

MINUTES OF REGULAR INFORMAL MEETING
SEPTEMBER 20, 1971, 189 W. MADISON ST., CHICAGO, ILL.

All members were in attendance.

Upon motion of the Attorney General, concurred in by the petitioner, the Board voted 5-0 to direct the hearing officer to postpone prehearing conference and hearing in #71-238, General Electric Co., Pending proceedings in federal court respecting the Board's jurisdiction.

After discussion Mr. Kissel agreed to prepare an opinion for Sept. 30 decision in # 71-69, Incinerator, Inc., finding particulate and air pollution violations and failure to file an Acerp, imposing a penalty of \$25,000, and closing the plant until submission of an improved variance program with scrubbers or equivalent control equipment to be installed as soon as possible and with substantial reduction of nuisance in the interim. Mr. Currie agreed to prepare an opinion for Sept. 30 in # 71-174, Staley Co., approving the revised boiler control program because of the company's loss of its gas supply on condition of a response to the Agency's case regarding odors in a new hearing. Mr. Dumelle agreed to prepare an opinion for Sept. 30 in # 71-177, Village of Warren, granting extra time for completion of tertiary facilities for which condemnation proceedings are pending, unless alternative treatment methods not requiring so much land appear reasonable, and making a penalty for delay a condition of the grant. Mr. Lawton agreed to prepare an opinion for Sept. 30 in # 71-178, National Gray Iron Foundry, approving the program for compliance and imposing no penalty. Mr. Aldrich agreed to prepare an opinion for Sept. 30 in # 71-189, Buckler Foundry, allowing not over 20 days' use of an old cupola during debugging of new equipment until February 1972.

In the Illinois Power Co. cases, #71-193, 195, 196, 197, and 198, Mr. Currie agreed to prepare an opinion for Sept. 30 approving the Hennepin program of installing a precipitator by June 30, 1972; approving the Cat Ox installation on Wood River #4 by the same date; approving the mid-1973 date for oil conversion of Wood River #1-3 as the soonest practicable but requiring overtime and minimum use of these units for emergencies; approving the precipitator plans for Vermilion subject to affidavits showing why the dates cannot be accelerated from July and December 1973; and approving dates to May 1972 for oil conversion at Havana, subject to overtime and to minimum use, except for Wood River 1-3, until conversion; and subject to a \$5000 penalty condition for increasing the use of Havana contrary to the terms of the Acerp.

The supplementary petition in # 70-45S, Malubu, was dismissed as moot. # 71-168, American Distilling, was set for decision Sept. 27 since the EPA recommendation has still not been received.

An agenda was set for Sept. 27.

At Mr. Kissel's request the Board agreed to modify its meeting schedule to reduce the number of meetings away from the Chicago area because of the time and expense of travel and the limited public response and therefore limited benefit of meetings elsewhere. Mr. Currie said he would ask the Clerk to draw up a revised schedule providing for one meeting this fiscal year in Peoria, Rock Island, Rockford, Alton, and Decatur, with the rest around Chicago.

Mr. Aldrich said he would draft a proposed release to be given out by hearing officers to clarify the relationship between the Agency and the Board to avoid confusion.

Mr. Kissel suggested the urgency of finding a new office, and Mr. Currie said he would ask Miss Schmidt to take care of the problem.

Mr. Romanek as hearing officer in # 71-59, Tri-County Landfill, reported that two respondents had moved to be dismissed on the ground that their land was not involved in present fill operations but only prospectively. The Board asked Mr. Romanek to report that the Board would not take action on the motion before hearing because the allegation was that the proposed use of these respondents' land might inherently violate the rules, and therefore a case appeared to be stated under the threat provisions of the Act.

I, **Christan 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.

