

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING
DECEMBER 18, 1986 CHICAGO, ILLINOIS

All Board Members were present.

Board Member B. Forcade moved a draft Opinion and Order in #84-125, Clairmont Trucking. Motion to amend by J. Anderson and seconded by J. Dumelle failed to carry by a vote of 3-2 with J. Anderson, J. Dumelle and J. Marlin for it and B. Forcade and R. Flemal against it. J. Theodore Meyer abstained. An Opinion and Order were then adopted by a vote of 5-1. Mr. Meyer dissented. (BF)

A Supplemental Order was adopted in #84-161, L&S Industries, by a vote of 5-1. Mr. Meyer dissented. (JD)

An Opinion and Order were adopted in #85-173, Majestic Wood Carving, by a vote of 6-0. (JD)

An Interim Order was adopted in #85-219, City of Watseka, by a vote of 6-0. (JD)

An Adopted Rule, Final Order, Opinion and Order were adopted in R84-42, Pathological Incineration, by a vote of 6-0. (BF)

Motion to Stay Final Order was granted in #82-101, Browning-Ferris, by a vote of 6-0. (JD)

Motion for leave to file motion to dismiss and supporting memorandum in #85-136, Navem Patel, was granted by a vote of 5-1. Mr. Meyer dissented. (BF)

Board Member B. Forcade moved a draft Order in #86-10, Bravo-Ernst. Motion to amend by J. Anderson failed to carry by a vote of 3-3. An Order reaffirming the Board's December 5, 1986 Order dismissing the motion for reconsideration, was then adopted by a vote of 6-0. (BF)

Motions to dismiss and for summary judgment in #86-68, Mervis Industries, were denied by a vote of 6-0. (RF)

Emergency motion for continuance in #86-159, Joliet Sand and Gravel, was denied by a vote of 6-0. (JA)

Agency motion to file Recommendation Instanter in #86-185, Citizens Utilities, was granted by a vote of 6-0. (JA)

An Order requesting proof of service in #86-189, Aspen Enterprises, was adopted by a vote of 6-0. (BF)
Due to objections received, a hearing was authorized in #86-207,

Village of Lemont, by a vote of 6-0. (BF)

These cases were discussed and held to January 8, 1987 for possible consideration: ##84-124, Overnite Trucking; 85-88, Richard Nauman; 85-227, Van Leer Containers; 86-125, City of Morris.

These regulatory matters were discussed and held to January 8, 1987 for possible consideration: R84-13, Union Oil; R85-20, New Source Review Rule; R86-9(B), Hazardous Waste Prohibitions; R86-46, RCRA Update.

In amended petitions these actions were taken by a vote of 6-0: ##86-158, Village of Elizabethtown, held for an Agency Recommendation, **Order by J. Dumelle**; 86-195, General Motors, hearing authorized.

In new cases these actions were taken by a vote of 6-0: ##86-208, Illinois Department of Transportation, John S. Bailey and Marguerite H. Chatain, **Chairman authorized to sign permit document and to prepare an Order**; 86-209, Illinois Department of Transportation, Burton Kaplan and R.P. Walken, **Chairman authorized to sign permit document and to prepare an Order**; 86-210, People of the State of Illinois v. Hillview Farms Fertilizers, Inc., hearing mandatory; 86-211, Illinois Department of Transportation, Dr. Vin Rosenthal, **Chairman authorized to sign permit document and to prepare an Order**; 86-212, City of Pekin v. EPA, provisional variance granted, **Opinion and Order by J. Dumelle**; 86-213, City of South Beloit v. EPA, additional information requested, **Order by J. Dumelle**; 86-214, Union Carbide Corporation v. EPA, provisional variance denied, **Opinion and Order by J. Anderson**; 86-215, Chicago Extruded Metals Company v. EPA, provisional variance granted, **Order by J. Dumelle**; 86-216, Harris Corporation v. EPA, provisional variance granted, **Order by J. Dumelle**; 86-217, Emergency Technical Services Corporation v. EPA, provisional variance granted, **Opinion and Order by J. Dumelle**; R86-50, New Source Performance Standards; **Resolution and Order of the Board by J. Theodore Meyer**; R86-51, General Motors Site-Specific, docket closed, **Order of the Board by R. Flemal**.

The following Administrative Citation cases were filed: ##86-1, Everett Allen; 86-2, Macon County Landfill; 86-3, Joseph Thomas; 86-4, Upper Rock Island Landfill; 86-5, H&L Disposal; 86-6, Everett Allen; 86-7, Town of Atkinson; 86-8, Nobel Risley; 86-9, Edward J. Deibel; 86-10, Watts Disposal Systems, Inc.; 86-11, Fitz-Mar Landfill, Inc.; 86-12, J&R Landfill, Inc.; 86-13, Damon Simmons and D&D Disposal Service, Inc.; 86-14, Lee Roy McCray; 86-15, The City of Jacksonville; 86-16, The Village of Rantoul.

