

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF INFORMAL BOARD MEETING

FEBRUARY 7-8, 1972, 309 W. WASHINGTON ST., CHICAGO, ILL.

All members were present.

Mr. John Rowe for Commonwealth Edison Co. moved that the Board amend its latest order in #70-21, Dresden, to provide a June rather than an April date for off-gas control. Mr. Kissel agreed to study the record and draft an appropriate order.

Mr. Kissel's opinion denying the variance requests in ##71-356 and -357, Hayes Drainage and Tuscola Drainage, was adopted 4-1, Mr. Aldrich dissenting.

After discussion Mr. Lawton agreed to draft an order imposing a \$2000 penalty in #71-283, Logan, for action February 17.

Mr. Kissel excusing himself, the Board then discussed Mr. Lawton's draft opinion in #71-269, Glovka v. NSSD, Mr. Currie suggesting that only the District should be held in violation of the order and that only those who connected to the sewers with knowledge that the Board had denied them variances should be disconnected. Mr. Lawton agreed to revise the opinion as suggested by Mr. Aldrich to raise the penalty to \$5000. Further discussion was set for Feb. 14.

After discussion in #71-303, Buerkett, Mr. Currie agreed to draft an opinion to deny the variance on the ground the cost of mixing with limestone to neutralize the acid sludge and avoid open dumping was reasonable. Mr. Dumelle and Mr. Aldrich indicated their disagreement. Further discussion was set for Feb. 14.

Mr. Aldrich agreed to draft an opinion in #71-305, Krawczyk, setting a March 31 date for repairing an inadequate public water supply with a \$1000 penalty for continued violations, for Feb. 14 discussion. Mr. Dumelle agreed to draft an opinion denying the variance in #71-362, New Jersey Zinc, for inadequate proof that excessive acid emissions were necessary, and because of failure to rebut EPA evidence as to harmful ambient SO<sub>2</sub> concentrations, and because the regulations from which variance is sought were not yet in effect. For discussion Feb. 14.

The motion to dismiss the Sanitary District in #71-365, Urbana, was taken with the case. The motion in #71-373, Springfield, that the reconsideration petition not be treated as a variance request, was deferred pending EPA response to the initial petition. On motion of the complainant, the hearing in #71-333, Howe v. Edison, was postponed pending a supplemental appropriation.

The Board voted 5-0 to adopt an opinion by Mr. Currie dismissing as incomplete and premature #72-34, Granite City Steel Co.; voted 5-0 to dismiss #72-35, Mt. Carroll, for insufficient allegations as to the need for a variance, Mr. Currie to supply an order; agreed to hold #72-36, Canton, for EPA recommendation; to ask verification in #72-37, Pfanstiehl, and then to grant the reconnection, Mr. Kissel to supply an order; voted 5-0 to authorize a hearing in #72-38, Borden; agreed to wait EPA recommendation in #72-39, Great States; voted 5-0 to dismiss #72-40, Decatur Cemetery, for inadequate allegations as to alternatives to open burning, Mr. Currie to supply an order; agreed to wait EPA recommendation in #72-41, Richardson, and to seek verification and grant reconnection in #72-42, Stone, Mr. Kissel to supply an order.

There followed a discussion of the proposed final draft prepared by Mr. Currie and Mr. Wadden in #R71-23, Emission Standards, and associated cases. Mr. Currie agreed to add a requirement that EPA notify permit applicants that their papers were incomplete; to delete the provision that no action might be taken under a permit during an appeal from a condition; to require EPA publication for comment before adoption of procedures respecting monitoring requirements. On Mr. Dumelle's motion the Board voted 3-2, Mr. Currie and Mr. Lawton dissenting, to omit the planned maintenance program provisions. Mr. Currie said he would revise the draft's definition of fugitive dust to make clear that the omission of a stack left a source subject both to the fugitive requirement and to the process weight table and that he would put back in the water exception to the particulate definition. At Mr. Dumelle's suggestion he agreed to omit the requirement that a stack be at least ten feet above the roof. Mr. Kissel questioned whether the record supported a London Law for St. Louis, and the Board agreed to leave the provision applicable to St. Louis but to ask for supporting modeling information from EPA.

The meeting was continued to Feb. 8 for further discussion of the proposed final draft.

On Feb. 8 the Board first granted 5-0 the variance requests in ##72-14 and 72-22, Tucker and Orick, which had been verified, Mr. Currie to supply orders.

In further discussion of #R71-23, the Board agreed to leave the 1.8 lb/mbtu SO<sub>2</sub> limit in the draft pending more specific proof that selection of low-sulfur coals could not achieve this level, to leave intact the requirement that new sources comply at once

with the SO<sub>2</sub> limits in the absence of objections, and to retain the 4 lb/ton SO<sub>2</sub> standard for new acid plants until further evidence is received to the contrary. Mr. Kissel suggested the need for further evidence as to whether there should be an exception from the hydrocarbon rule for bulk terminals storing volatile materials only part of the time, and the draft was left without such an exception pending further information. The publication of the draft as revised above was then authorized 4-0, with hearings to be reset for March 1, 3, and 4.

I, Christan Moffett, Clerk of the Pollution Control Board, certify that the Board adopted the above Minutes this 14<sup>th</sup> day of February, 1972 by a vote of 5-0.

Christan Moffett