

ILLINOIS POLLUTION CONTROL BOARD

MEETING MINUTES



February 20, 2014

11:00 a.m.

Videoconference

Chicago

100 W. Randolph Street
Chicago, IL
Room 11-512

And

Springfield

1021 N. Grand Avenue East
Springfield, IL
Conference Room 1244 N, First Floor

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 February 6, 2014 open meeting were approved by a vote of 4-0.

PUBLIC REMARKS

None

RULEMAKINGS

R08-9(D)	<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> – No action taken.	Water
R13-20	<u>In the Matter of: Procedural Rules for Alternative Thermal Effluent Limitations Under Section 316(a) of the Clean Water Act: Proposed New 35 Ill. Adm. Code Part 106, Subpart K and Amended Section 304.141(c)</u> – The Board adopted a final opinion and order in this rulemaking to amend the Board’s water pollution control regulations and procedural rules.	4-0 Water Proc

ADJUSTED STANDARDS

None

ADMINISTRATIVE CITATIONS

AC 14-20	<u>IEPA v. Frank Root</u> – The Board directed respondent to file proof that the petition for review was delivered to the Illinois Environmental Protection Agency.	4-0
AC 14-27	<u>IEPA v. Steven and Anthony Sohn</u> – The Board accepted respondents’ amended petition for review involving a Pike County facility.	4-0
AC 14-34	<u>Illinois EPA v. Lester Scott Hutchings, individually, and d/b/a Hutch's Tire & Lube</u> – The Board accepted an administrative citation against these Perry County respondents.	
AC 14-35	<u>County of Jackson v. Kimberly Hunziker</u> – The Board accepted an administrative citation against this Jackson County respondent.	

ADJUDICATORY CASES

PCB 09-107	<u>People of the State of Illinois v. Tate and Lyle Ingredients Americas, Inc.</u> – No action taken.	A-E
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PCB 11-42	<u>People of the State of Illinois v. Joel A. Moske, d/b/a U. S. Scrap</u> – The Board granted summary judgment, in part, and found that respondent violated Sections 9(a), 9(c), 21(a), 21(e), 21(p)(3), and 21(p)(7)(i) of the Environmental Protection Act (Act) (415 ILCS 5/9(a), 9(c), 21(a), 21(e), 21(p)(3), 21(p)(7)(i) (2012)). The Board denied summary judgment with regard to the alleged violations of Sections 722.111 and 808.121 of the Board’s waste disposal regulations (35 Ill. Adm. Code 722.111, 808.121). The Board directed the hearing officer to proceed to hearing on the allegations in count III of the complaint.	4-0 A,L-E
PCB 11-79	<u>People of the State of Illinois v. Inverse Investment L.L.C.</u> – The Board granted parties’ joint motion to stay proceedings until August 18, 2014.	4-0 W-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 13-27	<u>Sierra Club v. Midwest Generation, LLC</u> – No action taken.	A-E, Citizens
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 14-36	<u>EJP Wheaton, LLC 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.	4-0 UST Appeal
PCB 14-60	<u>People of the State of Illinois v. William Blankenship</u> – In this land enforcement action concerning a Marion 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) (2012)), accepted a stipulation and settlement agreement, and ordered the respondent to cease and desist from further violations.	4-0 L-E
PCB 14-99	<u>Timber Creek Homes, Inc. v. Village of Round Lake Park, Round Lake Park Village Board and Groot Industries, Inc.</u> – No action taken.	S-PA, 3d P

PCB 14-105	<u>Borsdorf Farm, LLC v. IEPA</u> – The Board found and certified that specified facilities of Borsdorf Farm, LLC located in Jo Daviess 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 14-106	<u>Prairie Rivers Network, Natural Resources Defense Council, Sierra Club, Environmental Law & Policy Center, Friends of Chicago River, and Gulf Restoration Network v. Illinois Environmental Protection Agency and Metropolitan Water Reclamation District of Greater Chicago (O'Brien Plant, Permit No. 28088)</u> – No action taken.	W-PA, NPDES, 3d P
PCB 14-107	<u>Prairie Rivers Network, Natural Resources Defense Council, Sierra Club, Environmental Law & Policy Center, Friends of Chicago River, and Gulf Restoration Network v. Illinois Environmental Protection Agency and Metropolitan Water Reclamation District of Greater Chicago (Calumet Plant, Permit No. 28061)</u> – No action taken.	W-PA, NPDES, 3d P
PCB 14-108	<u>Prairie Rivers Network, Natural Resources Defense Council, Sierra Club, Environmental Law & Policy Center, Friends of Chicago River, and Gulf Restoration Network v. Illinois Environmental Protection Agency and Metropolitan Water Reclamation District of Greater Chicago (Stickney Plant, Permit No. 28053)</u> – No action taken.	W-PA, NPDES, 3d P

CASES PENDING DECISION

None

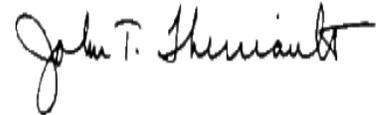
OTHER ITEMS

None

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 March 6, 2014, by a vote of 4-0.



John T. Therriault, Clerk
Illinois Pollution Control Board