

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING
MARCH 10, 1988 CHICAGO, ILLINOIS

All Board Members were present.

An Opinion and Order was adopted in #85-101, Capital Engineering, by a vote of 7-0. (MN)

An Opinion and Order was adopted in #87-207, Bloomington and Normal Sanitary District, by a vote of 7-0. (JM)

An Order dismissing the docket in #88-1, Amoco Chemical Company, was adopted by a vote of 7-0. (BF)

A Final Order, Adopted Rule, Opinion and Order was adopted in R85-20, New Source Review, by a vote of 7-0. (JD)

A Proposed Rule, Second Notice, Proposed Opinion and Order was adopted in R86-31, CIPS, by a vote of 7-0. J. Dumelle concurred. (JM)

Orders were adopted in these Administrative Citations by a vote of 7-0: ##87-110, M.I.G. Investments, Inc.; 87-119, McLean County Landfill, Inc.

Respondent's motion to withdraw Petition for Review was granted in #AC87-109, Macon County Landfill, by a vote of 7-0. (JD)

Respondent's motion to withdraw Petition for Review was granted in #AC87-133, Macon County Landfill, by a vote of 7-0. (JD)

Motion for leave to file Instantly an amended Administrative Citation was granted in #AC87-116, Grimms Landfill, by a vote of 7-0. (JD)

Agency motion to file an amended Administrative Citation was granted in #88-7, PDC Services, Inc., by a vote of 7-0. (JD)

Motion for reconsideration was denied in #86-224, General Tire, by a vote of 6-1. J. Dumelle dissented. (BF)

Petitioner's motion to correct a February 4, 1988 Board Order was granted and motion for reconsideration was denied in #86-225, City of Geneva, by a vote of 7-0. J. Dumelle concurred. (JA)

Agency motion for recusal of Hearing Officer in #87-60, 3M Company, was referred to the Hearing Officer for disposition.

Board Member J. Theodore Meyer presented a draft Order in #87-133, McLean County. Motion to substitute an alternative draft Order by J. Dumelle and seconded by R. Flemal lost by a 3-4

vote with J. Dumelle, B. Forcade and R. Flemal for it and J. Anderson, J. Marlin, J. Theodore Meyer and M. Nardulli against. An Order was then adopted denying the motion to reconsider and alternatively for Stay of decision and application for leave to intervene by a vote of 4-3. Messrs. J. Dumelle, R. Flemal and B. Forcade dissented. (JTM)

Agency motion for recusal of Hearing Officer in #88-14, Minnesota Mining, was referred to the Hearing Officer for disposition.

Agency motion for leave to file Instanter its Recommendation was granted in #88-18, Village of Sauget, by a vote of 7-0. (JM)

An Order temporarily docketing the February 22, 1988 filing by the National Resources Defense Council (NRDC) as a public comment and ordering NRDC and all parties to file comments or briefs no later than March 31, 1988 on what disposition should be made of the information, was adopted in #88-24, Rick Moore, by a vote of 7-0. The Clerk of the Board was also directed to include a copy of the Environmental Protection Act as well as a list of present attorneys of record in the service on NRDC. (BF)

An Order denying the petition to intervene but allowing the Villages of Algonquin and Lake in the Hills to voice their concerns to the Board by way of an amicus curiae brief, was adopted in #88-27, Laidlaw Waste Systems, by a vote of 7-0. (JM)

Agency motion to strike was denied in R81-19, Citizens Utilities, by a vote of 6-0. R. Flemal abstained. (JTM)

Motion for modification, clarification or reconsideration by Allied Tube and Conduit Corporation in R82-14, RACT III, was denied by a vote of 7-0. (BF)

Board Member J. Marlin presented a draft Order in R86-18, Generic RACT. Motion to amend by J. Dumelle and seconded by R. Flemal lost by a 3-4 vote with J. Dumelle, R. Flemal and M. Nardulli for it and J. Anderson, B. Forcade, J. Marlin and J. Theodore Meyer against. An Order denying the motion for reconsideration was then adopted by a vote of 4-3. Messrs J. Dumelle, R. Flemal and M. Nardulli dissented. (JM)

An Order directing the Hearing Officer to set a hearing in R87-37, Public Water Supply, was adopted by a vote of 7-0. (BF)

Respondent's motion to file Instanter was granted in #88-36, Mervis Industries, by a vote of 7-0. (JA)

These cases were discussed and held to March 24, 1988 for possible consideration: #86-4, City of Morris CSO; 86-185, Citizens Utilities; 87-189, Printpack, Inc.; 87-190, Guardian Packaging; 88-11, City of Geneva; 88-30, Village of Ladd.

These regulatory matters were discussed and held to March 24, 1988 for possible consideration: R82-1, Opacity; R86-30, Shell Oil; R87-22, CIPS; R87-27, Chicago Canal System; R88-5, Procedural Rules.

