

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING
APRIL 30, 1987 CHICAGO, ILLINOIS

All Board Members were present.

An Opinion and Order were adopted in #85-4, John Eilrich, by a vote of 6-0. Messrs. Dumelle and Meyer concurred. (RF)

An Opinion and Order were adopted in #86-31, Acme Barrel, by a vote of 5-1. Mr. Forcade dissented. (RF)

An Order affording parties until June 1, 1987 to file a signed copy of the Stipulation and Proposal for Settlement Agreement or matter will be set for hearing was adopted in #86-50, Chicago Steel Container, by a vote of 6-0. (RF)

An Order dismissing the proceedings in #86-189, Aspen Enterprises, was adopted by a vote of 6-0. Mr. Dumelle concurred. (RF)

An Opinion and Order were adopted in #87-22, City of Carterville, by a vote of 6-0. (JD)

The Chairman was authorized to sign the permit document and to prepare an Order in #87-32, Illinois Department of Transportation, Wilmette Harbor, by a vote of 6-0. (JD)

A Proposed Rule, First Notice, Proposed Opinion and Order were adopted in R82-14, RACT III, Heatset Web Offset, by a vote of 6-0. (BF)

An Order was adopted in R82-27, -36, -83-37, Procedural Rules, Part 103, by a vote of 6-0. (JTM)

A Proposed Rule, Second Notice, Proposed Opinion and Order were adopted in R84-29, Mine Rule Amendments, by a vote of 6-0. Dr. Marlin concurred. (RF)

A Proposed Rule, Second Notice, Proposed Opinion and Order were adopted in R84-45, Gifford-Hill, by a vote of 6-0. (JA)

A Proposed Rule, First Notice, Proposed Opinion and Order were adopted in R85-20, New Source Review Rule, by a vote of 6-0. (JD)

This matter was discussed and held to May 14, 1987 for possible consideration: #79-145, Celotex.

Orders were adopted in these Administrative Citations by a vote of 6-0: ##87-20, Kenneth Ile; 87-21, John Daubs; 87-22, County of White et al.; 87-23, Jackson County Landfill; 87-24, Jackson

County Landfill.

Motion to withdraw the appeal petition in Administrative Citation #86-7, Town of Atkinson, was granted by a vote of 6-0. (JD)

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

An Order apprising Respondent that its time to respond to the currently pending Agency verified motion for contingent penalties will expire May 8, was adopted in #84-85, Village of Orangeville, by a vote of 6-0. (JTM)

Joint motion for modification of an April 16, 1987 Board Order in #85-154, Modine Manufacturing, was granted by a vote of 6-0. (RF)

Motion to withdraw was granted in #86-99, Abbott Laboratories, by a vote of 6-0. (BF)

Agency motion for leave to file instanter the Agency Recommendation was granted in #87-12, Emergency Technical Services, by a vote of 6-0. (JM)

Motion to complete certified record on appeal in #87-34, A.R.F. Landfill, was referred to the Hearing Officer for disposition.

Motion to dismiss was denied in #87-36, Peter Valessares, by a vote of 6-0. (BF)

Petition to intervene by Richard Cooper, Peter Cooper and Tobey Cooper was granted in #87-36, Peter Valessares, by a vote of 6-0. (BF)

Due to objections received a hearing was authorized in #87-40, Commonwealth Edison, by a vote of 6-0.

These cases were discussed and held to May 14, 1987 for possible consideration: ##79-145, Celotex Corporation; 86-79, John Prior.

These regulatory matters were discussed and held to May 14, 1987 for possible consideration: R82-27, -36, -83-37, Procedural Rules, Part 104; R87-5, RCRA Update (October 1, 1986 through December 31, 1986).

A hearing was authorized in amended petition #87-30, Chicago, Central & Pacific, by a vote of 6-0.

