

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR INFORMAL MEETING
MARCH 29, 1971, 189 W. MADISON ST., CHICAGO

All members were present.

The Board agreed to take final action March 31 on opinions prepared in ## 70-7, 10-12, 13 and 14 (North Shore Sanitary District), and 70-55 (City of Springfield Horse Creek plant). After discussion Mr. Aldrich agreed to prepare opinions for March 31 adoption in ## 71-1 and 71-12, the National Guard firefighting cases. At Mr. Currie's suggestion the Board agreed to postpone final action on #R 70-11, Open Burning Regulations, pending a further hearing on a new proposal expected in the next few days from EPA and to ask the opinion of the federal EPA in light of federal guidelines on implementation plans opposing open burning. The Board agreed to take final action March 31 on the latest mercury regulation draft and the opinion prepared by Mr. Currie, which would be amended to take account of recent developments; since both the paint industry and Monsanto had responded, there was no need for further delay. After discussion Mr. Currie agreed to prepare an opinion denying the requested variance in # 71-2, Purdy Co., for Board action March 31. The members agreed that a proposed final draft in #R 70-2 (thermal standards, Lake Michigan) should be prepared for publication after waiting two weeks for the receipt of information promised by witnesses during the recent federal conference. Mr. Sullivan explained that the 90-day deadline had been waived and a continuance granted at petitioner's request in #70-56, Tekton Corp., and that the petitioner was considering withdrawing its request.

Mr. Kissel raised again the question of employing a press officer, and Mr. Currie said the Governor's office had made the same suggestion and that he agreed that we should do so as soon as money was available. He added that he was going to Springfield the following day to testify in favor of a deficiency appropriation.

After considerable discussion of #R 70-12 (Des Plaines River), the Board agreed to postpone action on the proposed regulation pending better information as to the desirable level of BOD in a stream and as to the proper means of relating effluent to stream quality, information that could best be developed in hearings on the state-wide water quality standards drafted by Mr. Kee and soon to be authorized for hearing. The question of tertiary treatment at Clavey Road, which had prompted the petition, would be dealt with in the North Shore Sanitary District opinion to be

issued March 31, #70-7, on grounds independent of the rule-making proceeding. It was also agreed that the most serious problem on the Des Plaines seemed to be due to stormwater overflows and that another hearing should be held on that question in the near future.

In lengthy discussion of our proposed effluent standards, #R70-8, Mr. Kissel noted that the principal areas of public concern were the definition of dilution; the question of background concentrations; testing methods; and specific objections regarding hexane solubles, copper, iron, manganese, total heavy metals, and total dissolved solids, as well as phosphates. The narrowing of the ammonia proposal, he said, had substantially removed opposition on that score. Mr. Currie said he thought nearly everybody agreed in principle that dilution should not be used as a substitute for treatment, and that the only problem there was to draft a clear statement that requires maximum treatment. Mr. Currie also said with respect to background that a user should not be required to return water cleaner than he got it, but that when the water quality standard is exceeded it was fundamental that he not be allowed to add additional contaminants. Mr. Aldrich said this approach ignored economic reasonableness entirely. Mr. Dumelle and Mr. Kissel suggested that someone be employed to summarize the record with regard to each parameter, and Mr. Currie said he would explore this question with Mr. Schneiderman. Mr. Currie said it seemed clear ammonia treatment should be required for the Illinois River, and that the remaining question was what other streams should be included. He questioned whether phosphate removal had been justified outside of the Fox River; Mr. Kissel said Mr. Evans's testimony had identified lakes and reservoirs as problem areas too, and Mr. Dumelle said the Water Survey should be asked for information on the waters affected by algae problems.

Mr. Currie said he was troubled by the lack of evidence to show, with respect to many of the toxic constituents listed in the effluent standard proposal, either that these levels were necessary (in the sense of stream studies relating effluent to stream quality) or that they were achievable. Mr. Dumelle said the absence of significant objection to most of the numbers should be taken as indicating they were achievable, and Mr. Kissel agreed. Mr. Currie said the proposed dilution ban, which was desirable, had made the proposal markedly different from the pre-existing guidelines, so that we could not rely simply on the fact that the same numbers had been in force in the past. Mr. Kee was asked to pursue further the question of evidence to justify the proposals, and the Board agreed to meet both Monday and Tuesday of the following week to discuss effluent standards, Mr. Kee's proposed water quality chapter, and the Chicago implementation plan.

I, Regina E. Ryan, certify that the Board has approved the above minutes this 14th day of April, 1971

