
Environmental Register

May 2011 - Number 683

The Environmental Register is a Publication of the Illinois Pollution Control Board

G. Tanner Girard, Acting Chairman

Board Members:

Thomas E. Johnson, Andrea S. Moore, Gary Blankenship, and Carrie Zalewski

Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601
(312) 814-3620
(312) 814-6032 TDD

Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, Illinois 62794-9274
(217) 524-8500

Web Site: <http://www.ipcb.state.il.us>

Letter from the Chairman

During May, there was significant activity in several Board rulemaking dockets, which I've summarized below. As always, information about these proceedings is available through the Clerk's Office Online (COOL) at our Web site at www.ipcb.state.il.us.

On May 3, 2011, the hearing officer scheduled two hearings in R11-18, Triennial Review of Water Quality Standards for Boron, Fluoride and Manganese: Amendments to 35 Ill. Adm. Code 302.Subparts B, C, E, F and 303.312. The first will take place on June 21, 2011, in Springfield, and the second will take place on July 26, 2011, in Chicago.

On May 5, 2011, the Board accepted for hearing R11-25, Setback Zone for Fayette Water Company Community Water Supply: Amendments to 35 Ill. Adm. Code 618. The Illinois Environmental Protection Agency (IEPA) proposed to create maximum setback zones for six wells owned by Fayette Water Company serving about 6500 customers in three counties in central Illinois. A hearing on the proposal will take place July 27, 2011, in Vandalia.

On May 10, 2011, the Board held the first hearing in R11-22, Amendments Under P.A. 96-908 to Regulations of Underground Storage Tanks (UST) and Petroleum Leaking UST: 35 Ill. Adm. Code 731, 732, and 734. The second hearing will take place on June 16, 2011, in Chicago.

On May 16-18, 2011, the Board held three days of hearings in R08-9(C), 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.

On May 18, 2011, the Board held the second hearing in the "fast-track" rulemaking R11-23, Reasonably Available Control Technology (RACT) for Volatile Organic Material Emissions From Group II and Group IV Consumer & Commercial Products: Proposed Amendments to 35 Ill. Adm. Code 211, 218, and 219. In response to an IEPA request, the Board on May 20, 2011, cancelled the third hearing in this proceeding.

On May 19, 2011, the Board adopted a first-notice opinion and order in R11-8, Regulatory Proposal for NOx Trading Program Sunset Provisions for Non-Electric Generation Units ("Non-EGU."): Amendments to 35 Ill. Adm. Code Part 217. Subpart U. This IEPA proposal was filed to "sunset" the trading provisions of the Nitrogen Oxide Trading Program for non-electric generating units.

On May 19, 2011, the Board denied a motion for adoption of emergency rules in R11-26 Illinois Environmental Regulatory Group's Emergency Rulemaking, Nitrogen Oxides Emissions: Amendments to 35 Ill. Adm. Code Part 217. On its own motion, however, the Board consolidated this rulemaking with an open docket involving the same subject matter, R11-24 Nitrogen Oxides Emissions, Amendments to 35 Ill. Adm. Code 217. Hearings in the consolidated docket will take place on June 2 and 28, 2011.

On May 24, 2011, the Board held the second hearing in R11-9, Tiered Approach to Corrective Action Objectives (TACO) (Indoor Inhalation): Amendments to 35 Ill. Adm. Code 742.

Please visit our website (www.ipcb.state.il.us) for more information on the rulemakings described above, as well as information on our docket of contested cases.



Sincerely,

A handwritten signature in black ink that reads "G. Tanner Girard". The signature is written in a cursive, flowing style.

Dr. G. Tanner Girard

Inside This Issue:

RULEMAKING UPDATE	P. 1
BOARD ACTIONS	P. 3
NEW CASES	P. 6
BOARD CALENDAR	P. 8

Rulemaking Update

Board to Hold Hearing on IEPA Proposal to Establish a Setback Zone for Several Community Water Supply Wells Owned by Fayette Water Company, R11-25

On May 5, 2011, the Board accepted for hearing a rulemaking proposal to establish a maximum setback zone for six community water supply (CWS) wells owned by Fayette Water Company in Fayette County. The wells are situated in the Kaskaskia River flood plain and serve portions of Fayette, Shelby, and Kaskaskia Counties. The proposal was filed by the Illinois Environmental Protection Agency (IEPA) on April 21, 2011, and is docketed as In the Matter of: Setback Zone for Fayette Water Company Community Water Supply: Amendments to 35 Ill. Adm. Code 618, R11-25.

