

ILLINOIS POLLUTION CONTROL BOARD

Minutes of Regular Board Meeting  
February 7, 1974 Chicago, Illinois

All Board Members were present.

An opinion and order was adopted in #72-328, Peabody, by a vote of 3-2. Mr. Marder and Mr. Seaman dissented.

An opinion and order was adopted in #73-200, Kanter, by a vote of 4-0. Mr. Seaman abstained.

Opinions and orders were adopted by a vote of 5-0 in these cases: 73-284, -294, Minerva & Ozark; 73-431, Anderson; 73-445, Celotex; 73-485, Weber; 73-492, Foreman.

Motion for stay of penalty was granted in #72-17, Frietsch by a vote of 5-0. Dr. Odell will prepare an order.

Motion for stay of penalty was granted in #72-315, Freeman Coal by a vote of 5-0. Mr. Henss will prepare an order.

Motions to withdraw were granted 5-0 in #72-375, Meyer v. Jefferson Park and 73-521, B.F. Goodrich. Mr. Dumelle will prepare orders.

Request for oral argument was denied in #72-425, - 505, Laclede Steel by a vote of 5-0. Mr. Dumelle will prepare an order.

Motion to admit stack tests to record in #73-36, Rheem Mfg. was denied 4-1. Mr. Henss dissented. Mr. Seaman will prepare an order.

Motion to order Agency to file Record on permit denial was granted in #73-458, Continental Can Co. by a vote of 5-0. Mr. Seaman will prepare an order.

Motions to dismiss were granted 5-0 in #73-522, CBE v. Illinois Commerce Commission. Mr. Seaman will prepare an order.

Petitioner in #73-539, Reichhold was granted extension of time to file response to Agency motion to dismiss to February 18, 1974.

Motion for oral argument was granted in #72-114, Apex Smelting, by a vote of 5-0. Mr. Seaman will prepare an order.

These cases were discussed and set for possible decision or further discussion February 14, 1974: ##71-348 and 72-73, Darling; 72-383, Apple Orchard; 73-346, Becker; 73-494, Koppers; 73-495, City-Wide Svcs.; 73-54, Texaco; 72-476 and 73-73, Arbor & De Pirro.

Mr. Henss reported on Open Burning Regulations.

A rule addition to #R72-3, Diesel Emissions was adopted 5-0.

The Board considered a motion to set hearings on R71-24, Beverage Containers from March to July of 1974 and held the matter to February 14, 1974.

A closed litigation session was held with Mr. Richard Cosby, Attorney General's Office.

In new cases these actions were taken by a vote of 5-0: #74-53, Mascoutah, additional information requested and ordered held for Agency recommendation; 74-54, Medusa, acted on January 31, 1974; 74-55, Reflector Hardware, ordered held for Agency recommendation; 74-56, W. R. Meadows, held to February 14, 1974 for action; 74-57, Monsanto Co., ordered held for Agency recommendation; 74-58, Triangle Corp., ordered held for Agency recommendation; 74-59, Chickasaw Hills, additional information requested and ordered held for Agency recommendation; 74-60, McElroy, ordered held for Agency recommendation. All orders will be prepare by Mr. Dumelle.

All matters not disposed of as listed were ordered placed on the Agenda for February 14, 1974.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the Board adopted the above minutes this 21<sup>st</sup> day of February, 1974 by a vote of 5-0.

Christan L. Moffett