

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING
March 11, 1976 Chicago, Illinois

All Board Members were present.

Opinions and Orders were adopted in these cases by a vote of 4-0, Dr. Satchell was not yet present: ##74-208, Cooper; 75-34, Pettibone, Mr. Goodman will file a concurring opinion; 75-131, American Can; 75-137, DuPont (Interim Order); 75-223, Daubert Chemical.

An Opinion and Order was adopted in #75-28, Medinah Investors by a vote of 3-0, Mr. Goodman and Mr. Young abstained.

##75-232 and 75-275, Springfield was discussed and set for further discussion or possible decision on March 25, 1975. Mr. Young did not participate in the discussion.

Opinions and Orders were adopted in these cases by a vote of 5-0: ## 75-290, Scope Products; 75-328, Village of Harvel; 75-479, Village of Hecker; 75-498, Clinton Sanitary District.

An Opinion and Order was adopted in #75-380, CBE v. White Septic Disposal by a vote of 4-0, Mr. Goodman abstained.

An Opinion and Order was adopted in #75-455, Amboy by a vote of 3-2, Mr. Goodman and Mr. Young dissented.

An Opinion and Order was adopted in #75-466, City of Kewanee by a vote of 4-1, Mr. Young dissented and Mr. Dumelle concurred and will file a concurring Opinion.

An Opinion and Order was adopted in #75-497, Oregon by a vote of 4-1, Mr. Dumelle dissented and will file a dissenting Opinion.

Opinions and Orders were adopted in these cases by a vote of 4-0, Mr. Dumelle was not present: ##75-386, Franklin Elevator; 75-434, Carson et al v. Aurora; 75-493, Beason-Chestnut; 75-501, Sanitary District of Elgin.

These cases were held for decision to March 25, 1976: ##75-356, Fassett; 75-359, Winslow; 75-372, City of Benld; 75-499, Caterpillar Tractor.

A motion for reconsideration and for oral argument of that motion was denied in #75-226, Arvey Corporation by a vote of 5-0, Mr. Dumelle will prepare an Order.

An Order was adopted in #75-338, Metropolitan Sanitary District on a motion to modify by a vote of 4-0, Mr. Young abstained. Mr. Goodman will prepare an Order.

Motion for interim variance with a conditional waiver was denied by a vote of 4-0 in #75-496, Alton Box Board and the case was dismissed. Mr. Young abstained. Mr. Zeitlin will prepare an Order.

Mr. Dumelle was not present for the afternoon due to personal reasons and Mr. Zeitlin acted as Chairman.

An Order was entered on motions to dismiss in #74-471, Johnson et al by a vote of 3-0. Mr. Young abstained and Mr. Goodman will prepare an Order.

Motion to amend complaint in ##75-84, 435, Rochelle was granted by a vote of 4-0, Dr. Satchell will prepare an Order.

Motion to defer hearing in #75-23, Stepan Chemical was granted by a vote of 3-0, Mr. Young abstained. Dr. Satchell will prepare an Order.

Motion for summary judgment in #75-353, Weider was denied by a vote of 3-0, Mr. Young abstained. Mr. Zeitlin will prepare an Order.

A motion to set aside stipulation in #75-385, Midwest Metals was granted and remanded back to the Hearing Officer for hearing by a vote of 4-0. Mr. Zeitlin will prepare an Order.

Motion to dismiss in #75-368, Commonwealth Edison was denied by a vote of 4-0. Mr. Goodman will prepare an Order.

Motion to withdraw in #75-460, Olin was granted by a vote of 4-0, Mr. Zeitlin will prepare an Order.

Motion to amend complaint in #75-431, Brian Restaurant was granted by a vote of 4-0. Mr. Goodman will prepare an Order.

Motion to stay hearing in #75-482, Peabody Coal was granted by a vote of 3-0, Mr. Young abstained. Mr. Zeitlin will prepare an Order.

Motion to continue hearing until after a regulatory proceeding was granted in #75-506, Deere & Co. by a vote of 4-0. Mr. Goodman will prepare an Order.

Motion to reconsider consolidation in #76-27, Macomb was granted and consolidation was allowed by a vote of 4-0. Dr. Satchell will prepare an Order.

Motion to withdraw complaint in #73-335, Erman was granted by a vote of 4-0. Mr. Goodman will prepare an Order.

These cases were discussed and set for further discussion or possible decision on March 25, 1976: #74-443, Ferguson & Lange; 75-173, Wilco; 75-181, LaGrange Bank et al; 75-272, McClure Quarries; 75-279, Donald Kodrick et al; 75-293, Material Services; 75-394, Cheeseman Construction; 75-405, Boyles; 75-439, Quaker Oats; 75-445, Village of Stewardson; 75-451, Jacksonville; 75-448, Village of Sibley; 75-467, Caterpillar; 75-502, Sanitary Dist. of Elgin; 75-504, Lewis University.

A motion to dismiss filed by petitioner in #75-500, Hillman was granted by a vote of 4-0, Mr. Goodman will prepare an Order.

#76-1, Decatur was dismissed and petitioner's motion for extension of time to file amended petition was denied by a vote of 4-0. Mr. Young will prepare an Order.

##76-25, Vandalia and 76-28, Strasberg were ordered held for Agency recommendations.

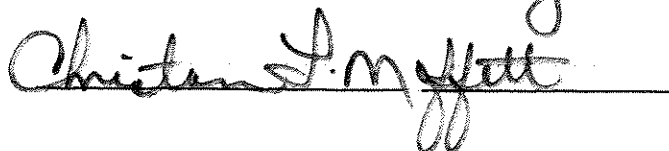
Minutes as amended were adopted by a vote of 4-0 for meetings held February 11, 19 and 26, 1976.

In new cases these actions were taken by a vote of 4-0; 76-51, World Color Press, additional information requested, Order by Mr. Zeitlin; 76-52, Bloomington & Normal Sanitary District, additional information requested, Order by Mr. Young; 76-53, Bee Chemical, additional information requested, Order by Mr. Goodman; 76-54, Metropolitan Sanitary District, held for an Agency recommendation; 76-55, Tarkowski v. Belli, to be considered March 25, 1976; 76-56, EPA v. Fox Valley, hearing mandatory; 76-57, EPA v. Penn & Deemie, hearing mandatory; 76-58, EPA v. Nagrodski, hearing mandatory; 76-59, EPA v. Ralph Fishbach, hearing mandatory; 76-60, EPA v. City of Lincoln, hearing mandatory; 76-61, Old Ben Coal Co., held for an Agency recommendation; 76-62, Atwood Grain & Supply Co., additional information requested, Order by Dr. Satchell; 76-63, Village of Dupo, held for Agency recommendation; 76-64, City of Chicago, held to March 25 for action; 76-65, EPA v. Starnes, hearing mandatory; 76-66, Illinois Masonic Home, held for an Agency recommendation; 76-67, Obear-Nester Glass, held for an Agency recommendation; 76-68, EPA v. Barrett Landfill, hearing mandatory; 76-69, EPA v. Dallas Presnell, hearing mandatory; 76-70, EPA v. Village of Crainville, hearing mandatory; 76-71, Kuhn v. Hinsdale Sanitary Dist., held to March 25 for action.

An Order was entered in R76-6, CIPS Co., petition for rule change, requesting additional information. The vote was 4-0, Mr. Zeitlin will prepare an Order.

All matters not disposed of as listed were ordered placed on an agenda for possible disposition on March 25, 1976.

I, Christan L. Moffett, Clerk of the Pollution Control Board, do hereby certify that the above Minutes were adopted this 26th day of May, 1976 by a vote of 5-0.


Christan L. Moffett