

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING
JANUARY 21, 1988 CHICAGO, ILLINOIS

A.M. SESSION

All Board Members were present.

An Order was adopted in #87-17, Citizens Utilities, by a vote of 7-0. (BF)

An Opinion and Order was adopted in #AC 87-25, County of Whiteside, by a vote of 7-0. (RF)

An Order requesting the parties to file, by February 2, 1988, a written document discussing whether the complained of activity is an "organized amateur or professional sporting activity", was adopted in #88-16, Hinsdale Golf Club, by a vote of 7-0. (BF)

An Opinion and Order was adopted in #87-56, Mt. Vernon Association, by a vote of 7-0. (JA)

Board Member B. Forcade presented a draft Opinion and Order in #87-76, Gertrude Guerrettaz. Motion to amend by J. Anderson and seconded by J. Theodore Meyer carried by a 4-3 vote with J. Anderson, J. Marlin, J. Theodore Meyer and M. Nardulli for and J. Dumelle, B. Forcade and R. Flemal against. An Opinion and Order was then adopted by a vote of 7-0. Messrs. J. Dumelle and B. Forcade concurred. (JA)

An Opinion and Order was adopted in #87-128, City of East Moline, by a vote of 5-2. Messrs. J. Dumelle and B. Forcade dissented. (JA)

Chairman J. Dumelle presented a draft Order in #87-133, McLean County Disposal. Motion to substitute an alternative Opinion and Order carried by a 4-3 vote with J. Anderson, J. Marlin, J. Theodore Meyer and M. Nardulli for and J. Dumelle, B. Forcade and R. Flemal against. The alternative Opinion and Order was then adopted by a vote of 4-3. Messrs. J. Dumelle, B. Forcade and R. Flemal dissented and J. Marlin concurred. (JTM)

An Order dismissing the proceedings in #87-158, City of Yorkville, was adopted by a vote of 7-0. (JD)

A Resolution was adopted in RES 88-1, Non-Adjudicative Hearings and Proceedings, by a vote of 7-0. (JTM)

A Proposed Rule, First Notice, Proposed Opinion and Order was adopted in R82-7, Alton Site-Specific, by a vote of 7-0. (JM)

A Final Order, Adopted Rule, Opinion and Order were adopted in

R87-29, UIC Update (January 1, 1987 through June 30, 1987), by a vote of 7-0. (JA)

A Request for Public Comment, Opinion and Order was adopted in R88-1, Omnibus Rulemaking, by a vote of 7-0. (RF)

Orders were adopted in these Administrative Citations by a vote of 7-0: ##87-117, City of Freeport; 87-118, City of Casey; 87-120, Upper Rock Island County Landfill; 87-121, LeRoy Brown and Son.

Motion for Stay was granted for 30 days in #AC 87-93, Russell Noel, by a vote of 7-0. (BF)

An Order requesting the parties to provide to the Board a brief up-to-date status report by February 3, 1988, was adopted in #81-151, Dean Foods, by a vote of 7-0. (BF)

Respondent's motion to dismiss siting application appeal was denied with leave to refile after action is taken by the Supreme Court and A.R.F.'s motion for leave to file a response was denied in #87-34, A.R.F. Landfill, by a vote of 7-0. (JM)

An agreed motion to consolidate was granted in ##87-149, -199, 88-9, USI Chemicals, by a vote of 7-0. (JD)

Agency motion for leave to file its Record Instanter was granted in #87-201, Monsanto Company, by a vote of 7-0. (JD)

By a vote of 7-0, the Board upon its own motion for reconsideration, rescinded its Order of January 7, 1988 in #88-1, Amoco Chemical Company, and ordered the Petitioner to file individual petitions for its facilities in Joliet, Willow Springs, and Wood River, Illinois. (BF)

Motion for an expedited decision was granted in R87-12, Schrock, by a vote of 7-0. (JM)

These cases were discussed and held to February 4, 1988 for possible consideration: ##83-49, Alton Packaging; 85-190, Sours Grain; 86-27, Modine Manufacturing; 86-193, City of Freeport; 87-111, Howard Spurgeon; 87-114, Village of Willowbrook; 87-154, King-Seeley Thermos.

