

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING
MAY 28, 1987 CHICAGO, ILLINOIS

All Board Members were present.

An Order dismissing all allegations against the Philip Carey Company and directing the Clerk to close the docket in #79-145, Celotex Corporation, was adopted by a vote of 6-0. (JD)

An Opinion and Order was adopted in #85-219, City of Watseka CSO, by a vote of 5-1. B. Forcade dissented. (JD)

An Opinion and Order was adopted in #86-79, John Prior, by a vote of 6-0. J. Anderson concurred. (JM)

An Opinion and Order was adopted in #86-148, Yale Polishers and Platers, by a vote of 6-0. (RF)

An Opinion and Order was adopted in #86-223, Morton Thiokol, by a vote of 5-1. B. Forcade dissented. (JTM)

An Opinion and Order was adopted in #87-12, Emergency Technical Services, by a vote of 6-0. J. Dumelle concurred. (JM)

An Order was adopted in R82-27, -36, 83-37, Procedural Rules, Part 104, by a vote of 6-0. (JTM)

A Proposed Rule, Set for Hearing, Order was adopted in R84-17(D), Chapter 7 and 9 Update, by a vote of 6-0. (JA)

A Final Opinion and Order was adopted in R84-30, East Peoria Site-Specific, by a vote of 6-0. (BF)

An Adopted Rule, Final Notice, Opinion and Order was adopted in R85-21(A), VOC, by a vote of 6-0. (RF)

A Proposed Rule, First Notice, Order was adopted in R85-21(B), VOC, by a vote of 6-0. (RF)

An Order authorizing additional hearings in R86-9(B), Hazardous Waste Prohibitions, was adopted by a vote of 6-0. (JD)

A Proposed Rule, Second Notice, Proposed Opinion and Order was adopted in R86-17(A), Deoxygenating Wastes, by a vote of 6-0. J. Dumelle concurred. (JM)

Orders were adopted in these Administrative Citations by a vote of 6-0: ##87-34, Village of East Alton; 87-35, C. Don Victorson; 87-36, Laidlaw Waste Systems, Inc.; 87-37, National Stockyards

Company.

Motion to withdraw in #85-169, Amoco Chemicals, was granted by a vote of 6-0. (JD)

Motion to modify the April 24, 1986 Board Order in #85-215, City of Mattoon, was denied by a vote of 6-0. (JM)

Motion to withdraw appearance was granted in #86-160, Fitz-Mar Landfill, by a vote of 6-0. (JD)

An Order admitting Exhibit #55 from the R85-14 regulatory proceeding into the #86-225, City of Geneva record was adopted by a vote of 6-0. (JA)

Motion for extension of time to comply with the April 16, 1987 Board Order in #87-44, Arlington Park, was granted until August 3, 1987 and after the amended petition is filed this matter will be set for hearing due to an objection received. (BF)

Motion for extension of time to file Agency record was granted in #87-55, Joliet Sand and Gravel, by a vote of 6-0. (JTM)

Motion for authorization to appear pro hac vice was granted in #87-58, Allied Corporation, by a vote of 6-0. (JD)

These cases were discussed and held to June 10, 1987 for possible consideration: ##83-49, Alton Packaging; 86-213, City of South Beloit; 86-225, City of Geneva; 87-16, City of Lockport.

By a vote of 6-0 these amended petitions were held for Agency Recommendations: ##87-35, Village of Minooka; #87-38, Dept. of the Army.

In new cases these actions were taken by a vote of 6-0: ##87-65, Illinois Department of Transportation, Ronald L. Fischer, Chairman authorized to sign the permit document and to prepare an Order; 87-66, Illinois Department of Transportation, City of Evanston, Chairman authorized to sign the permit document and to prepare an Order; 87-68, LTV Steel Company v. EPA, briefs requested by June 9, 1987, Order by J. Dumelle; 87-69, Village of Romeoville v. EPA, held for an Agency Recommendation; 87-70, Bear Hybrid Corn Company, Inc. v. EPA, additional information requested, Order by J. Dumelle; R87-13, New Source Performance Standards, Resolution and Order of the Board by J. Dumelle.

A hearing was authorized in new case #87-67, National Can Corporation v. EPA, by a vote of 5-1. J. Dumelle dissented. (BF)

These Administrative Citations will be set for hearing: ##87-38, John and Dianne Lybarger; 87-42, City of Cairo.

These Administrative Citations were received by the Board:

##87-46, Fitz-Mar Landfill, Inc.; 87-47, Chicago Heights Refuse Depot, Inc.

Minutes of the May 14, 1987 Board Meeting were approved by a vote of 6-0.

The Board meeting originally scheduled for June 11 was changed to June 10 by a vote of 6-0.

All other matters not disposed of as listed were ordered held until June 10, 1987 for possible consideration.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Minutes were approved this 10th day of June, 1987 by a vote of 6-0.

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

ILLINOIS POLLUTION CONTROL BOARD
FINAL AGENDA
MAY 28, 1987 CHICAGO, ILLINOIS
CONFERENCE ROOM 9-031
10:30 A.M.

