

ILLINOIS POLLUTION CONTROL BOARD

MEETING MINUTES



December 5, 2013

11:00 a.m.

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

ANNOUNCEMENTS

Chairman Glosser welcomed members of the public and staff

ROLL CALL

The Clerk of the Board called the roll. All four Board Members answered present.

APPROVAL OF MINUTES

The minutes of the November 21, 2013 open meeting were approved by a vote of 4-0.

PUBLIC ADDRESSES TO BOARD CONCERNING ITEMS ON THIS AGENDA

No members of the public requested to speak.

RULEMAKINGS

R14-1	<u>UIC Update, USEPA Amendments (January 1, 2013 through June 30, 2013)</u>	4-0
R14-2	<u>RCRA Subtitle D (Municipal Solid Waste Landfill) USEPA Amendments (January 1, 2013 through June 30, 2013)</u>	Land
R14-3	<u>RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (January 1, 2013 through June 30, 2013)</u> – The Board on its own motion consolidated these “identical-in-substance” rulemakings to amend the Board’s underground injection control, hazardous waste and Municipal Solid Waste Landfill regulations, and adopted a proposal for public comment.	

ADJUSTED STANDARDS

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
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ADMINISTRATIVE CITATIONS

AC 14-4	<u>IEPA v. Mark & Cheryl Rogers</u> – No action taken.	
AC 14-19	<u>IEPA v. Boudie's Auto Shop</u> – The Board found that this LaSalle County respondent violated Section 55(k)(1) of the Environmental Protection Act (415 ILCS 55(k)(1) (2012)), and ordered respondent to pay a civil penalty of \$1,500.	4-0
AC 14-20	<u>IEPA v. Frank Root</u> – The Board accepted respondent’s petition for review involving a Macoupin County facility, but directed respondent to file an amended petition to cure specified deficiencies.	4-0
AC 14-22	<u>IEPA v. Roger Ray</u> – The Board accepted for hearing respondent’s petition for review of this administrative citation involving a Moultrie County facility.	4-0
AC 14-23	<u>IEPA v. Cord Shaffer</u> – The Board accepted for hearing respondent’s petition for review of this administrative citation involving a Champaign County facility.	4-0

AC 14-24	<u>IEPA v. Gwendolyn Sutton & Milton "Rusty" Sutton</u> – The Board granted complainant’s motion for withdrawal of this administrative citation as to Gwendolyn Sutton. The docket remains open as to Milton “Rusty” Sutton.	4-0
AC 14-25	<u>IEPA v. Karla F. Kopp</u> – The Board granted complainant’s motion for withdrawal of this administrative citation and closed the docket.	4-0
AC 14-26	<u>IEPA v. G and E Five, LLC and Northwind RAS, LLC</u> – The Board accepted an administrative citation against these Winnebago County respondents.	
AC 14-27	<u>IEPA v. Steven and Anthony Sohn</u> – The Board accepted an administrative citation against these Pike County respondents.	
AC 14-28	<u>IEPA v. Doc’s Recycling</u> – The Board accepted an administrative citation against this Wayne County respondent.	
AC 14-29	<u>County of LaSalle v. Wes and Jessica Whittaker</u> – The Board accepted an administrative citation against these LaSalle County respondents.	

ADJUDICATORY CASES

PCB 05-199	<u>People of the State of Illinois v. Champion Environmental Services, Inc</u> – No action taken.	A-E
PCB 07-13	<u>People of the State of Illinois v. Ray F. Landers, individually, and Equipping the Saints Ministry</u> – No action taken.	A-E
PCB 09-107	<u>People of the State of Illinois v. Tate and Lyle Ingredients Americas, Inc.</u> – No action taken.	A-E
PCB 12-94 (See also PCB 14-4)	<u>CITGO Petroleum Corporation and PDV Midwest Refining, L.L.C. v. IEPA</u> – No action taken.	W-V

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, Illinois v. Clinton Landfill, Inc.; People of the State of Illinois as Intervenor</u> – The Board denied the motion for reconsideration of complainants and intervenor People of the State of Illinois.	4-0 L-E, Citizens
PCB 13-28	<u>People of the State of Illinois v. Atkinson Landfill Company</u> – No action taken.	W-E
PCB 14-1	<u>Chatham BP, LLC v. IEPA</u> – No action taken.	UST Appeal
PCB 14-4 (See also PCB 12-94)	<u>CITGO Petroleum Corporation and PDV Midwest Refining, L.L.C. v. IEPA</u> – No action taken.	W-V
PCB 14-6	<u>Jon Chvalovsky v. Exelon and Commonwealth Edison</u> – No action taken.	N-E, Citizens
PCB 14-18	<u>The Premcor Refining Group, Inc. 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 Tazewell County facility.	4-0 UST Appeal 90 Day Ext.
PCB 14-25	<u>Will Scarlet Properties, L.L.C. v. IEPA</u> – The Board accepted for hearing this permit appeal involving petitioner’s facility, Old Will Scarlet Mine located in Saline and Williamson Counties. No action was taken on petitioner’s motion for partial stay of specified conditions.	4-0 W-PA, NPDES
PCB 14-32	<u>Enbridge Pipelines (Southern Lights), LLC (installation of cathodic protection on the product storage tanks) v. IEPA</u> – No action taken.	T-C, W
PCB 14-34	<u>Maurice Whisenhunt v. Jeff Moore</u> – No action taken.	N-E, Citizens