An Order closing the original records in R82-27, -36, 83-37, Procedural Rules, and incorporating them into new docket R88-5, Procedural Rules, was adopted by a vote of 7-0. (JTM)

These regulatory matters were discussed and held to February 4, 1988 for possible consideration: R85-14, Public Water Supplies Amendments; R86-10, Pharmaceutical VOC; R86-18, Generic RACT.

In amended petitions these actions were taken by a vote of 7-0: ##87-161, Dept. of the Army, 120 day decision time clock

restarted with its filing; 87-194, Transcraft Corporation, hearing authorized, **Order by B. Forcade**; 87-196, Monsanto Company, motion for hearing and appointment of a hearing officer granted and remaining motions referred to hearing officer for disposition, **Order by J. Anderson**; 87-206, C.S. Norcross, 120 day decision time clock restarted with its filing and hearing authorized, **Order by B. Forcade**.

In new cases these actions were taken by a vote of 7-0: ##88-9, USI Chemicals Company v. EPA, consolidated with ##87-149, -199, USI Chemicals Company v. EPA, **Order by J. Dumelle**; 88-10, Pines Trailer Corporation v. EPA, additional information requested, **Order by J. Dumelle**; 88-11, City of Geneva v. EPA, held for an Agency Recommendation; 88-12, Stepan Company v. EPA, hearing authorized, **Order by B. Forcade**; 88-13, EPA v. Elk Grove Village, hearing mandatory; 88-14, Minnesota Mining and Manufacturing Company v. EPA, hearing authorized, **Order by B. Forcade**; 88-15, EPA v. Mid-City Lithographers, Inc., hearing mandatory; 88-17, Marley-Ingrid (USA), Inc. v. EPA, hearing authorized, **Order by B. Forcade**; 88-18, Village of Sauget v. EPA, held for an Agency Recommendation; 88-19, Allied Tube and Conduit Corporation v. EPA, additional information requested, **Order by B. Forcade**; 88-20, B.F. Goodrich Chemical Company v. EPA, provisional variance granted, **Order by J. Dumelle**; R88-6, City of Mendota Site-Specific, docket opened.

These Administrative Citations will be set for hearing:
##87-123, ESG Watts; 87-125, Merle Buerkett.

These Administrative Citations were received by the Board:
##88-1, City of Anna; 88-2, City of Metropolis; 88-3, Central Illinois Disposal Company; 88-4, W.W. Sanitation, Inc.; 88-5, Charles T. Rhodes.

Minutes of these Board Meetings were approved by a vote of 7-0: January 7 and 19, 1988. (Thereafter the meeting was recessed until 2:00 p.m.)

P.M. SESSION

The Board reconvened at 2:10 p.m.

Motion for modification in #86-225, City of Geneva, was discussed and held to February 4, 1988.

Petitioner's motion to file its Response Instanter in #86-185, Citizens Utilities, was granted by a vote of 7-0. (JA)

In amended petitions these actions were taken by a vote of 7-0: ##87-183, Container Corporation of America, additional information requested, **Order by J. Dumelle**; 87-185, Jefferson Smurfit, additional information requested, **Order by J. Dumelle**.

Hearings were authorized in these new cases by a vote of 7-0:

##88-21, Rowe Foundry and Machine Company, Order by B. Forcade;
88-22, John Deere Company, Order by B. Forcade.

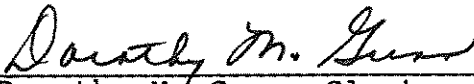
An agreed emergency motion to continue hearing was granted in
#87-62, Riverside Laboratories, by a vote of 7-0. (JA)

In other new cases these actions were taken by a vote of 7-0:
R88-3, Jefferson Smurfit Site-Specific, accepted for publication;
R88-4, Container Corporation of America Site-Specific, accepted
for publication.

This regulatory matter was discussed and held to February 4, 1988
for possible consideration: R84-17(D), Landfill Regulations.

All other matters not disposed of as listed were ordered held to
February 4, 1988 for possible consideration.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control
Board, hereby certify that the above Minutes were approved this
4th day of February, 1988, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD
FINAL AGENDA
JANUARY 21, 1988 CHICAGO, ILLINOIS
CONFERENCE ROOM 9-040
10:30 A.M.