The IEPA is proposing a maximum circular setback zone of 1,000 feet. The IEPA states that it “considers these wells to be geologically sensitive and concluded that all the water system’s wells are highly vulnerable to contamination.” The IEPA states the regulation is intended to prevent contamination of the groundwater.

Hearing will be held at 9:00 am on July 27, 2011, at Fayette County Courthouse, Conference Room 212, 221 S. 7th Street, Vandalia, IL. Interested persons should review the hearing officer order of May 5, 2011 establishing schedules for the pre-filing of testimony and discussion other procedural details.

Opinions and orders of the Board and hearing officer, hearing transcripts, and other documents in rulemaking records are posted on the Board’s Web site and may be downloaded from the Web without charge. Hard copies may be obtained from the Clerk’s office upon payment of reproduction fees as prescribed by Section 6 of the Freedom of Information Act [5 ILCS 140/6] at the following address: Pollution Control Board, James R. Thompson Center, 100 W. Randolph Street, Suite 11-500, Chicago, IL 60601.

In addition, public comments may be filed electronically through 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.

For more information contact Tim Fox at 312-814-6085 or email at foxt@ipcb.state.il.us.

Board Adopts First-Notice Opinion and Order for IEPA Rulemaking Proposal that Would Amend Provisions of the NOx SIP Call Trading Program, R 11-08

On May 19, 2011, the Board adopted for first-notice publication in the *Illinois Register* a proposal amending the Board’s air rules. The Illinois Environmental Protection Agency (IEPA), on August 19, 2010, filed the proposal that was docketed as In the Matter of: NOx Trading Program Sunset Provisions for Non-Electric Generating Units: Amendments to 35 Ill. Adm. Code Part 217.Subpart U,R11-08.

The IEPA’s proposal would sunset the trading provisions of the Nitrogen Oxide SIP Call Trading Program (NOx Trading Program) for non-electric generating units (non-EGUs). The provisions to be amended involve the holding and trading provisions for NOx allowances in Part 217.Subpart U. Due to a federal court ruling concerning the federal Clean Air Act Interstate Rules (CAIR) rules in *North Carolina v. USEPA*, 550 F.3d 1176 (C.A.D.C. Cir. 2008), CAIR implementation begins with the original 2009 control period. As a result of the court action, IEPA explains that Non-Electric Generating Units (EGUs) in Illinois no longer need to comply with the NOx Trading Program requirements for holding and trading NOx allowances for any control period after 2008 because UEPA no

Environmental Register – May 2011

longer allocates allowances for the NOx Trading Program. Therefore, Subpart U is now moot where it requires that Non-EGUs hold their allowances for the 2010 season.

Fifty-two existing non-EGU units (four of which are no longer operating), and two new non-EGU units are currently subject to the NOx Trading Program. The affected units will not be subject to the holding and trading provisions of the NOx Trading Program if the Board sunsets these provisions of Subpart U as proposed. However, to ensure that Illinois continues to satisfy its NOx budget, Non-EGUs must continue monitoring, reporting, and recordkeeping under Subpart U.

The Board has already conducted two hearings in this matter: one in Springfield (February 17, 2011) (December 9, 2010) and one in Chicago (December 9, 2010). Consequently, the Board does not presently intend to hold additional hearings.

Publication of these proposed amendments in the *Illinois Register* will begin a 45-day public comment period, during which anyone may file a public comment with the Board. The Board encourages persons to file public comments on these proposed amendments. The docket number for this rulemaking, R11-8, should be indicated on the public comment.

Public comments 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.

In addition, public comments may be filed electronically through 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 Web site and may be downloaded from the Web without charge. Hard copies may be obtained from the Clerk's office upon payment of reproduction fees as prescribed by Section 6 of the Freedom of Information Act [5 ILCS 140/6].

For more information contact Daniel Robertson at 312-814-6931 or email at robertsd@ipcb.state.il.us.

