

# ENVIRONMENTAL REGISTER

Illinois Pollution Control Board News

No. 446

February 26, 1992

## RULEMAKING UPDATE

### **BOARD ADOPTS FINAL NOTICE FOR DMI, R91-9**

On February 6, 1992, the Board adopted the final notice in R91-9, DMI site specific regulation 35 Ill. Adm. Code 215.215. The regulation sets the allowable emission rate for volatile organic materials emitted from DMI's paint deck operations at a daily average of 4.2 lb/gal in the dip top coat application tank, and a 30-day rolling-average of 61 lb/day for the dip tank make-up solvent addition. Questions concerning this rulemaking should be addressed to the hearing officer, Marie E. Tipsord, 100 W. Randolph, Suite 11-500, Chicago, IL 60601 (312) 814-4925.

### **BOARD ACCEPTS AGENCY PROPOSAL FOR STAGE II GASOLINE VAPOR RECOVERY RULES; HEARINGS SET, R91-30**

On February 6, 1992, the Board accepted for hearing the Agency's proposal in this rulemaking. The proposed rules are intended to regulate the installation and operation of systems for gasoline vapor recovery of emissions from the fueling of motor vehicles. Pursuant to Section 182(b)(3) of the Clean Air Act, as amended in 1990, Illinois is to submit these regulations as a revision to its state implementation plan (SIP) by November 15, 1992. This proposal is directed at both Illinois non-attainment areas. These include the Chicago area counties

of Cook, DuPage, Kane, Lake, McHenry, and Will, as well as Oswego township in Kendall County and Aux Sable and Goose Lake Townships in Grundy County; and the Metro-East area, consisting of Madison, Monroe, and St. Clair Counties.

After a review of the proposal, the Board found that the proposal substantially meets the requirements of the Environmental Protection Act (Act) (Ill.Rev.Stat. 1989, ch. 111 1/2, par. 1001 et. seq) and the Board's procedural rules. The order started the timeclock for the Board's economic impact study (EcIS) determination and for first notice publication pursuant to Sections 27 and 28.2 of the Act. (See 35 Ill. Adm. Code 102.160(b).) The Board also granted several Agency motions concerning the form of the filing.

Hearings have been set by the hearing officer for:

Monday, March 30, 1992 9:30 a.m. Room 9-031 State of Illinois Center 100 West Randolph Street Chicago, Illinois	Thursday, April 2, 1992 9:30 a.m. Classroom Illinois Dept. of Transportation 1100 Eastport Plaza Collinsville, IL
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Persons interested in the proposal should contact the hearing officer, Michelle C. Dresdow, at (815)753-0947 for further information.

## FINAL ACTIONS - FEBRUARY 6, 1992 BOARD MEETING

PCB 86-3 City of Oglesby v. IEPA - The Board granted a permanent exception with conditions from 35 Ill. Adm. Code 306.305(a) and 306.305(b) for the LaSalle County facility. Board Member J.T. Meyer dissented.

PCB 86-160 IEPA and the State of Illinois v. Fitz Mar, Inc. - The Board accepted the Stipulation and Settlement Agreement in which respondent agreed to pay \$10,000 designated to the Environmental Protection Trust Fund concerning Fitz-Mar's Cook County facility. Board Member J.T. Meyer dissented.

PCB 87-131 Amerock Corp. v. IEPA - The Board granted a variance with conditions from effluent standards in 35 Ill. Adm. Code 304.124 for Amerock's Winnebago County facility.

PCB 90-190 City of Charleston v. IEPA - This matter was dismissed on the petitioner's motion.

PCB 91-48 Wonder View Improvement Association v. IEPA - This matter was dismissed on a joint motion.

PCB 91-133 Lawrence Cadillac v. IEPA - The Board affirmed the Agency determination that a \$50,000 deductible applies to Lawrence Cadillac's Cook County facility.

PCB 91-152 Envirite Corporation v. IEPA - The Board denied Envirite's motion for reconsideration of a December 19, 1991 decision.

PCB 91-224 5027 Corp. v. City of Moline - The Board reversed and remanded this matter to the City of Moline.

PCB 91-244 Dakota K. Enterprises, Inc. v. IEPA - This matter was dismissed on the petitioner's motion.

PCB 91-252 Village of Sauget v. IEPA - The Board granted the Village of Sauget's extension of variance with conditions from 35 Ill. Adm. Code 304.106 as it relates to color only for its St. Claire County facility.

PCB 92-12 D & B Refuse Service v. IEPA - The Board granted the Agency's motion to dismiss.

AS 91-1 Petition of Keystone Steel and Wire Co. for Hazardous Waste Delisting - The Board granted an adjusted standard for the electric arc furnace dust wastes treated by the super detox process at Keystone's Peoria County facility.

R90-9(B) Used and Waste Tire Regulations - The Board adopted this final rule which repealed 35 Ill. Adm. Code 849 and amended 35 Ill. Adm. Code 848.

AC 91-57 Al Springman v. IEPA - The Board found Al Springman violated all provisions alleged in the Administrative Citation and imposed a penalty of \$1,000 payable to the Environmental Protection Trust Fund for his Jersey County facility.

