

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING
February 19, 1981 Chicago, Illinois

All Board Members were present.

Opinions and Orders were adopted in these cases by a vote of 5-0: #79-35, Chevy Chase; 79-110, Crest Hill (Interim Order); 79-122, Caseyville; 79-201, Apple River; 80-38, Bacon's Farm; 80-87, Missouri Pacific R.R.; 80-89-90, CILCO; 80-164; Politser; 80-223, Assumption; 80-226, Bensenville.

An Opinion and Order was adopted in #79-184, Roodhouse, by a vote of 4-1. Mr. Dumelle dissented.

An Opinion and Order was adopted in #80-31, Burns v. Western Springs by a vote of 4-0. Mrs. Anderson abstained.

A Final Opinion was adopted in R71-24, R75-14, Beverage Container Regulations, by a vote of 5-0. Mr. Werner concurred.

Proposed Rules, First Notice were adopted in R76-21, Effluent Standards, by a vote of 5-0.

Motion to vacate was granted in #78-139, Vickery Manor, by a vote of 5-0. Mr. Dumelle will prepare an Order.

Motion to appear in #79-166, Shell Oil, was granted by a vote of 5-0. Mr. Dumelle will prepare an Order.

Motion to continue in #79-207, Romeoville, was granted by a vote of 5-0. Mr. Goodman will prepare an Order.

Motion to reconsider in #79-254, Cantrell v. Gaines, was denied by a vote of 5-0. Dr. Satchell will prepare an Order.

Motion to dismiss in #79-258, Continental Grain, was granted by a vote of 4-1. Mrs. Anderson dissented. Mr. Dumelle will prepare an Order.

Motion to reconsider was denied in #80-63, -64, Amax Coal, by a vote of 4-1. Mr. Goodman dissented. Dr. Satchell will prepare an Order.

Motion to intervene and petition for intervention were granted in #80-153, Hamman. A hearing was authorized. The vote was 5-0. Dr. Satchell will prepare an Order.

Motion to withdraw was granted in #80-210, Outboard Marine, by a vote of 5-0. Mr. Dumelle will prepare an Order.

An objection was withdrawn in #80-218, Mercy Hospital et al. The Board determined that since notice had been given the hearing should go on as scheduled. The Clerk was ordered to convey this to the Hearing Officer.

Motion to join other parties was granted in #80-230, Crook Development, by a vote of 5-0. An amendment was also requested. Mrs. Anderson will prepare an Order.

It was determined that no action was needed on a motion to dismiss in #81-9, Continental Grain, since the motion had been withdrawn.

An order was adopted on a motion to overrule the Hearing Officer in R80-22, AQS Amendments, by a vote of 5-0. Mr. Goodman will prepare an Order.

Motion to continue the stay of proceedings was granted in #79-141, Outboard Marine. Mr. Dumelle will prepare an Order.

Amended petitions in these cases were ordered held for Agency recommendations: ##80-229, Arlington Heights; 81-6, Congregation et al.

These cases were dismissed pursuant to prior Board Orders which ordered that hearings be set: #78-128, Interlake; 79-187, Will County v. Crestwick. The vote was 5-0. Mrs. Anderson will prepare the Orders.

These cases were dismissed and held to March 5 for further discussion or possible decision: #77-339, Cary; 78-263, East Peoria; 78-313, Citizens Utilities; 79-41, Geiss; 80-196, Ill. Power, 80-207, Travenol; 80-215, James Noble; 80-221, Hanover Park; R76-21, Effluent Standards (Opinion); R77-12, WQS Amendments, Sludge.

Interim Orders were adopted in these cases by a vote of 5-0: #80-48, Lemont; 80-197, Jacksonville.


Hearings are mandatory in these new cases: ##81-18, EPA v. Caterpillar; 81-19, EPA v. Marion et al.; 80-20, EPA v. Metro-East Sanitary District et al.; ##81-21 and 81-22, Sangamon Valley Group et al. v. Leonard Sapp and Associates and Don Davis et al. v. Leonard Sapp and Associates, were held for consideration on March 5.

Hearings were authorized in ##81-23, -24, Alburn, Inc., by a vote of 5-0. Mrs. Anderson will prepare an Order.

A member of the public asked for clarification of the action taken by the Board with regard to the motions listed on the agenda in #80-153, Hamman. Dr. Satchell and Mr. Goodman explained the Order that would be entered.

All matters not disposed of as listed were ordered placed on an agenda for possible consideration on March 5.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, do hereby certify that the above minutes were approved this 2ND day of April, 1981 by a vote of 50.



