

ILLINOIS POLLUTION CONTROL BOARD

MEETING MINUTES



May 20, 2010

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 May 6, 2010 open meeting and of the May 13, 2010 closed deliberative session were approved by a vote of 5-0.

RULEMAKINGS

R 06-22	<u>In the Matter of: NOx Trading Program: Amendments to 35 Ill. Adm. Code Part 217</u> – No action taken.	Air
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ADJUSTED STANDARDS

AS 09-3	<u>In the Matter of: Petition of Westwood Lands, Inc. for an Adjusted Standard from Portions of 35 Ill. Adm. Code 807.104 and 35 Ill. Adm. Code 810-103 or in the Alternative, a Finding of Inapplicability</u> – No action taken.	Land
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ADMINISTRATIVE CITATIONS

AC 10-24	<u>IEPA v. Steve Danielson</u> – The Board accepted an administrative citation against this Bureau County respondent.	
AC 10-25	<u>IEPA v. Kenneth Verbout</u> – The Board accepted an administrative citation against this Bureau County respondent.	
AC 10-26	<u>IEPA v. Tuttle Grain, Inc.</u> – The Board accepted an administrative citation against this Crawford County respondent.	
AC 10-27	<u>County of Jackson v. KR D Trucking</u> – The Board accepted an administrative citation against this Jackson County respondent.	

ADJUDICATORY CASES

PCB 04-47	<u>Saint-Gobain Containers, Inc. v. IEPA</u> – The Board granted this Logan County facility’s motion for voluntary dismissal of this permit appeal.	5-0 P-A, Air
PCB 07-44	<u>Indian Creek Development Company and the Chicago Title and Trust Company v. The Burlington Northern Santa Fe Railway Company</u> – No action taken.	L, W-E, Citizens
PCB 07-53	<u>People of the State of Illinois v. Moline Place Development, L.L.C.</u> – No action taken.	W -E
PCB 07-63	<u>PMA & Associates, Inc. v. IEPA</u> – No action taken.	UST Appeal

PCB 08-86	<u>City of Quincy v. IEPA</u> – No action taken.	P-A, Water
PCB 08-96	<u>United City of Yorkville v. Hamman Farms</u> – No action taken.	A,L,W-E
PCB 09-33	<u>S & D. Realty, Inc. v. IEPA</u> – The Board granted this Cook County facility’s motion for voluntary dismissal of this underground storage tank appeal.	5-0 UST Appeal
PCB 09-66	<u>Elmhurst Memorial Healthcare and Elmhurst Memorial Hospital v. Chevron U.S.A., Inc.</u> – No action taken.	L-E
PCB 09-87 PCB 10-5 (cons.)	<u>Dickerson Petroleum, Inc. v. IEPA</u> <u>Dickerson Petroleum, Inc. v. IEPA</u> – No action taken.	UST Appeal
PCB 10-1	<u>Weeke Oil Company v. IEPA</u> – The Board affirmed the Illinois Environmental Protection Agency’s June 4, 2009 determination denying Weeke Oil Company’s request for reimbursement for early action costs at an underground storage tank site at 422 West St. Louis Street in Nashville, Washington County.	5-0 UST Appeal
PCB 10-13	<u>Jon Chualovsky v. Commonwealth Edison</u> – No action taken.	Citizens, N-E
PCB 10-35	<u>North Aurora Gas Station (F/N/A Intermart, Inc.) v. IEPA</u> – No action taken.	UST Appeal
PCB 10-61	<u>People of the State of Illinois v. Freeman United Coal Mining Company, LLC, and Springfield Coal Company, LLC</u> – The Board granted respondent Springfield Coal Co., LLC’s motion to allow Dale A. Guariglia to appeal <i>pro hac vice</i> on its behalf.	5-0 W-E
PCB 10-74	<u>Mill Creek Water Reclamation District v. IEPA and Grand Prairie Sanitary District</u> – No action taken.	P-A, Water
PCB 10-90	<u>American Louver Company v. IEPA</u> – No action taken.	P-A, Air
PCB 10-93	<u>Elk Grove Village/Former Penske Truck Leasing Facility (Incident-Claim No. 20081536-56785) v. IEPA</u> – The Board ordered petitioner to file an amended petition to cure noted deficiencies on or before June 21, 2010, or the petition would be subject to dismissal.	5-0 UST Appeal, 90- Day Extension

PCB 10-96	<u>Grainco FS, Inc. - Mazon v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of 4th Meridian Farm, Inc. located in Grundy County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2008)).	5-0 T-C, W
PCB 10-97	<u>Webel Feeds 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 Pike County facility.	5-0 UST Appeal, 90-Day Extension

CASES PENDING DECISION

R10-19	<u>Procedural Rules for Authorizations Under P. A. 95-115 (Regulation of Phosphorus in Detergents Act), 35 Il. Adm. Code 106.Subpart H</u> <ul style="list-style-type: none"> • (comment period ends May 31, 2010) <ul style="list-style-type: none"> – Second Notice, Opinion & Order 	Water
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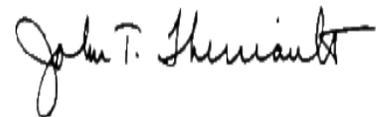
OTHER ITEMS

None

ADJOURNMENT

Moved and seconded, by a vote of 5-0, Chairman Girard adjourned the meeting at 11:12 a.m.

I, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on June 3, 2010, by a vote of 5-0.



John T. Therriault, Assistant Clerk
Illinois Pollution Control Board