

ILLINOIS POLLUTION CONTROL BOARD

Minutes of Regular Board Meeting
June 28, 1973 Chicago, Illinois

Mr. Seaman was not present for the morning session.

Opinions and Orders were adopted in the following cases by a vote of 3-0: ##72-113, Elesco; 72-405, Par Steel; 73-60, Johns-Manville; 73-142, Bradley; 73-168, Swift Oil.

Minutes of June 21, 1973 were approved by the Board 3-0.

Decision in ##72-463, Citizens v. Procter & Gamble was put over to July 12, 1973.

Motion for stay in #71-377, Freeman Coal was granted 3-0, Mr. Lawton will prepare the Order.

In #72-392, Aurora, motion for stay was granted and motion for clarification was denied 3-0. Mr. Lawton will prepare an Order.

Motion to withdraw petition in #73-122, Morton, was allowed 3-0. Mr Lawton will prepare the Order.

Motion to dismiss in #73-156, Borg-Warner, was ordered taken with the case.

Motions filed in #73-182, O'Keefe Bros, were referred to pre-trial procedures.

In #73-254, -248, Commonwealth Edison motion to consolidate was granted and petition to intervene was denied 3-0. Mr. Lawton will prepare an order.

The matter of #73-251, J. R. Short Milling was put over to July 19 pending receipt of amended petition as per Board order.

An emergency motion for relief in # 73-263, Owens-Illinois was discussed and put over to the afternoon session for further discussion.

Petition to intervene in #73-143, Bereskin, was allowed and the matter set for an afternoon decision.

Motion to continue oral argument in #71-343, NSSD was allowed 3-0.

Oral argument in #72-464, Citizens v. Joliet was cancelled and to be re-set by agreement of parties.

In new cases these actions were taken by a vote of 3-0: ##73-256, Village of Avon, ordered held 21 days before deciding since Agency Recommendation has been filed; 73-257, N. J. Wagner, hearing authorized; 73-258, City of sandwich, hearing authorized; 73-259, Village of Shipman, additional information and Agency Recommendation requested, Order by Mr. Dumelle; 73-260, S. N. Black, additional information requested, Order by Mr. Dumelle; 73-261, Wadell Brooks, additional information requested, Order by Mr. Dumelle; 73-262, Texaco, Inc., hearing authorized; 73-263, Owens-Illinois, hearing authorized; 73-264, City of Carlyle, additional information requested, order by Mr. Henss; 73-265, Ford Motor Co., hearing authorized; 73-266, Howard Adams, ordered held for Agency Recommendation; 73-267, Melvin Watson, ordered held for Agency Recommendation; 73-268, The Near Ones v. E. P. A., hearing authorized.

The Board meeting for July 12, 1973 previously announced as cancelled was reinstated.

An Opinion and Order in ##71-4, -33, and 72-85, Fry Roofing was adopted by a vote of 3-1. Mr. Dumelle dissented believing a penalty should have been levied.

An Opinion and Order in ##73-12, -35, Mississippi Lime was adopted 4-0.

Variance was granted in #73-143, Bereskin by a vote of 4-0.

Motion for reconsideration in #73-71, Johnson & Johnson was denied 3-0. Mr. Seaman was not present for the vote. Mr. Dumelle will prepare an Order.

Further discussion was held in #73-263, Owens-Illinois, on an emergency motion for relief. The Board ordered that petitioner amend the petition by June 29, 1973 and that the Agency file a recommendation by July 19, 1973. The vote was 4-0. Mr. Lawton will prepare the Order.

The Board decided to send a letter to the Attorney General requesting guidance on the matters of #72-389, Donaldson v. Elmhurst and 73-198, Midway. Mr. Dumelle dissented.

A variance was granted in #73-227, Nashville by a vote of 3-0. Mr. Henss was not present for the vote. Mr. Dumelle will prepare an Order.

Variance was granted in #73-197, Scott by a vote of 4-0. Mr. Dumelle will prepare an Order.

Discussion of #R70-17, DuPage was put over to July 12, 1973.

Water Quality Amendments, #R72-4 were adopted by a vote of 4-0.

Action in #R72-7, Air Quality Standards was deferred to August 9, 1973.

#R73-1,-3 Proposed Water Quality Standards Amendments were partially adopted by a vote of 4-0. The Board voted to file the amendments with the Secretary of State's Office on an emergency basis.

The Board adopted Open Burning Amendments, #R73-7 by a vote of 4-0. They voted to file with the Secretary of State's Office on an emergency basis.

All cases listed on the agency not disposed of as indicated were directed to be listed on the agenda for July 12, 1973.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board certify that the Board adopted the above Minutes this 19th day of July, 1973 by a vote of 4-0.

Christan L. Moffett