

ILLINOIS POLLUTION CONTROL BOARD

Minutes of Special Meeting, July 17, 1970
Field Museum, Chicago

Mr. Currie announced that the Board was open for business, introduced the Board members to the public, and asked for reports from other governmental agencies as to matters within the Board's jurisdiction.

Mr. Francis Mayo, Great Lakes Regional Director of the Federal Water Quality Administration, urged the Board to consider "a comprehensive review of the state's water quality standards" in light of "new information on water quality needs and methods of treatment." In particular, he suggested "the need for a progressive and realistic schedule of abatement of waste discharges into the Mississippi River" and for reexamination of the standards applicable to Lake Michigan and to the Chicago and Calumet area waterways.

Mr. Joseph Karaganis, representing Illinois Attorney General Scott, reported that he had been appointed to service the legal needs of the several agencies created by the Environmental Protection Act and offered the cooperation of the Attorney General in enforcing that law.

Mr. Clarence Klassen, Director of the Environmental Protection Agency, observed that under the new Act there were no exemptions for municipalities and that pollution sources seeking approval of air contaminant emission reduction programs would have to meet the criteria for variances. He added that the Board should reexamine existing water quality standards and that the Board's authority over pesticides was subject to the approval of the Interagency Pesticide Committee and urged the Board to decide whether or not to adopt the proposed federal standard of 1° above ambient temperature for thermal discharges to Lake Michigan.

Mr. Currie observed that the Board's success would depend very substantially on the aggressiveness of the Agency and encouraged the Agency to file with the Board any pending rule-making or adjudicatory matters on which action was needed. He noted in particular the desirability of hearings on proposed state-wide air quality standards for a number of pollutants. Mr. Klassen reported that the Agency had requested additional time for the submission of a plan for implementing the air quality standards for sulfur oxides and particulates for the St. Louis region, so that the plan could be developed in connection with the Argonne National Laboratories as is being done for the Chicago region. Mr. Currie then noted that only if the Board was considering regulations on the sale or use of pesticides was it required to go through the Interagency Committee; though this limitation was "unfortunate," it did not limit the Board in adopting standards for pesticide discharges that caused air or water pollution.

Mr. Michael Schneiderman reported that the Institute for Environmental Quality had established an advisory board to help define and implement the Institute's goals and announced the imminent formation of a task force to study solid waste disposal, with a possible report to the Board by Christmas. The Institute will also conduct state-of-the-art surveys to keep the Board informed of the latest thinking on problems within its jurisdiction. Mr. Schneiderman stressed that the Institute is a service agency on which the Board should rely for information.

Mr. Ben Sosewitz, General Superintendent of the Metropolitan Sanitary District of Greater Chicago, asked that the Board assert leadership in assuring that neighboring states cooperate in cleaning up interstate waters and in securing passage of the Anti-Pollution Bond Issue in November.

Mr. Richard Pavia of the Chicago Department of Water & Sewers offered the cooperation of his agency.

Rep. Theodore Meyer noted that his legislative committee would continue to work for improvements in the laws against pollution.

Mr. Currie then explained the role of the public before the Board: notice of meetings and hearings will be sent to anyone requesting it; Board meetings will be held in various locations around the state and will generally be open to the public. Most Board files will be public and may be copied for the cost of reproduction. Copies of the Act and of actual and proposed regulations will be provided free in reasonable quantities. A newsletter reporting Board activities will be sent without charge to anyone asking for it. Opinions will be written in all cases and sent to subscribers at cost.

Reasonable opportunity will be afforded at meetings for anyone to address the Board. Anyone may submit written statements in rule-making or adjudicative proceedings or speak in rule-making hearings, and the Board may permit oral testimony or intervention in individual cases consistent with the need for an orderly and expeditious hearing.

Anyone is entitled to a hearing on proposed rules or on charges against polluters unless his claim is duplicative or plainly without merit, although in the case of rule-making 200 signatures are required. These last provisions are important because they assure that the public can protect its own interest, but they should not be invoked without proper preparation. The Board is not equipped to gather evidence, and one who initiates a proceeding must prove his case. In most cases the citizen may find it more advantageous to rely on the Agency or the Attorney General to prosecute his case.

In order to assure that the Board's actions are public, the Board will discourage ex parte contacts with individual members, so that no one can say a Board decision was based on secret contacts with special interests. The Board will not discuss pending cases with anyone except its own staff outside formal public channels, and members should not be asked to comment on individual pollution sources that may become cases before the Board.

Mr. Currie then announced that the Board's offices would be at 189 West Madison Street, Chicago, Illinois.

The Board adopted the following meeting schedule:

August 5, 1970	Springfield	January 6, 1971	Chicago
August 19, 1970	Chicago	January 20, 1971	Springfield
September 2, 1970	Peoria	February 3, 1971	Chicago
September 16, 1970	Chicago	February 17, 1971	Carbondale
September 30, 1970	Springfield	March 3, 1971	Chicago
October 14, 1970	Chicago	March 17, 1971	Springfield
October 28, 1970	Edwardsville	March 31, 1971	Chicago
November 11, 1970	Chicago	April 14, 1971	Danville
November 24, 1970	Springfield	April 28, 1971	Chicago
December 9, 1970	Chicago	May 12, 1971	Springfield
December 22, 1970	Rock Island	May 26, 1971	Chicago
		June 9, 1971	Champaign
		June 23, 1971	Chicago

(All meetings at 10:00 a.m., unless otherwise announced)

Mr. Currie announced the formation of a Technical Advisory Committee on procedural rules and asked for comments from the audience as to any matter within the Board's authority.

Mr. Paul Booth of the Campaign Against Pollution urged the Board to deal with the problem of storm water overflows in the Metropolitan Sanitary District to assure that the deadlines of SWB-15 are met, to adopt the proposed federal 1⁰ standard for discharges to Lake Michigan, and to ban all outfalls to the Lake. He also suggested a possible conflict of interest on the part of Mr. Kissel. Mr. Karaganis suggested that any such charges should be filed with the Attorney General. Mr. Booth then argued that Abbott Laboratories was a polluter of Lake Michigan. Mr. Currie said that the way to judge the credibility of the Board was to observe it in action and pointed out that the Board could not institute action against particular polluters.

Mr. John Kirkwood of the Cleaner Air Coordinating Committee observed that the question of conflict of interest could be raised in confirmation proceedings before the Illinois Senate.

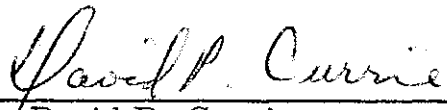
Mr. Matthew May requested Mr. Klassen to identify a pollution source he had earlier mentioned. Mr. Klassen remarked that disclosure would be improper until litigation was commenced.

Mrs. Peggy Moore expressed a lack of confidence in the Interagency Pesticide Committee and asked who was in a position to control that committee. Mr. Currie remarked that several committee members were responsible to the Governor and that the General Assembly could amend the law defining the committee's powers. Dr. Aldrich observed that state agencies should attempt to supply the public with information on such problems as pesticides. Mr. Karaganis suggested that the Institute might conduct a state-of-the-art survey on pesticides.

Rev. Leonard Dubi of the Campaign Against Pollution charged that the Board had failed to take up the challenges laid down by his organization and asked for a "commitment" from Mr. Currie going beyond an explanation of Board procedures. Mr. Currie responded that the Board would make commitments when it received information.

David P. Currie, Chairman

I, David P. Currie certify that the Board has approved the above minutes.



David P. Currie
Chairman