

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR INFORMAL MEETING, APRIL 5, 1971
189 W. MADISON ST., CHICAGO

Mr. Currie noted that the motion for nondisclosure of information in # 70-36, Moody v. Flintkote Co., had been opposed, and the Board asked the parties to brief the issue for later decision.

Mrs. Lee Botts of the Lake Michigan Federation informed the Board as to a pending effort, endorsed by lake state senators, to induce the federal government to issue Refuse Act permits only upon a showing of the employment of best available technology and nondegradation. At her suggestion that the Board be specific as to monitoring and testing requirements in connection with the thermal standard, #R 70-2, Mr. Currie asked for a specific proposal as to how the regulation could assure testing by the informal study group composed of power company, regulatory, and independent bodies. Mr. Fall of the Indiana Izaak Walton League gave the Board some criticisms of Dr. Pritchard's estimates as to the fate of heated discharges, suggesting in particular that the lake bottom was likely to be affected. Mr. Currie observed that informal Board meetings should not be used for ex parte continuations of public hearings since closed, and Dr. Aldrich asked that Mr. Fall submit a written statement incorporating his comments.

After discussion Mr. Aldrich agreed to prepare an opinion to grant the variance request regarding diseased tree burning in #71-38, Cedar Park Cemetery Ass'n, and Mr. Currie to write opinions denying ordinary tree-burning variances in ## 71-14 and 71-22, Calhoun and Riverton. Mr. Kissel urged that the revised open burning regulation be adopted without delay; Mr. Currie said the Board was waiting to receive the EPA's promised alternative draft, and that he would try to hurry the EPA to file it.

After discussions Mr. Kissel agreed to prepare an opinion for Board consideration in #71-15, Mt. Carmel Public Utility Co.; and Mr. Dumelle in #71-11, GAF Corp. v. EPA.

Mr. Schneiderman of the Institute reported that the 6th floor of the 189 building was available for use as a library, clerk's office, and hearing room for the Institute and the Board and asked the Board to tell him whether it was interested.

After discussion Mr. Currie agreed to ask the Institute to obtain a state-of-the-art study on the concentrations of heavy metals that could be expected from standard methods of precipitation in order that the Board might complete its record on effluent standards in #R 70-8.

The Board and assistants then discussed administrative matters, including Board files, a docket book, informal complaints, the relation between assistants' and clerk's functions, petty cash, mail handling, the mailing of the newsletter, and the possible desirability of employing an office manager. Mr. Dumelle asked that meetings in the coming fiscal year be held on Thursdays rather than Wednesdays so as to allow more time for preparation of opinions following the informal Monday discussion, and the Board agreed. Mr. Aldrich suggested that the Board meet for two consecutive days each two weeks informally, instead of once a week, and hold formal meetings monthly, in order to reduce the travel burden. Other members disagreed, on the ground that frequent meetings were needed because of the already large agendas at each meeting, because of the press of the 90-day rule, and in order to increase the possibility of real deliberation.

Mr. Lawton reported that Modern Plating had waived the 90-day rule in the variance case associated with the complaint in #70-38, in which a hearing had just been held.

After discussion Mr. Lawton agreed to prepare an opinion in # 71-3, Standard Brands v. EPA.

Mr. Dumelle commented on the absence of variance petitions from firms in Chicago, and Mr. Currie noted with concern that no complaints had been filed against Chicago polluters either.

After discussion of the motion to reopen # 70-7 and related cases, the North Shore Sanitary District cases, the Board put the matter on the agenda for decision April 14.

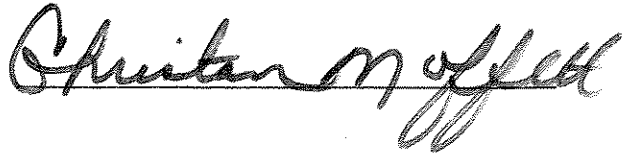
In #R 70-8, Mr. Currie said the Board could set effluent standards equal to water quality standards and then obtain information as to technical feasibility in individual variance hearings, but he recommended that the Board await Institute reports as to feasibility and then hold two further hearings. Nitrogen and phosphorus standards for the Illinois and Fox Rivers, respectively, he said, could be issued now, but more information was needed as to other waters requiring similar standards. Mr. Currie suggested it might be desirable to set effluent standards equal to water quality standards; to require treatment before mixing, the best available; and then to allow dilution to meet the standard if needed. Mr. Dumelle said such a proposal would have the advantage of eliminating dead spots around the outfalls. The Board agreed that Mr. Kee would ask the Agency and the Water Survey for information as to the need for nitrogen and phosphorus treatment and to await the Institute report on metals.

A lengthy discussion of the proposed water quality standards drafted by Mr. Kee followed in a continuation of the meeting April 6. Each proposed water quality criterion was explained in detail as to the source from which it was taken and compared with existing standards.

A number of changes were made in the draft, and Mr. Aldrich asked that a special note with the proposal call attention to the more uncertain provisions, such as the proposed phosphorus limit for flowing streams and the definition of phosphorus to include that attached to sediment. Present concentrations in Illinois waters were compared. Mr. Dumelle said he believed the earlier suggestion regarding mandatory dilution of effluents to meet water quality standards before discharge was undesirable, since dilution with groundwater might add excess dissolved solids and deplete the supply, and dilution with river water would injure organisms drawn through the pipes.

Mr. Kee was asked to prepare a detailed explanation of each provision of the water quality proposal to be distributed at the time of publication, summarizing the conclusions of the day's discussion.

I, Christan Moffett certify that the Board has approved the above minutes this 25th day of April, 1972, by a vote of 5-0.

A handwritten signature in cursive script that reads "Christan Moffett". The signature is written in dark ink and is positioned to the right of the typed name in the certification line.