

ILLINOIS POLLUTION CONTROL BOARD

MEETING MINUTES



September 18, 2014

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 September 4, 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> – The Board adopted a first notice opinion and order in this rulemaking proposal to amend the Board’s water pollution regulations.	4-0
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ADJUSTED STANDARDS

AS 14-3	<u>In the Matter of: Petition of Brickyard Disposal & Recycling, Inc. for an Adjusted Standard Pursuant to 35 Ill. Adm. Code 814.402(B)(3) and From 35 Ill. Adm. Code 810.103, 811.318(b)(3), and 811.320(c) (Land)</u> – The Board accepted petitioner’s petition for an adjusted standard involving a Vermilion County facility, but directed petitioner to file an amended petition to cure deficiencies specified in the order.	4-0
AS 15-2	<u>In the Matter of: Petition of Apex Material Technologies, LLC for an Adjusted Standard From Portions of 35 Ill. Adm. Code 807.104 and 810-103 OR in the Alternative, A Finding of Inapplicability (Land)</u> – The Board accepted petitioner’s petition for an adjusted standard involving a Will County facility. The Board made no determination on the petition’s sufficiency or merits.	4-0

ADMINISTRATIVE CITATIONS

AC 15-1	<u>IEPA v. Dale White and Shawn & Amanda Depew</u> – The Board found that these Jefferson County respondents violated Sections 21(p)(1), 21(p)(3), and 21(p)(7) of the Environmental Protection Act (Act) (415 ILCS 5/21(p)(1), (p)(3), 21(p)(7) (2012)), and ordered respondents to pay a civil penalty of \$4,500.	4-0
AC 15-9	<u>IEPA v. Ponderosa Land Trust</u> – The Board accepted for hearing respondent’s petition for review of this administrative citation involving a Williamson County facility.	4-0

ADJUDICATORY CASES

PCB 13-27	<u>Sierra Club v. Midwest Generation, LLC (Air-Enforcement, Citizen’s)</u> – No action taken.	
PCB 13-63	<u>Spectrum Preferred Meats, Inc. v. IEPA (Water, Permit Appeal, NPDES)</u> – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal.	4-0
PCB 14-25	<u>Will Scarlet Properties, L.L.C. v. IEPA (Water, Permit Appeal, NPDES)</u> – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal.	4-0

PCB 14-123	<u>Exelon Generation LLC (Quad Cities Nuclear Generating Station) v. IEPA (Thermal Demonstration-Other)</u> – The Board granted, subject to conditions, the requested alternative thermal effluent limitations for petitioner’s electric generating plant located in Rock Island County.	4-0
PCB 14-134	<u>Sierra Club v. Ameren Energy Medina Valley Cogen, LLC and Futuregen Industrial Alliance, Inc.</u> (Air-Enforcement, Citizens) – The Board granted the parties’ joint the motion to stay this proceeding until October 3, 2014.	4-0
PCB 15-10	<u>People of the State of Illinois v. Belleville Shoe Manufacturing Company</u> (Land -Enforcement) – In this land enforcement action concerning a St. Clair 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 respondent to pay a total civil penalty of \$20,000.00, and to cease and desist from further violations.	4-0
PCB 15-58	<u>Cedar Concepts Corporation v. IEPA</u> (Air-Permit Appeal, CAAPP) – The Board granted petitioner’s motion for stay of the effectiveness of the denial of its permit application.	4-0
PCB 15-62	<u>People of the State of Illinois v. CNH Industrial America, LLC</u> (Air-Enforcement) 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 Woodford County facility, the Board ordered publication of the required newspaper notice.	4-0
PCB 15-64	<u>People of the State of Illinois v. Surdyke Cycle of Illinois, Inc., an Illinois Corporation, d/b/a Dale's Harley-Davidson and Waterkotte Harley-Davidson</u> (Land-Enforcement) – The Board accepted for hearing this land enforcement action concerning a facility located in Jefferson County.	4-0

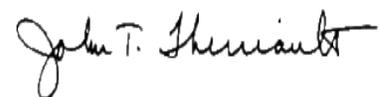
PCB 15-65	<u>Roxana Landfill, Inc. v. Village Board of the Village of Caseyville, Illinois; Village of Caseyville, Illinois; and Caseyville Transfer Station, L.L.C</u> (Land-Siting Review, Third Party) – The Board accepted for hearing this third party pollution control facility siting appeal involving a St. Clair County facility.	4-0
PCB 15-69	<u>Village of Fairmont City, Illinois v. Village of Caseyville, Illinois Board of Trustees and Caseyville Transfer Station, L.L.C.</u> (Land-Siting Review, Third Party) – The Board accepted for hearing this third party pollution control facility siting appeal involving a St. Clair County facility.	4-0
PCB 15-70	<u>People of the State of Illinois v. Macy's Retail Holdings, Inc.</u> (Air-Enforcement) 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
PCB 15-71	<u>Hamilton & Grove Properties, Inc. v. IEPA</u> (Land-Permit Appeal, Cost Recovery) – The Board accepted petitioner's timely filed request as a petition to contest the permit denial, but directed petitioner to file an amended petition to cure noted deficiencies.	4-0
PCB 15-72	<u>People of the State of Illinois v. Starved Rock Adventures, Inc.</u> (Air, Water-Enforcement, (NPDES)) – The Board accepted for hearing this air and water enforcement action concerning a facility located in LaSalle County.	4-0

OTHER ITEMS

ADJOURNMENT

Moved and seconded, by a vote of 4-0, Chairman Glosser adjourned the meeting at 11:21 a.m.

I, John T. Therriault, Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on October 2, 2014, by a vote of 4-0.



John T. Therriault, Clerk
Illinois Pollution Control Board