

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF INFORMAL REGULAR MEETING, AUGUST 31, 1970
189 W. Madison St., Chicago

Mr. Currie announced that he intended to ask the Board on September 2 to schedule hearings on a proposal to repeal obsolete regulations SWB-3, SWB-4, and SWB-16, relating to procedures before the Sanitary Water Board, water quality objectives for the lower Mississippi River that had been superseded by water quality standards, and a seal for the old Board.

After discussion it was agreed that it would be proper for Board members to attend a public discussion of the problems and programs of the North Shore Sanitary District, called by FWQA for 9 a.m. Friday, September 4, in Room 155 of the lower level of the Chicago Civic Center, as observers and not as active participants. Mr. Currie and Mr. Kissel said they planned to attend. Mr. Lawton offered to attend a meeting of the Commission on Water Resources and Water Pollution September 9 regarding the Fox River, and several members expressed interest in participating in a visual survey of the Fox sponsored by the Commission later in September.

Mr. Currie reported that the Environmental Protection Agency had informed FWQA of the Board's intention to participate in the coming Lake Michigan Conference session but that there was some doubt from Mr. Klassen's letter whether the Board would have the right to examine witnesses as requested. He also noted the desirability of the Board's being represented at a coming meeting of the Ohio River Sanitation Commission in regard to effluent standards and said he would pursue this matter with Mr. Klassen as well. Mr. Dumelle urged the Board to try to induce the federal Conference to improve its procedures, for example by requiring statements to be submitted in advance so they could be studied before the meeting. He agreed to draft a statement for the Board to submit prior to the Conference.

Mr. Currie reported that Mr. Klassen would be prepared to discuss the water quality problems and standards of the Illinois River at the Board's September 2 meeting and that he had asked for a similar discussion August 16 concerning Lake Michigan. He noted that FWQA would not be able to present witnesses at the Board's September 25 and 26 thermal hearings because of the federal Conference immediately following and said this problem could be handled by scheduling additional later sessions. Moreover, he added, the federal Conference would conflict with the Board's September 30 meeting and mercury hearing in Springfield and with the Chicago mercury hearing October 2. He asked the Board to consider whether these dates should be changed.

The Board then discussed with Mr. Ronald Van Mersbergen, Regional Director for NAPCA, how NAPCA and the Board could best work together to accomplish their common goals. Mr. Currie explained that the Board hoped for technical assistance from NAPCA going beyond the published criteria and control documents, in the form of informal briefings by NAPCA experts, suggested additional readings, and expert testimony at Board hearings. Mr. Van Mersbergen answered a number of specific questions, asked what the Board planned to do about implementation of the sulfur and particulate standards, and agreed to arrange for NAPCA's cooperation. Mr. Currie said that he had prepared a letter to Dr. Middleton, to be sent upon final settlement of the arrangements between the Agency and the Institute, detailing the State's plans for implementation, and that a copy would be sent to Mr. Van Mersbergen.

Dr. Aldrich agreed to make recommendations to the Board regarding the problems of agricultural pollution. He also suggested the desirability of coordinating the sampling activities of the Agency and of the State Water Survey, and agreed to raise this issue with Mr. Klassen. He noted the necessity for summaries and interpretations of the raw data submitted on water quality by the EPA. Mr. Dumelle said that a twelve-volume study on the Illinois River had been prepared by the FWQA's GLIRB project but never released and said he would attempt to obtain a copy for the Board. Mr. Kissel added that the Board had only inadequate effluent data and asked the Board to suggest additional witnesses for the thermal hearings.

Mr. Schneiderman of the Institute reported that he saw it as the Institute's function to obtain witnesses to see to it that the entire subject of a Board hearing was covered and all sides of each question explored; that at present his limited staff did not permit the Institute to do a thorough job of this; but that he was attempting to hire an assistant director whose job it would be to service the needs of the Board and that in the meantime he would do the necessary administrative work of arranging for witnesses requested by the Board and would cover their expenses.

Mr. Gene Leonard demonstrated the Norelco dictating equipment.

Mr. Kissel asked about progress in setting up technical advisory committees, noting especially that it would be desirable to have a proposal soon regarding noise regulations. Mr. Currie expressed the hope that the Institute might undertake a noise study in the near future.

Mr. Currie reported that Mr. Klassen had agreed to supply the Board with copies of the existing regulations for public distribution.

Mr. Lawton said he would investigate the status of the transcript in the Lindgren Foundry case, which had not been filed on schedule.

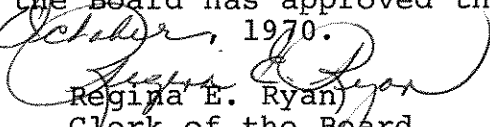
After Board discussion of Mr. Lawton's draft opinion on the Swords case, Mr. Lawton agreed to prepare a final draft by the following afternoon so that the Board could decide the case at its September 2 meeting.

Mr. Dumelle reported that Texas had recently adopted a mercury standard, the first in the nation.

Mr. Kissel urged that the Board establish contact with pollution agencies in neighboring states for the purpose of exchanging information and avoiding duplication of effort. Mr. Dumelle suggested that the Board begin by placing other agencies on the mailing list and asking them to keep us informed of their activities. Mr. Kissel further suggested that the Board consider holding joint hearings, for example, with the Indiana pollution boards.

Mr. Currie called the Board's attention to regulations SWB-1, 2, 6, 17, and 18, which relate to the submission of sewage plant plans, the certification of operators, the filing of reports, the allocation of federal grants and the tax certification of pollution equipment. These matters, he argued, were the Agency's business rather than the Board's, and he was preparing to circulate a proposal to repeal them. Mr. Dumelle warned that care should be taken to ensure that the regulations were adopted by the Agency before they were repealed by the Board, in order to avoid discontinuity. Mr. Kissel said he thought it appropriate for the Board to adopt regulations on such subjects and for the Agency to administer them. Mr. Currie added that the statutes clearly gave the Board power to adopt regulations regarding operator and tax certification but that grants were the sole responsibility of the Agency. He cautioned that some of the regulations in question dealt with engineering specifications the Board could not expect to understand, and that the Board ought to confine itself if possible to larger questions of policy. There was a danger, he thought, that the Board might bind itself to engineering details that might not fit in with the water quality or effluent standards they were designed to implement. He also said he had drawn up a tentative proposal regarding permit requirements which he would circulate for preliminary discussion and that he would give further thought to the other regulations discussed at this meeting.

I, Regina E. Ryan, certify that the Board has approved the above minutes this 8th day of October, 1970.


Regina E. Ryan
Clerk of the Board