
Environmental Register

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Dr. Deanna Glosser, Chairman

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Letter from the Chairman

In May, the Board took action in several rulemakings that generated public interest and comment. Below, these recent rulemakings are summarized.

On May 7, 2015, the Board adopted an opinion and order in Procedural Rules Amendments: Proposed Amendments to 35 Ill. Adm. Code 101, 103, 106, and 108, R 15-20. The Board adopted a second first-notice, following substantive amendments. The proposal will amend Parts 101, 103, 104, 106 and 108 of the Board's procedural rules. Specifically, the proposal will amend the Board's procedural rules for out-of-state attorneys and service of filings. The proposal will also amend the Board's procedural rules for variances and administrative citations.



On May 7, 2015, the Board adopted a first notice opinion and order in Amendments to 35 Ill. Adm. Code Part 214, Sulfur Limitations, Part 217, Nitrogen Oxides Emissions, and Part 225, Control of Emissions from Large Combustion Sources, R15-21. The Illinois Environmental Protection Agency (IEPA) filed the amendments generally proposing to control emissions of sulfur dioxide in and around areas designated as nonattainment with respect to the 2010 sulfur dioxide National Ambient Air Quality Standard. The IEPA states that the proposed amendments will (1) establish sulfur content limitations for liquid fuels used by fuel combustion emission units throughout the State; (2) establish sulfur dioxide emission limitations for specific sources impacting a sulfur dioxide nonattainment area; (3) address the conversion of certain coal-fired electric generating units located in or near a sulfur dioxide nonattainment area to fuel other than coal; and (4) correct or update various existing provisions.

On May 7, 2015, the Board granted a motion by the IEPA for a 90-day stay of Coal Combustion Waste (CCW) Surface Impoundments at Power Generating Facilities: Proposed New 35 Ill. Adm. Code 841, R14-10. The Board also directed the IEPA to file a status report at the end of the stay.

On May 21, 2015, the Board adopted an order accepting for hearing a proposal to amend the Board's public water supply regulations. The rulemaking, Public Water Supplies: Proposed Amendments to 35 Ill. Adm. Code Parts 601, 602, and 603, R15-22, was filed on May 8, 2015 by the IEPA. IEPA proposed the amendments to (1) update Parts 601 through 603; (2) consolidate the community water supply permitting rules in Parts 652 and 602; and (3) amend Part 603 to be consistent with recent amendments to the Public Water Supply Operations Act, 415 ILCS 45 (2012). IEPA asserts that the proposed regulations seek to streamline the permitting rules and update the existing regulations to be consistent with recent statutory changes.

On May 21, 2015, the Board dismissed the rulemaking Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System [CAWS] and Lower Des Plaines River [LDPR]: Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303, and 304, R08-9(E). Subdocket E is the portion of the CAWS/LDPR docket that deals with water quality standards for Bubbly Creek. This docket was opened in order to defer a decision on Bubbly Creek while the U.S. Army Corp of Engineers (USACE) completes an ecosystem restoration study. The Board sought comment on dismissal and received only one comment that agreed the subdocket could be dismissed.

Please visit the Board website at www.ipcb.state.il.us for information on the rulemakings listed above as well as other Board rulemaking dockets and contested cases.

Sincerely,

A handwritten signature in cursive script that reads "Deanna Glosser". The signature is written in black ink on a white background.

Deanna Glosser, Ph.D.
Chairman

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Rulemaking Update

Board Calls for Additional Information in Subdocket A on CAFOs, R12-23(A)

On May 7, 2015, the Board issued an order directing the Illinois Environmental Protection Agency (IEPA) to file additional information in the rulemaking captioned Concentrated Animal Feeding Operations (CAFOs): Proposed Amendments to 35 Ill. Adm. Code Parts 501, 502, and 504, docket R12-23(A). The order set forth specific requests and directed IEPA to respond by May 28, 2015.

On August 7, 2014, in docket R12-23, the Board issued an order adopting amendments to Parts 501, 502, and 504 of its agriculture-related water pollution regulations. The same order also opened subdocket A to further consider requiring that certain CAFOs submit specified information to IEPA. In R12-23, the Board had proposed such a requirement but struck it from the rules consistent with comments from the Joint Committee on Administrative Rules (JCAR).

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board’s website (www.ipcb.state.il.us) and may be downloaded without charge. Hard copies may be obtained from the Clerk’s Office (Pollution Control Board, James R. Thompson Center, 100 W. Randolph Street, Suite 11-500, Chicago, IL 60601) upon payment of reproduction fees as prescribed by the Freedom of Information Act.

