

ILLINOIS POLLUTION CONTROL BOARD

Minutes of Regular Board Meeting  
November 29, 1979 Chicago, Illinois

All Board Members were present.

Opinions and Orders were adopted in these cases by a vote of 4-0: ## 79-129, Rush v. Village of Barrington; 79-162, Exxon Chemical; 79-186, Urbana and Champaign Sanitary District; 79-188 et al, Caterpillar Tractor Co.; 79-47, Travenol.

An Opinion only was adopted in # 79-155, Farmers and Merchants Bank, by a vote of 3-1, Mr. Werner dissented.

A final Opinion and Order was adopted in R78-2, Disaster Burning, by a vote of 4-0.

Motion to dismiss and motion to appear were granted in # 78-243, Olin, by a vote of 4-0. Mr. Dumelle will prepare an Order.

Motion for continuance was granted and motion for stay denied in # 78-264, Kewanee, by a vote of 4-0. Mr. Goodman will prepare the Orders.

An Order was adopted in # 78-296, Peabody Coal, allowing the parties to file briefs on a motion for rehearing. The Vote was 4-0. Dr. Satchell will prepare the Orders.

An Order was adopted in # 79-10, Zajac v. C.T.A., regarding various motions to dismiss and strike by a vote of 3-0, Mr. Werner abstained. Mr. Goodman will prepare an Order.

Amended complaints in # 79-142, Citizens Utilities, # 79-200, Lindell Minor et al and # 79-78, Monmouth were referred to the Hearing Officers for ruling. The Board decided that all amended complaints would be left to the Hearing Officers to rule on. Mr. Dumelle agreed to send a memo to that effect to all Hearing Officers.

Motion for oral argument in # 79-196, Lisle, was denied by a vote of 4-0. Mr. Dumelle will prepare an Order.

Motion for assumption of stenographic costs in # 79-199, Hanover Park was denied by a vote of 4-0. Mr. Goodman will prepare an Order.

Motion for continuance in # 79-200, Lindell Minor et al was granted by a vote of 4-0. Mr. Dumelle will prepare an Order.

Motion for continuance in #79-195, Borden, was granted by a vote of 4-0. Mr. Dumelle will prepare an Order.

Motion for extension of time to respond to a motion to dismiss in # 79-229, Indiana Farm Bureau, was granted by a vote of 4-0. Mr. Dumelle will prepare an Order.

Motion for withdraw in # 78-17, Ashland, was granted by a vote of 4-0. Mr. Dumelle will prepare an Order.

Motion for continuance of hearing in R75-8, Fuel Oil, was granted by a vote of 4-0. Mr. Goodman will prepare an Order.

Motion to withdraw in # 79-147, U.S. Steel, was granted by a vote of 4-0. Mr. Dumelle will prepare an Order.

An amended petition filed in # 79-227, Benton, was ordered held for Agency recommendation.

Opinions and Orders were adopted in these cases by a vote by a vote of 4-0: ## 78-203, Village of Jewett; 79-68, Maryville Nursing Home; 79-99, Caterpillar Tractor; 79-212, Sullivan, 79-219, Dept. of the Navy (Order only).

Orders were adopted in these cases by a vote of 4-0, ordering that hearings be set or be subject to dismissal; ## 74-171,-193, Bulk Terminals; 75-263, U.S. Steel; 75-361,-389, Interlake; 75-399. Interlake; 76-139, Drovers Bank; 76-189, Hyon Waste; 76-265, Northbrook; 76-291, Midwest Utility; 77-25, Marquette Cement; 77-49, Ill. Central; 77-157, Decatur Sanitary Dist.; 77-167, -231, Paxton; 77-183, Domestic Utilities; 77-187, Mt. Vernon; 77-212, Bloomingdale; 77-232, Lake-in-the-Hills; 77-262, Elgin National Bank; 77-322, Waukegan; 77-345, Panozzo. Mr. Dumelle will prepare the Orders.

In new cases these actions were taken by a vote of 4-0: ## 79-242, Western Electric, held for an Agency recommendation; 79-243,-244, Illinois Power, hearings authorized; 79-245, Carlyle, dismissed, order by Mr. Dumelle; 79-246,-247,-248, Central Illinois Public Service Co., hearing authorized; 79-249, Monmouth Industrial, hearing authorized; 79-250, Sanitary District of Decatur, held for Agency recommendation; 79-251, EPA v. Sparton Manufacturing, hearing mandatory; 79-252, Texaco, hearing authorized.

Mr. Rich Christopher discussed the Joint Committee on Administrative Rules and its objection to Board proposed Procedural Rule, R79-9. The Board voted to adopt the rules to publish in the Illinois Register and to file with the Secretary of State. The Vote was 3-1, Mr. Werner dissented. Mr. Dumelle will prepare an Order.

The Board voted 4-0 to cancel the regular meeting scheduled for December 27, 1979 due to the holiday.

All matters not disposed of as listed were ordered held to December 13, 1980 for possible consideration.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, do hereby certify that the above Minutes were approved this 24<sup>th</sup>, day of January, 1980 by a vote of 4-0.

*Christan L. Moffett*

Christan L. Moffett, Clerk  
Illinois Pollution Control Board