

# ILLINOIS POLLUTION CONTROL BOARD

## MEETING MINUTES

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**December 20, 2012**

**11:00 a.m.**

**Chicago**

100 W. Randolph Street  
Chicago, IL  
**Room 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. All five Board Members answered present.

### **APPROVAL OF MINUTES**

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The minutes of the December 5, 2012 closed meeting under 5 ILCS 120/2(c)(1) were approved by a vote of 5-0. The minutes of the December 6, 2012 open meeting were approved by a vote of 5-0. The minutes of the December 13, 2012 closed deliberative session under 5 ILCS 120/2(c)(4) were approved by a vote of 5-0.

**RULEMAKINGS**

<b>R11-9</b>	<u>In the Matter of: Tiered Approach to Corrective Action Objectives (TACO) (Indoor Inhalation): Amendments to 35 Ill. Adm. Code 742</u> – No action taken.	Land
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**ADJUSTED STANDARDS**

NONE

**ADMINISTRATIVE CITATIONS**

<b>AC 13-23</b>	<u>IEPA v. IL Valley Urban Lumberjacks, LLC</u> – The Board accepted an administrative citation against this LaSalle County respondent.	
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**ADJUDICATORY CASES**

<b>PCB 06-75</b>	<u>The City of Springfield v. IEPA</u> – The Board granted the parties’ motion to withdraw the November 26, 2012 joint motion. The Board deems the parties’ motion to hold this matter at its December 6, 2012 Board meeting as moot.	5-0 P-A, Air
<b>PCB 07-95</b>	<u>People of the State of Illinois v. AET Environmental, Inc. and E.O.R. Energy, LLC</u> – No action taken.	L-E
<b>PCB 08-96</b>	<u>United City of Yorkville v. Hamman Farms</u> – No action taken.	A,L, W-E, Citizens
<b>PCB 10-12</b>	<u>People of the State of Illinois v. Hicks Oils &amp; Hicksgas, Inc.</u> – 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 Tazewell County facility, the Board ordered publication of the required newspaper notice.	5-0 W-E
<b>PCB 10-75</b>	<u>Chicago Coke Co., Inc, an Illinois corporation v. IEPA; Natural Resource Defense Council and Sierra Club as Intervenor</u> – The Board denied petitioner’s motions to strike summary judgment. The Board granted petitioner’s motions for leave to file replies.	5-0 P-A, Air

<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 12-21</b>	<u>People of the State of Illinois v. Altivity Packaging, LLC, Intra-Plant Maintenance Corporation, Ironhustler Excavating, Inc., and Ron Bright, d/b/a Quarter Construction</u> – No action taken.	L-E
<b>PCB 13-12</b>	<u>People of the State of Illinois v. NACME Steel Processing, LLC</u> – No action taken.	A-E
<b>PCB 13-15</b>	<u>Sierra Club, Environmental Law and Policy Center, Prairie Rivers Network, and Citizens Against Ruining the Environment v. Midwest Generation</u> – No action taken.	A-E, Citizens
<b>PCB 13-18</b>	<u>People of the State of Illinois v. Two Rivers FS, Inc.</u> – In this air enforcement action concerning a Pike 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 \$25,000.00, and to cease and desist from further violations.	5-0 A-E
<b>PCB 13-19</b>	<u>People of the State of Illinois v. Sheridan-Joliet Land Development, LLC, and Sheridan Sand &amp; Gravel Co. (4201 Road Site)</u> – No action taken.	L-E
<b>PCB 13-20</b>	<u>People of the State of Illinois v. Sheridan-Joliet Land Development, LLC, and Sheridan Sand &amp; Gravel Co. (Wiensland Site)</u> – No action taken.	L-E
<b>PCB 13-22</b>	<u>Mahomet Valley Water Authority, City of Champaign, Illinois, Donald R. Gerard, City of Urbana, Illinois, Laurel Lunt Prussing, City of Bloomington, Illinois, County of Champaign, Illinois, County of Piatt, Illinois, Town of Normal Illinois, Village of Savoy, Illinois and City of Decatur v. Clinton Landfill</u> – No action taken.	L-E, Citizens
<b>PCB 13-24</b>	<u>Midwest Generation, LLC v. IEPA</u> – The Board accepted for hearing without ruling upon its sufficiency, a request for variance involving five facilities located in the following counties, Cook, Peoria, Tazewell, and Will.	4-0 Holbrook abstained A-V

<b>PCB 13-25</b>	<u>People of the State of Illinois v. Diversified Labeling Solutions, Inc.</u> – The Board accepted for hearing this land enforcement action concerning a DuPage County facility.	5-0 A-E
<b>PCB 13-26</b>	<u>People of the State of Illinois v. Bag Makers, Inc.</u> – Upon receipt of a complaint accompanied by a proposed stipulation and settlement agreement, and an agreed motion to request relief from the hearing requirement in this air enforcement action involving a facility located in McHenry County facility, the Board accepted the complaint and ordered publication of the required newspaper notice.	5-0 A-E
<b>PCB 13-27</b>	<u>Sierra Club v. Midwest Generation, LLC</u> – No action taken.	A-E, Citizens
<b>PCB 13-28</b>	<u>People of the State of Illinois v. Atkinson Landfill Company</u> – The Board accepted for hearing this land enforcement action concerning a Henry County facility.	5-0 W-E

**CASES PENDING DECISION**

**NONE**

**OTHER ITEMS**

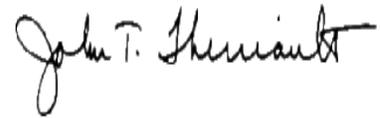
	The Board granted the Chairman’s Motion to hold four videoconference, Closed Board Meetings, on Wednesday, January 9, 2013, Wednesday, January 23, 2013, Wednesday, February 6,.2013, and Wednesday, February 20,.2013, all at 2:00 pm . All meetings will be held in both Room 11-512 of James R. Thompson Center, Chicago, and in IPCB Conference Room 1244, 1021 N. Grand Avenue East, Springfield, as authorized by the exception in Section 2(c)(1) of the Open Meetings Act (5 ILCS 120/2(c)(1)) concerning personnel matters.	5-0
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## ADJOURNMENT

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Moved and seconded, by a vote of 5-0, Chairman Holbrook adjourned the meeting at 11:08 a.m.

I, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on January 10, 2013, by a vote of 5-0



John T. Therriault, Assistant Clerk  
Illinois Pollution Control Board