

# ENVIRONMENTAL REGISTER

No. 432

July 24, 1991

## BOARD PROPOSES ADDITIONAL USED AND WASTE TIRE RULES FOR PUBLIC COMMENT, R90-9(B)

On July 11, 1991 the Board adopted (7-0) a Proposed Rule, Request for Public Comment in R90-9(B) Management of Used and Waste Tires.

The proposed rules repeal the existing management provisions for used and waste tires (Part 849), revise the exemption for retreading facilities and "fine-tune" the pesticide application provisions of Part 848, adopted April 25, 1991 in Docket R90- 9(A). The Board will proceed to First Notice with the proposed rules, plus any suggested changes, following expiration of a short comment period. The comment period expires August 1, 1991.

Copies of the Opinion are available from the Clerk of the Board at (312) 814-3620. Questions concerning the proposal may be directed to Mark P. Miller at (217) 333-5573.

## BOARD PROPOSES DMI'S SITE SPECIFIC RULEMAKING RELATED TO VOM EMISSIONS FOR FIRST NOTICE, R91-9

On July 11, 1991 the Board proceeded to First Notice without ruling on the merits of a site-specific rulemaking filed by DMI, Inc. DMI's proposal was filed pursuant to Section 27 of the Illinois Environmental Protection Act (Act) (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 1027).

The proposal would amend 35 Ill. Adm. Code 215 by adding a new Section 215.215. The new Section would set an emission rate for volatile organic material (VOM) emissions from the paint deck operations of DMI's Goodfield, Illinois plant of 3.5 lb/gal on a daily average for spray coat application, 4.2 lb/gal for the dip top coat application, and a rolling 30-day average of 61 lb/day for the dip tank make-up solvent.

Persons wishing to comment should send written comments referencing R91-9, to the Dorothy M. Gunn, Clerk, Illinois Pollution Control Board, 100 West Randolph, Suite 11-500, Chicago, IL 60601.

## WATERWAYS CRUISE AND ENVIRONMENTAL WORKSHOP - September 28, 1991!! MORE INFORMATION AND TICKET FORM ON LAST PAGE!!

### FINAL ACTIONS - JULY 10, 1991 BOARD

### MEETING

- PCB 72-326     IEPA v. Velsicol Chemical Corp and  
PCB 72-355     Velsicol Chemical Corp. v. IEPA - Due to unusual circumstances justifying relief requested, the Board reopened the docket, granted Velsicol's motion for modification or termination of the Board's April 5, 1973 order and terminated paragraph 2(b) to allow completion of the remediation plan concerning Velsicol's Clark County facility. Board Member J.D. Dumelle concurred.
- PCB 87-191     Lefton Iron and Metal Co. Inc., a Missouri Corp. et al v. Moss-American Corp., a Delaware Corp. et al. The Board found petitioner alleged no compelling reason as to why the Board should reopen this docket and denied the motion for reconsideration of its November 29, 1990 Order.
- PCB 89-157  
(A) & (B)     People of the State of Illinois v. Clybourn Metal Finishing Co. - The Board found respondent violated the Act and Board air pollution regulations at its Cook County facility, ordered respondent to pay a penalty of \$12,000 for deposit into the Environmental Protection Trust Fund, to cease and desist from further violations, ordered the Attorney General to file an affidavit of costs to be assessed in subdocket (B), and closed Docket A. Board Members R. Flemal, J. Marlin, and J. T. Meyer concurred. Board Member J. Anderson dissented.
- PCB 90-37     People of the State of Illinois v. Nesco Steel Barrel Co. - The Board accepted the Stipulation and Settlement

