

ILLINOIS POLLUTION CONTROL BOARD

MEETING MINUTES



February 17, 2011

Chicago

100 W. Randolph Street
Chicago, IL

Room 9-040

11:00 a.m.

ANNOUNCEMENTS

Chairman Girard welcomed members of the public and staff.

ROLL CALL

The Assistant Clerk of the Board called the roll. Five Board Members answered present.

APPROVAL OF MINUTES

The minutes of the February 3, 2011 open meeting and the February 10, 2011 closed deliberative session were approved by a vote of 5-0.

RULEMAKINGS

R 11-10	<u>UST Update, USEPA Amendments (July 1,2010 through December 31, 2010)</u> – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its underground storage tank regulations during the update period of July 1, 2010 through December 31, 2010.	5-0 Land
R 11-11	<u>Wastewater Pretreatment Update, USEPA Amendments (July 1,2010 through December 31, 2010)</u> – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its wastewater pretreatment regulations during the update period of July 1, 2010 through December 31, 2010.	5-0 Water
R 11-12	<u>Definition of VOM Update, USEPA Amendments (July 1,2010 through December 31, 2010)</u> – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its volatile organic emission regulations during the update period of July 1, 2010 through December 31, 2010.	5-0 Air
R 11-13	<u>SDWA Update, USEPA Amendments (July 1,2010 through December 31, 2010)</u> – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its drinking water regulations during the update period of July 1, 2010 through December 31, 2010.	5-0 Water
R 11-15	<u>RCRA Subtitle D (Municipal Solid Waste Landfill) Update, USEPA Amendments (July 1,2010 through December 31, 2010)</u> – The Board dismissed this reserved identical-in-substance docket because the United States Environmental Protection Agency did not amend its municipal solid waste landfill regulations during the update period of July 1, 2010 through December 31, 2010.	5-0 Land

ADJUSTED STANDARDS

AS 11-1	<u>In the Matter of: Petition of Greif Packaging, LLC for an Adjusted Standard from 35 Ill. Adm. Code Part 218. Subpart TT</u> – No action taken.	Air
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ADMINISTRATIVE CITATIONS

AC 10-6	<u>IEPA v. Larry M. Ison (IEPA No. 282-09-AC)</u> – The Board granted complainant’s motion for withdrawal of this administrative citation and closed the docket.	5-0
AC 10-7	<u>IEPA v. Larry M. Ison (IEPA No. 281-09-AC)</u> – The Board granted complainant’s motion for withdrawal of this administrative citation and closed the docket.	5-0
AC 11-18	<u>IEPA v. John and Debra Watson</u> – No action taken.	

ADJUDICATORY CASES

PCB 99-134	<u>People of the State of Illinois v. Heritage Coal Company, LLC (f/k/a/ Peabody Coal Company, LLC)</u> – No action taken.	W-E
PCB 04-185	<u>Midwest Generation EME, LLC v. IEPA</u> – No action taken.	T-S Air
PCB 04-192	<u>People of the State of Illinois v. Smithfield Properties, L.L.C., Wooton Construction, Ltd., and Chicago Sun-Times, Inc.</u> – No action taken.	L,W-E
PCB 04-215 PCB 04-216	<u>Commonwealth Edison Company v. IEPA</u> <u>Midwest Generation EME, LLC v. IEPA</u> – No action taken.	T-S Air
PCB 05-117	<u>People of the State of Illinois v. City of Cairo</u> – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this water enforcement action involving an Alexander County facility, the Board ordered publication of the required newspaper notice.	5-0 L-E
PCB 07-63	<u>PMA & Associates, Inc. v. IEPA</u> – No action taken.	UST Appeal
PCB 08-7	<u>People of the State of Illinois, v. Union Pacific Railroad Company, a Delaware Corporation</u> – No action taken.	W-E
PCB 09-102	<u>Peter Arendovich v. the Illinois State Toll Highway Authority</u> – No action taken.	N-E, Citizens

PCB 10-21	<u>People of the State of Illinois v. Seating Concepts, Inc.</u> – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this air enforcement action involving a Will County facility, the Board ordered publication of the required newspaper notice.	5-0 A-E
PCB 10-61 PCB 11-2	<u>People of the State of Illinois v. Freeman United Coal Mining Company and Springfield Coal Company, LLC; Environmental Law and Policy Center as Intervenor</u> <u>Environmental Law and Policy Center v. Freeman United Coal Mining Company and Springfield Coal Company, LLC</u> – No action taken.	W-E
PCB 10-70	<u>Wheeling/GWA Auto Shop v. IEPA</u> – No action taken.	UST Appeal
PCB 10-72	<u>People of the State of Illinois v. Byrom Ward, d/b/a Ward Electric, and Timothy James</u> – No action taken.	L-E
PCB 10-73	<u>Metropolitan Pier & Exposition Authority v. IEPA</u> – No action taken.	P-A, Land
PCB 10-75	<u>Chicago Coke Co., Inc. v. IEPA</u> – No action taken.	P-A, Air
PCB 10-76	<u>Coalville Road Enterprises v. IEPA</u> – No action taken.	P-A, Land
PCB 10-84	<u>People of the State of Illinois v. Professional Swine Management, LLC, Hilltop View LLC, Wildcat Farms, LLC, High-Power Pork, LLC, Eagle Point, LLC, Lone Hollow, LLC, Timberline, LLC, Prairie State Gilts, Ltd., North Fork Pork, LLC, Little Timber, LLC, and Twin Valley Pumping, Inc.</u> – No action taken..	5-0 W-E
PCB 10-100	<u>Rolf Schilling, Pam Schilling and Suzanne Ventura v. Gary D. Hill, Villa Land Trust and Prairie Living West, LLC</u> – No action taken.	Citizens, L-E
PCB 10-108	<u>People of the State of Illinois v. William Charles Real Estate Investment, L.L.C.</u> , – No action taken.	W-E
PCB 10-110	<u>KCBX Terminals Company v. IEPA</u> – No action taken.	P-A, Air
PCB 11-22	<u>Scott Mayer v. Lincoln Prairie Water Company, Korte & Luitjohan Contractors, Inc., and Milano & Grunloh Engineers, LLC</u> – No action taken.	L-E, Citizens

PCB 11-28	<u>1st AYD Corporation v. S&S Automotive Inc.</u> – No action taken.	A-E, Citizens
PCB 11-43	<u>KCBX Terminals Company v. IEPA</u> – The Board accepted for hearing this permit appeal involving a Cook County facility. No action was taken on petitioner’s motion for stay of specified conditions in the permit.	5-0 P-A, Air
PCB 11-44	<u>Lakeland Food & Gas, Inc. v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a Coles County facility.	5-0 UST Appeal

CASES PENDING DECISION

<u>R08-9 (A)</u>	<u>In The Matter of: Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System (CAWS) and the Lower Des Plaines River: Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303 and 304</u>	Water
<u>AC 09-55</u>	<u>IEPA v. Jason D. & Angela R. Marrs d/b/a Marrs Hauling Landscaping & More</u>	

OTHER ITEMS

None

ADJOURNMENT

Moved and seconded, by a vote of 5-0, Chairman Girard adjourned the meeting at 11:17 a.m.

I, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on March 3, 2011, by a vote of.

John T. Therriault, Assistant Clerk
Illinois Pollution Control Board