Board Stays CCW Impoundment Rulemaking for 90 Days, R14-10

On May 7, 2015, the Board granted a motion by the Illinois Environmental Protection Agency (IEPA) for a 90-day stay of the rulemaking captioned Coal Combustion Waste (CCW) Ash Ponds and Surface Impoundments at Power Generating Facilities: Proposed New 35 Ill. Adm. Code 841, docket R14-10. The Board also directed IEPA to file a status report at the end of the stay.

On October 28, 2013, IEPA filed a proposal to add Part 841—entitled “Coal Combustion Waste Surface Impoundments at Power Generating Facilities”—to the Board’s waste disposal regulations. IEPA proposed generally applicable rules establishing processes for monitoring these impoundments and for preventive response, corrective action, and closure.

IEPA's motion for the 90-day stay stated that on December 19, 2014, the United States Environmental Protection Agency (USEPA) adopted final rules concerning the disposal of coal combustion residuals (CCR) from electric utilities. IEPA indicated that the federal rules are similar but not identical to the rules proposed by IEPA in this docket, R14-10. USEPA's rules were published on April 17, 2015, and will become effective six months after that date, *i.e.*, on October 14, 2015. 80 Fed. Reg. 21302 (Apr. 17, 2015). IEPA sought to stay the R14-10 rulemaking for 90 days to give IEPA time to evaluate whether its proposal should be changed in light of the newly-adopted USEPA rules.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board's website (www.ipcb.state.il.us) and may be downloaded without charge. Hard copies may be obtained from the Clerk's Office (Pollution Control Board, James R. Thompson Center, 100 W. Randolph Street, Suite 11-500, Chicago, IL 60601) upon payment of reproduction fees as prescribed by the Freedom of Information Act.

Board Proposes First-Notice Amendments to Rules on Sulfur Limitations, Nitrogen Oxides Emissions, and Controlling Emissions from Large Combustion Sources, R15-21

On May 7, 2015, the Board proposed amendments to its air pollution regulations for first-notice publication in the *Illinois Register*. The Illinois Environmental Protection Agency (IEPA) filed the proposal in this rulemaking, which is captioned Amendments to 35 Ill. Adm. Code Part 214, Sulfur Limitations, Part 217, Nitrogen Oxides Emissions, and Part 225, Control of Emissions from Large Combustion Sources, docket R15-21. In its May 7, 2015 order, the Board granted IEPA's motion for expedited review and, consistent with that grant, proceeded to first notice without commenting on the proposal's merits.

According to IEPA, the proposal, generally, seeks to control emissions of sulfur dioxide (SO₂) in and around areas designated as "nonattainment" for the 2010 SO₂ National Ambient Air Quality Standard (NAAQS). IEPA stated that portions of its proposal are intended to satisfy Illinois' obligation to submit a State Implementation Plan (SIP) to the United States Environmental Protection Agency addressing requirements under Sections 172, 191, and 192 of the Clean Air Act. IEPA further stated that the proposed amendments would (1) establish sulfur content limitations for liquid fuels used by fuel combustion emission units throughout the State; (2) establish SO₂ emission limitations for specific sources impacting an SO₂ nonattainment area (NAA); (3) address the conversion of certain coal-fired electric generating units (EGUs)—located in or near an SO₂ NAA—to fuel other than coal; and (4) correct or update various rules.

Public comments should identify this docket number, R15-21, and must be filed with the Clerk of the Board. Public comments may be filed at the following address:

Pollution Control Board
James R. Thompson Center
100 W. Randolph Street, Suite 11-500
Chicago, IL 60601

Alternatively, public comments may be filed electronically through the Clerk's Office On-Line (COOL) at www.ipcb.state.il.us. Any questions about electronic filing through COOL should be directed to the Clerk's Office at (312) 814-3629.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board's website and may be downloaded without charge. Hard copies may be obtained from the Clerk's Office (Pollution Control Board, James R. Thompson Center, 100 W. Randolph Street, Suite 11-500, Chicago, IL 60601) upon payment of reproduction fees as prescribed by the Freedom of Information Act.

For more information, please contact Daniel Robertson at 312-814-6931 or daniel.robertson@illinois.gov.

Board Proposes Second First-Notice Amendments to its Procedural Rules, R15-20

On May 7, 2015, the Board proposed procedural rule amendments for a second first-notice publication in the *Illinois Register*. The rulemaking is captioned Procedural Rules Amendments: Proposed Amendments to 35 Ill. Adm. Code 101, 103, 104, 106, 108, docket R15-20. On February 19, 2015, the Board had adopted first-notice amendments to its procedural rules. However, because additional substantive amendments were needed, the Board's May 7, 2015 order proposed the amendments for first-notice publication a second time. The proposal would now amend the Board's procedural rules on out-of-state attorneys, variances, administrative citations, and service of filings.