DECISIONS:

- 85-136 Navem Patel (BF) _____
- 87-17 Citizens Utilities (BF) _____
- ** 87-25 County of Whiteside (RF) _____
- * 87-56 Mt. Vernon Association (JA)(due) _____
- * 87-76 Gertrude Guerrettaz (BF)(due) _____
- * 87-128 City of East Moline (JA)(due) _____
- * 87-133 McLean County Disposal (JD)(due) _____
- 87-158 City of Yorkville, Dismissal Order (JD) _____
- RES 88-1 Non-Adjudicative Hearings and Proceedings, Resolution

- R82-7 Alton Site-Specific, Proposed Rule, First Notice,
Proposed Opinion and Order (JM) _____
- R87-29 UIC Update (January 1, 1987 through June 30, 1987),
Final Opinion and Order (JA) _____
- R88-1 Omnibus Rulemaking, Request for Public Comment, Opinion
and Order (RF) _____

AC DECISIONS:

- 87-117 Freeport/Municipal _____

* INDICATES VARIANCE OR PERMIT APPEAL
** INDICATES ADMINISTRATIVE CITATION APPEAL

AC DECISIONS: (Cont'd)

87-118 Casey Municipal _____
 87-120 Upper Rock Island _____
 87-121 LeRoy Brown & Son _____

AC MOTIONS:

87-93 Russel Noel - Agency motion for Stay (1/15)

MOTIONS:

81-151 Dean Foods - Status Report Order (BF) _____
 86-225 City of Geneva - motion for modification (1/8)(JA)

 87-19 Tammsco - motion for default (1/20)(JD) _____
 87-34 A.R.F. Landfill - Respondent's motion to dismiss siting application appeal (12/7), response (12/16), objection of Respondent, Village of Round Lake Park to response of A.R.F. Landfill (12/24), A.R.F.'s motion for leave to file and response to objection of Round Lake Park (1/6)(JM) _____
 87-149) USI Chemicals - agreed motion to consolidate and to set
 87-199) date for filing consolidated Briefs (1/15)
 88-9) _____
 87-201 Monsanto Company - Agency motion for leave to file Record Instanter (1/19) _____
 88-1 Amoco Chemical Company - Board motion for reconsideration (BF) _____
 R87-12 Schrock - motion for an expedited decision (1/15)(RF)

DISCUSSIONS:

* 83-49 Alton Packaging (RF)(open waiver) _____
 * 85-190 Sours Grain (JD)(open waiver) _____

DISCUSSIONS: (Cont'd)

- 86-27 Modine Manufacturing (RF) _____
- * 86-185 Citizens Utilities (JA)(due 2/4) _____
- 86-193 City of Freeport (JM) _____
- * 87-111 Howard Spurgeon (JM)(due 2/4) _____
- * 87-114 Village of Willowbrook (JA)(due 2/4) _____
- * 87-154 King-Seeley Thermos (JD)(due 2/4) _____

REGULATORY DISCUSSIONS:

- R82-27) Procedural Rules (JTM) _____
R82-36)
R83-37)
- R84-17 Landfill Regulations (2:00 p.m.)(JA) _____
(D)
- R85-14 Public Water Supplies Amendments (JA) _____
- R86-10 Pharmaceutical VOC (JD) _____
- R86-18 Generic RACT, Proposed Rule, Second Notice, Opinion and
Order (JM) _____

AMENDED PETITIONS:

- 87-161 Dept. of the Army (filed 1/7) _____
- 87-194 Transcraft Corporation (filed 1/8) _____
- 87-196 Monsanto Company (filed 1/7)(See also motion and
Memorandum in Support to Segregate Documents and to
conduct a hearing partly in camera and request for
hearing and appointment of a Hearing Officer (1/7))

- 87-206 C.S. Norcross (filed 1/15)(BF) _____

NEW CASES:

- 88-9 USI Chemicals Company v. EPA _____

NEW CASES: (Cont'd)

