

Illinois Pollution Control Board
189 West Madison Street
Chicago, Illinois 60602

MINUTES OF REGULAR INFORMAL MEETING
March 15, 1971

All members were present.

The Board first heard from Mr. Howard Zar as to the present status of federal thinking with regard to thermal pollution of Lake Michigan, which was that the federal proposal to the coming Conference had not yet been decided upon. He also reported that Consumers Power Co. had agreed to backfit cooling towers on the Palisades plant. Mr. Dumelle asked that the Board retain its flexibility by avoiding the issuance of a proposed final draft until after the Conference. Mr. Currie asked that the Board instruct him as to what policy position to take at the Conference, and the Board approved his recommended position, as incorporated later in the meeting in a letter to Conference Chairman Murray Stein: In essence this policy avoids backfitting heat sources in existence or under construction in the absence of proof they cause damage, while forbidding any future construction of heat sources on the Lake. The details of a proposed final draft to incorporate this policy were to be worked out by Mr. Kee, with particular attention to the definition of natural monthly temperatures and to the exemption of insignificant future sources such as filtration plants and vessels, and such a draft was not to be published until after the Conference.

Mr. Kissel said his opinion in the North Shore Sanitary District cases would be ready in time for Board action at the Waukegan meeting March 31.

The Board then conducted preliminary discussions on opinions prepared in ##70-33, 70-34, 70-45, 70-46, and 70-52, suggested certain changes, and agreed to vote on these opinions March 17. Preliminary discussion was also held on ##70-50 and 70-55, and Mr. Currie agreed to prepare opinions for Board consideration. In #70-55, he noted, the parties had waived the 90-day rule so decision could be made March 31; in #70-50 the deadline was March 28, and the Board agreed to decide this case at a special meeting 9:30 a.m. March 22, in the Field Museum, Chicago.

Mr. Aldrich reported that the Environmental Protection Agency expected to make a proposal for regulations governing livestock wastes during the first week in April.

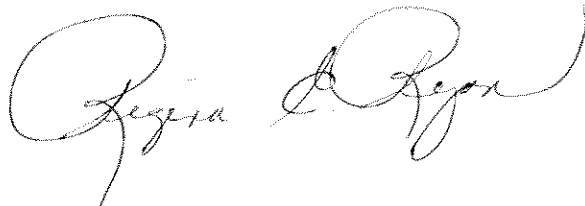
Mr. Kissel said Senator Berning had requested the Board's opinion on his Senate bill 93, which would prescribe smoke limits for vehicles. The Board agreed to telegraph opposition to the bill on the ground that existing Board regulations on the subject were more stringent.

Mr. Kissel said the Board was ready to act March 17 to approve final regulations in #R71-1 and R71-2, minor revisions in the Wabash and Mississippi standards requested by the federal government, and Mr. Currie said he would ask for hearings on additional federal requests regarding public water supplies (#R71-11) and Ohio-Wabash temperatures (#R71-12). At the request of other members Mr. Currie scheduled discussion of the pending effluent standards (#R70-8) and of the proposed new chapter on water pollution prepared by Mr. Kee for March 29, and discussion of the pending implementation plan for air quality standards (Chicago) for April 5. In response to Mr. Dumelle's memo requesting that agendas for Monday meetings be circulated in advance, Mr. Currie said this was feasible for regulations and for enforcement cases but that variance cases, because the transcripts usually arrived just before the 90-day deadline, had to be taken up at the first meeting after receipt, and the members agreed that this should be made standard practice. In response to Mr. Dumelle's concern that opinions should not be sent out until dissents were prepared, Mr. Currie pointed to the necessity for prompt notification of the parties, and at Mr. Kissel's suggestion the Board agreed that mailing should not be held up but that the fact of a dissent, and a brief statement of the nature of the dissent, should be appended to the majority opinion. The Board agreed in principle to a revised meeting schedule for the 1972 fiscal year, prepared by Mr. Dumelle.

Mr. Currie noted that the EPA would soon send a proposed revision of the open burning rules the Board had put out for final comments, and after discussion of some reported elements of the EPA proposal the Board agreed that a further hearing would probably be desirable when the proposal was received. Mr. Currie also said the federal EPA should be asked its views on the proposed exceptions in the present and EPA drafts because the open burning rules will form a part of implementation plans requiring federal approval.

Mr. Kissel asked that the Board soon consider final action in the Des Plaines River rule-making matter and that consideration be given to additional proceedings regarding sewage bypasses, which seemed to be the greatest problem on the river. Mr. Dumelle raised also the question of post-aeration.

Mr. Currie said Miles Laboratories had asked reconsideration of the denial of its variance, #70-51, claiming the Board had overlooked its amended petition. Mr. Currie said he would investigate and report.

A handwritten signature in cursive script, appearing to read "Reginald A. Ryan". The signature is written in dark ink and is located at the bottom right of the page.