

# ILLINOIS POLLUTION CONTROL BOARD

## MEETING MINUTES

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**December 15, 2011**

**11:00 a.m.**

**Chicago**

100 W. Randolph Street

Chicago, IL

**9-040**

### **ANNOUNCEMENTS**

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Chairman Holbrook welcomed members of the public and staff.

### **ROLL CALL**

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The Assistant Clerk of the Board called the roll. Five Board Members answered present.

### **APPROVAL OF MINUTES**

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The minutes of the December 1, 2011 open meeting and the December 8, 2011 closed deliberative session were approved by a vote of 5-0.

**RULEMAKINGS**

<b>R08-9(B)</b>	<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> – The Board adopted a second notice opinion and order in this rulemaking to amend the Board’s water pollution control regulations.	5-0 Water
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**ADJUSTED STANDARDS**

NONE

**ADMINISTRATIVE CITATIONS**

<b>AC 12-8</b>	<u>County of Macon v. Violet Gossett</u> – No action taken.	
<b>AC 12-10</b>	<u>County of Perry v. Angie Woodrome</u> – The Board found that this Perry County respondent violated Section 21(p)(1), Section 21(p)(3), and Section 21(p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(3), (p)(7) (2010)), and ordered respondent to pay a civil penalty of \$4,500.	5-0
<b>AC 12-13</b>	<u>IEPA v. Rodney K. Brown</u> – The Board accepted for hearing respondent’s petition for review of this administrative citation involving a Morgan County facility.	5-0

**ADJUDICATORY CASES**

<b>PCB 99-134</b>	<u>People of the State of Illinois v. Heritage Coal Company, LLC (f/k/a/ Peabody Coal Company, LLC)</u> – No action taken.	W-E
<b>PCB 04-16</b>	<u>People of the State of Illinois v. Packaging Personified, Inc.,</u> – No action taken.	A-E
<b>PCB 08-96</b>	<u>United City of Yorkville v. Hamman Farms</u> – No action taken.	A,L,W-E
<b>PCB 10-23</b>	<u>United States Steel Corporation v. IEPA, American Bottom Conservancy as Intervenor</u> – No action taken.	P-A, Air

<b>PCB 10-61</b>	<u>People of the State of Illinois v. Freeman United Coal Mining Company and Springfield Coal Company, LLC; Environmental Law and Policy Center as Intervenor</u>	W-E
<b>PCB 11-2</b>	<u>Environmental Law and Policy Center v. Freeman United Coal Mining Company and Springfield Coal Company, LLC</u> – No action taken.	
<b>PCB 10-84</b>	<u>People of the State of Illinois v. Professional Swine Management, LLC, Hilltop View LLC, Wildcat Farms, LLC, High-Power Pork, LLC, Eagle Point, LLC, Lone Hollow, LLC, Timberline, LLC, Prairie State Gilts, Ltd., North Fork Pork, LLC, Little Timber, LLC, and Twin Valley Pumping, Inc.</u> – No action taken.	W-E
<b>PCB 10-100</b>	<u>Rolf Schilling, Pam Schilling and Suzanne Ventura v. Gary D. Hill, Villa Land Trust, and Prairie Living West, LLC</u> – No action taken.	L-E, Citizens
<b>PCB 11-27</b>	<u>People of the State of Illinois v. Sud Family Limited Partnership</u> – In this water enforcement action concerning a Peoria 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) (2010)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$9,000.00, and to cease and desist from further violations.	5-0 W-E
<b>PCB 11-45</b>	<u>People of the State of Illinois v. Columbus Foods Company, Inc.</u> , – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this air enforcement action involving a Cook County facility, the Board ordered publication of the required newspaper notice.	4-0 Member Burke abstained A-E
<b>PCB 11-60</b>	<u>American Disposal Services of Illinois, Inc. v. County Board of McLean County, Illinois, Henson Disposal, Inc. and TKNTK, LLC</u> – No action taken.	L-SA, 3d P
<b>PCB 11-79</b>	<u>People of the State of Illinois v. Inverse Investment L.L.C.</u> , – No action taken.	W-E
<b>PCB 12-30</b>	<u>Village of Downers Grove v. IEPA</u> – Having previously granted a request for a 90-day extension, the Board dismissed this matter because no underground storage tank appeal was filed on behalf of this DuPage County facility.	5-0 UST Appeal

