

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING
June 21, 1973 Chicago, Illinois

All Board Members were present.

An Opinion and Order was adopted in ##72-51, CPC by a vote of 3-0. Mr. Henss was not present for the vote.

Parties were present for Oral Argument in ##71-4, -33, and 72-85, Fry Roofing Co. After statements were presented and some discussion the Board decided to place the matter on the Agenda June 28 for decision. Mr. Lawton will prepare a draft Opinion for consideration.

Mr. Rubin of the Attorney General's Office reported to the Board on the status of the Steel Companies' motions for stay.

An Opinion and Order was adopted in the matter of ##72-221, 72-249, 72-250, 72-251 and 73-118, Laclede by a vote of 4-0.

Opinions and Orders were adopted in the following cases by a vote of 4-0: ##73-41, Schwartz; 73-123, Celotex; 73-130, Bunge; 73-135, Chestervale; 73-139, Lake County; 73-128, DuQuoin; 73-167, Jeffress; 73-172, Ametek; 73-213, Smitala; 73-105, Armour-Dial.

These cases were put over to June 28 for decision: ##72-405, Par Steel; 72-463, Citizens v. Proctor & Gamble; 72-509, McHenry Shores; 73-143, Bereskin.

In #72-511, Lobdell & Hall, Attorney for Petitioner was present and requested that decision be put over pending the filing of an amendment to the Variance Petition. The request was granted 4-0. Mr. Dumelle will prepare an Order.

A motion for modification was granted 4-0 in #72-506, McIntosh; Mr. Lawton will prepare an Order.

Motion to withdraw Variance Petition in #73-25, Electric Energy was allowed 4-0. Mr. Lawton will prepare an Order.

In #73-58, Peabody Coal, request to grant permit was set for hearing and to dismiss variance was allowed, 4-0. Mr. Henss will prepare an order.

Motion to reconsider in #73-71, Johnson & Johnson was put over to June 28 pending receipt of response from Petitioner.

Motion to grant without hearing in #73-249, Nutty was ordered held for EPA recommendation.

In #73-255, Peru, Motion to dismiss was denied and Petitioner ordered to file additional information 4-0. Mr. Dumelle will prepare an Order.

Minutes of Board Meeting held June 14, 1973 were adopted 4-0.

These actions were taken by a vote of 4-0 in the following new cases: ##73-245, Citizens v. Commonwealth Edison, hearing authorized; 73-246, EPA v. City of Mt. Carmel et al, hearing mandatory; 73-247, City of St. Charles and Swift & Co., hearing authorized; 73-248, Commonwealth Edison Co., hearing authorized; 73-249, Frank Nutty, ordered held for EPA recommendation; 73-250, Danville Metal Stamping Co., hearing authorized; 73-251, J. R. Short Milling, additional information requested, Mr. Dumelle will prepare an Order; 73-252, People v. D. A. Stuart, hearing authorized; 73-253, Bell & Howell, hearing authorized; 73-254, U. S. Gypsum, additional information requested, Mr. Dumelle will prepare an Order; 73-255, City of Peru, additional information requested, Mr. Dumelle will prepare an Order.

Motion to withdraw in #73-169, Wagner was granted 4-0; Mr. Lawton will prepare an Order.

Motion by Complainant in #73-198, Midway v. City of Chicago et al, to postpone hearing date and re-set for another place and time of day was granted 4-0. Mr. Seaman will prepare an order.

A timely formal objection having been filed in #73-228, Heavner, a hearing was authorized 4-0.

Motion for Oral Argument on a motion for Clarification in #71-343, North Shore Sanitary District was allowed 4-0. Oral Argument was set for June 28, 1973 at 2:00 P. M.

The Board discussed the matter of #72-389, Donaldson v. Elmhurst. By a vote of 3-1 (Mr. Dumelle dissenting) the Board authorized Mr. Seaman to send a formal letter to the Attorney General seeking a Recommendation on the Board's power of disposition of the matter.

Discussions in these cases were put over: ##72-174, V-Day Coal Co.; 72-245, Kankakee Concrete Products; 72-391, General Fire Extinguisher; 73-6, Texaco; 73-31, Rail & Indus. Servs; 73-33, Ill. Slag & Ballast; 73-34, Acme Resin; 73-74, Reliable Armature; 73-84, L. R. Johnson; 73-103, Williamsburg Estates; 73-110, Catlin; 73-138, M. R. Smith.

The Board adopted Orders in ##72-292, USI and 72-448, Gallatin-White requesting that transcripts be filed in a timely fashion. Mr. Dumelle will prepare the Orders.

Discussion and possible decisions were put over in the following cases: ##72-133, Elesco Smelting; 72-185, -327, Spinney Run Farms; 72-242, International Harvester; 72-311, Litchfield; 72-389, Donaldson v. Elmhurst; 72-475, Rockford; 72-483, Columbia Quarry; 73-12, -35, Mississippi Lime; 73-14, Texaco; 73-47, Lyons; 73-51, Texaco; 73-60, Johns-Manville; 73-107, Morris; 73-115, Marquette; 73-140, Alton Box Board; 73-142, Bradley; 73-168, Swift Oil; 73-175, Burlington; 73-188, Patrick; 73-194, Parkview Wlwm.; 73-195, Baron; 73-205, C-W Enterprises.

Discussions in these regulatory matters were put over to June 28: ##R70-17, Dupage; R72-7, Air Quality Standards.

Water Quality Amendments, #R72-4, -8 and R73-1, 3, 4, were discussed and put over to June 28, 1973 for further discussion and possible action.

I, Christan L. Moffett, Clerk of the Pollution Control Board, certify that the Board adopted the above minutes this 28th day of June, 1973 by a vote of 3-0.


Christan L. Moffett
Clerk of the Board