PCB 14-35	<u>Greuel Holdings, LLC - East Moline v. IEPA</u> – The Board found and certified that specified facilities of Greuel Holdings, LLC located in McDonough County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2012)).	4-0 T-C, W
PCB 14-37	<u>4th Meridian Farm, Inc. v. IEPA</u> – The Board found and certified that specified facilities of 4th Meridian Farm, Inc. located in Knox County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2012)).	4-0 T-C, W
PCB 14-38	<u>EJS LLC v. IEPA</u> – The Board found and certified that specified facilities of EJS, LLC located in Stephenson County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2012)).	4-0 T-C, W
PCB 14-39	<u>People of the State of Illinois v. Bradley Property, LLC, Bradley Auto Spa, LLC, and A-K Underground, Inc.</u> – The Board accepted for hearing this water enforcement action concerning a facility located in Kankakee County.	4-0 W-E
PCB 14-40	<u>People of the State of Illinois v. St. Elizabeth's Hospital of the Hospital Sisters of the Third Order of St. Francis</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 land enforcement action involving a St. Clair County facility, the Board ordered publication of the required newspaper notice.	4-0 L-E
PCB 14-41	<u>Amerenenergy Resources Generating Company v. IEPA</u> – The Board accepted for hearing this permit appeal involving a Fulton County facility.	4-0 L-PA
PCB 14-42	<u>Enbridge Pipelines LLC Tank No. 1 Internal Floating Roof v. IEPA</u> – No action taken.	T-C, A
PCB 14-43	<u>Enbridge Pipelines LLC Tank No. 1 Internal Floating Roof v. IEPA</u> – No action taken.	T-C, A

PCB 14-44	<u>Dynegy Midwest Generation, Inc. Flue Gas Desulfurization System, PM Collection Device and Sorbent Injection system for Baldwin Station, Unit No. 3 v. IEPA</u> – No action taken.	T-C, A
PCB 14-45	<u>Dynegy Midwest Generation, Inc. Flue Gas Desulfurization System, PM Collection Device and Sorbent Injection system for Baldwin Station, Units No. 1 & 2 v. IEPA</u> – No action taken.	T-C, A
PCB 14-46	<u>Dynegy Midwest Generation, Inc. Mercury Sorbent Trap Monitoring System for Baldwin Station, Unit No. 1 v. IEPA</u> – No action taken.	T-C, A
PCB 14-47	<u>Dynegy Midwest Generation, Inc. Mercury Sorbent Trap Monitoring System for Baldwin Station, Unit No. 2 v. IEPA</u> – No action taken.	T-C, A
PCB 14-48	<u>Dynegy Midwest Generation, Inc. Mercury Sorbent Trap Monitoring System for Baldwin Station, Unit No. 3 v. IEPA</u> – No action taken.	T-C, A
PCB 14-49	<u>Dynegy Midwest Generation, Inc. Agglomerator Systems for Havana Station, Unit No. 6, Boiler No. 9 v. IEPA</u> – No action taken.	T-C, A
PCB 14-50	<u>Dynegy Midwest Generation, Inc. Flue Gas Desulfurization System, PM Collection Device and Sorbent Injection System for Havana Station, Unit No. 6, Boiler No. 9 v. IEPA</u> – No action taken.	T-C, A
PCB 14-51	<u>Dynegy Midwest Generation, Inc. Sodium Sulfate Additive System for Havana Station, Unit No. 6, Boiler No. 9 v. IEPA</u> – No action taken.	T-C, A
PCB 14-52	<u>Dynegy Midwest Generation, Inc. Mercury Sorbent Trap Monitoring System for Havana Station, Unit No. 6, Boiler No. 9 v. IEPA</u> – No action taken.	T-C, A

PCB 14-53	<u>Dynegy Midwest Generation, Inc. Fogging System for Barge Unloading Coal Tower, Hennepin Station v. IEPA</u> – No action taken.	T-C, A
PCB 14-54	<u>Dynegy Midwest Generation, Inc. Mercury Sorbent Trap Monitoring Systems for Hennepin Station, Units No. 1 & 2 v. IEPA</u> – No action taken.	T-C, A
PCB 14-55	<u>Dynegy Midwest Generation, Inc. PM Collection Devices and Sorbent Injection Systems for Hennepin Station, Units No. 1 & 2 v. IEPA</u> – No action taken.	T-C, A
PCB 14-56	<u>Dynegy Midwest Generation, Inc. Fabric Filter Dust Collector System for Wood River Station, Rail Car Coal Unloading v. IEPA</u> – No action taken.	T-C, A
PCB 14-57	<u>Dynegy Midwest Generation, Inc. Mercury Sorbent Trap Monitoring System for Wood River Station, Unit No. 4 v. IEPA</u> – No action taken.	T-C, A
PCB 14-58	<u>Dynegy Midwest Generation, Inc. Mercury Sorbent Trap Monitoring System for Wood River Station, Unit No. 5 v. IEPA</u> – No action taken.	T-C, A
PCB 14-59	<u>Dynegy Midwest Generation, Inc. Sorbent Injection System and Fabric Filter Dust Collector System for Wood River Station, Unit No. 5 v. IEPA</u> – No action taken.	T-C, A

CASES PENDING DECISION

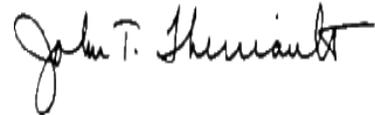
R13-18	<u>In the Matter of: Vapor Recovery Rules: Amendments to 35 Ill. Adm. Code Parts 201, 218, and 219</u> <ul style="list-style-type: none"> • Scheduled for JCAR Review 12/17/13 <ul style="list-style-type: none"> – Adopted Rule; Final Opinion & Order 	O’Leary Air
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OTHER ITEMS

ADJOURNMENT

Moved and seconded, by a vote of 4-0, Chairman Glosser adjourned the meeting at 11:17 a.m.

I, John T. Therriault, Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on December 19, 2013, by a vote of 4-0



John T. Therriault, Clerk
Illinois Pollution Control Board