

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING

MARCH 7, 1972, 309 W. WASHINGTON STREET, CHICAGO, ILLINOIS

Mr. Dumelle was absent on Naval duty.

Mr. Currie called the meeting to order which commenced with oral argument between counsel for City of Springfield, PCB 71-373, and Mr. Immel, counsel for the EPA. Pursuant to discussion, Mr. Currie moved for an additional hearing to be held to determine whether the City of Springfield has abated its SO<sub>2</sub> violation. The motion was seconded and adopted by a vote of 4-0. 2

The meeting proceeded with discussion regarding the motion to re-open in General Electric's variance petition, PCB 71-238. Mr. Currie moved that an additional hearing be authorized. The motion was seconded and was adopted by a vote of 4-0.

On Mr. Currie's motion his opinion in ## 71-297 and 71-335, General Iron, was adopted 4-0.

The motion in Glidden-Durkee, PCB 71-368, to strike and dismiss the amended complaint was denied by a vote of 4-0.

Regarding the petition to modify permit submitted by Commonwealth Edison, PCB 71-20, a hearing was authorized by a vote of 4-0.

The Board noted 4-0 to declare an emergency requiring immediate effectiveness of the transcript cost Rule #R 72-1, and 3-1, Mr. Aldrich dissenting, to reaffirm the order and opinion in final form.

Mr. Currie's opinion denying the variance in #71-36, North Shore Sanitary District, was adopted 4-0; Mr. Kissel's granting the variance in #71-380, Highland Park Hospital, was amended and adopted 3-0, Mr. Lawton not participating. Opinions were adopted 4-0 in ##71-383, Consolidated Aluminum, and 72-6, DuPont, granting variances to burn explosive wastes on conditions.

Mr. Currie presented a revised draft of #R 71-14, Water Quality Standards, and explained the revisions. The draft was then adopted by a vote of 4-0. Mr. Kissel will draft a supplemental opinion of his own regarding permits and basin studies.

Mr. Currie will draft an order denying the motion for stay in City of Marion, PCB 71-25, and will present it at the March 14th Board Meeting for decision.

The draft opinion for Kraftco, PCB 71-388, was presented by Dr. Aldrich and was discussed. Decision will be made by March

23, 1972.

The motion in Illinois Power Company, PCB 71-198, for an extension to file an amended variance petition until April 30, 1972 will be granted at the March 14th Board Meeting unless an Agency response is filed prior to that time.

In *Glovka v. NSSD*, PCB 71-269, decision on the motion for stay filed by the NSSD will be deferred until the March 14th Board Meeting in order to allow the other parties to respond to the motion.

Mr. Kissel will prepare an opinion regarding the motion for stay filed by Airtex Products, PCB 71-325, to be decided at the March 14th Board Meeting. In addition, the letter filed by the City of Fairfield stating that it cannot at this time pay its penalty will be discussed in Mr. Kissel's opinion. The Board Members are also awaiting an Agency recommendation.

In PCB 71-349, Certain-teed Products, the Board will await an Agency response to the motion for modifications.

The motion to strike and dismiss the amended complaint and the request for oral argument on the motion to strike and dismiss the amended complaint in Aluminum Coil Anodizing Corporation, PCB 71-358, denied by a 4-0 vote.

The motion for a further hearing filed by N. J. Zinc Co., PCB 71-362, will be decided at the March 14 Board Meeting.

The motion to dismiss by the Saline Branch Drainage District in PCB 71-365 was denied by a vote of 4-0.

Hearings are mandatory for the following new enforcement cases: PCB 72-65, EPA v. Earl B. Archdale; PCB 72-66, EPA v. Zaborac Electric; PCB 72-67, EPA v. Village of Port Byron; PCB 72-69, EPA v. Citizens Utilities; PCB 72-70, EPA v. Southwestern Regional District; PCB 72-71, EPA v. Airport Landfill; PCB 72-72, EPA v. Kienstra Concrete; PCB 72-76, EPA v. Fansteel Inc.; PCB 72-77, EPA c. Corbett Steel; PCB 72-78, EPA v. Gil Miranda, d/b/a Jo-Lock Auto Wreckers; PCB 72-79, EPA v. Sangamo Construction Co.; PCB 72-80, EPA v. City of Harrisburg & Milo Lambert; PCB 72-81, EPA v. Tee Pak, Inc.; PCB 72-83, EPA v. Central Ill. Light Co.

In PCB 72-64, City of Mattoon, a hearing was authorized by a vote of 4-0. However, the Board discussed the possibility that no hearing would be necessary if petitioner and the Agency can resolve the problem of chlorination.

The petition for variance was dismissed by a vote of 4-0 in Godfrey Township Utility Board, PCB 72-68, due to the inadequate program and unacceptable dates. Mr. Kissel agreed to supply an order.

In #72-73, Darling & Co., petition for variance was consolidated with enforcement case, #71-348 and authorized for hearing.

PCB 72-74, Housing Authority of Wabash County and PCB 72-82, Village of Kenilworth were authorized for hearing.

In PCB 72-75, Decker Sawmill, the Board requested additional information from petitioner and will hold for an Agency recommendation.

Discussion of R 71-15, Plant Nutrients was held and Dr. Aldrich agreed to prepare a simplified opinion requesting additional information from the Institute for Environmental Quality. A decision in R 71-10, Phosphates was put over to March 14, 1972.

Mrs. Wiley reported to the Board on status of court reporting costs and other budgetary matters.

I, Christan Moffett, Clerk of the Pollution Control Board, certify that the Board adopted the above Minutes this 4<sup>th</sup> day of April, 1972 by a vote of 4-0.

*Christan L. Moffett*