

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING

September 12, 1972 309 W. Washington, Chicago

All Board Members were present save Mr. Currie.

A ruling on an objection to second amended complaint in #72-180, Borden, was deferred pending the final opinion of the Board.

Two motions to sever in #72-188, Ashland, were denied by a vote of 4-0. Mr. Lawton agreed to prepare an order.

In #72-291, Baptist Camp, a motion to withdraw petition for variance was granted by a vote of 4-0. Mr. Lawton agreed to prepare an order.

An emergency motion to modify in #72-293, E.N. Maisel was filed by the Attorney for Petitioner and the Board granted the motion, 4-0. Mr. Lawton said he would prepare the order.

Action on a motion to cancel hearing in #72-272, Johns-Manville, was put over to the afternoon session pending filing of the E.P.A. recommendation.

Parties representing the steel companies and the E.P.A. presented oral argument on motions for stay of regulations on #72-23, Air Regulations. The Board asked the parties to prepare a written summary of the issues and file it by September 22, 1972. The matter will be set for discussion Sept. 26, 1972. The proceedings were transcribed by a court reporter.

Opinions and orders were adopted by a vote of 4-0 in the following cases: #72-1, C & S; 72-23, Baker; 72-136, Rock Island.

Decision in #72-171, Jacobs, was put over to September 26, 1972.

In #72-247, Dearborn Chemical, variance granted by a vote of 4-0. Mr. Lawton agreed to prepare an opinion and order.

A motion for summary judgment in #72-368, Thompson v. Cinnamon Creek was put over to September 26, 1972, pending receipt of parties response. A hearing was authorized by a vote of 4-0 and Mr. Lawton agreed to prepare an order.

A stipulation was presented to the Board in #71-243, Carlson and some discussion held. The case was set for decision Sept. 26, 1972, and Mr. Lawton said he would prepare an opinion.

The meeting was recessed for lunch until 1:45 P.M.

The motion to waive the hearing in #72-272, Johns-Manville was granted by a vote of 4-0. Mr. Lawton said he would prepare an order on the motion and also an opinion for decision Sept. 26, 1972.

Discussion of cases in which waivers or E.P.A. recommendations were needed was held and Ms. Moffett agreed to check on these matters.

Mr. Harvey Sheldon of the Office of the Attorney General reviewed the procedures followed in the matter of filing E.P.A. recommendations. The Board expressed its concern over the late filing of recommendations and Mr. Sheldon agreed to investigate more efficient procedures.

A letter proposing additional amendments filed by the E.P.A. in the matter of #R72-4, WQS Amendments, was ordered consolidated with issues already set for hearings.

In new cases the following action was taken by a vote of 4-0: ##72-354, Immanuel Evangelical Church, a hearing was authorized and Mr. Lawton said he would prepare an order; 72-355, Village of Palos Park, additional information requested, Mr. Lawton to prepare an order; 72-367, North Shore Sanitary District, hearing authorized, Mr. Lawton to prepare an order.

In other matters, Ms. Moffett expressed concern over the manner in which parties in cases were seeking action on motions. The Board agreed to discuss stricter control upon Mr. Currie's return.

Mr. Tim Harker then presented a summary of issues and status report on #R70-17, DuPage Regionalization.

I, Christian L. Moffett, Clerk of the Pollution Control Board, certify that the Board adopted the above minutes this 26th day of September, 1972, by a vote of 4 to 0.

Christian L. Moffett