

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING
February 2, 1978 Chicago, Illinois

All Board Members were present.

Opinions and Orders were adopted by a vote of 5-0 in these cases:
##75-109, Illinois Power, Mr. Dumelle concurred; 76-249, Thompson,
Mr. Werner concurred; 77-79, Estate Enterprises; 77-191, Wauconda.

Motion to Withdraw Interlocutory Appeal in #75-112, Metropolitan
Sanitary District was allowed by a vote of 4-0, Mr. Young abstained.
Mr. Dumelle will prepare the Order.

Motion for Summary Judgment and Motion for Bill of Particulars were
denied by a vote of 5-0. Motion to strike was moot. Dr. Satchell will
prepare an Order.

Motion to Withdraw as Attorney in ##75-379, Tri-No Enterprises and
76-65, Starnes was granted by a vote of 4-0, Mr. Young abstained.
Mr. Goodman will prepare the Order.

Second Amended Counterclaim for Variance filed under #76-310,
Interlake was ordered properly filed under #77-44, Interlake.

Motion for Continuance of 2 weeks to Respond to Motion to Strike in
#77-37, Daubs was granted by a vote of 5-0. Mr. Young will pre-
pare an Order.

An Order was adopted by a vote of 4-0 in the matter of an Inter-
locutory Appeal in #75-475, Thompson. Mr. Young abstained. Mr.
Goodman will prepare the Order.

Motion to Modify in #77-89, Moon was denied by a vote of 5-0. Mr.
Dumelle will prepare the Order.

Motions for Stay of Penalty only were granted in #77-123, -148,
Starkevich by a vote of 5-0. Mr. Goodman will prepare an Order.

Motion to Intervene, et al., in #77-153, Derby Meadows was denied,
ordered to be treated as a new petition and set for hearing. The
vote was 4-1, Mr. Werner dissented. Mr. Dumelle will prepare an
Order.

Motion for Reconsideration in #77-185, Springfield was denied by
a vote of 4-0, Mr. Young abstained. Mr. Goodman will prepare the
Order.

#77-192, Galesburg Sanitary District was ordered reopened and set
for hearing to allow additional information by a vote of 5-0. Mr.
Dumelle will prepare the Order.

Motion to Waive Hearing in #77-227, Goodrich was granted by a vote of 5-0. Dr. Satchell will prepare an Order.

Motion for Leave to File Recommendation in #77-252, Wyoming was granted by a vote of 5-0. Mr. Dumelle will prepare the Order.

Request to Waive Hearing in #77-256, Cairo was granted by a vote of 5-0. Mr. Dumelle will prepare the Order.

An Order was adopted in #77-288, Owens-Illinois denying a Motion for Reconsideration by a vote of 5-0. An Order was adopted regarding Request for Ruling by Hearing Officer in #77-288, Owens-Illinois by a vote of 4-1, Mr. Werner dissented. Mr. Young will prepare the Orders.

Motion to Amend in #77-258, Wilder was granted by a vote of 5-0. Mr. Dumelle will prepare an Order.

#77-307, CIPS was dismissed with Leave to Refile by a vote of 5-0. Mr. Young will prepare an Order.

Motion to Extend Time to File Recommendation in #77-316, Commonwealth Edison was granted by a vote of 5-0. Mr. Dumelle will prepare an Order.

Motion to File Recommendation Instanter in #77-327, U.S. Steel was granted by a vote of 5-0. Mr. Goodman will prepare the Order.

Motion for Reconsideration in #77-334, Allaert was denied by a vote of 3-2, Mr. Goodman and Mr. Werner dissented. Mr. Dumelle will prepare the Order.

Since an Objection was filed a hearing was authorized in #78-2, Dwight Correctional Center by a vote of 5-0.

A letter received from Petitioner in #76-276, Troy was considered as a Motion for Modification and ordered to be amended by a vote of 5-0. Mr. Dumelle will prepare an Order.

Amended Petitions were ordered held for recommendations in ##77-304, Lyndon and 78-5, DeKalb. A hearing was authorized in #77-325, Ashland.

These cases were discussed and held for further discussion or possible decision on February 16, 1978: ##73-252, Stuart Oil; 76-155, Chicago and N.W.R.R.; 77-271, Champaign and Urbana Sanitary District; 77-305, Monticello.

An Opinion and Order was adopted by a vote of 4-0 in #77-228, North Shore Sanitary District, Mr. Goodman abstained.

An Order was adopted in the matter of R73-11,-12, NPDES Amendments noting that the December 20, 1977 Order is out for public comment. The vote was 5-0. Mr. Dumelle will prepare the Order.

Minutes were approved as amended by a vote of 5-0 for these meeting dates: December 8, 20, 1977 and January 5, 19, 1978.

In New Cases these actions were taken by a vote of 5-0: ##78-12, Illinois Power, hearing authorized; 78-14, Oscar Meyer, hearing authorized; 78-16, Village of Findlay, additional information requested, Order by Mr. Dumelle; 78-18, Lanning, additional information requested, Order by Mr. Goodman; 78-19, Savanna Army Depot, hearing authorized; 78-20, Libby McNeil and Libby, dismissed, Order by Mr. Goodman; 78-21, Union Carbide, hearing authorized.

#77-320, WIPE v. Winnetka was dismissed by a vote of 4-1. Mr. Dumelle concurred and Mr. Young dissented. Mr. Goodman will prepare the Order.

Petition for Amendment to Rule 206(d) of the Air Pollution Regulations was ordered given a number (R78-1) and authorized for hearing and publication.

All matters not disposed of as listed were ordered held to February 16, 1978 for possible consideration.

I, Christan L. Moffett, Clerk of the Pollution Control Board, do hereby certify that the above Minutes were adopted this 27th day of April, 1978 by a vote of 5-0.

Christan L. Moffett