- Agreement in which respondent denied alleged violations of the Act and Board air pollution regulations and agreed to pay a sum of \$7,000 to the Environmental Protection Trust Fund concerning its Madison County facility. Board Member J.D. Dumelle concurred.
- PCB 90-122 City of Lockport v. IEPA - The Board accepted the Agency Recommendation and granted petitioner variance, with conditions, from the Board's public water supplies regulations concerning Standards for Issuance and Restricted Status relating to the standard for radium and gross alpha particle activity in drinking water concerning its Will County facility. Board Members J.D. Dumelle and B. Forcade dissented.
- PCB 91-4 Sexton Environmental Systems, Inc. v. IEPA - The Board granted the Agency's motion for reconsideration of its April 25, 1991 order, but declined to modify its order concerning hazardous waste treatment fee requirements for petitioner's Cook County facility. Board Members J.D. Dumelle, B. Forcade and R. Flemal dissented.
- PCB 91-19 People of the State of Illinois v. Sun AG, Inc., an Illinois Corp. - The Board accepted the Stipulation and Settlement Agreement in which respondent admitted to past violations of the Act and Board water pollution regulations, agreed to pay a civil penalty of \$20,000 for deposit to the Environmental Protection Trust Fund and \$1,218.05 to the Fish and Wildlife Fund, and agreed to cease and desist from further violations concerning its Woodford County facility. Board Member J. Theodore Meyer dissented and Board Member J.D. Dumelle concurred.
- PCB 91-59 Village of Westmont v. IEPA - The Board accepted the Agency Recommendation and granted petitioner variance, with conditions, from the Board's public water supplies regulations concerning Standards for Issuance and Restricted Status relating to standards for combined radium-226 and radium-228 in drinking water concerning its DuPage County facility. Board Members J. D. Dumelle and B. Forcade dissented.
- PCB 91-61 Big River Zinc Corp. v. IEPA - This matter was dismissed on petitioner's motion to withdraw. Issues raised with regard to reconsideration of the challenged portion of the Board's Interim Order of May 6, 1991 were deferred to docket R91-11.
- PCB 91-114 City of Fairbury v. IEPA - The Board accepted the Agency Recommendation and granted petitioner provisional variance, with conditions, from the Board's water pollution regulations for its Livingston County facility. Board Members J.D. Dumelle and B. Forcade concurred.
- PCB 91-115 General Electric Co. v. IEPA - The Board accepted the Agency Recommendation and granted petitioner provisional variance from the Board's waste disposal regulations relating to the 90-day on-site limitations for hazardous wastes at its McLean County facility. Board Members J.D. Dumelle and B. Forcade concurred.
- PCB 91-116 Mobil Chemical Co. v. IEPA - The Board accepted the Agency Recommendation and granted petitioner provisional variance from the Board's waste disposal regulations relating to the 90-day on-site limitations for hazardous wastes at its Morgan County facility. Board Members J.D. Dumelle and B. Forcade concurred.
- PCB 91-117 Greater Rockford Airport Authority v. IEPA - The Board accepted the Agency Recommendation and granted petitioner provisional variance from the Board's waste disposal regulations relating to the 90-day on-site limitations for hazardous wastes at its Winnebago County facility. Board Members J.D. Dumelle and B. Forcade concurred.
- AC 88-62 IEPA v. City of Chicago, a municipal corp. - This matter was dismissed on the Agency's motion.
- AC 91-25 IEPA v. Upper Rock Island County Landfill - The Board found respondent violated Sections 21(p)(1), 21(p)(5), 21(P)(11) and 21(p)(12) of the Act and imposed a fine of \$2,000.
- AC 91-26 Logan County Health Dept. v. Lincoln/Logan Landfill, Inc. - The Board found respondent violated Sections 21(p)(5), 21(p)(11) and 21(p)(12) of the Act and imposed a fine of \$1,500.
- AC 91-27 Logan County Health Dept. v. Lincoln/Logan Landfill, Inc. The Board found respondent violated Sections 21(p)(1), 21(p)(5), 21(p)(11) and 21(p)(12) of the Act and imposed a fine of \$2,000.
- AS 90-7 In The Matter Of: Petition of Quantum Chemical Corp., USI Division for an Adjusted Standard from 35 Ill. Adm. Code 720.130 - This matter was dismissed on petitioner's motion.
- R90-22 In The Matter Of: Petition of Keystone Steel and Wire Co. for Hazardous Waste Delisting - This matter was dismissed on petitioner's motion.

**NEW CASES - JULY 11, 1991 BOARD MEETING.**

- PCB 91-104 Village of Fox River Grove v. IEPA - Petitioner seeks variance concerning contamination from certain nearby property affecting the public water supply well at its McHenry County facility. Additional information requested.

