

MINUTES OF INFORMAL BOARD MEETING
NOVEMBER 8, 1971, 189 W. MADISON ST., CHICAGO, ILL.

All members were present.

The Board adopted by a vote of 5-0 Mr. Dumelle's proposed opinion and order in # 71-110, Monsanto. After omission of the requirement that all mercury use be terminated in nine months, the Board adopted 5-0 the proposed orders in ##71-111 and 71-114 through 71-120, Sherwin-Williams and other paint company cases, approving mercury reduction programs with several amendments of the numerical limits proposed. Action on the opinions in these cases was deferred to November 11.

There followed a discussion of Mr. Currie's proposed opinion in # 71-20, Quad-Cities, which was to be amended if necessary following the core-cooling hearing on November 11 and acted upon November 15.

Mr. Currie reported receipt of the proposed emission standards for the state-wide implementation plan from the Agency (#R 71-23), and Mr. Lawton, as hearing officer, announced that hearings would commence December 14 in order to allow the 30-day notice required by federal law. Mr. Aldrich asked that a date be set for hearing on the EPA's proposal to set a date for industrial compliance with SWB-14. Mr. Dumelle agreed to draft a resolution requesting federal reimbursement of the federal share of sewage works construction costs incurred by municipalities before federal money is available.

The following cases were set for November 11 action after discussion: ## 71-183, Metropolitan Sanitary District; 231, Reese Construction Co.; 234, Cobin Salvage. Mr. Aldrich reported that the draft opinion in # 71-237, Reeves, would probably be ready the next day. Mr. Currie explained changes made in his most recent draft of the effluent standards, #R70-8, and after discussion the Board agreed to determine November 11 whether or not the draft was ready for publication as a proposed final draft. Mr. Currie said his written explanation of the revised draft would be ready that afternoon and should be issued at the same time.

Adoption of the proposed opinion and regulation in #R 70-16, Mississippi thermal, was set for November 15 following conference with the federal and Iowa representatives November 11. Mr. Sullivan was asked to produce a further draft of the proposed final draft in #R 70-17, DuPage. ##R71-21 and R 71-22, Stipulations and Publicity, were set for adoption November 11.

In # 71-129, Edison (Powerton), Mr. Kissel suggested that the conflicting paragraph (c) of the order be stricken as requested by the company, and agreed to write a brief opinion

and order to that effect for adoption November 11. In # 71-157, Silvis, Mr. Currie suggested the need for an additional hearing to explore regionalization with Carbon Cliffs, East Moline, and the BiState Planning Commission as additional parties, and agreed to prepare a brief opinion and order to that effect for adoption November 11.

After discussion the following opinions were assigned to be drafted: ##71-227, Miller Lumber, Mr. Lawton: a cease and desist order and small penalty for open burning of wood; 71-230, Pfizer Co., Mr. Dumelle: an order to proceed with dust cleanup measures and a small penalty for construction of control equipment without permit; 71-239, McIntyre, Mr. Aldrich: penalties and a cease and desist order for several instances of open burning for salvage; 71-241, Chicago Vitreous Corp., Mr. Currie: to grant approval of a nearly-finished Acerp for an enamel-plant scrubber subject to Agency recommendations if received and to verification otherwise (for November 11 decision); 71-324, Incinerator, Inc., Mr. Kissel: to approve the new scrubber proposal and probably to allow limited operation in the interim on the basis of reduced nuisance; 71-174, Staley, Mr. Currie: to deny the motion for stay of the odor hearing pending appeal (for decision Nov. 11); 71-193 et seq., Illinois Power, Mr. Currie: to stay the penalty only pending appeal, to ask particulars as to alleged interference with service by operating restrictions imposed by the earlier order, and in other respects to refuse reconsideration (for decision Nov. 11). In # 71-259, Monmouth, the Board decided to postpone action on the motion to dismiss pending the outcome of the hearing.

Action on new cases was as follows: Hearings were authorized in ## 71-343, North Shore Sanitary District; and 352, Packaging Corp.; The Agency was asked to expedite its recommendation in # 71-344, Mars, a response to our earlier order after hearing; # 71-345, Galena, was dismissed because a permit was the proper remedy; in # 71-350, Wojcek, Mr. Kissel agreed to write an order requesting additional information; #71-351, Irvington, was dismissed as inadequate, Mr. Currie agreeing to prepare an order.

After discussion Mr. Kissel agreed to draft an opinion in # 70-21, Dresden 3, dealing with the hardware issues raised in recently completed hearings, approving the recombiner and charcoal beds and the third alternative for liquid wastes and cooling as proposed by Edison, with modifications suggested by Institute witnesses, and to dispose of the pending request for variance regarding the cooling pond that has since been placed in full operation.

Mr. Currie reported that a budget report will be given November 15 and that General Services had agreed to arrange for the move to new offices within the next few weeks. Mr. Kissel asked that additional furniture be bought so that Board members could seat visitors to their offices.

Mr. Dwyer reported on the public information activities of the Board. Mr. Kissel said in his opinion Board meetings did not attract the public even when special efforts were made to publicize them and applauded the Board's new policy of deemphasizing formal meetings throughout the state. Mr. Lawton stressed the importance of spreading the word as to rule-making hearings in which the public should participate. Mr. Currie agreed to ask the clerk to notify parties of the date on which a decision of their case is anticipated. Mr. Currie said he thought the Board's publicity needs were rather modest: that no special effort should be made to address schools, service clubs, and the like; that the principal needs were for prompt newsletter service, releases to publicize rule-making hearings and important decisions; and the answering of questions to relieve the present burden on administrative assistants. Mr. Dwyer promised to submit a written report within the coming weeks. At Mr. Kissel's suggestion the Board decided to omit the separate table of new hearings in the newsletter and to indicate changes in the single calendar to avoid confusion and to save space.

I, Christan Moffett, Acting Clerk of the Pollution Control Board, certify that the Board adopted the above Minutes this 22 day of November, 1971.

Christan Moffett