In amended petitions these actions were taken by a vote of 7-0: ##88-10, Pines Trailer Corporation, hearing authorized, **Order by B. Forcade**; 88-19, Allied Tube, hearing authorized, **Order by B. Forcade**; 88-44, Amoco Chemical (Wood River), hearing authorized, **Order by B. Forcade**; 88-45, Amoco Chemical (Joliet), hearing authorized, **Order by B. Forcade**; 88-46, Amoco Chemical (Willow Springs), hearing authorized, **Order by B. Forcade**.

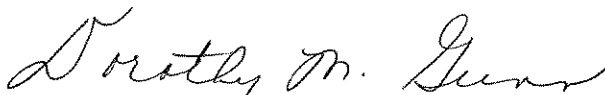
In new cases these actions were taken by a vote of 7-0: ##88-41, Cerro Copper Products Company v. EPA, hearing authorized, **Order by B. Forcade**; 88-42, Village of Channahon v. EPA, held for an Agency Recommendation; 88-43, Gerald Clutts v. Herman Beasley and Alexander County Board of Commissioners, hearing authorized, **Order by B. Forcade**; 88-44, Amoco Chemical Company v. EPA (**See Amended Petitions**); 88-45, Amoco Chemical Company v. EPA (**See Amended Petitions**); 88-46, Amoco Chemical Company v. EPA (**See Amended Petitions**); 88-47, Reilly Tar and Chemical Corporation v. EPA, appearance of out-of-state counsel accepted by the Board and additional information requested, **Order by B. Forcade**; L.R. Nelson Corporation v. EPA, provisional variance granted, **Order by J. Dumelle**; R88-9, Reilly Tar and Chemical Corporation Site-Specific, accepted for publication.

These Administrative Citations were received by the Board: ##88-18, Browning-Ferris Industries; 88-19, Alton Municipal Landfill.

Minutes of the February 25, 1988 Board Meeting were approved by a vote of 7-0.

All other matters not disposed of as listed were ordered held to March 24, 1988 for possible consideration.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Minutes were approved this 24th day of March, 1988 by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

AMENDED PETITIONS: (Cont'd)

- 88-45 Amoco Chemical (Joliet) (filed 3/7)(See PCB 88-1 January 4, 1988 Board Order)(BF) _____
- 88-46 Amoco Chemical (Willow Springs) (filed 3/7)(See PCB 88-1 January 4, 1988 Board Order) _____

NEW CASES:

- 88-41 Cerro Copper Products Company v. EPA _____
- 88-42 Village of Channahon v. EPA _____
- 88-43 Gerald Clutts v. Herman Beasley and Alexander County Board of Commissioners _____
- 88-44 Amoco Chemical Company/Amoco Petroleum Additives Company (Wood River Plant) v. EPA (See Amended Petitions) _____
- 88-45 Amoco Chemical Company (Joliet Plant) v. EPA (See Amended Petitions) _____
- 88-46 Amoco Chemical Company (Willow Springs) v. EPA (See Amended Petitions) _____
- 88-47 Reilly Tar & Chemical Corp. v. EPA _____
- 88-48 L.R. Nelson Corporation v. EPA (Provisional Variance)(JD) _____
- R88-9 Reilly Tar & Chemical Corp. Site-Specific Rule Change _____

NEW AC CASES:

- 88-18 Browning-Ferris Industries _____
- 88-19 Alton Municipal Landfill _____

MINUTES:

February 25, 1988 _____

PENDING CASES ASSIGNED:

81-151 Dean Food (BF)
* 83-55 Alton Packaging (RF)(open waiver)
84-83 Russell Perkinson (JM)
84-93 S. C. Industries (BF)
84-124 Overnite Trucking (BF)
* 84-136 Browning-Ferris (BF)(due 5/5)
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)
* 85-190 Sours Grain (JD)(open waiver)
* 85-203 City of Farmington (JD)(open waiver)
* 85-209 Village of Carol Stream (RF)(due 12/31)
85-213 Village of Western Springs CSD (BF)
85-224 Aurora S. D. CSD (BF)
* 86-150 American Hoechst (JM)(open waiver)
* 86-187 The New Jersey Zinc (JD)(open waiver)
86-197 Daubs Landfill (Remand)(BF)
* 86-218 City of East Moline (JD)(open waiver)
* 87-7 Pearson Industries (BF)(open waiver)
87-10 Island Lake Water Company (JM)
87-19 Tammsco, Inc. (JD)
** 87-47 Chicago Heights Refuse (MN)
* 87-50 Pike County Sand & Gravel (JA)(due 5/19)
* 87-69 Village of Romeoville (JTM)(due 4/7)
87-71 City of Dixon CSD (RF)
* 87-107 Lake County Public Works (JTM)(due 4/7)
* 87-127 City of East Moline (BF)(due 8/1)
87-139 Browning-Ferris Industries (JD)
* 87-173 John Ash (RF)(due 5/19)
* 87-198 County of Lake (RF)(due 4/21)
* 88-4 Village of Elburn (JTM)(due 4/21)
* 88-18 Village of Sauget (JM)(due 6/16)
* 88-24 Daubs Landfill (BF)(due 5/19)
* 88-27 Laidlaw Waste Systems (JM)(due 5/19)
* 88-39 Waste Management (JA)(due 6/16)