- 88-10 Pines Trailer Corporation v. EPA _____
- 88-11 City of Geneva v. EPA _____
- 88-12 Stepan Company v. EPA (BF) _____
- 88-13 EPA v. Elk Grove Village _____
- 88-14 Minnesota Mining and Manufacturing Company v. EPA (BF) _____
- 88-15 EPA v. Mid-City Lithographers, Inc. _____
- 88-16 Anthony W. Kochanski v. Hinsdale Golf Club (11:00 a.m.) _____
- 88-17 Marley-Ingrid (USA), Inc. v. EPA (See also Amended
Petition filed 1/20) _____
- 88-18 Village of Sauget v. EPA _____
- 88-19 Allied Tube and Conduit Corp. v. EPA _____
- 88-20 B.F. Goodrich Chemical Company v. EPA (Provisional
Variance) _____
- R88- City of Mendota Site-Specific _____

AC APPEALS:

- 87-123 ESG Watts _____
- 87-125 Merle Buerkett _____

NEW AC CASES:

- 88-1 City of Anna _____
- 88-2 City of Metropolis _____
- 88-3 Central Illinois Disposal Company _____
- 88-4 W.W. Sanitation, Inc. _____
- 88-5 Charles T. Rhodes _____

MINUTES:

January 7, 1988 _____

January 19, 1988 _____

PENDING CASES ASSIGNED:

81-151 Dean Food (BF)
* 83-55 Alton Packaging (RF)(open waiver)
84-64 Rodger Diamond (BF)
84-83 Russell Perkinson (JM)
84-93 S.C. Industries (BF)
84-124 Overnite Trucking (BF)
85-18 Concentrate Corporation (JD)
85-19 Monsanto (BF)
* 85-95 Citizens Utilities (Remand)(JTM)(open waiver)
85-137 Fred Jurcak (Remand)(JD)(open waiver)
* 85-140 Citizens Utilities (JTM)(open waiver)
* 85-166 Citizens Utilities (JTM)(open waiver)
* 85-179 Camsco Produce Company (JTM)(due 2/25)
* 85-203 City of Farmington (JD)(open waiver)
* 85-209 Village of Carol Stream (RF)(due 4/21)
85-213 Village of Western Springs (BF)
85-224 Aurora S.D. CSO (BF)
86-4 City of Morris, CSO (JD)
* 86-150 American Hoechst (JM)(open waiver)
86-161 Elizabeth Street Foundry (JD)
* 86-174 IBP, Inc. (JM)(open waiver)
* 86-187 The New Jersey Zinc (JD)(open waiver)
* 86-218 City of East Moline (JD)(open waiver)
* 87-7 Pearson Industries (BF)(open waiver)
87-10 Island Lake Water Company (JM)
* 87-15 Honeywell, Inc. (BF)(due 4/7)
87-19 Tammsco, Inc. (JD)
* 87-50 Pike County Sand & Gravel (JA)(due 4/7)
* 87-67 National Can Corporation (JD)(due 2/25)
* 87-69 Village of Romeoville (JTM)(due 2/25)
87-71 City of Dixon CSO (JM)
* 87-98 Lustour Corporation (RF)(due 2/25)
* 87-107 Lake County Public Works (JTM)(due 4/7)
* 87-116 Industrial Services (JA)(due 4/7)
* 87-127 City of East Moline (BF)(due 8/1)
* 87-157 Frantz Manufacturing (JTM)(due 3/24)
* 87-173 John Ash (RF)(due 3/10)
* 87-198 County of Lake (RF)(due 4/21)
* 87-207 Bloomington & Normal S.D. (JM)(due 4/21)
* 88-4 Village of Elburn (JTM)(due 4/21)

ILLINOIS POLLUTION CONTROL BOARD
FINAL AGENDA
JANUARY 21, 1988 CHICAGO, ILLINOIS
CONFERENCE ROOM 9-040
10:30 A. M.

ADDENDUM

MOTIONS:

86-185 Citizens Utilities - Petitioner's motion to file
Response Instanter (1/20)(JA) _____

AMENDED PETITIONS:

87-183 Container Corporations of American (filed 1/20)(See
also motion to file Instanter) _____

87-185 Jefferson Smurfit (filed 1/20)(See also motion to
file Instanter) _____

NEW CASES:

88-21 Rowe Foundry & Machine Co. v. EPA _____

88-3 Jefferson Smurfit Site-Specific _____

88-4 Container Corporation Site-Specific _____