Specifically, the Board proposed revising the process for allowing out-of-state attorneys to appear *pro hac vice* in a Board adjudicatory proceeding. The procedural rule amendment would require those attorneys to comply with Illinois Supreme Court Rule 707, which establishes a procedure by which an eligible out-of-state attorney may appear as counsel and provide legal services in a proceeding without order of the tribunal. In addition, to implement Public Act 98-0822, the Board proposed to amend its procedural rules on variances. Further, the Board proposed amending its procedural rules on administrative citations to accommodate citations filed pursuant to the Public Water Supply Operations Act or the Electronic Products Recycling and Reuse Act. The rulemaking proposal also continued to update and clarify the Board's procedural rules for all forms of service.

Public comments should identify this docket number, R15-20, and must be filed with the Clerk of the Board. Public comments may be filed at the following address:

Pollution Control Board
James R. Thompson Center
100 W. Randolph Street, Suite 11-500
Chicago, IL 60601

Alternatively, public comments may be filed electronically through the Clerk's Office On-Line (COOL) at www.ipcb.state.il.us. Any questions about electronic filing through COOL should be directed to the Clerk's Office at (312) 814-3629.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board's website and may be downloaded without charge. Hard copies may be obtained from the Clerk's Office (Pollution Control Board, James R. Thompson Center, 100 W. Randolph Street, Suite 11-500, Chicago, IL 60601) upon payment of reproduction fees as prescribed by the Freedom of Information Act.

For more information, please contact Daniel Robertson at 312-814-6931 or daniel.robertson@illinois.gov.

Board Extends Second-Notice Period and Reopens Comment Period in Subdocket D on CAWS and LDPR, R08-9(D)

On March 19, 2015, the Board adopted second-notice amendments for review by the Joint Committee on Administrative Rules (JCAR) in the rulemaking captioned Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System (CAWS) and Lower Des Plaines River (LDPR): Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303, and 304, docket R08-9(D). On May 12, 2015, the Board agreed with JCAR to extend the second-notice period to allow the Board to receive additional public comment on temperature. The Board therefore issued an order on May 21, 2015, reopening the comment period until June 1, 2015.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board's website (www.ipcb.state.il.us) and may be downloaded without charge. Hard copies may be obtained from the Clerk's Office (Pollution Control Board, James R. Thompson Center, 100 W. Randolph Street, Suite 11-500, Chicago, IL 60601) upon payment of reproduction fees as prescribed by the Freedom of Information Act.

Board Closes Subdocket E on Bubbly Creek, R08-9(E)

On May 21, 2015, the Board adopted an order closing subdocket E, which concerns water quality standards for Bubbly Creek (the South Fork of the South Branch Chicago River). The rulemaking is captioned Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System (CAWS) and Lower Des Plaines River (LDPR): Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303, and 304, docket R08-9(E).

The Board opened subdocket E in February 2013 as jointly requested by the Metropolitan Water Reclamation District of Greater Chicago (District) and by Environmental Law and Policy Center, Friends of the Chicago River, Sierra Club Illinois Chapter, Natural Resources Defense Council, and Openlands (Environmental Groups). The Illinois Environmental Protection Agency supported the District and the Environmental Groups' request for deferring a decision on Bubbly Creek while the U.S. Army Corps of Engineers (USACE) completed an ecosystem restoration study.

In its April 16, 2015 order, the Board took official notice of the USACE website, which provided the status of a “draft Feasibility Report” for restoring Bubbly Creek. The Board observed that the project could take at least several years to complete. The Board’s order also noted that the Board had proposed retaining water quality standards for Bubbly Creek in subdocket D. Under these circumstances, the Board stated that it anticipated closing subdocket E at its May 21, 2015 meeting. The Board added that when the USACE study is complete, any potential amendments to the Board’s rules could be filed in a new docket, at which time the participants could seek to incorporate any relevant portions of the R08-9 record into the record of the new docket. However, before proceeding to close subdocket E, the Board gave participants until May 15, 2015, to comment on the proposed closing.