<b>PCB 12-35</b>	<u>People of the State of Illinois v. Six M. Corporation, Inc., William Maxwell and Joinder of James McIlvain as Necessary Party</u> – No action taken.	W-E
<b>PCB 12-39</b>	<u>WRB Refining, LLC, Gasoline SZorb Unit v. IEPA</u> – No action taken.	T-C, A
<b>PCB 12-40</b>	<u>WRB Refining, LLC, Ultralow Sulfur Diesel v. IEPA</u> – No action taken.	T-C, A
<b>PCB 12-57</b>	<u>City of Taylorville/ Taylorville Municipal Airport v. IEPA</u> – No action taken.	UST Appeal
<b>PCB 12-58</b>	<u>Atkinson Landfill Company v. IEPA</u> – No action taken.	P-A, Air
<b>PCB 12-59</b>	<u>People of the State of Illinois v. Village of Cave In Rock and Maier's Tidy Bowl, Inc.</u> – In this water enforcement action concerning a Hardin 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) (2010)) as to Maier's Tidy Bowl, Inc., only, accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$1,925.00, and to cease and desist from further violations.	5-0 W-E
<b>PCB 12-65</b>	<u>WRB Refining, LLC (Coker Switch Valve Interlock Project) v. IEPA</u> – No action taken.	T-C, A
<b>PCB 12-66</b>	<u>WRB Refining, LLC (VOC Flare Line Heat Trace Project) v. IEPA</u> – No action taken.	T-C, A
<b>PCB 12-67</b>	<u>WRB Refining, LLC (Refinery-Wide Leak Detection and Repair Program) v. IEPA</u> – No action taken.	T-C, A
<b>PCB 12-68</b>	<u>WRB Refining, LLC (Distilling West Flare Gas Recovery Project) v. IEPA</u> – No action taken.	T-C, A
<b>PCB 12-69</b>	<u>WRB Refining, LLC (Aromatics West Heater Stock NOx Reduction Project) v. IEPA</u> – No action taken.	T-C, A
<b>PCB 12-70</b>	<u>WRB Refining, LLC (Gasoline Hydrotreater) v. IEPA</u> – No action taken.	T-C, A

<b>PCB 12-71</b>	<u>WRB Refining, LLC (Blow-Off Pit Elimination Project) v. IEPA</u> – No action taken.	T-C, A
<b>PCB 12-72</b>	<u>WRB Refining, LLC (Aromatics South Flare Stack Upgrade) v. IEPA</u> – No action taken.	T-C, A
<b>PCB 12-73</b>	<u>WRB Refining, LLC (New Units' Continuous Emissions Monitoring Systems for Furnaces) v. IEPA</u> – No action taken.	T-C, A
<b>PCB 12-74</b>	<u>WRB Refining, LLC (New Units' Maintenance Drop-Out System) v. IEPA</u> – No action taken.	T-C, A
<b>PCB 12-75</b>	<u>WRB Refining, LLC (Ultralow Sulfur Diesel Expansion Project) v. IEPA</u> – No action taken.	T-C, A
<b>PCB 12-76</b>	<u>WRB Refining, LLC (Coker Blowdown System Off-Gas Recovery) v. IEPA</u> – No action taken.	T-C, A
<b>PCB 12-77</b>	<u>WRB Refining, LLC (Coker Truck Washing for Particulates) v. IEPA</u> – No action taken.	T-C, A
<b>PCB 12-78</b>	<u>WRB Refining, LLC (New Units' Flare System) v. IEPA</u> – No action taken.	T-C, A
<b>PCB 12-79</b>	<u>WRB Refining, LLC (Delayed Coker Naphtha Hydrotreater) v. IEPA</u> – No action taken.	T-C, A
<b>PCB 12-80</b>	<u>WRB Refining, LLC (Ultralow NOx Burners) v. IEPA</u> – No action taken.	T-C, A
<b>PCB 12-81</b>	<u>WRB Refining, LLC (Subpart Ja Revisions to Flares) v. IEPA</u> – No action taken.	T-C, A
<b>PCB 12-82</b>	<u>WRB Refining, LLC (Aromatics North Flare Gas Recovery Project) v. IEPA</u> – No action taken.	T-C, A
<b>PCB 12-83</b>	<u>WRB Refining, LLC (MACT II Compliance Project for Fluid Catalytic Cracking Unit No. 2) v. IEPA</u> – No action taken.	T-C, A
<b>PCB 12-84</b>	<u>WRB Refining, LLC (New Units' Emissions-Free Sample Stations) v. IEPA</u> – No action taken.	T-C, A

