

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING  
April 11, 1972 Chicago, Illinois

All Board Members were present.

A request for extension of variance by #72-89, Spartan Printing was granted by a vote of 5-0. Mr. Kissel agreed to write an order.

Not enough information was presented by either party in #71-44, USI, to decide on USI's motion to amend original variance. Mr. Lawton agreed to write an order asking for additional information from the parties. The vote was 5-0 to request additional information.

In #72-8, Norman Nachtrieb v. South Palos Hills Sanitary District, discussion was held on issue of bonds and the Board's role as far as a bond issue is concerned. Mr. Aldrich agreed to prepare an opinion and order for adoption on April 17, 1972.

Discussion of #72-31, Rutherford v. Kammerer Concrete was held. The question of a penalty was raised and Mr. Dumelle agreed to prepare an opinion and order for April 17, 1972.

In ##72-41, Richardson Co. and 72-46, EPA v. Young, the Board voted 5-0 to request additional information on which to base decisions.

Mr. Dumelle agreed to prepare an opinion in #72-97, Nilles, for action on April 17.

A hearing was authorized for #72-122, City of Galena by a vote of 5-0. Petitioner's amended petition offered enough facts to warrant a hearing.

A discussion of #R71-23, Air Regulations with regard to the injunction filed against the Board was held. The Board voted 5-0 that if the Board was in a position to adopt the regulations and opinion in R71-23, they would do so.

The attorney for petitioners in ##72-117, Glen Oak Cemetery, 72-118, Home Cemetery, 72-119, Oakridge Cemetery, and 72-120, Hillside Cemetery, presented a statement with regard to the motion to reconsider on these petitions. The motion for reconsideration was denied 4-0. Mr. Aldrich did not participate in the decision of the motion as he had not reviewed the case or motion in the matter.

For #R72-4, proposed WQS amendments, Mr. Kissel said that he would prepare a notice of hearing and consolidate Commonwealth Edison's proposed WQS amendments with the Agency's, as well as othersexpected to be received from the Metropolitan Sanitary District. The Board agreed 5-0 to this and to the addition of Mr. Dumelle's proposal to extend NH<sub>3</sub> treatment in the Illinois River to large industrial sources.

In R72-5, Solid Waste and Refuse Disposal and R72-6, Proposed Amendments to the Air Episode Regulations, hearings are mandatory since the regulations were proposed by the E.P.A. and the Institute.

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The Board reviewed Mr. Kissel's letter to the Atomic Energy Commission on proposed radiation standards and agreed that it should be submitted as the Board's comment on this matter.

The following new cases were authorized for hearings: ##72-137, McHenry Shores; ~~72-141~~ City of Silvis (ordered consolidated with 71-157, EPA v. City of Silvis); 72-150, Commonwealth Edison Company, Sabrooke & Waukegan Stations. #72-138, Elgin Sanitary District, action deferred pending E.P.A. recommendation. In #72-43, City of Springfield, a hearing was authorized.

Hearings are mandatory in new cases ##72-135 EPA v. Metropolitan Sanitary District; 72-136, E.P.A. v. Chicago Rock Island & Pacific Railroad; 72-139, EPA v. Norge; 72-140, EPA v. Caterpillar Tractor Company; 72-142, EPA v. Columbia Steel Co.; 72-144 EPA v. Richardson Company; 72-145 EPA v. Chicago Block Co.; 72-146, EPA v. R.W. Dunteman; 72-147 EPA v. Litton Industries; 72-148, EPA v. Processing & Books; 72-149 EPA v. Lockport Trucking Co..

Mr. Dumelle suggested that a study on temperature standards for the Illinois River be requested from the Institute for Environmental Quality.

The matter of scheduling of hearings as near to the sites of violations or applications for variances was raised. The Board agreed that the policy of holding hearings so that the public may testify if directly affected should be stressed.

Mr. Currie said that the matter of revising the procedural rules of the Board should be considered and that comments from hearing officers would be asked for.

The meeting for April 18, 1972 was re-scheduled for April 17, 1972.

The scheduled meeting in Alton, Illinois was cancelled and the date of April 27, 1972 was re-set for April 25, 1972 in the Board Offices in Chicago.

The meeting was then recessed until 2:30 p.m. the following day, April 12, 1972, at which time the meeting was further recessed until 2:30 p.m. on April 13, 1972.

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

*Christan L. Moffett*