As noted in its May 21, 2015 order, the Board received only one public comment in response to its April 16, 2015 order. That public comment was filed by the District, indicating that closing subdocket E was acceptable. Based upon the District’s comment, the Board’s retention of water quality standards for Bubbly Creek in subdocket D, and USACE’s potential timeframe for completing the Bubbly Creek project, the Board closed subdocket E.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board’s website (www.ipcb.state.il.us) and may be downloaded without charge. Hard copies may be obtained from the Clerk’s Office (Pollution Control Board, James R. Thompson Center, 100 W. Randolph Street, Suite 11-500, Chicago, IL 60601) upon payment of reproduction fees as prescribed by the Freedom of Information Act.

Board Actions

May 7, 2015

Via videoconference

Springfield and Chicago, Illinois

Rulemakings

- R12-23(A)** In the Matter of: Concentrated Animal Feeding Operations (CAFOs): Proposed Amendments to 35 Ill. Adm. Code Parts 501, 502, and 504 (Water) – The Board entered an order directing the Illinois Environmental Protection Agency to submit the requested information and response to comments. 5-0
- R14-10** In the Matter of: Coal Combustion Waste (CCW) Ash Ponds and Surface Impoundments at Power Generating Facilities: Proposed New 35 Ill. Adm. Code 841 (Water) – The Board granted the Illinois Environmental Protection Agency’s (Agency) motion for a 90-day stay and directed the Agency to file a status report on or before Wednesday, August 5, 2015. 5-0
- R15-19** In the Matter of: Management of Used and Waste Tires: Proposed Amendments to 35 Ill. Adm. Code 848 (Land) – No action taken.
- R15-20** In the Matter of: Procedural Rules Amendments: Proposed Amendments to 35 Ill. Adm. Code 101, 103, 106, and 108 (Procedural) – The Board adopted a second first-notice opinion and order in this rulemaking to amend the Board’s procedural rules. 5-0
- R15-21** In the Matter of: Amendments to 35 Ill. Adm. Code Part 214, Sulfur Limitations, Part 217, Nitrogen Oxide Emissions, and Part 225, Control of Emissions from Large Combustion Sources (Air) – The Board accepted for hearing the Agency’s April 28, 2015 proposal to amend the Board’s air regulations and proceeded to first-notice publication of the proposed amendments without review of the merits. The Board also granted the Agency’s motions to amend its proposal, for waiver of copy requirements, and for expedited review. 5-0

Administrative Citations

- AC 13-31** County of Jackson v. Christopher Will – The Board denied respondent’s motion for reconsideration. 5-0
- AC 13-42** IEPA v. James & Pam Green – In response to a joint stipulation and proposed settlement agreement in this administrative citation action involving a Whiteside County facility, the Board found that respondents had violated Section 21(p)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) (2012)) and ordered respondent to pay a civil penalty of \$1,500. The Board also granted the parties’ joint motion to dismiss respondents’ petition for review. To effectuate the parties’ intent that respondents pay a total civil penalty of \$1,500, the Board on its own motion dismissed the alleged violation of Section 55(k)(1) of the Act (415 ILCS 5/55(k)(1) (2012)). 5-0
- AC 15-33** IEPA v. Gerald Cain and Eddie Jones – The Board accepted respondent Eddie Jones’ petition for review involving a Union County facility. 5-0

Adjudicatory Cases

- PCB 12-135** Dynegy Midwest Generation, LLC v. IEPA
(Air – Variance) – The Board granted petitioner’s motion to amend the petition. 5-0
- PCB 14-28** Peoria Disposal Company v. IEPA
(Water – Permit Appeal, NPDES) – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal. 5-0
- PCB 15-64** People of the State of Illinois v. Surdyke Cycle of Illinois, Inc., an Illinois Corporation, d/b/a Dale's Harley-Davidson and Waterkotte Harley-Davidson
(Land -Enforcement) – Upon receipt of a stipulation and proposed settlement agreement and agreed motion to request relief from the hearing requirement in this land enforcement action involving a Jefferson County facility, the Board ordered publication of the required newspaper notice. 5-0

