

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING

May 17, 1972 - Suite 300, 309 West Washington Street, Chicago, Illinois

All Board Members except Mr. Aldrich were present.

The Board first discussed the Metropolitan Sanitary District's request for reconsideration for Water Quality and Effluent Standards. Mr. Currie suggested that the MSD get in touch with the EPA, and the Board would hold further discussions when it had heard from the EPA, the Institute and the District. Decision on the Metropolitan Sanitary District's petition for a six-month variance for its East Chicago Heights sewage treatment plant (PCB 72-110) was postponed until May 23, 1972.

The Board adopted the following opinions and orders: A Motion to Amend the Board's order of October 14, 1971, was denied by a vote of 4-0 in U.S. Industrial Chemicals Company, PCB 71-44. The amended complaint in James McHugh Construction Company et al, PCB 71-291, was dismissed with prejudice by a vote of 3-1 (Mr. Dumelle dissenting), because the Agency had failed to prove its case. George Knight, PCB 72-44, was denied his petition for re-hearing by a vote of 4-0. The Board voted 4-0 granting Tennis Development, Inc., PCB 72-59, a variance from the sewer ban provisions of the Board Order of March 31, 1971, in League of Women Voters v. NSSD (PCB 70-7, 12, 13 and 14). The Supplemental Petition for Variance was denied by a vote of 4-0 in F.D. Decker d/b/a Decker Sawmill, PCB 72-75. Trader's Tree Service, PCB 72-96, was denied a variance by a vote of 4-0 from the Open Burning Regulations which prohibit the burning of landscape waste within an area one mile from any municipality having a population of more than 1000. The variance petition in Winslow H. Adams, Jr. et al, PCB 72-121, was dismissed as moot by a vote of 4-0. And Chesapeake & Ohio Railroad was dismissed without prejudice by a vote of 4-0.

Decision in the Mining Regulations, R 71-25, was postponed until May 23, 1972.

In Mascoutah Township, PCB 71-346, the Board adopted an order by a vote of 4-0 requesting that the Agency set forth the reasons why it seeks to withdraw the case; Mr. Kissel will prepare the order. Mr. Dumelle agreed to write the opinion and order in City of Jacksonville, PCB 71-355, ordering the City to complete its water pollution control program and in addition to a penalty, have the City study and report on cleaning up the creek. Action in this case was set for May 23, 1972. Mr. Lawton agreed to prepare the opinions and orders for decision on May 23, 1972, in Rex Chainbelt, Inc., PCB 72-86, imposing a \$2,000 penalty for a cyanide spill resulting from a leak in a copper plating

tank, and in Texaco, Inc., PCB 72-98, imposing a \$200 penalty for a leak in a brine well which caused temporary strong odor and bad taste in Olney's drinking water. Mr. Dumelle will prepare the opinion and order in Merlan, Inc., PCB 72-101, denying its request for variance to June 30, 1972. Crane Packing Company, PCB 72-131 and 132, was granted a variance by a vote of 4-0 from the Asbestos Regulations, R 71-16, for its Morton Grove and Crystal Lake plants, until October 31, 1972, subject to certain conditions. Mr. Kissel agreed to draft an opinion explaining the decision for consideration on May 23, 1972. The Motion to Consolidate the two South Side Foundry cases, PCB 72-187 and PCB 72-105, was granted by a vote of 4-0.

The following Minutes were adopted by a vote of 4-0: May 3, 1972; July 6, 8, 12, 19, 22 and 26, 1971; August 2, 5, 9 and 13, 1971; and September 16, 1971.

Hearings are mandatory in the following new cases: Walter Rafacz et al d/b/a Rafacz Sod Farm, PCB 72-196; Lake in the Hills Water Company, PCB 72-197; High Lake Poultry, Inc., PCB 72-198; Southern Illinois Power Co-op, PCB 72-199; City of DuQuoin & United Electric Coal Company, PCB 72-200; Thomas Chirillo d/b/a Chirillo Company, PCB 72-201; Union Electric Company, PCB 72-204; and The Riley Company, PCB 72-206.

The Board voted 4-0 ordering the City of Olney, PCB 72-205, to submit additional information within twenty days; otherwise the petition will be dismissed. PCB 72-203, City of Carbondale, will be held for EPA's recommendation.

Mrs. Wiley then reported on budgetary matters.

I, Christan L. Moffett, Clerk of the Pollution Control Board, certify that the Board approved the above Minutes this 23rd day of May, 1972, by a vote of 4-0.

Christan L. Moffett