

MINUTES OF REGULAR INFORMAL BOARD MEETING
NOVEMBER 29, 1971, 189 W. MADISON STREET, CHICAGO, ILLINOIS

Mr. Nordigian for the Village of Lake Bluff sought to present additional motions in # 71-269, Glovka v. NSSD. Mr. Currie said motions relating to discovery or to joinder of additional parties should be made before the hearing officer, and that any question of communicating with individual Board members (other than Mr. Kissel, who was not taking part in the case) should be reserved until the issue arose.

After discussion the following cases were set for decision Dec. 9: ##71-239, McIntyre, Mr. Lawton agreeing to make the penalty \$1000 and Mr. Kissel indicating his intention to file a separate opinion; 71-255, Crane Door, Mr. Dumelle agreeing to cite prior cases in support of the open burning violation, to make the open burning penalty \$100; and to make the order more specific as to repair of the septic field; 71-285, Maisel, Mr. Kissel indicating he would make necessary revisions in light of the EPA's latest recommendation. 71-272, SEMCO, was postponed since not yet typed.

The following motions were denied 4-0, Mr. Currie to provide orders: ##71-51C, Champaign, motion for stay pending appeal on behalf of the University of Illinois; 71-52, Bath, motion for modification; 71-291, McHugh Construction Co., motion by City of Chicago to dismiss; 71-325, Airtex, motion to dismiss or for more definite statement.

After discussion the following opinions were assigned to be drafted for Board consideration: ##71-282, Danville, Mr. Lawton: to allow 6 months to cover an old landfill on condition that leaching portions be covered within 30 days; 71-257, White, Mr. Kissel: a small penalty and an order forbidding further refuse deposit until extinguishment of an underground fire, and requiring compliance with the regulations thereafter. # 71-310, Rockford, was postponed pending the City's reply to EPA recommendations regarding alternative means of disposing of leaves this autumn.

A hearing was authorized in # 71-366, Kankakee Foundry. # 71-367, an EPA complaint against Consolidated Foods, was noted and a hearing is mandatory.

The Board voted 4-0 to enter an order formally lifting the ban on new sewer connections in # 70-8, Glendale Heights, in response to EPA's certification that the required improvements had been completed.

In #R71-14, Water Quality Standards, Mr. Currie agreed to Mr. Dumelle's suggestion that the proposed final draft retain the designation of the North Shore Channel and the Chicago River and its branches for general use in order to stimulate further testimony at the final hearings. Mr. Kissel suggested additional language respecting mixing zones which Mr. Currie agreed to incorporate. Mr. Kissel agreed to draft a provision regarding reports as to the need for nitrification.

In #R71-19, Sewer Bans, Mr. Dumelle suggested requiring reports to EPA of reservations of capacity, and Mr. Currie agreed. Further discussion was scheduled for after the receipt of the final transcripts.

Mr. Harker explained the proposed regulations regarding mine wastes, which he said go beyond but are consistent with the Surface Mining Act recently adopted. He agreed that the regulations should distinguish between gob and acidic spoil, on the one hand, and non-polluting spoil, on the other, for purposes of covering. After further discussion the Board set December 9 as the date to vote on whether to authorize publication.

Mr. Dumelle asked that the Board amend the Quad-Cities order, # 71-20, to forbid operation if the core cooling systems are inoperable, as in the Dresden permit; the Board agreed to act on this suggestion December 9.

A discussion of budget followed, in which the Board requested a revision of the provisions for court reporting and specified a request for two additional administrative assistants as well as for an information officer, asking that printing estimates be enlarged to include the cost (reimbursable but not available to the Board) of providing copies of opinions.

Problems of late newsletter delivery were discussed, and Mr. Dwyer agreed to investigate alternative sources.

Miss Moffett was asked to arrange a new meeting place for December 9, since the Board would not by then be in its new offices.

I, Christan Moffett, Acting Clerk of the Pollution Control Board, certify that the Board adopted the above Minutes this 6 day of December, 1971.

Christan Moffett