

ILLINOIS POLLUTION CONTROL BOARD

MEETING MINUTES



May 2, 2013

11:00 a.m.

Chicago
100 W. Randolph Street
Chicago, IL
Room 9-040

ANNOUNCEMENTS

Chairman Holbrook welcomed members of the public and staff.

ROLL CALL

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

APPROVAL OF MINUTES

The minutes of the April 18, 2013 open meeting were approved by a vote of 5-0. The minutes of the April 18, 2013 closed meeting under 5 ILCS 120/2(c)(1) were approved by a vote of 5-0. The minutes of the April 25, 2013 closed deliberative session under 5 ILCS 120/2(c)(4) were approved by a vote of 5-0. The May 1, 2013 closed meeting under 5 ILCS 120/2(c)(1) was cancelled.

RULEMAKINGS

<p>R08-9(C)</p>	<p><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> – No action taken.</p>	<p>Water</p>
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ADJUSTED STANDARDS

NONE

ADMINISTRATIVE CITATIONS

<p>AC 13-31</p>	<p><u>County of Jackson v. Christopher Will</u> – The Board extended the deadline for respondent to file an amended petition to June 3, 2013.</p>	<p>5-0</p>
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ADJUDICATORY CASES

<p>PCB 10-20</p>	<p><u>People of the State of Illinois v. Montalbano Builders, Inc., an Illinois corporation, First American Properties, L.L.C., an Illinois limited liability company, and MBC XIV, LLC, a revoked Delaware limited liability company</u> – No action taken.</p>	<p>W-E</p>
<p>PCB 10-75</p>	<p><u>Chicago Coke Co., Inc, an Illinois corporation v. IEPA; Natural Resource Defense Council and Sierra Club as Intervenors</u> – The Board granted petitioner’s motion for summary judgment. The Board denied the Illinois Environmental Protection Agency’s, Natural Resources Defense Council’s and the Sierra Club’s motions for summary judgment.</p>	<p>5-0 P-A, Air</p>
<p>PCB 10-84</p>	<p><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> – The Board denied respondents’ motion to strike part of the complainant’s prayer for relief. The Board granted the complainant’s motion for leave to amend the first amended complaint and accepted the second amended complaint for hearing.</p>	<p>5-0 L-E</p>
<p>PCB 10-86</p>	<p><u>People of the State of Illinois v. Illinois Fuel Company</u> – No action taken.</p>	<p>W-E</p>

PCB 11-22	<u>Scott Mayer v. Lincoln Prairie Water Company, Korte & Luitjohan Contractors, Inc., and Milano & Grunloh Engineers, LLC</u> – The Board denied the motion for leave to file an amended complaint and struck the amended complaint.	5-0 L-E, Citizens
PCB 11-88	<u>People of the State of Illinois v. Super Mix, Inc.</u> – No action taken.	W-E
PCB 12-101	<u>Phillips 66 Company (f/k/a ConocoPhillips Company) v. IEPA</u> – No action taken.	P-A, Water
PCB 13-3	<u>People of the State of Illinois v. Edward W. Fisher, Rhonda L. Fisher, and DEM/EX Group, Inc.</u> – No action taken.	L-E
PCB 13-8	<u>Atkinson Landfill Company v. IEPA</u> – No action taken.	P-A, Land
PCB 13-11	<u>Rock River Water Reclamation District v. IEPA</u> – The Board affirmed the Illinois Environmental Protection Agency’s August 1, 2012 denial of the Rock River Water Reclamation District’s application for a construction and operating permit to build a flow equalization or storage basin adjacent to the headworks of its wastewater treatment plant.	4-0 Burke abstained P-A, Water
PCB 13-12	<u>People of the State of Illinois v. NACME Steel Processing, LLC</u> – No action taken.	A-E
PCB 13-19	<u>People of the State of Illinois v. Sheridan-Joliet Land Development, LLC, and Sheridan Sand & Gravel Co. (4201 Road Site)</u> – No action taken.	L-E
PCB 13-20	<u>People of the State of Illinois v. Sheridan-Joliet Land Development, LLC, and Sheridan Sand & Gravel Co. (Wiensland Site)</u> – No action taken.	L-E
PCB 13-22	<u>Mahomet Valley Water Authority, City of Champaign, Illinois, Donald R. Gerard, City of Urbana, Illinois, Laurel Lunt Prussing, City of Bloomington, Illinois, County of Champaign, Illinois, County of Piatt, Illinois, Town of Normal Illinois, Village of Savoy, Illinois and City of Decatur v. Clinton Landfill</u> – No action taken.	L-E, Citizens

PCB 13-28	<u>People of the State of Illinois v. Atkinson Landfill Company</u> – No action taken.	W-E
PCB 13-37	<u>Texaco, Inc. v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a LaSalle County facility.	5-0 UST Appeal
PCB 13-43	<u>People of the State of Illinois v. Blick's Construction Co., Inc. and Ron Bricker</u> – No action taken.	A-E
PCB 13-47	<u>People of the State of Illinois v. City of Carlinville</u> – In this water enforcement action concerning a Macoupin County facility, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c)(1) (2010)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$3,240.00, and to cease and desist from further violations.	5-0 W-E
PCB 13-53	<u>United States Steel Corporation v. IEPA</u> – The Board granted petitioner's motion for partial stay of the contested conditions within the revised Clean Air Act Permit Program permit.	4-0 Holbrook abstained P-A, Air

CASES PENDING DECISION

R11-9	<u>In the Matter of: Tiered Approach to Corrective Action Objectives (TACO) (Indoor Inhalation): Amendments to 35 Ill. Adm. Code 742</u> <ul style="list-style-type: none"> • Scheduled for May 14, 2013 JCAR meeting <ul style="list-style-type: none"> – Adopted Rule, Final Opinion & Order 	Holbrook Land
R11-18(B)	<u>In the Matter of: Technical Corrections to Triennial Review of Water Quality Standards Amendments for Fluoride and Manganese: Amendments to 35 Ill. Adm. Code 302.208(b) and (e)</u> <ul style="list-style-type: none"> • Scheduled for May 14, 2013 JCAR meeting <ul style="list-style-type: none"> – Adopted Rule, Final Opinion & Order 	Zalewski Water
R13-11	<u>National Ambient Air Quality Standards, USEPA Regulations (July 1, 2012 through December 31, 2012)</u> <ul style="list-style-type: none"> – Proposed Rule for Public Comment; Opinion & Order 	Burke Air

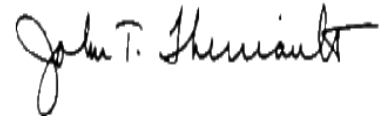
OTHER ITEMS

	No action was taken on the Chairman’s Motion to Cancel the Closed Meeting Scheduled for May 16, 2013 at 1:00 pm to Discuss Personnel as Authorized by Section 2 (c)(1) of the Open Meetings Act.	
	The Board issued a proclamation Honoring Michael J. McCambridge for 25 Years of Service to the Board.	5-0

ADJOURNMENT

Moved and seconded, by a vote of 5-0, Chairman Holbrook adjourned the meeting at 11:20 a.m.

I, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on May 16, 2013, by a vote of 5-0.



John T. Therriault, Assistant Clerk
Illinois Pollution Control Board