PCB 15-72	<u>People of the State of Illinois v. Starved Rock Adventures, Inc.</u> (Air, Water – Enforcement) – Upon receipt of a stipulation and proposed settlement agreement and agreed motion to request relief from the hearing requirement in this air and water enforcement action involving a LaSalle County facility, the Board ordered publication of the required newspaper notice.	5-0
PCB 15-74	<u>Calhoun County Rural Water District v. IEPA</u> (Water – Permit Appeal) – The Board dismissed this permit appeal for petitioner’s failure to file an amended appeal correcting deficiencies specified in the Board’s January 8, 2015 opinion and order.	5-0
PCB 15-84	<u>Allen McAfee v. IEPA</u> (Land – Permit Appeal) – No action taken.	
PCB 15-114	<u>People of the State of Illinois v. American Steamship Company</u> (Water -Enforcement) – In this water enforcement action concerning a Cook 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) (2012)), accepted a stipulation and settlement agreement, and ordered respondent to pay a \$5,400 civil penalty and to cease and desist from further violations.	5-0
PCB 15-136	<u>Piasa Motor Fuels, Inc. v. IEPA</u> (UST Appeal, 90-Day Extension) – Having previously granted a request for a 90-day extension, the Board dismissed this matter because no permit appeal was filed on behalf of this Madison County facility.	5-0
PCB 15-137	<u>D&L Landfill, Inc. v. IEPA</u> (Land -Permit Appeal) – The Board accepted for hearing this permit appeal on behalf of this Bond County facility.	5-0
PCB 15-165	<u>People of the State of Illinois v. Tank’s Auto Body, L.L.C.</u> (Land -Enforcement) – In this land enforcement action concerning a Henry 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) (2012)), accepted a stipulation and settlement agreement, and ordered respondent to pay a \$6,000 civil penalty and to cease and desist from further violations.	5-0

PCB 15-172	<u>People of the State of Illinois v. Quality Sand Products, LLC</u> (Air -Enforcement) – In this air enforcement action concerning a LaSalle 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) (2012)), accepted a stipulation and settlement agreement, and ordered respondent to pay a \$38,400 civil penalty and to cease and desist from further violations.	5-0
PCB 15-174	<u>Philip and Kelly Diekemper v. IEPA</u> (Water-Tax Certification) – The Board found and certified that specified facilities of Philip and Kelly Diekemper located in Clinton County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2012)).	5-0
PCB 15-177	<u>GBL Properties, Inc. (3000 State Street) v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this St. Clair County facility.	5-0
PCB 15-178	<u>Kathy Bellemey v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Logan County facility.	5-0
PCB 15-179	<u>KM Corporation v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Williamson County facility.	5-0
PCB 15-180	<u>Steve Shank v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Bond County facility.	5-0
PCB 15-181	<u>Golightly & Long, LLC (Murphysboro) v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Jackson County facility.	5-0
PCB 15-182	<u>William Senger v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Jersey County facility.	5-0

PCB 15-183	<u>Mary Jane Bennett v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Union County facility.	5-0
PCB 15-184	<u>People of the State of Illinois v. City of Bloomington, Illinois</u> (Public Water Supply – Enforcement) – Upon receipt of a stipulation and proposed settlement agreement and agreed motion to request relief from the hearing requirement in this public water supply enforcement action involving a McLean County facility, the Board ordered publication of the required newspaper notice.	5-0
PCB 15-185	<u>People of the State of Illinois v. The Village of Volo</u> (Public Water Supply – Enforcement) – Upon receipt of a stipulation and proposed settlement agreement and agreed motion to request relief from the hearing requirement in this public water supply enforcement action involving a Lake County facility, the Board ordered publication of the required newspaper notice.	5-0
PCB 15-186	<u>Sharon Burgess v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Kankakee County facility.	5-0
PCB 15-189	<u>Sierra Club, Natural Resources Defense Council, Prairie Rivers Network, and Environmental Law & Policy Center v. Illinois EPA and Midwest Generation, LLC</u> (Water – Permit Appeal, NPDES, 3 RD party) – The Board accepted petitioners’ petition for review involving a facility located in Lake County.	5-0
PCB 15-190	<u>Paradigm Properties, Inc. (St. Francisville) v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Lawrence County facility.	5-0
PCB 15-191	<u>Barnhill's Service Station v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Pulaski County facility.	5-0
PCB 15-192	<u>Baker Brothers II, Inc. v. IEPA</u> (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Randolph County facility.	5-0

May 21, 2015
Via videoconference
Springfield and Chicago, Illinois

Rulemakings

- R08-9(D)** 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 5-0
(Water) – Pursuant to an agreement with the Joint Committee on Administrative Rules to extend the Second Notice Period for an additional 45 days, the Board reopened the public comment period to June 1, 2015.
- R08-9(E)** 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 5-0
(Water) – The Board on its own motion dismissed this docket..
- R15-19** In the Matter of: Management of Used and Waste Tires: Proposed Amendments to 35 Ill. Adm. Code 848 5-0
(Land-Tires) – No action taken.
- R15-22** In the Matter of: Public Water Supplies: Proposed Amendments to 35 Ill. Adm. Code Parts 601, 602, and 603 5-0
(Public Water Supply) – The Board accepted for hearing the Agency’s May 8, 2015 proposal to amend the Board’s public water supply regulations.