<b>PCB 12-85</b>	<u>People of the State of Illinois v. Charles Cowell</u> – The Board accepted for hearing this air enforcement action involving a site located in Randolph County.	5-0 A-E
<b>PCB 12-86</b>	<u>WRB Refining, LLC (Sampling Station Upgrade Project for Fluid Catalytic Cracking Limits and Cat Feed Hydrotreater) v. IEPA</u> – No action taken.	T-C, A
<b>PCB 12-87</b>	<u>WRB Refining, LLC (LDAR Sampling Station Upgrade) v. IEPA</u> – No action taken.	T-C, A
<b>PCB 12-88</b>	<u>WRB Refining, LLC (Aromatics South Flare Subpart Ja Tie=Ins Project) v. IEPA</u> – No action taken.	T-C, A
<b>PCB 12-89</b>	<u>WRB Refining, LLC (B and C Sulfur Pits Environmental Risk Reduction Project) v. IEPA</u> – No action taken.	T-C, A
<b>PCB 12-90</b>	<u>WRB Refining, LLC (Continuous Emissions Monitoring System and Consent Decree Improvements for Flares) v. IEPA</u> – No action taken.	T-C, A
<b>PCB 12-91</b>	<u>WRB Refining, LLC (Pump LDAR Phase II Project) v. IEPA</u> – No action taken.	T-C, A
<b>PCB 12-92</b>	<u>People of the State of Illinois v. S. A. Lewis Construction, Inc.,</u> – The Board accepted for hearing this water enforcement action involving a site located in Macon County.	5-0 W-E
<b>PCB 12-93</b>	<u>People of the State of Illinois v. Kimble Septic, Inc. and Cleveland Kimble</u> – The Board accepted for hearing this water enforcement action involving a site located in Will County.	5-0 W-E

### **CASES PENDING DECISION**

<b>R11-14</b>	<u>UIC Update, USEPA Amendments (July 1, 2010 through December 31, 2010)</u> - Proposed Rule, Second Notice, Opinion & Order	Land
<b>R12-7</b>	<u>RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (January 1, 2011 through June 30, 2011)</u> - Proposal for Public Comment; Opinion & Order	Land

<b>R12-12</b>	<u>In the Matter of: Revision of Enhanced Vehicle Emission Inspection and Maintenance (I/M) Regulations: Amendments to 35 Ill. Adm. Code Part 240</u> - Adopted Rule, Final Opinion & Order	Air
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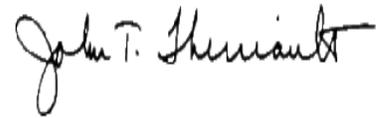
**OTHER ITEMS**

None

**ADJOURNMENT**

Moved and seconded, by a vote of 5-0, Chairman Holbrook 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 January 5, 2012, by a vote of 5-0



John T. Therriault, Assistant Clerk  
 Illinois Pollution Control Board