- PCB 91-105 National Steel Corp. Granite City Division v. IEPA - Petitioner seeks permit review for its Madison County facility. Accepted for hearing.
- PCB 91-106 Richard Worthen et al v. Village of Roxana et al. - Petitioners seek review of the Village of Roxana granting site location suitability approval for a Madison County facility. Accepted for hearing.
- PCB 91-107 Village of Oak Brook v. IEPA - Petitioner seeks variance from the Board's public water supplies regulations concerning radium for its DuPage/Cook County facility. Held for Agency Recommendation.
- PCB 91-108 Israel-Gerold's, an Illinois General Partnership et al v. IEPA - Petitioner seeks review of an underground storage tank fund reimbursement determination concerning its DuPage County facility. Accepted for hearing.
- PCB 91-109 North Suburban Development Corp. v. IEPA - Petitioner seeks review of an underground storage tank fund reimbursement determination concerning its Cook County facility. Accepted for hearing.
- PCB 91-110 Indian Refining Limited Partnership v. IEPA - Petitioner seeks review of the Agency's denial of its renewal applications for operating permits concerning its Lawrence County facility. Accepted for hearing.
- PCB 91-111 Village of Oswego v. IEPA - Petitioner seeks variance from the Board's public water supplies regulations concerning Standards for Issuance and Restricted Status relating to the combined radium-226 and radium-228 concentration for its Kendall County facility. Held for Agency Recommendation.
- PCB 91-112 Williamson Adhesives, Inc. v. IEPA - Petitioner seeks review of an underground storage tank fund reimbursement determination for its Cook County facility. Accepted for hearing.
- PCB 91-113 Department of the Army v. IEPA - Petitioner seeks variance for its bankline disposal of dredged material from the Illinois River for its Rock Island facility. Additional information requested.
- PCB 91-114 City of Fairbury v. IEPA - See Final Actions
- PCB 91-115 General Electric Co. v. IEPA - See Final Actions
- PCB 91-116 Mobil Chemical Co. v. IEPA - See Final Actions
- PCB 91-117 Greater Rockford Airport Authority v. IEPA - See Final Actions.
- PCB 91-118 City of Braidwood v. IEPA - Petitioner seeks variance for its Will County facility. Additional information requested.
- PCB 91-119 White County Board v. IEPA - Petitioner seeks variance extension for its White County facility. Additional information requested.

#### CALENDAR

- July 26  
10:00 a.m. W-V Commonwealth Edison Company v. EPA - PCB 91-29, Will County Courthouse, 14 W. Jefferson St., Fourth Floor, Joliet.
- July 31  
10:00 a.m. P-A Indian Refining Limited Partnership and Indian Refining Company v. EPA - PCB 91-84, Lawrenceville Civic Center, Downstairs Meeting Room, 700 E. State St., Lawrenceville.
- July 31 A-S Petition of Olin Corporation for and Adjusted Standard from 35 Ill. Adm. Code 724 and 725 11:00 a.m. (related to Closure and Post Closure of RCRA Regulated Surface Impoundments) Council Chambers, Edwardsville City Hall, 400 N. Main St., Edwardsville.
- August 1  
10:00 a.m. P-A Indian Refining Limited Partnership and Indian Refining Company v. EPA - PCB 91-84 Lawrenceville Civic Center, Downstairs Meeting Room, 700 E. State St., Lawrenceville.
- August 2  
10:00 a.m. P-A Quantum Chemical Corp., USI Division v. EPA - PCB 91-6, Tuscola City Council Chambers, Tuscola Community Building, 122 W. North Central, Tuscola.
- August 5  
10:00 a.m. N-E  
A-E Susan A. Curtis and Marcy Diesing v. Material Service Corporation - PCB 91-30, Crystal Lake City Hall, Council Chambers, 101 W. Municipal Complex, Crystal Lake.
- August 8** **Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040,**