Christan L. Moffett, Clerk
Illinois Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD

AGENDA

FEBRUARY 19, 1981 CHICAGO, ILLINOIS

DECISIONS:

- 79-35 Chevy Chase (JA) _____
- 79-110 Dutton v. Crest Hill (JD) _____
- 79-122 Caseyville (JD) _____
- 79-184 Roodhouse (NW) _____
- 79-201 Apple River (JD) _____
- 80-31 Burns v. Western Springs (JD) _____
- 80-38 Peoria v. Bacon's Farm (JD) _____
- 80-87 Missouri Pacific R.R. (NW) _____
- 80-89 CILCO (JD) _____
- 80-90 CILCO (JD) _____
- * 80-164 Pulitzer (JD) _____
- * 80-223 Assumption (JD) (due 3/5) _____
- * 80-226 Bensenville (JD) (due 3/5) _____
- R71-24
- R75-14 Beverage Containers (JD) (Opinion only) _____
- R76-21 Effluent Standards, Proposed Rules, First Notice (DS) _____

MOTIONS:

- 78-139 Vickery Manor - motion to vacate (2/3) _____
- 79-166 Shell Oil - motion to appear (2/5) _____
- 79-207 Romeoville - motion to continue (2/4) _____
- 79-254 Cantrell - motion to reconsider (12/17) (DS) _____

* INDICATES VARIANCE OR PERMIT APPEAL

MOTIONS (CONTINUED):

- 79-258 Continental Grain - motion to dismiss (2/9) _____
- 80-63
80-64 Amax Coal - motion to reconsider (1/26) opposition (2/9)
(DS) _____
- 80-153 Hamman - motion to reconsider and vacate (2/11) motion to
intervene (2/13) petition for intervention (2/13) (DS) _____
- 80-189,-190,
81-23,-24 Allburn - motion for consolidation (2/17) _____
- 80-210 Outboard Marine - motion to withdraw (2/4) _____
- 80-218 Mercy Hosital et al. - letter of withdrawal (2/9) H.O.
request for guidance (2/13) (JA) _____
- 80-230 Crook Development - motion to join (1/27) letter in response
(2/6) (JA) _____
- 81-9 Continental Grain - motion to dismiss (2/6) motion to withdraw
motion to dismiss (2/17) _____
- 81-10 LaSalle - motion in limine (2/13) motion to extend (2/18)
motion to strike (2/13) objections (2/18) (DS) _____
- R80-22 AQS - motion to overrule (2/13) _____
- 80-184 Akron - Board motion (DS) _____

AMENDED PETITIONS:

- 80-229 Arlington Hgts. (filed 2/11)
- 81-6 Congregation et al. (filed 2/10)

CASE BACKLOG:

- 78-128 Interlake (JA)
- 79-187 Will County v. Prestwick (JA)

DISCUSSIONS:

- 77-339 Cary (remand) (JA) _____
- 78-263 East Peoria (NW) _____
- 78-313 Citizens Utilities (DS) _____
- 79-41 Calvin Geiss (NW) _____
- 80-48 Village of Lemont (JA) (Interim Order) _____
- 80-196 Illinois Power (DS) (due 3/19) _____
- 80-197 Jacksonville (IG) _____
- 80-207 Travenol Labs (DS) (due 3/5) _____
- 80-215 James Noble (JA) (due 4/30) _____
- 80-221 Hamover Park (JA) (due 3/19) _____
- R76-21 Effluent Standards (DS) (Opinion only) _____
- R77-12 WQS Amendments, Sludge, Docket B, Second Notice (JD) _____

NEW CASES:

- 81-18 EPA v. Caterpillar Tractor _____
- 81-19 EPA v. City of Marion, Jack Parks and Earl King _____
- 81-20 EPA v. Metro-East Sanitary Dist., City of Madison and City of Venice _____
- 81-21 Sangamon Valley Group, Sierra Club v. Leonard W. Sapp and Associates, Inc. (11:00 A.M.) _____
- 81-22 Dan Davis, Coalition to Protect Carpenter-Gurgens Park Nature Preserve v. Leonard W. Sapp and Associates, Inc. (11:00 A.M.) _____
- 81-23 Alburn, Inc. v. EPA _____
- 81-24 Alburn, Inc. v. EPA _____
- 81-25 Kearney Company v. EPA _____

PENDING CASES ASSIGNED:

75-112 MSD (JD)
76-241 Georgia-Pacific (NW)
78-62 Davenport Packing (IG)
78-136 Rockdale (DS)
78-186 Hartman (DS)
* 79-161 Stepan Chemical (IG)
80-46 Kaji v. Olson Mfg. (IG)
80-112 Occhipinti (NW)
* 80-120 ASF Corp. (IG)
80-184 Akron Land (DS)
* 80-212 Rock Island (JA)
* 80-230 Crook Development (JA) (due 3/19)