Minutes of the December 5, 1986 Board meeting were approved by a vote of 6-0.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above Minutes were adopted this 8th day of January, 1987 by a vote of 6-0.

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



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

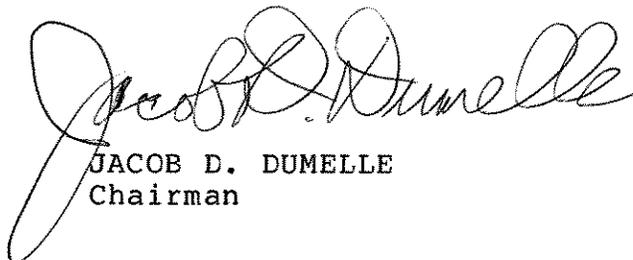
JOHN C. MARLIN
URBANA, ILLINOIS

J. THEODORE MEYER
CHICAGO, ILLINOIS

WALTER J. NEGA
CHICAGO, ILLINOIS

NOTICE OF CHANGE IN ILLINOIS POLLUTION CONTROL BOARD MEETING SCHEDULE

PUBLIC NOTICE IS HEREBY GIVEN that the Illinois Pollution Control Board meeting scheduled for December 18, 1986 will begin at 1:30 p.m. instead of the regular time of 10:30 a.m.



JACOB D. DUMELLE
Chairman

Posted and circulated
12/17/86

ILLINOIS POLLUTION CONTROL BOARD
FINAL AGENDA
DECEMBER 18, 1986 CHICAGO, ILLINOIS
CONFERENCE ROOM 9-031
1:30 P.M.

DECISIONS:

- 84-125 Clairmont Transfer (BF) _____
- 84-161 L&S Industries, Supplemental Order (JD) _____
- 85-52 Growmark, Inc. (JD) _____
- 85-173 Majestic Wood Carving (JD) _____
- 85-219 City of Watseka CSO (JD) _____
- * 86-152 Chanute Air Force Base (RF)(due 2/5) _____
- R82-27) Procedural Rules (BF) _____
R82-36) (Site-Specific Regulation/Agency Proposal)
R83-37)
- R84-42 Pathological Incineration, Adopted Rule, Final Opinion
and Order (BF) _____

MOTIONS:

- 82-101 Browning-Ferris - motion to Stay Final Order (12/12)(JD)

- 85-136 Navem Patel - motion for leave to file motion to dismiss
and supporting memorandum (12/15) _____
- 86-10 Bravo-Ernst - Board Order (BF) _____
- 86-12 Illinois Power - motion for reconsideration (12/10)(RF)

*INDICATES VARIANCE OR PERMIT APPEAL

MOTIONS: (Cont'd)

- 86-68 Mervis Industries - motion to dismiss (11/26), motion
for summary judgment (11/26), response (12/1)
-
- 86-159 Joliet Sand & Gravel - supplement to emergency motion to
Board for continuance (12/16)(JA)
-
- 86-185 Citizens Utilities - Agency motion to file
Recommendation Instanter (12/8)(JA)
-
- 86-189 Aspen Enterprises - request to dismiss (12/3)
-
- 86-193 City of Freeport - Agency motion for relief from
misjoinder (12/10)
-
- 86-207 Village of Lemont - 2 Objection letters (12/15)(JTM)
-
- R82-14 RACT III - motion to withdraw by Duo-Fast Corporation
(12/12), joint motion to amend (12/12)(BF)
-
- R86-25 Tilton Site-Specific - motion to dismiss amended
petition for site specific rule change (JM)
-

DISCUSSIONS:

- 84-124 Overnite Trucking, Interim Order (BF)
-
- 85-88 Richard Nauman (JD)
-
- * 85-227 Van Leer Containers (JD)(due 1/8)
-
- * 86-125 City of Morris (JM)(due 1/8)
-

REGULATORY DISCUSSIONS:

- R84-13 Union Oil, Second Notice (JM)
-
- R85-20 New Source Review Rule (JD)
-
- R86-9 Hazardous Waste Prohibitions, Proposed Rule, First
(B) Notice (JD)
-
- R86-46 RCRA Update (July 1, 1986 through September 30,
1986)(JA)
-

AMENDED PETITIONS:

86-158 Village of Elizabethtown (filed 12/8) _____
86-195 General Motors (filed 12/8) _____

