

ILLINOIS POLLUTION CONTROL BOARD

MEETING MINUTES



June 20, 2013

11:00 a.m.

Chicago
100 W. Randolph Street
Chicago, IL
Room 9-040

ANNOUNCEMENTS

Chairman Holbrook welcomed members of the public and staff.

ROLL CALL

The Chairman asked John Therriault, newly appointed Clerk of the Board called the roll. All five Board Members answered present.

APPROVAL OF MINUTES

The minutes of June 6, 2013 open meeting were approved by a vote of 5-0. The minutes of the June 13, 2013 closed deliberative session under 5 ILCS 120/2(c)(4) were approved by a vote of 5-0. The minutes of the June 19, 2013 closed meeting under 5 ILCS 120/2(c)(1) were approved by a vote of 5-0.

RULEMAKINGS

R13-15	<u>RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (July 1, 2012 through December 31, 2012)</u> – The Board adopted a proposal for public comment in this rulemaking to amend the Board’s hazardous waste regulations.	5-0 Land
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ADJUSTED STANDARDS

AS 09-4	<u>In the Matter of: Petition of Royal Fiberglass Pools, Inc. for an Adjusted Standard from 35 IAC 215.301</u> – No action taken.	Air
AS 13-4	<u>In the Matter of: Petition of Brickyard Disposal & Recycling, Inc. Pursuant to 35 Ill. Adm. Code 814.402(b)(3)</u> – No action taken.	Land

ADMINISTRATIVE CITATIONS

AC 13-42	<u>IEPA v. James & Pam Green</u> – The Board accepted respondents’ petition for review, but directed respondents to file an amended petition to cure deficiencies on or before July 22, 2013.	5-0
AC 13-43	<u>IEPA v. Mike Munson</u> – The Board found that this Crawford County respondent violated 21(p)(1) and 21(p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), 21(p)(7) (2010)), and ordered respondent to pay a civil penalty of \$3,000.	5-0
AC 13-45	<u>IEPA v. Marshall Brennan</u> – The Board found that this LaSalle County respondent violated Sections 21(p)(1) and 55(k)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1) and 55(k)(1) (2010)), and ordered respondent to pay a civil penalty of \$3,000.	5-0
AC 13-53	<u>IEPA v. Robert Becerra d/b/a 911 Auto Repair</u> – The Board accepted an administrative citation against this Boone County respondent.	
AC 13-54	<u>IEPA v. Glay McMillen</u> – The Board granted complainant’s motion for withdrawal of this administrative citation and closed the docket.	5-0
AC 13-55	<u>County of Perry v. Union Pacific Railroad</u> – The Board accepted an administrative citation against this Perry County respondent.	

ADJUDICATORY CASES

<p>PCB 06-189 PCB 06-190</p>	<p><u>L. Keller Oil Properties / Farina (Incident No. 20060153) v. IEPA</u> <u>L. Keller Oil Properties / Farina (Incident No. 20051539) v. IEPA</u> – No action taken.</p>	<p>UST Appeal</p>
<p>PCB 07-95</p>	<p><u>People of the State of Illinois v. AET Environmental, Inc. and E.O.R. Energy, LLC</u> – The Board denied respondents’ motion to stay the Board’s September 6, 2012 order pending appeal.</p>	<p>5-0 L-E</p>
<p>PCB 08-30</p>	<p><u>E.R. 1, LLC, assignee of Caseyville Sport Choice, LLC v. James A. Seiber, Jr., Executor of the Estate of Erma I. Seiber and James A. Seiber, Deceased, and Fairmount Park, Inc.</u> – No action taken.</p>	<p>L-E, Citizens</p>
<p>PCB 10-75</p>	<p><u>Chicago Coke Co., Inc. v. IEPA; Natural Resource Defense Council and Sierra Club as Intervenors</u> – No action taken.</p>	<p>P-A, Air</p>
<p>PCB 10-84</p>	<p><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.</p>	<p>L-E</p>
<p>PCB 12-21</p>	<p><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.</p>	<p>L-E</p>
<p>PCB 13-8</p>	<p><u>Atkinson Landfill Company v. IEPA</u> – The Board granted petitioner’s motion for summary judgment, finding the siting approval submitted was valid. The Board remanded the case to the Illinois Environmental Protection Agency (Agency) for consideration on the merits of the permit application. The Board denied the Agency’s motion for summary judgment.</p>	<p>5-0 P-A, Land</p>
<p>PCB 13-15</p>	<p><u>Sierra Club, Environmental Law and Policy Center, Prairie Rivers Network, and Citizens Against Ruining the Environment v. Midwest Generation</u> – No action taken.</p>	<p>W-E, Citizens</p>
<p>PCB 13-17</p>	<p><u>Natural Resources Defense Council, Prairie Rivers Network, and Sierra Club v. Illinois Environmental Protection Agency and Dynegy Midwest Generation, Inc.</u> – No action taken.</p>	<p>W-PA, NPDES, 3d P</p>
<p>PCB 13-19</p>	<p><u>People of the State of Illinois v. Sheridan-Joliet Land Development, LLC, and Sheridan Sand & Gravel Co. (4201 Road Site)</u> – No action taken.</p>	<p>L-E</p>

PCB 13-20	<u>People of the State of Illinois v. Sheridan-Joliet Land Development, LLC, and Sheridan Sand & Gravel Co. (Wiensland Site)</u> – No action taken.	L-E
PCB 13-22	<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
PCB 13-28	<u>People of the State of Illinois v. Atkinson Landfill Company</u> – No action taken.	W-E
PCB 13-54	<u>Jay Bell’s 66 v. IEPA</u> – No action taken.	UST Appeal
PCB 13-63	<u>Spectrum Preferred Meats, Inc. v. IEPA</u> – No action taken.	P-A, Water
PCB 13-65	<u>Natural Resources Defense Council, Prairie Rivers Network, and Sierra Club v. Illinois Environmental Protection Agency and Dynegy Midwest Generation, Inc.</u> – No action taken.	W-PA, NPDES, 3d P
PCB 13-67	<u>Prairie Rivers Network and Sierra Club v. Illinois Environmental Protection Agency and Springfield Coal Company, LLC</u> – No action taken.	W-E, Citizens
PCB 13-68	<u>Leslie C. Ko v. IEPA</u> – The Board accepted for hearing this underground storage tank appeal involving a Williamson County facility.	5-0 UST Appeal
PCB 13-69	<u>People of the State of Illinois v. R. A. Peterson, Inc.</u> – The Board accepted for hearing this water enforcement action concerning a Lake County facility.	5-0 W-E

CASES PENDING DECISION

NONE

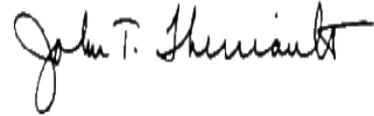
OTHER ITEMS

	The Board granted the Chairman’s motion pursuant to 415 ILCS 5/5(A) (2010) to fix the salary of the Board’s Executive Director at \$117,036.	5-0
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ADJOURNMENT

Moved and seconded, by a vote of 5-0, Chairman Holbrook adjourned the meeting at 11:10 a.m.

I, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on July 11, 2013, by a vote of 4-0.



John T. Therriault, Clerk
Illinois Pollution Control Board