

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING
February 3, 1977 Chicago, Illinois

All Board Members were present.

Opinions and Orders were adopted by a vote of 5-0 in these cases: #75-189, Processing and Books, Mr. Young concurred; 76-202, City of Athens; 76-249, Jack Thompson; 76-285, North Shore Sanitary District; 76-295, Champaign & Urbana Sanitary District; 76-301 Hen House; 76-307, School District #102, (Opinion only); 74-491, Alton Box Board; 75-267, Terminal R.R. ; 75-469, Arlington Heights Utilities; 75-486, City of Highland; 76-272, Mobil Oil; 76-313, Village of Mansfield; 76-318, City of Calumet.

An Opinion and Order was adopted in #75-402, Creve Coeur by a vote of 4-0, Mr. Young abstained.

Motion to dismiss in #75-100, Commonwealth Edison was denied by a vote of 5-0. Mr. Goodman will prepare an Order. Ms. Moffett was asked to request that the Hearing Officer report to the Board on the status of the case.

Motion to file third party complaint in #76-70, Village of Crainville was denied by a vote of 5-0. Mr. Dumelle will prepare an Order.

Motion for clarification in #76-166, Hyon was denied by a vote of 4-0, Mr. Young abstained. Mr. Zeitlin will prepare an Order.

Motion to dismiss in #76-251, Joslyn was denied by a vote of 5-0. Mr. Zeitlin will prepare an Order.

A hearing was authorized in #76-282, EPA and CBE v. Wells and then ordered stayed pending the outcome of the appeal in #73-403, Wells Mfg. The vote was 3-2, Mr. Zeitlin and Mr. Dumelle dissented. Mr. Goodman will prepare an Order.

A motion in #76-323, Hinsdale Sanitary Dist. was ordered referred to the Hearing Officer for ruling.

An objection having been filed, a hearing was authorized in #76-326, Spinney Run Farms by a vote of 5-0.

Additional information was requested by a vote of 5-0 in #77-10, Illinois Moulding. Mr. Zeitlin will prepare an Order.

Motion for clarification in #76-107, Consolidated Freightways was granted and the Board vacated a prior order on discovery as entered on January 20, 1977 by a vote of 5-0. Mr. Young will prepare the Order.

These cases were discussed and set for further discussion or possible decision on February 17, 1977: #74-452, Garvey Grain; 75-496,-508, Alton Box Board; 76-57, Penn & Deemie; 76-69, Presnell; 76-186, Ashland Chemical; 76-218, Flintkote; 76-269, Holiday Utilities; 76-297, E. St. Louis; 76-298, Alton Water Co.

An Order was adopted by a vote of 5-0 granting additional time to #76-306, Krenz Trucking to respond to a previous Board Order. Mr. Dumelle will prepare the Order.

A hearing was authorized on an amended petition filed by #76-324, Fairfield by a vote of 5-0.

Additional information having been filed in #76-314, Vandalia, the petition was ordered held for an Agency recommendation.

Minutes of the Board meeting held January 20, 1977 were approved by a vote of 5-0.

In new cases, these actions were taken by a vote of 5-0: #76-322, People v. Navajo Freight Lines, amended complaint accepted, motion to dismiss held to February 17; 77-22, Mobil Oil, hearing authorized; 77-23, EPA v. Edwardsville Gun Club, hearing mandatory; 77-24, EPA v. J. Royden Peabody, hearing mandatory; 77-25, People v. Marquette Cement, amended complaint accepted, hearing mandatory; 76-26, City of Carbondale, held to February 17; 77-27, People v. Chicago, Milwaukee et al, hearing authorized; 77-28, City of Rochelle, additional information requested, Order by Mr. Zeitlin; 77-29, EPA v. Village of Biggsville, hearing mandatory; 77-30, City of Carbondale, held to February 17; 77-31, Ball Chatham Community School, held for an Agency recommendation; 77-32, Mt. Vernon Lamplight Manor, additional information requested, Order by Mr. Dumelle; 77-33, Maple Leaf Estates, dismissed as inadequate, Order by Mr. Dumelle; 77-34, Central Illinois Public Service, held for an Agency recommendation; 77-35, William Gilman, additional information requested, Order by Mr. Dumelle; 77-36, Leo & Donna Linsky, dismissed as moot, Order by Mr. Zeitlin; 77-37, EPA v. John Daubs, hearing mandatory; 77-38, Village of Ina, hearing authorized, the vote was 3-2, Mr. Young and Dr. Satchell dissented; 77-39, Sunbeam, held to February 17.

A proposal for regulatory change filed by Illinois Power on January 6, 1977 was rejected by a vote of 5-0. Mr. Goodman will prepare an Order.

A regulatory proposal filed by Commonwealth Edison(Rule 410(c)) was given the number R77-1 and authorized for hearing and publication by a vote of 5-0.

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The Board then considered a request from Governor Thompson to adopt certain temporary amendments to the Air Pollution Regulations due to the severe health emergency due to the abnormal harshness of the winter.

These interested persons were heard by the Board on the emergency proposed amendments: Mr. Tom Casper for the Illinois EPA; Mr. Richard Kates, representing the Clean Air Coordinating Committee; Mr. Dan Swartzman for the Chicago Lung Association; Mr. Harvey Sheldon on behalf of the Association of Commerce and Industry and Mr. Sid Marco for the City of Chicago.

The Board then voted 5-0 to adopt the emergency amendments to Rules 205, 203(e) and 204(c) of the Air Pollution Regulations as requested by the Governor. The amendments were adopted to be effective immediately and authorized for hearing. R77-2 was the number assigned to the proceeding. Mr. Goodman will prepare the Order.

All matters not adopted as listed were ordered held for Board consideration on February 17, 1977.

I, Christan L. Moffett, Clerk of the Pollution Control Board, do hereby certify that the above Minutes were adopted this 17th day of February, 1977 by a vote of 4-0.

Christan L. Moffett