NEW CASES:

86-208 IDOT, John S. Bailey and Marguerite H. Chatain (JD) _____
86-209 IDOT, Burton Kaplan and R.P. Walken (JD) _____
86-210 People of the State of Illinois v. Hillview Farms
Fertilizers, Inc. _____
86-211 IDOT, Dr. Vin Rosenthal (JD) _____
86-212 City of Pekin v. EPA (Provisional)(JD) _____
86-213 City of South Beloit v. EPA _____
86-214 Union Carbide Corporation v. EPA (Provisional)(JD) _____
86-215 Chicago Extruded Metals Company v. EPA (Provisional)(JD) _____
86-216 Harris Corporation v. EPA (Provisional)(JD) _____
86-217 Emergency Technical Services Corporation v. EPA
(Provisional)(JD) _____
R86-50 New Source Performance Standards (JTM) _____
R86-51 General Motors Site-Specific (See also motion to
consolidate with R86-36 (12/8))(RF) _____

NEW AC FILINGS:

86-1 Everett Allen _____
86-2 Macon County Landfill _____
86-3 Joseph Thomas _____
86-4 Upper Rock Island Landfill _____

NEW AC FILINGS: (Cont'd)

86-5 H&L Disposal _____
86-6 Everett Allen _____
86-7 Town of Atkinson _____
86-8 Nobel Risley _____
86-9 Edward J. Deibel _____
86-10 Watts Disposal Systems, Inc. _____
86-11 Fitz-Mar Landfill, Inc. _____
86-12 J&R Landfill, Inc. _____
86-13 Damon Simmons and D&D Disposal Service, Inc. _____
86-14 Lee Roy McCray _____
86-15 The City of Jacksonville _____
86-16 The Village of Rantoul _____

MINUTES:

December 5, 1986 _____

PENDING CASES ASSIGNED:

80-21 Interstate Pollution Control (JD)
81-151 Dean Foods (BF)
82-101 Browning-Ferris (JD)
83-163 Larry Bittle (RF)
* 84-81 Nesco Steel Barrel (JTM)(due 1/22)
84-93 S.C. Industries (BF)
85-4 John W. Eilrich (RF)
85-19 Monsanto (BF)
85-69 Maplehurst Farms (JM)
85-131 Concerned Neighbors (BF)
* 85-138 North Shore Sanitary District (JA)(open waiver)
* 85-154 Modine Manufacturing (RF)(open waiver)
* 85-166 Citizens Utilities (JTM)(open waiver)
* 85-179 Camsco Produce (JTM)(due 4/30)
85-202 Metropolitan S.D. CSO (JD)
85-208 North Shore S.D. CSO (BF)
* 85-209 Village of Carol Stream (RF)(due 1/22)
85-216 City of Clinton CSO (JM)
85-218 City of Belleville CSO (JD)
85-222 S.D. of Elgin CSO (JTM)
85-224 Aurora S.D. CSO (BF)
86-1 City of Peru CSO (JTM)
86-2 City of LaSalle CSO (JTM)
86-3 City of Oglesby CSO (JA)
86-6 City of Wood River CSO (JD)
* 86-9 Trilla Steel Drum (JM)(due 2/5)
* 86-18 Hillview Farms (JD)(open waiver)
* 86-21 Allied-Hastings (JA)(due 2/19)
* 86-48 Wells Manufacturing (RF)(due 2/19)
86-50 Chicago Steel (JD)
86-56 Trilla Steel Drum (JD)
86-74 E.J. Brach & Sons (JD)
86-79 John Prior (JM)
86-94 Raymond Larson (JM)
* 86-140 Village of Villa Park (JTM)(due 2/19)
* 86-142 Village of Hanover Park (JTM)(due 3/5)
* 86-143 Frantz Manufacturing (RF)(due 2/5)
* 86-147 Central Illinois Public Service (JD)(due 3/5)
* 86-150 American Hoechst (JM)(open waiver)
* 86-157 City of Elmhurst (JA)(due 3/19)
* 86-158 Village of Elizabethtown (JD)(due 2/19)
* 86-159 Joliet Sand & Gravel (JA)(due 1/22)
* 86-165 City of Ottawa (JA)(due 1/22)
* 86-174 IBP, Inc. (JM)(due 2/5)
* 86-179 City of Ottawa (JA)(due 3/5)
* 86-185 Citizens Utilities (JA)(due 2/19)
* 86-199 North Suburban Public Utility (RF)(due 3/19)
* 86-202 Bloomington & Normal S.D. (RF)(due 3/5)
* 86-207 Village of Lemont (JTM)(due 4/2)