

ILLINOIS POLLUTION CONTROL BOARD

MEETING MINUTES



July 21, 2008

Chicago OFFICE

100 W. Randolph Street
Chicago, IL
Room 11-512

3:00 P.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 July 10, 2008 open meeting and July 17, 2008 closed deliberative session were approved by a vote of 4-0.

RULEMAKINGS

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</u> – The Board denied the Metropolitan Water Reclamation District of Greater Chicago’s motion to stay the proceedings.	Water 4-0
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ADJUSTED STANDARDS

None

ADMINISTRATIVE CITATIONS

AC 08-29	<u>IEPA v. Keister's, Inc.</u> – The Board accepted respondent's amended petition for review of administrative citation.	4-0
AC 08-33	<u>County of Vermillion, Illinois v. Rex Greene</u> – The Board found that this Vermillion County respondent violated Sections 21(p)(1) and (3) of the Act (415 ILCS 5/21(p)(1), (3) (2006)), and ordered respondent to pay a civil penalty of \$3,000.	4-0
AC 09-2	<u>IEPA v. Theodore & Elizabeth Hollenbeak and Hollenbeak Concrete, Inc.</u> – The Board accepted an administrative citation against these Brown County respondents.	
AC 09-3	<u>IEPA v. Frank H. and Mary Lou Record and Frank Record d/b/a Quality Disposal</u> – The Board accepted an administrative citation against these Fulton County respondents.	
AC 09-4	<u>County of Jackson v. Lester Johnson and Arthur Cross</u> – The Board accepted an administrative citation against these Jackson County respondents.	

ADJUDICATORY CASES

PCB 04-215	<u>Commonwealth Edison Company v. IEPA</u> – No action taken.	T-S Air
PCB 06-116	<u>People of the State of Illinois v. William Warren and Halleck Warren, d/b/a Hickory Shores Resort, and Hickory Shores Recreations, LTD</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 Clinton County facility, the Board ordered publication of the required newspaper notice.	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 07-45	<u>People of the State of Illinois v. General Waste Services, Inc.,</u> –	A-E

	No action taken.	
PCB 07-63	<u>PMA & Associates, Inc. v. IEPA</u> – No action taken.	UST Appeal
PCB 08-30	<u>Caseyville Sport Choice, LLC, an Illinois Limited Liability Company v. Erma I. Seiber, Administratrix of the Estate of James A. Seiber, Deceased, and Erma I. Seiber in her individual capacity</u> – No action taken.	L-E
PCB 08-61	<u>Ameren Energy Generating Company v. IEPA</u> – 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 facility located in Morgan County.	4-0 P-A, Land
PCB 08-86	<u>City of Quincy v. IEPA</u> – The Board accepted for hearing this permit appeal involving an Adams County facility.	4-0 P-A, Land
PCB 08-91	<u>People of the State of Illinois v. Surface Manufacturing Company</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 Boone County facility, the Board ordered publication of the required newspaper notice.	4-0 W-E
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 08-98	<u>People of the State of Illinois v. Farmers & Traders Bancshares, Inc., an Illinois corporation, and Pedriana Gustafson, Inc.,</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 DeKalb County facility, the Board ordered publication of the required newspaper notice.	4-0 W-E
PCB 08-103	<u>KCBX Terminals Company v. IEPA</u> – The Board granted petitioner’s motion for a partial stay of the construction permit.	4-0 P-A, Air

PCB 09-3	<u>People of the State of Illinois v. Praedium Development Corporation and Plaza Excavating, Inc.</u> – The Board accepted for hearing this water enforcement action involving a site located in Lake County.	4-0 W-E
PCB 09-4	<u>Woodward & Sons, Inc. v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving an Champaign County facility.	4-0 UST Appeal
PCB 09-5	<u>People of the State of Illinois v. Alden Bennett Construction Company, Inc. and Bloomingdale Horizon I Limited Partnership</u> – The Board accepted for hearing this water enforcement action involving a site located in DuPage County.	4-0 W-E

CASES PENDING DECISION

R08-5	<u>Wastewater Pretreatment Update, USEPA Amendments (January 1, 2007 through June 30, 2007)</u>	Water PWS
R08-7	<u>SDWA Update, USEPA Amendments (January 1, 2007 through June 30, 2007)</u>	PWS
R08-13 (cons.)	<u>SDWA Update, USEPA Amendments (July 1, 2007 through December 31, 2007)</u> – Deadline Extension Order	

OTHER ITEMS

	The Board granted the Chairman’s Motion to reschedule the July 31, 2008 Closed Deliberative Session to Wednesday, July 30, 2008, at 10:00 am.	4-0
	The Board granted the Chairman’s Motion to reschedule the November 6, 2008 meeting to Wednesday, November 5, 2008, at 3:00 pm in the Board’s Chicago Office.	4-0

ADJOURNMENT

Moved and seconded, by a vote of 4-0, Chairman Girard adjourned the meeting at 3:15 p.m.

I, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on August 7, 2008, by a vote of.

John T. Therriault, Assistant Clerk
Illinois Pollution Control Board