

ILLINOIS POLLUTION CONTROL BOARD

MEETING MINUTES



June 19, 2008

Chicago/Springfield Videoconference

CHICAGO OFFICE
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. All four Board Members answered present.

APPROVAL OF MINUTES

The minutes of the June 5, 2008 open meeting and June 12, 2008 closed deliberative session were approved by a vote of 4-0.

RULEMAKINGS

R06-20	<u>In the Matter of: Proposed Amendments to the Board's Special Waste Regulations Concerning Used Oil, 35 Ill. Adm. Code 808.809</u> – No action taken.	Land
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R07-9	<u>In the Matter of: Triennial Review of Sulfate and Total Dissolved Solids Water Quality Standards: Proposed Amendments to 35 Ill. Adm. Code 302.102(b)(6), 302.102(b)(8),302.102(b)(10), 302.208(g), 309.103(c)(3), 405.109(b)(2)(A), 409.109(b)(2)(B), 406.100(d); Repealer of 35 Ill. Adm. Code 406.203 and Part 407; and Proposed New 35 Ill. Adm. Code 302.208(h) – The Board adopted a second notice opinion and order in this rulemaking to amend the Board’s water and mine-related regulations.</u>	4-0 Water
R08-8	<u>In the Matter of: Abbott Laboratories Proposed Site-specific Amendment to Applicability Selection of Organic Material Emission Standards and Limitations for the Chicago Area: Subpart T: Pharmaceutical Manufacturing (35 Ill. Adm. Code 218.480(b)) – The Board adopted a second notice opinion and order in this rulemaking to amend the Board’s air pollution control regulations.</u>	3-0 Air Moore abstained
R08-9	<u>In The Matter of: Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System and the Lower Des Plaines River: Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303 and 304 – No action taken.</u>	3-0 Water

ADJUSTED STANDARDS

None

ADMINISTRATIVE CITATIONS

AC 05-61	<u>IEPA v. Timothy Pearce</u> – The Board granted complainant’s motion for summary judgment and found that this respondent violated Section 21(p)(7) of the Act (415 ILCS 5/21(p)(7) (2006)), assessing a penalty of \$1,500 in this administrative citation involving a Clay County facility.	4-0
AC 07-24	<u>IEPA v. C. John Blickhan</u> – No action taken.	
AC 08-19	<u>IEPA v. C. John Blickhan</u> – No action taken.	
AC 08-31	<u>IEPA v. Upper Rock Island County Landfill and Dave Geier</u> – The Board accepted an administrative citation against these Rock Island County respondents.	
AC 08-32	<u>IEPA v. Joseph Flick</u> – The Board accepted an administrative citation against this Union County respondent.	

AC 08-33	<u>County of Vermillion, Illinois v. Rex Greene</u> – The Board accepted an administrative citation against this Vermillion County respondent.	
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ADJUDICATORY CASES

PCB 00-104	<u>People of the State of Illinois v. Murphy Farms, L.L.C.</u> – Upon receipt of a proposed stipulation and settlement agreements and agreed motions to request relief from the hearing requirement in this water enforcement action involving a Knox County facility, the Board ordered publication of the required newspaper notice.	4-0 A, W-E
PCB 06-174	<u>People of the State of Illinois v. Bob D. Stagner and Linda S. Stagner, d/b/a LB’s Camping & Mobile Home Park</u> – In this water enforcement action concerning a Franklin 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) (2006)), and accepted a stipulation and settlement agreement, ordering the respondents to pay a total civil penalty of \$500.00, and to cease and desist from further violations.	4-0 W-E
PCB 07-44	<u>Indian Creek Development Company, an Illinois partnership, individually as beneficiary under trust 3291 of the Chicago Title and Trust Company dated December 15, 1981 and the Chicago Title and Trust Company, as trustee under trust 3291, dated December 15, 1981 v. The Burlington Northern Santa Fe Railway Company, a Delaware company</u> – No action taken.	Citizens L, W-E
PCB 07-63	<u>PMA & Associates, Inc. v. IEPA</u> – No action taken.	UST Appeal
PCB 07-85	<u>T-Town Drive Thru, Inc. v. IEPA</u> – The Board denied petitioner’s motion to reconsider the Board’s April 3, 2008 opinion and order.	4-0 UST Appeal
PCB 07-94	<u>City of Joliet v. IEPA</u> – The Board granted this Will County facility’s motion for voluntary dismissal of this permit appeal.	4-0 P-A, Water
PCB 07-96	<u>Kyle Nash v. Karen Sokolowski</u> – No action taken.	Citizens N-E

PCB 07-97	<u>Kyle Nash v. Louis Jimenez</u> – No action taken.	Citizens N-E
PCB 07-146	<u>Fox Moraine, LLC v. United City of Yorkville, City Council</u> – No action taken, previously ruled on at the June 5, 2008 Board meeting.	4-0 PCFSR, Land
PCB 08-42	<u>Tom Edwards v. IEPA and Peoria Disposal Company</u> – The Board affirmed the November 27, 2007 Resource Conservation and Recovery Act Part B permit renewal issued by the Illinois Environmental Protection Agency to Peoria Disposal Company.	4-0 P-A, Land Third Party
PCB 08-76	<u>Anne McDonagh and Davd Fishbaum v. Richard Michelin and Amy Michelin</u> – No action taken.	Citizens N-E
PCB 08-88	<u>People of the State of Illinois v. Village of Skokie</u> – In this public water supply 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) (2006)), and accepted a stipulation and settlement agreement, ordering the respondent to pay a total civil penalty of \$25,000, and to cease and desist from further violations.	4-0 PWS-E
PCB 08-93	<u>People of Williamson County ex rel State’s Attorney Charles Garnati and the Williamson County Board v. Kibler Development Corporation, Marion Ridge Landfill, Inc., and Illinois Environmental Protection Agency</u> – No action taken.	P-A, Land Third Party
PCB 08-95	<u>United City of Yorkville v. IEPA and Hamman Farms</u> – No action taken.	P-A, Land Third Party
PCB 08-96	<u>United City of Yorkville v. Hamman Farms</u> – No action taken.	Citizens A, L, W-E
PCB 08-97	<u>Veach Oil Company v. IEPA</u> – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Alexander County facility.	4-0 UST Appeal, 90 Day Ext.
PCB 08-98	<u>People of the State of Illinois v. Farmers & Traders Bancshares, Inc., and Pedriana Gustafson, Inc</u> – The Board accepted for hearing this water enforcement action involving a site located in DeKalb County.	4-0 W-E

CASES PENDING DECISION

None

OTHER ITEMS

None

ADJOURNMENT

Moved and seconded, by a vote of 4-0, Chairman Girard adjourned the meeting at 11:15 a.m.

I, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on July 10, 2008, by a vote of.

John T. Therriault, Assistant Clerk
Illinois Pollution Control Board