DECISIONS:

- 79-145 Celotex Corporation (JD) _____
- 85-219 City of Watseka CSO (JD) _____
- 86-79 John Prior (JM) _____
- 86-148 Yale Polishers & Platers (RF) _____
- * 86-223 Morton Thiokol (JTM)(due) _____
- * 87-12 Emergency Technical Services (JM)(due) _____
- R82-27) Procedural Rules, Part 104 Adoption Order (JTM)
R82-36) _____
R83-37) _____
- R84-17 Chapter 7 and 9 Update, Interim Order (JA)

- R84-30 East Peoria Site-Specific, Final Opinion and Order (BF)

- R85-21 VOC, Final Notice (RF) _____
(A)
- R85-21 VOC, First Notice (RF) _____
(B)
- R86-9 Hazardous Waste Prohibitions, Proposed Rule, First
Notice, Order (JD) _____
- R86-12 RACT, Polystyrene, Proposed Rule, First Notice, Proposed
Opinion and Order (BF) _____
- R86-17 Deoxygenating Wastes, Proposed Rule, Second Notice,
(A) Proposed Opinion and Order (JM) _____

INDICATES VARIANCE OR PERMIT APPEAL

**INDICATES ADMINISTRATIVE CITATION APPEAL

AC DECISIONS:

- 87-34 Village of East Alton _____
87-35 C. Don Victorson _____
87-36 Laidlaw Waste Systems, Inc. _____
87-37 National Stockyards Company _____
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AC MOTIONS:

- 87-27 Fitz-Mar Landfill - motion to vacate Board Order of May
14, 1987 (5/26) _____
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MOTIONS:

- 83-163 Larry Bittle - motion for reconsideration (5/19)(RF) _____
84-124 Overnite Transportation - motion for modification of
Board Order (5/22)(BF) _____
85-169 Amoco Chemicals - motion to withdraw (5/21) _____
85-215 City of Mattoon - motion to modify April 24, 1986 Board
Order (5/18)(JM) _____
86-160 Fitz-Mar - motion to withdraw appearance (5/22), motion
to dismiss (5/26) _____
86-225 City of Geneva - motion for expedited decision (5/21)
(JA) _____
87-44 Arlington Park - Objection (4/30), Petitioner's motion
for extension of time to comply with Board Order (5/22) _____
87-55 Joliet Sand & Gravel - motion for extension of time to
file Agency Record (5/15), Petitioner's opposition to
motion for extension of time to file Agency Record
(5/21) _____
87-58 Allied Corporation - motion for authorization to appear
Pro Hac Vice (5/22) _____

DISCUSSIONS:

- * 83-49) Alton Packaging (RF)(open waiver)_____
- * 86-213 City of South Beloit (JM)(due 6/25)_____
- * 86-225 City of Geneva (JA)(due 9/3)_____
- * 87-16 City of Lockport (RF)(due 6/11)_____

REGULATORY DISCUSSIONS:

- R82-27) Procedural Rules, Part 105 (JTM)_____
- R82-36)
- R83-37)

AMENDED PETITIONS:

- 87-35 Village of Minooka (filed 5/27)_____
- 87-38 Dept. of the Army (filed 5/18)_____

NEW CASES:

- 87-65 IDOT, Ronald L. Fischer (JD)_____
- 87-66 IDOT, City of Evanston (JD)_____
- 87-67 National Can Corporation v. EPA_____
- 87-68 LTV Steel Company v. EPA (JD)_____
- R87-13 New Source Performance Standards, Resolution and Order
(JD)_____

AC APPEALS:

- ** 87-38 John and Dianne Lybarger_____
- ** 87-42 City of Cairo_____

NEW AC FILINGS:

87-46 Fitz-Mar Landfill, Inc. (See motion to dismiss filed
5/26) _____

87-47 Chicago Heights Refuse Depot, Inc. _____

MINUTES:

May 14, 1987 _____

POSSIBLE CHANGE OF MEETING DATE:

From June 11 to June 10 _____

PENDING CASES ASSIGNED:

81-151 Dean Food (BF)
* 83-55 Alton Packaging (RF)(open waiver)
83-132 Dunn Company (BF)
84-64 Rodger Diamond (JD)
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)
85-222 S.D. of Elgin CSO (RF)
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)
86-134 Nabisco Brands (JM)
* 86-150 American Hoechst (JM)(open waiver)
* 86-174 IBP, Inc. (JM)(due 7/16)
* 86-185 Citizens Utilities (JA)(due 9/3)
* 86-222 Vickory Manor (JM)(due 9/17)
* 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)
* 87-39 Village of Roselle (JA)(due 9/3)
* 87-40 Commonwealth Edison (JM)(due 7/16)
* 87-48 Department of the Air Force (RF)(due 8/6)
* 87-49 Gerald Clutts (JA)(due 8/6)
* 87-63 Reynolds Metals (JTM)(due 9/3)