

ILLINOIS POLLUTION CONTROL BOARD

MEETING MINUTES



January 22, 2015

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 January 8, 2015 open meeting were approved by a vote of 4-0.

PUBLIC REMARKS

None

RULEMAKINGS

R14-20	<u>In the Matter of: Emergency Rulemaking Regarding Regulation of Coke/Coal Bulk Terminals; 35 Ill. Adm. Code Part 213 (Air)</u> – The Board granted the Illinois Environmental Protection Agency’s request to extend the stay of these proceedings from January 12, 2015 to April 13, 2015.	4-0
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R14-21	<u>In the Matter of: Procedural Rule to Implement Electronic Filing and Allow for Public Remarks at Board Meetings</u> (Procedural) – The Board adopted a final opinion and order in this rulemaking proposal to amend the Board’s procedural rules.	4-0
R14-23	<u>In the Matter of: Standards and Requirements for Potable Water Well Surveys and Community Relations Activities Performed in Conjunction With Agency Notices of Threats From Contamination: Proposed Amendments to 35 Ill. Adm. Code 1600</u> (Land) – The Board adopted a second notice opinion and order in this rulemaking proposal to amend the Board’s Right to Know regulations.	4-0

ADJUSTED STANDARDS

ADMINISTRATIVE CITATIONS

AC 12-51	<u>IEPA v. Northern Illinois Service Company</u> – The Board entered a final opinion and order requiring respondent to pay hearing costs of the Illinois Environmental Protection Agency and the Board in the amount of \$1,249.30 and a civil penalty of \$7,500. This order follows the Board's interim order of November 20, 2014, which found that this respondent had violated Sections 21(p)(1), 21(p)(7), and 55(k)(1) of the Act (415 ILCS 5/21(p)(1), (p)(7), 55(k)(1) (2012)).	4-0
AC 15-6	<u>County of Macon v. Kevin E. Woodruff</u> – The Board granted complainant’s motion for voluntary dismissal of this administrative citation and closed the docket.	4-0
AC 15-14	<u>IEPA v. Russell and Deborah Janssen</u> – The Board found that these Ogle County respondents violated 21(p)(1), (p)(7), and 55(k)(1) of the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(7), and 55(k)(1) (2012)), and ordered respondents to pay a civil penalty of \$4,500.	4-0

ADJUDICATORY CASES

<p>PCB 14-112</p>	<p><u>Mr. Gary L. Polchow v. Aaron Warren and Sean McAllister</u> (Air, Water-Enforcement, Citizens) – The Board dismissed complainant’s second amended complaint for failure to provide the Board with proof of service on the correct respondent.</p>	<p>4-0</p>
<p>PCB 15-65 PCB 15-69 (cons.)</p>	<p><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> <u>Village of Fairmont City, Illinois v. Village of Caseyville, Illinois Board of Trustees and Caseyville Transfer Station, L.L.C.</u> (Land, Pollution Control Facility Siting Review, Third Party) – The Board granted in part and denied in part the Village of Caseyville’s motion for reimbursement of costs incurred in preparing and certifying the record to the Board.</p>	<p>4-0</p>
<p>PCB 15-111 PCB 15-113</p>	<p><u>Clinton Landfill, Inc. v. IEPA</u> (Land-Permit Appeal) – The Board granted the parties’ joint motion to consolidate these permit appeals with each other and with PCB 15-60 and PCB 15-76 (cons.).</p>	<p>4-0</p>
<p>PCB 15-134</p>	<p><u>Ameren Missouri and Pinckneyville Energy Center v. IEPA</u> (Air-Permit Appeal, CAAPP) – The Board accepted for hearing this permit appeal on behalf of this Perry County facility. The Board reserved ruling on petitioner’s motion for stay of the challenged modification of the permit, to allow the time for IEPA to file a response to run.</p>	<p>4-0</p>
<p>PCB 15-135</p>	<p><u>People of the State of Illinois v. Village of Chesterfield</u> (Public Water Supply-Enforcement) – 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 public water supply enforcement action involving a Macoupin County facility, the Board ordered publication of the required newspaper notice.</p>	<p>4-0</p>
<p>PCB 15-136</p>	<p><u>Piasa Motor Fuels, Inc. v. IEPA</u> (UST-Permit Appeal, 90-Day Ext.) – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Madison County facility.</p>	<p>4-0</p>

PCB 15-137	<u>D&L Landfill, Inc. v. IEPA</u> (UST-Permit Appeal, 90-Day Ext.) – The Board granted this request for a 90-day extension of time to file an underground storage tank appeal on behalf of this Bond County facility.	4-0
PCB 15-138	<u>Dynegy Midwest Generation, LLC v. IEPA</u> (Water-Permit Appeal, NPDES) – The Board accepted for hearing this permit appeal on behalf of this Randolph County facility. The Board reserved ruling on petitioner’s motion for stay of the challenged modification of the permit, to allow the time for IEPA to file a response to run.	4-0

OTHER ITEMS

	The Board granted the Chairman’s Motion under Section 2.06 (c) of the Open Meetings Act (5 ILCS 120/2.06(c) (2012)) to continue to preserve only written minutes of Board closed deliberative sessions occurring January 1, 2013 through June 30, 2013, and to approve destruction of verbatim tape recordings of meetings held: January 3, 17, and 31, February 14 and 28, March 14 and 28, April 11 and 25, May 9, 23, and 30, June 13 and 27, 2013.	4-0
	The Board granted the Chairman’s Motion under Section 2.06 (c) of the Open Meetings Act (5 ILCS 120/2.06(c) (2012)) to continue to preserve only written minutes of Board closed sessions occurring January 1, 2013 through June 30, 2013, and to approve destruction of verbatim tape recordings of meetings held: January 9 and 23, February 6 and 20, March 7 and 20, April 3 and 18, May 1 and 16, and June 5 and 19, 2013.	4-0
	Chairman’s Motion under Section 2.06 (c) of the Open Meetings Act (5 ILCS 120/2.06(c)) to continue to preserve only written minutes of Board closed deliberative sessions occurring July 1, 2014 through December 31, 2014. No action taken.	
	The Board granted the Chairman’s Motion under Section 2a of the Open Meetings Act (5 ILCS 100/2a) to hold two Closed Deliberative Sessions pursuant to Section 2(c)(4) of the Open Meetings Act (5 ILCS 120/2(c)(4)) regarding <u>McAfee v. IEPA</u> , PCB 15-84 (hearing held December 15, 2014) at 10:00 am on January 29 and February 26, 2015.	4-0

ADJOURNMENT

Moved and seconded, by a vote of 4-0, Chairman Glosser adjourned the meeting at 11:15 a.m.

I, John T. Therriault, Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on February 5, 2015, by a vote of 4-0.



John T. Therriault, Clerk
Illinois Pollution Control Board