Adjusted Standards

- AS 15-3** In the Matter of: Petition of the City Of Collinsville for an Adjusted Standard from 35 Ill. Adm. Code 620.410 for Certain Constituents 5-0
(Water) – The Board directed the hearing officer to set this adjusted standard petition for hearing..

Administrative Citations

- AC 15-35** County of Perry v. Gordon Cooper – The Board granted complainant’s request to dismiss this administrative citation. 5-0

Adjudicatory Cases

- PCB 15-80** People of the State of Illinois v. SSW Development, L.L.C., a dissolved Illinois limited liability corporation, and John Kaup, an individual 5-0
(Water – Enforcement) – 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 a Will County facility, the Board ordered publication of the required newspaper notice.
- PCB 15-84** Allen McAfee v. IEPA 5-0
(Land – Permit Appeal) – The Board remanded the matter to the IEPA to issue a decision on the Stage 3 site investigation plan and budget that does not include a requirement for a Project Labor Agreement. The Board exercised its discretion under Section 57.8(l) of the Act (415 ILCS 5/57.8(l) (2012)) and directed the IEPA to reimburse petitioner \$10,315 in legal fees and costs from the UST Fund.
- PCB 15-179** KM Corporation v. IEPA 5-0
(UST Appeal) – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal.
- PCB 15-187** Hagenbuch Family Farms (Property ID No. 12-12-305-000) v. IEPA 5-0
(Water – Tax Certification) – The Board found and certified that specified facilities of Hagenbuch Family Farms located in LaSalle County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2012)).
- PCB 15-188** Hagenbuch Family Farms (Property ID No. 07-35-103-000) v. IEPA 5-0
(Water – Tax Certification) – The Board found and certified that specified facilities of Hagenbuch Family Farms located in LaSalle County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2012)).
- PCB 15-193** Smital Farm (Property ID No. 20-000-073-00) v. IEPA 5-0
(Water – Tax Certification) – The Board found and certified that specified facilities of Smital Farm located in LaSalle County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2012)).

PCB 15-194	<u>Clinton Landfill, Inc. v. IEPA</u> (Mod. 52) (Land – Permit Appeal) – The Board accepted for hearing this permit appeal on behalf of this DeWitt County facility.	5-0
PCB 15-195	<u>Clinton Landfill, Inc. v. IEPA</u> (Mod. 53) (Land – Permit Appeal) – The Board accepted for hearing this permit appeal on behalf of this DeWitt County facility.	5-0
PCB 15-196	<u>Yoder Oil Company v. IEPA</u> (UST Appeal, 90-Day Ext.) – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Tazewell County facility.	5-0
PCB 15-197	<u>GBL Properties, Inc. v. IEPA</u> (UST Appeal, 90-Day Ext.) – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this St. Clair County facility.	5-0
PCB 15-198	<u>Dan Schwendman v. IEPA</u> (UST Appeal, 90-Day Ext.) – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this St. Clair County facility.	5-0
PCB 15-198	<u>Paradigm Properties, Inc. v. IEPA</u> (UST Appeal, 90-Day Ext.) – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Union County facility.	5-0

New Cases

May 7, 2015 Board Meeting

AC 15-34 County of Perry v. Michael and Mary Freund – The Board accepted an administrative citation against these Perry County respondents.

AC 15-35 County of Perry v. Gordon Cooper – The Board accepted an administrative citation against this Perry County respondent.

PCB 15-177 GBL Properties, Inc. (3000 State Street) v. IEPA (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this St. Clair County facility.

PCB 15-178 Kathy Bellemey v. IEPA (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Logan County facility.

PCB 15-179 KM Corporation v. IEPA (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Williamson County facility.

PCB 15-180 Steve Shank v. IEPA (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Bond County facility.

PCB 15-181 Golightly & Long, LLC (Murphysboro) v. IEPA (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Jackson County facility.

PCB 15-182 William Senger v. IEPA (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Jersey County facility.

PCB 15-183 Mary Jane Bennett v. IEPA (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Union County facility.

PCB 15-184 People of the State of Illinois v. City of Bloomington, Illinois (Public Water Supply – Enforcement) – Upon receipt of a stipulation and proposed settlement agreement and agreed motion to request relief from the hearing requirement in this public water supply enforcement action involving a McLean County facility, the Board ordered publication of the required newspaper notice.

PCB 15-185 People of the State of Illinois v. The Village of Volo (Public Water Supply – Enforcement) – Upon receipt of a stipulation and proposed settlement agreement and agreed motion to request relief from the hearing requirement in this public water supply enforcement action involving a Lake County facility, the Board ordered publication of the required newspaper notice.