AC 91-58 Anna Mae Stevens v. IEPA - The Board found Anna Mae Stevens violated all provisions alleged in the Administrative Citation and imposed a penalty of \$1,000 payable to the Jackson County Treasurer for her Jackson County facility.

AC 91-59 Donald Sickles v. IEPA - The Board found Donald Sickles violated all provisions alleged in the Administrative Citation and imposed a penalty of \$500 payable to the Environmental Protection Trust Fund for his Warren County facility.

### **NEW CASES - FEBRUARY 6, 1992 BOARD MEETING**

PCB 92-12 Kathleen Wamback v. IEPA - The Board remanded the case to the Agency for final determination on the reasonableness of costs pursuant to Section 22.18b(d)(4)

PCB 92-19 Illinois Power Company v. IEPA - The Board granted a 30 day provisional variance from 35 Ill. Adm. Code 722.134(b) for Illinois Power Company's Dewitt County facility.

PCB 92-20 Olin Corporation v. IEPA - The Board granted a 30 day provisional variance from 35 Ill. Adm. Code 722.134(b) for Olin Corporation's Madison County facility.

PCB 92-21 General Tire v. IEPA - The Board granted a 30 day provisional variance from 35 Ill. Adm. Code 304.120(c) and 304.141(a) for General Tire's Jefferson County facility.

### **CALENDAR OF HEARINGS**

All hearings held by the Board are open to the public. All Pollution Control Board Meetings (highlighted) are open to the public but public participation is generally not allowed. Times and locations are subject to cancellation and rescheduling without notice. Confirmation of hearing dates and times is available from the Clerk of the Board at (312) 814-6931.

March 6 10:00 a.m.	PCB 91-256 L-S-R	<u>Gallatin National Company v. The Fulton County Board and the County of Fulton - Fulton County Farm Bureau, Route 97 and 100, Lewistown.</u>
March 6 11:00 a.m.	PCB 91-263 UST-FRD	<u>Cook County Highway Department and Beling Consultants v. EPA - State of Illinois Center, Suite 11-500, 100 W. Randolph St., Chicago.</u>
March 9 9:30 a.m.	PCB 91-235 A-V	<u>Marsco Mfg. Co. v. EPA - State of Illinois Center, Suite 11-500, 100 W. Randolph St., Chicago.</u>
March 10 10:00 a.m.	PCB 92-9 UST-FRD	<u>Platolene 500, Inc. v. EPA - Greenup Municipal Building, 115 Cumberland, Greenup.</u>
March 10 1:00 p.m.	AS 91-9 PWS	<u>In the Matter of: Petition of the City of East Moline and the IEPA for Adjusted Standard from 35 Ill. Adm. Code 304 - East Moline City Hall, Second Floor, Council Chambers, 915 16th Avenue, East Moline.</u>
March 11 9:30 a.m.	PCB 89-177 P-A	<u>CWM Chemical Services, Inc. v. EPA and People of the State of Illinois - Loyola Law School, Room 124 or 160, Corboy Courtroom, 1 East Pearson, Chicago.</u>
<b>March 12</b>		<b><u>Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.</u></b>
March 12	PCB 92-1	<u>Russell L. Bacon v. EPA - Law and Justice Center, Dining Room, 104 W. Front</u>

