

ILLINOIS POLLUTION CONTROL BOARD

MINUTES OF REGULAR BOARD MEETING  
December 16, 1976 Chicago, Illinois

All Board Members were present.

Opinions and Orders were adopted in these cases by a vote of 5-0: #75-481, Roscoe Meeks; 76-225, NSSD; 76-231, Mendon School; 76-234, Hoopeston; 76-254, Village of Ina; 75-471, R.H. Lincoln; 76-257, DeSoto, Interim Order; 76-267, Springfield Convention Center.

An Opinion and Order was adopted in #76-166, Hyon Waste Mgt. by a vote of 4-0, Mr. Young abstained. Mr. Dumelle will file a Concurring Statement.

An Opinion and Order was adopted in #76-141, Edward Outlaw by a vote of 4-0, Mr. Young abstained.

A hearing was authorized in #76-240, J.D. Turner by a vote of 4-1, Mr. Dumelle dissented. Mr. Zeitlin will prepare the Order.

An Opinion and Order was adopted in #75-407, Peabody Coal by a vote of 4-0, Mr. Young abstained.

These cases were discussed and set for further discussion or possible decision on January 6, 1977: #75-447, Bernardi; 76-14, Buecker; 75-487, Mt. Carmel; 76-57, Penn & Deemie; 75-484, -489 and 76-27, Macomb; 76-24, Alton Box Board; 74-491, 75-496 and 75-508, Alton Box Board; 76-259, IMC Chemical.

A motion for extension in #72-23, Baker was granted by a vote of 5-0. Mr. Zeitlin will prepare the Order.

In #75-388, Clark Oil, an Order was adopted allowing affidavits by a vote of 5-0. Mr. Young will prepare the Order.

Motion to reconsider was denied in #76-6, Tarkowski but the penalty was suspended by a vote of 5-0. Mr. Goodman will prepare the Order.

Motion for continuance in #76-35, Trumbull was granted by a vote of 5-0. Mr. Zeitlin will prepare the Order.

Motion to vacate in #76-55, Tarkowski was denied by a vote of 5-0. Mr. Goodman will prepare the Order.

An Order was adopted on a motion to modify in #76-104, D & N Trucking by a vote of 5-0. Dr. Satchell will prepare the Order.

Motion for summary judgment in #76-150, Kankakee Utilities was denied by a vote of 5-0. Mr. Zeitlin will prepare the Order.

Application for stay in #76-169, Caterpillar Tractor was denied by a vote of 5-0. Mr. Young will prepare the Order.

An Order was adopted on various motions in #76-235, McGuire et al by a vote of 5-0. Mr. Young will prepare the Order.

An Order was adopted on a motion for modification in #76-206, Lakeland Park Water CO. by a vote of 5-0. Mr. Goodman will prepare the Order.

Objection having been filed, a hearing was authorized in #76-276, City of Troy by a vote of 5-0.

Motion to amend in #76-266, People v. Waste Mgt. was granted by a vote of 5-0. Mr. Zeitlin will prepare the Order.

Motion to withdraw objection and cancel hearing was granted in #76-273, Villa Park by a vote of 5-0. Mr. Young will prepare the Order.

An Interim Order was adopted in #76-239, Del Monte regarding a motion for protective order by a vote of 5-0. Mr. Zeitlin will prepare the Order.

R75-1, Procedural Rules Amendments was adopted by a vote of 5-0, to be effective on March 1, 1977.

A new Part IV was authorized for publication and comment in R75-1, Procedural Rules Amendments by a vote of 4-1, Mr. Dumelle dissented.

An Order was adopted in R73-11,-12, NPDES, Rule 410(c) amending the language by a vote of 5-0. Mr. Goodman will prepare the Order.

In new cases these actions were taken by a vote of 5-0: ##76-288, People v. Lake Zurich, hearing authorized, amended complaint allowed; 76-289, People v. Travenol Laboratories, hearing authorized and amended complaint allowed; 76-290, People v. Dodge Trophies and Plating, hearing authorized and amended complaint allowed; 76-291, People v. Midwest Utility, hearing authorized and amended complaint allowed; 76-304, People v. Targosz and Co., hearing authorized; 76-305, People v. Lawn Super Food Mart, hearing authorized; 76-307, Tazewell County School Dist., held for Agency recommendation; 76-308- People v. Karwoski, hearing authorized; 76-309, People v. LaSalle National Bank, hearing authorized; 76-310, People v. Interlake, hearing authorized; 76-311, EPA v. Willing et al, hearing mandatory; 76-312, Homer Grain Co., held for Agency recommendation; 76-313, Village of Mansfield, held for Agency recommendation; 76-314, Vandalia, held for Agency recommendation; 76-315, EPA v. Livingston, hearing mandatory;

76-317, Lindberg Corp., dismissed, Order by Mr. Zeitlin; 76-318, Calumet City, held for Agency recommendation.

In #76-282, EPA and CBE v. Wells, an Order was adopted requesting briefs by a vote of 4-1, Mr. Zeitlin dissented. Mr. Goodman will prepare an Order.

Parties were present in #76-286, Jafree v. Illinois Attorney General and the proceedings were transcribed. The Board voted 5-0 to dismiss the case. Mr. Goodman will prepare an Order.

In #76-294, S. Elgin v. Waste Mgt. et al, a hearing was authorized by a vote of 4-1, Mr. Young dissented. A Motion to dismiss was denied 4-1, Mr. Young dissented. Mr. Zeitlin will prepare the Order.

In #76-302, Village of Richton Park v. Sexton Contractors, motion to dismiss was granted by a vote of 5-0. Mr. Zeitlin will prepare the Order.

In #76-283, White Fence Farm v. Land and Lakes Co., parties were present. The Board authorized a hearing by a vote of 4-1, Mr. Dumelle dissented.

All matters not disposed of as listed were ordered held to January 6, 1977 for possible consideration.

I, Christan L. Moffett, Clerk of the Pollution Control Board, do hereby certify that the above Minutes were adopted this 20<sup>th</sup> day of January, 1977 by a vote of 5-0.

Christan L. Moffett