

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING
MARCH 2, 1972, DECATUR, ILLINOIS

Mr. Dumelle was absent on naval duty.

Representative A. W. Borchers addressed the Board with regard to his disagreements with Board actions, especially in landfill cases.

The Board voted 4-0 to adopt the following opinions and orders: #71-343, opinion by Mr. Kissel, granting a rehearing because of new facts, allowing up to 5000 new connections at Waukegan and Clavey Road, and rescinding the overflow chlorination requirement because interim facilities could not be completed in time to be of much use, all on certain conditions including attempts to accelerate the permanent retention basins; 71-261 et seq., CIPCo, opinion by Mr. Kissel, clarifying that Hutsonville units could be used beyond standby if brought into compliance; 71-339, Central Illinois Landfill, opinion by Mr. Aldrich, as earlier discussed; 71-378, Chesterfield Development Co., opinion by Mr. Currie dismissing sewer connection to Clavey Road request as moot in light of revised decision in 71-343; 71-384, Village of Lena; 71-387, Dearborn Chemical; 72-37 Pfanstiehl and 72-42, Stone, as earlier discussed.

Mr. Kissel agreed to draft an opinion for March 7 action to grant the request for a hospital housing sewer connection in #71-380, Highland Park Hospital. Mr. Currie outlined his draft opinion in #71-36, North Shore Sanitary District, saying he would ask that the Board authorize a further appeal from the Appellate Court's reversal and the entry of a new order denying the variance for phosphorus discharges to Lake Michigan on the basis of the evidence as limited by the Appellate Court. He said he would present the opinion for action March 7. He also agreed to prepare a draft opinion in #71-297 and 71-335, General Iron, approving the compliance program as agreed by the parties, finding no significant violation of the process weight table, but imposing a \$1500 penalty for an air pollution nuisance on the basis of neighbor testimony, also for March 7. Discussion of #71-373, Springfield, was postponed to March 7 in light of the City's request for oral argument, in order to give the Agency an opportunity to participate. Mr. Lawton agreed to draft opinions granting the explosives burning variances in #71-383, Consolidated Aluminum, and 72-6, DuPont, for March 7 action. Mr. Aldrich agreed to draft an opinion to grant the variance for sewer connection in #71-388, Kraftco, on the basis of Mattoon treatment plant improvements and wet-weather retention plans of the company, for adoption upon receipt of additional materials to be filed no later than March 15. Mr. Lawton said he was drafting an opinion in accord with Board discussion that would find no proven need at present for a state-wide phosphate ban on detergents, #R 71-10, because of the lack of evidence as to algae problems in flowing streams other than the Fox, and because where a problem exists such a ban would not remove the need for removal

at the treatment plant. Action was scheduled for March 7.

In #R 71-14, Water Quality Standards, Mr. Currie explained changes made in preparing revisions to the proposed final draft as published prior to the last hearings and noted the following additional points. He said he would change the draft to put back in the existing requirements of 250 mg/l of chlorides or sulfates and 500 of total dissolved solids to meet drinking water standards in public water supply zones. Mr. Kissel said he would reexamine evidence as to attainable oxygen levels in restricted waters to see whether they could be upgraded. Mr. Kissel thought it would be undesirable to relax shore water standards for Lake Michigan to general standard levels in the absence of more proof. Mr. Currie agreed to revise the Lake Michigan chloride, sulfate, and total dissolved solids standards slightly to conform to present conditions as suggested by Dr. Pipes, and to tighten the Lake Michigan pH standard to preserve the old rule as also suggested by Pipes. Mr. Kissel suggested the possibility of relaxing the standard for sewer discharge of cyanide, at least in the Metropolitan Sanitary District, to which Mr. Currie was opposed on the present record. Mr. Kissel raised the question of permits within the Metropolitan Sanitary District. Mr. Zelle of EPA said the EPA interpretation was that the permit requirement for sewer construction meant new sewer connections needed permits and that this was necessary to prevent overloads. Mr. Kissel asked that the opinion reflect the Board was rejecting any exemption for the MSD and that it was important for the Agency to keep the Board informed as to its ability to handle the workload. Mr. Currie said that on Mr. Dumelle's recommendation he would change the date for filing compliance programs regarding the Pfeffer BOD standard to September 1, 1972. The inadvertent omission of the dilution ratio definition was noted, and of the provision that compliance programs while followed are a defense to enforcement. Mr. Currie said he would delete the provision in 603 limiting water intake, for want of sufficient evidence on the present record, and that such new Agency suggestions as record keeping should be proposed later as amendments in order to give an opportunity for comment. Final action was set for March 7.

Mr. Currie proposed that the proposed transcript cost regulation, #R 72-1, be made applicable only to enforcement cases, leaving others to the preexisting regulation #R71-21; and that a section be added to make clear the Board could reassume costs on receiving an appropriation. The other members agreed. Mr. Currie's motion to amend the proposal further by exempting the costs of citizen suit transcripts was defeated 2-2, Mr. Aldrich and Mr. Kissel voting nay. The motion to adopt the regulation was then passed 3-1, Mr. Aldrich dissenting.

I, Christan Moffett, Clerk of the Pollution Control Board, certify that the Board adopted the above Minutes this 14th day of March, 1972, by a vote of 3-0.