Board Denies IERG Request for Emergency Rulemaking in Nitrogen Oxides Emissions Amendments to 35 Ill. Adm. Code Part 217, and Consolidates IERG Proposal with Pending IEPA Proposal, R11-26

On May 19, 2011, the Illinois Pollution Control Board denied the April 21, 2011 request by the Illinois Environmental Regulatory Group (IERG) for emergency rule, docketed as Illinois Environmental Regulatory Group's Emergency Rulemaking, Nitrogen Oxides Emissions: Amendments to 35 Ill. Adm. Code Part 217, R11-26. IERG requested a 3 year extension of compliance dates of nitrogen oxide (NOx) emissions rules adopted in R08-19 and codified at 35 Ill. Adm. Code Part 217.

The Board on its own motion consolidated the R11-26 request with In the Matter of: Amendments to 35 Ill. Adm. Code 217, Nitrogen Oxides Emissions, R11-24. This proposal involves the exact same subject matter, proposed by the Illinois Environmental Protection Agency (IEPA). First notice of the R11-24 proposal has already been published in the *Illinois Register*. See 35 Ill. Reg. 6770 (Apr. 22, 2011). Hearings have been set for : June 2, 2011 at 1:00 p.m. at the James R. Thompson Center, Room 9-040, 100 West Randolph St, Chicago and June 28, 2011 at 1:00 pm at the Madison County Administration Building, County Board Room # 203, 157 N. Main Street, Edwardsville, IL. At the conclusion of those hearings and a short post-hearing comment period, the Board will continue to proceed with both rulemakings as swiftly as possible. Persons interested in participating at the hearings should review the hearing officer order of April 18, 2011 establishing schedules for the pre-filing of testimony and discussion other procedural details.

Opinions and orders of the Board and hearing officer, hearing transcripts, and other documents in rulemaking records are posted on the Board's Web site and may be downloaded from the Web without charge. Hard copies may be obtained from the Clerk's office upon payment of reproduction fees as prescribed by Section 6 of the Freedom of Information Act [5 ILCS 140/6] at the following address: Pollution Control Board, James R. Thompson Center, 100 W. Randolph Street, Suite 11-500, Chicago, IL 60601.

Environmental Register – May 2011

In addition, public comments may be filed electronically through 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.

For more information contact Daniel Robertson at 312-814-6931 or email at robertsd@ipcb.state.il.us.

Board Actions

May 5, 2011

Chicago, Illinois

Rulemakings

R 11-25 In the Matter of: Setback Zone for Fayette Water Company Community Water Supply: Amendments to 35 Ill. Adm. Code 618 – The Board accepted for hearing the Illinois Environmental Protection Agency's April 20, 2011 proposal to amend the Board's public water supply regulations. 5-0
PWS

Administrative Citations

AC 11-18 IEPA v. John and Debra Watson – The Board accepted respondents' amended petition for review, but directed respondents to file a second amended petition to cure deficiencies. 5-0

Adjudicatory Cases

PCB 07-139 People of the State of Illinois v. JR Investment Group, LLC, an Illinois limited liability company (f/k/a Jalil "Jerry" Rizqallah, d/b/a Timberline Mobile Home Park) – The Board granted the complainant's motion for leave to file the first amended complaint. Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this public water supply enforcement action involving a Woodford County facility, the Board ordered publication of the required newspaper notice. 5-0
PWS-E

PCB 09-35 People of the State of Illinois v. Alan Durkee, d/b/a Alan Durkee Swine Farm – The Board granted the complainant's motion to file a substitute stipulation clarifying that count IV is part of the stipulation. Upon receipt the substitute stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this public water supply enforcement action involving a Woodford County facility, the Board ordered publication of the required newspaper notice. 5-0
A-E

PCB 10-71 People of the State of Illinois v. 87th & Greenwood, LLC, Innovative Recycling Technologies, Inc. – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this land enforcement action involving a Cook County facility, the Board ordered publication of the required newspaper notice. 5-0
L-E

PCB 11-57 Bunge-SCF Grain, LLC v. IEPA – The Board granted petitioner's motion for name change from SCF Development, LLC to Bunge-SCF Grain, LLC. 5-0
P-A, Air

PCB 11-64 People of the State of Illinois v. Northern Illinois University – In this air 5-0

