

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF FORMAL MEETING, JANUARY 6, 1971.  
St. Clair Room, Student Union Building, Southern  
Illinois University, Edwardsville, Illinois.

All members were present except Mr. Kissel  
who was on vacation.

In two enforcement proceedings, EPA v. Amigoni, PCB 70-15, and EPA v. Granite City Steel Co., PCB 70-39, variance petitions were consolidated with the previously held hearings. In EPA v. Koppers Co., PCB 70-49, an enforcement action alleging water pollution, a hearing would be mandatory. In Lipsett Steel Products, Inc., PCB 70-50, a variance request for open-burning of box cars, the Board authorized a hearing. In Miles Laboratories v. EPA, a variance request from low sulfur content fuel regulations no hearing was authorized pending on agency recommendation. In Marblehead Lime Company v. EPA, PCB 70-52, the company's variance request had been made three days before the existing variance was to expire. A hearing was authorized. In PCB 70-53, Midstate Foundry Co. v. EPA, the company sought an air pollution variance. No hearing was authorized pending an Agency recommendation. No hearing was scheduled for PCB 70-54, Charles Valence v. EPA, where the Board noted that in effect, the petitioner was seeking exemption from open burning regulations. The Board directed the petitioner to present evidence in the pending hearings on Open Burning Regulations, R 70-11. In City of Springfield v. EPA, a hearing was authorized to get more information on the proposed abandonment of a small sewage treatment plant. A hearing was authorized in another treatment plant variance, Tekton Corp and Gallagher and Henry v. EPA, PCB 70-56, where the petitioner was seeking a variance for connecting new homes to an already over-loaded plant.

Discussion moved to pending rule making matters. The citizens petition for Mississippi River Thermal Standards, R 70-16, was scheduled for hearing. The petition was broadened to include the entire length of the Illinois portion of the river. Mr. Dumelle explained his proposals in R 71-1, Revisions for Wabash River Basin, which amend SWB-9 to include the North Fork of the Vermillion River. The Board authorized it for hearings and consolidated it with R 70-8, Effluent Standards, in which Mr. Kissel was made hearing officer. Mr. Dumelle also explained similar revisions in Mississippi River Standards Revisions, R 71-2, which were requested by the USEPA. He commented that the standards would undoubtedly get tighter. Hearings were authorized and again consolidated with R 70-8.

The application for non-disclosure of a trade secret was granted in PCB 70-50, Lipsett Steel Products v. EPA. The documents,

as received, would not be kept in the public files.

Final action was taken in four matters. In R 70-3, Water Quality Standards for Mississippi River, a proposed regulation advancing dates for secondary treatment facilities on the Mississippi to December 31, 1973, the Board made minor revisions and then adopted it. In R 70-6, Phosphate Standards, Mr. Dumelle explained the importance of the regulation in reference to saving Lake Michigan. Dr. Aldrich explained that it is better to take it out of the effluent than out of detergents. The Board unanimously adopted the proposed regulation. In one of the two adjudicatory matters, Wagner Castings Co. v. EPA, PCB 70-24, the petitioner had asked for an eighteen month air pollution variance, but since the Board only has authority to grant a one year variance, it voted to do so here. The Board felt sufficient evidence was given to show a hardship on the company if a variance was denied. A performance bond was required to guarantee compliance with the order. In a similar air pollution variance case, Marquette Cement Manufacturing Co. v. EPA, PCB 70-23, the Board granted a variance for one year while the company installed control facilities. Also, a \$10,000 penalty was assessed for the company's dilatory tactics in delaying to file their control plan. Mr. Currie then discussed two air pollution matters. One concerned the possibility of revising the Air Pollution Episode Regulations, R 70-7, to include a section calling for an alert when only temporary weather improvement is predicted. The second matter was a status report to the St. Louis area on the St. Louis Implementation Plan, R 71-8. As Argonne was having difficulties modeling the region, Mr. Currie explained the Board might soon propose regulations on everything but the use of coal in highly polluted areas, which Argonne would submit later. Mr. Charles Pardee from the audience questioned the Board as to whether the Agency was the appropriate state agency to properly designate a firm's control facilities so as to receive preferential federal tax treatment. Mr. Currie explained that the Board had delegated that type authority to the Agency. Mr. Lawton then conducted two hearings, Air Quality Standards Revisions, R 70-10, and Open Burning Regulations, R 70-11.

At 3:30 p.m. Mr. Currie reconvened the meeting and turned it over to Dr. Aldrich who presented two professors from the University of Illinois. The purpose of the meeting, as explained by Dr. Aldrich, was to inform the Board in the areas of herbicides and fungicides and then request audience response. Dr. Fred W. Slife of the Agronomy Department presented his opinions on the effect of herbicides on the environment, specially the effect on humans, animals, food-chain accumulation, soil-life, and water supplies. He also described problems from herbicides application processes and alternatives to herbicides use. In concluding he noted that several regulations were in existence and in his opinion, adequately protected the public. Dr. Malcolm Shurtleff of the Plant Pathology Department then gave information on the use and need of plant disease chemicals such as bactericides and fungicides. He noted that mercury in bactericides are banned in Illinois in certain situations but still used in others as the most effective chemical.

After a short recess (5:05 p.m.), the Board conducted a general discussion with members of the Granite City Pollution Control Board.

The main questions discussed were whether or not the Board felt local pollution boards were needed and if so, in what capacities, and was state financial assistance available to local Boards. Mr. Currie closed the meeting by noting that local boards could help in enforcement and pass supplementary regulations for local problems (6:00 p.m.).

I, Christan L. Moffett, Clerk of the Pollution Control Board, certify that the Board adopted the above Minutes this 25th day of April, 1972, by a vote of 5-0.

Christan L. Moffett