

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING

April 8 and April 9, 1976 Chicago, Illinois

All Board Members were present.

Opinions and Orders were adopted by a vote of 5-0 in these cases: ##73-211 and 74-318, International Harvester; 75-119, People v. Arbury Utilities; 75-190, Griffith Labs (Interim Order); 75-289, Unarco; 75-345, American Foundry, Mr. Dumelle concurred; 75-356, Fassett; 75-359, Winslow, Mr. Dumelle concurred; 75-458, Red Bud; 75-461, Lake Chautauqua; 75-467, Caterpillar Tractor; 75-499, Caterpillar Tractor (Opinion only), Mr. Young concurred; 76-3, Village of Addison; R71-23, Emission Standards.

Opinions and Orders were adopted by a vote of 4-0 in these cases, Mr. Young abstained: ##73-316 and 74-279, Citizens Utilities; 75-242, Springfield; 75-262, SEMCO (Interim Order); 75-284, Harrisburg Coal; 75-342, Union Oil; 75-351, Crews et al.

Opinions and Orders were adopted in these cases by a vote of 3-0, Mr. Dumelle and Mr. Young abstained: ##75-413, Hyon Waste Management; 75-457, Hyon Waste Management.

Motion for extension of time in ##74-2239,-229, NSSD was granted by a vote of 5-0. Mr. Zeitlin will prepare an Order.

Motion to amend in #74-315, Campbell Soup was granted by a vote of 5-0. Mr. Zeitlin will prepare an Order.

An Order was adopted on a motion for interlocutory appeal in #75-168, Woods et al by a vote of 4-0, Mr. Young abstained. Mr. Goodman will prepare an Order.

Motion for reconsideration in #75-268, Sherwin-Williams was denied by a vote of 4-0, Mr. Goodman abstained. Mr. Dumelle will prepare an Order.

An Order was adopted by a vote of 4-0 on a motion for interrogatories in #75-280, Zeigler Coal, Mr. Young abstained. Mr. Goodman will prepare an Order.

Motion to withdraw in #75-306, Rockwell was granted by a vote of 5-0. Mr. Dumelle will prepare an Order.

Motion for reconsideration in #75-363, Winnetka was denied by a vote of 5-0. Mr. Young will prepare an Order.

An Order was adopted in the matter ##75-443 and 76-8, Carlson on a motion to continue by a vote of 4-0, Mr. Young abstained. Mr. Zeitlin will prepare an Order.

An Order was adopted in R76-2, Solid Waste Amendments on a motion to set hearing by a vote of 4-0, Mr. Young abstained. Mr. Zeitlin will prepare an Order.

Motion for reconsideration in #75-496, Alton Box Board was granted by a vote of 4-0, Mr. Young abstained. Mr. Zeitlin will prepare an Order.

Motion to withdraw motion for sanctions in #76-14, Buecker was granted by a vote of 5-0. Mr. Goodman will prepare the Order.

#76-46, Miller was dismissed by a vote of 5-0 for failure to file additional information. Mr. Dumelle will prepare the Order.

Since a timely objection was filed in #76-54, Metropolitan Sanitary District, a hearing was authorized.

Motion to dismiss in #76-64, City of Chicago was ordered taken with the case by a vote of 5-0. Mr. Dumelle will prepare the Order.

Orders were adopted by a vote of 5-0 in ##76-6 and 76-55, Tarkowski on motion for counsel and motion to dismiss. Mr. Goodman will prepare the Order.

Motion to dismiss or limit testimony in ##R74-1,-8,-9, Hexane Solubles was denied by a vote of 5-0. Mr. Zeitlin will prepare the Order.

An Order was adopted by a vote of 5-0 in R74-7, Toxic Substances. Mr. Young will prepare the Order.

An Order was adopted in R75-11, Motor Racing requesting briefs on a motion to extend by a vote of 4-0, Mr. Zeitlin abstained. Mr. Goodman will prepare an Order.

Motion for oral argument on a motion for summary judgment in ##74-475 and 75-35, General Motors was denied by a vote of 5-0. Mr. Zeitlin will prepare an Order.

Opinions and Orders were adopted in these cases by a vote of 5-0: ## 75-95,-118, Star Utility (Interim Order); 75-256, Montgomery Tank Lines; 75-437, Elgin Salvage (Interim Order); 76-43 and 76-44, Illinois Natural History Survey, Mr. Dumelle concurred.

These cases were discussed and set for further discussion or possible decision on April 22, 1976: ##75-2, Weaver Trucking; 75-374, German Valley; 75-376, Village of Creston; 75-442, Sample v. Peckham; 75-477, Master Pattern; 75-483, White; 75-32, Sanitary District of Rockford.

Additional information having been filed these cases were ordered held for Agency recommendations: ##76-30, DuPont; 76-32, Triem; 76-51, World Color Press; 76-52, Bloomington & Normal Sanitary Dist.

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In new cases these actions were taken by a vote of 5-0: ##76-55, Tarkowski v. Belli, hearing authorized; 76-64, City of Chicago, held for Agency recommendation; 76-73, Bruns v. Briceland, dismissed, Order by Mr. Zeitlin; 76-82, Deere & Co., held for an Agency recommendation; 76-83, Aurora Sanitary District, additional information requested, Order by Mr. Dumelle; 76-84, People v. Santa Fe Enterprises, held to April 22, 1976 for action; 76-85, Bow Bridge Lake, held for an Agency recommendation; 76-86, EPA v. Northern Petrochemical Co. hearing mandatory; 76-87, Village of Addison, held for an Agency recommendation; 76-88, Union Electric, held to April 22, 1976 for action; 76-89, Union Electric, held for an Agency recommendation, a motion to appear was granted by a vote of 5-0, Mr. Zeitlin will prepare the Order; 76-90, Spinney Run Farms, additional information requested, Order by Mr. Dumelle; 76-91, Lindberg Corporation, additional information requested, Order by Mr. Goodman; 76-92, EPA v. Gerald Wyllie et al, hearing mandatory; 76-93, Celotex, hearing authorized; 76-94, Lehigh Paving, held for Agency recommendation; 76-95, Village of Downers Grove, held for action to April 22, 1976.

A proposed amendment to the AQS Regulations, Rule 206(c) filed by Stepan Chemical was given the R#, R76-8 and ordered consolidated with prior proceedings by a vote of 4-0. Mr. Dumelle abstained and Mr. Zetilin will prepare an Order.

A proposal for inquiry hearings on intermittent control systems for the control of SO₂ emissions was given the #R76-9 and authorized for publication and hearing by a vote of 5-0.

The meeting was adjourned until April 9, 1976 at 9:30 A.M.

MINUTES OF APRIL 9, 1976

All Board Members were present.

The meeting was reconvened at 9:30 A.M.

R75-4, Amendments to Air Pollution Regulations, Episodes was adopted by a vote of 5-0, Mr. Dumelle concurred in the supporting Interim Opinion and will file a concurring Opinion. The Board voted to file the regulations with the Secretary of State on an emergency basis.

R75-1, Procedural Rules Amendments was discussed. The Board voted 5-0 to publish a proposed final draft for public comment.

All matters not disposed of as listed were ordered placed on an agenda for consideration on April 22, 1976.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Minutes were adopted by the Board on May 20, 1976 by a vote of 5-0.


Christan L. Moffett