## Chicago.

- August 19 P-A Merle K. Buerkett d/b/a Buerkett Airport Landfill v. EPA - PCB 91-101, Municipal Building 9:30 a.m. Council Chambers, Third Floor, Seventh & Monroe Sts., Springfield.
- August 20 P-A Pekin Energy Company v. EPA - PCB 89-171, Tazewell County Board Room, 11 S. Fourth St., 10:00 a.m. Third Floor, Pekin.
- August 20 P-A FIW, Inc. v. EPA - PCB 90-141, Rockford Public Library, 215 N. Wyman, Room A, Lower 10:00 a.m. Level, Rockford.
- August 22 Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.**
- August 23 P-A General Electric Company (Mattoon Lamp Plant) v. EPA - PCB 90-65, Coles County 9:30 a.m. Courthouse, County Board Room, Third Floor, Charleston.
- August 26 N-ERonald E. Tex and Susan D. Tex v. Scott Coggeshall and Coggeshall Construction Company, 10:00 a.m. Chester Bross, Mike Bross Jeff Bross and Chester Bross Construction Company, PCB 90-182, McDonough County Courthouse, Law Library, Third Floor, Macomb.
- August 27 A-V DMI, Inc. v. EPA - PCB 90-227, Woodford County Courthouse, County Board Room, 115 10:00 a.m. N. Main St., Eureka.
- August 27 R In the Matter of: General Motors Corp. Exception to 35 Ill. Adm. Code 216.381 for Ferrous Foundries in Vermilion County - R 90-23, Northeastern Illinois Planning Commission, 10:00 a.m. 400 W. Madison St., Chicago.
- August 27 R In the Matter of: Petition of DMI, Inc. for Site-Specific Air Regulation 35 Ill. Adm. Code 215.215 - R91-9, Woodford County Courthouse, County Board Room, 114 N. Main St., Eureka. 1:00 p.m.
- August 28 SWH-E EPA v. Fred Johnson, Johnson & Briggs Tank Truck Service, a/k/a Johnson & Briggs Tank Truck & Heater Service - PCB 90-89, Edwards County Courthouse, Albion. 9:30 a.m.
- August 29 SWH-E EPA v. Fred Johnson, Johnson & Briggs Tank Truck Service, a/k/a Johnson & Briggs Tank Truck & Heater Service - PCB 90-89, Edwards County Courthouse, Albion. 9:30 a.m.
- August 29 UST-FRD Walter J. Maquet and Marlene G. Maquet d/b/a Maquet's 66 Service - PCB 90-136, 9:30 a.m. Taxewell County Courthouse, County Board Room, Court Street, Pekin.
- August 29 A-C EPA v. Quantum Chemical Corporation - AC 89-275, Tuscola City Council Chambers, Tuscola 10:00 a.m. Community Building, 122 W. North Central, Tuscola.
- August 29 R In the Matter of: General Motors Corp. Exception to 35 Ill. Adm. Code 216.381 for Ferrous Foundries in Vermilion County - R90-23, Danville City Hall, 401 N. Hasel, Danville. 9:30 a.m.
- August 30 P-A Safety-Kleen Corporation v. EPA - PCB 91-82, Tazewell County Courthouse, County Board 9:15 a.m. Room, Pekin.
- September 3 P-A Jefferson Smurfit Corporation v. EPA - PCB 88-175, Council Chambers, Alton City Hall, 101 10:00 a.m. E. Third St., Alton.
- September 5 P-A Rockford Products Corporation v. EPA - PCB 91-31, Rockford Public Library, Room A, Lower 10:00 a.m. Level, 215 N. Wyman, Rockford.
- September 12 Pollution Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.**
- September 16 P-A Olin Corporation v. EPA - PCB 89-178, Alton City Hall, 101 E. Third St., Alton. 10:00 a.m.
- September 16 N-E Vito Zivoli & Stella Podczerwindki v. Somebody's Bar & Restaurant and Progress Inv. II - PCB 10:00 a.m. 90-200, State of Illinois Center, 100 W. Randolph St., Suite 11-500, Chicago.
- September 20 P-A American Steel & Wire Corporation v. EPA - PCB 90-188, Will County Courthouse,

