

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING

May 10, 1972 - Suite 300, 309 West Washington Street, Chicago, Illinois

All Board Members were present.

The following opinions and orders were adopted by a vote of 5-0: William Earl Young, PCB 72-46, was ordered to cease and desist from accepting the dumping of refuse on his property until he has obtained a proper permit from the Agency; William Smistic and Ronald Hayden, PCB 72-47, were ordered to cease and desist the violations of the statute and regulations in regard to the operation of a landfill and to pay a penalty of \$2,000; the City of Fairfield, PCB 72-58, Edwards Mobile Home Park, PCB 72-88, and Marmion Military Academy, PCB 72-90, were dismissed without prejudice.

Decision in U.S. Industrial Chemicals Company, PCB 71-44, was set for May 17, 1972; Mr. Lawton will draft an opinion and order. In James McHugh Construction Company et al, PCB 71-291, decision had to be postponed since the Board is expecting a Brief from respondent in the case. In Chicago-Dubuque Foundry Corp., PCB 71-309, the compliance date of May 12, 1972, was extended to July 12, 1972, by a vote of 5-0, since there was a delay in equipment delivery. The Board voted 5-0 in North Shore Sanitary District, PCB 71-343, requesting that all parties in the case submit comments to the Board on the District's May 1, 1972 letter relating to advancement of the date of completion of the Waukegan retention basin, within 20 days. Mr. Kissel agreed to prepare the opinion and order. In Nickel Brothers Tree Service, PCB 71-329, the Board adopted the Agency's recommendation that Petitioner's request should be partially granted to allow open burning from 8:00 a.m. to 4:00 p.m. Central Standard Time, and from 7:00 a.m. to 5:00 p.m. Daylight Savings Time, by a vote of 5-0. Mr. Aldrich agreed to write the opinion and order. Decision in Congregation Am Echod, PCB 72-11, was postponed pending EPA recommendation. Mr. Lawton agreed to write the opinion and order granting Tennis Development, Inc., PCB 72-59, a variance from the sewer ban provisions of the March 31, 1971 order in the League of Women Voters v. NSSD (PCB 70-7, 12, 13, 14) case. Mr. Dumelle will provide the opinion and order in Decker Sawmill, PCB 72-75, denying the supplemental petition for variance. Both of these cases were set for decision on May 17, 1972. In Trader's Tree Service, PCB 72-96, the EPA recommended denying the request for variance from the Open Burning Regulations; decision was set for May 17 and Mr. Kissel will provide the order. Jesse and Josie Starks, PCB 72-157, were granted a variance to connect their

home to the North Shore Sanitary District by a vote of 5-0. The Board dismissed the petition for variance in State National Bank of Evanston, PCB 72-176, by a vote of 5-0, since a permit may be issued by the Agency if its requirements are satisfied.

In City of Urbana, PCB 71-365, the University of Illinois' Motion to Dismiss was denied by a vote of 4-0. (Mr. Aldrich did not vote in the decision of this Motion). The Motion for Rehearing in George Knight, PCB 72-44, was denied by a vote of 5-0. Decision on the Motion to Reconsider in Central Christian Church, PCB 72-108, was postponed pending EPA recommendation.

Hearings were authorized in Illinois Power Company (Wood River Station #5), PCB 72-190, and Downers Grove National Bank, PCB 72-195. A hearing is mandatory in EPA v. Everett J. LaVoie d/b/a LaVoie Sanitary Service, PCB 72-191. In Bruno E. Feige, PCB 72-192, the Board voted 5-0 to request additional information from the parties in the case. Mr. Kissel will provide the order. Decision in Dante A. Greco, PCB 72-193, was postponed pending EPA recommendation. Marquette Cement Manufacturing Company, PCB 72-194, was dismissed by a vote of 5-0.

Decision in R 71-25, Mining Regulations, was postponed until the next Board meeting.

Mr. Currie noted that there are two bills before the Environmental Committee which would remove from the Board authority to regulate the open burning of natural vegetation and would deprive the Board of authority to impose money penalties for pollution violations. He said he had submitted written testimony opposing both bills.

Mr. Kissel suggested that the General Rules of the Pollution Control Board be reviewed and revised.

The Board agreed to postpone the May 16 Board meeting until May 17, 1972.

I, Christan L. Moffett, Clerk of the Pollution Control Board, certify that the Board approved the above Minutes this 23rd of May, 1972, by a vote of 4-0.

Christan L. Moffett