In new cases these actions were taken by a vote of 6-0: ##87-46, Illinois Department of Transportation, Chicago Park District, docket opened to allow additional time for review of the project by the Board; 87-48, Department of the Air Force v. EPA, held for an Agency Recommendation; 87-49, Gerald Clutts and Lee Siegfried v. Herman Beasley and Alexander County Board of Commissioners,


hearing authorized, **Order by B. Forcade**; 87-50, Pike County Sand and Gravel v. EPA, additional information requested, **Order by J. Anderson**; 87-51, A.R.F. Landfill Corporation v. County Board of Lake County, hearing authorized, **Order by B. Forcade**; 87-52, EPA v. Battery Builders, Inc., hearing mandatory, 87-53, Illinois Department of Transportation, Watson Armour III, docket opened to allow additional time for review of the project by the Board; 87-54, Olin Hunt Specialty Products, Inc. v. EPA, provisional variance granted, **Opinion and Order by J. Dumelle**.

Hearings were authorized in these Administrative Citations by a vote of 6-0: ##87-25, Dan Heusinkveld; 87-26, Jerry Camfield.

Minutes of the April 16, 1987 Board Meeting were approved by a vote of 6-0.

All other matters not disposed of as listed were ordered held until May 14, 1987 for possible consideration.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Minutes were approved this 14th day of May, 1987 by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD
FINAL AGENDA
APRIL 30, 1987 CHICAGO, ILLINOIS
CONFERENCE ROOM 9-031

DECISIONS:

- 85-4 John Eilrich (RF) _____
- 85-222 S.D. of Elgin CSO (JTM) _____
- * 86-31 Acme Barrel (RF) (due) _____
- 86-50 Chicago Steel Container, Board Order (RF) _____
- 86-189 Aspen Enterprises, Board Order (RF) _____
- * 87-16 City of Lockport (RF) (due 6/11) _____
- * 87-22 City of Carterville (JD) (due 6/25) _____
- 87-32 IDOT, Wilmette Harbor, Agency comments (4/15), Lake Michigan Federation Comments (4/16), Lake Michigan Federation letter of no objection (4/22) _____
- R82-14 RACT III, Heatset Web Offset, Proposed Rule, First Notice, Opinion and Order (BF) _____
- R82-27) Procedural Rules, Part 103 Adoption Order (JTM)
R82-36)
R83-37) _____
- R84-29 Mine Rule Amendments, Proposed Rule, Second Notice (RF) _____
- R84-45 Gifford-Hill, Proposed Rule, Second Notice (JA) _____
- R85-20 New Source Review Rule, Proposed Rule, First Notice Opinion and Order (JD) _____

INDICATES VARIANCE OR PERMIT APPEAL

**INDICATES ADMINISTRATIVE CITATION APPEAL

AC DECISIONS:

- 87-20 Kenneth F. Ile _____
- 87-21 John Daubs _____
- 87-22 County of White et al. _____
- 87-23 Jackson County Landfill, Inc. _____
- 87-24 Jackson County Landfill, Inc. _____
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AC MOTIONS:

- 86-7 Town of Atkinson - motion to withdraw appeal petition
(4/20) _____
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MOTIONS:

- 82-101 Browning-Ferris - motion to voluntarily dismiss
(4/16)(JD) _____
- 84-85 Village of Orangeville - Agency verified motion for
contingent penalties (4/27)(JTM) _____
- 85-136 Navem Patel - motion to strike Complainant's closing
brief (4/8), Agency motion for leave to file Instanter
response in opposition to motion to strike Complainant's
closing brief (4/20)(BF) _____
- 85-154 Modine Manufacturing - joint motion motion for
modification of Board Order (4/28)(RF) _____
- 86-2 City of LaSalle - Agency motion to reconsider and to
modify April 1, 1987 Board Order (4/20),

- 86-99 Abbott Laboratories - motion to withdraw (4/24)(BF)

- 86-204 Schrock - Agency motion to dismiss (4/27) _____
- 86-205 Schrock - motion for reconsideration (4/9), Agency
response in opposition to motion for reconsideration
(4/27)(BF) _____
- 87-12 Emergency Technical Services - Agency motion for leave
to file Recommendation Instanter (4/28)(JM)