9:00 a.m.	UST-FRD	Street, Bloomington.
March 12 9:00 a.m.	PCB 90-195 P-A	<u>Caterpillar, Inc. v. EPA</u> - Peoria County Courthouse, County Boardroom, 324 Main St., Peoria.
March 12 9:30 a.m.	PCB 89-177 P-A	<u>CWM Chemical Services, Inc. v. EPA and People of the State of Illinois</u> - Loyola Law School, Room 124 or 160, Corboy Courtroom, 1 East Pearson, Chicago.
March 13 9:30 a.m.	PCB 89-177 P-A	<u>CWM Chemical Services, Inc. v. EPA and People of the State of Illinois</u> - Loyola Law School, Room 124 or 160, Corboy Courtroom, 1 East Pearson, Chicago.
March 16 9:30 a.m.	PCB 91-220 P-A	<u>Waste Management of Illinois, Inc. (Laraway Facility) v. EPA</u> - Will County Courthouse, 14 W. Jefferson, Joliet.
March 19 10:00 a.m.	PCB 91-53 A-E	<u>People of the State of Illinois v. Enamellers and Japanners, Inc.</u> - State of Illinois Center, Suite 11-500, 100 W. Randolph St., Chicago.
March 19 10:00 a.m.	PCB 91-262 UST-FRD	<u>The Pumper, Inc. v. EPA</u> - Hinsdale Public Library, Lower Level, Conference Room, 20 E. Maple St., Hinsdale.
March 19 10:30 a.m.	AC 91-56 A-C	<u>County of Jackson v. Carbondale/R&amp;R Janitorial</u> - Jackson County Courthouse, First Floor Jury Room, Murphysboro.
March 23 10:00 a.m.	PCB 90-8 P-A	<u>The City of Metropolis v. EPA</u> - Metropolis City Hall, City Council Chambers, 106 West 5th Street, Metropolis.
March 25 10:00 a.m.	PCB 90-143 P-A	<u>Ohio Grain Company v. EPA</u> - Board of Supervisors Room, Bureau County Courthouse, Princeton.
<b>March 26</b>		<b>Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.</b>
March 27 9:00 a.m.	PCB 91-195 A-E	<u>Scott A. Thomas and Karen A. Thomas v. Carry Companies of Illinois, Inc.</u> - Macon County Courthouse, County Board Room, 253 E. Wood St., Decatur.
March 30 9:30 a.m.	R91-30 R	<u>In the Matter of: Amendments to 35 Ill. Adm. Code Subtitle B: Air Pollution, Reasonably Available Control Technology - State II Vapor Recovery for Chicago and St. Louis Area</u> - State of Illinois Center, Room 9-031, 100 W. Randolph St., Chicago.
April 1 10:30 a.m.	PCB 90-197 P-A	<u>The Celotex Corporation v. EPA</u> - Adams County Building, Small Jury Room, 521 Vermont St., Quincy.
April 2 9:00 a.m.	PCB 91-197 P-A	<u>Cabot Corporation v. EPA</u> - Douglas County Courthouse, First Floor, 401 S. Center St. (Northwest Corner), Tuscola.
April 2 9:30 a.m.	R91-30 R	<u>In the Matter of: Amendments to 35 Ill. Adm. Code Subtitle B: Air Pollution, Reasonably Available Control Technology - Stage II Vapor Recovery for Chicago and St. Louis Area</u> - Illinois Department of Transportation Classroom, 1100 Eastport Plaza, Collinsville.
April 3 9:30 a.m.	PCB 91-194 W/CSO-E	<u>Residents of Cedarville v. Village of Cedarville</u> - Stephenson County Courthouse, County Board Room, First Floor, 15 Galena Ave., Freeport.
April 3 10:00 a.m.	AC 89-275 A-C	<u>EPA v. Quantum Chemical Corporation</u> - Tuscola Community Building, Council Chambers, 122 W. North Central, Tuscola.
April 8 10:00 a.m.	PCB 91-237 P-A	<u>Laidlaw Environmental Services of Illinois, Inc. v. EPA</u> - Rockford Public Library, Room A, Lower Level, 215 N. Wyman St., Rockford.
April 8 10:00 a.m.	PCB 91-238 P-A	<u>Laidlaw Environmental Services of Illinois, Inc. v. EPA</u> - Rockford Public Library, Room A, Lower Level, 215 N. Wyman St., Rockford.
<b>April 9</b>		<b>Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.</b>
April 16	PCB 91-57	<u>Monsanto Company v. EPA</u> - Sauget Village Hall, 2897 Falling Springs Road,

10:00 a.m. P-A Sauget.  
 April 16 PCB 91-234 Safety-Kleen Corp. v. EPA - Pekin City Council Chambers, 400 Margaret St.,  
 10:30 a.m. P-A Pekin.

**April 23 Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.**

April 30 PCB 90-42 Stepan Company v. EPA - Will County Courthouse, 14 W. Jefferson St., Room  
 9:30 a.m. P-A 439, Joliet.  
 May 19 AS 91-11 In the Matter of: Illinois American Water Company for an Adjusted Standard from  
 10:00 a.m. PWS 35 Ill. Adm. Code 304.124 (Iron and TSS only) for the Water Company's East St. Louis Public Water Supply Facility - Alton City Hall, Council Chambers, Room 104, 101 E. Third St., Alton.

**Calendar Code**

A-C	Administrative Citation	A-E	Air Enforcement
A-S	Adjusted Standard	A-V	Air Variance
CSO	Combined Sewer Overflow Exception	L-E	Land Enforcement
L-S-R	Landfill Siting Review	L-V	Land Variance
N-E	Noise Enforcement	N-V	Noise Variance
P-A	Permit Appeal	PWS-E	Public Water Supply Enforcement
PWS-V	Public Water Supply Variance	R	Regulatory Proceeding
SO <sub>2</sub>	SO <sub>2</sub> Alternative Standards	SWH-E	Special Waste Hauling Enforcement
SWH-V	Special Waste Hauling Variance	T	Thermal Demonstration Rule (35 ILL. ADM. CODE 302.211(F))
T-C	Tax Certifications	T-S	Trade Secrets
W-E	Water Enforcement	W-V	Water Variance
WWS	Water-Well Setback Exception	UST-E	Underground Storage Tank Enforcement
UST-FRD	Underground Storage Tank Fund Reimbursement Determination		

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The Illinois Pollution Control Board is an independent seven member board which adopts the environmental control standards for the State of Illinois and rules on enforcement actions and other environmental disputes. The Board Members are:

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Illinois Pollution Control Board  
 State of Illinois Center, 11-500

The Environmental Register is a newsletter published by the Board after every Board meeting. The Register contains the Board's proceedings and other information, lists final actions, and contains the Board's calendar. The Register is provided free of charge.

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