Environmental Register – May 2011

	enforcement action concerning a DeKalb 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) (2008)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$10,000, and to cease and desist from further violations.	A-E
PCB 11-68	<u>People of the State of Illinois v. Tradition Investments, LLC</u> – The Board accepted for hearing this water enforcement action involving a site located in Jo Daviess County.	5-0 W-E
PCB 11-69	<u>Knapp Oil Company v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a Marion County facility.	5-0 UST Appeal
PCB 11-70	<u>Brandon and Jill Hoffman Finishing Barn v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Brandon and Jill Hoffman Finishing Barn located in Mercer 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 11-71	<u>Daniel Koster v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Daniel Koster located in Whiteside 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 11-72	<u>David and Harold Hawkinson v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of David and Harold Hawkinson located in Eureka 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 11-73	<u>Clayton Pork, LLC - Eureka v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Clayton Pork, LLC located in Eureka 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 11-74	<u>People of the State of Illinois v. Adolf M. Lo and Renee C. Lo d/b/a Lo Farms</u> – The Board accepted for hearing this air and water enforcement action involving a site located in Champaign County.	5-0 A, W-E
PCB 11-75	<u>Bohnerts Jerseys - East Moline v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Bohnerts Jerseys located in Rock Island 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 11-76	<u>Warsaw Itco v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a Tazewell County facility.	5-0 UST Appeal
PCB 11-77	<u>Scott H. Huelsing v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Scott H. Huelsing located in Effingham County are pollution control facilities for the purpose of preferential tax treatment under	5-0 T-C, W

Environmental Register – May 2011

the Property Tax Code (35 ILCS 200/11-10 (2008)).

May 19, 2011 Chicago, Illinois

Rulemakings

- R 11-08** In the Matter of: Regulatory Proposal for NOx Trading Program Sunset Provisions for Non-Electric Generation Units ("Non-EGU."); Amendments to 35 Ill. Adm. Code Part 217, Subpart U – The Board adopted a first notice opinion and order in this rulemaking proposal to amend the Board's air pollution control regulations. 5-0
Air
- R 11-26** In the Matter of: Illinois Environmental Regulatory Group's Emergency Rulemaking, Nitrogen Oxides Emissions: Amendments to 35 Ill. Adm. Code Part 217 – The Board denied the motion for emergency rule and on its own motion consolidated this rulemaking with another open docket involving the exact same subject matter, proposed by the Illinois Environmental Protection Agency: R11-24, In the Matter of: Amendments to 35 Ill. Adm. Code 217, Nitrogen Oxides Emissions. The Board noted that the hearings in R11-24 will be completed in June, and that the Board hopes to complete rulemaking this summer or early fall. 5-0
Air

Administrative Citations

- AC 09-55** IEPA v. Jason D. & Angela R. Marrs d/b/a Marrs Hauling Landscaping & More – The Board entered a final opinion and order requiring respondent to pay hearing costs of the Illinois Environmental Protection Agency and the Board in the amount of \$554.00 and a civil penalty of \$3,000. This order follows the Board's interim order of March 3, 2011, which found that this respondent had violated Sections 21(p) (1) and (7) of the Environmental Protection Act (Act) (415 ILCS 5/21(p)(1) and (7) (2008)). 5-0

Adjudicatory Cases

- PCB 10-103** Stop The Mega-Dump v. County Board of DeKalb County, Illinois and Waste Management, of Illinois Inc. – The Board denied petitioner's motion for reconsideration of the Board's March 17, 2011 opinion and order which affirmed the County Board of DeKalb County's site location suitability approval for expansion of an existing landfill. 5-0
P-C-F-S-R
- PCB 10-109** People of the State of Illinois v. Rock River Blending Company – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this land enforcement action involving a Winnebago County facility, the Board ordered publication of the required newspaper notice. 5-0
L-E
- PCB 10-110** KCBX Terminals Company v. IEPA – The Board granted in part and denied 5-0
PCB 11-43 in part petitioner's motion to supplement the record. The Board ruled on
(cons.) respondent's interlocutory appeal, but affirmed the hearing officer's April 18,
2011 discovery ruling. P-A, Air