PCB 15-186 Sharon Burgess v. IEPA (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Kankakee County facility.

PCB 15-187 Hagenbuch Family Farms (Property ID No. 12-12-305-000) v. IEPA (Water – Tax Certification) – No action taken.

PCB 15-188 Hagenbuch Family Farms (Property ID No. 07-35-103-000) v. IEPA (Water – Tax Certification) – No action taken.

PCB 15-189 Sierra Club, Natural Resources Defense Council, Prairie Rivers Network, and Environmental Law & Policy Center v. Illinois EPA and Midwest Generation, LLC (Water – Permit Appeal, NPDES, 3RD part) – The Board accepted petitioners’ petition for review involving a facility located in Lake County.

PCB 15-190 Paradigm Properties, Inc. (St. Francisville) v. IEPA (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Lawrence County facility.

PCB 15-191 Barnhill's Service Station v. IEPA (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Pulaski County facility.

PCB 15-192 Baker Brothers II, Inc. v. IEPA (UST-Permit Appeal) – The Board accepted for hearing this underground storage tank appeal on behalf of this Randolph County facility.

PCB 15-193 Smital Farm (Property ID No. 20-000-073-00) v. IEPA (Water – Tax Certification) – No action taken.

May 21, 2015

R15-22 In the Matter of: Public Water Supplies: Proposed Amendments to 35 Ill. Adm. Code Parts 601, 602, and 603

(Public Water Supply) – The Board accepted for hearing the Agency’s May 8, 2015 proposal to amend the Board’s public water supply regulations.

AC 15-36 IEPA v. John E. Laverdiere and Laverdiere Construction, Inc. – The Board accepted an administrative citation against these McDonough County respondents.

PCB 15-194 Clinton Landfill, Inc. v. IEPA (Mod. 52) (Land – Permit Appeal) – The Board accepted for hearing this permit appeal on behalf of this DeWitt County facility.

PCB 15-195 Clinton Landfill, Inc. v. IEPA (Mod. 53) (Land – Permit Appeal) – The Board accepted for hearing this permit appeal on behalf of this DeWitt County facility.

PCB 15-196 Yoder Oil Company v. IEPA (UST Appeal, 90-Day Ext.) – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Tazewell County facility.

PCB 15-197 GBL Properties, Inc. v. IEPA (UST Appeal, 90-Day Ext.) – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this St. Clair County facility.

PCB 15-198 Dan Schwendman v. IEPA (UST Appeal, 90-Day Ext.) – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this St. Clair County facility.

PCB 15-199 Paradigm Properties, Inc. v. IEPA (UST Appeal, 90-Day Ext.) – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Union County facility.

Calendar

<p>5/7/2015 11:00 AM</p>	<p>Illinois Pollution Control Board Meeting</p>		<p>Videoconference Chicago/Springfield James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago And 1021 N. Grand Avenue East Oliver Holmes Conference Room 2012 N Springfield</p>
<p>5/21/2015 11:00 AM</p>	<p>Illinois Pollution Control Board Meeting</p>		<p>Videoconference Chicago/Springfield James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago And 1021 N. Grand Avenue East Oliver Holmes Conference Room 2012 N Springfield</p>
<p>5/27/2015 10:00 AM</p>	<p>PCB 15-173</p>	<p><u>Chatham BP, LLC v. IEPA</u></p>	<p>Illinois Pollution Control Board Hearing Room 1021 N. Grand Avenue East, North Entrance Springfield, IL</p>
<p>6/4/2015 11:00 AM</p>	<p>Illinois Pollution Control Board Meeting</p>		<p>Chicago James R. Thompson Center 100 W. Randolph Street Chicago</p>
<p>6/18/2015 11:00 AM</p>	<p>Illinois Pollution Control Board Meeting</p>		<p>Chicago James R. Thompson Center 100 W. Randolph Street Chicago</p>
<p>7/2/2015 11:00 AM</p>	<p>R15-22</p>	<p><u>In the Matter of: Public Water Supplies: Proposed Amendments to 35 Ill. Adm. Code Parts 601, 602, and 603</u></p>	<p>James R. Thompson Center Room 11-512 100 W. Randolph Chicago</p>
<p>7/8/2015 9:00 AM</p>	<p>R15-21</p>	<p><u>In the Matter of: Amendments to 35 Ill. Adm. Code Part 214, Sulfur Limitations, Part 217, Nitrogen Oxides Emissions, and Part 225, Control of Emissions from Large Combustion Sources</u></p>	<p>Illinois Environmental Protection Agency, Sangamo Conference Room, 1021 N. Grand Ave E, (North Entrance) Springfield</p>