9:30 a.m.		14 W. Jefferson St., Joliet.
September 23 10:00 a.m.	PWS-E	<u>Wonder View Improvement Association v. Northern Illinois Utilities, Inc.</u> - PCB 91-48, McHenry City Hall, 333 S. Green, McHenry.
September 25 10:00 a.m.	P-A	<u>Monsanto Company v. EPA</u> - PCB 91-57, Sauget Village Hall, 2897 Falling Springs Rd. Sauget.
<b>September 26</b>	<b>Pollution</b>	<b>Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.</b>
September 27	A-E	<u>People of the State of Illinois v. Colwell General, Inc.</u> - PCB 89-180, State of Illinois Center, 10:00 a.m. 100 W. Randolph St., Suite 11-500, Chicago.
October 3 10:00 a.m.	N-E A-E	<u>Karl Christ and Helen Christ v. Compost Enterprises, Inc.</u> - PCB 91-50, McHenry City Hall, 333 S. Green St., McHenry.
October 10	P-A	<u>The Celotex Corporation v. EPA</u> - PCB 90-197, Adams County Building, Small Jury Room, 10:30 a.m. 521 Vermont St., Quincy.
<b>October 10</b>	<b>Pollution</b>	<b>Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.</b>
<b>October 24</b>	<b>Pollution</b>	<b>Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.</b>
<b>November 7</b>	<b>Pollution</b>	<b>Control Board Meeting, State of Illinois Center, 100 W. Randolph St., Conference Room 9-040, Chicago.</b>
November 11	A-S	<u>In the Matter of Granite City Division of National Steel for Adjusted Standards from 35 Ill. Amd. Code 301.102, 302.208, 302.210 and Subpart F, Procedures for Determining Water Quality Criteria</u> - AS 90-4, City Hall, Mayor's Conference Room, Second Floor, 200 Edison Avenue, Granite City. 10:00 a.m.

\* Times and locations of hearings and meetings appearing in the Environmental Register are subject to cancellation or rescheduling without notice. Confirmation of that information may be obtained from the Clerk of the Board at 312/814-6931.

\*\* The Pollution Control Board meetings listed in the calendar (highlighted) are unlike the other hearings listed in that, while they are open to the public, public participation is generally not allowed, except upon the granting of a motion for oral argument.

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-FRD	UNDERGROUND STORAGE TANK FUND REIMBURSEMENT DETERMINATION		

**WATERWAYS CRUISE AND ENVIRONMENTAL WORKSHOP**

EILEEN JOHNSTON is organizing another fabulous waterways cruise and floating seminar for September 28, 1991. The floating seminar is planned to discuss areas of environmental concern and the progress made in solving problems since the first Earth Day in 1970. Participants will view pictures of what the areas looked like

twenty years ago when the pollution was unbelievable. Speakers from state and federal agencies and industries will discuss the environemtnal progress made, pollutions abatement and current problems.

The cruise is on the Wendella and is 72 miles long. Participants will view the ever changing and exciting shoreline and skyline of Chicago and northern Indiana, and the waterways of the Calumet Sag Channel, Calumet River and I & M Shipping Canal. The cruise also passes steel mills, new water reclamation facilities, barges, landfills and the canyon of city skyscrapers.

Eileen's cruise serves to demonstrate the environmental challenges facing our country due to the dramatic impact of man on the environment. Some of the questions addressed during the floating seminar include: What progress has been made? Can we eat fish from the lake? How are environmental regulations proposed and enforced?

Participants meet at 8:45 a.m. at the foot of the Wrigley Building, and we return before 4 p.m. Parking facilities are located west of the building, allow time to locate a space. Use public transportation if possible. Be prompt, don't miss the boat!! Bring your lunch. Soft drinks are sold on board. Warm clothes and head gear are in order, The cost is \$45, \$35 for full time students. Send checks to:

**Eileen Johnston, 505 Maple Avenue, Wilmette, IL 60091; (312) 814-3470**

Please make reservation before September 20, 1991. Space is limited, so the sooner the better!

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NAME\_\_\_\_\_

School, Firm, Group\_\_\_\_\_

Address\_\_\_\_\_

Phone\_\_\_\_\_

Ticket No.\_\_\_\_\_

Amount Enclosed\_\_\_\_\_