Environmental Register – May 2011

PCB 11-6	<u>People of the State of Illinois v. American Construction, LLC, Inc. and Real Estate Elmhurst, LLC</u> – In this water enforcement action concerning a Du Page 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) (2008)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$1,000, and to cease and desist from further violations.	5-0 W-E
PCB 11-78	<u>Four Beck Dairy - Bartelso v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Four Beck Dairy 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 (2008)).	5-0 T-C, W
PCB 11-79	<u>People of the State of Illinois v. Inverse Investment L.L.C.</u> – The Board accepted for hearing this water enforcement action involving a site located in McHenry County.	5-0 W-E
PCB 11-80	<u>Panther Creek Ranch, LLC - Congerville v. IEPA</u> – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Panther Creek Ranch, LLC located in Woodford 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 11-81	<u>Geneseo Municipal Utilities v. IEPA</u> – The Board accepted for hearing this permit appeal involving a Henry County facility.	5-0 P-A, Air

New Cases

May 5, 2011 Board Meeting

11-68 People of the State of Illinois v. Tradition Investments, LLC – The Board accepted for hearing this water enforcement action involving a site located in JoDaviess County.

11-69 Knapp Oil Company v. IEPA – The Board accepted for hearing this underground storage tank appeal involving a Marion County facility.

11-70 Brandon and Jill Hoffman Finishing Barn v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Brandon and Jill Hoffman Finishing Barn located in Mercer County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2008)).

11-71 Daniel Koster v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Daniel Koster located in Whiteside County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2008)).

11-72 David and Harold Hawkinson v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of David and Harold Hawkinson located in Eureka County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2008)).

11-73 Clayton Pork, LLC - Eureka v. IEPA – Upon receipt of the Illinois Environmental Protection Agency’s recommendation, the Board found and certified that specified facilities of Clayton Pork, LLC located in Eureka

Environmental Register – May 2011

County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2008)).

11-74 People of the State of Illinois v. Adolf M. Lo and Renee C. Lo d/b/a Lo Farms – The Board accepted for hearing this air and water enforcement action involving a site located in Champaign County.

11-75 Bohnerts Jerseys - East Moline v. IEPA – Upon receipt of the Illinois Environmental Protection Agency's recommendation, the Board found and certified that specified facilities of Bohnerts Jerseys located in Rock Island County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2008)).

11-76 Warsaw Itco v. IEPA – The Board accepted for hearing this underground storage tank appeal involving a Tazewell County facility.

11-77 Scott H. Huelsing v. IEPA – Upon receipt of the Illinois Environmental Protection Agency's recommendation, the Board found and certified that specified facilities of Scott H. Huelsing located in Effingham County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2008)).

R11-25 In the Matter of: Setback Zone for Fayette Water Company Community Water Supply: Amendments to 35 Ill. Adm. Code 618 – The Board accepted for hearing the Illinois Environmental Protection Agency's April 20, 2011 proposal to amend the Board's public water supply regulations.

R11-26 In the Matter of: Illinois Environmental Regulatory Group's Emergency Rulemaking, Nitrogen Oxides Emissions: Amendments to 35 Ill. Adm. Code Part 217 – No action taken.

May 19, 2011 Board Meeting

11-78 Four Beck Dairy - Bartelso v. IEPA – Upon receipt of the Illinois Environmental Protection Agency's recommendation, the Board found and certified that specified facilities of Four Beck Dairy 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 (2008)).

11-79 People of the State of Illinois v. Inverse Investment L.L.C. – The Board accepted for hearing this water enforcement action involving a site located in McHenry County.

11-80 Panther Creek Ranch, LLC - Congerville v. IEPA – Upon receipt of the Illinois Environmental Protection Agency's recommendation, the Board found and certified that specified facilities of Panther Creek Ranch, LLC located in Woodford County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2008)).

11- Geneseo Municipal Utilities v. IEPA – The Board accepted for hearing this permit appeal involving a Henry County facility.

AC 11-23 IEPA v. Dennis Weiler – The Board accepted an administrative citation against this Jasper County respondent.

AC 11-24 IEPA v. Dennis Heck and Raymond A. and Deanna Harris – The Board accepted an administrative citation against these Jefferson County respondents.

AC 11-25 IEPA v. Diane Timpe and Jimmy Timpe – The Board accepted an administrative citation against these Macoupin County respondents.

AC 11-26 IEPA v. Estate of Kenneth D. Berhenke, Sr. – The Board accepted an administrative citation against this Rock Island County respondent.

AC 11-27 IEPA v. James Harris – The Board accepted an administrative citation against this Knox County respondent.

