

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING

August 1, 1972 - Suite 300, 309 W. Washington St., Chicago, Ill.

All Board Members were present. Mr. Currie introduced Mr. John Parker appointed by the Governor to replace Mr. Aldrich effective August 1, 1972.

The Board adopted opinions and order in the following cases by a vote of 5-0: #72-57, EPA v. City of Cairo, penalty of \$100; 72-70, EPA v. Southwest Regional Port District, record to remain open for 60 days to allow respondent to file a solution to the pollution abatement problem; 72-212, Village of Peotone v. EPA, variance granted to allow open burning.

Mr. Currie's proposed opinion in #72-91 and 72-150, Commonwealth Edison was discussed and decision set for August 8.

A first discussion of #71-338, CPC International was held and Mr. Currie agreed to prepare an opinion for discussion at the August 8 Board meeting.

After some discussion Mr. Dumelle agreed to prepare an opinion in #71-381, Peterson and Mr. Parker will prepare an opinion in #72-43, Baker. Both will be for decision on August 8.

#72-191, LaVoie was set for decision on August 8 and Mr. Henss will prepare an opinion.

Discussions in #71-365, Urbana and 72-143, City of Springfield were put over to August 8.

The Board voted 5-0 to allow petitioner in #72-246, Lewis & Clark Community College to amend their petition. If an amended petition is not filed the Board will then rule on the EPA's motion to dismiss the case.

In #72-213, Village of Mt. Auburn, the parties asked that a decision be put over until after hearings on the proposed open burning amendments and the Board agreed to their request. It was noted that a waiver of the 90-day decision date had been filed.

The Board voted 5-0 to ask for the EPA's response to the motion to dismiss in #72-155, EPA v. Illinois Central R.R.

Mr. Dennis Hawker of the Institute for Environmental Quality presented a status report on documents regarding beryllium, cadmium and lead. He stated that the Institute will be submitting additional documents on these matters and that the EPA would have proposed standards to submit to the Board by early Fall. Mr. Dumelle suggested announcing this in the newsletter and Mr. Currie agreed.

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Minutes for July 18 and July 25 were put over to August 8 for approval.

The following new variance cases were authorized for hearing by a vote of 5-0: ##72-305, Village of Bensenville; 72-307, Illinois National Bank of Springfield (ordered consolidated with ##72-300, Illinois National Bank of Springfield and 72-301, First National Bank of Springfield); 72-311, City of Litchfield; 72-313, Lansdowne Sewage Treatment Plt.; 72-314, Caholia Sewage Treatment Plt.

Hearings are mandatory in ##72-309, EPA v. Trilla Cooperage, Inc.; 72-312, EPA v. Howrad James; 72-315 EPA v. Freeman Coal Mining Corp.; and 72-316, EPA v. Illinois Central R.R.

These cases were ordered held pending EPA recommendations: ##72-306, Freeman Coal Mining Corp.; 72-308, General Iron Industries Inc., et al; and 72-310, John S. Wineman et al.

In 72-304, Trend Village Homeowners Assn. v. City of Hanover Park the Board voted 5-0 to ask the complainant to amend the complaint.

A hearing was authorized in #72-317, Arbor Theatre Corporation v. Campbell Soup Co.

Mr. Currie announced that the Appellate Court had reversed an injunction order in the the matter of #R71-24, Beverage Containers and that new hearing dates would be set.

The meeting was adjourned until 1:30 p.m.

Petition for variance was denied by a vote of 5-0 in #72-192, Bruno Feige. Mr. Lawton agreed to prepare the opinion and order.

Mr. Currie said that since the Board was financially able, it would be a good time to hire a law student to index the Board opinions and the Board Members agreed.

The Board then discussed matters for the August 8 agenda.

Miss Moffett was asked to see that parties in cases set for decision were notified in advance and she agreed that it would be done. Mr. Dumelle agreed to refer the Illinois River temperature data received from the IEQ to both State and Federal EPA's for possible rule-making proposals.

I, Christan L. Moffett, Clerk of the Pollution Control Board certify that the Board adopted the above Minutes this 8th day of August, 1972 by a vote of 5-0.

Christan L. Moffett