

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING

MAY 3, 1972 - 309 W. WASHINGTON STREET, CHICAGO, ILLINOIS

All Board Members were present.

In Granite City Steel, PCB 70-34, an opinion prepared by Mr. Lawton explaining the Order of the Board of April 25, 1972 approving a Stipulation and Agreement between the parties was adopted by a vote of 5-0. As a result of the decision of the United States Supreme Court in Minnesota v. Northern States Power Co., the Board adopted an order by a vote of 5-0 in the cases concerning the applications for permits to construct or to operate nuclear power plants or nuclear fuel reprocessing plants under Title VI-A of the Act, vacating the permits previously granted in PCB 70-21, Commonwealth Edison Co. (Dresden #3) and PCB 71-20, Commonwealth Edison et al (Quad-Cities); and dismissing the applications for permits in PCB 70-21; PCB 71-20; PCB 71-238, General Electric Co.; PCB 71-328, Commonwealth Edison Co. (Zion); and PCB 71-354, Commonwealth Edison Co. (LaSalle). Kankakee Foundry Company, PCB 71-366, was granted a variance by a vote of 5-0 from air pollution provisions of the Act until September 1, 1972, subject to certain conditions.

Mr. Aldrich agreed to prepare an opinion and order in PCB 72-46, William Earl Young, ordering Young to cease and desist from accepting the dumping of refuse on his property until he has obtained a proper permit from the Agency. In PCB 72-47, William Smistic and Ronald Hayden, Mr. Dumelle is preparing an opinion and order asking respondents to cease and desist violations of the Act and the Rules and Regulations for Refuse Disposal Sites. Both cases will be decided May 10, 1972.

The amended regulations in R 71-25, Mining Regulations, will be ready next week and discussion was postponed until May 10, 1972.

The Board agreed to change the date of the next Board meeting from May 9 to May 10, 1972, since all Board Members will be in Springfield on May 9 to testify on budgetary matters.

Discussion in U.S. Industrial Chemicals Company, PCB 71-44, was postponed until May 10, 1972. Central Illinois Public Services, PCB 72-102, was granted a variance until May 7, 1972, and Mr. Currie will submit an order.

Mr. Currie said that there was no need to consider the Motions to Dismiss at this time in Will County Landfill, PCB 72-13, and in Earl I. Swords, PCB 72-17, and that they would be taken with the case. In Swift & Co., PCB 72-125, the Motion to Dismiss was denied by a vote of 5-0, and Mr. Currie agreed to supply an order. The Board will vote on the Agency's Motion to Dismiss in State National Bank of Evanston, PCB 72-176, on May 10, 1972.

The Board heard comments by Ben Sosewitz of the Metropolitan Sanitary District in connection with the amendments to the Water Quality Standards, R 72-4; the Board will discuss the District's proposals at a later time.

Hearings were authorized in R 72-7, Proposed Additions to and Changes of the Air Quality Standards. Mr. Lawton noted that hearings had been scheduled for June 15 in Chicago and June 16 in Granite City. Mr. Kissel agreed to write a letter to the Federal Government asking that they give live testimony justifying their standards.

The meeting was adjourned until 1:30 p.m. Mr. Kissel was unable to attend the afternoon session.

Minutes for April 17 and 25, 1972; May 12 and 24, 1971; and June 7, 9, 16, 21 and 28, 1971, were adopted by a vote of 4-0, after changes noted by Mr. Currie.

Hearings are mandatory in the following cases: PCB 72-172, Van Der Molen Midwest Incinerator Co.,; PCB 72-173, V.P. Kremm et al d/b/a Chem-Met Corp.; PCB 72-174, V-Day Coal Co., Inc.; PCB 72-175, City of West Frankfort; PCB 72-179, East Lawn Water Co. et al; PCB 72-180, Borden, Inc.; PCB 72-181, Cerro Copper & Brass Division; PCB 72-185, Spinney Run Farms; PCB 72-186, Mal Landfill Corp.; PCB 72-187, South Side Foundry; PCB 72-188, Ashland Chemical Co. et al; and PCB 72-189, Dean Penn & Walter Dennis.

PCB 72-177, Elsie Kelberger, and PCB 72-178, Mark E. Cook, were dismissed as moot by a vote of 4-0; Mr. Currie will supply the orders. Action was postponed in Beloit Foundry Co., PCB 72-182, pending EPA recommendation. A hearing was authorized in Granite City Sewage Treatment Plant, PCB 72-184, and action was deferred in First Baptist Church, PCB 72-183.

Great Lakes Theatres et al, PCB 72-39, was denied a variance by a vote of 4-0; Mr. Currie agreed to prepare the opinion. And Richardson Company, PCB 72-41, was granted a variance until September, 1972, by a vote of 4-0, subject to certain conditions.

I, Christan L. Moffett, Clerk of the Pollution Control Board, certify that the above Minutes were adopted by the Board on this 17th day of May, 1972, by a vote of 4-0.