MOTIONS: (Cont'd)

- 87-34 A.R.F. Landfill - motion to complete certified record on appeal (4/28)(JM)_____
- 87-36 Peter Valessares - motion to dismiss (4/7), response (4/15), petition to intervene (4/24), Petitioners response brief (4/27), Waste Management's response brief (4/27)(BF)_____
- 87-40 Commonwealth Edison - Objection (4/17), Objection (4/24)(JM)_____

DISCUSSIONS:

- 79-145 Celotex Corporation (JD)_____
- 86-79 John Prior (JM)_____

REGULATORY DISCUSSIONS:

- R82-27) Procedural Rules, Part 104 (JTM)_____
- R82-36)
- R83-37)
- R87-5 RCRA Update (October 1, 1986 through December 31, 1986) (JA)_____

AMENDED PETITIONS:

- 87-30 Chicago, Central & Pacific (filed 4/27)_____

NEW CASES:

- 87-46 IDOT, Chicago Park District_____
- 87-48 Dept. of the Air Force v. EPA_____
- 87-49 Gerald Clutts and Lee Siegfried v. Herman Beasley and Alexander County Board of Commissioners_____
- 87-50 Pike County Sand and Gravel v. EPA_____
- 87-51 A.R.F. Landfill Corporation v. County Board of Lake County (BF)_____

NEW CASES: (Cont'd)

- 87-52 EPA v. Battery Builders, Inc. _____
87-53 IDOT, Watson Armour III _____
87-54 Olin Hunt Specialty Products, Inc. v. EPA (Provisional
Variance)(JD) _____
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AC APPEALS:

- ** 87-25 Dan Heusinkveld, County Clerk, County of Whiteside

- ** 87-26 Jerry Camfield _____
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MINUTES:

April 16, 1987 _____

PENDING CASES ASSIGNED:

81-151 Dean Food (BF)
82-101 Browning-Ferris (JD)
83-49) Alton Packaging (RF)(open waiver)
83-55)
83-132 Dunn Company (BF)
84-64 Rodger Diamond (BF)
84-93 S.C. Industries (BF)
84-124 Overnite Trucking (BF)
85-19 Monsanto (BF)
85-136 Navem Patel (BF)
* 85-154 Modine Manufacturing (RF)(open waiver)
* 85-166 Citizens Utilities (JTM)(open waiver)
* 85-179 Camsco Produce (JTM)(due 7/16)
* 85-190 Sours Grain (JD)(open waiver)
* 85-209 Village of Carol Stream (RF)(due 11/19)
85-218 City of Belleville CSO (JD)
85-224 Aurora S.D. CSO (BF)
86-4 City of Morris CSO (JD)
86-6 City of Wood River CSO (JD)
86-50 Chicago Steel (RF)
86-56 Trilla Steel Drum (JD)
* 86-150 American Hoechst (JM)(open waiver)
* 86-174 IBP, Inc. (JM)(due 7/16)
* 86-185 Citizens Utilities (JA)(due 9/3)
* 86-213 City of South Beloit (JM)(due 6/25)
* 86-222 Vickory Manor (JM)(due 9/17)
* 86-223 Morton Thiokol (JTM)(due 5/28)
* 86-225 City of Geneva (JA)(due 5/28)
* 87-12 Emergency Technical Services (JM)(due 5/28)
* 87-13 City of Rock Island (RF)(due 6/25)
* 87-15 Honeywell, Inc. (BF)(due 9/3)
* 87-29 John Ash, Sr. (RF)(due 6/25)
* 87-34 A.R.F. Landfill (JM)(due 6/25)
* 87-36 Peter Valessares (JD)(due 6/25)
* 87-37 City of Oglesby (JD)(due 7/16)
* 87-40 Commonwealth Edison (JM)(due 7/16)