

ILLINOIS POLLUTION CONTROL BOARD
MINUTES OF REGULAR BOARD MEETING

March 31, 1971

Public Library
128 N. County Road
Waukegan, Illinois

The full Board was in attendance.

Mr. Currie deferred to Mr. Kissel for a discussion of the four consolidated cases, PCB 70-7, 12, 13, and 14 entitled League of Women Voters v. North Shore Sanitary District. After a detailed explanation of the proposed opinion and order Mr. Kissel moved its adoption. Mr. Dumelle seconded. Messrs. Currie, Kissel, Dumelle, and Aldrich voted aye. Mr. Lawton asked that it be noted that he took no part in any aspects of the hearing, consideration, opinion, or order in the case.

Mr. Currie stated that a special meeting was held on Monday, March 22, 1971 at the Field Museum in Chicago to decide several variance cases in which the 90-day decision requirement militated immediate action. He reviewed the results of those cases. The Lipsett variance request PCB 70-50 was denied by a vote of 3-2. The Mid-State Foundry case PCB 70-53 was dismissed at the request of the complainant. The Decatur Sanitary District variance request PCB 71-37 was dismissed on the grounds that even if all the allegations in the petition were proved, the variance could not be granted. The District was granted leave to file an amended petition which would state the hardship and harm that would result. Mr. Currie further stated that several opinions involving cases wherein a dismissal was voted were also adopted; these were cases in which the Board had acted formally at their previous meeting in Bloomington.

Mr. Currie then discussed his proposed opinion in PCB 70-55, City of Springfield v. EPA. He moved the adoption of his opinion and order. Dr. Aldrich seconded. Dr. Aldrich stated that he would submit a separate concurring opinion. All members voted aye.

Dr. Aldrich next discussed two open-burning variance requests, 182nd and 183rd Tactical Air Support Groups, PCB 71-11, 71-12. Both petitions were similar and requested to be allowed to conduct fire training exercise by National Guard units. Dr. Aldrich moved the adoption of his opinion and order, Mr. Kissel seconded. All members voted aye.

Mr. Currie discussed the case of the variance request by the Purdy Company, PCB 71-2. Involved was a request to be allowed to continue box-car burning in the open in Madison, Illinois. Mr. Currie noted that the company had no program for compliance but was simply requesting to be allowed to keep burning. He moved that the request be denied, Mr. Lawton seconded. All members voted aye.

R70-5, Mercury Standards, was next discussed. Mr. Currie noted that the Board had prepared a third proposed final draft which was circulated for comments at the meeting in Bloomington. Mr. Currie discussed his proposed opinion and then moved the adoption of the final regulation and the opinion, Mr. Kissel seconded. Dr. Aldrich stated that he would submit a separate concurring opinion. All members voted aye.

Mr. Currie stated that the open burning regulations, R70-11 were on the agenda for today but that the Board had been informed that the Environmental Protection Agency will soon be submitting a proposed alternative draft which differs from the Board's final draft, particularly in regard to the burning of trees. Mr. Currie suggested action on this matter be postponed and that an additional hearing be scheduled at which the agency and other interested persons could present additional information on the question of tree burning. All agreed.

In R71-1, Revisions of the Wabash River Standards, Mr. Currie noted that the rules were adopted weeks ago and that the short opinion which he was proposing was simply an explanation of the matter. He moved its adoption, Dr. Aldrich seconded. All members voted aye.

New cases were next discussed.

PCB 71-54, Truax-Traer Coal Company v. EPA, request for variance. No hearing authorized at this time. Held pending receipt of EPA recommendation.

PCB 71-55, Electric Wheel Company v. EPA, request for variance. No hearing authorized at this time. Held pending receipt of EPA recommendation.

PCB 71-56, City of Lincoln v. EPA, request for variance to allow open burning of diseased trees. No hearing authorized at this time. Held pending receipt of EPA recommendation.

PCB 71-57, Trojan v. EPA, request for variance to be allowed to burn, in the open, explosive waste, to be allowed to use coal-fired power plant and to be allowed to use wet processing operation which causes water pollution. Williamson County. Hearing authorized. Vote unanimous.

PCB 71-58, Trojan v. EPA request for variance to be allowed to conduct open burning of explosive waste. Union County. Hearing authorized. Vote unanimous.

PCB 71-59, Elgin Jaycees v. Tri-County Landfill Company & Jack Termaat. Citizen's complaint. Hearing authorized. Vote unanimous.

PCB 71-60, Olin Corporation v. EPA, request for extension of variance to be permitted to conduct open burning of explosive waste. Williamson County. Hearing authorized. Vote unanimous.

PCB 71-61, City of Roodhouse v. EPA, request for variance to burn trees. Petition dismissed. Dr. Aldrich voted nay, all others voted aye.

PCB 71-62, Roesch Enamel & Manufacturing Company v. EPA, request for variance to be allowed to continue enameling operation in contravention of air pollution regulations. St. Clair County. Hearing authorized. Vote unanimous.

PCB 71-63, Village of Deerfield v. EPA, request for variance to be allowed to conduct open burning of trees, logs and limbs. Cook County. No hearing authorized at this time. Held pending receipt of recommendation of EPA.

PCB 71-64, Lake County Forest Preserve District v. EPA, request for variance to be allowed to burn trees in the open. No hearing authorized at this time. Held pending receipt of recommendation of EPA. Dr. Aldrich to write to EPA to expedite receipt of recommendation.

PCB 71-65, City of Carthage v. EPA, request for variance to be allowed to burn trees, logs and limbs in the open. Hancock County. No hearing authorized at this time. Held pending receipt of recommendation of EPA.

PCB 71-66, Phelps Dodge Aluminum v. EPA, request for variance to be permitted to conduct open burning of trade wastes containing magnesium fines. Madison County. Hearing authorized. Vote unanimous.

PCB 71-67, The Flintkote Company v. EPA, request for variance to be allowed to continue airborne emissions until December 31, 1971. Consolidated with PCB 70-36, Dale H. Moody v. The Flintkote Company. Vote unanimous.

Mr. Currie stated that two persons had asked to address the Board and would now be heard.

Mr. Robert W. MacGruder spoke representing the Waukegan-North Chicago Chamber of Commerce and several other organizations. He urged the Board not to impose serious expansion sanctions on the North Shore Sanitary District. He stated that hardships would be imposed upon businesses and employees in the event of such sanctions.

Mr. Walter R. Seegren a building contractor in the Waukegan area, discussed the hardship imposed on builders as a result of the decision by the EPA to deny sewer connection permits in the North Shore Sanitary District. Some further discussion of variance petitions regarding sewer

connections ensued involving members of the audience and the Board.

Mr. Lawton announced that PCB 70-34, EPA v. Granite City Steel has been continued to April 27, 1971 in Alton, Illinois.

The meeting was adjourned at approximately 1:00 p.m.

I, Christan Moffett, certify that the Board has approved the above minutes this 25~~th~~ day of April, 1972, by a vote of 5-0.


Clerk
Illinois Pollution Control Board