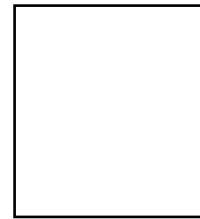
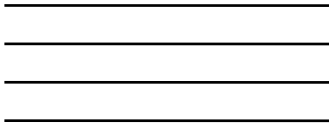
7/9/2015 11:00 AM	Illinois Pollution Control Board Meeting		Videoconference Chicago/Springfield James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago And 1021 N. Grand Avenue East Oliver Holmes Conference Room 2012 N Springfield
7/14/2015 10:00 AM	PCB 15-110	<u>Village of Carlock v. IEPA</u>	White Oak Township Community Building 202 North Lincoln Street, Carlock, IL
7/22/2015 10:00 AM	AC 15-17	<u>Bernard and Carolyn Carr and Jeffrey Yerk</u>	Fulton County Courthouse Room 313 100 N. Main Street Lewistown, IL
7/23/2015 11:00 AM	Illinois Pollution Control Board Meeting		Chicago James R. Thompson Center 100 W. Randolph Street Chicago
7/29/2015 10:00 AM	R15-21	<u>In the Matter of: Amendments to 35 Ill. Adm. Code Part 214, Sulfur Limitations, Part 217, Nitrogen Oxides Emissions, and Part 225, Control of Emissions from Large Combustion Sources</u>	Will County Executive Office Second Floor County Board Chambers 302 North Chicago Street Joliet Illinois
7/30/2015 1:00 PM	R15-23	<u>In the Matter of: Amendments to Primary Drinking Water Standards: 35 Ill. Adm. Code 611</u>	Illinois Environmental Protection Agency, Sangamo Conference Room, 1021 N. Grand Ave E, (North Entrance) Springfield
8/4/2015 10:30 AM	R15-21	<u>In the Matter of: Amendments to 35 Ill. Adm. Code Part 214, Sulfur Limitations, Part 217, Nitrogen Oxides Emissions, and Part 225, Control of Emissions from Large Combustion Sources</u>	Pekin City Hall 111 South Capitol Street, Council Chambers Pekin Illinois
8/6/2015 11:00 AM	Illinois Pollution Control Board Meeting		Chicago James R. Thompson Center 100 W. Randolph Street Chicago

8/11/2015 10:00 AM	PCB 15-186	<u>Sharon Burgess v. IEPA</u>	Illinois Pollution Control Board Hearing Room, 1021 North Grand Avenue East, North Entrance, Springfield, IL
8/17/2015 11:00 AM	R15-22	<u>In the Matter of: Public Water Supplies: Proposed Amendments to 35 Ill. Adm. Code Parts 601, 602, and 603</u>	Illinois Environmental Protection Agency, Chestnut Room, 1021 N. Grand Ave E, (North Entrance) Springfield
8/19/2015 1:00 PM	R15-23	<u>In the Matter of: Amendments to Primary Drinking Water Standards: 35 Ill. Adm. Code 611</u>	James R. Thompson Center Room 2-025 100 W. Randolph Chicago
8/25/2015 11:00 AM	R15-24	<u>In the Matter of: Water Pollution: Proposed Amendments to 35 Ill. Adm. Code Part 309</u>	Illinois Pollution Control Board, Conference Room 1244, 1021 North Grand Avenue East, North Entrance, Springfield, IL
8/20/2015 11:00 AM	Illinois Pollution Control Board Meeting		Chicago James R. Thompson Center 100 W. Randolph Street Chicago
9/3/2015 11:00 AM	Illinois Pollution Control Board Meeting		Chicago James R. Thompson Center 100 W. Randolph Street Chicago
9/17/2015 11:00 AM	Illinois Pollution Control Board Meeting		Chicago James R. Thompson Center 100 W. Randolph Street Chicago
9/24/2015 11:00 AM	R15-24	<u>In the Matter of: Water Pollution: Proposed Amendments to 35 Ill. Adm. Code Part 309</u>	James R. Thompson Center Room 9-034 100 W. Randolph Chicago

The Illinois Pollution Control Board is an independent five-member board that adopts environmental control standards, rules on enforcement actions, and other environmental disputes for the State of Illinois.

The *Environmental Register* is published monthly by the Board, and contains updates on rulemakings, descriptions of final decisions, the Board's hearing calendar, and other environmental law information.

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