Calendar

6/2/11 11:00 AM	Illinois Pollution Control Board Meeting		James R. Thompson Center 100 W. Randolph Street Chicago
6/2/11 1:00 PM	R11-24	<u>In the Matter of: Nitrogen Oxides Emissions, Amendments to 35 Ill. Adm. Code 217</u>	James R. Thompson Center Room 9-040 100 W. Randolph Street Chicago
6/8/11 9:00 AM	R11-20	<u>In the Matter of: Amendments to 35 Ill. Adm. Code Part 229: Hospital/Medical/Infectious Waste Incinerators</u>	Dewitt County Building Courtroom B 201 W. Washington Clinton
6/16/11 1:00 PM	R11-22	<u>In the Matter of: Amendments Under P.A. 96-908 to Regulations of Underground Storage Tanks (UST) and Petroleum Leaking UST: 35 Ill. Adm. Code 731, 732, and 734</u> (Continues until complete or through June 17, 2011)	Illinois Pollution Control Board Videoconference Room 11-512 100 W. Randolph Street Chicago
6/16/11 11:00 AM	Illinois Pollution Control Board Meeting		James R. Thompson Center 100 W. Randolph Street Chicago
6/21/11 9:00 AM	R11-18	<u>In the Matter of: Triennial Review of Water Quality Standards for Boron, Fluoride and Manganese: Amendments to 35 Ill. Adm. Code 302.Subparts B, C, E, F and 303.312</u>	Illinois Environmental Protection Agency Office Sangamon Training Room 1021 N. Grand Avenue East (North Entrance) Springfield
6/21/11 11:00 AM	AC 09-35	<u>IEPA v. William and Patricia Hajek (IEPA File No. 13-09-AC)</u>	Sandwich City Hall 144 East Railroad Sandwich
6/27/11 10:00 AM	R08-09(C)	In the Matter of: Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System (CAWS) and the Lower Des Plains River: Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303 and 304	James R. Thompson Center Room 9-040 100 W. Randolph Street Chicago
6/27/11 10:00 AM	R08-09(D)	<u>In the Matter of: Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System (CAWS) and the Lower Des Plains River: Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303 and 304</u>	James R. Thompson Center Room 9-040 100 W. Randolph Street Chicago
6/28/11 11:00 AM	R11-20	<u>In the Matter of: Amendments to 35 Ill. Adm. Code Part 229: Hospital/Medical/Infectious Waste Incinerators</u>	James R. Thompson Center Illinois Pollution Control Board 11-512 100 W. Randolph Street Chicago

Environmental Register – May 2011

6/28/11 1:00 PM	R11-24	<u>In the Matter of: Nitrogen Oxides Emissions, Amendments to 35 Ill. Adm. Code 217</u>	Madison County Administration Building County Board Room #203 157 Main Street Edwardsville
7/7/11 11:00 AM	Illinois Pollution Control Board Meeting		James R. Thompson Center 100 W. Randolph Street Chicago
7/21/11 11:00 AM	Illinois Pollution Control Board Meeting		James R. Thompson Center 100 W. Randolph Street Chicago
7/26/11 11:00 AM	R11-18	<u>In the Matter of: Triennial Review of Water Quality Standards for Boron, Fluoride and Manganese: Amendments to 35 Ill. And. Code 302.Subparts B, C, E, F and 303.312</u>	James R. Thompson Center Room 2-025 100 W. Randolph Street Chicago
7/27/11 9:00 AM	R11-25	<u>In the Matter of: Setback Rulemaking zone for Fayette Water Company Community Water Supply: Amendments to 35 Ill. Adm. Code 618</u>	Fayette County Courthouse Conference Room 212 221 S. 7 th Street Vandalia
8/4/11 11:00 AM	Illinois Pollution Control Board Meeting		James R. Thompson Center 100 W. Randolph Street Chicago
8/15/11 1:00 PM	R08-09(C)	<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> <u>(Continues until complete or through August 17, 2011)</u>	James R. Thompson Center Room 9-040 100 W. Randolph Street Chicago (If the hearing continues on August 17, 2011, then the hearing will be held in Room 2-025)
8/18/11 11:00 AM	Illinois Pollution Control Board Meeting		James R. Thompson Center 100 W. Randolph Street 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.

-----CUT HERE-----



Illinois Pollution Control Board
Environmental Register Coordinator
1021 N. Grand Avenue East
P.O. Box 19274
Springfield, Illinois 62794-9274