

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING

APRIL 25, 1972, 309 W. WASHINGTON STREET, CHICAGO, ILLINOIS

All members were present.

After preliminary discussion of the General Electric et al case, #71-238, Mr. Currie suggested the Board wait until next week's Board meeting for decision in order to give Mr. Katz for the UAW an opportunity to file his views, and that discovery against non parties in the LaSalle case, #71-164, be postponed pending decision on the motion to dismiss. The Board members agreed by a vote of 5-0.

The Board next unanimously voted to change the date of the next Board meeting from May 2 to 10:00 a.m. May 3, 1972 at the Board offices, 309 West Washington Street, Chicago, Illinois, so that Board members could testify as to appropriations before the General Assembly.

The following opinions and orders were adopted: #71-20, Quad Cities, by a vote of 4-1, Mr. Dumelle dissenting; #71-323, Ayrshire, by a vote of 5-0; and in #72-31, Kammerer Concrete and #72-66, Zaborac, the penalty was amended from \$200 to \$100 by a vote of 4-1, Mr. Dumelle dissenting. The opinion was adopted by a vote of 5-0. #72-36, Canton, was granted 5-0 on EPA conditions, Mr. Currie to supply an order. #72-97, Nilles, was dismissed by a vote of 3-2, Mr. Aldrich and Mr. Kissel dissenting. In #72-117, Cemeteries et al, an order directing EPA to issue permits on appropriate conditions, as required by the Appellate Court, was adopted by a vote of 5-0.

Mr. Aldrich agreed to prepare an opinion for the next Board meeting in #71-366, Kankakee Foundry Co., approving the agreed program without prejudice to the pending complaint for money penalties. EPA recommendation was received in #71-392, Nickel, and the petitioner was asked for his comments. Mr. Lawton agreed to prepare an opinion in #70-34, Granite City Steel Co., and the stipulation for a control program and \$150,000 payment to the University of Illinois was approved by a vote of 5-0, Mr. Lawton to file an order so stating.

The Board next agreed to discuss #72-39, Great States Theatres; #72-41, Richardson Co.; #72-46, William Young; and #71-44, U.S. Industrial Chemicals at the next week's Board meeting, granting a ten-day extension of time to file in the last case.

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Mr. Dumelle will prepare an opinion for next week's Board meeting in #72-47, Smistic, imposing a penalty for landfill violations. The Board dismissed #72-104, Hawthorn Mellody, by a vote of 5-0, on motion of the EPA because the wrong party had been charged and a new complaint filed.

The motions in #72-13, Will County Landfill; #72-17, Swords; and #72-125, Swift & Co., will be discussed at the next Board meeting.

The Board voted unanimously to renumber #71-101, Beloit Foundry, and to wait for EPA recommendation.

The following Minutes were approved by a vote of 5-0, after changes noted by Mr. Currie: September 9 and 22, 1970; October 13, 23 and 26, 1970; November 30, 1970; December 2, 14 and 21, 1970; January 4, 6 and 25, 1971; March 1, 22 and 31, 1971; April 5, 12, 19, 26 and 28, 1971; September 2, 13, 20 and 27, 1971; October 12, 18 and 26, 1971; confidential Minutes of March 28, 1972; and April 4, 11 and 13, 1972.

Hearings are mandatory in the following new cases: #72-158, EPA v. Royal Packing Co.; #72-159, EPA v. City of Woodstock et al.; #72-160, EPA v. Kaluzny Bros., Inc.; #72-163, EPA v. Village of Beecher; #72-164, EPA v. Allied Metal Co.; #72-165, EPA v. Great States Theatres, Inc. et al.; #72-169, EPA v. Terminal Railroad Assoc.; #72-170, EPA v. Bradley Division-Roper Corp.; #72-171, EPA v. Meyer Jacobs et al.

The following cases were dismissed by a vote of 5-0: #72-156, Waukegan-Gurnee Industrial Park, Mr. Currie agreed to supply an order; #72-167, Village of Coulterville, Mr. Kissel agreed to supply an order. Mr. Kissel agreed to write an order for more information in #72-166, Griggsville. A hearing was authorized by a vote of 5-0 in #72-168, City of LaHarpe.

Action was postponed pending EPA recommendation in the following cases: #72-157, Mr. & Mrs. Jesse Starks, Jr.; and #72-161, Danville Sanitary District.

Mrs. Wiley reported on budgetary matters. In executive session pending litigation was discussed with counsel.

I, Christan Moffett, Clerk of the Pollution Control Board, certify that the Board adopted the above Minutes this 3rd day of May, 1972, by a vote of 4-0.

Christan L. Moffett