

ILLINOIS POLLUTION CONTROL BOARD

Minutes of Regular Board Meeting
June 20, 1974 Chicago, Illinois

All Board Members were present.

Opinions and Orders were adopted in the following cases by a vote of 5-0: #74-19, CBE v. International Harvester; 74-66, International Paper; 74-81, Lewis & Clark; 74-109, Cameo Development; 74-115, Borg-Warner; 74-116, Scott Air Force Base; 74-120, -121, -122, -123, Amoco; 74-200, Elizabeth Street Foundry; 74-29, CBE v. Illinois EPA et al; 74-92, City of Jacksonville.

An Opinion and Order was adopted by a vote of 5-0 in #73-507, CBE v. LaVoie. The vote was originally 4-1, Mr. Seaman dissenting believing the penalty was too low. He changed his vote to 5-0 but will file an concurring opinion.

An order was adopted by a vote of 5-0 in #73-490, EPA v. Kentile Floors ordering that a hearing date be set.

A motion for appeal from a hearing officer ruling in #74-34, Granite City Steel was considered. The Board voted 5-0 to deny the appeal and will enter an order clarifying the hearing officer order instead. Mr. Dumelle will prepare the order.

On objection and motion for hearing by the Agency and motion for hearing by the petitioner, a hearing was authorized in #74-146, Marblehead Lime. Attorney for the petitioner said he would file a 90 day waiver.

Motion for hearing in #74-162, City of Plano was denied 5-0. Mr. Marder will prepare an order.

A motion to withdraw petition to intervene in #74-192, People v. Illinois Brick by the Agency was allowed 5-0. Mr. Dumelle will prepare an order.

Oral argument was granted and set for June 27, 1974 at 2:00 P.M. in #74-171, -193, Bulk Terminals. Argument will be on motions to dismiss.

Motion for non-disclosure in R73-10, Air Regulation Amendments by Clark Oil was allowed 5-0. Mr. Seaman will prepare an order.

Motion to include pertinent documents in R73-13, Public Water Supplies was allowed 5-0. Mr. Marder will prepare an order.

Motion to exclude briefs in #74-109, Cameo Development was denied as moot by a vote of 5-0. Mr. Marder will prepare an order.

Parties were present in the matter of Alton Box Board and Laclede Steel, ##73-61, 74-5, 74-51. The Board discussed the case and asked questions of the parties. The case was held to June 27, 1974 for decision.

These cases were discussed and set for further discussion or decision on June 27, 1974: ##73-551, Republic Steel; 74-14, Modine; 74-117, Springfield Marine Bank; 74-119, Deere & Co.; 74-132, Eureka.

Mr. Lawton discussed R70-17, DuPage Regionalization.

The Board voted 5-0 to accept a court reporting bid (Plan A) filed by Leon Golding & Associates for FY75.

In #73-278, Clark Oil, Mr. Joseph Wright, attorney for petitioner, filed a verbal waiver of the 90-days based on the condition that the Board order the record closed in the matter as of June 19, 1974. The Board voted 5-0 to close the record and Mr. Wright said he would file a written waiver to that effect. Waiver to July 18, 1974. Mr. Dumelle will prepare an order.

Hearings are mandatory in these new cases: ## 74-208, EPA v. Peter Cooper; 74-209, EPA v. American Cyanamid; 74-213, EPA v. Spinney Run Farms; 74-214, EPA v. Hillside Stone Corp.; 74-215, EPA v. Louis Rokis; 74-216, EPA v. Heick Die Casting.

Hearings were authorized in these new cases: ##74-203, People v. Marsco; 74-204, People v. Transformer Mfg.; 74-221, Illinois Brick Co.

In these new cases action was deferred pending receipt of Agency Recommendations; ##74-222, Uniroyal Inc.; 74-227, American Cyanamid Co.; 74-228, Ben Cooper (additional information requested, order by Mr. Dumelle); 74-230, J. Russel Miller; 74-231, City of LeRoy; 74-232, Calcium Carbonate Co.

The Board voted 5-0 to request an adequate statement of need in a proposal by the Agency and I.I.E.Q. on Ambient Air - Mercury.

All matters not disposed of as listed were ordered placed on the Agenda for June 27, 1974.

I, Christan L. Moffett do certify that the Board adopted the above minutes this 11th day of July, 1974 by a vote of 5-0.

Christan L. Moffett