power - motion for reconsideration (10/3),
response (10/9)(JD)_____
- 85-87 B.F. Goodrich - motion to compel specification of
errors (10/7)_____
- 85-89 Joseph A. Adams - motion to withdraw (10/1)_____
- 85-97 Industrial Salvage - motion to correct records and
pleadings (9/12)_____
- 85-101 Capital Engineering - motion to strike affirmative
defenses (9/13), response (9/25)(JA)_____
- 85-108 National Marine Service - motion to dismiss (10/3)

- 85-130 DuPage Publications - motion to consolidate (8/30)

- R84-16 Mobil Oil - motion to extend time (10/4)(JM)_____

DISCUSSIONS:

- 83-215 Commonwealth Edison Company (JTM)_____
- thru
- 83-223
- * 85-114 Village of Hampshire (RF)(due 11/7)_____

REGULATORY DISCUSSIONS:

- R82-2 Radiological Air Emissions, Resolution, Final Order
(JD)_____
- R83-7 GM Stationary Noise Amendments, Proposed Rule, First
Notice (JA)_____
- R84-45 Gifford-Hill Site Specific, Proposed Rule, First Notice
(JA)_____

NEW CASES:

85-144 Meyer Steel Drum, Inc. v. EPA_____

85-145 Alton Packaging Corp. v. EPA_____

85-146 Beker Industries Corp. v. EPA_____

85-147 City of Herrin v. EPA_____

85-148 Illinois Department of Transportation, John Wolens

85-149 Illinois Department of Transportation, Watson Armour,
III_____

85-150 Illinois Department of Transportation, Ronald Alghini

85-151 Illinois Department of Transportation, Arden Shore
Association_____

85-152 City of Albiion v. EPA_____

R85-21 Agency Proposal to Amend 35 Ill. Adm. Code., Parts
211 and 215_____

R85-23 UIC Update (Agency Draft 10/1)(JA)_____

R85-24 New Source Performance Standards (JTM)_____

PENDING CASES ASSIGNED:

78-139 Vickery Manor (BF)
80-151 Archer Daniels (JTM)
* 82-82 Borden Chemical (JM)(open waiver)
82-101 Browning-Ferris (JA)
* 83-471 Fedders-USA (BF)(due 12/5)
85-51
83-122 Jennison-Wright (BF)
* 83-237 Village of Wauconda (RF)(due 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)
84-1491 McHenry Consolidated School District (RF)
84-1521
84-1531
* 84-179 Romeoville (RF)(due 11/7)
* 84-183 A. E. Staley (JA)(due 12/19)
85-9 Landfill Emergency Action (JA)
* 85-14 Electric Energy (JA)(due 3/27)
85-19 Monsanto (BF)
85-33 Village of Hartford CSO (JD)
* 85-35 Warner Brake (BF)(open waiver)
85-80 Maurine Bachert (JM)
* 85-95 Citizens Utilities (JA)(due 11/7)
* 85-104 Village of Aviston (JM)(due 12/19)
* 85-106 Village of Oswego (RF)(due 6/19/86)
* 85-128 City of Flora (JM)(due 11/21)